



CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Held in City Hall Chambers 1660 Nela Ave, Belle Isle, FL

Held the 1st and 3rd Tuesday of Every Month

Tuesday, September 07, 2021 * 6:30 PM

AGENDA

City Council Commissioners

Nicholas Fouraker, Mayor

Vice-Mayor, District 6 Commissioner – Jim Partin

District 1 Commissioner – Ed Gold | District 2 Commissioner – Anthony Carugno | District 3 Commissioner – Karl Shuck

District 4 Commissioner – Randy Holihan | District 5 Commissioner – OPEN | District 7 Commissioner – Sue Nielsen

Welcome

Welcome to the City of Belle Isle City Council meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or website at www.belleislefl.gov. If you are not on the agenda, please complete the yellow "Request to Speak" form to be handed to the City Clerk. When the Mayor recognizes you, state your name and address and direct all remarks to the Council as a body and not individual council members, staff, or audience. The Council is pleased to hear relevant comments and has set a three-minute limit. Rosenberg's Rules of Order guide the conduct of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent, or slanderous remarks are not permitted. Please silence all technology during the session. Thank you for participating in your City Government.

1. **Call to Order and Confirmation of Quorum**
2. **Invocation and Pledge to Flag - Commissioner Holihan, District 4**
3. **Public Hearing - FY 2021-2022 Budget**
 - a. Budget FY 2021-2022
4. **Consent Items** - These items are considered routine and have been previously discussed by the Council. One motion will adopt them unless a Council member requests before the vote on the motion to have an item removed from the consent agenda and considered separately. Any item removed from the Consent Agenda would be considered for consideration following the remainder of the Consent Agenda.
 - a. No Items
5. **Citizen's Comments- Persons desiring to address the Council MUST complete and provide the City Clerk a yellow "Request to Speak" form located by the door.** After being recognized by the Mayor, persons are asked to come forward, 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 following the meeting date. Order and decorum will be preserved at all meetings. Personal, impertinent, or slanderous remarks are not permitted. Thank you.
6. **Unfinished Business**
 - a. **Ordinance 21-08 (Second Reading and Adoption)** AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTIONS 28-91 THROUGH 28-100 AND CREATING NEW SECTIONS 28-101 AND 28-102 OF CHAPTER 28, ARTICLE IV OF THE CITY CODE; UPDATING AND MODERNIZING CITY CODE PROVISIONS GOVERNING OCCUPATIONAL LICENSES/BUSINESS TAX RECEIPTS AND RELATED MATTERS, INCLUDING CHANGES NECESSARY FOR CONSISTENCY WITH THE CURRENT STATUTES UNDER CHAPTER 205, FLORIDA STATUTES, WITH RESPECT TO TERMINOLOGY, RULES, REGULATIONS, PROCEDURES, AND OTHER MATTERS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND THE EFFECTIVE DATE OF THIS ORDINANCE.
 - b. **Ordinance 21-09 (Second Reading and Adoption)** AN ORDINANCE OF THE CITY OF BELLE, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF BELLE ISLE TO ADOPT A PRIVATE PROPERTY RIGHTS ELEMENT TO COMPLY WITH SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

- c. Ordinance 21-10 (First Reading)** AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTION 50-103(a) OF THE CITY’S CODE OF ORDINANCES AS SUCH PERTAINS TO HOME BASED OCCUPATIONS; PROVIDING FOR HOME BASED BUSINESS REGULATIONS CONSISTENT WITH GENERAL LAW; AND PROVIDING FOR ENFORCEMENT, SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.
- d. Resolution 21-17 (Zip Code Change)** A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, DECLARING THE NECESSITY FOR MODIFICATION OF THE ZIP CODE DESIGNATION BOUNDARY ASSIGNED FOR THE CITY OF BELLE ISLE AND AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE PROCESS OF CHANGING THE UNITED STATES POSTAL SERVICE ("USPS") ZIP CODE BOUNDARIES AFFECTING THE CITY OF BELLE ISLE.

7. New Business

- a. Ordinance 21-11 (First Reading)** AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA AMENDING SECTION 2-54 OF THE CITY’S CODE OF ORDINANCES; DISALLOWING MEMBERS OF THE CITY COUNCIL FROM BEING APPOINTED TO OR REMAINING ON ADVISORY COMMITTEES; AUTHORIZING THE CITY COUNCIL TO ESTABLISH QUALIFICATIONS FOR MEMBERSHIP TO ADVISORY COMMITTEES AND ADDRESSING COUNCIL AUTHORITY FOR THE REMOVAL OF ADVISORY COMMITTEE MEMBERS; AND PROVIDING FOR ENFORCEMENT, SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.
- b. Resolution 21-18 (Budget Committee Revisions)** A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, REVISING THE A CITY BUDGET ADVISORY COMMITTEE

- c.** Discuss Council Training Workshop (Florida Institute of Government)
- d.** Discuss/Approve Impact Fee Study
- e.** Discuss/Approve adding Carolyn Holihan to the Redistricting Committee

8. Attorney's Report

9. City Manager's Report

- a.** Issues Log
- b.** Chief's Report
- c.** Public Works Director's Report

10. Mayor's Report

11. Council Reports

12. Adjournment

CITY OF BELLE ISLE, FLORIDA

FY 21-22 PROPOSED BUDGET DRAFT



VERSION / DATE

V5.90221

FY 21/22 Proposed Budget Draft – Changes made in V5.90221

General Fund (001)

REVENUE

Added ARPA Funds for Lost Revenue - \$498,693

Total Increase in Revenues of \$498,693

EXPENDITURES

Moved into FY21/22 Budget from Needs List:

Frozen Police Officer Position - \$90,994

New Police Officer Position- \$112,269

Police Vessel - \$50,000

Cay/Stockbridge/Delia Resurfacing- \$150,585

Total Increase in Expenditures of \$403,848

ENDING FUND BALANCE

Went from a deficit of \$78,014 to a surplus of \$16,833 for a total ending fund balance of \$3,016,833 (39% Reserves)

Stormwater Fund (103)

REVENUE

Added ARPA Funds for Stormwater - \$1,314,397

Total Increase in Revenues of \$1,314,397

EXPENDITURES

Added CIP – Capital Improvements – ARPA - \$1,141,250

Total Increase in Expenditures of \$1,141,250

Revised Five Year Capital Improvement Plan due to budgeting of ARPA funds

Priority #	Needs List Budget Item	Total Cost	Fund Allocations	
			General Fund (001)	Stormwater Fund (103)
1	Traffic Signal at Hoffner/St. Germaine***	\$ 65,000	\$ 65,000	
2	New Position: Public Works Technician	\$ 66,784	\$ 46,748	\$ 20,035
3	New Position: Public Works Technician	\$ 66,784	\$ 46,748	\$ 20,035
4	New Position: Police Officer	\$ 112,269	\$ 112,269	
5	New Position: Police Officer	\$ 112,269	\$ 112,269	
6	New Position: Part-Time Administrative Assistant	\$ 28,651	\$ 28,651	
*	PD Renovation of BOA	\$ 100,000	\$ 100,000	
Unprioritized	New Position: Assistant City Manager	\$ 141,439	\$ 84,863	\$ 56,575
Unprioritized	Landscaping at City Hall	\$ 30,000	\$ 30,000	
Unprioritized	Police Boat Dock**	\$ 25,000	\$ 25,000	
Unprioritized	2 Marine Power Poles	\$ 7,000	\$ 7,000	
Unprioritized	Electric Pole Holiday Decorations	\$ 10,000	\$ 10,000	
Unprioritized	Excavator	\$ 35,000	\$ 35,000	
Unprioritized	Street Sweeper	\$ 175,000	\$ 175,000	
Unprioritized	Dump Truck	\$ 60,000	\$ 60,000	
Total Cost of Needs List Items		\$ 1,035,196	\$ 938,548	\$ 96,645

* PD Renovation of BOA - Total Cost \$500,000 / \$100,000 for FY 21/22 for design/eng. Budget Committee interested in possibly using 2020 bond proceeds.

** Police Boat Dock - Total Cost \$100,000 / \$25,000 for FY 21/22 for design/eng.

*** Traffic Signal at Hoffner/St. Germaine - Total Cost \$325,000 / \$65,000 for FY 21/22 for design/eng.

NEEDS LIST ITEM DETAIL
IN DEPARTMENT ORDER

Needs List #	Needs List Budget Item	Fund(s)	Dept(s)	Total Cost	Cost by Line	Expense Line Description	Budget Line(s)	Cost by Line	Budget Line(s)	Cost by Line
1	New Position: Part-Time Administrative Assistant	001	513	<u>\$ 28,651</u>						
					26,615	Regular Salaries & Wages	001-513-00-1200	26,615		
					2,036	FICA/Medicare Taxes	001-513-00-2100	2,036		
					<u>28,651</u>			<u>28,651</u>		
2	New Position: Assistant City Manager	001/103	513/541	<u>\$ 141,439</u>						
	*Cost allocated 60% General Fund/40% Stormwater				95,000	Regular Salaries & Wages	001-513-00-1200	57,000	103-541-00-1200	38,000
					7,268	FICA/Medicare Taxes	001-513-00-2100	4,361	103-541-00-2100	2,907
					14,250	Retirement	001-513-00-2200	8,550	103-541-00-2200	5,700
					22,384	Health Insurance	001-513-00-2300	13,430	103-541-00-2300	8,954
					792	Dental & Vision Insurance	001-513-00-2310	475	103-541-00-2310	317
					445	Life Insurance	001-513-00-2320	267	103-541-00-2320	178
					1,300	Disability Insurance	001-513-00-2330	780	103-541-00-2330	520
					<u>141,439</u>			<u>84,863</u>		<u>56,575</u>
3	Landscaping at City Hall	001	519	<u>\$ 30,000</u>						
					30,000	City Hall Infrastructure Impr	001-519-00-6310	30,000		
					<u>30,000</u>			<u>30,000</u>		
4	New Position: Police Officer	001	521	<u>\$ 112,269</u>						
					50,423	Regular Salaries & Wages	001-521-00-1200	50,423		
					500	Holiday Pay	001-521-00-1215	500		
					1,560	Incentive Pay	001-521-00-1500	1,560		
					2,340	Special Assignment Pay	001-521-00-1520	2,340		
					4,194	FICA/Medicare Taxes	001-521-00-2100	4,194		
					8,824	Retirement	001-521-00-2200	8,824		
					22,384	Health Insurance	001-521-00-2300	22,384		
					792	Dental & Vision Insurance	001-521-00-2310	792		
					245	Life Insurance	001-521-00-2320	245		
					800	Disability Insurance	001-521-00-2330	800		
					600	Technology Support/Services	001-521-00-3100	600		
					7,656	Rentals & Leases - Vehicles	001-521-00-4410	7,656		
					2,500	Computer and Software	001-521-00-5205	2,500		
					750	Uniforms	001-521-00-5210	750		
					3,200	Capital - Equipment	001-521-00-6400	3,200		
					5,500	Capital - Radios	001-521-00-6410	5,500		
					<u>112,269</u>			<u>112,269</u>		
5	New Position: Police Officer	001	521	<u>\$ 112,269</u>						
					50,423	Regular Salaries & Wages	001-521-00-1200	50,423		
					500	Holiday Pay	001-521-00-1215	500		
					1,560	Incentive Pay	001-521-00-1500	1,560		
					2,340	Special Assignment Pay	001-521-00-1520	2,340		
					4,194	FICA/Medicare Taxes	001-521-00-2100	4,194		
					8,824	Retirement	001-521-00-2200	8,824		
					22,384	Health Insurance	001-521-00-2300	22,384		
					792	Dental & Vision Insurance	001-521-00-2310	792		
					245	Life Insurance	001-521-00-2320	245		
					800	Disability Insurance	001-521-00-2330	800		
					600	Technology Support/Services	001-521-00-3100	600		
					7,656	Rentals & Leases - Vehicles	001-521-00-4410	7,656		
					2,500	Computer and Software	001-521-00-5205	2,500		
					750	Uniforms	001-521-00-5210	750		
					3,200	Capital - Equipment	001-521-00-6400	3,200		
					5,500	Capital - Radios	001-521-00-6410	5,500		
					<u>112,269</u>			<u>112,269</u>		
6	Police Boat Dock	001	521	<u>\$ 25,000</u>						
	(Total Cost \$100,000 - FY 21/22 \$25,000 for design/eng)				25,000	CIP - Infrastructure	001-521-00-63xx	25,000		
					<u>25,000</u>			<u>25,000</u>		
7	2 Marine Power Poles	001	521	<u>\$ 7,000</u>						
					7,000		001-521-00-	7,000		
					<u>7,000</u>			<u>7,000</u>		

NEEDS LIST ITEM DETAIL
IN DEPARTMENT ORDER

Needs List #	Needs List Budget Item	Fund(s)	Dept(s)	Total Cost	Cost by Line	Expense Line Description	Budget Line(s)	Cost by Line	Budget Line(s)	Cost by Line
8	PD Renovation of BOA (Total Cost \$500,000 - FY 21/22 \$100,000 for design/eng)	001	521	<u>\$ 100,000</u>						
					100,000	PD Building Imprv/Repair	001-521-00-6200	100,000		
					<u>100,000</u>			<u>100,000</u>		
9	New Position: Public Works Technician *Cost allocated 70% General Fund/30% Stormwater	001/103	541	<u>\$ 66,784</u>						
					35,000	Regular Salaries & Wages	001-541-00-1200	24,500	103-541-00-1200	10,500
					2,678	FICA/Medicare Taxes	001-541-00-2100	1,874	103-541-00-2100	803
					5,250	Retirement	001-541-00-2200	3,675	103-541-00-2200	1,575
					22,384	Health Insurance	001-541-00-2300	15,669	103-541-00-2300	6,715
					792	Dental & Vision Insurance	001-541-00-2310	554	103-541-00-2310	238
					164	Life Insurance	001-541-00-2320	115	103-541-00-2320	49
					516	Disability Insurance	001-541-00-2330	361	103-541-00-2330	155
					<u>66,784</u>			<u>46,748</u>		<u>20,035</u>
10	New Position: Public Works Technician *Cost allocated 70% General Fund/30% Stormwater	001/103	541	<u>\$ 66,784</u>						
					35,000	Regular Salaries & Wages	001-541-00-1200	24,500	103-541-00-1200	10,500
					2,678	FICA/Medicare Taxes	001-541-00-2100	1,874	103-541-00-2100	803
					5,250	Retirement	001-541-00-2200	3,675	103-541-00-2200	1,575
					22,384	Health Insurance	001-541-00-2300	15,669	103-541-00-2300	6,715
					792	Dental & Vision Insurance	001-541-00-2310	554	103-541-00-2310	238
					164	Life Insurance	001-541-00-2320	115	103-541-00-2320	49
					516	Disability Insurance	001-541-00-2330	361	103-541-00-2330	155
					<u>66,784</u>			<u>46,748</u>		<u>20,035</u>
11	Electric Pole Holiday Decorations	001	541	<u>\$ 10,000</u>						
					10,000	Electric Pole Holiday Decorations	001-541-00-6365	10,000		
					<u>10,000</u>			<u>10,000</u>		
12	Excavator	001	541	<u>\$ 35,000</u>						
					35,000	Capital - Equipment	001-541-00-6430	35,000		
					<u>35,000</u>			<u>35,000</u>		
13	Street Sweeper	001	541	<u>\$ 175,000</u>						
					175,000	Capital - Vehicles	001-541-00-6417	175,000		
					<u>175,000</u>			<u>175,000</u>		
14	Dump Truck	001	541	<u>\$ 60,000</u>						
					60,000	Capital - Vehicles	001-541-00-6417	60,000		
					<u>60,000</u>			<u>60,000</u>		
15	Traffic Signal at Hoffner/St. Germaine	001	541	<u>\$ 65,000</u>						
					65,000	CIP - Traffic Calming	001-541-00-6420	65,000		
					<u>65,000</u>			<u>65,000</u>		

**CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET**

CHANGE IN FUND BALANCE

ALL FUNDS a.

FUND	General Fund (001)	Transportation Impact Fund (102)	Stormwater Fund (103)	Law Enforcement Education Fund (104)	Charter School Debt Service Fund (201)	Capital Equipment Replacement Fund (301)	Capital Improvement Revenue Note 2020 Project Fund (303)	Grand Total
<u>Projected Beginning Fund</u>								
Balance October 1, 2021	3,000,000	126,126	180,000	15,263	1,345,312	19,131	442,100	5,127,932
<u>Appropriation TO (FROM)</u>								
Fund Balance	16,833	(54,600)	228,389	(4,000)	(381,832)	500	(442,100)	(636,810)
<u>Projected Ending Fund</u>								
Balance September 30, 2022	3,016,833	71,526	408,389	11,263	963,480	19,631	0	4,491,122

Fund Balance Guidelines for the General Fund

The Government Finance Officer's Association (GFOA) recommends, at a minimum, that general-purpose governments, regardless of size, maintain unrestricted budgetary fund balance in their general fund of no less than two months of regular fund operating revenues or regular general fund operating expenditures. This equates to approximately 17%.

The City of Belle Isle Budget Committee recommended maintaining a general fund balance reserve of 25% of revenues.

FY 21/22 General Fund Budgeted Revenue:	\$ 7,822,002				
FY 21/22 General Fund Reserves Balance:	\$ 3,016,833	which is	39%	in Reserves	
An Ending Reserves Balance of:	\$ 1,329,740	would be	17%	in Reserves	
	\$ 1,564,400	would be	20%	in Reserves	
	\$ 1,955,501	would be	25%	in Reserves	

Fund Balance History (General Fund)

<u>FYE</u>	<u>Total Revenue</u>	<u>Ending Fund Balance</u>	<u>% of Revenue in Reserves</u>	
9/30/2021*	7,219,910	3,000,000	42%	* projected
9/30/2020	6,579,596	2,536,904	39%	
9/30/2019	7,410,022	2,371,023	32%	
9/30/2018	5,941,031	1,473,141	25%	
9/30/2017	5,692,515	2,487,117	44%	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

REVENUE
LINE ITEM DETAIL

FUND 0
GENERAL FUND a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
Beginning Fund Balance		2,371,023	2,376,482	2,536,904	3,000,000	18%
REVENUES						
Ad Valorem Taxes						
001-311-100	AD VALOREM TAX	3,370,684.89	3,524,598	3,524,598	3,684,899	5%
Total Ad Valorem Taxes		3,370,684.89	3,524,598	3,524,598	3,684,899	5%
Other Taxes						
001-312-410	LOCAL OPTION GAS TAX	207,159.95	209,000	209,000	226,000	8%
001-314-100	UTILITY SERVICE TAX - ELECTRICITY	200,605.83	0	0	0	0
001-314-800	UTILITY SERVICE TAX - PROPANE	5,831.74	5,000	5,000	5,500	10%
001-315-000	COMMUNICATIONS SERVICES TAXES	190,573.01	191,000	191,000	189,000	-1%
001-316-000	LOCAL BUSINESS TAX - OCCUPATIONAL LIC.	17,142.79	12,000	12,000	12,000	0%
Total Other Taxes		621,313.32	417,000	417,000	432,500	4%
Licenses and Permits						
001-322-000	BUILDING PERMITS	213,034.13	125,000	125,000	150,000	20%
001-323-100	FRANCHISE FEE - ELECTRICITY	0.00	200,000	200,000	250,000	25%
001-323-700	FRANCHISE FEE - SOLID WASTE	57,577.24	50,000	50,000	60,000	20%
001-329-000	ZONING FEES	33,473.93	20,000	20,000	25,000	25%
001-329-100	PERMITS - GARAGE SALE	118.00	200	200	100	-50%
001-329-130	BOAT RAMPS - DECAL AND REG	1,290.00	1,800	1,800	1,800	0%
001-329-900	TREE REMOVAL	380.00	3,000	3,000	0	-100%
001-362-000	RENTAL LICENSES	26,750.00	18,000	18,000	18,000	0%
Total Licenses and Permits		332,623.30	418,000	418,000	504,900	21%
Intergovernmental						
001-331-100	FEMA REIMBURSEMENT - FEDERAL	58,506.34	0	0	0	0
001-331-110	FEMA REIMBURSEMENT - STATE	-10,303.60	0	0	0	0
001-331-120	FDOT REIMBURSEMENT	6,786.00	0	0	0	0
001-331-130	CARES ACT REIMBURSEMENT	67,602.79	0	19,208	0	-100%
001-331-900	ARPA - CORONAVIRUS LOCAL FISCAL RECOVERY	0.00	0	0	498,693	0
001-334-396	OJP BULLETPROOF VEST GRANT	734.00	0	0	0	0
001-334-560	FDLE JAG GRANT	21,737.50	0	10,000	0	-100%
001-334-565	FDLE CESF FUNDING	0.00	0	50,000	0	-100%
001-335-120	STATE SHARED REVENUE	326,670.28	335,000	335,000	344,000	3%
001-335-150	ALCOHOLIC BEVERAGE LICENSE TAX	97.89	0	0	0	0
001-335-180	HALF-CENT SALES TAX	930,137.08	1,050,000	1,050,000	1,100,000	5%
001-337-200	SRO - CHARTER CONTRIBUTION	66,378.00	69,460	69,460	74,296	7%
001-337-205	CHARTER SCHOOL INSURANCE CONTRIBUTIONS	0.00	0	0	59,983	0
Total Intergovernmental		1,468,346.28	1,454,460	1,533,668	2,076,972	35%
Charges for Services						
001-341-900	QUALIFYING FEES	959.80	0	0	0	0
001-343-410	SOLID WASTE FEES - RESIDENTIAL	621,303.23	666,486	633,161	652,836	3%
001-347-400	SPECIAL EVENTS	5,615.00	5,000	5,000	6,000	20%
Total Charges for Services		627,878.03	671,486	638,161	658,836	3%
Fines and Forfeitures						
001-351-100	JUDGEMENT & FINES - MOVING VIOLATIONS	15,398.16	20,000	20,000	20,000	0%
001-351-110	RED LIGHT CAMERAS	0.00	350,000	150,000	390,000	160%
001-354-000	JUDGEMENT & FINES - LOCAL ORDINANCE VIOL	5,000.00	5,000	5,000	0	-100%
001-359-000	JUDGEMENT & FINES - PARKING VIOLATIONS	15,165.00	7,500	7,500	7,500	0%
001-359-200	INVESTIGATIVE COST REIMBURSEMENT	3,433.73	0	0	0	0
Total Fines and Forfeitures		38,996.89	382,500	182,500	417,500	129%
Miscellaneous						
001-361-100	INTEREST - GENERAL FUND	2,261.47	3,000	1,000	500	-50%
001-361-200	INTEREST - SBA	419.44	0	0	0	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

REVENUE
LINE ITEM DETAIL

FUND 0
GENERAL FUND a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
001-364-000	DISPOSITION OF FIXED ASSETS	0.00	0	36,120	0	-100%
001-366-000	CONTRIBUTIONS & DONATIONS	0.00	0	1,000	0	-100%
001-366-200	GRANT- COMMITTEE OF 100 ORANGE COUNTY	38,895.00	0	0	0	0
001-369-900	OTHER MISCELLANEOUS REVENUE	31,260.42	10,000	12,122	10,000	-18%
001-369-905	POLICE OFF-DUTY DETAIL REIMBURSEMENTS	35,988.13	0	6,980	0	-100%
001-369-906	POLICE MARINE PATROL REIMBURSEMENTS	10,529.20	20,000	20,000	35,895	79%
001-369-910	VACANT FORECLOSURE	400.00	0	0	0	0
	Total Miscellaneous	119,753.66	33,000	77,222	46,395	-40%
Total Revenues		6,579,596.37	6,901,044	6,791,149	7,822,002	15%
Transfers In		0.00	0	0	0	0
Total Beginning Fund Balance, Revenues, & Transfers In		8,950,619.37	9,277,526	9,328,053	10,822,002	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

EXPENDITURES
LINE ITEM DETAIL

FUND 0
GENERAL FUND

a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
EXPENDITURES						
	Legislative					
001-511-00-2311	DENTAL & VISION INSURANCE - DISTRICT 1	0.00	500	500	500	0%
001-511-00-2312	DENTAL & VISION INSURANCE - DISTRICT 2	468.72	500	500	500	0%
001-511-00-2313	DENTAL & VISION INSURANCE - DISTRICT 3	468.72	500	500	500	0%
001-511-00-2314	DENTAL & VISION INSURANCE - DISTRICT 4	0.00	500	500	500	0%
001-511-00-2315	DENTAL & VISION INSURANCE - DISTRICT 5	468.72	500	500	500	0%
001-511-00-2316	DENTAL & VISION INSURANCE - DISTRICT 6	468.72	500	500	500	0%
001-511-00-2317	DENTAL & VISION INSURANCE - DISTRICT 7	468.72	500	500	500	0%
001-511-00-3150	ELECTION EXPENSE	1,542.95	1,500	1,500	10,000	567%
001-511-00-3200	AUDITING & ACCOUNTING	28,460.00	24,000	24,000	26,000	8%
001-511-00-4001	TRAVEL & PER DIEM - DISTRICT 1	0.00	250	250	250	0%
001-511-00-4002	TRAVEL & PER DIEM - DISTRICT 2	0.00	250	250	250	0%
001-511-00-4003	TRAVEL & PER DIEM - DISTRICT 3	0.00	250	250	250	0%
001-511-00-4004	TRAVEL & PER DIEM - DISTRICT 4	0.00	250	250	250	0%
001-511-00-4005	TRAVEL & PER DIEM - DISTRICT 5	0.00	250	250	250	0%
001-511-00-4006	TRAVEL & PER DIEM - DISTRICT 6	0.00	250	250	250	0%
001-511-00-4007	TRAVEL & PER DIEM - DISTRICT 7	0.00	250	250	250	0%
001-511-00-4100	COMMUNICATIONS - TELEPHONE	7,442.61	7,500	7,500	7,500	0%
001-511-00-4900	OTHER CURRENT CHARGES	45.08	250	250	250	0%
001-511-00-5100	OFFICE SUPPLIES	484.93	500	500	500	0%
001-511-00-5200	OPERATING SUPPLIES	0.00	100	100	100	0%
001-511-00-5401	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 1	176.37	200	200	200	0%
001-511-00-5402	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 2	176.37	200	200	200	0%
001-511-00-5403	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 3	176.36	200	200	200	0%
001-511-00-5404	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 4	176.36	200	200	200	0%
001-511-00-5405	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 5	176.36	200	200	200	0%
001-511-00-5406	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 6	176.37	200	200	200	0%
001-511-00-5407	BOOKS,SUBSCRIPTIONS & MEMBERSHIPS- DIS 7	176.37	200	200	200	0%
	Total Legislative	41,553.73	40,500	40,500	51,000	26%
	Executive Mayor					
001-512-00-2310	DENTAL & VISION INSURANCE	397.44	500	500	500	0%
001-512-00-4000	TRAVEL & PER DIEM	0.00	250	250	500	100%
001-512-00-4100	COMMUNICATIONS - TELEPHONE	1,063.23	1,100	1,100	1,200	9%
001-512-00-4900	OTHER CURRENT CHARGES	0.00	200	200	500	150%
001-512-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	490.22	500	500	600	20%
	Total Executive Mayor	1,950.89	2,550	2,550	3,300	29%
	Finance, Admin, & Planning					
001-513-00-1200	REGULAR SALARIES & WAGES	298,027.58	309,000	309,000	265,000	-14%
001-513-00-1220	LONGEVITY PAY	1,750.00	0	0	0	0%
001-513-00-1250	VEHICLE ALLOWANCE - CITY MANAGER	7,598.76	8,400	8,400	8,400	0%
001-513-00-1400	OVERTIME PAY	306.21	500	500	500	0%
001-513-00-2100	FICA/MEDICARE TAXES	20,650.35	24,320	24,320	20,953	-14%
001-513-00-2200	RETIREMENT CONTRIBUTIONS	36,358.89	40,170	40,170	40,000	0%
001-513-00-2300	HEALTH INSURANCE	57,862.86	70,000	70,000	70,000	0%
001-513-00-2310	DENTAL & VISION INSURANCE	2,877.90	3,500	3,500	2,400	-31%
001-513-00-2320	LIFE INSURANCE	1,387.14	1,500	1,500	1,300	-13%
001-513-00-2330	DISABILITY INSURANCE	4,257.12	4,500	4,500	3,500	-22%
001-513-00-3100	PROFESSIONAL SERVICES	14,051.26	15,000	15,000	13,000	-13%
001-513-00-3400	PLANNING SERVICE	0.00	0	0	75,000	100%
001-513-00-4000	TRAVEL & PER DIEM	583.22	500	500	1,000	100%
001-513-00-4600	REPAIRS & MAINTENANCE - GENERAL	0.00	500	500	0	-100%
001-513-00-4610	REPAIRS & MAINTENANCE - VEHICLES	966.16	500	2,622	0	-100%
001-513-00-4700	PRINTING & BINDING	162.60	500	500	500	0%
001-513-00-4710	CODIFICATION EXPENSES	3,084.06	3,500	3,500	3,500	0%
001-513-00-4900	OTHER CURRENT CHARGES	1,659.10	2,000	2,000	2,000	0%
001-513-00-4910	LEGAL ADVERTISING	2,213.34	2,000	2,000	3,000	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

EXPENDITURES
LINE ITEM DETAIL

FUND 0
GENERAL FUND a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
001-513-00-5200	OPERATING SUPPLIES	0.00	500	500	500	0%
001-513-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	4,288.00	4,200	4,200	4,500	7%
001-513-00-6425	CAPITAL - EQUIPMENT	20,530.00	0	0	0	0%
	Total Finance, Admin, & Planning	478,614.55	491,090	493,212	515,053	4%
	General Government					
001-519-00-3100	OTHER PROFESSIONAL SERVICES	0.00	5,500	5,500	0	-100%
001-519-00-3110	LEGAL SERVICES	116,775.65	115,000	115,000	160,000	39%
001-519-00-3120	ENGINEERING FEES	38,148.21	45,000	45,000	30,000	-33%
001-519-00-3130	ANNEXATION FEES	0.00	5,000	5,000	0	-100%
001-519-00-3140	INFORMATION TECHNOLOGY EXPENSE	0.00	0	0	8,000	100%
001-519-00-3400	CONTRACTUAL SERVICES	91,533.07	75,000	75,000	25,500	-66%
001-519-00-3405	BUILDING PERMITS	176,375.19	100,000	100,000	120,000	20%
001-519-00-3410	JANITORIAL SERVICES	2,808.00	3,000	3,000	3,000	0%
001-519-00-3415	WEBSITE/SOCIAL MEDIA	0.00	4,500	4,500	3,000	-33%
001-519-00-3440	FIRE PROTECTION	1,586,338.92	1,681,919	1,675,679	1,760,054	5%
001-519-00-4100	COMMUNICATIONS SERVICES	13,954.26	12,500	12,500	15,000	20%
001-519-00-4200	FREIGHT & POSTAGE	5,869.90	7,000	7,000	5,000	-29%
001-519-00-4300	UTILITY/ELECTRIC/WATER	13,803.09	10,000	10,000	19,000	90%
001-519-00-4310	SOLID WASTE DISPOSAL/YARDWASTE	712,179.36	666,486	666,486	690,000	4%
001-519-00-4500	INSURANCE	65,376.00	120,000	120,000	90,000	-25%
001-519-00-4600	REPAIRS & MAINTENANCE - GENERAL	2,531.60	5,000	5,000	5,000	0%
001-519-00-4700	PRINTING & BINDING	10,012.95	7,500	7,500	6,000	-20%
001-519-00-4800	SPECIAL EVENTS	10,115.40	12,000	12,000	10,000	-17%
001-519-00-4900	OTHER CURRENT CHARGES	2,125.11	2,500	5,000	6,000	20%
001-519-00-4905	NON AD VALOREM ASSESSMENT FEE	2,906.00	3,000	3,430	3,500	2%
001-519-00-4906	GEOGRAPHIC INFORMATION SYSTEM INTERLOC	2,240.00	2,300	2,300	2,300	0%
001-519-00-4910	LEGAL ADVERTISING	8,113.41	5,000	5,000	5,000	0%
001-519-00-5100	OFFICE SUPPLIES	7,404.06	8,000	8,000	0	-100%
001-519-00-5200	OFFICE & OPERATING SUPPLIES	285.59	2,000	2,000	8,500	325%
001-519-00-5230	FUEL EXPENSE	293.94	500	500	0	-100%
001-519-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	884.35	1,100	1,100	1,200	9%
001-519-00-6491	CAPITAL - CITY HALL EQUIPMENT	19,400.00	0	0	0	0%
001-519-00-8300	CONTRIBUTIONS & DONATIONS	1,750.00	0	600	1,500	150%
001-519-00-8310	NEIGHBORHOOD GRANT PROGRAM	0.00	35,000	35,000	0	-100%
	Total General Government	2,891,224.06	2,934,805	2,932,095	2,977,554	2%
	Police					
001-521-00-1200	REGULAR SALARIES & WAGES	1,018,582.47	1,201,000	1,201,000	1,388,846	16%
001-521-00-1210	REGULAR SALARIES & WAGES - CROSSING GUARD	43,962.54	47,000	47,000	41,000	-13%
001-521-00-1215	HOLIDAY PAY	15,070.96	20,000	20,000	21,000	5%
001-521-00-1220	LONGEVITY PAY	6,025.00	4,500	4,500	5,250	17%
001-521-00-1400	OVERTIME PAY	17,299.50	15,000	15,000	20,000	33%
001-521-00-1500	INCENTIVE PAY	12,424.02	15,000	15,000	18,120	21%
001-521-00-1505	POLICE OFF-DUTY DETAIL PAY	33,992.65	0	6,435	0	-100%
001-521-00-1506	POLICE LAKE CONWAY MARINE PATROL PAY	10,200.00	15,000	15,000	35,000	133%
001-521-00-1519	HAZARD PAY - COVID19	26,100.00	0	0	0	0%
001-521-00-1520	SPECIAL ASSIGNMENT PAY	10,831.59	11,000	11,000	8,710	-21%
001-521-00-2100	FICA/MEDICARE TAXES	86,948.55	101,630	101,630	117,651	16%
001-521-00-2200	RETIREMENT CONTRIBUTIONS	161,579.37	207,000	207,000	239,648	16%
001-521-00-2300	HEALTH INSURANCE	197,032.60	242,000	242,000	335,768	39%
001-521-00-2310	DENTAL & VISION INSURANCE	7,081.79	7,700	7,700	10,084	31%
001-521-00-2320	LIFE INSURANCE	4,706.60	5,850	5,850	6,790	16%
001-521-00-2330	DISABILITY INSURANCE	17,101.88	21,000	21,000	21,600	3%
001-521-00-3100	TECHNOLOGY SUPPORT/SERVICES	23,407.46	24,000	24,000	31,031	29%
001-521-00-3110	LEGAL SERVICES	10,219.75	8,000	8,000	8,000	0%
001-521-00-3120	PRE-EMPLOYMENT EXPENSE	1,669.00	1,000	1,000	2,000	100%
001-521-00-3405	RED LIGHT CAMERA FEES	0.00	0	112,000	168,000	50%
001-521-00-3410	JANITORIAL SERVICES	1,512.00	1,600	1,600	2,600	63%
001-521-00-4000	TRAVEL & PER DIEM	0.00	2,000	2,000	3,000	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

EXPENDITURES
LINE ITEM DETAIL

FUND 0
GENERAL FUND a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
001-521-00-4100	COMMUNICATIONS SERVICES	24,220.58	20,000	20,000	25,000	25%
001-521-00-4110	DISPATCH SERVICE	72,125.99	73,000	73,000	73,000	0%
001-521-00-4200	POSTAGE & FREIGHT	138.90	500	500	1,500	200%
001-521-00-4300	UTILITY/ELECTRIC/WATER	3,627.98	3,500	3,500	3,500	0%
001-521-00-4410	RENTALS & LEASES - VEHICLES	0.00	0	0	150,664	100%
001-521-00-4600	REPAIRS & MAINTENANCE - GENERAL	1,695.24	2,000	2,000	2,000	0%
001-521-00-4610	REPAIRS AND MAINTENANCE - VEHICLES	35,660.44	25,000	25,000	15,000	-40%
001-521-00-4620	REPAIRS & MAINTENANCE - RADAR GUNS	1,765.00	3,000	3,000	4,000	33%
001-521-00-4700	PRINTING & BINDING	1,864.73	2,000	2,000	3,000	50%
001-521-00-4800	COMMUNITY PROMOTIONS	963.70	1,000	2,000	3,000	50%
001-521-00-4900	OTHER CURRENT CHARGES	3,670.00	3,000	3,000	3,000	0%
001-521-00-4910	LEGAL ADVERTISING	0.00	250	250	1,000	300%
001-521-00-4920	MARINE EXPENSES	2,550.52	3,000	3,000	8,000	167%
001-521-00-5100	OFFICE SUPPLIES	2,901.38	3,000	3,000	3,000	0%
001-521-00-5200	OPERATING SUPPLIES	9,643.17	5,000	5,000	5,000	0%
001-521-00-5205	COMPUTER AND SOFTWARE	975.68	1,000	1,000	14,075	1308%
001-521-00-5210	UNIFORMS	7,270.57	6,000	6,000	10,500	75%
001-521-00-5230	FUEL EXPENSE	33,587.11	40,000	40,000	55,000	38%
001-521-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	784.00	800	800	1,000	25%
001-521-00-5500	TRAINING - POLICE	1,262.50	1,500	1,500	1,500	0%
001-521-00-6400	CAPITAL - EQUIPMENT	60,462.35	0	0	3,900	0%
001-521-00-6410	CAPITAL - RADIOS	0.00	0	0	22,000	100%
001-521-00-6417	CAPITAL - VEHICLES	116,517.20	100,000	136,120	0	-100%
001-521-00-6418	CAPITAL - VESSELS	0.00	50,000	50,000	50,000	0%
Total Police		2,087,434.77	2,293,830	2,449,385	2,942,737	20%
Public Works						
001-541-00-1200	REGULAR SALARIES & WAGES	67,930.29	69,050	69,050	101,000	46%
001-541-00-1220	LONGEVITY PAY	950.00	0	0	0	0%
001-541-00-1400	OVERTIME PAY	122.74	500	500	500	0%
001-541-00-2100	FICA/MEDICARE TAXES	5,169.82	5,321	5,321	7,765	46%
001-541-00-2200	RETIREMENT CONTRIBUTIONS	8,005.84	9,000	9,000	15,200	69%
001-541-00-2300	HEALTH INSURANCE	15,316.56	21,000	21,000	23,000	10%
001-541-00-2310	DENTAL & VISION INSURANCE	558.86	650	650	500	-23%
001-541-00-2320	LIFE INSURANCE	311.66	400	400	500	25%
001-541-00-2330	DISABILITY INSURANCE	1,181.10	1,400	1,400	1,400	0%
001-541-00-3100	PROFESSIONAL SERVICES	0.00	3,200	3,200	8,575	168%
001-541-00-3140	TEMPORARY LABOR	1,252.08	2,000	2,000	0	-100%
001-541-00-3400	CONTRACTUAL SERVICES	5,764.35	7,500	7,500	8,000	7%
001-541-00-3420	LANDSCAPING SERVICES	49,515.70	45,000	45,000	70,000	56%
001-541-00-4100	COMMUNICATIONS	2,802.37	2,500	2,500	3,000	20%
001-541-00-4300	UTILITY/ELECTRIC/WATER	94,799.07	110,000	110,000	115,000	5%
001-541-00-4600	REPAIRS & MAINTENANCE - GENERAL	6,785.95	10,000	10,000	20,000	100%
001-541-00-4610	REPAIRS & MAINTENANCE - VEHICLES & EQUIP	17,821.58	10,000	10,000	10,000	0%
001-541-00-4670	REPAIRS & MAINTENANCE - PARKS	8,383.83	25,000	25,000	40,000	60%
001-541-00-4675	REPAIRS & MAINTENANCE - BOAT RAMPS	986.73	2,500	2,500	3,500	40%
001-541-00-4680	REPAIRS & MAINTENANCE - ROADS	28,238.59	30,000	30,000	30,000	0%
001-541-00-4690	URBAN FORESTRY	124,229.00	60,000	105,000	100,000	-5%
001-541-00-5200	OPERATING SUPPLIES	5,166.23	5,000	5,000	7,500	50%
001-541-00-5210	UNIFORMS	636.11	1,000	1,000	1,500	50%
001-541-00-5220	PROTECTIVE CLOTHING	53.43	1,000	1,000	1,500	50%
001-541-00-5230	FUEL EXPENSE	3,589.73	6,000	6,000	6,000	0%
001-541-00-5240	SMALL TOOLS & EQUIPMENT	0.00	0	0	8,000	
001-541-00-5400	BOOKS, SUBSCRIPTIONS & MEMBERSHIPS	298.50	500	500	500	0%
001-541-00-5500	TRAINING	0.00	250	250	500	100%
001-541-00-6320	CIP - RESURFACING & CURBING	0.00	200,000	200,000	350,585	75%
001-541-00-6330	CIP - SIDEWALKS	0.00	25,000	25,000	25,000	0%
001-541-00-6335	CIP - NELA BRIDGE REPAIRS	40,380.00	0	0	47,000	100%
001-541-00-6365	CIP - ELECTRIC POLE HOLIDAY DECORATIONS	9,531.07	0	0	0	0%
001-541-00-6380	CIP - PARK IMPROVEMENTS	251,139.30	15,000	10,000	25,000	15%

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

EXPENDITURES
LINE ITEM DETAIL

FUND 0
GENERAL FUND a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
001-541-00-6420	CIP - TRAFFIC CALMING	25,300.00	0	0	0	100%
001-541-00-6430	CAPITAL - EQUIPMENT	28,819.59	10,000	0	46,500	100%
	Total Public Works	805,040.08	678,771	708,771	1,077,525	52%
	Debt Service					
001-584-00-7100	PAYMENT ON BOND - PRINCIPAL	90,000.00	177,670	181,000	183,000	1%
001-584-00-7200	BOND DEBT - INTEREST	17,897.71	61,182	63,000	55,000	-13%
	Total Debt Service	107,897.71	238,852	244,000	238,000	-2%
Total Expenditures		6,413,715.79	6,680,398	6,870,513	7,805,169	14%
	Transfers					
001-581-00-9100	TRANSFER TO CAPITAL EQUIP REPL FUND 301	0.00	0	0	0	
	Total Transfers Out	0.00	0	0	0	
Ending Fund Balance		2,536,903.58	2,597,128	2,457,540	3,016,833	23%
Total Expenditures, Transfers Out, & Ending Fund Balance		8,950,619.37	9,277,526	9,328,053	10,822,002	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

BUDGET DETAIL

FUND 1
TRANSPORTATION IMPACT FEE FUND a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
REVENUES						
	Beginning Fund Balance	204,574.00	146,874	186,766	126,126	-32%
102-324-310	IMPACT FEES - RESIDENTIAL - TRANSPORTATION	1,430.00	3,000	3,000	0	-100%
102-361-100	INTEREST - TRANSPORTATION IMPACT	2,261.41	2,300	1,000	500	-50%
	Total Revenues	3,691.41	5,300	4,000	500	-88%
Total Beginning Fund Balance, Revenues, & Transfers In		208,265.41	152,174	190,766	126,626	
EXPENDITURES						
102-541-00-3100	PROFESSIONAL SERVICES	0.00	0	50,000	0	-100%
102-541-00-6425	ROADWAY IMPROVEMENTS	21,500.00	35,000	14,500	55,100	280%
	Total Expenditures	21,500.00	35,000	64,500	55,100	-15%
	Ending Fund Balance	186,765.41	117,174	126,266	71,526	-43%
Total Expenditures, Transfers Out, & Ending Fund Balance		208,265.41	152,174	190,766	126,626	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

BUDGET DETAIL

FUND 1
STORMWATER FUND ^{a.}

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
	Beginning Fund Balance	24,127.00	59,268	-36,802	180,000	-589%
REVENUES						
103-331-100	FEMA REIMBURSEMENT - FEDERAL - FUND 103	15,262.50	0	0	0	0
103-331-110	FEMA REIMBURSEMENT - STATE - FUND 103	-7,631.25	0	0	0	0
103-331-900	ARPA - CORONAVIRUS LOCAL FISCAL RECOVERY	0.00	0	0	1,314,397	
103-343-900	SERVICE CHARGE - STORMWATER	360,985.22	411,671	391,087	405,341	4%
103-361-100	INTEREST - STORMWATER	2,261.40	2,300	1,000	500	-50%
	Total Revenues	370,877.87	413,971	392,087	1,720,238	339%
Total Beginning Fund Balance, Revenues, & Transfers In						
		395,004.87	473,239	355,285	1,900,238	
EXPENDITURES						
103-541-00-1200	REGULAR SALARIES & WAGES	88,062.34	94,500	94,500	112,022	19%
103-541-00-2100	FICA/MEDICARE TAXES	6,736.77	7,230	7,230	8,570	19%
103-541-00-2200	RETIREMENT CONTRIBUTIONS	11,324.60	12,500	12,500	16,803	34%
103-541-00-2300	HEALTH INSURANCE	14,040.22	16,000	16,000	19,180	20%
103-541-00-2310	DENTAL & VISION INSURANCE	517.06	500	500	535	7%
103-541-00-2320	LIFE INSURANCE	423.80	500	500	528	6%
103-541-00-2330	DISABILITY INSURANCE	1,250.02	1,350	1,350	1,362	1%
103-541-00-3100	PROFESSIONAL SERVICES	0.00	3,000	3,000	0	-100%
103-541-00-3110	LEGAL SERVICES - STORMWATER FUND	3,487.50	3,000	3,000	3,000	0%
103-541-00-3120	ENGINEERING FEES	76,764.89	50,000	50,000	50,000	0%
103-541-00-3430	NPDES	14,376.25	15,000	15,000	15,000	0%
103-541-00-3450	LAKE CONSERVATION	9,036.00	15,000	15,000	20,000	33%
103-541-00-4600	REPAIRS & MAINTENANCE	28,062.58	75,000	75,000	75,000	0%
103-541-00-4900	OTHER CURRENT CHARGES	0.00	1,000	1,000	500	-50%
103-541-00-6300	CIP - CAPITAL IMPROVEMENTS	177,724.50	110,600	236,575	0	-100%
103-541-00-6319	CIP - CAPITAL IMPROVEMENTS - ARPA	0.00	0	0	1,141,250	0
103-541-00-7100	PRINCIPAL	0.00	20,668	19,000	19,000	0%
103-541-00-7200	INTEREST	0.00	10,795	10,000	9,100	-9%
	Total Expenditures	431,806.53	436,643	560,155	1,491,850	166%
Transfers						
103-581-00-9100	TRANSFER TO CAPITAL EQUIP REPL FUND 301	0.00	0	0	0	0
	Total Transfers Out	0.00	0	0	0	0
	Ending Fund Balance	-36,801.66	36,596	-204,870	408,389	-299%
Total Expenditures, Transfers Out, & Ending Fund Balance						
		395,004.87	473,239	355,285	1,900,238	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

BUDGET DETAIL

FUND 1
LAW ENFORCEMENT EDUCATION FUND a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
REVENUES						
	Beginning Fund Balance	15,400.00	11,000	17,763	15,263	-14%
104-351-200	JUDGEMENT & FINES - LE EDUCATION FUND	1,891.29	1,500	1,500	1,500	0%
104-361-100	INTEREST - EDUCATION FUND	2,261.37	2,300	1,000	500	-50%
	Total Revenues	4,152.66	3,800	2,500	2,000	-20%
Total Beginning Fund Balance, Revenues, & Transfers In		19,552.66	14,800	20,263	17,263	
EXPENDITURES						
104-521-00-5500	TRAINING	1,790.00	6,000	6,000	6,000	0%
104-541-00-4900	OTHER CURRENT CHARGES	0.00	200	200	0	-100%
	Total Expenditures	1,790.00	6,200	6,200	6,000	-3%
	Ending Fund Balance	17,762.66	8,600	14,063	11,263	-20%
Total Expenditures, Transfers Out, & Ending Fund Balance		19,552.66	14,800	20,263	17,263	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

BUDGET DETAIL

FUND 2
CHARTER DEBT SERVICE FUND ^{a.}

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
	Beginning Fund Balance	1,179,291.00	974,271	1,340,994	1,345,312	0%
REVENUES						
201-331-100	FEMA REIMBURSEMENT - FEDERAL - FUND 201	2,147.18	0	0	0	0
201-331-110	FEMA REIMBURSEMENT - STATE - FUND 201	-4,104.91	0	0	0	0
201-361-100	INTEREST - CHARTER FUND	9,623.88	10,000	10,000	0	-100%
201-362-000	RENT REVENUE	1,036,640.76	1,040,141	1,040,141	1,037,341	0%
	Total Revenues	1,044,306.91	1,050,141	1,050,141	1,037,341	-1%
Transfers						
201-381-000	TRANSFERS IN FROM GENERAL FUND 001	0.00	0	0	0	0
	Total Transfers In	0.00	0	0	0	0
Total Beginning Fund Balance, Revenues, & Transfers In		2,223,597.91	2,024,412	2,391,135	2,382,653	
EXPENDITURES						
201-569-00-1200	REGULAR SALARIES & WAGES	69,328.50	75,000	75,000	82,000	9%
201-569-00-2100	FICA/MEDICARE TAXES	5,303.64	5,738	5,738	6,273	9%
201-569-00-2200	RETIREMENT CONTRIBUTIONS	9,684.12	11,000	11,000	13,000	18%
201-569-00-2300	HEALTH INSURANCE	8,807.04	10,000	10,000	12,000	20%
201-569-00-2310	DENTAL & VISION INSURANCE	382.08	400	400	400	0%
201-569-00-2320	LIFE INSURANCE	323.12	400	400	400	0%
201-569-00-2330	DISABILITY INSURANCE	946.80	1,100	1,100	1,100	0%
201-569-00-3100	PROFESSIONAL SERVICES - CHARTER	5,500.00	5,500	12,950	27,000	108%
201-569-00-3110	LEGAL SERVICES - CHARTER	7,963.00	8,000	8,000	15,000	88%
201-569-00-4600	MAINTENANCE - CHARTER SCHOOL	19,751.92	20,000	20,000	20,000	0%
201-569-00-6210	CIP - CHARTER ROOF	35,597.00	114,000	114,000	117,000	3%
201-569-00-6320	CIP - HVAC REPLACEMENT	13,894.64	0	0	425,000	0
201-569-00-6410	CHARTER SCHOOL BUILDING REPAIRS	5,738.60	0	0	0	0
201-569-00-7100	PRINCIPAL	175,000.00	185,000	185,000	185,000	0%
201-569-00-7200	INTEREST	524,384.02	515,000	515,000	515,000	0%
	Total Expenditures	882,604.48	951,138	958,588	1,419,173	48%
	Ending Fund Balance	1,340,993.43	1,073,274	1,432,547	963,480	-33%
Total Expenditures, Transfers Out, & Ending Fund Balance		2,223,597.91	2,024,412	2,391,135	2,382,653	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

BUDGET DETAIL

FUND 3
CAPITAL EQUIPMENT REPLACEMENT FUND a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
REVENUES						
	Beginning Fund Balance	27,000.00	17,023	18,131	19,131	6%
301-361-100	INTEREST - CAP EQUIP REPL FUND	1,107.79	0	1,000	500	-50%
	Total Revenues	1,107.79	0	1,000	500	-50%
Transfers						
301-381-000	TRANSFER FROM GENERAL FUND 001	0.00	0	0	0	0
301-381-103	TRANSFER FROM STORMWATER FUND 103	0.00	0	0	0	0
	Total Transfers In	0.00	0	0	0	0
Total Beginning Fund Balance, Revenues, & Transfers In		28,107.79	17,023	19,131	19,631	
EXPENDITURES						
301-521-00-6410	CIP - POLICE COMMUNICATIONS EQUIPMENT	9,976.52	0	0	0	0
	Total Expenditures	9,976.52	0	0	0	0
	Ending Fund Balance	18,131.27	17,023	19,131	19,631	3%
Total Expenditures, Transfers Out, & Ending Fund Balance		28,107.79	17,023	19,131	19,631	

CITY OF BELLE ISLE
FISCAL YEAR 2021/2022
BUDGET

BUDGET DETAIL

FUND 3
CAPITAL IMPROVEMENT REVENUE
NOTE 2020 PROJECT FUND

a.

Account Id	Account Description	ACTUALS 2019/2020	ORIGINAL BUDGET 2020/2021	AMENDED BUDGET 2020/2021	BUDGET 2021/2022	% CHG
REVENUES	Beginning Fund Balance	0.00	0	2,500,000	442,100	-82%
	303-384-100 REVENUE BOND PROCEEDS	2,551,281.41	0	0	0	0
	Total Revenues	2,551,281.41	0	0	0	0
	Transfers	0.00	0	0	0	0
	Total Transfers In	0.00	0	0	0	0
Total Beginning Fund Balance, Revenues, & Transfers In		2,551,281.41	0	2,500,000	442,100	
EXPENDITURES						
303-517-00-6200	BUILDINGS - BANK OF AMERICA PURCHASE	0.00	0	2,057,900	0	-100%
303-517-00-6300	CIP - STORMWATER PROJECTS	0.00	0	0	442,100	
303-517-00-7300	BOND ISSUANCE COSTS	51,281.41	0	0	0	0
	Total Expenditures	51,281.41	0	2,057,900	442,100	-79%
	Ending Fund Balance	2,500,000.00	0	442,100	0	-100%
Total Expenditures, Transfers Out, & Ending Fund Balance		2,551,281.41	0	2,500,000	442,100	

GENERAL FUND (001)				
POLICE DEPARTMENT				
Capital - Equipment	001-521-00-6400	(2) Tasers for Unfrozen and New Police Officer Positions		1,400
		Weapons for New Police Officer Position		2,500
				3,900
Capital - Radios	001-521-00-6410	(4) Radios - Replacements, CSO, and New Police Officer Position		22,000
Capital - Vessels	001-521-00-6418	New Police Vessel		50,000
		Total Police Department		75,900
PUBLIC WORKS				
CIP - Resurfacing & Curbing	001-541-00-6320	Gondola/Lake/Swann/Idaho/Nevada/Perkins		200,000
		Cay/Stockbridge/Delia		150,585
				350,585
CIP - Sidewalks	001-541-00-6330	Sidewalk Replacement		25,000
CIP - Nela Bridge Repairs	001-541-00-6335	Nela Bridge Resurfacing/Repairs/Fence		47,000
CIP - Park Improvements	001-541-00-6380	Swann Beach ADA Deck		25,000
Capital - Equipment	001-541-00-6430	Bucket Truck		25,000
		60 inch Mower		12,500
		36 inch Walk Behind Mower		9,000
				46,500
		Total Public Works Department		494,085
		Total General Fund	\$	569,985
TRANSPORTATION IMPACT FUND (102)				
CIP - Roadway Improvements	102-541-00-6425	Pedestrian Crossing @ Hoffner/Pleasure Island		20,600
		Pedestrian Crossing @ Hoffner/Peninsular		22,500
		Seminole Traffic Calming (Speedhumps Seminole/Barby/Indian)		12,000
				55,100
		Total Transportation Impact Fund	\$	55,100
STORMWATER FUND (103)				
CIP - Capital Improvements - ARPA	103-541-00-6319	Seminole/Daetwyler Intersection Drainage Improvements		20,000
		6504 St. Partin Place Pipe Replacement		20,000
		Sol Rebuild		490,000
		2211 Cross Lake Rd. Conveyence		350,000
		Barby Lane Upgrade with Baffle System		196,250
		E. Wallace Drainage Project		65,000
		Total Stormwater Fund	\$	1,141,250
CHARTER SCHOOL DEBT SERVICE FUND (201)				
CIP - Charter Roof	201-569-00-6210	Roof Repair - Field House		104,000
		Roof Repair - High School		13,000
				117,000
CIP - HVAC Replacement	201-569-00-6320	HVAC Repair - High School		425,000
		Total Charter School Debt Service Fund	\$	542,000
CAPITAL IMPROVEMENT REVENUE NOTE 2020 PROJECT FUND (303)				
CIP - Stormwater Projects	303-517-00-6300	Stormwater Projects - TBD		442,100
		Total Cap Improv Rev Note 2020 Project Fund	\$	442,100
Total All Funds			\$	2,750,435

FUND 001 GENERAL FUND

Category	Project	Anticipated Funding Source	Estimated 5 Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
City Hall	City Hall HVAC Replacement	General Fund	25,000	-	-	-	-	25,000
City Hall	City Hall Landscaping Project	Unfunded	30,000	30,000	-	-	-	-
Equipment	Electric Pole Holiday Decorations	Unfunded	20,000	10,000	-	10,000	-	-
Police Department	Police Boat Dock for Marine Patrol	Unfunded	100,000	25,000	75,000	-	-	-
Police Department	PD Renovation of Bank of America	Unfunded	500,000	100,000	400,000	-	-	-
Streets	Resurfacing - Gondola/Lake/Swann/Idaho/Nevada/Perkins	General Fund	200,000	200,000	-	-	-	-
Streets	Resurfacing - Cay/Stockbridge/Delia	General Fund	150,585	150,585	-	-	-	-
Traffic Calming	Via Flora/Flowertree Roundabout	General Fund	250,000	-	150,000	100,000	-	-
Traffic Calming	Traffic Signal at Hoffner/St. Germaine	Unfunded	325,000	65,000	260,000	-	-	-
Traffic Calming	Hoffner Roundabout w/Ped Crossing @ St. Denis (District 1)	Unfunded	634,000	-	334,000	300,000	-	-
Sidewalks	Sidewalk Replacements	General Fund	125,000	25,000	25,000	25,000	25,000	25,000
Sidewalks	Judge/Daetwyler Sidewalk Widening	Unfunded	690,000	-	-	345,000	200,000	145,000
Bridges	Nela Bridge Resurfacing/Repairs/Fence	General Fund	47,000	47,000	-	-	-	-
Bridges	Hoffner Bridge Lights	General Fund	30,000	-	15,000	15,000	-	-
Parks	Wallace Field	General Fund	250,000	-	150,000	100,000	-	-
Parks	Canoe Trail	General Fund	50,000	-	50,000	-	-	-
Parks	Swann Beach ADA Deck	General Fund	25,000	25,000	-	-	-	-
Parks	Dog Park	Unfunded	50,000	-	-	20,000	15,000	15,000
Total General Fund			3,501,585	677,585	1,459,000	915,000	240,000	210,000

Totals by Funding Source:	Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
General Fund	1,152,585	447,585	390,000	240,000	25,000	50,000
Unfunded	2,349,000	230,000	1,069,000	675,000	215,000	160,000
	3,501,585	677,585	1,459,000	915,000	240,000	210,000

FUND 102 TRANSPORTATION IMPACT FEE FUND

Category	Project	Anticipated Funding Source	Estimated 5 Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Crosswalks	Pedestrian Crossing @ Hoffner/Pleasure Island	Traffic Impact Fees	20,600	20,600	-	-	-	-
Crosswalks	Pedestrian Crossing @ Hoffner/Peninsular	Traffic Impact Fees	22,500	22,500	-	-	-	-
Traffic Calming	Seminole Traffic Calming (Speedhumps - Seminole/Barby/Indian)	Traffic Impact Fees	12,000	12,000	-	-	-	-
Total Transportation Impact Fund			55,100	55,100	-	-	-	-

Totals by Funding Source:	Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Traffic Impact Fees	55,100	55,100	-	-	-	-
Unfunded	-	-	-	-	-	-
	55,100	55,100	-	-	-	-

FUND 103 STORMWATER FUND

Category	Project	Anticipated Funding Source	Estimated 5 Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Drainage Improvement	Seminole/Daetwyler Intersection Drainage Improvements (District 4)	ARPA	20,000	20,000	-	-	-	-
Drainage Improvement	6504 St. Partin Place Pipe Replacement (District 5)	ARPA	20,000	20,000	-	-	-	-
Drainage Improvement	Nela Ave. Conveyance system (if swale reconditioning fails) (District 5)	Stormwater Fund	345,000	-	-	-	150,000	195,000
Drainage Improvement	Sol Rebuild (District 6)	ARPA	490,000	490,000	-	-	-	-
Drainage Improvement	3101 Trentwood Blvd. Inlets U433/434 (District 4)	Stormwater Fund	23,435	-	-	-	23,435	-
Drainage Improvement	2622 Trentwood Blvd. T437/T438 - Conveyance (District 4)	ARPA	46,460	-	23,230	23,230	-	-
Drainage Improvement	Trimble Park T561/T562 - Conveyance (District 4)	ARPA	13,685	-	-	13,685	-	-
Drainage Improvement	1849 Wind Willow Rd. T488-T490, T492, T496 - Conveyance (District 3)	ARPA	80,270	-	-	40,135	40,135	-
Drainage Improvement	1600 Colleen Dr. R473 - Conveyance (District 3)	ARPA	15,830	-	15,830	-	-	-
Drainage Improvement	3614 Waters Edge Dr. L125 - Conveyance (District 5)	ARPA	12,535	-	12,535	-	-	-
Drainage Improvement	3519 Cullen Lake Shore Dr. G202 - Conveyance (District 7)	ARPA	47,955	-	47,955	-	-	-
Drainage Improvement	5240 Driscoll Ct. H260/H261 - Conveyance (District 1)	ARPA	53,880	-	-	-	53,880	-
Drainage Improvement	3013 Cullen Lake Shore Dr. F161/F162 - Conveyance (District 1)	Stormwater Fund	43,930	-	-	-	-	43,930
Drainage Improvement	2807 Hoffner Ave. F252 - Conveyance (District 1)	ARPA	28,670	-	-	28,670	-	-
Drainage Improvement	5275 Jade Cir. H270/H271/H273 - Conveyance (District 1)	ARPA	70,000	-	70,000	-	-	-
Drainage Improvement	Swann Beach Q552/Q553 - Conveyance (District 3)	Stormwater Fund	38,355	-	-	-	-	38,355
Drainage Improvement	2211 Cross Lake Rd. E-001 - Conveyance (District 2)	ARPA	350,000	350,000	-	-	-	-
Drainage Improvement	Barby Lane Upgrade with Baffle System (District 4)	OC Cost Share / ARPA	196,250	196,250	-	-	-	-
Drainage Improvement	E. Wallace Drainage Project (District 2)	OC Cost Share / ARPA	1,500,000	65,000	1,435,000	-	-	-
Drainage Improvement	Alsace Court Baffle System (District 1)	Stormwater Fund / OC Cost Share	314,175	-	-	314,175	-	-
Drainage Improvement	Franconia Drive Baffle System (District 6)	Stormwater Fund / OC Cost Share	1,256,000	-	-	-	628,000	628,000
Drainage Improvement	2499 Trentwood Blvd Baffle System	Stormwater Fund / OC Cost Share	909,688	-	909,688	-	-	-
Total Stormwater Fund			5,876,118	1,141,250	2,514,238	419,895	895,450	905,285

Totals by Funding Source:	Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Stormwater Fund	450,720	-	-	-	173,435	277,285
Stormwater Fund / ARPA	-	-	-	-	-	-
Stormwater Fund / OC Cost Share	2,479,863	-	909,688	314,175	628,000	628,000
2020 Bond / ARPA	-	-	-	-	-	-
OC Cost Share / ARPA	1,696,250	261,250	1,435,000	-	-	-
ARPA	1,249,285	880,000	169,550	105,720	94,015	-
	5,876,118	1,141,250	2,514,238	419,895	895,450	905,285

FUND 201 CHARTER DEBT SERVICE FUND

Category	Project	Anticipated Funding Source	Estimated 5 Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Charter School	Roof Repair - Field House	Rent Revenue	104,000	104,000	-	-	-	-
Charter School	Roof Repair - High School	Rent Revenue	13,000	13,000	-	-	-	-
Charter School	AC - Villages	Rent Revenue	22,000	-	22,000	-	-	-
Charter School	HVAC Repair - High School	Rent Revenue	850,000	425,000	425,000	-	-	-
Charter School	Lightning Protection - Middle School	Rent Revenue	21,000	-	21,000	-	-	-
Charter School	Water Heater Replacement (7)	Rent Revenue	23,800	-	23,800	-	-	-
Charter School	Electrical Distribution Panel (14)	Rent Revenue	67,550	-	-	67,550	-	-
Charter School	Kitchen Exhaust - Middle School	Rent Revenue	68,000	-	-	68,000	-	-
Charter School	Distribution Panel - Middle School	Rent Revenue	68,000	-	-	68,000	-	-
Total Charter School Debt Service Fund			1,237,350	542,000	491,800	203,550	-	-

Totals by Funding Source:	Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Rent Revenue	1,237,350	542,000	491,800	203,550	-	-
Unfunded	-	-	-	-	-	-
	1,237,350	542,000	491,800	203,550	-	-

ALL FUNDS

	Estimated 5 Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
General Fund	3,501,585	677,585	1,459,000	915,000	240,000	210,000
Transportation Impact Fee Fund	55,100	55,100	-	-	-	-
Stormwater Fund	5,876,118	1,141,250	2,514,238	419,895	895,450	905,285
Charter Debt Service Fund	1,237,350	542,000	491,800	203,550	-	-
Totals	\$ 10,670,153	\$ 2,415,935	\$ 4,465,038	\$ 1,538,445	\$ 1,135,450	\$ 1,115,285

<i>Totals by Funding Source:</i>	Year Cost	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26
General Fund	1,152,585	447,585	390,000	240,000	25,000	50,000
Traffic Impact Fees	55,100	55,100	-	-	-	-
Stormwater Fund	450,720	-	-	-	173,435	277,285
Stormwater Fund / ARPA	-	-	-	-	-	-
Stormwater Fund / OC Cost Share	2,479,863	-	909,688	314,175	628,000	628,000
2020 Bond / ARPA	-	-	-	-	-	-
OC Cost Share / ARPA	1,696,250	261,250	1,435,000	-	-	-
ARPA	1,249,285	880,000	169,550	105,720	94,015	-
Rent Revenue	1,237,350	542,000	491,800	203,550	-	-
Unfunded	2,349,000	230,000	1,069,000	675,000	215,000	160,000
	\$ 10,670,153	\$ 2,415,935	\$ 4,465,038	\$ 1,538,445	\$ 1,135,450	\$ 1,115,285



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

Meeting Date: September 7, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 21-08 Update BIMC regarding Business Tax Receipt (2nd Reading and Adoption)

Background: The Legislature passed a bill that is effective as of July 1st that will change how the City issues occupational licenses and business tax receipts and other changes related to these licenses to conform to the new laws enacted in Florida Statute 205. The City currently has two classifications (residential and commercial) and the rate of \$25 for residential license and \$50 for commercial license. There are currently 81 commercial and 125 residential licenses issued by the City. These licenses renew on October 1st of each year.

At the August 3, 2021 Meeting, the Council read the ordinance for the first time. The Council discussed reclassifying commercial and applying a new rate. For example, instead of a hotel being having the current commercial license of \$50, could the license be changed and reclassify the commercial license to a hotel classification and charge a rate per bed?

As part of this ordinance, under F.S. 205, if the City may, by ordinance, reclassify businesses, professions, and occupations and may establish new rate structures. In order to do so, the City would need to establish an Equity Study Commission. The Council asked if the Budget Committee could be appointed as the Equity Study Commission. In reading F.S.205.0535, Each member of the study commission must be a representative of the business community within the City's jurisdiction. The equity study commission shall recommend to the City a classification system and rate structure for business taxes. Therefore, it appears that the Budget Committee, as a whole, cannot be the Equity Study Commission; however if members of the Budget Committee have businesses in the City, they can be appointed.

The P&Z Commission held a public hearing on this Ordinance and recommended adoption.

Staff Recommendation: Adopt Ordinance 21-08. If Council wants to reclassify businesses and establish new rate structures, then direct the staff to advertise for commission members.

Suggested Motion: I move that we adopt Ordinance 21-08. (No motion is needed if the Council decides to direct the staff to start the process to find Equity Study Commission members)

Alternatives: None to adopt the ordinance.

Fiscal Impact: For FY20-21, the City has budgeted \$12,000

Attachments: Ordinance 21-08

ORDINANCE NO. 21-08

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTIONS 28-91 THROUGH 28-100 AND CREATING NEW SECTIONS 28-101 AND 28-102 OF CHAPTER 28, ARTICLE IV OF THE CITY CODE; UPDATING AND MODERNIZING CITY CODE PROVISIONS GOVERNING OCCUPATIONAL LICENSES/BUSINESS TAX RECEIPTS AND RELATED MATTERS, INCLUDING CHANGES NECESSARY FOR CONSISTENCY WITH THE CURRENT STATUTES UNDER CHAPTER 205, FLORIDA STATUTES, WITH RESPECT TO TERMINOLOGY, RULES, REGULATIONS, PROCEDURES, AND OTHER MATTERS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, current provisions within the City of Belle Isle ("City") Code of Ordinances utilize outdated terminology when referring to occupational licenses as opposed to business tax receipts and local business taxes; and

WHEREAS, the City desires to update the Code of Ordinances to accurately reflect the statutory provisions, terminology, rules, regulations, and procedures set forth in Chapter 205, Florida Statutes, relating to local business taxes and business tax receipts, formerly known as occupational licenses, and to make other appropriate changes and additions; and

WHEREAS, the City has authority to enact business tax ordinances and resolutions pursuant to Section 205.0315, Florida Statutes and other law; and

WHEREAS, the City recognizes that, pursuant to Section 205.0535, Florida Statutes, under certain circumstances the City would need to establish an equity study commission and appoint members thereon prior to adopting a local business tax reclassification and revision ordinance that reclassifies businesses, professions, or occupations or otherwise establishes new rate structures pursuant to Section 205.0535; and

WHEREAS, the City Code amendments effected by this Ordinance do not reclassify any businesses, professions, or occupations, nor establish new rate structures, and therefore no equity study commission is required pursuant to Section 205.0535, Florida Statutes.

NOW, THEREFORE, be it ordained by the City Council of the City of Belle Isle, Florida, as follows:

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

SECTION 2. City Code Amendment. Sections 28-91 through 28-100 of the City Code of Ordinances are hereby amended, and new Sections 28-101 and 28-102 are hereby created within Chapter 28, Article IV of the City Code of Ordinances, all as follows (words that are stricken out are deletions; words that are underlined are additions):

ARTICLE IV. - LOCAL OCCUPATION LICENSE BUSINESS TAX

Sec. 28-91. ~~Occupational license~~ Local business tax receipt required.

~~(a) An occupational license~~ A local business tax for the privilege of engaging in or managing any business, profession or occupation within the corporate limits of the city is required to be paid and shall be levied on:

(1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within ~~it's~~ the city's jurisdiction.

(2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within ~~it's~~ the city's jurisdiction.

(3) Any person who does not qualify under subsection (1) or subsection (2) of this section and who transacts any business or engages in any occupation or profession in interstate commerce, if the license local business tax is not prohibited by US Const. art. I, § 8.

(4) Any person engaged in a home occupation within the city's jurisdiction, ~~home occupation shall be licenses under section 50-103(a).~~

(b) No person shall engage in or manage any business, occupation or profession for which there is a local business tax required by this chapter or any other ordinance of the city, unless such person shall first procure a local business tax receipt to conduct the same from the city.

(c) Any sign, advertisement, social media post, building occupancy, directory listing, or activity, or activity indicating that a business, calling, profession, or occupation is being conducted at a location within the city limits shall be prima facie evidence that the person or entity is liable for paying a local business tax.

Sec. 28-92. Dates due and delinquent; penalties.

(a) The payment of the local business tax is evidenced by the city's issuance of a local business tax receipt. All ~~occupational licenses~~ local business tax receipts shall be sold by the city clerk beginning August 1 of each year, are due and payable on or before September 30 of each year, and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30. Licenses Local business tax receipts that are not renewed when due and payable are delinquent and subject to a delinquency penalty of ten percent for the month of October, plus an additional five percent penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty shall not exceed 25 percent of the ~~occupational license~~ local business tax for the delinquent establishment.

(b) Any person who engages in or manages any business, occupation, or profession without first obtaining ~~an occupational license~~ a local business tax receipt, if required, is subject to a penalty of 25 percent of the license due, in addition to any other penalty provided by law or ordinance.

(c) Any person who engages in any business, occupation, or profession covered by this article, who does not pay the required ~~occupational license~~ local business tax within 150 days after the initial notice of tax due, and who does not obtain the required ~~occupational license~~ local business tax receipt

is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.00.

(d) Any person owing delinquent local business taxes shall be required to pay such delinquent taxes before being issued a new local business tax receipt.

Sec. 28-93. Requirement to report status of fictitious name registration and identification numbers.

(a) As a prerequisite to receiving ~~an occupational license~~ a local business tax receipt under this article or transferring a local business license tax receipt under section 28-94, the applicant or new owner must present to the city either:

(1) A copy of the applicant's or new owner's current fictitious name registration, issued by the division of corporations of the department of state; or

(2) A written statement, signed by the applicant or new owner, which sets forth the reason that the applicant or new owner need not comply with the Fictitious Name Act, F.S. § 865.09.

(b) ~~No license~~ local business tax receipt shall be issued unless the federal employer identification number or social security number is provided by the person ~~to be licensed~~ requesting a local business tax receipt.

Sec. 28-94. Issuance; transferability.

(a) ~~An occupational license~~ A local business tax receipt is not valid for more than one year and all ~~licenses~~ local business tax receipts expire on September 30 of each year, except as otherwise provided by law. No ~~license~~ local business tax receipt shall be issued for any fractional portion of any year, however, the rate charged for the initial ~~license~~ local business tax receipt issued to a business new to the city after December 31 shall be prorated on a quarterly basis, i.e., a fee of three-quarters the annual rate will be assessed from January 1 through March 31, one-half the annual rate from April 1 through June 30 and one-fourth the annual rate thereafter for the remainder of the license term.

(b) ~~Any occupational license~~ local business tax receipt may be transferred to a new owner, when there is a bona fide sale of the business, upon payment of a transfer fee of \$3.00 or ten percent of the annual ~~license~~ local business tax, whichever is greater, up to \$25.00, and presentation of the original ~~license~~ local business tax receipt and evidence of the sale.

(c) Upon written request and presentation of the original ~~license~~ local business tax receipt, any ~~license~~ local business tax receipt may be transferred from one location to another location within the city upon payment of a transfer fee of \$3.00 or ten percent of the annual ~~license~~ local business tax, whichever is greater, up to \$25.00.

(d) Local business tax receipts for home occupations licenses are non-transferable and cannot be used by the ~~applicant-taxpayer~~ for any premises other than that premises for which it was originally granted. If a home occupation business license is to be transferred to a new owner and/or new location, a new ~~license~~ local business tax receipt needs to be applied for and obtained according to section 50-103 of this Code.

Sec. 28-95. Exhibit and display.

All ~~occupational licenses~~ local business tax receipts shall be conspicuously displayed at the place of business, at all times. ~~An occupational license~~ A local business tax receipt issued for coin-operated devices shall be posted permanently and conspicuously on the coin-operated device for which the ~~occupational license~~ local business tax receipt was issued.

Sec. 28-96. Exemptions.

The following exemptions apply to the provisions of this article:

(1) Vehicles used by any person issued ~~an occupational license~~ a local business tax receipt under this article for the sale and delivery of tangible personal property at either wholesale or retail from such person's place of business on which the ~~license~~ local business tax is paid shall not be construed to be separate places of business, and no ~~license~~ local business tax shall be levied on such vehicles or the operators thereof as salespersons or otherwise.

(2) No ~~occupational license~~ local business tax receipt shall be required of any natural person for the privilege of engaging in the selling of farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, or tropical fish farm products, or products manufactured therefrom, except intoxicating liquors, wine, or beer, when such products were grown or produced by such natural person in the state.

(3) All disabled persons physically incapable of manual labor, widows with minor dependents, and persons 65 years of age or older, with not more than one employee or helper, and who use their own capital only, not in excess of \$1,000.00, shall be allowed to engage in any business or occupation without being required to pay for local business tax receipt ~~an occupational license~~. The exemption provided by this subsection shall be allowed only upon the certificate of a reputable physician that the applicant claiming the exemption is disabled, the nature and extent of the disability being specified therein, and in case the exemption is claimed by a window with minor dependents, or a person over 65 years of age, proof of the right to the exemption shall be made. Any person entitled to the exemption provided by this subsection shall, upon application and furnishing of the necessary proof as aforesaid, be issued a ~~license~~ local business tax receipt which shall have plainly stamped or written across the face thereof the fact that it is issued under this subsection and the reason for the exemption shall be written thereon. In no event under this or any other law shall any person, veteran or otherwise, be allowed any exemption whatsoever from the payment of any amount due for the issuance of a ~~license~~ local business tax receipt to sell intoxicating liquors or malt and vinous beverages.

(4) No ~~occupational license~~ local business tax receipt shall be required of any charitable, religious, fraternal, youth, civic, service, or other such organization when the organization makes occasional sales or engages in fundraising projects when the projects are performed exclusively by the members thereof and when the proceeds derived from the activities are used exclusively in the charitable, religious, fraternal, youth, civic, and service activities of the organization.

(5) ~~An occupational license~~ A local business tax receipt shall not be required of a duly licensed mobile home dealer or a duly licensed mobile home manufacturer, or an employee of such dealer or

1 manufacturer who performs set up operations as defined in F.S. § 320.822 to engage in such
 2 operations. However, such dealer or manufacturer shall be required to obtain an ~~occupational license~~
 3 a local business tax receipt for such dealer's or manufacturer's permanent business location or branch
 4 office, which ~~license~~ local business tax receipt shall not require for its issuance any conditions other
 5 than those required by F.S. ch. 320.

6 (6) Nothing in this article shall be construed to require a ~~license~~ local business tax receipt for
 7 practicing the religious tenets of any church.

8 (7) The mandatory exemptions from the payment of local business taxes set forth in F.S. ch. 205,
 9 are incorporated herein.

10 **Sec. 28-97. Exemptions allowed disabled veterans of any war or their married spouses.**

11 (a) Any bona fide, permanent resident elector of the state who served as an officer or enlisted
 12 person during any of the periods specified in F.S. § 1.01(14) in the Armed Forces of the United States,
 13 National Guard, or United States Coast Guard or Coast Guard Reserve or any temporary member
 14 thereof, who has actually been or may hereafter be, reassigned by the air force, army, navy, coast
 15 guard, or marines to active duty during any war declared or undeclared, armed conflicts, crisis, etc.,
 16 who was honorably discharged from the service of the United States, and who at the time of such
 17 person's application for a ~~license~~ local business tax receipt as hereunder mentioned shall be disabled
 18 from performing manual labor shall upon sufficient identification, proof of being a permanent resident
 19 elector in the state, and production of an honorable discharge from the service of the United States:

20 (1) Be granted a ~~license~~ local business tax receipt to engage in any business or occupation in the
 21 state which may be carried on mainly through the personal efforts of the ~~licensee~~ taxpayer as a
 22 means of livelihood and for which the license does not exceed the sum of \$50.00 for each without
 23 payment of any ~~license~~ local business tax otherwise provided for by law; or

24 (2) Be entitled to an exemption to the extent of \$50.00 on any ~~license~~ local business tax receipt to
 25 engage in any business or occupation in the state which may be carried on mainly through the
 personal efforts of the ~~licensee~~ taxpayer as a means of livelihood when the ~~license~~ local business
tax for such business or occupation shall be more than \$50.00. The exemption heretofore referred
 to shall extend to and include the right of ~~licensee~~ taxpayer to operate an automobile-for-hire of
 not exceeding five-passenger capacity, including the driver, when it shall be made to appear that
 such automobile is bona fide owned or contracted to be purchased by the ~~licensee~~ taxpayer and is
 being operated by such ~~licensee~~ taxpayer as a means of livelihood and that the proper ~~license~~
local business tax for the operation of such motor vehicle for private use has been applied for and
 attached to said motor vehicle and the proper fees therefore paid by the ~~licensee~~ taxpayer.

(b) When any such person shall apply for a ~~license~~ local business tax receipt to conduct any
 business or occupation for which an ~~occupational license~~ local business tax shall exceed the sum of
 \$50.00, the remainder of such ~~license~~ local business tax in excess of \$50.00 shall be paid.

(c) The city shall issue to such persons as may be entitled hereunder a ~~license~~ local business tax
receipt to the foregoing provision and subject to the conditions thereof. Such ~~license~~ local business tax

1 receipt when issued shall be marked across the face thereof "Veterans Exempt Business Tax Receipt
 2 License—Not Transferable." Before issuing the same, proof shall be duly made in each case that the
 3 applicant is entitled under the conditions of this section to receive the exemption herein provided for.
 The proof may be made by establishing to the satisfaction of the city clerk by means of certificate of
 honorable discharge or certified copy thereof that the applicant is a veteran within the purview of this
 section and by exhibiting:

4 (1) A certificate of government rated disability to an extent of ten percent or more;

5 (2) The affidavit or testimony of a reputable physician who personally knows the applicant and
 6 who makes oath that the applicant is disabled from performing manual labor as a means of
 livelihood;

7 (3) The certificate of the veteran's service officer of the county in which the applicant lives, duly
 8 executed under the hand and seal of the chief officer and secretary thereof, attesting the fact that
 the applicant is disabled and entitled to receive a ~~license~~ local business tax receipt within the
 9 meaning and intent of this section;

10 (4) A pension certificate issued to such person by the United States by reason of such disability; or

11 (5) Such other reasonable proof as may be required by the city clerk to establish the fact that the
 12 applicant is so disabled.

13 All ~~licenses~~ local business tax receipts issued under this section shall be in the same general form as
 other occupational licenses and shall expire at the same time as such other ~~licenses~~ local business tax
 14 receipts.

15 (d) All ~~licenses~~ local business tax receipts obtained under the provision of this section by the
 commission of fraud upon the city shall be deemed null and void. Any person who has fraudulently
 16 obtained any such ~~license~~, or who has fraudulently received any transfer of a ~~license~~ local business tax
receipt issued to another, and has thereafter engaged in any business or occupation requiring a
 17 ~~license~~ local business tax receipt under color thereof shall be subject to prosecution as for engaging in
 a business or occupation without having the required ~~license~~ local business tax receipt under the laws
 18 of the state.

19 (e) In no event shall any person, veteran or otherwise, be allowed any exemption whatsoever
 20 from the payment of any amount required for the issuance of the ~~license~~ local business tax receipt to
 sell intoxicating liquors or malt and vinous beverages.

21 (f) The unremarried spouse of the deceased disabled veteran of any war in which the United
 22 States Armed Forces participated will be entitled to the same exemptions as the disabled veteran.

23 **Sec. 28-98. Provisions regarding professions regulated by the state department of business and**
professional regulation and other state boards or agencies.

Any person applying for an occupational license local business tax receipt pursuant to this article must exhibit an active state certificate, registration, license, permit as required pursuant to applicable state law, prior to being issued an occupational license.

(a) Any person applying for or renewing a local business tax receipt to practice any profession or engage in or manage any business or occupation regulated by the Department of Business and Professional Regulation, the Florida Supreme Court, or any other state regulatory agency, including any board or commission thereof, must exhibit an active state certificate, registration, or license, or proof of copy of the same, before such local business tax receipt may be issued. Online renewals may provide for electronic certification by an applicant to meet this requirement. This subsection shall not apply to professions or businesses having a license or registration under F.S. § 489.113, § 489.117, § 489.119, § 489.131, § 489.511, § 489.513, § 489.521, or § 489.537.

(b) In accordance with F.S. ch. 205, certain types of businesses and professions must meet certain licensing, certification, registration or other requirements prior to the city issuing or renewing a local business tax receipt. No local business tax receipt will be issued or renewed until the applicable requirements of F.S. ch. 205, are met.

(c) In the event the city is unsure of a proposed local business tax payer's legal requirements under law for having an active state certificate, registration, or license, the city shall have the right to require a proposed tax payer to present documentation and sign sworn written statements regarding such matters.

Sec. 28-99. Revocation.

The revocation of local business tax receipt provisions of chapter 205, Florida Statutes are incorporated herein. The city council shall have the right and authority to revoke, after legal notice and public hearing, any occupational license granted under this article whenever it is shown that the business is being conducted in such a manner as to be detrimental to the public health, safety or welfare or to the customers and patrons of the licensee. Home occupation licenses shall be revoked according to chapter 50, section 50-103 of this Code.

Sec. 28-100. Rate schedule.

The schedule of fees tax amounts imposed for occupational licenses local business tax receipts issued by the city shall be kept on file in the office of the city clerk. The schedule of local business taxes imposed may be amended from time to time by resolution of the city council.

Sec. 28-101. Compliance with ordinances required.

The issuance by the city and receipt by the applicant of a local business tax receipt shall in no case be deemed authority to conduct an occupation, business or profession in contravention of any ordinance of the city now existing or hereafter enacted, or to establish or maintain any nuisance. In addition to the payment of the local business tax and obtaining of a local business tax receipt pursuant to this article, any owner of a local business tax receipt must comply with all applicable ordinances and regulations of the city. The issuance or transfer of a local business tax receipt pursuant to this article shall not evidence, verify, or otherwise be interpreted as a statement by the city that the owner of a

local business tax receipt or the location listed therein complies with state laws and city building codes, zoning laws, or other ordinances and regulations not set forth in this article. The issuance of a local business tax receipt shall not serve as a basis for equitable estoppel against the city to prevent the enforcement of state laws and city building codes, zoning laws and other ordinances and regulations not set forth in this article.

Sec. 28-102. Ordinance enforcement.

The city shall have the right, but not the obligation, pursuant to its zoning and home rule authority to evaluate the legality of any proposed or operating business and business location and, if applicable, to issue a notice to any person or entity applying for or who receives a local business tax receipt that a proposed or operating business or business location does not comply with the applicable laws, ordinances and regulations, and to take enforcement measures to ensure compliance with such laws, ordinances and regulations.

SECTION 3. Codification. Section 2 of this Ordinance shall be incorporated into the Belle Isle City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made. In addition, to the changes made by this Ordinance, any and all references to “occupational license” and “occupational license tax” in the City Code of Ordinances shall be changed to read “local business tax receipt” and “local business tax,” respectively.

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

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

SECTION 7. Effective date. This Ordinance shall become effective immediately upon adoption by the City Council of the City of Belle Isle, Florida.

FIRST READING: _____, 2021

SECOND READING: _____, 2021

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

	YES	NO	ABSENT
Ed Gold	_____	_____	_____
Anthony Carugno	_____	_____	_____

1 Karl Shuck _____
2 Randy Holihan _____
3 Rick Miller _____
4 Jim Partin _____
5 Sue Nielsen _____

6 City of Belle Isle
7 _____
8 Nicholas Fouraker, Mayor

9 Attest: _____

10 Yolanda Quiceno, CMC City Clerk _____
11 Kurt Ardaman, City Attorney

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

14 STATE OF FLORIDA

15 COUNTY OF ORANGE

16 I, Yolanda Quiceno, City Clerk of the City of Belle Isle, do hereby certify that the above and foregoing
17 document ORDINANCE 21-08 was duly and legally passed by the Belle Isle City Council, in session assembled
on the ____ day of _____, 20____, at which session a quorum of its members were present.

18 _____
19 Yolanda Quiceno, CMC-City Clerk

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22 S:\DL\Clients\Belle Isle, City of\General B900-29001\Business Tax Receipt\Ordinance updating city code re. business tax receipts.docx

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24
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**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: September 7, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 21-09 Amend Comprehensive Plan to include Private Property Rights Element (2nd Reading and Adoption)

Background: The Legislature passed a bill that is effective as of July 1st that requires all cities and counties to have a Private Property Rights Element in their Comprehensive Plans. We will not be able to process any more Comprehensive Plan Amendments through DEO without first having adopted the required Private Property Rights Element. The City Attorney's Office drafted the ordinance. The Planning & Zoning Commission held a public hearing on this ordinance recommended approval.

Staff Recommendation: Adopt Ordinance 21-09

Suggested Motion: I move that we adopt Ordinance 21-09

Alternatives: None

Fiscal Impact: None

Attachments: Ordinance 21-09

ORDINANCE NO. 21-09

**AN ORDINANCE OF THE CITY OF BELLE, FLORIDA,
AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF
BELLE ISLE TO ADOPT A PRIVATE PROPERTY RIGHTS
ELEMENT TO COMPLY WITH SECTION 163.3177, FLORIDA
STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY,
CODIFICATION, AND EFFECTIVE DATE.**

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the City of Belle Isle, Florida (the “City”) proposes to amend the City’s Comprehensive Plan (the “Comprehensive Plan”) to adopt a Private Property Rights Element as set forth herein; and

WHEREAS, the Florida Legislature changed statutory provisions of chapters 163, Florida Statutes effective on July 1, 2021 to ensure that private property rights are considered in local decision making and requiring the adoption of a Property Rights Element into the Comprehensive Plan; and

WHEREAS, the City Commission of the City of Belle Isle desires to update the Comprehensive Plan consistent with such statutory changes by adopting a “Property Rights Element”; and

WHEREAS, the Planning and Zoning Board as the City’s Land Planning Agency reviewed this Ordinance in accordance with the requirements of Chapter 163, Florida Statutes, and made a recommendation to the City Council; and

WHEREAS, the City determines that the Comprehensive Plan amendment set forth herein complies with the law and is in the best interest of the City.

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

SECTION 1: RECITALS. The above recitals are true, correct and incorporated herein by this reference.

SECTION 2: ADOPTION. The Comprehensive Plan of the City of Belle Isle is hereby amended to adopt a new Property Rights Element to read as follows:

PROPERTY RIGHTS ELEMENT
Goals, Objectives and Policies

GOAL 1:

The purpose and overall goal for the Property Rights Element is to signify respect for judicially acknowledged and constitutionally protected private property rights, and to ensure that those rights are considered in the City of Belle Isle’s decision-making concerning land use and zoning matters.

Objective 1.1:

The following objective provides a framework for ensuring that private property rights are considered in local decisionmaking concerning land use and zoning matters.

Policy 1.1. **The following rights shall be considered in decision-making by the City of Belle Isle concerning land use and zoning matters:**

- 1) The right of a property owner to physically possess and control their interests in property, including easements, leases, or mineral rights.
- 2) The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
- 3) The right of the property owner to privacy and to exclude others from the property to protect the owner’s possessions and property.
- 4) The right of a property owner to dispose of his or her property through sale or gift.

This element is not intended to create any property rights or due process rights that are not already judicially acknowledged and constitutionally protected. This element is not intended to alter the legislative nature of decisions made in the adoption of comprehensive plan amendments and land development code amendments. This element is not intended to require discussion, evidence and findings of fact concerning the matters set forth herein. Ordinances adopted and land use and zoning decisions made by the City are presumed to have considered the matters set forth in this element.

SECTION 3: SEVERABILITY. The provisions of this Ordinance are declared to be separable and if any section, paragraph, sentence or word of this Ordinance or the application thereto any person or circumstance is held invalid, that invalidity shall not affect other sections or words or applications of this Ordinance. If any part of this Ordinance is found to be preempted or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such preempted or superseded part.

SECTION 4: CONFLICTS. If any ordinance or part thereof is in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION 5: CODIFICATION. Any goal, objective, and policy number, letter and/or any

heading may be changed or modified as necessary to effectuate the foregoing and/or to be consistent with the numbering system within the Comprehensive Plan. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this Ordinance or the Comprehensive Plan may be freely made.

SECTION 6: EFFECTIVE DATE. This Ordinance shall become effective pursuant to a Notice of Intent issued by DEO finding the Comprehensive Plan amendment (“Amendment”) set forth in this Ordinance to be in compliance as defined in Section 163.3184(1)(b), Florida Statutes. If timely challenged, the Amendment shall not become effective until DEO or the Administration Commission enters a final order determining the adopted Amendment to be in compliance.

FIRST READING AND TRANSMITTAL READING: _____

SECOND READING AND ADOPTION: _____

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

City of Belle Isle

Nicholas Fouraker, Mayor

ATTEST:

Yolanda Quiceno, CMC-City Clerk





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

Meeting Date: September 7, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 21-10 Updating the BIMC RE: Home Occupations (1st Reading)

Background: The Legislature passed a bill that is effective as of July 1st that will change how the City issues occupational licenses and enforces occupational licenses. The City Attorney's Office drafted the ordinance to comply with the new state law.

The new § 559.955, Florida Statutes, prohibits local governments, including the City from regulating home-based businesses in any manner inconsistent with the terms of the new statute.

The City's current ordinance regulating home occupations is inconsistent with the mandates contained in newly enacted § 559.955, Florida Statutes, regarding home-based businesses, and the City needs to amend the BIMC to conform to § 559.955, Florida Statutes.

The P&Z Commission held a public hearing on this Ordinance and recommended adoption.

Staff Recommendation: Adopt Ordinance 21-10.

Suggested Motion: I move that we schedule Ordinance 21-10 for a second reading and possible adoption at the September 21, 2021 Council Meeting.

Alternatives: None (must comply with State Law).

Fiscal Impact: TBD

Attachments: Ordinance 21-10

ORDINANCE NO. 21-10

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING SECTION 50-103(a) OF THE CITY'S CODE OF ORDINANCES AS SUCH PERTAINS TO HOME BASED OCCUPATIONS; PROVIDING FOR HOME BASED BUSINESS REGULATIONS CONSISTENT WITH GENERAL LAW; AND PROVIDING FOR ENFORCEMENT, SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City has historically regulated home occupations, otherwise known as home-based businesses;

WHEREAS, the Florida Legislature recently enacted Chapter 2021-202, Laws of Florida, codified as § 559.955, Florida Statutes, with an effective date of July 1, 2021;

WHEREAS, new § 559.955, Florida Statutes, prohibits local governments, including the City from regulating home-based businesses in any manner inconsistent with the terms of such statute; and

WHEREAS, the City's current ordinance regulating home occupations is inconsistent with the mandates contained in newly enacted § 559.955, Florida Statutes, regarding home-based businesses, and the City desires to amend such ordinance to conform to § 559.955, Florida Statutes.

NOW, THEREFORE, be it ordained by the City Council of the City of Belle Isle, Florida, as follows:

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

SECTION 2. City Code Amendment. Section 50-103(a) of the Belle Isle Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 50-103. - Accessory uses.

(a) *Home-based businesses ~~occupation~~.*

- (1) It is the purpose of this section to provide for the orderly conduct of a limited commercial activity on property otherwise zoned for residential purposes. ~~Such activity shall not be of a nature that would impose any disruption to the quality of life, safety, character health welfare or appearance of a residential neighborhood.~~

- (2) Unless otherwise expressly permitted by applicable statutes or residential zoning regulations, including, but not limited to, mixed-used development plans and agreements for planned unit development, only commercial activity meeting the definition of a home-based businesses, as defined in § 559.955, Florida Statutes, is permitted on property zoned for residential use. Any use conducted entirely within a dwelling unit including the garage area, and carried on by an occupant thereof, which use is clearly incidental and accessory to the use of the residence for dwelling purposes and does not change the character thereof. This also includes the garage area and only if the garage door remains closed.
- (3) All business occupations, trades or professions qualifying as home occupations under this chapter shall exist and home-based businesses located on property zoned for residential purposes must operate subject to the following provisions, conditions and restrictions:
- a. The employees of the business who work at the residential dwelling must also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may reside at the business. The business may have additional remote employees that do not work at the residential dwelling. Only such commodities made on the premises may be sold on the premises. All such sales of home occupation work or products shall be conducted within a building. Home occupations that market commodities via the internet, telephone or other off site advertising may sell commodities produced off premises so long as said commodities are drop shipped to the client/customer. Shipment and delivery of products, merchandise, or supplies shall be limited to the hours of 7:00 a.m. and 7:00 p.m. in single rear axle vehicles.
 - b. Parking related to the business activities of the home-based business must comply with the zoning requirements applicable to other residential properties within the same zoning classification, and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Home-based businesses must comply with any regulations pertaining to the operation or parking of vehicles and trailers to residences where no home business is conducted. Any vehicles or trailers used in connection with the home-based business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces of the residence. There shall be no outdoor display, or storage of merchandise or products, nor shall there be any display visible from the outside of the building.
 - c. As viewed from the street, the use of the residential property must be consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to

accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. No person shall be engaged in any such home occupation other than members of the immediate family residing on the premises. Written consent by the owner of the property is required to engage in any form of home occupation by a tenant at the time of application.

- d. No heavy equipment, defined herein as commercial, industrial, or agricultural vehicles, equipment, or machinery, may be parked or stored such that it is visible from the street or a neighboring residential property. equipment or machinery shall be used or stored on the premises in connection with the home occupation, except such that is normally used for purely domestic or household purposes. Examples include, but not limited to, cement mixers, tractors, welding or create excessive noise, smoke, fumes, odor, or vibration.
- e. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property. No more than 25 percent of the floor area of the first floor shall be used for home occupation purposes. Interior alterations are allowed as long as alterations do not result in the eliminations of the kitchen, dining area, bathrooms, living room or the bedrooms in the residence.
- f. The activities of the home-based business must be secondary to the property's use as a residential dwelling. No sign shall be used other than one nonilluminated nameplate attached to the building entrance, and such plate shall not exceed one square foot in area.
- g. The business activities conducted at the residence must comply with any relevant local or state regulations with respect to signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors as such regulations apply to other residences where no business is conducted. Fabrication of articles, by way of example and not by way of limitation such articles commonly classified under the term "arts and handicrafts," may be deemed a home occupation.
- h. All business activities conducted at the residence must comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids as such regulations would apply to a residence where no business is conducted. By way of example and not by way of limitation plant nurseries, tearooms, food processing, restaurants, sale of antiques, commercial kennels, day care, or pain management clinics shall not be allowed as home occupations.

- i. ~~By way of example and not by way of limitation barbershops and beauty parlors (not to exceed one chair), accountant offices, real estate offices, insurance offices or any professional office uses of the like may be deemed a home occupation.~~
 - j. ~~No home occupation shall be permitted wherein group instruction or group assembly or activity is involved. To that end, no group dance instruction, group exercise class or similar activities.~~
 - k. ~~No alteration of the residential character of the premises be made, and the home occupations shall not be allowed to create a nuisance or to create any undue disturbance.~~
 - l. ~~No business, trade, profession or occupation shall qualify as a home occupation if it will generate noise which is audible beyond the property lines of the property upon which the promise is located.~~
 - m. ~~No business, trade, profession, or occupation which generates vehicular trips or visitors to the premises exceeding ten per day shall qualify as a home occupation. Instruction based home occupations may receive one student/customer at a time, by appointment only.~~
 - n. ~~No vehicles which display advertising relating to the business on the premises may be utilized so as to avoid the restriction or signs contained above.~~
 - o. ~~No more than three passenger vehicles may be parked on or about the premises at any one time. Off street parking must be provided on a hard surface as provided in sections 30-73 and 30-133. The home occupation shall not generate excessive vehicular traffic or parking.~~
 - p. ~~As a condition for granting of the home occupation license. The licensee agrees the city is authorized to conduct an inspection during normal business hours, with sufficient notice to the licensee, for the purpose of determining whether or not the provisions of this Code section are being complied with.~~
 - q. ~~Use of the garage or any activity associated with the home occupation shall not displace any required parking in currently useable garage.~~
- (4) Violations / enforcement. Anyone or any entity operating a home-based business in a manner inconsistent with this section is in violation of this code, and the city may enforce these provisions by any legal means available or as otherwise directed by general law, including, but not limited to, code enforcement proceedings or an action to enjoin any violations of this section. Nothing herein may be deemed to excuse or exempt the owner or operator of a

home-based business from paying any taxes, including business tax receipts, that may be due and owing in connection with the operation or establishment of any such business or complying with any federal or state occupational or licensure requirements. ~~Approval of application; administrative procedures.~~ All applications for home occupation permits shall be reviewed by the city manager or city manager's designee for compliance with the provisions set forth herein.

a. ~~All applicants must provide two proofs of residence; a Florida Driver's License and a utility bill, and a copy of the applicant's lease, if renting the premises.~~

b. ~~Submitted applications which fail to comply with the provisions of the Code shall be denied, and the applicant notified, in writing, of the denial and the reasons for the denial.~~

c. ~~Applications compliant with all the provisions of this Code shall be approved upon the posting requirement in section 50-103(5) below and issued a permit, provided that all written objections to the application, if any, have been reviewed and found to be without merit and unsupported by fact.~~

(5) Intent. It is the intent of this code provision to be interpreted in harmony with general law pertaining to home-based businesses, and in the event of any conflict with such general law, general law will govern and control the interpretation and application of this § 50-103(a). Posting required for posting application. All applicants for a home occupation permit shall be required to place a notice on the premises, to inform the public that a home occupation permit has been applied for. This notice shall be posted on the premises for ten days prior to the disposition of the permit applications. When the applicant is submitted to the city, a placard will be given to the applicant for posting. It is the applicant's responsibility to post the placard on the premises so it can be seen by the public.

(6) ~~Appeals and hearing on application.~~ Applications which are denied by the city manager or the city manager's designee shall have the right to appeal to the planning and zoning board. Such appeal shall be in writing and delivered to the city clerk no less than ten days after the denial of the application. The appeal will be placed on the next available planning and zoning board agenda for action. The planning and zoning board shall be the right to overturn, modify or affirm the decision made by the city manager, or the city manager's designee. The board's decision shall be final.

(7) ~~Revocation of home occupation permit; procedure; conditions.~~

a. ~~Any person may seek revocation of a home occupation permit by making written application to the city manager or city manager's designee and an~~

~~investigation will be made to determine whether the permit holder is conducting a home occupation in a lawful manner prescribed in this section.~~

- ~~b. If the city manager determines that the permit holder in in violation of the provisions of this section, the city manager may revoke, suspend, or revise the permit.~~
- ~~c. The decision of the city manager shall be subject to appeal to the planning and zoning board as in section 50-103(b). The decision of the board is final.~~
- ~~d. The following shall be considered as grounds for revoking a home occupational permit.~~
 - ~~1. Any change in the use or any change in extent or nature of the use or area of the dwelling unit being used, that is different from that specified in the approved home occupation application, this not first approved by the city manager.~~
 - ~~2. The operator of the home occupation must apply for a new home occupation permit prior to any such changes.~~
 - ~~3. Any change in use, extent of use, area of the swelling being used, or mechanical or electrical equipment being used that results in conditions not in accordance with the provisions of the require conditions shall result in immediate revocation of the permit.~~
- ~~(8) The following conditions shall apply for home occupation permits which have been revoked:~~
 - ~~a. *Initial revocation.* Reapplication may only occur when the condition(s) causing the revocation has been corrected.~~
 - ~~b. *Second revocation.* Reapplications may only occur after one year and when the condition(s) has been corrected.~~
 - ~~c. *Third revocation.* No permit shall be reissued.~~

SECTION 3. Codification. Section 2 of this Ordinance will be incorporated into the Belle Isle City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made. In addition, to the changes made by this Ordinance, any and all references to “occupational license”

and “occupational license tax” in the City Code of Ordinances shall be changed to read “local business tax receipt” and “local business tax,” respectively.

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

SECTION 5. Conflicts. If a conflict arises between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of such conflict, as permitted under the law.

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

FIRST READING: _____, 2021

SECOND READING: _____, 2021

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

CITY COUNCIL
CITY OF BELLE ISLE

Nick Fouraker, Mayor

ATTEST:

Yolanda Quiceno, City Clerk

Date



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

Meeting Date: September 7, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Resolution 21-17 - Zip Code Change

Background: The City Council directed that the City staff look into changing zip codes to try to get a zip code that is unique to the City. Currently the City has two zip codes (32809 and 32812). The areas assigned these zip codes are large and could be affecting several issues that may be affecting some finances of our residents such as auto insurance, home insurance, and Medicare. The process is for the City to write to the District Manager of the Post Office and ask to have a study done to see if a zip code change is warranted. This is a fairly long process and although it could have advantages for Belle Isle residents, it can also have disadvantages for them.

It is recommended by the USPS that if a municipality wants to consider a zip code change, that a public meeting(s) be held prior to submitting the request. It was also suggested that since this would affect every household in Belle Isle, that the Council consider placing a question on the next election ballot asking if residents want the City to pursue a zip code change.

At the August 3 Council meeting, the Council directed that the proposed resolution be finalized and directed that the Mayor sign the letter requesting the USPS start the process for changing the zip code.

Staff Recommendation: Consider holding one or two public meetings to inform residents of the change being sought by the City; explain the process and explain the advantages and disadvantages to residents.

Suggested Motion: I move we adopt Resolution 21-17 and authorize the Mayor to sign the letter to the US Postal Service.

Alternatives: Leave the same zip codes in place.

Fiscal Impact: TBD

Attachments: Resolution 21-17
Letter

RESOLUTION NO. 21-17

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, DECLARING THE NECESSITY FOR MODIFICATION OF THE ZIP CODE DESIGNATION BOUNDARY ASSIGNED FOR THE CITY OF BELLE ISLE AND AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE PROCESS OF CHANGING THE UNITED STATES POSTAL SERVICE ("USPS") ZIP CODE BOUNDARIES AFFECTING THE CITY OF BELLE ISLE.

WHEREAS, the City of Belle Isle (the "City"), along with its residents and businesses, suffers from multiple detrimental consequences connected to the existing USPS ZIP Code Designations for the City; and

WHEREAS, the City, as has previously discussed by the City Council and been explained to the USPS, suffers multiple consequences for the inaccurate USPS ZIP Code designations for the City, including, but not limited to 1) Threats to public safety; 2) Direct Financial Impacts; 3) Misleading Information, and 4) Unreliable data collection and reporting; and

WHEREAS, the current USPS ZIP Code Designations fail to recognize and support the reality of the City's operations and the needs of the City's residents and businesses; and

WHEREAS, the Mayor and City Council desire to officially request a modification of the boundaries for the City's ZIP Code Designations and willingness to initiate the USPS ZIP Code Boundary Review Process by filing with the USPS Florida District Manager the "Request for Zip Code and Boundary Review Process" attached hereto and incorporated herein as Exhibit A.

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

1. That the City of Belle Isle hereby declares that it is necessary for the USPS to modify the ZIP Code Designation boundaries currently assigned for the City of Belle Isle.

2. That the Mayor and City Manager may proceed with the process of changing the USPS Zip Code boundaries affecting the City of Belle Isle by pursuing the USPS ZIP Code Boundary Review Process by filing with the USPS Florida District Manager the "Request for Zip Code and Boundary Review Process" attached hereto and incorporated herein as Exhibit A, and by pursuing any administrative processes and remedies connected thereto.

3. That the City Manager, City Clerk, and City Attorney are hereby authorized and directed to do all acts necessary for initiating and proceeding with the administrative ZIP Code Boundary Review Process of the United States Postal Service.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE THIS _____ DAY OF _____, 2021.

CITY OF BELLE ISLE

Mayor Nicholas Fouraker

ATTEST:

YOLANDA QUICENO, CITY CLERK

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

STATE OF FLORIDA

COUNTY OF ORANGE

I, YOLANDA QUICENO, CITY CLERK OF BELLE ISLE, FLORIDA, do hereby certify that the above and foregoing Resolution _____ was duly and legally passed and adopted by the Belle Isle City Council in session assembled, at which session a quorum of its members were present on the ____ day of _____ 2021.

Yolanda Quiceno, City Clerk

EXHIBIT A

Suncoast District Manager
United States Postal Service
ATTN: Stephen Hardin, District Manager
3501 Bessie Coleman Blvd.
Tampa, FL 33630-9101

Subject: Request for Zip Code and Boundary Review Process

Dear Mr. Hardin:

As the Mayor of the City of Belle Isle, Florida, I request that you, as the Florida District Manager of the USPS, conduct a "ZIP CODE BOUNDARY REVIEW PROCESS" to determine if the City of Belle Isle, Florida can be given its Zip Code, separate from Orlando's Zip Codes of 32809 and 32812, to all property within the municipal limits of the City of Belle Isle.

It is our goal to solve the following nonpostal problems:

Automotive, Homeowners Insurance rate, and Fire rating problems. We are not part of Orlando, but because the Orlando zip codes of 32809 and 32812 are used, we may be penalized.

Medicare determinations for eligible residents.

Crime Statics. (We are included in 32809 and 32812 Zip Code which covers Orlando. Statistics for Orlando for violent, property, and drug-related crimes committed in these zip codes are far more in Orlando than in Belle Isle.

Housing values are not truly representing the City of Belle Isle due to inclusion with Orlando. (Our housings values are being affected by the Banks not hiring licensed Appraisers to establish a home value but using their "VMS" program, which uses their 32809 or 32812 foreclosure database and does not take into

1 account lot size or other important variables that set Belle Isle apart from the Orlando portion of these zip
2 codes.)

3 Sales tax revenues, communications services taxes, and other state shared revenues collected at the
4 state level and rebated by states to the cities where they are being collected being misdirected due to the
5 ZIP Code with the City of Orlando receiving a portion of revenues that should come to Belle Isle.

6 Other statistics collected by ZIP CODE may skew the data for Belle Isle, which is essential when applying for
7 state and federal funding.

8 To compound these problems and cause further confusion, many Realtors, who are not residents of
9 the City of Belle Isle and Homeowners with an Orlando Zip Code, see that the Orange County Property
10 Appraiser lists Orlando as the Postal City.

11 The solution to these issues is in the hands of the United States Postal Service through their control
12 of Zip Code Boundaries. We will be following the USPS guidelines for requesting a Change in Postal Zip Code
13 Boundaries and hope we can arrive at a WIN-WIN solution that meets the needs of the USPS and the
14 Citizens of the City of Belle Isle, Florida.

15 We do not intend to cause the USPS to expend funds in these challenging economic times, and we
16 believe Belle Isle should have its zip code.

17 Thank you for your time and consideration, and I look forward to receiving your written response
18 within the required period. Please let us know if you see or have other options that benefit the City of Belle
19 Isle citizens.

20
21 Mayor Signature

22
23 CC: Belle Isle's Senate and Congressional Officials

24 Orlando Postmaster
25



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

Meeting Date: September 7, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Ordinance 21-11 Updating the BIMC RE: Advisory Boards (1st Reading)

Background: The City Council recognized that complications arise with regard to Florida's open meeting laws when members of its City Council simultaneously serve as a member of an advisory committee and to prevent any such complications from arising, the City Council directed that an ordinance be drafted to preclude City Commissioners or the Mayor, including City Commissioners-elect or a Mayor-elect from simultaneously serving as a member of an advisory committee.

Staff Recommendation: Read Ordinance 21-11 for a second time at the September 21 Council meeting and adopt the ordinance at that meeting.

Suggested Motion: I move that we read, for the second time, at the September 21, 2021 Council meeting, Ordinance 21-11.

Alternatives: Do not continue with the Ordinance and continue to allow Commissioners to serve on advisory boards.

Fiscal Impact: None

Attachments: Ordinance 21-11

ORDINANCE NO. 21-11

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA AMENDING SECTION 2-54 OF THE CITY'S CODE OF ORDINANCES; DISALLOWING MEMBERS OF THE CITY COUNCIL FROM BEING APPOINTED TO OR REMAINING ON ADVISORY COMMITTEES; AUTHORIZING THE CITY COUNCIL TO ESTABLISH QUALIFICATIONS FOR MEMBERSHIP TO ADVISORY COMMITTEES AND ADDRESSING COUNCIL AUTHORITY FOR THE REMOVAL OF ADVISORY COMMITTEE MEMBERS; AND PROVIDING FOR ENFORCEMENT, SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Belle Isle (the "City") has recognized that complications arise with regard to Florida's open meeting laws when members of its City Council simultaneously serve as a member of an advisory committee serving thereunder;

WHEREAS, to prevent any such complications from arising, the City desires to preclude City Commissioners or the Mayor, including City Commissioners-elect or a Mayor-elect from simultaneously serving as a member of an advisory committee;

WHEREAS, the City Council further desires to expressly codify its authority to delineate qualifications for membership to certain advisory committees; and

NOW, THEREFORE, be it ordained by the City Council of the City of Belle Isle, Florida, as follows:

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

SECTION 2. City Code Amendment. Section 2-54 of the Belle Isle Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 2-54. Advisory committees.

- (a) *Establishing advisory committees.* The city council has the power to create any advisory committee which is not identified within the city Charter. Any advisory committee established by the council shall adhere to the regulations listed in this section. The term "advisory committee" shall mean any committee established by the council, not identified in the city Charter, and advisory in nature to the council. The council shall identify the duties, qualifications, and purpose of ~~the~~ each advisory committee.
- (b) *Membership.*

- (1) *Composition, nomination and approval.* Advisory committees shall consist of at least three but not more than seven members as determined by the council. Each member of a committee shall be nominated by the member's commissioner according to the qualifications established by the council for that advisory board and approved by the entire council. ~~Each~~ No commissioner may shall have the right to serve on the committee. If a member of any advisory committee is elected or appointed to the council while serving on the committee, the member will be deemed to automatically resign from the committee upon the certification of the election to the council or the effective date of the appointment to the council. ~~or may choose a resident of the commissioner's district to serve on the committee.~~
- (2) *Chair and vice-chair.* The members of an advisory committee shall elect a chair and vice-chair from among its membership. The chair and vice-chair shall each be elected for a one-year term. Each year thereafter, an election for a chair and vice-chair will be held during the anniversary month.
- (3) ~~*Mayor-City Manager Responsibility.*~~
 - a. ~~The mayor may, if nominated, serve as a voting member of an advisory committee for the district in which the mayor lives.~~
 - b. ~~The mayor shall serve as a nonvoting ex officio member of any advisory committee on which the mayor is not a voting member.~~
 - ea. The city manager shall be responsible for informing the committee of its duties and purpose as identified by the council.
 - bb. It shall be the city manager's duty to ensure that any and all information, equipment and manpower necessary to accomplish the committee's duties and achieve its purpose are provided.
- (4) *Terms.* The terms of the individual members of an advisory committee shall be determined by the council. At the time the committee is established, the council shall set the term length, qualifications of members, and decide on the method of reappointment. An advisory committee member may be removed from an advisory committee by the council, with or without cause, at any time.
- (5) *Vacancies.*
 - a. Should any seat on an advisory committee become vacant, the council shall nominate and approve the member in the same method described in subsection (b)(1) of this section.

- b. Should the chair no longer be able to serve or that seat become vacant, the vice-chair shall become chair.
 - c. Should the vice-chair no longer be able to serve or that seat become vacant, the advisory committee shall elect a new vice-chair from its members.
- (c) *Abolishing an advisory committee.* The council has the power to abolish an advisory committee or restructure the advisory committee in accordance with the city's goals, objectives and policies.

SECTION 3. Codification. Section 2 of this Ordinance will be incorporated into the Belle Isle City Code. Any section, paragraph number, letter, and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or the City Code may be freely made.

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

SECTION 5. Conflicts. If a conflict arises between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of such conflict, as permitted under the law.

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

FIRST READING: _____, 2021

SECOND READING: _____, 2021

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

CITY COUNCIL
CITY OF BELLE ISLE

Nick Fouraker, Mayor

ATTEST:

Yolanda Quiceno, City Clerk

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

Meeting Date: September 7, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Resolution 21-18 Revisions to the Budget Committee

Background: The City staff is requesting the Council Budget revise some of the duties and process of the Budget Committee. This includes providing for quarterly meetings and to further clarify the duties of the Committee.

Staff Recommendation: Approve Resolution 21-18

Suggested Motion: I move that we approve Resolution 21-18.

Alternatives: Do not approve the resolution.

Fiscal Impact: None

Attachments: Resolution 21-18

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WHEREAS, according the City of Belle Isle Charter Section Sec. 2-54(a)
Advisory Committees, the Council has the power to establish advisory committees;
and

WHEREAS, the City Council of the City of Belle Isle desires to revise certain duties and processes of the Committee; and

NOW, THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, AS FOLLOWS,

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.

62

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

3 Section 3. Organization of the Budget Committee.

4 The committee is made up of seven (7) citizen members appointed by the city
5 council. Members are appointed by District according to the BIMC Section 2-
6 54(b) (1).

7 Section 4. Qualifications and terms of appointed members.

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

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

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

19
20 Section 5. Term of appointed members.

21 Appointed members serve staggered three-year terms, such that approximately
22 one-third of the terms of appointed members end each year. Members may apply
23 for reappointment.

24 Section 6. No compensation.
25

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

3 Section 7. Election of officers.

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

7 Section 8. Duties of Officers

8 A. Chairman:

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

13 B. Vice Chairman

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

19 C. Secretary

- 20 1. The Secretary shall take minutes of meetings and shall sign same as
21 revised and approved.
22 2. In the absence of the Chairman and the Vice Chairman, the Secretary shall
23 preside over and assume all duties and responsibilities of the Chairman in
24 addressing the business of any regularly scheduled or special meeting.
25

1 Section 9. Removal/vacancies of citizen members.

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

9 Section 10. Meetings and notice.

10 The committee shall hold one or more meetings according to the budget
11 officer's schedule to review and approve the budget document. Once the
12 budget is approved, the budget committee will meet quarterly or as requested
13 by the budget officer. Budget committee meetings shall be open to the public
14 and noticed as required under Florida law. A quorum shall consist of at
15 least four members (in-person) of the Budget Committee. Members may
16 participate remotely according to the requirements of Resolution 21-13 Rules
17 for Remote Participation.

18
19 Section 11. Authority and duties of the budget committee.

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

22 A. To review and make recommendations on the annual operating budget as
23 proposed by the budget officer;

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

C. To review budget amendments as proposed by the budget officer;

D. To review the annual Comprehensive Annual Financial Report;

E. As directed by City Council, to research and advise the City Manager and City Council of new revenue sources. ;

F. To act as the Auditor Selection Committee;

G.. Budget committee members have no special authority to request information or direct staff to develop new reports.

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 responsible to explain those to community members, providing an important communication conduit to the community regarding the City and its services.

Section 12. This Resolution shall take effect upon its adoption.

ADOPTED this ____ day of _____, 2019

ATTEST: _____

Yolanda Quiceno

CMC-City Clerk

Nicholas Fouraker

Mayor

1
2 STATE OF FLORIDA

3 COUNTY OF ORANGE

4 I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that
5 the above and foregoing document RESOLUTION 19-18 was duly and legally passed by
6 the Belle Isle City Council, in session assembled on the 15th day of October 2019,
7 at which session a quorum of its members were present.

8
9 _____
10 Yolanda Quiceno, CMC-City Clerk
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**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: September 7, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Proposal for Council Training Workshop

Background: In 2019, the City Council and staff participated in a training session as part of the City's strategic planning. This led to more effective communication between the elected officials and City staff and more efficient Council meetings. It is time for refresher training to review best practices for open and effective decision-making by elected officials and City staff. This workshop is completely different than the strategic planning workshop that will begin in September and will be facilitated by Mari Rains, Director of the Florida Institute of Government at UCF.

Staff Recommendation: Approve the proposal from

Suggested Motion: I move that we approve the proposal of the Florida Institute of Government for \$1,050 for a training workshop.

Alternatives: Do not approve the proposal.

Fiscal Impact: \$1,050

Attachments: Proposal



UNIVERSITY OF
CENTRAL FLORIDA

Florida Institute of Government

College of Community Innovation and Education

c.

Effective Council Techniques Workshop Proposal



August 16, 2021

Prepared for:

City of Belle Isle
Mr. Bob Francis
City Manager
1600 Nela Ave
Belle Isle, FL 32809

Prepared By:

Mari Rains, Director
University of Central Florida
Florida Institute of Government
12443 Research Parkway, Ste. 402
Orlando, FL 32826
407.882.3960
Mari.Rains@ucf.edu



August 16, 2021

City of Belle Isle
Mr. Bob Francis,
City Manager
1600 Nela Ave
Belle Isle, FL 32809

Dear Bob,

Thank you for considering the UCF Florida Institute of Government for the City's Effective Council Techniques Workshop needs.

As discussed, we customize everything we do. So, we can spend more time on specific content areas, less time on others, as well as customize role plays and/or case studies to your specific needs/goals. Council members will have fun learning during engaging activities, videos, case studies, and supervised group breakout discussions.

Enclosed please find:

- | | |
|--|-------|
| A. Florida Institute of Government at UCF Service Capabilities | pg. 3 |
| B. 5 Reasons to Hire the UCF IOG | pg. 4 |
| C. Workshop Description and Outline | pg. 5 |
| D. Fees, Scheduling, Class Size, Timelines, & Invoicing | pg. 6 |
| E. Consultant Bio | pg. 7 |
| F. Sample Letter of Agreement (DRAFT Only) | pg. 8 |

We look forward to working with you and the City of Belle Isle Council with this impactful workshop!

Sincerely,

Mari Rains, MSM
Director & Consultant, UCF IOG

ABOUT THE UCF IOG

The John Scott Dailey Florida Institute of Government (FIOG) was created by the Florida Legislature in 1980 and subsequently designated as a Type I Institute by the Florida Board of Regents. The institute fulfills its statewide mission through four (4) affiliate program offices located at the Florida State University, the **University of Central Florida**, the University of South Florida, and Florida Atlantic University.

The Institute's original mission is in place today: to increase the effectiveness and quality of government in Florida through applied research, training, technical assistance programs and public service. A parallel goal was to provide high quality services to local governments at a reasonable cost, not always easy given budget constraints and fluctuations in the state's economy.



We partner practitioners and University professionals from a variety of disciplines, with elected officials and organizational leaders, to identify, evaluate, and implement effective solutions for a wide range of services.

Local government agencies are not required to go out for bid when utilizing the Florida Institute of Government at UCF.

OUR SERVICE CAPABILITIES

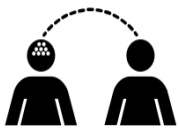
The John Scott Dailey Florida Institute of Government at the University of Central Florida (FIOG at UCF) works directly with faculty, staff and external practitioners to bring their expertise to our clients. The FIOG at UCF primarily serves government and non-profit entities within an 11-county region including Brevard, Citrus, Flagler, Lake, Levy, Marion, Orange, Osceola, Seminole, Sumter, and Volusia counties. The FIOG at UCF is often invited to consult with other FIOG clients and projects across the state.

The Florida Institute of Government at the University of Central Florida has a vast history of helping government and non-profit entities through:

- Facilitating visioning and strategic planning processes
- Facilitating community engagement forums
- Facilitating leadership and team building retreats
- Designing and facilitating leadership development and employee training programs
- Providing association management services
- Developing and coordinating certification programs
- Coordinating conferences (one-day to one-week programming)
- Consulting/technical assistance for diverse government projects including:
 - Charter review
 - Citizen satisfaction surveys
 - Records management assessment
 - Organizational development consulting
 - Human resource consulting
 - Tree surveys
 - Consensus building



5 REASONS TO HIRE THE UCF INSTITUTE OF GOVERNMENT



Seasoned consultants with an unmatched understanding of the unique needs, challenges and services of government agencies, but who also stay current with business trends.



The FIOG is **not a profit-center**, so we offer low rates for government and non-profit agencies.



Agencies **do not have to go out for bid** when hiring the FIOG at UCF, which allows faster project commencement.



Affiliation with the **second largest university in the U.S.**, with access to expert faculty and practitioners.



30+ years of high-impact service to government agencies and non-profit agencies across Florida.

WORKSHOP DESCRIPTION:

EFFECTIVE COUNCIL TECHNIQUES

Running local government successfully is hard work. City officials know that it requires significant commitment, time and knowledge. Local policy-making is also a collaborative activity. Economic and political challenges exert pressure on mayors and council members. Issues that affect the future well-being of their cities should also spur local officials to have conversations and collaborate with members of the public about the kind of community they envision for themselves and their children.

Much of what constitutes “good government” is a direct consequence of an open, fair, and effective legislative decision-making process. The open and fair parts are regulated by state laws relating to issues such as campaign finance reporting, public records disclosure, and open public meetings. Effectiveness, on the other hand, is left to the local legislative body. Gain research-based practical tools and best-practices to improve council effectiveness and collaboration.

This workshop focuses on developing collaboration, between individual council members, among councils as a whole and between local officials and the community, to ensure a more effective council. The workshop explores key issues related to the work of elected local officials and provides participants with the skills and strategies to more effectively:

- Decision making styles: Communicate and problem-solve with colleagues
- Strategies to maintain collaborative relationships with fellow council members
- Preside over and participate in city council meetings (beyond Roberts Rules)
- Interact with, respond to, and engage with members of the public
- Brief review of Sunshine Laws & Ethics

Workshop Duration & Format:

This is a 3 hour workshop. Each workshop includes experiential learning, humor, videos, interaction/participation, local government-specific case studies, best practices, and proven strategies to implement. We believe attendees learn best when they are having fun and applying the concepts. The content is based on recent research and national best-practices. We also include a Personal Action Plan to help apply the learning beyond the workshop.

Workshop Location:

Option A: On-site at the City of Belle Isle. Training room, equipment and room setup will be discussed and mutually agreed upon. Due to COVID-19 social distancing and/or masks may be encouraged for the safety of all participants.

Option B: Virtual via Zoom. Our instructors are very experienced in keeping attendees engaged via breakout rooms, polls, chat box, and discussion! We include a technical producer and UCF tech support call in number for each session so the instructor can focus on teaching while the producer answers any technical questions or concerns behind the scenes.



Audience:

This workshop is designed for all Council members, newly elected and experienced. It is imperative that ALL Council members attend in order to improve collaboration.

Investment/Fee:

Our investment/fee for this workshop is \$1,050 (total). This rate includes:

- ✓ pre-workshop phone consultation
- ✓ content customization & tailoring to your city
- ✓ expert workshop design & facilitation based on adult learning methods
- ✓ facilitator travel expenses
- ✓ comprehensive workshop handouts, workshop materials & supplies
- ✓ Workshop Evaluation Summary (unless you prefer to do in-house)
- ✓ Continuing Education Units (CEU's) from the University of Central Florida for participants who request a transcript (these CEU's are typically accepted for other certification/licensing CEU credits, depending on the licensing organization)



Invoicing:

Upon the City's decision, the IOG will draft a Letter of Agreement for both parties to sign. It will be reviewed by UCF General Counsel, uploaded to a contract database and sent for e-signature. If you require paper signature, that can be arranged after UCF General Counsel approval. The client will be invoiced after each workshop. The sample Agreement is included for review – please do NOT sign this. Upon full execution we will submit a final version to the City.

Timeline & Scheduling:

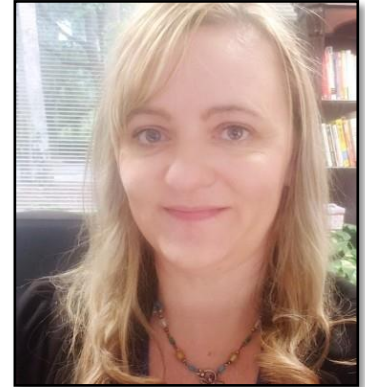
The workshop dates and timelines will be mutually agreed upon based upon the availability of the city council, as well as the availability of the UCF IOG Faculty. It can be held after hours or on a Saturday, if preferred by your council.

FACILITATOR BIO: MARI RAINS, MSM

Mari Rains is the Director of the John Scott Dailey Florida Institute of Government (IOG) at the University of Central Florida (UCF), where she consults with local government agencies. In this role, she is a Local Government Consultant and also serves as the Executive Director for two associations: Volusia League of Cities, and Tri-County League of Cities where she directly supports 37 cities.

Mari has taught Effective Council Techniques and Media Relations for the Florida League of Cities Institute of Elected Municipal Officials (IEMO) for several years, in addition to teaching it for individual city and town councils.

Ms. Rains brings a unique hybrid of business, government and academic experience. Mari earned a Master's Degree in Management from the UCF's College of Business where she later served as full-time Faculty member for seven years. Prior to joining the UCF IOG, she also led UCF's Learning & Development team supporting 12,000 staff and faculty across 10 locations. She had a successful career in the private sector prior to UCF. Her corporate/private projects include: Publix, Darden Restaurants, Orlando Magic, Henkels & McCoy, The Galileo School Board of Directors, Chambers of Commerce, O'Sullivan, and others.



Mari's 20+ years' experience centers around helping leaders and organizations build capacity and improve performance. She is a versatile and highly sought facilitator and consultant for diverse programs, including strategic planning, management consulting, organizational development, leadership development, Diversity, Equity & Inclusion programs, surveys, as well as association management and certification/curriculum design.

Ms. Rains has consulted with diverse government agencies including:

- International City/County Mgmt. Assoc.
- Florida City & County Mgmt. Assoc.
- Florida League of Cities (FLC)
- Orange County
- Seminole County
- Volusia County
- Flagler County
- Osceola County
- Marion County
- Putnam County
- Citrus County
- Volusia League of Cities
- Tri-County League of Cities
- City of Ocala
- City of Titusville
- City of Orlando
- City of Daytona Beach Shores
- City of Oviedo
- City of Newberry
- Town of Belleair
- MetroPlan Orlando
- UCF Office of Diversity & Inclusion
- UCF Police Department
- Sanford Fire Department
- Florida Redevelopment Association
- Florida Association of Code Enforcement
- Florida Association of Business Tax Officials
- Florida Association of City Clerks
- Florida Records Management Association
- Florida Center for Nursing
- Property & Evidence Association of Florida
- American Association of Service Coordinators
- 3rd, 7th and 9th Judicial Circuit Courts
- and many more



LETTER OF AGREEMENT - **DRAFT DO NOT SIGN**

This letter of agreement between the City of Belle Isle and University of Central Florida Board of Trustees for the benefit of the Florida Institute of Government at the University of Central Florida (IOG) confirms that the IOG will provide a three-hour Effective Council Techniques workshop for the city council (7 people).

The date and time will be mutually determined. The workshops will be held at (address) in the City of Belle Isle.

The total cost is \$1,050. The IOG will invoice the City of Belle Isle after the workshop. This rate includes the preparation, design, facilitation, handouts, materials, travel, UCF Continuing Education Units, and customization. Payment can be remitted by credit card, check or ACH to:

University of Central Florida
Florida Institute of Government
12443 Research Parkway, Suite 402
Orlando, FL 32826-3282

Please direct any questions regarding this agreement to Mari Rains at the IOG.

If these arrangements are satisfactory, the IOG will submit to UCF's electronic contract management database for e-signature. Please e-sign this agreement after you receive the email invitation to sign. The IOG will return a fully signed agreement to the City of Belle Isle as soon as it is processed by the University General Counsel.

City of Belle Isle

**UCF Board of Trustees for the benefit
of the UCF IOG**

**Robert Francis
City Manager**

Date

**Mari Rains
Director**

Date



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

Meeting Date: September 7, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Impact Fee Study

Background: The City Council gave approval to hire a consultant to conduct a study of the City's impact fees to determine if the current fees can be changed and develop new fees. An Impact Fee Study is required by the state to adopt a new impact fee or to change the current impact fee rate.

Impact fees are a method of shifting a portion of the burden of the cost of new or expanded infrastructure to accommodate new development away from the community at large to new development itself. Impact fees are a one-time fee paid by all new development to help pay for the infrastructure and services, including schools, parks, roads, police and fire protection services.

Currently the City only charges an impact fee for residential development and the Council would like to see a study done for commercial, parks and public safety can be implemented. The City's consultant, Duncan Associates, completed a draft of the impact fee study.

Staff Recommendation: Approve the Impact fee study which is required for adopting a change to an current impact fee or to establish a new impact fee.

Suggested Motion: **I move we approve the Impact Fee Study.**

Alternatives: Do not do the study or request changes to the study.

Fiscal Impact: See Study

Attachments: Impact Fee Study

Belle Isle, Florida

Impact Fee Study



**for Transportation, Parks,
and General Government Facilities**

prepared by

duncan | associates

July 2021

Staff Review Draft

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Duncan Associates
Clancy Mullen, Principal/Project Manager
17409 Rush Pea Circle, Austin, Texas 78738
(512) 423-0480, clancy@duncanassociates.com

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EXECUTIVE SUMMARY

The purpose of this study is to update the City's transportation impact fees and calculate potential additional impact fees for parks and general government facilities. The City adopted traffic impact fees in 2005. Ordinance 05-06 assesses a fee of \$1,431 per dwelling unit on new residential development. While the City does not have a formal study, Exhibit A of the ordinance describes how the fee was derived: \$3.72 million in planned transportation improvements over 20 years was divided by 2,600 new homes. Traffic impact fees are not assessed on new nonresidential development.

Study Approach

Legal Framework. The recent amendments to the impact fee act by the Florida legislature restrict how impact fees can be increased. Any impact fee increase of less than 25% must be phased in over two years, and any increase between 25-50% over four years. No fee can go up more than 50% over four years. Aside from annual phasing of increases, fees can only be increased once every four years (this provision would appear to rule out annual increases to account for cost inflation).

While these provisions seem pretty straight-forward, it gets more complicated because there is generally not a single impact fee. When fees are updated, the fees for individual land uses for each type of fee tend to change at different rates. In addition, each fee needs to be proportional to the impact of the development, meaning all land uses should be assessed at the same percentage of the maximum calculated fee, whether that is 100% or a lower percentage. If one category increases by a significantly higher percentage than the others, it will impose a significant limit on how much fees for other categories can be increased or assessed.

With respect to this study, the new restrictions will affect how much the transportation impact fees may be increased, but are not applicable to the potential new impact fees for parks and general government facilities. However, these restrictions could be a major factor in implementing a future study update for those fees. There is also the option to exceed the maximum increases by claiming extraordinary circumstances require it, such as the fact that the fees have not been updated in over 15 years. Additional discussion of this option can be found in the Legal Framework and Transportation chapters.

Transportation Fees. Belle Isle is relatively unique in assessing transportation impact fees only on new residential dwelling units. It would be difficult to support the assumption implicit in the current fees that only new residential development creates the need for transportation improvements. Every trip has a destination, and most trips generated by residences are bound for a nonresidential use. Standard practice in impact fee analysis is to divide responsibility for a trip between the origin and the destination. Based on current land uses in the city, about a quarter of existing traffic on City streets is attributable to nonresidential development. The approach taken in this study is to be consistent with standard practice and calculate transportation impact fees for nonresidential uses as well.

Executive Summary

Land Use Categories. This study proposes the following land use categories for all the fee types (with the exception of no nonresidential fees for parks): single-family detached (including manufactured homes), multi-family (including apartments, townhomes, condominiums, and time-shares), retail/commercial, office (including medical office), industrial/warehouse, and public/institutional. For more discussion on this topic, see the Land Use Categories chapter.

Methodology. The City’s current traffic impact fee appears to have been calculated using what is called a “plan-based” methodology, in which planned costs needed to accommodate anticipated development over a period of time is divided by the anticipated development. This methodology requires a long-range master plan that clearly establishes the nexus between the amount of growth and the planned improvements. This study uses the alternative “consumption-based” methodology, which is used for most transportation impact fee studies in Florida. For more discussion on this topic, see the Methodology chapter.

Maximum Fees

This impact fee study calculates fees that charge the proportionate fair share of the cost to accommodate new development at the existing level of service for various land use types. In that sense, the fees summarized in Table 1 below are maximum fees. The City can adopt them at some percentage less than 100%, but the implementation percentage should be the same for all land use categories for each fee type to preserve the proportionality of the fees to the impact of development.

Table 1. Maximum Impact Fees

Land Use Type	Unit	Transp.	Parks	General Gov’t	Total
Single-Family Detached	Dwelling	\$3,277	\$781	\$1,025	\$5,083
Multi-Family	Dwelling	\$2,541	\$687	\$902	\$4,130
Retail/Commercial	1,000 sq. ft.	\$4,535	n/a	\$957	\$5,492
Office	1,000 sq. ft.	\$3,771	n/a	\$455	\$4,226
Industrial/Warehouse	1,000 sq. ft.	\$779	n/a	\$91	\$870
Public/Institutional	1,000 sq. ft.	\$1,708	n/a	\$223	\$1,931

Source: Maximum fees from Table 12 (transportation), Table 19 (parks), and Table 26 (general government).

Fee Comparisons

Communities in the process of updating impact fees are naturally interested in knowing what nearby or comparable jurisdictions are charging. However, often-expressed concerns about the need to be “competitive” with other jurisdictions are not necessarily well-founded. Some studies have found that differences in impact fees between cities or counties in a state or region had no measurable effect on the rates of development. This is not surprising, given the

myriad of other market and regulatory factors that differ between jurisdictions besides impact fees. A reasonable comparison would be with non-utility fees charged in the unincorporated county and other cities in Orange County. All cities in the county also collect the County’s school impact fees. The proposed transportation impact fees are maximum fees, and assume the City opts to claim

Executive Summary

extraordinary circumstances that allow it to exceed the HB 337 phasing requirements. The fees would be significantly lower if they need to comply with the phasing requirements (see Table 14 in the Transportation chapter). The fee comparisons are provided in Table 2. Note that even if the City's fees are adopted without a phase-in, they would still be lower than the average of these comparable jurisdictions.

Table 2. Impact Fee Comparisons

Jurisdiction	Roads	Parks	Fire	Police	GenGovt	Total
Single-Family (per unit)						
Apopka	\$3,101	\$1,060	\$708	\$747	n/a	\$5,616
Maitland	\$1,784	\$2,151	\$390	n/a	n/a	\$4,325
Orange County	\$3,898	\$1,721	\$339	\$502	n/a	\$6,460
Orlando	\$4,123	\$966	n/a	n/a	n/a	\$5,089
Winter Garden	\$3,517	\$1,300	\$491	\$339	n/a	\$5,647
Average*	\$3,285	\$1,440	\$482	\$529	n/a	\$5,427
Belle Isle (proposed)	\$3,277	\$781	n/a	n/a	\$1,025	\$5,083
Multi-Family (per unit)						
Apopka	\$2,178	\$1,060	\$708	\$747	n/a	\$4,693
Maitland	\$1,246	\$2,151	\$498	n/a	n/a	\$3,895
Orange County	\$2,524	\$1,165	\$232	\$194	n/a	\$4,115
Orlando	\$2,729	\$825	n/a	n/a	n/a	\$3,554
Winter Garden	\$2,470	\$1,159	\$491	\$339	n/a	\$4,459
Average*	\$2,229	\$1,272	\$482	\$427	n/a	\$4,143
Belle Isle (proposed)	\$2,541	\$687	n/a	n/a	\$902	\$4,130
Retail (per 1,000 sq. ft.)						
Apopka	\$10,686	n/a	\$640	\$1,000	n/a	\$12,326
Maitland	\$3,831	n/a	\$670	n/a	n/a	\$4,501
Orange County	\$6,135	n/a	\$307	\$786	n/a	\$7,228
Orlando	\$6,766	n/a	n/a	n/a	n/a	\$6,766
Winter Garden	\$8,479	n/a	\$850	\$650	n/a	\$9,979
Average*	\$7,179	n/a	\$617	\$812	n/a	\$8,160
Belle Isle (proposed)	\$4,535	n/a	n/a	n/a	\$957	\$5,492
Office (per 1,000 sq. ft.)						
Apopka	\$3,090	n/a	\$490	\$290	n/a	\$3,870
Maitland	\$2,036	n/a	\$210	n/a	n/a	\$2,246
Orange County	\$4,748	n/a	\$269	\$265	n/a	\$5,282
Orlando	\$4,576	n/a	n/a	n/a	n/a	\$4,576
Winter Garden	\$5,748	n/a	\$850	\$650	n/a	\$7,248
Average*	\$4,040	n/a	\$455	\$402	n/a	\$4,644
Belle Isle (proposed)	\$3,771	n/a	n/a	n/a	\$455	\$4,226
Industrial (per 1,000 sq. ft.)						
Apopka	\$1,445	n/a	\$70	\$70	n/a	\$1,585
Maitland	\$795	n/a	\$160	n/a	n/a	\$955
Orange County	\$1,185	n/a	\$84	\$146	n/a	\$1,415
Orlando	\$1,220	n/a	n/a	n/a	n/a	\$1,220
Winter Garden	\$4,690	n/a	\$850	\$650	n/a	\$6,190
Average*	\$1,867	n/a	\$291	\$289	n/a	\$2,273
Belle Isle (proposed)	\$779	n/a	n/a	n/a	\$91	\$870

* average fees by fee type exclude jurisdictions that do not charge that fee

Source: Belle Isle's proposed maximum fees from Table 1; other jurisdiction's fees from Duncan Associates survey, July 20, 2021.

LEGAL FRAMEWORK

Impact fees are a way for local governments to require new developments to pay a proportionate share of the infrastructure costs they impose on the community. In contrast to traditional “negotiated” developer exactions, impact fees are charges that are assessed on new development using a standard formula based on objective characteristics, such as the number and type of dwelling units constructed. The fees are one-time, up-front charges, with the payment usually made at the time of building permit issuance. Essentially, impact fees require that each new development project pay its pro-rata share of the cost of new capital facilities required to serve that development.

Case Law

Because impact fees were pioneered in states like Florida that lacked specific enabling legislation, such fees have generally been legally defended as an exercise of local government’s broad “police power” to regulate land development in order to protect the health, safety and welfare of the community. The courts have developed guidelines for constitutionally-valid impact fees, based on “rational nexus” standards. The standards essentially require that the fees must be proportional to the need for additional infrastructure created by the new development and must be spent in such a way as to provide that same type of infrastructure to benefit new development. A Florida district court of appeals described the dual rational nexus test in 1983 as follows, and this language was quoted and followed by the Florida Supreme Court in its 1991 St. Johns County decision:

In order to satisfy these requirements, the local government must demonstrate a reasonable connection, or rational nexus, between the need for additional capital facilities and the growth in population generated by the subdivision. In addition, the government must show a reasonable connection, or rational nexus, between the expenditures of the funds collected and the benefits accruing to the subdivision. In order to satisfy this latter requirement, the ordinance must specifically earmark the funds collected for use in acquiring capital facilities to benefit the new residents.¹

One of the most fundamental principles of impact fees, rooted in case law, is that impact fees should not charge new development for a higher level of service than is provided to existing development. While impact fees can be based on a higher level of service than the one existing at the time of the adoption or update of the fees, two things are required if this is done. First, another source of funding other than impact fees must be identified and committed to fund the capacity deficiency created by the higher level of service. Second, the impact fees must generally be reduced to ensure that new development does not pay twice for the same level of service, once through impact fees and again through general taxes that are used to remedy the capacity deficiency for existing development. In order to avoid these complications, the general practice is to base impact fees on the existing level of service.

¹ *Hollywood, Inc. v. Broward County*, 431 So. 2d 606, 611-612 (Fla. 4th DCA), review denied, 440 So. 2d 352 (Fla. 1983), quoted and followed in *St. Johns County v. Northeast Florida Builders Ass’n*, 583 So. 2d 635, 637 (Fla. 1991).

A corollary principle is that new development should not have to pay more than its proportionate share when multiple sources of payment are considered. As noted above, if impact fees are based on a higher-than-existing level of service, the fees should be reduced by a credit that accounts for the contribution of new development toward remedying the existing deficiencies. A similar situation arises when the existing level of service has not been fully paid for. Outstanding debt on existing facilities that are counted in the existing level of service will be retired, in part, by revenues generated from new development. Given that new development will pay impact fees to provide the existing level of service for itself, the fact that new development may also be paying for the facilities that provide that level of service for existing development could amount to paying for more than its proportionate share. Consequently, impact fees should be reduced to account for future payments that will retire outstanding debt on existing facilities.

The issue is less clear-cut when it comes to other types of revenue that may be used to make capacity-expanding capital improvements of the same type being funded by impact fees. No credit is warranted in most cases because while new development may contribute toward such funding, so does existing development, and both existing and new development benefit from the higher level of service that the additional funding makes possible. The City does not earmark its tax funds for specific types of capital improvements, but programs such funds for growth-related improvements when impact fee funds are insufficient. No revenue credit is warranted for such discretionary use of general fund revenues.

Credit has also sometimes been provided for outside grants for capacity improvements that can reasonably be anticipated in the future. In addition to the argument presented above (i.e., grants raise the level of service and benefit new development as well as existing development), two additional arguments can be made against applying credit for grants. First, new development in a community does not directly pay for State and Federal grants in the same way they pay local gasoline and property taxes. Second, future grant funding is far more uncertain than dedicated revenue streams. An exception is State/Federal funding for transportation improvements. On the other hand, local governments have less discretion about whether to spend grant funding on capacity-expanding capital improvements.

There are specific circumstances where a stronger case can be made that a credit should be provided. An example is state/federal transportation funding. Of all the types of impact fee facilities, transportation systems tend to be highly integrated between jurisdictions, particularly in the form of the state and federal highway system. Neither the federal government nor any state government assesses a transportation impact fee (although Louisiana considered the idea), and local governments often contribute to the cost to improve such roads, because matching local funding will make the improvement more attractive to the state transportation department. Many communities include state and federal highways in their transportation impact fee studies because they form an integral part of the local transportation system. However, the local government is not responsible for these roads, which are primarily funded from federal and state revenues. In this instance, a credit would seem to be warranted.

Florida Statute

The 2006 Florida Legislature passed Senate Bill 1194, which established certain requirements for impact fees in Florida. It was most recently amended by House Bill 337, which was signed by the governor and became effective on June 4, 2021. The current Florida Impact Fee Act reads as follows (major changes made by HB 337 are indicated by underline/strike-out):

163.31801 Impact fees; short title; intent; minimum requirements, audits; challenges.--

- (1) This section may be cited as the "Florida Impact Fee Act."
- (2) The Legislature finds that impact fees are an important source of revenue for a local government to use in funding the infrastructure necessitated by new growth. The Legislature further finds that impact fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction. Due to the growth of impact fee collections and local governments' reliance on impact fees, it is the intent of the Legislature to ensure that, when a county or municipality adopts an impact fee by ordinance or a special district adopts an impact fee by resolution, the governing authority complies with this section.
- (3) For purposes of this section, the term:
 - (a) "Infrastructure" means a fixed capital expenditure or fixed capital outlay, excluding the cost of repairs or maintenance, associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of at least 5 years; related land acquisition, land improvement, design, engineering, and permitting costs; and other related construction costs required to bring the public facility into service. The term also includes a fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, a school bus as defined in s. 1006.25, and the equipment necessary to outfit the vehicle or bus for its official use. For independent special fire control districts, the term includes new facilities as defined in s. 191.009(4).²
 - (b) "Public facilities" has the same meaning as in s. 163.3164 and includes emergency medical, fire, and law enforcement facilities.³
- (4) At a minimum, each local government that adopts and collects an impact fee by ordinance and each special district that adopts, collects, and administers an impact fee by resolution must:
 - (a) Ensure that the calculation of the impact fee is based on the most recent and localized data.
 - (b) Provide for accounting and reporting of impact fee collections and expenditures and account for the revenues and expenditures of such impact fee in a separate accounting fund.
 - (c) Limit administrative charges for the collection of impact fees to actual costs.
 - (d) Provide notice at least 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee. A local government is not required to wait 90 days to decrease, suspend, or eliminate an impact fee. Unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant, new or increased impact fees may not apply to current or pending permit applications submitted before the effective date of a new or increased impact fee.

² 191.009(4) ... As used in this subsection, "new facilities" means land, buildings, and capital equipment, including, but not limited to, fire and emergency vehicles, radiotelemetry equipment, and other firefighting or rescue equipment. ...

³ 163.3164(39) "Public facilities" means major capital improvements, including transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational facilities.

- (e) Ensure that collection of the impact fee may not be required to occur earlier than the date of issuance of the building permit for the property that is subject to the fee.
 - (f) Ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and the increased impact generated by the new residential or commercial construction.
 - (g) Ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction.
 - (h) Specifically earmark funds collected under the impact fee for use in acquiring, constructing, or improving capital facilities to benefit new users.
 - (i) Ensure that revenues generated by the impact fee are not used, in whole or in part, to pay existing debt or for previously approved projects unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or commercial construction.
- (5) (a) Notwithstanding any charter provision, comprehensive plan policy, ordinance, development order, development permit, or resolution, the local government or special district must credit against the collection of the impact fee any contribution, whether identified in a proportionate share agreement or other form of exaction, related to public ~~education~~ facilities, including land dedication, site planning and design, or construction. Any contribution must be applied on a dollar-for-dollar basis at fair market value to reduce any ~~education-based~~ impact fee collected for the general category or class of public facilities or infrastructure for which the contribution was made.
- (b) If a local government or special district does not charge and collect an impact fee for the general category or class of public facilities or infrastructure contributed, a credit may not be applied under paragraph (a).
- (6) A local government, school district, or special district may increase an impact fee only as provided in this subsection.
- (a) An impact fee may be increased only pursuant to a plan for the imposition, collection, and use of the increased impact fees which complies with this section.
 - (b) An increase to a current impact fee rate of not more than 25 percent of the current rate must be implemented in two equal annual increments beginning with the date on which the increased fee is adopted.
 - (c) An increase to a current impact fee rate which exceeds 25 percent but is not more than 50 percent of the current rate must be implemented in four equal installments beginning with the date the increased fee is adopted.
 - (d) An impact fee increase may not exceed 50 percent of the current impact fee rate.
 - (e) An impact fee may not be increased more than once every 4 years.
 - (f) An impact fee may not be increased retroactively for a previous or current fiscal or calendar year.
 - (g) A local government, school district, or special district may increase an impact fee rate beyond the phase-in limitations established under paragraph (b), paragraph (c), paragraph (d),

Legal Framework

or paragraph (e) by establishing the need for such increase in full compliance with the requirements of subsection (4), provided the following criteria are met:

1. A demonstrated need study justifying any increase in excess of those authorized in paragraph (b), paragraph (c), paragraph (d), or paragraph (e) has been completed within the 12 months before the adoption of the impact fee increase and expressly demonstrates the extraordinary circumstances necessitating the need to exceed the phase-in limitations.

2. The local government jurisdiction has held not less than two publicly noticed workshops dedicated to the extraordinary circumstances necessitating the need to exceed the phase-in limitations set forth in paragraph (b), paragraph (c), paragraph (d), or paragraph (e).

3. The impact fee increase ordinance is approved by at least a two-thirds vote of the governing body.

(h) This subsection operates retroactively to January 1, 2021.

(7) If an impact fee is increased, the holder of any impact fee credits, whether such credits are granted under s. 163.3180, s. 380.06, or otherwise, which were in existence before the increase, is entitled to the full benefit of the intensity or density prepaid by the credit balance as of the date it was first established. ~~This subsection shall operate prospectively and not retrospectively.~~

(8) A local government, school district, or special district must submit with its annual financial report required under s. 218.32 or its financial audit report required under s. 218.39 a separate affidavit signed by its chief financial officer or, if there is no chief financial officer, its executive officer attesting, to the best of his or her knowledge, that all impact fees were collected and expended by the local government, school district, or special district, or were collected and expended on its behalf, in full compliance with the spending period provision in the local ordinance or resolution, and that funds expended from each impact fee account were used only to acquire, construct, or improve specific infrastructure needs.

(9) In any action challenging an impact fee or the government's failure to provide required dollar-for-dollar credits for the payment of impact fees as provided in s. 163.3180(6)(h)2.b., the government has the burden of proving by a preponderance of the evidence that the imposition or amount of the fee or credit meets the requirements of state legal precedent and this section. The court may not use a deferential standard for the benefit of the government.

(10) Impact fee credits are assignable and transferable at any time after establishment from one development or parcel to any other that is within the same impact fee zone or impact fee district or that is within an adjoining impact fee zone or impact fee district within the same local government jurisdiction and which receives benefits from the improvement or contribution that generated the credits. This subsection applies to all impact fee credits regardless of whether the credits were established before or after the effective date of this act.

(11) A county, municipality, or special district may provide an exception or waiver for an impact fee for the development or construction of housing that is affordable, as defined in s. 420.9071. If a county, municipality, or special district provides such an exception or waiver, it is not required to use any revenues to offset the impact.

(12) This section does not apply to water and sewer connection fees.

(13) In addition to the items that must be reported in the annual financial reports under s. 218.32, a local government, school district, or special district must report all of the following information on all impact fees charged:

- (a) The specific purpose of the impact fee, including the specific infrastructure needs to be met, including, but not limited to, transportation, parks, water, sewer, and schools.
- (b) The impact fee schedule policy describing the method of calculating impact fees, such as flat fees, tiered scales based on number of bedrooms, or tiered scales based on square footage.
- (c) The amount assessed for each purpose and for each type of dwelling.
- (d) The total amount of impact fees charged by type of dwelling.
- (e) Each exception and waiver provided for construction or development of housing that is affordable.

Key provisions of the Florida Impact Fee Act in effect prior to the 2021 amendments include the requirements that: (1) impact fees are calculated based on the most current and localized data, (2) administrative charges do not exceed actual costs, (3) 90 days' notice is provided before a new or increased impact fee goes into effect, (4) financial audits include certification of compliance with the Act, (5) the burden of proof in any impact fee litigation is on the local government, (6) fees cannot be collected prior to the date of issuance of a building permit, (7) developer contributions must be credited at full market value, (8) the value of developer credits must be increased by the same percentage when the applicable type of impact fees for which the credit was given is increased, and (9) waivers of impact fees for affordable housing projects, as defined in Sec. 420.9071, do not have to be offset with other government revenues. Other provisions relating to impact fees are scattered about in the Florida Statutes. For example, the boards of independent special fire control districts are authorized to establish fire impact fees in Section 191.009(4). Public schools are exempted from the payment of impact fees in Section 1013.371(1)(a). Mobility fees must comply with the Florida Impact Fee Act, per Sec. 163.3180(5)(i)

The major change in the 2021 amendments relates to restrictions on how much impact fees may be increased, and that is addressed in depth below. Another change is to require that eligible capital facilities have a minimum life expectancy of five years (although public safety vehicles appear not to be subject to this restriction). HB 377 also references a definition of public facilities in 163.3164(39) – “major capital improvements, including transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational facilities” – and adds “emergency medical, fire, and law enforcement facilities.” This list leaves out support facilities that many jurisdictions charge for under the rubric of “general government” or “public building” fees, as well as rarer types of fees such as those for hurricane mitigation. Because the referenced definition does not expressly limit facilities to those listed, it does not appear to ban impact fees from covering non-listed facilities.

Restrictions on Fee Increases

As noted above, the most significant changes made in 2021 are new restrictions on impact fee increases. Any impact fee increase of no more than 25% must be phased in over two years, and any increase between 25-50% over four years. No fee can go up more than 50% over four years. Aside from annual phasing of increases, fees can only be increased once every four years (this provision

would appear to rule out annual increases to account for cost inflation). These requirements raise a number of questions, as discussed below.

(1) What is “an impact fee rate”? The Florida impact fee statute now says you can only increase “an impact fee rate” in compliance with the new phase-in requirements. One interpretation is that this refers to any impact fee rate by facility type for any land use. Another is that the restrictions only apply to the total impact fee for a given land use, and not to each individual impact fee rate. The biggest phasing challenge is the disparity between the percentage increases (or decreases) between different land uses, as the discussion in (3) below emphasizes. Using the total fees by land use could reduce the range of disparity.

(2) What is the current impact fee rate? A percentage increase requires knowing the current impact fee rate. How do you determine the current rate if the study update consolidates existing land uses into a broader category? An example would be a new retail/commercial category that includes dozens of existing specialized uses. Would one need to use the existing fee that was the lowest as the base existing rate for the entire category, even if that use is very rarely built today (e.g., an old-fashioned furniture store as opposed to a new big-box home furnishing superstore)? The other interpretation is that if a current rate cannot be readily determined, the updated fee for the new category can be adopted without any phase-in (subject to proportionality considerations in (3) below). An extreme example of not being able to identify the existing rate is when the assessment basis is changed, such as from per gas pump for a service station or per student for a school to fees per 1,000 sq. feet – determining the existing fee rate under such circumstances would be virtually impossible.

(3) How must phasing be consistent with proportionality? A strict application of the proportionality principle would seem to require that the updated fee for all land uses would have to be phased-in at the same percentage of the updated fees for all land use categories each year. The land use category with the biggest increase would set the percentage of the updated fee that all land uses would be assessed. Suppose a road impact fee update resulted in a 1% decrease for walk-in bank, a 50% increase for shopping center, a 100% increase for single-family, and a 400% increase for self-service car wash. In the first year, all the fees would need to be assessed at 22% of the updated fee, based on the percentage for the self-service car wash. In that first year, the self-service car wash fee would increase 12.5% (as allowed under HB 337), while the single-family fee would go down 53%, the shopping center fee would go down 65%, and the walk-in bank fee would go down 78%. The self-service car wash fee would not reach 100% of the updated amount for 16 years. This example may be a little on the extreme side, but it is not atypical, especially when the fee schedule includes a long list of nonresidential categories.

Broader nonresidential categories could make the fees easier to update. If the road schedule in the example was drastically simplified, with a single broad retail/commercial category, all the land uses would be at 59% of the maximum fees after four years. Another approach would be to take existing categories experiencing extreme increases out of the fee schedule, such as by merging them into a similar category.

It might be reasonable to temporarily suspend the proportionality requirement during the phase-in period. The idea is to limit revenue loss during the phase-in. Fees that are going down would go to the updated maximum amount immediately, rather than be reduced even more before moving up gradually to the updated amount. Categories that are going up no more than 25% would be increased over two years, etc. However, it would be hard to argue that getting all categories to parity 16 years later could be called temporary – the fees would be updated before then, the cycle would restart, and the various fee categories would never be based on the same percentage of the latest fair-share fees. But a four-year phase-in that got all the categories to parity, with at least a full year of proportionality before the fees are updated, would seem to be defensible.

(4) What are “extraordinary circumstances”? The bill allows the phase-in limitations to be exceeded, based on an analysis that “expressly demonstrates the extraordinary circumstances” that require exceeding them. The difficulty is deciphering what “extraordinary circumstances” means. There will likely be litigation over whatever rationale is used, and this might be necessary to clarify what kinds of circumstances qualify as “extraordinary.” In addition to a description of the extraordinary circumstances, two public hearings would need to be held on the issue within twelve months prior to ordinance adoption, and adoption would require a two-thirds majority of the governing body.

If the City decides not to pursue the extraordinary circumstances option, the recommended phasing approach is to allow the fees for the different land use categories to temporarily depart from strict proportionality during the phasing period, while ensuring that all categories are assessed at the same percentage of the updated fees during the fourth year.

LAND USE CATEGORIES

Transportation impact fees are generally what drives jurisdictions to include a large number of detailed use categories, and this is because published national trip generation data have long been available for hundreds of use categories. However, the fact that trip generation rates are available for so many land uses does not mean all of those uses must be included in the fee schedule. An alternative approach is to simplify the fee schedule by eliminating many of the uses and replacing them with a fewer number of broader, more generalized use categories. Having learned that attempts to enumerate every possible land use in the fee schedule is both unnecessary and overly complicated, many communities are now moving in this direction.

Rationale for Broad Categories

The fact that it may be possible to calculate impact fees for many specific land use types does not mean that all these categories need to be included in the fee schedule. As a general rule, the more specialized the category, the less robust the data about it. All the current uses have some trip generation data available, but for some the data are limited to only a few studies that were done years ago, and reliable data on trip length and percent new trips is even scarcer.

The fundamental policy choice related to the choice between general versus specific categories is whether fees should be assessed on new development based on the impact of the general long-term use of the development, or on the impacts of the specific initial occupant of the development. For example, much of the retail/commercial space being built can accommodate a wide range of uses, and may cycle among them during the development's useful life. As a reflection of the longer term impact, the general retail/commercial rate is the most appropriate for these types of developments.

The main argument for assessing fees based on the initial use is that the immediate impacts can be measured more precisely, and if the development changes to a more intensive use in the future, an additional fee can be assessed that charges for the increased impact. Given data constraints for many specialized uses, the accuracy even for the immediate impacts may not be as great as might be imagined. Change-of-use fees are paid by a prospective buyer or tenant, and can be a disincentive to the reuse of vacant retail/commercial buildings. There is also the equity issue that refunds are not provided if the use changes to something less intensive.

Most commercial uses occur within shopping centers, and trip generation rates for shopping centers assume a mix of uses. The *Trip Generation Manual* produced by the Institute of Transportation Engineers (ITE) notes that some of the shopping centers in its surveys include “non-merchandising facilities, such as office buildings, movie theaters, restaurants, post offices, banks, health clubs and recreational facilities.” It also notes that some of the centers surveyed include outparcels, which often contain service stations, drive-in banks and fast-food restaurants. The proposed approach is to utilize the shopping center rate for all retail/commercial uses. Fees for the other nonresidential categories would be based on the lowest component rate.

Recommended Land Uses

Definitions for the six proposed land use categories are provided below. These definitions are intended to assist City staff in classifying proposed developments and assessing appropriate impact fees. If these definitions are adopted by ordinance or resolution, they should be accompanied by a disclaimer that they only apply to interpretation of the impact fee schedules.

Single-Family Detached means a building containing only one dwelling unit, including a mobile home not located in a mobile home park.

Multi-Family means a building containing two or more dwelling units. It includes duplexes, apartments, residential condominiums, townhouses, and timeshares.

Retail/Commercial means an integrated group of commercial establishments planned, developed, owned or managed as a unit, or a free-standing retail or commercial use. A retail or commercial use shall mean the use of a building or structure primarily for the sale to the public of nonprofessional services, or goods or foods that have not been made, assembled or otherwise changed in ways generally associated with manufacturing or basic food processing in the same building or structure. This category includes all uses located in shopping centers and includes but is not limited to the following types of free-standing uses:

Amusement park	Laundromat
Auto parts store	Laundry or dry cleaning
Auto wrecking yard	Lawn and garden supply store
Automobile repair	Massage establishment
Bank	Music store
Bar and cocktail lounge	Newsstand
Camera shop	Nightclub
Car wash	Racetrack
Convenience store	Recreation facility, commercial
Department store	Rental establishment
Florist shop	Repair shop, including auto repair
Food store	School, commercial
Grocery	Specialty retail shop
Hardware store	Supermarket
Health or fitness club	Theater, indoor (including movie theater)
Hobby, toy and game shop	Used merchandise store
Hotel or motel	Variety store
Junkyard	Vehicle and equipment dealer

Land Use Categories

Office means a building exclusively containing establishments providing executive, management, administrative, financial, or non-medical professional services, and which may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, or childcare facilities. It may be the upper floors of a multi-story office building with ground floor retail/commercial uses. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, secretarial, data processing, telephone answering, telephone marketing, music, radio and television recording and broadcasting studios; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; consulting services; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations. This category does not include an administrative office that is ancillary to the principal use on the site.

Industrial/Warehouse means an establishment primarily engaged in the fabrication, assembly, or processing of goods; the display, storage, and sale of goods to other firms for resale; and/or activities involving significant movement and storage of products or equipment.. Typical uses include manufacturing plants, industrial parks, research and development laboratories, welding shops, wholesale bakeries, dry cleaning plants, bottling works, wholesale distributors, storage warehouses, trucking terminals, moving and storage firms, recycling facilities, trucking and shipping operations, and major mail processing centers.

Public/Institutional means a governmental, quasi-public or institutional use, or a non-profit recreational use, not located in a shopping center or separately listed in the impact fee schedule. Typical uses include churches, day care centers, elementary and secondary schools, higher education facilities, hospitals, nursing homes, city halls, courthouses, fire stations, post offices, jails, parks, libraries, museums, military bases, airports, bus stations, and fraternal lodges.

METHODOLOGY

This chapter provides a brief overview of impact fee methodology. Key components of an impact fee methodology include the following:

- the set of facilities for which the impact fees are charged,
- the geographic area served by that set of facilities (“service area”),
- the measure of demand on those facilities (“service unit”),
- the amount of demand generated by a unit of development for a particular land use type (“demand schedule”),
- the cost per service unit to accommodate new development at the appropriate level of service,
- the amount by which the cost per service unit should be reduced to account for future revenues attributable to new development that will pay for the same facilities or existing deficiencies (known as “revenue credits”), and
- the combination of the components to produce the impact fee schedule.

While it gets more complicated in its application, the basic impact fee formula is simple. The cost per service unit is reduced by the revenue credit per service unit to determine the net cost per service unit, which is then multiplied by the number of service units generated by a land use per development unit (e.g., dwelling, 1,000 square feet of building area) to determine the net cost per development unit.

Level of Service

The most important legal principle for impact fee methodology is related to the concept of “level of service.” Level of service (LOS) is critical in the determination of the appropriate cost per service unit and revenue credit per service unit. Impact fees should not charge new development for a higher LOS than is provided to existing development. This principle recognizes that public infrastructure provides a shared level of service to all development within a service area. Both new and existing development in the service area will have access to any improvement funded with impact fees paid by new development. If impact fees are based on a desired level of service that is higher than is being provided to existing development, new development would bear a disproportionate share of the cost of raising the LOS. If impact fees are the only revenue source used to fund capital improvements, new development would pay impact fees that would be used both to maintain the same LOS paid for by existing development, as well as to raise the LOS, which would benefit existing development as well as new development.

Generally speaking, level of service is the ratio of the capacity of the facilities to the demand for those facilities. Examples of common levels of service are vehicle-miles of capacity per vehicle-mile of travel, park acres per 1,000 population, and water treatment capacity (gallons per day) per daily gallon of water consumption. However, while level of service is an indispensable concept in impact fee analysis, attempts to quantify it in terms of physical ratios of capacity to demand are not always appropriate. Capacity can be more precisely determined for so-called “hard” facilities, such as roads, water, wastewater, and drainage infrastructure, than for so-called “soft” facilities, such as parks, libraries, fire, police, and general government facilities. For these types of facilities, more capital

investment generally equates to a better level of service. Level of service is an important concept in impact fee law and methodology. However, trying to quantify it in terms of physical ratios is not always necessary or appropriate.

Types of Methodology

Impact fee methodologies are classified based on how the cost per service unit is calculated. Impact fee calculations also require consideration of possible revenue credits, and that is discussed in the Legal Framework chapter. There are two primary types of methodologies, which can be referred to as “standards-based” and “plan-based.” The standards-based methodology is calculated based on a generalized level-of-service (LOS) standard. The plan-based approach methodology, as the name implies, is based on a plan and an identified set of improvements. The plan-based approach relies on the master plan to establish the nexus between anticipated growth and the need for the identified improvements. Many master plans are not adequate to support such a methodology. This study employs the standards-based approach.

A standards-based methodology typically uses a generalized level of service standard, such as number of park acres per 1,000 residents, to determine the costs to accommodate new development. This approach does not require that there be a master plan, or even a list of specific planned projects that will be funded with the impact fees. Most often, the standards-based approach uses the actual level of service (LOS) that exists at the time the study is prepared. In its simplest form, the standards-based approach divides the replacement cost of existing facilities by the existing development being served by those facilities to determine the cost per service unit. In essence, the cost to maintain the existing LOS is defined as the existing investment in capital facilities per service unit currently using those facilities. In many cases, physical or quasi-physical LOS ratios are used as intermediary factors, but the resulting fee is the same. The two major variants of the standards-based methodology – “incremental expansion” and “consumption-based” – are described below.

Incremental Expansion. When the cost per service unit is based on the existing LOS, this approach is sometimes referred to as “incremental expansion.” The basic assumption is that it will be necessary to expand capital facilities proportional to growth. Basing the fees on the existing LOS assumes that there is little or no excess capacity in existing facilities to accommodate future growth. However, a standards-based methodology can also be based on a LOS that is lower or higher than the current existing LOS. When there is a significant amount of excess capacity, a lower-than-existing LOS may be used. For soft facilities for which capacity is difficult to measure, the incremental expansion approach is almost always used.

Consumption-Based. For hard facilities such as transportation, the most common standards-based approach is often referred to as “consumption-based.” This approach charges a new development the cost required to replace the capacity it will consume in the system. In essence, instead of dividing the cost of all existing facilities by the existing demand units being served, as is typically done for soft facilities, only the cost of the existing facility capacity being consumed by existing development is used as the numerator. The reason for this difference is that the hard facilities tend to have measurable excess capacity.

Methodology

The consumption-based approach for transportation impact fees uses travel miles as the service unit rather than trips. One can't determine the cost of trip capacity without including the distance component. The cost of adding capacity for a trip to a 5-mile road segment will be roughly five-times the cost to add capacity for one trip on a 1-mile segment. So the service unit of choice is a mile of travel. This can refer to either vehicle-miles or person-miles. Most transportation impact fee studies continue to be based on vehicle-miles because the data on vehicular trips is so much more robust than it is for bike/ped or other modes of travel.

Summary. There are two basic impact fee methodologies: standards-based and plan-based. This study uses the standards-based approach. The consumption-based variant is used to calculate the updated transportation impact fees, and the incremental expansion variant is used for the new parks and general government fees. These are the most commonly-used methodologies in Florida for these types of facilities.

TRANSPORTATION

The purpose of this chapter is to update City's transportation impact fees. The City currently assesses transportation impact fees for residential uses only, based on an ordinance adopted in 2005. This update proposes to assess nonresidential uses as well. To make the calculations easier to follow, numbers in one table that are inputs into another table are highlighted in red.

Major Roadway System

A transportation impact fee program should include a clear definition of the major roadway system that is to be funded with impact fees. For the purposes of this study, the major roadway system is defined as all arterial and collector roads within the city limits. An inventory of existing arterial and collector roads within the city limits is presented in Table 3. It provides a description of each major road segment, including ownership, functional classification, number of lanes, segment length in miles, average daily traffic, and generalized daily capacity. Judge, Daetwyler, Seminole and McCoy are two-lane major collector roads that were deeded to the City by the County on April 7, 2021. Hoffner Avenue is a two-lane County minor arterial. The major roads in the vicinity of Belle Isle are shown on the functional classification map in Figure 1 on the following page.

Table 3. Major Roadway Inventory

Street	Segment Description	Juris. diction	Func. Class	Lns	Miles	Daily Trips	VTM	Capa-city	VMC
Judge Rd	S Conway Rd-Conway Lakes Dr	City	Coll.	2	0.34	20,700	7,038	13,200	4,488
Daetwyler Dr	Conway Lakes Dr-McCoy Rd	City	Coll.	2	1.16	12,300	14,268	13,200	15,312
Hoffner Ave	S Conway Rd-Oak Island Rd	County	Art.	2	1.51	17,631	26,623	13,200	19,932
Hoffner Ave	Oak Island Rd-La Belle St	County	Art.	2	0.87	12,142	10,564	13,200	11,484
Nela Ave	Matchett Rd-Seminole Dr	City	Coll.	2	1.15	1,950	2,243	13,200	15,180
Seminole Dr	Nela Ave-Daetwyler Dr	City	Coll.	2	0.46	1,950	897	13,200	6,072
McCoy Rd	Daetwyler Dr-Via Flora	City	Coll.	2	0.38	12,300	4,674	13,200	5,016
Total					5.87		66,307		77,484

Source: Street and segment description and segment length in miles from City of Belle Isle; functional classification from Florida Department of Transportation (FDOT), *Roadways on the Federal Aid System*, Orange County Map No. F06, May 2010; average daily trips from recent studies provided by the City of Belle Isle and FDOT traffic count map accessed July 7, 2021; generalized daily capacity at LOS D from FDOT *Quality/Level of Service Handbook*, 2020 for non-state signalized class II roadways in urban areas; vehicle-miles of travel (VTM) is miles times AADT; vehicle-miles of capacity (VMC) is miles times capacity.

The major purpose of the inventory is to ensure that the travel demand factors for individual land uses in the fee schedule are calibrated to the actual travel observed on the city's major roadway system. A secondary purpose is to ensure that the level of service (LOS) implicit in the standard consumption-based transportation impact fee methodology does not exceed the actual LOS on the major roadway system. The LOS in the standard consumption-based methodology (see Methodology chapter for more explanation) is measured in terms of the system-wide ratio of 1.0 between vehicle-miles of capacity (VMC) and vehicle-miles of travel (VTM) on the major roadway system. There are no existing deficiencies, evidenced by a an existing VMC/VTM ratio significantly greater than one – see Table 4 on the following page.

Table 4. Existing Roadway System Level of Service

VMC on Major Road System	452,861
÷ VMT on Major Road System	222,023
VMC per VMT	2.04

Source: Table 3.

Figure 1. Functional Classification Map

Service Unit

In an impact fee analysis, various types of development must be translated into a common unit of measurement, called a service unit. The service unit for transportation is expressed in terms of daily vehicle-miles of travel (VMT). VMT is the product of three factors: 1) trip generation, 2) percent new trips and 3) trip length in miles.

Trip Generation. Trip generation rates represent trip ends, or driveway crossings at the site of a land use. Thus, a single one-way trip from home to work counts as one trip end for the residence and one trip end for the workplace, for a total of two trip ends. To avoid double-counting travel, trip rates are divided by two. The daily trip generation rates used in this study are from the Institute of Transportation Engineers' (ITE), *Trip Generation* manual, 10th edition, published in 2017.

New Trips. The trip rates are also adjusted by a “new trip factor” to exclude pass-by and diverted-link trips. This adjustment reduces the possibility of over-counting trips by including only primary trips generated by the development. Pass-by trips are those trips that are already on a particular route for a different purpose and simply stop at a particular development on that route. For example, a stop at a convenience store on the way home from the office is a pass-by trip for the convenience store. A pass-by trip does not create an additional burden on the street system and therefore should not be counted in the assessment of impact fees. A diverted-link trip is similar to a pass-by trip, but a diversion is made from the regular route to make an interim stop. The new trip factors are based on the most recent ITE *Trip Generation Manual*.

Trip Length. The average trip length is the most difficult travel demand factor to determine. In the context of a transportation impact fee using a consumption-based methodology, the relevant input is the average length of a trip on the jurisdiction’s major roadway system. This varies significantly between jurisdictions based on the size and shape of the jurisdiction and layout of the jurisdiction’s major roads. The starting point for determining average trip lengths by land use is national data. While these average trip lengths provide reasonable estimates of relative magnitudes associated with different land use types, the actual distances are likely to be unrepresentative of travel on Belle Isle’s major roadway system. To account for this, an adjustment factor is derived by dividing the VMT actually observed on the major roadway system by the VMT that would be expected using national average trip lengths.

The first step in developing the adjustment factor for the local trip length is to estimate the total VMT that would be expected on the major roadway system based on national average trip lengths by land use type. Existing land uses in the city are multiplied by trip generation rates, percent new trips and average trip lengths and summed to estimate total city-wide VMT. As shown in Table 5, existing land uses within the city, using national trip generation data and trip length data, would be expected to generate 148,781 VMT per day on the major roadway system.

Table 5. Expected Vehicle-Miles of Travel

Land Use Category	Unit	Existing Units	Trip Rate	% New	Miles	Total VMT
Single-Family Detached	Dwelling	2,508	4.72	100%	8.75	103,580
Multi-Family	Dwelling	340	3.66	100%	8.75	10,889
Retail/Commercial	1,000 sq. ft.	373	18.87	43%	7.03	21,277
Office	1,000 sq. ft.	162	4.87	100%	9.76	7,700
Industrial/Warehouse	1,000 sq. ft.	0	0.87	100%	11.28	0
Public/Institutional	1,000 sq. ft.	248	3.32	100%	6.48	5,335
Total Expected Vehicle-Miles of Travel (VMT)						148,781

Source: Existing units from Table 27 in the Appendix; trip rate and percent new trips from recommended travel demand schedule in Table 8; average trip lengths from 2017 National Household Travel Survey; VMT is products of units, trip rate, % new trips, and trip length in miles.

The next step in developing the local trip length adjustment factor is to compare the expected VMT using national average trip lengths to actual daily VMT on the major roadway system, as shown in Table 6. Expected VMT based on existing land uses and national travel demand characteristics over-

Transportation

estimates VMT actually observed on the City's major roadway system. Consequently, the national average trip lengths will be adjusted downward by the local adjustment factor calculated below.

Table 6. Comparison of Expected to Actual Vehicle-Miles of Travel

Actual Daily VMT on Major Road System	66,307
÷ Expected Daily VMT on Major Road System	148,781
Ratio of Actual to Expected VMT	0.446

Source: Actual local VMT from Table 3; expected VMT from Table 5.

Applying the local adjustment factor calculated above to the national average trip lengths results in the recommended average trip lengths by land use for Belle Isle shown in Table 7.

Table 7. Local Average Trip Lengths by Land Use

Land Use Type	National Avg. Trip Length	Local Adjustment Factor	Local Avg. Trip Length
Single-Family Detached	8.75	0.446	3.90
Multi-Family	8.75	0.446	3.90
Retail/Commercial	7.03	0.446	3.14
Office	9.76	0.446	4.35
Industrial/Warehouse	11.28	0.446	5.03
Public/Institutional	6.48	0.446	2.89

Source: National average trip lengths from Table 5; local adjustment factor from Table 6.

Service Unit Summary. The result of combining trip generation rates, new trip factors, and local average trip lengths is a travel demand schedule that establishes the vehicle-miles of travel (VMT) during the average weekday generated by various land use types per unit of development in Belle Isle. The daily VMT generation rates are summarized in Table 8.

Table 8. Transportation Service Units by Land Use

Land Use Category	Unit	ITE Code	Trip Rate	% New	Trip Length	VMT/ Unit
Single-Family Detached	Dwelling	210	4.72	100%	3.90	18.41
Multi-Family	Dwelling	220	3.66	100%	3.90	14.27
Retail/Commercial	1,000 sq. ft.	820	18.87	43%	3.14	25.48
Office	1,000 sq. ft.	710	4.87	100%	4.35	21.18
Industrial/Warehouse	1,000 sq. ft.	110	0.87	100%	5.03	4.38
Public/Institutional	1,000 sq. ft.	620	3.32	100%	2.89	9.59

Source: Daily trips are 1/2 daily trip ends from Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th edition, 2017; percent new trips for retail from ITE Manual for shopping centers; trip lengths from Table 7; daily VMT (vehicle-miles of travel) is the product of trip rate, percent new trips, and average trip length.

Cost per Service Unit

The cost of expanding the capacity of the major roadway system is generally measured for projects that widen existing roadway by adding lanes or by building new roads. Transportation capacity can also be expanded in ways that are less easily quantified in terms of vehicular capacity, such as intersection, signalization, and bicycle/pedestrian improvements, but the capacity added by such improvements is more difficult to quantify. Standard practice is to base the cost per service unit on the average cost of constructing a lane-mile divided by the average capacity per lane.

The City of Belle Isle does not have any recent cost information related to constructing new or widened roadways. The most localized data is available for Orange County projects. The County's most recent 2020 transportation impact fee study analyzed a set of recent County road improvements and determined the average cost per lane-mile, including design, construction and right-of-way, as well as the average capacity per lane added. To take into consideration that improvements to major roads in the city may be less costly, the County cost per lane-mile is reduced by 50 percent. The resulting cost per service unit is \$252 per vehicle-mile of capacity, as shown in Table 9.

Table 9. Transportation Cost per Service Unit

County Average Cost per Added Lane-Mile	\$4,540,000
x Percentage Assumed for City	50%
Assumed City Cost per Added Lane-Mile	\$2,270,000
÷ Average Capacity Added per Lane	9,000
City Cost per Vehicle-Mile of Capacity (VMC)	\$252

Source: County average cost per lane-mile and capacity per new lane from Tindale Oliver, *Orange County Transportation Impact Fee Update Study*, September 2020, Table 3; City cost percentage assumed.

Net Cost per Service Unit

This section calculates appropriate revenue credits to account for future revenue generated by new development that will be used to pay for the same level of service that will be provided by transportation impact fees. There are no existing deficiencies because the impact fees are based on a lower level of service (VMC/VMT ratio of one) than that currently provided to existing development. The City does not have any outstanding debt related to past capacity-expanding transportation improvements.

A credit for State and Federal transportation funding recognizes planned expenditures to improve major roads in the city over the next five years included in the current regional transportation improvement program (TIP). Only one such project is included in the current TIP. The annual amount of such funding per service unit over this period is assumed to continue for the long term, quantified as 30 years. The net present value of these annual amounts over the next 30 years is the State/Federal funding credit per service unit of \$74 per VMT shown in Table 10.

Table 10. State/Federal Funding Credit

Hoffner Ave/Nela Ave Bike/Ped Safety Study	\$1,000,000
Total Five-Year Funding, FY 2022-2026	\$1,000,000
÷ Number of Years	5
Annual State Transportation Funding	\$200,000
÷ Existing Daily VMT on Major Road System	66,307
Annual Transportation Funding per VMT	\$3.02
x Present Value Factor (over 30 years)	24.36
Transportation Funding Credit per VMT	\$74

Source: Five-year funding from MetroPlan Orlando, FY 2021/22 – 2025-26 Orlando Urban Area Transportation Improvement Program, adopted July 7, 2021; existing VMT from Table 3; present value factor based on discount rate of 1.40%, which is the average 30-year AAA municipal bond yield reported by fmsbonds.com on July 18, 2021.

The net cost to accommodate new development's impact on the major roadway system is the cost per service unit less the State/Federal revenue credit per service unit. This yields a net cost of \$178 per vehicle-mile of travel, as summarized in Table 11.

Table 11. Transportation Net Cost per Service Unit

Transportation Cost per VMT	\$252
– State/Federal Funding Credit per VMT	-\$74
Transportation Net Cost per VMT	\$178

Source: Cost per VMT is same as cost per VMC from Table 9; State/Federal credit from Table 10.

Net Cost Schedule

The final calculation for transportation impact fees is to multiply the daily vehicle-miles of travel (VMT) generated by a unit of development by the net cost per VMT. The transportation impact fee calculation is shown in Table 12.

Table 12. Transportation Net Cost Schedule

Land Use	Unit	VMT/ Unit	Net Cost/ VMT	Net Cost per Unit
Single-Family Detached	Dwelling	18.41	\$178	\$3,277
Multi-Family	Dwelling	14.27	\$178	\$2,541
Retail/Commercial	1,000 sq. ft.	25.48	\$178	\$4,535
Office	1,000 sq. ft.	21.18	\$178	\$3,771
Industrial/Warehouse	1,000 sq. ft.	4.38	\$178	\$779
Public/Institutional	1,000 sq. ft.	9.59	\$178	\$1,708

Source: VMT per unit from Table 8; net cost per VMT from Table 11; net cost per unit is product of VMT per unit and net cost per unit.

Transportation

The County's current transportation impact fees for residential uses were adopted in 2005 and have not been updated for 15 years. Table 13 shows the comparison between the current and updated study maximum fees. The updated maximum single-family fee would increase more than the multi-family fee. Note that a percentage increase cannot be calculated for nonresidential uses, because a number cannot be divided by zero.

Table 13. Change in Transportation Impact Fees

Land Use Category	Unit	Current Fee	Updated Fee	Change	Percent Change
Single-Family Detached	Dwelling	\$1,431	\$3,277	\$1,846	129%
Multi-Family	Dwelling	\$1,431	\$2,541	\$1,110	78%
Retail/Commercial	1,000 sq. ft.	n/a	\$4,535	\$4,535	n/a
Office	1,000 sq. ft.	n/a	\$3,771	\$3,771	n/a
Industrial/Warehouse	1,000 sq. ft.	n/a	\$779	\$779	n/a
Public/Institutional	1,000 sq. ft.	n/a	\$1,708	\$1,708	n/a

Source: Current fees from Exhibit "A" to Ord.-05=06, adopted April 5, 2005; updated fees from Table 12.

The impact fee phasing requirements recently enacted by HB 337 apply to increases from existing fees, based on the percentage by which the fees are increased. Fees can only be increased once every four years, and may not be increased more than 50%. Increases of more than 25% but no more than 50% must be phased in over four years in equal annual increments.

The statute allows the cap on increases and the phasing requirements to be exceeded, provided the jurisdiction establishes the need for such increase in excess of what would otherwise be authorized is completed within 12 months before the adoption of the impact fee increase that expressly demonstrates the extraordinary circumstances necessitating the need to exceed the phase-in limitations. The local government jurisdiction must hold at least two publicly noticed workshops dedicated to the extraordinary circumstances, and adopt the ordinance with at least a two-thirds vote of the governing body. What qualifies as extraordinary circumstances is not clear, but the fact that the fees have not been updated in over 15 years could reasonably qualify.

In the event that the City decides not to pursue that option, a suggested phasing schedule is provided in Table 14 on the following page. Impact fees must also be proportionally related to impact, meaning the fees for all land uses should be assessed at the same percentage of the maximum fee. As discussed in the Legal Framework chapter, a reasonable approach is to temporarily vary from a strict application of proportionality during a four-year phase-in, while ensuring that the fee for each land use is assessed at the same percentage of the maximum fee in the fourth year. While no phase-in is required for the new nonresidential fees, those fees would be capped by the same assessment percentage as single-family, which would have the lowest assessment rate because it is increasing by the largest percentage. After the allowed 50% increase, the single-family fee would be assessed at 65.52% of the updated maximum fee by year four. Nonresidential and multi-family fees would also need to be assessed at no more than that percentage during the fourth year to return to proportionality. Multi-family fees would need to be phased in over two years. No phasing is required for the new nonresidential fees, and those could be assessed at 65.52% in the first year. However, the general requirement to "provide notice at least 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee" would apply to the new nonresidential fees as well.

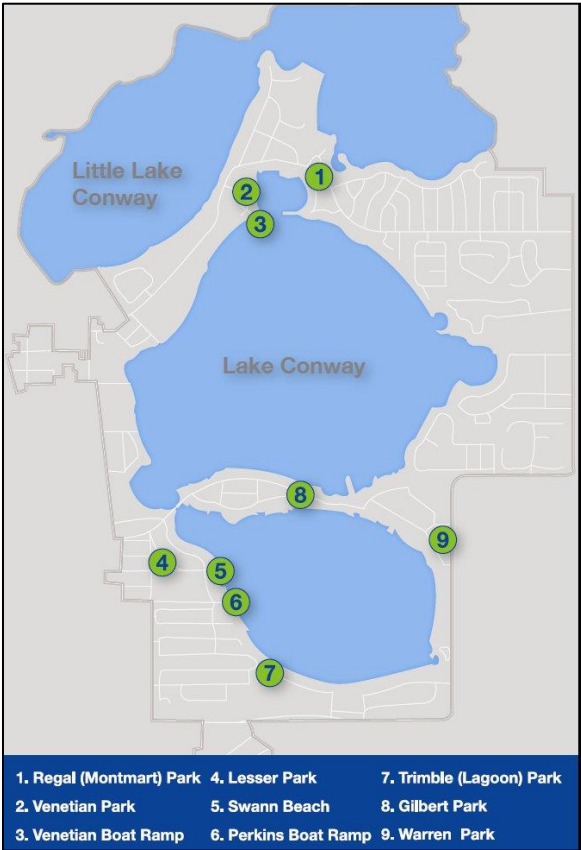
Table 14. Suggested Transportation Phasing Schedule

Land Use	Unit	Current Fee	Recommended Phasing Schedule				Updated Fee
			Year 1	Year 2	Year 3	Year 4	
Single-Family Detached	Dwelling	\$1,431	\$1,610	\$1,789	\$1,968	\$2,147	\$3,277
Multi-Family	Dwelling	\$1,431	\$1,490	\$1,549	\$1,608	\$1,665	\$2,541
Retail/Commercial	1,000 sq. ft.	n/a	\$2,971	\$2,971	\$2,971	\$2,971	\$4,535
Office	1,000 sq. ft.	n/a	\$2,471	\$2,471	\$2,471	\$2,471	\$3,771
Industrial/Warehouse	1,000 sq. ft.	n/a	\$510	\$510	\$510	\$510	\$779
Public/Institutional	1,000 sq. ft.	n/a	\$1,119	\$1,119	\$1,119	\$1,119	\$1,708
Annual Change							
Single-Family Detached	Dwelling		\$179	\$179	\$179	\$179	
Multi-Family	Dwelling		\$59	\$59	\$59	\$57	

PARKS

The City provides public parks for the enjoyment of its residents. The location of existing City parks is illustrated in Figure 2. The City’s current parks are mostly small amounts of open space, many of which provide access to the lakes for swimming or boating. Some are patches of excess street right-of-way with minimal improvements other than irrigation and landscaping. This chapter calculates the net cost to accommodate new residential development at the existing park level of service. To make the calculations easier to follow, numbers in one table that are inputs into another table are highlighted in red.

Figure 2. Existing City Park Locations



Service Unit

Disparate types of development must be translated into a common unit of measurement that reflects the impact of new development on the demand for park facilities. This unit of measurement is called a “service unit.” The service unit for park impact fees is the “equivalent dwelling unit” or EDU, which represents the impact of a typical single-family detached dwelling. By definition, a typical single-family unit represents one EDU. Other types of units each represent a fraction of an EDU, based on their relative household sizes.

Demand for park facilities is proportional to the number of people in a dwelling unit. Consequently, data on average household size for various types of units is a critical component of park demand. These data are presented and analyzed in the Appendix and are used to develop the EDU multipliers for Belle Isle's park impact fee. The relative EDUs associated with each housing type are shown in Table 15.

Table 15. Park Equivalent Dwelling Unit Multipliers

Housing Type	Average Household Size	EDUs/Unit
Single-Family Detached	2.92	1.00
Multi-Family	2.57	0.88

Source: Average household size from Table 28 in the Appendix; multi-family EDUs are the ratio to single-family average household size.

To determine the existing level of service, it is necessary to estimate the total number of service units in the city. Data on existing units by housing type is presented in the Appendix. To determine the total EDUs for the purpose of the park impact fee, the numbers of existing dwelling units of each housing type are multiplied by the appropriate EDUs per unit and the results for all housing types are summed. As shown in Table 16, there are currently 2,807 park service units (EDUs) city-wide.

Table 16. Existing Park Service Units

Housing Type	Total Units	EDUs/Unit	Total EDUs
Single-Family Detached	2,508	1.00	2,508
Multi-Family	340	0.88	299
Total	2,848		2,807

Source: EDUs per unit from Table 15; existing units from Table 27 in the Appendix.

Cost per Service Unit

This study uses the “incremental expansion” methodology for the park impact fee calculations (see Methodology chapter for more explanation). It bases the park impact fee on the existing level of service, and measures that level of service in terms of the ratio of the replacement value of existing facilities to existing residential development. Land acquisition and related site improvements are significant costs related to park facilities. The City's most recent acquisition was the purchase of 2.4 acres for Wallace Field in 2016 for \$0.83 million. Land and improvement costs are based on original costs. An inventory of the City's land and improvement values are summarized in Table 17 on the following page.

Table 17. Existing Park Facility Inventory

Park Name	Facility Type	Acres	Estimated Current Value		
			Land	Imprvmnts	Total
Swann Beach	Swimming Beach/Bench	0.25	n/a	\$21,585	\$21,585
Delia Beach	Swimming Beach/Bench	0.22	n/a	\$411,000	\$411,000
LaBelle Beach	Swimming Beach/Bench	0.31	n/a	\$25,000	n/a
Cross Lake Beach	Swimming Beach/Bench	0.16	\$260,000	n/a	\$260,000
Perkins Boat Ramp	Boat Launch Ramp	0.33	n/a	\$80,374	\$80,374
Venetian Park	Boat Launch Ramp/OS	1.93	n/a	n/a	n/a
Wallace Field	Undeveloped Open Space	2.40	\$830,000	n/a	\$830,000
New Open Space	Open Space	4.03	\$403,067	n/a	\$403,067
Trimble Park	Open Space/Picnic Area	n/a	n/a	\$25,000	\$25,000
Regal Park	Fountain/Benches/Lights	0.51	\$50,000	\$65,000	\$115,000
Peninsular Park	Open Space/Benches	n/a	n/a	\$15,000	\$15,000
Gilbert Park	Open Space/Irrigation	n/a	n/a	\$15,000	\$15,000
Lesser Park	Open Space/Irrigation	n/a	n/a	\$15,000	\$15,000
Conway Circle Park	Open Space/Bench	n/a	n/a	n/a	n/a
Holloway Park	Open Space on City Hall Site	n/a	n/a	n/a	n/a
Total		10.14	\$1,543,067	\$672,959	\$2,191,026

Source: Acres and improvements costs are original costs from City of Belle Isle, July 9, 2021.

As shown in Table 18, the cost to maintain the existing level of service is \$781 per EDU.

Table 18. Park Cost per Service Unit

Total Park Land and Improvement Value	\$2,191,026
÷ Existing Park Service Units (EDUs)	2,807
Park Cost per Service Unit	\$781

Source: Park value from Table 17; park EDUs from Table 16.

Net Cost per Service Unit

The City funds park land and improvements entirely from the general fund. It does not have any outstanding debt related to existing parks, nor has it received any State or Federal grants for park improvements in recent years. There are no existing deficiencies, because the proposed impact fees are based on the existing level of service. To the extent that general revenues are used for park improvements after impact fees are assessed, those improvements will raise the level of service for both existing and new development. Consequently, no revenue credits are warranted for taxes that will be paid by new residential development. The net cost per service unit is therefore the same as the cost per service unit calculated above.

Net Cost Schedule

The maximum parks and recreation impact fees that can be adopted by the City based on this study are derived by multiplying the EDUs associated with each dwelling unit type by the net cost per EDU, as shown in Table 19.

Table 19. Park Net Cost Schedule

Housing Type	EDUs/ Unit	Net Cost/ EDU	Net Cost/ Unit
Single-Family Detached	1.00	\$781	\$781
Multi-Family	0.88	\$781	\$687

Source: EDUs per unit from Table 15; net cost per EDU is cost per EDU from Table 18.

The impact fee phasing requirements recently enacted by HB 337 apply to increases from existing fees, based on the percentage by which the fees are increased. They do not apply to new fees. The City does not currently assess impact fees for parks. It is not mathematically possible to calculate a percentage increase from zero. No phasing of the proposed park impact fees is required beyond the requirement to “provide notice at least 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee.”

GENERAL GOVERNMENT

The City of Belle Isle provides a variety of buildings and equipment used to deliver general government services to businesses and residents that are not included in other impact fee program areas, such as the transportation impact fee or the proposed park impact fee. The City's existing general government capital improvements consist of administrative and maintenance facilities, as well as police facilities. This chapter calculates a potential general government impact fee based on the existing level of service. To make the calculations easier to follow, numbers in one table that are inputs into another table are highlighted in red.

Service Unit

The “functional population” approach is one of the few techniques used in impact fee studies to estimate the demand for general government facilities. To a large extent, the demand for these facilities is proportional to the presence of people. This section describes how functional population service units are determined for each land use type, and calculates the total number of existing service units in the city.

Functional population represent the number of full-time equivalent people at a land use, based on the observation that demand for general government facilities tends to be proportional to the number of people. Functional population is analogous to the concept of “full-time equivalent” employees. It represents the number of “full-time equivalent” people present at the site of a land use, and it is used for the purpose of determining the impact of a particular development on the need for facilities. For residential development, functional population is average household size times the percent of time people spend at home. For nonresidential development, functional population is based on a formula that includes trip generation rates, average vehicle occupancy and average number of hours spent by visitors at a land use.

Residential Functional Population. For residential land uses, the impact of a dwelling unit on the need for capital facilities is generally proportional to the number of persons residing in the dwelling unit. This can be measured for different housing types in terms of either average household size (average number of persons per occupied dwelling unit) or persons per unit (average number of persons per dwelling unit, including vacant as well as occupied units). In this analysis, average household size is used to develop the functional population multipliers, as it avoids the need to make assumptions about occupancy rates.

The first step is to determine the percentage of time people spend at their place of residence. In 2018, the U.S. Bureau of Labor Statistics interviewed one person each from 9,600 randomly-selected households to determine how people spent their time during a recent day. Survey respondents were limited to persons aged 15 or older in the civilian population. The survey determined the average number of hours spent on various types of activities. While it did not itemize where the activities occurred, reasonable assumptions have been made about which activities were more likely to take place at the place of residence or away from home. The results, summarized in Table 20, indicate that people spend on average two-thirds of each 24-hour day at their place of residence.

Table 20. Time Usage Survey

Primary Activity	Total Hrs. per Day	At Home	Away
Sleeping (including naps, spells of sleeplessness)	8.82	8.82	–
Personal care activities (other than sleeping)	0.76	0.76	–
Eating and drinking*	1.19	0.89	0.30
Household activities	1.78	1.78	–
Purchasing goods and services	0.72	–	0.72
Caring for and helping household members	0.51	0.51	–
Caring for and helping non-household members	0.21	–	0.21
Working and work-related activities	3.57	–	3.57
Educational activities	0.46	–	0.46
Organizational, civic and religious activities	0.30	–	0.30
Watching television	2.84	2.84	–
Other leisure and sports	2.43	–	2.43
Telephone, mail and email	0.15	0.15	–
Other activities	0.26	0.26	–
Total Hours	24.00	16.01	7.99
Percent of Time	100.0%	66.7%	33.3%

* estimates 75% of meals eaten at home

Source: U.S. Dept. of Labor, Bureau of Labor Statistics, *American Time Use Survey - 2018 Results*, June 19, 2019 news release, Table 1: Time spent in primary activities per day, civilian population 15 years or older, 2018 annual averages; time at home or away is estimated.

Based on these data, it is estimated that people spend about two-thirds of their time at home and the rest of each 24-hour day away from their place of residence. The functional population per unit for residential uses is shown in Table 21.

Table 21. Residential Functional Population per Unit

Housing Type	Unit	Average HH Size	Occu- pancy	Func. Pop./Unit
Single-Family Detached	Dwelling	2.92	66.7%	1.948
Multi-Family	Dwelling	2.57	66.7%	1.714

Source: Average household size from Table 28 in the Appendix; percent of time at home from Table 20

Nonresidential Functional Population. The functional population methodology for non-residential uses starts with trip generation rates. The number of daily trips is multiplied by the average vehicle occupancy to determine the total number of persons going to the site each day. The number of employees is estimated from average employee densities. Visitors are the remainder of persons going to the site. Employees are estimated to spend eight hours per day at their place of employment, and visitors are estimated to spend one hour per visit. Functional population per 1,000 square feet is derived by dividing the total number of hours spent by employees and visitors during a weekday by 24 hours. The formula used to derive the nonresidential functional population estimates is summarized in Figure 3.

Figure 3. Nonresidential Functional Population Formula

Functional population/1000 sf = (employee hours/1000 sf + visitor hours/1000 sf) ÷ 24 hours/day

Where:

Employee hours/1000 sf = employees/1000 sf x 8 hours/day

Visitor hours/1000 sf = visitors/1000 sf x 1 hour/visit

Visitors/1000 sf = weekday ADT/1000 sf x avg. vehicle occupancy - employees/1000 sf

Weekday ADT/1000 sf = one way average daily trips (total trip ends ÷ 2)

Using this formula and trip generation rates from the *Trip Generation Manual*, vehicle occupancy rates from the *National Household Travel Survey* and employee densities from the U.S. Department of Energy, nonresidential functional population estimates per 1,000 square feet of gross floor area are calculated. Table 22 presents the results of these calculations for the proposed nonresidential land use categories.

Table 22. Nonresidential Functional Population per Unit

Land Use	Unit	Trip Rate	Persons/Trip	Employees/Unit	Visitors/Unit	Functional Pop./Unit
Retail/Commercial	1,000 sq. ft.	18.87	1.97	0.93	36.25	1.820
Office	1,000 sq. ft.	4.87	1.29	2.07	4.21	0.865
Industrial/Warehouse	1,000 sq. ft.	0.87	1.29	0.48	0.32	0.173
Public/Institutional	1,000 sq. ft.	3.47	2.07	0.43	6.74	0.424

Source: Trip rates are one-half daily trip ends during a weekday from Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th ed., 2017 (retail/commercial based on shopping center, office based on general office, industrial/warehouse based on warehouse, public/institutional based on church); persons/trip is average vehicle occupancy by trip purpose from Federal Highway Administration, *Nationwide Household Travel Survey*, 2017 for state of Florida (retail/commercial based on shopping, office and industrial/warehouse based on home-to-work, public/institutional based on family/personal); employees/unit from U.S. Department of Energy, *Commercial Buildings Energy Consumption Survey*, 2012; visitors/unit is trips times persons/trip minus employees/unit; functional population/unit calculated based on formula in Figure 3.

Functional Population Summary. The functional population multipliers for the residential and nonresidential land use categories are summarized in Table 23 below. Multiplying the multipliers by the amount of existing development for each land use type and summing for all land uses results in a current estimate of 6,393 functional population city-wide.

Table 23. Functional Population Summary

Land Use	Unit	Functional Pop./Unit	Existing Units	Total Func. Pop.
Single-Family Detached	Dwelling	1.948	2,508	4,886
Multi-Family	Dwelling	1.714	340	583
Retail/Commercial	1,000 sq. ft.	1.820	373	679
Office	1,000 sq. ft.	0.865	162	140
Industrial/Warehouse	1,000 sq. ft.	0.173	0	0
Public/Institutional	1,000 sq. ft.	0.424	248	105
Total Functional Population				6,393

Source: Functional population per unit from Table 20 (residential) and Table 22 (nonresidential).; existing units from Table 27 in the Appendix;

Cost per Service Unit

This study uses the “incremental expansion” methodology to determine the cost per service unit for the general government impact fee (see Methodology chapter for more explanation). The existing level of service used in developing the impact fees is quantified as the ratio of the replacement value of existing facilities to existing service units (functional population). The existing general government facilities and their replacement values are shown in Table 24. The building replacement costs are based on the City’s insured values. Land values are based on original cost.

Table 24. General Government Building and Land Cost

Asset	Address	Acres	Building Sq. Feet	Land Value	Building Value
City Hall	1600 Nela Ave	0.49	3,642	\$82,583	\$1,050,246
Public Works	6916 Sunny Ln Ave	0.27	2,519	\$53,389	\$213,313
Police Dept.	1521 Nela Ave	0.27	2,057	\$80,000	\$494,624
Total, General Government Buildings			8,218	\$215,972	\$1,758,183

Source: Facility name and address, acres, building square feet, and land cost from City of Belle Isle; building value based on City’s insured values, April 29, 2021.

The cost per service unit based on the existing level of service can be determined by dividing the replacement cost of existing general government buildings, land, and vehicles and equipment with a useful life of at least five years (except for police vehicles, which have a useful life of about three years) by existing functional population. As shown in Table 25, the replacement value of the existing general government capital assets is about \$3.4 million. Dividing the replacement cost by existing service units yields a cost per service unit of \$526 per functional population.

Table 25. General Government Cost per Service Unit

Building Cost	\$1,758,183
Land Cost	\$215,972
Police Vehicle and Equipment Cost	\$1,076,512
Other Vehicle and Equipment Cost	\$308,943
Total General Government Replacement Cost	\$3,359,610
÷ Existing Functional Population	6,393
General Government Cost per Functional Population	\$526

Source: Building and land costs from Table 24; vehicle and equipment costs are original costs from the City's fixed assets records; existing functional population from Table 23.

Net Cost per Service Unit

Impact fees should be reduced to account for future funding that will be generated by new development and used to remedy existing deficiencies or to retire outstanding debt on facilities that serve existing development. As with the other fee calculations in this report, the updated fees are based on the existing level of service and there are no deficiencies. The City does not have any outstanding debt and has not received any grant funding in recent years for general government facilities. Consequently, no additional revenue credits are warranted, and the net cost per service unit is the same as the cost per service unit calculated in the previous section.

Net Cost Schedule

The maximum general government impact fees that can be adopted based on this study are derived by multiplying the number of service units (functional population) represented by each development unit by the net cost per service unit, as shown in Table 26.

Table 26. General Government Net Cost Schedule

Land Use Type	Unit	Func. Pop. per Unit	Net Cost/ Func. Pop.	Net Cost/ Unit
Single-Family Detached	Dwelling	1.95	\$526	\$1,025
Multi-Family	Dwelling	1.71	\$526	\$902
Retail/Commercial	1,000 sq. ft.	1.82	\$526	\$957
Office	1,000 sq. ft.	0.87	\$526	\$455
Industrial/Warehouse	1,000 sq. ft.	0.17	\$526	\$91
Public/Institutional	1,000 sq. ft.	0.42	\$526	\$223

Source: Functional population per unit from Table 23; net cost per functional population is the same as the cost per functional population from Table 25.

The impact fee phasing requirements recently enacted by HB 337 apply to increases from existing fees, based on the percentage by which the fees are increased. They do not apply to new fees. The City does not currently assess impact fees for general government facilities. It is not mathematically possible to calculate a percentage increase from zero. No phasing of the proposed general government impact fees is required beyond the requirement to "provide notice at least 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee."

APPENDIX: HOUSING AND LAND USE

To determine the existing level of service, it is necessary to determine the existing amounts of residential and nonresidential development, as well as the number of residents associated with each dwelling unit type. Identifying these quantities is the purpose of this appendix.

Information on existing land uses in Belle Isle is derived primarily from the Property Assessor's publicly-available tax parcel data base. This data base includes land use type, building floor area, and number of living units for each parcel. The land use code for single-family includes both detached and attached (townhome) units. Townhomes, however, have occupancy and trip characteristics much more like multi-family units (apartments and condominiums). Census estimates of housing unit types for Belle Isle indicate that approximately 2.61% of single-family units in the city are townhomes. That percentage was used to estimate the number of existing townhomes and move those units into the multi-family category. The results are shown in Table 27.

Table 27. Existing Land Use by Type

Land Use	Unit	Total Units
Single-Family Detached	Dwelling	2,508
Multi-Family	Dwelling	340
Total Residential	Dwelling	2,848
Retail/Commercial	1,000 sq. ft	373
Office	1,000 sq. ft	162
Public/Institutional	1,000 sq. ft	248
Total Nonresidential	1,000 sq. ft	783

Source: Orange County Property Assessor, 2021 and U.S. Census American Community Survey 2019 5-year sample table.

Average household size is household population divided by households. Local census data on average household size for Belle Isle is unreliable due to small sample size. Adequate sample sizes are available for areas of at least 100,000 people, called Public Use Microdata Areas, or PUMAs. The census data for such areas is available in the form of microdata, which includes records for each individual dwelling unit. The PUMA in Orange County that includes Belle Isle has average household sizes of 2.92 for single-family detached units and 2.57 for multi-family units, as calculated in Table 28 below. These household sizes should be reasonably representative of housing units in the city.

Table 28. Average Household Size by Housing Type

Housing Type	Household Residents	Households	Avg. HH Size
Single-Family Detached*	38,202	13,097	2.92
Multi-Family	41,222	16,023	2.57
Total	79,424	29,120	2.73

* includes mobile homes

Source: U.S. Census, American Community Survey, 2015-2019 5% sample microdata for Public Use Microdata Area 9504, which includes Belle Isle.



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

Meeting Date: September 7, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Appoint Carolyn Holihan to the Redistricting Committee

Background: Due to Commissioner Holihan being appointed to the City Council, he had to resign from the Redistricting Committee. Commissioner Holihan asked if there was any issue with having his wife, Carolyn, fill the position for District 4. Since this position is not an employment position, nor can Commissioner Holihan benefit financially from her serving on the Committee, there is no conflict of interest.

Staff Recommendation: Approve the appointment

Suggested Motion: I move that we appoint Carolyn Holihan to the Redistricting Committee.

Alternatives: Do not approve the appointment and find another candidate.

Fiscal Impact: None

Attachments: Letter of interest

CAROLYN T. HOLIHAN

2513 Trentwood Blvd.
Orlando, Florida 32812
407-415-1962

August 30, 2021

Ms. Yolanda Quiceno, City Clerk
City of Belle Isle
1600 Nela Ave.
Belle Isle, FL 32809

Via Email to: yquiceno@belleislefl.gov

RE: Letter of Interest
Redistricting Committee, District 4

Dear Yolanda:

In accordance with City Policy, I am submitting this letter of interest for consideration as an applicant to replace Randy Holihan on the Redistricting Committee for District 4, after his announced resignation last week. Also attached please find my resume that details my employment history and educational background.

I have lived in Belle Isle for over 8 years, observing its growth and changes.

I am proud of our city and would welcome the opportunity to serve.

Sincerely,



Carolyn T. Holihan

cc: Robert Francis-via email

Carolyn T. Holihan
2513 Trentwood Blvd.
Belle Isle, FL 32812

SUMMARY

My professional career has been involved with helping people achieve their goals and meet their timeline requirements all while operating within their budget. Each project and client presented their own unique circumstances and challenges and I have always enjoyed working to help others achieve and exceed expectations.

PROFESSIONAL EXPERIENCE

Senior Account Executive

CURTIS 1000 / PROGRESSIVE COMMUNICATIONS INC.

Lake Mary, FL

Mar 2012 – Jan 2020

Responsible for transitioning existing clients to Progressive Communications (PCI) after the acquisition of Fidelity Press. Also responsible for increasing sales to existing and new clients through the expanded product offering available at Progressive Communications including design, in house mailing and fulfillment along with expanded production capacity.

In May 2019, PCI was positioned under the Curtis 1000 banner; I continued to work with existing and new clients to introduce them to Curtis 1000 and all the resources available through our parent company Taylor Corp.

Sales Executive

FIDELITY PRESS

Orlando, FL

Mar 2002 – Mar 2012

Responsible for sales through managing and directing the flow on-going collateral print production for more than 20 clients. I partnered with my customers to provide guidance and expertise in the best, most cost-effective ways to produce their collateral including paper selection and production specifications. I created and developed online store fronts for corporations with multiple locations throughout the US as well as internationally. I assisted clients in developing and maintaining brand standards and also partnered with them by making recommendations to achieve their budget requirements.

Account Executive

EXECUTIVE PRESS, INC.

Orlando, FL

1992 – 2002

I was recruited for this sales position to maintain the business of a major client as well as to increase overall sales by adding to the existing client base. I was responsible for managing and directing the flow of work from the client through my internal team to ensure the product met the clients' expectations of quality on time delivery and price. I also developed on line ordering sites for clients with multiple offices locations throughout the US.

EDUCATION

University of Florida

BACHELOR OF SCIENCE, BUSINESS ADMINISTRATION

1983

Issue	Description	Start Date	POC	Last Completed Action	Next steps
Street Paving	The City staff will conduct a street assessment to determine the pavement conditions and determine if the prior assessment is still valid. When complete, the staff will set-up a Capital Improvement Program for street paving. Program	7/1/2020	PW/CM	The City has been successful in paving several streets over the past few years; most recently the area around City Hall.	2021 Goal: City to conduct Pavement Assessment and develop CIP for paving (next Fiscal Year). Assessment complete. CM working with PW Director on CIP for streets. District 3 Streets included in FY21-22 Budget. Streets in District 2 and 5 (Delia Beach area) are on "needs" list.
Storm Drainage	The City Engineer recently completed an assessment of the storm system. Some trouble spots have been corrected (Wind Drift, Derine, Chiswick) CM and Finance Director developed Storm Water CIP	4/3/2017	ENG/CM	Stormwater CIP was developed and reviewed by Budget Committee, who recommend approval. City staff to start reconditioning swales in trouble areas. Work at Jade Circle Swales done. 1631 Wind Willow (completed). Pipe lining on St. Moritz and Jade completed.	Plan done for Sol avenue (Agenda Item). St. Partin Outfall waiting on Orange County bid for lift station (Lift Station will be rebid so City may consider moving forward). Meeting with new contractors for Stafford/Pam for new estimates. Working with OCEPD on Barby Lane drainage. OC Nav Advisory Board approved \$3,500 for pet waste stations and \$94.020 reimbursement for Delia Beach Project. City received reimbursements from OC Nav Board. Preparing to bid Sol Ave. Project. Close Stafford/Pam Project. Grant submitted to FDEP for Wallace Project and HAB Project. No Update
Traffic Studies	Increased traffic in and through Belle Isle prompted the Council to allocate funds for city-wide traffic study to improve traffic flow. Study was done and resulting Traffic Master Plan was adopted by Council. Due to the City's membership in Metroplan Orlando, they are conducting additional studies focusing on Hoffner Ave.	4/3/2017	CM/Eng.	City's TMP completed and adopted. Metroplan study is nearing completion. Hoffner median constructed but still needs additional work. WaWa to reconfigure entrance (Working on permit with OC). Citizen feedback sent back to MetroPlan. Metroplan Consultant to work toward finalizing report. RRFB installed and is functional at Monet/Hoffner crosswalk. Staff incorporated comments from open house in TMP. Next step is to plan for improvements and funding through long term budgeting. Staff considers this issue closed.	Impact Fee Study is continuing to move forward. Staff sent information to consultant for review. First draft of study received. Being reviewed by staff. Staff review complete. Distribution to Council for review and action on September 7. Agenda Item
Wallace Field	City purchased large area at Wallace/Matchett for open space. Issues with Wallace Street Plat in this area with people trespassing on private property. District 2 Comm. And CM met with residents to discuss solutions. Council met on June 14 and issues was discussed. Council directed that a fence would be erected around property. Dist. 2 Comm. and CM to meet with residents to discuss options for Wallace Street plat. Area is still zoned R-2.	6/14/2017	Dist.2 Comm and CM	Use Agreement adopted. CCA planning park site plan. CCA/City staff met to go over site plan requirements. CCA working with City Planner for site plan submission. CCA completed site plan. Council approved site plan concepts. P&Z decision granting special exception was approved by City Council. The site plan was approved with conditions. Staff is preparing documents to address the conditions. P&Z decision is being appealed to Council. Council approved Wallace Field Site Plan with conditions.	Continuing to plan for drainage project with OC. Discuss grading of site with CCA. CCA to start development of Wallace Field. First elements will be artificial turf and parking. CCA started practice on the field on August 10 (signs posted). Deed restriction on 8/17 Agenda. No update
City acquisition of Property	Council discussed possibility of acquiring parcels within the City and directed City staff look at options on how to acquire property.	3/20/2018	CM	Cross lake purchase is on hold until County reschedules PH. Mayor/CM to meet with Commissioner Uribe and Adjacent property owner on Cross Lake on March 4. CM/Comm. Cross Lake Property deed recorded and improvements made (closed). BoA agreement finalized.	Financing complete. PSA executed by Mayor and BoA. BoA is now owned by the City. Discussion at Council Budget Workshop on August 18. Council directed a workshop be scheduled for September 29, 2021
Charter School (CCA)	There has been infrastructure issues at Cornerstone for some time. The City owns the property and leases it to CCA. The City is responsible for replacing major systems at CCA according to the lease.	4/3/2017	CM	Capital Facility Plan complete. CCA considering purchase of property. Roofs are being patched, not replaced at this time. Letter was sent to CCA Board asking for joint meeting and other Board issues. CM sent memorandum to CCA outlining conditions for refinancing. CCA discussed and rejected all the conditions sent by Council.	New Lease draft sent to Budget Committee for review. Budget Committee reviewed draft lease. Market Rent Study completed. Being reviewed by Budget Committee. Subcommittee of Council revising the new lease. CCA, at their June 30 meeting, would like to work with the City to continue working with the City on the lease agreement. Meeting between City and CCA was held on August 31 on new lease. Revisions being made. Target date is September 21, 2021.

Belle Isle Issues Log
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a.

Municipal Code Update	The City Council contracted with a planner to update the municipal code. This process was not completed and needs to be completed. There have been significant code changes in the past few years that need to be in the code.	4/3/2017	CM/CC	Meet with consultant to determine what was done and what is left to do. P&Z Board looking at possible changes to fence/wall requirements. Discussion of sidewalk maintenance. Ordinance adoption for Home Occupation and Golf Carts. New Sign Ordinance (adopted and closed). Ordinance on at-large appointments (adopted and will advertise vacancies).	Changes to Impervious surface ratio were discussed and will remain unchanged. P&Z discussions on definition of "kitchen" and look at possible ordinance for installation of artificial turf on residential property. P&Z discussing Accessory Dwelling Units.
Comp Plan Updates	The comp plan is reviewed every 7 years to see if it needs to be updated. The City Council contracted with a planner to update the comprehensive plan.	3/1/2017	Council Planner CM	Meet with consultant to determine what was done and what is left to do.	City Manager and Planner to review 2009 Comp Plan for errors discovered in Zoning Map. Agenda Item.
Annexation	Council discussed the desire to annex contiguous property in order to build the tax base and possibly provide more commercial development in Belle Isle.	4/3/2017	Council CM	Council determined the priority to annex. Planner completed 1st report. City Staff reviewing. CM and Mayor met with Management Company for Publix Shopping Center (another meeting is set for 5/19/21). CM to met with private owner for annexation of 5 acres. Sienna place signed consents for annexation about 35% done.	Sienna condo about 70% complete. Discussion with Brixmor going well. Brixmor asked for additional information. Sienna may be an involuntary annexation. Information supplied to Brixmor for their review. No update
Lake Conway Issues	Residents have complained that Lake Conway is unsafe due to speeding of PWCs and issues with wake boats. Council would like more local control over the lake.	6/1/2019	CM, CA, Chief	City Attorney looking at how other communities have control of lakes. Staff drafting an ordinance for No Wake Zones. City waiting for County to meet with stakeholders. Draft ordinance is put on hold for now. City/OCSO looking at other avenues to allow enforcement. Lobbyist Presentations to BC on April 8. CM received information from FWC on Canoe Trail & Swim Areas. City staff to get public input on both.	Discuss control issues with lobbyist and determine direction. No Update.
IT Issues	City Council wants Staff to research changes in IT from Gmail back to Outlook	8/6/2019	City Clerk Chief	City staying with Gmail. City has new pages on website for financial transparency and new work order tracking program. City doing ADA conversion. City Clerk working with ADA compliance company. New website developed & ADA compliant Issue Closed). Bids received on RFP for Chambers A/V. Council approved bid.	Contract executed. Looking at a completion date of September 30. No update
Grady (Lancaster) House	PCHS requested the Council not demolish Grady House and give up to a year to have it moved.	2/5/2019	CM	Discussion at PCHS. CM contacted State Historic Office on house and homestead and getting it registered on National Registry. Council directed PCHS top provide dates for moving the house and for renovations. PCHS responded to council stating they will not be moving or taking the house. Council set deadline of July 1, 2020 to have the house removed. Neighbor is working to get approvals to move the House to 5817 Randolph so it can be donated to her. Council extended deadline until September 1. Duke contacted for moving wires; quotes received for moving house; met with possible new owner; National Registry Application moving forward. Need cooperation of County to annex property across Waltham. Comm. Uribe will work with property owner to get OC variances. Private property owner was contacted by OC District 3 Office. City will assist where possible. Private property owner applied to County for variances to relocate the house.	County needs additional information from private property owner with a deadline is June 9, 2021 for a hearing on August 5, 2021. Letters of Support provided to property owner from City and PCHS. CCA will also write a Letter of Support. Variance granted to private property owner for lot split. She will work with OC Planning to see next steps in setting the Lancaster House on her property. Estimated cost to move the house is \$42-44K. City should fumigate the house prior to moving. CCA Board issue for funding match. City seeking additional funds to help move the house. Meet with proeprty owner to discuss next steps.

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9/7/21

a.

New City Zip Code	Council directed that the City Manager research the possibility of applying to the USPS for a new zip code. Realtors state that property values may increase if the City has its own zip code and possibility insurance rates may also change.	3/16/2021	CM and Comm. Shuck	CM and Comm. Reviewed USPS information necessary for changing zip code. CM reached out to OCPA to see if Belle Isle could substitute for Orlando on property page which may lessen confusion.	Discuss response from OCPA. Develop "pro/con" list for Council review. Check with service providers to see if utility taxes are being sent to Orlando for homes in BI. Agenda Item
Traffic Calming Requests/Projects	With the completion of the TMP as well as other traffic requests, the staff will track them here for Council information.	4/6/2021	CM, CE, PW, BIPD	Speed Humps Requested: Seminole, Cullen Lake Shore Drive, Oak Island Road, LCS, Daetwyler Shores. Speed Limit Reduction: Judge Rd, Daetwyler Shores All-Way Stop on Via Flora. Seminole in data gathering (temp. speed humps in place). Indian Drive and Barby Lane demand on Seminole decision. Daetwyler Shores scheduled for next budget year; CLSD and OIR were sent application packets. Speed reduction on Judge started (35 MPH). All-Way stop at Via Flora and Flowertree completed. Last traffic count on Seminole started.	Seminole data complete and justifies installation of speed humps. OCFD has no issues with speed humps. Discussion with BIPD on active enforcement for next 4 months on Seminole. If placed on Seminole, then speed humps should be placed on Barby and Indian. City to start planning for RRFB on Hoffner and Pleasure Island and Hoffner and Peninsular. City to start discussion with OC on TSP projects developed by Traffic Consultant. Projects placed on City CIP. City Manager to meet with Orange County Engineering and Commissioner Uribe to discuss Hoffner Avenue Projects for support with projects on Hoffner. Still waiting for meeting with Commissioner Uribe.
ARPA Funding	American Recovery Plan Act (ARPA) funds to be received from State for funding eligible projects. FLC estimates City will receive \$3.6 million in funding over 2 years	7/20/2021	CM/DoF	City sent all required information to FLC. FLC is the coordinating agency for NEU cities in Florida. DFEM is developing agreement for NEU cities.	Waiting on FLC to provide additional information once it's received from the state. Funding agreement with FDEM approved. FDEM contacted the City that all documents are in order for first payment of \$1,826,090 for first year payment. Total amount is \$3,626,180 (distributed over two years in equal amounts).
Redistricting	Every ten years, with the decennial census, the City is to review its districts to determine if the boundaries need to be redrawn to get an even number as possible for each district. The city council appointed eight (8) city electors, determined from the registration for the last statewide general election, who shall comprise the districting commission. Electors chosen shall not be employed by the city in any other capacity. The Committee has 120 days to complete its work and present it to the Council.	7/20/2021	CM/Clerk	Committee met on 7/28/21 to organize. Chair, Vice-Chair, and Secretary were chosen. City Manager went over the duties of the Committee and spoke about Sunshine Laws.	Next meeting is August 11. Materials will be passed out along with instructions. State to certify census numbers on August 12. Committee will meeting on September 8 to look at total numbers and try to come up with District map
Palm Square Condos	The City was alerted to building problems at Palm Square Condos.	7/18/2021	CM/UES/CE	City Inspectors found multiple issues with the building. Building Inspector inspected the area and found multiple violations. Fire Marshall inspected the building and found multiple violations. Department of Health inspected a sewage overflow and is taking action. City Engineer and Structural Engineer inspected the building. Staff reviewing the report. City contacted the property manager with a report. Property Manager will hire an engineer to review deficiencies in the building.	Staff will set up a meeting with the property manager to discuss solutions to correcting the deficiencies. City received preliminary engineer report on deficiencies. City sent the report to the property manager. Property manager will send their report to the City when received. Then City and Property Manager will meet to determine path to get the deficiencies corrected. No update