

Ray Bagshaw
Mayor

Michael Hendrix
Council Member

Pam Henley
Council Member

John Dowless
Council President

Neil Powell
Council Member

Dan Drummond
Council Member

CITY COUNCIL AGENDA
Regular Meeting
City Hall – Council Chamber
405 Larue Avenue, Edgewood, Florida
Tuesday, June 17, 2014
6:30 p.m.

WELCOME! We are very glad you have joined us for today's Council meeting. If you are not on the agenda, please complete an appearance form and hand it to the City Clerk. When you are recognized, state your name and address. The Council is pleased to hear relevant comments; however a five-minute limit has been set by Council. Large groups are asked to name a spokesperson. Robert's Rules of Order guide the conduct of the meeting. **PLEASE SILENCE ALL CELLULAR PHONES AND PAGERS DURING THE MEETING.** "THANK YOU" for participating in your City Government.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Review and Approval of Minutes

- May 20, 2014 (Pgs. 1 – 9)

(Items on the consent agenda are defined as routine in nature, therefore, do not warrant detailed discussion or individual action by the Council. Any member of the Council may remove any item from the consent agenda simply by verbal request prior to consideration of the consent agenda. The removed item(s) are moved to the end of New Business for discussion and consideration.)

PRESENTATIONS

- Doris Click – Friends of Cypress Grove Park

ORDINANCES

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

1. Memo RE: Ordinances 2014-03 and 2014-04 (Pg. 10)
2. Memo RE: Planning & Zoning Board's Recommendation of Ordinances 2014-03 and 2014-04 (Pg. 11)

3. **ORDINANCE 2014-03** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 134, "ZONING," ARTICLE V, "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, "REQUIREMENTS FOR SPECIFIC USES," PROVIDING FOR ESTATE SALES AS A TEMPORARY ACCESSORY USES FOR RESIDENTIAL STRUCTURES; PROVIDING REGULATIONS RELATED TO PARKING FOR GARAGE SALES, YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE. (Pgs. 12 – 13)
4. **ORDINANCE 2014-04** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, CHAPTER 134, "ZONING;" PROVIDING DEFINITIONS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES, NON-MEDICAL MARIJUANA SALES AND CANNABIS FARMS ARE PROHIBITED USES IN CERTAIN ZONING DISTRICTS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES ARE A PERMITTED SPECIAL EXCEPTION USE IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING ADDITIONAL STANDARDS AND CONSIDERATIONS FOR APPROVAL OF A SPECIAL EXCEPTION APPLICATION FOR A MEDICAL MARIJUANA DISPENSARY PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Pgs. 14 – 21)

NEW BUSINESS

1. Resolution 2014-06

A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA AMENDING THE CITY'S FEE SCHEDULE TO ADDRESS GARAGE SALES, YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Pgs. 22 – 23)

2. Approval Budget/TRIM Calendar (City Clerk) (Pgs. 24 – 25)
3. Consideration/Approval of Non Ad Valorem Assessment (City Clerk) (Pgs. 26 – 27)
4. Non Ad Valorem Assessment Administrative Fees (City Clerk) (Pgs. 28 – 30)
5. Consideration/Approval of Assigned and Committed Funds (Mayor) (Pgs. 31 – 33)
6. 88th Annual Florida League of Cities Conference – Voting Delegate (Pgs. 34 – 38)

(4) Decision by city council. The city engineer is not authorized to approve any applications where there are objections from any shoreline property owner within 300 feet of the property or other property owner entitled to notice under subsection (2) above, or where the city engineer or building official, in his or her discretion, believes the application should be decided by city council. When an application for a boat dock must be decided by city council, the applicant shall submit a total of nine site plans and three sets of engineered construction plans to the city clerk's office.

UNFINISHED BUSINESS**GENERAL INFORMATION (No action required)**

CITIZEN COMMENTS

BOARDS & COMMITTEES

STAFF REPORTS

City Attorney:

Police Chief:

- 1. Public Safety Status

City Clerk:

MAYOR & COUNCIL REPORTS

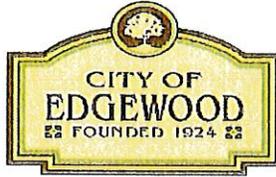
- Mayor Bagshaw
 - 1. Recording System
 - 2. Mandalay Road
- Council President Dowless
- Council Member Powell
- Council Member Henley
- Council Member Drummond
- Council Member Hendrix

ADJOURNMENT

UPCOMING MEETINGS:

- July 14, 2014.....Planning & Zoning Meeting
- July 15, 2014.....City Council Regular Meeting
- August 4, 2014.....City Council Budget Workshop (pending Council approval)
- August 18, 2014.....City Council Budget Workshop (pending Council approval)
- September 3, 2014.....Public Hearing/Adoption of final millage and tentative budget
(pending Council approval)

You are welcome to attend and express your opinion. Please be advised that Section 286.0105, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made. In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the City Clerk at (407) 851-2920.



**CITY COUNCIL – REGULAR MEETING
MAY 20, 2014**

On Tuesday, May 20, 2014, Council President Dowless called the Edgewood City Council regular meeting to order at 6:30 p.m. The invocation was given by Council Member Powell followed by the Pledge of Allegiance.

The following attendance is noted:

Ray Bagshaw, Mayor (Quorum)
John Dowless, Council President
Neil Powell, D.D.S., Council Member
Pam Henley, Council Member
Mike Hendrix, Council Member
Dan Drummond, Council Member

STAFF

Bea Meeks, City Clerk
Chief Chris Francisco
Drew Smith, City Attorney

City Clerk Meeks announced a quorum with all Council Members present.

CONSENT AGENDA

1. Review and Approval of Minutes
 - April 15, 2014 – Regular City Council Meeting
 - April 23, 2014 – Special City Council Meeting

Council Member Powell made the Motion to approve the April 15, 2014 and April 23, 2014 Minutes; Seconded by Council Member Henley. Unanimously approved (5/0).

PRESENTATIONS

Council President Dowless moved the consideration for the approval of the Hansel Boat Dock to presentations.

Doug Langford, the contractor who submitted the application for the Hansel boat dock said Mr. Hansel was not able to attend the meeting. Mr. Langford gave a brief history of prior approval in 2006 of the boat dock. He explained that Mr. Hansel's neighbor, Mr. Hewlett revoked his approval and Mr. Hansel did not move forward with the 2006 application. Mr. Hansel submitted

a new application and Mr. Hewlett has objected to the boat dock. Mr. Langford gave the specifications of the boat dock. Mr. Langford gave a PowerPoint presentation showing Council Members pictures of Mr. Hansel's property, Mr. Hewlett's property and the property on the east side of Mr. Hansel.

In response to Council Member Henley, Mr. Langford explained the setback requirements. In response to Council Member Drummond, Mr. Langford explained why Mr. Hansel's plan does not include a roof, noting that Mr. Hansel wanted to scale down. City Clerk Meeks confirmed for Council that Mr. Hewlett has not reviewed the plan or reviewed the Engineer's report. It was noted that Mr. Hewlett was not in attendance.

Council Member Drummond made the Motion to approve Ralph Hansel's boat dock as presented; Seconded by Council Member Hendrix. Unanimously approved (5/0).

1. James Sellen, Urban Land Institute (ULI)

Mr. Sellen gave a PowerPoint presentation of a local project and explained the process. He said that ULI is a volunteer group however, there is a cost associated with bringing in those who can help the City with their project. Mayor Bagshaw said that there is currently an Orange Avenue corridor plan, and asked how ULI's program will work so that the City can be recognized as its own City, and marry with the existing Orange Avenue corridor plan. Mr. Sellen said that the examples that the Mayor gave would be questions that would be sent to those who would come in and help with the City's plan for the corridor. In response to Council Member Powell, Mr. Sellen said that the panel is made up of three to five members. In response to Mayor Bagshaw, Mr. Sellen said that if the City had a scope of what they wanted to do, ULI can provide an estimate of the costs.

Mayor Bagshaw said that the City needs to develop a vision and have an overall goal. Council Member Henley said there should be a workshop. Mayor Bagshaw said the Department Of Economic Opportunity has a \$25,000 grant for streetscaping. ***It was the consensus of Council to hold a workshop on June 11, 2014, at 9 a.m.***

2. Mayoral Proclamation - Civility Month.

Noted for the record.

ORDINANCES

1. **ORDINANCE 2014-03** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 134, "ZONING," ARTICLE V, "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, "REQUIREMENTS FOR SPECIFIC USES," PROVIDING FOR ESTATE SALES AS A TEMPORARY ACCESSORY USES FOR RESIDENTIAL STRUCTURES; PROVIDING REGULATIONS RELATED TO PARKING FOR GARAGE SALES, YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

City Attorney Smith gave the first reading of Ordinance 2014-03, in title only. He noted that the number of garage/estate sales is three per calendar year. City Attorney Smith noted that City staff requested that language be included that requires a permit however, a fee will not be required. City Attorney Smith provided the proposed language.

Council Member Powell made the Motion to approve the first reading of Ordinance 2014-03; Seconded by Council President Dowless.

The Motion passed with the following roll-call vote (5/0):

<i>Council Member Powell</i>	<i>Favor</i>
<i>Council Member Henley</i>	<i>Favor</i>
<i>Council Member Drummond</i>	<i>Favor</i>
<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Hendrix</i>	<i>Favor</i>

2. **ORDINANCE 2014-04** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, CHAPTER 134, "ZONING;" PROVIDING DEFINITIONS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES, NON-MEDICAL MARIJUANA SALES AND CANNABIS FARMS ARE PROHIBITED USES IN CERTAIN ZONING DISTRICTS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES ARE A PERMITTED SPECIAL EXCEPTION USE IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING ADDITIONAL STANDARDS AND CONSIDERATIONS FOR APPROVAL OF A SPECIAL EXCEPTION APPLICATION FOR A MEDICAL MARIJUANA DISPENSARY PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

City Attorney Smith gave the first reading of Ordinance 2014-04, in title only.

Public Comment: Tina Demonstene, 5106 Leeward Way. Resident Tina Demonstene said she is a Planner and just attended a meeting regarding medical marijuana. She said that the City can prohibit the usage. Citing Section 134-438 (3), Ms. Demonstene said the word residing should be occupying. She said another issue was security; noting that it is not the use itself, it is the things that go on outside. Citing signage, she said that you cannot regulate the content of the sign however, you can regulate the size. She said that delivery service was not addressed, and should be regulated or prohibited. She said that the City may want to consider revoking a Special Exception if there is loitering, as well as for any non-compliance with the Code.

Council Member Powell made the Motion to approve the first reading of Ordinance 2014-04; Seconded by Council President Dowless.

No public comments.

Council Discussion:

- *It was the consensus of Council to include the word occupying instead of reside.*

- Security: Chief Francisco recommended imposing a fee to cover the cost of services. He said the owner should provide their own security guard. City Attorney Smith said the applicant should provide their security plan as part of their Special Exception application.
- Loitering: City Attorney Smith said that the Ordinance can include provisions for citations and revocation, if there is a problem with people hanging out around the business. (three strikes and a hearing with the magistrate).
- Delivery Services: *It was the consensus of Council to add language regarding “no” delivery services as a condition(s) of approval.*
- Sign Limitation: *It was the consensus of Council that the maximum signage is 12 sq. ft. (3x4).*
- Vending Machines: *It was the consensus of Council that vending machines will not be allowed.*

Following Council discussion, Council Member Powell withdrew his Motion; Council President Dowless agreed

Council Member Powell made the Motion to approve the first reading of Ordinance 2014-04, as amended; Seconded by Council President Dowless.

The Motion passed with the following roll-call vote (5/0):

<i>Council Member Henley</i>	<i>Favor</i>
<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Hendrix</i>	<i>Favor</i>
<i>Council President Drummond</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>

3. **ORDINANCE 2014-05** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 130, “TREE MANAGEMENT AND PROTECTION,” OF THE CODE OF ORDINANCES; RESTRICTING TREES PLANTED BENEATH POWER LINES TO UNDERSTORY TREES; PROVIDING FOR PERMITS FOR PLANTINGS, REMOVALS AND TREE MAINTENANCE CONDUCTED WITHIN CITY RIGHTS-OF-WAY TO BE ISSUED BY THE MAYOR OR HIS OR HER DESIGNEE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2014-05 in title only.

City Attorney Smith said the Ordinance is a result of recent concerns regarding the removal of trees. He said this is the only place in the Code that gives the Council President authority; the subject Ordinance removes the Council President, and makes it consistent with the rest of the Code. He said the Mayor already had the authority pursuant to Chapter 130 of the Code.

Council President Dowless made the Motion to approve the first reading of Ordinance 2014-05; Seconded by Council Member Henley.

Public Comments:

Brett Barner, 5101 Cranes Point Court, Edgewood, FL. Resident Barner said he had concerns with one person having the full authority to approve the removal of trees. Mayor Bagshaw said the intent of the Ordinance is for replacement trees, and new construction. In response to Council President Dowless, City Attorney Smith said other cities have a process that includes requiring a permit for removing City trees. City Attorney Smith said the Ordinance addresses the removal of trees in the right of way, but does not build-in an exception for emergencies. Mr. Barner said he wanted the Ordinance to include approval by the Mayor and the Council President or designee.

Resident Tina Demonstene said that in most cities the removal of trees is a staff review, and not Council. She said if you are going to allow a tree replacement, add a tree ratio of 3 to 1, and in some cases it could be 4 to 1, depending on the tree replacement.

Council Member Henley said she wants to make sure that the rules are being followed. Council President Dowless said he would like to research replacement ratio. He also said to take out the word removal (line 142) and add an emergency clause.

It was the consensus of Council to table until the June 17, 2014 City Council meeting.

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

1. **ORDINANCE 2014-01** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 30, "HEALTH AND SANITATION," ARTICLE III, "SOLID WASTE," TO INCLUDE COLLECTION OF RECYCLED HOUSEHOLD ITEMS IN THE PROHIBITION ON COLLECTION OF REFUSE AND GARBAGE WITHOUT A FRANCHISE AGREEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2014-01 in title only.

Council Member Powell made the Motion to approve the Second and Final reading of Ordinance 2014-01; Seconded by Council Member Hendrix.

Opened/Closed for public hearing. No public comments.

No Council discussion.

The Motion passed with the following roll-call vote (5/0):

<i>Council Member Henley</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>

<i>Council Member Hendrix</i>	<i>Favor</i>
<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Drummond</i>	<i>Favor</i>

2. **ORDINANCE 2014-02** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING SECTION 2-49 RELATED TO SPECIAL MEETINGS OF THE CITY COUNCIL; PROVIDING FOR ALTERNATIVE METHODS OF NOTIFICATION TO COUNCIL MEMBERS OF SPECIAL MEETINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2014-02 in title only.

Council Member Powell made the Motion to approve the Second and Final reading of Ordinance 2014-02; Seconded by Council Member Hendrix.

Opened/Closed for public hearing. No public comments.

No Council discussion.

The Motion passed with the following roll-call vote (5/0):

<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Hendrix</i>	<i>Favor</i>
<i>Council Member Drummond</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>
<i>Council Member Henley</i>	<i>Favor</i>

NEW BUSINESS

1. DOT State Highway Lighting, Maintenance and Compensation Agreement
 - **Resolution 2014-05:** A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO A TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Smith read Resolution 2014-05 in title only

Council Member Powell made the Motion to approve Resolution 2014-05 as presented; Seconded by Council President Dowless.

The Motion passed with the following roll-call vote (5/0):

<i>Council Member Hendrix</i>	<i>Favor</i>
<i>Council Member Drummond</i>	<i>Favor</i>
<i>Council President Dowless</i>	<i>Favor</i>

Council Member Powell
Council Member Henley

Favor
Favor

UNFINISHED BUSINESS

None.

GENERAL INFORMATION (No action required)

None.

CITIZEN COMMENTS

None.

BOARDS & COMMITTEES

None.

STAFF REPORTS

City Attorney:

No report.

Police Chief:

Chief Francisco reported on the following:

- 218 citations issued.
- An arrest was made in the Randall Knives burglary.
- Reported that FDLE is behind approximately one year for providing latent prints. He says that the City may be using a retired latent examiner, who is still certified. He said the examiner has already been successful in two cases for the City.
- He said that they are now sending out thank you letters to those who have complied with a notice of violation who corrected their violation.
- Reported on some open cases that his department is working to close out.
- Noted some issues with SunRail related to the arm staying down; causing traffic to back up.

- Reported that PD is starting to use Facebook for public relation purposes.
- Reported that the Police Department will be holding a business meeting with commercial business owners in the City of Edgewood.
- Reported on hurricane preparedness.

City Clerk:

- Referred to her report provided to council via email. There were no questions or comments from Council members.

MAYOR & COUNCIL REPORTS

Mayor Bagshaw:

Mayor Bagshaw reported on the following:

- Reported that the Department Of Economic Opportunity has a grant for streetscaping. He said it is a matching grant.
- Reported that he met with Elden McDermitt and the April financial statement is done. He said Elden has done the adjusting journal entries provided from the auditor. He said there is still some clean up to the General Ledger to be done. He said that Lindsey, who provides accounting services for the City, will be out of office in late August to September on maternity leave. He said that McDermitt-Davis has a plan in place. He reported that Peachtree 2012 is going to be retired, so an update will be done. He said that McDermitt-Davis is looking at budget modules as a tool for the City as a format for preparing the budget.

Council President Dowless:

No report.

Council Member Powell:

Reported that the City still has not developed a theme. He suggested a prize for woodworking (carved-assembled-built). He said Council might want to consider a wood theme for an annual event.

Council Member Henley:

Reported that there was no Friends of the Cypress Grove Park meeting held in April.

Council Member Drummond:

Council Member Drummond reported on the following:

- He said he talked to Jim Worthen regarding HAINC meetings and found out he has no scheduling conflict.
- He said he met with the Mayor regarding striping on Orange Avenue.

Council Member Hendrix:

No report.

ADJOURNMENT

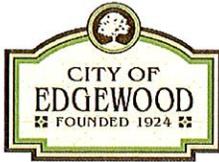
Council Member Powell made the Motion to adjourn the meeting. The meeting adjourned at 9:35 p.m.

ATTEST:

John Dowless
Council President

Bea L. Meeks, MMC
City Clerk

Approved by Council on _____.



From the desk of the City Clerk....

Bea L. Meeks, MMC, CPM, CBTO

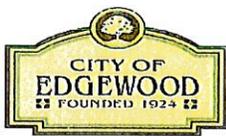
TO: Mayor Bagshaw, Council President Dowless, Council Members Powell,
Henley, Hendrix & Drummond

DATE: June 12, 2014

RE: Ordinances (2nd & Final Reading)

The second and final reading and consideration for approval of Ordinances 2014-03 and 2014-04 will be held in the June 17, 2014 City Council meeting. For your consideration, you have the following in your agenda packet:

1. A memo summarizing the Planning & Zoning Board's recommendation of both Ordinances.
2. Ordinance 2014-03
3. Ordinance 2014-04



Memorandum

To: Bea Meeks, City Clerk
From: Cinnamon Wild, Administrative Assistant
Date: 6/12/2014
Re: Planning and Zoning Meeting 05/12/2014

Ordinance No. 2014-03

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 134, "ZONING," ARTICLE V, "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, "REQUIREMENTS FOR SPECIFIC USES," PROVIDING FOR ESTATE SALES AS A TEMPORARY ACCESSORY USES FOR RESIDENTIAL STRUCTURES; PROVIDING REGULATIONS RELATED TO PARKING FOR GARAGE SALES, YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

At the Planning & Zoning Board Meeting on 05/12/2014 Board Member Lomas made the motion to recommend approval of the Ordinance; Seconded by Board Member Fischer. Unanimously approved 4/0.

ORDINANCE 2014-04

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, CHAPTER 134, "ZONING;" PROVIDING DEFINITIONS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES, NON-MEDICAL MARIJUANA SALES AND CANNABIS FARMS ARE PROHIBITED USES IN CERTAIN ZONING DISTRICTS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES ARE A PERMITTED SPECIAL EXCEPTION USE IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING ADDITIONAL STANDARDS AND CONSIDERATIONS FOR APPROVAL OF A SPECIAL EXCEPTION APPLICATION FOR A MEDICAL MARIJUANA DISPENSARY PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

At the Planning & Zoning Board Meeting on 05/12/2014 Board Member Rayburn made the motion to recommend approval of the Ordinance; Seconded by Chairwoman Dunay. Unanimously approved 4/0.

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ORDINANCE NO. 2014-03

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 134, "ZONING," ARTICLE V, "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, "REQUIREMENTS FOR SPECIFIC USES," PROVIDING FOR ESTATE SALES AS A TEMPORARY ACCESSORY USES FOR RESIDENTIAL STRUCTURES; PROVIDING REGULATIONS RELATED TO PARKING FOR GARAGE SALES, YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances recognizes garage sale and yard sales as permitted temporary accessory uses for residential structures; and

WHEREAS, the City Council of the City of Edgewood, Florida finds it appropriate to also recognize estate sales as a permitted temporary accessory use for residential structures; and

WHEREAS, the City Council of the City of Edgewood, Florida finds that in order to protect the public from traffic hazards that can occur when parking for garage sales, yard sales and estate sales is not adequately controlled, it is necessary to provide regulations related to parking for garage sales, yard sales and estates sales.

SECTION 1. **Recitals Adopted.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Chapter 134, "Zoning," Article V, "Supplemental District Regulations," Division 2, "Requirements for Specific Uses," of the City of Edgewood Code of Ordinances, is hereby amended as follows (Note, Underlined words constitute the additions to the existing text of the Code of Ordinances, strikethroughs constitute deletions to the existing text and plain text is text that remains unchanged by this Ordinance):

Sec. 134-524. –Garage Sales, ~~and~~ Yard Sales, and Estate Sales.

Garage sales, ~~or~~ yard sales and estate sales shall be a permitted temporary accessory uses on any residential building site in accordance with the following requirements:

- (1) Frequency. No garage sale, ~~or~~ yard sale or estate sale shall be conducted at a frequency of more than ~~twice~~ three times per calendar year, nor shall any individual garage sale, ~~or~~ yard sale or estate sale exceed a duration of more than two consecutive weekends. Any such activity exceeding

41 these requirements shall be deemed to be an open air market as defined by this chapter, and shall
42 be permitted only in accordance with the requirements for open air markets.

43 (2) Parking. Parking shall be controlled by the operator of the garage sale, yard sale or estate sale so
44 as not to create any traffic hazards on adjacent streets. In the event any code enforcement officer
45 or police officer observes a traffic hazard causes by parking for the garage sale, yard sale or estate
46 sale, the operator of the garage sale, yard sale or estate sale shall be required by code enforcement
47 or police officers to cease all sales activity until the parking is controlled so as to not create a
48 traffic hazard. Failure to comply with a notice to cease sales activity until parking is controlled as
49 provided herein may result in issuance of a civil citation or other code enforcement action.

50 (3) ~~No permit required.~~ Permit required. ~~No building permit or other permit shall be required to~~
51 ~~conduct a garage or yard sale.~~ Garage sales, yard sales and estate sales shall require a permit
52 issued by the city. Applications shall be made on a form provided by the city. Application fees
53 for garage sale, yard sale and estate sale permits shall be established by Resolution.

54 **SECTION 3: Codification:** Section 2 of this Ordinance shall be codified and made part of the
55 City of Edgewood Code of Ordinances.

56
57 **SECTION 4: Control:** In the event of a conflict or conflicts between this ordinance and other
58 ordinances, this ordinance controls.

59
60 **SECTION 5: Severability:** It is the intent of the City Council of the City of Edgewood, and is
61 hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is
62 held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
63 unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions
64 of this Ordinance.

65
66 **SECTION 6: Effective Date:** This Ordinance shall become effective upon final passage and
67 adoption.

68
69 **ADOPTED** by the City Council of the City of Edgewood, Florida, this ____ day of
70 _____, 2014.

71
72
73 _____
John Dowless, Council President

74 *ATTEST:*

75
76 _____
77 Bea Meeks, MMC, CPM
78 City Clerk

46 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**
7 **CITY OF EDGEWOOD, FLORIDA THAT:**

3
49 **SECTION 1.** Chapter 134, "Zoning," Article IV, "District Regulations," of the City of
50 Edgewood Code of Ordinances is hereby amended as follows (note: strikethrough text indicates
51 deletions, underline text indicates additions, ellipses (***) identify text that remains unchanged
52 and that is not reprinted herein):

53
54 **DIVISION 6. –P-O PROFESSIONAL OFFICE DISTRICT**

55
56 * * *

57
58 **Sec. 134-317. - Uses prohibited.**

59
60 The following uses shall be prohibited in the P-O district:

61
62 (1) Any business, except a medical or dental clinic or pharmacy, which
63 displays merchandise for sale at retail or wholesale, or any business requiring the
64 physical handling of merchandise to be sold at retail or wholesale on the premises.

65
66 (2) Any use conducted either partially or totally outside a building or structure
67 except for parking areas.

68
69 (3) Veterinary establishments.

70
71 (4) Medical Marijuana Dispensaries.

72
73 (5) Non-medical Marijuana Sales.

74
75 (6) Cannabis Farm.

76
77 (4)(7) Other uses which are similar to those listed above, and which are not
78 specifically permitted in this division and which the prohibition thereof would
79 maintain the intent and authority and directive of the city council, which shall be
80 determined after public notice and public hearing.

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84 **DIVISION 7. –C-1 RETAIL COMMERCIAL DISTRICT**

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88 **Sec. 134-347. - Uses prohibited.**

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90 The following uses shall be prohibited in any C-1 retail commercial district:

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- (1) Title loan stores.
- (2) Check cashing, payday advance stores, or other similar businesses.
- (3) Labor pool offices.
- (4) Bail bond offices.
- (5) Tattoo, body piercing, massage parlors and fortunetelling shops.
- (6) Soup kitchens.
- (7) Runaway and related emergency shelters; homeless shelters.
- (8) Convalescent facilities.
- (9) Residential social service facilities; welfare, food stamp, and other social service offices and institutional facilities.
- (10) Treatment and recovery facilities.
- (11) New and used automobile and boat sales.
- (12) Medical Marijuana Dispensaries.
- (13) Non-medical Marijuana Sales.
- (14) Cannabis Farm.
- ~~(11)~~(15) Other similar uses consistent with this subsection.
- ~~(12)~~—~~New and used automobile and boat sales.~~
- ~~(13)~~(16) Any use or activity which is not in full compliance with all the requirements and standards set forth in this division.
- ~~(14)~~(17) Uses listed in section 134-403, except uses listed at section 134-403(1), or section 134-404 of the C-3, wholesale commercial district (article IV, division 9 of this chapter).

DIVISION 10. –I INDUSTRIAL DISTRICT

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Sec. 134-437. – Uses Prohibited.

The following uses shall be prohibited in any I Industrial district:

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- (1) Non-medical Marijuana Sales.
 - (2) Cannabis Farm

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Sec. 134-438. – Special Exception uses.

Medical Marijuana Dispensaries. Medical Marijuana Dispensaries shall be allowed as a special exception use upon application, hearing and approval as provided in this Code of Ordinances. An application for special exception use for a Medical Marijuana Dispensary may be denied, approved or approved with conditions. In considering an application for special exception pursuant to this section, planning and zoning board and the city council shall consider the following criteria:

- (1) Compatibility of the proposed facility with the surrounding uses.
- (2) The size of the lot on which the proposed facility will be located.
- (3) The maximum number of persons that can occupy the proposed facility.
- (4) The amount of traffic generated by the proposed facility.
- (5) The general health, safety and welfare of the community.
- (6) All safety measures to be implemented by the applicant to protect the property, employees and invitees during and outside of its operating hours.

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In addition to all other requirements and conditions, the applicant shall comply with all the following conditions contained herein. No special exception for a Medical Marijuana Dispensary shall be approved unless the applicant has shown by competent substantial evidence its ability to comply with each of the conditions contained herein.

- (1) Loitering. A Medical Marijuana Dispensary shall provide adequate seating for its patients and business invitees and shall not allow patients or business invitee to stand, sit (including in a parked car), or gather or loiter outside of the building where the dispensary operates, including in any parking areas, sidewalks, right-of-way, or neighboring properties for any period of time longer than that reasonably required to arrive and depart. The Medical Marijuana Dispensary shall post conspicuous signs on at least three sides of the building that no loitering is allowed on the property.
- (2) No drive through service. No Medical Marijuana Dispensary shall have a drive through or drive in service aisle. All dispensing, payment for and receipt of products shall occur from inside the Medical Marijuana Dispensary.
- (3) Alcoholic Beverages. No consumption of alcoholic beverages shall be allowed on the premises on which a Medical Marijuana Dispensary is located, including the parking areas and sidewalks.

184 (4) Separation Distances. No Medical Marijuana Dispensary shall
185 operate within two thousand five hundred (2,500) feet of any pre-existing
186 school, church, day care facility, public park or another Medical
187 Marijuana Dispensary.

188 (5) No Deliver Service. No Medical Marijuana Dispensary shall
189 conduct any form of off-site delivery service of Medical Marijuana.

190 (6) No vending machines. No Medical Marijuana Dispensary shall
191 utilize any type of vending machines for the dispensing of Medical
192 Marijuana.

193 (7) Maximum copy area of freestanding signs. The maximum
194 aggregate copy area for any freestanding signs utilized by a Medical
195 Marijuana Dispensary shall be twelve square feet.

196 (8) Security. Every Medical Marijuana Dispensary shall incorporate
197 safety measures to protect its property, employees and invitees during and
198 outside of the dispensary's business hours, which measures shall include
199 at a minimum installation of a security system and/or security personnel.

200 (9) Compliance with Other Laws. All Medical Marijuana Dispensaries
201 shall at all times be in compliance with all federal, state and local laws and
202 regulations.

203 (10) Revocation of Permit. In the event any Medical Marijuana
204 Dispensary is found to have violated the provisions of this Section or any
205 other conditions of approval of the special exception three times within
206 any twelve month period, the city shall as soon as reasonably practical
207 schedule a hearing before the code enforcement special magistrate. Upon
208 the city establishing by competent substantial evidence that the Medical
209 Marijuana Dispensary has violated the provisions of this Section or any
210 other conditions of approval of the special exception three times within
211 any twelve month period, the code enforcement special magistrate shall
212 order the special exception revoked. Any Medical Marijuana Dispensary
213 that has its special exception revoked pursuant to this paragraph shall not
214 be eligible to reapply for a special exception for twelve months from the
215 date of the revocation.

217 Each application for a special exception shall be accompanied by a site plan
218 incorporating the regulations established herein. The site plan shall be drawn to
219 scale indicating property lines, rights-of-way, and the location of buildings,
220 parking areas, curb cuts and driveways. Said site plan shall be submitted to and
221 considered by the planning and zoning board and the city council as provided for
222 in article II of this chapter prior to the granting of a building permit. Upon such
223 approval, said site plan becomes a part of the building permit and may be
224 amended only by action of the city council after recommendation by the planning
225 and zoning board.

226 * * *

229 **SECTION 2.** Chapter 134, “Zoning,” Article I, “In General,” of the City of Edgewood
230 Code of Ordinances is hereby amended as follows (note: strikethrough text indicates deletions,
231 underline text indicates additions, ellipses (***) identify text that remains unchanged and that is
232 not reprinted herein):

233
234 **Sec. 134-1. – Definitions.**

235 * * *
236
237 Cannabis. Any plant or part of a plant of the genus *Cannabis*, whether growing or
238 not; the seeds thereof; the resin extracted from any part of the plant; and every
239 compound, manufacture, salt, derivative, mixture, or preparation of the plant or
240 its seeds or resin

241
242 Cannabis Farm. Any property used in whole or in part for the growing or
243 cultivation of Cannabis plants, whether or not such growing or cultivation is
244 lawful under federal or state law.

245
246 Medical Marijuana Dispensary. A facility that is operated by an organization or
247 business holding all necessary licenses and permits from which marijuana,
248 cannabis, cannabis-based products, or cannabis plants are delivered, purchased,
249 possessed, or dispensed for medical purposes and operated in accordance with all
250 local, federal and state laws. Physicians authorized by State law to order low-
251 THC cannabis, as defined in Florida Statutes, for patients’ medical use are not
252 included in the definition of Medical Marijuana Dispensary.

253
254 Medical Use. The prescriptive use of any form of cannabis to treat a qualifying
255 medical condition and the symptoms associated with that condition or to alleviate
256 the side effects of a qualifying medical treatment.

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258 * * *

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260 Non-Medical Marijuana Sales. The purchase, sale, transfer or delivery of
261 marijuana, cannabis, cannabis-based products or cannabis plants when such sale,
262 transfer or delivery is not associated with any medical purpose or use, whether or
263 not such purchase, sale, transfer or delivery is lawful under federal or state law.

264
265 * * *

266
267 **SECTION 3.** Chapter 134, “Zoning,” Article V, “Supplement District Regulations,” of
268 the City of Edgewood Code of Ordinances is hereby amended as follows (note: strikethrough
269 text indicates deletions, underline text indicates additions, ellipses (***) identify text that
270 remains unchanged and that is not reprinted herein):

271
272 **Sec. 134-518. –Home Occupations.**

273

274 Prohibited home occupations. Notwithstanding any other provision of this section,
5 the following uses shall be prohibited as home occupations:
6 Adult entertainment.
277 Antique shops.
278 Auto service and repair.
279 Barbershops and beauty shops.
280 Bed and breakfast facilities.
281 Cannabis Farms.
282 Child care centers.
283 Churches.
284 Clubs, private.
285 Drive-in facilities.
286 Eating and drinking establishments.
287 Food processing.
288 Fortunetellers.
289 Funeral homes.
290 Group instruction of more than four people.
291 Health spas.
292 Hospital and clinics.
293 Hotels/motels.
294 Kennels.
295 Massage establishments.
296 Medical Marijuana Dispensaries.
297 Non-medical Marijuana Sales.
3 Plasmapheresis facilities.
299 Primary offices of professionals.
300 Vehicle sales, rental or repair.
301 Whole blood facilities.
302 Any other similar use or activity as determined by the city clerk.
303

304 **SECTION 4. CODIFICATION.** It is the intent of the City Council of the City of
305 Edgewood that the provisions of this Ordinance shall be codified. The codifier is granted broad
306 and liberal authority in codifying the provision of this Ordinance.
307

308 **SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word or portion of
309 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall
310 not be held to invalidate or impair the validity, force or effect of any other section, sentence,
311 phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
312 unconstitutional.
313

314 **SECTION 6. CONFLICTS.** In any case where a provision of this Ordinance is found
315 to be in conflict with a provision of any other ordinance of this City, the provision which
316 establishes the higher standards for the promotion and protection of the health and safety of the
317 people shall prevail.
318

RESOLUTION NO. 2014-06

A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA AMENDING THE CITY'S FEE SCHEDULE TO ADDRESS GARAGE SALES, YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Edgewood City Council has amended the City's Code of Ordinances to require a permit for garage sales, yard sales and estate sales; and

WHEREAS, the City Council finds it appropriate to include garage sales, yard sales and estate sales; and

WHEREAS, the City Council believes that review, issuance and administration of garage sale and yard sale permits will not require substantial additional staff time or labor; and

WHEREAS, the City Council finds it appropriate to not require a fee for garage sale and yard sale permit applications; and

WHEREAS, the City Council shall revisit the appropriateness of not requiring a fee for garage sales and yard sales in the event review, issuance and administration of such permits does require substantial additional staff time or labor; and

WHEREAS, due to the nature and size of many estate sales, the City Council finds that estate sales may require additional staff time and labor in review and administration of estate sale permits; and

WHEREAS, because of the expected additional time and labor required for review and administration of estate sale permits; the City Council finds it appropriate to require a fee for estate sale permit applications.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, as follows:

Section 1. The following fees are added to the City's existing fee schedule.

SERVICE	FEE	CODE/STATUTORY REFERENCE (if applicable)
Yard Sale or Garage Sale Permit Application	No fee	Sec. 134-524
Estate Sale Permit Application	\$50.00	Sec. 134-524

Section 2. Conflicts. All resolutions or parts thereof that are in conflict with this Resolution be and the same are hereby repealed.

Section 3. Severability. If any portion of this Resolution is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this Resolution.

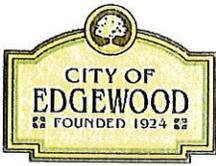
Section 4. Effective Date. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this _____ day of _____, 2014, by the City Council of the City of Edgewood, Florida.

John Dowless, Council President

ATTEST:

Bea Meeks, MMC, CPM
City Clerk



From the desk of the City Clerk...

Bea L. Meeks, MMC, CPM, CBTO

TO: Mayor Bagshaw, Council President Dowless, Council Members Powell,
Henley, Hendrix & Drummond

DATE: June 12, 2014

RE: TRIM Calendar

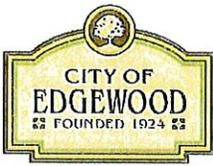
In your agenda packet is the tentative TRIM calendar. The TRIM calendar aligns with the requirements of Florida Statute. The dates may change if: (1) The County or School Board changes their hearing date(s), or (2) Council changes a hearing date(s). Any changes in the date(s) that a public hearing is held may change when the hearing notice is published in the Orlando Sentinel.

I am requesting that the calendar be approved as presented, with the authorization to change an advertisement date(s), as long as the publication complies with TRIM.

TRIM & Budget Timetable / Important Dates-

June 17, 2014	Approve Non Ad Valorem Assessment at City Council Meeting
July 1 st (First Day of TRIM)	OCPA certifies taxable value on DR-420
July 15 – Regular Council Meeting	Set tentative millage rate, set public hearing date for final millage and proposed FY2014-2015 Budget
August 3 rd	Forward to OCPA: <ul style="list-style-type: none"> • Prior year millage • Current year proposed millage • Current year roll-back rate • Date, time, meeting place of the tentative budget hearing
August 4 th (Monday) – Council Workshop	FY 2014-2015 Budget workshop
August 24 th	OCPA mails out the Notice of Proposed Property Taxes (TRIM Notice) Form DR-474, this is the advertisement of the 1 st TRIM hearing
August 18 th (Monday) – Council Workshop	FY 2014-2015 Budget workshop
September 3 rd (Tuesday) – Special Council Meeting	Public hearing / adoption of the tentative budget & proposed millage (must be held between Sept 3-18; cannot be held on July 29 th and Sept 4, 18 & 9-OCPS & BCC dates)
September 13 th	Advertise in the newspaper the public hearing / adoption of final millage & budget (must be done within 15 days of public hearing / adoption of the tentative budget & proposed millage)
September 16 th – Regular Council Meeting	Final public hearing / adoption of millage & budget (must be held within 2-5 days after advertisement)
September 19 th	Send ordinance adopting final millage & budget to OCPA, tax collector, and DOR. (must be done within 3 days of final hearing)
By October 17 th	Submit TRIM Compliance package

FY 14/15



From the desk of the City Clerk...

Bea L. Meeks, MMC, CPM, CBTO

TO: Mayor Bagshaw, Council President Dowless, Council Members Powell,
Henley, Hendrix & Drummond

DATE: June 12, 2014

RE: Non Ad Valorem Assessment

In your agenda packet is correspondence from Mark Webster, Orange County Property Appraiser's office, regarding the deadline for municipalities to submit their non ad valorem assessments for TRIM. The Mayor and I have talked to Alan Morrison, Waste Management, regarding the non ad valorem assessments for the FY 14/15, and have been assured that Waste Management will not be increasing the City's fees. Based on this information, I recommend that the City's non ad valorem assessment remain at the current annual rate of \$292.96. It should be noted that Council did not increase the non ad valorem assessment for the current fiscal year.

Bea Meeks

From: Mark Webster <mwebster@ocpafl.org>
Date: Wednesday, May 14, 2014 10:15 AM
To: Rose Flores (rosemary.flores@cityoforlando.net); Asaad Kudera (asaad.kudera@cityoforlando.net); Wes Hamil (whamil@cityofwinterpark.org); Jason Showe (jshowe@govmgtsvc.com); (ELangston@severntrentms.com); LaCap, Luvinia; Sherry Gutch; Amanda Lane; Joe MacLaren (joem@fishkind.com); Laura Zielonka; Nora White (nwhite@town.windermere.fl.us); dawnm_rdd298@bellsouth.net; Bea Meeks; 'ehyatt@apopka.net'; Keith Severns (kseverns@cobifl.com); Brian Ross (bross@ci.ocoee.fl.us); Mike Ohalloran (mohalloran@ci.ocoee.fl.us)
Cc: Roger A. Ross
Subject: Non-ad valorem assessment deadline for TRIMs
Importance: High

Good morning,

The deadline for submission of 2013 non-ad valorem assessments for TRIMs is Tuesday, July 1st. Please submit your assessments by **Friday, June 27th** so that we may finalize them. Let me know if there are any questions.

Thank you,

Mark Webster | Customer Service Manager

Representing the Honorable Rick Singh | Orange County Property Appraiser

200 S. Orange Ave | Suite 1700 | Orlando, FL 32801

407.836.5010 work | 407.836.5949 fax

mwebster@ocpafl.org | www.ocpafl.org

Connect with Rick:

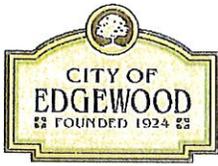


Is someone you know receiving a property tax exemption they don't qualify for in Orange County? Call our **Fraud Hotline**: 407-836-5046. You can remain anonymous and help us ensure everyone pays their fair share.

Connect to the [Property Line](#) and be the first to know of the latest website features, new tax saving exemptions, pertinent legislative changes and other items important to both home and business owners.

This communication is intended only for the individual(s) or entity(s) named within the message. If the reader of this message is not the intended recipient, or the agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of this communication is prohibited by the sender and to do so might constitute a violation of the Electronic Communications Privacy Act, 18 U.S.C. section 2510-2521. If this communication was received in error we apologize for the intrusion. Please notify us and delete the original message without reading same.

Florida has a very broad public records law. As a result, any written communication, including email addresses and phone/fax numbers, created or received by Orange County officials and employees will be made available to the public and media upon request unless such written communication falls within an exception or exemption to the Public Records Act. If you do not want your e-mail address and phone/fax numbers released in response to a public records request, do not send electronic communications to this entity. Instead, contact this office by phone. Florida Statute Chapter 119 and 688 6076



From the desk of the City Clerk...

Bea L. Meeks, MMC, CPM, CBTO

B

TO: Mayor Bagshaw, Council President Dowless, Council Members Powell, Henley, Hendrix & Drummond

DATE: June 12, 2014

RE: Non Ad Valorem Administrative Fee

In your agenda packet you will find a copy of correspondence from Rick Singh, CFA, Orange County Property Appraiser, regarding a non ad valorem administrative fee. You will note that the fee is \$1.00 per parcel assessed. In email communication with Roger Ross, Orange County property Appraiser's office, I was told that the City's fee will be approximately \$1181.00. I think that the amount may be lower, as I believe the City has 845 houses. I think that Camelot Condominiums may have been included in the count. As you can see, either way the fee is not significant.

This information is being provided to you so that you are aware of the institution of this fee. No action is being requested.

HON. RICK SINGH, CFA
ORANGE COUNTY PROPERTY APPRAISER

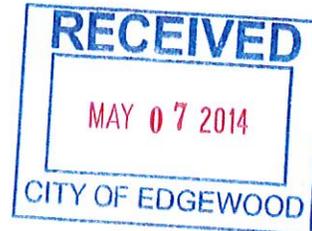
700 S. Orange Avenue, Suite 1700 • Orlando, Florida 32801-3438 • (407) 836-5044



"Exceeding Excellence"

May 6, 2014

Bea Meeks, City Clerk
City of Edgewood
405 Larue Avenue
Edgewood, FL 32809



Subject: Non-Ad Valorem Assessment Administrative Fee

Dear Bea,

This letter is in reference to the non-ad valorem assessments that *City of Edgewood* levies on real property in Orange County and the administrative costs incurred by our office to process and distribute those assessments on the tax roll each year.

The primary mission of the Orange County Property Appraiser is to assess all real and tangible personal property in Orange County and prepare the annual tax roll. However, for many decades this office has assumed the additional cost and responsibility of processing non-ad valorem assessments on the tax roll and on the Notice of Proposed Property Taxes.

My senior staff and I have reviewed the revenues and expenditures of the Orange County Property Appraiser's office to ensure there are no excesses or deficiencies in the budget. Our review shows that our office is not being adequately reimbursed for administrative expenses associated with non-ad valorem assessment levies on the tax roll.

Originally, the administrative work of processing non-ad valorem assessments may have been a minor "collateral duty" for the office. This is no longer true. We now process non-ad valorem assessments for some 183,500 parcels where assessments are imposed by 8 municipalities, 10 community development districts and 2 drainage districts.

Our review shows that the administrative cost of processing non-ad valorem assessments for municipalities, community development districts and drainage districts is approximately \$284,600. State law allows us to be reimbursed for those administrative costs, which include, but are not limited to, costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. Arguably, State law (197.3632 (2), Fla. Stat.) mandates that we be reimbursed. Regardless, under the few existing agreements between the Property Appraiser's office and the assessing municipalities, community development districts and drainage districts, we currently are reimbursed only some \$13,500.00, or a mere 4.7% of our actual administrative costs.



Facebook.com/OCPA



www.ocpafl.org



@RickSinghOCPA

Because of this, I am asking the assessing municipalities, community development districts and drainage districts to reimburse us for the cost of processing non-ad valorem assessments on the tax roll. Accordingly, we will be invoicing each of the municipalities, community development districts and drainage districts the amount of \$1.00 per parcel assessed.

Please recognize that we are charging only \$1.00 per parcel, *not* per assessment. We believe this charge of \$1.00 per parcel is an immaterial amount compared to the assessment revenues being collected via the tax roll. Specifically, our research shows that, for the vast majority of parcels, the charge will be *less than 1%* of the total assessments being paid on each of those parcels.

This per-parcel charge will recover, in the aggregate, some \$183,500 which will serve merely as cost reimbursement for our office. However, this will *not* be a recovery of 100% of our administrative costs. These funds will cover only about 64% of our aggregate cost to process the non-ad valorem assessments for the municipalities, community development districts and drainage districts. We believe this is a reasonable cost recovery, far from excessive. In any event, we expect that if you were to undertake this process yourself without the assistance of our office, your expense would be far greater than the \$1.00 per parcel charge.

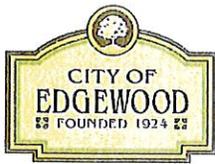
This fee will be invoiced each October 1st, beginning this year, and will be effective for your 2014/2015 fiscal budget and 2015 tax roll processing.

If you have any questions about this new fee structure, please contact Roger Ross, Director of Customer Service & Tax Roll at (407)836-5074 or ross@ocpafl.org. We are eager to continue serving you and thank you for your continued service to our residents and property owners.

Very truly yours,



RICK SINGH, CFA
Orange County Property Appraiser



From the desk of the City Clerk....

Bea L. Meeks, MMC, CPM, CBTO

BM

TO: Mayor Bagshaw, Council President Dowless, Council Members Powell, Henley, Hendrix & Drummond

DATE: June 12, 2014

RE: Non Ad Valorem Administrative Fee

In your packet you will find information regarding GASB 54. The information is being provided to you as review, and in preparation of consideration for the Mayor's request regarding these funds.

SUMMARY OF STATEMENT NO. 54

SUMMARIES / STATUS

SUMMARY OF STATEMENT NO. 54

FUND BALANCE REPORTING AND GOVERNMENTAL FUND TYPE DEFINITIONS

(ISSUED 02/09)

The objective of this Statement is to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied and by clarifying the existing governmental fund type definitions. This Statement establishes fund balance classifications that comprise a hierarchy based primarily on the extent to which a government is bound to observe constraints imposed upon the use of the resources reported in governmental funds.

The initial distinction that is made in reporting fund balance information is identifying amounts that are considered *nonspendable*, such as fund balance associated with inventories. This Statement also provides for additional classification as restricted, committed, assigned, and unassigned based on the relative strength of the constraints that control how specific amounts can be spent.

The *restricted* fund balance category includes amounts that can be spent only for the specific purposes stipulated by constitution, external resource providers, or through enabling legislation. The *committed* fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of decision-making authority. Amounts in the *assigned* fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as restricted or committed. In governmental funds other than the general fund, assigned fund balance represents the remaining amount that is not restricted or committed. *Unassigned* fund balance is the residual classification for the government's general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification should be used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed, or assigned. Governments are required to disclose information about the processes through which constraints are imposed on amounts in the committed and assigned classifications.

Governments also are required to classify and report amounts in the appropriate fund balance classifications by applying their accounting policies that determine whether restricted, committed, assigned, and unassigned amounts are considered to have been spent. Disclosure of the policies in the notes to the financial statements is required.

This Statement also provides guidance for classifying stabilization amounts on the face of the balance sheet and requires disclosure of certain information about stabilization arrangements in the notes to the financial statements.

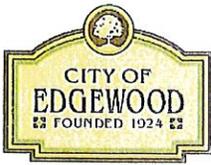
The definitions of the general fund, special revenue fund type, capital projects fund type, debt service fund type, and permanent fund type are clarified by the provisions in this Statement. Interpretations of certain terms within the definition of the special revenue fund type have been provided and, for some governments, those interpretations may affect the activities they choose to report in those funds. The capital projects fund type definition also was clarified for better alignment with the needs of preparers and users. Definitions of other governmental fund types also have been modified for clarity and consistency.

The requirements of this Statement are effective for financial statements for periods beginning after June 15, 2010. Early implementation is encouraged. Fund balance reclassifications made to conform to the provisions of this Statement should be applied retroactively by restating fund balance for all prior periods presented.

How the Changes in This Statement Will Improve Financial Reporting

The requirements in this Statement will improve financial reporting by providing fund balance categories and classifications that will be more easily understood. Elimination of the *reserved* component of fund balance in favor of a *restricted* classification will enhance the consistency between information reported in the government-wide statements and information in the governmental fund financial statements and avoid confusion about the relationship between reserved fund balance and restricted net assets. The fund balance classification approach in this Statement will require governments to classify amounts consistently, regardless of the fund type or column in which they are presented. As a result, an amount cannot be classified as restricted in one fund but unrestricted in another. The fund balance disclosures will give users information necessary to understand the processes under which constraints are imposed upon the use of resources and how those constraints may be modified or eliminated. The clarifications of the governmental fund type definitions will reduce uncertainty about which resources can or should be reported in the respective fund types.

Unless otherwise specified, pronouncements of the GASB apply to financial reports of all state and local governmental entities, including general purpose governments; public benefit corporations and authorities; public employee retirement systems; and public utilities, hospitals and other healthcare providers, and colleges and universities. Paragraph 3 discusses the applicability of this Statement.



From the desk of the City Clerk....

Bea L. Meeks, MMC, CPM, CBTO

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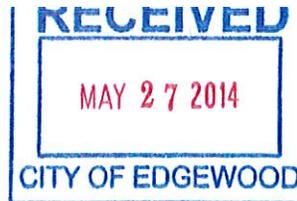
TO: Mayor Bagshaw, Council President Dowless, Council Members Powell, Henley, Hendrix & Drummond

DATE: June 12, 2014

RE: 88th Annual FLC Conference – Voting Delegate

In your packet you will find information regarding the Florida League of Cities annual conference. The conference will be held in Hollywood, Florida on August 14 – 16, in Hollywood, Florida. You will note that the League is asking for a voting delegate at the conference. Mayor Bagshaw has confirmed that he will be attending the conference. Council approved funds for Council travel/training in the current budget.

Given the aforementioned information, I am requesting Council's approval for Mayor Bagshaw to be the City's voting delegate at the 88th Annual Florida League of Cities Conference.



301 South Bronough Street • Suite 300 • P.O. Box 1757 • Tallahassee, FL 32302-1757 • (850) 222-9684 • Fax (850) 222-3806 • www.floridaleagueofcities.com

TO: Municipal Key Official
FROM: Michael Sittig, Executive Director
DATE: May 19, 2014
SUBJECT: 88th Annual FLC Conference – “*Cities take on Technology*”
VOTING DELEGATE AND RESOLUTION INFORMATION
August 14-16, 2014 – Westin Diplomat, Hollywood

As you know, the Florida League of Cities’ Annual Conference will be held at the Westin Diplomat, Hollywood, Florida on August 14-16. This year we are celebrating “*Cities take on Technology*”, which will provide valuable educational opportunities to help Florida’s municipal officials serve their citizenry more effectively.

It is important that each municipality designate one official to be the voting delegate. Election of League leadership and adoption of resolutions are undertaken during the business meeting. One official from each municipality will make decisions that determine the direction of the League.

In accordance with the League’s by-laws, each municipality’s vote is determined by population, and the League will use the Estimates of Population from the University of Florida for 2013.

Registration materials will be sent to each municipality in the month of June. Materials will also be posted on-line. Call us if you need additional copies. The League adopts resolutions each year to take positions on commemorative, constitutional or federal issues. We have attached the procedures your municipality should follow for proposing resolutions to the League membership. A resolution is not needed to become a voting delegate. If you have questions regarding resolutions, please call Allison Payne at the League at (850) 701-3602 or (800) 616-1513, extension 3602. **Proposed resolutions must be received by the League no later than July 9, 2014.**

If you have any questions on voting delegates, please call Gail Dennard at the League (850) 701-3619 or (800) 616-1513, extension 3619. **Voting delegate forms must be received by the League no later than August 11, 2014.**

Attachments: Form Designating Voting Delegate
Procedures for Submitting Conference Resolution

President **P.C. Wu**, Councilmember, Pensacola

First Vice President **Lori C. Moseley**, Mayor, Miramar • Second Vice President **Matthew D. Surrency**, Mayor, Hawthorne

Executive Director **Michael Sittig** • General Counsel **Harry Morrison, Jr.**

**88th Annual Conference
Florida League of Cities, Inc.
August 14-16, 2014
Hollywood, Florida**

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. Municipalities do not need to adopt a resolution to designate a voting delegate.

Please fill out this form and return it to the League office so that your voting delegate may be properly identified.

Designation of Voting Delegate

Name of Voting Delegate: _____

Title: _____

Municipality of: _____

AUTHORIZED BY:

Name

Title

Return this form to:

Gail Dennard
Florida League of Cities, Inc.
Post Office Box 1757
Tallahassee, FL 32302-1757
Fax to Gail Dennard at (850) 222-3806 or email gdennard@flcities.com

**Procedures for Submitting Resolutions
Florida League of Cities' 88th Annual Conference
Westin Diplomat
Hollywood, Florida
August 14-16, 2014**

In order to fairly systematize the method for presenting resolutions to the League membership, the following procedures have been instituted:

- (1) Proposed resolutions must be submitted in writing, to be received in the League office by July 9, 2014, to guarantee that they will be included in the packet of proposed resolutions that will be submitted to the Resolutions Committee.
- (2) Proposed resolutions will be rewritten for proper form, duplicated by the League office and distributed to members of the Resolutions Committee. (Whenever possible, multiple resolutions on a similar issue will be rewritten to encompass the essential subject matter in a single resolution with a listing of original proposers.)
- (3) Proposed resolutions may be submitted directly to the Resolutions Committee at the conference; however, a favorable two-thirds vote of the committee will be necessary to consider such resolutions.
- (4) Proposed resolutions may be submitted directly to the business session of the conference without prior committee approval by a vote of two-thirds of the members present. In addition, a favorable weighted vote of a majority of members present will be required for adoption.
- (5) Proposed resolutions relating to state legislation will be referred to the appropriate standing policy committee. Such proposals will not be considered by the Resolutions Committee at the conference; however, all state legislative issues will be considered by the standing policy councils and the Legislative Committee, prior to the membership, at the annual Legislative Conference each fall. At that time, a state Legislative Action Agenda will be adopted.
- (6) Proposed resolutions must address either federal issues, state constitutional issues, matters directly relating to the conference, matters recognizing statewide or national events or service by League officers. All other proposed resolutions will be referred for adoption to either the Florida League of Cities Board of Directors or FLC President.

Municipalities unable to formally adopt a resolution before the deadline may submit a letter to the League office indicating their city is considering the adoption of a resolution, outlining the subject thereof in as much detail as possible, and this letter will be forwarded to the Resolutions Committee for consideration in anticipation of receipt of the formal resolution.

Important Dates

May 2014

Notice to Local and Regional League Presidents and Municipal Associations
regarding the Resolutions Committee

June 2014

Appointment of Resolutions Committee Members

July 9th

Deadline for Submitting Resolutions to the League office

August 14th

League Standing Council Meetings
Resolutions Committee Meeting
Voting Delegates Registration

August 16th

Immediately Following Breakfast – Pick Up Voting Delegate Credentials
Followed by Annual Business Session