BOARD OF COMMISSIONERS REGULAR MEETING
TUESDAY, SEPTEMBER 5, 2023 – 6:00 PM
120 108TH AVENUE
TREASURE ISLAND, FL 33706

MEETING NOTICE AND AGENDA

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. APPROVAL OF REGULAR AND WORKSHOP AGENDAS

D. PROCLAMATIONS, RECOGNITIONS, CERTIFICATES OF APPRECIATION

D.1 Recognition of Cathy Hayduke, Parks & Recreation Director for 40 years of Service

E. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

F. COMMISSIONER REPORTS

Commissioner Toth
Commissioner Doctor
Commissioner Partridge
Commissioner Wetzel
Mayor Payne

G. APPROVAL OF MINUTES

H. CONSENT AGENDA

I. ITEMS OF BUSINESS

I.1
7-day Extension of Proclamation Declaring a State Of Local Emergency Due to Tropical Storm Idalia

Proclamation_Declaring_State_of_Emergency_-_Tropical_Storm_Idalia_09052023__02576713_.docx
Pinellas County Final Local State of Emergency - Resolution No. 23-68.pdf

State of Florida EO-23-172-1.pdf
State of Florida EO-23-171-1.pdf

I.2 Ordinance 2023-15, Adopting a Property Tax Rate for Fiscal Year 2024 - First Reading and Public Hearing
Ord_2023-15_Property_Tax_Rate_FY_2024.docx

I.3 Ordinance 2023-16, Budget for Fiscal Year 2024 - First Reading and Public Hearing

Ord._2023-16_Budget_FY_24.docx
Reconciliation_Budget_FY_24.pdf
Carryforward_List.pdf

I.4 Ordinance 2023-17 - Establishing a New Stormwater Rate Structure
Ordinance 2023-17 Stormwater Utility (02571960-3).docx
Stormwater Rate Structure Assessment And Alternatives Evaluation Project Final Report_08292023.pdf

I.5 Ordinance No. 2023-18, Adopting the FY24 City-wide Fee Schedule as Appendix A to the Code of Ordinances
Ord._2023-18_-_FY23_Fee_Schedule.docx
FY24_Proposed_Fee_Schedule.pdf

I.6 First Reading of Ordinance No. 2023-11, Allowing for the ability of the City to create and impose special assessments for capital improvements or essential services
Treasure Island - Assessments (02566352).pptx
COTI Assessment Ordinance 2023-11(02375985-5).docx

I.7 Ordinance No. 2023-14, First Reading, Amending the City Code regulating prohibition of alcohol at public facilities and parks
Ordinance_2022-14_amending_section_18-80_of_the_City_Code__02423649-3___1_.docx

I.8 Advanced Life Support First Responder Contract amendment #1 for FY23-24 with the Pinellas County EMS Authority
2023 TREASURE ISLAND ALSFR - Amendment 1 FINAL.pdf

I.9 Contract between City of Treasure Island and Saxon, Gilmore, Carraway, P.A. Special Magistrate services for Code Enforcement
Reinstate Contract 848_001.pdf
Original Special Magistrate_ Saxon Gilmore Caraway_Executed.pdf

I.10 Request to approve Resolution 2023-14 to temporarily waive the City of Treasure Island's building permit fees for water and windstorm damage on specific types of construction and repair caused by Hurricane Idalia.

RESOLUTION NO 2023-14 UPDATED 2023 0905.pdf

J. ADJOURNMENT

For any person desiring to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based [F.S. 286.0105]. NOTE: Any transcript shall be requested and made by the individual requesting same at his or her own expense. Therefore, a court reporter may be desired or required accordingly.

Any person with a disability who needs any accommodation in order to participate in this proceeding is entitled to assistance at no cost. Please contact the Office of the City Clerk in writing at 120 108th Avenue, Treasure Island, FL, 33706 or by phone at (727) 547-4575 at least two working days prior to the meeting to advise what assistance is needed.

AGENDA ITEM NO. D.1

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE:	September 5, 2023
SUBMITTED BY:	Celine Kidwell, Administration
ITEM TYPE:	Recognitions
AGENDA SECTION:	PROCLAMATIONS, RECOGNITIONS, CERTIFICATES OF APPRECIATION
SUBJECT:	Recognition of Cathy Hayduke, Parks & Recreation Director for 40 years of Service
BACKGROUND:	.
POLICY/PURPOSE:	.
STRATEGIC PLAN RELEVANCE:	.
ANALYSIS/DISCUSSION:	.
FUNDING:	.
MOTION:	.

ATTACHMENTS:

AGENDA ITEM NO. I.1

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: September 5, 2023

SUBMITTED BY: Celine Kidwell, Administration

ITEM TYPE: Proclamations

AGENDA SECTION: ITEMS OF BUSINESS

SUBJECT:

7-day Extension of Proclamation Declaring a State Of Local Emergency Due to Tropical Storm Idalia

BACKGROUND:

On August 26, 2023 Governor DeSantis issued Executive Order 23-171 declaring a state of emergency in approximately 33 counties including Pinellas County in the State of Florida due to Invest 93L. On August 28, 2023, Governor DeSantis issued Executive Order 23-172 declaring a state of emergency in multiple counties including Pinellas County in the State of Florida due to Tropical Storm Idalia; and

Also on August 28, 2023, the Board of County Commissioners of Pinellas County adopted Resolution 23-68, declaring a State of Local Emergency in Pinellas County due to Tropical Storm Idalia. On August 28, 2023, the City Commission of City of Treasure Island, after due consideration and through its proclamation of state of emergency, determined that declaring a state of local emergency due to Tropical Storm Idalia was in the best interest of the City of Treasure Island.

POLICY/PURPOSE: .

STRATEGIC PLAN RELEVANCE: .

ANALYSIS/DISCUSSION:

Tropical Storm Idalia became a Category 3, Hurricane which followed a track up Florida's west coast ultimately coming on

shore in the big bend area of Florida (20 miles south of Perry, FL) on August 30, 2023; and Hurricane Idalia brought winds, rain, and dangerous storm surge, which resulted in flooding, significant displacement of sand, and loss of power throughout the City of Treasure Island. City's Proclamation authorized the Mayor to extend the duration of the City's Proclamation in seven-day increments upon request from the City Manager, so long as a state of emergency continues to exist in the State of Florida and a state of local emergency continues to exist in Pinellas County

FUNDING: .

MOTION: I move to approve/deny and authorize the Mayor to extend the duration of this Proclamation Declaring a State of Local Emergency for the City of Treasure Island, Florida due to Hurricane Idalia.

ATTACHMENTS:
Proclamation_Declaring_State_of_Emergency_-_Tropical_Storm_Idalia_09052023__02576713_.docx
Pinellas County Final Local State of Emergency - Resolution No. 23-68.pdf
State of Florida EO-23-172-1.pdf
State of Florida EO-23-171-1.pdf

CITY OF TREASURE ISLAND, FLORIDA
PROCLAMATION OF STATE OF EMERGENCY

DECLARING A STATE OF LOCAL EMERGENCY PURSUANT TO SECTION 252.38, FLORIDA STATUTES AND SECTION 10-79 OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES IN ORDER TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE DUE TO HURRICAN IDALIA AND PROVIDING FOR THE EXTENSION OF SUCH DECLARATION, AS NECESSARY

WHEREAS, on August 26, 2023, Governor DeSantis issued Executive Order 23-171 declaring a state of emergency in approximately 33 counties including Pinellas County in the State of Florida due to Invest 93L; and

WHEREAS, on August 28, 2023, Governor DeSantis issued Executive Order 23-172 declaring a state of emergency in multiple counties including Pinellas County in the State of Florida due to Tropical Storm Idalia; and

WHEREAS, on August 28, 2023, the Board of County Commissioners of Pinellas County adopted Resolution 23-68, declaring a State of Local Emergency due to Tropical Storm Idalia; and

WHEREAS, the City of Treasure Island is a barrier island community with all boundaries lying in a coastal zone; and

WHEREAS, the City Commission of the City of Treasure Island is authorized to declare a local state of emergency whenever it determines that a natural or manmade disaster or emergency has occurred or that the occurrence or threat of one is imminent and requires immediate and expeditious action; and

WHEREAS, Chapter 10, Article 2 of the City of Treasure Island Code of Ordinances provides for civil emergencies and the declaring of a state of emergency when there is a threat of natural occurrence which may result in substantial injury or harm to the population or substantial damage to or loss of property; and

WHEREAS, Chapter 252, Florida Statutes, provides authority for a political subdivision, such as the City of Treasure Island, to declare a State of Local Emergency and to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

1. Performing of public work and taking whatever action is necessary to ensure the health, safety, and welfare of the community;
2. Entering into contracts;
3. Incurring obligations;
4. Employing permanent and temporary workers;
5. Utilizing volunteer workers;
6. Renting of equipment;

7. Acquiring and distributing with or without compensation of supplies, materials, and facilities; and
8. Appropriating and expending of public funds.

WHEREAS, on August 28, 2023, the City Commission of City of Treasure Island, after due consideration and through its proclamation of state of emergency, determined that declaring a state of local emergency due to Tropical Storm Idalia was in the best interest of the City of Treasure Island ("City's Proclamation"); and

WHEREAS, Tropical Storm Idalia became a Category 3, Hurricane which followed a track up Florida's west coast ultimately coming on shore in the big bend area of Florida (20 miles south of Perry, FL) on August 30, 2023; and

WHEREAS, Hurricane Idalia brought winds, rain, and dangerous storm surge, which resulted in flooding, significant displacement of sand, and loss of power throughout the City of Treasure Island; and

WHEREAS, declarations of local state of emergency expire after seven days unless otherwise extended in accordance with the City's Proclamation; and

WHEREAS, the City's Proclamation authorized the Mayor to extend the duration of the City's Proclamation in seven-day increments upon request from the City Manager, so long as a state of emergency continues to exist in the State of Florida and a state of local emergency continues to exist in Pinellas County: and

WHEREAS, the Pinellas County did not extend its declaration of a state of local emergency and upon notice of that inaction, the City was unable to call a public meeting to extend its declaration such that its declaration of a state of local emergency expired; and

WHEREAS, the City of Treasure Island is currently undergoing debris and sand removal and damage assessment to determine the nature and extent of the damage caused by Hurricane Idalia to public and private property throughout the City and its beaches; and

WHEREAS, the City Commission of City of Treasure Island, after due consideration, has determined that declaring a state of local emergency due to Hurricane Idalia is in the best interest of the City of Treasure Island.

NOW, THEREFORE, WE, THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED, DO DECLARE A STATE OF LOCAL EMERGENCY AS A RESULT OF HURRICAN IDALIA, EFFECTIVE IMMEDIATELY WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF TREASURE ISLAND TO REMAIN IN EEFECT FOR SEVEN (7) DAYS UNLESS OTHERWISE EXTENDED AS PROVIDED HEREIN AND AUTHORIZE THE MAYOR TO SIGN THIS PROCLAIMATION.

IT IS FURTHER PROCLAIMED THAT the City hereby exercises its authority and hereby waives the procedures and formalities required by law of a political subdivision as provided in section 252.38(3)(a)(5), Florida Statutes, to respond to the emergency presented by Hurricane

Idalia, and the City Manager, as the primary City executive responsible for emergency management, to approve or authorize all such actions taken and publish this proclamation on a dedicated webpage accessible through a conspicuous link on the City's homepage. Further, the Mayor is hereby authorized to extend the duration of this declaration in seven-day increments by proclamation upon request from the City Manager, as the primary City executive responsible for emergency management, so long as a state of emergency continues to exist in the State of Florida.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS this 5th day of September 2023 after 6pm.

_____

J. Tyler Payne, Mayor

ATTEST:

_____

Celine Kidwell, City Clerk

RESOLUTION NO. 23 - 68

WHEREAS, the weather system presently identified as Tropical Storm Idalia by the National Hurricane Center ("Idalia") poses a serious potential threat to the residents and property of Pinellas County; and

WHEREAS, the current forecast error of the National Hurricane Center does not allow for a precise track of Idalia to determine the threat level from wind damage or rain or the related protective measures required; and

WHEREAS, Idalia has the potential for causing substantial damage to public utilities, public buildings, public communication systems, public streets and roads, public drainage systems, commercial and residential buildings and areas; and

WHEREAS, the Governor of the State of Florida, in Executive Order 23-171, found that a state of emergency exists within specified Counties within the State of Florida, including Pinellas County; and

WHEREAS, Section 252.38(3)(a)5, Florida Statutes, provides authority for a political subdivision such as Pinellas County to declare a state of local emergency and to exercise emergency powers; and

WHEREAS, Pursuant to §252.38(1), Florida Statutes, and Pinellas County Charter section 2.04 (k), the County has jurisdictional authority over the entire county for emergency management purposes;

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the Board of County Commissioners of Pinellas County, Florida, this 28th day of August 2023:

1) That in light of the serious threat to the lives and property of Pinellas County residents posed by Idalia, the Board of County Commissioners hereby exercises its authority, and waives the procedures and formalities required by law of a political subdivision, as provided in Section 252.38(3)(a)5, Florida Statutes, by declaring a state of local emergency; and

2) That the state of local emergency shall exist as of 10:00 a.m. on this 28th day of August 2023, for all territory within the legal boundaries of Pinellas County. All unincorporated and incorporated areas shall be embraced by the provisions of this Resolution; and

3) That all provisions of the Comprehensive Emergency Management Plan (CEMP) relating to this type of event shall be implemented; and

4) That during the state of local emergency, the Sheriff is designated as the Chief Law Enforcement Officer for Pinellas County; and

5) That, in accordance with Section 252.38(2), Florida Statutes, actions of the several municipalities within Pinellas County must be coordinated with County Emergency Management and not conflict with any order of the Official Authority; and

6) That the Official Authority as designated pursuant to Pinellas County Code Section 34-27 is authorized to issue any necessary order; and

7) That residents of Pinellas County are urged to pay close attention to the news media for information for news regarding public safety and orders of evacuation should evacuation become necessary; and

8) That the County Administrator or his designee, is empowered to order mandatory evacuations as evolving conditions may require pursuant to the Board adopted Comprehensive Emergency Management Plan (CEMP). Any such evacuation shall remain in force until ended by further order. Any unauthorized person located in, or attempting to enter, an evacuation area after the stated completion time for an evacuation order issued as contemplated herein shall be in violation of F.S. §252.50, and subject to the penalties therein; and

9) That the County Administrator, or designee, will monitor disaster-related debris and, that even though debris removal from private rights-of-way remains the responsibility of the property owner, in the event of widespread debris, the County Administrator or designee is empowered to take necessary action to remove disaster-debris which: (a) presents an immediate threat to public health, safety, or life; or (b) poses an immediate threat of significant damage to improved public or private property; or (c) the removal of which is necessary to ensure economic recovery of the affected community to the benefit of the community at large, including but not limited to the restoration of bus and school bus services, scheduled trash collection, and postal and other delivery services; and

10) That the Board of County Commissioners hereby delegates authority to the County Administrator for the duration of this emergency declaration to appropriate funds from reserves as necessary to support emergency operations and response in a timely manner, and further, to suspend budgetary controls to the extent necessary to accomplish this purpose. The aforementioned authority is subject to after-the-fact ratification of the Board.

Commissioner Flowers offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Latvala, and upon roll call the vote was:

AYES: Long, Eggers, Flowers, Justice, Latvala, and Scott.

NAYS: None.

ABSENT AND NOT VOTING: Peters.

10:14 A.M.
[time]

APPROVED AS TO FORM
By: *Miles Belknap*
Office of the County Attorney

PCAO 442112

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 23-172

(Amending Executive Order 23-171, Emergency Management – Tropical Storm Idalia)

WHEREAS, on August 26, 2023, I issued Executive Order 23-171, declaring a state of emergency for several counties in Florida due to the dangers presented by Invest 93L, a broad area of low pressure off the west coast of Central America; and

WHEREAS, as of 11:00 PM EDT on August 27, 2023, Invest 93L strengthened into Tropical Storm Idalia, with maximum sustained winds of 60 miles per hour and is moving north-northeast towards the southeastern Gulf of Mexico; and

WHEREAS, as of 5:00 AM EDT on August 28, 2023, Tropical Storm Idalia was approximately 124 miles south of the westernmost point of Cuba; and

WHEREAS, Tropical Storm Idalia is forecasted to become a major hurricane before making landfall along areas of the Florida Gulf Coast and portions of the Florida Panhandle; and

WHEREAS, the Florida Division of Emergency Management, working together with the National Hurricane Center to evaluate weather predictions, has determined that there is a continuing risk of dangerous storm surge, heavy rainfall, flash flooding, strong winds, hazardous seas, and isolated tornadic activity for the Florida Peninsula and portions of the Florida Big Bend; and

WHEREAS, the threat posed by Tropical Storm Idalia requires that timely precautions must be taken to protect the communities, critical infrastructure, and general welfare of the people of Florida; and

WHEREAS, as the Governor of Florida, I am responsible to meet the dangers presented to the State of Florida and its people by this emergency.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Section l of Executive Order 23-171 is amended to read as follows:

Because of the foregoing conditions, which are projected to constitute a major disaster, I declare that a state of emergency exists in Alachua, Baker, Bay, Bradford, Calhoun, Charlotte, Citrus, Clay, Collier, Columbia, DeSoto, Dixie, Duval, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Hardee, Hernando, Hillsborough, Jefferson, Lafayette, Lake, Lee, Leon, Levy, Liberty, Madison, Manatee, Marion, Nassau, Pasco, Pinellas, Polk, Putnam, Sarasota, Seminole, St. Johns, Sumter, Suwannee, Taylor, Union, Volusia, and Wakulla Counties.

Section 2. Except as amended herein, Executive Order 23-171 is ratified and reaffirmed.

Section 3. This Executive Order is effective immediately and shall expire upon the expiration of Executive Order 23-171.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 28th day of August, 2023.

RON DESANTIS, GOVERNOR

ATTEST:

SECRETARY OF STATE

FILED
2023 AUG 28 AM 9:25
DEPARTMENT OF STATE
TALLAHASSEE, FL

STATE OF FLORIDA

OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 23-171
(Emergency Management – Invest 93L)

WHEREAS, as of 8:00 AM EDT on August 26, 2023, the National Hurricane Center reported that a broad area of low pressure, which originated off the west coast of Central America, is projected to gradually develop into an organized storm as it moves northward over the Caribbean Sea and the Gulf of Mexico; and

WHEREAS, the National Hurricane Center predicts Invest 93L will intensify into a tropical depression over the weekend and continue to strengthen as it moves northward into the eastern Gulf of Mexico, and could affect portions of Florida's Gulf Coast, as well as previously impacted areas still recovering from Hurricanes Ian and Nicole, as early as Tuesday, August 29; and

WHEREAS, there is a risk of dangerous storm surge, heavy rainfall, flash flooding, strong winds, hazardous seas, and the potential for isolated tornadic activity for the Florida Big Bend and portions of Florida's Gulf Coast; and

WHEREAS, the threat posed by Invest 93L requires that timely precautions are taken to protect the communities, critical infrastructure, and general welfare of Florida, including relocating individuals, equipment, and supplies in areas still recovering from Hurricanes Ian and Nicole; and

WHEREAS, as Governor, I am responsible to meet the dangers presented to Florida and its people by this emergency.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida

Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, which are projected to constitute a major disaster, I declare that a state of emergency exists in Alachua, Bay, Calhoun, Charlotte, Citrus, Columbia, DeSoto, Dixie, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Hardee, Hernando, Hillsborough, Jefferson, Lafayette, Lee, Leon, Levy, Liberty, Madison, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, Sumter, Suwannee, Taylor, and Wakulla Counties.

Section 2. I designate the Executive Director of the Division of Emergency Management ("Executive Director") as the State Coordinating Officer for the duration of this emergency and direct him to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(6)-(12), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Executive Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Invoke and administer the Emergency Management Assistance Compact ("EMAC") (sections 252.921-252.9335, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate the allocation of resources from such other states that are made available to Florida under such compacts and agreements so as to best meet this emergency.

B. Seek direct assistance and enter into agreements with any and all agencies of the federal government as may be needed to meet this emergency.

C. Direct all state, regional, and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the response, recovery, and mitigation needs created by this emergency, and to place all such personnel under the direct command and coordination of the State Coordinating Officer to meet this emergency.

D. Direct the actions of any state agency as necessary to implement the Federal Emergency Management Agency's National Disaster Recovery Framework.

E. Designate Deputy State Coordinating Officers and Deputy State Disaster Recovery Coordinators, as necessary.

F. Suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this emergency. In accordance with section 252.3611(1), Florida Statutes, any such order, declaration, or other action shall specify each statute or rule being amended or waived, if applicable, and the expiration date for the order or action.

G. Enter orders as may be needed to implement any of the foregoing powers; however, the requirements of sections 252.46(1)-(2) and 120.54(4), Florida Statutes, do not apply to any such orders issued by the State Coordinating Officer. No such order shall remain in effect beyond the expiration of this Executive Order, including any extension thereof.

Section 3. I order the Adjutant General to activate the Florida National Guard, as needed, to deal with this emergency.

Section 4. I find that the special duties and responsibilities resting upon some state, regional, and local agencies, and other governmental bodies in responding to this emergency may require them to suspend or waive certain statutes, rules, ordinances, and orders they administer. Therefore, I issue the following authorizations:

A. Pursuant to section 252.36(6)(a), Florida Statutes, the Executive Office of the Governor may suspend all statutes and rules affecting budgeting to the extent necessary to provide budget authority for state agencies to cope with this emergency. The requirements of sections 252.46(1)-(2) and 120.54(4), Florida Statutes, do not apply to any such suspension issued by the Executive Office of the Governor. No such suspension shall remain in effect beyond the expiration of this Executive Order, including any extension thereof.

B. Each state agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. This includes, but is not limited to, the authority to suspend any and all statutes, rules, ordinances, or orders which affect leasing, printing, purchasing, travel, and the condition of employment and the compensation of employees. In accordance with section 252.3611(1), Florida Statutes, any agency order, declaration, or other action suspending a statute or rule shall specify each statute or rule being amended or waived, if applicable, and the expiration date for the order or action. The requirements of sections 252.46(1)-(2) and 120.54(4), Florida Statutes, shall not apply to any such suspension issued by a state agency; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, including any extension thereof.

C. In accordance with section 252.38(3), Florida Statutes, each political subdivision within the State of Florida may waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

1) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;

2) Following local procurement and contracting policies;

3) Entering into contracts; however, political subdivisions are cautioned against entering into time and materials contracts without a ceiling as defined by 2 CFR 200.318(j) or cost plus a percentage of cost contracts prohibited by 2 CFR 200.324(d);

4) Incurring obligations;

5) Employment of permanent and temporary workers;

6) Utilization of volunteer workers;

7) Rental of equipment;

8) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and

9) Appropriation and expenditure of public funds.

D. All agencies whose employees are certified as disaster service volunteers within the meaning of section 110.120(2)(d), Florida Statutes, may, in accordance with section 110.120(3), Florida Statutes, release any such employees for such service as requested by the employee to meet this emergency.

E. The Secretary of the Florida Department of Transportation (DOT) may:

1) Waive the collection of tolls and other fees and charges for the use of the Turnpike and other public highways, to the extent such waiver may be needed to provide emergency assistance or facilitate the evacuation of the affected counties;

2) Manage the flow of traffic or close any and all roads, highways, and portions of highways as may be needed for the safe and efficient transportation of evacuees to those counties that the State Coordinating Officer may designate as destination counties for evacuees in this emergency;

3) Suspend enforcement of the registration requirements pursuant to section 316.545(4), Florida Statutes, for commercial motor vehicles that enter Florida to provide

emergency services or supplies, to transport emergency equipment, supplies or personnel, or to transport FEMA mobile homes or office style mobile homes into or from Florida;

4) Waive by special permit the warning signal requirements in the Utility Accommodations Manual to accommodate public utility companies from other jurisdictions which render assistance in restoring vital services; and

5) Waive the size and weight restrictions for divisible loads on any vehicles transporting emergency equipment, services, supplies, and agricultural commodities and citrus as recommended by the Commissioner of Agriculture, allowing the establishment of alternate size and weight restrictions for all such vehicles for the duration of the emergency. The DOT shall issue permits and such vehicles shall be subject to such special conditions as the DOT may endorse on any such permits.

Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, or relieve any vehicle or the carrier, owner, or driver of any vehicle from compliance with any restrictions other than those specified in this Executive Order, or from any statute, rule, order, or other legal requirement not specifically waived or suspended herein or by supplemental order by the State Coordinating Officer.

F. The Executive Director of the Department of Highway Safety and Motor Vehicles (DHSMV) may:

1) Suspend enforcement of the registration requirements pursuant to sections 316.545(4) and 320.0715, Florida Statutes, for commercial motor vehicles that enter Florida to provide emergency services or supplies, to transport emergency equipment, supplies or personnel, or to transport FEMA mobile homes or office style mobile homes into or from Florida;

2) Waive the hours-of-service requirements for such vehicles;

3) Suspend the enforcement of the licensing and registration requirements under the International Fuel Tax Agreement (IFTA) pursuant to chapter 207, Florida Statutes, and the International Registration Plan (IRP) pursuant to section 320.0715, Florida Statutes, for motor carriers or drivers operating commercial motor vehicles that are properly registered in other jurisdictions and that are participating in emergency relief efforts through the transportation of equipment and supplies or providing other assistance in the form of emergency services;

4) Waive fees for duplicate or replacement vessel registration certificates, vessel title certificates, vehicle license plates, vehicle registration certificates, vehicle tag certificates, vehicle title certificates, handicapped parking permits, replacement drivers' licenses, and replacement identification cards and to waive the additional fees for the late renewal of or application for such licenses, certificates, and documents due to the effects of adverse weather conditions; and

5) Defer administrative actions and waive fees imposed by law for the late renewal or application for the above licenses, certificates, and documents, which were delayed due to the effects of adverse weather conditions, including in counties wherein the DHSMV has closed offices, or any office of the County Tax Collector that acts on behalf of the DHSMV to process renewals has closed offices due to adverse weather conditions.

Recordkeeping and other applicable requirements for existing IFTA and IRP licensees and registrants are not affected by this Executive Order. The DHSMV shall promptly notify the State Coordinating Officer when the waiver is no longer necessary.

G. In accordance with section 465.0275(2), Florida Statutes, pharmacists may dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state or local agency but who do not reside in an area or county covered

by this Executive Order. In accordance with section 465.019(4)(b), Florida Statutes, a hospital that operates a Class II or Class III institutional pharmacy located in an area or county covered under this Executive Order may prescribe and dispense a supply of medicinal drug lasting up to 72 hours.

H. All state agencies responsible for the use of state buildings and facilities may close such buildings and facilities in those portions of the State affected by this emergency, to the extent necessary to meet this emergency. I direct each state agency to report the closure of any State building or facility to the WebEOC system utilized by the Division of Emergency Management. Under the authority contained in section 252.36, Florida Statutes, I direct each county to report the closure of any building or facility operated or maintained by the county or any political subdivision on a daily basis to the WebEOC system. Furthermore, I direct the Secretary of the Department of Management Services to:

1) Maintain an accurate and up-to-date list of all such closures; and

2) Provide that list daily to the State Coordinating Officer.

I. All State agencies may abrogate the time requirements, notice requirements, and deadlines for final action on applications for permits, licenses, rates, and other approvals under any statutes or rules under which such application are deemed to be approved unless disapproved in writing by specified deadlines. All such time requirements that have not yet expired as of the date of this Executive Order are suspended and tolled to the extent necessary to meet this emergency.

J. All agencies shall implement Selected Exempt Services (SES) Extraordinary Payment Plans and Career Service Regular Compensatory Leave Payment Plans for:

1) All essential agency personnel who are required to work extraordinary hours when state-owned or state-operated facilities are closed in response to an emergency

condition. Employees who are eligible to receive extraordinary pay under the agency's activated plan shall accrue special compensatory leave credits for work performed during facility closures up to the number of hours in the employee's established workday. For these employees, any additional time worked beyond the employee's established workday during facility closures will result in extraordinary pay;

2) All agency personnel who are assigned to the State Emergency Operations Center and are required to work extraordinary hours; and

3) All agency personnel who are deployed throughout the state in response to an emergency condition and are required to work extraordinary hours.

K. All State agencies may waive the forty-day time limit to issue a warrant pursuant to section 215.422(3)(b), Florida Statutes. This waiver applies to invoices and reimbursement requests arising from this emergency that were received, inspected, and approved by the agency prior to the expiration of this Executive Order, including any extension thereof. This waiver of section 215.422(3)(b), Florida Statutes, and all waivers based upon this waiver shall expire upon the expiration of this Executive Order, including any extension thereof.

L. The provisions of section 934.50, Florida Statutes, excluding subsection (4), are waived for state and local agencies conducting emergency operations arising from the state of emergency for the limited purpose of capturing aerial evidence concerning the amount of damage sustained to private and public property; to assist in search, rescue, and recovery activities; and prevent imminent danger to life or serious damage to property.

Section 5. All public facilities, including elementary and secondary schools, community colleges, state universities, and other facilities owned or leased by the state, regional or local governments that are suitable for use as public shelters shall be made available at the request of the local emergency management agencies to ensure the proper reception and care of all evacuees.

Under the authority contained in section 252.36, Florida Statutes, I direct the Superintendent of each public-school district in the State of Florida to report the closure of any school within its district to the Commissioner of the Florida Department of Education. Furthermore, I direct the Commissioner of the Department of Education to:

A. Maintain an accurate and up-to-date list of all such closures; and

B. Provide that list daily to the State Coordinating Officer.

Section 6. I find that the demands placed upon funds specifically appropriated to state and local agencies for disaster relief or response are unreasonably great and that such funds may be inadequate to pay the costs of coping with this emergency. In accordance with section 252.37(2)(b), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys from the Emergency Preparedness and Response Fund created under section 252.3711, Florida Statutes.

Section 7. All state agencies entering emergency orders, emergency rules, or other emergency actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable thereafter, and, pursuant to section 252.36(3)(b), Florida Statutes, shall submit the order or declaration to the Division of Administrative Hearings within five days of issuance.

Section 8. Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

Section 9. Pursuant to section 501.160, Florida Statutes, it is unlawful and a violation of section 501.204, Florida Statutes, for a person to rent or sell or offer to rent or sell at an unconscionable price within the area for which the state of emergency is declared, any essential commodity including, but not limited to, supplies, services, provisions, or equipment that is necessary for consumption or use as a direct result of the emergency.

Section 10. Under the authority contained in sections 252.36(6)(a), (g), and (m), Florida Statutes, I direct that, for the purposes of this emergency, the term "essentials," as defined by section 252.359(2), Florida Statutes, shall be the same as and no more expansive than the term "commodity," as defined by section 501.160(1)(a), Florida Statutes (hereinafter referred to collectively or alternatively as "essential commodities"). Accordingly, any person who delivers essential commodities to a location in the area(s) declared to be under a state of emergency by this Executive Order, and when necessary to ensure that those commodities are made available to the public, may travel within evacuated areas and exceed curfews, provided the State Coordinating Officer determines, after consultation with the appropriate Emergency Support Function(s), that:

A. Law enforcement officials in the declared area(s) can provide adequate security to protect the essential commodities from theft;

B. The weight of a delivery vehicle will not jeopardize the structural integrity of any roadway or bridge located within the declared area;

C. Delivery vehicles will not negatively impact evacuation activities in the declared area(s); and

D. Delivery vehicles will not negatively impact any response or recovery activities occurring within the declared area(s).

After consulting with the appropriate Emergency Support Function(s), and after consulting with local officials, the State Coordinating Officer may dictate the routes of ingress, egress, and

movement within the declared area(s) that drivers must follow when delivering essential commodities.

Provided he or she is actually delivering medications, any person authorized to deliver medications under chapter 893, Florida Statutes, qualifies as a person delivering essential commodities.

In order to qualify as a person delivering essential commodities under this section, a person must be in the process of delivering essential commodities only. If an individual is transporting both essential and non-essential commodities, then this section shall not provide any authorization for that individual to enter into or move within the declared area(s).

Section 11. Consistent with Executive Order 80-29, nothing in this Executive Order shall prevent local jurisdictions in any area not declared to be under a state of emergency by this Executive Order from taking prompt and necessary action to save lives and protect the property of their citizens, including the authority to compel and direct timely evacuation when necessary.

Section 12. I authorize the Florida Housing Finance Corporation to distribute funds pursuant to section 420.9073, Florida Statutes, to any county, municipality, or other political subdivision located within the area(s) declared to be under a state of emergency by this Executive Order. The authority of the Florida Housing Finance Corporation to distribute funds in connection with this emergency shall expire six months after the expiration of this Executive Order, including any extension thereof.

Section 13. All actions taken by the Executive Director of the Division of Emergency Management with respect to this emergency before the issuance of this Executive Order are ratified.

Section 14. This Executive Order is effective immediately and shall expire sixty (60) days from this date unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 26th day of August, 2023.

RON DESANTIS, GOVERNOR

ATTEST:

SECRETARY OF STATE

FILED
2023 AUG 26 AM 11:34
DEPARTMENT OF STATE
TALLAHASSEE, FL

AGENDA ITEM NO. I.2

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: September 5, 2023

SUBMITTED BY: Mike Munger, Finance

ITEM TYPE: Ordinances

AGENDA SECTION: ITEMS OF BUSINESS

SUBJECT: Ordinance 2023-15, Adopting a Property Tax Rate for Fiscal Year 2024 - First Reading and Public Hearing

BACKGROUND:

Each year, the City is required to calculate and set an ad valorem millage rate per Chapter 200 of the Florida Statutes, Determination of Millage. The Department of Revenue (DOR) developed forms DR420 and DR 420MMP to comply with the reporting requirements as well as to identify the approval vote needed by the Commission for setting the property tax rate. These forms are filed by the City to the DOR after the City budget has been adopted to demonstrate compliance.

The City Commission approved the proposed property tax rate of 3.8129 in July that was just advertised on the TRIM notices mailed out to every property owner in the City for FY 2024. The TRIM Notice provides a property owner with a comparison of the proposed property tax rate, the rolled-back rate (no budget changes column) and the previous year's tax rate. The Tentative Property Tax Rate cannot exceed the Proposed Millage Rate.

POLICY/PURPOSE:

To adopt the tentative FY 2024 Millage Rate at the first reading and schedule a second and final reading to adopt the final millage on September 18th, 2023 at 6pm.

STRATEGIC PLAN RELEVANCE:

None, this is a regulatory step in the annual budget process.

ANALYSIS/DISCUSSION:

ANALYSIS / DISCUSSION

The preliminary certification of taxable property value (as of January 1, 2023) was received from the Pinellas County Property Appraiser's office by July 1, 2023. The City of Treasure Island's total taxable property value for the FY 2024 budget is $2,832,409,953 representing an increase of 10.88% from the prior year as shown below along with a 5-year history.

Fiscal Year	Taxable Property Value	% Difference
FY 2020	$1,993,655,565	7.65%
FY 2021	$2,111,978,036	5.93%
FY 2022	$2,231,861,049	5.68%
FY 2023	$2,554,391,138	14.45%
Preliminary FY 2024	$2,832,409,953	10.88%

There has been a decade of taxable property value growth, following a 38% cumulative decline over a five-year period after the Great Recession of 2008. The decline in property values from FY2009 to FY2013 had a significant impact on the City's revenues since ad valorem taxes is one of the City's major revenue streams. As a result, while there is an increase of 10.88% from the prior year, it is only the 5th year that taxable values exceed the City's pre-recession (FY 2008) taxable value. It took 12 years to fully recover the lost property tax values due to the economy, the passage of Amendment One (Homestead Exemption Increase Amendment of 2018) and the second homestead exemption. The economic growth, relocations during and after the pandemic, and (previously) low interest rates, drove the demand in the housing market and caused property values to rise throughout the state and the county.

Components of the Taxable Value Change:

	2022	**2023**	**$ Diff.**	**% Diff.**

Taxable Value, Real Property	2,533,397,218	2,810,746,147	277,348,929	10.95%
Tangible Personal Property	20,993,920	21,663,806	669,886	3.19%
Total Taxable Property	2,554,391,138	2,832,409,953	278,018,815	10.88%

Rolled-Back Millage Rate:

The rolled-back millage rate is defined as the millage rate that would produce the same amount of ad valorem revenue as the prior year, exclusive of new taxable value. The FY 2024 rolled-back rate is 3.4541 mills.

Tentative Millage Rate:

The Proposed FY 2024 General Fund Budget is predicated on approval of a millage rate of 3.8129 mills which is the same rate as prior year and is 10.88% above the rolled-back rate. Using a 97% collection rate, the projected ad valorem revenues of $10,475,700 is included in the proposed budget, generating $1,030,910 additional revenue over previous year.

Breakdown of ad valorem revenue:

General Operations	3.2129	$8,827,240
Committed funds for Treasure Island Causeway & Bridge	0.5000	$1,373,720
City Facilities renewal and replacement assignment	0.1000	$274,740
Total	**3.8129**	**$10,475,700**

Establishing the millage rate at 3.8129 will require a 4 out of 5 majority votes of Commission because it exceeds the majority

vote maximum property tax rate. The majority vote maximum rate is a calculation required by the state of Florida to determine the number of votes required of the elected body to levy a property tax rate. The maximum majority-vote property tax rate is 3.5522, thereby requiring any property tax rate exceeding and up to 110% of this rate to have a two-thirds vote of the elected body. A property rate exceeding 110% of the maximum millage rate requires a unanimous vote of the elected body.

FUNDING: No immediate funding impact.

MOTION:

I move to approve Ordinance No. 2023-15, establishing the Fiscal Year 2024 Property Tax Rate for the City of Treasure Island, Florida at 3.8129 mills, which is greater than the rolled-back rate of 3.4541 mills by 10.38% at first reading with the second and final public hearing to be held on September 18, 2023 at 6pm.

1. *Mayor shall open the Public Hearing and ask for comments on the establishment of the millage rate.*
2. *Mayor shall close the Public Hearing.*
3. *Mayor shall ask for a Motion.*
4. *Mayor shall ask for a second to the Motion.*
5. *Mayor shall ask for any Commission discussion.*

6. *Mayor shall ask for a roll call vote of the Commission on the Motion.*

7. *Upon approval of the motion, the Mayor shall announce: "The proposed millage rate for FY2024 for the City of Treasure Island is established at 3.8129 mills, which is 10.38% higher than the rolled back rate of 3.4541 mills. The Final Property Tax Rate is subject to a second and final public hearing that will be held at the City of Treasure Island City Hall on Monday, September 18, 2023 at 6:00PM."*

ATTACHMENTS:
Ord_2023-15_Property_Tax_Rate_FY_2024.docx

ORDINANCE NO. 2023-15

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA ESTABLISHING THE PROPERTY TAX RATE FOR THE CITY OF TREASURE ISLAND FOR THE FISCAL YEAR 2024 COMMENCING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an annual budget for the City of Treasure Island, Florida, including estimates of anticipated revenues and expenditures for the fiscal year 2024 commencing October 1, 2023 and ending September 30, 2024, has been submitted to the City Commission by the City Manager in accordance with Article IV of the City Charter; and

WHEREAS, the City Commission of the City of Treasure Island, Florida, is required by the City Charter and state statutes to adopt an annual budget and property tax rate for each fiscal year; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within Pinellas County has been provided by the County Property Appraiser to the City of Treasure Island as $ 2,832,409,953; and

WHEREAS, the City of Treasure Island, Florida, on September 5, 2023, adopted a tentative property tax rate for FY 2024 following a public hearing as required by Section 200.065, Florida Statutes; and

WHEREAS, having observed all procedures required by the City Charter and Florida Statutes, including notice and holding public hearings, the City Commission now deems it in the best interest of the public to adopt a property tax rate at a level that adequately provides for the financial soundness of City operations.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND ORDAINS:

Section 1. That the property tax rate for FY 2024 is established at 3.8129 mills, which is 10.38% higher than the rolled back rate of 3.4541 mills.

Section 2. That the provisions of this ordinance shall take effect immediately upon its final passage.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the 5th day of September, 2023 by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT OR ABSTAINING:

FIRST READING and PUBLIC HEARING on the 5th day of September, 2023.

SECOND READING and PUBLIC HEARING on the 18th day of September, 2023.

PUBLISHED in the Tampa Bay Times on the ___ day of September, 2023.

SIGNED:_____
J. Tyler Payne, Mayor

ATTEST:_____
Celine Kidwell, City Clerk

AGENDA ITEM NO. I.3

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: September 5, 2023

SUBMITTED BY: Mike Munger, Finance

ITEM TYPE: Ordinances

AGENDA SECTION: ITEMS OF BUSINESS

SUBJECT:

Ordinance 2023-16, Budget for Fiscal Year 2024 - First Reading and Public Hearing

BACKGROUND:

This item is to present the proposed budget totaling $46,773,250 for all funds, including $19,364,550 for the General Fund. The attached ordinance reflects the budget for each Fund.

The first reading and public hearing for the FY 2024 Budget will be heard Tuesday, September 5, 2023, at 6:00 p.m. The second reading and public hearing is scheduled for Monday, September 18, 2023, at 6:00 p.m.

The Truth in Millage (TRIM) advertisements will appear in the Neighborhood Times section of the Tampa Bay Times on Wednesday, September 13th. This ad is required by the Department of Revenue to comply with state statutes that provide for regulation over the budget adoption process. This ad is comprised of a Notice of Public Hearing for the 2nd Reading of the budget and a Budget Summary.

The budget workshops were held on August 9th, 2023 to

review the City Manager's FY 2024 Proposed Budget. The City Commission made some changes to the proposed budget as a result of the review and staff made some changes as a result of updated information or to correct errors made in the initial proposed budget. These changes are listed in the attachment referred to as the "reconciliation" where the difference from the City Manager to the City Commission's Proposed Budget is shown. Subsequently, the Budget document was changed to reflect these changes.

Lastly, the proposed carryforward items are projects that were not completed this fiscal year (e.g. multi-year projects, scheduling difficulties, workload issues, etc.). Carryforward items are appropriated in this year's budget, but are not encumbered, therefore, are being recommended to be carried forward into the next fiscal year and will be appended to the budget once adopted (attached).

The projects that are not completed, but are encumbered (via purchase order) will automatically roll forward into the next fiscal year. Work or services performed through the remainder of this fiscal year will be charged to this fiscal year. Work or services performed on or after October 1, 2023 will be charged against these purchase orders in the next fiscal year.

POLICY/PURPOSE:

To adopt the FY 2024 City Budget through the adoption of Ordinance 2023-16.

STRATEGIC PLAN RELEVANCE:

This is a regulatory step in the annual budget process.

ANALYSIS/DISCUSSION:

The goal of this budget was to recognize the transition of the past few years, while acknowledging our solid position at the end of the pandemic and the related economic ripples. Much like last year with many conflicting and contradictory economic outlooks, the City is compelled to continue to provide high service levels while also prepare for any potential economic disruptions. As has been the established tradition with the City of Treasure Island, every decision made in the FY24 Budget process was constrained by a strict fiscally conservative

outlook. While holding the same ad valorem tax rate, significant investments in infrastructure, city facilities and amenities are slated for the city over the next 5 years:

Operating

- All full-time *and part-time* positions are budgeted at $15/Hr. or greater, before required by the recent state constitutional amendment.
- A 3% COLA (10/1/2023) and up to another 2% merit-based raise based on each employee's annual review
- Fire/EMS and Police positions covered by their respective Collective Bargaining Agreements - entering the final year of those contracts
- Records Coordinator/Deputy City Clerk position (1 FTE)
- Customer Service Representative position (1 FTE)
- Budget & Management Analyst position (1 FTE)
- $60k for the rewriting of the city's Land Development Regulations, concluding the multi-year process
- $50k for short-term rental tracking software to become more proactive in enforcement of related regulations
- $212k for the implementation of a transit pilot program with either/or FreeBee or PSTA/SunRunner
- $20k for an upgrade and remote-hosting of the city's Financial and Payroll software
- $100,000 for a Post-Disaster Recovery Plan, indented to be fully- or partially-grant-supported

Capital

- $5.2M reconstruction of the Master Lift Station, fully funded by Federal appropriations and State Grants
- Public Works facility ($6.1m - FY24) and Public Safety building ($7M - FY27) programmed in the 5-year CIP with planned debt issuances
- $1.3m for the reconstruction of the golf course at Treasure Bay
- Increase in the annual Dune Walkover allocation to $250k to be more responsive to repair needs
- $500k for emergency repairs to the Kingfish Park bulkhead/Seawall
- Implementation of a take-home program for the Police Department ($375k)
- Creation of a General Fund transfer to the Stormwater Utility Fund to both leverage funding for grants and to fund Resiliency projects ($1.6m over FY24-FY28)

The proposed budget includes a millage rate of 3.8129, which reflects flat rate from FY23. The projected ad valorem tax to be collected in FY24 is projected to increase 10.88% more than

FY23 revenues, reflecting the regional and national housing and property valuation increases. However, as the FY24 increase is approximately 4 percentage points less than the prior year's, staff believes the valuations are equalizing. Future fiscal year's ad valorem estimates are projected to increase at a more modest 6-4%.

Utility fee changes included in the proposed budget for the Enterprise Funds will also be presented with the fee schedule ordinance.

- 10% average Sewer Fee increase to support the capital needs, pass along treatment cost increases from the City of St. Petersburg, and in keeping with the 5-year rate study
- 10% residential, multi-family, and commercial garbage rate increase for the future replacement of the garbage trucks; with a 3% flat residential and multi-family recycling rate to cover increases in the contracted rates
- Implementation of a brand-new rate calculation for Stormwater, moving from an Equivalent Dwelling Unit (EDU) to an Equivalent Residential Unit (ERU). This will result in a more equitable rate structure where the ratepayers' rate is based on their impact to the stormwater system. These changes will be phased in over a 4-year period and is revenue-neutral in FY24.

The changes from the publication of the proposed budget in July to now, are listed on the attached reconciliation list of changes.

FUNDING:

Proposed FY 24 budget total is $46,773,250 for all funds, including $19,364,550 for the General Fund.

MOTION:

I move to adopt Ordinance 2023-16 adopting the FY 2024 budget, with the budget document and prior year encumbrances as of September 30, 2023 at first reading with the 2nd Reading and Final Public Hearing on September 18, 2023.

ATTACHMENTS:
Ord._2023-16_Budget_FY_24.docx
Reconciliation_Budget_FY_24.pdf

Carryforward_List.pdf

ORDINANCE NO. 2023-16

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND, FLORIDA, ADOPTING A BUDGET AND MAKING APPROPRIATIONS FOR THE PAYMENT OF THE OPERATING EXPENSES OF THE CITY OF TREASURE ISLAND, FLORIDA, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND DOES ORDAIN:

Section 1. That the budget for the fiscal year ending September 30, 2024 incorporated as a part of this ordinance is hereby adopted and approved as and for the budget of said City of Treasure Island for the Fiscal Year 2024.

Section 2. The budget is being presented as a balanced budget whereby there are sufficient revenues to offset all estimated expenditures and expenses.

Section 3. All budget appropriations are based upon the total expenditure and/or expenses even though the budget has been prepared based on line items and summarized to a categorical level.

Section 4. Appropriations may be transferred for the purpose of equalization when needed by a budget transfer within the same Fund with the approval of the Finance Director and the City Manager as necessary. This action will not change the total dollar amount of the budget.

Section 5. The City Commission during Fiscal Year 2024 may, by Ordinance, make any amendments to the Budget adopted by this Ordinance, as it may deem necessary and proper.

Section 6. All Budget Amendments requesting additional expenditures or expenses must identify the corresponding funding source.

Section 7. Projects that were not completed during the prior fiscal year are carried forward as special projects and are funded with the corresponding Carry-Forward appropriations of the prior year. Carry-forwards to the General Fund equals $3,975,620; Penny for Pinellas Fund equals $2,932,310; County Gas Tax Fund equals $53,500; Transportation Trust Fund equals $7,070; Building Fund equals $14,500; Debt Service Fund equals $60,000; Gulf Blvd. Undergrounding equals $327,100; Capital Projects Fund equals $133,000; Wastewater Fund equals $87,860; and the Stormwater Fund equals $924,500 are commitments, which are incomplete as of

September 30, 2023 and will be continued and made part of the FY 2024 appropriations.

Section 8. Cash Balance Reserves shall be carried forward for prior year encumbrances and re-appropriated for purchase orders, which will be paid in FY 2024.

Section 9. For the payment of expenses and obligations, excluding carry-forward projects of the City of Treasure Island for the fiscal year ending September 30, 2024, there is hereby appropriated from the money in the treasury of the City and any accruing revenue of the City available for said purposes, for the funds hereinafter set forth, the sums of money shown in the following schedule:

GENERAL FUND	$	19,364,550
PENNY FOR PINELLAS FUND	$	1,985,000
COUNTY GAS TAX FUND	$	0
TRANSP. TRUST FUND	$	0
BUILDING FUND	$	944,000
DEBT SERVICE FUND	$	968,400
GULF BLVD UNDERG. FUND	$	1,205,500
CITY FACILITIES FUND	$	6,100,000
WASTEWATER FUND	$	11,400,490
SOLID WASTE FUND	$	2,711,570
STORMWATER FUND	$	2,093,740
TOTAL BUDGET	$	46,773,250

Section 10. This ordinance shall become effective October 1, 2023

FIRST READING and PUBLIC HEARING on the _____ day of September, 2023.

SECOND READING and PUBLIC HEARING on the ____ day of September, 2023.

PUBLISHED in the Tampa Bay Times on the ___ day of September, 2023.

_____
J. Tyler Payne, Mayor

ATTEST:

_____
Celine Kidwell, City Clerk

City of Treasure Island's Proposed FY24 Budget
Changes from the City Manager's Recommended Budget to the City Commission Proposed Budget

REVENUES	Dept/Prgm	Type	Account	General	Penny	Wastewater	Stormwater	Total
Sanding Ovations - VSPC Grant	General	Update	001-332206	75,000				75,000
Kayak Launch grant for Treasure Bay	Penny	Update	123-334700		25,000			25,000
Adjusting assumed grant revenue based on the revised MLS project estimate	Wastewater	Update	420-334351			-570,000		-570,000
								0
Total Revenue Changes				**75,000**	**25,000**	**-570,000**	**0**	**-470,000**

EXPENDITURES	Dept/Fund	Type	Account	General	Penny	Wastewater	Stormwater	Total
2 FTE for Grounds Maint. - Ord #2023-10	Muni. Svcs.	Commission	001-5410	-180,650				-180,650
Aid to Other Organizations - Commission Donations	Commission	Commission	001-5110-82000	11,700				11,700
CPR Trainer Stipend	Fire	Update	001-5220-15000	11,000				11,000
CPR Trainer Stipend	EMS	Update	001-5221-15000	6,100				6,100
Elevator Pads - erroneously budgeted twice	Muni. Svcs.	Error	001-5410-64900	-5,700				-5,700
Median landscaping Isle of Palms, moved up from FY25	Muni. Svcs.	Commission	001-5410-63000	172,500				172,500
Kingfish Park Emergency Bulkhead Repairs	Muni. Svcs.	Update	001-5410-63000	500,000				500,000
ADA Swing for Treasure Bay, moved up from FY25	Treasure Bay	Commission	001-5722-62000	19,610				19,610
Removed standalone Treasure Bay Landscaping project	Treasure Bay	Update	001-5722-63000	-100,000				-100,000
Remove part time salary line to reflect position upgrade to full-time	IT	Error	001-5190	-16,680				-16,680
Increase first year Gen. Fund Transfer to Stormwater for Resiliency Projects	Non-Dept.	Update	001-5191-91450	350,000				350,000
Kayak launch for Treasure Bay, grant supported	Penny	Update	123-5300-63000		50,000			50,000
Adjustment of Police Vehicle replacement budget based on recent replacements	Penny	Update	123-5300-64920		-9,300			-9,300
Deferring installation of lateral cleanouts and air release valvles	Wastewater	Update	420-5350-63463			-380,000		-380,000
Reduction in the Roadside Curbing allocation	Stormwater	Update	450-5380-63000				-250,000	-250,000
Increase in the Resiliency Project allocation	Stormwater	Update	450-5381-63000				885,000	885,000
Delete additional ponding for Treasure Bay	Stormwater	Update	450-5380-63000				-100,000	-100,000
								0
Total Expenditure Changes				**767,880**	**40,700**	**-380,000**	**535,000**	**963,580**
Budget Impact				**-692,880**	**-15,700**	**-190,000**	**-535,000**	**-1,433,580**

Error - to correct an error made in proposed budget
Update - have update/more current data/information
Commission - Commission Direction

Carryforward Items from FY 23 to FY 24

			FUNDS										
Dept./Program	**Description**	**Account Number**	**General**	**Penny**	**County Gas Tax**	**Transp. Trust**	**Building**	**Debt Service**	**Gulf. Blvd. Underground**	**Capital Project**	**Wastewater**	**Stormwater**	**TOTAL**
City Commission	One-Time Historical Society Display	001-5110-82000	$ 13,000										$ 13,000
Fire	Bunker Gear, 1 FTE in fire academy	001-5220-64100	$ 3,070										$ 3,070
CDD - Planning	Land Development Regulations	001-5240-31200	$ 170,600										$ 170,600
CDD - Planning	Education Budget for staff turnover	001-5240-49500	$ 10,300										$ 10,300
PW - Beach	Invasive Plant Removal	001-5391-34000	$ 62,000										$ 62,000
PW - Beach	Beach Plantings	001-5391-52900	$ 13,000										$ 13,000
PW - Beach	Dune Walkovers	001-5391-63402	$ 138,200										$ 138,200
PW - Muni. Svcs.	Facilities Master Plan	001-5410-31200	$ 65,000										$ 65,000
PW - Muni. Svcs.	West Causeway Landscaping	001-5410-34000	$ 100,000										$ 100,000
PW - Muni. Svcs.	Waterway Markers	001-5410-53200	$ 36,000										$ 36,000
PW - Muni. Svcs.	City Center Operational Needs	001-5410-62000	$ 28,250										$ 28,250
PW - Muni. Svcs.	City Center Generator Installation	001-5410-62000	$ 14,900										$ 14,900
PW - Muni. Svcs.	New City Center Sign Design	001-5410-62000	$ 1,850										$ 1,850
PW - Muni. Svcs.	PW Facility Design & City Hall Demo	001-5410-62100	$ 1,110,400										$ 1,110,400
PW - Muni. Svcs.	Repair Municipal Seawall	001-5410-63000	$ 550,000										$ 550,000
PW - Muni. Svcs.	Paradise Blvd. Landscaping	001-5410-63000	$ 445,000										$ 445,000
PW - Muni. Svcs.	Downtown Improvements	001-5410-63000	$ 48,220										$ 48,220
PW - Muni. Svcs.	Connectivity Infrastructure	001-5410-63403	$ 411,200										$ 411,200
PW - Causeway	Monument Entry Sign	001-5411-63000	$ 65,000										$ 65,000
PW - Causeway	Bascule Bridge	001-5411-63418	$ 470,000										$ 470,000
PW - Muni. Svcs.	RePave East Approach to Bridge	001-5411-63419	$ 109,630										$ 109,630
Parks & Rec	Bus Replacement	001-5490-64200	$ 110,000										$ 110,000
P&R - Treasure Bay	Clubhouse Windows	123-5300-62744		$ 65,000									$ 65,000
P&R - Treasure Bay	Clubhouse Storefronts & Doors	123-5300-62744		$ 55,000									$ 55,000
P&R - Treasure Bay	Facility Maintenance Building	123-5300-62744		$ 30,000									$ 30,000
Parks & Rec	Sunset Vista Trailhead Signs	123-5300-63000		$ 30,000									$ 30,000
Parks & Rec	Misc. Park Improvements	123-5300-63000		$ 19,000									$ 19,000
P&R - Treasure Bay	Treasure Bay Berm & Living Seawall	123-5300-63100		$ 2,175,000									$ 2,175,000
Public Works	City Seawalls	123-5300-63741		$ 503,310									$ 503,310
Police	Marine One Replacement Engines	123-5300-64920		$ 55,000									$ 55,000
Public Works	CGT - Pavement Mgmt.	126-5412-63403			$ 53,500								$ 53,500
Public Works	Transportation Trust Fund	127-5400-63401				$ 7,070							$ 7,070
CDD - Building Fund	Permitting & Plans Software Update	140-5241-64290					$ 14,500						$ 14,500
Finance	Debt Issuance Costs	201-5191-31200						$ 60,000					$ 60,000
Public Works	Gulf Blvd. Undergrounding	301-5300-63121							$ 327,100				$ 327,100
Public Works	City Center Construction	302-5300-62001								$ 133,000			$ 133,000
PW - Wastewater	West Causeway Air Release Valvles	420-5350-63000									$ 45,000		$ 45,000
PW - Wastewater	LS Vault Door	420-5350-63455									$ 27,000		$ 27,000
PW - Wastewater	Force Main Rehab	420-5350-63463									$ 15,860		$ 15,860
PW - Stormwater	Stormwater Outfalls	450-5380-63000										$ 289,500	$ 289,500
PW - Stormwater	Stormwater Improvements	450-5380-63453										$ 485,000	$ 485,000
PW - Stormwater	Treasure Bay Ponds	450-5380-63742										$ 150,000	$ 150,000
		Totals >	**$ 3,975,620**	**$ 2,932,310**	**$ 53,500**	**$ 7,070**	**$ 14,500**	**$ 60,000**	**$ 327,100**	**$ 133,000**	**$ 87,860**	**$ 924,500**	**$ 8,515,460.00**

AGENDA ITEM NO. I.4

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE:	September 5, 2023
SUBMITTED BY:	Mike Munger, Finance
ITEM TYPE:	Ordinances
AGENDA SECTION:	ITEMS OF BUSINESS
SUBJECT:	Ordinance 2023-17 - Establishing a New Stormwater Rate Structure
BACKGROUND:	The City's current Stormwater Rate calculation and methodolgy was established in 1994 and has not had any fundamental modifications in the 30 years since. In that time, the best practice and common industry standard has evolved from an "Equivalent Dwelling Unit" (EDU) calculation to an "Equivalent Residency Unit" (ERU). In addition, even if the industry standard had not changed in the interim, the land use within the city limits has certainly changed with an overall increase in impermeable surface area. The basic change in permeable land within the city and the 30-year-old underlying calculation have made the existing rate structure outdated and should be updated for increase equitability between the rate classes.
POLICY/PURPOSE:	The City's Stormwater Utility Rate Schedule is set annually with the adoption of the annual fee schedule and budget adoption ordinances. However, those rates are based on a calculation referenced in the City's code of ordinances. To facilitate the fundamental rate changes proposed in the FY 2024 Fee Schedule and Proposed Budget, the Commission should take specific action in the form of an ordinance specifically altering the calculation language in the code of ordinances.
STRATEGIC PLAN RELEVANCE:	This proposed update to the Stormwater Utility Rate Calculation serves Goal 1 under the Infrastructure Road Map (Protect City Assets to Sustain the Future of Treasure Island) by ensuring future Stormwater Utility projects are adequately

funded.

ANALYSIS/DISCUSSION:

The City's current EDU is outdated are largely no longer used as a methodolgy as it spreads the assumed stormwater burden based on all dwellings within the city. This includes single-family homes, duplexes, multi-family units, but also factors in hotels as similar equivalent units. This results in properties not necessarily paying for their assumed impact on the stormwater system. In an EDU system, rate payers pay based on their property's "equivalent residency" calculation.

In an Equivalent Residency Unit calculation, it separates the rate classes between single-family homes and everything else. A scientific, statistically sound sample of single-family properties are evaluated based on their permeable (landscaping, grass, dirt, etc.) and non-permeable (driveways, pools, sheds, etc.) areas. The average of the calculation becomes the new ERU base figure. All other properties--which have been individually evaluated--will have their impervious area divided by the ERU figure to produce a more-equitable rate.

To highlight the fundamental change in this calculation, the city's current EDU is 1,513 square feet while the calculated new ERU is 4,445 sq. feet. This means that the implementation of this new ERU rate would create a significant burden-shift among ratepayers if elected to put into effect in one fiscal year. Given that the stormwater revenue is projected to be revenue sufficient over the next few years, the city is proposing to implement this fundamental change over a 3-year period to smooth out the rate changes. The proposed new ERU calculation is both modernizing our stormwater rate structure and is based on current data which will result in a more equitable stormwater rate structure.

FUNDING:

The rate study performed in the creation of this proposed ERU calculation is slated to be revenue-neutral in the first year, and phase in the ERU calculation change over a 3-year period.

MOTION:

I more to adopt Ordinance No. 2023-17 adopting the updated ERU Stormwater Calculation modifying chapter 54 of the Code of Ordinances to be effective October 1, 2023 at this 1st Reading, with a 2nd Reading and Public Hearing scheduled for September 18, 2023.

ATTACHMENTS:

Ordinance 2023-17 Stormwater Utility (02571960-3).docx
Stormwater Rate Structure Assessment And Alternatives Evaluation Project Final Report_08292023.pdf

ORDINANCE 2023-17

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 54 "UTILITIES" OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES, TO REVISE THE SYSTEM USED TO CALCULATE STORMWATER UTILITY RATES AND BY REVISING SECTION 54-71 "DEFINITIONS"; REVISING SECTION 54-74 "FEE" TO PROVIDE FOR STORMWATER UTILITY FEES TO BE CALCULATED BASED ON EQUIVALENT RESIDENTIAL UNITS INSTEAD OF EQUIVALENT DWELLING UNITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT, PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 54 of the City Code of Ordinances ("Code"), entitled "Utilities," regulates the City's provision of various utilities services, including stormwater management; and

WHEREAS, to determine the rates for the stormwater management utilities services that the City provides, the City calculates the average of the impervious area of properties by using equivalent dwelling units (EDU) as a unit of measurement; and

WHEREAS, the City conducted a study to update its current system calculations for stormwater utility rates to reflect current industry standards and provide greater equity amongst its customer classes; and

WHEREAS, in accordance with that study, the City has determined that it is appropriate to update this system by replacing the EDU as a unit of measurement with equivalent residential units (ERU) and to amend the Code accordingly to account for this change; and

WHEREAS, the City Commission has reviewed the relevant current Code provisions of the City of Treasure Island and finds that certain modifications are necessary and desirable to adopt the ERU calculation method in the Code; and

WHEREAS, the City Commission determines that the adoption of this Ordinance is in the interests of the public health, safety, and welfare of the City and its residents.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND, FLORIDA DOES ORDAIN:

SECTION 1. The recitals set forth in the "Whereas" clauses above are ratified and confirmed as true and correct and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida, for the adoption of this Ordinance.

SECTION 2. That section 54-71 of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Sec. 54-71. Definitions.

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

Developed ~~parcel~~ property means any parcel that has any building, structure, appurtenance or improvement.

Director means the city manager or his designee.

~~*Dwelling unit* means any residential space identified for habitation by persons or as classified by the land development code, including but not limited to residential rooms; combination of rooms designed to be occupied, including a hotel or motel; apartment units; condominium units; and multifamily units. Multi-unit residential structures or complexes shall be deemed to consist of multiple single-family residential units, regardless of whether or not such are served by a single water or sewer connection.~~

~~*Equivalent dwelling unit (EDU)* means a unit of measure that provides a basis for comparing the stormwater runoff generated by one property to that generated by another. An EDU is defined as the average of the impervious area for an equivalent dwelling unit to house a single family. EDU is based on single-family units, duplexes, multifamily units, hotels and motels. This average has been calculated by using a statistical sample to be 1,513 square feet in the city.~~

Equivalent residential unit (ERU) means the median impervious area in square feet of a single-family residential property within the city. For the purposes of this definition, one ERU shall equal 4,445 square feet.

ERU Adjustment Factor – a factor multiplied by the ERU to phase in the current ERU value over a period of three years. In Fiscal year 2024 the ERU Adjustment Factor is 0.56 and in Fiscal year 2025 the ERU Adjustment Factor is 0.78 and in Fiscal year 2026 and beyond the ERU Adjustment Factor is 1.

Impervious area means area of the impervious surface in a parcel of real property that prevents or severely restricts infiltration of stormwater into the earth.

Impervious surface means a surface that has been compacted or covered with a layer of material so that it is highly resistant to or prevents infiltration by stormwater. It includes surfaces such as compacted limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar surfaces.

Non-single family residential property means a property that is not used as a single-family residence; this includes but is not limited to properties with 5 or more dwelling units, commercial, industrial, institutional properties, and apartment complexes.

Parcel means a piece of real property having the same ownership. However, when property has been platted, each platted lot shall be considered a separate parcel.

~~*Single-family residential parcel (SFRP)* means a single-family detached housing unit on an individually platted lot.~~

Single-family residential property means a property with one detached single-family home or duplex/triplex/quadplex, as defined by Pinellas County Property Appraiser's land use codes, on an individual lot or parcel.

Stormwater means rainwater as it falls to the earth and surface water drainage paths taken by such water.

Stormwater management or *stormwater system* has the same meaning within this article and means all facilities, manmade structures, all natural watercourses used for collecting, treating, storing and conducting stormwater to, through and from drainage areas to, and including points of final outlet. A stormwater management system may include but is not limited to any or all of the following: inlets, conduits, valves, creeks, lakes, channels, catch basins, ditches, streams, drainage wells, gulches, gullies, flumes, culverts, siphons, retention or detention basins, dams, flood walls, levies, spillways, pumping stations, and appurtenant features to all of the foregoing.

SECTION 3. That section 54-74 of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Sec. 54-74. Fee.

(a) *Created.* A stormwater management utility fee, also referred to as "fee," is hereby created and imposed on all developed property within the city for services and facilities provided by the stormwater management program. For the purposes of imposing the fee, all developed property within the city shall be classified into the following ~~three~~ two classes.

(1) Single-family Residential property.

(2) Non-single family residential property.

~~(3) Mixed use property.~~

(b) *Schedule of rates.*

~~(1) The monthly EDU rate for each EDU shall be as follows:~~

~~Single-family$2.80~~

~~Duplex1.83~~

~~Multifamily2.51~~

~~Hotel/motel2.17~~

~~Commercial3.27~~

~~Public property3.27~~

~~Impervious single-family lots2.80~~

~~The monthly rate may be amended by resolution of the city commission as deemed necessary and included in appendix A.~~

~~(2) The fee shall be calculated for each developed property as follows:~~

~~a. The fee for property consisting solely of dwelling units is the rate of one EDU multiplied by the number of dwelling units existing on the property; that is, Fee = EDU rate × number of dwelling units.~~

~~b. The fee for property with no dwelling units is the rate of one EDU multiplied by the numerical factor. The numerical factor is obtained by dividing the total impervious area in square feet of the nonresidential property by 1,513 square feet. The resulting calculation is, Fee = EDU rate × (impervious area expressed in square feet/1,513 square feet, but not less than the rate for one EDU). Fractional remainders shall be rounded to the nearest 0.1 EDU.~~

~~c. The fee for mixed use property (dwelling units and commercial) is the rate of one EDU multiplied by the number of dwelling units existing on the property. The total on-site impervious area is then compared to the impervious areas allocated to dwelling units by multiplying the number of dwelling units by 1,513 square feet per dwelling unit and subtracting the resulting square footage of impervious area from the total impervious area. If the remaining impervious area is zero or negative, the fee is the EDU rate times the number of dwelling units. If the remaining impervious area is greater than zero, then the additional fee for the remaining impervious area is calculated under subsection (b)(2)b. of this subsection.~~

(1) The fee shall be calculated for each developed property as follows:

a. Single-family residential properties are billed the fee for one ERU, assigned to the one utility account associated with the property, or split among the accounts associated with the property.

b. The fee for a non-single family residential property shall be calculated as the property's impervious area square footage divided by the product of the ERU and prevailing ERU adjustment factor, rounded up to the nearest integer ERU, which will then be multiplied by the rate for 1 ERU.

(~~3~~2) The minimum fee for developed property, whether ~~residential~~ single-family residential properties or ~~nonresidential~~ non-single family residential property, within the city is equal to the rate for one ~~EDU~~ERU.

SECTION 4. SEVERABILITY.
It is the intention of the City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 5. CONFLICT.
All ordinance or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 6. CODIFICATION.
Sections 2 through 3 of this ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinance to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase in order to accomplish such intention.

SECTION 7. EFFECTIVE DATE.
This Ordinance shall take effect immediately upon its final passage.

FIRST READING and PUBLIC HEARING on the __ day of ___, 2023.

SECOND READING and PUBLIC HEARING on the __ day of ___, 2023.

PUBLISHED in the Tampa Bay Times on the __ day of ___, 2023.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the __ day of ____, 2023 by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call, the vote was:
YEAS:

NAYS:

ABSENT OR ABSTAINING:

_____
J. Tyler Payne, Mayor

ATTEST:

_____
Celine Kidwell, City Clerk



CITY OF TREASURE ISLAND, FL

Stormwater Rate Structure Assessment & Alternatives Evaluation Project

FINAL REPORT / August 29, 2023

TREASURE ISLAND FLORIDA

RAFTELIS

RAFTELIS

August 29, 2023

Stacy Boyles, PE, LEED AP, ENV SP
Public Works Director & Sustainability Coordinator
City of Treasure Island
120 108th Avenue
Treasure Island, FL 32706

Subject: Stormwater Rate Structure Assessment & Alternatives Evaluation Report

Dear Ms. Boyles:

Raftelis is pleased to provide this Stormwater Rate Structure Assessment & Alternatives Evaluation Report containing our analysis, findings, and recommendations for consideration by the City of Treasure Island ("City").

The City's objective for this project was to develop an equitable rate structure alternative that fits the City's specific cost drivers, development patterns, and needs for revenue sufficiency and predictability and create a strong link between the fee charged and property characteristics. To support these changes, the City desired to calculate an updated impervious area level of service, review its customer class relationships, and enhance its overall stormwater data. To meet these objectives, Raftelis engaged in a comprehensive process to update the City's stormwater billing data, identify the City's revenue requirements needed to operate, maintain, rehabilitate, upgrade, and expand the stormwater system and to develop an appropriate rate structure and associated 10-year financial plan to meet those revenue requirements. Our rate structure and rate recommendations are described in the report below.

We appreciate the opportunity to be of service to the City and would like to thank the City staff for the valuable assistance and cooperation that we received during the preparation of this project.

Respectfully submitted,



Jennifer Tavantzis
Senior Manager
Raftelis Financial Consultants, Inc.

Contents

1. Introduction 7
2. Review of the City's Stormwater Management Program 8
   - 2.1. Background 8
   - 2.2. Capital Improvement Plan 8
3. Projected Revenue Requirements 9
   - 3.1. Ten-Year Financial Forecast 9
   - 3.2. Assumptions & Considerations 9
4. Stormwater Rate Structure Alternatives Analysis 11
   - 4.1. Current Rate Structure 11
   - 4.2. Proposed Rate Structure 11
     - 4.2.1. Equivalent Residential Unit (ERU) Analysis 12
     - 4.2.2. ERU Analysis Data 12
     - 4.2.3. ERU Analysis Methodology 12
     - 4.2.4. ERU Analysis Results and Recommendations 14
     - 4.2.5. ERU Phase-In 16
   - 4.3. Units of Services Analysis 16
   - 4.4. Rate Recommendations 17
5. Draft Credit Program Options 19
6. Findings and Conclusions 20
   - 6.1. Recommendations 20
   - 6.2. Financial Plan 20
   - 6.3. Impacts 21
   - 6.4. Conclusion 21

Tables

Table 1: Current Fee Schedule 11
Table 2: FY24 Phased-In Units of Service for the City of Treasure Island's Stormwater Utility 16
Table 3: FY25 Phased-In Units of Service for the City of Treasure Island's Stormwater Utility 16
Table 4: FY26 Phased-In Units of Service for the City of Treasure Island's Stormwater Utility 17
Table 5: Stormwater Management Rate Schedule 18
Table 6: Units of Service 21
Table 7: FY24 Monthly Rate Change Examples 21

Figures

Figure 1: Total Stormwater Expenditures 10
Figure 2: City of Treasure Island Sample Distribution 13
Figure 3: Example of SFR Properties' Impervious Area Digitization 14
Figure 4: Example of Condominium Complex and Hotel / Motel Impervious Area Digitization 14
Figure 5: Median Impervious Area by Property Type in Treasure Island 15
Figure 6: Impervious Area Distribution for SFR and Duplex/Triplex/Fourplex Properties in the Treasure Island ERU Sample 15
Figure 7: Recommended Phased-In ERU Update 16
Figure 8: Number of Total ERUs by Customer Class Over the Phased-In Period 17
Figure 9: 10-Year Financial Plan 20

Appendices

Appendix A: FY2023 Operating Budget
Appendix B: Projected Operating Expenses
Appendix C: Projected Capital Improvement Program Budget 8/4/23
Appendix D: Revenue and Expenditure Projections

THIS PAGE INTENTIONALLY LEFT BLANK

1. Introduction

Raftelis has prepared this Stormwater Utility Rate Structure Assessment & Alternatives Evaluation Report for the City of Treasure Island, Florida ("City"). For this project, Raftelis provided the following Scope of Services:

1) Data Gathering, including items such as:
    a. Current tax parcels.
    b. Land use data.
    c. Aerial imagery.
    d. Zoning data.
    e. Existing documentation of prior analyses to support execution of other tasks.
2) Rate Structure Assessment and Alternatives Evaluation
3) Develop a statistically valid sample for residential properties and measure impervious area of the sampled properties to evaluate the City's current definition of one Equivalent Dwelling Unit (EDU) equal to 1,513 square feet of impervious area and measure the impervious area for all existing commercial properties to ensure that the City's non-residential billing data is up-to-date and accurate.
4) Develop a fair and equitable rate method to collect revenues based on industry standards and practices to best meet the City's objectives while considering data maintenance efforts and administrative burdens.
5) Construct a Stormwater Utility Rate Model that the City will be able to use to update revenue requirements and cash flow projections as the program evolves.
6) Credit Program analysis and development.
7) Rate Setting.
8) Reports and Presentations.
9) Optional implementation assistance.

To prepare the Stormwater Rate Structure Assessment & Alternatives Evaluation Report, we have relied upon certain information and data provided by the City including their annual operations and capital budgets, stormwater fee schedule, Pinellas County GIS data and stormwater billing data.

This report summarizes the results of our analysis and outlines the project's recommendations and conclusions for the City's consideration.

2. Review of the City's Stormwater Management Program

2.1. Background

The City of Treasure Island ("City") is a western Florida island community located near Tampa Bay in southwestern Pinellas County. This City's boundaries currently embrace 1.55 square miles of land area according to the U.S. Census Bureau in 2020. The estimated population for Treasure Island as of July 2022 was 6,558 according to the Census Bureau's Population Estimates Program.

The City's stormwater management program is responsible for 1) maintaining the integrity of the City's stormwater infrastructure; 2) minimizing flooding; 3) planning for and implement future stormwater system improvements; and 4) ensuring compliance with Federal, State and Local stormwater management rules and regulations. These regulatory requirements include federally mandated National Pollution Discharge Elimination System ("NPDES") permit requirements. The City is a co-permittee – along with 21 other municipalities and Pinellas County – of the Pinellas County NPDES Municipal Separate Storm Sewer System ("MS4") Permit (Permit Number FLS000005-004). This NPDES permit regulates what can be discharged into waters of the State and delegates compliance enforcement to the City and requires that the City control and reduce pollutants entering the MS4 system from residential and commercial properties. The permit also includes requirements associated with the ongoing inspection of MS4 facilities and related maintenance requirements. The work performed by the City directly benefits residents through flood mitigation and contributes to improved water quality in freshwater wetlands. Maintenance activities and ongoing improvements to the MS4 provide a direct benefit to residents.

The City established a Stormwater Management Utility Fund in 1994 (Ord. No. 94-1, § 3, 4-19-94) to provide a dedicated revenue source to fund the costs of the Program. According to the City's Fiscal Year 2023 Adopted Budget documentation, the City's current stormwater fees are "in the fourth year of a 5-year plan to increase the rate 10% annually to build the revenues to sustain the capital investments needed for the stormwater system."

The City's current rate structure for stormwater service is based on impervious area using an equivalent dwelling unit ("EDU") approach. This rate structure is discussed further in section 4.1, *Current Rate Structure.*

2.2. Capital Improvement Plan

The City's projected Capital Improvement Plan budget (Appendix B, August 4, 2023) for Fiscal Year 2024 through Fiscal Year 2028 includes causeway improvements, a city-wide roadway curb replacement effort, restoration of stormwater ponds at Treasure Bay and implementation of city-wide resiliency projects. The resiliency projects are being designed to create positive drainage of stormwater from City property.

3. Projected Revenue Requirements

Critical to rate structure and rate development is the development of a financial forecast to identify the stormwater management program's funding requirements. The financial forecast task includes development of a ten-year financial forecast based on the projected operations and maintenance costs and the capital improvements plan as provided by City staff. The funding needs associated with operations and maintenance and capital costs stormwater represent the rate revenue requirements.

3.1. Ten-Year Financial Forecast

The City's stormwater management program is currently funded from stormwater fees and other non-recurring minor sources such as grants, when available, that have been used to fund certain stormwater projects. In preparing the ten-year financial forecast, a major objective is to identify the total system revenue requirements and estimate the stormwater fee levels that would be required to fund stormwater costs including the operation, maintenance, repair, facilities construction, renewal and replacement of assets, facilities planning, and program administration.

The sum of these cost components as well as additional funding requirements such as financial policy targets, requirements, etc., represents the rate revenue requirements to be collected from stormwater fees. The revenue requirements for this financial forecast are predicated on an analysis of stormwater costs for the ten fiscal year period. The projected revenue requirements included the general cost components described below:

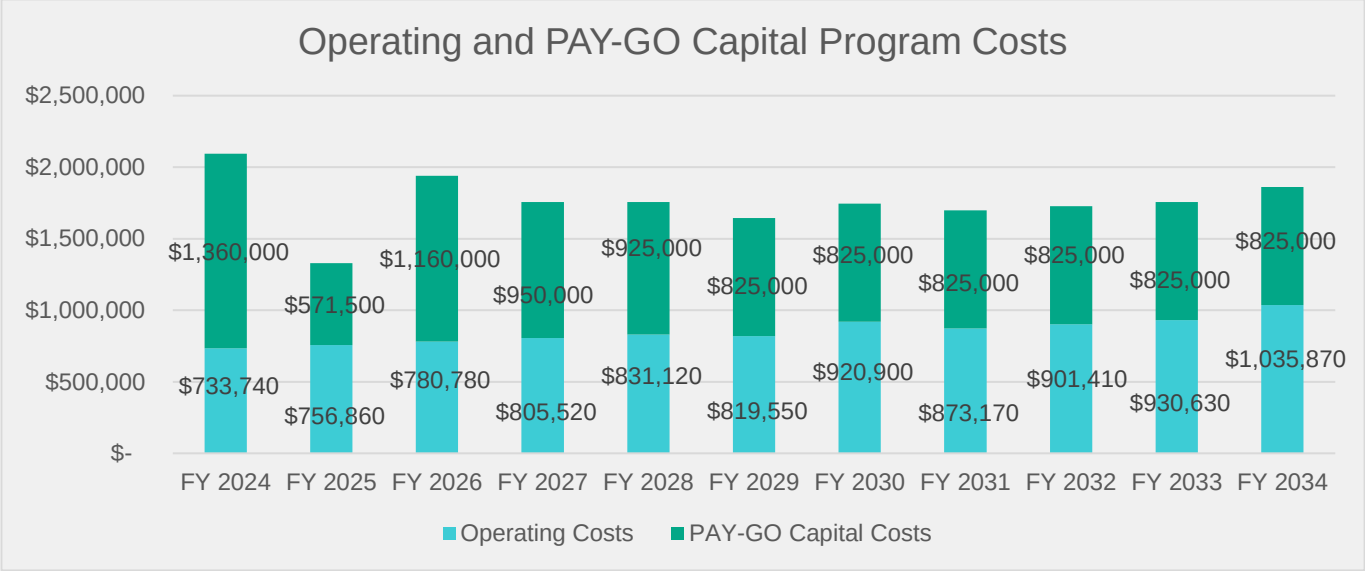
● Operating Expenses: These expenses include the cost of labor, materials, supplies, utilities, contract services and other items necessary for the operation and maintenance and administration of the stormwater system. The basis for these expenses is the City's FY2024 Stormwater Operating Budget that are projected for the FY2024 through FY2034 study period are based on cost escalation assumptions, detailed below.

● Capital Expenses & Other Revenue Requirements: This component of cost includes, in general, any ongoing capital improvements such as asset renewal and replacement to be funded directly by "pay as you go" (Pay-Go) funds generated by the stormwater fee and transfers from the General Fund. These expenditures total approximately $9,916,500 over the study period and General Fund transfers total approximately $3.1 million over the study period.

3.2. Assumptions & Considerations

The projected revenue requirements are shown below in Figure 1 for the stormwater system. The projected revenue requirements are based on projected stormwater operating costs and the Stormwater Capital Improvement Program ("CIP") funding plan.

Figure 1: Total Stormwater Expenditures



The projected revenue requirements reflect certain assumptions, considerations and analyses as follows:

1. The proposed Fiscal Year 2024 operating budget associated with stormwater system activities serves as the basis for the operating expenditure projections for the forecast period shown in Appendix A at the end of this report. Unless otherwise noted, the underlying assumptions and expenditure amounts included in the budget are assumed to be reasonable.
2. The operations and maintenance expenses associated with operations of the stormwater system for Fiscal Year 2024 are projected for the remaining ten (10) years of the forecast period (i.e., Fiscal Year 2024 through Fiscal Year 2034) as illustrated in Appendix B. The following summarizes the general cost escalation factors used to project future expenses:
    a. Salary and Wage Related Increases = 4.5% for the first year / 4.0% Annually thereafter
    b. Collection Rate = 98.0%
    c. Customer Growth = 0.2% Annually
    d. Credit Program Allowance = 2.0%
3. The capital expenditures for stormwater system are based on estimated project costs included in the CIP, which included Fiscal Years 2024 through Fiscal Year 2028. Based upon direction from City Staff, Raftelis assumed CIP spending to remain steady from Fiscal Year 2029 to Fiscal Year 2034. Appendix C at the end of this report provides a summary of the planned stormwater capital projects and funding plan for the ten-year forecast period that total $9,916,500. In general, the major expenditures in the CIP include the following type of projects:
    a. West Causeway Improvements
    b. Treasure Bay Pond Restoration
    c. Resiliency Projects
    d. Roadside Curbing Replacement City-Wide

The revenue and expenditures projections are subject to assumptions regarding system growth and operating cost inflation. These projections are shown for the ten- (10) year period from FY2024 through FY2034 in Appendix D at the end of this report.

4. Stormwater Rate Structure Alternatives Analysis

4.1. Current Rate Structure

The current stormwater fee rate structure is based on impervious area. Customers are billed relative to the Equivalent Dwelling Unit (EDU). The EDU is described by the Treasure Island Code of Ordinances (Article III, Section 54-71 of the Treasure Island Code of Ordinances) as "the average of the impervious area for an equivalent dwelling unit to house a single family. EDU is based on single-family units, duplexes, multifamily units, hotels and motels. This average has previously been calculated by using a statistical sample to be 1,513 square feet in the city."

Table 1: Current Fee Schedule

Category	Monthly Rate	Bi-Monthly Rate	% Increase
Single Family	$17.78	$35.56	10%
Duplex (for both units)	$23.37	$46.75	10%
Multiple Family (per unit)	$16.05	$32.10	10%
Hotel/Motel (per unit)	$13.85	$27.70	10%
Commercial (per EDU*)	$21.35	$42.70	10%
Public Property (per EDU*)	$21.35	$42.70	10%
Impervious Single-Family Lots	$17.78	$35.56	10%
***EDU = Equivalent Dwelling Unit**			

Based upon the current rate schedule (Table 1) all single-family dwelling units are billed for 1 EDU per month. Duplexes are billed for 0.66 EDUs per dwelling unit, condominiums are billed for 0.9 EDUs per condominium unit, and hotels/motels are billed for 0.78 EDUs per unit.

To determine if the City's current rate structure was fair and equitable among the various customer classes in the City, Raftelis compared median impervious area values for the property types included in the City's current EDU definition. Raftelis developed a random sample of condominium complexes (sample of 26 complexes, including common areas, Pinellas County Property Assessor land use codes 430, 435, 904, 974), and hotel/motels (sample of 12, Pinellas County Property Assessor land use codes 3912 and 3913) in counts proportional to that of the SFR sample.

4.2. Proposed Rate Structure

The proposed rate structure is a simplified rate structure where all properties will be charged based upon the equivalent residential unit (ERU) which will be described in more detail below. The following sections explain the process of determining the new ERU value as well as the new rate structure that coincides with it.

4.2.1. Equivalent Residential Unit (ERU) Analysis

The following analysis and results were presented by Raftelis to the City of Treasure Island, Florida (City) in support of Task 3 of the Stormwater Rate Structure Assessment and Alternatives Evaluation project in a Technical Memorandum dated February 20, 2023. This task included the development of an Equivalent Residential Unit (ERU) for the City, which is a billing unit often used by stormwater utilities with impervious area-based rate structures. Note, the ERU discussed herein is distinct from the Equivalent Dwelling Unit, or EDU, currently used in the rate structure. An ERU reflects the typical amount of impervious area on a single family residential (SFR) parcel and allows for simplified billing of the largest customer class- single family properties. Impervious surface area is the most common rate structure among those communities with stormwater fees because it is a good surrogate for directly measuring a ratepayer's demand on the stormwater system. The more impervious area on a property, the more stormwater the property generates and the greater the demand for the utility's stormwater management services. Raftelis' development of the City's ERU is based upon the impervious area digitization analysis described below. The information provided in this section describes Raftelis' methodology for completing this Task, and our results and recommendations.

4.2.2. ERU Analysis Data

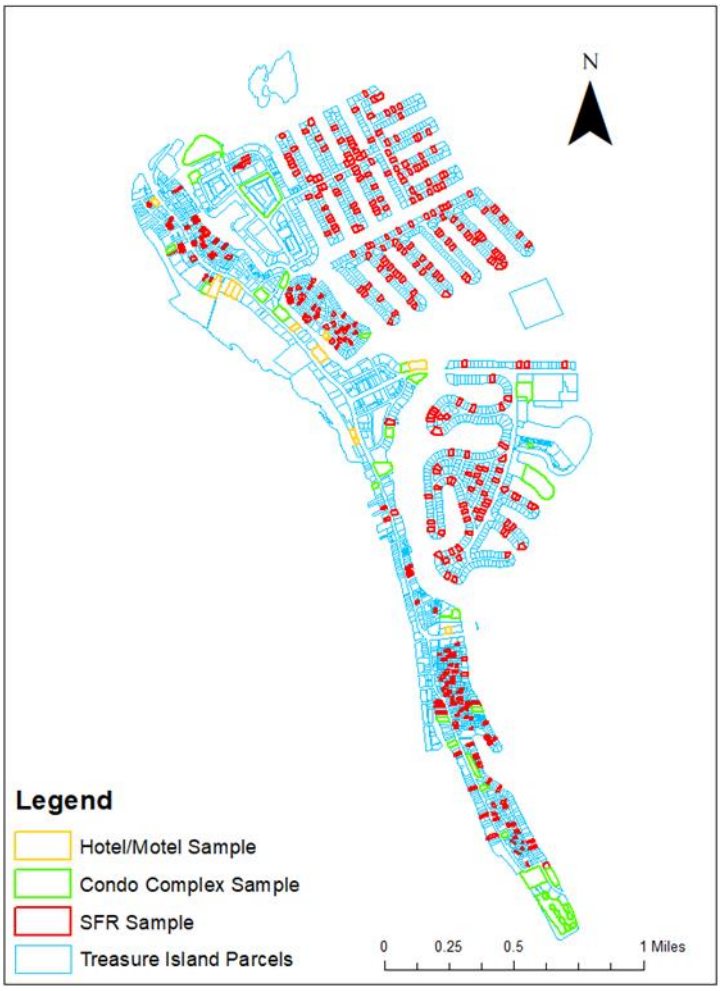
Raftelis' analysis was based on 2020 aerial imagery from Pinellas County and geographic tax parcels and information from the Pinellas County Property Appraiser's office provided by the City in December 2022.

4.2.3. ERU Analysis Methodology

A Raftelis GIS analyst began by generating a random sample of 400 parcels falling into one of two SFR categories, defined by the Pinellas County Property Use codes 'Single Family' (code 110) and 'Duplex/Triplex/Fourplex' (code 820). Often, duplex, triplex, and fourplex properties have impervious area measurements and overall development patterns substantially similar to single family properties and are therefore good candidates for including in that customer class. Therefore, Raftelis included them in the analysis in order to evaluate that possibility. The parcel data does not distinguish between duplex/triplex/fourplex types, so all were included in this sample. This sample size was selected to ensure a reasonable level of confidence that the median value in the resulting data was representative of the population of SFR type properties.

We ensured, by visual review of the sample properties, that they encompassed a representative range of geography, structure age, and housing type. In some cases, an original randomly selected sample property was not suitable to be included because it was obscured by vegetation and could not be accurately measured. In these cases, Raftelis removed the obscured parcel from the review and replaced it with an additional randomly selected parcel. The final, measured sample of SFR property types (including duplex/triplex/fourplex parcels) are highlighted in red, while sampled condominium complexes are in green and sampled hotels/motels are in bright yellow. Other parcels are in blue.

Figure 2: City of Treasure Island Sample Distribution



Using ArcGIS, overlaying parcels on top of 2020 Pinellas County imagery, Raftelis created new spatial features to represent the impervious area on each property based on visual assessment of the property and met the City's definition of "impervious". The City's impervious surface definition includes "a surface that has been compacted or covered with a layer of material so that it is highly resistant to or prevents infiltration by stormwater. It includes surfaces such as compacted lime rock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar surfaces. (Article III, Section 54-71 of the Treasure Island Code of Ordinances)" The polygons were created to match the footprint on the ground of these surfaces, rather than rooflines which may be obscured by the angle of the aerial photography.

Figure 3 provides a selection of digitized SFR property types. Figure 4 provides a selection of digitized condominium and hotel/motel properties. The sample property is outlined in bright green, the impervious area features created by Raftelis are translucent yellow. Per the impervious surface definition, swimming pools and landscaped areas are excluded, and outbuildings, if any, are included.

Figure 3: Example of SFR Properties' Impervious Area Digitization



Figure 4: Example of Condominium Complex and Hotel / Motel Impervious Area Digitization

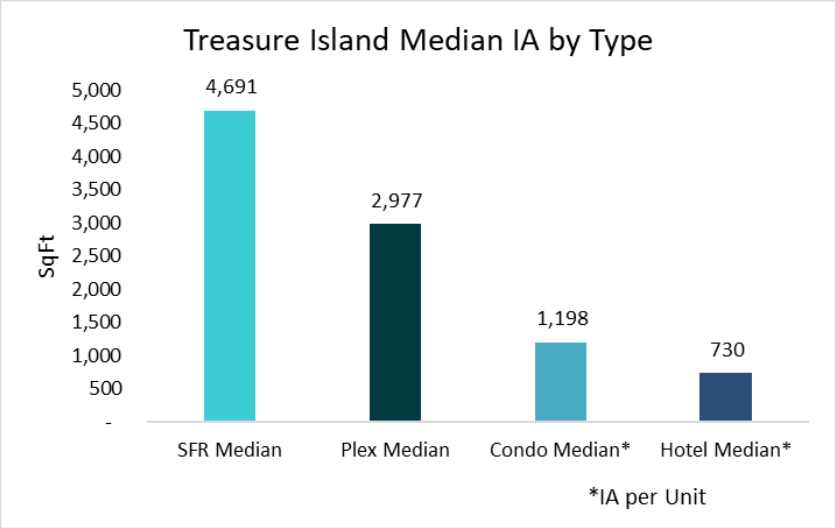


4.2.4. ERU Analysis Results and Recommendations

Raftelis measured impervious area on 400 SFR properties and 38 condominiums and hotels. For SFR property types (including duplex/triplex/fourplex parcels), the square footage of impervious area was calculated on a per parcel basis. For condominiums and hotels, the impervious area was calculated for the entire complex and then divided by the number of units in the complex to determine a per unit impervious area value. Units for condominiums were based upon the number of units identified per condominium complex in the Pinellas County parcel data, and units for hotels were found on the Pinellas County Property Appraiser webpage (https://www.pcpao.org/PaoTpv/). Raftelis then calculated the median value of the entire sample, and the median of each property type separately. While the City's definition uses the word "average" in its EDU definition, Raftelis recommends using the median value of impervious area to calculate the ERU. The median is more statistically robust, and less sensitive to outliers, the very small or very large impervious surface amounts in the sample, and therefore a more accurate representation of impervious area within the City.

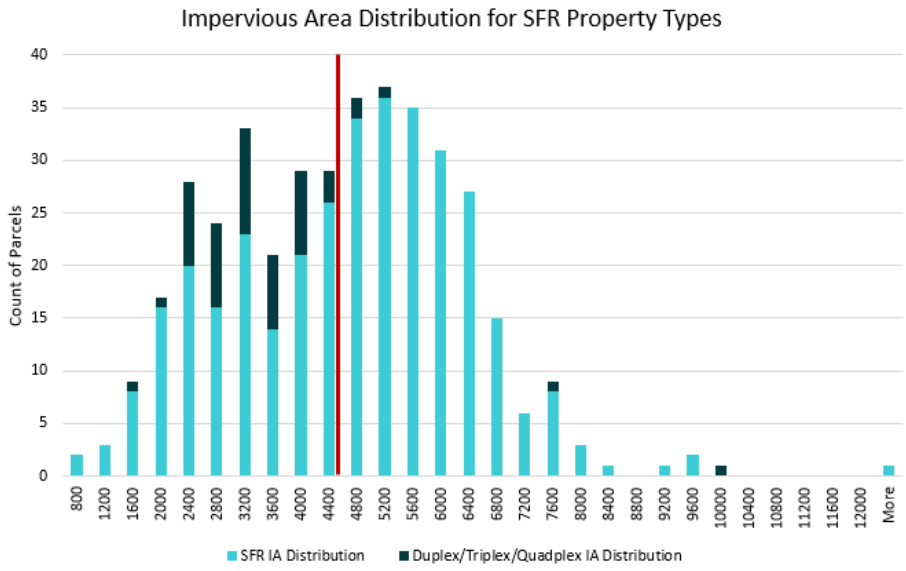
Figure 5 below depicts the median values for each of the property types. As this graph demonstrates, duplex/triplex/fourplex properties (Pinellas County Code 820 properties) have a median impervious area that is 63% of the median of single-family properties (Pinellas County Code 110 properties). The median impervious area for condominium units is 26% of the single-family median and the median impervious area for hotel/motel units is 16% of the single-family median.

Figure 5: Median Impervious Area by Property Type in Treasure Island



Raftelis recommended that as part of their rate structure update, the City change from their current EDU to the industry standard ERU definition, which for the City reasonably includes SFR and duplex/triplex/fourplex property types. The distribution of sampled impervious area for this ERU definition and median of those two property types is shown in Figure 6 below. We recommended that the City establish an ERU value of 4,445 square feet (the median of the two SFR property types). As Raftelis has demonstrated, condo complexes and hotels/motels per unit impervious area values are much lower than that of the other SFR property types. To increase equity in the City's rate structure, condominium units and hotel/motel properties should be treated as non-single family residential (NSFR) properties.

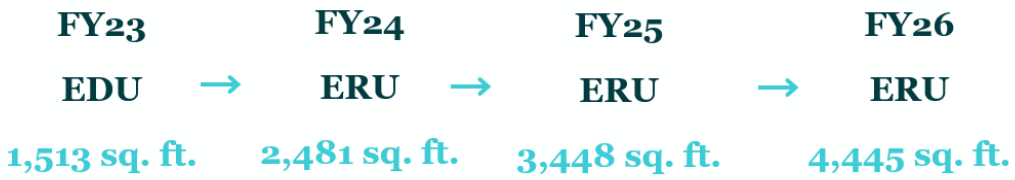
Figure 6: Impervious Area Distribution for SFR and Duplex/Triplex/Fourplex Properties in the Treasure Island ERU Sample



4.2.5. ERU Phase-In

Updating the rate structure from an EDU of 1,513 square feet to an ERU value of 4,445 square feet would have resulted in a 50% increase in the monthly rate for SFR properties (from $17.78 per month in FY23 to $35 per month in FY24). Therefore, to more slowly increase this rate, a phased in ERU approach over a 3-year period is recommended. The phased in approach rises by a third of the proposed ERU rate of 4,445 square feet each year beginning in FY24 and ending in FY26. For FY24, an ERU value that is a third of the proposed ERU value is 2,481 square feet. For FY25, an ERU value that is two-thirds of the proposed ERU value is 3,448 square feet. And finally, the proposed ERU value of 4,445 square feet will be implemented in FY26.

Figure 7: Recommended Phased-In ERU Update



4.3. Units of Services Analysis

Using the phased-in ERU values that were calculated in section 4.2.4 above, Raftelis calculated the total units of service for the City. All SFR properties were assigned 1 ERU. Impervious area for each NSFR parcel was calculated by a Raftelis GIS analyst. The measured impervious area for each NSFR parcel was then divided by the ERU value for the given year and rounded up to the nearest whole number to determine each parcel's units of service. A breakdown of units of service by customer class is provided below in Table 4, Table 3, and Table 4 for each phased-in year. Figure 8 displays the change of total ERUs by class over the phased-in time period.

Table 2: FY24 Phased-In Units of Service for the City of Treasure Island's Stormwater Utility

Bill Class	Count of Parcels with Impervious Area	Count Proportion	Impervious Area Units (ERU)	Impervious Area Units Proportion
NSFR	431	19%	3,495	65%
SFR	1,897	81%	1,897	35%
Total	**2,328**	**100%**	**5,392**	**100%**

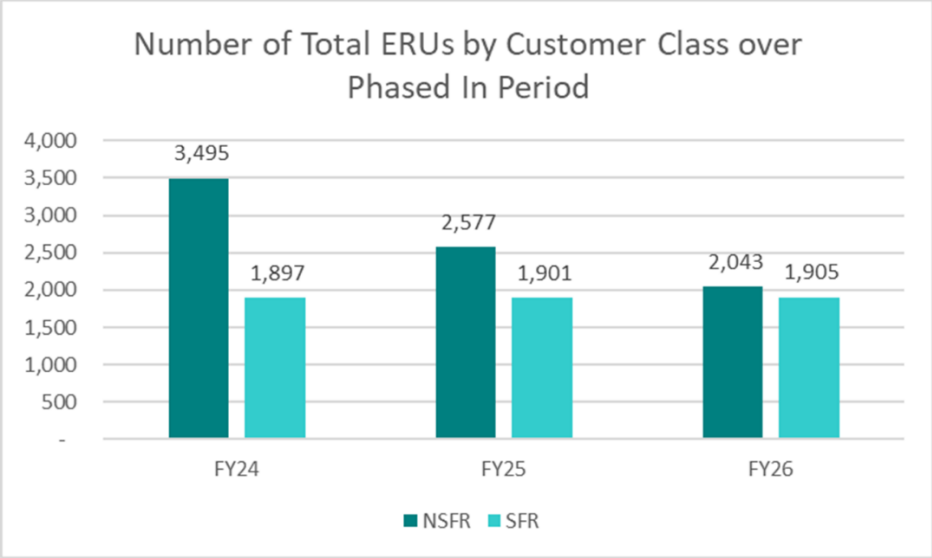
Table 3: FY25 Phased-In Units of Service for the City of Treasure Island's Stormwater Utility

Bill Class	Count of Parcels with Impervious Area	Count Proportion	Impervious Area Units (ERU)	Impervious Area Units Proportion
NSFR	431	19%	2,577	58%
SFR	1,901	81%	1,901	42%
Total	**2,332**	**100%**	**4,478**	**100%**

Table 4: FY26 Phased-In Units of Service for the City of Treasure Island's Stormwater Utility

Bill Class	Count of Parcels with Impervious Area	Count Proportion	Impervious Area Units (ERU)	Impervious Area Units Proportion
NSFR	431	19%	2,043	52%
SFR	1,905	81%	1,905	48%
Total	**2,336**	**100%**	**3,940**	**100%**

Figure 8: Number of Total ERUs by Customer Class Over the Phased-In Period



4.4. Rate Recommendations

Raftelis recommends the City update their rates to reflect the recommended changes to the rate structure. Under the updated rate structure, there will be one set rate, regardless of bill class. Customers will be charged a rate per ERU per month. SFR property types, including duplex/triplex/fourplex properties, will be billed 1 ERU. Multifamily residential properties such as condominiums and hotels will be treated as NSFR properties and billed similarly to other NSFR properties, whereby total measured impervious area will be divided by the ERU value for that year and multiplied by the rate per ERU. This is a change from the "per unit" charge in the previous rate structure. All other non-residential will also be billed upon their amount of total impervious area proportional to the ERU value. Using the revenue requirements described in Section 3, and the rate structure described above, Raftelis is recommending that the City update their rates to those shown in Table 5. To maintain revenue sufficiency throughout the 10-year financial plan, an 8% increase in FY25, a 15% increase in FY26, a 12% increase in FY27, a 10% increase in FY28, and a 5% increase in FY29 is needed. Rates are projected to remain flat from FY30 to FY34.

Table 5: Stormwater Management Rate Schedule

City of Treasure Island
Stormwater Management Rate Schedule
Effective Billing Cycles as of December 2023
New ERU calculation for FY24

Category	Monthly Rate	Bi-Monthly Rate
Single Family and Duplex/Triplex/Quadplex	$24.00	$48.00
Multiple Family (per ERU*)	$24.00	$48.00
Commercial (per ERU*)	$24.00	$48.00
Public Property (per ERU*)	$24.00	$48.00

5. Draft Credit Program Options

Raftelis made the following draft recommendations regarding the City's implementation of a credit program via technical memorandum dated April 26, 2023 (provided to the City under separate cover) in support of Task 6 of the Stormwater Rate Structure Assessment and Alternatives Evaluation project. The City wanted to evaluate the possibility of offering customers a credit program. This credit program would offer a reduction in the stormwater utility fee for customers who undertake specific actions to reduce the impact of stormwater runoff on the public storm drainage system and provide an ongoing benefit related to stormwater management. Raftelis reviewed decision points around what type of credits to offer, who is eligible for the credits, how much credit to offer, and how the application process will work. All these decisions have financial implications as well as staffing and public outreach implications for the long-term operation of the stormwater utility. Raftelis incorporated the financial impact from implementing this credit program into the model as a 2% reduction in revenue annually.

After evaluating several credit types and the decision points mentioned above, Raftelis recommended that the City offer NSFR customers credit for construction of SCMs, including pervious pavements, that are designed in accordance with the November 2021 Pinellas County Stormwater Manual. This credit should be capped at 50% of the customer's stormwater fee. This credit type will meet the City's objectives of offering an opportunity for customers to reduce their stormwater fee, while reducing the demand on the stormwater system and meeting NDPES permit requirements and is not overly burdensome on City staff. This credit should be renewed every two years and require inspection prior to renewal, with maintenance performed if needed.

The City is currently amending its Land Development Regulations (LDR) and Raftelis may provide updated credit recommendations upon completion of the LDR. Any updates to the credit recommendations will be provided under separate cover.

6. Findings and Conclusions

6.1. Recommendations

Based on our analysis in developing the Stormwater Rate Structure Assessment & Alternatives Evaluation Project, we offer the following recommendations:

1. The City should update its stormwater fee rate structure to simplify customer classes as discussed in Section 4 above.
2. The City should consider establishing a stormwater fee based on full cost recovery of the City's projected revenue requirements including enhanced levels of maintenance activities and capital improvements.

6.2. Financial Plan

Total revenue requirements are composed of operating costs and capital program costs. Revenue offsets in the form of general fund transfers are planned to reduce the overall revenue requirement of the stormwater program. To calculate the monthly stormwater rate, revenue requirements are divided by units of service. For FY24, the stormwater rate will be revenue neutral, as shown in Figure 9 below, which also shows projected rates, revenue generated by the fee, and yearly revenue requirements for the 10-year period. Projected units of service growth (0.2%) that contribute to growth in revenue are below in Table 6.

Figure 9: 10-Year Financial Plan

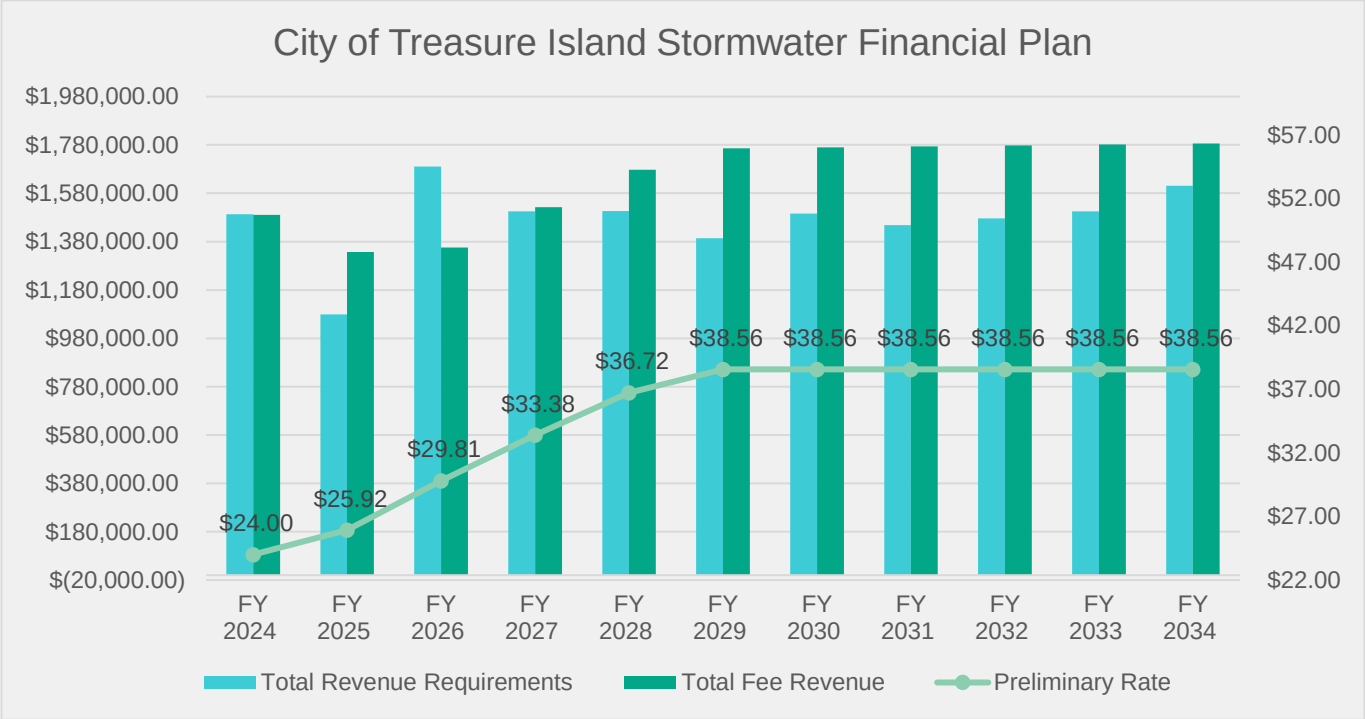


Table 6: Units of Service

Bill Class	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	FY 2034
NSFR	3,495	2,577	2,043	2,048	2,053	2,058	2,063	2,068	2,073	2,078	2,083
SFR	1,897	1,901	1,905	1,909	1,913	1,917	1,921	1,925	1,929	1,933	1,937
TOTAL	**5,392**	**4,478**	**3,948**	**3,957**	**3,966**	**3,975**	**3,984**	**3,993**	**4,002**	**4,011**	**4,020**

6.3. Impacts

The change to a more equitable rate structure will change customers' monthly bill. Table 8 below provides examples of changes to monthly bills for various customer types. Figure 8 in section 4.3 above demonstrates the burden shift from non-single family residential customers (commercial properties, hotels, motels, and condominiums) to single-family residential customers as many single-family residential properties are not fully bearing their respective impervious area burden under the current EDU. The shift from varying rates and billing methods by customer class in the current structure, to one based solely on the newly calculated ERU value, non-single family residential properties display a lower monthly stormwater bill while single family residential properties have an increase in their rate.

Table 7: FY24 Monthly Rate Change Examples

	Measured IA	Units	Current Structure EDUs 1,513 sq. ft. (FY23)	Updated Structure ERUs 2,481 sq. ft. (FY24)	Current Monthly Charge (FY23)	Updated Monthly Charge (FY24)	Current Structure (FY23) Monthly Bill	Updated Structure (FY24) Monthly Bill	% Change in Monthly Bill
Example SFR	NA	1	1	1	$17.78	$24 per ERU	$ 17.78	$ 24.00	26%
Example Condo	165,287	177	177	67	$16.05 Per Unit	$24 per ERU	$ 2,840.85	$ 1,608.00	-77%
Example Hotel	58,919	105	105	24	$13.85 Per Unit	$24 per ERU	$ 1,454.25	$ 576.00	-152%
Example Commercial	6,935	NA	4.09	3	$21.35 Per EDU	$24 per ERU	$ 87.32	$ 72.00	-21%

6.4. Conclusion

The City's objective for this project was to develop an equitable rate structure alternative that fits the City's specific cost drivers, development patterns, and needs for revenue sufficiency and predictability and create a strong link between the fee charged and property characteristics. To support these changes, the City desired to calculate an updated impervious area level of service, review its customer class relationships, and enhance its overall stormwater data. Raftelis conducted all these tasks to meet the project's objectives. Through the newly created stormwater rate model, Raftelis generated a recommended stormwater rate structure and rate, along with a phased-in ERU approach. This report and model can be used by the City to maintain a desired stormwater rate that supports its ongoing revenue requirements.

APPENDICES:

Budgetary Documents

APPENDIX A:

FY2023 Operating Budget

			FY 2021 Total Budget	FY 2021 Total Activity	FY 2022 Original Budget	FY 2022 Total Budget	FY 2022 YTD Activity	FY 2022 Proj. Actual	FY 2023 CM Proposed	Percent Change FY 2023 / FY 2022
Fund: 450 - STORMWATER FUND										
Department: 5380 - STORMWATER										
Category: 51 - PERSONNEL										
450-5380-12000	SALARIES		155,640.00	136,502.13	160,570.00	160,570.00	89,849.85	135,360.00	178,760.00	11.33 %
450-5380-14000	OVERTIME		10,000.00	11,265.20	8,000.00	8,000.00	13,603.36	19,580.00	8,000.00	0.00 %
450-5380-15000	SPECIAL PAY		1,180.00	1,562.82	1,510.00	1,510.00	2,272.42	2,000.00	1,240.00	-17.88 %
450-5380-21000	FICA EXPENSE		12,750.00	11,519.88	13,010.00	13,010.00	7,793.69	12,010.00	14,380.00	10.53 %
450-5380-22000	RETIREMENT EXPENSE		13,340.00	10,752.65	13,610.00	13,610.00	7,005.53	12,560.00	15,040.00	10.51 %
450-5380-23000	LIFE & MED INSURANCE		37,900.00	30,392.74	34,180.00	34,180.00	18,451.13	24,750.00	35,520.00	3.92 %
450-5380-24000	WORKERS' COMPENSATION		4,340.00	4,111.19	3,540.00	3,540.00	3,394.78	3,540.00	3,830.00	8.19 %
450-5380-25000	UNEMPLOYMENT COMP		0.00	295.05	0.00	0.00	59.75	60.00	0.00	
450-5380-26000	OPEB EXPENSE		0.00	532.00	0.00	0.00	0.00	0.00	0.00	
	Category: 51 - PERSONNEL Total:		**235,150.00**	**206,933.66**	**234,420.00**	**234,420.00**	**142,430.51**	**209,860.00**	**256,770.00**	**9.53 %**
Category: 53 - OPERATING EXPENSES										
450-5380-31200	PROFESSIONAL SVCS		53,357.52	2,277.14	182,500.00	233,580.38	136,215.38	224,880.00	32,750.00	-85.98 %
Budget Detail										
Budget Code	**Description**	**Units**	**Price**	**Amount**						
CM Proposed	Grant Writing Services	0.15	50,000.00	7,500.00						
CM Proposed	NEW-LDR Rewrite-House Bill	1.00	25,250.00	25,250.00						
450-5380-31300	ENGINEERING		12,666.67	41,615.73	11,000.00	31,800.87	28,300.87	28,800.00	81,000.00	154.71 %
Budget Detail										
Budget Code	**Description**	**Units**	**Price**	**Amount**						
CM Proposed	ENGINEERING FEES/NPDES PERMIT	1.00	8,000.00	8,000.00						
CM Proposed	NEW-Expand WMP to City Properties	1.00	70,000.00	70,000.00						
CM Proposed	SCOPE WRITING	1.00	3,000.00	3,000.00						
450-5380-32000	AUDIT SERVICES		2,136.00	2,100.00	2,750.00	2,750.00	2,660.00	2,750.00	1,940.00	-29.45 %
450-5380-34000	CONTRACTUAL SERVICES		16,542.53	10,176.81	37,420.00	37,420.00	11,194.85	35,420.00	64,600.00	72.63 %
Budget Detail										
Budget Code	**Description**	**Units**	**Price**	**Amount**						
CM Proposed	1 INTERN PER QUARTER	0.15	12,800.00	1,920.00						
CM Proposed	ILLICIT DISCHARGE LAB TESTING FOR SPILLS	1.00	1,000.00	1,000.00						

		FY 2021 Total Budget	FY 2021 Total Activity	FY 2022 Original Budget	FY 2022 Total Budget	FY 2022 YTD Activity	FY 2022 Proj. Actual	FY 2023 CM Proposed	Percent Change FY 2023 / FY 2022
CM Proposed	NEW-CMMS Cityworks Support	0.25	50,000.00	12,500.00					
CM Proposed	NEW-VAC TRUCK WASTE DISPOSAL	0.50	18,360.00	9,180.00					
CM Proposed	NPDES PERMIT FEE	1.00	300.00	300.00					
CM Proposed	OUTSOURCING UTILITY BILLING	1.00	10,000.00	10,000.00					
CM Proposed	PINELLAS COUNTY NPDES MONITORING CITY S	1.00	4,200.00	4,200.00					
CM Proposed	STREET SWEEPING	0.00	0.00	25,500.00					
450-5380-34900	ADMINISTRATIVE CHARGE	128,830.00	128,829.96	115,950.00	115,950.00	86,962.50	115,950.00	111,440.00	-3.89 %
450-5380-41000	COMMUNICATIONS	2,494.44	2,659.45	3,084.12	3,084.12	1,748.87	3,084.12	2,950.00	-4.35 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	Annual Mobile Data Mgmt Licensing	0.00	0.00	580.00					
CM Proposed	Flip Phones, Smart Phones, Data Devices	1.00	1,950.00	1,950.00					
CM Proposed	SUN COMM - 1 LINE - SCADA SYSTEM	12.00	35.00	420.00					
450-5380-42000	POSTAGE	150.00	0.00	150.00	150.00	0.00	0.00	150.00	0.00 %
450-5380-43100	WATER	400.00	840.00	400.00	400.00	2,103.87	2,700.00	970.00	142.50 %
450-5380-44000	RENTAL & LEASES	2,670.00	277.03	2,670.00	2,670.00	351.20	200.00	1,500.00	-43.82 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	EQUIPMENT AS NEEDED	1.00	1,500.00	1,500.00					
450-5380-45000	INSURANCE	22,995.00	23,676.15	26,107.50	26,107.50	25,894.00	26,110.00	31,510.00	20.69 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	FLOOD INSURANCE - PUBLIC WORKS BLDG	0.00	0.00	850.00					
CM Proposed	GEN LIAB/VEHICLE/PUB OFF/AD&D	0.00	0.00	20,330.00					
CM Proposed	PROPERTY INSURANCE	0.00	0.00	10,330.00					
450-5380-46100	MAINT CONTRACT-SOFTWARE	11,410.60	8,639.07	11,646.60	11,646.60	6,881.96	11,646.60	9,650.00	-17.14 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	CMMS Recurring Costs (25%)	0.00	0.00	6,160.00					
CM Proposed	ESRI-Annual License & Maint	0.25	4,000.00	1,000.00					
CM Proposed	License for Camera Truck (10%)	0.00	0.00	540.00					
CM Proposed	SOFTWARE SAP WITH PCU	0.33	3,000.00	990.00					
CM Proposed	TYLER TECHNOLOGIES ANNUAL SUPPORT	0.00	0.00	960.00					
450-5380-46150	MAINT CONTRACT-COPIER	70.00	38.38	50.00	50.00	17.46	50.00	50.00	0.00 %
450-5380-46200	REPAIRS TO VEHICLES	2,000.00	3,569.03	2,000.00	2,000.00	3,902.32	7,000.00	4,000.00	100.00 %

		FY 2021 Total Budget	FY 2021 Total Activity	FY 2022 Original Budget	FY 2022 Total Budget	FY 2022 YTD Activity	FY 2022 Proj. Actual	FY 2023 CM Proposed	Percent Change FY 2023 / FY 2022
450-5380-49500	EDUCATION	4,012.00	287.52	4,238.00	4,238.00	2,482.08	3,000.00	4,230.00	-0.19 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	ASST DIR CONF. & LIC (20%)	0.00	0.00	950.00					
CM Proposed	GIS Analyst	0.10	2,500.00	250.00					
CM Proposed	PW DIR CONF. & PE CEUs (20%)	0.00	0.00	630.00					
CM Proposed	STORMWATER CERTIFICATIONS	2.00	1,200.00	2,400.00					
450-5380-49970	MISC OTHER CHARGES	2,500.00	0.00	2,500.00	2,500.00	0.00	2,500.00	2,500.00	0.00 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	ADD'L CERT & LIC INCENTIVE	0.20	10,000.00	2,000.00					
CM Proposed	FUND TUITION REIM PROGRAM	0.05	10,000.00	500.00					
450-5380-51000	OFFICE SUPPLIES	100.00	22.12	100.00	100.00	11.64	50.00	100.00	0.00 %
450-5380-52100	GAS & OIL	3,322.50	4,894.70	4,485.00	4,485.00	4,663.68	7,000.00	7,050.00	57.19 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	DIESEL	1,000.00	4.30	4,300.00					
CM Proposed	GAS	700.00	3.80	2,660.00					
CM Proposed	OIL	30.00	3.00	90.00					
450-5380-52150	COMPUTER SOFTWARE	250.00	0.00	250.00	250.00	0.00	0.00	250.00	0.00 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	GIS Analyst	0.10	2,500.00	250.00					
450-5380-52400	UNIFORMS	1,360.00	1,227.81	1,755.00	1,755.00	1,057.19	1,755.00	1,760.00	0.28 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	Proj. Mgr Boots (50% Bridge; WPC/Storm 80/2	0.20	100.00	20.00					
CM Proposed	SAFETY BOOTS (11 @ $200 ea) 9 staff & 2 turn	0.20	2,200.00	440.00					
CM Proposed	SAFETY GLOVES	0.20	2,800.00	560.00					
CM Proposed	UNIFORMS, RAIN SUITS, SAFETY GEAR	0.00	0.00	740.00					
450-5380-52700	LINE MAINTENANCE	5,000.00	8,824.13	5,000.00	5,000.00	12,627.93	8,000.00	5,000.00	0.00 %
450-5380-52900	SUPPLIES & MATERIALS	12,000.00	9,607.68	12,000.00	12,000.00	4,116.72	10,000.00	7,500.00	-37.50 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	SEAWALL/CATCHBASIN/SHELL/POTHOLE REPA	1.00	7,500.00	7,500.00					

		FY 2021 Total Budget	FY 2021 Total Activity	FY 2022 Original Budget	FY 2022 Total Budget	FY 2022 YTD Activity	FY 2022 Proj. Actual	FY 2023 CM Proposed	Percent Change FY 2023 / FY 2022
450-5380-54000	DUES & PUBLICATIONS	137.00	125.00	137.00	137.00	78.00	137.00	140.00	2.19 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	Asst PW Director (20%)	0.00	0.00	80.00					
CM Proposed	GIS Analyst (10%)	0.00	0.00	30.00					
CM Proposed	PW Director (20%)	0.00	0.00	30.00					
450-5380-59000	DEPRECIATION EXPENSE	0.00	238,338.41	0.00	0.00	0.00	0.00	0.00	
	Category: 53 - OPERATING EXPENSES Total:	**284,404.26**	**488,026.12**	**426,193.22**	**498,074.47**	**331,270.52**	**491,032.72**	**371,040.00**	**-25.51 %**
Category: 56 - CAPITAL OUTLAY									
450-5380-63000	IMPROV O/T BLDG	868,931.86	0.00	613,000.00	1,238,516.37	1,187,366.17	1,238,516.37	400,000.00	-67.70 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	Outfalls	0.00	0.00	400,000.00					
450-5380-63403	PAVEMENT MANAGEMENT	0.00	0.00	0.00	0.00	285.66	300.00	190,000.00	
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	126th Ave. Drainage Improvement	0.00	0.00	190,000.00					
450-5380-63419	EAST CAUSEWAY	1,102,164.67	0.00	0.00	1,086,907.61	1,086,949.37	1,086,907.61	0.00	-100.00 %
450-5380-63452	BMP STORMWATER	50,891.00	0.00	22,000.00	22,000.00	22,000.00	22,000.00	285,200.00	1,196.36 %
450-5380-63453	STRMWTR DRAINAGE IMPRVMT	0.00	0.00	60,000.00	60,000.00	0.00	60,000.00	425,000.00	608.33 %
Budget Detail									
Budget Code	**Description**	**Units**	**Price**	**Amount**					
CM Proposed	Curbing (4 of 13)	0.00	0.00	425,000.00					
450-5380-63741	SEAWALL REHAB/REPLACEMENT	150,000.00	0.00	0.00	150,000.00	0.00	150,000.00	0.00	-100.00 %
450-5380-64200	VEHICLES	0.00	0.00	14,700.00	14,700.00	14,700.00	14,700.00	0.00	-100.00 %
450-5380-64900	MISC EQUIPMENT >$5000	0.00	0.00	5,000.00	5,000.00	5,439.98	7,000.00	0.00	-100.00 %
	Category: 56 - CAPITAL OUTLAY Total:	**2,171,987.53**	**0.00**	**714,700.00**	**2,577,123.98**	**2,316,741.18**	**2,579,423.98**	**1,300,200.00**	**-49.55 %**
Category: 60 - CONTINGENCY									
450-5380-99900	CONTINGENCY	50,000.00	0.00	50,000.00	50,000.00	0.00	0.00	50,000.00	0.00 %
	Category: 60 - CONTINGENCY Total:	**50,000.00**	**0.00**	**50,000.00**	**50,000.00**	**0.00**	**0.00**	**50,000.00**	**0.00 %**
	Department: 5380 - STORMWATER Total:	**2,741,541.79**	**694,959.78**	**1,425,313.22**	**3,359,618.45**	**2,790,442.21**	**3,280,316.70**	**1,978,010.00**	**-41.12 %**
	Fund: 450 - STORMWATER FUND Total:	**2,741,541.79**	**694,959.78**	**1,425,313.22**	**3,359,618.45**	**2,790,442.21**	**3,280,316.70**	**1,978,010.00**	**-41.12 %**
	Report Total:	**2,741,541.79**	**694,959.78**	**1,425,313.22**	**3,359,618.45**	**2,790,442.21**	**3,280,316.70**	**1,978,010.00**	**-41.12 %**

APPENDIX B:

Projected Operating Expenses

City of Treasure Island
Operating Costs

Account	Description	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	FY 2034
Department 5380 - Stormwater		*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*
Category 51 - Personnel												
12000	Salaries	$ 186,805	$ 194,278	$ 202,050	$ 210,132	$ 218,538	$ 227,280	$ 236,372	$ 245,827	$ 255,661	$ 265,888	$ 276,524
14000	Overtime	$ 8,360	$ 8,695	$ 9,043	$ 9,405	$ 9,782	$ 10,174	$ 10,581	$ 11,005	$ 11,446	$ 11,904	$ 12,381
15000	Special Pay	$ 1,296	$ 1,348	$ 1,402	$ 1,459	$ 1,518	$ 1,579	$ 1,643	$ 1,709	$ 1,778	$ 1,850	$ 1,924
21000	FICA Expense	$ 15,028	$ 15,630	$ 16,256	$ 16,907	$ 17,584	$ 18,288	$ 19,020	$ 19,781	$ 20,573	$ 21,396	$ 22,252
22000	Retirement Expense	$ 15,717	$ 16,346	$ 17,000	$ 17,680	$ 18,388	$ 19,124	$ 19,889	$ 20,685	$ 21,513	$ 22,374	$ 23,269
23000	Life & Medical Insurance	$ 37,119	$ 38,604	$ 40,149	$ 41,755	$ 43,426	$ 45,164	$ 46,971	$ 48,850	$ 50,804	$ 52,837	$ 54,951
24000	Workers' Compensation	$ 4,003	$ 4,164	$ 4,331	$ 4,505	$ 4,686	$ 4,874	$ 5,069	$ 5,272	$ 5,483	$ 5,703	$ 5,932
25000	Unemployment Compensation	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
26000	OPEB Expense	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Category 51 - Personnel Total:	**$ 260,210**	**$ 270,620**	**$ 281,450**	**$ 292,710**	**$ 304,420**	**$ 326,490**	**$ 339,550**	**$ 353,130**	**$ 367,260**	**$ 381,960**	**$ 397,240**
Category 53 - Operating Expenses												
31200, 31300	Planning projects (operating, non-recurring)	$ 125,000	$ 75,000	$ -	$ -	$ -	$ -	$ 75,000				$ 75,000
31200	Professional Svcs	$ 33,733	$ 34,745	$ 35,787	$ 36,861	$ 37,967	$ 39,106	$ 40,279	$ 41,488	$ 42,732	$ 44,014	$ 45,335
31300	Engineering	$ 83,430	$ 85,933	$ 88,511	$ 91,166	$ 93,901	$ 96,718	$ 99,620	$ 102,609	$ 105,687	$ 108,858	$ 112,123
32000	Audit Services	$ 1,999	$ 2,059	$ 2,121	$ 2,185	$ 2,250	$ 2,318	$ 2,387	$ 2,459	$ 2,533	$ 2,609	$ 2,687
34000	Contractual Services	$ 66,538	$ 68,534	$ 70,590	$ 72,708	$ 74,889	$ 77,136	$ 79,450	$ 81,834	$ 84,289	$ 86,818	$ 89,422
34900	Administrative Charge	$ 114,784	$ 118,228	$ 121,775	$ 125,428	$ 129,191	$ 133,067	$ 137,059	$ 141,170	$ 145,406	$ 149,768	$ 154,261
41000	Communications	$ 3,039	$ 3,130	$ 3,224	$ 3,321	$ 3,421	$ 3,523	$ 3,629	$ 3,738	$ 3,850	$ 3,966	$ 4,085
42000	Postage	$ 155	$ 160	$ 165	$ 170	$ 175	$ 180	$ 185	$ 191	$ 197	$ 203	$ 209
43100	Water	$ 1,000	$ 1,030	$ 1,061	$ 1,093	$ 1,126	$ 1,159	$ 1,194	$ 1,230	$ 1,267	$ 1,305	$ 1,344
44000	Rental & Leases	$ 1,545	$ 1,591	$ 1,639	$ 1,688	$ 1,739	$ 1,791	$ 1,845	$ 1,901	$ 1,958	$ 2,016	$ 2,077
45000	Insurance	$ 32,456	$ 33,430	$ 34,433	$ 35,466	$ 36,530	$ 37,626	$ 38,754	$ 39,917	$ 41,115	$ 42,348	$ 43,619
46100	Maint Contract-Software	$ 9,940	$ 10,238	$ 10,545	$ 10,862	$ 11,188	$ 11,523	$ 11,869	$ 12,225	$ 12,592	$ 12,970	$ 13,359
46150	Maint Contract-Copier	$ 52	$ 54	$ 55	$ 57	$ 59	$ 61	$ 63	$ 64	$ 66	$ 68	$ 71
46200	Repairs to Vehicles	$ 4,120	$ 4,244	$ 4,371	$ 4,502	$ 4,637	$ 4,777	$ 4,920	$ 5,067	$ 5,220	$ 5,376	$ 5,537
49500	Education	$ 4,357	$ 4,488	$ 4,623	$ 4,761	$ 4,904	$ 5,051	$ 5,203	$ 5,359	$ 5,520	$ 5,685	$ 5,856
49970	Misc Other Charges	$ 2,575	$ 2,652	$ 2,732	$ 2,814	$ 2,898	$ 2,985	$ 3,075	$ 3,167	$ 3,262	$ 3,360	$ 3,461
51000	Office Supplies	$ 103	$ 106	$ 109	$ 113	$ 116	$ 120	$ 123	$ 127	$ 131	$ 135	$ 139
52100	Gas & Oil	$ 7,262	$ 7,480	$ 7,704	$ 7,936	$ 8,174	$ 8,419	$ 8,672	$ 8,932	$ 9,200	$ 9,476	$ 9,760
52150	Computer Software	$ 258	$ 266	$ 274	$ 282	$ 291	$ 299	$ 308	$ 318	$ 327	$ 337	$ 347
52400	Uniforms	$ 1,813	$ 1,867	$ 1,924	$ 1,981	$ 2,041	$ 2,102	$ 2,165	$ 2,230	$ 2,297	$ 2,366	$ 2,437
52700	Line Maintenance	$ 5,150	$ 5,305	$ 5,464	$ 5,628	$ 5,797	$ 5,971	$ 6,150	$ 6,334	$ 6,524	$ 6,720	$ 6,922
52900	Supplies & Materials	$ 7,725	$ 7,957	$ 8,196	$ 8,442	$ 8,695	$ 8,956	$ 9,224	$ 9,501	$ 9,786	$ 10,080	$ 10,382
54000	Dues & Publications	$ 145	$ 149	$ 154	$ 159	$ 163	$ 168	$ 174	$ 179	$ 184	$ 190	$ 196
59000	Depreciation Expense	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Category 53 - Operating Expenses Total:	**$ 423,530**	**$ 436,240**	**$ 449,330**	**$ 462,810**	**$ 476,700**	**$ 443,060**	**$ 531,350**	**$ 470,040**	**$ 484,150**	**$ 498,670**	**$ 588,630**
Category 60 - Contingency												
99900	Contingency	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000	$50,000
	Category 60 - Contingency Total:	**$ 50,000.00**	**$ 50,000.00**	**$ 50,000.00**	**$ 50,000.00**	**$ 50,000.00**	**$ 50,000.00**	**$ 50,000.00**	**$ 50,000.00**	**$ 50,000.00**	**$ 50,000.00**	**$ 50,000.00**

	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	FY 2034
Fund 450 - Stormwater Fund	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*	*Projected*
Fund Total	**$ 733,740.00**	**$ 756,860.00**	**$ 780,780.00**	**$ 805,520.00**	**$ 831,120.00**	**$ 819,550.00**	**$ 920,900.00**	**$ 873,170.00**	**$ 901,410.00**	**$ 930,630.00**	**$ 1,035,870.00**

APPENDIX C:

Projected Capital Improvement Program Budget 8/4/23

CITY OF TREASURE ISLAND
STORMWATER FUND CIP PROJECTS

CAPITAL IMPROVEMENT PROJECTS	ACCT	PROGRAM	BUDGET FY 23	REVISED BUDGET FY 23	PROJECTED ACTUAL FY 23	BUDGET FY 24	BUDGET FY 25	BUDGET FY 26	BUDGET FY 27	BUDGET FY 28
East Causeway SWFWMD Drainage Component	63419	Causeway	-	63,000	63,000	-	-	-	-	-
West Causeway, North Swale Addition	63419	Causeway	-	-	-	50,000	-	-	-	-
City Seawall Replacement/Rehabilitation	63741	Infrastructure	-	150,000	150,000	-	-	-	-	-
Street end improvements	63000	Stormwater								
Engineering			30,000	30,000	30,000	-	-	-	-	-
Construction			160,000	160,000	160,000	-	-	-	-	-
NEW - Resiliency Projects	5381-63000	Stormwater	-	-	-	1,210,000	500,000	500,000	825,000	825,000
Replace Roadside Curbing City-Wide	63000	Stormwater	425,000	485,000	485,000	100,000	-	-	100,000	100,000
Stormwater Outfalls	63403	Stormwater	400,000	1,416,252	1,416,252	-	-	-	-	-
SW Pump Station	63403	Stormwater	-	-	-		71,500	660,000		
Additional Ponds - Treasure Bay	63000	Stormwater	-	-	-	100,000	-	-	-	-
Watershed Management Plan Projects	63452	Stormwater								
Engineering			285,200	307,200	22,200	-	-	-	-	-
Construction			-	-	-	-	-	-	-	
Stormwater Service Vehicle & Equipment Replacements	64200	Stormwater								
ToolCat Utility Vehicle	64200	Stormwater	-	14,695	14,860	-	-	-	-	-
2011 Ford E-350 Camera Truck (#876) WPC/Storm	64200	Stormwater	-	-	-	-	-	-	25,000	-
TOTAL FUNDED CIP PROJECTS			**1,300,200**	**2,626,147**	**2,341,312**	**1,460,000**	**571,500**	**1,160,000**	**950,000**	**925,000**
5-YEAR TOTAL FUNDED CIP PROJECTS										**5,066,500**

APPENDIX D:

Revenue & Expenditure Projections

City of Treasure Island
Fund Proof

Billing & Collections	**FY 2024**	**FY 2025**	**FY 2026**	**FY 2027**	**FY 2028**	**FY 2029**	**FY 2030**	**FY 2031**	**FY 2032**	**FY 2033**	**FY 2034**
Total Billings	$1,552,896	$ 1,392,837	$ 1,412,184	$1,585,251	$ 1,747,743	$ 1,839,294	$ 1,843,459	$ 1,847,623	$ 1,851,788	$ 1,855,952	$ 1,860,116
Less Uncollectible	$ 31,058	$ 27,857	$ 28,244	$ 31,705	$ 34,955	$ 36,786	$ 36,869	$ 36,952	$ 37,036	$ 37,119	$ 37,202
Less Credit Reductions	$ 31,058	$ 27,857	$ 28,244	$ 31,705	$ 34,955	$ 36,786	$ 36,869	$ 36,952	$ 37,036	$ 37,119	$ 37,202
Total Stormwater Fee Revenue	**$1,490,780**	**$ 1,337,124**	**$ 1,355,696**	**$1,521,841**	**$ 1,677,833**	**$ 1,765,723**	**$ 1,769,720**	**$ 1,773,718**	**$ 1,777,716**	**$ 1,781,714**	**$ 1,785,712**

Stormwater Fund	**FY 2024**	**FY 2025**	**FY 2026**	**FY 2027**	**FY 2028**	**FY 2029**	**FY 2030**	**FY 2031**	**FY 2032**	**FY 2033**	**FY 2034**
Projected Stormwater Fee Revenue	$1,490,780	$ 1,337,124	$ 1,355,696	$1,521,841	$ 1,677,833	$ 1,765,723	$ 1,769,720	$ 1,773,718	$ 1,777,716	$ 1,781,714	$ 1,785,712
Grants	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Miscellaneous	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Interest	$ 15,000	$ 20,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000
General Fund Transfers	$ 600,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000	$ 250,000
Total Revenue	**$2,105,780**	**$ 1,607,124**	**$ 1,630,696**	**$1,796,841**	**$ 1,952,833**	**$ 2,040,723**	**$ 2,044,720**	**$ 2,048,718**	**$ 2,052,716**	**$ 2,056,714**	**$ 2,060,712**
Operating Costs	$ 733,740	$ 756,860	$ 780,780	$ 805,520	$ 831,120	$ 819,550	$ 920,900	$ 873,170	$ 901,410	$ 930,630	$ 1,035,870
Capital Costs	$1,360,000	$ 571,500	$ 1,160,000	$ 950,000	$ 925,000	$ 825,000	$ 825,000	$ 825,000	$ 825,000	$ 825,000	$ 825,000
Debt Service	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Costs	**$2,093,740**	**$ 1,328,360**	**$ 1,940,780**	**$1,755,520**	**$ 1,756,120**	**$ 1,644,550**	**$ 1,745,900**	**$ 1,698,170**	**$ 1,726,410**	**$ 1,755,630**	**$ 1,860,870**
Surplus / (Deficit)	$12,041.00	$278,764.00	($310,084.00)	$41,322.00	$196,714.00	$396,173.00	$298,821.00	$350,549.00	$326,307.00	$301,084.00	$199,842.00
FY Beginning Fund Balance	$0.00	$12,041.00	$290,805.00	($19,279.00)	$22,043.00	$218,757.00	$614,930.00	$913,751.00	$1,264,300.00	$1,590,607.00	$1,891,691.00
Operating Reserve Target	*$50,000.00*	*$50,000.00*	*$50,000.00*	*$50,000.00*	*$50,000.00*	*$50,000.00*	*$50,000.00*	*$50,000.00*	*$50,000.00*	*$50,000.00*	*$50,000.00*
FY Ending Fund Balance	**$12,041.00**	**$290,805.00**	**($19,279.00)**	**$22,043.00**	**$218,757.00**	**$614,930.00**	**$913,751.00**	**$1,264,300.00**	**$1,590,607.00**	**$1,891,691.00**	**$2,091,533.00**

AGENDA ITEM NO. I.5

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: September 5, 2023

SUBMITTED BY: Mike Munger, Finance

ITEM TYPE: Resolutions

AGENDA SECTION: ITEMS OF BUSINESS

SUBJECT: Ordinance No. 2023-18, Adopting the FY24 City-wide Fee Schedule as Appendix A to the Code of Ordinances

BACKGROUND:

The City-Wide Fee Schedule is a list of fees as approved by the City Commission to disclose all fee and charges for City Services in one cohesive document. It is typically approved annually during the budget process, but may also be amended from time to time. The last amendment was made by Ordinance 2022-13 on September 19, 2022 with the adoption of the FY23 Fee Schedule. The first review of these fee changes were included in the proposed FY 2024 City-wide Fee Schedule and were presented at the August 9rd Budget Workshop.

POLICY/PURPOSE:

To establish the City-Wide Fee Schedule for FY24 and Adopt it as Appendix A to the Code of Ordinances.

STRATEGIC PLAN RELEVANCE: This is a required agenda item related to the adoption of the FY24 annual budget.

ANALYSIS/DISCUSSION:

The amendments incorporated in the attached fee schedule are a result of the collaborative effort among City staff and the City Commission. Staff reviewed all fees and charges in their respective areas and the proposed rates are reflective of the discussions at the August 3rd Budget Workshops.

The attached Fee Schedule highlights the changes that are proposed by showing strikethrough and additions. Some of the more significant changes are:

- Modifications to certain planning and zoning fees to accurately recover the contracted rate for these services (pg. 10)
- Modified terms of Parks & Recreation camp and event fees to establish cancellation periods (pg. 15 & 17)
- Updated class instructor fees to establish them at 30% of gross class revenue, OR $50 per month whichever is greater (pg. 17)
- Parking rate increase to $3.75/hour in all lots on all days, except the Community Center/Downtown lot which will increase to $2.75/hour all times (pg. 19)
- Reflects all utility rate changes as discussed in the FY24 budget development process
    - Sewer Rate - 10% to include pass-through increase for treatment costs charged by the City of St. Petersburg and also follows the 5-year rate study plan
    - Sanitation Rate - Garbage 10% to increase fund balance to gear up for truck replacements
        - Recycling 3% per contractual increase with vendor
    - Stormwater Rate - Proposing a 3-year phase in plan to implement a new rate structure as a result of a Stormwater Rate update that works towards a more equitable rate structure and is revenue neutral.

FUNDING:

The estimated revenue that will be generated from the fees are incorporated in the FY24 budget document.

MOTION:

I more to adopt Ordinance No. 2023-18 adopting the City-wide Fee Schedule as Appendix A to the Code of Ordinances to be effective October 1, 2023 at this 1st Reading, with a 2nd Reading and Public Hearing scheduled for September 18, 2023.

ATTACHMENTS:
Ord._2023-18_-_FY23_Fee_Schedule.docx
FY24_Proposed_Fee_Schedule.pdf

ORDINANCE 2023-18

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, ESTABLISHING A FEE SCHEDULE AND ADOPTING "APPENDIX A" AS THE CITY OF TREASURE ISLAND FEE SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is deemed appropriate and in the best interest of the public to provide for and revise from time to time certain fees for services and/or facility rentals charged by the various City departments; and

WHEREAS, the City Commission has determined that it is in the best interest of the City of Treasure Island and its citizens that user fees be identified, referenced, and clearly stated; and

WHEREAS, the City Commission wishes to amend the Code of Ordinances of the City of Treasure Island, Florida.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES ORDAIN:

SECTION 1. The recitals set forth in the "Whereas" clauses above are ratified and confirmed as true and correct and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida for the adoption of this Ordinance.

SECTION 2. That the "Appendix A" a fee schedule as set forth herein be adopted for implementation by the various City of Treasure Island departments. The fees to be charged in order to recover direct costs associated therewith are set forth in the attached Appendix A, and the proceeds from such fees shall be credited to the fund providing such services. The fee schedule set forth in the Appendix A is hereby established, authorized, and adopted by the City Commission.

Any charge established in the Appendix A may be waived or reduced by the City Commission upon a finding that extraordinary conditions warrant such a waiver or reduction, so long as said waiver or reduction is not prohibited or restricted by applicable federal, state, or local law.

SECTION 3. SEVERABILITY. It is the intention of the City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 4. CONFLICT. All ordinance or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. CODIFICATION. Section 2 of this ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinance to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase in order to accomplish such intention.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take on October 1, 2023.

FIRST READING and PUBLIC HEARING on the ___ day of _____, 2023.

SECOND READING and PUBLIC HEARING on the ___ day of _____, 2023.

PUBLISHED in the Tampa Bay Times on the ___ day of _____, 2023.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, FL, sitting on the ____ day of _____, 2023 by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call, the vote was:

YEAS:

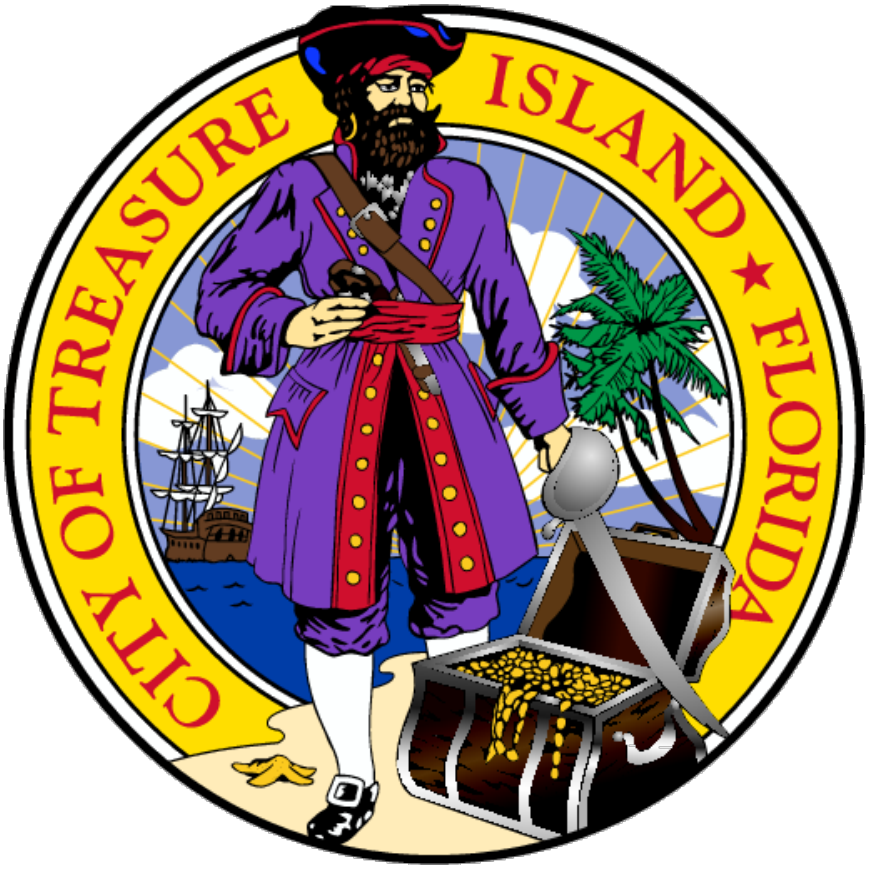
NAYS:

ABSENT OR ABSTAINING:

_____
J. Tyler Payne, Mayor

ATTEST:

_____
Celine Kidwell, City Clerk



FY24 FEE SCHEDULE

Effective October 1, 2023 or as otherwise noted

LAST AMENDED:

Ord. 2023-18, September 18, 2023
Ord. 2022-13, September 19, 2022
Ord. 2022-02, February 1, 2022
Ord. 2021-19, September 20, 2021
Res 20-15, September 15, 2020
Res 20-05, May 19, 2020
Res 19-06, September 17, 2019
Res 18-65, September 18, 2018
Res 17-59, September 19, 2017
Res 16-90, September 20, 2016
Res 15-67, August 18, 2015

ARTICLE I. COMMUNITY DEVELOPMENT 6

1. **Building Permits 6**
2. **Zoning Permit Fee (Sec. 68-32, TI-LDR) 8**
3. **Floodplain Permit Fee (Sec. 66-103.3; Chapter 66, TI-LDR) 9**
4. **Civil or Structural Engineering Permit Fee (Sec. 70-51, TI-LDR) 9**
5. **Public Works Plan Review for Permit (Sec. 70-51, TI-LDR) 9**
6. **Adult Use Permits 9**
7. **Planning and Zoning Board 10**
8. **City Commission Fees 11**
9. **Fee to Connect to Public Sanitary Sewer System 12**
10. **Returning Signs That Were Placed in the Right-Of-Way or On Public Property 12**
11. **Multimodal Impact Fees 12**
12. **Land Use / Zoning Verification Letter 12**
13. **Land Development Regulation - Administrative Waiver by Staff 12**
14. **Lien Search Requests and Registration of Foreclosing Properties 12**
15. **Staff Assistance Preparing a DEP Permit for Use of the Public Beach 12**
16. **Doggie Dining Permit 12**
17. **Sidewalk Café Use Permit 12**
18. **National Pollutant Discharge Elimination System (NPDES) Inspection Fees 12**
19. **Advanced Wireless Infrastructure Deployment Act; section 337.401(7), Florida Statutes 12**
20. **Flood zone Letters/Amendments/Revisions: (Section 66, TI-LDR) 13**
21. **Alcoholic Beverage Permit Zoning Review (Ch. 561, Florida Statutes) 13**

ARTICLE II. FIRE AND RESCUE 14

22. Fire Code Inspections and New Construction Plan Reviews: (Sections 8-79, 8-80, TI-Code) 14

23. Special Detail Fees 14

ARTICLE III. PARKS AND RECREATION 15

24. Children's Camps 15

25. Treasure Bay Golf and Tennis 15

27. Reservation/Private Rental of Rosselli Park with Restrooms 16

28. Bus Rental with a Commercial Licensed Driver 16

29. Marina Rental and Application Fees 16

30. City Facilities Rental Fees 17

31. Class Instructor Fees 17

32. Use of Public Beach or Public Property Review - City Staff Review Only 17

33. Use of Public Beach or Public Property Review - City Commission Review 18

ARTICLE IV. FINANCE 19

34. Parking 19

35. Returned Checks Service Charge 19

36. Notary Services 19

ARTICLE V. PUBLIC RECORDS 19

37. Retrieval, Duplication, and Certification of Records [Section 119.07, Florida Statutes] 20

ARTICLE VI. POLICE DEPARTMENT 20

38. Fingerprinting Service 20

39. Special Detail (officer and vehicle) 20

40. Pet Registration 20

41. Bicycle Decals (Sec. 50-58, 50-63, 50-64, TI-Code): 20

42. Equipment Inspection 20

ARTICLE VII. PUBLIC WORKS 21

43. City Signboard in Treasure Island Causeway Fee (Sec. 73-35, TI-LDR) 21

ARTICLE VIII. UTILITY FEES 21

44. Wastewater 21

45. Solid Waste 21

46. Stormwater 21

ARTICLE IX. ELECTIONS 21

49. Qualification Fee [Section 99.093, Florida Statues, Sec. 14-10, TI-Code] 21

ARTICLE X. BUSINESS TAX 22

Any charge established in this fee schedule (Appendix A) may be waived or reduced by the City Commission upon a finding that extraordinary conditions warrant such a waiver or reduction, so long as said waiver or reduction is not prohibited or restricted by applicable federal, state, or local law.

ARTICLE I. COMMUNITY Development

1. Building Permits (Chapter 8, Treasure Island Code of Ordinances [Code], 8-31 TI-Code)
    a. Base Fee – For issuing each permit: $50 [Florida Building Code (FBC) – Section 109 Fees]
    b. Total Valuation Fee – $1,000 or less – base fee only $50 (where only a final inspection is required – each additional inspection required shall be charged $50. If, in the opinion of the building official, the valuation for the scope of work: construction, addition, alteration, repair, remodel, and/or replacement appears to be understated or underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates or a copy of the contract to meet the approval of the building official. (FBC)– Section 109, Schedule of Permit]
    c. Total Valuation Fee – over $1,000 and less than $1,000,000 – Base fee of $50 plus $10 for each thousand or fraction thereof; $1,000,000 or over – Base fee of $50 plus $7 for each thousand or fraction thereof. If, in the opinion of the building official, the valuation for the scope of work: construction, addition, alteration, repair, remodel, and/or replacement appears to be understated or underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates or a copy of the contract to meet the approval of the building official. [FBC– Section 109 Fees]
    d. State Surcharge pursuant to section 553.721, Florida Statutes – A surcharge assessed at the rate of 1 percent of the permit fees associated with the enforcement of the Florida Building Code. The minimum amount collected on any permit issued shall be $2. (Required by section 553.721, Florida Statutes)
    e. State Surcharge pursuant to section 468.631, Florida Statutes – A surcharge assessed at the rate of 1.5 percent of all permit fees associated with enforcement of the Florida Building Code. The minimum amount collected on any permit shall be $2. (Required by section 468.631, Florida Statutes).
    f. Fee for Re-inspection – The contractor shall pay a re-inspection fee of $50 for each inspection failure.
    g. Fee for revision to an Existing Permit or Partial Inspection Request:
        i. A revision to an existing permit shall be charged a $50 revision fee, plus any valuation fees (as provided in subsections b or c above) and State Surcharges.
        ii. A request for a partial inspection shall be charged $50 per partial inspection requested.

b. Fee for Extension of Time on a Permit

    i. Extension of a building permit which has not yet expired and fulfills the "permit intent" of FBC – Section 105.4.1 - $100

    ii. Extension of a building permit which has been expired – applicant must reapply for a new permit (FBC - Section 105.4.1.1)

c. Fee for a Same Day Inspection - $40 and this service is subject to the availability of an inspector to provide this service

d. Fee per Tent for Special Events, Permit Contractor Change, Contractor Trailer, Contractor Storage Trailer, Temporary Power Pole, Temporary Structures, and per Tree permitted to be removed – Fees for permits where no work valuation is pertinent shall be based upon an initial fee of $50 covering one inspection and a fee of $50 for each additional inspection required. The number of inspections required shall be at the discretion of the City Commission, City Manager, Community Development Director, Fire Department, or Building Official as the situation warrants.

    i. After a tree removal has been permitted, a donation may be made to the Green Utility account in lieu of re-planting tree(s) – Section 72-111(b) of the City of Treasure Island Land Development Regulations (TI-LDR). The fee in lieu shall be based on the cost of purchasing the requisite size and number of replacement trees.
    ii. Tree removal which is exempt under section 163.045, Florida Statutes - $0 (Sec. 72-111, TI-LDR)
    iii. Tree removal which is not exempt under section 163.045, Florida Statutes - $50 (Sec. 72-111, TI-LDR)
    iv. After the fact tree removal which is not exempt under section 163.045, Florida Statutes - $100 (Sec. 72-111, TI-LDR)

e. Moving Fee and Demolition Fee – for the demolition or the moving of any building or structure, the fee shall be $150

    i. Valuation of Moving or Demolition Work of $0 to $15,000 = $150

    ii. Valuation of Moving or Demolition Work greater than $15,000 = 1% of moving or demolition cost

f. Plan Review Fees – When a permit is required to be submitted, the respective plan review fees shall be paid to the City at the time of submitting the permit application, plans, and/or specifications for checking—this is a nonrefundable fee. The remaining balance(s) shall be paid upon permit issuance. Fees to be set as follows:

    i. Building plan review fee - equal to one-half of the total building permit fee
        1. Each subsequent review – projects below $10,000 in value – 10% of building permit fee
        2. Each subsequent review – projects $10,000 and above in value – 5% of building permit fee

ii. Floodplain plan review fee – equal to one-half of the total floodplain permit fee. (LDR Division 3 & Sec. 66-103.3).
iii. Zoning plan review fee – equal to one-half of the zoning permit fee. [Sec. 68-32, TI-LDR& Sec. 70-51, TI-LDR].
iv. Fire plan review fee – the respective costs at time of submittal as listed in Exhibit A for Fire and Rescue fee schedule. (National Fire Protection Association)
v. Civil or structural engineering review fee – equal to one-half of the total civil or structural permit fee
vi. Public works review fee – Equal to one half the public works permit fee

g. Refunds of permit fee only (not plan review or other Community Development Department fees)
    1. Work has not commenced, and the permit is less than six months old – Permit fee and state surcharges paid minus $75
    2. Work has commenced or the permit is over six months old – no refund.

h. After the Fact Permit - Where a permit is required by the Code of Ordinances and/or Land Development Regulations the work is started prior to obtaining the permit, the (permit fees) herein specified shall be:
    i. Two (2) times the permit fee, on the 1st occurrence by the property owner and/or contractor;
    ii. Three (3) times the permit fee, on the 2nd occurrence by the property owner and/or contractor;
    iii. Five (5) times the permit fee, each time thereafter by the property owner and/or contractor.
    iv. The payment of the five (5) times fee shall not relieve any persons from fully complying with the requirement of the Code of Ordinances and Land Development Regulations. [FBC – Section 109.4, Work commencing before permit issuance]

i. After Hours Building Inspections
    i. Building Inspections after 5:00 p.m. Monday through Friday and Saturdays - $140 per hour with a 2-hour minimum.
    ii. Building Inspections on US Federal Recognized and City Recognized Holidays and Sundays - $200 per hour with a 2-hour minimum.

j. New/Change of Address $30 plus $20 per additional address same property

2. Zoning Permit Fee (Sec. 68-32, TI-LDR)
    a. New, or Addition - Single family and duplex: $30
    b. New or addition - Each subsequent resubmittal- Single family and duplex: $25
    c. New or addition - 3 or more units or nonresidential: $60

d. New or addition - Each subsequent resubmittal - 3 or more units or nonresidential: $50
e. Dock (Sec. 69-54, TI-LDR)
    i. Single Family and Duplex $20
    ii. 3 or more units or nonresidential $30
f. Driveway (Sec. 72-34, TI-LDR)
    i. Single Family and Duplex $20
    ii. 3 or more units or nonresidential $30
g. Garden Walls, Fences, and hedges (Sec. 68-458, TI-LDR)
    i. Single Family and Duplex $20
    ii. 3 or more units or nonresidential $30
h. Signs $45 (Sec. 73-35, TI-LDR)
i. General zoning review not covered above $25

3. Floodplain Permit Fee (Sec. 66-103.3; Chapter 66, TI-LDR)
    a. New, remodel or addition - Single family and duplex: $30
    b. New remodel or addition - Each subsequent resubmittal - Single family and duplex: $25
    c. New, remodel or addition - 3 or more units or nonresidential: $60
    d. New, remodel or addition - Each subsequent resubmittal - 3 or more units or nonresidential: $50
    e. After the fact all types (no permit) $100
    f. After the fact all types (no permit), each subsequent review $80

4. Civil or Structural Engineering Permit Fee (Sec. 70-51, TI-LDR)
    a. New or addition - 3 or more units or nonresidential: $140/hour
    b. New or addition, 3 or more units or nonresidential each subsequent resubmittal: $120/hour
    c. Raised seawall $140/hour
    d. Raised seawall, each subsequent review $120/hour
    e. Drainage plan $140/hour
    f. Drainage plan, each subsequent resubmittal $120/hour
    g. Site visit, if requested by applicant $140/hour
5. Public Works Plan Review for Permit (Sec. 70-51, TI-LDR)
    a. New or addition - 3 or more units or nonresidential: $60
6. Adult Use Permits – [Chapter 62 TI-LDR)]
    a. Adult use permit from the City Manager or designee - $250 [Section 62-4, TI-LDR]
    b. Appeal of certification of noncompliance to City Commission- -$350 [Section 62-4(c)(1), TI-LDR]
    c. Extension of preliminary adult use permit - $50 [Section 62-4(d)(1), TI-LDR]
    d. Appealing the denial of extension of adult use permit to City Commission - $350 [Section 62-4(d)(1), TI-LDR]

e. Permanent adult use permit - $100 [Section 62 - 4(d)(1), TI-LDR]

f. Renewal of adult use permit - $100 annually [Section 62-4(d)(2), TI-LDR]

g. Appeal of City Manager's decision to revoke permanent adult use permit to City Commission - $350 [Section 62-4(d)(3), TI-LDR]

h. Variance - $350 for the 1st variance request and $100 for each additional request [Section 62-6, TI-LDR]

7. Planning and Zoning Board / Local Planning Agency Application Fees

   a. Appeal to an administrative decision $350 (Sec. 70-181, 70-241, TI-LDR)

   b. Variance request (Sec. 70-221, 70-241,72-6, TI-LDR)

      i. Variance request – base fee (one variance) - $350. Each additional variance requested - $100 residential (Sec. 70-221, TI-LDR)

      ii. Multifamily, Commercial, and Institutional - Base fee (one variance) $500 with each additional variance requested $100.

   c. Special exception request – $600 (Sec. 70-201, 70-241, TI-LDR)

   d. Site plan/application review (Sec. 70-71, 70-51, TI-LDR)

      i. Single family and duplex - $500

      ii. Single family and duplex, civil engineering review - ~~$140~~ 160/hour

      iii. Multifamily, Commercial, and Institutional - $1,000

      iv. Multifamily, Commercial, and Institutional; civil engineering review - ~~$140~~ 160/hour

      v. Minor Modification to Previously Approved Site Plan – One-half regular site plan review fee.

      vi. Minor modification to Previously Approved Site Plan, Civil Engineering review (if required) - ~~$140~~ 160/hour

   e. Subdivision (plat) review (Sec. 74-31, TI-LDR)

      i. Preliminary Plat - $500.

      ii. Preliminary Plat, civil / survey engineering review - ~~$140~~ 160/hour

      iii. Final Plat - $500

      iv. Final Plat, civil / survey engineering review - ~~$140~~ 160/hour

      v. The cost of recording the plat shall be paid by the applicant.

   f. Comprehensive plan text amendment / future land use map amendment – $2,250 (Sec. 68-121, TI-LDR)

   g. Rezoning fee - $2,000. (Section 68-122 TI-LDR)

h. Request for a text amendment to the land development regulations - $2,000 (Sec. 68-123, TI-LDR)

i. Development Agreement (Section 68-496 – TI-LDR)
    i. Development Agreement $2,250.
    ii. Development Agreement Modification $2,250
    iii. Development Agreement Extension $1,125

j. Copies for mailings
    i. 1 sided up to 8 1/2" x 14" $0.15
    ii. 2 sided up to 8 1/2" x 14" $0.20

8. City Commission Fees

    a. Fees not listed below shall be the same as Planning and Zoning Board / Local Planning Agency fees.

    b. Vacation of an easement shall be $500. The cost of recording shall be paid by the applicant.

    c. Vacation of a right-of-way shall be$1,000. The cost of recording shall be paid by the applicant.

    d. License agreements with property owners along the Central Beach Trail $500

        i. Those who agree to make public improvements between the rear property line of their lot and the Central Beach Trail, the $500 fee may be waived, depending on the scope of the improvements, at the City's sole and absolute discretion.

        ii. All subsequent requests for amendments to existing license agreements shall be $200.

    e. Release of Unity of Title shall be $150 (Section 68-490, TI-LDR)

    f. All special events on private property which are open to the public for a fee or not, or for profit or not, requiring staff approval, shall pay a special event permit application fee of $100. (Section 68-571, TI-LDR)

        i. All special events on private property which are open to the public for a fee or not, or for profit or not, for City Commission approval, a special event permit application fee shall be $200 (Section 68-571, TI-LDR)

    g. Other City Commission hearing fees shall be $150, unless otherwise stipulated.

    h. Appeals to site plan review by Planning and Zoning Board [Section 70-111, TI-LDR] – Amount shall be one half of the Planning and Zoning / Local Planning Agency site plan review fee

    i. Special Event Parking - $350 [Section 68-468, Off-Street Parking, TI-LDR]

9. Fee to Connect to Public Sanitary Sewer System – For structures not previously connected $325 (Section 75-62, TI-LDR)
10. Returning Signs That Were Placed in the Right-Of-Way or On Public Property - $10 per sign for each occurrence. (Section 73-35, TI-LDR)
11. Multimodal Impact Fees
    a. Pinellas County Land Development Code, Part III, Chapter 150-Impact Fees / Article II
12. Land Use / Zoning Verification Letter **–** (Section 68-32, TI-LDR)
    a. Single lot $75
    b. Multiple lots or Existing Commercial /Hotel Use $125.00
    c. Research Grandfathered Status (determination of legal units, density, intensity, etc.) $100.00 first hour plus $50 per hour of additional time
13. Land Development Regulation - Administrative Waiver by Staff - $150 (Section 68-35, TI-LDR)
14. Lien Search Requests and Registration of Foreclosing Properties (Section 2-173, TI-Code)
    a. Lien Search requests will be processed at $50 per parcel. A Rush Lien Search will be processed within 3 business days at a fee of $75 per parcel.
    b. Registration of foreclosing residential or commercial properties will be processed at a fee of $100 per property – (Section 2-173, TI-Code)
15. Staff Assistance Preparing a Florida Department of Environmental Protection Permit for Use of the Public Beach - $150 per application plus any applicable permit application fees. (Section 68-571, TI-LDR)
16. Doggie Dining Permit (Section 6-52, TI-LDR)
    a. Application fee $100
    b. Annual renewal fee $50
17. Sidewalk Café Use Permit (Section 68-571, TI-LDR)
    a. Application fee $100
    b. Annual renewal fee $50
18. National Pollutant Discharge Elimination System (NPDES) Inspection Fees - $25 each (Section 75-206, 54-36, TI-LDR)
19. Advanced Wireless Infrastructure Deployment Act; section 337.401(7), Florida Statutes

    (Chapter 42, TI-LDR – Article III, Communications Rights-of-Way Usage.)

    a. Registration
        1. Annual Registration – No fee
        2. Transfer of Registration – No fee
        3. Registration Amendments – No fee

4. Registration Renewal – No fee

b. Annual Local Business Tax – (Section 46-103, TI-LDR)

c. Annual Pass-Through Providers $500 per linear mile (Section 42-72, TI-Code; sec. 337.401(6)(b), Florida Statutes)

d. Rate to collocate small wireless facilities on a city utility pole shall be $150 per pole annually, or the maximum amount allowed by applicable law. (Section 337.401(7), Florida Statutes)

e. Rate to collocate small wireless facilities on a non-city owned utility pole – No fee. (Section 337.401(7), Florida Statutes)

f. Permit fee for installation of a new utility pole used for collocation of small wireless facilities – No fee. (Section 337.401(3), Florida Statutes)

g. Appeal of a decision of the City Manager or designee - $350 (Section 42-84, TI-Code)

h. Required mailings: $0.20 per page up to two-sided and current USPS first class postage

20. Flood zone Letters/Amendments/Revisions: (Section 66, TI-LDR)

a. Flood zone Verification Letter $75.00

b. Letter of Map Amendment (LOMA)
   i. Floodplain Review $75.00
   ii. Civil Engineering Review – initial review $500.00
   iii. Civil Engineering Review – additional reviews $250.00 per additional review

c. Letter of Map Revision (LOMR)
   i. Floodplain Review $75.00
   ii. Civil Engineering Review – initial review $500.00
   iii. Civil Engineering Review – additional reviews $250.00 per additional review

d. Letter of Map Revision Based on Fill (LOMR-F)
   i. Floodplain Review $75.00
   ii. Civil Engineering Review – initial review $500.00
   iii. Civil Engineering Review – additional reviews $250.00 per additional review

e. Conditional Letter of Map Revision (CLOMR)
   i. Floodplain Review $75.00
   ii. Civil Engineering Review – initial review $500.00
   iii. Civil Engineering Review – additional reviews $250.00 per additional review

21. Alcoholic Beverage Permit Zoning Review (Ch. 561, Florida Statutes)

a. Off-Site Consumption $100.00

b. On-Site Consumption $200.00

ARTICLE II. FIRE AND RESCUE

22. Fire Code Inspections and New Construction Plan Reviews: (Sections 8-79, 8-80, TI-Code)

    The occupant of any commercial premises or the owner of such commercial premises when there is no occupant and the owner of any residential premises on which the City conducts any fire safety inspections in accordance with any federal, State or local law shall remit to the City a fee for the inspection as set forth in the attached fee schedule as adjusted as herein provided. Such fees shall be reviewed and adjusted administratively if necessary, once per fiscal year.

    c. Fire Inspections are conducted by the Treasure Island Fire Inspector; see Attachment A for Fee Schedule (Resolution 18-65)
    d. Fire Plan Reviews are conducted by the Treasure Island Fire Inspector; see Attachment A for Fee Schedule (Resolution 18-65)

23. Special Detail Fees

    e. Fire Personnel – Extra Duty Rates
        i. Firefighter/EMT - $34 per hour
        ii. Paramedic - $43 per hour
        iii. Fire Apparatus - $44 per hour
        iv. Fire Inspector - $34 per hour
        v. Holiday Rates for all fees shall be applied at 1.5 times the standard rates
    f. Apparatus - Extra Duty Rates
        vi. ALS Cart - $150 per event, per day
        vii. ALS Unit - $200 per event, per day
        viii. Fire Suppression Unit - $200 per event, per day

ARTICLE III. PARKS AND RECREATION

24. Children's Camps

Summer and Winter Camp Fees (Sec. 24-33, TI-Code)
All weekly camp rates are paid in full upon reservation. For a full refund, the cancellation request needs to be made within 14 days of the Monday of the first week enrolled.

Summer Camp 10 Week Program Fee *(adjustments are made for camps more or less than 10 weeks)*

	Resident/Taxpayer*	***Non-Resident***
10 Week Camp Rate	$600	$800
Weekly Rate	$100	$130
Extended Care	***Residents and Non-Residents***	
Before or After Care	$30 per week per family	
Both Before and After Care	$50 per week per family	

Winter Camp Fees *(adjustments are made for weekly rates based on camp dates)*

Daily Rates	$30 per day	$35 per day

** Taxpayer is defined for Children's Camps as Treasure Island Business Owners and St. Pete Beach Residents per reciprocal agreement.*

25. Treasure Bay Golf and Tennis (Sec. 24-33, 24-34, TI-Code)

Tennis Daily Rates (plus tax)		
Tennis Daily Fee - Adults	$	$12
Asphalt Courts		$3
Juniors (under age 15 years old)		50% off above rates
Resident/Taxpayer Discount		$1.00 off above rates

Pickleball (plus tax)	
Unlimited League & Daily Play	
Daily	$3
Annual Pickle Pass	$60

Foot Golf (plus tax)	***Resident/Taxpayer****
9 hole	$10
9 holes, twice	$12
Juniors, 15 & under	$8
Family Rate (up to 2 adults and 3 juniors)	$25
Pre-Paid 10 Play Card (individual play)	$80

Memberships (plus tax)	
Tennis Pre-paid 10 play card	$90
Tennis 4-monthly card	$250
Tennis 12-monthly card	$560
Golf League 10 Play Card, winter	$120
Golf League 10 Play Card, summer	$70
Golf Pre-Paid 10 play card, winter	$130
Golf Pre-Paid 10 play card, summer	$80
Golf (plus tax)	
Daily Fee, winter (Dec. – Apr.)	$15
Daily Fee, summer (May. – Nov.)	$11
Replay 9 holes	50% off above rates
Juniors (under age 15 years old)	50% off daily fees
Resident/Taxpayer	$1.00 off rates above
League rate, winter	$13
League rate, summer	$9
18 Holes	Seasonal rate + $2
Pull Cart	$3
Rental Clubs	$4

** Taxpayer is defined for Treasure Bay fees as residents of St. Pete Beach per reciprocal agreement.*

26. Reservation/Private Rental of Treasure Bay Clubhouse/Picnic Areas (Sec. 24-34, TI-Code)
    a. $25 per hour plus tax for up to 40 people
    b. $50 per hour plus tax for more than 40 people

27. Reservation/Private Rental of Rosselli Park with Restrooms (Sec. 24-33, TI-Code)
    a. Reservation/Private Rental of ballfield or gazebo $25 per hour plus tax; additional $25 per hour for use of the lights

28. Bus Rental with a Commercial Licensed Driver - $75 per hour (Sec. 24-33, TI-Code)

29. Repealed – Reserved for Future Use

30. City Facilities Rental Fees (Sec. 24-33, TI-Code)

    All facility rentals are paid in full upon reservation. For a full refund, the cancellation request needs to be made within 30 days of the event date.

    a. Community Center (up to 250 people, includes parking) *plus tax

	Residents and Non-Residents
Facility Rental Fee*	$800 for up to six (6) hours
Overtime Fee per hour*	$150/hour after initial six (6) hours, 4-hour max
Premium Dates/Holidays*	Regular rate + $250
Non-Profit Rental Fee *[501(c)(3) organizations only]*	$530 for up to six (6) hours; overtime at above rate

    b. City Center Banquet Hall, up to 70 people (includes parking) *plus tax

Facility Rental Fee*	$600 for up to six (6) hours
Overtime Fee per hour*	$150/hour after initial six (6) hours, 4-hour max
Premium Dates/Holidays*	Regular rate + $250
Non-Profit Rental Fee *[501(c)(3) organizations only]*	$400 for up to six (6) hours; overtime at above rate

    c. Community Center Garden Room & City Center multi-purpose rooms (includes parking) *plus tax

Facility Rental Fee*	
Monday - Thursday	$50/hour; minimum 2 hours
Friday - Sunday	$75/hour; min. 4 hours, max. 10 hours
Premium Dates/Holidays*	rental fee + $250
Use of Kitchen* (upon availability)	$250

    d. Beach Pavilion / Treasure Bay Clubhouse, (up to 50 people, includes parking) *plus tax

Facility Rental Fee*	
Monday – Thursday	$75/hour; min. 2 hours, max. 10 hours
Friday - Sunday	$150/hour; min. 4 hours, max. 10 hours
Premium Dates/Holidays*	Total rental fee + $250

31. Class Instructor Fees - Thirty percent (30%) of gross class revenue, or $50 per month whichever is greater (Sec. 24-33, TI-Code)

32. Use of Public Beach or Public Property Review - City Staff Review Only (Sec. 24-34, TI-Code)

    a. $100 Treasure Island Resident/Business or $125 Non-Resident for a small, organized gathering or beach event—such as a wedding, memorial service, picnic, or other similar gathering—of up to 50 people. Includes the use of up to a 10' x 10' tent/canopy, wedding arch, and chairs.

b. $125 Treasure Island Resident/Business or $150 Non-Resident for a gathering or beach event—such as a wedding, memorial service, picnic, or other similar gathering— of 51 -100 people. Includes the use of up to a 10' x 10' tent/canopy, wedding arch, and chairs.

c. $250 Treasure Island Resident/Business or $300 Non-Resident for a gathering or beach event—such as a wedding, memorial service, picnic, or other similar gathering— of more than 100 people. Includes the use of up to a 10' x 10' tent/canopy, wedding arch, and chairs.

33. Use of Public Beach or Public Property Review - City Commission Review (Sec. 24-33, 24-34, 58-48, TI-Code)

    a. All events on public property or the public beach which are open to the public for fee or not, or for profit or not, requiring City Commission approval, except City sponsored or Commission exempted public events: $500 non-refundable

        i. All subsequent requests for renewals or amendments to existing contracts or agreements – $250 each

        ii. If approved, an additional special event fee will be assessed based on impact as determined by staff and approved by City Commission. Such impacts could include pre-event permitting and planning, attendance, number of total event days, traffic and parking impacts, parking, road closures, use of commercial equipment, event coordination and administration, etc.
            1. Low Impact - $500
            2. Medium Impact - $1,000
            3. High Impact - $2,000

        iii. Other fees for use of public beach or public property: costs for City services (trash pickup and disposal, police special detail, etc.) to be reimbursed to the City upon approval of the event by the City Manager or City Commission.

        iv. The determination of whether a use requires City Commission approval under this subsection shall be at the sole discretion of the City Manager or designee.

    b. Non-exclusive License agreement request for City-owned beach area generally from 104th Avenue to 119th Avenue shall be $500 (non-refundable).

        i. All subsequent requests for amendments to existing license agreements shall be $200 per request

    c. Park Improvement Fund – three percent (3%) of net profits from fund-raising or revenue-generating activities or events held in city-owned parks by Non-Profits and For-Profit organizations, and as approved by the City. Such funds will be accounted for based on GASB and/or GFOA standards.

ARTICLE IV. FINANCE

34. Parking

    a. Parking Meter Rates –

        i. ~~$2.50~~ 2.75 per hour in the Community Center (Downtown) Lot
        ii. ~~$3.25~~ 3.75 per hour for all other city lots
        ~~iii. $3.75 per hour all other times~~

    b. Sunset Beach Street Parking – $5.00 per hour on Saturdays, Sundays, and City Holidays

    c. Resident Parking Permits - $45 annually

    d. City Event Parking - No less than $15 but up to $20 per vehicle, per day

35. Returned Checks Service Charge

    a. Set according to the allowable service charge per Section 832.07, Florida Statutes

    b. In no event should the fee be more than $100

36. Notary Services

    a. Each instrument $10 (for non-City Business)

    b. No charge for City Related Business

ARTICLE V. PUBLIC RECORDS

Recognizing that all public records and documents subject under State law to inspection by members of the public at reasonable times and under reasonable circumstances, should be produced and made available to the public promptly, when the nature or volume of public records requested to be inspected, examined, or copied is such as to require extensive use of technology resources or extensive clerical or supervisory assistance ("extensive use of information technology resources or extensive clerical or supervisory assistance" is defined as more than thirty (30) minutes of staff time per request), a special service charge shall be imposed, in addition to the charge for copies. The party requesting such assistance or service shall be charged a fee that shall be equivalent to the hourly wage of the employee who renders such assistance, including in the hourly wage the cost to the City of all benefits paid to the employee. The special service charge will be computed to the nearest quarter of an hour exceeding the first thirty (30) minutes. If the records requested are stored on computer and must be retrieved and reproduced from such storage, the charges for such reproduced copies shall be based on the time necessary to generate and reproduce such records. The City may require a deposit equal to the estimated amount for copies, any applicable service charges for extensive requests and, when applicable, the cost of mailing prior to gathering the records requested. If the City's cost to provide the records is less than that amount provided in the deposit, the remaining amount of the deposit shall be returned to the requesting party. In the event the City incurs charges in an amount greater than the deposit, the City shall issue an invoice to the requesting party for the additional charges which shall be payable prior to or upon receipt of the documents requested.

37. Retrieval, Duplication, and Certification of Records [Section 119.07, Florida Statutes]
    a. Duplication of a one-sided document up to a size of 8 ½" x 14" is $.15 per copy
    b. Duplication of a two-sided document up to a size of 8 ½" x 14" is $.20 per copy
    c. Duplication of documents exceeding 8 ½" x 14" or documents the City is incapable of reproducing on existing City equipment shall be charged at the actual cost to duplicate the record(s).
    d. Paperless records provided on a CD or DVD is $1.25 per disc.
    e. The requestor may provide a USB drive to receive paperless copies of records; however, the drives must be scanned by IT Department staff first to ensure the health of the City's network. The charge shall be a minimum of actual cost of scanning and the duplication of the record(s).
    f. Certified copies are $1 per document/instrument, plus applicable duplication charges.
    g. Labor charges for extensive public records requests are applicable to any request requiring thirty (30) minutes or more of staff time in a single day to research and respond to a request. The actual cost is calculated using the hourly wage plus benefits of the lowest paid employee capable of performing the service.

ARTICLE VI. POLICE DEPARTMENT

38. Fingerprinting Service - $15
39. Special Detail (officer and vehicle) - $60 per hour
40. Pet Registration – No charge
41. $25 Bicycle Decals (Sec. 50-58, 50-63, 50-64, TI-Code):
    a) $1.00 for registration
    b) $0.50 for replacement if stolen, lost, or destroyed
    c) $0.50 for replacement if obliterated or illegible
42. Equipment Inspection - $5

ARTICLE VII. PUBLIC WORKS

43. City Signboard in Treasure Island Causeway Fee (Sec. 73-35, TI-LDR)

a. $20 for one sign (East or West)

b. $25 for two signs (East and West) up to 14 days.

ARTICLE VIII. UTILITY FEES

SEE ATTACHMENTS B, C, & D

44. Sewer (Sec. 75-122, TI-LDR)

See Attachment B.

45. Solid Waste Services (Sec. 38-32, TI-Code)

See Attachment C.

46. Stormwater (Sec. 54-74 and 54-75, TI-Code)

See Attachment D.

ARTICLE IX. ELECTIONS

49. Qualification Fee [Section 99.093, Florida Statues, Sec. 14-10, TI-Code]

a. Application fee for district commissioner - $50.00
b. Application fee for mayor-commissioner - $100.00

These fees may be waived if the candidate is determined to be exempt from the election assessment pursuant to section 99.093(2), Florida Statutes. Any charge by the supervisor of elections to verify signatures pursuant to Chapter 99, Florida Statutes, shall be paid by the candidate.

ARTICLE X. BUSINESS TAX

Sec. 46-103, TI-Code

A

Abstracts of Title	177.40
Adult entertainment establishment, bookstore, etc.	fee set by City Commission
Advertising:	
Agencies	88.52
Card directory	88.52
Directories, guidebooks	177.40
Handbills	88.52
Outdoor advertising, persons engaged in business of painted walls or electric displays or other devices leased or rented, not otherwise specifically receipted (See "signs")	88.52
Parade, including automobiles and wagons carrying advertising signs and musical instruments or other devices to attract attention, for each parade	486.20
Schemes and devices not provided for	486.20
Agent, agencies, including but not limited to book or magazine, claims and collections, credit agencies or bureaus, detective, employment, investment or security, loan, manufacturer's agent, and travel or transportation agents	88.52
Alarm systems, fire, burglary, medical monitoring, etc.	88.52
Amusement parks, children's playground and mechanical equipment	88.52
Amusement parlors, owner or manager	352.43
Animal grooming service, not permitted as kennel	88.52
Answering services	88.52
Antiques, dealers in	88.52
Appraisers	88.52
Architects	88.52
Armored car service	88.52
Art gallery	88.52
Artist	52.08
Auctions and auctioneers:	
Personal property, per diem	354.74
Real estate	354.74
Shops or stores, owners or managers	1,215.48

A

Automobiles, trucks and RV's:	
Agencies, sale or rental (in addition to all other receipts)	55.81
Automobile, bus for hire, each	88.52
Cruising taxicabs	36.44
Driver of automobile for hire, taxicabs or bus, each	18.17
Filling station:	
1 pump/dispenser	36.44
1 pump/dispenser and repair service	88.52
Additional pump/dispenser	3.62
Parking lot, temporary, per day	18.17
Storage or parking lots, capacity:	
1—50	88.52
51 or more	177.40
Used car lot	267.38
Wash and polish only	88.52

B

Bait, dealers in	52.08
Bakeries	88.52
Banks	88.52
Barbershops and beauty shops:	
1 station	88.52
Each additional station	18.17
Technician (nail, cosmetology, etc.)	52.08
Billiards, pool, for public use or profit	52.08
Boats:	
Charter, cruise or party:	
1—6 passengers	52.08
7—21 passengers	88.52
22+ passengers	125
Storage/dry:	
1—25 boats	106.73
26+ boats	160.28
Boat and yacht brokers	106.73

B

Sales	106.73
Rentals	177.40
Marinas:	
1—25 boats	106.73
26+ boats	160.28
Bondsmen	354.74
Bookkeeping and income tax service	88.52
Boot and shoe repair shop	88.52
Bottled drinks, wholesale	
1 truck	177.40
Each additional truck	36.44
Bottled water, delivery of:	
1 truck	88.52
Each additional truck	36.44
Bottled gas, dealers in	88.52
Bowling alleys:	
First alley	88.52
Each additional alley	36.44
Brokers:	
Wholesale dealers in merchandise	354.74
Business and computer machine, rental	88.52

C

Camera and photographic supply shops	106.73
Carnivals, including side shows incident thereto, per week or fraction thereof	3,561.39
Carpet and rug cleaning establishment	88.52
Caterers	88.52
Circus:	
Circus shows and tent shows, per day	1,069.64
Parade	486.20
Clinic, medical, dental, etc.	88.52
Computer programming, 1 employee	88.52
Congregate care, adult congregate living facility and group care facility:	
1—10 residents	121.54

C

Each additional resident	12.13
Consignment shops	88.52
Contractors:	
General	177.40
All others	88.52
Copy service, duplicating, engraving, lithography, mimeographing and multigraphing	88.52

D

Data processing and related services	88.52
Dentists	88.52
Detective agencies	88.52
Distributor	88.52
Diver	88.52
Doctors/physicians	88.52
Drafting	88.52
Dressmaking establishment and hemstitch sewing, including tailors and needlework	36.44
Drugstores	88.52
Dry cleaning, laundries, linen service	88.52

E

Entertainments, musicals, concerts or shows, where not held in receipted theater or hall.	Apply to City Commission for permission and tax
Equipment rental	88.83
Exhibits	Apply to City Commission for permission and tax
Exterminators, termites or vermin, in addition to all other receipts	88.52

F

Family day care centers:	
1—5 residents or day care	88.52
Each additional resident	0
Finance companies, any person who engages in a financing service or effecting the purchase or collection of deferred merchandise purchase agreements or notes	88.52

F

Florists	88.52
Fuel oil dealer	88.52
Furniture, refurnish, reupholster	88.52

G

Game machines, each machine to be paid by the owner or person in whose place of business the machine is operated, each machine, in addition to all other receipts	3.62
Golf, miniature	88.52
Guns, dealer in revolvers and pistols	474.02

H

Halls for rent, where admission is charged	177.40
Health clubs, salons, spas	88.52
Hearing aids, agent or dealer	88.52
Home health care, nursing, aides	88.52
Home occupations	88.52

I

Ice retail stations, each	36.44
Insurance:	
Agency	88.52
Branch offices	88.52
Claims	88.52
Company	88.52
Title	177.40
Interior decorators	88.52
Investment counselors	88.52

J

Janitorial service	88.52

L

Laboratories, analytical or dental	88.52
Landscape gardener, lawn service	88.52
Launderettes or self-service laundries:	
First 10 machines	88.52

L

Each additional machine	4.83
Lawn service only	88.52
Lawn and tree spraying	88.52
Lawyers, each	88.52
Lecturers and instructors	354.74
Locksmiths, each	88.52

M

Mail order establishment	88.52
Management consultant	88.52
Massage parlors	88.52
Mental healers, not including members of Christian Science profession	354.74
Merchant and merchandising:	
Wholesalers	88.52
Merchants, demonstrators, exhibitors selling merchandise at exhibits or shows, 1 week only	42.47
Retail store	88.52
Messenger or package delivery service	88.52
Motorcycles, motorbikes and motor scooters:	
Motordrome sales	177.40
Rental only	177.40
Repair only	88.52
Moving pictures, or other theaters or permanent places of amusement	88.52
Music studios	88.52

N

Newspapers and publications:	
Daily	890.77
Other than daily, excepting religious educational, charitable, fraternal or veterans sponsored	106.73
Nursery and service plants, etc.	88.52

O

Occult—Clairvoyant, fortunetelling, palm reading, crystal ball, and any of the mystic arts	474.02
Opticians/optometrists	88.52
Osteopaths	88.52

P

Patrols, night patrolmen or private watchmen, each, on recommendation of the city commission	88.52
Pawnbrokers	1,245.88
Pet shops and supplies	106.73
Photostat and blueprint shop	88.52
Photographers:	
Each	52.08
Studio	88.52
Piano tuners, each.	52.08
Professions:	
Accountant, acupuncturist, appraisers, architect, attorney, auditor, chemist, chiropodist, chiropractor, counselors, consultants, dentists, designer (industrial and residential), draftsmen, electrologist, engineer (individual or firm), naprapath, naturopathy, homeopathic physician, oculist, optician, optometrist, osteopath, pharmacist, physical culturist or therapist, physician, physiotherapist, podiatrist, psychologist, stocks and bonds broker, surveyor (individual or firm), veterinary surgeon, and any other professions not listed	88.52
Promoter	354.74
Property management	88.52
Psychologists	88.52
Public relations, each individual or firm	88.52

R

Real estate agency/office:	
Broker	88.52
Sales representative if covered under broker	0
Sales representative if not covered under broker	88.52
Registration of business tax receipts	12.13
Rental units:	
1 unit	24.31
2—5 units, each	6.04
Each additional unit over 5	4.83
Condo/hotel (each unit)	24.31
Repair shops, other than garage and machine, proprietor only	88.52
Restaurants, bars, cafeterias, lounges or lunch rooms:	
1—25 persons, occupancy	88.52

R

Over 25 persons, occupancy (in addition to all other receipts)	133.09

S

Schools, private operated for profit:	
1—10 students	88.52
11—25 students	125
26—50 students	177.40
Over 50 students	267.38
Second (multiple) businesses	50 percent of regular receipt tax
Secondhand store:	
Dealer in clothing	88.52
Dealer in all other commodities	88.52
Signs, painters, firms, companies, association of persons or corporations engaged in business of sign painting	88.52
Solicitation, telephone, etc.	88.52
Supermarkets	177.40
Surveyors	88.52
Swimming pools:	
Construction of (see "contractor").	
Sales and service	88.52
Maintenance only	88.52

T

Tanning salon	88.52
Telephone and telegraph companies, branch offices	88.52

U

Unclassified:	
Every business, occupation, profession or exhibition, substantial, fixed or temporary, engaged in by any person within the city for which no receipt fee has been set forth and not specifically designated in this schedule	106.73
Undertakers or ambulance service	354.74

V

Vending machines, each (this receipt shall be in addition to all other receipts)	4.83

V

Veterinarians	88.52

W

Warehouses, bonded or storage	88.52
Weighing machines, each, to be paid by the owner, or by the person in whose place of business the machine is located, in addition to all other receipts	4.83

Attachment A

Fire Inspection & Fire Plan Review Fees

FIRE INSPECTION SERVICE:	FEE
Common Areas - Townhouse Complex	$ 75.00
Family Service Home-Child Care, ALF/ACLF less than 7 persons	$ 40.00
Family Service Home-Child Care, ALF/ACLF 7 persons or greater	$ 75.00
Fire Hydrant Services	$ 25.00
Fire Protection System	$ 50.00
Automotive Fueling Facility	$100.00
Marine Fueling Facility	$110.00
Industrial Facility	$ 75.00
Tourist Lodging Complex- 3 to 10 units	$ 75.00
Tourist Lodging Complex - 11 to 20 units	$110.00
Tourist Lodging Complex - 21 to 49 units	$125.00
Tourist Lodging Complex - 50 units or greater	$175.00
Occupied Multiple Business Unit @ $30.00 per unit	
Unoccupied Multiple Business Unit @ $15.00 per unit	
Permanent Residential Complex - 3 to 10 units	$ 50.00
Permanent Residential Complex - 11 to 20 units	$ 90.00
Permanent Residential Complex - 21 to 49 units	$110.00
Permanent Residential Complex 50 units or greater	$145.00
Places of Assembly 1 to 49 persons	$ 50.00
Places of Assembly 50 to 149 Persons	$ 75.00
Places of Assembly 150 persons or greater	$100.00
Marine Service	$250.00
Fire Sprinkler System Check	$ 25.00
Stand Alone Business < or = 3000 Sq. Ft.	$ 50.00
Stand Alone Business > 3000 Sq. Ft.	$100.00

Storage Facility < or = 5000 Sq. Ft.	$ 75.00
Storage Facility > 5000 Sq. Ft.	$100.00
Fuel Tank Installations	$ 50.00
LP Tank Installations	$ 50.00
FIRE PLAN REVIEWS AND INSPECTIONS:	
Building Services Equipment Plan Review and Inspection (Installation or Replacement of kitchen hood ansul system, trash chute, etc.)	$ 60.00
Fire Protection Systems Plan Review and Inspection (Installation or Replacement of fire alarm, fire sprinkler, standpipe system, etc.)	$ 60.00
New Construction Projects Plan Review and Inspection: - Up to 1,500 square feet - In excess of 1,500 square feet ($60 + $30 = $90)	 $ 60.00 $ 90.00
Remodel / Addition Project Plan Review and Inspection: - Up to 1,500 square feet - In excess of 1,500 square feet ($30 + $30 =$60) - Remodel Commercial Common Areas	 $ 30.00 $ 60.00 $ 60.00
Site Plan Review	$ 60.00
LP Gas Retail Bottle Displays	$ 60.00
LP Gas Tank Installations	$ 60.00
First Re-inspection (for failure)	$ 30.00
Second Re-inspection (for failure)	$ 30.00

RE-INSPECTION FEES:	
Code Compliance 1st visit	$ 30.00
Code Compliance 2nd visit	$ 30.00
Code Compliance 3rd visit	$ 30.00
Code Compliance 4th visit & each subsequent visit	$ 30.00

COMMUNITY HEALTH & SAFETY FEES:	
"Safe Sitter" Course	$ 45.00
CPR Course	$ 25.00

City of Treasure Island
Sewer Rate Bi-Monthly Rate Schedule
Effective Billing Cycles as of December 2023
Base Rate, Volumetric Rate Adjustments and Purchase Sewer Adjustment (PSA)

Description	Existing Fiscal Year 23	Adopted Fiscal Year 24
Base Charge - Bi-Monthly		
Single Family	$ 38.20	$ 42.00
Duplex	$ 66.70	$ 73.40
Multifamily per unit	$ 35.80	$ 39.40
Hotel per unit	$ 27.20	$ 29.90
3/4" or 1"	$ 38.20	$ 42.00
1.5"	$ 93.90	$ 103.30
2"	$ 143.20	$ 157.50
Greater than 2"	$ 224.20	$ 246.60
Non-Metered	$ 38.20	$ 42.00
Volumetric Charge		
Block 1 (0-3,000)		
Rate per Thousand Gallons	$ 11.70	$ 11.70
Purchased Sewer Adjustment (PSA)*	$ 1.81	$ 1.51
Total Block 1 Rate per Thousand Gallons	$ 13.51	$ 13.21
Block 2 (Above 3,000)		
Rate per Thousand Gallons	$ 13.80	$ 13.80
Purchased Sewer Adjustment (PSA)*	$ 1.81	$ 1.51
Total Block 2 Rate per Thousand Gallons	$ 15.61	$ 15.31

* The Volumetric Charge shall be automatically adjusted annual effective the billing as of December 1, after the City's wholesale sewer provider adopts an adjustment to the City's wholesale sewer rates.

Purchase Sewer Adjustment (PSA) = [Annual Purchased Wastewater Cost Under the Adjusted Wholesale Sewer Rates/Annual Revenue Gallons] - Base Year Cost
(Annual Revenue Gallons are in thousands of gallons)

Base Year Cost = $8.92 per thousand gallons as derived from the projected cost for Fiscal Year 2021

Annual Purchased Sewer Costs in PSA Formula

1. The Annual Purchased Sewer Costs include the total costs of wholesale sewer service including strong waste charges and outside-City surcharges.

2. The Annual Purchased Sewer Costs shall be calculated using the most recently available historical 12 months of actual sewer flow billed by the City's wholesale sewer provider - for which the City also has revenue gallons billed to the City's sewer customers - on the date that the adjusted sewer rates are adopted.

3. The historical time period for the sewer flow billed by the City's wholesale sewer provider and the revenue gallons billed to the City's sewer customers must be the same for purposes of the PSA calculations.

Annual Revenue Gallons in PSA Formula

The Annual Revenue Gallons shall be the most recently available historical 12 months of sewer flow billed to the City's sewer customers based on metered water sales in thousands of gallons for which the City also has actual sewer flow billed by the City's wholesale sewer provider.

Exhibit C

City of Treasure Island, Florida
Solid Waste Monthly Rate Schedule
Effective Billing Cycle as of December 2023

RESIDENTIAL REFUSE AND RECYCLING SERVICE INCLUDES: One City supplied 60 or 90 gallon container picked up twice weekly. One City supplied recycling container picked up once weekly, yard waste picked up once weekly.

Unit	Solid Waste	Recycling	Monthly Total	Bi-Monthly Total
Single Family	$19.20	$7.20	$26.40	$52.80
Duplex	$38.40	$14.40	$52.80	$105.60
Triplex	$57.50	$21.60	$79.10	$158.20
4 Units	$76.70	$28.80	$105.50	$211.00
5 Units	$95.90	$36.00	$131.90	$263.80
6+ Units	See Multi-Family 6+ Rate Category			
Extra Trash Can Service		$12.80	(66% of the single family Solid Waste Rate)	

COMMERCIAL ROLL OUT CONTAINER REFUSE ONLY: (NO RECYCLING)

Commercial	$19.20

MULTI-FAMILY 6+ UNITS REFUSE AND RECYCLING:

REFUSE BULK CONTAINER:

Fees below are calculated as follows:($12.8954) X (container size, in cubic yards) X (# of weekly pickups) X (52 weeks) / (12 months).

Container Size (Cubic Yards)	Pickups per Week 2	3	4	5
1	$125.30	$187.96	$250.61	$313.27
2	$250.61	$375.90	$501.22	$626.52
3	$375.90	$563.87	$751.83	$939.79

Recycling Service Charge $4.72 per Unit per month, pick up is once a week.

COMPACTED MULTI-FAMILY REFUSE CONTAINER WITH TREASURE ISLAND COLLECTION:

Service charges shall be prorated on the basis of the charges applicable to the respective establishments as determined by the City.

Recycling Service Charge $4.72 per Unit per month, pick up is once a week.

Exhibit C

City of Treasure Island, Florida
Solid Waste Monthly Rate Schedule
Effective Billing Cycle as of December 2023

COMMERCIAL REFUSE ONLY BULK CONTAINER:

Fees below are calculated as follows:($12.8954) X (container size, in cubic yards) X (# of weekly pickups) X (52 weeks) / (12 months).

Container Size (Cubic Yards)	Pickups per Week 2	3	4	5
1	$125.30	$187.96	$250.61	$313.27
2	$250.61	$375.90	$501.22	$626.52
3	$375.90	$563.87	$751.83	$939.79

COMPACTED COMMERCIAL REFUSE CONTAINER WITH TREASURE ISLAND COLLECTION:

Service charges shall be prorated on the basis of the charges applicable to the respsetive establishments as determined by the City.

CONTRACTUAL COMMERCIAL COMPACTOR RATE

Service charges shall be prorated on the basis of the charges applicable to the respective establishments as determined by the City.

Extra Bulk Container Pickup*	
1 - yard	$31.33
2 - yard	$62.65
3 - yard	$93.98

** Fee for the delivery of a container shall be $10.00; Fee for pickup of a container shall be $10.00.*

Special Pick Up Rate:

Furniture and electronics are collected for a fee of $18.00 for the first item and $5.00 for each additional furniture or electronic item.
Appliances are collected for a fee of $23 for the first item and $10.00 for each additional appliance.

Yard Waste Pick Up Rate:

Each hopper in excess of the two hoppers included in residential service is $5.00 each.

Exhibit D

City of Treasure Island
Stormwater Management Rate Schedule
Effective Billing Cycles as of December 2023
New ERU calculation for FY24

Category	Monthly Rate	Bi-Monthly Rate
Single Family	~~$17.78~~ $24.00	~~$35.56~~ $48.00
~~Duplex (for both units)~~	~~$23.37~~	~~$46.75~~
~~Multiple Family (per unit)~~	~~$16.05~~	~~$32.10~~
~~Hotel/Motel (per unit)~~	~~$13.85~~	~~$27.70~~
~~Commercial (per ERU*)~~	~~$21.35~~	~~$42.70~~
~~Public Property (per ERU*)~~	~~$21.35~~	~~$42.70~~
~~Impervious Single Family Lots~~	~~$17.78~~	~~$35.56~~
Other Property types	Per calculated ERU * $24	Per calculated ERU * $48

*ERU = Equivalent ~~Dwelling~~ Residency Unit, calculated per City of Treasure Island Ordinance ~~94-1~~ 2023-17 (~~1,513~~ 4,445 sq feet).

The city conducted a stormwater rate study and equivalent residency unit calulation update for the FY24 budget development process. The new rate calculation represents a fundamental shift in the equitable burden borne by the various ratepayer types, and will be phased in over a few fiscal years as a result.

AGENDA ITEM NO. I.6

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE:	September 5, 2023
SUBMITTED BY:	Amy Davis, Administration
ITEM TYPE:	Public Hearings
AGENDA SECTION:	ITEMS OF BUSINESS
SUBJECT:	First Reading of Ordinance No. 2023-11, Allowing for the ability of the City to create and impose special assessments for capital improvements or essential services
BACKGROUND:	The Isle of Capri civic association and residents have approached the City on how they could bury utilities in their neighborhood. In order to fund a project such as this, it would require the City to impose a special assessment to the project area for the purposes of paying for the burying of utilities. Currently, the City's code does not have a mechanism to create and impose a special assessment for the purpose of a capital improvement or essential service. As a result, adopting the proposed ordinance would be the first step in this process, which would give the city the ability to create a special assessment. The proposed ordinance is drafted to allow assessments for any capital improvement, not just buring utilities and will address scenarios that are both resident and city iniated. This item was presented at the August 8th workshop, where the Commission discussed various options to include in the assessment process.
POLICY/PURPOSE:	To consider adopting an ordinance to enable the City the ability to create a special assessment to fund a capital improvement project or essential services.
STRATEGIC PLAN RELEVANCE:	Financial and Economic Development; Goal #2 Maximize the utilization of the City's Resources.

ANALYSIS/DISCUSSION: The proposed ordinance would provide for the City to create and impose a special assessment in the City's code. The ordinance also provides for the procedure for the imposition of an assessment, definitions, authorizing the creation of assessment areas, optional and mandatory prepayment of assessments, establishing procedures for notice and adoption of assessment rolls and correction of error and omissions, authorizing the issuance of obligations secured by assessments and that such obligations will not create a general debt obligation for the City.

The procedure in the proposed ordinance for a petition initiated request requires a 2-step ballot process where the initial petition requires 70% of the property owners to sign onto the proposed improvement or essential service as well as a second ballot with better cost estimates with 80% of the property owners in favor. The City Commission would consider the adoption of an initial resolution, with notices required, then followed by a final resolution with notices required. The City Commission has the full authority whether to approve the resolution to enact the special assessment and all associated actions.

If there is a city-initiated improvement that is necessary, the ballot process is optional, but an initial and final resolution with notices would still be required. A city-initiated improvement would be a significant improvement that is deemed necessary and only benefits a specific area of properties. This could be drainage or future resiliency projects as an example, these types of assessments are used by cities around the state as a tool for raising funds for specific projects that benefit a group of properties.

FUNDING: With all projects, the fiscal impact is soft costs as staff may need to research scope and cost. As time goes on, there may be hard costs involved, such as hiring a consultant to oversee a project and to provide cost estimates. If an assessment program is ultimately implemented, these hard costs can be included into total assessment paid by the property owners in the special assessment area.

A special assessment is a tool for the City to provide a mechanism for a resident initiated project as well as a City initiated project should the latter ever be required.

MOTION: I move to adopt / deny Ordinance No. 2023-11, providing for the City to create and impose a special assessment for the funding of capital improvements or essential services at 1st Reading and to schedule a 2nd and final reading.

ATTACHMENTS:
Treasure Island - Assessments (02566352).pptx
COTI Assessment Ordinance 2023-11(02375985-5).docx

Introduction to Special Assessments

Chris Roe

Bryant Miller Olive

OUR NAME IS EASY TO REMEMBER OUR WORK IS HARD TO FORGET.

Tallahassee Orlando Miami Jacksonville Tampa Atlanta Washington D.C.

Introduction

- Used in Florida since late 1800's
- Governmental charge for services or improvements
- Available to cities, counties, special districts
- Similar to ad valorem property taxes, different in key respects
  - Assessments can be collected on tax bill (sometimes called "non-ad valorem assessments")
  - Payment is mandatory
  - Different formula for calculating
  - Generally benefit-based, not necessarily tied to property value

Introduction, continued

- Lien priority in event of nonpayment
  - Co-equal with property taxes
  - Senior to mortgages or other non-tax liens
- Nonpayment can result in loss of property
- Home rule authority, state statutes and case law
- Key requirements for all assessment programs:
  - Special benefit to property
  - Fair and reasonable apportionment
    - Assessment is apportioned according to relative benefit received by each property
  - Due Process for property owners

Types

- Capital Improvements
  - Types:
    - Utility undergrounding
    - Roads
    - Sidewalks
    - Water/wastewater
    - Beach renourishment, etc.
  - Assessment can be pledged to repayment of loan/bonds
  - Total amount determined at outset, collected in annual instalments over defined term
  - Annual installment payments end when project is paid for

Types, continued

- Services
  - Fire protection
  - Solid waste
  - Stormwater
  - street lighting, etc.
- May be perpetual, renewed each year
- Assessments cannot fund general administration of government
  - No law enforcement, no city hall or administration buildings

General Provisions

- Imposition vs. Collection
  - Each has separate process/procedure
  - Due process:
    - Notice to affected property owners
    - Opportunity to be heard/public hearing
  - Collection methods
    - Direct Billing
    - Tax bill

Detail Considerations

- Apportionment method
  - Not fixed by statute
  - Local discretion – fair and reasonable standard
- Timing
  - Process typically commences calendar year before levy for tax bill collection
  - Development and implementation between 90 and 120 days
- Full or partial funding
- Accounting
- Exclusions and Exemptions

Process for Levying/Collecting Assessment

1. Enact ordinance establishing assessment procedure
   - Does not impose any assessment or obligate city tom impose any assessment
   - Only establishes process for initial levy and annual administration
   - Generic, applies to any type of assessment
   - May include a landowner petition process
     - Sets approval threshold
     - Threshold at city option (can be 51%, 75%, 80% etc.)
     - Petition process not binding on city; request to assess

Process for Levying/Collecting Assessment

1. Initial resolution to begin process for assessment levy
   - Describes improvement/service to be funded
   - Estimates cost to be recovered through assessment
   - Special benefit
   - Apportionment methodology
   - Schedules public hearing
   - Directs notice of public hearing

Process, continued

3. Mailed & published notice of public hearing
4. Public hearing
   - Public comment
   - Adoption of final resolution
     - Imposes assessment
     - Approves assessment roll
       - Database/list of all properties subject to assessment & amount
5. Forward assessment roll to tax collector for tax bill collection
6. Referendum approval not required by state law

Process, continued

- If using tax bill/uniform method for collection:
  - Adopt resolution expressing intent to use uniform method during calendar year before collection begins
    - Non-binding, does not require future imposition
    - Only preserves ability to collect on the tax bill in the following November
  - Only required once, prior to first year tax bill collection
  - Not required for direct billing

Notice

- For initial levy:
  - Published notice 20 days prior to public hearing
  - Mailed notice 20 days prior to public hearing
    - Time/date/place of hearing
    - Amount to be imposed against each property and number of units assigned
  - Notice generally only required for initial levy (not annually), unless
    - New property added
    - Assessment amount increases

Challenges

- No benefit to property
- Arbitrary apportionment
- Process defects
  - Did not follow notice requirements
- Refund risk

Validation

- Expedited court process for confirming validity of assessment program
- Premised on borrowing money via loan or bonds and pledging assessment to repayment
- Accomplished prior to first collection of new assessment
- Reduces threat of challenge
- Proactive alternative to defending future legal challenges
- Typically takes 90-120 days where uncontested/not appealed

Open Discussion & Questions

Bryant Miller Olive

ORDINANCE 23-11

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA RELATING TO THE FUNDING OF CAPITAL IMPROVEMENTS AND ESSENTIAL SERVICES THROUGH THE IMPOSITION OF SPECIAL ASSESSMENTS; RENAMING CHAPTER 46 FROM "TAXATION" TO "TAXATION AND SPECIAL ASSESSMENTS"; CREATING ARTICLE V – SPECIAL ASSESSMENTS TO PROVIDE THE PROCEDURE FOR THE IMPOSITION OF SUCH SPECIAL ASSESSMENTS; PROVIDING DEFINITIONS; AUTHORIZING THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS TO FUND THE COST OF CAPITAL IMPROVEMENTS AND ESSENTIAL SERVICES PROVIDING A SPECIAL BENEFIT TO REAL PROPERTY WITHIN THE CITY; AUTHORIZING THE CREATION OF ASSESSMENT AREAS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS AND FOR CORRECTION OF ERRORS AND OMISSIONS; PROVIDING FOR THE OPTIONAL AND MANDATORY PREPAYMENT OF ASSESSMENTS; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLLS; ESTABLISHING PROCEDURES AND METHODS FOR COLLECTION OF ASSESSMENTS, INCLUDING ASSESSMENTS IMPOSED ON GOVERNMENT PROPERTY; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS; PROVIDING FOR VARIOUS RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS WILL NOT CREATE A GENERAL DEBT OR OBLIGATION OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, section 2 of the Florida Constitution and Section 166.021, Florida Statutes, grant the City all governmental, corporate, and proprietary powers to enable the City Commission to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law, and such powers may be exercised by the enactment of City ordinances;

WHEREAS, the City Commission wishes to establish a procedure for establishing special assessments to fund capital improvements and essential services; and

WHEREAS, the special assessments authorized pursuant to this Ordinance shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act;

WHEREAS, the special assessments imposed pursuant to this Ordinance will be imposed by the City Commission, not the Property Appraiser or Tax Collector and any

activity of the Property Appraiser or Tax Collector under the provisions of this Ordinance shall be construed solely as ministerial;

WHEREAS, the City Commission wishes to rename Chapter 46 from “Taxation” to “Taxation and Special Assessments;” and

WHEREAS, the City Commission determines that the adoption of this Ordinance is in the interests of the public health, safety and welfare of the City and its residents.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES ORDAIN:

SECTION 1. The recitals set forth in the “Whereas” clauses above are ratified and confirmed as true and correct and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida, for the adoption of this Ordinance.

SECTION 2. That Chapter 46 “Taxation” of the Code of Ordinances of the City of Treasure Island, Florida, is hereby renamed to “Taxation and Special Assessments.”

SECTION 3. That Chapter 46 of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Article V. – Special Assessments

Sec. 46-150. - Definitions. The following terms shall have the following meanings, unless the context clearly requires otherwise:

"Annual Assessment Resolution" means the resolution described in Section 46-158, approving an Assessment Roll for a specific Fiscal Year.

"Assessment" means a special assessment imposed by the City Commission pursuant to this Ordinance to fund the Capital Cost of Capital Improvements or the Service Cost of Essential Services. The term "Assessment" and the reference to non-ad valorem assessments herein means those assessments which are not based upon millage and which can become a lien against a homestead as permitted by Article X, Section 4 of the Florida Constitution.

"Assessment Area" means any of specific areas created by resolution of the City Commission pursuant to Sec. 46-152 that specially benefit from Capital Improvements or Essential Services.

"Assessment Coordinator" means the City Manager or such person's designee.

"Assessment Roll" means the special assessment roll relating to Capital Improvements or Essential Services containing the information specified in Section 46-154, approved by a Final Assessment Resolution or an Annual Assessment Resolution pursuant to Sec. 46-157 and 46-158.

"Assessment Unit" means the apportionment unit utilized to determine the Assessment for each parcel of property, as set forth in the Initial Assessment Resolution. "Assessment Units" may include, by way of example and not limitation, one or a combination of the following: front footage, land area, improvement area, equivalent residential connections or units, equivalent benefit units, permitted land use, trip generation rates, rights to future trip generation capacity under applicable concurrency management regulations, property value or any other physical characteristic or reasonably expected use of the property that is related to the Capital Improvements or Essential Services to be funded from proceeds of the Assessment.

"Capital Cost" means all or any portion of the expenses that are properly attributable to the acquisition, design, construction, installation, reconstruction, renewal or replacement (including demolition, environmental mitigation and relocation) of Capital Improvements under generally accepted accounting principles; and including reimbursement to the City for any funds advanced for Capital Cost and interest on any interfund or intrafund loan for such purposes.

"Capital Improvements" means capital improvements constructed or installed by the City which provide a special benefit to lands within an Assessment Area.

"City" means City of Treasure Island, Florida.

"City Code" means the Code of Ordinances of the City of Treasure Island, Florida.

"City Commission" means the City Commission of the City of Treasure Island, Florida.

"City Manager" means the chief executive officer of the City, or such person's designee.

"Essential Services" means the services, facilities, or programs which provide a special benefit to, or relieve a burden attributable to, lands within an Assessment Area.

"Final Assessment Resolution" means the resolution described in Sec. 46-157 which shall confirm, modify or repeal the Initial Assessment Resolution and which shall be the final proceeding for the imposition of an Assessment.

"Fiscal Year" means the period commencing on October 1 of each year and continuing through the following September 30, or such other period as may be prescribed by law as the Fiscal Year for the City.

"Government Property" means property owned by the United States of America, the State of Florida, a county, a special district, a municipal corporation, or any of their respective agencies or political subdivisions.

"Initial Assessment Resolution" means the resolution described in Section 46-153, which shall be the initial proceeding for the imposition of an Assessment.

"Maximum Assessment Rate" means the highest rate of an Assessment established by the City Commission in an Initial Assessment Resolution and included in the notices required by Sec. 46-155 and 46-156.

"Obligations" means bonds or other evidence of indebtedness including but not limited to, notes, commercial paper, capital leases or any other obligation issued or incurred to finance Capital Improvements and secured, in whole or in part, by proceeds of the Assessments.

"Ordinance" means this Capital Improvement and Essential Services Procedural Assessment Ordinance.

"Pledged Revenue" means, as to any series of Obligations, (A) the proceeds of such Obligations, including investment earnings, (B) proceeds of the Assessments pledged to secure the payment of such Obligations, and (C) any other legally available non-ad valorem revenue pledged, at the City Commission's sole option, to secure the payment of such Obligations, as specified by the Ordinance and any resolution authorizing such Obligations.

"Property Appraiser" means the Pinellas County Property Appraiser.

"Resolution of Intent" means the resolution expressing the City Commission's intent to collect Assessments on the ad valorem tax bill required by the Uniform Assessment Collection Act.

"Service Cost" means all or any portion of the expenses that are properly attributable to the provision of Essential Services under generally accepted accounting principles; and including reimbursement to the City for any funds advanced for such expenses and interest on any interfund or intrafund loan for such purposes.

"Tax Collector" means the Pinellas County Tax Collector.

"Tax Roll" means the real property ad valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

"Uniform Assessment Collection Act" means sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

Sec. 46-151. – Authority and Purpose. The City Commission is authorized to impose Assessments against property located within an Assessment Area to fund Capital Improvements or Essential Services. The Assessment shall be computed in a manner that fairly and reasonably apportions the Capital Costs or Service Costs among the parcels of property within an Assessment Area, based upon objectively determinable Assessment Units related to the value, use or physical characteristics of the property.

Sec. 46-152. – Creation of Assessment Areas.

(A) The City Commission is authorized to create Assessment Areas by resolution. Each Assessment Area shall encompass only that property specially benefited by the Capital Improvements or Essential Services proposed for funding from the proceeds of Assessments to be imposed therein. Either the Initial Assessment Resolution proposing an Assessment Area or the Final Assessment Resolution creating an Assessment Area shall include brief descriptions of the Capital Improvements or Essential Services proposed for such area, a description of the property to be included within the Assessment Area, and legislative findings that recognize the special benefit to be provided by each proposed

Capital Improvement or Essential Service to property within the Assessment Area. Properties in any Assessment Area need not be adjacent or contiguous to any other property in an Assessment Area. An Assessment Area may encompass the entire area of the City.

(B) Petition Process.

(1) The City Commission may establish an Assessment Area either upon its own motion or upon written petition by a majority of affected property owners.

(2) Property owners shall include any persons, firm, partnership, corporation, trust, or other legal entity holding title to any property which would be liable for Assessments if the Assessments were imposed. The requirements for a majority of such property owners shall mean no less than (a) seventy (70) percent of the owners in number where the Assessment against each parcel is substantially equal, or (b) the owners of parcels liable for seventy (70) percent of the Assessment where the proposed Assessment against each parcel is not substantially equal. For purposes of this section, substantially equal means a variance between the highest and lowest Assessment of not more than twenty (20) percent.

(3) The property owner petition shall contain:

(i) The name, address and phone number of the property owner(s) submitting the petition and designating the property owner(s), if any, with whom the City should primarily communicate regarding the petition (the "Petitioners Representative");

(ii) a description of the proposed Capital Improvements or Essential services to be provided within the Assessment Area;

(iii) a description of the boundaries of the proposed Assessment Area and/or the real property to be included therein, which may be based upon reference to bordering streets, waterways or other defining boundaries, lots or units, and/or tax parcel identification numbers;

(iv) a cost estimate for the proposed Capital Improvements or Essential Services, including the supporting information or documentation upon which such cost estimate is based; and

(v) a statement that the petitioners (a) request that the improvements be constructed or that the services be provided, (b) recognize that the determination regarding the imposition of Assessments shall be made solely by the City Commission after public hearing, (c) agree to be assessed for the actual cost for construction of the improvements or provisions of services (regardless of whether such actual cost exceeds the cost estimate included in the petition) and imposing the Assessments, including allowable administrative and other incidental costs connected therewith, and (d) agree to pay the costs of preparing the plans, specifications, and cost estimates required for the project whether or not the project is ultimately constructed.

(4) The property owner petition shall be submitted to the office of the City Manager which shall make an initial determination (after consultation with the City Attorney, as or if necessary) as to whether the petition satisfies the requirements of this section. If the petition is determined to be insufficient, the Petitioners Representative shall be so notified, and the property owners may at their option resubmit an amended petition correcting the insufficiency. If the petition is determined to be sufficient, the City Manager shall present the petition to the City Commission which shall take such actions as may be necessary to determine, in its sole discretion, whether to proceed with creation of the Assessment Area, which actions may include but are not limited to investigating the financial and practical feasibility of providing the improvements or services and any associated legal considerations, conducting its own cost estimate, requesting additional information from the petitioners, etc.

(5) Notwithstanding the petition process established pursuant to this section, the City Commission shall retain the authority to create Assessment Areas on its own motion without property owner petition and/or the concurrence of seventy (70) percent of the property owners.

(C) Ballot Process.

(1) Upon receipt of petitions sufficient to satisfy the requirements of paragraph (B) of this section, the City Commission shall proceed to authorize the expenditure of City funds in an identified amount to enable staff to develop or obtain a good faith estimate of the actual cost of providing the Capital Improvements or Essential Services contemplated by the petitions. The estimate of actual cost may take the form of a proposal, bid or binding cost estimate provided by a contractor, service provider, engineer or other party and may include reasonable contingencies for future cost increases or inflation. Once the estimate of actual cost is prepared, a ballot for signature by owners of property within the proposed Assessment Area shall be prepared by the City Manager. The ballot shall include the following:

i. Notice that an Assessment Area is being considered for the area where the owner's property is located;

ii. Identification of the preliminary estimates of the total estimated Maximum Assessment Rate based on binding estimate;

iii. That the preliminary estimates are subject to change;

iv. Identification of any costs, which costs will be the responsibility of each property owner separate and apart from any resulting Maximum Assessment Rate;

v. Notice that only signed ballots returned to the City shall be counted toward meeting the approval threshold adopted herein; and

vi. The due date for returning signed ballots.

(2) The ballot shall include a statement that by signing this ballot, the property owner requests and agrees to:

i. The construction of the Capital Improvements or activation of the Essential Services in the proposed Assessment Area;

ii. The Capital Improvements or Essential Services shall be paid for by the property owners within the Assessment Area through the imposition of an Assessment and by the property owner signing the ballot that the property owner will pay an Assessment in the estimated amount identified in the ballot, and acknowledge that their property will be subject to a special assessment lien to secure payments due

in an amount as approved by Final Assessment Resolution of the City Commission, plus interest and payable over a period of time as provided in the Final Assessment Resolution after a public hearing. All property owners will be notified of the date and time of the public hearing at least twenty (20) days prior to the public hearing.

iii. The City Manager shall provide a form of the ballot to the Petitioners Representative who shall distribute copies thereof to each property owner in the proposed Assessment Area. Ballots must be returned to the City Manager within ninety (90) days of the Petitioners Representative's receipt of the form of the ballots from the City Manager.

(3) The ballot described in (1) and (2) above may be modified by the City Manager to include any facts or representations that may be applicable to the proposed Assessment, including, but not limited to, whether private easements may be required from property owners in order for the City to proceed with construction of Capital Improvements and whether there are additional cost considerations which may not be included within the proposed Assessment.

(4) The ballots shall be mailed to the owners of property comprising the proposed Assessment Area at the address of record included the property database maintained by the Property Appraiser, or any updated or forwarding address available through reasonable diligence in the event a mailed ballot is returned as undeliverable.

(5) Completed, signed ballots shall be returned to the City Manager who shall verify authenticity of owner name and parcel information by reference to the most recent tax roll. The City Manager may consider any other evidence provided that may contradict the information provided on the tax roll in order to identify and verify the owner of a property within a proposed Assessment Area, but reliance on the information contained in the tax roll is presumptively valid.

(6) In order for the City to proceed with consideration of an Assessment, ballots must be timely returned to the City evidence that at least eighty (80) percent those property owners within the proposed Assessment Area, returned signed ballots in

accordance with the procedures set forth in this section and are in favor of the proposed Assessment. For the purposes of calculating the percentage, each parcel shall be counted as one (1) owner.

(7) Following timely receipt of the ballots of at least eighty (80) percent of the property owners in the proposed Assessment Area in favor of the Assessment, the initial proceeding for the imposition of the Assessment, as provided for in section 46-153 will be scheduled for consideration of the City Commission.

(8) Notwithstanding the ballot process established pursuant to this section, the City Commission shall retain the authority to create Assessment Areas on its own motion but may present a question by mail, ballot or other process, concerning the creation of a proposed Assessment Area to obtain an expression from property owners residing within the proposed Assessment Area as to whether the Assessment Area should be created. The cost of the ballot shall be added to the cost of the Capital Improvements or Essential Services in the event the City Commission determines to create the proposed Assessment Area.

(9) Notwithstanding anything herein to the contrary, the results of any ballot held pursuant to this section are not binding on the City Commission and the City Commission may decline to establish an Assessment Area regardless of the results of any such ballot.

Sec. 46-153.- Initial Assessment Resolution. The initial proceeding for imposition of an Assessment shall be the City Commission's adoption of an Initial Assessment Resolution. The Initial Assessment Resolution shall:

(A) describe the proposed Assessment Area;

(B) describe the Capital Improvements or Essential Services proposed for funding from proceeds of the Assessments;

(C) estimate the Service Cost or Capital Cost;

(D) establish a Maximum Assessment Rate if desired by the City Commission;

(E) describe with particularity the proposed method of apportioning the Service Cost or Capital Cost among the parcels of property located within the Assessment Area,

such that the owner of any parcel of property can objectively determine the amount of the Assessment, based upon its value, use or physical characteristics;

(F) include specific legislative findings that recognize the equity provided by the apportionment methodology;

(G) schedule a public hearing at a meeting of the City Commission, which meeting shall be a regular, adjourned or special meeting, at which to hear objections of all interested persons and to consider adoption of the Final Assessment Resolution and approval of the Assessment Roll; and

(H) direct the Assessment Coordinator to (1) prepare the Assessment Roll pursuant to Section 46-154, (2) publish the notice required by Section 46-155, and (3) mail the notice required by Section 46-156 using information then available from the Property Appraiser.

Sec. 46-154.- Assessment Roll

(A) The Assessment Coordinator shall prepare a preliminary Assessment Roll that contains the following information:

(1) a summary description of each parcel of property (conforming to the description contained on the Tax Roll) subject to the Assessment;

(2) the name of the owner of record of each parcel, as shown on the Tax Roll;

(3) the number of Assessment Units attributable to each parcel;

(4) if applicable, the estimated maximum annual Assessment to become due in any Fiscal Year for each Assessment Unit; and

(5) if applicable, the estimated maximum annual Assessment to become due in any Fiscal Year for each parcel.

(B) Copies of the Initial Assessment Resolution and the preliminary Assessment Roll shall be on file in the office of the Assessment Coordinator and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Assessment for each parcel of property can be determined by use of a computer terminal or otherwise accessible through the internet or similar data base.

Sec. 46-155. Notice by Publication. After filing the Assessment Roll in the office of the Assessment Coordinator, as required by Section 46-154 (B), the Assessment Coordinator shall publish once in a newspaper of general circulation within Pinellas County a notice stating that at a meeting of the City Commission on a certain day and hour, not earlier than 20 calendar days from such publication, which meeting shall be a regular, adjourned or special meeting, the City Commission will hear objections of all interested persons to the Final Assessment Resolution and approval of the Assessment Roll. The published notice shall conform to the requirements set forth in the Uniform Assessment Collection Act. Such notice shall include (A) a geographic depiction of the property subject to the Assessment; (B) the proposed schedule of the Assessment; (C) the method by which the Assessment shall be collected; (D) the Maximum Assessment Rate in the event one was adopted in the Initial Assessment Resolution; and (E) a statement that all affected property owners have the right to appear at the public hearing and to file written objections within 20 days of the publication of the notice. Notwithstanding anything herein to the contrary, notice of a proposed Assessment may be given in any manner authorized by law.

Sec. 46-156. – Notice by Mail. In addition to the published notice required by Section 46-155, the Assessment Coordinator shall provide notice of the proposed Assessment by first class mail to the owner of each parcel of property subject to the Assessment. The mailed notice shall conform to the requirements set forth in the Uniform Assessment Collection Act. Such notice shall include (A) the purpose of the Assessment; (B) the rate of Assessment to be levied against each parcel of property including a Maximum Assessment Rate in the event one was adopted by the Initial Assessment Resolution; (C) the Assessment Unit to be applied to determine the Assessment; (D) the number of such Assessment Units contained in each parcel; (E) the total revenue to be collected by the Assessment; and (F) a statement that failure to pay the Assessment will cause a tax certificate to be issued against the property or foreclosure proceedings may be instituted, either of which may result in a loss of title to the property; (G) a statement that all affected property owners have a right to appear at the hearing and to file written objections with the

City Commission within 20 days of the notice; and (H) the date, time and place of the hearing. Notice shall be mailed at least 20 calendar days prior to the hearing to each property owner at such address as is shown on the Tax Roll on the twentieth calendar day prior to the date of mailing. Notice shall be deemed mailed upon delivery thereof to the possession of the U.S. Postal Service. The Assessment Coordinator may provide proof of such notice by affidavit. Notwithstanding anything herein to the contrary, notice of a proposed Assessment may be given in any manner authorized by law.

Sec. 46-157. – Adoption of Final Resolution. At the time named in such notices, or to which an adjournment or continuance may be taken, the City Commission shall conduct the public hearing established pursuant to section 46-153 to receive written objections and hear testimony of interested persons and may then, or at any subsequent meeting of the City Commission, adopt the Final Assessment Resolution which shall:

(A) confirm, modify or repeal the Initial Assessment Resolution with such amendments, if any, as may be deemed appropriate by the City Commission;

(B) create the Assessment Area;

(C) establish the maximum amount of the Assessment for each Assessment Unit;

(D) approve the Assessment Roll, with such amendments as it deems just and right; and

(E) determine the method of collecting the Assessments.

Sec. 46-158. – Annual Assessment Resolution. The City Commission shall adopt an Annual Assessment Resolution during its budget adoption process for each Fiscal Year in which Assessments will be imposed to approve the Assessment Roll for such Fiscal Year. The Final Assessment Resolution shall constitute the Annual Assessment Resolution for the initial Fiscal Year. The Assessment Roll, as prepared in accordance with the Initial Assessment Resolution and confirmed or amended by the Final Assessment Resolution, shall be confirmed or amended by the Annual Assessment Resolution to reflect the then applicable portion of the cost of the Capital Improvements or Essential Services, or both, to be paid by Assessments. If the proposed Assessment

for any parcel of property exceeds the Maximum Assessment Rate established in the Initial Assessment Resolution for the area and described in the notices provided pursuant to Sections 46-155 and 46-156 or if an Assessment is imposed against property not previously subject thereto, the City Commission shall provide notice to the owner of such property in accordance with Section 46-156 and conduct a public hearing prior to adoption of the Annual Assessment Resolution. Failure to adopt an Annual Assessment Resolution during the budget adoption process may be cured at any time.

Sec. 46-159. – Effect of Assessment Resolutions. The adoption of the Final Assessment Resolution or of an Annual Assessment Resolution requiring notice as provided in Section 46-158, shall be the final adjudication of the issues presented (including, but not limited to, the apportionment methodology, the rate of assessment, the maximum annual Assessment of each parcel, the adoption of the Assessment Roll and the levy and lien of the Assessments), unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of the City Commission's adoption of the Final Assessment Resolution. The Assessments for each Fiscal Year shall be established upon adoption of the Annual Assessment Resolution. If the Assessments are to be collected pursuant to the Uniform Assessment Collection Act, the Assessment Roll, as approved by the Annual Assessment Resolution, shall be certified to the Tax Collector.

Sec. 46-160. – Prepayment of Assessment.

(A) The Assessment imposed against any parcel of property to fund Capital Improvements shall be subject to prepayment at the option of the property owner, as follows:

(1)Prior to the issuance of Obligations, the Assessment Coordinator shall provide first class mailed notice to the owner of each parcel of property subject to the Assessment of the City Commission's intent to issue such Obligations. On or prior to the date specified in such notice (which shall not be earlier than the thirtieth day following the date on which the notice is delivered to the possession of the U.S. Postal Service), or such later date

as the City Commission may allow in its sole discretion, the owner of each parcel of property subject to the Assessment shall be entitled to prepay the total Assessment obligation.

(2) Following the date specified in the notice provided pursuant to Section 46-160(A), or such later date as the City Commission may allow in its sole discretion, the owner of each parcel of property subject to the Assessment shall be entitled to prepay the total remaining Assessment upon payment of an amount equal to the sum of (a) such parcel's share of the principal amount of Obligations then outstanding, (b) the premium associated with redemption of such parcel's share of the principal amount of Obligations then outstanding, and (c) interest on such parcel's share of the principal amount of Obligations then outstanding, from the most recent date to which interest has been paid to the next date following such prepayment on which the City can redeem Obligations after providing all notices required by the ordinance or resolution authorizing issuance of such Obligations; provided however, that during any period commencing on the date the annual Assessment Roll is certified for collection pursuant to the Uniform Assessment Collection Act and ending on the next date on which unpaid ad valorem taxes become delinquent, the City may reduce the amount required to prepay the Assessments imposed against any parcel of property by the amount of the Assessment certified for collection with respect to such parcel.

(B) At the City's election, the Assessment imposed against any parcel of property may be subject to acceleration and mandatory prepayment if at any time a tax certificate has been issued and remains outstanding in respect of such property. In such event, the amount required for mandatory prepayment shall be the same as that required for an optional prepayment authorized by Section 46-160 (B).

(C) The amount of all prepayments computed in accordance with this Section 46-160 shall be final. The City shall not be required to refund any portion of a prepayment if (1) the Capital Cost is less than the amount upon which such prepayment was computed, or (2) annual Assessments will not be imposed for the full number of years anticipated at the time of such prepayment.

Sec. 46-161 – Lien of Assessments.

(A) Upon adoption of the Annual Assessment Resolution for each Fiscal Year, Assessments to be collected under the Uniform Assessment Collection Act shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption by the City Commission of the Annual Assessment Resolution and shall attach to the property included on the Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

(B) Upon adoption of the Final Assessment Resolution, Assessments to be collected under the alternative method of collection provided in Section 46-166 shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected on the date notice thereof is recorded in the Official Records of Pinellas County, Florida.

Sec. 46-162. – Revisions to Assessments. If any Assessment made under the provisions of this Ordinance is either in whole or in part annulled, vacated or set aside by the judgment of any court, or if the City Commission is satisfied that any such Assessment is so irregular or defective that the same cannot be enforced or collected, or if the City Commission has omitted the inclusion of any property on the Assessment Roll which property should have been so included, the City Commission may take all necessary steps to impose a new Assessment against any property benefited by the Capital Improvement or Essential Service, following as nearly as may be practicable the provisions of this Ordinance, and in case such second Assessment is annulled, the City Commission may levy and impose other Assessments until a valid Assessment is imposed.

Sec. 46-163. – Procedural Irregularities. Any informality or irregularity in the proceedings in connection with the levy of any Assessment under the provisions of this Ordinance shall not affect the validity of the same after the approval thereof, and any Assessment as finally approved shall be competent and sufficient evidence that such Assessment was duly levied, that the Assessment was duly made and adopted, and that all proceedings related to such Assessment were duly had, taken and performed as required by this Ordinance; and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby. Notwithstanding the provisions of this Section 46-163, any party objecting to an Assessment imposed pursuant to this Ordinance must file an objection with a court of competent jurisdiction within the time periods prescribed herein.

Sec. 46-164. – Correction of Errors and Omissions.

(A) No act of error or omission on the part of the City Commission, Assessment Coordinator, Property Appraiser, Tax Collector, or their deputies or employees, shall operate to release or discharge any obligation for payment of any Assessment imposed by the City Commission under the provisions of this Ordinance.

(B) In the event that the number of Assessment Units attributed to a parcel of property is incorrect under the terms of the apportionment methodology adopted by the City Commission for a given Assessment program, the number of Assessment Units attributed to such parcel may be corrected at any time by the Assessment Coordinator, including upon presentation of competent substantial evidence by the owner of such parcel. Any such correction which reduces an Assessment shall be considered valid from the date on which the Assessment was imposed and shall in no way affect the enforcement of the Assessment imposed under the provisions of this Ordinance. Any such correction which increases an Assessment or imposes an assessment on omitted property shall first require notice to the affected owner at the address shown on the Tax Roll notifying the owner of the date, time and place that the City Commission will consider confirming the correction and offering the owner an opportunity to be heard.

(C) After the Assessment Roll has been delivered to the Tax Collector in

accordance with the Uniform Assessment Collection Act, any changes, modifications or corrections thereto shall be made in accordance with the procedures applicable to errors and insolvencies for ad valorem taxes.

Sec. 46-165. – Method of Collection. Unless directed otherwise by the City Commission, Assessments (other than Assessments imposed against Government Property) shall be collected pursuant to the Uniform Assessment Collection Act, and the City shall comply with all applicable provisions thereof, including but not limited to (1) entering into a written agreement with the Property Appraiser and the Tax Collector for reimbursement of necessary expenses, (2) certifying the Assessment Roll to the Tax Collector, and (3) adopting a Resolution of Intent after publishing weekly notice of such intent for four consecutive weeks preceding the hearing. The Resolution of Intent may be adopted either prior to or following the Initial Assessment Resolution; provided however, that the Resolution of Intent must be adopted prior to January 1 (March 1 with consent of the Property Appraiser and Tax Collector) of the year in which the Assessments are first collected on the ad valorem tax bill. This section shall not be construed to require adoption of an additional Resolution of Intent, and notice thereof, if a Resolution of Intent was previously adopted and is currently in effect for the area in question. Any hearing or notice required by this Ordinance may be combined with any other hearing or notice required by the Uniform Assessment Collection Act. Upon adoption of a Resolution of Intent, the Mayor and/or City Manager shall be authorized to execute reimbursement agreement(s) on behalf of the City as contemplated by section 197.3632(2) of the Uniform Assessment Collection Act, and to take such other actions as may be necessary or desirable in order to effectuate collection of the Assessments in accordance with the Uniform Assessment Collection Act.

Sec. 46-166 – Alternative Method of Collection. In lieu of using the Uniform Assessment Collection Act, the City may elect to collect the Assessment by any other method which is authorized by law or provided by this Section 46-166 as follows:

(A) The City shall provide Assessment bills by first class mail to the owner of

each affected parcel of property, other than Government Property. The bill or accompanying explanatory material shall include (1) a brief explanation of the Assessment, (2) a description of the Assessment Units used to determine the amount of the Assessment, (3) the number of Assessment Units attributable to the parcel, (4) the total amount of the parcel's Assessment for the appropriate period, (5) the location at which payment will be accepted, (6) the date on which the Assessment is due, and (7) a statement that the Assessment constitutes a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments.

(B) A general notice of the lien resulting from imposition of the Assessments shall be recorded in the Official Records of Pinellas County, Florida. Nothing herein shall be construed to require that individual liens or releases be filed in the Official Records.

(C) The City shall have the right to appoint or retain an agent to foreclose and collect all delinquent Assessments in the manner provided by law. An Assessment shall become delinquent if it is not paid within thirty (30) days from the due date. The City or its agent shall notify any property owner who is delinquent in payment of an Assessment within sixty (60) days from the date such Assessment was due. Such notice shall state in effect that the City or its agent will initiate a foreclosure action and cause the foreclosure of such property subject to a delinquent Assessment in a method now or hereafter provided by law for foreclosure of mortgages on real estate, or otherwise as provided by law.

(D) All costs, fees and expenses, including reasonable attorney fees and title search expenses, related to any foreclosure action as described herein shall be included in any judgment or decree rendered therein. At the sale pursuant to decree in any such action, the City may be the purchaser to the same extent as an individual person or corporation. The City may join in one foreclosure action the collection of Assessments against any or all property assessed in accordance with these provisions. All delinquent property owners whose property is foreclosed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the City and its agents, including reasonable attorney fees, in collection of such delinquent Assessments and any other costs incurred by the City as a result of such delinquent Assessments including, but not limited to, costs

paid for draws on a credit facility and the same shall be collectible as a part of or in addition to, the costs of the action.

(E) In lieu of foreclosure, any delinquent Assessment and the costs, fees and expenses attributable thereto, may be collected pursuant to the Uniform Assessment Collection Act; provided however, that (1) notice is provided to the owner in the manner required by law and this Ordinance, and (2) any existing lien of record on the affected parcel for the delinquent Assessment is supplanted by the lien resulting from certification of the Assessment Roll to the Tax Collector.

Sec. 46-167. – Responsibility for Enforcement. The City and its agents, if any, shall maintain the duty to enforce the prompt collection of Assessments by the means provided herein. The duties related to collection of Assessments may be enforced at the suit of any holder of Obligations in a court of competent jurisdiction by mandamus or other appropriate proceedings or actions.

Sec. 46-168. – Government Property.

(A) If Assessments are imposed against Government Property, the City shall provide Assessment bills by first class mail to the owner of each affected parcel of Government Property. The bill or accompanying explanatory material shall include (1) a brief explanation of the Assessment, (2) a description of the Assessment Units used to determine the amount of the Assessment, (3) the number of Assessment Units attributable to the parcel, (4) the total amount of the parcel's Assessment for the appropriate period, (5) the location at which payment will be accepted, and (6) the date on which the Assessment is due.

(B) Assessments imposed against Government Property shall be due on the same date as Assessments against other property within the Assessment Area and, if applicable, shall be subject to the same discounts for early payment.

(C) An Assessment shall become delinquent if it is not paid within thirty (30) days from the due date. The City shall notify the owner of any Government Property that is delinquent in payment of its Assessment within sixty (60) days from the date such

Assessment was due. Such notice shall state in effect that the City will initiate a mandamus or other appropriate judicial action to compel payment.

(D) All costs, fees and expenses, including reasonable attorney fees and title search expenses, related to any mandamus or other action as described herein shall be included in any judgment or decree rendered therein. All delinquent owners of Government Property against which a mandamus or other appropriate action is filed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the City or its agents, including reasonable attorney fees, in collection of such delinquent Assessments and any other costs incurred by the City as a result of such delinquent Assessments including, but not limited to, costs paid for draws on a credit facility and the same shall be collectible as a part of, or in addition to, the costs of the action.

(E) As an alternative to the foregoing, an Assessment imposed against Government Property may be collected on the bill for any utility service provided to such Government Property. The City Commission may also contract for such billing services with any utility not owned by the City.

(F) Notwithstanding anything herein to the contrary, Assessments shall not be imposed against Government Property which is exempted from the payment of special assessments and/or non-ad valorem assessments under state or federal law. The foregoing class of properties not to be assessed do not include Government Property that is leased for private use. Nothing herein shall be construed to require the imposition of Assessments against Government Property.

Sec. 46-169. – General Authority.

(A) The City Commission shall have the power and is hereby authorized to provide by ordinance or resolution, at one time or from time to time in series, for the issuance of Obligations to fund Capital Improvements and any amounts to be paid or accrued in connection with issuance of such Obligations including but not limited to capitalized interest, transaction costs and reserve account deposits.

(B) The principal of and interest on each series of Obligations shall be payable from Pledged Revenue. At the option of the City Commission, the City may agree, by ordinance or resolution, to budget and appropriate funds to make up any deficiency in the

reserve account established for the Obligations or in the payment of the Obligations, from other non-ad valorem revenue sources. The City Commission may also provide, by ordinance or resolution, for a pledge of or lien upon proceeds of such non-ad valorem revenue sources for the benefit of the holders of the Obligations. Any such ordinance or resolution shall determine the nature and extent of any pledge of or lien upon proceeds of such non-ad valorem revenue sources.

Sec. 46-170. – Terms of the Obligations. The Obligations shall be dated, shall bear interest at such rate or rates, shall mature at such times as may be determined by ordinance or resolution of the City Commission, and may be made redeemable before maturity, at the option of the City, at such price or prices and under such terms and conditions, all as may be fixed by the City Commission. Said Obligations shall mature not later than forty (40) years after their issuance. The City Commission shall determine by ordinance or resolution the form of the Obligations, the manner of executing such Obligations, and shall fix the denominations of such Obligations, the place or places of payment of the principal and interest, which may be at any bank or trust company within or outside of the State of Florida, and such other terms and provisions of the Obligations as it deems appropriate. The Obligations may be sold at public or private sale for such price or prices as the City Commission shall determine by ordinance or resolution. The Obligations may be delivered to any contractor to pay for the provision of Capital Improvements or may be sold in such manner and for such price as the City Commission may determine by ordinance or resolution to be for the best interests of the City.

Sec. 46-171. - Variable Rate Obligation. At the option of the City Commission, Obligations may bear interest at a variable rate.

Sec. 46-172. – Temporary Obligations. Prior to the preparation of definitive Obligations of any series, the City Commission may, under like restrictions, issue interim receipts, interim certificates, or temporary Obligations, exchangeable for definitive Obligations when such Obligations have been executed and are available for delivery. The City Commission may also provide for the replacement of any Obligations which shall become mutilated,

destroyed or lost. Obligations may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions or things which are specifically required by this Ordinance.

Sec. 46-173. – Anticipated Notes. In anticipation of the sale of Obligations, the City Commission may, by ordinance or resolution, issue notes and may renew the same from time to time. Such notes may be paid from the proceeds of the Obligations, the proceeds of the Assessments, the proceeds of the notes and such other legally available moneys as the City Commission deems appropriate by ordinance or resolution. Said notes shall mature within five (5) years of their issuance and shall bear interest at a rate not exceeding the maximum rate provided by law. The City Commission may issue Obligations or renewal notes to repay the notes. The notes shall be issued in the same manner as the Obligations.

Sec. 46-174. – Taxing Power Not Pledged. Obligations issued under the provisions of this Ordinance shall not be deemed to constitute a general obligation or pledge of the full faith and credit of the City within the meaning of the Constitution of the State of Florida, but such Obligations shall be payable only from Pledged Revenue and, if applicable, proceeds of the Assessments, in the manner provided herein and by the ordinance or resolution authorizing the Obligations. The issuance of Obligations under the provisions of this Ordinance shall not directly or indirectly obligate the City to levy or to pledge any form of ad valorem taxation whatsoever. No holder of any such Obligations shall ever have the right to compel any exercise of the ad valorem taxing power on the part of the City to pay any such Obligations or the interest thereon or to enforce payment of such Obligations or the interest thereon against any property of the City, nor shall such Obligations constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City, except the Pledged Revenue.

Sec. 46-175. – Trust Funds. The Pledged Revenue received pursuant to the authority of this Ordinance shall be deemed to be trust funds, to be held and applied solely as provided in this Ordinance and in the ordinance or resolution authorizing issuance of the

Obligations. Such Pledged Revenue may be invested by the City, or its designee, in the manner provided by the ordinance or resolution authorizing issuance of the Obligations. The Pledged Revenue upon receipt thereof by the City shall be subject to the lien and pledge of the holders of any Obligations or any entity other than the City providing credit enhancement on the Obligations.

Sec. 46-176. – Remedies of Holders. Any holder of Obligations, except to the extent the rights herein given may be restricted by the ordinance or resolution authorizing issuance of the Obligations, may, whether at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce any and all rights under the laws of the state or granted hereunder or under such ordinance or resolution, and may enforce and compel the performance of all duties required by this part, or by such ordinance or resolution, to be performed by the City.

Sec. 46-177. – Refunding Obligations. The City may, by ordinance or resolution of the City Commission, issue Obligations to refund any Obligations issued pursuant to this Ordinance, or any other obligations of the City issued to finance Capital Improvements and provide for the rights of the holders hereof. Such refunding Obligations may be issued in an amount sufficient to provide for the payment of the principal of, redemption premium, if any, and interest on the outstanding Obligations to be refunded. If the issuance of such refunding Obligations results in an annual Assessment that exceeds the estimated maximum annual Assessments set forth in the notice provided pursuant to Section 46-156, the City Commission shall provide notice to the affected property owners and conduct a public hearing in the manner required by this Article.

SECTION 4. SEVERABILITY.

It is the intention of the City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 5. CONFLICT.

All ordinances or portions of ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 6. CODIFICATION.

Sections 2 and 3 of this ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinance to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase in order to accomplish such intention.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its final passage.

FIRST READING and PUBLIC HEARING on the __ day of ___, 202_.

SECOND READING and PUBLIC HEARING on the __ day of ___, 202_.

PUBLISHED in the Tampa Bay Times on the day of , 202_.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the __ day of ____, 202_ by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT OR ABSTAINING:

_____
Tyler Payne, Mayor

ATTEST:

_____
Celine Kidwell, City Clerk

AGENDA ITEM NO. I.7

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE:	September 5, 2023
SUBMITTED BY:	John Barkley, Police
ITEM TYPE:	Ordinances
AGENDA SECTION:	ITEMS OF BUSINESS
SUBJECT:	Ordinance No. 2023-14, First Reading, Amending the City Code regulating prohibition of alcohol at public facilities and parks
BACKGROUND:	The City's code does not prohibit alcohol except in public facilities and parks. With the relocation of City Hall and future reconstruction of public facilities prompted a review of the existing ordinance that prohibits alcohol in public facilities and parks. Proposing that distances regulating the areas for prohibition for alcohol on public property be consistent will streamline the ordinance for enforcement purposes.
POLICY/PURPOSE:	To amending the City Code regulating prohibition of alcohol at public facilities and parks to reflect new City facility locations and to make the references to distances consistent to streamline communications and enforcement. This item was discussed at the August 23rd Commission workshop.
STRATEGIC PLAN RELEVANCE:	Goal 2: Maintain a safe community
ANALYSIS/DISCUSSION:	The proposed changes to the City Code, Chapter 18, Article V, Section 18-80 are to update references to publicly owned facilities and parks, clarifying explanations and make distance references consistent. For approved events and activities, the ordinance allows for an exception to the prohibition.

FUNDING: N/A

MOTION: I move to adopt / deny Ordinance No. 2023-14 at First Reading, Amending the City Code regulating prohibition of alcohol at public facilities and parks and schedule a 2nd and final reading on September 18, 2023.

ATTACHMENTS:
Ordinance_2022-14_amending_section_18-80_of_the_City_Code__02423649-3___1_.docx

ORDINANCE 2023-14

AN ORDINANCE OF THE CITY OF TREASURE ISLAND, FLORIDA, AMENDING CHAPTER 18 "ENVIRONMENT", ARTICLE V "ALCOHOL PROHIBITED AT CERTAIN PUBLIC FACILITIES", SECTION 18-80 "ALCOHOL PROHIBITED IN PUBLIC FACILITIES AND PARKS", OF THE CITY OF TREASURE ISLAND CODE OF ORDINANCES TO UPDATE THE LOCATIONS WHERE ALCOHOL IS PROHIBITED IN CERTAIN PUBLIC FACILITIES AND PARKS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Treasure Island established Chapter 18 of the Code of Ordinances, providing for regulations protecting the public environment of the City, including regulations limiting alcohol consumption at certain public facilities; and

WHEREAS, in 2020, the City purchased the City Center with the goal of it becoming the City's future city hall; and

WHEREAS, the City is currently considering the future buildings of new public safety building, and city works facility and yard; and

WHEREAS, the City desires to update its Code to have similar restrictions for the City Center, public safety building, city works facility and yard that it has on the current city hall and the City wishes to clarify the current restrictions will remain in place for the remaining public facilities located on the current city hall property; and

WHEREAS, the City desires to be consistent in its distances regulating the areas for prohibition for alcohol on public property; and

WHEREAS, the City Commission reviewed the relevant current Code provision of the City of Treasure Island and finds that certain modifications are necessary and desirable to update various provisions restricting the locations where alcohol is prohibited in the public facilities and parks of the City; and

WHEREAS, the City Commission determines that the adoption of this Ordinance will help protect the public health, safety, and general welfare of the City and its residents and is consistent with the City's police powers.

NOW, THEREFORE, THE CITY OF TREASURE ISLAND DOES ORDAIN:

SECTION 1. The recitals set forth in the "Whereas" clauses above are ratified and confirmed as true and correct and are hereby adopted as legislative findings by the City Commission of the City of Treasure Island, Florida for the adoption of this Ordinance.

SECTION 2. That Section 18-80 of the Code of Ordinances of the City of Treasure Island, Florida, is hereby amended to read as follows:

Sec. 18-80. - Alcohol prohibited in public facilities and parks.

It shall be unlawful for any person to be in possession of an opened container of an alcoholic beverage or to consume alcohol on the following city-owned properties:

(a) Within 50 feet of the of the exterior wall, deck or stairways of the Treasure Island Beach Pavilion and the Treasure Island Sunset Vista Park Pavilion;

(b) Within ~~25~~ 50 feet of the exterior wall of the Treasure Island Community Center;

(c) Within 50 feet of the structures at the Treasure Island Park Pavilion and Historic Bridge Display~~,~~; ~~and city hall and auditorium~~

(d) Within 50 feet of any exterior wall or stairwells of the City Hall building, city works facility or yard, and city police and/or fire building;

(e) Under ~~or within 25 feet of~~ any bridge structure within the city; and

(f) Within 50 feet of the restroom facility, ~~beach sidewalk~~ and adjacent boardwalks, and parking lot of the city-owned beach access property located at 10400 Gulf Boulevard.

unless such use/or activity is with the advanced permission of the city manager and through a permit. The distances specified above shall not apply to private property.

SECTION 3. It is the intention of the City Commission that each provision of this Ordinance shall be deemed separate and severable and if any section, subsection, sentence, or provision of this ordinance is held invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

SECTION 4. All ordinances or portions of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. Section 2 of this Ordinance shall be codified in the Code of Ordinances for the City of Treasure Island, Florida. The codifier is authorized to renumber or reclassify such other provision of the Code of Ordinances to accomplish such intention. The codifier is also authorized to make editorial changes not affecting the substance of this Ordinance in the substitution of article, ordinance, section, paragraph, or such other appropriate word or phrase to accomplish such intention.

SECTION 6. This Ordinance shall become effective immediately upon its final passage.

FIRST READING and PUBLIC HEARING: _____, 2023.

SECOND READING and PUBLIC HEARING: _____, 2023.

PUBLISHED in the Tampa Bay Times on the ____ day of _____, 2023.

The foregoing ordinance was offered during the meeting of the City Commission of the City of Treasure Island, Florida, sitting on the ____ day of _____ 2023 by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call, the vote was:

YEAS:

NAYS:

ABSENT OR ABSTAINING:

_____
J. Tyler Payne, Mayor

ATTEST:

_____
Celine Kidwell, City Clerk

AGENDA ITEM NO. I.8

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: September 5, 2023

SUBMITTED BY: William Barrs, Fire

ITEM TYPE: Contracts

AGENDA SECTION: ITEMS OF BUSINESS

SUBJECT: Advanced Life Support First Responder Contract amendment #1 for FY23-24 with the Pinellas County EMS Authority

BACKGROUND: Section 701(h) of the current Agreement provides for an extraordinary budget increase which must be negotiated and approved prior to the beginning of the next fiscal year in the event any proposed budget submitted by the Contractor should exceed three (3%) percent of the prior Fiscal Year's budget.

The City's funding for FY23 totaled $1,073,117 and a budget request of $1,141,875 for FY24 has been submitted, resulting in an increase of 6.4% or $68,758. The EMS Authority agrees to fund the City's total budget request of $1,141,875 for FY23-24.

POLICY/PURPOSE:

Our current agreement is for September 30, 2019 through September 30, 2024. The County EMS Authority has requested an amendment for the purpose of authorizing reimbursement of EMS related expenses to the City in excess of the 3% year-to-year cap in the agreement.

STRATEGIC PLAN RELEVANCE: Goal 2: Maintain a safe community.

ANALYSIS/DISCUSSION:

The County has requested that all contracting agencies approve the proposed amendment in order to capture the

higher costs of providing EMS first responder services.

FUNDING: This agreement dictates the terms and conditions for funding of our EMS budget. The current 3% cap for annual increases will still apply to the new agreement with a process to request a higher amount should there be extraordinary circumstances.

EMS Authority approval for replacement of Rescue 24 vehicle in FY25 is also included in this amendment.

MOTION: I move to authorize the City Manager to enter into an amended Advanced Life Support First Responder contract with the Pinellas County EMS Authority commencing on October 1st, 2023.

ATTACHMENTS:
2023 TREASURE ISLAND ALSFR - Amendment 1 FINAL.pdf

EMERGENCY MEDICAL SERVICES

ALS FIRST RESPONDER AGREEMENT

AMENDMENT NO. 1

CITY OF TREASURE ISLAND

2023

PINELLAS COUNTY
EMERGENCY MEDICAL SERVICES AUTHORITY
12490 Ulmerton Road
Largo, Florida 33774

ALS FIRST RESPONDER AGREEMENT
AMENDMENT NO. 1

THIS FIRST AMENDMENT amending the Emergency Medical Services ALS First Responder Agreement, dated October 1, 2022, made this _____ day of _____ 2023, between the CITY OF TREASURE ISLAND, a Florida municipal corporation ("Contractor"), and the PINELLAS COUNTY EMERGENCY MEDICAL SERVICES AUTHORITY, a special district ("Authority").

In consideration of the mutual benefits set forth below, the parties agree as follows:

1. Contractor currently contracts with the Authority to provide Advanced Life Support (ALS) First Responder Services. The Contractor and the Authority are currently parties to the Emergency Medical Services ALS First Responder Agreement, dated October 1, 2022, which contract is referred to herein as the "Agreement."
2. Section 701(h) of the Agreement provides for an extraordinary budget increase which must be negotiated and approved prior to the beginning of the next fiscal year in the event any proposed budget submitted by the Contractor should exceed three (3%) percent of the prior Fiscal Year's budget. The Contractor's funding for FY22-23 totaled $1,073,117 and a budget request of $1,141,875 for FY23-24 has been submitted, resulting in an increase of 6.4% or $68,758.
3. The Authority hereby agrees to and has funded and authorized the Contractor's total budget request of $1,141,875 for FY23-24, which change is reflected on Appendix A hereto.
4. Authority shall provide and maintain a countywide Traffic Preemption System in cooperation with the County and municipal traffic control systems. "Traffic Preemption System" means a comprehensive system provided by the Authority that overrides the normal operation of traffic signals during the emergency response of an ALS First

Responder Unit to reduce Emergency Response Times and increase safety. Such system changes the upcoming traffic signal to green or holds a green signal so the ALS First Responder Unit can safely proceed through the intersection. Traffic Preemption System equipment shall be provided for frontline Authority Funded and Contractor Funded ALS First Responder Units. The Authority shall also provide Traffic Preemption System equipment for reserve ALS First Responder Units through a phased implementation subject to available funding. Authority shall be responsible for maintaining such equipment and replacing it at the end of a reasonable useful life, as determined by the Authority.

5. Contractor shall ensure all Personnel that have access to the 911CAD System and system information have received criminal background screening by the Florida Department of Law Enforcement (FDLE) Criminal Justice Information Services (CJIS) to the CJIS Level 2 requirements and have complied with all initial and ongoing training requirements. Personnel that have been denied CJIS Level 2 clearance shall not access the CAD System. Contractor shall have in place local policy to ensure that all rules required by the FDLE surrounding access to 911CAD and the information contained within are strictly followed.
6. Except as is otherwise set out herein, the Contractor and the Authority agree that upon approval by the respective Boards of the Contractor and the Authority and upon signing this Amendment, all terms of the Agreement will remain in full force and effect.
7. Contractor and Authority agree that the effective date is October 1, 2023.

[Signature Page to Follow]

IN WITNESS WHEREOF the parties hereto, by and through their undersigned authorized officers have caused this Agreement to be executed on this _____ day of _____, 2023.

ATTEST:
KENNETH BURKE, CLERK

by: _____
Deputy Clerk

PINELLAS COUNTY EMERGENCY MEDICAL SERVICES AUTHORITY
By and through its Board of County Commissioners

by: _____
Chairman

Countersigned:

CITY OF TREASURE ISLAND

by: _____
City Manager

Approved as to form:

by: _____
City Attorney

Attest:

by: _____
City Clerk

Appendix A
ALS First Responder Profile

Contractor	Treasure Island
EMS District	Treasure Island
Authority Funded Units	Rescue 24
Contractor Funded Units	Engine 24
EMS Coordination	EMS Administrative Coordinator – 50% FTE (Treasure Island 100)
FY23-24 Annual Compensation	$1,141,875
Projected Capital	FY23-24 None FY24-25 Rescue 24 FY25-26 None FY26-27 None

AGENDA ITEM NO. I.9

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE:	September 5, 2023
SUBMITTED BY:	Jennifer Cowan, Legal
ITEM TYPE:	Contracts
AGENDA SECTION:	ITEMS OF BUSINESS
SUBJECT:	Contract between City of Treasure Island and Saxon, Gilmore, Carraway, P.A. Special Magistrate services for Code Enforcement
BACKGROUND:	The City entered into an agreement after a competitive process for special magistrate services for code enforcement with Saxon Gilmore and Carraway, PA effective July 10, 2018 for a three year period.
POLICY/PURPOSE:	Consideration to reinstate, amend and extend the now expire agreement with Saxon, Gilmore, Carraway, P.A. for Special Magistrate services for Code Enforcement.
STRATEGIC PLAN RELEVANCE:	Regulatory process in hearing code enforcement hearings.
ANALYSIS/DISCUSSION:	This contract is currently expired, however, Saxon Gilmore and Carraway, PA has continued to provide services as the contract outlines. in order to cure this and allow special magistrate services to continue uninterrupted, staff is proposes to enter into attached agreement to reinstate, amend, and extend special magistrate services through to September 30, 2023. Staff recommends entering into a new contract for special magistrate service effective October 1, 2024 for three years with the option to extend for an additional two years. Pursuant to the City's Code Section 2-276, the City Commission may authorize an expenditure in excess of $25,000.00 for services after any other procurement method so authorized. Given the nature of the service, the familiarity with the City's Code, and

	the services that has been provided, staff recommends continuing services with Saxon Gilmore and Carraway, PA and that the City Commission authorize the City Manager to negotiate the contract for special magistrate services, with the final contract being brought back to the City Commission for consideration.
FUNDING:	The fees paid by the special magistrate for budgeted in the code enforcement program. There are code enforcement fines that get assessed from time to time.
MOTION:	I approve / deny to authorize the City Manager to execute the agreement to reinstate, amend, and extend special magistrate services for code enforcement. I approve / deny to authorize the City Manager to negotiate an agreement with Saxon, Gilmore, Carraway, P.A. for special magistrate services effective October 1, 2023 for a 3-year period and allow for an additional 2-year extension.

ATTACHMENTS:
Reinstate Contract 848_001.pdf
Original Special Magistrate_ Saxon Gilmore Caraway_Executed.pdf

AGREEMENT TO REINSTATE, AMEND, AND EXTEND SPECIAL MAGISTRATE SERVICES FOR CODE ENFORCEMENT

THIS AGREEMENT TO REINSTATE, AMEND, AND EXTEND SPECIAL MAGISTRATE SERVICES FOR CODE ENFORCEMENT ("Reinstatement Agreement") is entered into on this __ day of September 2023 ("Effective Date"), by and between the CITY OF TREASURE ISLAND, 120-108th Avenue, Treasure Island, Florida 33706, a political subdivision of the State of Florida (hereinafter the "City"), and Saxon Gilmore & Carraway, P.A., a Florida Corporation, whose address is 201 E. Kennedy Boulevard, Suite 500, Tampa, FL 33602 and whose Federal Employer Identification Number is 86-1084686, (hereinafter "Contractor") as of the date appearing on the signature lines below (collectively, the "Parties") to amend the contract for Special Magistrate Services for Code Enforcement dated July 10, 2018 (the "Agreement").

WHEREAS, the City entered into an Agreement with the Contractor for Special Magistrate Services for Code Enforcement beginning on July 10, 2018, and inadvertently expiring on July 18, 2021;

WHEREAS, since the effective date of the Agreement through the present, the Contractor has continually provided services to the City under the same terms and conditions as set forth in the Agreement; and

WHEREAS, Parties inadvertently and unintentionally failed to execute a renewal of the Agreement prior to its expiration date

WHEREAS, the Parties desire to continue the Agreement and to correct this inadvertent error by adopting, ratifying, renewing and reinstating the Agreement to continue until September 30, 2024.

NOW THEREFORE, in consideration of the mutual promises and agreements set forth herein, and for other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties agree as follows:

1. **Recitals.** The above recitals are true and correct and are incorporated in this Reinstatement Agreement by reference.

2. **Reinstatement of Agreement.** The Agreement is hereby reinstated and ratified as of the Effective Date of this Reinstatement Agreement on the same terms and conditions stated therein except as specifically modified in this Reinstatement Agreement, and shall be in full force and effect, unless earlier terminated by the Parties as provided in the Agreement.

3. **Term of Agreement.** Section 2 of the Agreement shall be amended to read as follows:

   The term of this Contract shall become effective on the date of execution and continue until on September 30, 2024, unless terminated before such date as provided in this Agreement.

3. **Conflicts.** All other provisions of the Agreement not specifically amended by this Reinstatement Agreement shall remain in full force and effect. To the extent that this Reinstatement Agreement conflicts with the Agreement, the provisions of this Reinstatement Agreement shall govern.

4. **Counterparts**. This Reinstatement Agreement may be executed in one or more counterparts, any one of which need not contain the signatures of more than one party, but all such counterparts taken together will constitute one and the same instrument.

5. **Authority.** The Parties represent and warrant that each is authorized to enter into this Reinstatement Agreement without the consent and joinder of any other party and that the individuals executing this Reinstatement Agreement have full power and authority to bind their respective party to the terms hereof.

6. **Electronic Signatures.** This Reinstatement Agreement may be executed by electronic signature technology and such electronic signature shall act as the Parties' legal signatures on this Reinstatement Agreement and shall be treated in all respects as an original handwritten signature.

IN WITNESS WHEREOF, the Parties have caused this Reinstatement Agreement to be executed as of the date first above written.

CITY OF TREASURE ISLAND

ATTEST:

City Clerk

City Manager

APPROVED AS TO FORM:

Jennifer Cowan, Esq., City Attorney

SAXON GILMORE & CARRAWAY, P.A.

Witnesses:

Carolyn L. Koenig

Print Name: Carolyn L. Koenig

Shelly M Smith

Print Name: Shelly M Smith

By:

Print Name: Bernice S. Saxon

Title: President

CONTRACT BETWEEN

THE CITY OF TREASURE ISLAND

AND SAXON GILMORE & CARRAWAY, P.A.

PERTAINING TO

SPECIAL MAGISTRATE SERVICES FOR CODE ENFORCEMENT

CONTRACT NUMBER CP-1718-01

This CONTRACT is made and entered into on the 10th day of July, 2018 (**"Effective Date"**), by and between the City of Treasure Island, a public body politic and municipal corporation organized and existing under the Laws of Florida whose address is: City of Treasure Island, 120 — 108th Avenue, Treasure Island, Florida, 33706 (**"CITY"**), and Saxon Gilmore & Carraway, P.A., a Florida professional service corporation, FEIN 86-1084686, whose address is 201 E. Kennedy Boulevard, Suite 600, Tampa, Florida 33602 (**"CONTRACTOR"**), collectively (the "Parties") who hereby agree as follows:

WITNESSETH

WHEREAS, the City Commission of the City of Treasure Island determined there exists the need for **SPECIAL MAGISTRATE SERVICES FOR CODE ENFORCEMENT** in the City of Treasure Island; and

WHEREAS, the CONTRACTOR submitted a competitive proposal for **SPECIAL MAGISTRATE SERVICES FOR CODE ENFORCEMENT**, as set forth in the attached CONTRACT Documents; and

WHEREAS, the City Commission of the City of Treasure Island selected the CONTRACTOR to provide **SPECIAL MAGISTRATE SERVICES FOR CODE ENFORCEMENT**; and

NOW THEREFORE, in consideration of the mutual benefits to the CITY and CONTRACTOR, the following covenants and contracts are set forth to which the Parties agree as follows:

SECTION 1. SCOPE OF WORK.

The Parties agree the CONTRACTOR will provide Special Magistrate services to the City of Treasure Island in accordance with the City of Treasure Island Code of Ordinances, Sections 2-106 through 2-170, Chapter 162, Florida Statutes. CONTRACTOR agrees that J. Frazier Carraway is to serve as Special Magistrate for Code Enforcement for the CITY and that during the term of this Contract Mr. Carraway will not serve as a Special Magistrate for another city or hold another "office" that would violate the dual office holding prohibition contained in Article II, section 5(a) of the Florida Constitution.

SECTION 2. TERM.

The term of this Contract shall become effective on the date of execution and continue for three (3) years.

SECTION 3. STANDARD OF CARE.

a. The CONTRACTOR has represented to the CITY that it possesses a level of knowledge, experience, and expertise that is commensurate with firms in the areas of practice required for the services to be provided. By executing this Contract, the CONTRACTOR agrees that the CONTRACTOR will exercise that degree of care, knowledge, skill and the ability as any other similarly situated contractor possessing the degree of skill, knowledge, experience, and expertise within the local area, working on similar activities. The CONTRACTOR shall perform the services requested in an efficient manner, consistent with the CITY'S stated Scope of Services and industry standards.

b. The CONTRACTOR covenants and agrees that it and its employees, agents, subcontractors, representatives, volunteers, and the like, shall be bound by the same standards of conduct as stated above.

SECTION 4. COMPENSATION.

a. The amount to be paid under this Contract shall be based on the prices supplied by the CONTRACTOR in the Proposal submittal. The CONTRACTOR agrees, for the consideration herein, a Not To Exceed Amount per hour of:

Year one - $325 Senior Partner/ $275 Partner/ $175 Associate/ $110 Paralegal

Year two - Same as Year 1

Year three - Same as Year 1

And for travel and expenses per trip of

Year one - Actual out of pocket. IRS reimbursable rate per mile, attorney travel time to/from City will be ½ hourly billing rate.

Year two - Same as Year 1

Year three - Same as Year 1

For the term of this Contract, Mr. Carraway's rate will be billed at the partner rate of $275 per hour and not the senior partner rate. Any additional charges if applicable: Legal research will be billed at cost per hour, postage and overnight delivery at actual out of pocket costs. CONTRACTOR shall do all the work and furnish all of the materials, and labor necessary to carry out this Contract in the manner and to the full extent as set forth in the Scope of the attached bid. The CITY shall have at all times, full opportunity to inspect the materials to be furnished and the Work to be performed under this CONTRACT.

b. Compensation for services completed by the CONTRACTOR will be paid in accordance with Section 218.70, Florida Statutes, and Florida's Prompt Payment Act.

c. Services to be performed in accordance with this Contract are subject to the annual appropriation of funds by the CITY. In the event sufficient budgeted funds are not available for a new fiscal period, the CITY will notify the CONTRACTOR of such occurrence and this Contract will terminate on the last day of the current fiscal period without penalty or expense to the CITY. In its sole discretion, the CITY reserves the right to forgo use of the CONTRACTOR for any

project which may fall within the Scope of Services listed in this Contract. In the event the CITY is not satisfied with the services provided by the CONTRACTOR, the CITY will hold any amounts due until such time as the CONTRACTOR has appropriately addressed the problem.

d. The CONTRACTOR shall submit invoices once a month to the City of Treasure Island for services performed, including the expenses or other charges accounted for under this Contract during the month immediately preceding said invoice. Documentation supporting the reimbursable expenses must be attached to the invoice. The CONTRACTOR will pay all sales, employment, and other applicable taxes that arise or may arise from the services performed under this Contract.

SECTION 5. TERMINATION AND FORCE MAJEURE.

a. Termination. The CONTRACTOR shall serve at the pleasure of the City Commission and may be removed from service at any time with or without cause by a majority vote of the City Commission present and voting. The CONTRACTOR may terminate this Contract with or without cause upon sixty (60) days' written notice to the CITY. In the event the Contract is terminated by the CONTRACTOR or is terminated by the CITY for reasons unrelated to the quality of work provided by the CONTRACTOR, the CITY shall pay the CONTRACTOR in full for all work actually performed prior to the date of termination. This payment shall be the sole financial obligation or responsibility of the CITY for compensation under this Contract in the event of termination. Upon termination of this Contract, however terminated, the CONTRACTOR shall turn over to the CITY all work product completed, or partially completed, up to the date of termination. The CITY will have full right to use such work product in any manner, in the sole discretion of the CITY.

b. Force Majeure. Neither Party to this Contract will be liable for its failure to perform under the Contract due to any circumstances beyond its reasonable control such as act of God, wars, riots, national emergencies, sabotage, strikes, labor disputes, accidents, and governmental laws, ordinances, rules, or regulations. The CONTRACTOR or CITY may suspend its performance under this Contract as a result of Force Majeure without being in default of the Contract, but upon removal of such Force Majeure the CONTRACTOR or CITY will resume its performance as soon as reasonably possible.

SECTION 6. INSURANCE.

The CONTRACTOR shall maintain such insurance as specified in **Exhibit A** (Insurance Requirements) to protect the CITY from any or all claims for property damage, personal injury, and bodily injury including death, which may arise from operations under this CONTRACT. Certificates of such insurance shall be provided to the CITY within fifteen (15) days of execution of this Contract and shall also be subject to its approval for adequacy of protection. The CITY shall be named as an additional insured under all policies, except CONTRACTOR'S malpractice insurance.

SECTION 7. DOCUMENTS CONSTITUTING ENTIRE CONTRACT.

The following documents are hereby incorporated and made part of this Contract:

1. Request for Proposal Documents for No. RFP-1718-01.
2. Proposal submitted by CONTRACTOR on November 7, 2017.

All exhibits may also be collectively referred to as the "Documents". In the event of any conflict between the Documents or any ambiguity or missing specifications or instruction, the following priority is established:

A. Specific direction from the City Manager (or designee).

B. This Contract and any attachments.

C. Request for Proposal Document, No. RFP- I 718-01.

D. Proposal submitted to the City of Treasure Island by CONTRACTOR on November 7, 2017.

SECTION 8. APPLICABLE LAW, VENUE, JURY TRIAL.

The laws of the State of Florida shall govern all aspects of this Contract. In the event it is necessary for either party to initiate legal action regarding this Contract, venue will lie in Pinellas County, Florida. The Parties hereby waive their right to trial by jury in any action, proceeding or claim, arising out of this Contract, which may be brought by either of the Parties.

SECTION 9. INDEPENDENT CONTRACTOR.

This Contract does not create an employee/employer relationship between the Parties. It is the Parties' intention that the CONTRACTOR, its employees, sub-contractors, representatives, volunteers, and the like, will be an independent contractor and not an employee of the CITY for all purposes, including, but not limited to, the application of the following, as amended: the Fair Labor Standards Act minimum wage and overtime payments, the Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, the State of Florida revenue and taxation laws, the State of Florida workers' compensation laws, the State of Florida unemployment insurance laws, and the Florida Retirement System benefits. The CONTRACTOR will retain sole and absolute discretion in the judgment on the manner and means of carrying out the CONTRACTOR'S activities and responsibilities under this Contract.

SECTION 10. APPLICABLE LICENSING.

The CONTRACTOR, at its sole expense, shall obtain all required federal, state, and local licenses, occupational and otherwise, required to successfully provide the services set forth herein.

SECTION 11. COMPLIANCE WITH ALL LAWS.

The CONTRACTOR, at its sole expense, shall comply with all laws, ordinances, judicial decisions, orders, and regulations of federal, state, county, and CITY, as well as their respective departments, commissions, boards, and officers, which are in effect at the time of execution of this Contract or are adopted at any time following the execution of this Contract.

SECTION 12. INDEMNIFICATION.

The CONTRACTOR agrees to be liable for any and all damages, losses, and expenses incurred, by the CITY, caused by the acts and/or omissions of the CONTRACTOR, or any of its employees, agents, subcontractors, representatives, volunteers, or the like. The CONTRACTOR agrees to indemnify, defend and hold the CITY harmless for any and all claims, suits, judgments, or damages, losses and expenses, including but not limited to, court costs, expert witnesses, consultation services and attorney's fees, arising from any and all acts and/or omissions of the CONTRACTOR, or any of its employees, agents, subcontractors, representatives, volunteers, or the like. Indemnification, defense, and hold harmless actions shall not be limited by any insurance amounts required in this Contract. This provision shall survive termination of this Contract.

SECTION 13. SOVEREIGN IMMUNITY.

The CITY expressly retains all rights, benefits and immunities of sovereign immunity in accordance with Section 768.28, Florida Statutes. Notwithstanding anything set forth in any section, article or paragraph of this Contract to the contrary, which may have been adopted by the Florida Legislature or may be adopted by the Florida Legislature, the cap on the amount and liability of the CITY for damages, attorney's fees and costs, regardless of the number or nature of claims in tort, equity or contract, must not exceed the dollar amount set by the Florida Legislature for tort. Nothing in this Contract shall inure to the benefit of any third party for the purpose of allowing any claim against the CITY which would otherwise be barred under the doctrine of sovereign immunity or operation of law.

SECTION 14. BANKRUPTCY OR INSOLVENCY.

If the CONTRACTOR shall file a petition in bankruptcy, or if the same shall be adjudged bankrupt or insolvent by any court, or if a receiver of the property of the CONTRACTOR shall be appointed in any proceeding brought by or against the CONTRACTOR, or if the CONTRACTOR shall make an assignment for the benefit of creditors, or proceedings shall be commenced on or against the CONTRACTOR'S operations, the CITY may terminate this Contract immediately notwithstanding the notice requirements of Section 5.

SECTION 15. BINDING EFFECT.

This Contract shall be binding upon and inure to the benefit of the Parties hereto, their heirs, personal representatives, successors, and/or assigns.

SECTION 16. ASSIGNMENT.

This Contract is only assignable by the CONTRACTOR upon the express written consent of the CITY.

SECTION 17. SEVERABILITY.

All clauses found herein shall act independently of each other. If a clause is found to be illegal or unenforceable, it will have no effect on any other provision of this Contract. It is understood by the Parties that if any part, term, or provision of this Contract is by the courts held to be illegal or in conflict with any law of the State of Florida, or the United States, the validity of the remaining portions or provisions will not be affected, and the rights and obligations of the Parties will be construed and enforced as if the Contract did not contain the particular part, term, or provision held to be invalid.

SECTION 18. WAIVER.

Failure of the Parties to insist upon strict performance of any of the covenants, terms, provisions, or conditions, of this Contract, or to exercise any right or option contained in this Contract will not be construed as a waiver or a relinquishment for the future of any such covenant, term, provision, condition, or right of election, which will continue to remain in full force and effect.

SECTION 19. MODIFICATION.

The covenants, terms, and provisions of this Contract may be modified by way of a written instrument, mutually accepted by the Parties hereto. In the event of a conflict between the covenants, terms, and/or provisions of this Contract and any written amendment(s), the provisions of the latest executed instrument shall take precedence.

SECTION 20. HEADINGS.

All headings of the sections, exhibits, and attachments contained in this Contract are for the purpose of convenience only and do not expand, limit or change the provisions contained in such sections, exhibits, and attachments.

SECTION 21. ADMINISTRATIVE PROVISIONS.

In the event the CITY issues a purchase order, memorandum, letter, or any other instrument addressing the services, work, and materials to be provided and performed pursuant to this Contract, the Parties specifically agree and understand that any such purchase order, memorandum, letter, or other instrument is for the CITY'S internal purposes only, and any and all terms, provisions, and conditions contained, whether printed or written, will in no way modify the covenants, terms, and provisions of this Contract.

SECTION 22. CONFLICT OF INTEREST.

The CONTRACTOR warrants that the CONTRACTOR has not employed or retained any company or person, other than a bona fide employee working solely for the CONTRACTOR, to solicit or secure this Contract, and that the CONTRACTOR has not paid or agreed to pay any person, company, corporation, individual, or firm any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Contract. For the breach or violation of this Paragraph, the CITY shall have the right to terminate this Contract immediately, without liability and without regard to any notice requirement.

SECTION 23. EMPLOYMENT ELIGIBILITY VERIFICATION (E-VERIFY).

In accordance with the State of Florida, Office of the Governor, Executive Order 11-116 (superseding Executive Order 11-02; Verification of Employment Status), in the event performance of this Contract is or will be funded using state or federal funds, the CONTRACTOR must comply with the Employment Eligibility Verification Program ("E-Verify Program") developed by the federal government to verify the eligibility of individuals to

work in the United States and 48 CFR 52.222-54 (as-amended) is incorporated herein by reference. If applicable, in accordance with Subpart 22.18 of the Federal Acquisition Register, the CONTRACTOR must (1) enroll in the E-Verify Program, (2) use E-Verify to verify the employment eligibility of all new hires working in the United States, except if the CONTRACTOR may choose to verify only new hires assigned to the Contract; (3) use E-Verify to verify the employment eligibility of all employees assigned to the Contract; and (4) include these requirements in certain subcontracts, such as construction. Information on registration for and use of the E-Verify Program can be obtained via the internet at the Department of Homeland Security Web site: http://www.dhs.gov/E-Verify.

SECTION 24. JOINT AUTHORSHIP.

This Contract results from joint negotiation and authorship. No part of this Contract will be construed as the product of any one of the Parties hereto.

SECTION 25. EQUAL OPPORTUNITY EMPLOYER.

The CONTRACTOR is an Equal Opportunity Employer and will comply with all equal opportunity employment laws. The CONTRACTOR will further ensure that all sub-contractors it utilizes in providing the services required hereunder will comply with all equal opportunity employment laws.

SECTION 26. PUBLIC RECORDS.

The CONTRACTOR agrees to comply with the Florida Public Records Act, as applicable, including, but not limited to Section 119.0701 of the Florida Statutes. Documents which are considered public records herein under Florida law may include, but are not limited to: records related to the entry, management and implementation of this Contract itself; emails/correspondence between the CITY and the CONTRACTOR related to this Contract; emails or correspondence from all other entities related to this Contract (i.e., subcontractors, suppliers, vendors, etc.); billing and related documents; plans or other documents that

may be necessary, reports, etc.; subcontracts; and, all vendor invoices. The CONTRACTOR agrees, to the extent required by law, to:

a. Keep and maintain public records that ordinarily and necessarily would be required by the public agency in performing the services of the Contract;

b. Provide the public with access to the public records under the same terms and conditions that the CITY would provide the records and at a cost that does not exceed the cost provided for by law;

c. Ensure that the public records that are exempt or confidential, and exempt from public record disclosure requirements, are not disclosed, except as authorized by law; and

d. Meet all requirements for public records and transfer, at no cost, to the CITY, all public records in possession of the CONTRACTOR, upon termination or completion of the Contract and destroy any duplicate public records that are exempt or confidential, or exempt from public record disclosure requirements.

Furthermore, the CONTRACTOR agrees that all records stored electronically shall be provided to the CITY in a format that is compatible with the information technology systems of the CITY. The CONTRACTOR shall promptly provide the CITY with a copy of any request to inspect or copy public records that the CONTRACTOR receives and a copy of the CONTRACTOR'S response to each request. The CONTRACTOR understands and agrees that failure to provide access to the public records shall be a material breach of this Contract and grounds for termination.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (727) 547-4575 EXT. 229, CITYCLERK@MYTREASUREISLAND.ORG, AND CITY HALL, 120 108TH AVE., TREASURE ISLAND, FL, 33706.

THE CONTRACTOR ACKNOWLEDGES THAT THE CITY OF TREASURE ISLAND CANNOT AND WILL NOT PROVIDE LEGAL OR BUSINESS ADVICE TO THE CONTRACTOR WITH RESPECT TO ITS OBLIGATIONS PURSUANT TO THIS SECTION RELATED TO PUBLIC RECORDS. THE CONTRACTOR ACKNOWLEDGES THAT IT WILL NOT RELY ON THE CITY OF TREASURE ISLAND OR ITS CITY ATTORNEY TO PROVIDE SUCH BUSINESS OR LEGAL ADVICE AND THAT CONTRACTOR HAS BEEN ADVISED TO SEEK PROFESSIONAL ADVICE WITH REGARD TO PUBLIC RECORDS MATTERS ADDRESSED BY THIS CONTRACT.

SECTION 27. NOTICE.

All notices required to be given to the CITY or CONTRACTOR will be sent by (a) registered or certified mail, and notice is deemed to have been given on the date of acceptance; or (b) delivery (i.e., courier or other hand delivery), overnight delivery, email or facsimile transmission, and notice is deemed to have been given on the day of delivery or transmission. If the day of notice is a Saturday, Sunday, or legal holiday, notice is deemed to have been given on the first calendar day thereafter which is not a Saturday, Sunday, or legal holiday. All notices required to be given to the CITY shall be made to the CITY at:

City of Treasure Island
Attention: Hal Bruce, Purchasing Coordinator
120 — 108th Avenue
Treasure Island, Florida 33706
Phone: (727)-547-4575
Fax: (727)-547-4582
hbruce@mytreasureisland.org

Or to such other address or facsimile number as the CITY may direct from time to time by written notice forwarded to the CONTRACTOR as provided above.

All notices required to be given to CONTRACTOR hereunder shall be sent to CONTRACTOR at:

Company: Saxon Gilmore & Carraway, P.A.
Attention: Frazier Carraway
Address: Fifth Third Center
201 E. Kennedy Boulevard, Suite 600

Tampa, Florida 33602
Phone: 813-314-4500
Email: Fcarraway@saxongilmore.com

or to such address as the CONTRACTOR may direct from time to time by written notice forwarded to the CITY as provided above. E-mail transmittal of notices are considered delivered as of the date of electronic transmission. Both Parties will supplement emailed notices with a formal version of the notice as outlined above.

SECTION 28. MISCELLANEOUS.

1. CONTRACTOR has been made aware of the Florida Public Entity Crimes Act, § 287.133, Florida Statutes, and the CITY'S requirement that the CONTRACTOR has complied with it in all respects prior to and will comply with it in all respects during the term of this Contract.

2. CONTRACTOR and any Subcontractors understand and will comply with Section 20.055(5) of the Florida Statutes and thereby agree to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing pursuant to said Section.

3. The Parties represent and warrant that they have entered into this Contract relying wholly upon their own judgment, belief and knowledge of the nature, extent, effect and duration of any actions, damages and liability therefore. The Parties represent that they enter into this Contract without relying upon any statement or representation of the adverse parties other than what has been set forth in writing in this Contract. The Parties represent that they have had the opportunity to discuss this matter with counsel of their choosing and are satisfied with its counsel and the advice received. The Parties understand this Contract's contents and agree that this Contract will not be construed more strongly against any party hereto, regardless of who is responsible for its preparation or drafting. The Parties further declare and represent that no promise, inducement, agreement or understanding not expressed in this Contract has been made to an adverse party and that the terms of this Contract are contractual and not a mere recital.

4. All words used herein in the singular shall extend to and include the plural, and the use of any gender shall extend to and include all genders. The term "including" is not limiting.

5. This Contract shall be executed by the respective duly authorized officials, and shall take effect as of the day and year first above written.

IN WITNESS WHEREOF, the City and Contractor have signed this Contract.

As To City of Treasure Island

Attest: Ruth A. Dickerson

By: _____

City Clerk

City Manager

Approved as to form:

By: _____

City Attorney

As To Contractor
Saxon Gilmore & Carraway, P.A.,
a Florida professional service corporation

Joanne J. Fomuke

Witness #1 Signature

By: _____

Joanne J. Fomuke

Witness #1 Printed

Name: Bernice S. Saxon

Title: President

Courtney R. Bowlby

Witness #2 Signature

Courtney R. Bowlby

Witness #2 Printed

AGENDA ITEM NO. I.10

Item Cover Page

BOARD OF COMMISSIONERS AGENDA ITEM REPORT

DATE: September 5, 2023

SUBMITTED BY: Kathryn Younkin, Community Development

ITEM TYPE: Resolutions

AGENDA SECTION: ITEMS OF BUSINESS

SUBJECT:

Request to approve Resolution 2023-14 to temporarily waive the City of Treasure Island's building permit fees for water and windstorm damage on specific types of construction and repair caused by Hurricane Idalia.

BACKGROUND:

The Community Development Department Damage Assessment Teams conducted an initial damage assessment and found structures with storm damage caused by water and high winds from Hurricane Idalia.

POLICY/PURPOSE:

Due to water and high winds from Hurricane Idalia, repairs will be needed. Most repairs and replacements require a building permit. The Community Development Department is requesting the City Commission to temporarily waive the City of Treasure Island building permit and associated permit review fees from September 6, 2023 through and including October 18, 2023, for permits applied for the following types of construction and repair:

- Wall repair/wall replacement
- Fence installation
- Tree removal
- Installation of soffits, fascias and gutters
- Roof repair/roof replacement
- Electrical for meter bases/power surges on appliances

- Exempt site work

STRATEGIC PLAN RELEVANCE: Become a more resilient city.

ANALYSIS/DISCUSSION:

The request to waive certain building permit and review fees is in the best interest of the City of Treasure Island to help facilitate and expedite permit issuance and to help the property owners restore their property.

FUNDING: Loss of permitting and zoning revenue associated with the review and issuance of building permits.

MOTION: I move to approve / deny Resolution 2023-14 to temporarily waive building permit fees and associated review fees beginning September 6, 2023 through and including October 18, 2023 for permits applied for the following types of construction and repair:
- Wall repair/wall replacement
- Fence installation
- Tree removal
- Installation of soffits, fascia and gutters
- Roof repair/roof replacement
- Electrical for meter bases/power surges on appliances
- Exempt site work

ATTACHMENTS:
RESOLUTION NO 2023-14 UPDATED 2023 0905.pdf

RESOLUTION NO. 2023-14

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND TO TEMPORARILY WAIVE BUILDING PERMIT FEES AND REVIEW FEES BEGINNING SEPTEMBER 6, 2023 THROUGH AND INCLUDING OCTOBER 18, 2023 FOR STORM DAMAGE AND WATER AND WIND REPAIR ONLY FOR THE FOLLOWING TYPES OF CONSTRUCTION AND REPAIR: WALL REPAIR/WALL REPLACEMENT, FENCE INSTALLATION, TREE REMOVAL, INSTALLATION OF SOFFITS, FASCIAS AND GUTTERS, ROOF REPAIR/ROOF REPLACEMENT, ELECTRICAL FOR METER BASES/POWER SURGES ON APPLIANCES, AND EXEMPT SITE WORK; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on approximately August 29, 2023, through August 31, 2023, high winds and water from Hurricane Idalia caused damage to properties throughout the City of Treasure Island; and

WHEREAS, the City Commission of the City of Treasure Island maintains that hiring a licensed contractor and obtaining a building permit provides protection for property owners of the City; and

WHEREAS, the City Commission of the City of Treasure Island wishes to encourage property owners to hire licensed contractors and obtain building permits by proposing a temporary waiver of specific permit fees and the associated review fees for the most common damage that resulted from Hurricane Ian; and

WHEREAS, the City Commission of the City of Treasure Island, after due consideration, has determined that a temporary waiver of specific building permit fees and the associated review fees from September 6, 2023 through and including October 18, 2023, for permits applied for the following types of construction and repair:

- Wall repair/wall replacement
- Fence installation
- Tree removal
- Installation of soffits, fascias and gutters
- Roof repair/roof replacement
- Electrical for meter bases/power surges on appliances
- Exempt site work

is in the best interest of the City of Treasure Island.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF TREASURE ISLAND DOES RESOLVE THAT:

Section 1. There shall be a temporary waiver of the City of Treasure Island building permit fees from September 6, 2023 through and including October 18, 2023, for permits applied for the following types of construction and repair:

- Wall repair/wall replacement
- Fence installation
- Tree removal
- Installation of soffits, fascias and gutters
- Roof repair/roof replacement
- Electrical for meter bases/power surges on appliances
- Exempt site work

Section 2. This Resolution is effective immediately upon adoption.

The foregoing Resolution was offered during Regular Session of the City Commission of the City of Treasure Island, Florida, sitting on the 5th day of September 2023 by Commissioner _____ who moved its adoption; was seconded by Commissioner _____ and upon roll call the vote was:

YEAS:
NAYS:
ABSENT OR ABSTAINING:

_____
J. Tyler Payne, Mayor

ATTEST:

_____
Celine Kidwell, City Clerk