

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

Meeting Date: September 5, 2023
To: Honorable Mayor and City Council Members
From: Interim City Manager, Chief Grimm
Subject: Sienna Place Non Ad-Valorem Stormwater Assessment

Background: In January 2022, the City adopted Ordinance 22-01 for involuntary annexing Sienna Place. In July 2022, the previous City Manager announced that Sienna Place was officially part of Belle Isle.

On August 18, 2023, Diana Santos, Sienna Place COA President, emailed the City about her concerns with the Belle Isle taxes imposed for Stormwater, JJ's contracted dumpster charge, and the repair of the main circle paving project.

Staff looked into the concern regarding the stormwater assessment and confirmed each unit was assessed \$135.00 in accordance with the Stormwater Utility Assessment Program. The Program Manual states that if condominiums are individually owned, each unit/parcel will be assessed the stormwater non ad-valorem rate of 1 ERU (for FY 23/24, this is \$135.00). Staff confirms that the other condominiums in the City are being assessed in the same manner.

The charter states that the fee for a residential developed property shall be the rate for one ERU multiplied by the number of dwelling units existing on the property. **Provided, however, that properties that are developed with five or more dwelling units may be assessed a fee per dwelling unit calculated as follows: the rate of one ERU shall be multiplied by a numerical factor, which factor shall be obtained by dividing the number of ERUs on the property by the number of dwelling units. The number of ERUs shall be calculated by dividing the total impervious surface area on the property by the square footage of one ERU as set forth in the rate schedule.**

Staff Recommendation: Due to the concerns noted in the email, Staff requests direction from the City Council on calculating the stormwater non-ad valorem assessment for Sienna Place. Staff was not previously directed to use the above highlighted method and was unaware that the \$38/unit calculation was provided to Sienna Place. The Sienna Place calculation used a 65% impervious surface ratio (ISR), which the previous City Manager would have provided to do the calculation. Unfortunately, we do not know if this ISR is correct. If Council approves the option to assess using this method, we would need to research that the calculation of \$38/unit used the correct ISR.

The Staff would like to provide the Council with the financial impact, not only for Sienna Place, but for all other residential properties that are developed with five or more dwelling units, but to do so, we would need someone to provide the impervious surface ratios.

Suggested Motion: Attorney recommendation. Important Note: the City staff has to certify our non-ad valorem assessments by September 15th so if the Council decides to make any changes re Sienna, we would need to know before then.

Alternatives: (1) Do not approve further research and calculate at the reduced rate or
(2) Do not make any changes and submit the assessed ERU at 135.00.

Fiscal Impact: Unknown at this time, may be substantial.

Attachments: Email dated August 18, 2023, by Diana Santos
Email dated November 23, 2020, by Bob Francis
Email dated December 16, 2020, by Bob Francis
OCA Property of Record – Sienna Place Condos



Bob Francis <bfrancis@belleislefl.gov>
to me ▾

Wed, Dec 16, 2020, 8:10 AM ☆ ↶ ⋮

I'm not sure I understand this through emails, but if the utility easement is irrevocable that also goes for the commitment by 5050 Conway to maintain. These agreements usually run with the property, not the property owner. Therefore if they are made aware of their responsibilities as stated in the easement agreements, then they would be held liable for costs associated with their responsibilities. I will make sure that the City Planner makes a point of this at the meeting.

Also, JJ's is getting back to me on the garbage cost. My Finance Director worked out that the stormwater per unit would be about \$38/year or if we bill the HOA, it would be about \$6,450/year. You don't pay the \$120 as others do because they are single family residences and the assessment is different for multi-family of 5 or more units. Also, the City Attorney informed me that 100% of the owners would have to sign a petition for a voluntary annexation. For involuntary, it would be by a referendum vote of either the residents of Sienna, or residents of the entire City. That would be the City Council call.

Sincerely,

Bob

Bob Francis, ICMA-CM
City Manager
City of Belle Isle, FL

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(407) 450-6272 (C)
bfrancis@belleislefl.gov

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Bob Francis <bfrancis@belleislefl.gov>
to me ▾

Mon, Nov 23, 2020, 10:32AM ☆ ↶ ⋮

The drainage fee and garbage fee would be assessed to the HOA, not the individual unit. We do not assess a fire fee as it is included in your property taxes. We do not assess for street lighting.

Sincerely,

Bob

Bob Francis, ICMA-CM
City Manager
City of Belle Isle, FL

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