



CITY OF OKEECHOBEE, FLORIDA
SEPTEMBER 3, 2020, REGULAR CITY COUNCIL MEETING
AND FIRST BUDGET PUBLIC HEARING
SUMMARY OF COUNCIL ACTION

- I. CALL TO ORDER**
Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on Tuesday, September 3, 2020, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and extended by Executive Order No. 20-193 effective August 7, 2020, the meeting was conducted utilizing communications media technology (CMT) as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and digital comments were recorded and retained as a permanent record. The invocation was offered by Council Member Jarriel, followed by the Pledge of Allegiance by Council Member Abney.
- II. ATTENDANCE**
Roll Call was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Wes Abney, Monica Clark via Zoom, Bob Jarriel, and Bobby Keefe. City Attorney John Fumero was in attendance.
- Department Heads in attendance: City Administrator Marcos MontesDeOca, Police Chief Bob Peterson, Fire Chief Herb Smith, and Public Works Director David Allen. Additional support staff in attendance: Deputy City Clerk Bobbie Jenkins, Major Donald Hagan, General Services Coordinator Patty Burnette, Finance Director India Riedel, and Executive Assistant Robin Brock.
- III. AGENDA AND PUBLIC COMMENTS**
- A.** Mayor Watford asked whether there were any agenda items to be added, deferred, or withdrawn; New Business Item E was withdrawn.
- B.** Council Member Abney moved to approve the agenda as amended; seconded by Council Member Jarriel.
- VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.**
- C.** There were no agenda item forms or comment cards submitted for public participation for any issues not on the agenda.
- IV. PROCLAMATIONS AND PRESENTATIONS**
- A.** Mayor Watford proclaimed the month of September 2020 as “Suicide Prevention Month.” The Proclamation was read into the record as follows: **“Whereas, September is National Suicide Prevention Awareness Month, which directs the community’s attention to this public health epidemic destroying lives, whole families, and sometimes entire communities; and Whereas, suicide is the second leading cause of death in the United States among individuals age 10 to 34 years old; and Whereas, suicide is the tenth leading cause of death overall in the United States, claiming the lives of more than 47,000 people; and Whereas, on average, there are 123 suicides a day or one every 12 minutes, and in Okeechobee County there were eight suicides in 2019; and Whereas, suicide is the only type of death that is 100 percent preventable; and by offering the public education, data, support, and services we as a community have taken a step toward preventing another suicide by our residents; and Whereas, we are honored to be part of the healing process, supporting services addressing mental health illnesses and drug and alcohol addiction. Now, Therefore, I, Dowling R. Watford, Jr., by virtue of the authority vested in me as Mayor of the City of Okeechobee, Florida, do hereby proclaim the month of September 2020 as ‘Suicide Prevention Awareness Month’.”**

- B. Mayor Watford proclaimed the month of September 2020 as "Hunger Action Month." The document was accepted by Mr. Luis Rivera and Ms. Erika Chavez of the Treasure Coast Food Bank, and read into the record as follows: **"Whereas, hunger and poverty remain issues of grave concern in the United States, the State of Florida, the Treasure Coast, and the City of Okeechobee, with 6,050 children and adults in Okeechobee County now categorized as food insecure; and Whereas, the City of Okeechobee is committed to taking steps to raise awareness about the need to combat hunger in every part of our City and to provide additional resources that the citizens of Okeechobee need; and Whereas, the City of Okeechobee is committed to working with the Treasure Coast Food Bank in mobilizing people about the role and importance of food banks and other hunger relief organizations in addressing hunger and bringing attention to the need to devote more resources and attention to hunger issues; and Whereas, food banks and hunger relief organizations across the country, including the Treasure Coast Food Bank, coordinated Hunger Action Day on September 10, 2020 and will continue to host numerous events throughout the month of September to shed light on this important issue and encourage involvement in efforts to end hunger in their local community. Now, Therefore, I, Dowling R. Watford, Jr., by virtue of the authority vested in me as Mayor of the City of Okeechobee, Florida, do hereby proclaim the month of September 2020 as 'Hunger Action Month'."**

V. CONSENT AGENDA

A motion was made by Council Member Jarriel to approve the consent agenda items **A through B** [August 12, 2020, First Budget Workshop, and August 18, 2020, Regular meeting and Final Budget Workshop minutes; Re-appoint Mr. John Koepke as City resident one of two appointees to the Firefighters' Pension Fund Board of Trustees, term being October 1, 2020 through September 30, 2024]; seconded by Council Member Keefe.

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

VI. MAYOR WATFORD OPENED THE FIRST BUDGET PUBLIC HEARING AT 6:13 P.M.

- A. Mayor Watford announced that the purpose of this Public Hearing is to consider the first reading of Ordinances for the proposed Millage Rate Levy and proposed Budget for Fiscal Year (FY) 2020-21.
- B. Mayor Watford announced that the proposed Millage Rate levy represents 6.03 percent (6.03%) more than the roll-back rate computed pursuant to Florida Statutes 200.065(1).
- C. **Council Member Jarriel moved to read proposed Ordinance No. 1216 by title only [as provided in Exhibit 1]; seconded by Council Member Abney.**

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

Attorney Fumero read proposed Ordinance No. 1216 by title only as follows: **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA LEVYING THE AD VALOREM PROPERTY TAX MILLAGE RATE FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE CITY IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING THAT 7.6018 PER THOUSAND DOLLAR VALUATION SHALL NOT BE LEVIED ON HOMESTEAD PROPERTY; THAT 7.6018 VALUATION SHALL BE USED FOR GENERAL CITY PURPOSES; THAT SAID MILLAGE RATE IS 6.03 PERCENT (6.03%) MORE THAN THE ROLL-BACK RATE OF 7.1696 COMPUTED IN ACCORDANCE WITH FLORIDA STATUTE 200.065(1); PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

Council Member Keefe moved to approve the first reading of proposed Ordinance No. 1216 and set September 21, 2020, at 6:00 P.M. [or as soon thereafter as possible] as a final Public Hearing date, levying a Millage Rate of 7.6018 on all real and tangible personal property for FY October 1, 2020 through September 30, 2021; seconded by Council Member Jarriel.

Mayor Watford opened the floor for public comments; there was none. There was no Council discussion on this item.

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

- D. **Council Member Abney moved to read proposed Ordinance No. 1217 by title only [as provided in Exhibit 2]; seconded by Council Member Jarriel.**

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

Attorney Fumero read proposed Ordinance No. 1217 by title only as follows: “**AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE CITY OF OKEECHOBEE, FLORIDA; FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR OPERATING EXPENSES OF THE CITY OF OKEECHOBEE FOR THE GENERAL OPERATION OF THE SEVERAL DEPARTMENTS OF THE CITY AND OTHER FIXED OBLIGATIONS OF THE CITY FOR AND DURING THE FISCAL YEAR; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**”

Council Member Keefe moved to approve the first reading of proposed Ordinance No. 1217 and set September 21, 2020, at 6:00 P.M. [or as soon thereafter as possible] as a final Public Hearing date, setting the annual Budget for FY October 1, 2020 through September 30, 2021; seconded by Council Member Jarriel.

Within Exhibit 2 the 34-page proposed Budget was provided. The **General Fund Budget Summary** lists the beginning Fund Balance of \$4,342,501.00; Estimated Revenues of \$5,822,120.00 (\$2,424,459.00 Ad Valorem, \$3,397,661.00 Other Fees, Intergovernmental, Charges for Services, Fines, Forfeitures, Penalties, Uses of Money and Property, and Other Revenues; \$350,000.00 Transferred-In from Public Facilities Improvement Fund; \$1,362,311.00 Transferred-In from Capital Improvement Projects Fund). Total Projected Expenditures of \$7,534,431.00; leaving a Fund Balance of \$4,342,501.00.

Public Facility Improvement (Transportation 301) Fund: Beginning Fund Balance of \$844,807.00; Total Revenue Estimates of \$1,164,028.00; Total Expenditures Projected of \$900,488.00, plus \$350,000.00 to be Transferred-Out to General Fund; leaving a Fund Balance of \$758,347.00.

Capital Improvements Projects (304) Fund: Beginning Fund Balance is \$3,190,195.00; Total Revenues Estimates of \$6,550.00; Total Projected Expenditures are \$155,900.00, plus \$1,362,311.00 transferred-out to General Fund; leaving a Fund Balance \$1,678,534.00.

Other Grants (302) Funds: Beginning Fund Balance of \$260,000.00; Appropriation Funds Revenue of \$300,000.00; Total Projected Expenditures of \$420,000.00; leaving a Fund Balance of \$140,000.00.

Appropriations Grant (307) Funds: Beginning Fund Balance of \$593.00; Appropriation Funds Revenue of \$209,000.00; Total Projected Expenditures of \$209,000.00; leaving a Fund Balance of \$593.00.

Law Enforcement Special (601) Fund: Beginning Fund Balance is \$9,920.00; Total Estimated Revenues of \$1,000.00; Total Projected Expenditures as \$6,500.00; leaving a Fund Balance of \$4,420.00.

Mayor Watford read a letter submitted by Economic Council of Okeechobee, Inc.’s Executive Director Mrs. Jennifer Tewksbury into the record as follows: “Mayor and Members of the City Council, In respect to the budgetary priorities and proposed budget for FY 2020-2021, the Economic Council requests your consideration of the following in your efforts to be fiscally responsible and forward-thinking: 1. Finalizing an interlocal agreement with Okeechobee County for fire rescue services will save the City approximately \$600,000 annually in redundant spending; 2. Increasing the prioritization of the general appearance of

our City will create an environment that fosters private investment and prudent growth. Historically the City's commitment to landscaping, general aesthetics, and the related maintenance has been inadequate. Recent actions of the City Council to improve this are wise, appreciated, and show careful thought to the future economic wellbeing of the City and taxpayers; 3. An increase in Council support for the code enforcement department and staff is urgently needed. While many valuable changes have been made in the department in recent years (engaged legal counsel, special magistrate, support staff), the benefits of an effective code enforcement system have yet to be realized. We ask that your support be increased whether through added funding, increased legal support for foreclosure processing and ordinance revisions, and/or the reorganization of the department; 4. Continuing to fund and prioritize initiatives such as the charter review and comprehensive plan review demonstrate prudent, long-term thinking for the future of the City. In these uncertain times it is paramount that we continually evaluate the allocations of our very limited tax dollars and determine what expenses are necessary for the long-term viability of our City. Prioritizing the points above is in the best interest of our community and those you serve."

Mayor Watford opened the floor for public comments. Mr. Frank Irby addressed the Council, on behalf of the Economic Development Corporation (EDC) Board, and requested the Council consider re-allocating the \$40,000.00 designated for the EDC to the renovation of Flagler Parks. It is the opinion of the EDC that the overall improvement would make a positive impact on visitors with the hopes of enticing them to relocate to Okeechobee. After a brief discussion, it was agreed by the Council that the \$40,000.00 would not be re-assigned through amendment at this time, but that will be used for the parks and handled within the mid-year budget amendment.

Finance Director Riedel briefly explained the reductions to specified expenditures within the Public Facilities Improvement Fund as discussed at the August 18, 2020 Workshop.

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

MAYOR WATFORD CLOSED THE FIRST BUDGET PUBLIC HEARING AT 6:30 P.M

VII. MAYOR WATFORD OPENED THE PUBLIC HEARING FOR ORDINANCE ADOPTION AT 6:30 P.M.

- A. A motion was made by Council Member Jarriel to read proposed Ordinance No. 1215 by title only [as provided in Exhibit 3]; seconded by Council Member Keefe.**

Attorney Fumero read proposed Ordinance No. 1215 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEY, 20-FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 10 AND LOTS 17 THROUGH 26, OF BLOCK 39, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; TOGETHER WITH AN UNIMPROVED PORTION OF NORTHWEST 10TH STREET (f/k/a SIXTEENTH AVENUE), 100-FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 10, OF BLOCK 39, AND LOTS 17 THROUGH 26, OF BLOCK 28, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (APPLICATION NO. 20-001-AC/SC); DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."

Council Member Keefe moved to adopt proposed Ordinance No. 1215 regarding Abandonment of Right-of-Way Petition No. 20-001-AC/SC; seconded by Council Member Jarriel.

Mayor Watford opened the floor for public comment; there was none. Mr. Steve Dobbs was in attendance on behalf of the Petitioner.

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:33 P.M.

VIII. NEW BUSINESS

- A. Council Member Keefe moved to adopt proposed Resolution No. 2020-12, extending the Local Public Health State of Emergency to October 1, 2020, due to the Coronavirus Disease 2019 (COVID-19) [as provided in Exhibit 4]; seconded by Council Member Jarriel.**

Mayor Watford read proposed Resolution No. 2020-12 by title only as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA EXTENDING THE PUBLIC HEALTH EMERGENCY DUE TO CORONAVIRUS DISEASE 2019 (COVID-19) THROUGH OCTOBER 1, 2020; PROVIDING AN EFFECTIVE DATE."** There was no discussion or public comment offered.

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

- B. A motion was made by Council Member Abney to adopt proposed Resolution No. 2020-13, authorizing the execution and acceptance of a Lighting Maintenance Agreement with the Florida Department of Transportation (FDOT) [as provided in Exhibit 5]; seconded by Council Member Jarriel.**

Attorney Fumero read proposed Resolution No. 2020-13 by title only as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A STATE HIGHWAY LIGHTING, MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR AN EFFECTIVE DATE."**

Public Works Director Allen explained Agreement No. BEA32 FM No. 432726-1-78-09 is actually for landscape maintenance on Parrott Avenue (U.S. Highway 441) and North Park Street (State Road 70). The initial term of the Agreement is one-year with a three-year renewal.

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

- C. Motion by Council Member Jarriel and seconded by Council Member Keefe to approve the recommended fine reductions requests by the Code Enforcement Special Magistrate [as provided in Exhibit 6; Case No. 190712014 for property located at 1115 Southeast 10th Street; Legal: Lot 10, BRENTWOOD ESTATES, Plat Book 7, Page 31, Okeechobee County, Florida public records, from \$1,150.00 to \$115.00. Case No. 08-179 from \$6,975.00 to \$1,500.00, and Case No. 190325007 from \$900.00 to \$180.00 plus a \$50.00 administration fee for a total of \$230.00, for property located in the 700 block of Southeast 12th Avenue; Legal: Lots 9 and 12 of Block 15, WRIGHTS FIRST ADDITION, Plat Book 1, Page 13, Okeechobee County, Florida public records. Case No. 190626010 for property located at 903 Southeast 8th Avenue; Legal: Lot 25, OKEECHOBEE ESTATES, Plat Book 3, Page 20, Okeechobee County, Florida public records; from \$9,775.00 to \$2,932.50. The property owner is requesting to pay an initial down payment of \$500.00 and pay \$200.00 per month until the balance is paid in full].**

There was no discussion or public comment on this item.

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

- D. **A motion was made by Council Member Jarriel to approve the Release of Reservations for Lots 10, 11, 12, and a strip of land lying in Lots 13 and 14, CITY OF OKEECHOBEE COMMERCE CENTER, Plat Book 7, Pages 10 to 14, Okeechobee County, Florida public records, and issue an Estoppel Letter regarding the Declaration [as provided in Exhibit 7]; seconded by Council Member Keefe.**

Attorney Fumero explained the landowner, LD Okeechobee Properties, LLC acquired Lots 10, 11, and 12 in July 2004 from the City. In May 2004, the City adopted the Declaration of Protective Covenants, Restrictions, Reservations, Servitudes, and Easements affecting the Commerce Center to establish uniform standards of development quality for light industrial, commercial, research, and office parks. The Declaration also specifically addresses subsurface rights. However, pursuant to Florida Statutes Section 270.11, there is an automatic reservation of an undivided three fourths interest in all the phosphate, minerals, and metals that are, or may be in, on, or under the property, as well as an undivided one half interest in all of the petroleum that is or may be in, on, or under the property. This puts a cloud on the title of the land owned by LD Okeechobee Properties, LLC, whose attorney requested the release of reservation of subsurface rights, and the estoppel letter regarding the Declaration from the City. Attorney Fumero recommended granting the request.

VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.

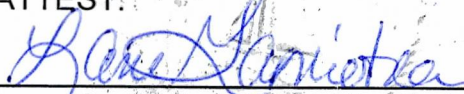
- E. The purchase of bunker gear for the Fire Department in the amount of \$17,351.04 from Municipal Equipment Services, Inc. was withdrawn from the agenda.


IX. COUNCIL COMMENTS

Council Member Jarriel reminded the citizens of the upcoming Labor Day festival and parade in the Parks on September 7, 2020. Council Member Keefe congratulated Council Member Clark and Council Member Elect Russ Cale on their unopposed election. Council Member Clark provided a brief update on her brother's health and thanked everyone for their prayers.

- X. There being no further items on the agenda, Mayor Watford adjourned the meeting at 6:54 P.M. The next regular meeting is scheduled for September 21, 2020, at 6:00 P.M.

ATTEST:


Lane Gamiotea, CMC, City Clerk


Dowling R. Watford, Jr., Mayor

Please take notice and be advised that when a person decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. City Clerk media are for the sole purpose of backup for official records of the Clerk.