



# CITY OF OKEECHOBEE

55 SE THIRD AVENUE  
OKEECHOBEE, FL 34974

**MARCH 5, 2024**

**6:00 PM**

## LIST OF EXHIBITS

### ***Mayor***

Dowling R. Watford, Jr.

### ***Council Members***

Noel Chandler

Monica Clark

Bob Jarriel

David McAuley

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Exhibit 1	February 20, 2024 Minutes
Exhibit 2	Ordinance No. 1286
Exhibit 3	Ordinance No. 1287
Exhibit 4	Landmark Precast LLC proposed offer on City property in Commerce Center
Exhibit 5	Advanced Medical Sanitation Inc. proposed offer on City property in Commerce Center
Exhibit 6	Memo amending Salary, Position and Job Title Page in FY 23/24 budget



**CITY OF OKEECHOBEE, FLORIDA**  
**FEBRUARY 20, 2024, REGULAR CITY COUNCIL MEETING**  
**DRAFT MEETING MINUTES**

**I. CALL TO ORDER**

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on February 20, 2024, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast (SE) 3<sup>rd</sup> Avenue (AVE), Room 200, Okeechobee, Florida (FL). The invocation was offered by Pastor Matt Bowen, Christ Fellowship Church and Police Department Chaplain; followed by the Pledge of Allegiance led by Council Member Chandler.

**II. ATTENDANCE**

City Clerk Lane Gamiotea called the roll. Members present to establish a quorum: Mayor Dowling R. Watford, Jr., Vice Mayor Monica M. Clark, and Council Members Noel A. Chandler, Robert "Bob" Jarriel, and David R. McAuley.

**III. AGENDA AND PUBLIC COMMENTS**

A. Modifications to the agenda were as follows: item V.D., amend the motion to read, "to rescind the action taken on February 6, 2024, approving the sale of Police Vehicles through Insight Auctioneers, and approve the sale of Police Vehicles through GovDeals.com"; a copy of the power point presentation for item VIII.A., will be added and labeled as Exhibit 9; additional materials were distributed for Exhibit 7; and add item VIII.D., Exhibit 10.

B. Motion and second by Council Members Jarriel and Chandler to adopt the agenda as amended.  
**Motion Carried Unanimously.**

C. There were no comment cards submitted for public participation for issues not on the agenda.

**IV. PRESENTATIONS AND PROCLAMATIONS**

A. Mayor Watford proclaimed the week of February 18 through 24, 2024, as Engineers Week, **Exhibit 1**. The Proclamation was presented to Mr. Steve Dobbs and was read into the record as follows: "**Whereas, engineers design, construct, and maintain the infrastructure and facilities that contribute to a high quality of life for all residents of the City of Okeechobee; and Whereas, the City of Okeechobee growth depends on engineers executing innovative, creative, and high-quality solutions to technical problems; and Whereas, the purpose of the FL Engineering Society is to advance the public welfare, promote the professional, social, and economic interests of the engineering professions, and stimulate and develop professional concepts among all engineers through education and excellence in practice; and Whereas, members of the FL Engineering Society and the American Council of Engineering Companies of FL are making strides to interact with the engineering education sector to prepare future engineers to maintain our economic leadership and quality of life; and Whereas, it is important that we recognize and honor the continuing contributions of America's engineers. Now, Therefore, I, Dowling R. Watford, Jr., by virtue of the authority vested in me as Mayor of the City of Okeechobee, FL, do hereby proclaim February 18 through 24, 2024, as 'Engineers Week'.**"

**V. CONSENT AGENDA**

Motion and second by Council Members Jarriel and McAuley to:

A. Dispense with the reading and approve the Minutes for February 6, 2024, [as presented in **Exhibit 2**]; and

B. Approve the January 2024 Warrant Register [in the amounts: General Fund, \$640,319.15; Industrial Development Fund, \$267,096.54; Community Development Block Grant Fund, \$196,883.31; Public Facility Improvement Fund, \$35,615.78; Capital Improvement Projects Fund, \$13,040.80; and Appropriations Grant Fund, \$4,622.25, as presented in **Exhibit 3**]; and

C. Approve the sale of Public Works Equipment through Insight Auctioneers [as presented in **Exhibit 4**]; and

D. Rescind action taken on February 6, 2024, approving the sale of Police Vehicles through Insight Auctioneers; and approve the sale of Police Vehicles through GovDeals.com [as presented in **Exhibit 5**].

**Motion Carried Unanimously.**

**VI. MAYOR WATFORD OPENED THE QUASI-JUDICIAL PUBLIC HEARING FOR ORDINANCE ADOPTION AT 6:08 P.M.**

The following items are quasi-judicial in nature. In accordance with section 286.0115, Florida Statutes (FS), an opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, may be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public may request the Board to ask questions of staff or witnesses on their behalf. Any person presenting documents to the Council should provide the City Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk. No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, FS.). In accordance with the Americans with Disabilities Act and Section 286.26, FS, persons needing a special accommodation to participate in this proceeding should contact the City Clerk's office at 863-763-9814 seventy-two (72) hours in advance of this proceeding.

- A.** Motion by Council Member Chandler, second by Vice Mayor Clark, to read by title only, proposed Ordinance No. 1283, regarding Rezoning Petition No. 23-002-R submitted by Jay Patel on behalf of the property owner, Jitendra Living Trust, to rezone 0.65+/- acres located at 201 South Parrott AVE, from Central Business District (CBD) to Heavy Commercial (CHV), for the purpose of expanding the existing Budgett Inn motel [as presented in **Exhibit 6**].

**Motion Carried Unanimously.**

City Attorney John Fumero read into the record the title of proposed Ordinance No. 1283 as follows: **"AN ORDINANCE OF THE CITY OF OKEECHOBEE, FL; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OKEECHOBEE BY REZONING A CERTAIN TRACT OF LAND MORE PARTICULARLY DESCRIBED HEREIN, FROM CBD TO CHV PETITION NO. 23-002-R; AMENDING THE ZONING MAP ACCORDINGLY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE."**

Motion by Council Member Jarriel, second by Vice Mayor Clark, to adopt proposed Ordinance No. 1283.

Attorney Fumero administered an oath to Mr. Ben Smith, City Planner of Morris-Depew Associates, Inc., 2914 Cleveland AVE, Ft. Myers, FL and Project Engineer for Mr. Patel, Mr. Steven Dobbs, of New Lines Engineering, 209 Northeast 2<sup>nd</sup> Street, Okeechobee, FL. Planner Smith, attending electronically via Zoom, presented the Planning Staff Report which finds the Petition consistent with the City's Comprehensive Plan, reasonably compatible with adjacent uses, and is consistent with the surrounding pattern of land use. The Planning Board unanimously recommends approval. During Council discussion, Planner Smith clarified the owner will not be able to increase the existing non-conforming structures. The new addition which is proposed to be free-standing from the existing structure would be required to meet current regulations. Mr. Dobbs added, the property owner is prepared to submit a Variance Petition, if required; and they also understood that should the existing nonconforming structure be destroyed, it would then have to be built to current regulations. There were no other public comments. Clerk Gamiotea stated for the record, 26 courtesy notices were mailed to the surrounding property owners with one returned undeliverable, advertisements and three signs on the subject property were properly posted. No objections or concerns have been received to date. **Roll Call Vote: Chandler – Yea, Clark – Yea, Jarriel – Yea, McAuley – Yea, Watford – Yea.**

**Motion Carried Unanimously.**

**MAYOR WATFORD CLOSED THE QUASI-JUDICIAL PUBLIC HEARING AT 6:25 P.M.**

**VII. MAYOR WATFORD OPENED THE PUBLIC HEARING AT 6:25 P.M.**

- A.** Distributed at the beginning of the meeting was a copy of the revised Amended Declaration of Protective Covenants, Conditions, and Restrictions, as requested by City Staff, which replaces the copy provided within **Exhibit 7**.

Motion and second by Council Members Jarriel and McAuley to approve with contingencies: that the applicant is responsible for obtaining all other permits and approvals from local, state, and federal agencies necessary for the development of the subject property; Final Plat Application No. 23-009-TRC/FP, replatting Lots 6 through 10, TAYLOR CREEK MANOR, Plat Book 3, Page 4, Okeechobee County public records, into a new Plat consisting of 12 lots (one for each townhome), common area and access tracts, titled BRIDGEWATER ON TAYLOR CREEK, submitted by John J. Rice, on behalf of property owner B&T Fair Investments, Inc., consisting of 1.39± acres and located at 116 SE 8th AVE [as present in **Exhibit 7** and as revised].

Planner Smith provided a brief overview of the development. Mayor Watford opened the floor for public comment. There were no comments from the public or Council.

**Motion Carried Unanimously.**

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

## VIII. NEW BUSINESS

- A. Mr. Rob Williamson, of Evergreen Consulting, submitted a 16-slide power point presentation [a copy of which has been incorporated in the official minute file and labeled as **Exhibit 9**], which provided the results and recommendations after they completed a classification and compensation study. The goal is to bring all employees' salaries into the new market competitive pay ranges. The data from the external equity analysis by surveying the market to determine competitive salary wages provided 18 current employees' salaries are below the minimum salary range.

Mr. Williamson is recommending the City Council adopt the proposed numeric pay grades and market competitive pay ranges. Reassign classification to pay grades based on the market results and internal equity. Select an implementation methodology that aligns with the compensation philosophy, reduces competitive disadvantages, and aligns with the financial priorities of the City. Approve employees within their newly recommended market competitive pay ranges. The cost to bring the 18 employees to the minimum salary would be \$23,631.86. Administrator Ritter requested the Council consider approving these salary changes effective in the current Fiscal Year. Then, the City Council could later discuss how to best phase in the option of implementing tenure parity, that would adjust 45 employees' salaries and bring those to the average medium salary with a cost of \$220,459.67 or implementing comparative ratio option that would adjust 58 employees' salaries at a cost of \$279,39.83. There are a few additional steps Mr. Williamson and his staff have to complete before the project is closed out. **Consensus of the Council was to revisit the request at the next meeting in order to give them time to review the content and requested Administrator Ritter provide the list of the 18 employees and salary information, as well as provide the current budget salary spreadsheet with job titles with the newly proposed pay grades and salaries.**

- B. Motion by Council Member Jarriel, second by Vice Mayor Clark to have Staff draft the appropriate document amending the employee longevity service awards policy, using Option 3 [as presented in **Exhibit 8**], with the addition of starting it at 10 years at 1 percent, then every five years thereafter increasing 1 percent each time, with a maximum at 40 years at 7 percent. The new policy would be retroactive to October 1, 2023.

**Motion Carried with Mayor Watford voting no.**

A motion was made by Vice Mayor Clark, second by Council Member Jarriel, to have Staff draft the appropriate document amending the employee longevity service awards for the Mayor and Council to be awarded a flat rate, starting at \$250.00 for 10-years and increasing by \$250.00 every five years thereafter, with a maximum at 40 years.

**Motion Carried Unanimously.**

- C. Administrator Ritter and Council Member Chandler reported on their tour of the Advanced Biomedical Sanitations Waste Facility in Opa-locka. The staff was gracious, and the facility was clean but cramped. The owner continues to be interested in purchasing property within the City's Commerce Center to move and expand their business. **It was the consensus of the Council to authorize Administrator Ritter to negotiate the proposal for Council consideration.**

- D. **Item Added.** Motion by Council Member Chandler, second by Vice Mayor Clark, to approve spending \$170,000.00 of the American Recovery Act funds for SE 8<sup>th</sup> AVE Stormwater Phase II Drainage Project [as presented in **Exhibit 10**].

**Motion Carried Unanimously.**

## IX. CITY ATTORNEY UPDATE

- Finalized review of documents for Bridgewater on Taylor Creek plat.
- Finalized the review of the Master Development Agreement for Park Street Commerce Center plat.
- The smoke-free parks proposed ordinance has been drafted and sent to City Staff.
- Responded to questions regarding issues with food trucks being permanent instead of mobile.
- Provided an overview of recent litigation filed related to the new Financial Disclosure Form 6 requirement.

## X. CITY ADMINISTRATOR UPDATE

- Will be meeting at Attorney Fumero's office next week to review and shore up loose ends on a few projects.
- The new lake and stormwater improvements in the City's Commerce Center are close to being completed.
- Reminded everyone the annual Battle of Okeechobee Reenactment is this weekend and a family event worth attending.

**XI. COUNCIL COMMENTS**

Council Member Chandler thanked City Staff for all their hard work.

Council Member McAuley announced the next Okeechobee Utility Authority Board of Directors meeting would be City appointee, Mr. Tommy Clay’s last meeting. Clerk Gamiotea interjected the Citizen Board applications are online for anyone to complete and return via email or in person. Mr. Clay’s resignation would create two City vacancies on this Board. Council Member McAuley also advised everyone that proposed House Bill 57 would place term limits on County Commissioners. Once accomplished, municipal officials would be next.

**XII. ADJOURNMENT**

There being no further items of discussion, Mayor Watford adjourned the meeting at 7:55 P.M.

Submitted By:

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

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, s/he 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.

**ORDINANCE NO. 1286**

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA, PROVIDING FOR THE MERGER OF THE CITY OF OKEECHOBEE MUNICIPAL POLICE OFFICERS' PENSION TRUST FUND, CREATED PURSUANT TO ORDINANCE NO. 888 AS SUBSEQUENTLY AMENDED, AND THE CITY OF OKEECHOBEE MUNICIPAL FIREFIGHTERS' PENSION FUND, CREATED PURSUANT TO ORDINANCE NO. 889 AND AMENDED AND RESTATED PURSUANT TO ORDINANCE NO. 1229; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Okeechobee established and maintains the City of Okeechobee Municipal Police Officers' Pension Trust Fund, created pursuant to Ordinance No. 888, as subsequently amended; and

**WHEREAS**, the City of Okeechobee established and maintains the City of Okeechobee Municipal Firefighters' Pension Fund, created pursuant to Ordinance No. 889 and amended and restated pursuant to Ordinance No. 1229; and

**WHEREAS**, to optimize the efficiency of, and minimize the costs related to, the administration of the above-referenced Funds, the City Council desires to merge the Funds into a single Fund under the exclusive administration of a single board of trustees; and

**WHEREAS**, the resulting Fund shall exist for the sole purpose of providing retirement benefits to the participants of the merged Funds, to their eligible beneficiaries, and to the future participants and beneficiaries of the resulting Fund; and

**WHEREAS**, the merger of the Funds shall not result in the reduction of any accrued benefit of any participant of the merged Funds; and

**WHEREAS**, the City Council intends that the resulting Fund be administered in accordance with all applicable provisions of the Internal Revenue Code and of Florida Law, including but not limited to Chapters 175 and 185, Florida Statutes, and

**WHEREAS**, for the purposes of this Ordinance, double underlined type shall denote additions to and ~~strike through~~ shall denote deletions from the original text.

**NOW, THEREFORE**, be it ordained before the City Council of the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City:

**SECTION 1:** The foregoing "whereas" clauses are incorporated herein as legislative findings by this reference and made a part hereof for all intents and purposes.

**SECTION 2:** That Ordinance No. 888, as subsequently amended, is hereby further amended by amending subsection 1., of Section 1., Definitions, of the document made part of said Ordinance and otherwise amended herein, to modify the definitions of "Board," "Fund," and "System" and to add a definition, "Merger Date," to read respectively as follows:

**SECTION 1. DEFINITIONS.**

1. As used herein, unless otherwise defined or required by the context, the following words and phrases shall have the meaning indicated:

\*\*\*\*



Board means the Board of Trustees, which shall administer and manage the System herein provided and serve as the Trustees of the Fund, as provided in Section 3 hereof.

\*\*\*\*

Fund means the Trust Fund established herein as part of the System. Effective as of the Merger Date, Fund shall mean the Fund resulting from the merger, as provided in subsection 1., of Section 4., hereof.

\*\*\*\*

Merger Date means the date determined in accordance with subsection 6., of Section 3., hereof.

\*\*\*\*

System means the City of Okeechobee Municipal Police Officers' Pension Trust Fund as contained herein and all amendments thereto. Effective as of the Merger Date, System means City of Okeechobee Municipal Police Officers' and Firefighters' Pension Trust Fund, as contained herein and all amendments hereto, and as contained in Ordinance No. 1229 and all amendments thereto.

**SECTION 3:** That Ordinance No. 888, as subsequently amended, is hereby further amended by amending Section 3., Board of Trustees, of the document made part of said Ordinance and otherwise amended herein, to replace subsection 3., to read as follows:

**SECTION 3. BOARD OF TRUSTEES.**

\*\*\*\*

3. Quorum and Voting. A quorum shall consist of no fewer than three (3) Trustees. Each Trustee shall be entitled to one (1) vote on the Board. Three (3) affirmative votes shall be necessary for any decision by the Trustees at any meeting of the Board. A Trustee shall abstain from voting as the result of a conflict of interest and shall comply with the provisions of Section 112.3143, Florida Statutes, as amended from time to time.

\*\*\*\*

**SECTION 4:** That Ordinance No. 888, as subsequently amended, is hereby further amended by amending Section 3., Board of Trustees. of the document made part of said Ordinance and otherwise amended herein, to add a new subsection 6., to read as follows:

**SECTION 3. BOARD OF TRUSTEES.**

\*\*\*\*

**6. Merger Provisions**

A. As soon as administratively reasonable upon the Effective Date of the Ordinance adopting this paragraph 6.A., the responsible parties shall appoint and elect prospective Trustees (excluding the sixth Trustee) in accordance with the conditions set forth in paragraph 6.B., below, who shall agree in writing to assume the duties of Trustees as set forth herein as of a specified date. That date shall be the same for all five prospective Trustees and shall constitute the Merger Date.

B. As of the Merger Date, this paragraph 6.B., shall supersede subsection 1., of this Section 3. The sole and exclusive administration of and responsibility for the proper operation of the System and for making effective the provisions of this Ordinance is hereby vested in a Board of Trustees. The Board is hereby designated as the Plan Administrator. The Board shall consist of six (6)

Trustees, two (2) of whom, unless otherwise prohibited by law, shall be legal residents of the City, who shall be appointed by the City Council, two (2) of whom shall be a full-time Police Officer Member of the System who shall be elected by a majority of the active Police Officers who are Members of the System, one (1) of whom shall be a former full-time Firefighter Member of the System, who shall be elected by a majority of the former Firefighters who were Members of the System, and one (1) of whom shall be chosen by a majority of the five (5) other Trustees as provided for herein, and such person's name shall be submitted to the City Council.

Upon receipt of the sixth Trustee's name, the City Council shall, as a ministerial duty, appoint such person to the Board of Trustees as its sixth Trustee. The sixth Trustee shall have the same rights as each of the other five (5) Trustees.

If there is no former or retired Firefighter remaining in the System, or willing to serve, the former and retired Firefighters may elect an active or retired Police Officer to serve in the active Firefighter seat. Upon receipt of such person's name, the City Council shall, as a ministerial duty, appoint such person to the Board.

When there are fewer than ten (10) former or retired Firefighters remaining in the System, or in the case where no former or retired Firefighter is available to serve on the Board and the active or retired Police Officer who is then serving in the active Firefighter seat either leaves the employment of the City as a Police Officer or otherwise vacates his or her office as Trustee, the active Firefighter seat shall cease to exist, and the Board shall thereafter consist of five (5) Trustees, two (2) of whom, unless otherwise prohibited by law, shall be legal residents of the City who shall be appointed by the City Council, two (2) of whom shall be full-time Police Officer Members of the System who shall be elected by a majority of the active Police Officers who are Members of the System, and one (1) of whom shall be chosen by a majority of the four (4) remaining Trustees as herein provided and shall serve a four (4) year term unless he or she sooner vacates the office. Each resident Trustee shall serve as Trustee for a period of four (4) years unless he or she sooner vacates the office or is sooner replaced by the City Council at whose pleasure he or she shall serve. Each Member Trustee shall serve as Trustee for a period of four (4) years, unless he or she sooner leaves the employment of the City as a Police Officer or otherwise vacates his or her office as Trustee, whereupon a successor shall be chosen in the same manner as the departing Trustee. Except in the case that there are fewer than ten (10) former or retired Firefighters remaining and the active or retired Police Officer who is then serving in the active Firefighter seat either leaves the employment of the City as a Police Officer or otherwise vacates his or her office as Trustee, each Trustee may succeed himself or herself in office. Police Deferred Retirement Option Plan (DROP) participants can be elected as but not vote for the elected Police Trustee. The Board shall establish and administer the nominating and election procedures for each election or delegate this task to the City if the City is so willing. The Board shall meet at least quarterly each year. The Board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature, and description.

- C. Effective as of the Merger Date, all references herein, except for historic references, to the City of Okeechobee Municipal Police Officers' Pension Trust Fund, shall be read as the City of Okeechobee Municipal Police Officers' and Firefighters' Pension Trust Fund.
- D. Effective as of the Merger Date, it is intended that the Board of Trustees possess identical powers with respect to the operation and administration, including the investment of System assets, of the System as it relates to Police Officers and Firefighters and assets derived from the participation of Police Officers and Firefighters, including premium tax funds under Chapters 175 and 185. It is further intended that, effective as of the Merger Date, this document shall apply to all questions relating to the participation, accrual of benefits,



vesting, benefit eligibility, retirement, etc. of Police Officer Members in the System.

**SECTION 5:** That Ordinance No. 888, as subsequently amended, is hereby further amended by amending subsection 1., of Section 4., Finances and Fund Management, of the document made part of said Ordinance and otherwise amended herein, to read as follows:

**SECTION 4. FINANCES AND FUND MANAGEMENT.**

**Establishment and Operation of Fund.**

1. As part of the System, there exists the Fund, into which shall be deposited all of the contributions and assets whatsoever attributable to the System. Effective as of the Merger Date, the Fund is hereby merged with the Fund known as the City of Okeechobee Municipal Firefighters' Pension Fund, created as set forth in Section 4.1 of the document made part of Ordinance No. 1229. The Fund, which shall thereafter mean the Fund resulting from the merger, shall be known as City of Okeechobee Municipal Police Officers' and Firefighters' Pension Trust Fund.

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**SECTION 6:** That Ordinance No. 1229, as subsequently amended, is hereby further amended by amending subsection 1., of Section 1., Definitions, of the document made part of said Ordinance and otherwise amended herein, to modify the definitions of "Board," "Fund," and "System" and to add a definition, "Merger Date," to read respectively as follows:

**SECTION 1. DEFINITIONS.**

1. As used herein, unless otherwise defined or required by the context, the following words and phrases shall have the meaning indicated:

\*\*\*\*

Board means the Board of Trustees, which shall administer and manage the System herein provided and serve as the trustees of the Fund, as provided in Section 3 hereof.

\*\*\*\*

Fund means the trust Fund established herein as part of the System. Effective as of the Merger Date, Fund shall mean the Fund resulting from the merger, as provided in subsection 1., of Section 4., hereof.

\*\*\*\*

Merger Date means the date determined in accordance with subsection 6., of Section 3., hereof.

\*\*\*\*

System means the City of Okeechobee Municipal Firefighters' Pension Fund as contained herein and all amendments thereto. Effective as of the Merger Date, System means City of Okeechobee Municipal Police Officers' and Firefighters' Pension Trust Fund, as contained herein and all amendments hereto, and as contained in Ordinance No. 888 and all amendments thereto.

**SECTION 7:** That Ordinance No. 1229, as subsequently amended, is hereby further amended by amending subsection 3., of Section 3., Board of Trustees, of the document made part of said Ordinance and otherwise amended herein, to replace subsection 3., to read as follows:

### **SECTION 3. BOARD OF TRUSTEES.**

\*\*\*\*

3. Quorum and Voting. A quorum shall consist of no fewer than three (3) Trustees. Each Trustee shall be entitled to one (1) vote on the Board. Three (3) affirmative votes shall be necessary for any decision by the Trustees at any meeting of the Board. A Trustee shall abstain from voting as the result of a conflict of interest and shall comply with the provisions of Section 112.3143, Florida Statutes, as amended from time to time.

\*\*\*\*

**SECTION 8:** That Ordinance No. 1229, as subsequently amended, is hereby further amended by amending Section 3., Board of Trustees, of the document made part of said Ordinance and otherwise amended herein, to add a new subsection 6., to read as follows:

### **SECTION 3. BOARD OF TRUSTEES.**

\*\*\*\*

#### **6. Merger Provisions**

A. As soon as administratively reasonable upon the effective date of the Ordinance adopting this paragraph 6.A., the responsible parties shall appoint and elect prospective Trustees (excluding the sixth Trustee) in accordance with the conditions set forth in paragraph 6.B., below, who shall agree in writing to assume the duties of Trustees as set forth herein as of a specified date. That date shall be the same for all five prospective Trustees, and shall constitute the Merger Date.

B. As of the Merger Date, this paragraph 6.B., shall supersede subsection 1., of this Section 3. The sole and exclusive administration of and responsibility for the proper operation of the System and for making effective the provisions of this Ordinance is hereby vested in a Board of Trustees. The Board is hereby designated as the Plan Administrator. The Board shall consist of six (6) Trustees, two (2) of whom, unless otherwise prohibited by law, shall be legal residents of the City, who shall be appointed by the City Council, two (2) of whom shall be full-time Police Officer Members of the System who shall be elected by a majority of the active Police Officers who are Members of the System, one (1) of whom shall be a former full-time Firefighter Member of the System who shall be elected by a majority of the former Firefighters who were Members of the System, and one (1) of whom shall be chosen by a majority of the five (5) other Trustees as provided for herein, and such person's name shall be submitted to the City Council.

Upon receipt of the sixth Trustee's name, the City Council shall, as a ministerial duty, appoint such person to the Board of Trustees as its sixth Trustee. The sixth Trustee shall have the same rights as each of the other five (5) Trustees.

If there is no former or retired Firefighter remaining in the System, or willing to serve, the former and retired Firefighters may elect an active or retired Police Officer to serve in the active Firefighter seat. Upon receipt of such person's name, the City Council shall, as a ministerial duty, appoint such person to the Board.

When there are fewer than ten (10) former or retired Firefighters remaining in the System, or in the case where no former or retired Firefighter is available to serve on the Board and the active or retired Police Officer who is then serving in the active Firefighter seat either leaves the employment of the City as a Police Officer or otherwise vacates his or her office as Trustee, the active Firefighter seat shall cease to exist, and the Board shall thereafter consist of five (5) Trustees, two (2) of whom, unless otherwise prohibited by law, shall be legal

residents of the City who shall be appointed by the City Council, two (2) of whom shall be full-time Police Officer Members of the System who shall be elected by a majority of the active Police Officers who are Members of the System, and one (1) of whom shall be chosen by a majority of the four (4) remaining Trustees as herein provided and shall serve a four (4) year term unless he or she sooner vacates the office. Each resident Trustee shall serve as Trustee for a period of four (4) years unless he or she sooner vacates the office or is sooner replaced by the City Council at whose pleasure he or she shall serve. Each Member Trustee shall serve as Trustee for a period of four (4) years, unless he or she sooner leaves the employment of the City as a Police Officer or otherwise vacates his or her office as Trustee, whereupon a successor shall be chosen in the same manner as the departing Trustee. Except in the case that there are fewer than ten (10) former or retired Firefighters remaining and the active or retired Police Officer who is then serving in the active Firefighter seat either leaves the employment of the City as a Police Officer or otherwise vacates his or her office as Trustee, each Trustee may succeed himself or herself in office. Police DROP participants can be elected as but not vote for the elected Police Trustee. The Board shall establish and administer the nominating and election procedures for each election or delegate this task to the City if the city is so willing. The Board shall meet at least quarterly each year. The Board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature, and description.

C. Effective as of the Merger Date, all references herein, except for historic references, to City of Okeechobee Municipal Firefighters' Pension Fund, shall be read as City of Okeechobee Municipal Police Officers' and Firefighters' Pension Trust Fund.

D. Effective as of the Merger Date, it is intended that the Board of Trustees possess identical powers with respect to the operation and administration, including the investment of System assets, of the System as it relates to Police Officers and Firefighters and assets derived from the participation of Police Officers and Firefighters, including premium tax funds under Chapters 175 and 185. It is further intended that, effective as of the Merger Date, this document shall apply to all questions relating to the participation, accrual of benefits, vesting, benefit eligibility, retirement, etc. of Firefighter Members in the System.

**SECTION 9:** That Ordinance No. 1229, as subsequently amended, is hereby further amended by amending subsection 1., of Section 4., Finances and Fund Management, of the document made part of said Ordinance and otherwise amended herein, to read as follows:

#### **SECTION 4. FINANCES AND FUND MANAGEMENT.**

##### **Establishment and Operation of Fund.**

1. As part of the System, there exists the Fund, into which shall be deposited all of the contributions and assets whatsoever attributable to the System. Effective as of the Merger Date, the Fund is hereby merged with the Fund known as the City of Okeechobee Municipal Police Officers' Pension Trust Fund, created as set forth in Section 4.1 of the document made part of Ordinance 888. The Fund, which shall thereafter mean the Fund resulting from the merger, shall be known as City of Okeechobee Municipal Police Officers' and Firefighters' Pension Trust Fund.

\*\*\*\*

**SECTION 10:** That Ordinance No. 1229, as subsequently amended, is hereby further amended by amending Section 6., Benefit Amounts and Eligibility, of the document made part of said Ordinance and otherwise amended herein, to add a new subsection 7., to read as follows:

**SECTION 6. BENEFIT AMOUNTS AND ELIGIBILITY.**

\*\*\*\*

**7. Retired Firefighter Medical Stipend.**

A Reserve shall be established by to pay a Medical Stipend to retired Firefighter members as set forth in this subsection 7., with an initial dollar amount to bring the funded ratio for the Firefighter assets and liabilities to 100 percent based on current actuarial assumptions. If the actuary certifies that the funded ratio of the Pension Fund based on the Firefighter assets and liabilities excluding the Reserve for the preceding Plan Year exceeds 100 percent in subsequent years, the Board will transfer an additional dollar amount to the Reserve to bring the funded ratio to 100 percent. If the actuary certifies that the funded ratio of the Pension Fund based on the Firefighter assets and liabilities for the preceding Plan Year excluding the Reserve is less than 95 percent, the Board will transfer the dollar amount from the Reserve to the Pension Fund needed to increase the funded ratio to 95 percent. The assets of the Reserve to pay the Medical Stipend shall remain invested with the Pension Fund assets and receive a pro-rata share of the investment results net of investment and administrative expenses. The Board must provide written notice to the Finance Director of the City of Okeechobee of any change in actuarial investment and economic assumptions affecting the actuarial calculation of the funded ratio for the Firefighter assets and liabilities, identifying the specific changes to the assumptions.

A Medical Stipend shall be paid in equal monthly installments from the Reserve to Firefighter members receiving pension benefit payments as of October 1 each Plan Year. Payment of the Medical Stipend shall commence on the first day of the month following the otherwise normal retirement date for each retired member receiving a pension benefit payment. Starting with the Plan Year that begins October 1, 2023, eligible retired Firefighter members will receive an initial Medical Stipend based on the retiree's years of Credited Service, as follows:

<u>Years of Credited Service</u>	<u>Monthly Stipend</u>
<u>20 + Years</u>	<u>\$1,000</u>
<u>17.5 – 20</u>	<u>\$850</u>
<u>15 – 17.5</u>	<u>\$700</u>
<u>12.5 – 15</u>	<u>\$550</u>
<u>10 – 12.5</u>	<u>\$400</u>

The Board will adjust the Monthly Stipend pro-rata to eligible members for the next Plan Year based on the balance remaining in the Reserve as of October 1 each Plan Year. The Fund will not pay a stipend at any time the Reserve balance is zero. If the Pension Fund has no retired Firefighter members, any funds remaining in the Reserve shall be returned to the Pension Fund.

**SECTION 11:** That specific authority is hereby granted to codify and incorporate this Ordinance in the existing City of Okeechobee Municipal Police Officers' Pension Trust Fund Summary Plan Description and the City of Okeechobee Municipal Firefighters' Pension Fund Summary Plan Description.

**SECTION 12:** That all Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 13:** That if any section, subsection sentence, clause, phrase of this Ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining sections, subsections, sentences,

clauses, or phrases under application shall not be affected thereby.

**SECTION 14:** That the language of this Ordinance shall be adopted as part of the corresponding Pension Plan immediately, and the provisions of this Ordinance shall become effective immediately upon the Merger Date as defined in Sections 4 and 8, herein.

**INTRODUCED** for First Reading and set for Final Public Hearing on this 6<sup>th</sup> day of February 2024.  
Roll Call Vote:

	Yes	No	Abstained	Absent
Council Member Chandler:	X			
Council Member/Vice Mayor Clark:	X			
Council Member Jarriel:	X			
Council Member McAuley:				X
Mayor Watford:	X			

\_\_\_\_\_  
Dowling R. Watford, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after Second and Final Public Hearing this 5<sup>th</sup> day of March 2024. Roll  
Call Vote:

	Yes	No	Abstained	Absent
Council Member Chandler:				
Council Member/Vice Mayor Clark:				
Council Member Jarriel:				
Council Member McAuley:				
Mayor Watford:				

\_\_\_\_\_  
Dowling R. Watford, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

\_\_\_\_\_  
John J. Fumero, City Attorney  
Nason Yeager Gerson Harris & Fumero, P.A.

## **VI. PUBLIC HEARING FOR ORDINANCE ADOPTION CONTINUED**

- A. Continued. Motion by Vice Mayor Clark, second by Council Member Jarriel to adopt proposed Ordinance No. 1284. Mayor Watford opened the floor for public comments, there were none. Finance Director, India Riedel and Mr. Scott Baur of Resource Centers, LLC, the Pension Plans' Administrator, gave the staff review. City Clerk Gamiotea noted for the record, the Ordinance and Actuary Impact Statement was sent to the State Division of Retirement for review and no comments were received. **Roll Call Vote: Chandler-Yea, Clark-Yea, Jarriel-Yea, McAuley-Absent, Watford-Yea.**  
**Motion Carried.**
- B. Motion by Council Member Jarriel, second by Vice Mayor Clark to read by title only, proposed Ordinance No. 1285 amending Section 2-131 of the Code of Ordinances removing the Personnel Administrator duties from the City Clerk [as presented in **Exhibit 6**].  
**Motion Carried.**

City Attorney Fumero read into the record the title of proposed Ordinance No. 1285 as follows: "**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE CODE OF ORDINANCES CHAPTER 2 ADMINISTRATION, ARTICLE III DEPARTMENTS, OFFICERS, AND EMPLOYEES, DIVISION 4 CITY CLERK, SECTION 2-131 GENERAL DUTIES TO REMOVE THE DUTY OF PERSONNEL ADMINISTRATOR; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**"

Motion and second by Council Members Chandler and Jarriel to adopt proposed Ordinance No. 1285. Mayor Watford opened the floor for public comments, there were none. Clerk Gamiotea gave the staff review. **Roll Call Vote: Chandler-Yea, Clark-Yea, Jarriel-Yea, McAuley-Absent, Watford-Yea.**  
**Motion Carried.**

## **VII. NEW BUSINESS**

- A. Motion by Vice Mayor Clark, second by Council Member Jarriel to approve the designation of India Riedel as the City's Representative and Board Member and Heather Prince as Alternate to the Public Risk Management Group Health Trust.  
**Motion Carried.**
- B. Motion by Council Member Jarriel, second by Vice Mayor Clark to read by title only, proposed Ordinance No. 1286, merging the Police Officers' and Firefighters' Pension Funds and providing for a retired firefighter medical stipend [as presented in **Exhibit 12**].  
**Motion Carried.**

City Attorney Fumero read into the record the title of proposed Ordinance No. 1286 as follows: "**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA, PROVIDING FOR THE MERGER OF THE CITY OF OKEECHOBEE MUNICIPAL POLICE OFFICERS' PENSION TRUST FUND, CREATED PURSUANT TO ORDINANCE NO. 888 AS SUBSEQUENTLY AMENDED, AND THE CITY OF OKEECHOBEE MUNICIPAL FIREFIGHTERS' PENSION FUND, CREATED PURSUANT TO ORDINANCE NO. 889 AND AMENDED AND RESTATED PURSUANT TO ORDINANCE NO. 1229; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.**"

Motion and second by Council Members Chandler and Jarriel to approve the first reading and set March 5, 2024, as the final Public Hearing date for proposed Ordinance No. 1286.

Clerk Gamiotea distributed a memorandum requesting the Council correct some of the wording within the proposed Ordinance. Motion by Council Member Jarriel, second by Vice Mayor Clark to amend proposed Ordinance No. 1286, as follows: remove the sixth Whereas paragraph on page 1; remove elected and replace with other on page 3, first paragraph, B., last sentence; add "in the System" after the word remaining on page 3, fourth paragraph, first sentence; remove elected and replace with other on page 5, fifth paragraph, 6.B., last sentence; add "in the System" after the word remaining on page 5, last paragraph, first sentence.  
**Motion To Amend Carried.**

Mr. Baur, Plan Administrator, provided the staff review, purpose and benefits of the proposed changes. The Police Officers' Board of Trustees voted against recommending adoption. However, the Firefighters' Board of Trustees voted in favor of the adoption. **Roll Call Vote: Chandler-Yea, Clark-Yea, Jarriel-Yea, McAuley-Absent, Watford-Yea.**  
**Motion Carried As Amended.**





February 28, 2024

Board of Trustees  
City of Okeechobee Police Officers' Retirement System  
City of Okeechobee Firefighters' Retirement System  
c/o Mr. Scott Baur  
Resource Centers, LLC  
4360 Northlake Blvd  
Suite 206  
Palm Beach Gardens, FL 33410

**Re: City of Okeechobee Police Officers' Retirement System  
City of Okeechobee Firefighters' Retirement System  
Actuarial Impact Statement**

Dear Scott:

As requested, we are pleased to enclose an Actuarial Impact Statement as of October 1, 2022 to illustrate the first-year impact of the attached proposed Ordinance which amends the City of Okeechobee Police Officers' Retirement System and Okeechobee Firefighters' Retirement System (Systems) as described below.

**Background** – The City of Okeechobee Police Officers' Retirement System and the Okeechobee Firefighters' Retirement System are separate Retirement Systems. The proposed Ordinance allows the Systems to merge together administratively and creates a Firefighter reserve account to pay medical stipends to retired Firefighters, if available.

**Proposed Ordinance** – The proposed Ordinance amends and restates the System provisions as follows:

- Effective as of the Merger Date, the City of Okeechobee Firefighters' Retirement System and the City of Okeechobee Police Officers' Retirement System are merged into one plan called the City of Okeechobee Police Officers' and Firefighters' Retirement System.
- A reserve account will be established to pay a medical stipend to retired Firefighters. The initial and subsequent amount of the reserve will be a dollar amount to bring the funded ratio for Firefighter assets and liabilities to 100% based on current actuarial assumptions. In subsequent years, if the Funded Ratio falls below 95% the Board will transfer the dollar amount from the reserve to increase the funded ratio to 95%. Retired Firefighters who are receiving pension benefit payments (excluding members in early retirement) will receive a medical stipend based on the retiree's years of Credited Service, as follows:

<u>Years of Credited Service</u>	<u>Monthly Stipend</u>
$x \geq 20.0$	\$1,000
$17.5 \leq x < 20.0$	\$850
$15.0 \leq x < 17.5$	\$700
$12.5 \leq x < 15.0$	\$550
$10.0 \leq x < 12.5$	\$400

- The Board will adjust the Monthly Stipend pro-rata based on the balance remaining in the Reserve as of October 1st each Plan Year, if the Reserve does not have enough funds to pay the full stipend.
- If there are no funds in the Reserve, no Stipend shall be paid. If no retired Firefighter members remain, the Reserve shall be returned to the Pension Fund.

**Summary of Findings** – Please note that the impact of the proposed System change is being shown on the actuarially determined contribution for the fiscal year ending September 30, 2024, using the valuation results as of October 1, 2022, the most recent actuarial valuation.

- As a result of the System change, the required employer contribution amount for Firefighters for the fiscal year ending September 30, 2024 increased by \$3,995, from \$44,389 to \$48,384.
- As a result of the System change, the required employer contribution amount for the Police Officers stayed the same.

Currently the actuarially determined contribution for the Firefighters includes only ongoing expenses and interest as applicable under Florida Statutes (F.S. 112.66 (13)). There is no current Firefighter unfunded liability.

Note, in the future, if the Firefighter Funded Ratio is above 95% and below 100%, the actuarially determined contribution would increase due to the necessary amortization payment of the unfunded liability. We understand the City and State would fund the increased actuarially determined contribution in this scenario.

**Filing Requirements** – We have prepared the Actuarial Impact Statement for filing with the State of Florida. Please note that this Statement must be signed and dated on behalf of the Board of Trustees. Copies of the Ordinance upon passage at first reading along with the signed and dated Actuarial Impact Statement are generally required to be filed with the State at the following address:

Mr. Douglas E. Beckendorf, A.S.A.  
Bureau of Local Retirement Services



Division of Retirement  
Building 8  
Post Office Box 9000  
Tallahassee, Florida 32315-9000

We understand the State requires funding any increases in costs no later than the fiscal year next following the effective date of the Ordinance.

Please forward a copy of the Ordinance upon passage to update our files.

**Actuarial assumptions and methods, financial data, System provisions and member census data –**

The actuarial assumptions and methods, financial data and member census data employed for purposes of our Actuarial Impact Statement are the same actuarial assumptions and methods, financial data and member census data utilized for the October 1, 2022 Actuarial Valuations of the Systems with the following exception:

- The firefighter Actuarial Value of Assets methodology changed from a 4-year smoothed asset value to the market value of assets in order to align with the reserve.

The System provisions employed for purposes of our Actuarial Impact Statement are the same System provisions utilized in the October 1, 2022 Actuarial Valuations of the Systems with the exception of the proposed changes described above.

**Risk Assessment** – Risk assessment may include scenario tests, sensitivity, or stress tests, stochastic modeling, and a comparison of the present value of benefits at low-risk discount rates. We are prepared to perform such assessment to aid in the decision-making process. Please refer to the October 1, 2022 Actuarial Valuation Reports dated April 24, 2023 for additional discussion regarding the risks associated with measuring the liability and the minimum funding payment.

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This Actuarial Impact Statement is intended to describe the estimated future financial effects of the proposed benefit changes on the Systems and is not intended as a recommendation in favor of the benefit changes nor in opposition to the changes.

If all actuarial assumptions are met and if all current and future minimum required contributions are paid, System assets will be sufficient to pay all System benefits and future contributions are expected to remain relatively stable as a percent of payroll. System minimum required contributions are determined in compliance with the requirements of the Florida Protection of Public Employee Retirement Benefits Act, Firefighters' Retirement Chapter 175 and Police Officers' Retirement Chapter 185 with normal cost determined as a level percent of covered payroll using the Aggregate Cost Method (Entry-Age Normal Method for Firefighters).



These calculations are based upon assumptions regarding future events. However, the System's long term costs will be determined by actual future events, which may differ materially from the assumptions made. These calculations are also based upon present and proposed System provisions that are outlined or referenced in this Actuarial Impact Statement.

If you have reason to believe the assumptions used are unreasonable, the System provisions are incorrectly described or referenced, important System provisions relevant to this Actuarial Impact Statement are not described or that conditions have changed since the calculations were made, you should contact the undersigned prior to relying on information in this Actuarial Impact Statement. If you have reason to believe that the information provided in this Actuarial Impact Statement is inaccurate, or is in any way incomplete, or if you need further information in order to make an informed decision on the subject matter of this report, please contact the undersigned prior to making such decision.

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as the following: System experience differing from that anticipated by the economic or demographic assumptions; changes in economic or demographic assumptions; increases or decreases expected as part of the natural operation of the methodology used for these measurements (such as the end of an amortization period) and changes in System provisions or applicable law. Due to the limited scope of our assignment, we did not perform an analysis of the potential range of such future measurements.

The Unfunded Actuarial Accrued Liability (UAAL) under the Entry Age Normal method may not be appropriate for assessing the sufficiency of Plan assets to meet the estimated cost of settling benefit obligations but may be appropriate for assessing the need for or the amount of future contributions. For Police Officers, the UAAL would be different if it reflected the market value of assets rather than the smoothed value of assets.

This Actuarial Impact Statement should not be relied on for any purpose other than the purpose described in the primary communication. Determinations of the financial results associated with the benefits described in this report in a manner other than the intended purpose may produce significantly different results.

This Actuarial Impact Statement has been prepared by actuaries who have substantial experience valuing public employee retirement systems. To the best of our knowledge the information contained in this report is accurate and fairly presents the actuarial position of the System as of the valuation date. All calculations have been made in conformity with generally accepted actuarial principles and practices, with the Actuarial Standards of Practice issued by the Actuarial Standards Board and with applicable statutes.



This Actuarial Impact Statement was prepared using our proprietary valuation model and related software which in our professional judgment has the capability to provide results that are consistent with the purposes of the valuation and has no material limitations or known weaknesses. We performed tests to ensure that the model reasonably represents that which is intended to be modeled.

This report was prepared at the request of the Board and is intended for use by the Board and those designated or approved by the Board. This report may be provided to parties other than the Board only in its entirety and only with the permission of the Board. GRS is not responsible for unauthorized use of this report.

The signing actuaries are independent of the System sponsor.

The undersigned are Members of the American Academy of Actuaries and meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein.


If you should have any question concerning the above or if we may be of further assistance with this matter, please do not hesitate to contact us.

Sincerest regards,



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Shelly L. Jones, A.S.A., E.A., M.A.A.A, F.C.A.  
Consultant and Actuary



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Jennifer M. Borregard, E.A., M.A.A.A., F.C.A.  
Consultant and Actuary

Enclosures



## Actuarial Impact Statement as of October 1, 2022

### A. Description of Proposed Amendment

- (1) Effective as of the Merger Date, the City of Okeechobee Firefighters' Retirement System and the City of Okeechobee Police Officers' Retirement System are merged into one plan called the City of Okeechobee Police Officers' and Firefighters' Retirement System.
- (2) A reserve account will be established to pay a medical stipend to retired Firefighters. The initial and subsequent amount of the reserve will be a dollar amount to bring the funded ratio for Firefighter assets and liabilities to 100% based on current actuarial assumptions. In subsequent years, if the Funded Ratio falls below 95% the Board will transfer the dollar amount from the reserve to increase the funded ratio to 95%. Retired Firefighters who are receiving pension benefit payments (excluding members in early retirement) will receive a medical stipend based on the retiree's years of Credited Service, as follows:

<u>Years of Credited Service</u>	<u>Monthly Stipend</u>
$x \geq 20.0$	\$1,000
$17.5 \leq x < 20.0$	\$850
$15.0 \leq x < 17.5$	\$700
$12.5 \leq x < 15.0$	\$550
$10.0 \leq x < 12.5$	\$400

- (3) The Board will adjust the Monthly Stipend pro-rata based on the balance remaining in the Reserve as of October 1st each Plan Year, if the Reserve does not have enough funds to pay the full stipend.
- (4) If there are no funds in the Reserve, no Stipend shall be paid. If no retired Firefighter members remain, the Reserve shall be returned to the Pension Fund.

### B. An estimate of the cost implementing this amendment is attached.

### C. In my opinion, the proposed changes are in compliance with Part VII, Chapter 112, Florida Statutes and Section 14, Article X of the State Constitution.

\_\_\_\_\_  
Police Officer Pension Board Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Firefighter Pension Board Chair

\_\_\_\_\_  
Date





## Actuarial Impact Statement as of October 1, 2022

### Police Officers

	<b>Valuation</b> <b><u>10/01/2022</u></b>	<b>Actuarial Impact</b> <b>Statement</b> <b><u>10/01/2022</u></b>
<b>A. <u>Participant Data</u></b>		
1. Active participants	20	20
2. Retired, disabled and beneficiaries receiving benefits (including DROPs)	17	17
3. Terminated vested participants	2	2
4. Annual payroll of active participants	\$ 1,073,721	\$ 1,073,721
5. Annual benefits payable to those currently receiving benefits (including DROPs)	\$ 467,787	\$ 467,787
<b>B. <u>Assets</u></b>		
1. Smoothed actuarial value	\$ 10,956,636	\$ 10,956,636
2. Market value	\$ 9,397,712	\$ 9,397,712
3. Reserve	\$ 0	\$ 0
<b>C. <u>Liabilities</u></b>		
1. Actuarial present value of future expected benefit payments for active members		
a. Retirement benefits	\$ 5,433,380	\$ 5,433,380
b. Vesting benefits	291,201	291,201
c. Disability benefits	170,016	170,016
d. Death benefits	18,674	18,674
e. Total	\$ 5,913,271	\$ 5,913,271
2. Actuarial present value of future expected benefit payments for terminated vested members	\$ 215,331	\$ 215,331
3. Actuarial present value of future expected benefit payments for members currently receiving benefits		
a. Service retired including DROPs	\$ 5,201,575	\$ 5,201,575
b. Disability retired	0	0
c. Beneficiaries	466,860	466,860
d. Miscellaneous (refunds in process)	50,016	50,016
e. Total	\$ 5,718,451	\$ 5,718,451
4. Share Plan Liability	\$ 52,741	\$ 52,741
5. Total actuarial present value of future expected benefit payments	\$ 11,899,794	\$ 11,899,794
6. Actuarial accrued liabilities (Entry Age Normal)	\$ 9,238,795	\$ 9,238,795
7. Unfunded actuarial accrued liabilities (Entry Age Normal)	\$ (1,717,841)	\$ (1,717,841)
<b>D. <u>Normal Cost</u></b>		
1. Present Value of Future Normal Costs (C.5. - B.1.)	\$ 943,158	\$ 943,158
2. Present Value of Future Salaries	\$ 10,873,917	\$ 10,873,917
3. Normal Cost Accrual Rate (D.1. / D.2.)	8.674%	8.674%
4. Normal Cost (A.4. x D.3.)	\$ 93,135	\$ 93,135

## Actuarial Impact Statement as of October 1, 2022

### Police Officers

	<b>Valuation</b> <b><u>10/01/2022</u></b>	<b>Actuarial Impact</b> <b>Statement</b> <b><u>10/01/2022</u></b>
<b>E. <u>Statement of Accumulated Plan Benefits</u></b>		
1. Actuarial present value of accumulated vested benefits		
a. Participants currently receiving benefits	\$ 5,668,435	\$ 5,668,435
b. Terminated vested members and miscellaneous (including share plan liability)	318,088	318,088
c. Other participants	2,073,801	2,073,801
d. Total	<u>\$ 8,060,324</u>	<u>\$ 8,060,324</u>
2. Actuarial present value of accumulated non-vested plan benefits	<u>208,414</u>	<u>208,414</u>
3. Total actuarial present value of accumulated plan benefits	\$ 8,268,738	\$ 8,268,738
<b>F. <u>Pension Cost</u></b>		
1. Total normal cost	\$ 93,135	\$ 93,135
2. Estimated administrative expenses	55,854	55,854
3. Interest adjustment	7,189	7,189
4. Total required contributions	<u>\$ 156,178</u>	<u>\$ 156,178</u>
5. Item 4 as a percentage of payroll	14.5%	14.5%
6. Estimated employee contributions	\$ 53,686	\$ 53,686
7. Item 6 as a percentage of payroll	5.0%	5.0%
8. Expected City/State contribution	\$ 102,492	\$ 102,492
9. Item 8 as a percentage of payroll	9.5%	9.5%
<b>G. <u>Disclosure of Following Items:</u></b>		
1. Actuarial present value of future salaries - attained age	\$ 10,873,917	\$ 10,873,917
2. Actuarial present value of future employee contributions - attained age	\$ 543,696	\$ 543,696
3. Actuarial present value of future contributions from other sources	N/A	N/A
4. Amount of active members' accumulated contributions	\$ 438,998	\$ 438,998
5. Actuarial present value of future salaries and future benefits at entry age	N/A	N/A
6. Actuarial present value of future employee contributions at entry age	N/A	N/A

## Actuarial Impact Statement as of October 1, 2022

### Firefighters

	<u>Valuation</u> <u>10/01/2022</u>	<u>Actuarial Impact</u> <u>Statement</u> <u>10/01/2022</u>
<b>A. <u>Participant Data</u></b>		
1. Active participants	0	0
2. Retired, disabled and beneficiaries receiving benefits (including DROPs)	8	8
3. Terminated vested participants	5	5
4. Annual payroll of active participants	\$ 0	\$ 0
5. Annual benefits payable to those currently receiving benefits (including DROPs)	\$ 231,136	\$ 231,136
<b>B. <u>Assets</u></b>		
1. Smoothed actuarial value	\$ 4,673,038	\$ 3,446,557
2. Market value	\$ 4,007,139	\$ 3,446,557
3. Reserve	\$ 0	\$ 560,582
<b>C. <u>Liabilities</u></b>		
1. Actuarial present value of future expected benefit payments for active members		
a. Retirement benefits	\$ 0	\$ 0
b. Vesting benefits	0	0
c. Disability benefits	0	0
d. Death benefits	0	0
e. Total	\$ 0	\$ 0
2. Actuarial present value of future expected benefit payments for terminated vested members	\$ 731,340	\$ 731,340
3. Actuarial present value of future expected benefit payments for members currently receiving benefits		
a. Service retired including DROPs	\$ 2,050,313	\$ 2,050,313
b. Disability retired	365,075	365,075
c. Beneficiaries	290,144	290,144
d. Miscellaneous (refunds in process)	7,962	7,962
e. Total	\$ 2,713,494	\$ 2,713,494
4. Share Plan Liability	\$ 1,723	\$ 1,723
5. Total actuarial present value of future expected benefit payments	\$ 3,446,557	\$ 3,446,557
6. Actuarial accrued liabilities (Entry Age Normal)	\$ 3,446,557	\$ 3,446,557
7. Unfunded actuarial accrued liabilities (Entry Age Normal)	\$ (1,226,481)	\$ -
<b>D. <u>Normal Cost</u></b>		
1. Age retirement benefits	\$ -	\$ -
2. Termination benefits	-	-
3. Death benefits	-	-
4. Disability benefits	-	-
5. Estimated expenses	44,389	44,389
6. Total annual normal costs	\$ 44,389	\$ 44,389

## Actuarial Impact Statement as of October 1, 2022

### Firefighters

	<u>Valuation</u> <u>10/01/2022</u>	<u>Actuarial Impact</u> <u>Statement</u> <u>10/01/2022</u>
<b>E. <u>Statement of Accumulated Plan Benefits</u></b>		
1. Actuarial present value of accumulated vested benefits		
a. Participants currently receiving benefits	\$ 2,705,532	\$ 2,705,532
b. Terminated vested members and miscellaneous (including share plan liability)	741,025	741,025
c. Other participants	0	0
d. Total	<u>\$ 3,446,557</u>	<u>\$ 3,446,557</u>
2. Actuarial present value of accumulated non-vested plan benefits	<u>0</u>	<u>0</u>
3. Total actuarial present value of accumulated plan benefits	\$ 3,446,557	\$ 3,446,557
<b>F. <u>Pension Cost</u></b>		
1. Total normal cost	\$ 44,389	\$ 44,389
2. Amortization of unfunded liability	(157,207)	0
3. Interest adjustment	(10,154)	3,995
4. Total required contributions	<u>\$ 44,389</u>	<u>\$ 48,384</u>
5. Item 4 as a percentage of payroll	N/A	N/A
6. Estimated employee contributions	\$ 0	\$ 0
7. Item 6 as a percentage of payroll	N/A	N/A
8. Expected City/State contribution	\$ 44,389	\$ 48,384
9. Item 8 as a percentage of payroll	N/A	N/A
<b>G. <u>Disclosure of Following Items:</u></b>		
1. Actuarial present value of future salaries - attained age	\$ 0	\$ 0
2. Actuarial present value of future employee contributions - attained age	\$ 0	\$ 0
3. Actuarial present value of future contributions from other sources	N/A	N/A
4. Amount of active members' accumulated contributions	\$ 0	\$ 0
5. Actuarial present value of future salaries and future benefits at entry age	N/A	N/A
6. Actuarial present value of future employee contributions at entry age	N/A	N/A

## Actuarial Impact Statement as of October 1, 2022

### Firefighters

	<u>Unfunded Actuarial Accrued Liabilities</u>	<u>Current Unfunded Liabilities</u>	<u>Amortization Payment</u>	<u>Remaining Funding Period</u>
10/01/2022 Method Change - Initial Unfunded		(1,226,481)	(157,207)	10 years
10/01/2022 Proposed System Change - Reserve Transfer		<u>1,226,481</u>	<u>157,207</u>	10 years
TOTAL		\$ 0	\$ 0	

This actuarial valuation and / or cost determination was prepared and completed by us or under our direct supervision, and we acknowledge responsibility for the results. To the best of our knowledge, the results are complete and accurate, and in our opinion, the techniques and assumptions used are reasonable and meet the requirements and intent of Part VII, Chapter 112, Florida Statutes. There is no benefit or expense to be provided by the plan and/or paid from the plan's assets for which liabilities or current costs have not been established or other wise provided for in the valuation. All known events or trends which may require material increase in plan costs or required contribution rates have been taken into account in the valuation.

*Michelle Jones*

Shelly L. Jones, A.S.A.  
Enrollment Number: 23-08646

*Jennifer Borregard*

Jennifer M. Borregard, E.A.  
Enrollment Number: 23-07624

Dated: February 28, 2024

## Outline of Principal Provisions of the Retirement System

### A. Effective Date:

January 1, 1972. Effective as of the Merger Date, the City of Okeechobee Firefighters' Retirement System and the City of Okeechobee Police Officers' Retirement System are merged into one plan called the City of Okeechobee Police Officers' and Firefighters' Retirement System.

### B. Eligibility:

#### Police Officers

All actively employed full time Police Officers of the City are eligible on date of employment; Participation is mandatory.

#### Firefighters

All actively employed full time Firefighters who elect to remain members of the System following the merger with the County are eligible on date of employment. After August 2, 2021 the System is closed to new or reemployed members.

### C. Contributions:

Employee:	5.0% of Salary.
State:	Premium Tax Revenue.
City:	Balance required to maintain System on sound actuarial basis.

### D. Credited Service:

Service is measured as the total number of years and fractional part of years of continuous service as a Member. No service is credited for any periods of employment for which the Member received a refund of Employee Contributions. [System is being administered and valued based upon total number of years and completed months of service as a Member].

### E. Salary:

Total compensation including tax deferred, tax sheltered and tax exempt income derived from elective employee payroll deductions or salary reductions.

For Police Officer service earned after July 1, 2011, compensation shall not include more than 300 hours of overtime per fiscal year and shall also not include payments for accrued unused sick or annual leave.

### F. Average Final Compensation:

Average Final Compensation (AFC) is determined by the average total salary, including for Police Officers accumulated sick and vacation time paid in a lump sum, over the highest 5 years of the last 10.



## Outline of Principal Provisions of the Retirement System

### G. Normal Retirement:

#### 1. Eligibility:

Earlier of:

- (a) Attainment of age 55 with completion of 10 years of Credited Service.
- (b) Completion of 25 years of Credited Service.

#### 2. Benefit:

3.0% times AFC times Credited Service.

### H. Early Retirement:

#### 1. Eligibility:

Attainment of age 50 with completion of 10 years of Credited Service.

#### 2. Benefit:

Benefit accrued to date of retirement, reduced by 3% for each year early retirement date precedes age 55.

### I. Delayed Retirement:

Computed the same as set forth under Normal Retirement, based upon AFC and Credited Service as of delayed retirement date.

### J. Disability Retirement:

#### 1. Service Incurred:

Accrued benefit, but not less than 42% of AFC.

#### 2. Non-Service Incurred:

- a. Eligibility: 5 or more years of Credited Service; totally and permanently disabled.
- b. Benefit: The greatest of:
  - (i) Accrued benefit
  - (ii) 2% of AFC times Credited Service
  - (iii) 25% of AFC

### K. Pre-Retirement Death Benefit:

- a. Not Vested: Refund of accumulated contributions.
- b. Vested but Not Eligible for Early or Normal Retirement: Greater of (a) 50% of the present value of vested accrued benefit or (b) refund of accumulated contributions.

## Outline of Principal Provisions of the Retirement System

### K. Pre-Retirement Death Benefit (cont'd):

- |   |   |
|---|---|
| c. Eligible for Early or Normal Retirement: | Greater of (a) accrued benefit, determined as though the deceased had retired immediately preceding date of death and elected the 10 year certain and life form of payment or (b) 50% of present value of vested accrued benefit. |
|---|---|

In the event a vested Member's spouse is the sole beneficiary, the beneficiary shall be entitled to the accrued normal or early retirement benefit payable at the deceased Member's early or normal retirement age less the value of any benefits paid above.

### L. Termination Benefits:

#### 1. Eligibility:

100% vesting upon the completion of 10 years of credited service. Employees who have not completed 10 years of credited service at date of termination of employment shall only be entitled to the return of their accumulated contributions with 3.0% interest.

#### 2. Benefit:

Accrued benefit based upon credited service and AFC as of date of termination, payable at age 55.

### M. Normal Form of Retirement Income:

Monthly benefit payable for ten (10) years certain and life thereafter.

### N. Optional Forms of Retirement Income:

In lieu of electing the normal form of payment, the optional forms of payment available are the Single Life Annuity option and the 50%, 66 2/3%, 75% and 100% Joint and Contingent options. A Social Security option is available for Members retiring prior to being eligible for Social Security retirement benefits. A 20% Partial Lump Sum is available for Members who do not participate in the DROP.

### O. Deferred Retirement Option Program (DROP)

#### 1. Eligibility:

Member must be eligible for Normal Retirement.

#### 2. Benefit:

Retirement benefits are transferred to a hypothetical DROP account within the pension fund. Interest is credited or debited based upon either the quarterly rate of return earned by the Fund or a monthly 6.5% fixed rate of return, as elected by the Member. Members may elect to change their interest crediting election once during the DROP period. The period of participation in the DROP is limited to no more than 60 months. The benefit is paid as a lump sum upon actual termination of employment.

## Outline of Principal Provisions of the Retirement System

### P. Cost of Living Adjustment (COLA)

Beginning October 1, 1999 and October 1 of every odd-numbered year thereafter, monthly benefits of all retirees (service, disability, DROP), beneficiaries and vested terminated participants who have been in the DROP or in pay status for at least one year on the adjustment date will be increased by 0.5%.

### Q. Firefighter Reserve and Medical Stipend

A reserve account will be established to pay a medical stipend to retired Firefighters. The initial and subsequent amount of the reserve will be a dollar amount to bring the funded ratio for Firefighter assets and liabilities to 100% based on current actuarial assumptions. In subsequent years, if the Funded Ratio falls below 95% the Board will transfer the dollar amount from the reserve to increase the funded ratio to 95%. Retired Firefighters who are receiving pension benefit payments (excluding members in early retirement) will receive a medical stipend based on the retiree's years of Credited Service, as follows:

<u>Years of Credited Service</u>	<u>Monthly Stipend</u>
$x \geq 20.0$	\$1,000
$17.5 \leq x < 20.0$	\$850
$15.0 \leq x < 17.5$	\$700
$12.5 \leq x < 15.0$	\$550
$10.0 \leq x < 12.5$	\$400

The Board will adjust the Monthly Stipend pro-rata based on the balance remaining in the Reserve as of October 1st each Plan Year, if the Reserve does not have enough funds to pay the full stipend.

If there are no funds in the Reserve, no Stipend shall be paid. If no retired Firefighter members remain, the Reserve shall be returned to the Pension Fund.

### R. Changes Since Previous Actuarial Valuation

Previously, the City of Okeechobee Police Officers' Retirement System and City of Okeechobee Firefighters' Retirement System were separate plans.

Effective Dates were:

#### Police Officers

January 1, 1972. Most recently amended by Ordinance No. 1187 adopted July 16, 2019.

#### Firefighters

January 1, 1972. Most recently amended by the Interlocal Agreement between Okeechobee County and the City of Okeechobee for Fire Services dated December 1, 2020 and Ordinance No. 1229 adopted August 3, 2021.

There was no Firefighter Reserve and Medical Stipend.

**Actuarial Assumptions and Actuarial Cost Methods**  
**Used in the Valuation**

**A. Mortality**

For healthy participants during employment, PUB-2010 Headcount Weighted Safety Employee Female Mortality Table and Safety Below Median Employee Male Mortality Table, both set forward 1 year, with fully generational mortality improvements projected to each future decrement date with Scale MP-2018.

For healthy participants post employment, PUB-2010 Headcount Weighted Safety Healthy Retiree Female Mortality Table and Safety Below Median Healthy Retiree Male Mortality Table, both set forward 1 year, with fully generational mortality improvements projected to each future decrement date with Scale MP-2018.

For disabled participants, 80% PUB-2010 Headcount Weighted General Disabled Retiree Mortality Table / 20% PUB-2010 Headcount Weighted Safety Disabled Retiree Mortality Table, separate rates for males and females, without projected mortality improvements.

Sample Ages (2022)	Pre-retirement Future Life Expectancy (Years)		Post-retirement Future Life Expectancy (Years)	
	Men	Women	Men	Women
55	30.62	34.47	27.78	31.35
60	25.66	29.40	23.18	26.55
62	23.73	27.39	21.44	24.71

Sample Ages (2042)	Pre-retirement Future Life Expectancy (Years)		Post-retirement Future Life Expectancy (Years)	
	Men	Women	Men	Women
55	32.25	35.96	29.67	33.18
60	27.23	30.84	24.97	28.30
62	25.27	28.81	23.18	26.42

**B. Interest to be Earned by Fund**

**Police Officers**

7.0% (net of investment expenses), compounded annually - includes inflation at 2.5%.

**Firefighters**

6.0% (net of investment expenses), compounded annually - includes inflation at 2.5%.

Actuarial Assumptions and Actuarial Cost Methods  
Used in the Valuation

C. Allowances for Expenses or Contingencies

Actual administrative expenses incurred during the prior System year.

D. Salary Increase Factors

Police Officers

Current salary is assumed to increase at a rate of 6.0% - includes wage inflation of 3.5%.

Firefighters

Current salary is assumed to increase at a rate of 7.0% - includes wage inflation of 3.5%.

E. Disability Rates

Disability rates for males and for females were used in accordance with the following illustrative example.

<u>Age</u>	<u>Disability Rates</u> <u>Per 100 Employees</u>
20	0.14
30	0.18
40	0.30
50	1.00

85% of firefighter disabilities are assumed to be service incurred - 15% non-service incurred.

F. Employee Withdrawal Rates

Withdrawal rates for males and for females were used in accordance with the following illustrative example.

<u>Age</u>	<u>Withdrawal Rate</u>
20	6.0%
30	5.0%
40	2.6%
50	0.8%
60	0.2%

Actuarial Assumptions and Actuarial Cost Methods  
Used in the Valuation

G. Rates of Retirement

100% at normal retirement age.

All active members on the valuation date are assumed to have a minimum of one year of future service.

H. Cost Methods

Police Officers

Normal Retirement, Termination, Disability, and Death Benefits: Aggregate

Under this method the excess of the Actuarial Present Value of Projected Benefits of the group included in the valuation, over the sum of the Smoothed Value of Assets is allocated as a level percentage of earnings of the group between the valuation date and the assumed retirement age. This allocation is performed for the group as a whole, not as a sum of individual allocations. The portion of this Actuarial Present Value allocated to a specific year is called the Normal Cost. Under this method, actuarial gains (losses) reduce (increase) future Normal Costs.

Firefighters

Normal Retirement, Termination, Disability, and Death Benefits: Entry Age Normal

Under this method the normal cost for each active employee is the amount which is calculated to be a level percentage of pay that would be required annually from his entry age to his assumed retirement age to fund his estimated benefits, assuming the System had always been in effect. The normal cost for the System is the sum of such amounts for all employees. The actuarial accrued liability as of any valuation date for each active employee or inactive employee who is eligible to receive benefits under the System is the excess of the actuarial present value of estimated future benefits over the actuarial present value of current and future normal costs. The unfunded actuarial accrued liability as of any valuation date is the excess of the actuarial accrued liability over the assets of the System.

Vested Normal Retirement, Termination, Disability, and Death Benefits: Unit Credit Cost Method

Under this method, the actuarial present value of vested accrued benefits is an amount calculated to be the sum of the present values of each individual's vested accrued or earned benefit under the System as of the valuation date. Each individual's calculation is based on pay and service as of the valuation date.

Actuarial Assumptions and Actuarial Cost Methods  
Used in the Valuation

I. Asset Valuation Method

Police Officers

The method used for determining the smoothed value of assets phases in the deviation between the expected and actual return on assets at the rate of 25% per year. The smoothed value of assets will be further adjusted to the extent necessary to fall within the corridor whose lower limit is 80% of the fair market value of System assets and whose upper limit is 120% of the fair market value of System assets.

Firefighters

Market Value

J. Disclosure of Assumptions

The investment return, salary increases, withdrawal and retirement rates were set based upon System expected experience. The mortality rates are based upon the July 1, 2022 FRS Actuarial Valuation, as required under F.S., Chapter 2015-157.

K. Changes Since Previous Actuarial Valuation

Asset Valuation Method for Firefighters was:

The method used for determining the smoothed value of assets phases in the deviation between the expected and actual return on assets at the rate of 25% per year. The smoothed value of assets will be further adjusted to the extent necessary to fall within the corridor whose lower limit is 80% of the fair market value of System assets and whose upper limit is 120% of the fair market value of System assets.

**City of Okeechobee, Florida**  
**Business Impact Estimate**  
**Pursuant to §166.041, Florida Statutes**

Proposed ordinance's reference and title: **Ordinance No. 1286**

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA, PROVIDING FOR THE MERGER OF THE CITY OF OKEECHOBEE MUNICIPAL POLICE OFFICERS' PENSION TRUST FUND, CREATED PURSUANT TO ORDINANCE NO. 888 AS SUBSEQUENTLY AMENDED, AND THE CITY OF OKEECHOBEE MUNICIPAL FIREFIGHTERS' PENSION FUND, CREATED PURSUANT TO ORDINANCE NO. 889 AND AMENDED AND RESTATED PURSUANT TO ORDINANCE NO. 1229; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):  
**The ordinance merges the municipal police officers' and municipal firefighters' pension fund.**
2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:
  - (a) An estimate of direct compliance costs that businesses may reasonably incur;
  - (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
  - (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.**None.**
3. Good faith estimate of the number of businesses likely to be impacted by the proposed Ordinance:  
**None.**
4. Additional information the governing body deems useful (if any):  
**None.**



## ORDINANCE NO. 1287

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA, AMENDING THE CODE OF ORDINANCES AT CHAPTER 30 ENVIRONMENT; ADDING SECTION 30-47 SMOKING AT PUBLIC PARKS PROHIBITED; PROHIBITING SMOKING IN CITY PARKS; PROVIDING FOR ENFORCEABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Senate Bill (SB) 224 and House Bill (HB) 105 were filed in the Florida Legislature during the 2022 Legislative Session proposing to allow cities and counties to protect the youth of their community through the designation of smoke-free zones or designated smoking areas; and

**WHEREAS**, HB 105, as amended, passed the Florida Legislature on March 2, 2022, and was adopted by the Governor on June 24, 2022, to become effective on July 1, 2022; and

**WHEREAS**, the City Council determines a public health and safety need to prohibit smoking within the boundaries of City-owned parks.

**NOW, THEREFORE**, be it ordained before the City Council of the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City; that:

### **SECTION 1: RECITALS ADOPTED.**

Each of the above stated recitals is true and correct and incorporated herein by this reference:

### **SECTION 2: CODE AMENDED.**

The City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart A-General Ordinances, Chapter 30-Environment, to add the following:

#### **Sec. 30-47. – Smoking in city parks prohibited.**

**No person shall vape, smoke cigarettes, or smoke other tobacco products, except unfiltered cigars, within the public parks of the town.**

### **SECTION 3: ENFORCEMENT.**

Enforcement of this Section shall comply with Chapter 18-Code Enforcement; Article III–Citation Procedure.

### **SECTION 4: CONFLICT.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

### **SECTION 5: INCLUSION IN THE CODE.**

It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Okeechobee.

### **SECTION 6: SEVERABILITY.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

### **SECTION 7: EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon its passage.

**INTRODUCED** for first reading and set for final Public Hearing on this 5<sup>th</sup> day of March 2024.

ATTEST: \_\_\_\_\_  
Dowling R. Watford, Jr., Mayor

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after second reading and final Public Hearing this 2<sup>nd</sup> day of April 2024.

ATTEST: \_\_\_\_\_  
Dowling R. Watford, Jr., Mayor

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

\_\_\_\_\_  
John J. Fumero, City Attorney

**City of Okeechobee, Florida**  
**Business Impact Estimate**  
**Pursuant to §166.041, Florida Statutes**

Proposed ordinance's reference and title: **Ordinance No. 1287**

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA, AMENDING THE CODE OF ORDINANCES AT CHAPTER 30 ENVIRONMENT; ADDING SECTION 30-47 SMOKING AT PUBLIC PARKS PROHIBITED; PROHIBITING SMOKING IN CITY PARKS; PROVIDING FOR ENFORCEABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):  
**The ordinance prohibits smoking and vaping in all parks located within City limits pursuant to § 386.209, Florida Statutes, and serves the public health by reducing or eliminating the risks of exposure to secondhand smoke to all users of the City's parks.**
2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:
  - (a) An estimate of direct compliance costs that businesses may reasonably incur;
  - (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
  - (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.**None.**
3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:  
**None.**
4. Additional information the governing body deems useful (if any):  
**The proposed ordinance is an ordinance of general applicability that applies to all persons visiting City parks.**

<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.



Landmark Precast, LLC  
438 NW 10<sup>th</sup> Ave  
Homestead, FL 33030

(786) 242-8888  
LandmarkPrecast.com

February 13, 2023

VIA EMAIL

Re: 55 SE 3<sup>rd</sup> Ave, Okeechobee, FL 34974 (the "Property")

To whom it may concern,

We have set forth below a list of the terms pursuant to which Landmark Precast or its nominee, is prepared to purchase the Property, subject, of course, to the satisfactory completion of due diligence activities. This letter does not constitute an offer to purchase but is merely a letter of intent.

1. Purchaser: Landmark Precast or its nominee.
2. Property: 55 SE 3<sup>rd</sup> Ave Okeechobee, FL 34974  
[3.497 acres]
3. Seller: City of Okeechobee
4. Purchase Price and Deposit: \$325,000. Purchaser will deposit in escrow a refundable deposit of \$10,000. The refundable deposits shall become non-refundable upon expiration of the feasibility period and shall be applied to the purchase price of the Property at Closing.
5. Feasibility Period: The Purchaser shall have 60 days to conduct a comprehensive investigation and evaluation of the Property, and, together with its agents, employees, contractors, and engineers, to enter upon the Property and conduct such surveys, tests, studies, investigations, and the like as the Purchaser may deem necessary or appropriate to enable the Purchaser to determine the feasibility

of the proposed acquisition of the Property. If for any reason the results of any aspect of the Purchaser's investigation and evaluation of the Property shall be unsatisfactory to the Purchaser, in its sole discretion, the Purchaser shall have the right to terminate the Agreement, whereupon the Deposit shall be returned to the Purchaser and parties shall have no further rights, liabilities or obligations to each other thereunder.

6. Closing: If Purchaser is satisfied with the results of its due diligence, Closing will take place no longer than 30 days after expiration of feasibility period. Property will be delivered free and clear of any liens or encumbrances.
7. Closing Costs: The Agreement shall provide that the Seller and Purchaser shall divide in accordance with local custom all state and local transfer taxes, recordation taxes and other taxes, and public charges imposed upon the transfer of the Property. Purchaser shall select title agent.
8. Prorations: Real property taxes, utilities, water and sewer charges and all other expenses relating to the Property shall be adjusted as of the day of Closing.
9. Confidentiality: The parties agree that the terms of this document are confidential and shall not be released to third parties (other than the parties' attorneys, consultants, partners, accountants, lenders, investors, separate accounts, and advisors) without prior approval.
10. Non-Binding: This letter is not intended as, and does not constitute, a binding agreement by any party, nor an agreement by any party to enter into a binding agreement but is merely intended to specify some of the proposed terms and conditions of the transaction contemplated herein. Neither party may claim any legal rights against the other by reason of the signing of this letter of intent or by taking any action in reliance thereon. Each party hereto fully understands that no party shall have any legal obligations to the other, or with respect to the proposed transaction, unless and until all of the terms and conditions of the proposed transaction have been negotiated and agreed to by all parties, in their respective sole discretion, and set forth in a definitive agreement which has been negotiated, signed and delivered by all parties. The only legal obligations which any party shall have shall be those contained in such signed and delivered definitive agreement referred to above.

If this letter accurately expresses our mutual understanding, please sign in the space provided below. By your execution of this letter, you agree for the next 30 days to deal solely with us to the end of agreement upon a mutually acceptable definitive contract

Very truly yours,

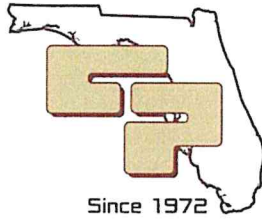
Landmark Precast, LLC

By: *Roger Tomasino*  
Roger Tomasino  
President

ACCEPTED AND AGREED TO THIS \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_



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## **SOUTH FLORIDA**

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Fax (561) 686-3705

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[s.shaw@callawayandprice.com](mailto:s.shaw@callawayandprice.com)

Robert A. Callaway, MRICS  
Cert Gen RZ2461  
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## **TREASURE COAST**

603 North Indian River Drive  
Suite 104  
Fort Pierce, FL 34950  
Phone (772) 464-8607  
Fax (772) 461-0809

Stephen G. Neill, Jr., MAI  
Cert Gen RZ2480  
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## **SPACE COAST**

1120 Palmetto Avenue  
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Melbourne, FL 32901  
Phone (321) 726-0970  
Fax (321) 726-0384

Curtis L. Phillips, MAI  
Cert Gen RZ2085  
[c.phillips@callawayandprice.com](mailto:c.phillips@callawayandprice.com)

## **CENTRAL FLORIDA**

111 North Orange Avenue  
Suite 800  
Orlando, FL 32801  
Phone (321) 726-0970  
Fax (321) 726-0384

Curtis L. Phillips, MAI  
Cert Gen RZ2085  
[c.phillips@callawayandprice.com](mailto:c.phillips@callawayandprice.com)

Please respond to the Treasure Coast office

E-Mail: [s.neill@callawayandprice.com](mailto:s.neill@callawayandprice.com)

August 15, 2023

Mr. Gary Ritter  
City Administrator  
City of Okeechobee  
55 SE 3<sup>rd</sup> Avenue  
Okeechobee, FL 34974

Dear Mr. Ritter:

We have made an investigation and analysis of the 1.497-acre vacant land located within the Okeechobee Commerce Center on the south side of NE 12<sup>th</sup> Street in Okeechobee, Florida 34972. The Subject Property will be further described both narratively and legally within the following Appraisal Report. The purpose of this investigation and analysis was to provide our opinion of the Market Value of the Fee Simple Estate in the Subject Property as of a date of Value of August 12, 2023.

This report has been prepared for our client and intended user, The City of Okeechobee. The intended use was to assist the client for internal decision-making purposes. The scope of work performed is specific to the needs of the intended user and the intended use. No other use is intended, and the scope of work may not be appropriate for other uses.

The scope of work performed included a complete analysis of the Subject Property. A detailed scope of work description can be found in the body of this report.

Mr. Gary Ritter  
City Administrator  
City of Okeechobee  
August 15, 2023  
Page 2

Based upon the scope of the assignment, our investigation and analysis of the information contained within this report, as well as our general knowledge of real estate valuation procedures and market conditions, it is our opinion that the Market Value of the Fee Simple Estate of the Subject Property as of a date of Value of August 12, 2023 was:

**\$215,000**

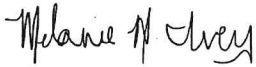
A description of the property appraised, together with an explanation of the valuation procedures utilized, is contained in the body of the attached report. For your convenience, an Executive Summary follows this letter. Your attention is directed to the Limiting Conditions and underlying assumptions upon which the value conclusions are contingent.

Respectfully submitted,

CALLAWAY & PRICE, INC.



Stephen G. Neill, MAI  
Cert Gen RZ2480



Melanie M. Ivey  
Cert Gen RZ3241

SGN/MMI/clw/23-84782  
Attachments





# Callaway & Price, Inc.

Real Estate Appraisers and Consultants

Licensed Real Estate Brokers

[www.callawayandprice.com](http://www.callawayandprice.com)

## **SOUTH FLORIDA**

1410 Park Lane South  
Suite 1  
Jupiter, FL 33458  
Phone (561) 686-0333  
Fax (561) 686-3705

Stephen D. Shaw, MAI, AI-GRS  
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[s.shaw@callawayandprice.com](mailto:s.shaw@callawayandprice.com)

Robert A. Callaway, MRICS  
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## **TREASURE COAST**

603 North Indian River Drive  
Suite 104  
Fort Pierce, FL 34950  
Phone (772) 464-8607  
Fax (772) 461-0809

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## **SPACE COAST**

1120 Palmetto Avenue  
Suite 1  
Melbourne, FL 32901  
Phone (321) 726-0970  
Fax (321) 726-0384

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Cert Gen RZ2085  
[c.phillips@callawayandprice.com](mailto:c.phillips@callawayandprice.com)

## **CENTRAL FLORIDA**

111 North Orange Avenue  
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Orlando, FL 32801  
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August 15, 2023

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City of Okeechobee  
55 SE 3<sup>rd</sup> Avenue  
Okeechobee, FL 34974

Dear Mr. Ritter:

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City Administrator  
City of Okeechobee  
August 15, 2023  
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**\$145,000**

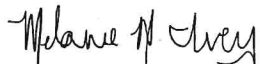
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CALLAWAY & PRICE, INC.

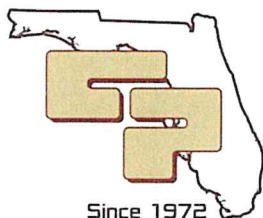


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Melanie M. Ivey  
Cert Gen RZ3241

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City of Okeechobee  
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Okeechobee, FL 34974

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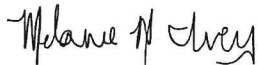
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Melanie M. Ivey  
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SGN/MMI/clw/23-84784  
Attachments



ADVANCE MEDICAL SANITATION, INC.  
BIOMEDICAL WASTE DISPOSAL

3385 - 3387 NW 151st Terrace, Miami, FL 33054  
Tel: (954) 447 8999 Fax: (954) 323-4441

February 27, 2024

Mr. Gary Ritter  
City Administrator  
City of Okeechobee  
55 SE 3<sup>rd</sup> Avenue  
Okeechobee, FL 34974

RE: Offer to Purchase One Acre of Land In the Okeechobee Industrial Park

Dear Mr. Ritter

Thanks for taking the time out to meet with us and to show us the vacant lot located in the Okeechobee Business Park.

As discussed, I am interested in purchasing the one-acre lot for the purpose of establishing a biomedical waste treatment facility. I am interested in the lot that is to the left of the property.

I am hereby offering the sum of One Hundred and Forty Thousand Dollars (\$140,000.00) for the one-acre lot.

Awaiting your response on the offer. Please do not hesitate to contact me on my cell @ # 954 394 7479, if you have any questions.

Sincerely


David Ramdon, RN, MSN, FLMI  
President & CEO



## MEMORANDUM

**DATE:** March 5, 2024

**TO:** Mayor & Council Members

**FROM:** City Administrator Gary Ritter 

**SUBJECT:** Amending positions on the salary, position and job title page in the FY 2023-2024 Budget

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Motion to approve amending the positions on the salary, position, and job title page in the FY 2023-2024 Budget.

- a. Change Operations Supervisor I (1) to Operations Supervisor I (0)
- b. Add a Maintenance Foreman (2) with a minimum salary of \$53,500 and a midpoint of \$64,925.06.

Correcting February 6, 2024, memo to Council to promote Willie Hall from a Lead Operator to a Maintenance Foreman in lieu of an Operations Supervisor I.