



CITY OF OKEECHOBEE

55 SE THIRD AVENUE
OKEECHOBEE, FL 34974

OCTOBER 17, 2023

6:00 PM

LIST OF EXHIBITS

Mayor

Dowling R. Watford, Jr.

Vice Mayor

Monica Clark

Council Members

Noel Chandler

Bob Jarriel

David McAuley

Draft Minutes
Draft Minutes
Draft Minutes
Warrant Register

September 14, 2023
September 25, 2023
October 3, 2023
September, 2023

Exhibit 1
Exhibit 2
Exhibit 3
Exhibit 4

Temporary Street Closing Application for First Baptist Church
Memo regarding Park Street Commerce Center
Ordinance No. 1275
Appointments to the Planning Board, Board of Adjustment, and
Design Review Board
Amendment 3 for project LPQ0007
Kimley-Horn Agreement
Memo regarding Newman's Power Systems Generator

Exhibit 5
Exhibit 6
Exhibit 7



CITY OF OKEECHOBEE, FLORIDA
SEPTEMBER 14, 2023, SPECIAL CITY COUNCIL MEETING
DRAFT MEETING MINUTES

I. CALL TO ORDER

Mayor Watford called the special meeting of the City Council for the City of Okeechobee to order on September 14, 2023, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida.

II. ATTENDANCE

Roll was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Vice Mayor Monica M. Clark, Council Members Noel A. Chandler, and Robert "Bob" J. Jarriel. David R. McAuley was absent with consent.

III. AGENDA AND PUBLIC COMMENTS

A. Motion and second by Council Member Chandler and Jarriel to adopt the agenda as published.
Motion Carried.

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

IV. MAYOR WATFORD OPENED THE PUBLIC HEARING AT 6:01 P.M.

A. Motion by Council Member Jarriel, second by Vice Mayor Clark to postpone until October 3, 2023, if all materials are submitted to City Staff by September 18, 2023; otherwise postpone until October 17, 2023, the motion to approve or deny with or without contingencies, Final Plat Application No. 23-003-TRC/FP, proposed development is a 16.2+/- acres commercial subdivision, to be titled: PARK STREET COMMERCE CENTER, located in the 1100 to 1200 blocks along the North side of North Park Street/State Road 70 East, just West of the eastern City Limits/Northeast 13th Avenue. The newly platted subdivision will consist of five lots for future commercial development, two master stormwater tracts, rights-of-way Northeast 3rd Street and Northeast 13th Avenue, and an abandonment of the unimproved and unutilized portion of Northeast 12th Avenue, formerly Mobley Street, submitted by Adam Ramsey, Registered Agent for Park Street Okeechobee, LLC; property owner William R. Grigsby, Jr. **Exhibit 1.** The matter will be re-noticed and advertised, once the date is determined.
Motion Carried.

MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:04 P.M.

VI. ADJOURNMENT

A. There being no further items of discussion, Mayor Watford adjourned the meeting at 6:04 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.



CITY OF OKEECHOBEE, FLORIDA
SEPTEMBER 25, 2023, REGULAR CITY COUNCIL MEETING
AND FINAL BUDGET PUBLIC HEARING
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 September 25, 2023, at 6:01 P.M. in the City Council Chambers, located at 55 Southeast (SE) 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Council Member McAuley; followed by the Pledge of Allegiance led by Mayor Watford.

II. ATTENDANCE

City Clerk Lane Gamiotea called the roll. Members present to establish a quorum: Mayor Dowling R. Watford, Jr., and Council Members Noel A. Chandler and David R. McAuley. Council Member Robert "Bob" J. Jarriel entered the Chambers at 6:19 P.M. Vice Mayor Monica M. Clark was absent with consent.

III. AGENDA AND PUBLIC COMMENTS

A. In regard to the Minutes for September 5, 2023, the version being considered for approval is the copy that reads, "Revised as of September 20, 2023." Exhibit eight was distributed prior to the meeting for New Business item "VII. H.," and item "VII. I." with Exhibit nine was added.

B. Motion and second by Council Members Chandler and McAuley to approve the agenda as amended.
Motion Carried.

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

IV. CONSENT AGENDA

Motion and second by Council Members McAuley and Chandler to:

A. Dispense with the reading and approve the Minutes for September 5, 2023, **as Revised**; and

B. Approve the August 2023 Warrant Register [in the amounts: General Fund, \$670,093.00; Public Facilities Improvement Fund, \$33,161.01; Capital Improvement Projects Fund, \$512.41; Industrial Grant Fund, \$1,350.00; and Appropriations Grant Fund, \$675.00; as presented]; and

C. Ratify the reappointment of Mr. Josh Sanders as the Fifth Trustee to the Firefighters' Pension Fund, term beginning October 1, 2023, and ending September 30, 2027.

Motion Carried.

V. PRESENTATIONS AND PROCLAMATIONS

A. Mayor Watford and Chief Hagan recognized Ms. Jeanna Kovac, Police Services Coordinator, for her years of service. Chief Hagan accepted on her behalf a monetary award of \$250.00 and a framed Certificate of Appreciation, read into the record as follows: **"Longevity Service Certificate presented to Jeanna Kovac in recognition of your 20 years of service, hard work, and dedication to the City, its citizens, and your fellow employees from September 16, 2003, through September 16, 2023."**

B. Mayor Watford and Chief Hagan recognized School Resource Officer Phillip "Skip" Eddings for his years of service. The presentation included a monetary award of \$250.00 and a framed Certificate of Appreciation, read into the record as follows: **"Longevity Service Certificate presented to Phillip "Skip" Eddings in recognition of your 20 years of service, hard work, and dedication to the City, its citizens, and your fellow employees from September 24, 2003, through September 24, 2023."**

VI. MAYOR WATFORD OPENED THE FINAL BUDGET HEARING AT 6:18 P.M.

A. Mayor Watford announced the purpose of this Public Hearing is to consider the final reading of Ordinances for the proposed Millage Rate levy and proposed Budget for Fiscal Year (FY) October 1, 2023, through September 30, 2024.

B. Mayor Watford announced the proposed Millage Rate levy represented 2.84 percent more than the roll-back rate of 6.1801 computed pursuant to Florida Statutes 200.065(1).

C. Motion and second by Council Members McAuley and Chandler to read by title only, proposed Ordinance No. 1279, levying a Millage Rate of 6.3556 on all real and tangible personal property for proposed FY October 1, 2023, through September 30, 2024 [as presented in **Exhibit 1**].
Motion Carried.

VI. FINAL BUDGET HEARING CONTINUED

- C.** Continued. City Attorney John Fumero read the title of proposed Ordinance No. 1279 into the record as follows: **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA; LEVYING THE AD VALOREM PROPERTY TAX MILLAGE RATE FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE CITY IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW FOR THE FY BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024; PROVIDING THAT 6.3556 PER THOUSAND DOLLAR VALUATION SHALL NOT BE LEVIED ON HOMESTEAD PROPERTY; THAT 6.3556 VALUATION SHALL BE USED FOR GENERAL CITY PURPOSES; THAT SAID MILLAGE RATE IS 2.84 PERCENT MORE THAN THE ROLL-BACK RATE OF 6.1801 COMPUTED IN ACCORDANCE WITH FLORIDA STATUTE 200.065(1); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

Motion and second by Council Members Chandler and McAuley to adopt proposed Ordinance No. 1279. There were no comments from the public. **Roll Call Vote:** Chandler-Yea, Clark-Absent, Jarriel-Yea, McAuley-Yea, Watford-Yea.

Motion Carried.

- D.** Motion and second by Council Members Jarriel and McAuley to read by title only, proposed Ordinance No. 1280, setting the annual Budget for FY October 1, 2023, through September 30, 2024 [as presented in **Exhibit 2**].

Motion Carried.

Attorney Fumero read the title of proposed Ordinance No. 1280 into the record as follows: **"AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE CITY OF OKEECHOBEE, FLORIDA; FOR THE FY BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; APPROPRIATING FUNDS FOR OPERATING EXPENSES OF THE CITY OF OKEECHOBEE FOR THE GENERAL OPERATION OF THE SEVERAL DEPARTMENTS OF THE CITY AND OTHER FIXED OBLIGATIONS OF THE CITY FOR AND DURING THE FY; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."**

Motion and second by Council Members McAuley and Chandler to adopt proposed Ordinance No. 1280 [the revenues and expenditures for each Fund and line items is in the Budget booklet and includes a list of employee job titles, number of employees, and the minimum, medium, maximum salary for new hires and promotions, all of which is a part of Exhibit 2]. There were no comments from the public. **Roll Call Vote:** Chandler-Yea, Clark-Absent, Jarriel-Yea, McAuley-Yea, Watford-Yea.

Motion Carried.

MAYOR WATFORD CLOSED THE FINAL BUDGET PUBLIC HEARING AT 6:24 P.M.

VII. NEW BUSINESS

- A.** Motion and second by Council Members Jarriel and McAuley to adopt proposed Resolution No. 2023-08 authorizing the execution of and accepting a Highway Lighting Maintenance and Compensation Agreement No. 432726-1-78-12 with the Florida Department of Transportation (FDOT) [as presented in **Exhibit 3**].

Attorney Fumero read the title of proposed Resolution No. 2023-08 into the record as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A STATE HIGHWAY LIGHTING, MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FDOT; PROVIDING FOR AN EFFECTIVE DATE."**

Motion Carried.

After the vote, it was realized the content for now adopted Resolution No. 2023-08 conflicted with the content within the Agreement. The Resolution should address maintenance and compensation for highway medians, not highway lighting. Council Members Jarriel and McAuley made a motion and second, to reconsider the previous action taken.

Motion to Reconsider Carried.

Motion and second by Council Members Chandler and McAuley to adopt proposed Resolution No. 2023-08, as corrected, replacing lighting with median [and any additional language changes needed]. Attorney Fumero read the corrected title into the records as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A STATE HIGHWAY MEDIAN MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FDOT; PROVIDING FOR AN EFFECTIVE DATE."**

Motion Carried.

VII. NEW BUSINESS CONTINUED

- B. Motion and second by Council Members Jarriel and Chandler to approve the 2023-2024 School Resource Officer Program Agreement with the Okeechobee County School Board [for two officers in the amount of \$122,218.00 as presented in **Exhibit 4**].
Motion Carried.
- C. Motion by Council Members Jarriel and McAuley to ratify street sweeping services for March through September 2023, in the amount of \$15,862.00 with USA Services [as presented in **Exhibit 5** under the July 18, 2017, Piggyback Agreement from the City of Cape Coral, which has expired].
Motion Carried.
- D. Motion and second by Council Members Jarriel and McAuley to approve an Agreement in the amount of \$17,767.00 to Craig A. Smith and Associates for the Construction Engineering Inspection Services for the Southwest (SW) 5th Avenue Paving Improvement Project [for the FDOT Small Counties Outreach Program Grant Contract No. G1A84, as presented in **Exhibit 6**].
Motion Carried.
- E. Motion and second by Council Members Chandler and McAuley to approve, with contingencies [as listed], Preliminary Plat Application No. 23-009-TC/PP, replatting Lots 6 through 10, TAYLOR CREEK MANOR, [as recorded in] 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 and T Fair Investments Inc., consisting of 1.39+/- acres and located at 116 SE 8th Avenue. 1. A private utility easement shall be recorded or platted over the proposed sewer service and covered in the Homeowners' Association (HOA) documents. 2. An easement and/or an HOA document condition shall provide for shared maintenance of all water services that cross over property boundaries. 3. HOA required to maintain and make provisions for the continued maintenance for storm water within the appropriate documents. [As presented in **Exhibit 7**].
Motion Carried.
- F. The communications tower located behind City Fire Station One no longer in use was recently disassembled. To recoup a portion of the cost, the Public Works Staff was selling it to a metal scrap business. Administrator Ritter conveyed the Okeechobee Utility Authority's (OUA) interest in acquiring it. **The consensus of the Council was to offer it to the OUA for the cost incurred to have it disassembled.**
- G. Administrator Ritter and Mrs. Courtney Moyett, Okeechobee County Tobacco Prevention Specialist, presented the options to create a law banning smoking, e-cigarettes/vaping, and/or all tobacco products in City Parks based on newly adopted House Bill 105. **The consensus of the Council was to entertain the possible adoption of an Ordinance banning smoking, e-cigarettes, and vaping in City Parks. Staff will proceed with creating a draft and present it to the Council at a future meeting.** The appropriate signage to post, at no expense to the City, will be furnished through Mrs. Moyett.
- H. Distributed prior to the meeting, and now labeled as **Exhibit 8**, was a rough draft of the Comprehensive Emergency Management Plan, initially written as a Peacetime Plan in 1994. The Council and Staff are to review, provide input, and comments to the Administrator's Office. Once the Plan is reviewed and corrected, a Resolution adopting the document will be presented at a future Council meeting.
- I. **Added Item.** Motion and second by Council Members Jarriel and McAuley to approve a payment in the amount of \$11,002.50 to Craig A. Smith and Associates for additional Engineering Services required to address a request from the South Florida Water Management District to satisfy final permitting requirements for the Commerce Center. The original contract was in the amount of \$49,924.00 [as presented in **Exhibit 9**].
Motion Carried.

VIII. CITY ATTORNEY UPDATE

- Reviewing/drafting various Ordinances for amendments to the Code, including changes to broaden the membership to specific Citizen Boards to include City business owners who do not reside in the County.
- Continuing to review documents submitted for a Final Plat Review.
- The title for Cattlemen's Square is an on-going issue.
- Working on the Memorandum of Understanding (MOU), to address the use of the Primitive Baptist Church property as overflow parking for Freedom Baptist Church.

IX. CITY ADMINISTRATOR UPDATE

- Expounded on the complications of the MOU with Freedom Baptist Church.
- Status on selling the City's property (three Lots) in the SW area, still waiting on the OUA's decision.

IX. CITY ADMINISTRATOR UPDATE CONTINUED

- The Okeechobee Historical Society presented the City an award for the purchase and restoration work on the Primitive Baptist Church building and property.
- Met today with the individuals working on the Marketing Grant for lodging survey in coordination with Central Florida Regional Planning Council representatives.

X. COUNCIL COMMENTS

Council Member Jarriel expressed apologies for his late arrival and commended Code Enforcement Staff for the written response they provide to property owners once their property is brought into compliance.

XI. ADJOURNMENT

There being no further items of discussion, Mayor Watford adjourned the meeting at 7:25 P.M.

Submitted By:

Lane Gamiotea, CMC, City Clerk

DRAFT

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.



CITY OF OKEECHOBEE, FLORIDA
OCTOBER 3, 2023, 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 October 10, 2023, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Pastor Joe Bishop, Chaplain, Okeechobee County Sheriff's Office; followed by the Pledge of Allegiance led by Council Member Chandler. A moment of silence was held in memory of City Police Officer Jason Chapman who lost his life in an off-duty motor vehicle accident.

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" J. Jarriel, and David R. McAuley.

III. AGENDA AND PUBLIC COMMENTS

- A. New Business, item V.B, was amended to read award a Bid rather than Contract.
- B. Motion and second by Council Members Jarriel and McAuley to approve 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 October as Domestic Violence Awareness Month. The Proclamation was presented to Ms. Monica Branch, Ms. Sally Savage, and Ms. Tina Taylor, representing Martha's House, and read into the record as follows: **"Whereas, domestic violence is a crime threatening the safety and lives of women, men, teenagers, and children, directly or through the traumatic experience of living with it at home; and Whereas, victims of domestic violence are found in every race, culture, and socioeconomic strata and the cost to our community in lost time at work, increased emergency services, missed days of school, increased medical bills, and other economic and social costs makes domestic violence a community health issue; and Whereas, the City of Okeechobee is taking a proactive stance to counter domestic violence through partnerships between Martha's House, Okeechobee's only certified domestic violence center, law enforcement, school programs, and more; and Whereas, in the past year, Martha's House has provided emergency services to more than 790 residents, including over 4,650 bed nights in shelter, 800 hotline calls, 670 safety plans, 9,400 meals served, and \$17,000.00 in direct financial assistance to local victims; and Whereas, the President of the United States and Congress as well as other Federal agencies have expressed a commitment to eliminating domestic violence both nationally and internationally. Now, Therefore, I, Dowling R. Watford, Jr., by virtue of the authority vested in me as Mayor of the City of Okeechobee, Florida, do hereby proclaim October 2023 as Domestic Violence Awareness Month in the City of Okeechobee in recognition of the important work done by Domestic Violence Programs and victims' service providers. I urge all citizens to actively participate in the scheduled activities and programs sponsored by Martha's House of Okeechobee and other community organizations to work toward the elimination of personal and institutional violence against women and girls."**
- B. Mayor Watford proclaimed the week of October 2 through 8, 2023, as Florida Climate Week. The Proclamation, which will be mailed to the VoLo Foundation, reads as follows: **"Whereas, the Climate Change 2023: Synthesis Report, listed a current temperature rise of 1.1 degrees Celsius leading to constant unnatural weather events bringing disarray to the planet and its inhabitants, and it reports an increase in weather-related disasters with every rise in temperature level; and Whereas, Florida and its 825 miles of shoreline and low elevation points of 100-feet above sea level make the State highly susceptible to sea-level rise and other natural disasters related to climate change, and the high level of carbon dioxide; and pollution also threatens to harm Florida's coral reefs and a variety of sea organisms; and Whereas, VoLo Foundation, along with other non-profit organizations, local, state, and federal partners, elected leaders, news media, volunteer and professional associations, is committed to educating Florida citizens and visitors about the climate crisis so they may take action to bring about positive, influential change to protect their families, business, and themselves; and Whereas, the citizens of Florida are encouraged to become more aware of our changing climate and participate in the various programs during Florida Climate Week that will present and discuss solutions by visiting Florida Climate Week.com. Now, Therefore, I, Dowling R. Watford, Jr., by virtue of the authority vested in me as Mayor of the City of Okeechobee, Florida, do hereby proclaim the week of October 2 through 8, 2023, as FloridaClimateWeek in the City of Okeechobee."**

V. NEW BUSINESS

A. Motion by Vice Mayor Clark, second by Council Member Chandler to approve an Agreement [No. P4196B under Awarded Contract RFQ No. ADM-01-32-07-21] in the amount of \$95,424.00 to Craig A. Smith and Associates for the construction oversight and certification of the dry retention areas and remaining lake segment of the Commerce Center as recently permitted by the South Florida Water Management District (SFWMD) under the new Permit No 47-108440-P [as presented in **Exhibit 1**].

Motion Carried Unanimously.

B. Motion and second by Council Members Chandler and McAuley to award a Bid to BandB Site Development, Inc., based on the recommendation of Craig A. Smith and Associates, to construct additional dry retention areas and lake segment at the Commerce Center in the amount of \$465,170.97 [as presented in **Exhibit 2**, related to SFWMD Permit No. 47-108440-P].

Motion Carried Unanimously.

C. Motion by Council Member Jarriel, second by Vice Mayor Clark to approve [under RFQ No. ADM-01-00-10-19] the Legal Services Agreement with Nason, Yeager, Gerson, Harris and Fumero, P.A. in the amount of \$9,900.00 per month or \$118,800.00 annually, as outlined in the Scope of Work [as presented in **Exhibit 3**, effective October 1, 2023, and replaces the January 1, 2020, Contract and Amendment No. 1, effective May 1, 2020].

Motion Carried Unanimously.

VI. CITY ATTORNEY UPDATE

- Nothing new since September 25, 2023, update.

VII. CITY ADMINISTRATOR UPDATE

- The Legislative Delegation is meeting at the County Historic Courthouse/Commission Chambers on October 4, 2023, at 3:30 P.M. Mayor Watford will be presenting the City's requests. Council Member McAuley will be presenting on behalf of the Treasure Coast Regional League of Cities.
- As requested, a form is now available for metal detecting on City property.
- Funeral Service for Officer Jason Chapman is 11:00 A.M., October 4, 2023, at Oakview Church.

VIII. COUNCIL COMMENTS

Council Member Chandler stated he is glad to be back from his trip.

Council Member Jarriel is pleased to see what the City has accomplished.

Vice Mayor Clark expressed appreciation for the prayers and words of encouragement for her daughter.

IX. ADJOURNMENT

There being no further items of discussion, Mayor Watford adjourned the meeting at 6:39 P.M.

Submitted By:

Lane Gamiotea, CMC, City Clerk



Okeechobee, FL

Check Report

By Check Number

Date Range: 09/01/2023 - 09/30/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: CapVeh Fund-Capital Vehicle Fund Truist Checking						
BOA- 3373 fka 2149 P	Bank of America 3373 fka 2149 PD#1	09/11/2023	Regular	0.00	924.96	1966
ICS	ICS Computers Inc.	09/29/2023	Regular	0.00	972.90	1967

Bank Code CapVeh Fund Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	3	2	0.00	1,897.86
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	3	2	0.00	1,897.86

Check Report

Date Range: 09/01/2023 - 09/30/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: GenFund-General Fund Checking-Truist Checking						
City Of Okeechobee P	City Of Okeechobee Payroll Account	09/06/2023	EFT	0.00	107,120.08	203
1644	PRM - Health Insurance	09/15/2023	EFT	0.00	54,412.38	204
1770	PRM - Life, LTD & STD	09/15/2023	EFT	0.00	2,371.92	205
1770	PRM - Life, LTD & STD	09/15/2023	EFT	0.00	1,382.60	206
1645	PRM - Vision & Dental	09/15/2023	EFT	0.00	2,326.27	207
City Of Okeechobee P	City Of Okeechobee Payroll Account	09/21/2023	EFT	0.00	110,125.98	208
City Of Okeechobee P	City Of Okeechobee Payroll Account	09/21/2023	EFT	0.00	538.26	209
BOA- 2709 fka 0257 a	Bank of America - 2709 fka 0257 Admin	09/11/2023	Regular	0.00	3,700.47	46316
	Void	09/11/2023	Regular	0.00	0.00	46317
BOA- 9616	Bank of America - 9616 PD#2	09/11/2023	Regular	0.00	3,433.88	46318
BOA- 9852 fka 8540	Bank of America - 9852 fka 8540	09/11/2023	Regular	0.00	417.94	46319
BOA- 9928 fka 2303 P	Bank of America - 9928 fka 2303 PW	09/11/2023	Regular	0.00	1,230.07	46320
AAActionpower	AAAction Power Equipment LLC	09/15/2023	Regular	0.00	577.98	46321
AdvanceAuto	Advance Auto Parts	09/15/2023	Regular	0.00	323.30	46322
American Drilling Se	American Drilling Services, Inc.	09/15/2023	Regular	0.00	420.00	46323
America's Office Sou	America's Office Source	09/15/2023	Regular	0.00	143.31	46324
Apple Machine and Su	Apple Machine and Supply Co.	09/15/2023	Regular	0.00	353.23	46325
Bettye Taylor	Bettye Taylor	09/15/2023	Regular	0.00	108.00	46326
C&C Industrial Enter	C&C Industrial Enterprise. LLC	09/15/2023	Regular	0.00	154.70	46327
621	City Of Okeechobee - Petty Cash	09/15/2023	Regular	0.00	10.00	46328
Comcast	Comcast	09/15/2023	Regular	0.00	120.00	46329
Double Nickel Speedo	Double Nickel Speedometer Testing	09/15/2023	Regular	0.00	1,000.00	46330
2057	FDC SUPPLIES	09/15/2023	Regular	0.00	275.70	46331
CIT Technology Finan	First-Citizens Bank & Trust Co	09/15/2023	Regular	0.00	996.68	46332
Fitness Factory	Fitness Factory	09/15/2023	Regular	0.00	200.00	46333
FPU	Florida Public Utilities	09/15/2023	Regular	0.00	59.89	46334
Gilbert Outdoors	Gilbert Outdoors	09/15/2023	Regular	0.00	533.44	46335
Glades Air Condition	Glades Air Conditioning	09/15/2023	Regular	0.00	345.58	46336
Global Mapping, Inc.	Global Mapping, Inc.	09/15/2023	Regular	0.00	2,500.00	46337
gfoa	Government Finance Officers Association	09/15/2023	Regular	0.00	170.00	46338
HealthEquity	HealthEquity	09/15/2023	Regular	0.00	13.50	46339
HealthEquity	HealthEquity	09/15/2023	Regular	0.00	657.05	46340
ICS	ICS Computers Inc.	09/15/2023	Regular	0.00	2,080.00	46341
IMS	IMS	09/15/2023	Regular	0.00	279.78	46342
2253	MacVicar Consulting, Inc.	09/15/2023	Regular	0.00	250.00	46343
962	Newmans Power Systems, Inc.	09/15/2023	Regular	0.00	779.21	46344
BOCC	Okeechobee County - BOCC	09/15/2023	Regular	0.00	650.00	46345
143	Okeechobee Discount Drug	09/15/2023	Regular	0.00	282.70	46346
1727	Okeechobee Dodge Chrysler Jeep	09/15/2023	Regular	0.00	1,046.63	46347
222	Okeechobee News c/o Independent Newspape	09/15/2023	Regular	0.00	1,340.88	46348
OReilly	O'Reilly Auto Parts	09/15/2023	Regular	0.00	216.55	46349
1393	Pamela Wilkerson	09/15/2023	Regular	0.00	108.00	46350
2191	Porter Lee Corporation	09/15/2023	Regular	0.00	875.00	46351
Rabon	Rabon's Country Feed	09/15/2023	Regular	0.00	52.67	46352
RMPK	RMPK Funding Inc.	09/15/2023	Regular	0.00	4,000.00	46353
2157	Roger Azcona, Esq.	09/15/2023	Regular	0.00	900.00	46354
554	Scott's Quality Cleaning	09/15/2023	Regular	0.00	422.50	46355
2183	Select Shred	09/15/2023	Regular	0.00	30.00	46356
St Lucie	St. Lucie Battery & Tire	09/15/2023	Regular	0.00	230.68	46357
350	Superior Water Works, Inc.	09/15/2023	Regular	0.00	55.00	46358
Supplyline	Supplyline	09/15/2023	Regular	0.00	143.94	46359
Taylor Rental	Taylor Rental - Okeechobee	09/15/2023	Regular	0.00	860.87	46360
Texas Underground	Texas Underground, Inc.	09/15/2023	Regular	0.00	661.00	46361
1906	Thread Works Embroidery, LLC	09/15/2023	Regular	0.00	151.00	46362
TCMA	Treasure Coast Medical Associates	09/15/2023	Regular	0.00	2,864.00	46363
1544	UniFirst Corp	09/15/2023	Regular	0.00	413.45	46364
338	US Postal SVC/Neopost Postage On Call	09/15/2023	Regular	0.00	1,000.00	46365
Verizon	Verizon Wireless	09/15/2023	Regular	0.00	72.14	46366
Verizon	Verizon Wireless	09/15/2023	Regular	0.00	411.69	46367
W&W	W&W Lumber Company of Okeechobee	09/15/2023	Regular	0.00	569.22	46368

Check Report

Date Range: 09/01/2023 - 09/30/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
2244	Waste Management	09/15/2023	Regular	0.00	48,721.61	46369
WEX	WEX Bank	09/15/2023	Regular	0.00	7,609.15	46370
984	Wise Choice Plumbing, Inc.	09/15/2023	Regular	0.00	275.00	46371
CenturyLink-Fiber	Century Link	09/21/2023	Regular	0.00	1,826.54	46372
Home Depot	Home Depot Credit Services	09/21/2023	Regular	0.00	1,293.64	46373
Jennifer Rosas	Jennifer Rosas	09/21/2023	Regular	0.00	23.55	46374
Katie Rogers	Katie Rogers	09/21/2023	Regular	0.00	32.94	46375
OUA	Okeechobee Utility Authority	09/21/2023	Regular	0.00	1,048.26	46376
Sprint	Sprint	09/21/2023	Regular	0.00	77.02	46377
Verizon	Verizon Wireless	09/21/2023	Regular	0.00	815.10	46378
AAActionpower	AAAction Power Equipment LLC	09/29/2023	Regular	0.00	101.93	46379
AdvanceAuto	Advance Auto Parts	09/29/2023	Regular	0.00	183.31	46380
Aeris	Aeris LLC	09/29/2023	Regular	0.00	1,950.00	46381
AFLAC	American Family Life Assurance Co.	09/29/2023	Regular	0.00	292.28	46382
America's Office Sou	America's Office Source	09/29/2023	Regular	0.00	537.47	46383
2207	Arrigo Dodge	09/29/2023	Regular	0.00	692.08	46384
BOA- 2709 fka 0257 a	Bank of America - 2709 fka 0257 Admin	09/29/2023	Regular	0.00	5,119.43	46385
	Void	09/29/2023	Regular	0.00	0.00	46386
	Void	09/29/2023	Regular	0.00	0.00	46387
BOA- 9616	Bank of America - 9616 PD#2	09/29/2023	Regular	0.00	1,758.71	46388
BOA- 9852 fka 8540	Bank of America - 9852 fka 8540	09/29/2023	Regular	0.00	653.05	46389
BOA- 9928 fka 2303 P	Bank of America - 9928 fka 2303 PW	09/29/2023	Regular	0.00	1,861.29	46390
C&C Industrial Enter	C&C Industrial Enterprise. LLC	09/29/2023	Regular	0.00	46.10	46391
Carl Berlin	Carl Berlin	09/29/2023	Regular	0.00	35.00	46392
CenturyLink-Local	CenturyLink	09/29/2023	Regular	0.00	2,120.81	46393
City Electric Supply	City Electric Supply	09/29/2023	Regular	0.00	74.95	46394
621	City Of Okeechobee - Petty Cash	09/29/2023	Regular	0.00	32.50	46395
Comcast	Comcast	09/29/2023	Regular	0.00	216.30	46396
Communications Inter	Communications International, Inc.	09/29/2023	Regular	0.00	1,832.21	46397
Dawn Hoover	Dawn Hoover	09/29/2023	Regular	0.00	50.00	46398
FPL	Florida Power & Light Company	09/29/2023	Regular	0.00	1,048.38	46399
FPL	Florida Power & Light Company	09/29/2023	Regular	0.00	3,292.48	46400
GALLS, LLC	GALLS, LLC	09/29/2023	Regular	0.00	151.49	46401
Glades Air Condition	Glades Air Conditioning	09/29/2023	Regular	0.00	5,260.00	46402
Harris	Harris Corporation	09/29/2023	Regular	0.00	738.00	46403
1892	Highland Pest Control	09/29/2023	Regular	0.00	215.00	46404
ICS	ICS Computers Inc.	09/29/2023	Regular	0.00	182.95	46405
International Towers	International Towers LLC	09/29/2023	Regular	0.00	7,367.92	46406
2174	James Shaw	09/29/2023	Regular	0.00	35.00	46407
1866	JC Newell Const. Inspect. Services, Inc.	09/29/2023	Regular	0.00	5,356.00	46408
JonathanFolbrecht	Jonathan Folbrecht	09/29/2023	Regular	0.00	35.00	46409
1532	Karyne Brass	09/29/2023	Regular	0.00	35.00	46410
Kimley-Horn and Asso	Kimley-Horn and Associates, Inc.	09/29/2023	Regular	0.00	2,646.00	46411
594	KYOCERA Document Solutions Southeast	09/29/2023	Regular	0.00	44.24	46412
1071	LegalShield	09/29/2023	Regular	0.00	14.95	46413
117	Liberty National Life Ins. Co.	09/29/2023	Regular	0.00	179.28	46414
MissionSquare	MissionSquare	09/29/2023	Regular	0.00	2,600.00	46415
MissionSquare	MissionSquare	09/29/2023	Regular	0.00	231.74	46416
Morris-Depew Associa	Morris-Depew Associates, Inc.	09/29/2023	Regular	0.00	22,506.42	46417
2212	Nason Yeager Gerson Harris & Fumero P.A.	09/29/2023	Regular	0.00	9,400.00	46418
1727	Okeechobee Dodge Chrysler Jeep	09/29/2023	Regular	0.00	212.88	46419
O'Reilly	O'Reilly Auto Parts	09/29/2023	Regular	0.00	80.17	46420
1564	Philip Baughman	09/29/2023	Regular	0.00	35.00	46421
Rafael's	Rafael's Window Tint	09/29/2023	Regular	0.00	125.00	46422
2157	Roger Azcona, Esq.	09/29/2023	Regular	0.00	450.00	46423
1574	Salem Trust Company	09/29/2023	Regular	0.00	5,400.86	46424
1574	Salem Trust Company	09/29/2023	Regular	0.00	9,667.32	46425
554	Scott's Quality Cleaning	09/29/2023	Regular	0.00	3,904.11	46426
2183	Select Shred	09/29/2023	Regular	0.00	30.00	46427
St Lucie	St. Lucie Battery & Tire	09/29/2023	Regular	0.00	197.53	46428
350	Superior Water Works, Inc.	09/29/2023	Regular	0.00	82.50	46429

Check Report
Date Range: 09/01/2023 - 09/30/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Supplyline	Supplyline	09/29/2023	Regular	0.00	559.98	46430
Taylor Rental	Taylor Rental - Okeechobee	09/29/2023	Regular	0.00	29.16	46431
1813	Thompson Reuters	09/29/2023	Regular	0.00	104.36	46432
Tire Zone	Tire Zone of Okeechobee, Inc.	09/29/2023	Regular	0.00	1,184.92	46433
1516	Total Roadside Services, Inc.	09/29/2023	Regular	0.00	365.00	46434
1861	TransUnion Risk & Alternative Data	09/29/2023	Regular	0.00	75.00	46435
TCMA	Treasure Coast Medical Associates	09/29/2023	Regular	0.00	166.50	46436
814	Treasure Coast Newspapers	09/29/2023	Regular	0.00	213.75	46437
1977	Truly Nolen of America, Inc.	09/29/2023	Regular	0.00	9,486.00	46438
1544	UniFirst Corp	09/29/2023	Regular	0.00	317.99	46439
1939	United Way	09/29/2023	Regular	0.00	36.00	46440
W&W	W&W Lumber Company of Okeechobee	09/29/2023	Regular	0.00	598.89	46441
743	Walmart/Capital One	09/29/2023	Regular	0.00	496.62	46442

Bank Code GenFund Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	214	124	0.00	212,931.25
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	7	7	0.00	278,277.49
	221	134	0.00	491,208.74

Check Report

Date Range: 09/01/2023 - 09/30/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Grant Fund 305-Industrial Development Fund						
CraigSmith	Craig A Smith	09/29/2023	Regular	0.00	9,652.50	1401
627	Shenandoah General Construction LLC	09/29/2023	Regular	0.00	976,308.50	1402

Bank Code Grant Fund 305 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	2	2	0.00	985,961.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	2	2	0.00	985,961.00

Check Report

Date Range: 09/01/2023 - 09/30/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Grant Fund 307-Appropriations Grant Fund						
CAS Governmental Ser	CAS Governmental Services, LLC	09/15/2023	Regular	0.00	675.00	1400
Kimley-Horn and Asso	Kimley-Horn and Associates, Inc.	09/29/2023	Regular	0.00	4,779.00	1403

Bank Code Grant Fund 307 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	2	2	0.00	5,454.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	2	2	0.00	5,454.00

Check Report

Date Range: 09/01/2023 - 09/30/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: PubFac Fund-Public Facility Fund-Truist Checking						
BOA- 9928 fka 2303 P	Bank of America - 9928 fka 2303 PW	09/11/2023	Regular	0.00	2,052.35	3679
CW Roberts Contracti	CW Roberts Contracting, Inc.	09/15/2023	Regular	0.00	2,530.50	3680
Taylor Rental	Taylor Rental - Okeechobee	09/15/2023	Regular	0.00	482.00	3681
FPL	Florida Power & Light Company	09/21/2023	Regular	0.00	5,672.43	3682
BOA- 9928 fka 2303 P	Bank of America - 9928 fka 2303 PW	09/29/2023	Regular	0.00	1,079.14	3683
Diamond R Fertilizer	Diamond R Fertilizer Co., Inc.	09/29/2023	Regular	0.00	81.00	3684
Nunez Lawncare & Lan	Nunez Lawncare & Landscaping Inc	09/29/2023	Regular	0.00	35,000.00	3685

Bank Code PubFac Fund Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	9	7	0.00	46,897.42
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	9	7	0.00	46,897.42

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	230	137	0.00	1,253,141.53
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	7	7	0.00	278,277.49
	237	147	0.00	1,531,419.02

Fund Summary

Fund	Name	Period	Amount
001	GENERAL FUND	9/2023	491,208.74
301	PUBLIC FACILITY FUND	9/2023	46,897.42
304	CAPITAL PROJECTS FUND	9/2023	1,897.86
305	INDUSTRIAL DEVELOPMENT FUND	9/2023	985,961.00
307	APPROPRIATIONS GRANT FUND	9/2023	5,454.00
			1,531,419.02

SEP 28 2023

Page 1 of 3
Revised 3/5/19



CITY OF OKEECHOBEE

55 SE THIRD AVENUE

OKEECHOBEE, FL 34974

Tele: 863-763-9821 Fax: 863-763-1686

**PARK USE AND/OR TEMPORARY STREET/
SIDEWALK CLOSING
PERMIT APPLICATION**

Date Received:	9-28-23	Date Issued:	
Application No:	23-014	Date(s) & Times of Event:	5:30 - 7:30 PM, 10/31/2023

Information:	Community Fall Festival
Organization:	FIRST BAPTIST CHURCH of Okeechobee
Mailing Address:	401 SW 4th Street, Okeechobee, FL 34974
Contact Name:	Melanie Books
E-Mail Address:	melanie@fbcokee.org

Telephone:					
Work:	863-467-7625	Home:		Cell:	772-633-9777

Summary of activities:
Fall Festival Free Candy w/ Trunk or Treat, Games, food trucks
First Baptist Football Field

Proceeds usage:	free, excluding purchases at food trucks.

Please check requested Parks: N/A

Flagler Parks: ☐ City Hall Park ☐ #1 Memorial Park ☐ #2 ☐ #3 ☐ #4 ☐ #5 ☐ #6
[Park 3 is location of Gazebo. Park 4 is location of Bandstand]

(If other private property used in conjunction with this Park Use Permit please provide the address and parcel number below along with notarized letter of authorization from property owner)

Additional Addresses, if applicable _____
Parcel ID: _____

TEMPORARY STREET AND SIDEWALK CLOSING INFORMATION
(Street Closings require City Council approval. Meetings 1st & 3rd Tuesdays but subject to change)

Address of Event: Football field to the South of the ROC, 310 SW 5th Ave
& 509 SW 4th St, Okeechobee, FL 34974

Street(s) to be closed:	<u>Portion of SW 4th St between 5th & 6th Ave's</u>
Date(s) to be closed:	<u>10/31/2023</u>
Time(s) to be closed:	<u>5pm - 9pm</u>
Purpose of Closing:	<u>pedestrian crossing / safety</u>

Attachments Required for Use of Parks

Attachments Required for Street/Sidewalk Closings

▶ Site Plan	▶ Site Plan <u>See Attached</u>
▶ Copy of liability insurance in the amount of \$1,000,000.00 with the City of Okeechobee as additional insured.	▶ Copy of liability insurance in the amount of \$1,000,000.00 with the City of Okeechobee and R.E. Hamrick Testamentary Trust as Additional Insured.
▶ Proof of non-profit status	▶ Original signatures of all residents, property owners and business owners affected by the closing. <u>N/A</u>
▶ State Food Service License if > 3 days.	▶ State Food Service License if > 3 days. <u>N/A</u>
▶ Notarized letter of authorization from property owner, if applicable.*	▶ State Alcoholic Beverage License, if applicable.** <u>N/A</u>

* Required if private property used in conjunction with a Park Use application.

** Alcoholic beverages can be served **only** on private property. Alcoholic beverages **NOT ALLOWED** in City Parks, City streets or City sidewalks. See additional note below.

☐ Please check if items will be sold on City streets/sidewalks. Each business will need to apply for a Temporary Use Permit 667 along with the Street Closing application.

Note:

- ▶ Clean-up is required within 24 hours.
- ▶ No alcoholic beverages permitted on City property, streets or sidewalks.
- ▶ No donations can be requested if any type of alcoholic beverages are served on private property/business unless you possess a State Alcoholic Beverage License. Please note there are inside consumption and outside consumption licenses. You must have the appropriate license(s).
- ▶ The Department of Public Works will be responsible for delivering the appropriate barricades.
- ▶ Dumpsters and port-o-lets are required when closing a street for more than three (3) hours.

Applicant must meet any insurance coverage and code compliance requirements of the City and other regulations of other governmental regulatory agencies. The applicant will be responsible for costs associated with the event, including damage of property. By receipt of this permit, the applicant agrees and shall hold the City harmless for any accident, injury, claim or demand whatever arises out of applicant's use of location for such event, and shall indemnify and defend the City for such incident, including attorney fees. The applicant shall be subject to demand for, and payment of, all of the actual costs incurred by the City pertaining to the event including, but not limited to, Police, Fire, Public Works or other departmental expenses. The City reserves the right to require from an applicant a cashier's check or advance deposit in the sum approximated by the City to be incurred in providing City services. Any such sum not incurred shall be refunded to the applicant of this Park Use/Street Closing Permit.

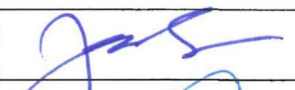




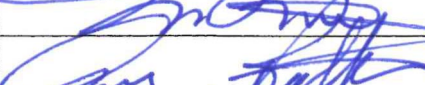
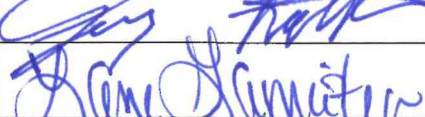
I hereby acknowledge that I have read and completed this application, the attached Resolutions No.(s) 03-8 and 04-03, concerning the use and the rules of using City property, that the information is correct, and that I am the duly authorized agent of the organization. I agree to conform with, abide by and obey all the rules and regulations, which may be lawfully prescribed by the City Council of the City of Okeechobee, or its officers, for the issuance

Certificate of Insurance must name City of Okeechobee as Additional Insured as well as **R.E. Hamrick Testamentary Trust** if closing streets or sidewalks.

Applicant Signature Melania Hooks Date 10/5/2023
via phone

••••OFFICE USE ONLY••••

Staff Review

Fire Department:		Date:	<u>10/5/23</u>
Building Official:		Date:	<u>10-10-23</u>
Public Works:		Date:	<u>10-9-23</u>
Police Department:		Date:	<u>10/06/23</u>
BTR Department:		Date:	<u>10/9/23</u>
City Administrator:		Date:	<u>10/9/23</u>
City Clerk:		Date:	<u>10/9/2023</u>

NOTE: APPLICATION AND INSURANCE CERTIFICATE MUST BE COMPLETED AND RETURNED TO THE GENERAL SERVICES DEPARTMENT THIRTY (30) DAYS PRIOR TO EVENT FOR PERMITTING.

Temporary Street and Sidewalk Closing submitted for review by City Council on 10-17-23
Date

Temporary Street and Sidewalk Closing reviewed by City Council and approved _____
Date



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Not For Profit Corporation

FIRST BAPTIST CHURCH OF OKEECHOBEE, INC.

Filing Information

Document Number 718538
FEI/EIN Number 59-0948707
Date Filed 05/18/1970
State FL
Status ACTIVE

Principal Address

401 S.W. 4TH ST.
ATTN: BEVERLY SHURLEY
OKEECHOBEE, FL 34974-4240

Changed: 04/03/2001

Mailing Address

401 S.W. 4TH ST.
ATTN: BEVERLY SHURLEY
OKEECHOBEE, FL 34974-4240

Changed: 04/03/2001

Registered Agent Name & Address

LEVINS, THOMAS C
8511 S.W. 2ND STREET
OKEECHOBEE, FL 34974

Name Changed: 05/01/2008

Address Changed: 05/01/2008

Officer/Director Detail

Name & Address

Title TD

TURBEVILLE, JOI C
2198 N.E. 54th Trail
OKEECHOBEE, FL 34972

Title SD

WHITE, ROBERT D
1888 N.W. 3RD LANE
OKEECHOBEE, FL 34972

Title PD

LEVINS, THOMAS C
8511 S.W. 2ND STREET
OKEECHOBEE, FL 34974

Title VP

GILLIS, TIM
1910 N.E. 54TH TRAIL
OKEECHOBEE, FL 34972

Title Director

Caves, Robert
815 SE 9th Court
Okeechobee, FL 34974

Annual Reports

Report Year	Filed Date
2021	03/16/2021
2022	03/16/2022
2023	02/28/2023

Document Images

02/28/2023 -- ANNUAL REPORT	View image in PDF format
03/16/2022 -- ANNUAL REPORT	View image in PDF format
03/16/2021 -- ANNUAL REPORT	View image in PDF format
06/08/2020 -- ANNUAL REPORT	View image in PDF format
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05/01/2008 -- ANNUAL REPORT	View image in PDF format

<u>05/23/2007 -- ANNUAL REPORT</u>	View image in PDF format
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<u>04/26/2005 -- ANNUAL REPORT</u>	View image in PDF format
<u>10/25/2004 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/16/2004 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/07/2003 -- ANNUAL REPORT</u>	View image in PDF format
<u>05/13/2002 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/03/2001 -- ANNUAL REPORT</u>	View image in PDF format
<u>05/15/2000 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/07/1999 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/16/1998 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/06/1997 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/04/1996 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/26/1995 -- ANNUAL REPORT</u>	View image in PDF format

CITY OF OKEECHOBEE FIRE DEPARTMENT

APPLICATION FOR SPECIAL EVENT

Application Number:

23-014

Date Received:

9-28-23

NAME OF EVENT:

Fall Festival 1st Baptist Okeechobee Childrens Ministry
Ball fields South of the ROC:

ADDRESS OF EVENT:

310 SW 10th Ave.

DESCRIPTION OF EVENT:

fall festival w/ game booths, free candy + refreshments, inflatables will be
set up by rental company + operated by multiple adults. + ... + set 'hood

NAME OF SPONSOR ORGANIZATION:

First Baptist Church of Okeechobee

Contact Number before and during event

OF RESPONSIBLE PERSON: () 772-633-9999

RESPONSIBLE PERSON'S NAME:

Melanie Rocks

melanie
Rocks

DATE(S) AND TIME(S) OF EVENT:

Date: 10-31-23

Starting Time: 5:30 PM

Closing Time: 7:30 PM

Date:

Starting Time:

Closing Time:

ARE ANY ROADWAYS TO BE BLOCKED/CLOSED?

YES

LOCATION

SW 4th ST btwn 5th + 6th Aves.

Will Emergency Apparatus (Fire and Ambulance) have access to area?

YES

IF NO, THEN (provide alternatives):

WILL ELECTRICITY BE USED?

YES ☒ NO ☐ (circle)

Locations: Center of ball field

Provided By:

JLM Electric LLC

WILL HEATING/OPEN FLAMES FOR FOOD BE PROVIDED? (circle) YES ☐ NO ☒

Type of Heating Equipment Used:

WILL A TENT BE ERECTED? (circle)

YES ☒NO ☐

No larger than 10' x 10'

Tent Manufacturer:

Size

fire rating posted:

Tent have sides and how many?

N/A

Are there Fire Extinguishers accessible and ready for use? (circle) Yes No

ATTACH SITE MAP OF EVENT LAYOUT

FIRE SERVICES SHALL COMPLETE ITEMS BELOW:

FIRE DEPARTMENT LIFE SAFETY & FIRE SERVICES REQUIREMENTS: (See above)

- ☐ Tents/canopy fire rating certificate required.
- ☐ Tent Size require life safety inspection (900 square feet or less then no permit is required)
- ☐ Floor plan / seating / setup drawing required showing exits, etc.
- ☐ Emergency access must be maintained. (REFERS TO VEHICLES AND EQUIPMENT)
- ☐ Fire extinguishers must have current tag, and be operational and readily accessible.
- ☐ Cooking requires LPG outside of tent pointing away from exposures.
- ☐ Electrical wiring exterior rated, not overloaded.
- ☐ Fire Services inspection required.
- ☐ Fire watch or inspector(s) REQUIRED? FIRE WATCH Amount: _____
- ☐ Firefighter/Inspector Amount: _____ ☐ Other: _____

FIRE DEPARTMENT OFFICIAL (PRINT):

SIGNATURE:

Jessica Sasser

Please call the FD at 863-467-1586 for any questions.



FBC Okeechobee Fall Festival, Temporary Street Closing

Saturday, October 31st.

Event Time (approximately): 5:30 - 7:30 PM

Street Closing (approximately): 5 to 9 PM.

The portion of the street to be temporarily closed is SW 4th Street between SW 5th and 6th Avenues for pedestrian safety. Should the Police Dept find it necessary, the portion of SW 5th Avenue between the ball field and FBC main campus may need to be temporarily closed due to amount of pedestrian traffic.

- ▶ Barricades are requested to close off both ends of 4th Street from Public Works.
- ▶ The Fire and Police Departments are invited to participate by having a booth/tent within the ball field during the event.
- ▶ Requesting the Police Department to assist with traffic at the intersection of SW 4th Street and SW 5th Avenue during the event times.
- ▶ Food Trucks will abide by all regulations in newly adopted Ordinance #1272, Sections 14-363 and 14-364. The food trucks will be parked within the temporarily closed portion of SW 4th ST.

- (f) Placement of tables, seating, and canopies is not permitted in association with MFDV operations.
- (g) All standards of Section 14-364 shall apply.
- (2) Class III vehicles may operate in the public right-of-way in any zoning district according to the following standards:
 - (a) The MFDV may not be stationary for periods exceeding 20-minutes and must not constitute a hazard to vehicular or pedestrian traffic at any time.
 - (b) No accessory or appurtenant structures or fixtures shall be erected, installed, or constructed, and no temporary awning or canopy may be employed.
 - (c) No tables, seating, or canopies may be provided.
 - (d) No sale of goods shall occur outside of any vehicle operating on public rights-of-way.
 - (e) Operation is limited to the hours between 9:00 a.m. and sundown, whatever time that may occur.
 - (f) No sale or distribution of alcoholic beverages is permitted.
 - (g) Short, pre-recorded amplified songs or tunes may be broadcast so long as they comply with the City Noise and Vibration Standards. Amplified music lyrics may not be broadcast at any time.
 - (h) All standards of Section 14-364 shall apply.

Section 14-362. Operating with a Special Exception Use Approval.

All classes of MFDVs may operate as a Special Exception Use in those zoning districts where MFDVs are listed as a Special Exception Use and only as approved through the Special Exception Use Petition process in accordance with any conditions and site design standards required as part of the Special Exception Use Petition approval. Application considerations are as follows:

- (1) A pre-petition meeting with City staff is recommended.
- (2) Upon determination by the City Administrator, a traffic impact study may be required.
- (3) A site plan shall be submitted demonstrating adequacy of parking, internal/external vehicular circulation, pedestrian safety, customer service area, compatibility with existing onsite and offsite uses.
- (4) Adequate sanitary facilities, utility, drainage, refuse management, emergency services and access, and similar necessary facilities and services will be available to serve employees and patrons.
- (5) All standards of Section 14-364.
- (6) Standards for granting a Special Exception Use provided in Section 70-373(b) and the findings for approval provided in Section 70-373(c).
- (7) The ultimate decision to approve, deny, or approve with conditions any Special Exception Use Petition shall be the responsibility of the City Board of Adjustment, which may impose any condition necessary to ensure compatibility of the proposed use and ensure public health, safety, and welfare.

Section 14-363. Operating with a Temporary Use Permit.

MFDVs may operate on private property, public property and on rights-of-way as authorized by a Temporary Use Permit and in accordance with any conditions of that permit. Guidelines for MFDV Temporary Use Permit conditions are as follows:

After Temp.
Use Permit
issued, FBC
to provide a copy
to each Food Truck.

The ROC will
be open to provide
restroom. FBC
staff handling all
trash bins.

FBC Staff will
advise food truck

Food Truck
Owners
will be
responsible
for this section.

Only 2-hours
for event

(1) The MFDV operator shall produce a copy of the Temporary Use Permit for inspection upon request by a representative of the City or any regulating agency.

(2) MFDV conducting business in conjunction with a City sanctioned event or activity, or events held on City owned or controlled property shall comply with all standards and requirements as established by the event coordinator and/or General Services Department, in addition to any applicable regulatory agency's regulations.

(3) Adequate sanitary facilities, utility, drainage, refuse management, emergency services and access, and similar necessary facilities and services will be available to serve employees, patrons, or participants.

(4) Where a tent or similar structure is to be used, such structure shall:

(a) Comply with the requirements of the Fire Marshal.

(b) Provide the City with a certificate of insurance to cover the liability of the applicant or sponsor.

(c) Demonstrate that the tent is flame resistant by providing a certificate of flame resistance or other assurance that the structure has been properly treated with a flame retarder and has been maintained as such.

(5) Freestanding signage for each MFDV is limited to one (1) non-affixed, A-frame ground sign to be no larger than 20-square feet in area (including both sides), to be removed once the MFDV is no longer operational.

(6) All standards of Section 14-364 shall apply.

Section 14-364. General Operating Standards.

The following standards shall apply to all MFDVs operating in the City unless otherwise stated in the conditions of a Special Exception Use Petition approval or Temporary Use Permit approval or otherwise stated elsewhere in this Chapter.

(1) Any person engaged in selling, preparing, or dispensing food from a MFDV shall obtain the appropriate approvals and licenses from the State of Florida DBPR, Florida Department of Health, and/or the Florida Department of Agriculture and Consumer Services before operating and shall provide copies of all approvals and licenses upon request.

(2) The operator of a MFDV shall provide the City, or other regulatory agencies, their Florida State sales tax number upon request and shall maintain display a current vehicle registration tag.

(3) The operator shall make the MFDV available for routine inspections by the Fire Marshal, City Building Official, or City Code Enforcement Officer at any time requested and at any frequency deemed appropriate, while at location or in operation, to ensure compliance with all applicable Federal, State, and local fire safety statutes, regulations and codes, and local regulations of this Section.

(4) The operator of the MFDV shall comply with all requirements of the most current edition of the Florida Fire Prevention Code (FFPC) and the National Fire Protection Association (NFPA). Upon inspection, if the Fire Marshal or an authorized designee determines any violations of the FFPC or NFPA exist, the mobile food establishment can be required to cease operations immediately.

(5) Mobile food establishments shall have hand sanitizer, or similar, visible and readily available for customer use at all times during hours of operation.

(6) MFDVs that remain operational on the same site for longer than three (3) consecutive hours must provide restrooms, or written consent from the property owner allowing public access to existing restrooms within 150-feet of the stationary vehicle.

(7) MFDV operations shall not interfere with vehicular and pedestrian movement or visibility, block access to loading/service areas, emergency access and fire lanes, driveways, sidewalks, emergency exits, or damage landscaped areas on adjacent sites.

(8) Except for Class III MFDVs operating in the right-of-way according to the provisions of Section 14-361(2), waste receptacles, not less than 32-gallons, shall be provided adjacent to the MFDV for litter associated with the sales activity. The MFDV operator shall remove all litter, debris, and other waste attributable to the vendor and/or customers daily and ensure that waste disposal receptacle is not overfilled at any time.

(9) Waste, fat, oil, grease, greywater, or similar substances shall not be discharged into any stormwater system, landscape area, sidewalks, or rights-of-way. MFDV operators are responsible for proper disposal of any waste material in accordance with Federal, State, County, or Municipal laws, rules, regulations, orders, or permits.

N/A (10) MFDVs shall not sell alcohol unless specifically licensed to do so and must provide copies of all alcohol-related licensing upon request.

(11) Except for Class III vehicles operating in the rights-of-way according to the provisions of Section 14-361(2), a MFDV shall not make sounds, announcements, or amplify music to call attention to its vending or products either while traveling on public or private right-of-way or when stationary.

(12) Using balloons, banners, snipe signs, large flashing lights, flags, or other similar devices to attract customers is prohibited, except in accordance with City Sign Regulations.

(13) MFDVs shall not park within any required landscape buffers or stormwater retention/detention area.

(14) MFDVs shall not obstruct the usage of American with Disabilities Act (ADA) accessible parking spaces or associated ADA access aisles.

(15) Serving from a free-standing grill is prohibited.

(16) It is prohibited to solicit sales of food or beverages by:

(a) Stopping passersby;

(b) Yelling or making loud noise to attract customers;

(c) Using sound amplification in such a manner as to unreasonably disturb peace, quiet and comfort; or

N/A ~~X~~ Having an attraction which will blockade a street, sidewalk, or other public place.

Section 14-365. Enforcement.

(1) Owners and operators of MFDV and property owners on which such vehicles operate, shall be jointly and severally liable for any violations of this Section, subject to the penalty provisions set forth in this Section.

(2) City Code Enforcement shall be responsible for compliance with the provisions within Section 14-300. MFDVs operating in non-compliance of any of the provisions of this Section will have the option to immediately cease all operations and leave the location. If there is refusal to leave the site, a citation in the amount of no less than \$200.00 per infraction/per day will be issued to the landowner and the City Code Enforcement will bring forward a code compliance case against the underlying landowner with the intent of collecting the fine in accordance with City Code Enforcement procedure.

Sections. 14-366—14-380. Reserved.

SECTION 3. AMENDMENT TO CHAPTER 90 ZONING.

That Part II of the City Code of Ordinances within Chapter 90 Zoning is hereby amended to read as follows:

ARTICLE III. DISTRICTS AND DISTRICT REGULATIONS

Patty Burnette

From: Lane Gamiotea
Sent: Thursday, October 5, 2023 1:16 PM
To: Melanie Rooks; Beverly Shurley
Cc: Permit; Patty Burnette; Heather Prince; Katie Rogers
Subject: Certificate of Insurance needed for FBC Okee, Temporary Use & Street Closing Permit Application
Attachments: FBC Okee 2023 Fall Festival Temp ST Closing App.pdf
Importance: High

Beverly, please forward to Theresa Forde, permits@cityofokeechobee.com the required Certificate of Insurance for this permit (she's also cc'd in this email).

I've attached a copy of the application (excluding the non-profit printout from sunbiz), that has been submitted to the City, see page 2 of the application, under the Attachments Required for Street/Sidewalk Closings, second bullet, "Copy of Liability insurance in the amount of \$1,000,000. w/ the City of Okeechobee and R.E. Hamrick Testamentary Trust as Additional Insured."

This temporary closing is going to the City Council on Oct. 17th, Theresa will need the Certificate of Insurance before the date of that meeting.

Thank You!

Mrs. Lane Earnest-Gamiotea, CMC



City Clerk/Personnel Administrator

City of Okeechobee

55 SE 3rd Avenue, Room 100, Okeechobee, FL 34974

Office: 863.763.3372 ext. 9814, Fax: 863.763.1686, Cell: 863.697-0345

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing, Florida Statute 668.6076.

CITY OF OKEECHOBEE ELECTRONIC DEVICE DISCLAIMER: Florida has a very broad public records law. Most written communications to or from local officials regarding city business are public records available to the public and media upon request. Your correspondence via e-mail, text message, voice mail, etc., may therefore be subject to public disclosure.



MEMORANDUM

TO: Mayor & Council Members

DATE: October 11, 2023

FROM: General Services Director Burnette
City Administrator Ritter

SUBJECT: Park Street Commerce
Center Final Plat

Final Plat Application No. 23-003-TRC/FP was postponed during the September 14, 2023, City Council Special Meeting to October 17, 2023, as the Applicant had hoped to have their submittal complete.

The Applicant, along with staff, is requesting this Public Hearing be postponed to the November 7, 2023, City Council Meeting. The City has rigorous requirements to re-plat a parcel as such the Applicant and staff have been working diligently to assure all requirements are satisfied. Postponing to the November 7th Council meeting will afford them additional time needed to address comments received from Morris-Depew Associates on September 15, 2023, and to finalize any additional items required.

The Applicant has also been advised that a decision must be made on Application No. 23-003-TRC/FP by November 16, 2023, or they must submit a new application and start over.

ORDINANCE NO. 1275

AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING PART II OF THE CITY OF OKEECHOBEE CODE OF ORDINANCES, SUBPART B LAND DEVELOPMENT REGULATIONS, WITHIN CHAPTER 78 DEVELOPMENT STANDARDS, BY SPECIFICALLY AMENDING ARTICLE IV STORMWATER MANAGEMENT, AS SUBMITTED IN LAND DEVELOPMENT REGULATION TEXT AMENDMENT APPLICATION NO. 23-002-TA; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Okeechobee, Florida (City), has adopted Ordinance Number 716, as amended, known as the Land Development Regulations (LDRs); and

WHEREAS, the City has a legitimate interest in periodic review of its Ordinances and LDRs in order to address certain inconsistencies or outdated regulations contained in the Code of Ordinances (the Code); to make amendments to meet changing community standards, or to accommodate new development; and to create new ordinance or regulation to better serve the public and to make the Code a more consistent and easier to understand document; and

WHEREAS, the Planning Board for said City acting as the Local Planning Agency, reviewed and discussed the proposed amendments, also known as LDR Text Amendment Application No. 23-002-TA, at duly advertised Public Hearings held on May 18, 2023, and September 21, 2023, and based on findings of fact by the Planning Staff, hereby recommends certain changes, amendments, or modifications to the Code, to present to the City Council for ordinance adoption and codification; and

WHEREAS, the City Council for the City considered the recommendations by the Planning Board and concludes that this Ordinance promotes the public health, safety, and welfare of its citizens and inhabitants of the City, pursuant to Article VIII, Section 1(g), Florida Constitution; and

WHEREAS, the City Council for the City finds and determines that these changes, amendments, or modifications to the Code are consistent with all applicable policies including the LDRs and the City's adopted Comprehensive Plan, and not in conflict with the public interest.

NOW, THEREFORE, be it ordained before the City Council of the City; 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.

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: AMENDMENT TO CHAPTER 78 DEVELOPMENT STANDARDS.

That Part II of the Code of Ordinances, Subpart B-LDRs, Chapter 78 Development Standards, Article IV Stormwater Management, is hereby amended to read as follows:

Section 78-101. Requirements Stormwater management.

- ~~(a) Required stormwater management systems shall comply with state approved standards adopted by the South Florida Water Management District.~~
- ~~(b) Minimum stormwater management requirements are as follows:~~
 - ~~(1) Stormwater treatment and disposal facilities shall be designed for a 25-year storm event of 24-hour duration.~~
 - ~~(2) The first inch of stormwater runoff shall be treated on site.~~
 - ~~(3) Post development runoff rates, volumes and pollutant loads shall not exceed predevelopment conditions.~~
 - ~~(4) Erosion and sediment controls shall be used during construction.~~
 - ~~(5) Minimum road elevation is the crown of the road or 100-year, three-day event, whichever is highest.~~

The City has adopted this stormwater management ordinance to help protect its resources from the harmful effects of unmanaged stormwater runoff.

If applicable, language to be added is underlined.

If applicable, language to be deleted is ~~struck through~~.

Stormwater results from a rain event, whereas runoff is the portion of stormwater that does not infiltrate into the ground or evaporate and is not intercepted before reaching a stormwater management system. Stormwater runoff from undeveloped lands usually does not present a management problem since it is relatively clean with lower volumes and peaks due to natural filtration and higher infiltration. When natural land is converted to higher intensity land use, stormwater becomes a problem and should be managed. Soil is often paved over, and impervious surfaces are created. These impervious surfaces prevent stormwater from infiltrating into the ground and recharging local surficial aquifers. This reduces uptake by plants and increases accumulation on the surface. Increased runoff can also create flooding in some areas. Impervious areas also create an environment where pollutants can accumulate, degrading the quality of stormwater runoff and rendering it a pollution source. To combat this, stormwater management practices are implemented in developed areas to help mitigate potential increases in flood risk (water quantity) and pollution (water quality).

Stormwater runoff conveys many types of pollutants from the landscape to natural receiving waters. The quality of stormwater runoff varies with land use. Pollutants in stormwater can consist of excess nutrients, solid waste, litter, lead, petroleum products (from automobiles), chemicals, fertilizers, herbicides applied to lawns, and atmospheric deposition. Higher nutrient loads are typically generated by residential and industrial land uses, whereas commercial, mixed urban, and roadways generate higher concentrations of metal contamination. Heavy metals are of particular concern because several are toxic to many aquatic plant and animal species. Motor vehicles and road surfaces are the main sources of heavy metals in stormwater runoff. Nutrients and pesticides from lawn fertilizers and atmospheric deposition can cause algal blooms and similar environmentally harmful occurrences if untreated runoff is allowed to enter surface waters. During a rainfall event, stormwater runoff flows over these surfaces, picking up pollutants and carrying them to surface waters.

Polluted stormwater not only causes adverse environmental impacts but also economic impacts. An increase in the number of impervious surfaces raises the potential for flooding and property damage. Polluted stormwater can also lead to reduced fisheries production because of the degradation of water quality. For these reasons, stormwater management practices have been implemented throughout Florida and the United States. This Section is designed as a guide to best management practices (BMPs) for stormwater management in the City.

A stormwater management practice shapes and improves the quality and quantity of stormwater runoff being discharged to receiving waters. BMPs for stormwater are those that meet discharge quantity and quality criteria at a minimal cost.

This article will be used to review and approve stormwater management systems permitted by the City and will be modified as appropriate technology and regional stormwater rules dictate.

Section 78-102. Exemptions Local review and approval of stormwater management system.

The following developments are exempt from stormwater management requirements:

- (1) Single-family and two-family residential dwellings and accessory structures on a single lot of record.
- (2) Development within a subdivision if the following conditions have been met:
 - a. Stormwater management provisions have been approved and remain valid as part of a final plat or development plan.
 - b. Project is developed in accordance with the stormwater management provisions submitted with the final plat or development plan.
- (3) Maintenance activities that do not change the quality, rate, volume or location of stormwater flows on the site.
- (4) Emergency action taken to prevent imminent danger to persons or property.

A Stormwater Management Plan will be required as part of all building permit applications that increase the impervious area of a site.

Regardless of whether or not stormwater management permits are required by the South Florida Water Management District (SFWMD), and notwithstanding other exemptions cited in Section 78-105, all applications for construction or development are required to submit a Stormwater Pollution Prevention Plan for review and approval by the City. This Plan is to be based on the standards and criteria of the SFWMD.

Sections 78-103—78-200. Reserved.

Section 78-103. Specialized definitions.

The following definitions shall apply to Article IV and all Sections thereof and subsections thereto.

Alter or alteration. Work done on a stormwater management system other than that necessary to maintain the system's original design and function.

BMPs. Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater receiving waters or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage, leaks, sludge, water disposal, or drainage from raw materials storage.

Construction Activity. Activities subject to National Pollutant Discharge Elimination System (NPDES) Construction Permits.

Detention. The collection and storage of surface water for subsequent gradual discharge.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to a substantial presence or potential hazard to human, health, safety, property, or the environment, when improperly treated, stored, transported, disposed of, or otherwise managed.

Existing. For purposes of the stormwater management provisions of this Code, the average condition immediately before development or redevelopment commences.

Illicit Connection.

- (a) Any drain or conveyance, whether on the surface or subsurface, which allows any illicit discharge to enter the stormwater system including, but not limited to, any connections to the storm drain system from indoor drains and sinks; or
- (b) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in Plans, Maps, or equivalent records and approved by an authorized enforcement agency.

Illicit Discharge. A discharge to the storm water system within the City that is not composed entirely of stormwater as exempted in Section 78-108 of this Ordinance.

Impervious surface. A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes, but is not limited to, semi-impervious surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar structures.

Maintenance. That action taken to restore or preserve the original design and function of any stormwater management system.

MS4 or Municipal Separate Storm Sewer System. Publicly owned conveyance or system of conveyance (i.e., ditches curbs catch basins and underground pipes) designed to discharge stormwater to surface waters of the State.

NPDES Stormwater Discharge Permit. A permit issued by Environmental Protection Agency (EPA) or by a State under authority delegated pursuant to 33 U.S. Code, National Pollutant Discharge Elimination System, §1342(b) and its amendments, or its successor statutes, that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-stormwater Discharge. Any discharge to the storm drain system that is not composed entirely of stormwater.

Natural systems. Systems which predominantly consist of or are used by those communities of plants, animals, bacteria and other flora and fauna which occur indigenously on the land, in the soil or in the water.

Pollutant. Anything which causes or contributes to pollution. Pollutants may include but are not limited to paints, varnishes and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects; ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal, coliform, and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises. Any building lot parcel of land or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Rate. Volume per unit of time.

Retention. The collection and storage of runoff without subsequent discharge to surface waters.

Sediment. The mineral or organic particulate material that is in suspension or has settled in surface or ground waters.

Site. Generally, any tract, lot or parcel of land or combination of tracts, lots, or parcels of land that are in one ownership, or in diverse ownership but contiguous, and which are to be developed as a single unit, subdivision, or project.

Stormwater. The flow of water which results from, and that occurs immediately following, rainfall.

Stormwater management system. The system, or combination of systems, designed to treat stormwater, or collect, convey, channel, hold, inhibit, or divert the movement of stormwater on, through and from a site.

Stormwater Pollution Prevention Plan. A document which describes:

- (a) the BMP's and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable, and
- (b) the specific measures and sequencing to be used to control sediment and erosion on a site during and after construction.

Stormwater runoff That portion of the stormwater that flows from the land surface of a site either naturally, in manmade ditches, or in a closed conduit system.

Surface water. Water above the surface of the ground whether or not flowing through definite channels, including the following:

- (a) Any natural or artificial pond, lake, reservoir, or other area which contains water, and which has a discernible shoreline; or
- (b) Any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, swale or wash in which water flows in a definite direction and which has a definite flow route; or
- (c) Any wetland.

Wetland. Land that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The term includes, but is not limited to, swamp hammocks, hardwood swamps, riverine cypress, cypress ponds, bayheads and bogs, wet prairies, and freshwater marshes.

Section 78-104 - Relationship to other stormwater management requirements.

In addition to meeting the requirements of this Code, the design and performance of all stormwater management systems shall comply with applicable State regulations regarding stormwater quality and or rules of the SFWMD as appropriate.

Section 78-105. Exemptions.

The following development activities are exempt from these stormwater management requirements, except that steps to control erosion and sedimentation must be taken for all development.

- (a) The construction of a single-family or duplex residential dwelling unit and accessory structures on a single parcel of land.
- (b) Any development within a subdivision if each of the following conditions have been met:
 - (1) Stormwater management provisions for the subdivision were previously approved by the City and remain valid as part of a final plat or development plan; and
 - (2) The development is conducted in accordance with the stormwater management provisions submitted with the final plat or development plan.
- (c) Maintenance activity that does not adversely affect the quality, rate, volume, or location of stormwater flows on the site or of stormwater runoff.
- (d) Action taken under emergency conditions to prevent imminent harm or danger to persons, or to protect property from imminent fire, violent storms, hurricanes, or other hazards.

Section 78-106. Stormwater Management Plan Requirements.

- (a) A Stormwater Management Plan is required to be submitted as part of the City building permit application pursuant to Section 70-302 of the Code, its amendments, or its successor statutes. The Plan will indicate how a project design will incorporate the required stormwater management and treatment criteria. The elements that may be required as part of a Stormwater Management Plan are listed below.
- (b) Site Information:
 - (1) Detailed location map.
 - (2) Description of existing vegetative cover including wetlands.
 - (3) Location and size of preservation or mitigation areas (if applicable).
 - (4) Site Paving, Grading, and Drainage Plans.
 - (5) Vegetation Protection Plan.
 - (6) Soils map and percolation test results.
 - (7) Wet season water table elevation.
 - (8) Future wet season water table elevation (30-year).
 - (9) Description of measures to be used during construction to eliminate adverse off-site impacts, such as increased turbidity or siltation.
 - (10) Recent aerial photograph including the year that the photograph was taken.
 - (11) Map of drainage basin boundaries including any off-site areas.
 - (12) Map of floodplain and elevations.
- (c) Stormwater Management Plan:
 - (1) Location of all existing and proposed on-site waterbodies including wetlands.

- (2) Location of all off-site wetlands, water courses, and waterbodies affected by on-site drainage patterns.
- (3) Location and detail of all major control structures and elevations. Preliminary construction plans may be submitted for conceptual approval.
- (4) Right-of-way and easement locations for stormwater management systems including all areas reserved for stormwater management purposes.
- (5) Location and size of on-site stormwater management facilities.
- (6) Square footages, acreages, and percentage of property proposed as:
 - a. Impervious surface (excluding waterbodies).
 - b. Impervious surface (waterbodies).
 - c. Pervious surface.
 - d. Total square footage or acreage of the project site.
- (7) Proposed Grading, Paving and Drainage Plan.
- (8) Treatment volumes and discharge rates (if applicable) for stormwater runoff.
- (d) Legal and Institutional Information:
 - (1) Entity responsible for operation and maintenance of surface water management system.
 - (2) If the operation and maintenance entity is to be a public body, a letter from the public body confirming this must be submitted before staff approval. If the entity is a homeowners association, documents verifying the existence of such organization and its ability to accept operation and maintenance responsibility must be submitted before staff approval.
- (e) Below is a checklist of the elements that City staff will use to determine which of the elements a specific Plan should or should not require for each site. Some of these elements are required for other parts of a City building permit, but also need to be considered as part of the Stormwater Management Plan. In these instances, specific criteria are the same as those already required by the City and are not discussed further in this Article.

Stormwater Management Plan Checklist

- (1) Site Information.
 - a. Detailed location map.
 - b. Description of vegetative cover.
 - c. Location and size of preservation or mitigation areas.
 - d. Vegetation Protection Plan.
 - e. Soils map.
 - f. Percolation test results.
 - g. Current wet season high water table.
 - h. Future wet season water table.
 - i. Measures to be taken to eliminate off-site adverse impacts, such as turbidity, flooding, etc.
 - j. Recent aerial photo (with year aerial was taken).

k. Map of drainage basin boundaries including off-site areas.

l. Map of floodplain and elevations.

(2) Master Stormwater Management Plan.

a. Location of all existing and proposed on-site waterbodies (including wetlands).

b. Location of all off-site wetlands and waterbodies to be affected by on-site drainage patterns.

c. Location of all major control structures and elevations (preliminary construction plan may be submitted for conceptual review).

d. Right-of-way and easement locations for stormwater management systems, including all areas reserved for stormwater management purposes.

e. Location and size of on-site water management facilities.

f. Square footages, acreages, and percentage of property proposed as:

1. Impervious surface (excluding waterbodies).

2. Impervious surface (waterbodies).

3. Pervious surface.

4. Total square footage or acreage of project site.

g. Proposed Grading Plan.

h. Treatment volume and discharge rate (if applicable) for stormwater management system.

(3) Legal and Institutional Information.

a. Entity responsible for operation and maintenance of stormwater management facility.*

*If the operation and maintenance entity is to be a public body, a letter from the public body confirming this must be submitted before staff approval. If the entity is a homeowners' or property owners' association, documents verifying the existence of such organization and its ability to accept operation and maintenance responsibility must be submitted for review and approval.

(f) Hydraulic Design Criteria.

Stormwater management facilities for development shall be designed in accordance with the following:

(1) All projects shall control the volume of discharge from developed areas at predevelopment volume of discharge for the design level of service storm event adopted in the Code.

(2) All project sites shall control the timing of discharges to preclude any off-site impact for any storm event.

(3) Peak discharge rate shall not exceed predevelopment discharge rate for the design level-of-service storm event adopted in the Code.

(g) Water Quality Design Criteria.

Stormwater designs must demonstrate a net improvement in nutrient loads or a 95 percent reduction in pollutant loads for the design level of service storm event adopted in the Code. This can be demonstrated through methods that are accepted by the SFWMD.

(h) Methods of Stormwater Treatment.

Stormwater treatment facilities shall be designed to treat stormwater runoff to a level that meets the design criteria defined herein. The volume to be treated depends on the type of stormwater management facility(ies) used and the land use of the property. The two most used methods of stormwater treatment are wet detention and dry retention. A detention facility collects and temporarily stores a treatment volume to provide for treatment through physical, chemical, or biological processes with subsequent gradual release of the stormwater to a surface water system. A retention facility is designed to prevent the discharge of a given volume; however, it is slowly released from the facility through infiltration and evapotranspiration. A retention or detention facility built above the groundwater table is "dry." A facility with the bottom below the control elevation is "wet." The wet season water table plays an important part in the functioning of retention systems. To ensure that stormwater facilities continue to function in the future, a stormwater design will need to include a determination of the wet season water table and an estimate of the future wet season water table.

A stormwater management system frequently incorporates several treatment methods. The criteria for each individual type of treatment are detailed to ensure that the proper volume of runoff is treated in an appropriate manner for the land use.

(i) Wet Detention.

(1) Wet detention is the collection and temporary storage of stormwater runoff, before controlled discharge into receiving waters, in a permanently wet impoundment to provide treatment through physical, chemical, and biological processes with subsequent gradual controlled release of the stormwater. A wet detention facility is a basin or pond with a bottom elevation below the wet season water table or control elevation.

(2) Method of Achievement.

Constructed ponds on the site are generally used for wet detention. These ponds must meet the following design criteria:

A wet detention facility is usually wet and allows for ½-inch of the required detained volume (1-inch or the total of 2.5-inches times the percent of impervious area, whichever is greater) to be discharged through a control structure in no less than 24-hours. Catch basins, pipes, swales, or channels are used in areas with large amounts of impervious surface to collect runoff and convey it to the detention facility. The required design criteria of a wet detention facility are detailed below:

- a. The pond must be at least 0.5 acre and at least 100-feet wide for lakes exceeding 200-feet in length.
- b. Irregularly shaped lakes may be narrower than 100-feet in some portions but should average 100-feet in width.
- c. Projects with single-owner entities or entities with a full-time maintenance staff with obvious interests in maintaining the areas for water quality purposes may have the area and width criteria waived.
- d. The lake slopes should be at least 4:1 (horizontal to vertical) to a depth of 2-feet for safety reasons and to allow a littoral habitat to form.
- e. The control structure is at one point in the detention facility. Trash collection screens are required on structures discharging to surface waters.
- f. The control structure must be opposite from the runoff entry into the facility to prevent hydraulic short-circuiting and to ensure full treatment.

Wet detention cannot be used as the sole form of stormwater treatment. If wet detention is used, at least 2.5-inches of dry retention pre-treatment must be provided before discharging into a wet detention facility.

Guidance on sizing, designing, and permitting wet detention facilities or exfiltration trenches can be found in the SFWMD Environmental Resource Permit Applicant's Handbook.

(j) Dry Retention.

(1) Dry retention is a stormwater system designed to prevent the discharge of a given volume of stormwater runoff into surface waters by complete onsite storage of that volume. A dry retention facility has a bottom elevation at least 1-foot above the future wet season water table and is usually dry. Stormwater is released only during times of heavy rainfall or flooding.

(2) Method of Achievement.

Examples of dry retention facilities include infiltration systems (e.g., vegetated swales and bioretention systems) and seepage systems (e.g., exfiltration trenches, pervious pavement, and exfiltration vaults). Of these two, infiltration systems provide better pollution attenuation. The vegetation takes up a percentage of the nutrients commonly found in stormwater runoff. Most heavy metals bind with the soils above the water table and the potential for them entering the groundwater is reduced.

Seepage systems consist of an underground facility that relies on a mostly outward dispersion of stormwater from the facility to the groundwater. These structures are constructed a minimum of 1-foot above the future wet season water table. These systems are most suitable for areas where the soil has high transmissivity. However, they do not provide the nutrient uptake that is offered with vegetated infiltration systems.

Infiltration systems and seepage systems need a highly permeable substratum to allow the stormwater runoff to percolate into the ground. Seepage systems do not require as much land area as infiltration systems since they can be installed underground. However, the future wet season water table at the project site must be at least 1-foot below the seepage structure.

(k) Control Structures.

(1) Definition. A control structure is a device through or over which water is discharged from a stormwater management system. Direct discharge occurs when stormwater is released through a control structure to the receiving waterbody. If the discharge from the stormwater management system is by a means other than a control structure (e.g., sheet flow or spreader swale), it is considered indirect discharge.

(2) Purpose. The primary purpose of a control structure in a detention facility is to release the calculated runoff volume slowly over a specified period. In a retention facility, the control structure allows for volumes exceeding the calculated retention volume to leave the system in a manner that provides adequate downstream flood protection.

(3) Types of Control Structures. Direct discharge from a water management facility to the receiving body is usually achieved through control structures such as weirs and orifices. The following criteria must be met for all methods of direct discharge:

a. Trash collecting gratings must be on the intake of all structures that discharge to surface waters.

b. Detention facilities discharge must be above the permanent pool.

c. If a non single-family residential property is greater than 50 percent impervious or contains a system with inlets in paved areas, discharge structures must include a baffle, skimmer, or other suitable mechanism for preventing oil and grease from being discharged.

d. Direct discharge will only be allowed to those areas that due to their large capacity or configuration are able to absorb concentrated discharges without erosion.

When using indirect discharge to release stormwater, a spreader swale is commonly used. The swale is positioned parallel to the receiving body, and the side adjacent to the receiving body is lower than the side opposite the receiving body. The swale allows the water to flow into the receiving body but not flood the adjoining property. This method works well when trying to maintain a proper water level in wetlands that are used for stormwater management. The spreader swale is also a treatment facility for stormwater runoff. Runoff exceeding the first flush is allowed to enter the wetland system via sheet flow.

(I) Criteria for Single-Family/Duplex Lots.

(1) Lots Within Subdivisions With Approved Stormwater Management Plans. In all subdivisions that have an approved Stormwater Management Plan, all new development must comply with the approved Plan. A lot Grading Plan, complete with topographic information that complies with this Section, must be submitted for review before the issuance of the building permit. If the approved Stormwater Management Plan does not contain sufficient lot grading information to verify that the lot being permitted will drain in accordance with the Plan, the requirements of Section 2 herein shall apply.

(2) Lots Within Subdivisions Without Approved Stormwater Management Plans. Single-family and duplex homes that are not part of a stormwater drainage system shall provide a Stormwater Management Plan following the guidelines established herein. The design criteria generally use vegetated swales. However, other retention practices may be used. The retention volume specified in these design criteria will provide adequate stormwater treatment on a single-family/duplex lot to meet the City stormwater treatment requirements. However, calculations demonstrating a net improvement or 95 percent reduction in nutrient loads may be submitted as an alternative to using the retention volume specified in these design criteria. The stormwater calculations must be completed by a Florida registered and licensed professional engineer.

The retention volume depends on the lot size and the stormwater management system used. Stormwater treatment can also be provided using other retention systems such as pervious pavement, exfiltration trenches, or shallow stormwater vault systems.

(3) If swale(s) are used, they must meet the following criteria:

- a. Runoff from the site must be drained to the swale.
- b. The swale length must be greater than its width.
- c. The swale side slope must be 4:1 (horizontal to vertical) or shallower.
- d. The swale must be placed so that any natural areas to be preserved are not disturbed.
- e. The swale must be at least 6-inches deep.
- f. Swales should be vegetated. If a swale is not vegetated, a 6-inch layer of soil amendment formulated to reduce nutrient loading must be installed directly below the swale. Specifications and published nutrient reduction test results for the soil amendment media must be provided at the time of testing. Examples of acceptable media are NutriGone™ (distributed by EcoSense International) and Bold and Gold® (distributed by Environmental Conservation Solutions).

Retention systems must discharge off site to prevent flooding, but should not discharge onto adjacent private property. For retention systems, a control structure will allow runoff exceeding the volume of the swale to be discharged to the receiving body. More than one retention system may be on the property provided that each meets these criteria, and the total volume of the retention is at least the calculated volume. Vegetated swales may be incorporated into the setback area of land required by the City.

Section 78-107. Dedication or maintenance of stormwater management systems.

(a) Dedication. If a stormwater management system approved under this Code will function as an integral part of the City maintained regional system, as determined by the City, the City shall have the option of requiring that the facilities be dedicated to the City. In no event shall any stormwater management system, including lakes, canals, and waterways, be granted, conveyed or dedicated to the City without the consent of the City Council.

(b) Maintenance by an acceptable entity.

(1) All stormwater management systems that are not dedicated to the City shall be operated and maintained by one of the following entities:

- a. An active water control district created pursuant to Florida Statutes (F.S.) Chapter (Ch.) 298 or drainage district created by special act, or community development district created pursuant to F.S. Ch. 190, or special assessment district created pursuant to F.S. Ch. 170.
 - b. A State or Federal agency.
 - c. An officially franchised, licensed or approved communication, water, sewer, electrical or other public utility.
 - d. The property owner or developer if:
 - 1. Written proof is submitted in the appropriate form by either letter or resolution, that a governmental entity or such other acceptable entity, as set forth in paragraphs a through c above, will accept the operation and maintenance of the stormwater management and discharge facility at a time certain in the future.
 - 2. A bond or other assurance of continued financial capacity to operate and maintain the system is submitted.
 - e. For-profit or nonprofit corporations including homeowners' associations, property owners' associations, condominium owners' associations or master associations if:
 - 1. The owner or developer submits documents constituting legal capacity and a binding legal obligation between the entity and the City affirmatively taking responsibility for the operation and maintenance of the stormwater management facility.
 - 2. The association has sufficient powers reflected in its organizational or operational documents to:
 - i. Operate and maintain the stormwater management system as permitted by the City.
 - ii. Establish rules and regulations.
 - iii. Assess members.
 - iv. Contract for services.
 - v. Exist perpetually, with the articles of incorporation providing that if the association is dissolved, the stormwater management system will be maintained by an acceptable entity as described above.
- (2) If a project is to be constructed in phases, and subsequent phases will use the same stormwater management facilities as the initial phase or phases, the operation/maintenance entity shall have the ability to accept responsibility for the operation and maintenance of the stormwater management systems of future phases of the project. In any event, the backbone stormwater management system shall be constructed for the entire project.
- (3) In phased developments that have an integrated stormwater management system but employ independent operation/maintenance entities for different phases, the operation/maintenance entities, either separately or collectively, shall have the responsibility and authority to operate and maintain the stormwater management system for the entire project. That authority shall include cross easements for stormwater management and the authority and ability of each entity to enter and maintain all facilities, should any entity fail to maintain a portion of the stormwater management system within the project.
- (4) The applicant shall be an acceptable entity and shall be responsible for the operation and maintenance of the stormwater management system from the time begins until the stormwater management system is dedicated to and accepted by another acceptable entity.

- (c) Offsite stormwater conveyance systems. Where a private offsite stormwater management or conveyance system is required to obtain a final development order pursuant to the provisions of this Code, perpetual easements shall be obtained by the developer. The easements required by this Subsection shall provide the City with the right, but not the obligation to maintain the conveyance or stormwater management system located thereon.

Section 78-108 - Prohibition of Illicit Discharge.

- (a) No person shall directly or indirectly cause an illicit discharge to enter the stormwater system. Categories of illicit discharges include, but are not limited to, the following:
- (1) Petroleum products including, but not limited to, oil, gasoline, and grease.
 - (2) Solid waste or sanitary sewage.
 - (3) Chemicals including, but not limited to, fertilizers and pesticides.
 - (4) Paints, solvents, or degreasers.
 - (5) Concrete slurry.
 - (6) Laundry wastes or soaps.
 - (7) Antifreeze and other automotive products.
 - (8) Soil.
 - (9) Leaves, branches, and other yard/landscaping waste.
 - (10) Construction materials.
 - (11) Toxic or poisonous solids or liquids.
 - (12) Solids or suspended solids in such quantities or of such size capable of causing interference or obstruction to the flow in the stormwater system.

Section 78-109. Prohibition of Illicit Connections.

The construction, use, maintenance, or continued existence of illicit connections to the stormwater system is prohibited.

Section 78-110. Reporting of Illicit Discharges and Illicit Connections.

Upon discovery of an illicit discharge or an illicit connection, the person(s) responsible for the illicit discharge or the illicit connection shall report his or her findings immediately to the City.

Section 78-111. Enforcement, Penalties, and Liability for Pollution Abatement.

- (a) The provisions of this Ordinance shall be enforced as provided in Chapter 18 of the Code, its amendments, or its successor provisions.
- (b) No person shall oppose, obstruct, or resist any enforcement officer, designated City staff, or any person authorized by the enforcement officer or designated City staff in the discharge of his or her duties, as provided in this Ordinance.
- (c) Any person responsible for an illicit connection, or an illicit discharge, to the stormwater system, is subject to fine(s) and shall be responsible to pay both the necessary expenses incurred in evaluating, treating, and disposing of pollutant materials and also the reasonable cost of repairs. A lien may be placed against the land on which the violation exists and upon any other real or personal property owned by the violator.
- (d) The remedies and penalties provided in this Ordinance are not exclusive, and the City may seek whatever other remedies are authorized by F.S., at law, or in equity against any person who violates the provisions of this Ordinance.

Section 78-112 – Erosion Control Standards.

- (a) Clearing except that necessary to establish sediment control devices shall not begin until all sediment control devices have been installed and have been stabilized clearing techniques that retain natural vegetation and drainage patterns shall be implemented to the satisfaction of the City Public Works Department or designee.
- (b) Grading erosion control practices sediment control practices and waterway crossings shall be adequate to prevent transportation of sediment from the site and be maintained to project completion to the satisfaction of the City Public Works Department or designee.
- (c) The angle for graded slopes and fills shall not be greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures generally 4:1 or less. Slopes left exposed will within 10 working days of completion of any phase of grading be planted or otherwise provided with ground cover devices or structures sufficient to prevent erosion.
- (d) Groundcover sufficient to restrain erosion must be planted or otherwise provided within 10 working days on portions of cleared land upon which further construction activity is not being undertaken within 30 calendar days of clearing.
- (e) Vegetative cover or other erosion control devices or structures used to meet these requirements shall be properly maintained during and after construction.
- (f) Temporary seeding or sodding adequate covering or chemical application on exposed soils including stockpiles of topsoil sand or other construction fill shall be used where delays in construction of more than 7 calendar days are anticipated.
- (g) The operator of any construction project that disturbs one acre or more or is part of the larger common plan of development or sale which disturbs one acre, or more is required to obtain the proper Stormwater Permit from the Florida Department of Environmental Protection and to comply with all the terms and conditions of the permit in addition to any City requirements. The operator shall maintain a copy of the Permit on-site for review by any authorized official upon request.
- (h) Waste generated onsite including but not limited to discarded building materials concrete truck wash out chemicals litter and sanitary waste must be stored secured or otherwise controlled to the maximum extent practicable to prevent adverse impacts to water quality.

SECTION 3: CONFLICT.

All Sections or parts of Sections of the City Code of Ordinances in conflict herewith are intended to be repealed to the extent of such conflict.

SECTION 4: INCLUSION IN THE CODE.

It is the intention of the City Council of the City, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City Code of Ordinances, that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "Ordinance" may be changed to "Section" or other appropriate word.

SECTION 5: SEVERABILITY.

If any Section, subsection, clause, or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

SECTION 6: EFFECTIVE DATE. This Ordinance shall be effective immediately upon final adoption on second reading.

INTRODUCED for First Reading and set for Final Public Hearing on this 17th day of October 2023.

ATTEST:

Dowling R. Watford, Jr., Mayor

Lane Gamiotea, CMC, City Clerk

PASSED AND ADOPTED after Second and Final Public Hearing this 21st day of November 2023.

As required by City Charter Section C-4.1.C, ordinances shall be adopted by roll call on final reading and recorded, the vote was as follows:

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

ATTEST:

Dowling R. Watford, Jr., Mayor

Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

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

PUBLIC HEARING ITEMS CONTINUED

3. No Ex-Parte disclosures were offered.
 4. Motion by Member Chartier, seconded by Member Folbrecht to recommend approval to the City Council for LDR Text Amendment Application No. 23-001-TA, as presented in [Exhibit 1 by the Planning Consultant]. The recommendation will be forwarded to the City Council for consideration at Public Hearings, tentatively scheduled for June 20, 2023, and July 18, 2023, meeting. **Motion Carried six to one, Member Brass voting No.**
- B.** Consider LDR Text Amendment Application No. 23-002-TA, which proposes to amend Chapter 78, Land Development Standards, Article IV, Stormwater Management, to reflect changes in the State stormwater management regulations.
1. City Attorney Hyden briefly reviewed the proposed ordinance stating this proposed language is needed to basically come into compliance with the South Florida Water Management District.
 2. Public Works Director David Allen advised that basically the City follows these procedures already and now there is a little more criteria and enforcement when dealing with Illicit discharge.
 3. No Ex-Parte disclosures were offered.
 4. Motion by Member Chartier, seconded by Member Baughman to recommend approval to the City Council for LDR Text Amendment Application No. 23-002-TA, as presented in [Exhibit 2]. The recommendation will be forwarded to the City Council for consideration at Public Hearings, tentatively scheduled for June 20, 2023, and July 18, 2023, meeting. **Motion Carried Unanimously.**
- C.** Consider LDR Text Amendment Application No. 23-003-TA, which proposes to amend Chapter 90, Zoning, Article III, Districts and District Regulations, by adding Section 90-84, regulating the installation and removal of storm shutters.
1. City Attorney Hyden briefly reviewed the proposed ordinance explaining this is needed due to Fire and Building codes for ingress and egress safety.
 2. Board Secretary Burnette read into the record an email dated May 16, 2023, from Mrs. Raia Black, 1521 SW 7th Avenue, Okeechobee, Florida, which asked questions about procedures for seasonal residents [copy has been made part of the official minute packet].
 3. No Ex-Parte disclosures were offered.
 4. Motion by Member Brass, seconded by Member Folbrecht to recommend approval to the City Council for LDR Text Amendment Application No. 23-003-TA, as presented in [Exhibit 3] with removal of the last sentence in Section 90-84 (b) which reads "coverings which remain on the structure pursuant to this subsection shall be designed or painted to match or complement the color of the walls or trim of the building". The recommendation will be forwarded to the City Council for consideration at Public Hearings, tentatively scheduled for June 20, 2023, and July 18, 2023, meeting. **Motion Carried Unanimously.**

CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 7:29 P.M.

VI. CITY ADMINISTRATOR UPDATE

No updates provided at this time.

VII. ADJOURNMENT

Chairperson Hoover adjourned the meeting at 7:29 P.M.

Submitted by:

Patty M. Burnette

Patty M. Burnette, Secretary

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

City of Okeechobee General Services Department 55 S.E. 3rd Avenue, Room 101 Okeechobee, Florida 39974-2903 Phone: (863) 763-3372, ext. 218 Fax: (863) 763-1686		Date: <u>7-18-23</u>	Petition No. <u>23-002-TH</u>		
		Fee Paid: <u>N/A</u>	Jurisdiction: <u>PB+CC</u>		
		1 st Hearing: <u>9-21-23</u>	2 nd Hearing: <u>10-17-23 / 11-21-23</u>		
		Publication Dates:			
		Notices Mailed: <u>N/A</u>			
APPLICATION FOR TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS					
APPLICANT INFORMATION					
1	Name of Applicant:	<u>City of Okeechobee</u>			
2	Mailing address:	<u>55 SE 3rd Ave</u>			
3	E-mail address:				
4	Daytime phone(s):				
5	Do you own residential property within the City? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide address(es)				
6	Do you own nonresidential property within the City? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide address(es)				
REQUEST INFORMATION					
7	Request is for: <input type="checkbox"/> Text change to an existing section of the LDRs <input type="checkbox"/> Addition of a permitted use <input type="checkbox"/> Deletion of a permitted use <input type="checkbox"/> Addition of a special exception use <input type="checkbox"/> Deletion of a special exception use <input type="checkbox"/> Addition of an accessory use <input type="checkbox"/> Deletion of an accessory use				
8	Provide a detailed description of text changes to existing section(s) showing deletions in strikeout and additions in <u>underline</u> format. (This description may be provided on separate sheets if necessary.) <u>See attached proposed Amendment wording.</u>				

9	Provide a detailed listing of use(s) to be added or deleted and the zoning district(s) and section(s) to be changed. (This description may be provided on separate sheets if necessary.)
REQUIRED ATTACHMENTS	
10	Non-refundable application fee of \$500 Note: Resolution No. 98-11 Schedule of Land Development Regulation Fees and Charges - When the cost for advertising publishing and mailing notices of public hearings exceeds the established fee, or when a professional consultant is hired to advise the city on the application, the applicant shall pay the actual costs.

Confirmation of Information Accuracy

I hereby certify that the information in this application is correct. The information included in this application is for use by the City of Okeechobee in processing my request. False or misleading information may be punishable by a fine of up to \$500.00 and imprisonment of up to 30 days and may result in the denial of this application.

Signature _____

Printed Name _____

Date _____

For questions relating to this application packet, call General Services Dept. at (863)-763-3372, Ext. 218

The City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Chapter 66- General Provisions, Section 66-1. – Definitions, to add the following:

Medical marijuana dispensary means a facility licensed or registered by the Florida Department of Health that dispenses medical marijuana or products containing marijuana and related supplies, to qualifying patients or their caregivers, pursuant to statute. A medical marijuana dispensing facility does not cultivate process, transfer, or prepare any form of marijuana or marijuana product.

The City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Chapter 90-Zoning, Article III - Districts and District Regulations, Division 7 – Light Commercial (CLT) District as follows:

Sec. 90-252. - Permitted uses.

The following principal uses and structures are permitted in the CLT district:

- (1) Professional office, business office, medical office.
- (2) Retail store, retail service.
- (3) Personal service.
- (4) Craft studio.
- (5) Storefront church located in a unit in a multi-use building or shopping center.
- (6) Pet grooming.
- (7) Convenience store.
- ~~(8) Medical marijuana dispensary as defined and regulated in F.S., § 381.986.~~

The City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Chapter 90-Zoning, Article III - Districts and District Regulations, Division 8 – Heavy Commercial (CHV) District as follows:

Sec. 90-282. - Permitted uses.

The following principal uses and structures are permitted in the CHV district:

- (1) Professional office, business office, medical office.
- (2) Retail service, retail store including outdoor display of merchandise.
- (3) Restaurant, take-out restaurant, cafe.
- (4) Personal service.
- (5) Dry cleaner/laundry, laundromat.
- (6) Funeral home.
- (7) Hotel, motel.
- (8) Private club, nightclub and bar.
- (9) Craft studio.
- (10) Business school.
- (11) Commercial indoor recreation.
- (12) Commercial parking garage or lot, taxistand, bus terminal.
- (13) Storefront church located in a unit in a multi-use building or shopping center.
- (14) Taxidermist.
- (15) Pet grooming.
- (16) Convenience store.
- (17) Indoor auction house.
- ~~(18) Medical marijuana dispensary as defined and regulated in F.S., § 381.986.~~
- ~~(19)~~ (18) Pawnshop.

The City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Chapter 90-Zoning, Article III - Districts and District Regulations, Division 9 – Central Business (CBD) District as follows:

Sec. 90-312. - Permitted uses.

The following principal uses and structures are permitted in the CBD district:

- (1) Professional office, business office, medical office.
- (2) Retail service, retail store including outdoor display of merchandise.
- (3) Restaurant, take-out restaurant, cafe.
- (4) Personal service.
- (5) Dry cleaner, laundry.
- (6) Private club, nightclub, bar.
- (7) Craft studio.
- (8) Business school.
- (9) Commercial indoor recreation.
- (10) Commercial parking garage or lot.
- (11) Storefront church located in a unit in a multi-use building or shopping center.
- (12) ~~Medical marijuana dispensary as defined and regulated in F.S., § 381.986.~~

The City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Chapter 90-Zoning, Article III - Districts and District Regulations, Division 10 – Industrial (IND) District as follows:

Sec. 90-342. - Permitted uses.

The following principal uses and structures are permitted in the IND district:

- (1) Business office.
- (2) Business school.
- (3) Retail service, retail store including outdoor display of merchandise.
- (4) Research laboratory.
- (5) Manufacturing, processing, except those which produce explosives.
- (6) Mechanical and repair services.
- (7) Bulk storage of nonhazardous material.
- (8) Off-site sign.
- (9) Outdoor sales and storage, building contractor.
- (10) Wholesale sales and distribution.
- (11) Enclosed warehouse and storage.
- (12) Commercial laundry, dry cleaner.
- (13) Printing.
- (14) Auto service station, car wash.
- (15) Drive-through service.
- (16) Parking garage, parking lot.
- (17) Radio, television or cable reception, transmission or operational facilities.
- (18) Veterinary service.
- (19) Railroad facilities.
- (20) Public utility.
- (21) Public facility.
- (22) Storefront church located in a unit in a multi-use building or shopping center.
- (23) Restaurant, take-out restaurant, cafe.
- (24) Barbershop, beauty shop.
- (25) Dry cleaner/laundry.
- (26) Nail care.
- (27) Shoe repair.
- (28) Tailor.

- (29) Limited agriculture of a commercial nature on properties on which there is an active agricultural exemption, which was granted by the Okeechobee Property Appraiser not later than September 19, 2013.
- (30) Retail pool supplies and equipment, (including storage of chemicals for use and/or retail sale).
- (31) Water treatment services, (including storage of chemicals for use and/or retail sale).
- (32) Pest control (including storage of chemicals for use and/or retail sale).
- ~~(33) Medical marijuana dispensary as defined and regulated in F.S., § 381.986.~~
- ~~(34)~~ (33) Pawnshop.
- ~~(35)~~ (34) Bar.

Existing medical marijuana dispensary facilities shall be considered non-conforming uses.

City of Okeechobee General Services Department 55 S.E. 3rd Avenue, Room 101 Okeechobee, Florida 39974-2903 Phone: (863) 763-3372, ext. 218 Fax: (863) 763-1686		Date: <u>8-11-23</u>	Petition No. <u>23-004-TH</u>
		Fee Paid: <u>N/A</u>	Jurisdiction: <u>PB & CC</u>
		1 st Hearing: <u>9-21-23</u>	2 nd Hearing: <u>11-7-23 / 12-5-23</u>
		Publication Dates:	
		Notices Mailed: <u>N/A</u>	
APPLICATION FOR TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS			
APPLICANT INFORMATION			
1	Name of Applicant: <u>City of Okeechobee</u>		
2	Mailing address: <u>55 SE 3rd Avenue</u>		
3	E-mail address:		
4	Daytime phone(s):		
5	Do you own residential property within the City? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide address(es)		
6	Do you own nonresidential property within the City? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide address(es)		
REQUEST INFORMATION			
7	Request is for: <input type="checkbox"/> Text change to an existing section of the LDRs <input type="checkbox"/> Addition of a permitted use <input type="checkbox"/> Deletion of a permitted use <input type="checkbox"/> Addition of a special exception use <input type="checkbox"/> Deletion of a special exception use <input type="checkbox"/> Addition of an accessory use <input type="checkbox"/> Deletion of an accessory use		
8	Provide a detailed description of text changes to existing section(s) showing deletions in strikeout and additions in <u>underline</u> format. (This description may be provided on separate sheets if necessary.) <u>See attached proposed amendment wording.</u>		

9	<p>Provide a detailed listing of use(s) to be added or deleted and the zoning district(s) and section(s) to be changed. (This description may be provided on separate sheets if necessary.)</p> <p><i>See attached proposed amendment wording.</i></p>
REQUIRED ATTACHMENTS	
10	<p>Non-refundable application fee of \$500</p> <p>Note: Resolution No. 98-11 Schedule of Land Development Regulation Fees and Charges - When the cost for advertising publishing and mailing notices of public hearings exceeds the established fee, or when a professional consultant is hired to advise the city on the application, the applicant shall pay the actual costs.</p>

Confirmation of Information Accuracy

I hereby certify that the information in this application is correct. The information included in this application is for use by the City of Okeechobee in processing my request. False or misleading information may be punishable by a fine of up to \$500.00 and imprisonment of up to 30 days and may result in the denial of this application.

Signature _____

Printed Name _____

Date _____

For questions relating to this application packet, call General Services Dept. at (863)-763-3372, Ext. 218



MEMORANDUM

TO: Mayor Watford & City Council

DATE: October 10, 2023

FROM: City Clerk Gamiotea *gg*

SUBJECT: Appointments to the Planning Board, the Board of Adjustment, and the Design Review Board

We have advertised the vacancy on the Planning Board, the Board of Adjustment, and the Design Review Board since August 30, 2023, and have received one application to date, from Mr. James Murray (attached).

The Council has the option of moving one of the two current Alternate Members or appointing Mr. Murray to the Regular Member position. To keep these decisions consistent, Staff is recommending using the Citizen Board and Committee Selection Matrix to make this determination. The Matrix Individual Ranking Sheet has both options provided, be prepared by completing both rankings. At the meeting, the Council can decide if you want to fill the Regular Member position from any of the three individuals or only from the two Alternates. Should the Council move one of the Alternate Members, Mr. Murray could then be appointed to serve in that Alternate position.

Complete and bring to the October 17th Council Meeting, your Individual Ranking Sheet.

Alternate Members attendance/information: Mr. Jon Folbrecht was appointed December 21, 2022, five meetings have held through August 17, 2023, he was absent with consent once. Mr. James Shaw was appointed May 1, 2019, during this time 39 meetings have been held through August 17, 2023, he has six absences with consent and three without consent. If you would like to re-review either of their applications, let me know.

- **When making the motion(s), include the appropriate dates of terms based on which position is being replaced/appointed:**
- The Regular Member term will be October 18, 2023, through April 30, 2025 (formerly held by Mr. Chartier).
 - If replacing Mr. Folbrecht's Alternate position, term will be October 18, 2023, through April 30, 2026.
 - If replacing Mr. Shaw's Alternate position, term will be October 18, 2023, through April 30, 2024.

We do not have a set requirement that Members be first appointed as Alternates, nor that Alternates are always moved to Regular positions as they become vacant, nor a set attendance requirement for these three Boards. The Council has the authority to make appointments, remove appointees, and/or change Member positions as they see fit and for what is necessary to ensure the Members of these Boards are actively participating in all matters, understanding their responsibilities under the various scopes of authority for the separate Boards, and regularly attending meetings (or if absent, that it is with consent).

Please call me with any questions and **do not forget to complete and bring your Matrix Individual Ranking Sheet to the meeting.**

CITY OF OKEECHOBEE
CITIZEN BOARD SELECTION MATRIX INDIVIDUAL RANKING SHEET

Committee Appointment: Planning Board, Board of Adjustment, and Design Review Board

Ranker's Last Name: _____

Date of Meeting: October 17, 2023

The point system is based on the number of applicants.

Point System, if Council decides to choose from all three individuals, is reflected as follows:

1st Selection/No. 1 Pick = 3 points

2nd Selection/No. 2 Pick = 2 points

3rd Selection/No. 3 Pick = 1 point

APPLICANT/ MEMBER NAME:	ENTER YOUR SELECTION POINTS:
Folbrecht, Jon	
Murray, James	
Shaw, James	

Point System, if Council decides to choose from the two current Alternates, is reflected as follows:

1st Selection/No. 1 Pick = 2 points

2nd Selection/No. 2 Pick = 1 point

APPLICANT/ MEMBER NAME:	ENTER YOUR SELECTION POINTS:
Folbrecht, Jon	
Shaw, James	

NOTE: The same procedure will be utilized to select a winner in the event of a tie.

CITY OF OKEECHOBEE

55 Southeast 3rd Avenue, Okeechobee, Florida 34974 Phone: (863) 763-3372

APPLICATION FOR CITY CITIZEN BOARD/COMMITTEE APPOINTMENT

Please print or type all information. The information from this application will be used by the City Council when considering action on your appointment. The application **MUST BE COMPLETED IN FULL**. Answer "None" "Not Applicable" or "N/A" where appropriate.

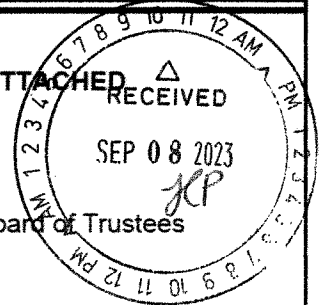
CHECK THE BOARD(S) OF INTEREST TO YOU
A COPY OF EACH BOARD'S DUTIES, MEETING DATES, AND TIMES ARE ATTACHED

☒ Planning Board/Board of Adjustment & Appeals/Design Review Board

☐ Okeechobee Utility Authority Board of Directors (City Residents Only)

☐ Police Officers' Pension, Firefighters' Pension, or General Employees' Retirement System Board of Trustees
 (City Resident Trustee: _____ OR Fifth Member Trustee: _____)

☐ Other: _____



APPLICANT'S FULL NAME:	JAMES Dean MURRAY		
NAME COMMONLY USED:	Dean MURRAY		
RESIDENCE ADDRESS:	2648 SE 27 th AVE Okeechobee 34974		
HOW LONG AT ADDRESS:	Years: 10 EST	Is this in the City Limits?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
MAILING ADDRESS:	SAME AS ABOVE		
TELEPHONE/CELL:	863-697-1397		
EMAIL:	jd81jd@MSN.COM		
ARE YOU A US CITIZEN?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, explain: _____		
FLORIDA REGISTERED VOTER?	<input checked="" type="checkbox"/> Yes County Registered in: Okeechobee <input type="checkbox"/> No		
EDUCATION:	High School Name(s) & Location(s)	Year Graduated	
	Dixie High New Lebanon Ohio	1980	
	MCJVS Trade School Ohio	1980	
POST SECONDARY EDUCATION:	College Name(s)	Certificate/Degree(s) Awarded	Date(s) Attended
	Sinclair College, Ohio		1981, 2002
	FPL Nuclear Training Facility		1988-1994
MILITARY SERVICE:	Branch(es)	Dates of Service	Discharge Date(s)
	N/A		
CURRENT OR MOST RECENT EMPLOYER:	FPL (Next ERA Energy) 35 years		
JOB TITLE/DESCRIPTION:	Power Plant Maint. Foreman		
WORK ADDRESS:	Warfield Blvd Indiantown (Martin Plant)		
WORK TELEPHONE:	800-226-5885 / 844 694-4748 FPL HQ		

ARE YOU CURRENTLY EMPLOYED AS: (CHECK ALL THAT APPLY)	<div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"><input type="checkbox"/> General Contractor</div> <div style="width: 33%;"><input type="checkbox"/> Business Person</div> <div style="width: 33%;"><input type="checkbox"/> Architect</div> <div style="width: 33%;"><input type="checkbox"/> Engineer</div> <div style="width: 33%;"><input type="checkbox"/> Sub-Contractor</div> <div style="width: 33%;"><input type="checkbox"/> Realtor</div> <div style="width: 33%;"><input type="checkbox"/> Attorney</div> <div style="width: 33%;"><input type="checkbox"/> Doctor</div> <div style="width: 33%;"><input type="checkbox"/> Surveyor</div> <div style="width: 33%;"><input type="checkbox"/> Lay Person</div> <div style="width: 33%;"><input type="checkbox"/> Urban Planner</div> <div style="width: 33%;"><input type="checkbox"/> Landscape Architect</div> </div>
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Have you ever been appointed to, or do you currently serve on, a citizen or community board for any other agency or government? ☒ **No** ☐ **Yes***, and list: **If you are currently serving on another Board that the State deems an "office," your application cannot be considered. Each Board will have to be reviewed and verified.*

AGENCY	BOARD NAME	POSITION	DATE(S)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Are you now, or have you ever been, elected or appointed to any public office? ☒ **No** ☐ **Yes, and list:**

LEVEL OF GOVERNMENT	OFFICE TITLE	DATE OF ELECTION	TERM(S)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Do you work with or have any association with a current member of the board/committee to which you are requesting appointment? ☒ **No** ☐ **Yes, and list:**

NAME OF BOARD/COMMITTEE MEMBER(S)	RELATIONSHIP/ASSOCIATION
_____	_____
_____	_____
_____	_____

Are you related to, or employed by, any City of Okeechobee employees or elected officials? ☒ **No** ☐ **Yes, and list:**

NAME OF EMPLOYEE/ELECTED OFFICIAL	RELATIONSHIP/ASSOCIATION
_____	_____
_____	_____
_____	_____

Have you ever been found to be in violation of Florida Statutes Chapter 112, Part III, Code of Ethics for Public Officers and Employees? ☒ **No** ☐ **Yes, and list:**

DATE(S)	NATURE OF VIOLATION
_____	_____
_____	_____
_____	_____

Have you ever been convicted of a **FELONY**, plead guilty or no contest, or entered into an agreement setting forth the terms leading to the reduction or dismissal of the charges? ☒ **No** ☐ **Yes, and list:**

DATE(S)	VIOLATION	CITY AND STATE
_____	_____	_____
_____	_____	_____
_____	_____	_____

ALL INFORMATION PROVIDED ON THIS FORM IS A PUBLIC RECORD. Information for certain individuals with a specific public records exemption can be withheld. In order to claim the exemption, complete the following:

Are you a current or former, the spouse of a current or former, or the child of a current or former sworn or civilian law enforcement personnel, certified firefighter, EMT, paramedic, code enforcement officer, or other covered employee who is exempt from public records disclosure under Florida Statute 119.071? Review list of other covered employees before responding. ☒ No ☐ Yes, and list:

JOB TITLE OR COVERED POSITION TITLE

RELATIONSHIP

Describe any skills, experiences, interests and/or background information about yourself that would be helpful to the Board you wish to serve on. Include personal accomplishments that qualify you for the appointment.

If more space is needed, please attach an additional page.

- * McJVS Electrical Trade School (2 years)
- * FPL 4 year Apprentice School (power plants)
- * FPL Journeyman Mechanic (power plant) Fossil
- * FPL Journeyman Electrician (power plants) Nuclear & Fossil
- * Montgomery County (Ohio) Journeyman Electrician & Instrument
- * Montgomery County (Ohio) State Certified Building & Electrical county Inspector (6 years)
- * FPL Journeyman Operation Dept (Electrician, Mechanic and Instrument and Controls)
- * FPL Plant Foreman Maint. Dept.
- * FPL Outage Foreman in charge of Electrical, Mechanical and Instrument and Controls during plant overhauls / shut-downs thru out Florida power plants
- * FPL Martin plant Solar Tech for Electrical and Instrument and Controls.

Moved to Okeechobee in 1981 Moved around Florida for FPL power plant jobs. Moved to Ohio for 8 years as county employee. Moved back to Okeechobee in 2002 to present.

THE FOLLOWING INFORMATION IS USED WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, AGE, DISABILITY, OR MARITAL STATUS. HOWEVER, THE FEDERAL AND STATE GOVERNMENTS REQUIRE THE CITY TO PROVIDE STATISTICS ON THE NUMBER OF WOMEN, MINORITIES, VETERANS, AND DISABLED PERSONS THAT ARE APPOINTED TO BOARDS. INFORMATION WILL BE USED FOR STATISTICAL PURPOSES ONLY AND HAVE NO BEARING ON YOUR APPOINTMENT:

SEX: ☒ MALE ☐ FEMALE

ETHNIC GROUP: ☒ CAUCASIAN ☐ BLACK ☐ SPANISH HERITAGE ☐ NATIVE AMERICAN
☐ ASIAN OR PACIFIC ISLANDER ☐ OTHER (specify): _____

CHECK ALL THAT APPLY: ☐ WARTIME PERIOD VETERAN ☐ DISABLED VETERAN ☐ VIETNAM VETERAN

HANDICAPPED STATUS: ☒ NO ☐ YES, AND LIST THE HANDICAP: _____

STATEMENT OF APPLICANT: I certify that the answers are true and complete to the best of my knowledge. I authorize investigation of all statements contained in this application. I hereby release all companies, schools, or persons from all liability for any damage for issuing this information. I understand that the City may request a copy of my driver's license. I have the right to request that the City completely and accurately disclose to me the contents of any investigation or reports upon request to the Office of the City Clerk. I further understand all information provided becomes a matter of public record.

CERTIFICATION: I understand that falsification, omission, misleading statements, or misrepresentation is cause for rejection of this application. I understand that this application is a Public Record and is subject to the provisions of Florida Statutes Chapter 119.

FINANCIAL DISCLOSURE REPORTING: I understand that should I be appointed to a City of Okeechobee citizen board I am required to complete and file a State of Florida Financial Disclosure Form 1 upon my appointment, annually and a Financial Disclosure Form 1-Final upon my resignation/sunset of term.

PUBLIC RECORDS/OPEN MEETINGS LAWS: I understand and agree that should I be appointed to a citizen board/committee for the City of Okeechobee, I will comply with all State Statutes, Florida Administrative Code, and State Constitution regarding public records, records retention, public record requests, and the open public meeting requirements.

I hereby acknowledge that I have read and understand each of the above statements.

Signature of Applicant: _____

Date: 9/8/23

1. The City Code Book Sec. 70-151, 70-171, 70-19170-211 read: "...membership of the board, where possible, shall consist of any of the following: architect, engineer, surveyor, urban planner, landscape architect, general contractor, realtor, business person, and lay persons."

2. Other covered jobs include current or former, their spouse, and children: correctional and correctional probation officers; juvenile probation officers, supervisors, detention superintendents and assistants; Department of Juvenile Justice; detention officers I and II, detention office supervisors, residential officers, residential officer supervisors I and II, counselors and supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors; certain personnel of: the Department of Children and Families; the Department of Health; the Department of Financial Services; and the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; investigators or inspectors of the Department of Business and Professional Regulation; the Office of the Inspector General or internal audit department; justices of the Supreme Court; judges of the district court of appeals, circuit court, and county court; general and special magistrates, judges of compensation claims, administrative law judges of the Divisions of Administrative Hearings, and child support enforcement hearing officers; state attorneys and assistants, statewide prosecutors and assistants; public defenders and assistants, criminal conflict and civil regional counsel and assistants; guardians ad litem; human resource, labor relations, or employee relations directors and assistants, managers or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiations, administration, or other personnel-related duties; tax collectors; certain impaired practitioners and consultants; [see ' 119.071, Florida Statutes].

PLEASE RETURN COMPLETED APPLICATION TO:
 CITY OF OKEECHOBEE
 OFFICE OF THE CITY CLERK
 75 SE 3RD AVENUE, ROOM 100
 OKEECHOBEE, FLORIDA 34974

CITY CLERK'S OFFICE USE ONLY						
Boards Applicant is appointed to				Verified State's consideration as an "Office":		
#1 _____				#1 _____		
#2 _____				#2 _____		
#3 _____				#3 _____		
APPOINTED TO:						
CITY COUNCIL MEETING:	INITIAL TERM DATES:	NOTIFICATION SENT:	RE-APPOINTED TERM DATES:	RE-APPOINTMENT NOTIFICATION SENT:	RESIGNED/TERM SUNSET:	CERTIFICATE OF APPRECIATION PRESENTED:

**AMENDMENT NO. 3
TO AGREEMENT NO. LPQ0007
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
CITY OF OKEECHOBEE**

This Amendment to Agreement No. LPQ0007 (Agreement), as previously amended, is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and the City of Okeechobee (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for Okeechobee Taylor Creek SW 4th Street Stormwater (Project), effective November 21, 2019; and,

WHEREAS, the Grantee has requested a revision in the scope of work and a budget reallocation for the Project to account for the Task 1 Construction bid being significantly less than originally estimated; and,

WHEREAS, the parties have agreed to amend the Agreement as set forth herein.

NOW THEREFORE, the parties agree as follows:

1. Section 2.d. of Attachment 1 is deleted and replaced as follows:

This Agreement may be amended, through a formal amendment or a change order, only by a written agreement between both parties.

A formal amendment to this Agreement is required for changes which cause any of the following:

- (1) an increase or decrease in the Agreement funding amount;
- (2) a change in Grantee's match requirements;
- (3) a change in the expiration date of the Agreement; and/or
- (4) changes to the cumulative amount of funding transfers between approved budget categories, as defined in Attachment 3, Grant Work Plan, that exceeds or is expected to exceed twenty percent (20%) of the total budget as last approved by Department.

A change order to this Agreement may be used when:

- (1) task timelines within the current authorized Agreement period change;
- (2) the cumulative transfer of funds between approved budget categories, as defined in Attachment 3, Grant Work Plan, are less than twenty percent (20%) of the total budget as last approved by Department;
- (3) changing the current funding source as stated in the Standard Grant Agreement; and/or
- (4) fund transfers between budget categories for the purposes of meeting match requirements.

This Agreement may be amended to provide for additional services if additional funding is made available by the Legislature.

2. The following is hereby added to Attachment 1 as Section 8.f.:

State Funds Documentation. Pursuant to section 216.1366, F.S., if Contractor meets the definition of a non-profit organization under section 215.97(2)(m), F.S., Contractor must provide the Department with documentation that indicates the amount of state funds:

- i. Allocated to be used during the full term of the contract or agreement for remuneration to any member of the board of directors or an officer of Contractor.

- ii. Allocated under each payment by the public agency to be used for remuneration of any member of the board of directors or an officer of the Contractor.

The documentation must indicate the amounts and recipients of the remuneration. Such information must be posted on the State's contract tracking system and maintained pursuant to section 215.985, F.S., and must be posted on the Contractor's website, if Contractor maintains a website.

3. Section 4. of Attachment 2 is hereby revised to the following:

Reimbursement for costs or availability for costs to meet matching requirements shall be limited to the following budget categories, as defined in the Reference Guide for State Expenditures, as indicated:

<u>Reimbursement</u>	<u>Match</u>	<u>Category</u>
<input type="checkbox"/>	<input type="checkbox"/>	Salaries/Wages
		Overhead/Indirect/General and Administrative Costs:
<input type="checkbox"/>	<input type="checkbox"/>	a. Fringe Benefits, N/A.
<input type="checkbox"/>	<input type="checkbox"/>	b. Indirect Costs, N/A.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contractual (Subcontractors)
<input type="checkbox"/>	<input type="checkbox"/>	Travel, in accordance with Section 112, F.S.
<input type="checkbox"/>	<input type="checkbox"/>	Equipment
<input type="checkbox"/>	<input type="checkbox"/>	Rental/Lease of Equipment
<input type="checkbox"/>	<input type="checkbox"/>	Miscellaneous/Other Expenses
<input type="checkbox"/>	<input type="checkbox"/>	Land Acquisition

4. Attachment 3, Project Timeline and Budget Detail, is hereby deleted and replaced with the following:

PROJECT TIMELINE AND BUDGET DETAIL: The tasks must be completed by, and all documentation received by, the corresponding task end date. Cost reimbursable grant funding must not exceed the budget amounts as indicated below.

Task No.	Task Title	Budget Category	Grant Amount	Task Start Date	Task End Date
1	Construction	Contractual Services	\$265,583.44	07/01/2019	12/30/2023
2	Project Management	Contractual Services	\$34,416.56	07/01/2019	02/29/2024
Total:			\$300,000		

5. Attachment 3, Grant Work Plan, is hereby revised to add Task 2 Project Management as follows:

Task 2: Project Management

Deliverables: The Grantee will perform project management, to include field engineering services, construction observation, site meetings with construction contractor(s) and design professionals, and overall project coordination and supervision.

Documentation: The Grantee will submit interim progress status summaries including summary of inspection(s), meeting minutes and field notes, as applicable.

Performance Standard: The Department's Grant Manager will review the documentation to verify that the deliverables have been completed as described above. Upon review and written acceptance by the Department's Grant Manager, the Grantee may proceed with payment request submittal.

Payment Request Schedule: The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

6. All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistency may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

The parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

CITY OF OKEECHOBEE

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By: _____
Authorized Signature

By: _____
Secretary or Designee

Dowling R. Watford Jr., Mayor
Print Name and Title

Angela Knecht, Division Director
Print Name and Title

Date: _____

Date: _____

Attest:

Arianna Kolesar, DEP Grant Manager

Lane Gamiotea, CMC, City Clerk

Amanda Peck, DEP QC Reviewer

Reviewed for Legal Sufficiency:

John J. Fumero, City Attorney
Nason Yager Gerson Harris & Fumero, P.A.

APPROVED BY:

CITY OF OKEECHOBEE

ATTEST:

Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

John J. Fumero, City Attorney
Nason Yager Gerson Harris & Fumero, P.A.

Memo

To: Gary Ritter, City Administrator
From: David Allen, Public Works Director
Date: 10/11/2023
Re: Kimley Horn Engineering Services request – NE 4th Street Ditch Bank Erosion Project

The Public Works Department is requesting a Purchase Order in the amount of \$19,210.00 to Kimley Horn Engineers, for engineering services to determine the correct bank erosion remediation steps for the NE 4th Street drainage ditch, East of NE 6th Avenue. The ditch bank is caving in adjacent to an FPL Transmission power pole. Failure of the pole would impact a large portion of the City and surrounding area.

The ditch banks on the NE 4th Street ditch are much steeper than the ditch banks in other areas of the City. This section of ditch is the outfall for a substantial portion of the Northwest and Northeast portions of the City. Failure of this section of ditch would negatively impact both stormwater and power distribution for a significant area. Because of the steepness of the bank, simpler methods of bank, stabilization such as riprap cannot be used. Determination of the proper remediation approach will require the services of a Professional Engineer.



Bank Erosion



Bank Erosion



October 3, 2023

David Allen
Public Works Director
City of Okeechobee
55 SE 3rd Avenue
Okeechobee, FL 34974

Re: Professional Services for NE 4th St Canal Bank Stabilization

Dear Mr. Allen:

Kimley-Horn and Associates, Inc., ("Kimley-Horn") is pleased to submit this proposal to the City of Okeechobee ("City") for professional engineering services NE 4th St Canal Bank Stabilization (the "Project") located at NE 4th St, Okeechobee County, Florida. Our project understanding, scope of services, and fee are described below.

Project Understanding

FPL has noticed erosion at the foundation of a transmission power pole due to soil loss at the south bank of the adjacent canal. This project's focus will be providing construction plans to protect the foundation from any further soil erosion, including the addition of fill, bank restoration, and bank stabilization adjacent to the existing pole foundation. No work or analysis will be performed on the pole or foundation. The scope will be limited to site improvements for the re-establishment of the canal bank and added protection of the bank adjacent to the foundation. Additionally, it is our understanding multiple power poles along the canal bank may be affected.

Scope of Services

Task 1: Data Collection and Site Visit

Kimley-Horn shall conduct one site visit to visually assess the condition of the canal bank and measure the current level of foundation exposure. While on site, Kimley-horn will assess the condition of the south canal bank where accessible. Kimley-Horn will rely on City staff to assist in gaining access to private property where the pole and erosion is located. It is our understanding that there are no existing structural plans available for the bank control structure or other retaining structures in the area. If no plans or shop drawings are available, Kimley-Horn will use conservative assumptions, along with our field measurements, to determine materials and member sizes. This task includes coordination with FPL for a more in-depth understanding of construction constraints and site conditions.

Task 2: Alternative Analysis Report and Discussion

Kimley-Horn will generate a report with multiple repair options based on the findings from the site visit and data collection. The report will include possible sources of the erosion, as well as a discussion of up to three (3) repair options. Each repair option will have a discussion with advantages and disadvantages of the repair and suggested repair limits.

Following issuance of the report to the City, a meeting will be scheduled to discuss the report and to

determine which repair solution the City would like to proceed with.

Task 3: Construction Documents

Kimley-Horn will utilize the information from Tasks 1 and 2, along with input from the City, to prepare Construction Documents for the bank stabilization at up to two (2) isolated pole locations. This task assumes one (1) bank stabilization option will be used for all affected power poles and multiple details will not be developed for each location.

Kimley-Horn will prepare repair plans in general conformance with the conditions of the Florida Building Code (latest Edition). Plans are anticipated to consist of the following sheets:

- A Cover Sheet
- General Notes Sheet(s)
- Quantity Table
- An Overall Site Plan
- Elevations
- Typical Sections
- Typical Details

Kimley-Horn will reference the survey provided by the City.

Kimley-Horn will submit draft bank stabilization plans to the City for review via electronic submission. Upon receipt of City comments, we will incorporate one (1) round of revisions to address the City's comments, finalize the construction plans, and submit final documents to the City (via electronic format) for their use in soliciting bids to perform the recommended repairs.

If the City does not implement any repair recommended by Kimley-Horn, the City agrees it will not assert any claims in any way related to those conditions for which repair was recommended, and City will indemnify, defend, and hold harmless Kimley-Horn and its employees for any claim arising out of those conditions.

Services Not Included

Any other services, including but not limited to the following, are not included in this Agreement:

- Independent Testing Lab Services
- Boundary or Topographic Survey
- Geotechnical Services
- Architectural Services

Additional Services

Services not provided for in the above scope will be considered additional services and can either be performed at then current hourly rates. Additional services may consist of:

- Additional phone meetings
- Bid Phase Services
- Construction Phase Services
- Additional canal stabilization outside of two (2) isolated locations

Information and Services Provided by City

Kimley-Horn shall be entitled to rely on the completeness and accuracy of all information provided by the City. The City shall provide all information requested by Kimley-Horn during the project, including but not limited to the following:

- Available project record drawings.
- Access to all properties.
- Geotechnical Report for proposed banks stabilization
- Topographical survey

Schedule

We will provide our services as expeditiously as practicable with the goal of meeting a mutually-agreed-upon schedule.

Fee and Expenses

Kimley-Horn will perform the services in Tasks 1-3 for the total lump sum fee listed below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the City.

Task 1 – Data Collection and Site Visit	\$2,830.00
Task 2 – Alternative Analysis Report and Discussion	\$7,170.00
<u>Task 3 –Construction Documents</u>	<u>\$9,210.00</u>
Total Lump Sum Fee	\$19,210.00

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the Executed Contract Agreement for Professional Engineering Services between the City of Okeechobee and Kimley-Horn and Associates, Inc. dated January 18th, 2022, which are incorporated by reference. As used in the Agreement, "Engineer" shall refer to Kimley-Horn and Associates, Inc., and "City" shall refer to The City of Okeechobee.

Kimley Horn will begin services after receiving a fully executed Task Assignment from the City of Okeechobee.

We appreciate the opportunity to perform this service for you! Please contact Lauren Smith at (561) 840-0801 or lauren.smith@kimley-horn.com if you have any questions.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



By: Michael F. Schwartz, P.E.
Senior Vice President

Attachment

X

Dowling R. Watford, Jr., Mayor

ATTEST:

X

Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

X

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

TABLE A
COST ESTIMATE FOR ENGINEERING SERVICES

PROJECT: NE 4th St Canal Bank Stabilization
 CLIENT: City of Okeechobee
 KHA PM: Cory Salt
 BASIS FOR ESTIMATE: KHA HOURLY RATES

SHEET: 1 of 1
 DATE: 10/06/2023

			Principal Denise/Tom	Registered Professional Andre	Professional 2 Cory	Senior Support Staff Kyle	Senior Drafter Art	Total Labor Hours	Expenses (\$)	LABOR TOTAL
NO.	Task	Description	\$280.00	\$170.00	\$140.00	\$85.00	\$135.00			
Task 1	Data Collection and Site Visit									
1.1	FPL Coordination Call		1	1				2	\$ 100.00	\$ 550.00
1.2	Site Visit			6	6			12		\$ 1,860.00
1.3	Site Visit Documentation				3			3		\$ 420.00
	Subtotal		1	7	9	0	0	17	\$ 100.00	\$ 2,830.00
Task 2	Alternative Analysis Report and Discussion									
2.1	Alternative Analysis Research		1	12	6					\$ 3,160.00
2.2	Alternative Analysis Report			16						\$ 2,720.00
2.3	Report QC		4							\$ 1,120.00
2.4	Discussion Call			1						\$ 170.00
	Subtotal		5	29	6	0	0	0		\$ 7,170.00
Task 3	Bid Phase Assistance									
3.1	Construction Plan Drafting		2	8			32			\$ 6,240.00
3.2	Manufacturer Coordination			4						\$ 680.00
3.3	QC		4							\$ 1,120.00
3.4	Comment Responses		2	2			2			\$ 1,170.00
	Subtotal		8	14	0	0	34	0	\$ -	\$ 9,210.00
	GRAND TOTAL		14	50	15	0	34	17		\$ 19,210.00



OKEECHOBEE CITY POLICE DEPARTMENT

TO: Mayor and Council Members

10/12/2023

FROM: Lt. Bettye Taylor
Chief Donald Hagan

SUBJECT: Requesting the purchase of a new generator for the Police Department

The City Police Department was approved in the FY 23-24 budget to replace our old non-working generator with a new natural gas generator due to issues with the current diesel tank and motor. Because of the long wait times for new generators and coordination with Florida Natural gas we have quickly reached out to several vendors for prices to replace the old generator and Newman's Power System was the only one to respond.

The current wait times of 8 months puts us into the next hurricane season which is why we have requested to accelerate our normal bid process by directly contacting major vendors for prices. Each vendor was provided with specifications for a natural gas generator that would meet the requirements to run the Police Department during power outages.

On July 14, 2023, we provided specifications and requested a quote on a new natural gas generator from Genset Services of Pompano Beach, Newman's Power Systems, and Central Florida Generator Services of Lake Placid. After acknowledging the request for quotes the only source we heard back from was Newman's Power System.

On October 6, 2023, we made a second attempt for pricing and reached out to a tech with Generac. He advised us he would have his office return our call on October 9, 2023. Currently we have not received a call back from the company.

The quote we received from Newman's for a natural gas generator installed was \$67,654.00. Newman's also uses Jim Davis Electric for appropriate electrical work. The coordination of the installation of the natural gas line and hook up will be handled by Okeechobee City Public Works under a separate purchase order.

As noted, the timing of acquiring and installing a natural gas generator is critical. With eight plus months of wait time we are wanting to move forward as quickly as possible with a goal of installation prior to the next hurricane season. We are asking permission from the Council to allow us to contract with Newman's Power Systems based on the price they provided.