



CITY OF OKEECHOBEE

55 SE THIRD AVENUE
OKEECHOBEE, FL 34974

DECEMBER 20, 2022

6:00 PM

LIST OF EXHIBITS

Mayor

Dowling R. Watford, Jr.

Council Members

Noel Chandler

Monica Clark

Bob Jarriel

Bobby Keefe

Draft Minutes
Warrant Register

December 6, 2022
November 2022

Exhibit 1	Airi Acres Deed
Exhibit 2	2022 Conduct of Election Report
Exhibit 3	2022-09 City Council Election Results
Exhibit 4	Proposed Resolution No. 2022-10
Exhibit 5	Proposed Resolution No. 2022-11
Exhibit 6	Ordinance No. 1270
Exhibit 7	2022 Citizen Board Appointment



CITY OF OKEECHOBEE, FLORIDA
DECEMBER 6, 2022, 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 December 6, 2022, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast (SE) 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Mayor Watford; followed by the Pledge of Allegiance led by Council Member Clark.

II. ATTENDANCE

Roll was taken by Deputy City Clerk Heather Prince to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Noel A. Chandler, Monica M. Clark, Robert "Bob" Jarriel, and Robert "Bobby" M. Keefe, Jr.

III. AGENDA AND PUBLIC COMMENTS

- A. There were no requests for items to be added, deferred, or withdrawn from the agenda.
- B. Motion and second by Council Members Keefe and Jarriel to approve the revised agenda as presented.
Motion Carried Unanimously.
- C. There were no comment cards submitted for public participation for issues not on the agenda.

IV. CONSENT AGENDA

- A. Motion and second by Council Members Keefe and Jarriel to [dispense with the reading and] approve the meeting Minutes for November 8, 2022, and November 15, 2022, [as presented]. **Motion Carried Unanimously.**

V. NEW BUSINESS

- A. Ms. Connie Vanassche, of CAS Governmental Services, LLC, highlighted the City's 2023-24 Legislative Priorities, as presented with the published agenda, that will be presented at the Delegation Hearing scheduled for February 4, 2023. Appropriation Funding requests will include \$1,200,000.00 for the hardening of the Public Safety Building, \$1,200,000.00 for the hardening of City Hall, and \$412,503.00 for State Law Enforcement Radio System Equipment that is a State unfunded mandate. Issues of concern are unfunded mandates and attacks on Home Rule which further fiscally constrain our area that is designated a Rural Area of Opportunity. Our unemployment rate and poverty level are above the State averages. Seek support for the Lake Okeechobee System Operating Manual Project, the Broadband Expansion Programs, and the State's continued financial commitment to the widening of State Road (SR) 70 West to U.S. Highway 27. Request to increase or maintain State Funded Programs: Florida Department of Environmental Protection water quality grants, and Recreation Development Assistance Program grants. Florida Department of Economic Opportunity Rural Infrastructure Fund grants and Historical Preservation grants. Florida Department of Transportation (FDOT) Small County Outreach Program grants. Issues of financial concern are State mandated exemptions, Local Business Taxes, and Communications Services Taxes. There were no modifications made, therefore this item was for informational purposes only.
- B. City Attorney Greg Hyden reviewed the Code Enforcement Lien Process utilizing an 11-slide power point presentation [as presented in **Exhibit 1**, with a revised slide 11 and added slide 12 distributed during the meeting]. He highlighted the specifics of Florida Statute Chapter 162 as it applies, then aspects of the City's current Ordinances, and presented the Staff's recommendations for amendments to specify the criteria considered by the Special Magistrate when reviewing requests for lien reductions. This includes reducing liens to a maximum of 60 percent as well as considering the gravity of the violation, efforts towards compliance, and frequency of violations. Attorney Hyden responded to several questions posed by the Council. Following the discussion, **the Council agreed to proceed with the amendments as presented. An ordinance will be presented at a future meeting.**
- C. Motion and second by Council Members Chandler and Jarriel to approve the Termination of Grant of License with American Legion Post No. 64 regarding Veterans Square in Flagler Park [as presented in **Exhibit 2**]. For the record, it was verified that Mr. Steve Lynn of the American Legion is aware of matter and in agreement they are no longer able to maintain the Park as originally agreed; and clarified the Park would continue to be used to honor Veterans and would remain known as Veterans Memorial Square.
Motion Carried Unanimously.

V. NEW BUSINESS CONTINUED

- D. Motion and second by Council Members Keefe and Clark to approve an Agreement with Kimley Horn and Associates, Inc., for Engineering Design and Bid Assistance in the amount of \$33,990.00 for the SE 4th Street Stormwater Improvement Project [as presented in **Exhibit 3**]. **Motion Carried Unanimously.**
- E. Mayor Watford explained the Board of County Commissioners had an interest in purchasing the Advanced Auto Parts property at 300 West North Park Street. The initial plan, which was part of a visionary workshop conducted thirty years ago, was to designate the property a Park to provide a view of the historic courthouse from Flagler Park. Mayor Watford expressed his support of the project/vision. Council Member Keefe made a motion to authorize Mayor Watford to send a letter of support to the County Commissioners and the Council consider including \$100,000.00 in the 2023-24 Budget to assist with this project. Motion failed for lack of a second and there was no further discussion.

VI. CITY ATTORNEY UPDATE

- Working with General Services staff regarding rezonings and re-plats;
- Researching ways to resolve on-going issues with the title of Cattlemen's Square and the Hamrick Trust;
- Revising the food truck ordinance to match the County's;
- Drafting stormwater ordinance;
- Planning to present fireworks ordinance at the next meeting;
- Clarified the role each attorney, has within the City.

VII. CITY ADMINISTRATOR UPDATE

- Invited Council to ride on the City's float in the Christmas Parade on Saturday, December 10, 2022;
- Santa will be visiting various sections of the City on December 13, December 14, and December 15, 2022;
- Working with architect for estimate to rehabilitate City Hall and the Public Safety Building, estimate expected to be provided soon;
- Widening of SR 70 will mostly occur outside the City but FDOT will continue to include City in all discussions;
- The Re-Bid of the Landscape Maintenance Bid was not accepted; it will be re-bid again under a new scope of services.

VIII. COUNCIL COMMENTS

Council Member Chandler thanked Staff, particularly the Code Enforcement Officers, for their hard work in making the City a better place.

Council Member Jarriel:

- Inquired about a property East of Arby's and suggested the City consider selling it;
- Expressed desire to see an ordinance that addresses dates and timeframe for requiring property owners to remove their hurricane shutters.

Council Member Keefe:

- Expressed apologies for being unable to attend the tree lighting ceremony;
- Thanked Code Enforcement for making the City more beautiful.

Council Member Clark extended a welcome back to Chief Hagan.

Mayor Watford wished a speedy recovery to Clerk Gamiotea.

IX. ADJOURNMENT

There being no further items of discussion, Mayor Watford adjourned the meeting at 7:13 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.



Okeechobee, FL

Check Report

By Check Number

Date Range: 11/01/2022 - 11/30/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: CapVeh Fund-Capital Vehicle Fund Truist Checking						
Okeechobee Main Stre	Okeechobee Main Street	11/15/2022	Regular	0.00	9,000.00	1936
Okeechobee Main Stre	Okeechobee Main Street	11/30/2022	Regular	0.00	58,392.50	1937

Bank Code CapVeh Fund Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	2	2	0.00	67,392.50
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	67,392.50

Check Report

Date Range: 11/01/2022 - 11/30/2022

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	11/03/2022	EFT	0.00	114,236.46	126
1644	PRM - Health Insurance	11/15/2022	EFT	0.00	57,468.01	127
1770	PRM - Life, LTD & STD	11/15/2022	EFT	0.00	4,017.35	128
1645	PRM - Vision & Dental	11/15/2022	EFT	0.00	2,359.46	129
City Of Okeechobee P	City Of Okeechobee Payroll Account	11/17/2022	EFT	0.00	120,853.22	130
U S Department	U.S. Department of Treasury	11/17/2022	EFT	0.00	29,960.21	131
U S Department	U.S. Department of Treasury	11/17/2022	EFT	0.00	-29,960.21	131
BOA- 2709 fka 0257 a	Bank of America - 2709 fka 0257 Admin	11/08/2022	Regular	0.00	799.12	45261
BOA- 9928 fka 2303 P	Bank of America - 9928 fka 2303 PW	11/08/2022	Regular	0.00	1,566.39	45262
CenturyLink-LD	CenturyLink	11/08/2022	Regular	0.00	18.34	45263
621	City Of Okeechobee - Petty Cash	11/08/2022	Regular	0.00	42.50	45264
1934	Verizon Wireless	11/08/2022	Regular	0.00	512.70	45265
American Drilling Se	American Drilling Services, Inc.	11/15/2022	Regular	0.00	31.50	45266
C&C Industrial Enter	C&C Industrial Enterprise. LLC	11/15/2022	Regular	0.00	254.38	45267
CAS Governmental Ser	CAS Governmental Services, LLC	11/15/2022	Regular	0.00	500.00	45268
Communications Inter	Communications International, Inc.	11/15/2022	Regular	0.00	259.50	45269
Cooling Refrigeratio	Cooling Refrigeration Services, Inc.	11/15/2022	Regular	0.00	425.00	45270
East Coast Signs & S	East Coast Signs & Shirts	11/15/2022	Regular	0.00	52.00	45271
CIT Technology Finan	First-Citizens Bank & Trust Co	11/15/2022	Regular	0.00	292.50	45272
CIT Technology Finan	First-Citizens Bank & Trust Co	11/15/2022	Regular	0.00	227.58	45273
Fitness Factory	Fitness Factory	11/15/2022	Regular	0.00	200.00	45274
Florida Unemployment	Florida Unemployment Comp. Fund	11/15/2022	Regular	0.00	944.88	45275
HealthEquity	HealthEquity	11/15/2022	Regular	0.00	10.80	45276
HealthEquity	HealthEquity	11/15/2022	Regular	0.00	525.64	45277
1892	Highland Pest Control	11/15/2022	Regular	0.00	225.00	45278
ICS	ICS Computers Inc.	11/15/2022	Regular	0.00	-11,459.62	45279
ICS	ICS Computers Inc.	11/15/2022	Regular	0.00	11,459.62	45279
1105	Indian River Crime Laboratory	11/15/2022	Regular	0.00	10,251.75	45280
1374	Jack Boon	11/15/2022	Regular	0.00	47.00	45281
JLM Electric	JLM Electric	11/15/2022	Regular	0.00	1,800.00	45282
Morris-Depew Associa	Morris-Depew Associates, Inc.	11/15/2022	Regular	0.00	5,269.50	45283
2057	Okeechobee Army Surplus	11/15/2022	Regular	0.00	820.90	45284
BOCC	Okeechobee County - BOCC	11/15/2022	Regular	0.00	480.00	45285
OUA	Okeechobee Utility Authority	11/15/2022	Regular	0.00	796.75	45286
2043	O'Reilly Auto Parts	11/15/2022	Regular	0.00	50.60	45287
1460	Tire Zone of Okeechobee, Inc.	11/15/2022	Regular	0.00	999.97	45288
1516	Total Roadside Services, Inc.	11/15/2022	Regular	0.00	1,029.00	45289
1861	TransUnion Risk & Alternative Data	11/15/2022	Regular	0.00	75.00	45290
TCMA	Treasure Coast Medical Associates	11/15/2022	Regular	0.00	2,772.00	45291
338	US Postal SVC/Neopost Postage On Call	11/15/2022	Regular	0.00	1,000.00	45292
W&W	W&W Lumber Company of Okeechobee	11/15/2022	Regular	0.00	2,016.17	45293
	Void	11/15/2022	Regular	0.00	0.00	45294
WEX	WEX Bank	11/15/2022	Regular	0.00	5,853.86	45295
AFLAC	American Family Life Assurance Co.	11/30/2022	Regular	0.00	316.88	45296
Aurelio Almazan	Aurelio Almazan	11/30/2022	Regular	0.00	180.00	45297
Business Information	Business Information Systems, Inc.	11/30/2022	Regular	0.00	3,656.30	45298
C&C Industrial Enter	C&C Industrial Enterprise. LLC	11/30/2022	Regular	0.00	53.64	45299
CenturyLink-Fiber	Century Link	11/30/2022	Regular	0.00	1,826.54	45300
CenturyLink-LD	CenturyLink	11/30/2022	Regular	0.00	16.83	45301
CenturyLink-Local	CenturyLink	11/30/2022	Regular	0.00	2,106.49	45302
City Electric Suppl	City Electric Supply Co.	11/30/2022	Regular	0.00	58.57	45303
CivicPlus	CivicPlus	11/30/2022	Regular	0.00	275.00	45304
Comcast	Comcast	11/30/2022	Regular	0.00	191.30	45305
Custom Lifts Inc.	Custom Lifts Inc.	11/30/2022	Regular	0.00	443.07	45306
Domer's Inc.	Domer's Inc.	11/30/2022	Regular	0.00	23.52	45307
CIT Technology Finan	First-Citizens Bank & Trust Co	11/30/2022	Regular	0.00	172.13	45308
FPL	Florida Power & Light Company	11/30/2022	Regular	0.00	850.92	45309
FPL	Florida Power & Light Company	11/30/2022	Regular	0.00	2,479.19	45310
FPU	Florida Public Utilities	11/30/2022	Regular	0.00	83.46	45311
Glades Air Condition	Glades Air Conditioning	11/30/2022	Regular	0.00	98.00	45312

Check Report

Date Range: 11/01/2022 - 11/30/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1824	Harris Corporation	11/30/2022	Regular	0.00	738.00	45313
1491	Home Depot Credit Services	11/30/2022	Regular	0.00	1,659.37	45314
90	IMS	11/30/2022	Regular	0.00	279.78	45315
1343	India Riedel	11/30/2022	Regular	0.00	332.86	45316
1866	JC Newell Const. Inspect. Services, Inc.	11/30/2022	Regular	0.00	5,356.00	45317
2154	Jessica Francis	11/30/2022	Regular	0.00	180.00	45318
1730	Jim Davis Electric, LLC	11/30/2022	Regular	0.00	1,000.00	45319
594	KYOCERA Document Solutions Southeast	11/30/2022	Regular	0.00	480.67	45320
1071	LegalShield	11/30/2022	Regular	0.00	14.95	45321
117	Liberty National Life Ins. Co.	11/30/2022	Regular	0.00	179.28	45322
1962	LiftOff, LLC	11/30/2022	Regular	0.00	14,466.00	45323
MissionSquare	MissionSquare	11/30/2022	Regular	0.00	231.76	45324
MissionSquare	MissionSquare	11/30/2022	Regular	0.00	2,630.00	45325
2212	Nason Yeager Gerson Harris & Fumero P.A.	11/30/2022	Regular	0.00	19,040.00	45326
2006	NexAir, LLC	11/30/2022	Regular	0.00	131.00	45327
2057	Okeechobee Army Surplus	11/30/2022	Regular	0.00	245.70	45328
222	Okeechobee News c/o Independent Newspape	11/30/2022	Regular	0.00	2,080.80	45329
OUA	Okeechobee Utility Authority	11/30/2022	Regular	0.00	1,419.54	45330
2043	O'Reilly Auto Parts	11/30/2022	Regular	0.00	8.09	45331
2064	Red Ink Printing	11/30/2022	Regular	0.00	140.68	45332
1574	Salem Trust Company	11/30/2022	Regular	0.00	5,687.64	45333
1574	Salem Trust Company	11/30/2022	Regular	0.00	10,220.23	45334
554	Scott's Quality Cleaning	11/30/2022	Regular	0.00	1,721.66	45335
2183	Select Shred	11/30/2022	Regular	0.00	30.00	45336
1688	Sprint	11/30/2022	Regular	0.00	77.12	45337
350	Superior Water Works, Inc.	11/30/2022	Regular	0.00	27.50	45338
1550	Taylor Rental - Okeechobee	11/30/2022	Regular	0.00	711.60	45339
1813	Thompson Reuters	11/30/2022	Regular	0.00	95.76	45340
1906	Thread Works Embroidery, LLC	11/30/2022	Regular	0.00	408.00	45341
1460	Tire Zone of Okeechobee, Inc.	11/30/2022	Regular	0.00	42.18	45342
814	Treasure Coast Newspapers	11/30/2022	Regular	0.00	215.46	45343
1939	United Way	11/30/2022	Regular	0.00	36.00	45344
W&W	W&W Lumber Company of Okeechobee	11/30/2022	Regular	0.00	232.53	45345
743	Walmart/Capital One	11/30/2022	Regular	0.00	477.59	45346

Bank Code GenFund Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	137	85	0.00	135,039.54
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	-11,459.62
Bank Drafts	0	0	0.00	0.00
EFT's	7	7	0.00	298,934.50
	144	94	0.00	422,514.42

Check Report

Date Range: 11/01/2022 - 11/30/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Grant Fund 305-Industrial Development Fund						
Culpepper & Terpenin	Culpepper & Terpening, Inc.	11/15/2022	Regular	0.00	390.00	1382
CraigSmith	Craig A Smith	11/30/2022	Regular	0.00	6,885.00	1383

Bank Code Grant Fund 305 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	2	2	0.00	7,275.00
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	7,275.00

Check Report

Date Range: 11/01/2022 - 11/30/2022

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	11/30/2022	Regular	0.00	675.00	1384

Bank Code Grant Fund 307 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	1	1	0.00	675.00
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
	1	1	0.00	675.00

Check Report

Date Range: 11/01/2022 - 11/30/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: PubFac Fund-Public Facility Fund-Trust Checking						
Culpepper & Terpenin	Culpepper & Terpening, Inc.	11/15/2022	Regular	0.00	3,951.25	3564
CW Roberts Contracti	CW Roberts Contracting, Inc.	11/15/2022	Regular	0.00	79,785.70	3565
Diamond R Fertilizer	Diamond R Fertilizer Co., Inc.	11/15/2022	Regular	0.00	357.50	3566
W&W	W&W Lumber Company of Okeechobee	11/15/2022	Regular	0.00	65.98	3567
City Electric Suppl	City Electric Supply Co.	11/30/2022	Regular	0.00	134.98	3568
FPL	Florida Power & Light Company	11/30/2022	Regular	0.00	5,301.25	3569
2107	Melissa Henry	11/30/2022	Regular	0.00	69.68	3570
1670	Sherwin-Williams Co.	11/30/2022	Regular	0.00	83.51	3571
743	Walmart/Capital One	11/30/2022	Regular	0.00	7.98	3572

Bank Code PubFac Fund Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	12	9	0.00	89,757.83
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
	12	9	0.00	89,757.83

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	154	99	0.00	300,139.87
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	-11,459.62
Bank Drafts	0	0	0.00	0.00
EFT's	7	7	0.00	298,934.50
	161	108	0.00	587,614.75

Fund Summary

Fund	Name	Period	Amount
001	GENERAL FUND	11/2022	422,514.42
301	PUBLIC FACILITY FUND	11/2022	89,757.83
304	CAPITAL PROJECTS FUND	11/2022	67,392.50
305	INDUSTRIAL DEVELOPMENT FUND	11/2022	7,275.00
307	APPROPRIATIONS GRANT FUND	11/2022	675.00
			587,614.75

Prepared By and Return To:

STEPHEN CONTEAGUERO
NASON YEAGER GERSON HARRIS & FUMERO, PA
750 PARK OF COMMERCE BLVD STE 210
BOCA RATON, FL 33487

Official Records File# 2022009880 Page(s): 4
Jerald D Bryant
Clerk of the Circuit Court & Comptroller
Okeechobee, FL Recorded 7/20/2022 1:50 PM
Fees: RECORDING \$35.50 D DOCTAX PD \$0.70

Property Appraisers Parcel Identification

Folio Number(s): 3-22-37-35-0020-00000-00R0

SPACE ABOVE THIS LINE FOR RECORDER'S USE

This Quit Claim Deed, Executed this 19 day of July, A.D. 2022, by
Airi Acres Homeowners Association, Inc.
first party, to

The City of Okeechobee, a Florida municipal corporation
whose post office address is

City Administrator
City of Okeechobee
55 SE 3rd Avenue, Room 201
Okeechobee, FL 34974

second party:

(Wherever used herein, the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires)

Witnesseth, that the said first party, for and in consideration of the sum of \$10.00 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece, or parcel of land, situate, lying and being in the County of Okeechobee State of FLORIDA, to-wit:

A strip of land 30.00 feet in width lying in a portion of the private street parcel (SE 11th street) as shown on the plat of Airi Acres, according to the plat thereof as recorded in plat book 7, page 53, of the public records of Okeechobee County, Florida. Said strip being described as follows:

Beginning at the southwest corner of the northwest 1/4 of the southeast 1/4 of Section 22, Township 37 south, Range 35 east, Okeechobee County, Florida, also being the southwest corner of said Airi Acres, then N 00°11'00" E, along the west line of said southeast 1/4 and along the west line of said Airi Acres, a distance of 239.99 feet; thence S 89°09'33" E, a distance of 30.00 feet, thence S 00°11'00" W, a distance of 239.99 feet to the south line of said northwest 1/4 of the southeast 1/4 and the south line of said Airi Acres; thence N 89°09'16" W, along said south line, a distance of 30.00 feet of the point of beginning.

Containing 0.17 acres, more or less.

As described more fully and depicted in the attached Exhibit A.

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever for the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Anna Adams
WITNESS 1 Sign

Anna Adams
WITNESS 1 Print

Lane Gamble
WITNESS 2 Sign

Lane Gamble
WITNESS 2 Print

Airi Acres Homeowners Association, Inc.

By Carl E. Berlin, Jr.
Its President

STATE OF FLORIDA }
COUNTY OF OKEECHOBEE }

HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared

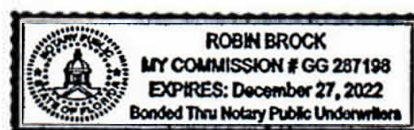
Carl E. Berlin, Jr. who is the President of Airi
(Name) (Title)

Acres Homeowners Association, Inc. who is ☐ to me known to be the person described in and who executed the foregoing instrument or ☐ who has produced

D.L. B645-125-51-378-C as identification and before executed the same.

WITNESS my hand and official seal to the County and State last aforesaid this
19th day of July A.D. 2022.

Robin Brock
NOTARY PUBLIC



DESCRIPTION:

A STRIP OF LAND 30.00 FEET IN WIDTH LYING IN A PORTION OF THE PRIVATE STREET PARCEL (SE 11TH STREET) AS SHOWN ON THE PLAT OF AIRI ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 53, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA. SAID STRIP BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 37 SOUTH, RANGE 35 EAST, OKEECHOBEE COUNTY, FLORIDA, ALSO BEING THE SOUTHWEST CORNER OF SAID AIRI ACRES, THENCE N 00°11'00" E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 AND ALONG THE WEST LINE OF SAID AIRI ACRES, A DISTANCE OF 239.99 FEET; THENCE S 89°09'33" E, A DISTANCE OF 30.00 FEET; THENCE S 00°11'00" W, A DISTANCE OF 239.99 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTH LINE OF SAID AIRI ACRES; THENCE N 89°09'16" W, ALONG SAID SOUTH LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.17 ACRES, MORE OR LESS.

PROJECT SPECIFIC NOTES:

- 1) THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY. IT IS A SKETCH AND LEGAL DESCRIPTION ONLY.
- 2) BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF AIRI ACRES AND THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 37 SOUTH, RANGE 35 EAST, TAKEN TO BEAR NORTH 00°11'00" EAST.
- 3) NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE FOR EASEMENTS, DEED RESTRICTIONS, ZONING SETBACKS, RIGHTS-OF-WAY OR ABANDONMENTS.
- 4) THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 5) REPRODUCTIONS OF THIS DRAWING ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE SIGNING SURVEYOR.



John J. Rice
JOHN J. RICE, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. 4506

**SKETCH OF DESCRIPTION
CITY OF OKEECHOBEE**

PREPARED FOR:

DESCRIPTION	DWG. DATE	BY	CK
PREPARE EXHIBIT	06/07/22	WC	JJR
REVISE DESCRIPTION	06/22/22	WC	JJR
FB/PG: N/A	SCALE: N/A		
DWG NO: 22-202	JOB NO: 22-202		

**TRADEWINDS SURVEYING
GROUP, LLC.**

200 SW 3rd Avenue
Okeechobee, FL 34974
Tel: (863) 763-2887
Fax: (863) 763-4342

Jerald D Bryant
Clerk of the Circuit Court & Comptroller
OKEECHOBEE COUNTY
312 NW 3rd Street
Okeechobee, FL 34972

Transaction # 2019155417

Receipt # 2022008298

Print Date: 7/20/2022 1:50:45PM

Cashier Date: July 20, 2022

Client: CITY OF OKEECHOBEE

1 Item

DEED

Instrument Number: 2022009880

RECORDING FEES	<u>\$17.00</u>
BOCC	<u>\$8.00</u>
FACC FEE	<u>\$0.40</u>
TRUST FUND FEE	<u>\$2.50</u>
DEED DOC	<u>\$0.70</u>
COURT RELATED PRMT	<u>\$7.60</u>

CASH

AMOUNT: \$40.00

CHANGE: \$3.80

Total Payments	\$36.20
----------------	---------

Total Fees	\$36.20
------------	---------

Shortage	\$0.00
----------	--------

Check Overage	\$0.00
---------------	--------

Quit Claim Deed
Airi Acres Homeowners Assoc.
to City, portion of SE 4th Drive

Petty Cash

Rec By: Kayleigh Jones

Deputy Clerk

www.clerk.co.okeechobee.fl.us/Official_Records.htm

Okeechobee County Property Appraiser

Mickey L. Bandi, CFA

2022 Certified Values

updated: 12/1/2022

Parcel: << 3-22-37-35-0020-00000-00R1 (36926) >>

Owner & Property Info

Result: 24 of 30

Owner	CITY OF OKEECHOBEE 55 SE 3RD AVE ROOM 201 OKEECHOBEE, FL 34974-2903		
Site	SE 12TH DR OKEECHOBEE		
Description	AIRI ACRES A STRIP OF LAND 30.00 FEET IN WIDTH LYING IN A PORTION OF THE PRIVATE STREET PARCEL (SE 11TH STREET) AS SHOWN ON THE PLAT OF AIRI ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 53, OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY ...more>>		
Area	0.17 AC	S/T/R	22-37-35
Use Code**	MUNICIPAL VAC (8089)	Tax District	50

*The Description above is not to be used as the Legal Description for this parcel in any legal transaction.

**The Use Code is a Dept. of Revenue code. Please contact Okeechobee County Planning & Development at 863-763-5548 for zoning info.

Property & Assessment Values

2021 Certified Values	2022 Certified Values	
2021 Certified Values are not available	Mkt Land	\$510
	Ag Land	\$0
	Building	\$0
	XFOB	\$0
	Just	\$510
	Class	\$0
	Appraised	\$510
	SOH/10% Cap [7]	\$0
	Assessed	\$510
	Exempt	04 \$510
	Total	county:\$0 city:\$0 other:\$0 school:\$0
	Taxable	

Note: Property ownership changes can cause the Assessed value of the property to reset to full Market value, which could result in higher property taxes.

Aerial Viewer Pictometry Google Maps

© 2022 © 2021 © 2020 © 2019 © 2018 Sales



Sales History

Sale Date	Sale Price	Book/Page	Deed	V/I	Qualification (Codes)	RCode
7/19/2022	\$100	2022009880	QC	V	U	11
2/8/2019	\$100	0819/1286	QC	V	U	98
8/2/2016	\$100	0782/0586	QC	V	U	98
9/25/2008	\$100	0680/0705	QC	V	U	01
4/18/2007	\$0	0629/0070	WD	V	U	03
7/25/2005	\$0	0570/1931	WO	V	U	03
9/30/2003	\$0	0512/1934	WD	V	U	03
12/16/2002	\$0	0492/0765	CT	V	U	01
12/3/2002	\$0	0490/0354	CT	V	U	01
10/7/2002	\$0	0486/0849	QC	V	U	03
4/17/2002	\$0	0474/1151	QC	V	U	03
6/1/1990	\$0	0314/0992	WD	V	U	03

Building Characteristics

Bldg Sketch	Description*	Year Blt	Base SF	Actual SF	Bldg Value
NONE					

Extra Features & Out Buildings (Codes)

Code	Description	Year Blt	Value	Units	Dims	Condition (% Good)
NONE						

Land Breakdown

Code	Description	Units	Adjustments	Eff Rate	Land Value
009402	ROAD (MKT)	0.170 AC	1.0000/1.0000 1.0000/ /	\$3,000 /AC	\$510

Search Result: 24 of 30

© Okeechobee County Property Appraiser | Mickey L. Bandi, CFA | Okeechobee, Florida | 863-763-4422

by: GrizzlyLogic.com

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

The County Canvassing Board must submit a completed Conduct of Election Report to the Division of Elections at the same time that the board submits its certified official election results for any presidential preference primary, general, primary, or special election, whichever is applicable.

On behalf of the county canvassing board, the Supervisor must submit the report via the SOE File Transfer Utility on the SOE portal. For assistance if needed, please contact the Bureau of Voting Systems Certification, Eleonor Lipman; Eleonor.Lipman@dos.myflorida.com; 850-245-6258 or Zane Wood; Zane.Wood@dos.myflorida.com; 850-245-6123.

GENERAL INFORMATION

1. **County:** Okeechobee

Date of Election: 11/08/2022

Election (Check one):

☐ Presidential Preference Primary Election

☐ Primary Election

☒ General Election

☐ Other election (specify): _____

2. **Election Definition created by (Check one):**

☐ County Supervisor of Elections' Office (SOE)

☒ Vendor

☐ Consultant

☐ Other (specify): _____

EQUIPMENT

3. **Voting Devices (Insert the applicable number):**

Vote-by-Mail (VBM) Central Count Marksense Scanners		
Initial Total VBM Scanners	Removed	Replaced or Added
1	0	0

Precinct Count Marksense Scanners				
	Number of Polling Locations	Initial Total Deployed	Removed	Replaced or Added
Early Voting	1	2	0	0
Election Day	11	11	0	0

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

Voter Interface Device (e.g., Automark, ExpressVote, or ICE)				
	Number of Polling Locations	Initial Total Deployed	Removed	Replaced or Added
Early Voting	1	2	0	0
Election Day	11	11	0	0

Reason for removal, replacement or addition of voting devices:

4. Did **equipment or software** issues occur at the precinct level, at a counting location, or within computer and telecommunications networks supporting county location? (*Section 102.141, F.S.*)

☐ **NO** Proceed to #5.

☒ **YES** Specify the number of issues in the appropriate column(s) in the table below, indicate the specific type of issue(s) incurred on the checklist, and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

		Number of issues		
		Early Voting Site	Election Day Polling Locations	Central Location
Equipment	Marksense Scanner		1	
	Voter Interface Device			
Software	Marksense Scanner			
	Voter Interface Device			
Computer	Election Mgmt. System			
Telecommunications	Modems and Phone lines			

Checklist for type of equipment/software issues encountered (Check all that apply)

Early Voting and Election Day

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

Checklist for type of equipment/software issues encountered (Check all that apply)	
Voting devices	
<input type="checkbox"/>	Voting devices – not connected to electrical power or power source issue
<input type="checkbox"/>	Voting devices – battery backup issue – battery not charged
<input type="checkbox"/>	Voting devices – battery backup issue – removed from service
<input type="checkbox"/>	Voter interface device issue – repaired – remained in service
<input type="checkbox"/>	Voter interface device media issue – media replaced
<input type="checkbox"/>	Marksense scanner issue – repaired – remained in service
<input type="checkbox"/>	Marksense scanner memory media issue – media replaced
<input type="checkbox"/>	Marksense scanner did not reject a blank ballot
<input type="checkbox"/>	Marksense scanner did not reject a ballot with an overvoted contest
<input type="checkbox"/>	Marksense scanner did not accept one or more undervoted contests
<input type="checkbox"/>	Ballot box diverter issue – removed from service
<input type="checkbox"/>	Ballot box diverter issue – repaired – remained in service
<input checked="" type="checkbox"/>	Used the marksense scanner's ballot box emergency/auxiliary bin
<input type="checkbox"/>	Could not complete a planned modem upload or problems with the phone lines
<input type="checkbox"/>	Other – Provide the description
Central Location	
Vote-by-Mail tabulation	
<input type="checkbox"/>	Marksense scanner issue – repaired – remained in service
<input type="checkbox"/>	Marksense scanner memory media issue – media replaced
<input type="checkbox"/>	Other – Provide the description
Election Management	
<input type="checkbox"/>	Problem uploading results or creating reports
<input type="checkbox"/>	Other – Provide the description

Steps Taken to Resolve:

Canvassing Board scanned 6 ballots that were returned unscanned from polling location # 6,

Canvassing Board was able to scan 2, the other 4 were duplicated, due to miscellaneous marks. All

6 ballots were added to the # 6 tabulator, uploaded and added to Unofficial results.

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

5. Were any election definition errors discovered after the logic and accuracy test?
 (Section 102.141., F.S.)

- ☒ **NO** Proceed to #6.
- ☐ **YES** Specify the number of issues in the appropriate column(s) in the table below and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

	Number of issues		
	Election definition issues	Precinct count media issues	Central count media issues
County created definition or media			
Vendor created definition or media <u>with correct</u> county information			
Vendor created definition or media <u>with incorrect</u> information from the county			

Notes: Election Day refers to the polling locations. Media refers to a tabulator's memory cards, memory packs, USB flash memory, zip drive, PEBs, etc.

Steps Taken to Resolve:

BALLOTS

6. Ballot-Printing (Check all that apply):

	Early Voting	Election Day	Vote-by-Mail
Ballot-on-Demand (BOD)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ballot Printer Service (provided by SOE's Voting System Vendor)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ballot Printer Service (provided by vendor other than SOE's Voting System)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

7. Did any ballot printing and/or ballot supply problems occur? (Section 102.141., F.S.)

☒ **NO** Proceed to #8.

☐ **YES** Specify the number of issues in the appropriate column(s) in the table below, indicate the specific type of issue(s) incurred on the checklist, and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

	Number of issues			
	Electronic ballot layout issues	Paper ballot layout issues	Paper ballot printer issues	Paper ballot supply problems
County created the ballot				
Vendor created <u>with correct</u> county information				
Vendor created <u>with incorrect</u> information from the county				

Checklist for type of ballot or printer issues encountered (Check all that apply)	
Early Voting and Election Day	
Polling location (please identify the location)	
<input type="checkbox"/>	Incorrect ballots provided to the voter – poll worker
<input type="checkbox"/>	Ballot moisture (humidity) cannot scan
<input type="checkbox"/>	Multi-language or minority language (e.g., Spanish) ballots – not available and/or issues
Vote-by-Mail	
<input type="checkbox"/>	Incorrect ballots provided to the voter – election staff
<input type="checkbox"/>	Incorrect ballots provided to the voter – vendor error
<input type="checkbox"/>	Multi-language or minority language (e.g., Spanish) ballots – not available and/or issues
Ballot-on-demand (BOD)	
<input type="checkbox"/>	Printed incorrect ballots – printer configuration error, such as duplex
<input type="checkbox"/>	Printed incorrect ballots – software error
<input type="checkbox"/>	Printer failure
<input type="checkbox"/>	Incorrect ballots provided to the voter – poll worker
Other	
<input type="checkbox"/>	Describe the issue:

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

Steps Taken to Resolve:

ELECTION ADMINISTRATION

8. Did you have any **staffing shortages and/or procedural problems** by employees or precinct workers during the conduct of the election?
(Section 102.141, F.S.)

- ☒ **NO** Proceed to #9.
- ☐ **YES** Specify the number of issues in the appropriate column(s) in the table below, indicate how the issue was addressed, and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

Who experienced the issue	Number of shortages	Number of times that additional training may have mitigated the problem(s)	Number of times when procedures were not followed
Poll workers			
Election staff			
Security			
Temporary support			

Steps Taken to Resolve:

9. Were there instances when the needs for **staffing and equipment** were insufficient to meet voters' needs?
(Section 102.141, F.S.)

- ☒ **NO** Proceed to #10.
- ☐ **YES** Specify the numbers in the appropriate column(s) in the next table and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

	Number of planned resources for Election Day	Number of resources available for Election Day	Number of insufficient resources on Election Day to meet the voters' needs
Poll workers			
Election staff			
Voting devices		Note below and see page 1	
Other equipment and supplies			

Note: The number of "planned" items are based on the Election Day estimates, and "available" is the actual items at the start of the Election Day. Note that the number of voting devices available is based on the actual initial total deployment including voter interface devices as provided on page 1 for Election Day. Other equipment and supplies, for example, refers to summation of the number of electronic poll book devices, provisional ballot supplies, ballot boxes, transfer bags, etc.

Steps Taken to Resolve:

10. Did you experience any issues associated with Voter Check – In? (Section 102.141., F.S.)

☒ **NO** Proceed to #11.

☐ **YES** Specify the number of issues in the appropriate column(s) in the table below, indicate the specific type of issue(s) incurred on the checklist, and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

	Number of issues	
	Early Voting Site	Election Day Polling Locations
Electronic Poll Book/ Precinct Register (If used in election)		
Paper poll book / precinct register		

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

Checklist for type of voter check-in issues encountered (Check all that apply)	
Early Voting and Election Day	
Electronic-Poll Book	
Type:	Vendor:
<input type="checkbox"/>	Electronic Poll Book – not connected to electrical power or power source issue
<input type="checkbox"/>	Electronic Poll Book functionality issue – repaired – remained in service
<input type="checkbox"/>	Electronic Poll Book functionality issue – removed from service
<input type="checkbox"/>	Electronic Poll Book media issue – media replaced
<input type="checkbox"/>	Electronic Poll Book connectivity issue – repaired – remained in service
<input type="checkbox"/>	Electronic Poll Book connectivity issue – removed from service
<input type="checkbox"/>	Electronic Poll Book Check-In Process
Paper poll book / precinct register	
<input type="checkbox"/>	Paper Poll Book – Incorrect
<input type="checkbox"/>	Paper Poll Book – Check-In Process
Other	
<input type="checkbox"/>	Describe the issue:

Steps Taken to Resolve:

11. Did you experience any additional issues associated with the conduct of election?
 (Section 102.141, F.S.)

- ☒ **NO** Proceed to #12.
- ☐ **YES** Indicate on the checklist the type of issue(s), and explain the steps taken to resolve the issue(s) on the lines provided (☐ check this box if on a separate sheet).

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

Checklist for Additional Issues	
Early Voting and Election Day	
Polling location	
<input type="checkbox"/>	Incorrect setup
<input type="checkbox"/>	Solicitation area violated
<input type="checkbox"/>	Incompatible for ADA accessibility
<input type="checkbox"/>	Incompatible for use as a polling location
Voters	
<input type="checkbox"/>	Fleeing voter
<input type="checkbox"/>	Disruptive behavior
<input type="checkbox"/>	Disruptive photography
Observers	
<input type="checkbox"/>	Not approved
<input type="checkbox"/>	Disruptive behavior
<input type="checkbox"/>	Disruptive photography
Media and/or citizen polling	
<input type="checkbox"/>	Disruptive behavior
Other	
<input type="checkbox"/>	Describe the issue:

Steps Taken to Resolve:

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

CANVASSING BOARD

12. If the canvassing board conducted a manual recount of overvotes and undervotes, does the canvassing board have suggested revisions to the law or the rules for determining a voter's choice?
(Sections 101.6952(2) and 102.166(4), F.S. and Rules 15-2.027 and 15-2.051)

- ☒ **N/A** Proceed to #13.
- ☐ **NO** Proceed to #13.
- ☐ **YES** Provide suggested revisions below. If needed, attach additional pages and a copy of a representative ballot for which a determination could not be made to illustrate the issue.

Proposed revisions to standards for determining a voter's choice:

13.

County Canvassing Board

Print Name	Signature	Title	Date
Melissa Arnold	Melissa Arnold	Supervisor of Elections	11/18/22
Terry Burroughs	Terry Burroughs	Chairman BCC	11/18/22
William Wallace	William Wallace	County Judge	11/18/22

NOTICE: A statutory duty exists to continually report any new or additional information on any of the items required to be included in this Report. The supervisor of elections on behalf of the board must:

- Notify the Division of Elections no later than the next business day after the discovery of the information; and
- Submit a signed written report amended report no later than 10 days after the discovery. (Section 102.141, F.S.)

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

Addendum

This section asks what services and materials were provided to accommodate Spanish language voters.

1. Type of Spanish-language ballot used in county:

Select all that apply	
Spanish-Language Ballots	
<input checked="" type="checkbox"/>	Unilingual Ballot
<input type="checkbox"/>	Bi- or multilingual ballot
<input type="checkbox"/>	Voter Interface Device (Automark, Expressvote, or ICE)

2. Number of persons that requested Spanish-language ballot? (only applicable to counties with single language ballots): 16

3. Form of language assistance offered at the Supervisor of Elections Office:

Select all that apply	
<input checked="" type="checkbox"/>	Bilingual staff
<input type="checkbox"/>	Spanish voter assistance hotline
<input checked="" type="checkbox"/>	Professional translation services by phone
<input checked="" type="checkbox"/>	Spanish language election related signage and materials
<input type="checkbox"/>	Other- describe

4. Form of language assistance offered at the polls:

Select all that apply	
<input checked="" type="checkbox"/>	Bilingual election worker
<input checked="" type="checkbox"/>	Spanish voter assistance hotline
<input checked="" type="checkbox"/>	Professional translation services by phone
<input type="checkbox"/>	Virtual bilingual election worker
<input checked="" type="checkbox"/>	Spanish language election related signage and materials
<input type="checkbox"/>	Other- describe

CONDUCT OF ELECTION REPORT
SECTION 102.141(10), FLORIDA STATUTES

5. Number of persons that accessed the Spanish-language website: 0

6. Form of language assistance offered on website:

Select all that apply	
<input checked="checked" type="checkbox"/>	Fully translated website in Spanish
<input checked="checked" type="checkbox"/>	Link to state's Spanish-language information website
<input checked="checked" type="checkbox"/>	Spanish language election related materials
<input type="checkbox"/>	Other- describe

7. Provide any additional relevant information: _____

RESOLUTION NO. 2022-09

A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; ACCEPTING THE OFFICIAL RESULTS FROM THE OKEECHOBEE COUNTY CANVASSING BOARD FOR THE CITY COUNCIL RACE IN THE 2022 GENERAL CITY ELECTION; PROVIDING FOR TERMS OF OFFICE TO BE HELD BY DOWLING R. WATFORD, JR., BOB JARRIEL, AND DAVID R. MCAULEY; PROVIDING FOR A SUMMARY OF DUTIES, COMPENSATION, BENEFITS, AND PUBLIC RECORDS; PROVIDING FOR THE CITY CLERK TO ISSUE CERTIFICATES OF ELECTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 19, 2022, by virtue of the provisions of the Charter of the City of Okeechobee and Florida State Law, Mayor Watford proclaimed and declared that a General City Election will be held on November 8, 2022, by the qualified voters to elect three City Council Members; and

WHEREAS, as provided in Section 26-4 of the Code of Ordinances, the City’s qualifying period was held from Noon, August 15 through Noon, August 19, 2022, in the Office of the City Clerk for all persons who desired to become a qualified City Candidate; and

WHEREAS, such individual(s) who qualified as candidates for the Office of City Council: Jon Folbrecht, Bob Jarriel, Beth W. Lehman, David R. McAuley, Christopher Adam Martin, and Dowling R. Watford, Jr. However, after the qualifying period ended, candidate Beth W. Lehman submitted an official letter withdrawing her candidacy and requesting her name be removed from the ballot; the request to remove the name from the ballot was submitted and approved by Okeechobee County Supervisor of Elections; and

WHEREAS, the City entered into an Agreement on August 1, 2006, with the Okeechobee County Supervisor of Elections, which sets forth the provisions for the City General Elections to be held in coordination with the County’s Election, and submit such results to the City Council for official acceptance; and

WHEREAS, the Canvassing Board Official Results dated November 18, 2022, and signed by William Wallace, County Judge; Melissa Arnold, County Supervisor of Elections; and Terry Burroughs, Board of County Commissioners Chairperson; declare the votes given for the Nonpartisan Election held November 8, 2022, are that Dowling R. Watford, Jr., Bob Jarriel, and David R. McAuley received the highest number of votes for the Office of City Council.

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

Section 1. Recitals. The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

Section 2. Election Results. The City Council hereby accepts the Official Results from the Okeechobee County Canvassing Board for the 2022 General Nonpartisan City Council Election. Statement of Votes Cast provided by the Okeechobee County Supervisor of Elections with 45.59 percent voter participation of the 3,139 registered City voters as of October 11, 2022:

Name of Candidate Qualified for City Council:	Jon Folbrecht	Bob Jarriel	David R. McAuley	Christopher Adam Martin	Dowling R. Watford, Jr.
Votes by Precinct (No. 6):	162	310	220	143	351
Votes By Mail:	76	171	133	91	215
Early Voting:	105	270	191	124	282
Provisional Ballots:	0	0	0	0	0
TOTAL VOTES:	343	751	544	358	848
PERCENTAGE:	12.06%	26.41%	19.13%	12.59%	29.82%

Section 3. Candidates Elected and Terms.
That, Dowling R. Watford, Jr., Bob Jarriel, and David R. McAuley, having received the highest number of votes be, and are hereby declared elected as City Council Members.

That they shall hold office for four (4) years beginning the first Monday in January following the City General Election and until their successors are elected and qualified as provided in Section 26-5, Code of Ordinances. Terms being January 2, 2023, through January 4, 2027. Whereby due the first Monday in January of 2023 falling on an official holiday observed by the City of Okeechobee, the Oath of Office will be conducted on December 27, 2022.

Section 4. Duties and Responsibilities; Compensation; Benefits; Public Records.

City Council Members are expected to uphold all laws government municipalities whether Federal, State, or local. Duties and responsibilities of elected officials are set out in various chapters of the Florida Laws, Florida Administrative Code, and Florida Statutes including the Sunshine Laws, and the Open Public Records Laws; additional specific duties and responsibilities are provided in, but not limited to the City Charter, City Code of Ordinances, City Employee Policies and Procedures Handbook, City Safety Policy Manuel, City Drug-Free Workplace Policy, and City Workers Compensation Policy. These publications along with a digital copy of the Florida Municipal Officials Manual are provided to Council Members.

The list compiled below is representative, and not intended to be a comprehensive list of duties and responsibilities. The omission of a specific function does not absolve an official from being required to perform tasks incidental to or inherent to the position.

- Set policy and make decisions concerning different aspects of municipal government such as tax rates, rezonings, comprehensive plan amendments, annexations, land development regulations, and awards contracts over amount set by ordinance.
- Attends regular Council meetings as well as workshops and special meetings.
- Serve as City liaison for various area-wide boards and committees.
- Complete and file every year, a State of Florida Financial Disclosure Form 1.
- Complete annually, the State required four-hour training on Ethics, Open Public Meetings (Sunshine Law), and Public Records, and file a copy of the certificate of completion with the City Clerk.
- Comply with all State Statutes, Florida Administrative Code, and State Constitution regarding public records. This includes maintaining and checking on a regular basis, the assigned City email and maintain proper keeping of all records made or received in connection with the transaction of official City business.
- Review and adopt an annual budget for revenues, operating expenses, capital improvement projects, public facilities improvements and/or grant projects.
- Review the annual Financial Report of the City (Audit Report).
- Creates and/or abolishes departments by ordinance, excluding ones authorized by Charter. Approves staffing requirements within each department and sets annual compensation of the employees during the annual budget adoption.
- Make appointments to multiple citizen boards such as the Okeechobee Utility Authority Board of Directors; the Planning Board, the Board of Adjustments, the Design Review Board, the Police Officers Pension Fund Board of Trustees, the Firefighters Pension Fund Board of Trustees, and the General Employees Retirement System Board of Trustees.
- Represent the City for numerous ribbon cuttings, opening day festivities and organizational welcomes.
- Personnel files are maintained by the City Clerk; a driver history check is conducted upon the beginning of the term of office, additional driving history reports may be obtained as required. Additional personnel processing is conducted as required by law, of which include E-Verify and Florida Employment Reporting. Pre-employment substance screenings and health physicals are not conducted. However, Council Members are subject to follow all workers compensation protocols and procedures in the event of an accident or injury.
- City Council Members do not have offices within City Hall; the positions are classified as part-time.

Compensation. Compensation is authorized by the City Charter and established by the annual budget ordinance.

Benefits. City Council Members are entitled to participate or opt out of the General Employees Retirement System as provided by ordinance; to participate in the Employee Health Insurance and Life Insurance or participate in optional insurance, benefit and/or retirement plans at group rates; and a monthly cell phone reimbursement.

Public Records. A public record is defined in Chapter 119, Florida statutes to include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission (i.e.: text messages, voice mail, emails, social media comments/posts, made or received on any device regardless of device ownership).

- Council Members are required to retain all text messages, voice messages, videos/photographs made or received in connection with the transaction of official City business on their personal cell phone(s), computer(s), or other electronic devices.
- Council Members are required to ensure their personal cell phone carrier can provide call logs for all incoming and outgoing texts or phone calls. Additionally, that they be able to provide the content of the text message. This is required for the duration of the term of office. It is strongly encouraged that Council Members retain a monthly copy (digitally preferred) if the carrier only provides this content for a certain amount of time.
- Records Management forms, dates required to retain public records, and training will be provided by the City Clerk’s Office.
- Council Members may submit records to the City Clerk’s Office to be stored in the Records Room.

Section 5. Certificate of Election. The City Clerk is hereby instructed to coordinate an Investiture Ceremony for the official issuance and delivery of the Certificates of Election to each candidate elected as provided in Section 26-10, Code of Ordinances.

Section 6. Conflicts. All Resolution or parts of Resolutions in conflict herewith are hereby repealed.

Section 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or provision and such holding shall not affect the validity of the remaining portions or applications here.

Section 8. Effective Date. This Resolution shall take effect immediately upon adoption.

INTRODUCED AND ADOPTED in Regular Session this 20th day of December 2022.

ATTEST:

Dowling R. Watford, Jr., Mayor

Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

John J. Fumero, City Attorney

RESOLUTION NO. 2022-10

A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; ACCEPTING THE OFFICIAL RESULTS FROM THE OKEECHOBEE COUNTY CANVASSING BOARD FOR THE REFERENDUM QUESTION ON THE 2022 GENERAL CITY ELECTION BALLOT AND DECLARING THE RESULTS THEREOF; PROVIDING FOR OTHER RELATED MATTERS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 19, 2022, by virtue of the provisions of the Charter of the City of Okeechobee and Florida State Law, Mayor Watford proclaimed and declared that a General City Election will be held on November 8, 2022, by the qualified voters to consider whether to approve the revisions to the revised Charter by Referendum; and

WHEREAS, the wording for the Referendum to appear on the ballot and the proposed revised Charter language was adopted by the City Council of the City of Okeechobee, in Ordinance No. 1253 at a final public hearing date held June 6, 2022; and

WHEREAS, as provided in the Elections Chapter, Section 26-4 (1) of Part II of the Code of Ordinances, when it is necessary for a Referendum to occur in a year in which the State holds a general election, the Referendum is to be considered on the date of the November general election. The wording for the ballot was submitted and accepted by Okeechobee County Supervisor of Elections on September 7, 2022; and

WHEREAS, the City entered into an Agreement on August 1, 2006, with the Okeechobee County Supervisor of Elections, which sets forth the provisions for the City General Elections to be held in coordination with the County's Election, and submit such results to the City Council for official acceptance; and

WHEREAS, the Canvassing Board Official Results dated November 18, 2022, and signed by William Wallace, County Judge; Melissa Arnold, County Supervisor of Elections; and Terry Burroughs, Board of County Commissioners Chairperson; declare that the Referendum set forth below on the Proposed Revision of the City Charter for the City of Okeechobee, held November 8, 2022, was approved by the electorate of the City of Okeechobee.

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

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

Section 2. Election Results. The Official Results from the Okeechobee County Canvassing Board for the 2022 General City Election Referendum Question. Statement of Votes Cast provided by the Okeechobee County Supervisor of Elections, with 45.59 percent voter participation of the 3,139 registered City voters as of October 11, 2022, are as follows:

Revision of the City Charter for the City of Okeechobee, Florida

Shall the Charter for the City of Okeechobee be updated and revised to (i) incorporate a Citizens' Bill of Rights; (ii) update and modernize the City Charter; (iii) codify a number of charter-type provisions in the City Code of Ordinance, but not in the City Charter; (iv) eliminate provisions that are obsolete or inconsistent with state law and municipal governance; and (v) render the City Clerk office from an elective position to an appointive position.

Yes Votes:

No Votes:

Votes by Precinct (No. 6):	366	201
Votes By Mail:	190	111
Early Voting:	273	180
Provisional Ballots:	0	0
<hr/>		
TOTAL VOTES:	829	492
PERCENTAGE:	62.76%	37.24%

Section 3. Acceptance, declaration of results. The City Council hereby accepts the Official Results from the Okeechobee County Canvassing Board for the 2022 General City Election Referendum Question and declares the 2022 General City Election Referendum Question approved.

Section 4. Effective dates of specific Sections of the revised Charter.
As authorized by Ordinance No. 1253, Section C-3.5, City Clerk, does not become effective until January 4, 2027. The remainder of the revised Charter shall take effect on December 1, 2022.

Section 5. Codification of revised Charter. The City Clerk is hereby instructed to submit the revised Charter to be codified as Part I of the Code of Ordinances.

Section 6. Conflicts. All Resolution or parts of Resolutions in conflict herewith are hereby repealed.

Section 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or provision and such holding shall not affect the validity of the remaining portions or applications here.

Section 8. Effective Date. This Resolution shall take effect immediately upon adoption.

INTRODUCED AND ADOPTED in Regular Session this 20th day of December 2022.

ATTEST:

Dowling R. Watford, Jr., Mayor

Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

John J. Fumero, City Attorney

DRAFT RESOLUTION NO. 2022-11

A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; ACCEPTING THE 2022 OFFICIAL RESULTS FOR THE OFFICE OF THE CITY CLERK; PROVIDING FOR TERMS OF OFFICE TO BE HELD BY LANE GAMIOTEA AS THE ELECTED CITY CLERK; PROVIDING FOR A SUMMARY OF DUTIES, COMPENSATION, BENEFITS, AND PUBLIC RECORDS; PROVIDING FOR THE CITY CLERK TO ISSUE A CERTIFICATE OF ELECTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 19, 2022, by virtue of the provisions of the Charter of the City of Okeechobee and Florida State Law, Mayor Watford proclaimed and declared that a General City Election will be held on November 8, 2022, by the qualified voters to elect a City Clerk; and

WHEREAS, as provided in the Election Chapter, Section 26-4 of Part II of the Code of Ordinances, the City's qualifying period was held from Noon, August 15 through Noon, August 19, 2022, in the Office of the City Clerk for all persons who desired to become a qualified City Candidate; and

WHEREAS, only one individual, Lane Gamiotea, qualified as a Candidate for the Office of City Clerk, whose name did not appear on the General Ballot, as she is unopposed for said Office; and

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

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

Section 2. Candidate Elected and Term. That, Lane Gamiotea, being unopposed, be, and is hereby declared elected as City Clerk, and shall hold office for four (4) years beginning the first Monday in January following the City General Election and until their successors are elected and qualified as provided in Section 26-5, Code of Ordinances. Term being January 2, 2023, through January 4, 2027. Whereby due the first Monday in January of 2023 falling on an official holiday observed by the City of Okeechobee, the Oath of Office will be conducted on December 27, 2022.

Section 3. Duties and Responsibilities; Compensation; Benefits; Public Records.

The City Clerk is expected to uphold all laws government municipalities whether Federal, State, or local. Duties and responsibilities of elected officials are set out in various chapters of the Florida Laws, Florida Administrative Code, and Florida Statutes including the Sunshine Laws, and the Open Public Records Laws; additional specific duties and responsibilities are provided in, but not limited to the City Charter, City Code of Ordinances, City Employee Policies and Procedures Handbook, City Safety Policy Manual, City Drug-Free Workplace Policy, and City Workers Compensation Policy. These publications along with a digital copy of the Florida Municipal Officials Manual are provided.

The list compiled below is representative, and not intended to be a comprehensive list of duties and responsibilities. The omission of a specific function does not absolve an official from being required to perform tasks incidental to or inherent to the position.

- Comply with all State Statutes, Florida Administrative Code, and State Constitution regarding public records. This includes maintaining and checking on a regular basis, the assigned City email and maintain proper keeping of all records made or received in connection with the transaction of official City business.
- Complete and file every year, a State of Florida Financial Disclosure Form 1.
- Complete annually, the State required four-hour training on Ethics, Open Public Meetings (Sunshine Law), and Public Records, and file a copy of the certificate of

completion with the City Clerk.

- Executive position as a Charter Officer and serves as the corporation's (the City) secretary, attesting the Mayor's signature and administering the City Seal for official documents.
- Responsible for all operations of the Office of the City Clerk, serving as the head of the department and administrative duties including personnel management and employees.
- Prepares and submits an operating and capital improvement budgets for their Department annually.
- Attends regular Council meetings as well as workshops special and emergency meetings. Maintains all official records and recording actions of the City Council and other boards/committees as assigned.
- Monitors intergovernmental actions affecting their Department and acts necessary to sustain and enhance the ability of their Department to meet the needs of the community.
- Responsible for overseeing all City original documents are filed, maintain, and indexed appropriately. Maintain and issues the official numbering of proposed ordinances and resolutions.
- Creates and processes all City advertising, this includes but is not limited to advertisements for meetings, public hearings, public service announcements, employment opportunities, community news, and emergency notices.
- Maintains all public notices/announcements on public bulletin boards.
- In coordination with additional employees from other Departments, ensures the City social media pages are kept current and interactive with the community, including applicable public notices.
- Serves as the Personnel Administrator in order to implement and maintain the policy decision of the City Council related to Personnel Administration; oversees and monitors the employment practices to assure legal compliances and avoid situations and controversies that could be harmful to the City or employees; coordinates with Department Heads to maintain fair and consistent practices and employee treatment; assists with the creation, modification and maintaining the job descriptions for each department; oversee and coordinate the Grievance Committee.
- For all City departments: this position processes applications for employment; oversees a portion of new hires onboarding; maintains personnel and medical files on employees; compiles, tracks, and maintains employees accrued leave benefits; oversees and maintains employee bulletin boards are maintained properly for required notices of Federal and State laws.
- Custodian of official City Maps (such as the zoning, future land use, and subdivisions).
- Responsible for coordinating all City Elections, serves as the Elections Filing Officer, and as the City's Liaison to the Okeechobee County Canvassing Board.
- Is the State designated as the Records Management Liaison Officer on behalf of all departments for the City as well as the Pension Funds and Retirement System.
- Is a signee on all City fund accounts.
- Administers Oath of Offices; and a Notary Public.
- Represent the City for numerous ribbon cuttings, opening day festivities and organizational welcomes.
- Personnel files are maintained, processed, and conducted on the City Clerk position in

the same manner as on regular, full-time employees of the City.

- The appropriate office space and equipment are provided for the City Clerk and their staff within City Hall to carry out the duties and responsibilities appropriately.

Compensation. For Fiscal Year 2022-23, the annual salary from October 1, 2022 through May 31, 2023 is \$75,586.49; and from June 1, 2023 through September 30, 2023 will increase by 1.5 percent to \$76,720.28. Annual salary for Fiscal Years 2023-24, 2024-25, 2025-26, and 2026-27 will be reviewed and set by the City Council during the annual budget adoption.

Benefits. The City Clerk is entitled to participate in the same fringe benefits offered to all other regular, full-time general City employees; and a monthly cell phone reimbursement.

Public Records. A public record is defined in Chapter 119, Florida Statutes to include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission (i.e.: text messages, voice mail, emails, social media comments/posts, made or received on any device regardless of device ownership).

-Required to retain all text messages, voice messages, videos/photographs made or received in connection with the transaction of official City business on their personal cell phone(s), computer(s), or other electronic devices.

-Required to ensure personal cell phone carrier can provide call logs for all incoming and outgoing texts or phone calls. Additionally, be able to provide the content of the text message. This is required for the duration of the term of office. It is strongly encouraged that the City Clerk to retain a monthly copy (digitally preferred) if the carrier only provides this content for a certain amount of time.

Section 4. Certificate of Election. The City Clerk is hereby instructed to coordinate an Investiture Ceremony for the official issuance and delivery of the Certificates of Election to each candidate elected as provided in Section 26-10, Code of Ordinances.

Section 5. Conflicts. All Resolution or parts of Resolutions in conflict herewith are hereby repealed.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or provision and such holding shall not affect the validity of the remaining portions or applications here.

Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.

INTRODUCED AND ADOPTED in Regular Session this 20th day of December 2022.

Dowling R. Watford, Jr., Mayor

ATTEST:

Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

John J. Fumero, City Attorney

ORDINANCE NO. 1270

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA RELATING TO THE REGULATION OF FIREWORKS, AMENDING PART II THE CODE OF ORDINANCES OF THE CITY OF OKEECHOBEE AT CHAPTER 14 BUSINESSES BY SPECIFICALLY AMENDING SECTION 14-173 FIREWORKS; AMENDING AT CHAPTER 30, ENVIRONMENT, SPECIFICALLY AMENDING SECTION 30-43 PUBLIC NUISANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2020, the State of Florida enacted Florida Statutes Section 791.08 relating to the discharge of fireworks; and

WHEREAS, a number of local governments, including the City of Okeechobee (“City”), are updating their fireworks related ordinances in response the enactment of Florida Statutes Section 791.08; and

WHEREAS, the City Council finds 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.

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

SECTION 1: RECITALS.

The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

SECTION 2: AMENDMENT TO CHAPTER 14 BUSINESSES

That Section 14-173 Fireworks of Part II of the City Code of Ordinances within Chapter 14 Businesses, Article IV Peddlers and Solicitors, Division 3 Miscellaneous Offenses is hereby amended to read as follows:

- (a) It shall be unlawful to sell or offer or expose for sale any ~~firecrackers, fireworks, toy pistols, or explosives for use in making noise or a display as defined in F.S. §791.01, or to shoot off, explode or use any firecrackers, toy pistols, or other explosives~~ fireworks, sparklers, or other similar devices as defined in F.S. §791.01.
- (b) The shooting of fireworks, sparklers, toy pistols, toy canes, toy guns, or other similar devices are not permitted in the City. ~~in connection with a community wide celebration such as the Fourth of July is not prohibited provided permission has been obtained from the city council and arrangements made for the display so that traffic control, insurance and the safety of spectators has been provided for. However, this Section shall not prohibit public outdoor fireworks displays where the permission of the City Administrator has been obtained, and for which a permit has been obtained from the Police Department and Okeechobee County Fire and Rescue, all financial bond requirements established by the City have been satisfied, and other prescribed safety requirements have been met.~~

- (c) The shooting of private outdoor fireworks may occur on New Year's Eve, New Year's Day, and Independence Day where the permission of the City Administrator has been obtained, and for which a permit has been obtained from the Police Department and Okeechobee County Fire and Rescue, all financial bond requirements established by the City have been satisfied, and other prescribed safety requirements have been met.
- (d) Provisions of this article may be enforced by the City as a code violation, or may be enforced by the Police Department as an offense, pursuant to F.S. § 162.22.

SECTION 3: AMENDMENT TO CHAPTER 30 ENVIRONMENT

That paragraph (a) in Section 30-43 Public Nuisances of Part II of the City Code of Ordinances within Chapter 30 Environment, Article II Nuisances, is hereby amended to read as follows:

- (a) "Public nuisance" as defined in this section, means the unauthorized shooting of fireworks, existence of excessive accumulation of litter or untended vegetation, garbage, weeds, or other dead or living plant life; or places holding stagnant water, and all other objectionable, unsightly or unsanitary matter upon any lot, track of land within the city, whether uncovered or under shelter, to the extent and in the manner that such lot or parcel of land is, or may reasonably become infested or inhabited by rodents, vermin or wild animals, or may furnish a breeding place for mosquitoes, or threatens or endangers the public health, safety or welfare, including such condition causing or tending to cause disease, or by reason of such a condition, tends to impair the economic welfare of adjacent property; including abandoned or junk property as defined by this article; blighted structures and dangerous structures as defined in this article; unsightly, derelict or unsafe building or structure which may constitute a hazard to safety, health, welfare or sense of public aesthetics by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

SECTION 4: 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 5: CONFLICT.

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

SECTION 6: INCLUSION IN THE CODE OF ORDINANCES

It is the intention of the City Council of the City of Okeechobee, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Okeechobee 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 8: EFFECTIVE DATE

This Ordinance shall be effective upon final adoption on second reading.

INTRODUCED for First Reading and set for Final Public Hearing on this 20th day of December 2022.

Dowling R. Watford Jr., Mayor

ATTEST:

Lane Gamiotea, CMC, City Clerk

PASSED AND ADOPTED after Second and Final Public Hearing this 17th day of January 2022.

Dowling R Watford Jr., Mayor

ATTEST:

Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:

John J. Fumero, City Attorney



MEMORANDUM

TO: Mayor Watford & City Council

DATE: December 12, 2022

FROM: City Clerk Gamiotea 

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

Mr. David McAuley has resigned his appointment from the Planning Board, the Board of Adjustment, and the Design Review Board due to his successful election as a City Council Member. The resignation was effective December 6, 2022.

Attached are applications we have received, from Mr. Dale Burk and Mr. Jon Folbrecht, both of whom are City residents for you to be able to **complete the attached Citizen Board and Committee Selection Matrix Form and return to me at the December 20th City Council Meeting.**

At the meeting the total points will be announced for each applicant and will provide which one will be selected as the new appointee. The Council will then need to determine:

1. Will the new appointee be appointed as a Regular Member (replacing Mr. McAuley¹); or
 2. As an Alternate Member?
 - a. If as an Alternate Member, then Council would need to first determine which current Alternate Member (Mr. Jim Shaw² or Mr. Butch Berlin³) will be moved to the Regular Member position.
- **When making your motion(s), include the appropriate dates of terms based on who is being replaced/appointed:**
- ¹If replacing Mr. McAuley, term will be December 21, 2022 through April 30, 2023;
 - ²If replacing Mr. Jim Shaw, term will be December 21, 2022 through April 30, 2024;
 - ³If Mr. Butch Berlin is replaced, term will be December 21, 2022 through April 30, 2023.

This list of current Members and their terms are available on the website on the Boards & Committees page.

We do not have a set requirement that Members be first appointed as Alternates, nor that a Alternates are always moved to Regular positions as they become vacant, nor a set attendance requirement. 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.

Citizen Board Selection Matrix

Individual Ranking Sheet

Board Appointment: Planning Board/Board of Adjustment/Design Review Board

Ranker Name: _____

Point System is reflected as follows:

1st Selection = 2 Points

2nd Selection = 1 Point

The Point System is based on
the number of applicants.

Applicant Name	Points
Burk, Donald "Dale"	
Folbrecht, Jon	

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

CITY OF OKEECHOBEE

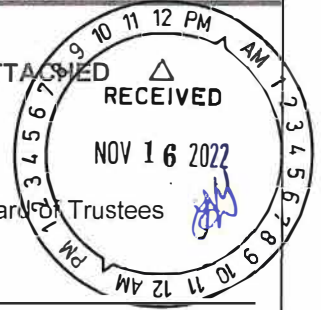
55 Southeast 3rd Avenue, Okeechobee, Florida 34974 Phone: (863) 763-3372

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: Type here or choose from drop down list



APPLICANT'S FULL NAME:	Donald Dale Burk		
NAME COMMONLY USED:	Dale		
RESIDENCE ADDRESS:	402 SW 11th Avenue		
HOW LONG AT ADDRESS:	Years: <u>46</u>	Is this in the City Limits? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
MAILING ADDRESS:	402 SW 11th Avenue		
TELEPHONE/CELL:	863-697-1621		
EMAIL:	chobeeap@gmail.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: <u>Okeechobee</u> <input type="checkbox"/> No		
EDUCATION:	<u>High School Name(s) & Location(s)</u> Okeechobee High School	<u>Year Graduated</u> 1967	
POST SECONDARY EDUCATION:	<u>College Name(s)</u> Indian River JC Oral Roberts Univ.	<u>Certificate/Degree(s) Awarded</u> AA BA	<u>Date(s) Attended</u> 1967-69 1969-72
MILITARY SERVICE:	<u>Branch(es)</u>	<u>Dates of Service</u>	<u>Discharge Date(s)</u>
CURRENT OR MOST RECENT EMPLOYER:	Okeechobee County School Board		
JOB TITLE/DESCRIPTION:	Teacher/Administrator/Bus Driver-Retired		
WORK ADDRESS:	700 SW Second Avenue		
WORK TELEPHONE:	863-462-5000		

ARE YOU CURRENTLY EMPLOYED AS:
(CHECK ALL THAT APPLY)

- | | | |
|---|--|--|
| <input type="checkbox"/> General Contractor | <input type="checkbox"/> Business Person | <input type="checkbox"/> Architect |
| <input type="checkbox"/> Engineer | <input type="checkbox"/> Sub-Contractor | <input type="checkbox"/> Realtor |
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Doctor | <input type="checkbox"/> Surveyor |
| <input type="checkbox"/> Lay Person | <input type="checkbox"/> Urban Planner | <input type="checkbox"/> Landscape Architect |

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

_____	_____	_____
_____	_____	_____
_____	_____	_____

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:

RELATIONSHIP

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

During my years as an administrator at the school level I was responsible for supervising the upkeep of the school site facilities. In that role, I had to work with the custodians and maintenance personnel to insure that the facilities were operational and met applicable local and state standards. Periodically, I had to engage with other personnel doing health and safety inspections and if needed arrange to have any issues addressed by the custodians, maintenance personnel or outside vendors.

Over the years, I have engaged in numerous DIY projects and usually handle repair or upgrade issues at my own home or assist other family or friends with their projects.

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: Donald D. Burk Date: 11/16/2022

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
 55 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:

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: Type here or choose from drop down list



APPLICANT'S FULL NAME:	Jon Folbrecht		
NAME COMMONLY USED:			
RESIDENCE ADDRESS:	(Protected FSS 119.071)		
HOW LONG AT ADDRESS:	Years: 1.5	Is this in the City Limits? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
MAILING ADDRESS:	* Exempt		
TELEPHONE/CELL:	* Exempt		
EMAIL:	jon4okeechobee@gmail.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) Indian River State College	Year Graduated 1998	
POST SECONDARY EDUCATION:	College Name(s) Indian River State College	Certificate/Degree(s) Awarded Law Enforcement	Date(s) Attended 2003-2022
MILITARY SERVICE:	Branch(es) Army	Dates of Service 1999-2002	Discharge Date(s) Honorable
CURRENT OR MOST RECENT EMPLOYER:	CEA Building Group, LLC / Jupiter Inlet Colony Police Department / Indian River State College		
JOB TITLE/DESCRIPTION:	Chief Operating Officer / Police Officer / Adjunct Instructor		
WORK ADDRESS:	* Exempt		
WORK TELEPHONE:	* Exempt		

ARE YOU CURRENTLY EMPLOYED AS:
(CHECK ALL THAT APPLY)

- | | | |
|---|--|--|
| <input type="checkbox"/> General Contractor | <input type="checkbox"/> Business Person | <input type="checkbox"/> Architect |
| <input type="checkbox"/> Engineer | <input type="checkbox"/> Sub-Contractor | <input type="checkbox"/> Realtor |
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Doctor | <input type="checkbox"/> Surveyor |
| <input type="checkbox"/> Lay Person | <input type="checkbox"/> Urban Planner | <input type="checkbox"/> Landscape Architect |

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

Police Officer

Self

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.

I have over 20 years of government experience from the military to law enforcement. I have held executive level positions in law enforcement. I also have private sector experience and currently I am the Chief Operating Officer for CEA Building Group which is a custom luxury home builder. Part of my responsibilities is working with architects and engineers to prepare plans for permit submission. I am responsible for submitting all permits for projects with the company.

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Signature of Applicant: _____

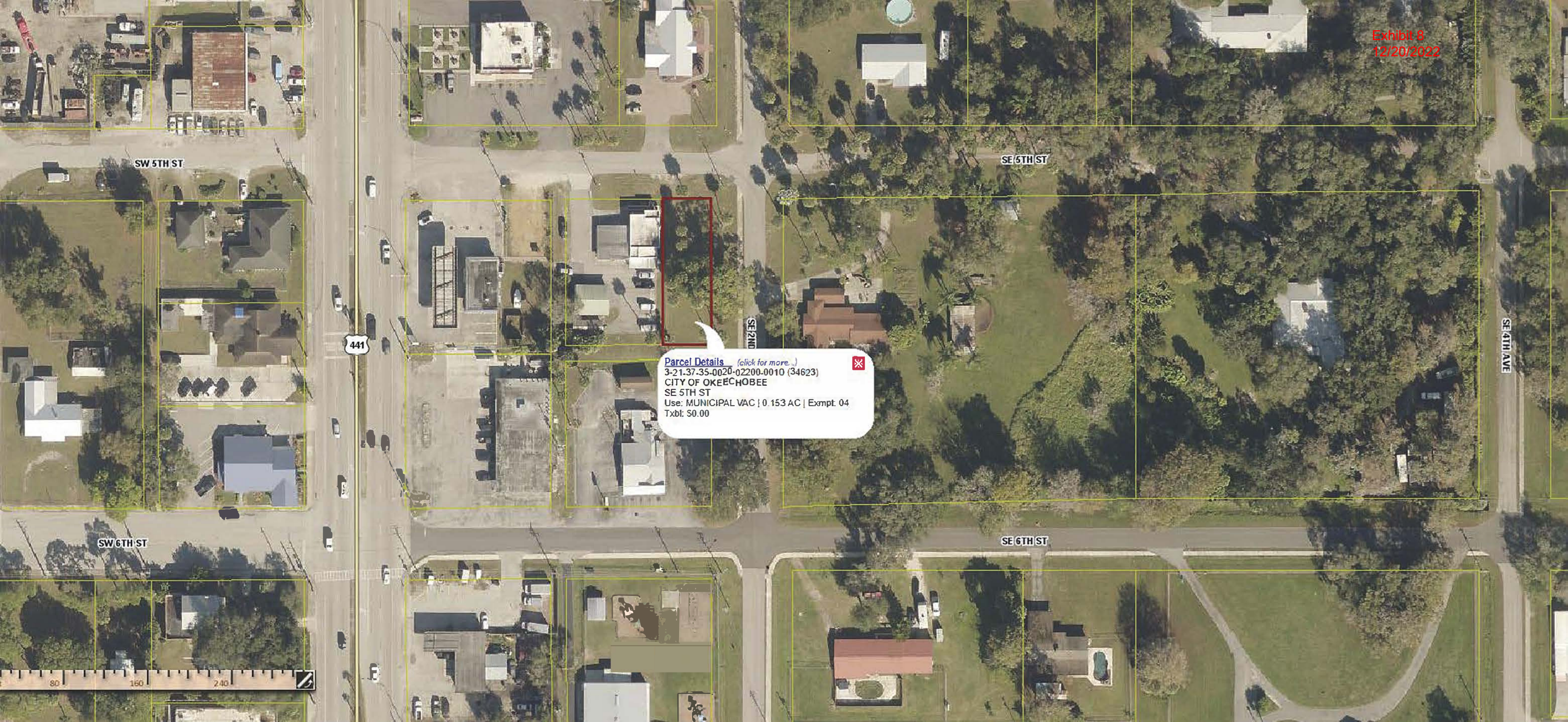
Date: 11/17/2022

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[Parcel Details](#) (click for more...)
3-21.37.35-0020-02200-0010 (34623)
CITY OF OKEECHOBEE
SE 5TH ST
Use: MUNICIPAL VAC | 0.153 AC | Exmpt. 04
Txbl: \$0.00