



CITY OF OKEECHOBEE, FLORIDA
APRIL 7, 2020, REGULAR CITY COUNCIL MEETING
SUMMARY OF COUNCIL ACTION

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology (CMT) such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

I. CALL TO ORDER

Mayor Watford called the CMT meeting of the City Council for the City of Okeechobee to order on Tuesday, April 7, 2020, at 6:00 P.M. by means of using Zoom online Meeting ID 346681559 with the Host computer operated by Executive Assistant Robin Brock being in the City Council Chambers, 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The video, audio, and digital comments are recorded and retained as a permanent record.

Mayor Watford provided the meeting instructions. All individual computers and telephones will be muted upon entering the meeting. Once everyone has accessed the virtual meeting, individuals will be permitted to unmute themselves when participating in discussion. The Host and Mayor will be unmuted at all times. Council Members making a motion or second are to announce their name before speaking. The Mayor will call upon each Council Member individually for their vote. He reminded the public to keep comments civil, as anyone using vulgar or inappropriate language will be disconnected from the meeting. During the public comment section of the item, individuals can raise their hand in Zoom by clicking the icon on the right hand side of the screen. There will be a slight time lag, appropriate time will be given for voting and comments. He concluded his instructions by reminding everyone that they are on camera.

- A. The invocation was offered by Mayor Watford.
- B. The Pledge of Allegiance was led by City Clerk Lane Gamiotea.

II. ATTENDANCE

City Clerk Lane Gamiotea called the roll. Mayor Dowling R. Watford, Jr., Council Members Wes Abney, Monica Clark, Bob Jarriel and Bobby Keefe were present.

CITY STAFF: City Attorney John Fumero, City Administrator Marcos MontesDeOca, Police Chief Bob Peterson, Fire Chief Herb Smith, Public Works Director David Allen, Deputy City Clerk Bobbie Jenkins, and Executive Assistant Robin Brock were present.

III. AGENDA AND PUBLIC COMMENTS

- A. New Business item VI.F. was added at the request of Attorney Fumero.
- B. Council Member Keefe moved to approve the agenda as amended; seconded by Council Member Abney.

Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe voted: Aye. Nays: none. Motion Carried.

- C. There were no agenda item forms or comment cards submitted for public participation for any issues not on the agenda.

IV. CONSENT AGENDA

A motion was made by Council Member Keefe to approve the consent agenda item A [March 17, 2020, Regular meeting minutes]; seconded by Council Member Clark.

Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe voted: Aye. Nays: none. Motion Carried.

V. MAYOR WATFORD OPENED THE PUBLIC HEARING AT 6:14 P.M.

- A.** A motion was made by Council Member Jarriel to read proposed Ordinance No. 1202 by title only, regarding updating the five-year Capital Improvement Element of the Comprehensive Plan [as provided in Exhibit 1]; seconded by Council Member Keefe.

Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe voted: Aye. Nays: none. Motion Carried.

Attorney Fumero read proposed Ordinance No. 1202 by title only as follows: **“AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CITY’S COMPREHENSIVE PLAN AS MANDATED BY FLORIDA STATUTES SECTION 163.3177(3)(b); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.”**

A motion was made by Council Member Clark to adopt proposed Ordinance No. 1202; seconded by Council Member Jarriel.

Mayor Watford yielded the floor to City Planning Consultant Mr. Ben Smith of LaRue Planning and Management Services, who reiterated the State requires the City to include the revised capital improvement schedule within the Comprehensive Plan and that it be updated annually to reflect any projects that are required to maintain your adopted level of services for water, sewer, and other utilities. Proposed Ordinance No. 1202 contains those projects the City has allocated funding for as well as the projects the Okeechobee County School Board are adopting to maintain.

Mayor Watford opened the floor for public comments; there was none. There being no discussion from the Council, he called for a vote.

Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe voted: Aye. Nays: none. Motion Carried.

- B.** A motion was made by Council Member Abney to read proposed Ordinance No. 1208 by title only, regarding amending the Firefighters’ Pension Fund to include Firefighter Cancer Presumption language [as provided in Exhibit 2]; seconded by Council Member Keefe.

Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe voted: Aye. Nays: none. Motion Carried.

Attorney Fumero read proposed Ordinance No. 1208 by title only as follows: **“AN ORDINANCE OF THE CITY OF OKEECHOBEE FURTHER AMENDING THE CITY OF OKEECHOBEE MUNICIPAL FIREFIGHTERS’ PENSION FUND, ADOPTED PURSUANT TO ORDINANCE 889, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 8, DISABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.”**

Council Member Jarriel moved to adopt proposed Ordinance No. 1208; seconded by Council Member Clark.

Pension Board Attorney Scott Christiansen provided a memorandum with Exhibit 2 explaining the amendment is due to recent changes to Florida Statutes 112.1816(1)(a). There were no public comments nor discussion on this item. Clerk Gamiotea noted for the record the proposed Ordinance and Actuary Impact Statement was emailed to the State Retirement Offices and confirmed it was received, with no comments or objections received to date. Mayor Watford opened the floor for public comment; there was none. There was also no discussion from the Council.

Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe voted: Aye. Nays: none. Motion Carried.

MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:22 P.M.

VI. NEW BUSINESS

- A.** Prior to the COVID-19 update from Mrs. Tiffany Collins, Administrator of the Florida Department of Health (DOH) in Okeechobee County, Mayor Watford took a moment to recognize the outstanding leadership all agencies have shown during this pandemic.

Mrs. Collins expressed how proud she was to live and work in a community where all are embracing strategies to keep everyone safe. She also thanked the medical community and essential businesses for everything they continue to do to support these efforts. The Centers for Disease Control and Prevention now recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (grocery stores and pharmacies), especially in areas of significant community-based transmission. COVID-19 is now known to be spread by people who are in close contact with one another; through respiratory droplets produced when an infected person coughs, sneezes or talks, with droplets landing in the mouths or noses of people who are nearby or possibly inhaled into the lungs; and spread by people who are not showing symptoms. She then provided a brief tutorial of how to use the DOH COVID-19 dashboard located on their website, floridahealth.gov. The dashboard is updated at 11:00 A.M. and 6:00 P.M. daily. As of today Florida has administered a total of 139,669 tests with 14,747 positive cases. There have been 1,893 admitted to the hospital, and 296 deaths. Okeechobee County has tested 145 with 139 negative results, five positive results, and one test pending. The two most recent cases are females with no travel history; one is currently hospitalized. The DOH continues to investigate all backgrounds of the individuals who are confirmed positive, and monitor the symptoms for the 14-day isolation period. The testing sites in Okeechobee are Raulerson Hospital with admission, Fred Brown Florida Community Health Centers, and the local DOH office.

During discussion Mrs. Collins explained the first confirmed Okeechobee case was an individual who was tested in a drive-thru testing site in Tampa, but resides in Okeechobee. That individual chose to self-isolate in Tampa. Since he lives in Okeechobee the case is counted within the County. It was then questioned whether there are current statistics on recovery from COVID-19. Mrs. Collins disclosed the DOH is not tracking recovery, but starting to look at hospitalization, mortality and discharge rates. She added individuals can be asymptomatic and still infect others with the COVID-19, as positive results only happen once an individual develops symptoms. In regard to an article in the Okeechobee News where a local doctor is utilizing a rapid blood test to screen for COVID-19, Mrs. Collins pointed out the DOH only recognizes tests that are Food and Drug Administration approved. The local doctor is testing for antibodies, not the virus, and a negative antibody result does not mean an individual does not have COVID-19. Mayor Watford thanked Mrs. Collins for the update and her hard work.

- B.** Council Member Abney moved to adopt proposed Resolution No. 2020-03, amending the State of Emergency within the City of Okeechobee due to COVID-19 [as provided in Exhibit 3]; seconded by Council Member Keefe.

Attorney Fumero read proposed Resolution No. 2020-03 by title only as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA DECLARING A PUBLIC HEALTH EMERGENCY DUE TO CORONAVIRUS DISEASE 2019 (COVID-19) AND GIVING AUTHORITY TO THE CITY ADMINISTRATOR TO WAIVE TIME REQUIREMENTS PROVIDED IN THE CITY CODE OF ORDINANCES."**

It was explained that on March 29, 2020, the President of the United States stated that federal guidance urging social distancing measures will stay in place through April 30, 2020. The Resolution extends the State of Emergency and all content in the previously adopted Resolution No. 2020-02 until the next Council meeting. In addition, there are a number of administrative time frames pertaining to permitting, planning and zoning within the City's Code of Ordinances which may be difficult to comply with during this State of Emergency. The Administrator will

have the authority to waive these specific time frames, in writing on a case-by-case basis.

Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe voted: Aye. Nays: none. Motion Carried.

- C. Mayor Watford explained in light of the severity of the COVID-19 pandemic, the Council may want to consider appointing a Mayor Pro-Tempore. In response to a request for research at the October 1, 2019 meeting, City Clerk Gamiotea provided a memorandum to the Council on November 5, 2019, [provided in Exhibit 4] summarizing her research within the City Charter and on the history of appointing a Mayor Pro-Tempore. Charter Section 21 states "In case of death, absence from the city, sickness or any other disability or from any other cause, he is unable to discharge the duties of mayor and president of the city council, the mayor pro-tempore shall discharge such duties, or until the office of mayor and president of the council shall be filled by law as provided by ordinance." Charter Section 22 states "...The members of the city council shall elect one of their numbers to be president of the council and mayor, ...and in absence of the president, the members may choose or elect one of their number president pro-tempore." Historically the Council has followed the procedure of appointing another Council Member as Mayor Pro-Tempore for specific meetings. For over 30 years there has not been a situation requiring this to be an issue. Clerk Gamiotea asked that should a Mayor Pro-Tempore appointment be required, that it be done by official action of the Council. Upon requested input from Attorney Fumero, the appointment of a Mayor Pro-Tempore will be considered on a case-by-case basis as specified in Charter Section 21.
- D. Council Member Keefe moved to award a contract in the amount of \$120,014.00 to Alan Jay Fleet Sales from Florida Sheriff's Association Bid No. FSA19-VEL27.0 to purchase five 2020 Dodge Durango Special Service Vehicle Models [as provided in Exhibit 5]; seconded by Council Member Clark. To clarify, the above motion will replace the November 5, 2019, approval to purchase twelve 2020 Dodge Charger Police vehicles from Okeechobee Dodge.

Police Chief Peterson explained due to part shortages the factory has stopped production of the 2020 Dodge Chargers. The equipment costs, which was separately approved November 5, 2019, to Global Public Safety for \$39,911.00, will decrease to approximately \$22,000.00 to outfit four of the five Durangos as the one assigned to the Administrator does not require additional equipment. The four Chargers currently assigned to the Administrator, Chief Peterson, Major Hagan, and Detective Sergeant Taylor are to be re-assigned to road patrol. Council Member Abney confirmed Chief Peterson has contacted the Agencies who have committed to purchasing the twelve 2019 Chargers, that they are aware of the situation, and the City will only be selling four 2019 Chargers.

Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe voted: Aye. Nays: none. Motion Carried.

- E. Council Member Clark requested the Council discuss modifying the current City Alcohol Ordinance to allow package sales on Sunday. She explained the Okeechobee Board of County Commissioners recently modified their regulations to allow this. Council Members Abney, Clark, Jarriel and Keefe affirmed their support on this; Mayor Watford did not support the change. With the consensus to move forward, Mayor Watford instructed the Attorney to generate an ordinance accordingly.
- F. **ITEM ADDED TO AGENDA.** Attorney Fumero requested authorization for the Mayor to send a letter to the United States Army Corps of Engineers (Corps) regarding the low water levels of Lake Okeechobee asking that the Corps take note of the fact that extensive releases have caused the Lake to near water shortage level, and to consider this when they begin addressing the Lake Okeechobee System Operation Manual. The Attorney emailed a draft letter to the Mayor and Administrator earlier today. Copies were not distributed prior to the meeting.

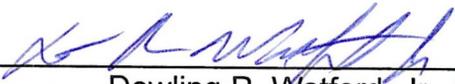
Council Member Clark made a motion to authorize Mayor Watford to send a letter to the Corps regarding the low water levels of Lake Okeechobee; seconded by Council Member Keefe. There was no discussion on this item.

Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe voted: Aye. Nays: none. Motion Carried.

VII. COUNCIL COMMENTS

The Council collectively thanked the City Staff for their hard work during the everchanging directions given due to the COVID-9 pandemic, with Council Member Jarriel urging everyone to continue to support local businesses, including farmers and ranchers.

VIII. There being no further items on the agenda, Mayor Watford adjourned the meeting at 7:18 P.M. Due to the COVID-9 pandemic, all future meeting schedules are pending until further notice.


Dowling R. Watford, Jr., Mayor

ATTEST:

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, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. City Clerk media are for the sole purpose of backup for official records of the Clerk.