



# CITY OF OKEECHOBEE

## CITY COUNCIL

### APRIL 20, 2021

### LIST OF EXHIBITS

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Draft Minutes	April 6, 2021 Regular Minutes
Warrant Register	March 2021
Exhibit 1	Planning Board Reappointments
Exhibit 2	Ordinance No. 1223, LDR Text Amendment
Exhibit 3	Ordinance No. 1224, LDR Text Amendment
Exhibit 4	Scope and Fee Proposal Flagler Park Project
Exhibit 5	Code Settlement Proposal Okeechobee Park Street, LLC
Exhibit 6	Code Settlement Proposal 311 NE 2 <sup>nd</sup> Street
Exhibit 7	2020-2021 Budget Adjustments
Exhibit 8	Fire transition update by City Fire Chief
Exhibit 9	Options of filling Police Chief position upon retirement



**CITY OF OKEECHOBEE, FLORIDA**  
**APRIL 6, 2021, REGULAR CITY COUNCIL**  
**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 Tuesday, April 6, 2021, at 6:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. The invocation was offered by Mayor Watford, followed by the Pledge of Allegiance led by Council Member Jarriel.

**II. ATTENDANCE**

Roll was taken by City Clerk Lane Gamiotea to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Wes Abney, Monica Clark, Bob Jarriel, and Bobby Keefe.

**III. AGENDA AND PUBLIC COMMENTS**

**A.** Presentations and Proclamations Items IV.A and IV.B were deferred to the April 20, 2021 meeting; New Business Item VII.F was added to the agenda.

**B.** Motion by Council Member Jarriel, seconded by Council Member Keefe to approve the agenda as amended. **Motion Carried Unanimously.**

**C.** There was one comment card submitted for public participation for any issues not on the agenda. Mrs. Jennifer Tewksbury, Executive Director of the Economic Council of Okeechobee (ECOK), distributed a flyer containing details of an online Florida Institute of Political Leadership training being held May 4 through 6, 2021. This is an initiative by the Florida Chamber of Commerce, is free and open to the public. The ECOK has partnered with the Stuart/Martin County Chamber of Commerce to sponsor this event. A copy of the flyer has been incorporated into the minute file.

**IV. PRESENTATIONS AND PROCLAMATIONS**

**A.** The Proclamation declaring the City of Okeechobee a Purple Heart City was deferred to the April 20, 2021 meeting.

**B.** The presentation of a 25-Year Longevity Service Award to Police Sergeant Bettye Taylor was deferred to the April 20, 2021 meeting.

**V. CONSENT AGENDA**

Motion by Council Member Keefe, seconded by Council Member Abney to approve consent agenda item A [March 16, 2021 regular meeting and March 22, 2021 town hall meeting minutes]. **Motion Carried Unanimously.**

**VI. MAYOR WATFORD OPENED THE PUBLIC HEARING AT 6:05 P.M.**

**A.** Motion by Council Member Clark, seconded by Council Member Abney to read proposed Ordinance No. 1222 by title only. **Motion Carried Unanimously.**

City Attorney Fumero read proposed Ordinance No. 1222 by title only as follows: "AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES; AUTHORIZING THE CODE ENFORCEMENT MAGISTRATE TO CONSIDER FINE REDUCTIONS; INCREASING ADMINISTRATIVE FEES AS PROVIDED IN THE ORDINANCE; AMENDING OTHER REVISIONS TO REFLECT THE USE OF A MAGISTRATE; AUTHORIZING THE CITY ATTORNEY TO INSTITUTE FORECLOSURE PROCEEDINGS AS PROVIDED IN THE ORDINANCE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE."

Motion by Council Member Clark, seconded by Council Member Jarriel to adopt proposed Ordinance No. 1222. There were no public comments offered. **Motion by Council Member Abney, seconded by Council Member Jarriel to postpone the adoption of proposed Ordinance No. 1222 as recommended by Staff to provide time to address potential amendments. Motion Carried Unanimously.** The matter will be re-advertised and addressed at a future meeting. This matter correlates with New Business Item C.

**MAYOR WATFORD CLOSED THE PUBLIC HEARING AT 6:10 P.M.**

**VII. NEW BUSINESS**

- A.** Motion by Council Member Abney, seconded by Council Member Clark to approve the Fiscal Year 2019-20 audited financials [as presented]. **Motion Carried Unanimously.**
- B.** Motion by Council Member Keefe, seconded by Council Member Jarriel to approve a Settlement Agreement [in the amount of \$3,667.00] for a recorded [Code Enforcement] lien on 1206 Southwest 5<sup>th</sup> Avenue [Legal Description: Lot 3 Replogle's Subdivision, OKEECHOBEE, Plat Book 2, Page 87, Okeechobee County public records] in the foreclosure case of City of Okeechobee v. Barbara Mills, in the Circuit Court of the Nineteenth Judicial Circuit in and for Okeechobee County Case No. 47 2014 CA 000249, (City Case No. 190215011). **Motion Carried Unanimously.**
- C.** Assistant City Attorney Carlyn Kowalsky provided a presentation on the Code Enforcement Circuit Court process. A copy has been incorporated into the minute file. Upon completion of the presentation, Mayor Watford recessed the meeting at 7:07 P.M. and reconvened at 7:09 P.M. After a lengthy discussion, Staff was given direction to calculate the actual cost to process a case to determine a reasonable administrative fee. It was determined by consensus that foreclosure action approval will remain with the Council. It was further agreed to allow the Magistrate to approve fine reductions. However, a tiered fine reduction schedule that would be used by the Magistrate when considering fine reductions was requested to be presented for consideration. Lastly, the Council will review Table 3 of Appendix G and reconsider possible amendments. These items will be presented for review at a future meeting.
- D.** Motion by Council Member Jarriel, seconded by Council Member Keefe to approve a 30-day extension for the Taylor Creek Southeast 8th Avenue Stormwater Conveyance Project No. PW 02-00-12-20. **Motion Carried Unanimously.**
- E.** Motion by Council Member Jarriel, seconded by Council Member Clark to approve a landscape incentive program and suspension of building department commercial irrigation fees of \$84.00 until August 31, 2021. **Motion Carried Unanimously.**
- F.** ITEM ADDED TO AGENDA. The consensus of the Council was to direct the City Clerk to provide revisions to supervisory (Police Chief and Public Works Director) level job performance evaluations and information on implementing 360 evaluations. The research will be presented at a future meeting.

**VIII. CITY ATTORNEY UPDATE**

Attorney Fumero gave a brief update on the transfer of fire services to the County. He also provided a status of cases in foreclosure for code enforcement.

**IX. COUNCIL COMMENTS**

Council Member Abney requested an update on the Primitive Baptist Church property be on the next agenda. Council Member Keefe requested and received a status update on the installation of handicap accessible parking spaces along South Park Street.

- X.** Mayor Watford adjourned the meeting at 8:06 P.M.

Submitted By:

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Lane Gamiotea, CMC, City Clerk

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

**City of Okeechobee  
Check Register**

Check Dates 3/01/21 thru 3/31/21, Cash Account 001-101.2100 only, Including Reconciled Checks

Number	Date	Amount	Vendor	Payee	Voided
42881	3/05/21	90.00	ACEP	ACE Pest Control, Inc.	
42882	3/05/21	84.67	ADVANCE	Advance Auto Parts	
42883	3/05/21	1,500.00	ALLAMER	All American Medical Training	
42884	3/05/21	516.58	AFLAC	American Family Life Assurance Co.	
42885	3/05/21	63.44	AUTO SUP	Auto Supply of Okeechobee, Inc.	
42886	3/05/21	750.00	AXEN	Axon Enterprise, Inc.	
42887	3/05/21	581.55	BOA7	Bank of America - 0421 H Smith	
42888	3/05/21	407.17	BOA4	Bank of America - 0752 fka 9846 FD	
42889	3/05/21	2,322.32	BOAPW	Bank of America - 2303 fka 9233 PW	
42890	3/05/21	925.23	BOADMIN	Bank of America - 2709 fka 0257 Admin	
42891	3/05/21	1,058.92	BOA12	Bank of America - 7178 fka 6737 PD#2	
42892	3/05/21	609.04	BOA-BERN	Bank of America-3135 Bernst	
42893	3/05/21	1,300.00	CRI	Carr, Riggs & Ingram, LLC	
42894	3/05/21	17.49	CL - LD	CenturyLink	
42895	3/05/21	8.19	CITY	City Electric Supply Co.	
42896	3/05/21	298.04	COMCAST	Comcast	
42897	3/05/21	52.50	COMCAST	Comcast	
42898	3/05/21	60.00	CII	Communications International, Inc.	
42899	3/05/21	171.41	EMCN	EMC National Life Company	
42900	3/05/21	300.00	FITN	Fitness Factory	
42901	3/05/21	465.00	GCB	Gilbert Oil Company, Inc.	
42902	3/05/21	2,200.00	GMI	Global Mapping, Inc.	
42903	3/05/21	2,080.00	ICS	ICS Computers Inc.	
42904	3/05/21	478.77	IMS	IMS	
42905	3/05/21	4,182.50	LARU	LaRue Planning & Mngmnt Services, Inc.	
42906	3/05/21	30.90	LEGAL SH	LegalShield	
42907	3/05/21	238.41	LIBERTY	Liberty National Life Ins. Co.	
42908	3/05/21	600.00	MAPA	Michael Adelberg, PA	
42909	3/05/21	67.90	OKAR	Okeechobee Army Surplus	
42910	3/05/21	369.68	KEENEWS	Okeechobee News c/o Independent Newspaper	
42911	3/05/21	63,359.63	PRMG1	PRM - Health Insurance	
42912	3/05/21	2,714.37	PRMG3	PRM - Life, LTD & STD	
42913	3/05/21	1,762.84	PRMG3	PRM - Life, LTD & STD	
42914	3/05/21	2,430.13	PRMG2	PRM - Vision & Dental	
42915	3/05/21	218.99	PF&PO	Prof. Firefighters & Paramedics of Okee	
42916	3/05/21	579.00	RBSI	Red Bud Supply, Inc.	
42917	3/05/21	11,506.91	SATC	Salem Trust Company	
42918	3/05/21	1,811.28	SQC	Scott's Quality Cleaning	
42919	3/05/21	30.00	SELECTSH	Select Shred	
42920	3/05/21	891.95	SOLE	Soler Automotive	
42921	3/05/21	91.48	SUPP	Supplyline	
42922	3/05/21	55.47	TAYR	Taylor Rental - Okeechobee	
42923	3/05/21	50.00	THEFETTE	The Fetterman Firm	
42924	3/05/21	150.00	TRANSU	TransUnion Risk & Alternative Data	
42925	3/05/21	2,867.00	TCMA	Treasure Coast Medical Associates	
42926	3/05/21	1,000.00	POST	US Postal SVC/Neopost Postage On Call	
42927	3/05/21	30.00	UNWA	United Way	
42928	3/05/21	1,850.00	VANT ICM	Vantage Transfer Agents - 457	
42929	3/05/21	375.66	VERI	Verizon Wireless	

**City of Okeechobee  
Check Register**

Check Dates 3/01/21 thru 3/31/21, Cash Account 001-101.2100 only, Including Reconciled Checks

Number	Date	Amount	Vendor	Payee	Voided
42930	3/05/21	63.70	W&WL	W & W Lumber Company of Okeechobee	
42931	3/05/21	4,079.43	WEXB	WEX Bank	
42932	3/05/21	32,047.68	WAST	Waste Management Inc. of Florida	
42933	3/10/21	132,234.15	PAYR	City Of Okeechobee Payroll Account	
42934	3/12/21	16.37	APEXOPI	Apex Office Products, Inc	
42935	3/12/21	60.00	APEXPCI	Apex Pest Control, Inc.	
42936	3/12/21	19.75	ARDE	Ardex	
42937	3/12/21	12.99	AUTO SUP	Auto Supply of Okeechobee, Inc.	
42938	3/12/21	3,145.16	CASGSLLC	CAS Governmental Services, LLC	
42939	3/12/21	227.58	CITTECH	CIT Technology Finance Service, Inc.	
42940	3/12/21	85.44	CITTECH	CIT Technology Finance Service, Inc.	
42941	3/12/21	2,202.83	CL LOCAL	CenturyLink	
42942	3/12/21	67.00	PETT	City Of Okeechobee - Petty Cash	
42943	3/12/21	300.00	CLINC	Custom Lifts Inc.	
42944	3/12/21	305.00	DONI	Double Nickel Speedometer Testing	
42945	3/12/21	184.80	ICS	ICS Computers Inc.	
42946	3/12/21	200.00	LM	Lester McGee	
42947	3/12/21	70.00	MSFE	Mid State Fire Equipment, Inc.	
42948	3/12/21	64.77	OREI	O'Reilly Auto Parts	
42949	3/12/21	299.60	OKAR	Okeechobee Army Surplus	
42950	3/12/21	240.00	OKFI	Okeechobee Fitness Center	
42951	3/12/21	51.85	RBSI	Red Bud Supply, Inc.	
42952	3/12/21	189.21	S101	Security 101	
42953	3/12/21	420.38	STATE FL	State of Florida Disbursement Unit	
42954	3/12/21	220.00	THRE	Thread Works Embroidery, LLC	
42955	3/12/21	230.63	TIZO	Tire Zone of Okeechobee, Inc.	
42956	3/12/21	144.00	TCMA	Treasure Coast Medical Associates	
42957	3/12/21	170.04	TYLAN	Tylander's Office Solutions	
42958	3/12/21	91.97	W&WL	W & W Lumber Company of Okeechobee	
42959	3/19/21	225.00	ABACUS	Abacus Elevator Consulting & Inspection,	
42960	3/19/21	80.53	ADVANCE	Advance Auto Parts	
42961	3/19/21	1,500.00	ALLAMER	All American Medical Training	
42962	3/19/21	20.25	AUTO SUP	Auto Supply of Okeechobee, Inc.	
42963	3/19/21	93.65	CITY	City Electric Supply Co.	
42964	3/19/21	139.64	COMCAST	Comcast	
42965	3/19/21	109.90	FPU	Florida Public Utilities	
42966	3/19/21	916.39	FOREMOST	Foremost Promotions	
42967	3/19/21	97.13	HOME	Home Depot Credit Services	
42968	3/19/21	1,394.90	ICS	ICS Computers Inc.	
42969	3/19/21	46.47	KYOCERA	KYOCERA Document Solutions Southeast	
42970	3/19/21	156.97	MES	Municipal Emergency Services	
42971	3/19/21	16,598.67	NASON	Nason Yeager Gerson Harris & Fumero P.A.	
42972	3/19/21	7.99	OREI	O'Reilly Auto Parts	
42973	3/19/21	101.85	OKAR	Okeechobee Army Surplus	
42974	3/19/21	300.00	OAPI	Okeechobee Auxiliary Police, Inc.	
42975	3/19/21	30.00	SELECTSH	Select Shred	
42976	3/19/21	145.00	SUP	Superior Water Works, Inc.	
42977	3/19/21	115.00	SUPP	Supplyline	
42978	3/19/21	89.48	TR	Thomson Reuters	

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Number	Date	Amount	Vendor	Payee	Voided
42979	3/19/21	1,111.59	TIZO	Tire Zone of Okeechobee, Inc.	
42980	3/19/21	234.79	USB	US Bank Equipment Finance	
42981	3/19/21	80.14	VERI	Verizon Wireless	
42982	3/19/21	15.99	W&WL	W & W Lumber Company of Okeechobee	
42983	3/22/21	400.00	STEVES	Steve Szentmartoni	
42984	3/24/21	139,023.36	PAYR	City Of Okeechobee Payroll Account	
42985	3/26/21	257.93	AACTION	AAction Power Equipment LLC	
42986	3/26/21	83.90	ADVANCE	Advance Auto Parts	
42987	3/26/21	501.32	AFLAC	American Family Life Assurance Co.	
42988	3/26/21	266.32	APPL	Apple Machine and Supply Co.	
42989	3/26/21	39.80	C&C	C&C Industrial Enterprise. LLC	
42990	3/26/21	55.97	CITTECH	CIT Technology Finance Service, Inc.	
42991	3/26/21	172.13	CITTECH	CIT Technology Finance Service, Inc.	
42992	3/26/21	85.44	CITTECH	CIT Technology Finance Service, Inc.	
42993	3/26/21	525.00	CENT	Century Link	
42994	3/26/21	200.00	CHAK	Charles Akers Jr	
42995	3/26/21	169.69	COMCAST	Comcast	
42996	3/26/21	50.00	DAWN	Dawn Hoover	
42997	3/26/21	35.00	DOUG	Douglas McCoy	
42998	3/26/21	162.91	EMCN	EMC National Life Company	
42999	3/26/21	208.03	FPL	Florida Power & Light Company	
43000	3/26/21	0.00	FPL	Florida Power & Light Company	
43001	3/26/21	2,214.16	FPL	Florida Power & Light Company	
43002	3/26/21	176.64	GILOUT	Gilbert Outdoors	
43003	3/26/21	801.00	HARRIS	Harris Corporation	
43004	3/26/21	5,200.00	JCNEW	JC Newell Const. Inspect. Services, Inc.	
43005	3/26/21	35.00	JAMESSHA	James Shaw	
43006	3/26/21	35.00	KARB	Karyne Brass	
43007	3/26/21	30.90	LEGAL SH	LegalShield	
43008	3/26/21	300.00	LM	Lester McGee	
43009	3/26/21	238.41	LIBERTY	Liberty National Life Ins. Co.	
43010	3/26/21	35.00	MLJ	Mac L Jonassaint	
43011	3/26/21	20.14	OREI	O'Reilly Auto Parts	
43012	3/26/21	1,246.34	OUA	Okeechobee Utility Authority	
43013	3/26/21	35.00	PHBA	Philip Baughman	
43014	3/26/21	190.29	PF&PO	Prof. Firefighters & Paramedics of Okee	
43015	3/26/21	35.00	RICHARDC	Richard Chartier	
43016	3/26/21	11,909.66	SATC	Salem Trust Company	
43017	3/26/21	133.84	SFPL	Sirchie Finger Print Laboratories	
43018	3/26/21	201.30	SPRINT	Sprint	
43019	3/26/21	420.38	STATE FL	State of Florida Disbursement Unit	
43020	3/26/21	15.00	SUP	Superior Water Works, Inc.	
43021	3/26/21	63.80	SUPP	Supplyline	
43022	3/26/21	272.37	TESO	Tech Source	
43023	3/26/21	600.00	THOMAS	Thomas Ardito	
43024	3/26/21	24.68	TIZO	Tire Zone of Okeechobee, Inc.	
43025	3/26/21	30.00	UNWA	United Way	
43026	3/26/21	2,050.00	VANT ICM	Vantage Transfer Agents - 457	
43027	3/26/21	21.89	W&WL	W & W Lumber Company of Okeechobee	

**City of Okeechobee  
Check Register**

Check Dates 3/01/21 thru 3/31/21, Cash Account 001-101.2100 only, Including Reconciled Checks

Number	Date	Amount	Vendor	Payee	Voided
43028	3/26/21	394.68	WALMART	Walmart Community/SYNCB	
43029	3/31/21	197.00	AUSTINBO	Austin Bohn	
43030	3/31/21	1,826.54	CENT	Century Link	
43031	3/31/21	2,210.80	CL LOCAL	CenturyLink	
43032	3/31/21	152.00	DACO	David Cortez	
43033	3/31/21	18,438.28	OK	Okeechobee County Sheriffs Office	
43034	3/31/21	77,006.00	PRM	PRM - Property & Casualty	
43035	3/31/21	1,937.28	SQC	Scott's Quality Cleaning	
43036	3/31/21	25.00	SUP	Superior Water Works, Inc.	
43037	3/31/21	338.40	SUPP	Supplyline	
Total Printed			157	Checks	585,758.66

**City of Okeechobee**  
**Check Register**

Check Dates 3/01/21 thru 3/31/21, Cash Account 301-101.2100 only, Including Reconciled Checks

Number	Date	Amount	Vendor	Payee	Voided
3315	3/05/21	3,849.58	JMCL	JMC Landscaping Services, Inc.	
3316	3/05/21	70.00	TAYR	Taylor Rental - Okeechobee	
3317	3/05/21	2,266.00	USA	USA Services of Florida, Inc.	
3318	3/12/21	21,532.50	VEST	Vest Concrete, Inc.	
3319	3/19/21	578.28	DIAMONDR	Diamond R Fertilizer Co., Inc.	
3320	3/19/21	4,956.26	FPL	Florida Power & Light Company	
3321	3/19/21	183.88	HOME	Home Depot Credit Services	
3322	3/19/21	936.90	SPI	Safety Products Inc.	
3323	3/26/21	1,434.81	B&BS	B & B Site Development	
3324	3/26/21	127.50	CONSTRU	Construction Materials, Inc.	
Total Printed			10	Checks	35,935.71



**City of Okeechobee**  
**Check Register**

Check Dates 3/01/21 thru 3/31/21, Cash Account 304-101.2100 only, Including Reconciled Checks

Number	Date	Amount	Vendor	Payee	Voided
1841	3/05/21	60.53	MES	Municipal Emergency Services	
1842	3/05/21	210.00	TYLERTEC	Tyler Technologies	
1843	3/15/21	17,731.50	BISI	Business Information Systems, Inc.	
1844	3/15/21	3,557.19	BISI	Business Information Systems, Inc.	
1845	3/19/21	12,097.40	K&K	K&K Systems, Inc.	
1846	3/26/21	51,514.00	ODCJ	Okeechobee Dodge Chrysler Jeep	
Total Printed			6	Checks	85,170.62

Run: 4/06/21  
3:06PM

**City of Okeechobee**  
**Check Register**

Check Dates 3/01/21 thru 3/31/21, Cash Account 307-101.2100 only, Including Reconciled Checks

Number	Date	Amount	Vendor	Payee	Voided
1376	3/31/21	64,833.33	B&BS	B & B Site Development	
Total Printed			1	Checks	64,833.33

Run: 4/06/21  
3:06PM

Page: 1

**City of Okeechobee  
Check Register**

Check Dates 3/01/21 thru 3/31/21, Cash Account 601-101.2100 only, Including Reconciled Checks

Number	Date	Amount	Vendor	Payee	Voided
264	3/11/21	375.00	BMJTOWINBMJ	Towing	
Total Printed			1	Checks	375.00



# MEMORANDUM

**TO:** Mayor Watford & City Council

**DATE:** April 12, 2021

**FROM:** City Clerk Gamiotea *fg*

**SUBJECT:** Planning Board-Board of  
Adjustments-Design Review  
Board Re-appointments

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There are three current Board Members whose terms sunset on April 30, 2021. All have requested to be re-appointed for another three-year term.

We have advertised for citizens to apply for this 3-in-1 Board on multiple media formats since the beginning of February and have not received any new applications to date, nor do we have any on file.

Please consider re-appointing Dawn Hoover and Mac Jonassaint as regular members. Mrs. Hoover has served since 1999, and Mr. Jonassaint since 2014. As per Council instructions, Board Secretary Burnette provided attendance information during their most recent term. There have been 25 meetings held through February 2021. She was absent six times with consent. He was absent twice with consent and once without consent.

Also consider re-appointing James Shaw as an alternate member. He has served since 2019, during which there have been 18 meetings held through February 2021, in which he was absent twice with consent.

Please call me if you have any questions.

## ORDINANCE NO. 1223

AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING CHAPTER 90 OF THE LAND DEVELOPMENT REGULATIONS (LDR) OF THE CITY OF OKEECHOBEE; AMENDING SECTION 90-483, REVISING THE PROVISIONS FOR PARKING REDUCTION REQUESTS; AMENDING SECTION 90-484, REVISING THE PROVISIONS FOR REQUESTING APPROVAL FOR UNPAVED PARKING; DELETING SECTION 90-485, MOVING LIMITATIONS FOR PARKING REDUCTION APPROVALS TO SECTION 90-483; AMENDING APPENDIX A OF THE LDR ADDING FORM 21, PARKING REDUCTION PETITION; AMENDING APPENDIX C OF THE LDR ADDING AN APPLICATION FEE FOR PARKING REDUCTION PETITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Okeechobee, Florida, has adopted Ordinance Number 716, as amended, known as the LDR; and

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

**WHEREAS**, the Planning Board for the City of Okeechobee, Florida, acting as the Local Planning Agency, reviewed and discussed the proposed amendments, also known as LDR Text Amendment Application No. 21-001-TA, at a duly advertised Public Hearing held on March 18, 2021. Based on findings of fact by the Planning Staff, it hereby recommends certain changes, amendments or modifications to the Code of Ordinances to present to the City Council for ordinance adoption and codification; and

**WHEREAS**, the City Council for the City of Okeechobee, Florida, considered the recommendations by the Planning Board and concludes that enacting such amendments to be in the best interest of its citizens of said City, that said amendments are necessary and appropriate to make the LDR more consistent and responsive to the needs of the City and its citizens.

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

**SECTION 1: Recitals Adopted.** Each of the above stated recitals is true and correct and incorporated herein by this reference:

### **SECTION 2: Amendment and Adoption to Chapter 90.**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Chapter 90 – Zoning, Article IV – Supplementary District Regulations, Division 2, Parking and Loading Requirements:

~~Sec. 90-483.— Modification of parking and loading space requirements. Modification of parking and loading space requirements shall be as follows:~~

- ~~(1) The number of spaces may be increased, decreased, or deferred by the city council when:
  - a. A parking study demonstrates that the proposed use would have a demand in excess or, or less than, the requirements of these Regulations.
  - b. A parking study demonstrates that the hours of need for maximum parking for two or more joint uses do not normally overlap.
  - c. A building is in an historic district or is of historic interest.
  - d. A building is in a Commercial, Central Business District, or Public Use Zoning Categories.~~
- ~~(2) The city council may require the applicant to provide a parking study when the technical review committee presents data indicating that an increase or decrease in the number of parking spaces may be warranted.~~
- ~~(3) An applicant may submit a parking study to demonstrate that either the parking or loading space regulations are excessive for the use proposed, or there is not a current need for all spaces.~~

- (4) ~~A parking study requesting deferral of parking spaces shall contain:
 
  - a. ~~A site plan locating the total required parking spaces and designating the deferred spaces, and a landscaping plan of the deferred parking area.~~
  - b. ~~A written agreement with the city that the developer will pay for a study to determine the need to provide the full parking requirement and that the deferred spaces will be converted to parking spaces at the developer's expense should the city determine that additional spaces are needed.~~~~
- (5) ~~The number of parking spaces shall not be reduced below these requirements where there is insufficient parking.~~

Parking reduction requests to provide less parking and/or loading spaces than is required by Sections 90-512 and 90-513 may be submitted, reviewed, and approved by the technical review committee as follows:

- (1) Applicants that submit site plans for review by the technical review committee may request approval of parking reduction concurrently with site plan approval. No additional application or application fees are required if the request is submitted for consideration in conjunction with the site plan submittal package.
- (2) For owners of existing developments where a proposed change of use would require more parking than is currently present on site, a parking reduction request application may be submitted for consideration by the technical review committee. Please see parking reduction application in Appendix A and the associated fee in Appendix C.
- (3) Applicants that submit PUD-M and PUD-R petitions may request approval of parking reduction concurrently with PUD approval. No additional application or application fees are required if the request is submitted for consideration in conjunction with the PUD petition package.
- (4) Applicants shall demonstrate that the parking reduction request is appropriate, justified and in the public interest through one or several of the following. At the discretion of the Administrator, a parking study may be specifically required.
  - a. Submittal of a parking study demonstrating that the proposed use or combination of uses will have a peak parking demand less than the requirements of Sections 90-512 and/or 90-513.
  - b. The location, design and proposed uses of the site provide for and encourage exceptional pedestrian and bicycle access.
  - c. The site will contain multiple uses with opportunities for internal capture and shared use of parking facilities, and the hours of peak demand for two or more of the proposed uses do not normally overlap.
  - d. Public street parking is located adjacent to the site.
  - e. Drive through service is available and adequate space for stacking of vehicles is provided. Designated stacking lanes shall be designed to minimize congestion associated with internal circulation as well as site ingress and egress.
  - f. The subject property and/or building is in an historic district or is of historic interest.
- (5) In the CBD zoning district, the number of parking spaces shall not be reduced by more than 80 percent.
- (6) In the RSF-1, RSF-2, RMH, RMF, CPO, CLT and CHV zoning districts the number of parking spaces shall not be reduced by more than 20 percent.
- (7) In PUB and IND zoning districts, the number of parking spaces shall not be reduced by more than 50 percent.
- (8) No parking reductions shall be approved for single family residences, mobile homes, or duplexes.

Sec. 90-484. - Reduction of paved parking space requirements.

- (a1) The number of paved spaces may be reduced by the city council when a parking study demonstrates through the parking reduction request process as provided in Section 90-483, upon demonstration by the applicant that the proposed use normally would have a demand for the total required parking spaces only on one or two days a week.
- (b2) Paved parking spaces shall not be reduced by more than 75 percent.

~~Sec. 90-485. - Reduction of parking space requirements in commercial districts.~~

- (a) ~~In commercial, central business, and public use zoning districts, city council may reduce the number of parking spaces if the technical review committee finds that there is a surplus of on-street parking in the immediate vicinity of the proposed use that is not required by other uses, or that the applicant has~~

~~provided sufficient off-street parking by alternative means, such as but not limited to a parking garage, or adequate parking lots adjacent to the proposed use.~~

- ~~(b) City council may require the applicant to provide a parking study, or evidence of ownership or lease of alternative off-street parking, and may attach conditions to an approved or alternative parking space reduction.~~
- ~~(c) In the CBD the number of parking spaces shall not be reduced by more than 80 percent from that otherwise required in these regulations.~~
- ~~(d) In commercial zoning districts the number of parking spaces shall not be reduced by more than 20 percent from that otherwise required in these regulations.~~
- ~~(e) In public use zoning districts, the number of parking spaces shall not be reduced by more than 50 percent from that otherwise required in these regulations.~~

Secs. ~~90-48690-485~~—90-510. - Reserved.

**SECTION 3: Amendment and Adoption to Appendix A – Applications, Forms, and Content Requirements, as follows:**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Appendix A – Applications, Forms, and Content Requirements, adding Form 21 - Parking Reduction Petition as follows:

APPENDIX A - APPLICATION FORMS AND CONTENT REQUIREMENTS

Form 21. – Parking Reduction Petition.

1. Petition contents. Parking reduction petitions shall be submitted on the appropriate application form and comprises the following:
  - a. Petitioner's name, address, phone number.
  - b. Proof of interest in property.
  - c. Property survey and location map.
  - d. Description of all proposed uses.
  - e. Supplementary supporting information.
  - f. Application fee.
2. Processing. Parking reduction petitions are processed as follows:
  - a. Applicant submits petition to general services department.
  - b. Administrator reviews petition, initiates processing, issues notice of Technical Review Committee hearing.
  - c. Technical Review Committee reviews petition and either approves, denies, or approves with conditions.

**SECTION 4: Amendment and Adoption to Appendix C – Schedule of Land Development Regulation Fees and Charges, as follows:**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Appendix C – Schedule of Land Development Regulation Fees and Charges, adding Fee Schedule Item 20 - Parking Reduction Petition, as follows:

APPENDIX C - APPLICATION FORMS AND CONTENT REQUIREMENTS

Fee Schedule:

20. Parking Reduction Petition ..... \$250.00

**SECTION 5: Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6: Severability.** If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 7: Inclusion in the Code.** It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Okeechobee.

**SECTION 8: Effective Date.** This Ordinance shall take effect immediately upon its passage.

**INTRODUCED** for First Reading and set for Final Public Hearing on this 20<sup>th</sup> day of April, 2021.

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

**ATTEST:**

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

**PASSED AND ADOPTED** after Second and Final Public Hearing this 18<sup>th</sup> day of May, 2021.

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

**ATTEST:**

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

**REVIEWED FOR LEGAL SUFFICIENCY:**

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



City of Okeechobee  
 General Services Department  
 55 S.E. 3<sup>rd</sup> Avenue, Room 101  
 Okeechobee, Florida 39974-2903  
 Phone: (863) 763-3372, ext. 218  
 Fax: (863) 763-1686

Date: 2-3-21 Petition No. 21-001-TA  
 Fee Paid: Jurisdiction: PB & CC 10  
 1<sup>st</sup> Hearing: 3-18-21 2<sup>nd</sup> Hearing: 4-20-21 & 5-1-21  
 Publication Dates:  
 Notices Mailed:

Updated 2021-04-21

**APPLICATION FOR TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS**

**APPLICANT INFORMATION**

1 Name of Applicant: City Initiated

2 Mailing address:

3 E-mail address:

4 Daytime phone(s):

5 Do you own residential property within the City?  Yes  No  
 If yes, provide address(es)

6 Do you own nonresidential property within the City?  Yes  No  
 If yes, provide address(es)

**REQUEST INFORMATION**

7 Request is for:  Text change to an existing section of the LDRs  
 Addition of a permitted use  Deletion of a permitted use  
 Addition of a special exception use  Deletion of a special exception use  
 Addition of an accessory use  Deletion of an accessory use

8 Provide a detailed description of text changes to existing section(s) showing deletions in ~~strikeout~~ and additions in underline format. (This description may be provided on separate sheets if necessary.)  
See attached Proposed Ordinance

## Staff Report

**To:** Okeechobee Planning Board  
**From:** Ben Smith, AICP  
**Meeting Date:** March 18, 2021  
**Subject:** Parking Reduction Request Ordinance

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City code sections 90-483 through 90-485 provide for requests to reduce the amount of parking that is required according to section 90-512. However, the code does not provide application requirements, an application fee, or a clear review process. The proposed Ordinance substantially modifies and clarifies the requirements and procedures for parking reduction requests as follows:

- Currently, if an applicant is requesting approval for just a parking reduction without a site plan approval, the City charges the site plan review fee, which is a minimum of \$1,000. In situations where the parking reduction request is concurrent with the site plan review, it is appropriate to charge the site plan review fee. However, in the case of a change of use where no substantial new development is occurring and no site plan review is occurring, it may not be appropriate to charge that much.

The proposed Ordinance clarifies that parking reduction requests may be considered concurrently with site plan review or through the PUD approval process without requiring a separate parking reduction application or fee. However, in instances where only a change of use is proposed for an existing development where the proposed use would require more parking than is available on-site, a parking reduction application may be submitted along with a \$250 application fee.

- Existing code requires a parking study for any parking reduction request.

The proposed Ordinance revisions allow applicants to request approval of parking reductions by providing a less formal demonstration than a full parking study, while still authorizing the City Administrator to require a parking study if it is warranted for a particular project.

- Existing code requires approval by the City Council for parking reduction requests.

The proposed ordinance gives the responsibility of parking reduction request review to the Technical Review Committee, as this task is more in line with the duties of the TRC.

- Existing code places limits on the maximum amount of parking reduction that can be approved in the commercial zoning districts and the PUB zoning district.

The proposed Ordinance revisions also include limits for the other zoning districts as well as a prohibition on reducing parking requirements for single family homes, mobile homes, and duplexes.

## ORDINANCE NO. 2021-XX

AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING CHAPTER 90 OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF OKEECHOBEE; AMENDING SECTION 90-483, REVISING THE PROVISIONS FOR PARKING REDUCTION REQUESTS; AMENDING SECTION 90-484, REVISING THE PROVISIONS FOR REQUESTING APPROVAL FOR UNPAVED PARKING; DELETING SECTION 90-485, MOVING LIMITATIONS FOR PARKING REDUCTION APPROVALS TO SECTION 90-483; AMENDING APPENDIX A OF THE LAND DEVELOPMENT CODE OF THE CITY OF OKEECHOBEE, ADDING FORM 21, PARKING REDUCTION PETITION; AMENDING APPENDIX C OF THE LAND DEVELOPMENT CODE OF THE CITY OF OKEECHOBEE, ADDING AN APPLICATION FEE FOR PARKING REDUCTION PETITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

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

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

**WHEREAS**, the Planning Board for the City of Okeechobee, Florida, acting as the Local Planning Agency, reviewed and discussed the proposed amendments, also known as Land Development Regulation Text Amendment Application No. 21-001-TA, at a duly advertised Public Hearing held on March 18, 2021, and based on findings of fact by the Planning Staff, hereby recommends certain changes, amendments or modifications to the Code of Ordinances, to present to the City Council for ordinance adoption and codification; and

**WHEREAS**, the City Council for the City of Okeechobee, Florida, considered the recommendations by the Planning Board and concludes that enacting such amendments to be in the best interest of its citizens of said City, that said amendments are necessary and appropriate to make the Land Development Regulations more consistent and responsive to the needs of the City and its citizens.

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

**SECTION 1: Recitals Adopted.** Each of the above stated recitals is true and correct and incorporated herein by this reference:

### **SECTION 2: Amendment and Adoption to Chapter 90.**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Chapter 90 – Zoning, Article IV – Supplementary District Regulations, Division 2, Parking and Loading Requirements:

Sec. 90-481. - Generally.

Off-street parking and loading facilities shall be indicated on a site plan and provided in accord with the regulations of this division.

Sec. 90-482. - Computation of required off-street parking and loading spaces.

Computation of required off-street parking and loading spaces shall be as follows:

- (1) Computation of parking spaces shall be rounded up or down to the nearest whole number.
- (2) Computation of parking spaces based on floor area requirements shall be gross floor area.
- (3) Computation of parking spaces in places of public assembly shall be based on the maximum occupancy rating given the building by the fire marshal.
- (4) Computation of parking spaces based on number of employees shall be at the maximum work shift.
- (5) Spaces for the handicapped are included in the computations of total parking spaces.
- (6) Parking spaces for two or more businesses may be combined, provided that the total number or spaces shall not be less than the sum of required spaces computed separately. Where it can be demonstrated that the need for parking spaces from specific uses do not overlap in time, the number of spaces may be reduced by the number required by the lesser use.
- (7) Loading spaces for two or more businesses may be combined, provided that the total number of loading spaces shall not be less than the sum of required spaces computed separately.
- (8) When a building or use is changed, or enlarged in floor area, the off-street parking and loading spaces as required in this division shall be provided for those changed or enlarged uses.

Sec. 90-483. - Modification of parking and loading space requirements.

~~Modification of parking and loading space requirements shall be as follows:~~

- ~~(1) The number of spaces may be increased, decreased, or deferred by the city council when:
  - ~~a. A parking study demonstrates that the proposed use would have a demand in excess or, or less than, the requirements of these Regulations.~~
  - ~~b. A parking study demonstrates that the hours of need for maximum parking for two or more joint uses do not normally overlap.~~
  - ~~c. A building is in an historic district or is of historic interest.~~
  - ~~d. A building is in a Commercial, Central Business District, or Public Use Zoning Categories.~~~~
- ~~(2) The city council may require the applicant to provide a parking study when the technical review committee presents data indicating that an increase or decrease in the number of parking spaces may be warranted.~~
- ~~(3) An applicant may submit a parking study to demonstrate that either the parking or loading space regulations are excessive for the use proposed, or there is not a current need for all spaces.~~
- ~~(4) A parking study requesting deferral of parking spaces shall contain:~~

- ~~a. A site plan locating the total required parking spaces and designating the deferred spaces, and a landscaping plan of the deferred parking area.~~
  - ~~b. A written agreement with the city that the developer will pay for a study to determine the need to provide the full parking requirement and that the deferred spaces will be converted to parking spaces at the developer's expense should the city determine that additional spaces are needed.~~
- (5) ~~The number of parking spaces shall not be reduced below these requirements where there is insufficient parking.~~

Parking reduction requests to provide less parking and/or loading spaces than is required by Sections 90-512 and 90-513 may be submitted, reviewed, and approved by the technical review committee as follows:

- (1) Applicants that submit site plans for review by the technical review committee may request approval of parking reduction concurrently with site plan approval. No additional application or application fees are required if the request is submitted for consideration in conjunction with the site plan submittal package.
- (2) For owners of existing developments where a proposed change of use would require more parking than is currently present on site, a parking reduction request application may be submitted for consideration by the technical review committee. Please see parking reduction application in Appendix A and the associated fee in Appendix C.
- (3) Applicants that submit PUD-M and PUD-R petitions may request approval of parking reduction concurrently with PUD approval. No additional application or application fees are required if the request is submitted for consideration in conjunction with the PUD petition package.
- (4) Applicants shall demonstrate that the parking reduction request is appropriate, justified and in the public interest through one or several of the following. At the discretion of the Administrator, a parking study may be specifically required.
  - a. Submittal of a parking study demonstrating that the proposed use or combination of uses will have a peak parking demand less than the requirements of Sections 90-512 and/or 90-513.
  - b. The location, design and proposed uses of the site provide for and encourage exceptional pedestrian and bicycle access.
  - c. The site will contain multiple uses with opportunities for internal capture and shared use of parking facilities, and the hours of peak demand for two or more of the proposed uses do not normally overlap.
  - d. Public street parking is located adjacent to the site.
  - e. Drive through service is available and adequate space for stacking of vehicles is provided. Designated stacking lanes shall be designed to minimize congestion associated with internal circulation as well as site ingress and egress.
  - f. The subject property and/or building is in an historic district or is of historic interest.
- (5) In the CBD zoning district, the number of parking spaces shall not be reduced by more than 80 percent.
- (6) In the RSF-1, RSF-2, RMH, RMF, CPO, CLT and CHV zoning districts the number of parking spaces shall not be reduced by more than 20 percent.
- (7) In PUB and IND zoning districts, the number of parking spaces shall not be reduced by more than 50 percent.

(8) No parking reductions shall be approved for single family residences, mobile homes, or duplexes.

Sec. 90-484. - Reduction of paved parking space requirements.

- (a~~1~~) The number of paved spaces may be reduced ~~by the city council when a parking study demonstrates through the parking reduction request process as provided in Section 90-483, upon demonstration by the applicant~~ that the proposed use normally would have a demand for the total required parking spaces only on one or two days a week.
- (b~~2~~) Paved parking spaces shall not be reduced by more than 75 percent.

~~Sec. 90-485. - Reduction of parking space requirements in commercial districts.~~

- ~~(a) In commercial, central business, and public use zoning districts, city council may reduce the number of parking spaces if the technical review committee finds that there is a surplus of on-street parking in the immediate vicinity of the proposed use that is not required by other uses, or that the applicant has provided sufficient off-street parking by alternative means, such as but not limited to a parking garage, or adequate parking lots adjacent to the proposed use.~~
- ~~(b) City council may require the applicant to provide a parking study, or evidence of ownership or lease of alternative off-street parking, and may attach conditions to an approved or alternative parking space reduction.~~
- ~~(c) In the CBD the number of parking spaces shall not be reduced by more than 80 percent from that otherwise required in these regulations.~~
- ~~(d) In commercial zoning districts the number of parking spaces shall not be reduced by more than 20 percent from that otherwise required in these regulations.~~
- ~~(e) In public use zoning districts, the number of parking spaces shall not be reduced by more than 50 percent from that otherwise required in these regulations.~~

Secs. ~~90-486~~90-485—90-510. - Reserved.

**SECTION 3: Amendment and Adoption to Appendix A – Applications, Forms, and Content Requirements, as follows:**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Appendix A – Applications, Forms, and Content Requirements, adding Form 21 - Parking Reduction Petition as follows:

**APPENDIX A - APPLICATION FORMS AND CONTENT REQUIREMENTS**

\* \* \* \*

Form 21. – Parking Reduction Petition.

1. Petition contents. Parking reduction petitions shall be submitted on the appropriate application form and comprises the following:

- a. Petitioner's name, address, phone number.

- b. Proof of interest in property.
  - c. Property survey and location map.
  - d. Description of all proposed uses.
  - e. Supplementary supporting information.
  - f. Application fee.
2. Processing. Parking reduction petitions are processed as follows:
- a. Applicant submits petition to general services department.
  - b. Administrator reviews petition, initiates processing, issues notice of Technical Review Committee hearing.
  - c. Technical Review Committee reviews petition and either approves, denies, or approves with conditions.

**SECTION 4: Amendment and Adoption to Appendix C – Schedule of Land Development Regulation Fees and Charges, as follows:**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Appendix C – Schedule of Land Development Regulation Fees and Charges, adding Fee Schedule Item 20 - Parking Reduction Petition, as follows:

**APPENDIX C - APPLICATION FORMS AND CONTENT REQUIREMENTS**

*	*	*	*
Fee Schedule:			
*	*	*	*
<u>20.</u>	<u>Parking Reduction Petition .....</u>		<u>\$250.00</u>
*	*	*	*

**SECTION 4: CONFLICT.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6: INCLUSION IN THE CODE.** It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Okeechobee.

**SECTION 7: SEVERABILITY.** If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 8: EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its passage.

**INTRODUCED** for First Reading and set for Final Public Hearing on this \_\_\_\_\_ day of \_\_\_\_\_.

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

ATTEST:

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

**PASSED AND ADOPTED** after Second and Final Public Hearing this \_\_\_\_ day of \_\_\_\_.

---

Dowling R. Watford, Jr., Mayor

ATTEST:

---

Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

---

John Fumero, City Attorney



## Parking Reduction Application

**City of Okeechobee Planning and Development**  
**55 SE 3<sup>rd</sup> Avenue, Okeechobee, FL 34974**  
**Phone (863) 763-3372 • Fax (863) 763-1686**

## Parking Reduction Application

Per City Code Section 90-483, property owners of existing developments in the City of Okeechobee, which are proposing a change of use that would require more parking than is currently present on site, may submit requests to provide less parking and/or loading spaces than is required by Sections 90-512 and 90-513 by filling out this application, paying the application fee and providing the required submittals on the attached checklist.

Submittal Date: \_\_\_\_\_ Petition Number: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Name of Property Owner (if other than Applicant): \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Contact Person (if other than Applicant): \_\_\_\_\_

Applicant/Contact Person Phone Number: \_\_\_\_\_

Applicant/Contact Person Address: \_\_\_\_\_

Applicant/Contact Person Email Address: \_\_\_\_\_

Subject Property Address: \_\_\_\_\_

Subject Property Parcel ID Number(s): \_\_\_\_\_

Subject Property Acreage: \_\_\_\_\_

Number of On-site Standard Vehicle Spaces and Loading Spaces : \_\_\_\_\_

Current or Previous Use(s) and the Floor Area of the Use(s): \_\_\_\_\_

Proposed Use(s) and the Floor Area of the Use(s): \_\_\_\_\_

# Parking Reduction Application

## CRITERIA FOR GRANTING A PARKING REDUCTION (City LDC Sec. 90-483)

Materials such as site plans, aerials, sketches, written descriptions of proposed on-site operations, or other materials should be submitted by the Applicant that demonstrate the parking reduction request is appropriate, justified and in the public interest and that one or several of the following criteria are met. Depending on the scope and type of proposed use(s), the City Administrator or their designee is authorized to require a parking study be performed for the application to be considered complete and the request to be considered by the technical review committee.

- a. Submittal of a parking study demonstrating that the proposed use or combination of uses will have a peak parking demand less than the requirements of Sections 90-512 and/or 90-513.
- b. The location, design and proposed uses of the site provide for and encourage exceptional pedestrian and bicycle access.
- c. The site will contain multiple uses with opportunities for internal capture and shared use of parking facilities, and the hours of peak demand for two or more of the proposed uses do not normally overlap.
- d. Public street parking is located adjacent to the site.
- e. Drive through service is available and adequate space for stacking of vehicles is provided. Designated stacking lanes shall be designed to minimize congestion associated with internal circulation as well as site ingress and egress.
- f. The subject property and/or building is in an historic district or is of historic interest.

### SUBMITTAL CHECKLIST

<u>No.</u>	<u>Checklist Items</u>	<u>Check</u>
1.	Copy of recorded warranty deed indicating current ownership	_____
2.	Notarized letter of consent (required if applicant is different from property owner)	_____
3.	Property survey	_____
4.	Legal description	_____
5.	Location map	_____
6.	Supplemental supporting information	_____
7.	Application fee of \$250	_____



**CITY OF OKEECHOBEE, FLORIDA**  
**PLANNING BOARD MEETING**  
**MARCH 18, 2021**  
**DRAFT SUMMARY OF BOARD ACTION**

**I. CALL TO ORDER**

Chairperson Hoover called the regular meeting of the Planning Board for the City of Okeechobee to order on Thursday, March 18, 2021, at 6:32 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida.

**II. ATTENDANCE**

Roll was taken by Board Secretary Patty Burnette. Chairperson Dawn Hoover, Vice Chairperson Doug McCoy, Board Members Phil Baughman, Karyne Brass, Rick Chartier, and Mac Jonassaint were present. Alternate Board Member Jim Shaw was present. Board Member Felix Granados and Alternate Board Member Joe Papasso were absent with consent. Chairperson Hoover moved Alternate Board Member Shaw to voting position.

**III. AGENDA**

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Member Brass, seconded by Member Jonassaint to approve the agenda as presented. **Motion Carried Unanimously.**

**IV. MINUTES**

- A. Motion by Member Chartier, seconded by Member Jonassaint to dispense with the reading and approve the January 21, 2021, Regular Meeting and Workshop minutes and the February 18, 2021, Workshop minutes. **Motion Carried Unanimously.**

**V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:33 P.M.**

- A. Land Development Regulations (LDR) Text Amendment Petition No. 21-001-TA proposes to amend Sections 90-483 through 90-484; remove Section 90-485 and move limitations for parking reduction approvals to Section 90-483; add Form 21 Parking Reduction Petition, to Appendix A and add an application fee of \$250.00 to Appendix C.
  - 1. City Planning Consultant Mr. Ben Smith of LaRue Planning and Management Services reviewed the Planning Staff Report and draft ordinance.
  - 2. The following public comments we offered: Mr. Steven Dobbs, 209 Northeast 2<sup>nd</sup> Street, Okeechobee, commented maybe a standard parking requirement should be created for properties that are considered "strip malls" as it appears that in several instances property owners are unable to lease out all their units because of the current parking requirements for each type of use.
  - 3. There were no Ex-Parte disclosures offered.
  - 4. Motion by Member Chartier, seconded by Member Jonassaint to recommend the City Council approve LDR Text Amendment Petition No. 21-001-TA as presented in Exhibit 1. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for April 20, 2021 and May 18, 2021.
- B. LDR Text Amendment Petition No. 21-002-TA proposes to adopt the Holding Property Rezoning Program; add Form 22 Holding Property Rezoning Application, to Appendix A and add an application fee of \$600.00 plus \$20.00/acre to Appendix C.
  - 1. City Planning Consultant Smith reviewed the Planning Staff Report and draft ordinance.
  - 2. There were no public comments offered.
  - 3. There were no Ex-Parte disclosures offered.

**V. PUBLIC HEARING ITEM B CONTINUED**

4. Motion by Member Jonassaint, seconded by Member Chartier to recommend to the City Council approval of LDR Text Amendment Petition No. 21-002-TA as presented in Exhibit 2. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for April 20, 2021 and May 18, 2021.

**CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 7:07 P.M.**

- VI.** Chairperson Hoover adjourned the meeting at 7:07 P.M.

Submitted by:

\_\_\_\_\_  
Patty M. Burnette, Secretary

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

DRAFT

## ORDINANCE NO. 1224

AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; ADOPTING THE HOLDING REZONING PROGRAM, PROVIDING INCENTIVES FOR OWNERS OF PROPERTIES ZONED HOLDING TO REZONE TO OTHER ZONING DISTRICTS SUPPORTED BY THE LAND DEVELOPMENT REGULATIONS (LDR), REDUCING THE APPLICATION FEES AND APPLICATION SUBMITTAL REQUIREMENTS; AMENDING APPENDIX A OF THE LDR ADDING FORM 22, HOLDING ZONING DISTRICT BOUNDARY CHANGE PETITION; AMENDING APPENDIX C OF THE LDR ADDING AN APPLICATION FEE FOR REZONING PROPERTY ZONED HOLDING; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Council of the City of Okeechobee, Florida, has adopted Ordinance Number 716, as amended, known as the LDR; and

**WHEREAS**, the LDR generally contain codes specific to each zoning district, which provide lists of permitted uses, lists of specially permitted uses and regulations for development within that specific zoning district; and

**WHEREAS**, multiple parcels within the City are zoned Holding, though the LDR do not currently contain any codes specific to regulating the Holding zoning district; and

**WHEREAS**, the City Council has a legitimate interest in ensuring that the potential development of every parcel in the City is regulated by clear and concise LDR; and

**WHEREAS**, the Future Land Use Element of the City of Okeechobee Comprehensive Plan generally contains descriptions of future land use designations in which lists of zoning districts that are appropriate within those designations are provided; and

**WHEREAS**, the Holding zoning district is not listed as an appropriate zoning district within any of the future land use designations; and

**WHEREAS**, the City Council seeks to encourage owners of properties in the Holding zoning district to rezone to other zoning districts which are supported by the LDR, the Future Land Use Element; and the Future Land Use Map; and

**WHEREAS**, the Planning Board of the City of Okeechobee, Florida, recommends that the Council adopt reduced application submittal requirements and reduced application fees for rezoning of properties which are either partially or entirely zoned holding; and

**WHEREAS**, the Planning Board of the City of Okeechobee, Florida, has reviewed the existing conditions of parcels in the Holding zoning district; including the future land use designation, the existing land use, the prevailing pattern of land uses in the surrounding area, the zoning designation of the surrounding parcels, and the future land use designation of the surrounding parcels; and has provided recommendations for the rezoning of those parcels; and

**WHEREAS**, the Planning Board for the City of Okeechobee, Florida, acting as the Local Planning Agency, reviewed and discussed the proposed amendments, also known as Land Development Regulation Text Amendment Application No. 21-002-TA, at a duly advertised Public Hearing held on March 18, 2021, and based on findings of fact by the Planning Staff, hereby recommends certain changes, amendments or modifications to the Code of Ordinances, to present to the City Council for ordinance adoption and codification; and

**WHEREAS**, the City Council for the City of Okeechobee, Florida, considered the recommendations by the Planning Board and concludes that adopting such a program and amendment to be in the best interest of its citizens of said City, that such a program and amendments are necessary and appropriate to make the Zoning Map, the LDR and the Comprehensive Plan more consistent and responsive to the needs of the City and its citizens.

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

**SECTION 1: Recitals Adopted.** Each of the above stated recitals is true and correct and incorporated herein by this reference:

**SECTION 2: Holding Property Rezoning Program Adopted.** The City of Okeechobee hereby adopts the Holding Property Rezoning Program as follows:

**Eligibility:** Owners (or their authorized designee) of properties which are either partially or entirely zoned Holding are eligible to apply for rezoning according to the provisions of this program.

This program does not exempt owners from consistency with the Future Land Use Map. Where the requested zoning change would also require a Future Land Use Map amendment, the standard application requirements, procedures and fees for Future Land Use Map amendments will apply. Future Land Use Map amendments must be approved prior to approval of the associated rezoning request.

**Rezoning Application Requirements:** Form 22 is added to Appendix A of the City's Land Development Regulations which adopts application requirements that are reduced substantially from the standard rezoning application requirements.

**Rezoning Application Fee:** For eligible owners, the standard rezoning application fees according to Fee Schedule of Appendix C of the City's Land Development Regulations have been reduced substantially. Application Fees for rezoning Holding properties are \$600 plus \$20 per acre.

**Rezoning Recommendations:** In the interest of consistency between the Future Land Use Map and the Zoning Map and in the interest of compatibility with the existing pattern of surrounding land uses, the City officially recommends zoning changes for properties in the City which are either partially or entirely zoned Holding. See attached Exhibit B- Holding Property Rezoning Recommendations.

**Future Land Use Map Amendment Recommendations:** In some instances where the recommended zoning changes would also require a Future Land Use Map amendment, the City has also provided official Future Land Use Map amendment recommendations, which are also included in Exhibit B- Holding Property Rezoning Recommendations.

**Owner Notification and Legal Notification:** Notification of the benefits, requirements and procedures of this program will be mailed to all eligible property owners in the form of Exhibit C- Draft Property Owner Notification Letters.

Legal notification and advertisement of zoning requests will be performed by the City and in conformance with the requirements for zoning district boundary changes as provided in Florida Statute.

**SECTION 3: Amendment and adoption to Section Appendix A – Applications, Forms, and Content Requirements, as follows:**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Appendix A – Applications, Forms, and Content Requirements, adding Form 22 - Holding Zoning District Boundary Change Petition as follows:

APPENDIX A - APPLICATION FORMS AND CONTENT REQUIREMENTS

Form 22. – Holding zoning district boundary change petition.

1. Petition contents. Zoning district boundary change petition shall be submitted on the appropriate application form and comprises the following:
  - a. Petitioner's name, address, phone number.
  - b. Proof of interest in property.
  - c. Legal description.
  - d. Property owner's list.
  - e. Location map
  - f. Supplementary supporting information.
  - g. Application fee.
2. Processing. Holding zoning district boundary change petitions are processed as follows:
  - a. Applicant submits petition to general services department.
  - b. Administrator reviews petition, initiates processing, issues notice of planning board public hearing.
  - c. Planning board holds public hearing, forwards advisory recommendation to city council.
  - d. Administrator issues notice of city council public hearing.

- e. City council holds first public hearing, renders decision.
- f. If approved, Administrator issues notice of second city council public hearing.
- g. City council holds second public hearing, renders final decision on petition.

**SECTION 4: Amendment and adoption to Appendix C – Schedule of Land Development Regulation Fees and Charges, as follows:**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Appendix C – Schedule of Land Development Regulation Fees and Charges, adding Fee Schedule Item 21 - Holding Zoning District Boundary Change (Rezoning), as follows:

APPENDIX C - APPLICATION FORMS AND CONTENT REQUIREMENTS

Fee Schedule:

21. Holding zoning district boundary change (rezoning) ..... \$600.00 plus \$20.00 per acre

**SECTION 5: Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6: Severability.** If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 7: Inclusion in the Code.** It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Okeechobee.

**SECTION 8: Effective Date.** This Ordinance shall take effect immediately upon its passage.

**INTRODUCED** for First Reading and set for Final Public Hearing on this 20<sup>th</sup> day of April, 2021.

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

**ATTEST:**

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

**PASSED AND ADOPTED** after Second and Final Public Hearing this 18<sup>th</sup> day of May, 2021.

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

**ATTEST:**

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

**REVIEWED FOR LEGAL SUFFICIENCY:**

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

City of Okeechobee  
 General Services Department  
 55 S.E. 3<sup>rd</sup> Avenue, Room 101  
 Okeechobee, Florida 39974-2903  
 Phone: (863) 763-3372, ext. 218  
 Fax: (863) 763-1686

Date: 2-3-21      Petition No. 21-002-TA  
 Fee Paid:      Jurisdiction: PB+CC 18  
 1<sup>st</sup> Hearing: 3-18-21      2<sup>nd</sup> Hearing: 4-20-21 & 5-11-21  
 Publication Dates:  
 Notices Mailed:

updated Ben 2-24-21

**APPLICATION FOR TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS**

**APPLICANT INFORMATION**

1 Name of Applicant: City Initiated

2 Mailing address:

3 E-mail address:

4 Daytime phone(s):

5 Do you own residential property within the City?  Yes  No  
 If yes, provide address(es)

6 Do you own nonresidential property within the City?  Yes  No  
 If yes, provide address(es)

**REQUEST INFORMATION**

7 Request is for:  Text change to an existing section of the LDRs  
 Addition of a permitted use       Deletion of a permitted use  
 Addition of a special exception use       Deletion of a special exception use  
 Addition of an accessory use       Deletion of an accessory use

8 Provide a detailed description of text changes to existing section(s) showing deletions in ~~strikeout~~ and additions in underline format. (This description may be provided on separate sheets if necessary.)  
See attached proposed Ordinance



## Staff Report

**To:** Okeechobee Planning Board  
**From:** Ben Smith, AICP  
**Meeting Date:** March 18, 2021  
**Subject:** Holding Property Rezoning Ordinance

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At one time, the City's land development code contained regulations for the development of properties zoned Holding. However, several years ago, the Holding district regulations were removed from the land development code. Currently, if any property owner of land zoned Holding is seeking to develop that property, a rezoning must be performed first.

There are currently 55 parcels of land within the City that are partially or entirely zoned Holding. Some of these parcels are developed, though most are undeveloped or used for agricultural purposes. Most of the Holding parcels are designated as Single Family Residential on the Future Land Use Map, though there are two with Commercial designations and one with Mixed Use Residential.

As members of the City Council and Planning Board have pointed out, the rezoning process can be an uncertain and cost prohibitive process for some property owners and prospective property buyers. If the goal of the City is to encourage owners of Holding properties to rezone, then the City may consider providing some incentivization to rezone Holding properties by reducing the requirements, lowering the application fee, and providing more certainty to the outcome of the rezoning process for those properties.

The concept for this ordinance was initiated by the Planning Board at their August 2020 workshop and has subsequently been discussed at multiple workshops, which culminated in the recommendation of an Ordinance to implement a temporary Holding Rezoning Program at the January 2021 Planning Board meeting. However, based on advice from the City Attorney, staff has made some revisions to that Ordinance and is bringing it back to the Planning Board with some revisions:

- The revised Ordinance amends the City Land Development Code by adding new application requirements and procedures for rezoning holding properties.
- The revised Ordinance amends the City Land Development Code by adding a new application fee for rezoning Holding properties.
- This will no longer be a temporary program, but instead will be a new permanent application process.
- Applicant's that are requesting a rezoning that is not supported by an official recommendation should provide responses to the required rezoning findings in Section 70-340.

These changes are necessary to allow the City to process Holding property rezoning applications differently than what is required in the City Code for all other rezoning applications. The Ordinance still allows Holding property owners to apply for a rezoning with reduced application requirements, reduced application fees, official rezoning recommendations and mailed notification of the program. The attached Ordinance and Exhibits have been legally advertised and are presented to you for recommendation to the City Council.

Any further revisions to the language of the ordinance, the application, application fee, rezoning recommendations or draft letters can be discussed at the meeting and made as part of the recommendation to Council.

The basis for the rezoning recommendations, as provided by staff and discussed at the workshops are provided below in this report.

## Map Area 1 – Staff Recommendations

### Map ID #1

Acres: 4.63

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This property is comprised of 5 separate parcels. Ideally, all parcels would be rezoned to **RSF-1** to be consistent with the future land use designation and to be consistent with the character and the predominant pattern of land use of the surrounding properties.

### Map ID #2

Acres: 1.8

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: Lots 1 through 3 of this parcel are zoned Holding. However, lots 4 through 10 are zoned Residential Multifamily. Ideally, the entire property should be rezoned to **RSF-1** to be consistent with the future land use designation and to be consistent with the character and pattern of land use of the surrounding properties.

### Map ID #3

Acres: 11.3

Future Land Use: Single Family Residential

Use: This parcel clearly had agricultural uses at one time, though it is unclear whether the agricultural uses have been maintained.

Comments/Recommendations: A portion of this parcel is zoned Holding and a portion is zoned RSF-1. Depending on the current/intended use of the property, either the Holding portion of this parcel should be rezoned to **RSF-1** or the entire property should be rezoned to **Rural Heritage**.

### Map ID #4

Acres: 0.34

Future Land Use: Single Family Residential

Use: One Triplex & Two Single Family Residences

Comments/Recommendations: Though this parcel contains multi-family structures, this parcel would be nonconforming (too much density for lot size) even with multi-family designations. Ideally, the entire property should be rezoned to **RSF-1** to be consistent with the future land use designation and to be consistent with the character and pattern of land use of the surrounding properties.

**Map ID #5**

Acres: 0.34

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: Ideally, this property should be rezoned to **RSF-1** to be consistent with the existing land use, future land use designation and the character and pattern of land use of the surrounding properties.

**Map ID #6**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it should ideally be rezoned to **RSF-1** to be consistent with the existing land use, future land use designation and the character and pattern of land use of the surrounding properties.

**Map ID #7**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it should ideally be rezoned to **RSF-1** to be consistent with the existing land use, future land use designation and the character and pattern of land use of the surrounding properties.

**Map ID #8**

Acres: 0.34

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: Ideally, this property should be rezoned to **RSF-1** to be consistent with the future land use designation and the character and pattern of land use of the surrounding properties.

**Map ID #9**

Acres: 0.34

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: Ideally, this property should be rezoned to **RSF-1** to be consistent with the future land use designation and the character and pattern of land use of the surrounding properties.

**Map ID #10**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it should ideally be rezoned to **RSF-1** to be consistent with the future land use designation and the character and pattern of land use of the surrounding properties.

**Map ID #11**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it should ideally be rezoned to **RSF-1** to be consistent with the future land use designation and the character and pattern of land use of the surrounding properties.

### **Map ID #12**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it should ideally be rezoned to **RSF-1** to be consistent with the future land use designation and the character and pattern of land use of the surrounding properties.

### **Map ID #13**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it should ideally be rezoned to **RSF-1** to be consistent with the existing land use, future land use designation and the character and pattern of land use of the surrounding properties.

### **Map ID #14**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it ideally should be rezoned to **RSF-1** to be consistent with the existing land use, future land use designation and the character and pattern of land use of the surrounding properties.

**Map ID #15**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it should ideally be rezoned to **RSF-1** to be consistent with the existing land use, future land use designation and the character and pattern of land use of the surrounding properties.

**Map ID #16**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it should ideally be rezoned to **RSF-1** to be consistent with the existing land use, future land use designation and the character and pattern of land use of the surrounding properties.

**Map ID #17**

Acres: 0.17

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: This parcel does not meet the minimum lot area or lot width requirements for RSF-1 district. Though the lot does meet the minimum lot area and lot width requirements of the RSF-2 district, rezoning to the RSF-2 district would also require a future land use map amendment to multifamily residential. However, Section 90-32 of City's land development code allows for development of a single family home on nonconforming lots which are at least 4,000 square feet and 40 feet wide. Since this lot appears to meet those requirements, it should ideally be rezoned to **RSF-1** to be consistent with the existing land use, future land use designation and the character and pattern of land use of the surrounding properties.

## **Map Area 2 – Staff Recommendations**

### **Map ID #18**

Acres: 1.76

Future Land Use: Industrial & Single Family Residential

Use: Warehouse & Outdoor Storage

Comments/Recommendations: This parcel has split future land use and zoning designations, though most of it is designated industrial. It is adjacent to the railway and other industrial to the east. Though there are single family residences to the south, staff is of the opinion that map changes to industrial would provide the most consistency with the existing land use and pattern of land use in the surrounding area. Ideally, a **future land use map amendment to industrial** should be initiated for lots 19 and 20 in the southeast corner of this parcel concurrently with a **zoning map change to industrial** for the same lots.

### **Map ID #19**

Acres: 4.3

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This property is comprised of 2 separate parcels. Ideally, this property should be rezoned to **RSF-1** to be consistent with the future land use designation and to be consistent with the character and pattern of land use of the surrounding properties.

## **Map Area 3 - Staff Recommendations**

### **Map ID #20**

Acres: 0.33

Future Land Use: Commercial

Use: Vacant

Comments/Recommendations: This parcel is one lot off of US-441, with an existing medical office to the south. Ideally, this property should be rezoned to **either CPO, CLT or CHV** to be consistent with the future land use designation and to be consistent with the character and pattern of land use of the surrounding properties.

### **Map ID #21**

Acres: 0.4

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This parcel is located along the commercial corridor (close proximity to US-441), there are existing commercial uses adjacent and nearby, and there are no adjacent single family residences. Though a rezoning to RSF-1 would make this zoning consistent with the future land use designation, it would not be completely consistent with the surrounding land use pattern and it is not clear that this change would be beneficial for the property owner, as single family residential may not be the highest and best development for this parcel. **Staff does not recommend any particular map changes for this property.** The property owner should present their own argument for their desired map changes.

### **Map ID #22**

Acres: 0.69

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This property is comprised of 2 separate parcels and is located along the commercial corridor (close proximity to US-441). There are existing commercial and multi-family uses adjacent and nearby, and there are no adjacent single family residences. Though a rezoning to RSF-1 would make this zoning consistent with the future land use designation, it would not be completely consistent with the surrounding land use pattern and it is not clear that this change would be beneficial for the property owner, as single family residential may not be the highest and best development for this parcel. **Staff does not recommend that any particular map changes** for this property. The property owner should present their own argument for their desired map changes.

### **Map ID #23**

Acres: 0.34

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This parcel is located along the commercial corridor (close proximity to US-441), there are existing commercial uses nearby, and there are no adjacent single family residences. Though a rezoning to RSF-1 would make this zoning consistent with the future land use designation, it would not be completely consistent with the surrounding land use pattern and it is not clear that this change would be beneficial for the property owner, as single family residential may not be the highest and best development for this parcel. **Staff does not recommend that any particular map changes for this property.** The property owner should present their own argument for their desired map changes.



### **Map ID #24**

Acres: 1.0

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This property is comprised of 2 separate parcels and is located along the commercial corridor (close proximity to US-441). There is an existing multi-family development adjacent and commercial uses nearby, and there are no adjacent single family residences. Though a rezoning to RSF-1 would make this zoning consistent with the future land use designation, it would not be completely consistent with the surrounding land use pattern and it is not clear that this change would be beneficial for the property owner, as single family residential may not be the highest and best development for this parcel. **Staff does not recommend that any particular map changes for this property.** The property owner should present their own argument for their desired map changes.

### **Map ID #25**

Acres: 2.1

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This property is comprised of 2 separate parcels. The property to the east and south is a large parcel with a single family residence. Ideally, this property should be rezoned to **RSF-1** to be consistent with the future land use designation.

### **Map ID #26**

Acres: 0.1

Future Land Use: Commercial

Use: Public Utility

Comments/Recommendations: This parcel is owned by the Okeechobee Utility Authority. Public facilities are specifically listed as an allowable use in the Commercial future land use category under future land use policy 2.1(d). However, public facility/utility is not listed as a permitted use in any of the commercial zoning districts. Instead, it is listed as special exception use in the commercial zoning districts. The City could rezone this property to one of the commercial zoning district and concurrently approve the public utility as a special exception. However, it is likely more sensible to **take no action** until the City makes plans to improve the property or sell it.

### **Map ID #27**

Acres: 0.34

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This property is comprised of 2 separate parcels, neither of which meet the minimum lot area or lot width requirements for RSF-1 district separately. However, if the owner joins the parcels, the RSF-1 district requirements will be met. Ideally, both parcels should be rezoned to **RSF-1** to be consistent with the future land use designation and the character of the surrounding area. The property owner should be encouraged to join the parcels and not sell them separately.

**Map ID #28**

Acres: 0.69

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: Ideally, this property should be rezoned to **RSF-1** to be consistent with the future land use designation and the character of the surrounding area.

**Map ID #29**

Acres: 0.26

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: Ideally, this property should be rezoned to **RSF-1** to be consistent with the future land use designation and the character of the surrounding area.

**Map ID #30**

Acres: 0.84

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This property is comprised of 2 separate parcels. One of the parcels does not meet the minimum lot area or lot width requirements for RSF-1 district separately. However, if the owner joins the parcels, the RSF-1 district requirements will be met. Ideally, this property should be rezoned to **RSF-1** to be consistent with the future land use designation and the character of the surrounding area. Though Section 90-32 allows for construction of a single family residence on the smaller parcel, the property owner should be encouraged to join parcels and not sell the smaller parcel separately.

**Map ID #31**

Acres: 1.4

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This property is comprised of 2 separate parcels. Ideally, this property should be rezoned to **RSF-1** to be consistent with the future land use designation and the character of the surrounding area.

**Map ID #32**

Acres: 0.71

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: Ideally, this property should be rezoned to **RSF-1** to be consistent with the future land use designation and the character of the surrounding area.

## **Map Area 4 - Staff Recommendations**

### **Map ID #33**

Acres: 51.19

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: A portion of this property is zoned RMH and the property surrounds an existing manufactured home park. The railway runs along the northern property line and beyond that is the City's Commerce Center. Taylor creek runs along the western property line with single family residential and industrial uses on the other side of the creek. The boundary of the City runs along the eastern property line with single family residences in the adjacent unincorporated area beyond. Vacant commercially designated property lies to the south. There are many potential development possibilities for this large unplatted parcel and the owner has expressed an interest in several different development scenarios. Due to the large size and uniqueness of this parcel, it is difficult for staff to recommend any particular map change other than what is currently consistent with the Future Land Use. Therefore, unless the property owner presents their own argument for their desired map changes, staff recommends a rezoning to **RSF-1**.

### **Map ID #34**

Acres: 1.36

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: The west portion of this parcel is already zoned RSF-1. Ideally, the remainder of this property should be rezoned to **RSF-1** to be consistent with the future land use designation, existing land use and character of surrounding area.

### **Map ID #35**

Acres: 1.1

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: This property was very recently acquired by the owner of Map ID #33. As such, this property should be considered part of Map ID #33 and staff's recommendations are the same for both.

### **Map ID #36**

Acres: 1.0

Future Land Use: Single Family Residential

Use: Vacant

Comments/Recommendations: Vacant commercially designated property lies to the south. The property to the east, west and north is zoned Holding with a staff recommendation to rezone to RSF-1. Similarly, staff recommends a rezoning to **RSF-1** for this property as well, to be consistent with the Future Land Use designation.

## **Map Area 5 - Staff Recommendations**

### **Map ID #37**

Acres: 13.32

Future Land Use: Single Family Residential

Use: This parcel clearly had agricultural uses at one time, though it is unclear whether the agricultural uses have been maintained.

Comments/Recommendations: Depending on the current/intended use of the property, this parcel should ideally be rezoned to **RSF-1 or Rural Heritage**.

## **Map Area 6 - Staff Recommendations**

### **Map ID #38**

Acres: 1.72

Future Land Use: Single Family Residential

Use: Two Single Family Residences

Comments/Recommendations: A portion of this parcel is already zoned RSF-1. Ideally, the remainder should be rezoned to **RSF-1** to be consistent with future land use designation, existing land use, and character and pattern of land use of the surrounding area.

### **Map ID #39**

Acres: 12.21

Future Land Use: Single Family Residential

Use: This parcel clearly had agricultural uses at one time, though it is unclear whether the agricultural uses have been maintained.

Comments/Recommendations: Depending on the current/intended use of the property, this parcel should ideally be rezoned to **RSF-1 or Rural Heritage**.

## **Map Area 7 - Staff Recommendations**

### **Map ID #40**

Acres: 2.21

Future Land Use: Single Family Residential

Use: Parking for Bank

Comments/Recommendations: This parcel contains overflow parking for the existing bank facility to the west. Since this parcel is separate from the bank parcel, the existing land use of this property can best be characterized as a commercial parking lot. Among the commercial zoning districts, the CHV district is the only district that allows commercial parking lot as a permitted use. The actions that would provide the most consistency between the maps and existing land use would be a **future land use map amendment to Commercial and a concurrent rezoning to CHV**.

### **Map ID #41**

Acres: 39.88

Future Land Use: Mixed Use Residential

Use: This parcel was clearly used for agricultural purposes at one time, though it is unclear whether the agricultural use has been maintained.

Comments/Recommendations: This parcel meets the minimum size requirements for the Mixed Use Residential future land use category and limited agricultural uses are permitted in the Mixed Use Residential future land use category. However, rezoning to PUD-M should only be approved through the planned unit development process. Staff is **not recommending any particular map changes** for this property. The property owner should proceed with the planned unit development approval process or present their own argument for their desired map changes.

## **Map Area 8 - Staff Recommendations**

### **Map ID #42**

Acres: 14.21

Future Land Use: Single Family Residential

Use: Single Family Residence and possibly agricultural

Comments/Recommendations: This property is comprised of 2 separate parcels. The property appraiser lists the use of this property as improved pasture, though aeriels indicate that a single family residence is also present on the site. Depending on the intended use of this property, it should ideally be rezoned to either **RSF-1 or Rural Heritage**.

### **Map ID #43**

Acres: 2.0

Future Land Use: Single Family Residential

Use: Single Family Residence

Comments/Recommendations: Ideally, this property should be rezoned to **RSF-1** to be consistent with future land use designation, existing land use, and character and pattern of land use of the surrounding area.

## ORDINANCE NO. 2021-XX

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; ADOPTING THE HOLDING REZONING PROGRAM, PROVIDING INCENTIVES FOR OWNERS OF PROPERTIES ZONED HOLDING TO REZONE TO OTHER ZONING DISTRICTS SUPPORTED BY THE LAND DEVELOPMENT REGULATIONS, REDUCING THE APPLICATION FEES AND APPLICATION SUBMITTAL REQUIREMENTS; AMENDING APPENDIX A OF THE LAND DEVELOPMENT CODE OF THE CITY OF OKEECHOBEE, ADDING FORM 22, HOLDING ZONING DISTRICT BOUNDARY CHANGE PETITION; AMENDING APPENDIX C OF THE LAND DEVELOPMENT CODE OF THE CITY OF OKEECHOBEE, ADDING AN APPLICATION FEE FOR REZONING PROPERTY ZONED HOLDING; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, the Land Development Regulations generally contain codes specific to each zoning district, which provide lists of permitted uses, lists of specially permitted uses and regulations for development within that specific zoning district; and

**WHEREAS**, multiple parcels within the City are zoned Holding, though the Land Development Regulations do not currently contain any codes specific to regulating the Holding zoning district; and

**WHEREAS**, the City Council has a legitimate interest in ensuring that the potential development of every parcel in the City is regulated by clear and concise land development regulations; and

**WHEREAS**, the Future Land Use Element of the City of Okeechobee Comprehensive Plan generally contains descriptions of future land use designations in which lists of zoning districts that are appropriate within those designations are provided; and

**WHEREAS**, the Holding zoning district is not listed as an appropriate zoning district within any of the future land use designations; and

**WHEREAS**, the City Council seeks to encourage owners of properties in the Holding zoning district to rezone to other zoning districts which are supported by the Land Development Regulations, the Future Land Use Element; and the Future Land Use Map; and

**WHEREAS**, the Planning Board of the City of Okeechobee, Florida, recommends that the Council adopt reduced application submittal requirements and reduced application fees for rezoning of properties which are either partially or entirely zoned holding; and

**WHEREAS**, the Planning Board of the City of Okeechobee, Florida, has reviewed the existing conditions of parcels in the Holding zoning district; including the future land use designation, the existing land use, the prevailing pattern of land uses in the surrounding area, the zoning designation of the surrounding parcels, and the future land use designation of the surrounding parcels; and has provided recommendations for the rezoning of those parcels; and

**WHEREAS**, the Planning Board for the City of Okeechobee, Florida, acting as the Local Planning Agency, reviewed and discussed the proposed amendments, also known as Land Development Regulation Text Amendment

Application No. 21-002-TA, at a duly advertised Public Hearing held on March 18, 2021, and based on findings of fact by the Planning Staff, hereby recommends certain changes, amendments or modifications to the Code of Ordinances, to present to the City Council for ordinance adoption and codification; and

**WHEREAS**, the City Council for the City of Okeechobee, Florida, considered the recommendations by the Planning Board and concludes that adopting such a program and amendment to be in the best interest of its citizens of said City, that such a program and amendments are necessary and appropriate to make the Zoning Map, the Land Development Regulations and the Comprehensive Plan more consistent and responsive to the needs of the City and its citizens.

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

**SECTION 1: RECITALS ADOPTED.** Each of the above stated recitals is true and correct and incorporated herein by this reference:

**SECTION 2: HOLDING PROPERTY REZONING PROGRAM ADOPTED.** The City of Okeechobee hereby adopts the Holding Property Rezoning Program as follows:

#### **Eligibility**

Owners (or their authorized designee) of properties which are either partially or entirely zoned Holding are eligible to apply for rezoning according to the provisions of this program.

This program does not exempt owners from consistency with the Future Land Use Map. Where the requested zoning change would also require a Future Land Use Map amendment, the standard application requirements, procedures and fees for Future Land Use Map amendments will apply. Future Land Use Map amendments must be approved prior to approval of the associated rezoning request.

#### **Rezoning Application Requirements**

Form 22 is added to Appendix A of the City's Land Development Regulations which adopts application requirements that are reduced substantially from the standard rezoning application requirements.

#### **Rezoning Application Fee**

For eligible owners, the standard rezoning application fees according to Fee Schedule of Appendix C of the City's Land Development Regulations have been reduced substantially. Application Fees for rezoning Holding properties are \$600 plus \$20 per acre.

#### **Rezoning Recommendations**

In the interest of consistency between the Future Land Use Map and the Zoning Map and in the interest of compatibility with the existing pattern of surrounding land uses, the City officially recommends zoning changes for properties in the City which are either partially or entirely zoned Holding. See attached Exhibit B- Holding Property Rezoning Recommendations.

#### **Future Land Use Map Amendment Recommendations**

In some instances where the recommended zoning changes would also require a Future Land Use Map amendment, the City has also provided official Future Land Use Map amendment recommendations, which are also included in Exhibit B- Holding Property Rezoning Recommendations.

### **Owner Notification and Legal Notification**

Notification of the benefits, requirements and procedures of this program will be mailed to all eligible property owners in the form of Exhibit C- Draft Property Owner Notification Letters.

Legal notification and advertisement of zoning requests will be performed by the City and in conformance with the requirements for zoning district boundary changes as provided in Florida Statute.

## **SECTION 3: Amendment and adoption to Section Appendix A – Applications, Forms, and Content Requirements, as follows:**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart B-Land Development Regulations, providing for amendments to Appendix A – Applications, Forms, and Content Requirements, adding Form 22 - Holding Zoning District Boundary Change Petition as follows:

### **APPENDIX A - APPLICATION FORMS AND CONTENT REQUIREMENTS**

\* \* \* \*

#### Form 22. – Holding zoning district boundary change petition.

1. *Petition contents.* Zoning district boundary change petition shall be submitted on the appropriate application form and comprises the following:
  - a. *Petitioner's name, address, phone number.*
  - b. *Proof of interest in property.*
  - c. *Legal description.*
  - d. *Property owner's list.*
  - e. *Location map*
  - g. *Supplementary supporting information.*
  - i. *Application fee.*
2. *Processing.* Holding zoning district boundary change petitions are processed as follows:
  - a. *Applicant submits petition to general services department.*
  - b. *Administrator reviews petition, initiates processing, issues notice of planning board public hearing.*
  - c. *Planning board holds public hearing, forwards advisory recommendation to city council.*
  - d. *Administrator issues notice of city council public hearing.*
  - e. *City council holds first public hearing, renders decision.*
  - f. *If approved, Administrator issues notice of second city council public hearing.*
  - g. *City council holds second public hearing, renders final decision on petition.*

## **SECTION 4: Amendment and adoption to Appendix C – Schedule of Land Development Regulation Fees and Charges, as follows:**

That the City Council for the City of Okeechobee, Florida, amends herein Part II of the Code of Ordinances, Subpart



B-Land Development Regulations, providing for amendments to Appendix C – Schedule of Land Development Regulation Fees and Charges, adding Fee Schedule Item 21 - Holding Zoning District Boundary Change (Rezoning), as follows:

**APPENDIX C - APPLICATION FORMS AND CONTENT REQUIREMENTS**

\* \* \* \*

Fee Schedule:

\* \* \* \*

21. Holding zoning district boundary change (rezoning) ..... \$600.00 plus \$20.00 per acre

\* \* \* \*

**SECTION 4: CONFLICT.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 6: INCLUSION IN THE CODE.** It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Okeechobee.

**SECTION 7: SEVERABILITY.** If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 8: EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its passage.

**INTRODUCED** for First Reading and set for Final Public Hearing on this \_\_\_\_ day of \_\_\_\_.

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

ATTEST:

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

**PASSED AND ADOPTED** after Second and Final Public Hearing this \_\_\_\_ day of \_\_\_\_.

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

ATTEST:

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

**REVIEWED FOR LEGAL SUFFICIENCY:**

\_\_\_\_\_  
John Fumero, City Attorney

**Exhibit A**

**Holding Property Rezoning Application**

**City of Okeechobee Planning and Development**  
**55 SE 3<sup>rd</sup> Avenue, Okeechobee, FL 34974**  
**Phone (863) 763-3372 • Fax (863) 763-1686**

**Holding Property Rezoning Application**

Per City of Okeechobee Ordinance No (xxxx), property owners of land zoned Holding in the City of Okeechobee may submit requests to rezone their property with reduced application fees and reduced application submittal requirements until (*program termination date*) by filling out this application, paying the application fee and providing the required submittals on the attached checklist.

Submittal Date: \_\_\_\_\_ Petition Number: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Name of Property Owner (if other than Applicant): \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Contact Person (if other than Applicant): \_\_\_\_\_

Applicant/Contact Person Phone Number: \_\_\_\_\_

Applicant/Contact Person Address: \_\_\_\_\_

Applicant/Contact Person Email Address: \_\_\_\_\_

Subject Property Address: \_\_\_\_\_

Subject Property Parcel ID Number(s): \_\_\_\_\_

Subject Property Acreage: \_\_\_\_\_

Subject Property Source of Potable Water: \_\_\_\_\_

Subject Property Method of Sewage Disposal: \_\_\_\_\_

Current Use(s) of Subject Property: \_\_\_\_\_

Current Use(s) of Adjoining Property to the North: \_\_\_\_\_

Current Use(s) of Adjoining Property to the East: \_\_\_\_\_

Current Use(s) of Adjoining Property to the South: \_\_\_\_\_

Current Use(s) of Adjoining Property to the West: \_\_\_\_\_

Requested Zoning Designation: \_\_\_\_\_

Proposed Use(s) of Subject Property: \_\_\_\_\_

**Exhibit A**  
**Holding Property Rezoning Application**

**FINDINGS FOR GRANTING A REZONING**  
**(City LDC Sec. 70-340)**

The Planning Board and Council will consider the following criteria, where applicable, in determining whether to approve or deny rezoning petitions. As the Applicant, please provide your response to each criterion to the best of your knowledge:

1. The request is not contrary to comprehensive plan requirements.
  
2. The use is specifically authorized under the zoning district regulations applied for.
  
3. Approval of the request will not have an adverse effect on the public interest.
  
4. The use is appropriate for the location proposed, is reasonably compatible with adjacent uses, and is not contrary or detrimental to urbanizing land use patterns.
  
5. Approval of the request will not adversely affect property values or living conditions, nor be a deterrent to the improvement or development of adjacent property.
  
6. The use can be suitably buffered from surrounding uses, so as to reduce the impact of any nuisance or hazard to the neighborhood.
  
7. Approval of the request will not create a density pattern that would overburden public facilities such as schools, streets, and utility services.
  
8. Approval of the request will not create traffic congestion, flooding or drainage problems, or otherwise affect public safety.
  
9. The use has not been inordinately burdened by unnecessary restrictions.

**Exhibit A**  
**Holding Property Rezoning Application**

**Submittal Checklist**

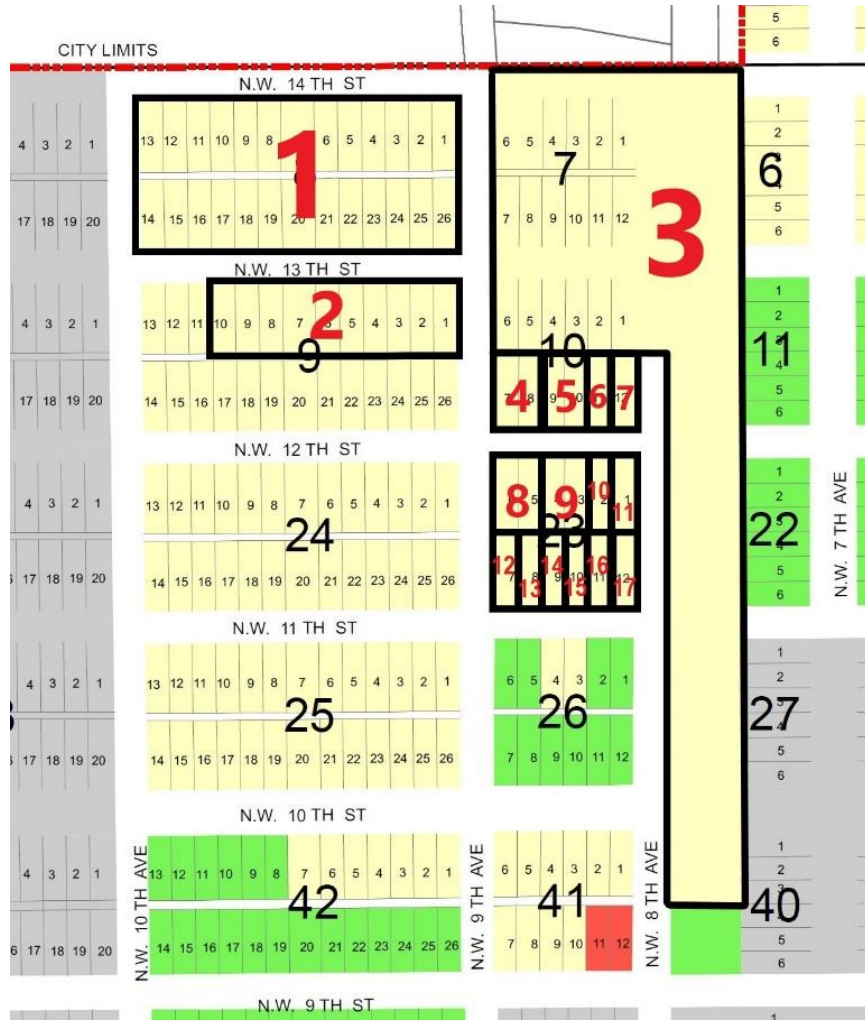
<b><u>No.</u></b>	<b><u>Checklist Items</u></b>	<b><u>Check</u></b>
1.	Copy of recorded warranty deed indicating current ownership (required)	_____
2.	Notarized letter of consent (required if applicant is different from property owner)	_____
3.	Property survey (if available, not required)	_____
4.	Legal description (required, but may be included with survey or warranty deed)	_____
5.	Property owners list, inc. affidavit attesting to accuracy and completeness (required)	_____
6.	Location map (required)	_____
7.	Supplemental supporting information (optional)	_____
8.	Application fee of \$600 plus \$20/acre (required)	_____

## Exhibit B Rezoning Recommendations

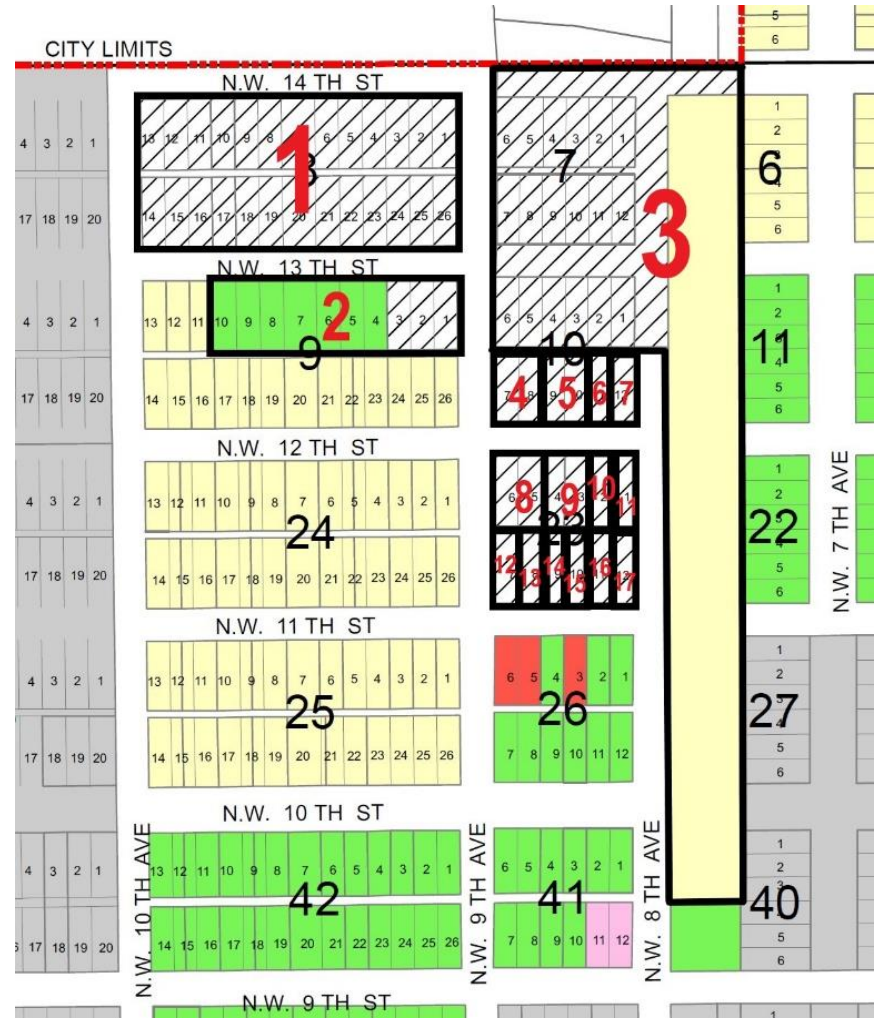
Map ID	Map #	Parcel ID	Existing Land Use	Acres	Future Land Use	Rec Zoning	Rec FLU
1	1	3-15-37-35-0010-00080-0110	Vacant	0.516	SF Res	RSF-1	
1	1	3-15-37-35-0010-00080-0140	Vacant	0.516	SF Res	RSF-1	
1	1	3-15-37-35-0010-00080-0100	Vacant	0.344	SF Res	RSF-1	
1	1	3-15-37-35-0010-00080-0010	Vacant	1.628	SF Res	RSF-1	
1	1	3-15-37-35-0010-00080-0180	Vacant	1.628	SF Res	RSF-1	
2	1	3-15-37-35-0010-00090-0010	Vacant	1.8	SF Res	RSF-1	
3	1	2-16-37-35-0A00-00001-0000	Vacant, possibly Ag	11.299	SF Res	RSF-1 or RH	
4	1	3-15-37-35-0010-00100-0070	One Triplex & Two Single Fam Res	0.344	SF Res	RSF-1	
5	1	3-15-37-35-0010-00100-0090	Single Fam Res	0.344	SF Res	RSF-1	
6	1	3-15-37-35-0010-00100-0110	Single Fam Res	0.172	SF Res	RSF-1	
7	1	3-15-37-35-0010-00100-0120	Single Fam Res	0.172	SF Res	RSF-1	
8	1	3-15-37-35-0010-00230-0050	Vacant	0.344	SF Res	RSF-1	
9	1	3-15-37-35-0010-00230-0030	Vacant	0.344	SF Res	RSF-1	
10	1	3-15-37-35-0010-00230-0020	Vacant	0.172	SF Res	RSF-1	
11	1	3-15-37-35-0010-00230-0010	Vacant	0.172	SF Res	RSF-1	
12	1	3-15-37-35-0010-00230-0070	Vacant	0.172	SF Res	RSF-1	
13	1	3-15-37-35-0010-00230-0080	Single Fam Res	0.172	SF Res	RSF-1	
14	1	3-15-37-35-0010-00230-0090	Single Fam Res	0.172	SF Res	RSF-1	
15	1	3-15-37-35-0010-00230-0100	Single Fam Res	0.172	SF Res	RSF-1	
16	1	3-15-37-35-0010-00230-0110	Single Fam Res	0.172	SF Res	RSF-1	
17	1	3-15-37-35-0010-00230-0120	Single Fam Res	0.172	SF Res	RSF-1	
18	2	3-16-37-35-0160-00130-0010	Warehouse and Outdoor Storage	1.764	SF Res & Ind	IND	Ind
19	2	3-15-37-35-0010-00680-0010	Vacant	2.153	SF Res	RSF-1	
19	2	3-15-37-35-0010-00680-0140	Vacant	2.153	SF Res	RSF-1	
20	3	3-15-37-35-0010-00150-0090	Vacant	0.327	Com	CPO, CLT or CHV	
21	3	3-15-37-35-0010-00150-0070	Vacant	0.402	SF Res	None	
22	3	3-15-37-35-0010-00150-0210	Vacant	0.344	SF Res	None	
22	3	3-15-37-35-0010-00150-0230	Vacant	0.344	SF Res	None	
23	3	3-15-37-35-0010-00150-0050	Vacant	0.344	SF Res	None	
24	3	3-15-37-35-0010-00150-0010	Vacant	0.688	SF Res	None	
24	3	3-15-37-35-0010-00150-0250	Vacant	0.321	SF Res	None	
25	3	3-15-37-35-0010-00160-0010	Vacant	0.929	SF Res	None	
25	3	3-15-37-35-0010-00160-0060	Vacant	1.122	SF Res	None	
26	3	3-15-37-35-0010-00010-0A1B		0.1	Com	None	
27	3	3-15-37-35-0010-00320-0130	Vacant	0.17	SF Res	RSF-1	
27	3	3-15-37-35-0010-00320-0120	Vacant	0.17	SF Res	RSF-1	

Map ID	Map #	Parcel ID	Existing Land Use	Acres	Future Land Use	Rec Zoning	Rec FLU
28	3	3-15-37-35-0010-00320-0080	Vacant	0.69	SF Res	RSF-1	
29	3	3-15-37-35-0010-00320-0200	Vacant	0.26	SF Res	RSF-1	
30	3	3-15-37-35-0010-00320-0210	Vacant	0.67	SF Res	RSF-1	
30	3	3-15-37-35-0010-00320-0250	Vacant	0.17	SF Res	RSF-1	
31	3	3-15-37-35-0010-00350-0010	Vacant	0.96	SF Res	RSF-1	
31	3	3-15-37-35-0010-00350-0240	Vacant	0.48	SF Res	RSF-1	
32	3	3-15-37-35-0010-00350-0200	Vacant	0.71	SF Res	RSF-1	
33	4	2-15-37-35-0A00-00003-0000	Vacant	51.19	SF Res	RSF-1	
34	4	3-15-37-35-0010-00820-0110	Single Fam Res	1.356	SF Res	RSF-1	
35	4	2-15-37-35-0A00-00002-A000	Vacant	1.1	SF Res	RSF-1	
36	4	2-15-37-35-0A00-00003-B000	Vacant	1	SF Res	RSF-1	
37	5	2-21-37-35-0A00-00006-A000	Vacant, possibly Ag	13.32	SF Res	RSF-1 or RH	
38	6	2-28-37-35-0A00-00012-0000	Two Single Fam Res	1.724	SF Res	RSF-1	
39	6	2-28-37-35-0A00-00012-A000	Vacant, possibly Ag	12.21	SF Res	RSF-1 or RH	
40	7	2-22-37-35-0A00-00032-0000	Parking for Bank	2.21	SF Res	CHV	Com
41	7	2-22-37-35-0A00-00031-0000	Vacant, possibly Ag	39.88	MU Res	None	
42	8	2-22-37-35-0A00-00060-0000	Single Fam Res, possibly Ag	4.71	SF Res	RSF-1 or RH	
42	8	2-22-37-35-0A00-00059-0000	Single Fam Res, possibly Ag	9.5	SF Res	RSF-1 or RH	
43	8	2-22-37-35-0A00-00042-A000	Single Fam Res	2	SF Res	RSF-1	

# Map Area 1 - Future Land Use



# Map Area 1 - Zoning

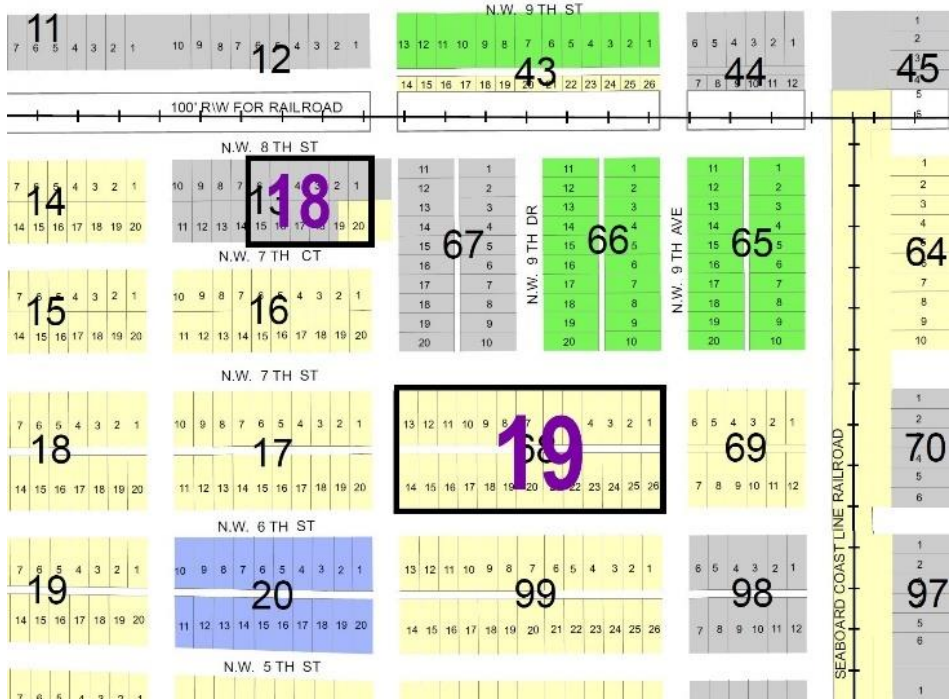


**Map Area 1 - Aerial**



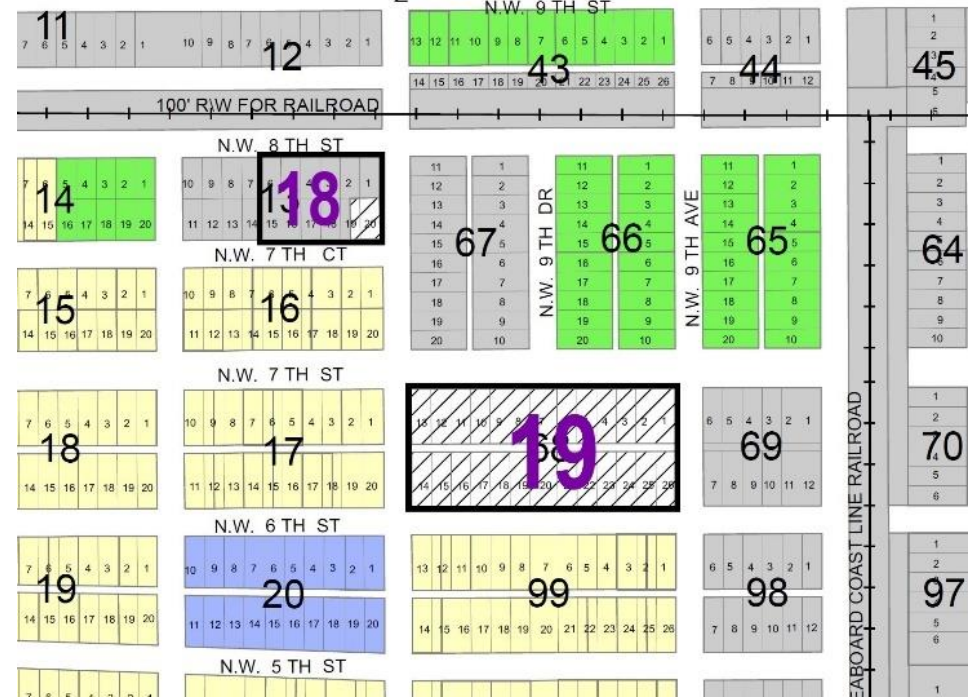


# Map Area 2 - Future Land Use



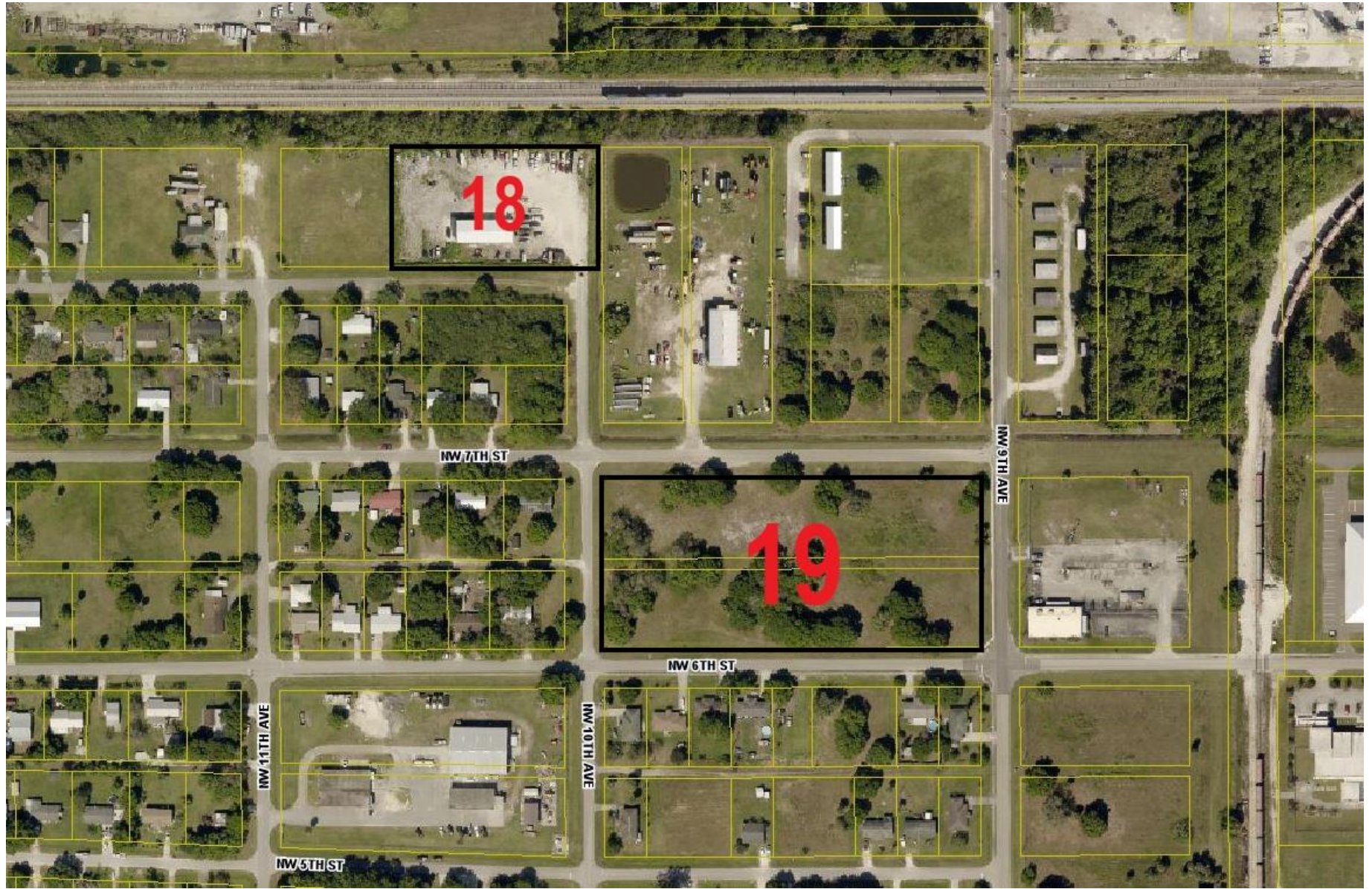
- lot\_line
- SINGLE - FAMILY RESIDENTIAL
- MIXED USE RESIDENTIAL
- MULTI - FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITIES
- EASEMENT
- RAILROAD CENTERLINE
- HOPKINS MEANDER LINE
- UNINCORPORATED

# Map Area 2 - Zoning

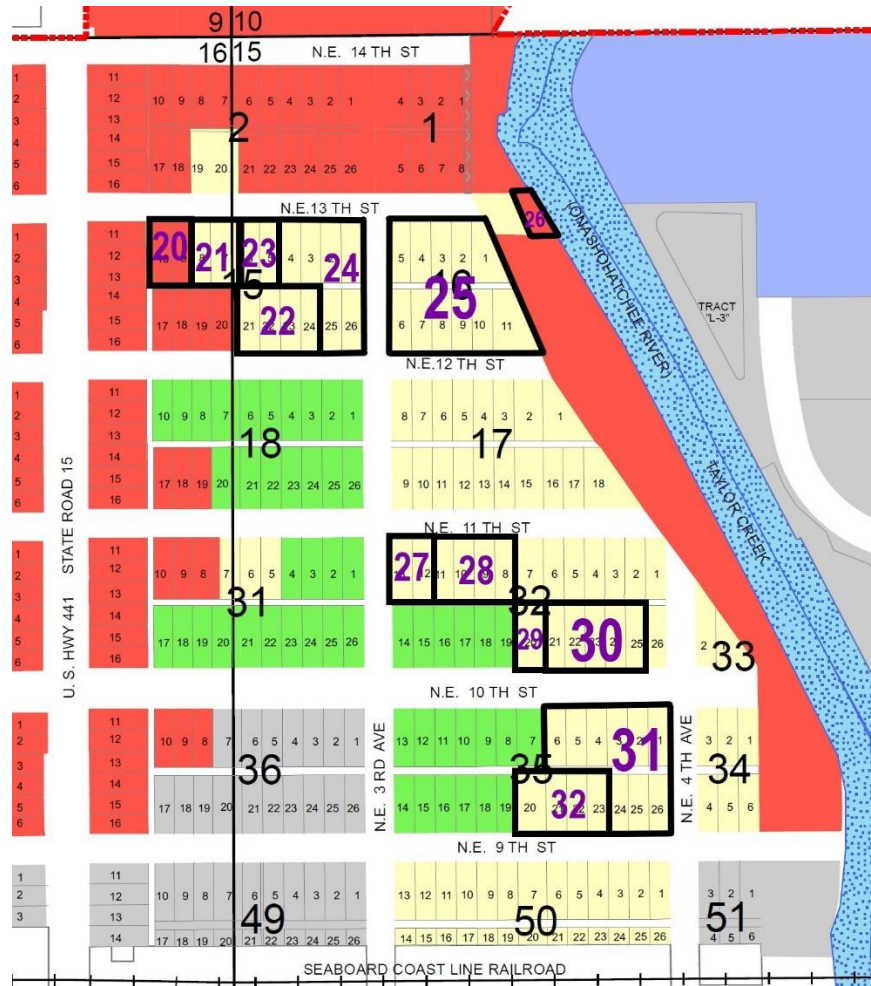


- HOPKINS MEANDER LINE
- RAILROAD CENTERLINE
- CENTRAL BUSINESS DISTRICT
- HEAVY COMMERCIAL
- LIGHT COMMERCIAL
- COMMERCIAL PROFESSIONAL OFFICE
- HOLDING
- INDUSTRIAL
- PUBLIC FACILITIES
- PLANNED UNIT DEVELOPMENT-MIXED USE
- PLANNED UNIT DEVELOPMENT-RESIDENTIAL
- RESIDENTIAL MULTIPLE FAMILY
- RESIDENTIAL MOBILE HOME
- RESIDENTIAL SINGLE FAMILY-ONE
- RESIDENTIAL SINGLE FAMILY-TWO
- UNINCORPORATED

**Map Area 2 - Aerial**

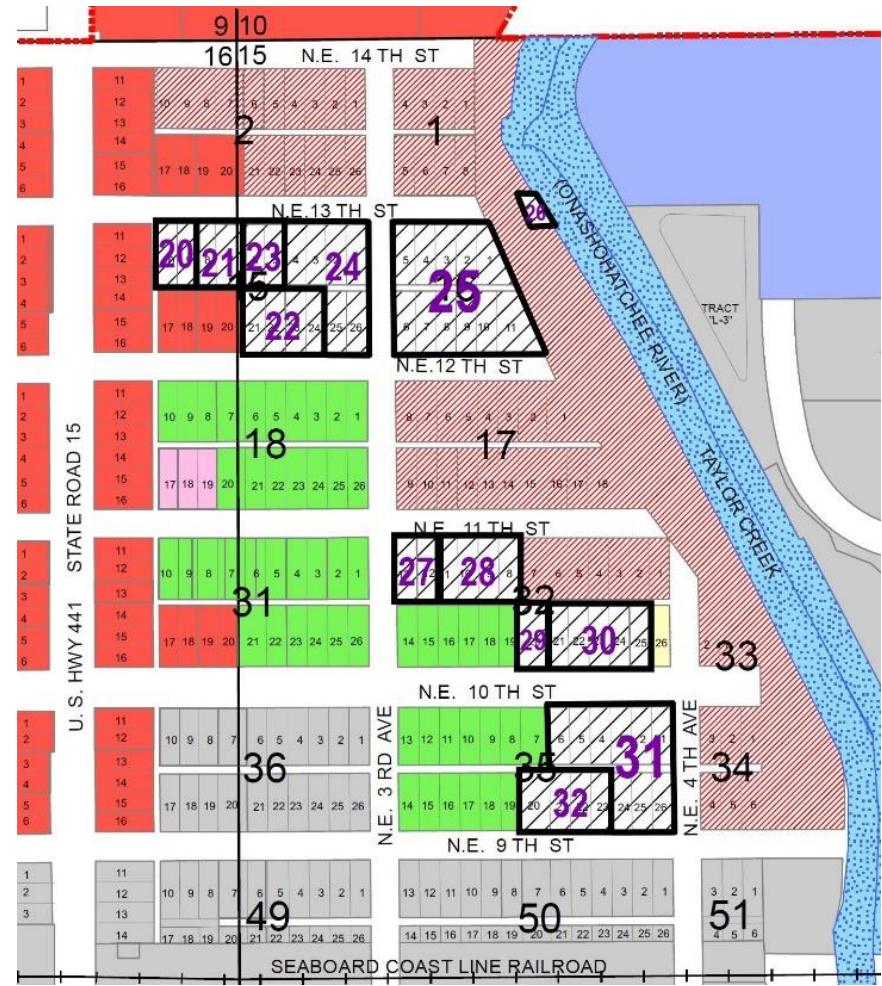


## Map Area 3 - Future Land Use



- lot\_line
- SINGLE - FAMILY RESIDENTIAL
- MIXED USE RESIDENTIAL
- MULTI - FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITIES
- EASEMENT
- RAILROAD CENTERLINE
- HOPKINS MEANDER LINE
- UNINCORPORATED

## Map Area 3 - Zoning

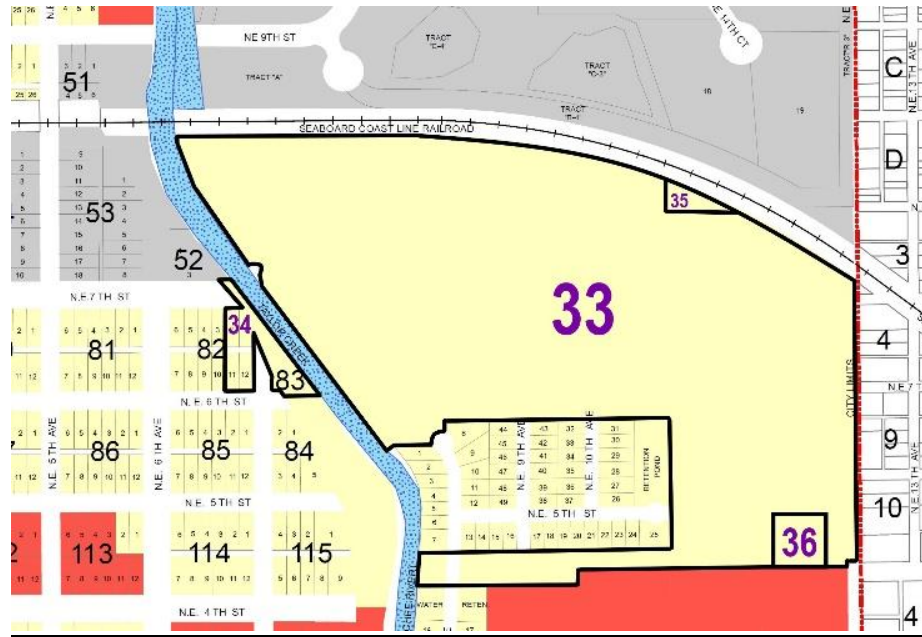


- HOPKINS MEANDER LINE
- RAILROAD CENTERLINE
- CENTRAL BUSINESS DISTRICT
- HEAVY COMMERCIAL
- LIGHT COMMERCIAL
- COMMERCIAL PROFESSIONAL OFFICE
- HOLDING
- INDUSTRIAL
- PUBLIC FACILITIES
- PLANNED UNIT DEVELOPMENT-MIXED USE
- PLANNED UNIT DEVELOPMENT-RESIDENTIAL
- RESIDENTIAL MULTIPLE FAMILY
- RESIDENTIAL MOBILE HOME
- RESIDENTIAL SINGLE FAMILY-ONE
- RESIDENTIAL SINGLE FAMILY-TWO
- UNINCORPORATED

**Map Area 3 - Aerial**

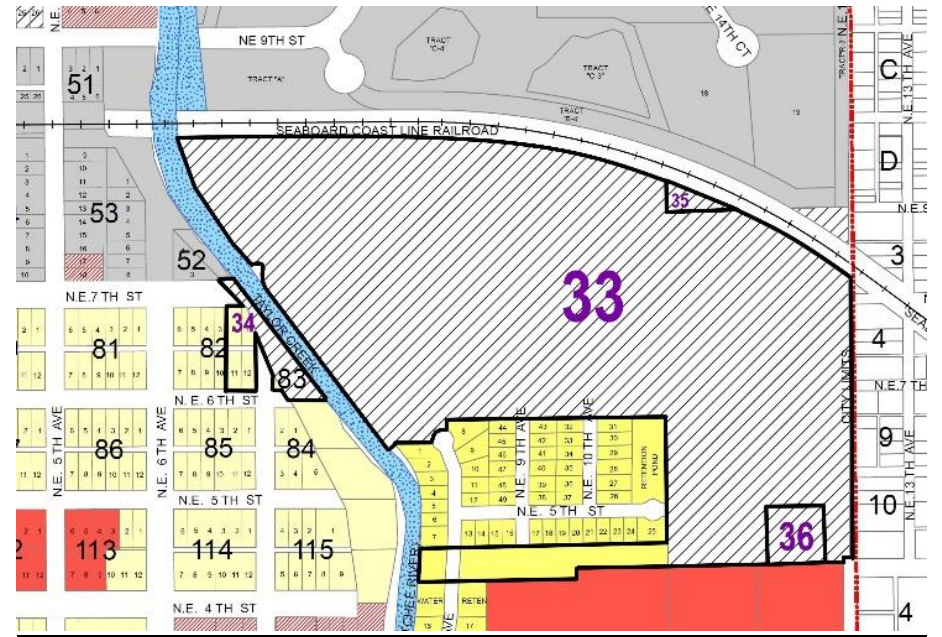


# Map Area 4 - Future Land Use



- lot\_line
- SINGLE - FAMILY RESIDENTIAL
- MIXED USE RESIDENTIAL
- MULTI - FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITIES
- EASEMENT
- RAILROAD CENTERLINE
- HOPKINS MEANDER LINE
- UNINCORPORATED

# Map Area 4 - Zoning

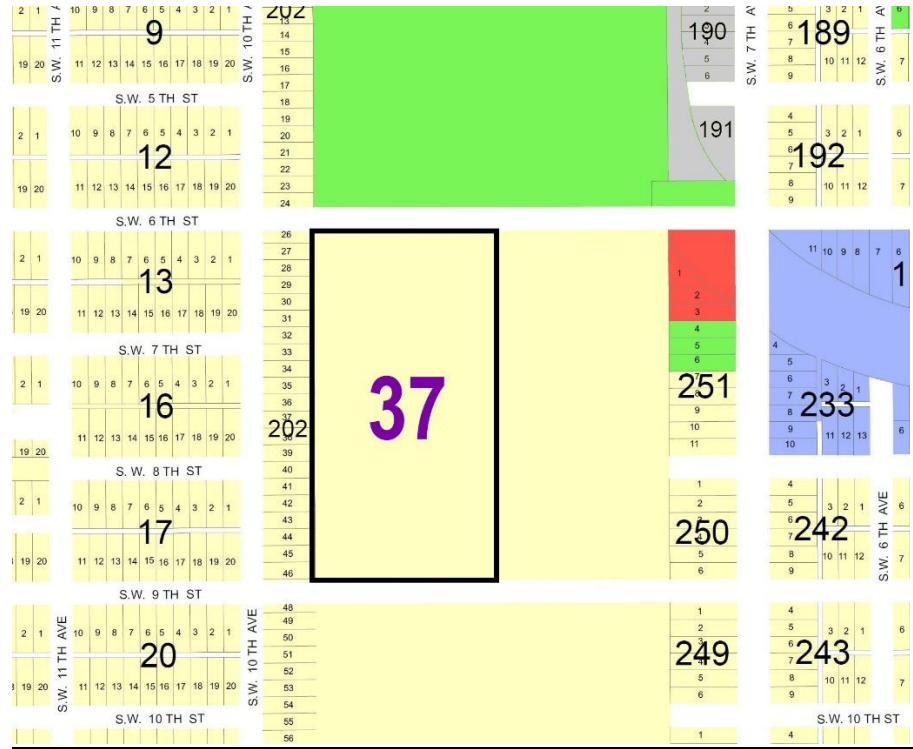


- HOPKINS MEANDER LINE
- RAILROAD CENTERLINE
- CENTRAL BUSINESS DISTRICT
- HEAVY COMMERCIAL
- LIGHT COMMERCIAL
- COMMERCIAL PROFESSIONAL OFFICE
- HOLDING
- INDUSTRIAL
- PUBLIC FACILITIES
- PLANNED UNIT DEVELOPMENT-MIXED USE
- PLANNED UNIT DEVELOPMENT-RESIDENTIAL
- RESIDENTIAL MULTIPLE FAMILY
- RESIDENTIAL MOBILE HOME
- RESIDENTIAL SINGLE FAMILY-ONE
- RESIDENTIAL SINGLE FAMILY-TWO
- UNINCORPORATED

**Map Area 4 - Aerial**

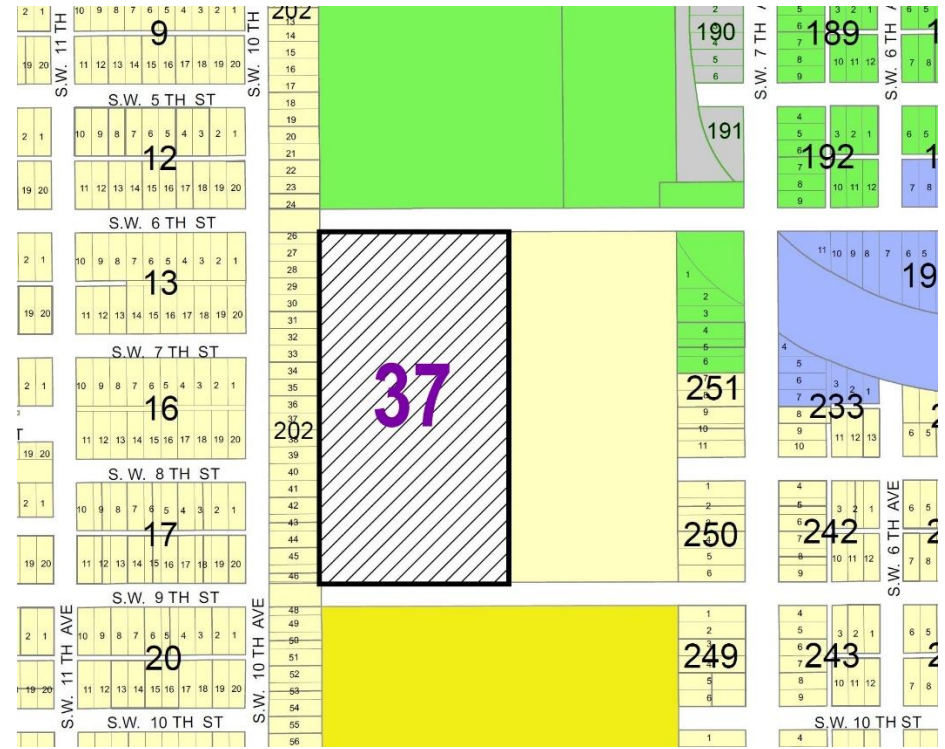


# Map Area 5 - Future Land Use



- lot\_line
- SINGLE - FAMILY RESIDENTIAL
- MIXED USE RESIDENTIAL
- MULTI - FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITIES
- EASEMENT
- RAILROAD CENTERLINE
- HOPKINS MEANDER LINE
- UNINCORPORATED

# Map Area 5 - Zoning



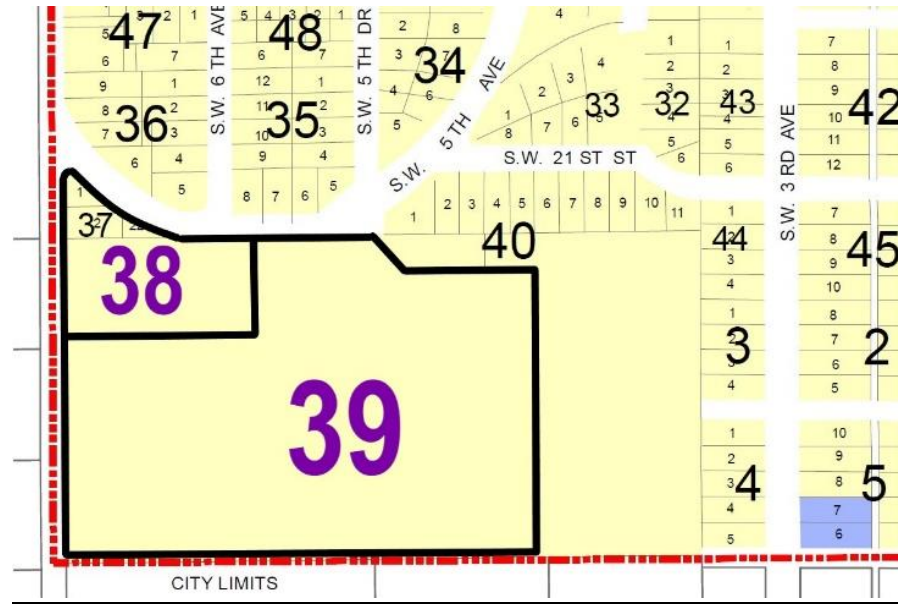
- HOPKINS MEANDER LINE
- RAILROAD CENTERLINE
- CENTRAL BUSINESS DISTRICT
- HEAVY COMMERCIAL
- LIGHT COMMERCIAL
- COMMERCIAL PROFESSIONAL OFFICE
- HOLDING
- INDUSTRIAL
- PUBLIC FACILITIES
- PLANNED UNIT DEVELOPMENT-MIXED USE
- PLANNED UNIT DEVELOPMENT-RESIDENTIAL
- RESIDENTIAL MULTIPLE FAMILY
- RESIDENTIAL MOBILE HOME
- RESIDENTIAL SINGLE FAMILY-ONE
- RESIDENTIAL SINGLE FAMILY-TWO
- UNINCORPORATED

Map Area 5 - Future Land



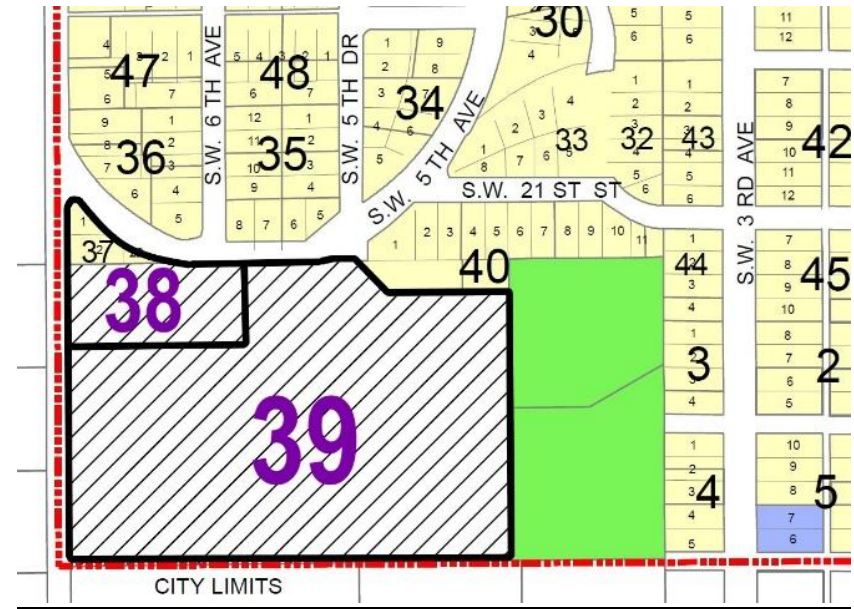


## Map Area 6 - Future Land Use



- lot\_line
- SINGLE - FAMILY RESIDENTIAL
- MIXED USE RESIDENTIAL
- MULTI - FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITIES
- EASEMENT
- RAILROAD CENTERLINE
- HOPKINS MEANDER LINE
- UNINCORPORATED

## Map Area 6 - Zoning

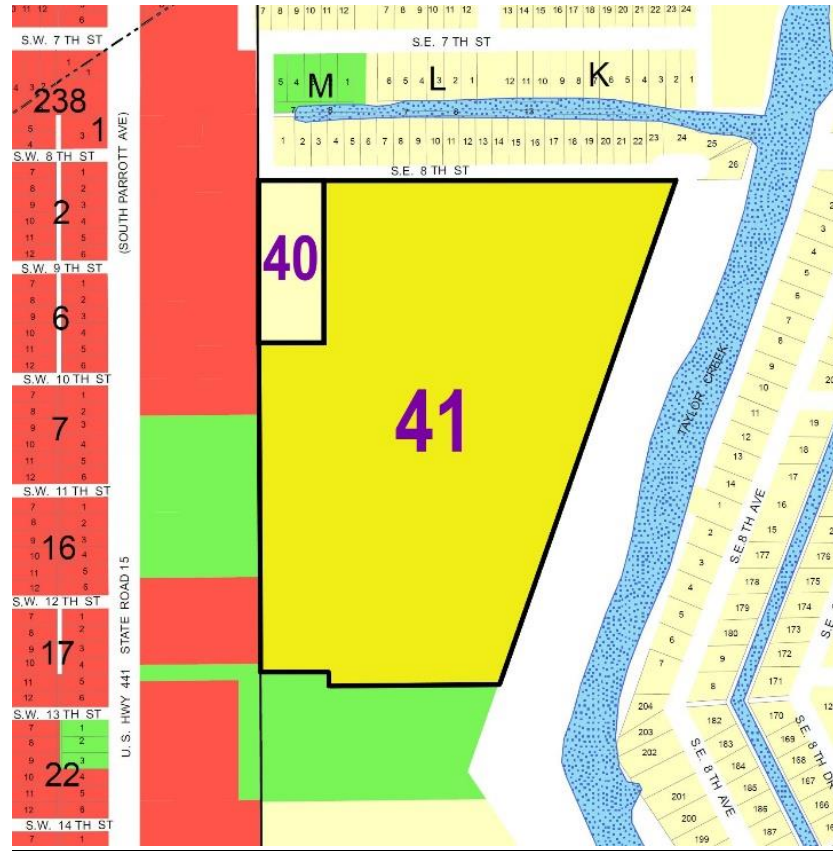


- HOPKINS MEANDER LINE
- RAILROAD CENTERLINE
- CENTRAL BUSINESS DISTRICT
- HEAVY COMMERCIAL
- LIGHT COMMERCIAL
- COMMERCIAL PROFESSIONAL OFFICE
- HOLDING
- INDUSTRIAL
- PUBLIC FACILITIES
- PLANNED UNIT DEVELOPMENT-MIXED USE
- PLANNED UNIT DEVELOPMENT-RESIDENTIAL
- RESIDENTIAL MULTIPLE FAMILY
- RESIDENTIAL MOBILE HOME
- RESIDENTIAL SINGLE FAMILY-ONE
- RESIDENTIAL SINGLE FAMILY-TWO
- UNINCORPORATED

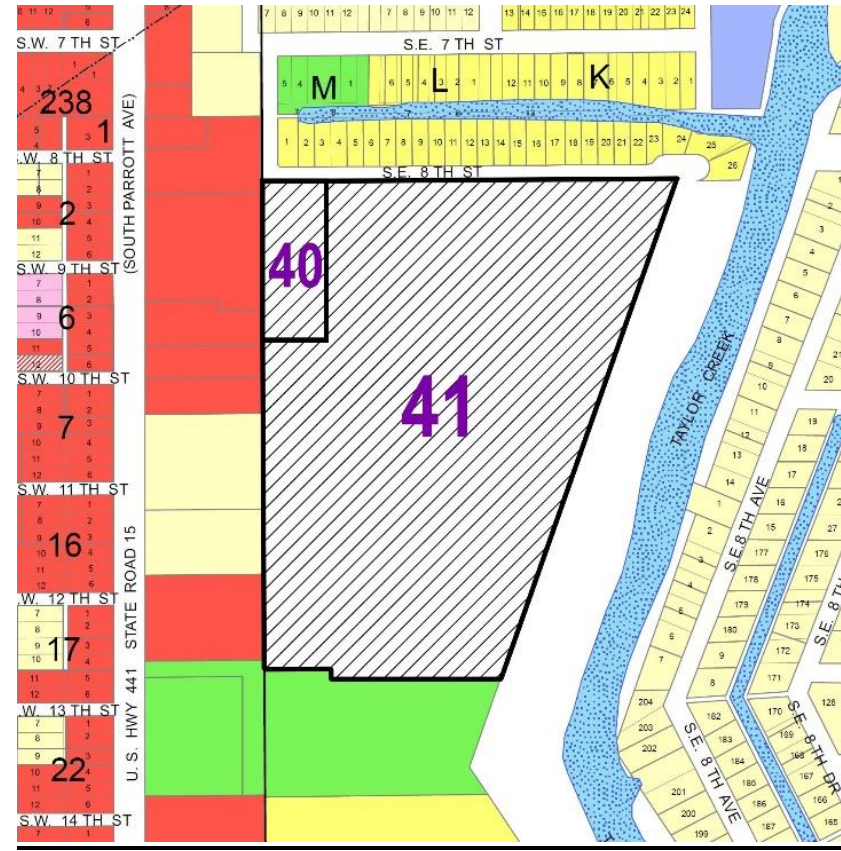
**Map Area 6 - Aerial**



## Map Area 7 - Future Land Use



## Map Area 7 - Zoning



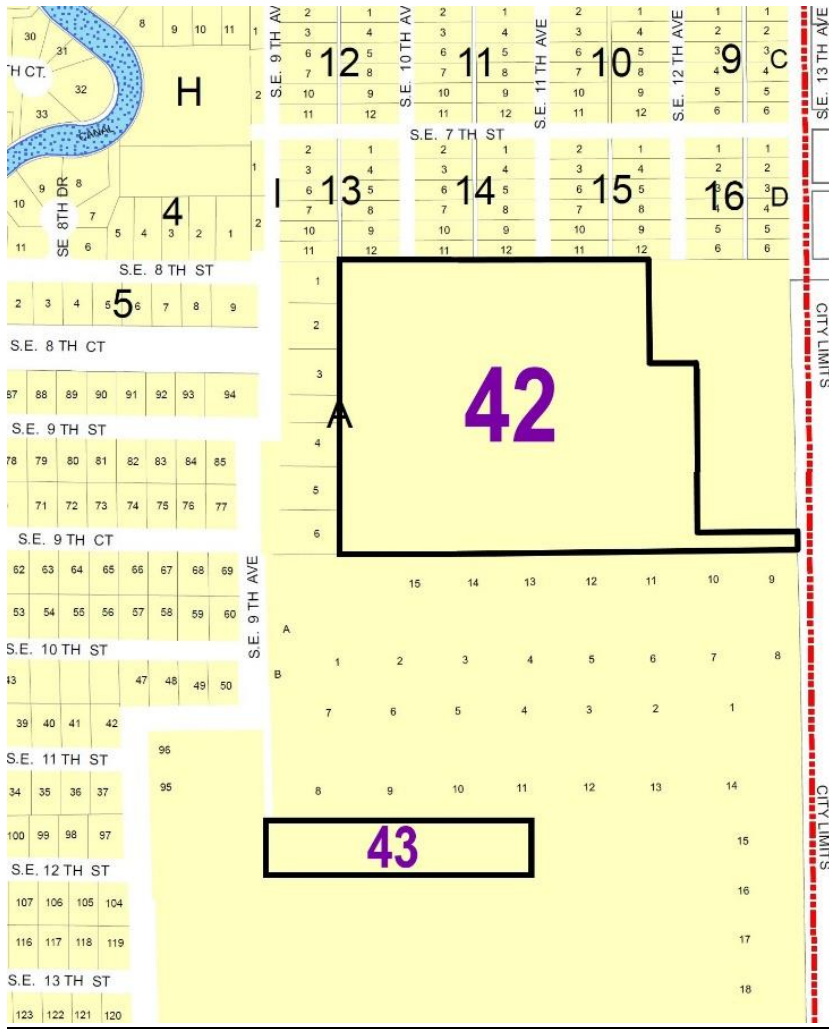
- lot\_line
- SINGLE - FAMILY RESIDENTIAL
- MIXED USE RESIDENTIAL
- MULTI - FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITIES
- EASEMENT
- RAILROAD CENTERLINE
- HOPKINS MEANDER LINE
- UNINCORPORATED

- HOPKINS MEANDER LINE
- RAILROAD CENTERLINE
- CENTRAL BUSINESS DISTRICT
- HEAVY COMMERCIAL
- LIGHT COMMERCIAL
- COMMERCIAL PROFESSIONAL OFFICE
- HOLDING
- INDUSTRIAL
- PUBLIC FACILITIES
- PLANNED UNIT DEVELOPMENT-MIXED USE
- PLANNED UNIT DEVELOPMENT-RESIDENTIAL
- RESIDENTIAL MULTIPLE FAMILY
- RESIDENTIAL MOBILE HOME
- RESIDENTIAL SINGLE FAMILY-ONE
- RESIDENTIAL SINGLE FAMILY-TWO
- UNINCORPORATED

## Map Area 7 – Aerial

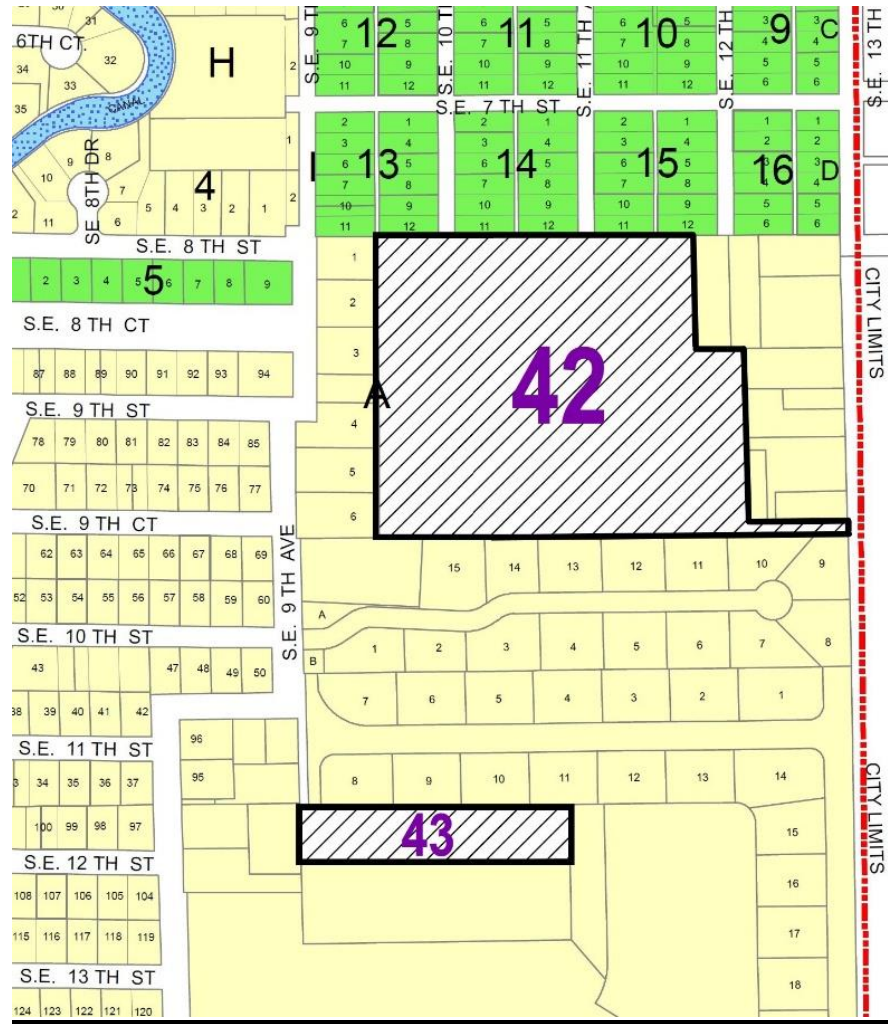


## Map Area 8 - Future Land Use



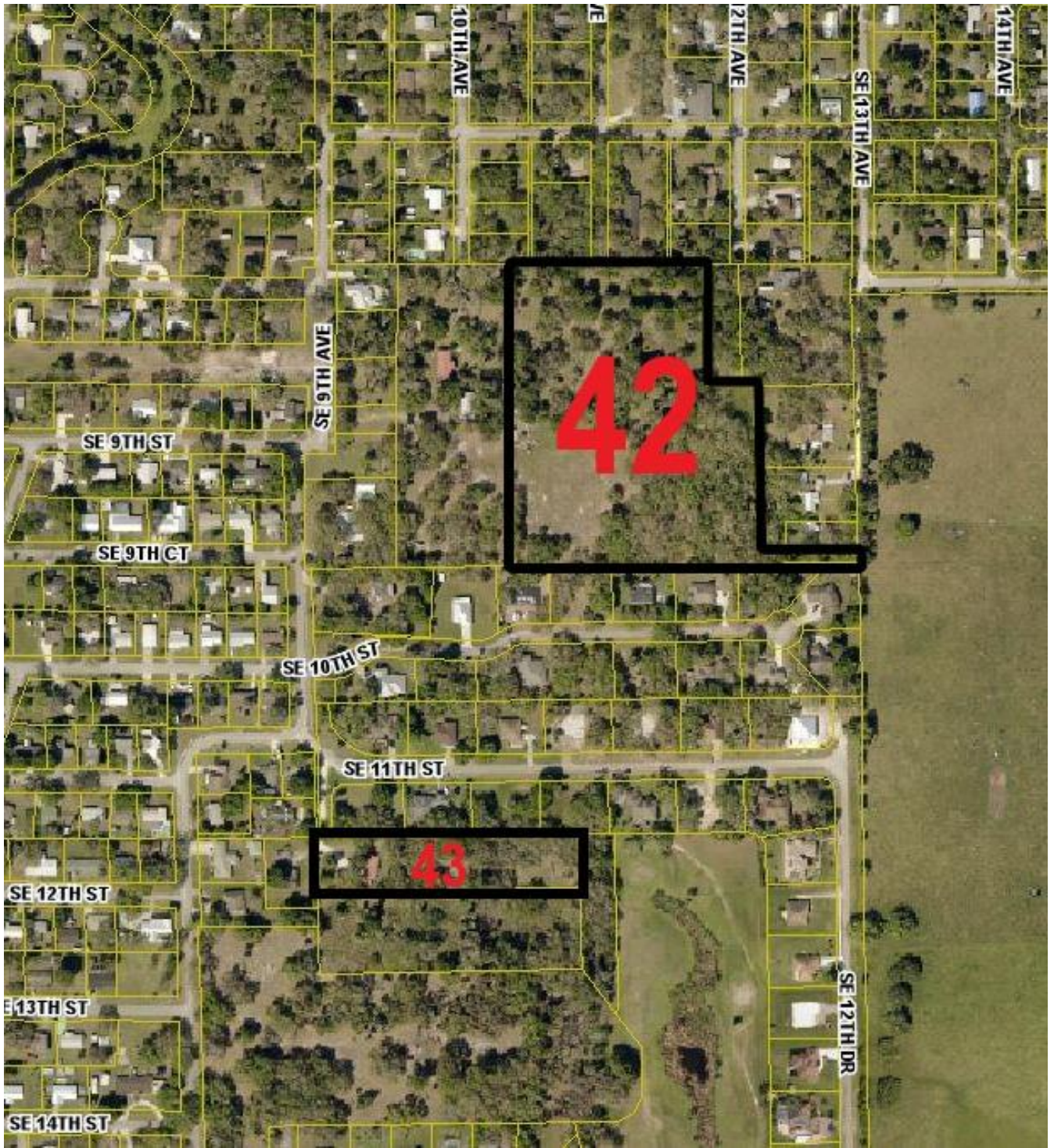
- lot\_line
- SINGLE - FAMILY RESIDENTIAL
- MIXED USE RESIDENTIAL
- MULTI - FAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC FACILITIES
- EASEMENT
- RAILROAD CENTERLINE
- HOPKINS MEANDER LINE
- UNINCORPORATED

## Map Area 8 - Zoning



- HOPKINS MEANDER LINE
- RAILROAD CENTERLINE
- CENTRAL BUSINESS DISTRICT
- HEAVY COMMERCIAL
- LIGHT COMMERCIAL
- COMMERCIAL PROFESSIONAL OFFICE
- HOLDING
- INDUSTRIAL
- PUBLIC FACILITIES
- PLANNED UNIT DEVELOPMENT-MIXED USE
- PLANNED UNIT DEVELOPMENT-RESIDENTIAL
- RESIDENTIAL MULTIPLE FAMILY
- RESIDENTIAL MOBILE HOME
- RESIDENTIAL SINGLE FAMILY-ONE
- RESIDENTIAL SINGLE FAMILY-TWO
- UNINCORPORATED

Map Area 8 – Aerial



## Exhibit C Draft Property Owner Notification Letters

City of Okeechobee Planning and Development  
55 SE 3<sup>rd</sup> Avenue, Okeechobee, FL 34974  
Phone (863) 763-3372 • Fax (863) 763-1686

(Date)

Dear (property owner name),

Pursuant to City Ordinance XXXX, we are writing to inform you that the City has enacted a program to reduce the application fees and submittal requirements for properties that are partially or entirely zoned Holding. This program will be offered for a limited time and applications will only be accepted by the Okeechobee Department of Planning and Development until (termination date of program). As you may be aware, records indicate that you are the owner of property within the City of Okeechobee that is zoned Holding.

At one time, the City land development codes contained regulations for the development of properties zoned Holding. However, several years ago, the Holding district regulations were removed from the land development code. Currently, if any property owner of land zoned Holding is seeking to develop their property, a rezoning must be performed first. The City recognizes that this situation may be an impediment to development or the sale of your property and has enacted this rezoning incentivization program to assist you in increasing the value and development potential of your property. Rezoning requests and the associated required submittals are typically prepared at expense to the applicant by professional engineers, surveyors, planners, attorneys, and other consultants. It is the City's intention to reduce the submittal requirements such that rezoning requests submitted under this program can be made by the owner or the owner's representative without incurring the expense of outside professionals or to at least reduce those costs significantly. Under this program, the rezoning application submittal requirements have been reduced in the following ways:

- The application fee has been reduced from \$850 plus \$30/acre to \$600 plus \$20/acre.
- No survey is required. Surveys are typically prepared by a professional survey company at expense to the owner.
- No location map is required.
- No impact analysis required. Impact analysis for rezoning applications are typically prepared by professionals at expense to the owner and include traffic impact analysis, environmental impact analysis, public facilities impact analysis and adjacent property impact analysis.
- No applicant response to rezoning criteria is required. The City code provides criteria by which the Planning Board and Council should determine whether to approve or deny a rezoning request. Responses to rezoning criteria are typically prepared by professionals at expense to the owner.

The City Planning Board has already analyzed your property located at (property address) with parcel ID (###) and is supportive of a rezoning to (recommended zoning designation). If you fill out and submit the attached application with the required submittals and an application fee of only (application fee for this property), you can be assured that the City is supportive of a rezoning to (recommended zoning designation) for this property. Please keep in mind that the application period for this program is limited. Please submit your application by (termination date of program) to take advantage of this opportunity. Once the program expires, the standard rezoning application submittal requirements and the standard rezoning application fee of (standard rezoning fee for this property) will apply to any future rezoning requests.

If you have any questions, please contact the Okeechobee Department of Planning and Development at 863-763-3372.

## Exhibit C

### Draft Property Owner Notification Letters

City of Okeechobee Planning and Development  
55 SE 3<sup>rd</sup> Avenue, Okeechobee, FL 34974  
Phone (863) 763-3372 • Fax (863) 763-1686

(Date)

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At one time, the City land development codes contained regulations for the development of properties zoned Holding. However, several years ago, the Holding district regulations were removed from the land development code. Currently, if any property owner of land zoned Holding is seeking to develop their property, a rezoning must be performed first. The City recognizes that this situation may be an impediment to development or the sale of your property and has enacted this rezoning incentivization program to assist you in increasing the value and development potential of your property. Rezoning requests and the associated required submittals are typically prepared at expense to the applicant by professional engineers, surveyors, planners, attorneys, and other consultants. It is the City's intention to reduce the submittal requirements such that rezoning requests submitted under this program can be made by the owner or the owner's representative without incurring the expense of outside professionals or to at least reduce those costs significantly. Under this program, the rezoning application submittal requirements have been reduced in the following ways:

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- No survey is required. Surveys are typically prepared by a professional survey company at expense to the owner.
- No location map is required.
- No impact analysis required. Impact analysis for rezoning applications are typically prepared by professionals at expense to the owner and include traffic impact analysis, environmental impact analysis, public facilities impact analysis and adjacent property impact analysis.
- No applicant response to rezoning criteria is required. The City code provides criteria by which the Planning Board and Council should determine whether to approve or deny a rezoning request. Responses to rezoning criteria are typically prepared by professionals at expense to the owner.

The City Planning Board has already analyzed your property located at (property address) with parcel ID (###) and the City is supportive of a rezoning to (recommended zoning designation). Due to the Future Land Use designation of your property, a Future Land Use Map amendment to (recommended FLU designation) will also be necessary if you would like to rezone to (recommended zoning designation). If you fill out and submit the attached applications with the required submittals and application fees, you can be assured that the City is supportive of a rezoning to (recommended zoning designation) and future land use map amendment to (recommended FLU designation) for this property. Please keep in mind that the application period for this program is limited. Please submit your application by (termination date of program) to take advantage of this opportunity. Once the program expires, the standard rezoning application submittal requirements and the standard rezoning application fee will apply to any future rezoning requests.

If you have any questions, please contact the Okeechobee Department of Planning and Development at 863-763-3372.





**CITY OF OKEECHOBEE, FLORIDA**  
**PLANNING BOARD MEETING**  
**MARCH 18, 2021**  
**DRAFT SUMMARY OF BOARD ACTION**

**I. CALL TO ORDER**

Chairperson Hoover called the regular meeting of the Planning Board for the City of Okeechobee to order on Thursday, March 18, 2021, at 6:32 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida.

**II. ATTENDANCE**

Roll was taken by Board Secretary Patty Burnette. Chairperson Dawn Hoover, Vice Chairperson Doug McCoy, Board Members Phil Baughman, Karyne Brass, Rick Chartier, and Mac Jonassaint were present. Alternate Board Member Jim Shaw was present. Board Member Felix Granados and Alternate Board Member Joe Papasso were absent with consent. Chairperson Hoover moved Alternate Board Member Shaw to voting position.

**III. AGENDA**

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Member Brass, seconded by Member Jonassaint to approve the agenda as presented. **Motion Carried Unanimously.**

**IV. MINUTES**

- A. Motion by Member Chartier, seconded by Member Jonassaint to dispense with the reading and approve the January 21, 2021, Regular Meeting and Workshop minutes and the February 18, 2021, Workshop minutes. **Motion Carried Unanimously.**

**V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:33 P.M.**

- A. Land Development Regulations (LDR) Text Amendment Petition No. 21-001-TA proposes to amend Sections 90-483 through 90-484; remove Section 90-485 and move limitations for parking reduction approvals to Section 90-483; add Form 21 Parking Reduction Petition, to Appendix A and add an application fee of \$250.00 to Appendix C.
  - 1. City Planning Consultant Mr. Ben Smith of LaRue Planning and Management Services reviewed the Planning Staff Report and draft ordinance.
  - 2. The following public comments we offered: Mr. Steven Dobbs, 209 Northeast 2<sup>nd</sup> Street, Okeechobee, commented maybe a standard parking requirement should be created for properties that are considered "strip malls" as it appears that in several instances property owners are unable to lease out all their units because of the current parking requirements for each type of use.
  - 3. There were no Ex-Parte disclosures offered.
  - 4. Motion by Member Chartier, seconded by Member Jonassaint to recommend the City Council approve LDR Text Amendment Petition No. 21-001-TA as presented in Exhibit 1. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for April 20, 2021 and May 18, 2021.
- B. LDR Text Amendment Petition No. 21-002-TA proposes to adopt the Holding Property Rezoning Program; add Form 22 Holding Property Rezoning Application, to Appendix A and add an application fee of \$600.00 plus \$20.00/acre to Appendix C.
  - 1. City Planning Consultant Smith reviewed the Planning Staff Report and draft ordinance.
  - 2. There were no public comments offered.
  - 3. There were no Ex-Parte disclosures offered.

**V. PUBLIC HEARING ITEM B CONTINUED**

4. Motion by Member Jonassaint, seconded by Member Chartier to recommend to the City Council approval of LDR Text Amendment Petition No. 21-002-TA as presented in Exhibit 2. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for April 20, 2021 and May 18, 2021.

**CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 7:07 P.M.**

- VI.** Chairperson Hoover adjourned the meeting at 7:07 P.M.

Submitted by:

\_\_\_\_\_  
Patty M. Burnette, Secretary

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

DRAFT



**Calvin, Giordano & Associates, Inc.**  
EXCEPTIONAL SOLUTIONS™

April 9, 2021

Marcos Montes De Oca, P.E.  
City Manager  
City of Okeechobee  
55 SE 3<sup>rd</sup> Avenue  
Okeechobee, Florida 34974

**RE: Flagler Park Master Plan and CD's for Cattle Drive Sculpture Park**

CGA Proposal No. 20-4018.1

Dear Mr. Montes De Oca:

We are pleased to submit this scope and fee proposal for your consideration for the design of the Flagler Park project. The scope of services to be furnished under this contract includes Landscape Architecture, Electrical Engineering and Surveying. No civil, structural or geotechnical engineering or construction phase services are included in this proposal.

**SCOPE OF WORK**

CGA is pleased to provide this proposal for review and approval. We appreciate the opportunity to serve the City of Okeechobee.

The following Scope of Services is proposed by Calvin, Giordano & Associates, Inc. (CGA) as requested by the City of Okeechobee. This proposal, when executed, shall be incorporated in and become an integral part of the Agreement for professional services between the City and CGA, hereafter referred to as the Agreement.

**PROPOSAL ORGANIZATION**

Included are the essential and necessary tasks to complete the desired work. Tasks organized in a task-format and sequenced to illustrate the workflow upon which they will be executed. All services excluded from this contract are provided at the end of the document.

Civil Engineering/Roadway & Highway Design  
Coastal Engineering  
Code Enforcement  
Construction Engineering & Inspection (CEI)  
Construction Services  
Contract Government Services  
Data Technologies & Development  
Electrical Engineering  
Emergency Management Engineering  
Environmental Services  
Facilities Management  
Geographic Information Systems (GIS)  
Indoor Air Quality  
Land Development  
Landscape Architecture  
Municipal Engineering Planning  
Redevelopment  
Surveying & Mapping  
Traffic Engineering  
Transportation Planning  
Urban Design  
Water/Wastewater Treatment Facilities  
Website Development/Computer Graphics

**GSA Contract Holder**

1800 Eller Drive  
Suite 600  
Fort Lauderdale, FL  
33316  
954.921.7781 phone  
954.921.8807 fax

1. **General Services** – Services needed to administer the project and deliver it to the client. These include general project management services, Quality Assurance and Quality Controls processes, coordinating with sub-consultants, etc.
2. **Foundation Data-Collection Phase** - Collecting all necessary background and foundational data needed to provide the services and generate a design. This phase shall also include tree valuations by a Certified Arborist for the existing trees at the City Hall site and all of the Flagler Parks.
3. **Visioning Master Plan & Park Conceptual Design Phase** – Working closely with City Staff (specifically those responsible for steering and guiding the design and development decisions), CGA will develop a conceptual design for the collection of parks and a vision for their inter-relationship to the business district and frontages to their south. This will be comprised 2 components:
  - a. **A Visioning Master Plan:** The development of a vision for the entire area, incorporating previously adopted design visions and recommendations for design that could positively impact the economic sustainability of the business district and commercial corridor as a destination that will feel seamless with the parks system. This will include the areas between SW 7th Avenue and SE 3<sup>rd</sup> Ave and from the southern right-of-way line of SW and SE Park Street to the southern right-of-way line of SR70. While this will exclude any impacts to the FDOT ROW's, it will include streetscape design considerations for SW and SE Park Street and also the North/South roads which bisect each park block, excluding South Parrott Avenue;
  - b. **Cattle Drive Park - Conceptual Design Phase:** Specific to the urban block between SW 6th and SW 5<sup>th</sup> Avenues, the conceptual design will identify the size, location and metrics of the many components that need to be included. The basis of design for the conceptual plan will be the pre-concept sketches provided by the Okeechobee Arts Alliance. The objective of the conceptual plan will be to adapt the vision's layout to scale on a surveyed base, identifying the programming and uses of the future amenities, and developing them further.

All subsequent tasks beyond this point will be limited to the specific design of the urban block between SW6th and SW 5<sup>th</sup> Avenues.

4. **Cattle Drive Park - Schematic Design Phase** – Based on the approvals and directives of the Conceptual Design, CGA will further develop the design under Staff direction to the point that it meets the criteria for submission to the City for site plan approval for the specific urban block in question.
5. **Public Outreach Process** – Once the schematic design is approved by City, CGA will engage in a public engagement process comprised of an open-house meeting. For

purposes of estimating the cost of the investment, we are assuming that the same graphic and illustrative materials that will be utilized to obtain the approval by the City will suffice for the public engagement process. We are also assuming that the public outreach process will be limited to communicating to the community the decision of the Commission and to describe in detail what has been approved as a directive.

6. **Cattle Drive Park - Design Development Phase** – Development of construction plans and detailing to a level of completion consistent with 60% up to a 90% completion of the final construction plans. This phase will require the sign-off and approval at both the 60% and 90% completion levels by City Staff. Sign-off will serve to memorialize consistency with the design intent.
7. **Cattle Drive Park - Biddable Documents Preparation Phase** – Development of construction plans, construction detailing, and specifications beyond the 90% completion level to 100% completion level and the preparation of technical specifications, where needed, to provide to the City in preparation of the City's bidding process.
8. **Cattle Drive Park - Final Bid Construction Documents Phase** – Development of construction plans, construction detailing, and specifications beyond the 90% completion level to 100% completion level and the preparation of technical specifications, where needed, to provide to the City in preparation of the City's bidding process.

## **SCOPE OF WORK – ITEMIZED**

### **GENERAL SERVICES (GS)**

- Task 1: Project Management
- Task 2: Quality Assurance / Quality Control (QA/QC)
- Task 3: Status Update and Design Progress Meetings to City's PM

### **FOUNDATION DATA-COLLECTION (FD) PHASE**

- Task 1: Project Kick-off Meeting
- Task 2: Survey
  - Topographic survey of all above ground improvements within the project limits from the South right-of-way line of S.R. 70 to the front of the building façade along the South right-of-way line of S.W. Park Street.
  - Horizontal locations and vertical elevations being provided for asphalt pavement, concrete curb, concrete sidewalks, park appurtenances, front of buildings and above ground utilities. Visible above ground utilities refer to the visible structures (e.g., manholes, valve boxes, inlets, etc.) typically associated with storm drainage, sanitary sewer, potable water, electric, gas, telephone and cable television.

- Miscellaneous survey locations to include the threshold\finish floor elevations for buildings adjacent to S.W. Park Street.
- Location of any trees with a breast diameter of 3 inches or larger.
- Recover right-of-way and property corners to establish Right-of-Way Lines throughout limits of project.
- Horizontal control will be referenced to the State Plane Coordinate System, Florida East Zone North American Datum NAD83/90 and elevations referenced to North American Vertical Datum of 1988 (NAVD88).
- All survey work will comply with the Standards and Practice requirements for Surveying and Mapping in the State of Florida, according to Chapter 51-17.052 of Florida Administrative Code, as adopted by the Board of Professional Surveyors, Chapter 472, Florida Statutes.
- Task 3: Tree Survey and ISA Tree Valuation Report
- Task 4: Design-relevant Data Collection, Ordinance Review, and Review of Available Information
- Task 5: Electrical Engineering Preliminary Services
  - City shall provide information regarding circuitry of existing light poles and service panels prior to field visit.
  - Conduct a field visit to obtain visual electrical information of existing conditions. If available, verify existing conditions with as-built documents during field visit.
  - Coordinate meeting with FPL representative for the proposed scope of work.
- Task 6: Final Base-map Development
- Task 7: Conference with City Staff on Preliminary Observations

#### **CONCEPTUAL DESIGN (CD) PHASE**

- Task 1: Development of Design Brief Memorandum
- Task 2: Site Utilization and Programming Strategy
- Task 3: Conceptual Design Phase Review and Feedback
- Task 4: Conceptual Design Feedback Follow-up and Directive

#### **SCHEMATIC DESIGN (SD) PHASE**

- Task 1: Public Outreach Process
- Task 2: Draft Schematic Design
- Task 3: Final Schematic Design
- Task 4: Presentation to City Commission

#### **DESIGN DEVELOPMENT (DD) PHASE**

- Task 1: Post-Approval and Design Directive Meeting
- Task 2: Pre-Application Meetings with Permitting Agencies
- Task 3: Development of 30%-level Development of Construction Plans
- Task 4: Final 30% Plans Approval
- Task 5: Sign-off of 30% Plans
- Task 6: Development of 60% Design Development Plans
- Planting Plans, Details and Specifications

- Irrigation Plans, Details and Specifications
- Hardscape Plans, Details and Specifications
- Written technical specifications to be added to City's front end documents
  - Electrical Engineering Services
    - Provide up-lighting for the Cattle Drive Sculpture/artwork and evaluate the existing sidewalk lighting.
    - Evaluate existing electrical infrastructure.
    - Provide electrical service evaluation and FPL coordination.
    - Provide empty conduits and pull boxes for future amenities that may be included in the master plan.
    - Provide electrical cost estimate.
- Task 7: Preliminary Permitting which includes a building department dry run (note that Civil Engineering services are not included in this contract)
- Task 8: Development of 90% Design Development Plans
- Task 9: Final Permitting
- Task 10: Sign-off of Design Development Plans

#### **FINAL BID CONSTRUCTION DOCUMENTS (BD) PHASE**

- Task 1: 100% Construction Drawings
- Task 2: Provide Bid Documents

#### **ASSUMPTIONS AND EXCLUSIONS**

- **Assumptions**
  - The only services included in this contract are those identifies above. No other Services are included in this contract.
  - No offsite improvements within any rights of ways are included in this scope.
  - It is assumed that the existing offsite water, sewer, and drainage systems can accommodate the proposed park improvements therefore no upsizing of existing offsite utilities is included in this scope. No sanitary sewer lift stations are included.
  - CGA assumes no responsibility for the accuracy of the information provided by the City, County or other entities at the behest of the City.
  - CGA will include proportional mark-ups, expressed as contingencies, in the provision of all cost estimates. Fluctuations in market costs for unit values will occur and are expected. Where fluctuations in unit costs for labor, materials or components exceed a 10% increase for any direct or indirect reason beyond CGA's control, they shall not constitute grounds for requiring a redesign at CGA's expense.
- **Exclusions**
  - Bidding or Bidding Assistance Services.
  - Geotechnical services.
  - Sub-surface utility explorations or soft-digs.
  - Utility coordination.
  - Construction phase services.

- Traffic study or data collection services.
- Offsite work on Parrott Avenue (441) or NW Park Street (US 70).
- Environmental services associated with or related to the existing well-field or coordinating with the City's environmental consultant.
- Coordination through FDOT's electronic review process or obtaining FDOT permits.
- Coordination or processing through any agency other than the City for funding purposes.
- Presentation materials beyond those listed in the scope. CGA will prepare presentation materials for required approvals and will share work-in-progress with the Client during project coordination meetings.
- Meetings and presentations beyond those listed in the scope.
- Physical models or 3d models.
- Professional Renderings or Animations.
- Operations and Maintenance Planning, other than those included as part of project Close-out.
- Art and programing planning and curation.
- Security design and consulting.
- Waterproofing engineering.
- Construction As-built drawing preparation. Consultant to review As-built drawings prepared by others.
- Design mock-ups Consultant to review and approve design mockups by others if conducted.
- Client initiated changes necessitated by a change on a previous instruction or approval given by the Client or a material change in the Project including, but not limited to size, quality, complexity, schedule, budget of work resulting on an increase of the scope, or procurement or delivery method. CGA and their Subconsultant's are responsible for revisions associated with authorized Change Orders in response to errors and omissions by CGA and their Subconsultant's or Change Orders related to minor changes in work that are consistent with the intent of the Contract Documents. Change Orders will not be stand-alone packages. Where appropriate, Change Orders can be submitted as official sketches without revising official Contract Documents.
- Any work that extends beyond the schedule and timeframe for delays beyond the control of the Consultant, not including delays resulting from "Acts of God".
- Any work that is incurred because of Client directed changes in decisions once prior approvals have been made during the Design Phases of the project.
- Lighting design assumes market available off-the-shelf fixtures or off-the-shelf fixtures with some custom features. The design and engineering of custom fixtures is excluded.
- Any related design for the water features. Water feature designs by others. CGA will provide water, drainage and electrical connections as directed by water feature consultant only.
- Archeological evaluations.



- Environmental contamination evaluations.
- Any work associated with LEED certification or Sustainable SITES.
- Electrical and utilities connections design for buildings affected by the undergrounding of the existing overhead utilities. (FPL, Comcast, AT&T, etc.)

## **BASIS OF PROPOSAL**

- Any opinion of the construction cost prepared by Calvin, Giordano & Associates, Inc. represents its judgment as a design professional and is supplied for the general guidance of the CLIENT since Calvin, Giordano & Associates, Inc. has no control over the cost of labor and material, or over competitive bidding or market conditions. Calvin, Giordano & Associates, Inc. does not guarantee the accuracy of such opinions as compared to contractor bids or actual cost to the CLIENT.
- Any outside engineering services, studies, or laboratory testing not specifically mentioned in the Scope of Services will be the responsibility of the CLIENT. All municipal, permit, and agency fees as well as Title Certificates will be paid by the CLIENT.
- Basic services outlined within this proposal shall be considered complete when the project plans are submitted to the regulatory agencies for Certification.
- Calvin, Giordano & Associates, Inc. is performing the consultant services set forth in this Agreement strictly as a professional consultant to CLIENT. Nothing contained in this Agreement shall create any contractual relationship between Calvin, Giordano & Associates, Inc. and any contractor or subcontractor performing construction activities on the project, or any of CLIENT's other professional consultants.
- Calvin, Giordano & Associates, Inc. shall not be responsible for the contractor's schedules or failure to carry out the construction in accordance with the construction documents. Calvin, Giordano & Associates, Inc. shall not have control over or charge of acts or omissions of the contractor, subcontractors, or their agents or employees, or of any other persons performing portions of the construction.
- Calvin, Giordano & Associates, Inc. will require that all consultants carry proper insurance, including professional liability insurance, if appropriate.
- Permit construction certification will include one partial and one final inspection.

## **ADDITIONAL FEES**

The following services are NOT included in this proposal and will be considered Additional Services, which will be addressed in a separate contractual agreement. The services include but are not limited to:

- Civil Engineering has not been included in this proposal but can be added as an additional service to this contract if requested.
- Architectural, structural (i.e., retaining walls, bridges, docks), mechanical (i.e., fire pumps), fire protection, geotechnical and testing, environmental assessment, power, gas, telephone, cable television, site lighting services.
- Calculations for needed fire flow for site demands, based on building type use and size, if required.
- Calculations of off-site flood stages.

- Construction quality control inspections.
- Off-site engineering and negotiations for off-site easements, if required (other than as specified in the Scope of Services).
- Permit application or negotiation with permitting authorities other than those specifically listed herein.
- Preparation of construction contract documents, other than drawings and technical specifications (e.g., bid schedule, project manual);
- Professional land surveying not included in the scope of services (i.e., buried utility investigation, easement research, condominium documents, project stake- out and as-built drawings).
- Professional services required due to conditions different from those itemized under the Scope of Services or due to events beyond the control of Calvin, Giordano & Associates, Inc.
- Professional services required, due to changes in the site plan initiated by the CLIENT, their representatives or other consultants (e.g., architects, landscape architects, etc.) after either design or preparation of the construction drawings has commenced.
- Re-review of rejected shop drawings.
- Review and approval of Contractor pay requests.
- Review of Data supplied by the CLIENT (i.e. GIS data sets, databases, aerial images, etc.) required for integration into this project.
- Review of shop drawings for contractor or Client selected alternatives, materials, products, etc.
- Special shop drawing annotation and modification to expedite shop drawing approval process.
- Updated boundary survey, site evaluation or closing assistance work, unless specified above.

## **REIMBURSABLE EXPENSES**

Calvin, Giordano & Associates, Inc. and its consultants will be reimbursed for the printing of drawings and specifications, deliveries, Federal Express services, required travel time and travel expenses, long distance telephone calls, fax transmittals, postage, fees paid for securing approval of authorities having jurisdiction over the project, renderings, models and mock-ups required by CLIENT, as required. Reimbursable expenses and sub-consultant invoices will be billed directly to the CLIENT at a multiplier of 1.25.

## **MEETING ATTENDANCE**

Due to the difficulties of predicting the number or duration of meetings, no meetings other than those listed above, are included in the Schedule of Fees shown below.

Preparation for and meeting attendance, as necessary, will be provided on a time and materials basis and will be billed at the standard hourly rates in accordance with the attached Hourly Rate Schedule.

**SCHEDULE OF FEES**

Calvin, Giordano & Associates, Inc. will perform the Scope of Services for a lump sum fee as shown in the proposed Schedule of Fees:

<b>PROPOSED SCHEDULE OF FEES FOR PURCHASE ORDER 01 ONLY</b>	
<b>I. SCOPE OF WORK BY TASK PHASE</b>	
A. General Services Phase	\$ 8,750.00
B. Foundation Data Collection Phase	\$ 29,740.00
Route Survey	\$19,700.00
Topographic Survey	\$3,880.00
Landscape Architecture	\$5,000.00
Electrical Engineering	\$1,160.00
C. Visioning Master Plan and Conceptual Design Phase	\$ 25,750.00
D. Schematic Design Phase	\$ 14,545.00
Landscape Architecture	\$8,000.00
Electrical Engineer	\$6,545.00
E. Design Development Phase	\$ 12,545.00
Landscape Architecture	\$6,000.00
Electrical Engineering	\$6,545.00
F. Final Bid Construction Documents Phase	\$ 1,850.00
<b>II. MEETINGS (Not included in I: A-J)</b>	<b>Hourly</b>
<b>TOTAL Lump Sum (Plus Hourly Services)</b>	<b>\$ 93,180.00</b>
<b>TOTAL AMOUNT NOT TO EXCEED</b>	<b>\$ 93,180.00</b>

## **TERMS OF THE AGREEMENT**

- Calvin, Giordano & Associates, Inc. and the CLIENT agree by their signatures on this document that each party will not hire or attempt to hire any staff from the other party while under contract together.
- Calvin, Giordano & Associates, Inc. is preparing and providing drawings, plans, specifications and other documents as outlined in the scope of services for this Agreement for use in the construction of this project, based upon design and construction criteria prepared and provided by others, including but not limited to the CLIENT and CLIENT's consultants. Calvin, Giordano & Associates, Inc. is not responsible for any errors and omissions in the aforesaid design and construction criteria provided by others.
- CLIENT agrees to indemnify, hold harmless and, at Calvin, Giordano & Associates, Inc.'s option, defend or pay for an attorney selected by Calvin, Giordano & Associates, Inc., to defend Calvin, Giordano & Associates, Inc., its officers, agents, servants, and employees against any and all claims, losses, liabilities, and expenditures of any kind, including attorney fees, any appellate attorney costs, court costs, and expenses, caused by, arising from, or related to any acts, omissions or negligence of CLIENT or its consultants.
- CLIENT agrees to limit Calvin, Giordano, & Associates, Inc.'s liability for any and all claims that CLIENT may assert on its own behalf or on behalf of another, including but not limited to claims for breach of contract or breach of warranty, to the amount of fees paid to Calvin, Giordano & Associates, Inc., pursuant to this Agreement.
- Drawings, specifications, and other documents and electronic data furnished by Calvin, Giordano & Associates, Inc. in connection with this project are instruments of service. All original instruments of service shall be retained by Calvin, Giordano & Associates, Inc. and will remain their property, with all common law, statutory and other reserved rights, including copyright, in those instruments. This information provided in the instruments of service is proprietary and will not be shared with others without prior written consent. The CLIENT may request reproducible copies, and all original documents upon payment of all outstanding invoices, and expenses.
- In the event of termination in accordance with this Agreement or termination not the fault of Calvin, Giordano & Associates, Inc., Calvin, Giordano & Associates, Inc. shall be compensated for services properly performed prior to receipt of notice of termination, together with Reimbursable Expenses then due.
- Invoices for work accomplished to date will be submitted monthly and are payable within thirty (30) days. The CLIENT will pay invoices upon receipt and understands interest charges of 1.5% per month will be applied to any unpaid balance past thirty (30) days. Calvin, Giordano & Associates, Inc. may elect to stop work until payment is received. If work is stopped for thirty (30) days or more, Calvin, Giordano & Associates, Inc. may request compensation for start-up costs when work resumes.
- PURSUANT TO SECTION 558.0035, FLORIDA STATUTES, AN INDIVIDUAL EMPLOYEE OR AGENT OF CALVIN, GIORDANO & ASSOCIATES, INC. MAY NOT BE HELD INDIVIDUALLY LIABLE IN NEGLIGENCE FOR ANY

#### CLAIMS, DAMAGES, LOSSES, OR DISPUTES ARISING OUT OF OR SUBJECT TO THE CONTRACT.

- The CLIENT or their representative shall be available to meet with Calvin, Giordano & Associates, Inc. and provide decisions in a timely manner throughout the course of the project. The CLIENT will provide all plans and other pertinent information, which are necessary for Calvin, Giordano & Associates, Inc. to provide complete professional services as outlined in this contract.
- The terms of Agreement shall be valid for the Client's acceptance for a period of thirty (30) days from the date of execution by Calvin, Giordano & Associates, Inc. after which time this contract offer becomes null and void if not accepted formally (evidenced by receipt of an executed copy of this document). All rates and fees quoted in this document shall be effective for a period of six (6) months, after which time they may be renegotiated with the CLIENT.
- This Agreement may be terminated by either party upon not less than seven (7) days written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination. Failure of CLIENT to make payments to Calvin, Giordano & Associates, Inc., in accordance with this Agreement, shall be considered substantial nonperformance and cause for termination.

#### MISCELLANEOUS PROVISIONS

- CLIENT and Calvin, Giordano & Associates, Inc., respectively, bind themselves, their partners, successors, assigns, and legal representatives to the other party to this Agreement and to the partners, successors, assigns, and legal representatives of such other party with respect to all covenants of this Agreement. Neither CLIENT nor Calvin, Giordano & Associates, Inc. shall assign this Agreement without written consent of the other.
- This Agreement represents the entire and integrated agreement between the CLIENT and Calvin, Giordano & Associates, Inc. and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Calvin, Giordano & Associates, Inc. and the CLIENT.
- Unless otherwise provided, this Agreement shall be governed by the law of the place where the project is located.

#### TERMINATION OF THE AGREEMENT

- This Agreement may be terminated by either party upon not less than seven (7) days written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination. Failure of CLIENT to make payments to Calvin, Giordano & Associates, Inc., in accordance with this Agreement, shall be considered substantial nonperformance and cause for termination.
- In the event of termination in accordance with this Agreement or termination not the fault of Calvin, Giordano & Associates, Inc., Calvin, Giordano & Associates, Inc.

shall be compensated for services properly performed prior to receipt of notice of termination, together with Reimbursable Expenses then due.

We appreciate the opportunity to submit this proposal. Calvin, Giordano & Associates, Inc. is prepared with the necessary manpower to proceed with the proposed scope of services upon receipt of the executed authorization. Our personnel are committed to completing the project in a timely manner. Please indicate your acceptance of this proposal by signing below and returning one executed copy of the contract to this office. We look forward to working with you in making this project a success.

Sincerely,

**CALVIN, GIORDANO & ASSOCIATES, INC.**

Chris Giordano  
Vice President

Cost of these services are \$93,180.00 plus hourly as noted in fee breakdown.

**ACCEPTANCE OF CONTRACT**

CALVIN, GIORDANO & ASSOCIATES, INC.

By: \_\_\_\_\_  
Name: Chris Giordano  
Title: Vice President

Date: \_\_\_\_\_

CITY OF OKEECHOBEE

By: \_\_\_\_\_  
Name: Marcos Montes De Oca, P.E.  
Title: City Manager

Date: \_\_\_\_\_

To: City Council Members

From: Robert Peterson, Chief of Police  
Carlyn Kowalsky, Assistant City Attorney

Subject: Consider settlement proposal in the case of City of Okeechobee Florida v. Okeechobee Park Street, LLC, Case No. 17-404. (Walgreens parcel)

Date: March 12, 2021

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The Special Magistrate entered a Lien/Order against this property in Case Number 17-040 on January 11, 2018, as a result of violations of Sections 30-43 and 30-44 of the City's Code of Ordinances. The City provided the 90 day notice letter to the property owner, Okeechobee Park Street, LLC on or about August 30, 2018. The Lien has continued to accrue daily fines of \$50.00. The City provided a demand notice letter to the property owner, Okeechobee Park Street, LLC on or about February 17, 2021. The property owner has offered to settle the case and pay \$9,920.00, to be immediately. This amount covers all of the City attorney's fee and costs plus seventy-five percent of the lien amount.

Staff recommends acceptance of this settlement offer.



Okeechobee City, Florida Code Compliance Department

IN RE: The Matter of

City of Okeechobee v. Okeechobee Park Street LLC

Complaint #17-040

Respondent(s)

Request for Reduction of Accrued Fine

I, Joe Rieger, hereby request a reduction of a fine imposed in the above referenced case and in support thereof would state the following information:

1. My name and current mailing address are:

Joe Rieger  
11650 Miramar Pkwy #101  
Miramar, FL 33015 Office (954) 378-7900 Cell (954) 243-0006

2. Physical address of the property which was the subject of the violation:

Walgreens  
100 NW Park Street  
Okeechobee FL 32809

3. A Fine in the amount of \$50.00 per day was imposed on the following date, August 2, 2018.

4. The violations were corrected, and I was advised that the property came into compliance on the following date: October 10, 2018

5. I am requesting that the accrued fine be reduced from \$11,650 plus \$1,182.50 attorney fees (25%) to \$8,737.50 fine, plus \$1,182.50 attorney fees, For a total amount due to the City of Okeechobee of \$9,920.00

6. The accrued fine amount should be reduced because:

From a misunderstanding from Walgreens that this violation was closed out in August 2, 2018 with no fines. Sorry but the fine notices were just mishandled my several people. Some of these people that mishandled these notices do not work for Walgreens now.

**I Understand That I Must Be Present and Personally Appear Before the Code Enforcement Special Magistrate to Present and Defend This Request for A Reduction in The Fine. If I cannot personally appear, I hereby designate the following person to appear in my place:**

Mark Route  
7003 Presidents Drive  
Suite 250  
Orlando F 32809  
(321) 289-9936

7.

*Joe Rieger*

Signature of Respondent

Date: MARCH 3 2021

Signature of Respondent

Date: \_\_\_\_\_

The forgoing instrument was sworn to (or affirmed) and subscribed before me, by means of  physical presence or \_\_\_\_\_ online notarization this 3rd day of March 2021

By Joseph Rieger and FL Driver License who produced  as identification.

Signature of Notary Public - State of Florida

Print/Type/Stamped Name of Notary

My commission expires: 12/01/2024





City of Okeechobee Code Enforcement  
50 SE 2<sup>nd</sup> Street  
Okeechobee, Florida 34974  
(863)763-9795

To: City Council Members

From: Robert Peterson, Chief of Police  
Carlyn Kowalsky, Assistant City Attorney

Subject: Consider Special Magistrate's Recommendation against 311 NE 2<sup>nd</sup> Street owned by Bella Rose Day Spa, Case No. 200312003.

Date: March 12, 2021

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In March 2020 the City provided the property owner with a Notice of Violation of Sections 30-43 and 30-44 of the City's Code of Ordinances. The City provided several additional notices after that. In August 2020, after proper notice, the Special Magistrate held a hearing and entered a Lien/Order against this property. The City inspected the property 8 times in 12 months and the property ultimately came into compliance on March 9, 2021. Pursuant to the Lien/Order, fines have accrued in the amount of \$14,600.

The Special Magistrate considered the property owner's fine reduction request at a hearing on March 9, 2021. Based on the evidence presented at the hearing and testimony of the property owner and City staff, the Special Magistrate has issued a report and recommendation that a fifty percent (50%) reduction of the total fine of \$14,600 plus all previously assessed administrative fees "is more than reasonable and fair and that such reduction is in the best interest of the City of Okeechobee." The Magistrate also recommended that the property owner should arrange a payment plan to pay the fines and fees within a reasonable time.

Staff recommends that Council approve the Special Magistrate recommendation.

A copy of the Special Magistrate's Report and Recommendation is attached.

**CITY OF OKEECHOBEE CODE ENFORCEMENT  
SPECIAL MAGISTRATE HEARING**

**CODE ENFORCEMENT FOR  
THE CITY OF OKEECHOBEE, FLORIDA.**  
Petitioner,

**CASE NO: 200312003  
Special Magistrate: Roger Azcona**

vs.  
**BELLA ROSE DAY SPA,**  
Respondent.

\_\_\_\_\_ /

**SPECIAL MAGISTRATE’S REPORT AND RECOMMENDATION  
TO THE CITY COUNCIL OF OKEECHOBEE**

**THIS CAUSE** coming to be heard on March 9, 2021 at the City of Okeechobee Code Enforcement Special Magistrate Hearing on the Respondent’s request for fine reduction. The Special Magistrate, having given the Respondent, Mr. Bill Rose, an opportunity to be heard, and the City of Okeechobee being represented by counsel, Ms. Carlyn Kowalsky, with testimony from Code Enforcement Officer Anthony Smith, finds as follows:

Mr. Rose testified under oath that the violation and fines only became known to him later in this case, and that Mr. Sterling served the notices of violation to another person working in the premises. He also testified that he came to the Police Department and spoke with former Code Enforcement Clerk, Ms. Melissa Close, who allegedly told him that “there were no fines, and everything was ok.” Mr. Rose stated that whenever former Code Enforcement Officer, Mr. Fred Sterling, came to inspect the property and take pictures that Mr. Sterling did not confront him about the violations and that Mr. Sterling was surreptitiously taking pictures and leaving without speaking with him concerning any violations. Mr. Rose requested that his fines be reduced to zero amount.

In response, City Attorney Carlyn Kowalsky presented the testimony of Officer Anthony Smith, who reiterated all the efforts by Code Enforcement to bring the Respondent’s property into compliance. Mr. Smith testified under oath that the violations were first brought to the owner’s attention on March 12, 2020 when a Statement of Violation and Notice of Hearing was received by a person who signed “Hailey M” at the address. Several Statements of Violation and Notice of Hearing were also served on the respondent. Officer Smith noted on the record that the Respondent, Mr. Rose, “had been difficult” to work with as he had made several attempts to contact him and leaving several messages concerning the violation. The property was inspected 8 times in 12 months and did not come into compliance until

March 9, 2021. City Attorney Kowalsky, based on the testimony of Mr. Smith, recommended that the accumulated fines of \$14,600.00 be reduced to fifty percent (50%) together with applicable administrative fees.

Having carefully considered the testimony and arguments of both parties, this Court also reviewed the records pertaining to this case and find that a second Statement of Violation and Notice of Hearing was served on June 19, 2020 and signed for by "Amanda Markham" at the address, and a third Statement and Notice was sent out and received/signed by "Hailey M." on July 21, 2020. Therefore, this court finds that the Respondent in this case had sufficient notice regarding the Code violations in this matter. This court also finds that the alleged statement that "there were no fines, and everything was ok" is refuted by the record as the Respondent was served with the Lien Order on September 28, 2020 signed and received by "Hailey M" on behalf of the Respondent. The 90-day letter was also received and signed for by "Hailey M" on January 19, 2021. It is interesting to note that "Hailey M." had received and signed for the Respondent on at least 4 occasions throughout this case with the first Statement and Notice served approximately one year ago on March 12, 2020.

Therefore, based on the foregoing findings of facts, the undersigned Special Magistrate hereby report and recommend to the City Council of Okeechobee that a fifty percent (50%) reduction of the total fine of \$14,600.00 under the facts and circumstances of this case is more than reasonable and fair, and that such reduction is in the best interest of the City of Okeechobee. All administrative fees previously assessed should remain. The Respondent should arrange a payment plan to pay the fines and fees within a reasonable time.

**DONE AND HEARD** in the City of Okeechobee, Okeechobee County, Florida this 9 day of March, 2021.



\_\_\_\_\_  
**ROGER AZCONA, ESQ.**  
Special Magistrate

Copies to:  
Ms. Carlyn Kowalsky, Attorney for the City of Okeechobee  
Code Enforcement, City of Okeechobee  
Mr. Bill Rose, Respondent, 311 Northeast 2<sup>nd</sup> Street, Okeechobee, Florida 34972.

City of Okeechobee

Exhibit 7

4/20/2021

**PROPOSED 2020/2021 BUDGET  
GENERAL FUND**

**RECAPITULATION - REVENUE AND EXPENSES**

	2020/2021	2020/2021
	BUDGET	PROPOSED
F/Y Beginning Fund Balance	\$ 4,342,501	\$ 4,342,501
Roll forward from previous year		
	\$ 4,342,501	\$ 4,342,501

REVENUES		
96% AD VALOREM @ PY 7.6018	\$ 2,424,459	\$ 2,424,459
OTHER FEES	\$ 731,300	\$ 729,400
INTERGOVERNMENTAL	\$ 1,502,876	\$ 1,501,476
CHARGES FOR SERVICES	\$ 1,023,700	\$ 1,036,600
FINES, FORFEITURES & PEN	\$ 21,475	\$ 21,475
USES OF MONEY & PROPER	\$ 90,000	\$ 13,000
OTHER REVENUES	\$ 28,310	\$ 108,203
	\$ 5,822,120	\$ 5,834,613

TRANSFERS - IN		
Public Facilities Fund (Transfer	\$ 350,000	\$ 350,000
Capital Proj /Improvement Fund	\$ 1,362,311	\$ 1,780,715
<b>TOTAL REVENUES</b>	<b>\$ 7,534,431</b>	<b>\$ 7,965,328</b>

EXPENDITURES		
LEGISLATIVE	\$ 213,771	\$ 217,721
EXECUTIVE	\$ 252,322	\$ 252,322
CITY CLERK	\$ 288,057	\$ 308,057
FINANCIAL SERVICES	\$ 333,055	\$ 333,055
LEGAL COUNCIL	\$ 166,400	\$ 216,400
GENERAL SERVICES	\$ 515,573	\$ 519,873
LAW ENFORCEMENT	\$ 3,084,217	\$ 3,140,525
FIRE PROTECTION	\$ 1,458,050	\$ 1,749,389
ROAD & STREET FACILITIES	\$ 1,222,986	\$ 1,227,986
<b>TOTAL GEN. OPER. EXPENDITURES</b>	<b>\$ 7,534,431</b>	<b>\$ 7,965,328</b>

FISCAL YEAR ENDING FUND BALANCE	\$ 4,342,501	\$ 4,342,501
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City of Okeechobee  
PROPOSED 2020/2021 BUDGET

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City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**GENERAL FUND**

**RECAPITULATION - REVENUE AND EXPENSES**

	2020/2021 BUDGET	2020/2021 PROPOSED
<b>FUND BALANCE</b>	\$4,342,501	\$4,342,501
Roll Forward from previous year		
	\$ 4,342,501	\$ 4,342,501

**REVENUES**

<b>TAXES:</b>			
311-1000	96% AD VALOREM @ PY 7.6018	\$2,424,459	\$2,424,459
<b>TOTAL</b>		<b>\$ 2,424,459</b>	<b>\$ 2,424,459</b>

<b>OTHER FEES:</b>			
312-5100	Fire Insurance Premium	\$ 45,800	\$ 45,800
312-5200	Casualty Insurance Prem Tax (Police)	\$ 62,000	\$ 62,000
314-1000	Utility Tax-Electric	\$ 500,000	\$ 500,000
314-4000	Utility Tax/Natural Gas	\$ 20,500	\$ 20,500
314-8000	Utility Tax/Propane	\$ 29,000	\$ 24,000
316-0000	Prof & Business Tax Receipt	\$ 73,000	\$ 73,000
319-0000	Public Service Fee	\$ 1,000	\$ 4,100
<b>TOTAL</b>		<b>\$ 731,300</b>	<b>\$ 729,400</b>

<b>INTERGOVERNMENTAL REVENUES:</b>			
335-1210	SRS Cigarette Tax	\$ 205,106	\$ 205,106
335-1400	Mobile Home Licenses	\$ 12,000	\$ 11,000
335-1500	Alcoholic Beverage Licenses	\$ 5,300	\$ 5,300
335-1800	1/2 Cent Sales Tax	\$ 309,600	\$ 309,600
312-6000	1 Cent Sales Surtax	\$ 663,625	\$ 663,625
315.0000	Communications Service Tax	\$ 204,445	\$ 204,445
335-2300	Firefighters Supplement	\$ 1,200	\$ 800
337-2000	Public Safety - SRO OCSB	\$ 96,400	\$ 96,400
338-2000	County Business Licenses	\$ 5,200	\$ 5,200
<b>TOTAL</b>		<b>\$ 1,502,876</b>	<b>\$ 1,501,476</b>

<b>CHARGES FOR CURRENT SERVICES</b>			
322-0000	Building & Inspections Fees	\$ 80,000	\$ 80,000
322-1000	Exception & Zoning Fees	\$ 2,000	\$ 11,000
323-1000	Franchise-Electric	\$ 350,000	\$ 350,000
323-4000	Franchise-Natural Gas	\$ 10,500	\$ 10,500
323-7000	Franchise-Solid Waste	\$ 110,000	\$ 110,000
329-0000	Plan Review Fees	\$ 2,000	\$ 5,900
341-2000	Alley/Street Closing Fees	\$ -	\$ -
341-3000	Map Sales	\$ -	\$ -
341-4000	Photocopies		
342-1000	Public Safety - SRO OCA	\$ 76,700	\$ 76,700
343-4010	Solid Waste Collection Fees-Resd.	\$ 392,500	\$ 392,500
<b>TOTAL</b>		<b>\$ 1,023,700</b>	<b>\$ 1,036,600</b>

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**GENERAL FUND**

**RECAPITULATION - REVENUE AND EXPENSES**

2020/2021	2020/2021
BUDGET	PROPOSED

<b>FINES, FORFEITURES &amp; PENALTIES:</b>			
351-1000	Court Fines	\$ 13,900	\$ 13,900
351-2000	Radio Comm. Fee	\$ 5,000	\$ 5,000
351-3000	Law Enforcement Education	\$ 1,500	\$ 1,500
351-4000	Investigation Cost Reimbursement	\$ 925	\$ 925
351-5000	Unclaimed Evidence		
354-1000	Ordinance Violation Fines	\$ 150	\$ 150
<b>TOTAL</b>		<b>\$ 21,475</b>	<b>\$ 21,475</b>

<b>USES OF MONEY &amp; PROPERTY:</b>			
361-1000	Interest Earnings	\$ 90,000	\$ 13,000
361.3000	Investment Earnings		
364-1000	Surplus City Property		
<b>TOTAL</b>		<b>\$ 90,000</b>	<b>\$ 13,000</b>

<b>OTHER REVENUES:</b>			
334-2000	Public Safety Grant	\$ -	\$ -
334.5000	Special Purpose Grant (CARES)		\$ 66,203
343-9000	DOT Hwy Maint.Landscape/Mowing	\$ 7,210	\$ 7,210
343-9100	DOT Master Traffic Signals Maint.	\$ 17,500	\$ 17,500
343-9200	DOT Maint. Lights & Lights Contract		
366-1000	Other Revenues		
369-1000	Miscellaneous	\$ 1,200	\$ 1,200
369-4000	Code Enforcement Fine	\$ 500	\$ 14,190
369-5000	Police Accident Reports	\$ 1,900	\$ 1,900
383-0000	Capital Lease Proceeds		
<b>TOTAL</b>		<b>\$ 28,310</b>	<b>\$ 108,203</b>

<b>OTHER REVENUES AND TRANSFER IN</b>			
		\$ -	\$ -
	Capital Project Improvements (Transfer-In)	\$ 1,362,311	\$ 1,780,715
	CDBG Fund (Transfer-In)		
381-1000	Public Facilities Improvement (Transfer-In)	\$ 350,000	\$ 350,000
<b>TOTAL</b>		<b>\$ 1,712,311</b>	<b>\$ 2,130,715</b>

<b>TOTAL REVENUE &amp; OTHER FUNDING SOURCES</b>	<b>\$ 7,534,431</b>	<b>\$ 7,965,328</b>
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**OPERATING TRANSFERS - OUT**

Due From CDBG  
 Capital Project Building & Improvements  
 Capital Project Vehicles  
 TRANSFERS OUT



City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: LEGISLATIVE (0511)**

		2020/2021	2020/2021
		Budget	PROPOSED
1100	EXECUTIVE SALARIES	\$ 46,100	\$ 46,100
1510	LONGEVITY/SERVICE INCENTIVE		
2100	FICA	\$ 3,600	\$ 3,600
2200	RETIREMENT	\$ 4,600	\$ 4,600
2300	LIFE AND HEALTH INSURANCE	\$ 37,280	\$ 37,280
2400	WORKERS COMPENSATION	\$ 394	\$ 394
<b>TOTAL PERSONNEL COSTS:</b>		<b>\$ 91,974</b>	<b>\$ 91,974</b>

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: LEGISLATIVE (0511)**

OPERATIONS & SUPPLIES		2020/2021	2020/2021
		Budget	PROPOSED
3100	PROFESSIONAL SERVICES		
3400	OTHER CONTRACT SERVICES	\$ 58,000	\$ 59,750
4000	TRAVEL AND PER DIEM	\$ 4,000	\$ 4,000
4100	COMM. & FREIGHT	\$ 3,200	\$ 3,200
4500	INSURANCE	\$ 4,597	\$ 4,597
4609	REPAIR & MAINTENANCE	\$ 2,800	\$ 5,000
4901	EDUCATION	\$ 2,000	\$ 2,000
4909	MISCELLANEOUS	\$ 2,000	\$ 2,000
5400	BOOKS, PUBLICATIONS, ETC	\$ 1,200	\$ 1,200
8100	SHARED SER/EDUCATION FOUN.	\$ 4,000	\$ 4,000
8200	AID TO PRIVATE ORGANIZATIONS		
8202	LOCAL COMMUNITY REQUEST	\$ 40,000	\$ 40,000
559-8300	COMPETITIVE FL PARTNERSHIP GRAN	\$ -	\$ -
<b>TOTAL SUPPLIES AND OTHER SERVICES</b>		<b>\$ 121,797</b>	<b>\$ 125,747</b>
<b>GRAND TOTAL FOR DEPARTMENT</b>		<b>\$ 213,771</b>	<b>\$ 217,721</b>

3400 MacVicar Consulting , Mar-Sept Added \$1,750  
4609 Added Emails for Charter Review and Flagler Committees, \$2200

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: EXECUTIVE (0512)**

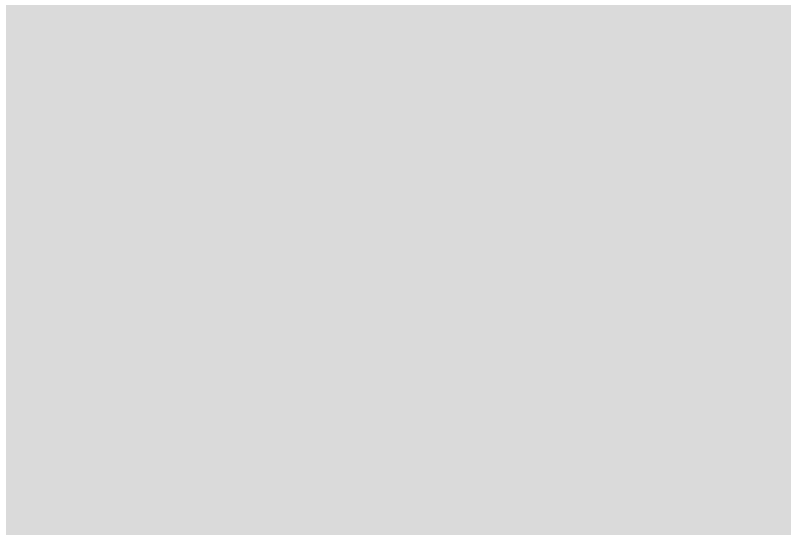
PERSONNEL COST:

		2020/2021	2020/2021
		BUDGET	PROPOSED
1100	EXECUTIVE SALARIES	\$ 117,500	\$ 117,500
1200	REGULAR SALARIES	\$ 48,900	\$ 48,900
1510	LONGEVITY/SERVICE INCENTIVE	\$ 250	\$ 250
2100	FICA	\$ 12,850	\$ 12,850
2200	RETIREMENT	\$ 15,600	\$ 15,600
2300	LIFE AND HEALTH INSURANCE	\$ 24,050	\$ 24,050
2400	WORKERS COMPENSATION	\$ 1,046	\$ 1,046
<b>TOTAL PERSONNEL COSTS:</b>		<b>\$ 220,196</b>	<b>\$ 220,196</b>

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: EXECUTIVE (0512)**

SUPPLIES & OTHER SERVICES		2020/2021	2020/2021
		BUDGET	PROPOSED
4000	TRAVEL AND PER DIEM	\$ 8,900	\$ 8,900
4100	COMM. & FREIGHT	\$ 4,000	\$ 4,000
4400	RENTALS & LEASES	\$ 4,100	\$ 4,100
4500	INSURANCE	\$ 2,551	\$ 2,551
4600	R&M VEHICLES	\$ 1,700	\$ 1,700
4609	R&M EQUIPMENT	\$ 1,800	\$ 1,800
4901	EDUCATION	\$ 2,200	\$ 2,200
4909	MISCELLANEOUS	\$ 500	\$ 500
5100	OFFICE SUPPLIES	\$ 800	\$ 800
5200	OPERATING SUPPLY	\$ 1,750	\$ 1,750
5201	FUEL AND OIL	\$ 2,525	\$ 2,525
5400	BOOKS, PUBLICATIONS, ETC	\$ 1,300	\$ 1,300
6400	EQUIPMENT (\$750 OR MORE)		
<b>TOTAL SUPPLIES AND OTHER SERVICES</b>		<b>\$ 32,126</b>	<b>\$ 32,126</b>
<b>GRAND TOTAL FOR DEPARTMENT</b>		<b>\$ 252,322</b>	<b>\$ 252,322</b>



City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: CLERK OFFICE (2512)**

PERSONNEL COST:		2020/2021	2020/2021
		BUDGET	PROPOSED
1100	EXECUTIVE SALARIES	\$ 70,350	\$ 70,350
1200	REGULAR SALARIES	\$ 70,500	\$ 70,500
1300	OTHER SALARIES	\$ -	\$ -
1400	OVERTIME	\$ 850	\$ 850
1510	LONGEVITY/SERVICE INCENTIVE	\$ -	\$ -
2100	FICA	\$ 10,900	\$ 10,900
2200	RETIREMENT	\$ 13,200	\$ 13,200
2300	LIFE AND HEALTH INSURANCE	\$ 36,850	\$ 36,850
2400	WORKERS COMPENSATION	\$ 1,012	\$ 1,012
<b>TOTAL PERSONNEL COSTS:</b>		<b>\$ 203,662</b>	<b>\$ 203,662</b>

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: CLERK OFFICE (2512)**

SUPPLIES & OTHER SERVICES		2020/2021	2020/2021
		BUDGET	PROPOSED
3103	MUNICIPAL CODE	\$ 4,000	\$ 4,000
3400	OTHER CONTRACTUAL SERVICES	\$ 19,800	\$ 19,800
4000	TRAVEL AND PER DIEM	\$ 3,500	\$ 3,500
4100	COMM. & FREIGHT	\$ 3,425	\$ 3,425
4500	INSURANCE	\$ 13,770	\$ 13,770
4609	R&M EQUIPMENT	\$ 9,800	\$ 9,800
4900	ADVERTISING/OTHER CHARGES	\$ 18,000	\$ 18,000
4901	EDUCATION	\$ 2,400	\$ 2,400
4909	MISCELLANEOUS/ELECTION	\$ 4,500	\$ 24,500
5100	OFFICE SUPPLIES	\$ 2,500	\$ 2,500
5400	BOOKS, PUBLICATIONS, ETC	\$ 2,700	\$ 2,700
6400	EQUIPMENT (\$750 OR MORE)		
<b>TOTAL SUPPLIES AND OTHER SERVICES</b>		<b>\$ 84,395</b>	<b>\$ 104,395</b>
<b>GRAND TOTAL FOR DEPARTMENT</b>		<b>\$ 288,057</b>	<b>\$ 308,057</b>

4909 Special Election, Added \$20,000

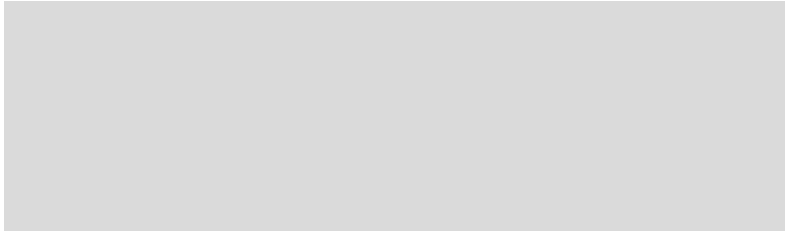
City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: LEGAL SERVICES (0514)**

SUPPLIES & OTHER SERVICES		2020/2021	2020/2021
		BUDGET	PROPOSED
2300	HEALTH INSURANCE	\$ -	\$ -
3100	PROFESSIONAL SERVICES	\$ 112,800	\$ 162,800
3300	LEGAL COST	\$ 50,500	\$ 50,500
4000	TRAVEL AND PER DIEM	\$ 1,000	\$ 1,000
4100	COMM. AND FREIGHT SERVICES	\$ 500	\$ 500
4609	R&M EQUIPMENT	\$ 800	\$ 800
4901	EDUCATION	\$ 500	\$ 500
5100	OFFICE SUPPLIES	\$ 300	\$ 300
5400	MEMBERSHIP & SUBSCRIPTIONS	\$ -	\$ -
<b>TOTAL SUPPLIES AND OTHER SERVICES</b>		<b>\$ 166,400</b>	<b>\$ 216,400</b>

<b>GRAND TOTAL FOR DEPARTMENT</b>	<b>\$ 166,400</b>	<b>\$ 216,400</b>
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3100      **Added \$25,000 Legal services for Code Enforcement**  
**Added another \$25,000 for Legal services for Code Enforcement**  
**Total add'l \$50,000**



City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: FINANCE DEPARTMENT (05**

PERSONNEL COST:		2020/2021	2020/2021
		BUDGET	PROPOSED
1100	EXECUTIVE SALARIES	\$ 66,500	\$ 66,500
1200	REGULAR SALARIES	\$ 82,900	\$ 82,900
1510	LONGEVITY/SERVICE INCENTIVE	\$ -	\$ -
2100	FICA	\$ 11,550	\$ 11,550
2200	RETIREMENT	\$ 14,100	\$ 14,100
2300	LIFE AND HEALTH INSURANCE	\$ 37,725	\$ 37,725
2400	WORKERS COMPENSATION	\$ 1,030	\$ 1,030
2500	UNEMPLOYMENT TAXES		
<b>TOTAL PERSONNEL COSTS:</b>		<b>\$ 213,805</b>	<b>\$ 213,805</b>



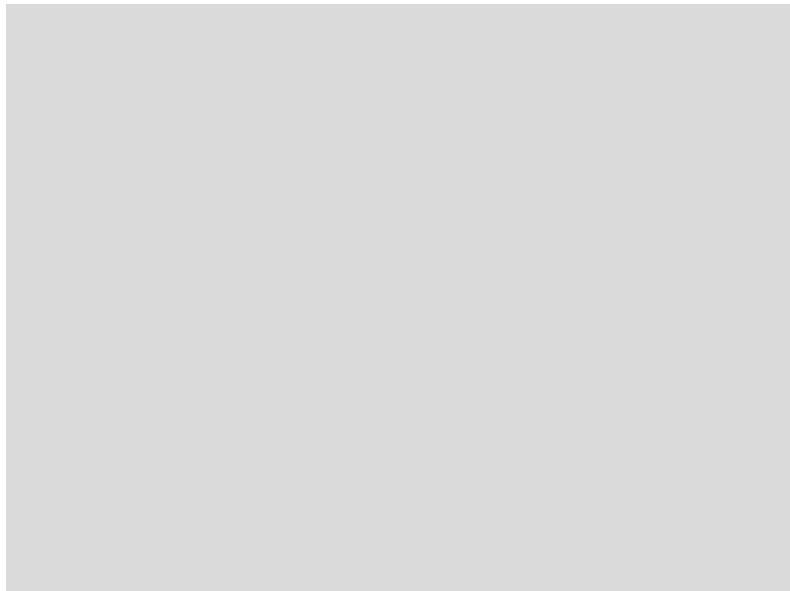
City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**

**General Fund - 001**

**DEPARTMENT: FINANCE DEPARTMENT (0513)**

		2020/2021	2020/2021
		BUDGET	PROPOSED
3200	ACCOUNTING & AUDIT	\$ 33,800	\$ 33,800
3400	OTHER CONTRACTUAL SERVICES	\$ 37,600	\$ 37,600
4000	TRAVEL AND PER DIEM	\$ 2,000	\$ 2,000
4100	COMM. & FREIGHT	\$ 3,580	\$ 3,580
4500	INSURANCE	\$ 9,220	\$ 9,220
4609	R&M EQUIPMENT	\$ 14,200	\$ 14,200
4901	EDUCATION	\$ 1,250	\$ 1,250
4909	MISCELLANEOUS	\$ 500	\$ 500
5100	OFFICE SUPPLIES	\$ 1,200	\$ 1,200
5200	OPERATING SUPPLY	\$ 15,650	\$ 15,650
5400	BOOKS, PUBLICATIONS, ETC	\$ 250	\$ 250
6400	EQUIPMENT (\$750 OR MORE)		
<b>TOTAL SUPPLIES AND OTHER SERVICES</b>		<b>\$ 119,250</b>	<b>\$ 119,250</b>

<b>TOTAL COST:</b>	<b>\$ 333,055</b>	<b>\$ 333,055</b>
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City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: GENERAL SERVICES (0519)**

PERSONNEL COST:		2020/2021	2020/2021
		BUDGET	PROPOSED
1200	REGULAR SALARIES	\$ 111,700	\$ 111,700
1300	OTHER SALARY		
1400	OVERTIME	\$ 850	\$ 850
1510	LONGEVITY/SERVICE INCENTIVE		
2100	FICA	\$ 8,770	\$ 8,770
2200	RETIREMENT	\$ 10,600	\$ 10,600
2300	LIFE AND HEALTH INSURANCE	\$ 35,500	\$ 35,500
2400	WORKERS COMPENSATION	\$ 835	\$ 835
<b>TOTAL PERSONNEL COSTS:</b>		<b>\$ 168,255</b>	<b>\$ 168,255</b>

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: GENERAL SERVICES (0519)**

SUPPLIES & OTHER SERVICES		2020/2021	2020/2021
		BUDGET	PROPOSED
3100	PROFESSIONAL SERVICES	\$ 131,200	\$ 131,200
3400	OTHER CONTRACTUAL SERVICES	\$ 105,536	\$ 105,536
3401	PUBLIC MEETING CONTRACT COST	\$ 21,500	\$ 25,800
4000	TRAVEL AND PER DIEM	\$ 4,960	\$ 4,960
4100	COMM. & FREIGHT	\$ 3,790	\$ 3,790
4300	UTILITIES	\$ 9,100	\$ 9,100
4400	RENTALS AND LEASES	\$ 3,694	\$ 3,694
4500	INSURANCE	\$ 25,200	\$ 25,200
4600	R&M VEHICLES	\$ 3,000	\$ 3,000
4609	R&M BUILDING & EQUIPMENT	\$ 27,373	\$ 27,373
4901	EDUCATION	\$ 1,000	\$ 1,000
4909	MISCELLANEOUS	\$ 1,000	\$ 1,000
5100	OFFICE SUPPLIES	\$ 2,900	\$ 2,900
5200	OPERATING SUPPLY	\$ 1,600	\$ 1,600
5201	FUEL AND OIL	\$ 365	\$ 365
5204	POSTAGE & SUPPLIES	\$ 5,000	\$ 5,000
5400	BOOKS, PUBLICATIONS, ETC	\$ 100	\$ 100
6400	EQUIPMENT (\$750 OR MORE)		
<b>TOTAL SUPPLIES AND OTHER SERVICES</b>		<b>\$ 347,318</b>	<b>\$ 351,618</b>

<b>GRAND TOTAL FOR DEPARTMENT</b>	<b>\$ 515,573</b>	<b>\$ 519,873</b>
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3401      Addintional cost for Escribe, \$4267

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: POLICE DEPARTMENT (0521)**

PERSONNEL COST:		2020/2021	2020/2021
		BUDGET	PROPOSED
1100	EXECUTIVE SALARIES	\$ 124,864	\$ 124,864
1200	REGULAR SALARIES	\$ 1,452,127	\$ 1,479,283
1201	HOLIDAY PAY	\$ -	\$ -
1202	OFFICERS HOLIDAY PAY	\$ 29,000	\$ 29,000
1300	OTHER SALARY	\$ 53,500	\$ 44,500
1400	OVERTIME	\$ 5,100	\$ 3,100
1402	Dispatch OT	\$ 6,500	\$ 8,500
1403	OFFICERS OVERTIME PAY	\$ 92,000	\$ 107,000
1501	AUXILIARY PAY	\$ 1,200	\$ 1,200
1510	LONGEVITY/SERVICE INCENTIVE	\$ -	\$ -
1520	OFFICERS LONGEVITY/SERVICE	\$ 500	\$ 500
1540	CAREER EDUCATION	\$ 15,000	\$ 15,000
2100	FICA	\$ 129,450	\$ 133,667
2200	RETIREMENT	\$ 280,850	\$ 285,385
2300	LIFE AND HEALTH INSURANCE	\$ 379,140	\$ 388,140
2400	WORKERS COMPENSATION	\$ 89,260	\$ 89,660
2500	UNEMPLOYMENT COMP.		
<b>TOTAL PERSONNEL COSTS:</b>		<b>\$ 2,658,491</b>	<b>\$ 2,709,799</b>



City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: POLICE DEPARTMENT**

SUPPLIES & OTHER SERVICES		2020/2021	2020/2021
		BUDGET	PROPOSED
3100	PROFESSIONAL SERVICES	\$ 41,328	\$ 41,328
3400	OTHER CONTRACTURAL SERVICES	\$ 35,228	\$ 35,228
4000	TRAVEL AND PER DIEM	\$ 11,500	\$ 4,000
4100	COMM. & FREIGHT	\$ 49,000	\$ 49,000
4300	UTILITIES	\$ 17,000	\$ 17,000
4400	RENTALS AND LEASES	\$ 5,420	\$ 5,420
4500	INSURANCE	\$ 61,500	\$ 61,500
4600	R&M VEHICLES	\$ 20,000	\$ 20,000
4609	R&M EQUIPMENT	\$ 33,950	\$ 53,950
4700	PRINTING	\$ 3,000	\$ 3,000
4901	EDUCATION-RESTRICTED	\$ 8,200	\$ 3,200
4902	EDUCATION - NON-RESTRICTED	\$ 5,400	\$ 2,900
4903	CODE ENFORCEMENT	\$ 9,000	\$ 9,000
4909	MISCELLANEOUS	\$ 1,500	\$ 1,500
5100	OFFICE SUPPLIES	\$ 5,000	\$ 5,000
5101	DETECTIVE SUPPLIES	\$ 3,000	\$ 3,000
5102	INVESTIGATION FEES	\$ 3,000	\$ 3,000
5200	OPERATING SUPPLY	\$ 17,100	\$ 17,100
5201	FUEL AND OIL	\$ 62,000	\$ 62,000
5202	OPERATING SUPPLIES (TIRES)	\$ 9,500	\$ 9,500
5203	UNIFORMS/PATCHES	\$ 21,600	\$ 21,600
5400	BOOKS, PUBLICATIONS, ETC	\$ 2,500	\$ 2,500
8300	PUBLIC SERVICE GRANT		
<b>TOTAL SUPPLIES AND OTHER SERVICES</b>		\$ 425,726	\$ 430,726

<b>GRAND TOTAL FOR DEPARTMENT</b>	<b>\$ 3,084,217</b>	<b>\$ 3,140,525</b>
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1200	Adjust salaries based on increase in Code Enf positions
1300	Removed PT Admin Code Secretary (9mnths)
1401	Decease OT by \$2000 shifted to Dispatcher OT
1402	Increase Dispatcher OT by \$2000
1403	Added \$15,000 for Officer overtime
2100	Adjusted FICA for increase in salaries and overtime
2200	Adjusted Retirement for increase in salaries and overtime
2300	Added benefits for 9 mnths for full time Asst Code Enf Officer
4000	Decrease by \$7500 shifting to Officers OT
4901	Decreased by \$5000 shifting to Officer OT
4902	Decreased by \$2500 Shifting to Officer OT
4609	\$20,000 Increased based on approved required upgrade for Software

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: FIRE DEPARTMENT (0522)**

PERSONNEL COST:		2020/2021	2020/2021
		BUDGET	PROPOSED
1100	EXECUTIVE SALARIES	\$ 80,400	\$ 80,400
1200	REGULAR SALARIES	\$ 546,600	\$ 371,859
1201	HOLIDAY PAY	\$ 25,500	\$ 10,470
1202	ACTING LIEUT/PLANNER	\$ 800	\$ 600
1300	OTHER SALARY	\$ 15,600	\$ 15,600
1400	OVERTIME	\$ 59,100	\$ 49,160
1401	OVERTIME PAY/ANNUAL & SICK	\$ 65,900	\$ 38,660
1402	DISPATCHER OT	\$ -	\$ -
1501	VOLUNTEER PAY	\$ 18,000	\$ 11,300
1510	LONGEVITY/SERVICE INCENTIVE	\$ -	\$ -
1540	CAREER EDUCATION	\$ 1,200	\$ 800
2100	FICA	\$ 62,500	\$ 38,968
2200	RETIREMENT	\$ 155,600	\$ 141,700
2300	LIFE AND HEALTH INSURANCE	\$ 156,700	\$ 116,300
2400	WORKERS COMPENSATION	\$ 49,750	\$ 49,750
2500	UNEMPLOYMENT COMPENSATION		
<b>TOTAL PERSONNEL COSTS:</b>		\$ 1,237,650	\$ 925,567

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: FIRE DEPARTMENT (0522)**

SUPPLIES & OTHER SERVICES		BUDGET	2020/2021
		BUDGET	PROPOSED
3100	PROFESSIONAL SERVICES (MD)	\$ 7,800	\$ 5,100
3102	PROF SERV (PHYS FOR SCBA)	\$ 3,500	\$ 550
3103	WELLNESS PROGRAM (Gym)	\$ 3,000	\$ 1,920
3400	FIRE CONTRACTUAL SERVICES	\$ -	\$ 235,000
3401	CONTRACTUAL SER-3 TEMP FF		\$ 71,600
3402	SEPARATION ESTIMATE INCL LEAVE BAL		\$ 347,593
4000	TRAVEL AND PER DIEM	\$ 2,750	\$ 300
4100	COMM. & FREIGHT	\$ 23,900	\$ 14,100
4300	UTILITIES	\$ 13,000	\$ 13,000
4400	RENTALS AND LEASES	\$ 2,400	\$ 1,100
4500	INSURANCE	\$ 30,650	\$ 30,650
4600	R&M VEHICLES	\$ 30,000	\$ 30,000
4609	R&M BUILDING & EQUIPMENT	\$ 33,575	\$ 33,575
4700	PRINTING	\$ 600	\$ 200
4901	EDUCATION	\$ 11,000	\$ 7,175
4902	PUBLIC EDUCATION & FIRE PREV.	\$ 5,625	\$ 1,800
4905	TRAINING & MATERIALS	\$ 4,500	\$ 2,200
4909	MISCELLANEOUS	\$ 500	\$ 500
5100	OFFICE SUPPLIES	\$ 3,000	\$ 1,600
5200	OPERATING SUPPLY	\$ 15,000	\$ 9,259
5201	FUEL AND OIL	\$ 10,600	\$ 4,850
5202	OPERATING SUPPLIES (TIRES)	\$ 5,000	\$ 5,000
5203	UNIFORMS/PATCHES	\$ 10,000	\$ 4,750
5400	BOOKS, PUBLICATIONS, ETC	\$ 4,000	\$ 2,000
6400	EQUIPMENT (\$750 OR MORE)	\$ -	\$ -
<b>TOTAL SUPPLIES AND OTHER SERVICES:</b>		<b>\$ 220,400</b>	<b>\$ 823,822</b>

<b>GRAND TOTAL FOR DEPARTMENT</b>	<b>\$ 1,458,050</b>	<b>\$ 1,749,389</b>
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3400 Used \$700,000 annual (4 months)

3401 Temporary Positions (3)

Salaries

Retirement

Benefits

Ancillary cost

3402 Separation agreement estimates includes Leave Payouts

Various decreases based on anticipated operational and personnel cost decreasing after May 31

City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: PUBLIC WORKS (0541)**

PERSONNEL COST:		2020/2021	2020/2021
		BUDGET	PROPOSED
1100	EXECUTIVE SALARIES	\$ 82,400	\$ 82,400
1200	REGULAR SALARIES	\$ 339,800	\$ 339,800
1300	OTHER SALARIES	\$ -	\$ -
1400	OVERTIME	\$ 7,500	\$ 7,500
1510	LONGEVITY/SERVICE INCENTIVE	\$ -	\$ -
2100	FICA	\$ 32,800	\$ 32,800
2200	RETIREMENT	\$ 40,900	\$ 40,900
2300	LIFE AND HEALTH INSURANCE	\$ 121,500	\$ 121,500
2400	WORKERS COMPENSATION	\$ 24,800	\$ 24,800
2500	UNEMPLOYMENT COST	\$ -	\$ -
<b>TOTAL PERSONNEL COSTS:</b>		<b>\$ 649,700</b>	<b>\$ 649,700</b>



City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**General Fund - 001**

**DEPARTMENT: PUBLIC WORKS (0541)**

		2020/2021	2020/2021
		BUDGET	PROPOSED
3100	PROFESSIONAL SERVICES	\$ 2,500	\$ 2,500
3400	OTHER CONTRACTUAL SERVICES	\$ 8,000	\$ 8,000
3401	GARBAGE COLLECTION FEE	\$ 384,766	\$ 384,766
4000	TRAVEL AND PER DIEM	\$ 1,500	\$ 1,500
4100	COMM. & FREIGHT	\$ 7,000	\$ 7,000
4300	UTILITIES	\$ 25,000	\$ 25,000
4400	RENTALS & LEASES	\$ 3,500	\$ 3,500
4500	INSURANCE	\$ 39,470	\$ 39,470
4600	R&M VEHICLES	\$ 7,000	\$ 7,000
4605	R&M PARKS	\$ 9,000	\$ 14,000
4609	R&M BUILDING & EQUIPMENT	\$ 31,750	\$ 31,750
4901	EDUCATION	\$ 2,000	\$ 2,000
4909	MISCELLANEOUS	\$ 500	\$ 500
5100	OFFICE SUPPLIES	\$ 700	\$ 700
5200	OPERATING SUPPLY	\$ 9,000	\$ 9,000
5201	FUEL AND OIL	\$ 27,000	\$ 27,000
5202	OPERATING SUPPLIES (TIRES)	\$ 2,000	\$ 2,000
5203	UNIFORMS	\$ 6,000	\$ 6,000
5204	DUMPING FEES	\$ 500	\$ 500
5205	MOSQUITO CONTROL	\$ 6,000	\$ 6,000
5400	BOOKS, PUBLICATIONS, ETC	\$ 100	\$ 100
6300	IMPROVEMENTS		
6400	EQUIPMENT (\$750 OR MORE)		
<b>TOTAL SUPPLIES AND OTHER SERVICES:</b>		<b>\$ 573,286</b>	<b>\$ 578,286</b>
<b>GRAND TOTAL FOR DEPARTMENT</b>		<b>\$ 1,222,986</b>	<b>\$ 1,227,986</b>

4605 Increase by \$5000 based on added expenses

City of Okeechobee  
PROPOSED 2020/2021 BUDGET

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City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**Public Facility Fund-301**

**Public Facility Fund (Transportation)**

	2020/2021	2020/2021
	BUDGET	PROPOSED
<b>F/Y BEGINNING FUND BALANCE</b>	\$ 844,807	\$ 758,347

REVENUES			
301-313.4100	LOCAL OPTION GAS TAX	\$ 321,575	\$ 321,575
301-313.4200	LOCAL ALTER, FUEL USER FEE	\$ 186,452	\$ 186,452
301-335.1220	SRS EIGHT CENT MOTOR FUEL	\$ 59,890	\$ 59,890
301-312.3000	NINTH CENT FUEL TAX	\$ 56,423	\$ 56,423
301-335.4100	MOTOR FUEL TAX REBATE	\$ 1,200	\$ 1,200
301-361.1000	SCOP Funding	\$ 532,488	\$ 532,488
301-361.1000	INTEREST EARNINGS	\$ 6,000	\$ 6,000
301-369.1000	MISCELLANEOUS		
<b>TOTAL REVENUES</b>		<b>\$ 1,164,028</b>	<b>\$ 1,164,028</b>

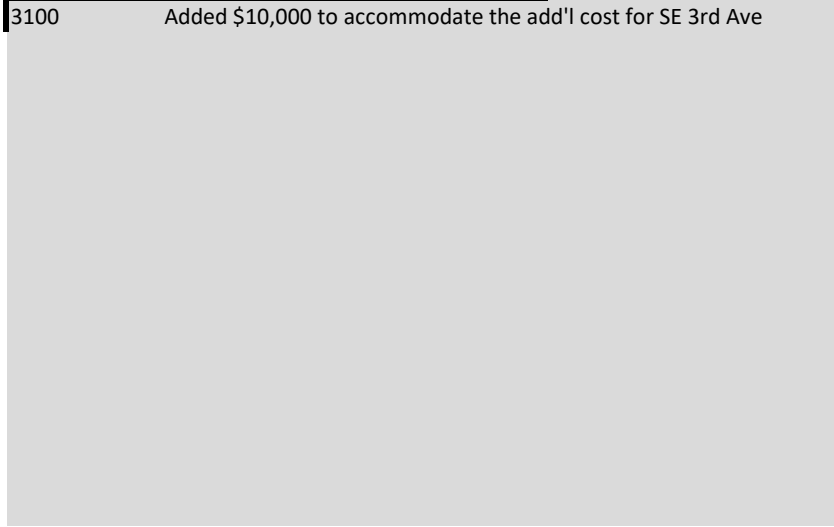
EXPENDITURES			
301-549.3100	PUBLIC FAC.-PROFESSIONAL SER.	\$ 10,000	\$ 20,000
301-549.3400	PUBLIC FAC. CONTRACTUAL SERVICE	\$ 90,000	\$ 90,000
301-549.4300	PUBLIC FAC. UTILITIES	\$ 61,500	\$ 61,500
301-549.4609	REPAIR & MAINTENANCE	\$ 41,500	\$ 41,500
301-549.4909	MISC-PARK HOLIDAY LIGHTS	\$ 10,000	\$ 10,000
301-549.5300	PUBLIC FAC. ROAD & MATERIALS	\$ 57,500	\$ 57,500
301-549.6300	PUBLIC FAC. IMPROVEMENTS	\$ 90,000	\$ 90,000
301-549.6301	SCOP IMPROVEMENTS	\$ 532,488	\$ 532,488
301-549.6302	PUBLIC FAC. BEAUTIFICATION	\$ 5,000	\$ 5,000
301-549.6400	PUBLIC FAC. MACHINERY & EQUIP	\$ 2,500	\$ 2,500
<b>TOTAL EXPENSES</b>		<b>\$ 900,488</b>	<b>\$ 910,488</b>

Transfer to General Fund	\$ 350,000	\$ 350,000
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<b>F/Y ENDING FUND BALANCE</b>	<b>\$ 758,347</b>	<b>\$ 661,887</b>
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City of Okeechobee  
PROPOSED 2020/2021 BUDGET

3100 Added \$10,000 to accommodate the add'l cost for SE 3rd Ave



City of Okeechobee  
PROPOSED 2020/2021 BUDGET

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City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**CAPITAL PROJECTS IMPROVEMENTS**

		2020/2021	2020/2021
		BUDGET	PROPOSED
<b>F/Y BEGINNING FUND BALANCE</b>		<b>\$ 3,190,195</b>	<b>\$ 1,678,534</b>
<b>REVENUES</b>			
304-383.0000		\$ -	\$ -
304-364.1000	DISPOSITION OF FIXED ASSETS	\$ 6,000	\$ 6,000
304-361.1000	INTEREST EARNINGS	\$ -	\$ -
304-369.1000	MISCELLANEOUS	\$ 550	\$ 550
	<b>TOTAL REVENUES</b>	<b>\$ 6,550</b>	<b>\$ 6,550</b>

<b>EXPENDITURES</b>			
304-549-3100	Professional Services	\$ -	\$ 94,000
304-512-3100	Professional Services		\$ 3,500
304-511-6400	ADMINISTRATION CAPITAL	\$ -	\$ -
304-512-6400	ADMINISTRATION CAPITAL	\$ -	\$ -
304-513-6400	FINANCE CAPITAL	\$ 3,600	\$ 3,600
304-519-6400	GENERAL SERVICES CAPITAL	\$ 2,500	\$ 6,100
304-521-6400	LAW ENFORCEMENT CAPITAL	\$ 114,600	\$ 114,600
304-522-6400	FIRE PROTECTION CAPITAL	\$ 16,700	\$ 16,700
304-536.6400	SEWER/WASTEWATER		
304-541-6400	PUBLIC WORKS CAPITAL	\$ -	\$ -
304-549-6400	Other Capital (Pub Safety, Transp.)		
304-549-6401	PARKS CAPITAL IMPROVEMENT	\$ 2,000	\$ 36,000
304-549-6402	MEDIAN REPLACEMENT & ROW	\$ 14,000	\$ 14,000
304-549.6403	TREE PROGRAM	\$ 2,500	\$ 15,500
304-584.6400	FUTURE CAPITAL PROJECTS		
304-2512-6400	CLERK CAPITAL	\$ -	\$ -
	<b>TOTAL EXPENDITURES</b>	<b>\$ 155,900</b>	<b>\$ 304,000</b>

<b>OTHER REVENUES AND TRANSFER IN</b>			
	Other Grants - Transfer In	\$ -	\$ -
	<b>TOTAL TRANSFER INS</b>	<b>\$ -</b>	<b>\$ -</b>

	TRANSFER OUT TO Other Funds	\$ -	\$ -
	TRANSFER OUT TO GENERAL FUND	\$ 1,362,311	\$ 1,780,715
	<b>TOTAL TRANSFER OUT</b>	<b>\$ 1,362,311</b>	<b>\$ 1,780,715</b>
	ASSIGNED FUND BALANCE		
	<b>TOTALASSIGNED FUND BALANCE</b>	<b>\$ -</b>	<b>\$ -</b>
	<b>F/Y ENDING FUND BALANCE</b>	<b>\$ 1,678,534</b>	<b>\$ (399,631)</b>

City of Okeechobee  
PROPOSED 2020/2021 BUDGET



# Capital Projects Improvements

Specific Projected cost/estimates

Acct #	Dept	Description	Estimated Amounts
541-3100		Professional Services - (Landscape Designer)	\$ 94,000
		<b>Subtotal</b>	<b>\$ 94,000</b>
512-3100		Professional Services (Appraisal for Industrial Lots)	\$ 3,500
<b>512-3100</b>	<b>Admin</b>	<b>Admin Subtotal</b>	<b>\$ 3,500</b>
513-6400	Finance		
		Scanners for each department	\$ 3,600
<b>513-6400</b>	<b>Finance</b>	<b>Fin Subtotal</b>	<b>\$ 3,600</b>
519-6400	General Services		
		Video Screens for Council Chambers	\$ 2,500
		Add'l BIS Equip updating recording system	\$ 3,600
<b>519-6400</b>	<b>General Services</b>	<b>GS Subtotal</b>	<b>\$ 6,100</b>
521-6400	Police		
		1 - Radar	\$ 2,200
		Computers and related equipment	\$ 12,000
		1 - Tasers	\$ 1,400
		3 - Replacement cars	\$ 84,000
		Equipment for 3 new cars	\$ 15,000
<b>521-6400</b>	<b>Police</b>	<b>PD Subtotal</b>	<b>\$ 114,600</b>
522-6400	Fire		
		AED	\$ 1,300
		Gas Monitors 1	\$ 550
		4 - Sets of Bunker Gear	\$ 13,500
		Replacement Furniture (1-recliner)	\$ 600
		Computer	\$ 750
<b>522-6400</b>	<b>Fire</b>	<b>Fire Subtotal</b>	<b>\$ 16,700</b>
549-6403	Public Works		
		Tree Program	\$ 2,500
		Add'l Trees Mid Yr	\$ 5,000
		Add City Hall Landscape Repl	\$ 3,500
		Add Landscape Repl at Chamber	\$ 2,500
		Add Landscape Repl at Police	\$ 2,000
<b>549-6403</b>	<b>Public Works</b>	<b>PW Trees Subtotal</b>	<b>\$ 15,500</b>
541-6401	Parks		
		Centennial Park - Landscaping	\$ 2,000
		Park WiFi Implementation	\$ 34,000
<b>541-6401</b>	<b>Parks</b>	<b>Parks Subtotal</b>	<b>\$ 36,000</b>
541-6402	Median Rep		
		Median Replacement/Right of Way/Parks	\$ 4,000
		Commerce Park Street Lights (4)	\$ 10,000
<b>541-6402</b>	<b>Med Replacement</b>	<b>Med Repl Subtotal</b>	<b>\$ 14,000</b>
2512-6400	Clerk		
<b>2512-6400</b>	<b>Clerk</b>	<b>Clerk Subtotal</b>	<b>\$ -</b>
			\$304,000.00

City of Okeechobee  
PROPOSED 2020/2021 BUDGET

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City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**Other Grants**

**RECAPITULATION - REVENUE & EXPENSES**

	2020/2021	2020/2021
	BUDGET	PROPOSED
<b>F/Y BEGINNING FUND BALANCE</b>	\$ 260,000	\$ 260,000

BUDGET

<b>REVENUES</b>			
302-331.3903	TMDL Grant		
302-331.3904	Stormwater Drainage Grant	\$ 300,000	\$ 300,000
302-331.3905	Section 319 Grant		
302-361.1000	Interest Earnings		
302-381.0000	TRANSFER IN -CAPITAL ASSIGNED FUNDS	\$ -	\$ -
302-381.0000	TRANSFER IN -CAPITAL FUND RESERVES	\$ -	\$ -
	<b>TOTAL REVENUES</b>	<b>\$ 300,000</b>	<b>\$ 300,000</b>

<b>EXPENDITURES</b>			
302-2552.3100	PROFESSIONAL SERVICES		
302-2552.3200	ADMINISTRATIVE SERVICES		
302-2552.4609	TEMPORARY RELOCATION		
302-2552.4609	HOUSING REHAB DEMO/REPL/RELOC		
302-2552.4909	MISCELLANEOUS		
302-2000-4909	MISCELLANEOUS - BANKING EXP		
302-2752.3100	PROFESSIONAL SERVICES	\$ 35,000	\$ 35,000
302-2752.3200	ADMINISTRATIVE SERVICES	\$ 13,500	\$ 13,500
302-2752.4909	MISCELLANEOUS	\$ 1,500	\$ 1,500
302-2752.4609	STREET IMPROVEMENTS/ADDITIONS		
302-2752.6300	INFRASTRUCTURE IMPROVEMENTS	\$ -	\$ -
302-2752-6400	Park and Canal Improvements	\$ 370,000	\$ 370,000
	<b>TOTAL EXPENSES</b>	<b>\$ 420,000</b>	<b>\$ 420,000</b>

<b>Return General Fund Loan</b>	\$ -	\$ -
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<b>F/Y ENDING FUND BALANCE</b>	\$ 140,000	\$ 140,000
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DUE TO GENERAL FUND

Grant project related to:  
Taylor Creek SE 4th Street



City of Okeechobee  
**PROPOSED 2020/2021 BUDGET**  
**LAW ENFORCEMENT SPECIAL FUND**  
**RECAPITULATION - REVENUE & EXPENSES**

	2020/2021	2020/2021
	BUDGET	PROPOSED
<b>F/Y BEGINNING FUND BALANCE</b>	\$ 9,920	\$ 9,920

<b>REVENUES</b>			
601-351.1000			
601-351.2000	CONFISCATED PROPERTY		
601-354.1000	FINES LOCAL ORD. VIOL.	\$ 1,000	\$ 1,000
601-361.1000	INTEREST EARNINGS		
601-369-1000	MISCELLANEOUS		
	<b>TOTAL REVENUE</b>	<b>\$ 1,000</b>	<b>\$ 1,000</b>

<b>EXPENDITURES</b>			
601-529.4909	LAW ENF. SPECIAL MISC.	\$ 1,000	\$ 1,000
601-529.5200	LAW ENF. SPECIAL EDUCATIONAL MAT.		
601-549.6300	LAW ENF. SPECIAL IMPROVE	\$ -	\$ -
601-549.6400	LAW ENF. SPECIAL MACH & E	\$ 5,500	\$ 5,500
	<b>TOTAL EXPENDITURES</b>	<b>6,500</b>	<b>6,500</b>

<b>F/Y ENDING BALANCES</b>	\$ 4,420	\$ 4,420
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9 April 2021

To: Administrator Marcos  
Mayor Watford & City Council members

Re: Request to be placed on city council agenda

**Following items:**

- Provide an update on Firefighter's progress regarding the Paramedic Certification
- Provide an update on Fire Department Operations, etc.
- Discussion about the Fire Service Contract (specifically Exhibit A & Section 5)

Respectfully,

Chief Smith  
Fire Chief/Marshal

("Commencement Date of Services") and end at 8:00 a.m. on October 1, 2026, unless this Agreement is otherwise extended.

**Section 4. City Payments for Services.** In exchange for the County's provision of the services set forth herein, the City shall pay to County an annual amount equal to the sum of the aggregate assessment amounts for all properties lying within the City boundaries, as calculated utilizing the County's then current fire rescue assessment fee structure. The County shall invoice the City and the City shall remit payments to the County on a quarterly basis payable no later than the first day of each calendar quarter. However, on June 1, 2021, the City shall make a prorated payment for the partial fiscal year 2021, and fees for future fiscal years shall be prorated for any partial year if necessary.

**Section 5. Employees.**

- A. As of the Commencement Date of Services, the County shall hire those seven employees listed in **Exhibit A**, who wish to obtain employment with the County at the initial rates of pay and classifications shown in **Exhibit A** upon the terms and conditions set forth below. The County acknowledges that it has conducted all of its internal hiring processes (with the exception of the NFPA compliant pre-employment medical examination, and the pre-employment drug screen) to the County's satisfaction, and that such processes indicate that the employees listed on **Exhibit A** meet the County's hiring requirements as of the date of execution of this Agreement, subject to the requirement that the respective individuals continue to meet such hiring requirements, that the respective individuals successfully complete the NFPA compliant pre-employment medical examination, and the pre-employment drug screen, within 30 days prior to the Commencement Date of Services, and that each respective individual obtain his or her paramedic certification on or before May 1, 2021.
- B. In addition, the County shall also hire up to three City employees as temporary County employees (such positions to be referred to as "Temporary Positions") and the City shall fully fund those positions by additional quarterly payments, subject to the following conditions. In the event one or more of the individuals listed on **Exhibit A** do not obtain their paramedic certification on or before May 1, 2021, such individuals shall not be hired at the initial rates of pay and classifications shown in **Exhibit A**, but will have priority in the order specified on **Exhibit A** for the Temporary Positions funded by the City. If any Temporary Positions remain available after the individuals listed on **Exhibit A** who need additional time to obtain their paramedic certificate are offered them, the County shall employ in the Temporary Positions those individuals specified in **Exhibit B**, in the order specified therein. The County acknowledges that it has conducted all of its internal hiring processes (with the exception of the NFPA compliant pre-employment medical examination, and the pre-employment drug screen) to the County's satisfaction, and that such processes indicate that the employees listed on **Exhibit B** meet the County's hiring requirements for the Temporary Positions as of the date of execution of this Agreement, subject to the requirement that the respective individuals continue to meet such hiring requirements, and that the respective individuals successfully complete the NFPA compliant pre-employment medical examination, and the pre-employment drug screen, within 30 days prior to the Commencement Date of Services. For purposes of clarification, if any individuals listed on

**Exhibit A** occupy any Temporary Positions, some or all of the individuals listed on **Exhibit B** will not be employed by the County pursuant to the terms of this section.

- C. If within two years after the Commencement Date of Services, any employee occupying a Temporary Position becomes a certified paramedic and a paramedic position becomes available at the County, the County shall offer such position to such employee occupying a Temporary Position, and upon the employee's acceptance thereof, the City shall not thereafter be responsible for fully funding that Temporary Position, and that Temporary Position shall be abolished. Upon the termination of employment of any employee occupying a Temporary Position, the City shall not thereafter be responsible for fully funding that Temporary Position, and that Temporary Position shall be abolished. Upon the second anniversary of the Commencement Date of Services, the City's obligation to fully fund all still-existing Temporary Positions shall terminate, and such still-existing Temporary Positions shall be abolished.
- D. City employees who wish to accept a position with the County's fire department must notify the County no later than January 15, 2021. Those City employees who accept a position with the County are referred to as "Employees" herein. All Employees hired by the County will end their employment with the City on the Commencement Date of Services.
- E. All or part of each Employee's annual leave and medical leave may be transferred to the County, pursuant to the employee's written authorization, upon receipt of payment from the City equal to the value of the transferred annual and medical leave based on pay or compensation as of the Commencement Date of Services up to the maximum allowable hours under the County's collective bargaining agreement with Local #2918 I.A.F.F..
- F. County and City agree that as provided in Section 121.011(3)(b)2., Florida Statutes, and Florida Administrative Code section 60S, each Employee will have the right to select participation in either the Florida Retirement System or to remain in the City Pension Plan, and that each transferred employee's selection is irrevocable. Each employee shall provide his or her selection in writing on or before May 1, 2021, using the form attached as **Exhibit C**.
- G. For all Employees who elect to continue participation in the City Pension Plan, the County agrees to pay to the City Pension Plan the lesser amount of the required employer's annual contribution as determined by the actuary employed by the City Firefighter's Pension Board of Trustees, and as otherwise provided for by State law, or an amount equal to that which the County would have paid to the Florida Retirement System had such Employee been enrolled in that System. The City agrees to fund the City Firefighters' Pension Fund on the Commencement Date of Services, to the level required to make the fund actuarially sound as of the Commencement Date of Services, and to make appropriate payment(s) in the future, as long as there are participants, in order to maintain the actuarial soundness of the Fund should the County's required contribution pursuant to this Agreement not be sufficient to meet the requirement for actuarial soundness. The aforementioned "required employer's annual contribution" will be based on the level of benefits on the Commencement Date of

**Exhibit A**

**Table 1 - Initial Rates of Pay and Classifications Prior to Completion of all County Paramedic Orientations**

Priority	Rank	Name	EMT	Entry Step	Base Pay	Entry Hourly Rate	Inspector	Inspector Total	Degree	Associate Degree	Total Hourly Rate	Holiday Pay	FLSA Overtime	Yearly Salary
7	EMT	Ashton Benet		1	\$35,340.9600	\$12.1363	\$0.0000	\$0.0000	0.2232/hour	\$0.0000	\$12.1363	\$1,334.99	\$2,621.44	\$39,297.3938
5	EMT	Austin Bohm		1	\$35,340.9600	\$12.1363	\$0.0000	\$0.0000	0.2232	\$649.9584	\$12.3595	\$1,359.55	\$2,669.65	\$40,020.1154
4	EMT	David Cortez		1	\$35,340.9600	\$12.1363	\$0.0000	\$0.0000	0.2232	\$649.9584	\$12.3595	\$1,359.55	\$2,669.65	\$40,020.1154
1	EMT	Adam Crum		3	\$37,493.1600	\$12.8754	\$0.5000	\$1,456.0000	0.2232	\$0.0000	\$13.3754	\$1,471.29	\$2,889.09	\$43,309.5404
6	EMT	Michael Mates		1	\$35,340.9600	\$12.1363	\$0.0000	\$0.0000	0.2232/hour	\$0.0000	\$12.3363	\$1,334.99	\$2,621.44	\$39,297.3938
3	EMT	Lalo Rodriguez		3	\$36,400.7400	\$12.8754	\$0.0000	\$0.0000	0.2232/hour	\$0.0000	\$12.8754	\$1,416.29	\$2,781.09	\$40,598.1204
2	EMT	Stevie Weeks		3	\$36,400.7400	\$12.8754	\$0.0000	\$0.0000	0.2232/hour	\$0.0000	\$12.8754	\$1,416.29	\$2,781.09	\$40,598.1204

**Table 2 - Initial Rates of Pay and Classifications After Completion of all County Paramedic Orientations**

Priority	Rank	Name	Step	Base Pay	Entry Hourly Rate	Inspector	Inspector Total	Degree	Associate Degree	Total Hourly Rate	Holiday Pay	FLSA Overtime	Yearly Salary
N/A	PM	Ashton Benet	1	\$43,117.4016	\$14.8068	\$0.0000	\$0.0000	0.2232/hour	\$0.0000	\$14.8068	\$1,628.75	\$3,198.27	\$47,944.4184
N/A	PM	Austin Bohm	1	\$43,117.4016	\$14.8068	\$0.0000	\$0.0000	0.2232	\$649.9584	\$15.0300	\$1,653.30	\$3,246.48	\$48,667.1400
N/A	PM	David Cortez	1	\$43,117.4016	\$14.8068	\$0.0000	\$0.0000	0.2232	\$649.9584	\$15.0300	\$1,653.30	\$3,246.48	\$48,667.1400
N/A	PM	Adam Crum	3	\$45,742.8608	\$15.7084	\$0.5000	\$1,456.0000	0.2232	\$0.0000	\$16.2084	\$1,792.92	\$3,501.01	\$52,482.7992
N/A	PM	Michael Mates	1	\$43,117.4016	\$14.8068	\$0.0000	\$0.0000	0.2232/hour	\$0.0000	\$14.8068	\$1,628.75	\$3,198.27	\$47,944.4184
N/A	PM	Lalo Rodriguez	3	\$45,742.8608	\$15.7084	\$0.0000	\$0.0000	0.2232/hour	\$0.0000	\$15.7084	\$1,727.92	\$3,393.01	\$50,863.7992
N/A	PM	Stevie Weeks	3	\$45,742.8608	\$15.7084	\$0.0000	\$0.0000	0.2232/hour	\$0.0000	\$15.7084	\$1,727.92	\$3,393.01	\$50,863.7992

**Exhibit B**

Priority	Rank	Name	EMT	Entry Step	Base Pay	Entry Hourly Rate	Inspector	Inspector Total	Degree	Associate Degree	Total Hourly Rate	Holiday Pay	FLSA Overtime	Yearly Salary
2	EMT	Jeremy Crews		1	\$35,340.9600	\$12.1363	\$0.0000	\$0.0000	0.2232/hr	\$649.9584	\$12.3595	\$1,359.55	\$2,669.65	\$40,020.1154
3	EMT	Michael Gratton		1	\$35,340.9600	\$12.1363	\$0.0000	\$0.0000	0.2232	\$649.9584	\$12.3595	\$1,334.99	\$2,621.44	\$39,297.3938
1	EMT	Glenn Hodges		3	\$37,493.1600	\$12.8754	\$0.5000	\$1,456.0000	0.2232	\$0.0000	\$13.3754	\$1,471.29	\$2,889.09	\$43,309.5404

Note: All specified pay is intended to be consistent with and implement the County's collective bargaining agreement ("CBA") with Local #2918 I.A.F.F. In the event of any inconsistency, the CBA shall control.



## MEMORANDUM

**TO:** Mayor Watford & City Council

**DATE:** April 12, 2021

**FROM:** City Clerk/Personnel Administrator  
Gamiotea 

**SUBJECT:** Police Chief position-  
Peterson's retirement &  
discuss replacement

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### Item #1, Accept Retirement:

Chief Peterson entered the Deferred Retirement Option Plan effective September 1, 2016, which was approved by the Police Officers Pension Board of Trustees'. His retirement date is effective August 31, 2021. **The City Council may accept his official notice of retirement by motion.**

### Item #2, filling the Chief of Police position:

Each time a department head position has become vacant, the City Council has handled the situation on a case-by-case basis. Attached is a three-page summary of research with previous actions taken when filling the Police and Fire Chief positions for your information.

During the most recent occurrence, the City Council provided the following instructions to all Department Heads (last paragraph from December 12, 2016 minutes): "The Mayor and City Council made it clear during Mr. Peterson's interview and during their deliberations that Departments need to be certain when they promote an assistant (or second in command), to be certain that individual is being groomed to one day be promoted to their position. Should an employee not be able to handle the position, they need to be removed, and not be permitted to continue in that authority. The City Council prefers to promote from within whenever possible and they wish to see employees being groomed accordingly so that they can meet the minimum qualification when the vacancies arise."

Chief Peterson will be providing additional information and his recommendation. Your consideration and/or direction on this issue is greatly appreciated. Should you need any additional information on this subject please contact me prior to the meeting day. Thank you.



POLICE AND FIRE CHIEF SELECTION PROCESS RESEARCH

DEPT	EMPLOYEE	DATE	ACTION TAKEN	NOTES/ADDITIONAL INFO
Police	Dewitt Staats	1/7/1975	Hired for 2-yr term by motion	3 to 1 vote, Sgt L. Mobley was other option
	Larry Mobley	8/26/1975	Accepted ltr of resignation by motion	effective 8/29/1975
	Ed Chisholm	8/26/1975	Tie vote to appoint Chisholm & Mobley as PC	Council President temporarily appointed Acting PC
		8/28/1975	Appointed PC by motion; effective date not provided	Recessed Meeting; no mention prior to Staats resignation to open/accept PC applications
		12/21/1976	Accepted ltr of resignation by motion	Effective 12/31/1976 @midnight
		12/21/1976	Appointed Acting Chief by motion; effective 12/31/1976 (2ND TIME)	Salary adjust by a merit increase
		8/9/1977 8/23/1977	Appointed PC by motion; effective on 8/23/1977	Action postponed until full council attendance; next meeting motion approved
	Larry Mobley	8/5/1997	Ltr of retirement presented to Council; effective 9/26/1997	<b>Offered recommendation to appoint Captain Farrenkopf, 2nd in command for 12 yrs. 4-1 consensus to take applications for 2 weeks,</b> minimum application packet, do not make a national search; adjusted & set salary range, set selection committee for recommendation
	Buck Farrenkopf	9/2/1997	Appointed PC by motion; effective 9/26/1997, with a transition period to begin duties of Chief on 9/3/1997 with guidance of Mobley	11 applications rec'd, review committee recommended 3 (ranking: Farrenkopf, K. Ammons & K. Halburian); no change in salaries during transition period
		7/18/2000	Ltr of retirement presented to Council; effective 9/1/2000	Offered recommendation to appoint Captain Davis

POLICE AND FIRE CHIEF SELECTION PROCESS RESEARCH

DEPT	EMPLOYEE	DATE	ACTION TAKEN	NOTES/ADDITIONAL INFO
Police	Denny Davis	7/18/2000	Appointed PC by motion; effective 9/1/2000	Accepted Farrenkopf's recommendation and noted not setting precedence, since they have handled these on a case-by-case basis in the past
		4/19/2016	Accepted ltr of retirement by motion; effective 9/1/2011	History of hiring PC provided; deferred action on filling position
		6/7/2016	No recommendation from Davis to fill position; motion by Council to advertise	Amended salary and qualification requirements; created specific questions for applicants; national search
	8/16/2016	Appointed Interim PC by motion; effective 8/27/2016	Salary adjusted \$500/mth	
	11/22/2016	Council selected Cavender, Faulkner, Ferrer, Miles, Peterson, Alexander to interview	Special Meeting to short list the 24 applications	
	12/12/2016	Appointed PC by motion; effective 12/12/2016	Special Meeting to conduct interviews; explanation why he didn't initially want the PC job; ltrs of recommendation/endorsement by FC Smith, PWD Allen and Retired PC Davis submitte; Council noted for the record when dept heads promote assistants to be certain they are groomed to met minimum qualifications set to one day be promoted to dept head and they prefer to promote from within	
Fire	Keith Tomey	2/27/1979	Advertise FC position nationally, negotiate salary	FC Godwin retiring, date unknown
		3/13/1979	Set 3/22/1979 workshop to start 15-minute interviews with Council	

POLICE AND FIRE CHIEF SELECTION PROCESS RESEARCH

DEPT	EMPLOYEE	DATE	ACTION TAKEN	NOTES/ADDITIONAL INFO
Fire	Keith Tomey	3/22/1979	Interviewed Tomey and 3 other applicants	
		3/27/1979	Set 4/5/1979 to interview additional FC applicants	
		4/5/1979	Interviewed 5 more FC applicants	
		4/24/1979	Set 5/8/1979 as meeting to hire FC	
		5/3/1979	Interviewed more FC applicants, total was 62 applicants	
		5/8/1979	Appointed FC by motion	Top 3 ranked were Prokop, McConnel & Tomey, salary set
		8/27/2001	Presented a plan during the FY 2001-02 budget, creating a Battalion Chief to promote from current Fire LT's; person would be groomed to fill FC position upon his retirement in 2004. Gives time to complete any education and certification requirements	Salary set at \$1,000/yr more than current LT salary
		4/6/2004	Ltr of retirement submitted to Council; effective 5/20/2004	Recommended Herb Smith be promoted to FC
		10/1/2001		Appointed Battalion Chief by FC Tomey
		4/6/2004	Appointed FC by motion; effective 5/20/2004	Additionally approved to change workweek to 40-hours/7 -days effective 4/29/2004 to work along side Tomey to finalize any areas of training needed