



**CITY OF OKEECHOBEE**  
**CITY COUNCIL FIRST BUDGET HEARING AND**  
**REGULAR MEETING**  
**SEPTEMBER 3, 2020**  
**LIST OF EXHIBITS**

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Draft Minutes	August 12, 2020 First Budget Workshop August 18, 2020 Regular Meeting and Final Budget Workshop
Exhibit 1	Ordinance No. 1216, Millage Rate FY 2020-2021
Exhibit 2	Ordinance No. 1217, Budget FY 2020-2021
Exhibit 3	Ordinance No. 1215, Abandonment of Right-of-Way
Exhibit 4	Resolution No. 2020-12, Extending Local Public Health State of Emergency
Exhibit 5	Resolution No. 2020-13, Authorizing Execution of FDOT Maintenance Agreement
Exhibit 6	Special Magistrate Fine Reduction Requests
Exhibit 7	Release of Reservations, Okeechobee Commerce Center
Exhibit 8	Fire Department Bunker Gear Purchase



**CITY OF OKEECHOBEE, FLORIDA**  
**AUGUST 12, 2020, BUDGET WORKSHOP**  
**DRAFT SUMMARY OF DISCUSSION**

**I. CALL TO ORDER**

Mayor Watford called the Workshop of the City Council for the City of Okeechobee to order on Wednesday, August 12, 2020, at 5:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and extended by Executive Order No. 20-193 effective August 7, 2020, the meeting was conducted utilizing communications media technology (CMT) as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and digital comments were recorded and retained as a permanent record. The invocation was offered by Mayor Watford, followed by the Pledge of Allegiance led by Council Member Keefe.

**II. ATTENDANCE**

Roll Call 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. City Attorney John Fumero was in attendance via Zoom.

Department Heads in attendance: City Administrator Marcos MontesDeOca, Police Chief Bob Peterson, Fire Chief Herb Smith, and Public Works Director David Allen. Additional support staff in attendance: Deputy City Clerk Bobbie Jenkins, General Services Coordinator Patty Burnette, Finance Director India Riedel, and Executive Assistant Robin Brock.

**III. PUBLIC COMMENTS**

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

**IV. BUDGET WORKSHOP**

A. The purpose of the Workshop is to review and discuss the proposed budget for Fiscal Year (FY) October 1, 2020 to September 30, 2021, as presented by Administrator MontesDeOca. To assist with the presentation, the Administrator deferred to Finance Director Riedel who distributed nine pages of additional information. The first page provided monthly State Sales Tax Collections from July 2019 through June 2020. The table provided evidence of the reduced collections from the lack of sales beginning in March from the impact of the Coronavirus (COVID-19) global pandemic which required a National quarantine and shutdown of businesses and schools. The State collected \$1.88 billion less than anticipated. Due to the economy being strong from July through February, the State collected overall 94.3 percent of the estimated total. The second page provided a graph of the information provided within the table on the previous page. Page three provided tables and graphs for State Revenue Estimate Comparisons of General and Public Facilities Improvement Funds for FY 2018-19 through 2020-21. This information provided the impact of the quarantine/shutdown which decreased the half-cent, one-cent, ninth-cent, and local option fuel taxes, municipal review sharing, and communications service taxes. Page four provided tables and graphs of the same Funds, with data of the Utility Tax and Franchise Fee comparing from FY 2016-17 through FY 2020-21, again providing the negative revenue impact due to the quarantine/shutdown. Page five provided a list of the Audited Fund Balances for FY 2018-19, Total being \$11,495,123.00.

Page six contained four millage rate options for the Council to consider in order to recapture the total lost revenues of \$281,348.00 (General Fund \$182,864.00, and Public Facilities Improvement Fund \$98,484.00). Option One: prior year millage rate of 7.6018, generates \$2,424,459.00 in ad valorem revenue, requiring \$1,614,246.00 of reserve funds to balance the budget. Option Two: prior year millage rate with a consumer price index of 3.22 percent equaling 7.8466, generates \$2,502,534.00 in ad valorem revenue, requiring the use of \$1,536,171.00 from reserves.

Option Three: decrease previous years millage rate by 0.25 equals 7.3518, generates \$2,344,726.00 in ad valorem revenue, requiring \$1,693,979.00 from reserves. Option Four: use the rollback rate for a millage rate of 7.1696, generates \$2,286,616.00 in ad valorem revenue, requiring \$2,286,616.00 from reserves.

Page seven listed the fuel per annual gallons, annual payment and price per gallon for FY 2017-18 through June of FY 2019-20. Pages eight and nine provided salary options and the budget impact for 0.5, 1.5 and 2.0 percent salary increases excluding the Mayor, Council, and City Administrator positions who are not included in the Step Plan.

**MAYOR WATFORD CALLED FOR A RECESS AT 5:17 P.M. DUE TO TECHNICAL DIFFICULTIES WITH THE ZOOM VIDEO AND RECONVENED AT 5:24 P.M.**

Budget page one provided a recapitulation of the **General Fund** revenue and expenses, presented using a millage rate of 7.6018. The proposed Beginning Fund Balance Total is \$4,342,501.00. Estimated Revenues are \$7,766,366.00 (\$2,424,459.00 Ad Valorem, \$3,377,661.00 Other Fees, Intergovernmental, Charges for Services, Fines/Forfeitures/Penalties, Uses of Money and Property, and Other Revenues; \$350,000.00 Transferred-In from Public Facilities Improvement Fund; \$1,614,246.00, Transferred-In from Capital Improvement Projects Fund). Total Projected Expenditures are \$7,766,366.00 (and equals 0.9 percent than the current budget); leaving a Fund Balance of \$4,342,501.00. Pages three and four provided the detail Line Item breakdown of the General Fund revenues including transfers-in and transfers-out from other Funds.

Each Department's projected budget within the **General Fund** were presented with the appropriate step increase (1.5 percent) within the Salary Step Plan for each position; increases to the Communications and Freight (Line Item 4100) in regard to the Fiber Optic Change Out Project for all Departments; and re-appropriation of the Property and Casualty Insurance (Line Item 4500).

**511-Legislative/City Council** (pages 5 and 6)

Total Personnel Costs:	\$112,494.00
Total Supplies and Other Services:	\$154,237.00
<b>FY 2020-21 Proposed Total:</b>	<b>\$266,731.00</b>
FY 2019-20 Amended Budgeted Total:	\$339,722.00
Difference is a decrease of:	(\$ 72,991.00)

**City Council items noted for discussion:** Line Item 4100 remained the same and 4500 increased \$747.00. Personnel Costs decreased overall by \$38.00. Line Item 3100 Professional Services decreased from \$10,000.00 to zero. Line Item 3400 Other Contractual Services decreased by \$25,000.00 (included are Legislative Services \$18,000.00, Charter Review \$40,000.00, and a Community Redevelopment Agency Study \$17,500.00). Line Item 4609 Repairs and Maintenance increased \$1,300.00. Line Item 8100 is specific to the contribution to the Shared Services Council with the same amount \$8,940.00. Line Item 8202 is a contribution to the Okeechobee Economic Development Corporation for the same amount, \$50,000.00. Line Item 8300 Competitive Florida Partnership Grants decreased from \$40,000.00 to zero.

**512-Executive/Administration** (pages 7 and 8)

Total Personnel Costs:	\$223,996.00
Total Supplies and Other Services:	\$ 35,511.00
<b>FY 2020-21 Proposed Total:</b>	<b>\$259,507.00</b>
FY 2019-20 Amended Budgeted Total:	\$250,420.00
Difference is an increase of:	\$ 9,087.00

**Administration items noted for discussion:** Line Items 4100 increased by \$350.00 and 4500 decreased by \$2,029.00. Line Item 4609 Repairs and Maintenance increased \$200.00. Total supplies and services decreased overall by \$1,479.00.

**General Fund/Administration continued:** Personnel Costs increased overall by \$10,566.00 which includes a \$4,500.00 salary increase for the City Administrator, and a \$2,500.00 base pay increase, as well as a 20-Year Longevity Service Award of \$250.00, for the Executive Assistant. Salary changes then triggered increases to FICA, Insurances and Workers Compensation line items.

**2512-Executive/City Clerk** (pages 9 and 10)

Total Personnel Costs:	\$206,862.00
Total Supplies and Other Services:	\$101,430.00
<b>FY 2020-21 Proposed Total:</b>	<b>\$308,292.00</b>
FY 2019-20 Amended Budgeted Total:	\$282,475.00
Difference is an increase of:	\$ 25,817.00

**City Clerk items noted for discussion:** Supplies and Other Services increased overall by \$18,630.00. Line Items 4100 increased by \$1,115.00 and includes adding the Deputy City Clerk to the monthly cell phone reimbursement, a benefit that is offered to all other Department Head assistants; and 4500 increased by \$7,570.00. Line Item 3400 Other Contractual Services increased by \$8,500.00 to reflect Phase 3 of the backlog scanning project. This is not a reoccurring service, but a 4-year/phase project that started two years ago. Each year/phase has specific records to be scanned, and different amounts quoted for those years/phases. Phase 3 encompasses the commercial plans and building permits. Line Items that decreased are: 4000 Travel Per Diem by \$1,500.00, and 4609 Repair and Maintenance by \$915.00. Line Items that increased are: 4900 Other Current Charges/Advertising by \$1,500.00, 4909 Education by \$25.00, 4909 Miscellaneous by \$2,310.00 to cover the cost of the 2020 election, and 5400 Books, Publications, Subscriptions by \$25.00. The costs associated with operating and maintaining the audio recording equipment and software was removed from this budget and placed into the General Services budget since it is used by all boards/committees. Personnel Costs increased overall by \$7,187.00, and reflects a \$2,500.00 increase to the base salary of the Deputy City Clerk position. Decreases were applied to Retirement by \$260.00 and Workers Compensation by \$264.00. Increases were made to FICA by \$575.00 and Life and Health Insurance by \$2,360.00.

**514-Legal Services** (page 11)

<b>FY 2020-21 Proposed Total:</b>	<b>\$166,400.00</b>
FY 2019-20 Amended Budgeted Total:	\$170,125.00
Difference is a decrease of:	(\$ 3,725.00)

**Legal Services items noted for discussion:** Decreases were noted on Line Items 2300 Health Insurance by \$2,675.00 and 5400 Books, Publications, Subscriptions by \$500.00, as the new contract does not provide for these specific benefits. Line Items 4100 decreased by \$300.00 and 4909 Education by \$250.00.

**513-Finance** (pages 12 and 13)

Total Personnel Costs:	\$213,805.00
Total Supplies and Other Services:	\$135,700.00
<b>FY 2020-21 Proposed Total:</b>	<b>\$349,505.00</b>
FY 2019-20 Amended Budgeted Total:	\$350,975.00
Difference is a decrease of:	(\$ 1,470.00)

**Finance items noted for discussion:** Supplies and Other Services decreased overall by \$5,265.00. Increases were made to Line Items 4100 by \$660.00 and 4500 by \$1,425.00. Line Items 3400 Other Contractual Services increased by \$4,200.00 for the new accounting software (to be awarded in the current year budget), 4901 Education by \$300.00, and 5400 Books, Publications, Subscriptions by \$250.00. Decreases were made to Line Items 3200 Accounting and Audit by \$6,500.00 as there will be no need for a single audit, and 4609 Repairs and Maintenance by \$5,100.00 due to the cancellation of the existing accounting and software maintenance contract with Information Management Systems. Personnel Costs increased overall by \$3,795.00.



**519-General Services** (pages 14 and 15)

Total Personnel Costs:	\$168,255.00
Total Supplies and Other Services:	\$434,553.00
<b>FY 2020-21 Proposed Total:</b>	<b>\$602,808.00</b>
FY 2019-20 Amended Budgeted Total:	\$551,967.00
Difference is an increase of:	\$ 50,841.00

**General Services items noted for discussion:** Supplies and Other Services increased overall by \$52,936.00. Increases were made to Line Items 4100 by \$50.00 and 4500 by \$2,800.00. Other increases were also made to Line Item 3100 Professional Services by \$25,000.00 to include additional services by the Planner, 3400 Other Contractual Services by \$1,276.00 based on prior year averages, 4901 Education by \$200.00, 5204 Postage and Supplies by \$2,000.00 based on trend. New Line Items added to this budget are 3401 Public Meeting Contract Costs \$21,500.00 to address the audio and video maintenance contract, Zoom annual costs, and to conduct the closed captioning of live broadcasted public meetings for all boards/committees. 4600 Repair and Maintenance Vehicles \$3,000.00; and 5201 Fuel and Oil \$500.00. Decreases were noted for Line Items 4400 Rentals and Leases by \$150.00, 4609 Repair and Maintenance by \$3,140.00 (reflects \$10,000.00 to repair the records room, \$5,000.00 to replace air conditioning units in the records room, and add a separate air conditioning system for the building official's office), and 5100 Office Supplies by \$200.00. Personnel Costs decreased overall by \$2,095.00, and Line Item 1400 Overtime was added, \$850.00.

**521-Police Department** (pages 16 and 17)

Total Personnel Costs:	\$2,664,261.00
Total Supplies and Other Services:	\$ 459,726.00
<b>FY 2020-21 Proposed Total:</b>	<b>\$3,123,987.00</b>
FY 2019-20 Budgeted Total:	\$2,809,734.00
Difference is an increase of:	\$ 314,253.00

**Police items noted for discussion:** Personnel Costs increased overall by \$294,291.00, primarily due to shifting the Dispatchers salaries from the Fire to Police Department's budget, as well as benefit payouts for two employees retiring, a \$500.00 25-year Longevity Service Award, a \$2,500.00 increase in the base pay for the Police Services Coordinator position, and increasing hours for the Code Enforcement Secretary due to case load. Line Item 2200 Retirement increased by \$20,600.00 based on the required contribution rate of 17.4 percent, 2300 Life and Health Insurance by \$19,240.00, and 2400 Workers Compensation by \$31,640.00. Line Items 4100 increased by \$10,000.00 and 4500 by \$3,500.00. Increases were also provided for Line Items 3100 Professional Services by \$3,187.00 for crime lab costs, 4300 Utilities by \$725.00, 4600 Repairs and Maintenance Vehicles by \$3,500.00 due to the number of vehicles no longer under warranty, 5102 Investigation Fees by \$1,200.00. The Supplies and Other Services overall costs increased \$19,962.00.

**522-Fire Department** (pages 18 and 19)

Total Personnel Costs:	\$1,237,650.00
Total Supplies and Other Services:	\$ 226,000.00
<b>FY 2020-21 Proposed Total:</b>	<b>\$1,463,650.00</b>
FY 2019-20 Budgeted Total:	\$1,710,651.00
Difference is a decrease of:	(\$ 247,001.00)

**Fire items noted for discussion:** Personnel overall costs decreased by \$190,774.00 due to moving the Dispatchers salaries to the Police budget. Supplies and Other Services decreased overall by \$56,227.00. These were addressed in decreases to Line Items 4500 by \$6,602.00, and 4901 Education by \$60,000.00 which was a one-time expenditure in the current budget for firefighters to attend Paramedic Certification class. Increases were noted in Line Items 4100 by \$3,900.00, 4902 Public Education and Fire Prevention by \$1,125.00, 4909 Miscellaneous by \$100.00, 5200 Operating Supply by \$3,250.00 for additional inventory needed due to COVID-19, and 5203 Uniforms/Patches by \$2,000.00 due to the number of personnel changes.

**541-Public Works** (pages 20 and 21)

Total Personnel Costs:	\$ 649,700.00
Total Supplies and Other Services:	\$ 575,786.00
<b>FY 2020-21 Proposed Total:</b>	<b>\$1,225,486.00</b>
FY 2019-20 Budgeted Total:	\$1,232,435.00
Difference is a decrease of:	(\$ 6,949.00)

**Public Works items noted for discussion:** Increased Line Items 4100 by \$600.00 and 4500 by \$1155.00. Supplies and Other Services increased overall by \$3,501.00. Decreases were noted in Line Items 3100 Professional Services by \$1,000.00, 3400 Other Contractual Services by \$2,000.00, 4000 Travel Per-Diem by \$500.00, 4901 Education by \$1,000.00, 5100 Offices Supplies by \$200.00, 5201 Fuel and Oil by \$2,000.00, 5202 Operating Supplies by \$500.00, 5203 Uniforms by \$750.00 and 5400 Books, Publications, Subscriptions by \$50.00. Increases were provided in Line Items 3401 Garbage Collection Fees by \$1,246.00, 4300 Utilities by \$6,500.00, 4400 Rentals and Leases by \$500.00, 4605 Repair and Maintenance Parks by \$1,500.00. Personnel Costs decreased overall by \$10,450.00 due to reductions in Retirement by \$1,800.00 and Workers Compensation by \$15,500.00. Overtime increased by \$3,500.00 to continue providing cleaning/disinfecting of public areas seven days a week in direct relation to COVID-19.

The next proposed budget to review is the **Public Facility Improvement (Transportation 301) Fund** (pages 23-24) which was prepared in coordination by Administrator MontesDeOca and Public Works Director Allen. Florida Statutes provide specific expenditures to be authorized with the revenues received. It was presented with a Beginning Fund Balance of \$844,807.00; Total Revenue Estimates of \$1,164,028.00; Total Expenditures Projected of \$1,010,488.00, plus \$350,000.00 to be Transferred-Out to General Fund; leaving a Fund Balance of \$648,347.00. The total expenditures decreased by \$37,500.00. A list comparing the decrease of the current to proposed budget specific projects, maintenance and repairs was provided.

The third proposed budget to review is the **Capital Improvements Projects (304) Fund** (pages 26-27) and was prepared by Administrator MontesDeOca, in coordination with each Department Head and the Five-Year Capital Improvement Element of the Comprehensive Plan. Total Beginning Fund Balance of \$3,190,195.00; Total Revenues Estimates of \$6,550.00; Total Projected Expenditures are \$240,250.00, plus \$1,614,246.00 Transferred-Out to General Fund; leaving a Fund Balance \$1,342,249.00. The revenues decreased by \$218,450.00 as the annual police car sales program is unknown at this time. Expenditures decreased by \$463,040.00. Specific projects costs for each project/expense was provided.

The fourth proposed budget to review is the **Other Grant (302) Funds** (page 29) which was prepared in coordination with Administrator MontesDeOca and Public Works Director Allen. Total Beginning Fund Balance of \$260,000.00; Total Revenues Estimates of \$300,000.00; Total Projected Expenditures are \$420,000.00; leaving a Fund Balance \$140,000.00. The activity in this Fund is directly related to the Taylor Creek Southeast 4<sup>th</sup> Street project (Contract No LPQ0007).

The fifth proposed budget to review is the **Appropriations Grant (307) Funds** (page 30) which was prepared in coordination with Administrator MontesDeOca and Public Works Director Allen. The Fund activity is a continuation of the Southeast 8<sup>th</sup> Avenue Project Grant (Contract No. LP47020). Beginning Fund Balance of \$593.00; Appropriation Funds Revenue \$209,000.00; Total Projected Expenditures of \$209,000.00; leaving a Fund Balance of \$593.00.

The sixth and final proposed budget for review is the **Law Enforcement Special (601) Fund** (page 31), presented in coordination with Chief Peterson. Beginning Fund Balance of \$9,920.00; Total Estimated Revenues of \$1,000.00; Total Projected Expenditures as \$6,500.00; leaving a Fund Balance of \$4,420.00.

The discussion was mainly focused on reducing the overall expenditures. **The consensus of the Council was to use Option One, using the current millage rate, 7.6018; to use \$2.50 per gallon for gasoline and \$3.00 per gallon for diesel and to recalculate those costs; for each Department Head to go back over their budgets with the Administrator, get creative, review what expenditures can be put off, and present a revised budget decreasing expenditures, getting as close to 10 percent as possible.** A second budget Workshop will need to be held on August 18, 2020.

- V. There being no further items on the agenda, Mayor Watford adjourned the meeting at 7:13 P.M. The next meeting is scheduled for August 18, 2020, at 5:00 P.M.

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

ATTEST:

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

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

DRAFT



**CITY OF OKEECHOBEE, FLORIDA**  
**AUGUST 18, 2020, REGULAR CITY COUNCIL MEETING**  
**AND FINAL BUDGET WORKSHOP**  
**DRAFT SUMMARY OF COUNCIL ACTION**

**I. CALL TO ORDER**

Mayor Watford called the regular meeting of the City Council for the City of Okeechobee to order on Tuesday, August 18, 2020, at 5:00 P.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and extended by Executive Order No. 20-193 effective August 7, 2020, the meeting was conducted utilizing communications media technology (CMT) as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and digital comments were recorded and retained as a permanent record. The invocation was offered by Mayor Watford, followed by the Pledge of Allegiance led by Council Member Clark.

**II. ATTENDANCE**

Roll Call was taken by Deputy City Clerk Bobbie Jenkins to establish a quorum. Members present: Mayor Dowling R. Watford, Jr., Council Members Wes Abney, Monica Clark, Bob Jarriel, and Bobby Keefe. City Attorney John Fumero was in attendance.

Department Heads in attendance: City Clerk Lane Gamiotea, City Administrator Marcos MontesDeOca, Police Chief Bob Peterson, Fire Chief Herb Smith, and Public Works Director David Allen. Additional support staff in attendance: Major Donald Hagan, General Services Coordinator Patty Burnette, Finance Director India Riedel, and Executive Assistant Robin Brock.

**III. AGENDA AND PUBLIC COMMENTS**

**A.** Mayor Watford asked whether there were any agenda items to be added, deferred, or withdrawn; there was none.

**B.** Council Member Abney moved to approve the agenda as presented; seconded by Council Member Jarriel.

**VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.**

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

**IV. PROCLAMATIONS AND PRESENTATIONS**

**A.** Ms. Bonnie Mims, Public Risk Management Executive Director, presented awards for "Most Improved Safety Performance" and "Best Overall Safety Performance" for Fiscal Year (FY) 2019-20 based on the City's Workers Compensation and Liability insurance claims. Mayor Watford graciously accepted the awards on behalf of the City.

**V. CONSENT AGENDA**

A motion was made by Council Member Jarriel to approve the consent agenda items **A through B** [August 4, 2020, Regular Meeting Minutes; July 2020 Warrant Register in the amounts: General Fund \$737,022.79, Public Facilities Improvement Fund \$25,376.55, Capital Improvement Projects Fund \$22,420.60, and Law Enforcement Special Fund \$75.00, the complete list is incorporated within the official minute file]; seconded by Council Member Keefe.

**VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.**

**VI. NEW BUSINESS**

- A. A motion was made by Council Member Clark, and seconded by Council Member Abney, to declare three 2019 Dodge Chargers as surplus items and approve disposal by way of sale to the City of Sebring for \$21,000.00 per vehicle [Vehicle Identification Numbers: 2C3CDXAG7KH564334, 2C3CDXAG3KH564329, 2C3CDXAG8KH564326 as provided in Exhibit 1].**

**VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.**

- B. Council Member Jarriel moved to approve a Code Enforcement Lien Reduction Stipulation Agreement with Spirit CV Okeechobee FL, LLC (CVS Pharmacy) for Code Enforcement Case No. 17-039 [property address: 106 North Parrott Avenue, Legal: Lots 1, 2, 3, and 6 of Block 154; CITY OF OKEECHOBEE, Plat Book 5, Page 5, Okeechobee County, Florida public records; from \$24,550.00 to \$12,275.00, as provided in Exhibit 2]; seconded by Council Member Keefe.**

Chief Peterson explained the Agreement was negotiated between the City Attorney and the Attorney for the respondent. On August 11, 2020 Code Enforcement Magistrate Azcona recommended approval. The \$12,275.00 reduced fine must be paid within 60-days of the approval.

**VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.**

- C. Council Member Keefe moved to approve a quote for equipment and services to BIS Digital as an emergency purchase and waive the formal bidding procedures to ensure compatibility with the existing digital recording and sound system [in the amount of \$17,731.50 as provided in Exhibit 3]; seconded by Council Member Clark.**

This will upgrade the audio and expand the video system to accommodate Zoom integration to eliminate sound issues. Due to the quick implementation of CMT caused by COVID-19, this purchase will be submitted for reimbursement through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. It was further explained installation may take up to 12 weeks.

**VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.**

- D. A motion was made by Council Member Clark, and seconded by Council Member Abney, to approve a Contract for Services with Tyler Technologies, Inc. for software and its implementation [in the amount of \$116,570.00, as provided in Exhibit 4].**

A memorandum explained the purchase of accounting software is included in the FY 2019-20 budget in the amount of \$120,000.00. The proposed contract pricing with Tyler Technologies is \$96,148.00, with a 15 percent contingency of \$14,422.00, and an additional \$6,000.00 in auxiliary equipment cost, for a total of \$116,570.00. The City did not go out for formal bid, as the Finance Department has completed two years of research to identify the best accounting programs which would fit well with the City's needs and requirements. The new software includes modules for accounting, purchasing, personnel, building permitting, business tax receipts, and MyCivic for pushouts to citizens. Mr. Michael Lesher, Senior Account Executive for the Local Government Division of Tyler Technologies, was in attendance and provided a brief overview of the program, support, and the anticipated timeframe of the conversion to be complete, which is approximately one year.

**VOTE: Ayes-Mayor Watford, Council Members Abney, Clark, Jarriel, and Keefe. Nays-none. Motion Carried.**

- VII. There were no Council Comments offered.**

**VIII. MAYOR WATFORD RECESSED THE REGULAR SESSION AND OPENED THE WORKSHOP AT 5:42 P.M.**

**A.** The purpose of the Workshop was to review the requested changes provided in Exhibit 5 to the proposed FY 2020-21 Budget from the August 12, 2020, Workshop.

Budget page one provided a recapitulation of the **General Fund** revenue and expenses, presented using a millage rate of 7.6018. The proposed Beginning Fund Balance Total is \$4,342,501.00. Adjusted Estimated Revenues increased \$20,000.00 to \$7,534,431.00 (\$2,424,459.00 Ad Valorem, \$3,377,661.00 Other Fees, Intergovernmental, Charges for Services, Fines/Forfeitures/Penalties, Uses of Money and Property, and Other Revenues; \$350,000.00 Transferred-In from Public Facilities Improvement Fund; and \$1,362,311.00 Transferred-In from Capital Improvement Projects Fund, adjusted amount decreased by \$251,935.00). Total Adjusted Projected Expenditures decreased by \$231,935.00 to \$7,534,431.00; leaving a Fund Balance of \$4,342,501.00. Pages three and four provided the detail line item breakdown of the General Fund revenues including transfers-in and transfers-out from other Funds.

**511-Legislative/City Council** (pages 5 and 6)

Total Personnel Costs:	\$91,974.00
Total Supplies and Other Services:	\$121,797.00
<b>FY 2020-21 Adjusted Proposed Total:</b>	<b>\$213,771.00</b>
FY 2019-20 Amended Budgeted Total:	\$339,722.00
Difference is a decrease of:	(\$125,951.00)

**City Council adjustments:** Reductions were made to Line Items 2300 Life and Health Insurance by \$20,520.00 to only provide for the current Council participation, 3400 Other Contractual Services by \$17,500.00 removing the Community Redevelopment Agency Study, 8100 Shared Services, Education Foundation by \$4,940.00, and 8202 Local Community Request Okeechobee Economic Development Corporation by \$10,000.00. Total reductions: \$52,960.00.

Excluding the Executive Salaries for Administration and Legal Services, each of the following department budgets contains the appropriate salary step increases. The \$2,500.00 base salary increases for the Executive Assistant, Deputy City Clerk, and Police Services Coordinator were removed.

**512-Executive/Administration** (pages 7 and 8)

Total Personnel Costs:	\$220,196.00
Total Supplies and Other Services:	\$ 32,126.00
<b>FY 2020-21 Adjusted Proposed Total:</b>	<b>\$252,322.00</b>
FY 2019-20 Amended Budgeted Total:	\$250,420.00
Difference is an increase of:	\$ 1,902.00

**Administration adjustments:** Reductions were made to Line Items 1100 Executive Salaries by \$100.00, the \$4,500.00 salary increase for the Administrator remained, 1200 Regular Salaries by \$3,200.00, 2100 FICA by \$200.00, 2200 Retirement by \$300.00, 4100 Communications and Freight by \$550.00, 4901 Education by \$660.00, and 5200 Operating Supply by \$450.00. Total reductions: \$7,185.00.

**2512-Executive/City Clerk** (pages 9 and 10)

Total Personnel Costs:	\$203,662.00
Total Supplies and Other Services:	\$84,395.00
<b>FY 2020-21 Adjusted Proposed Total:</b>	<b>\$288,057.00</b>
FY 2019-20 Amended Budgeted Total:	\$282,475.00
Difference is an increase of:	\$ 5,582.00

**City Clerk adjustments:** Reductions were made to Line Items 1200 Regular Salaries by \$2,700.00, 2100 FICA by \$200.00, 2200 Retirement by \$300.00, 3103 Municipal Code by \$3,775.00 postponing supplement 17 codification to FY 2021-22, 3400 Other Contractual Services by \$10,000.00 dividing Phase 3 of the backlog scanning project into Phase 3a and 3b.

Phase 3a Commercial Plans will be completed in FY 2020-21 and Phase 3b Commercial Permits postponed to FY 2021-22. Phase 4 will now be addressed in FY 2022-23. Line Items 4900 Other Current Charges, Advertising by \$1,500.00, 4909 Miscellaneous by \$760.00, and 5100 Office Supplies by \$1,000.00. Total reductions: \$20,235.00.

**514-Legal Services** (page 11)

<b>FY 2020-21 Proposed Total:</b>	<b>\$166,400.00</b>
FY 2019-20 Amended Budgeted Total:	\$170,125.00
Difference is a decrease of:	(\$ 3,725.00)

**There were no adjustments made in Legal Services.**

**513-Finance** (pages 12 and 13)

Total Personnel Costs:	\$213,805.00
Total Supplies and Other Services:	\$119,250.00
<b>FY 2020-21 Adjusted Proposed Total:</b>	<b>\$333,055.00</b>
FY 2019-20 Amended Budgeted Total:	\$350,975.00
Difference is a decrease of:	(\$ 17,920.00)

**Finance adjustments:** Reductions were made to Line Items 3400 Other Contractual Services by \$16,000.00 due to the purchase of accounting software in FY 2019-20, 4000 Travel and Per Diem by \$200.00, and 4909 Miscellaneous by \$250.00. Total reductions: \$16,450.00.

**519-General Services** (pages 14 and 15)

Total Personnel Costs:	\$168,255.00
Total Supplies and Other Services:	\$347,318.00
<b>FY 2020-21 Adjusted Proposed Total:</b>	<b>\$515,573.00</b>
FY 2019-20 Amended Budgeted Total:	\$551,967.00
Difference is a decrease of:	(\$ 36,394.00)

**General Services adjustments:** Reductions were made to Line Items 3100 by \$85,000.00 removing the increase to Planner and Building Official services, 4609 Repairs and Maintenance Building by \$2,000.00, 5201 Fuel and Oil by \$135.00, and 5400 Books, Publications, Subscriptions by \$100.00. Total reductions: \$87,235.00.

**521-Police Department** (pages 16 and 17)

Total Personnel Costs:	\$2,658,491.00
Total Supplies and Other Services:	\$ 425,726.00
<b>FY 2020-21 Adjusted Proposed Total:</b>	<b>\$3,084,217.00</b>
FY 2019-20 Budgeted Total:	\$2,809,734.00
Difference is an increase of:	\$ 274,483.00

**Police adjustments:** Reductions were made to Line Items 1200 Regular Salaries by \$2,700.00, 1300 Other Salary by \$2,500.00 removing the additional hours for the Code Enforcement Secretary, 2100 FICA by \$320.00, 2200 Retirement \$250.00, and 5201 Fuel and Oil by \$34,000.00. Total reductions: \$39,770.00.

**522-Fire Department** (pages 18 and 19)

Total Personnel Costs:	\$1,237,650.00
Total Supplies and Other Services:	\$ 220,400.00
<b>FY 2020-21 Adjusted Proposed Total:</b>	<b>\$1,458,050.00</b>
FY 2019-20 Budgeted Total:	\$1,710,651.00
Difference is a decrease of:	(\$ 252,601.00)

**Fire adjustments:** Reductions were made to Line Items 4000 Travel and Per Diem by \$450.00, 4905 Training and Materials by \$500.00, 5200 Operating Supply by \$1,250.00, and 5201 Fuel and Oil by \$3,400.00. Total reductions: \$5,600.00.



**541-Public Works** (pages 20 and 21)

Total Personnel Costs:	\$ 649,700.00
Total Supplies and Other Services:	\$ 573,286.00
<b>FY 2020-21 Adjusted Proposed Total:</b>	<b>\$1,222,986.00</b>
FY 2019-20 Budgeted Total:	\$1,232,435.00
Difference is a decrease of:	(\$ 9,449.00)

**Public Works adjustments:** Reductions were made to Line Items 3100 Professional Services by \$500.00, 4000 Travel and Per Diem by \$1,000.00, 4100 Communications and Freight by \$600.00, 4901 Education \$1,000.00, 5100 Office Supplies by \$100.00, 5202 Operating Supplies (Tires) by \$1,000.00, 5204 Dumping Fees by \$250.00, 5400 Books, Publications, Subscriptions by \$50.00. Line Item 5201 Fuel and Oil increased by \$2,000.00. Total reductions: \$2,500.00.

**Public Facility Improvement (Transportation 301) Fund** (pages 23 and 24): Adjusted Beginning Fund Balance decreased by \$186,460.00 to \$658,347.00; Total Revenue Estimates of \$1,164,028.00; Total Adjusted Expenditures decreased \$100,000.00 to \$900,488.00, plus \$350,000.00 to be Transferred-Out to General Fund; leaving an Adjusted Fund Balance of \$571,887.00. A list comparing the proposed to adjusted budget specific projects, maintenance and repairs was provided. Total reductions: \$86,460.00.

**Capital Improvements Projects (304) Fund** (pages 26 and 27): Beginning Fund Balance of \$3,190,195.00; Total Revenues Estimates of \$6,550.00; Total Adjusted Expenditures reduced by \$84,350.00 to \$155,900.00, plus a decrease of \$251,935.00 to \$1,362,311.00 Transferred-Out to General Fund; leaving an Adjusted Fund Balance increase by \$336,285.00 to \$1,678,534.00. Specific projects removed or reduced for each project/expense was provided.

The **Other Grant (302) Funds** (page 29), **Appropriations Grant (307) Funds** (page 30), and **Law Enforcement Special (601) Fund** (page 31) proposed budgets reflected no adjustments.

Mayor Watford noted for the record that a letter was received from the Economic Council of Okeechobee that included budget priority requests for consideration. There were no directions from the Council. This budget will be presented at the First Public Hearing to be held September 3, 2020.

**IX. MAYOR WATFORD ADJOURNED THE WORKSHOP AND RECONVENED IN REGULAR SESSION AT 6:19 P.M.**

**A.** There were no issues discussed during the budget workshop to be addressed. Council Member Keefe questioned the length of time the Landscape Architect Request for Qualifications would be advertised once complete. Administrator MontesDeOca replied 21 days.

Council Member Jarriel requested the number of Charter Review Committee applications received to date. Deputy Clerk Jenkins replied seven; a minimum number of eight is needed to fill the Committee. She also confirmed that extending the deadline to receive applications was at the pleasure of the Council. After a brief discussion, there was no action taken.

**X.** There being no further items on the agenda, Mayor Watford adjourned the meeting at 6:23 P.M. The next regular meeting is scheduled for September 3, 2020, at 6:00 P.M.

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

ATTEST:

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

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

## ORDINANCE NO. 1216

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA LEVYING THE AD VALOREM PROPERTY TAX MILLAGE RATE FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE CITY IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING THAT 7.6018 PER THOUSAND DOLLAR VALUATION SHALL NOT BE LEVIED ON HOMESTEAD PROPERTY; THAT 7.6018 VALUATION SHALL BE USED FOR GENERAL CITY PURPOSES; THAT SAID MILLAGE RATE IS 6.03 PERCENT (6.03%) MORE THAN THE ROLL-BACK RATE OF 7.1696 COMPUTED IN ACCORDANCE WITH FLORIDA STATUTE 200.065(1); PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Section 200.001(8)(f), Florida Statutes, provides that “voted millage” or “voted levies” means ad valorem taxes in excess of maximum millage amounts authorized by law approved for periods not longer than two (2) years by vote of the electors pursuant to s. 9(b), Art. VII of the State Constitution or ad valorem taxes levied for purposes provided in s. 12, Art. VII of the State Constitution; and

**WHEREAS**, Section 200.001(2)(a), Florida Statutes, provides that “general municipal millage” shall be that non-voted millage rate set by the governing body; and

**WHEREAS**, Section 200.065, Florida Statutes, governs the adoption and levying of millage rates and provides that the City Council of the City of Okeechobee shall comply with the controlling provisions of Florida law in adoption of any millage rates, including municipal debt service millage, voted millage and voted levies; and

**WHEREAS**, Section 200.065, Florida Statutes, provides that the City Council as the governing body of the City of Okeechobee and as its taxing authority must adopt a resolution or ordinance in order to levy any millage in the manner specifically provided by general law or special act; and

**WHEREAS**, October 1, 2020 is the commencement of the fiscal year for the City of Okeechobee, which shall end on September 30, 2021; and

**WHEREAS**, the City of Okeechobee, Florida, held public hearings as required by Section 200.065, Florida Statutes, on September 3, 2020, and September 21, 2020; and

**WHEREAS**, the City of Okeechobee, Florida has complied with all other requirements of law.

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

**Section 1:** The ad valorem property tax operating millage rate for municipal purposes is hereby levied on the taxable property within the City Limits of the City of Okeechobee for Fiscal Year beginning October 1, 2020 and ending September 30, 2021.

The City Council of the City of Okeechobee, Florida, hereby levies a tax of 7.6018 per thousand dollar valuation on all real and tangible personal property within the corporate limits of the City of Okeechobee, provided however, that 7.6018 shall not be levied upon property in the City of Okeechobee claimed and allowed as homestead on the general laws of the State of Florida.

**Section 2:** The millage rate adopted is 6.03 percent more than the roll-back rate of 7.1696 as computed in accordance with Florida Statutes Section 200.065(1).

**Section 3:** That this Ordinance was proposed, considered, and adopted under the provisions of Florida Statutes Chapter 166 and Section 200.065, in conformance with applicable law and the State Constitution.

**Section 4:** The Finance Director shall furnish a certified copy of this Ordinance upon second reading and final adoption to the Okeechobee County Property Appraiser, the Okeechobee County Tax Collector, and the Florida Department of Revenue as required by law.

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

**Section 6:** The provisions within this Ordinance shall take effect October 1, 2020.

**INTRODUCED** for First Reading and Public Hearing on the **3<sup>rd</sup>** day of **September 2020**.

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

**ATTEST:**

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

**PASSED AND ADOPTED** after Second Reading and Final Public Hearing on the **21<sup>st</sup>** day of **September 2020**.

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

**ATTEST:**

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

**REVIEWED FOR LEGAL SUFFICIENCY:**

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

**ORDINANCE NO. 1217**

**AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE CITY OF OKEECHOBEE, FLORIDA; FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR OPERATING EXPENSES OF THE CITY OF OKEECHOBEE FOR THE GENERAL OPERATION OF THE SEVERAL DEPARTMENTS OF THE CITY AND OTHER FIXED OBLIGATIONS OF THE CITY FOR AND DURING THE FISCAL YEAR; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Okeechobee adopts a final budget and appropriates funds on an annual basis for the general operation of several departments of the City; and

**WHEREAS**, the City of Okeechobee held budget workshops on August 12, 2020, and August 18, 2020; and

**WHEREAS**, Section 166.241, Florida Statutes provides specific requirements to which municipalities must comply with regard to budgets and budget amendments; and

**WHEREAS**, State law requires that municipal budgets are balanced and adopted annually, and the adoption must be by resolution or ordinance including provisions relating to the methods and timing of budget amendments; and

**WHEREAS**, the 2020 tax assessment role for the City of Okeechobee has been paired, equalized and certified, showing: Total taxable value of real and personal property: \$332,221,139.00; and

**WHEREAS**, the process of the adoption of the annual budget is governed by Chapter 200, Florida Statutes, requiring calculation of the rolled-back tax rate and percentage increase over the rolled-rate, certain public notices, public hearings, format of required ordinances, and the like.

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

**Section 1:** The City Council of the City of Okeechobee, Florida, after having held a public hearing on the annual budget, including General Fund, Public Facilities Improvement Fund, Other Grants Fund, Appropriations Grant Fund, Capital Improvement Projects Fund, and Law Enforcement Special Fund, hereby adopts as its annual budget the expenditures, as fully set forth below, for the Fiscal Year beginning October 1, 2020, and ending September 30, 2021.

**GENERAL FUND**

**Revenues:**

Fund Balance	\$ 4,342,501.00
Ad Valorem Taxes - 7.6018	\$ 2,424,459.00
Other Fees	\$ 731,300.00
Intergovernmental Revenue	\$ 1,502,876.00
Charges for Current Services	\$ 1,023,700.00
Fines, Forfeitures and Penalties	\$ 21,475.00
Uses of Money and Property	\$ 90,000.00
Other Revenues	\$ 28,310.00
<b>TOTAL REVENUES</b>	<b>\$10,164,621.00</b>

Transfer-In from Public Facilities Improvement Fund	\$ 350,000.00
Transfer-In from Capital Improvement Projects Fund	\$ 1,362,311.00
<b>TOTAL REVENUES AND TRANSFERS</b>	<b>\$11,876,932.00</b>

**Expenditures:**

Legislative	\$ 213,771.00
Executive	\$ 252,322.00

City Clerk	\$ 288,057.00
Financial Services	\$ 333,055.00
Legal Counsel	\$ 166,400.00
General Services	\$ 515,573.00
Law Enforcement	\$ 3,084,217.00
Fire Protection	\$ 1,458,050.00
Road and Street Facilities	<u>\$ 1,222,986.00</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 7,534,431.00</u></b>
<b>GENERAL FUND BALANCE</b>	<b>\$ 4,342,501.00</b>

**PUBLIC FACILITIES IMPROVEMENT FUND**

**Revenues:**

Fund Balance	\$ 844,807.00
Revenues	<u>\$ 1,164,028.00</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 2,008,835.00</u></b>

**Expenditures:**

<b>TOTAL EXPENDITURES</b>	<b>\$ 900,488.00</b>
Transfer-Out to General Fund	<u>\$ 350,000.00</u>
<b>TOTAL EXPENDITURES AND TRANSFERS</b>	<b><u>\$ 1,250,488.00</u></b>

<b>PUBLIC FACILITIES IMPROVEMENT FUND BALANCE</b>	<b>\$ 758,347.00</b>
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**CAPITAL IMPROVEMENT PROJECTS FUND**

**Revenues:**

Fund Balance	\$ 3,190,195.00
Revenues	<u>\$ 6,550.00</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 3,196,745.00</u></b>

**Expenditures:**

<b>TOTAL EXPENDITURES</b>	<b>\$ 155,900.00</b>
Transfer-Out to General Fund	<u>\$ 1,362,311.00</u>
<b>TOTAL EXPENDITURES AND TRANSFERS</b>	<b><u>\$ 1,518,211.00</u></b>

<b>CAPITAL IMPROVEMENT PROJECTS FUND BALANCE</b>	<b>\$ 1,678,534.00</b>
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**OTHER GRANTS FUND**

**Revenues:**

Fund Balance	\$ 260,000.00
Revenues	<u>\$ 300,000.00</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 560,000.00</u></b>

**Expenditures:**

<b>TOTAL EXPENDITURES</b>	<b><u>\$ 420,000.00</u></b>
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<b>OTHER GRANTS FUND BALANCE</b>	<b>\$ 140,000.00</b>
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**APPROPRIATION GRANTS FUND**

**Revenues:**

Fund Balance	\$ 593.00
Revenues	<u>\$ 209,000.00</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 209,593.00</u></b>

**Expenditures:**

<b>TOTAL EXPENDITURES</b>	<b><u>\$ 209,000.00</u></b>
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<b>APPROPRIATION GRANTS FUND BALANCE</b>	<b>\$ 593.00</b>
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**LAW ENFORCEMENT SPECIAL FUND**

**Revenues:**

Fund Balance	\$ 9,920.00
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Revenues \$ 1,000.00  
TOTAL REVENUES \$ 10,920.00

**Expenditures:**  
TOTAL EXPENDITURES \$ 6,500.00

LAW ENFORCEMENT SPECIAL FUND BALANCE \$ 4,420.00

**Section 2:** That this Ordinance was proposed, considered and adopted under the provisions of Chapter 166 and 200.065 Florida Statutes.

**Section 3:** The Finance Director shall furnish a certified copy of this Ordinance upon second reading and final adoption to the Okeechobee County Property Appraiser, the Okeechobee County Tax Collector, and the Florida Department of Revenue as required by law.

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

**Section 5:** The City Administrator, through the Finance Director, is hereby authorized and directed to disburse monies for the purpose of meeting the expenses and expenditures of the City as appropriated.

**Section 6:** Effective Date. This Ordinance shall be effective October 1, 2020.

**INTRODUCED** for First Reading and Public Hearing on the 3<sup>rd</sup> day of **September, 2020.**

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

**ATTEST:**

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

**PASSED AND ADOPTED** after Second Reading and Final Public Hearing on the 21<sup>st</sup> day of **September, 2020.**

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

**ATTEST:**

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

**REVIEWED FOR LEGAL SUFFICIENCY:**

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

## **ORDINANCE NO. 1215**

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY BEING AN UNIMPROVED PORTION OF AN ALLEY, 20-FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 10 AND LOTS 17 THROUGH 26, OF BLOCK 39, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; TOGETHER WITH AN UNIMPROVED PORTION OF NORTHWEST 10TH STREET (f/k/a SIXTEENTH AVENUE), 100-FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 10, OF BLOCK 39, AND LOTS 17 THROUGH 26, OF BLOCK 28, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA (APPLICATION NO. 20-001-AC-SC); DIRECTING THE CITY CLERK TO RECORD THE ORDINANCE IN THE PUBLIC RECORDS OF THE CLERK OF THE CIRCUIT COURT IN AND FOR OKEECHOBEE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Okeechobee General Services Department received Abandonment of Right-of-Way Petition No. 20-001-AC-SC submitted by property owner Omar Abuaita, for the closing of certain Rights-of-Way as described in this Ordinance; and

**WHEREAS**, the City of Okeechobee Technical Review Committee reviewed and discussed Petition No. 20-001-AC-SC at a duly advertised public meeting held on June 18, 2020; and

**WHEREAS**, Petition No. 20-001-AC-SC was reviewed and discussed by the City of Okeechobee Planning Board at a duly advertised Public Hearing held on July 16, 2020, and determined such Petition to be consistent with the Comprehensive Plan; and

**WHEREAS**, the City Council reviewed Petition No. 20-001-AC-SC and finds it to be consistent with the Comprehensive Plan, is not the sole access to any property, is in the best interest of the citizens, provides a benefit to the City of Okeechobee, and would not jeopardize the location of any utility; and

**WHEREAS**, the granting of the Petition will serve a legitimate public interest and is a proper exercise of the municipal authority of the City of Okeechobee as a discretionary function.

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

**SECTION 1:** The unimproved, dedicated Right-of-Way described hereafter and as shown on Exhibit A, is hereby closed, vacated, and abandoned by the City of Okeechobee, Florida to-wit:

**THAT PORTION OF ALLEY, 20-FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 10 AND LOTS 17 THROUGH 26, OF BLOCK 39, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA; together with**

**THAT PORTION OF NORTHWEST 10TH STREET (f/k/a SIXTEENTH AVENUE), 100-FEET IN WIDTH, LYING BETWEEN LOTS 1 THROUGH 10, OF BLOCK 39, AND LOTS 17 THROUGH 26, OF BLOCK 28, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 5 OF THE PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.**



**SECTION 2:** The City Clerk shall cause a certified copy of the Ordinance to be recorded in the public records of Okeechobee County, Florida.

**SECTION 3:** Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4:** 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 5:** Effective Date. This Ordinance shall be set for Final Public Hearing the 3<sup>rd</sup> day of September, 2020, and shall take effect immediately upon its adoption.

**INTRODUCED** for First Reading and set for Final Public Hearing on this 4<sup>th</sup> day of August, 2020.

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

**ATTEST:**

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

**PASSED AND ADOPTED** after Second Reading and Final Public Hearing on this 3<sup>rd</sup> day of September, 2020.

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

**ATTEST:**

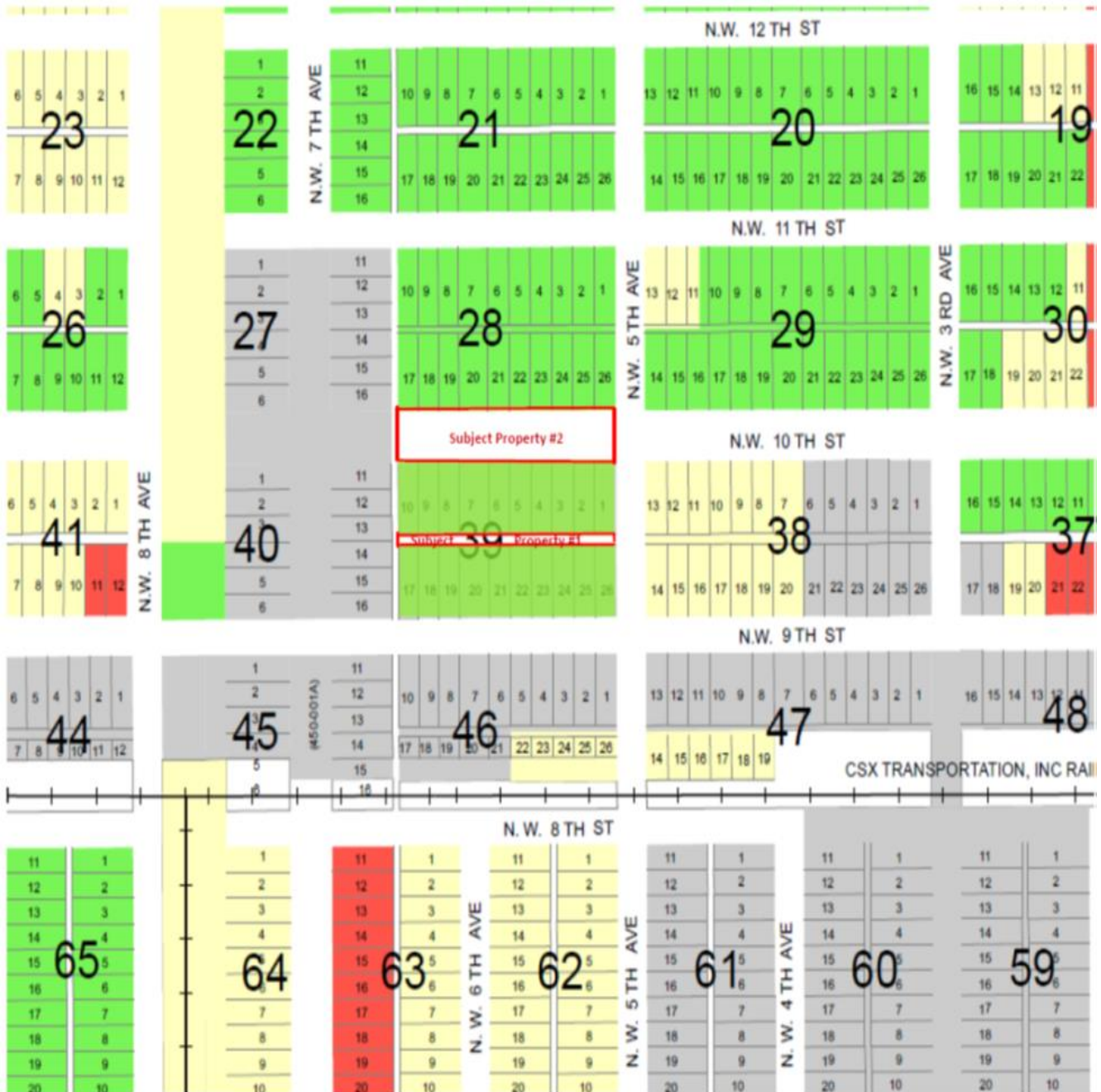
\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

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

# ORDINANCE NO. 1215 - EXHIBIT A

The following excerpt is from the City of Okeechobee Subdivision Map to identify the portion of Right-of-Way to be abandoned as requested by Petition No. 20-001-AC-SC.





**CITY OF OKEECHOBEE**  
**General Services Department**  
**55 Southeast 3<sup>rd</sup> Street**  
**Okeechobee, Florida 34974**  
**863-763-3372 X 9820**  
**Fax: 863-763-1686**

**ABANDONMENT OF RIGHT-OF-WAY PETITION**

**PETITION NO. 80-001-AR-SC**

<b>Application fee (non-refundable)</b> <b>\$600.00</b>  <b>Note: (Resolution No. 98-11) Schedule of Land Development Regulation Fees and Charges</b> <b>When the cost for advertising publishing and mailing notices of public hearings exceeds the established fee, or when a professional consultant is hired to advise the city on the application, the applicant shall pay the actual costs.</b>	Date Fee Paid: 5-5-20	Receipt No: 53903
	TRC Meeting: 6-18-20	Publication Date: Letters Mailed:
	PB/BOA Meeting: 7-16-20	Publication Dates: Letters Mailed:
	City Council 1 <sup>st</sup> Reading: 8-4-20	CMR Letter E-mailed:
	City Council Public Hearing: 9-1-20	Publication Date:

RECEIVED APR 24 2020

**Right-of-way Definition:** Land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress or egress, or other purpose by the public, certain designated individuals, or governing bodies. [F.S. Ch. 177 § 177.031(16)]. Easements for roads and related purposes shall be considered as right-of-way.

**Legal Description of the Right-of-Way to be Abandoned:**

That portion of alley, 20 feet in width, lying between Lots 1 through 10 and Lots 17 through 26, Block 39, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.

Together with:

That portion of Northwest 10th Street (formerly known per plat as Sixteenth Avenue), 70 feet in width, lying between Lots 1 through 10, Block 39 and Lots 17 through 26, Block 28, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.

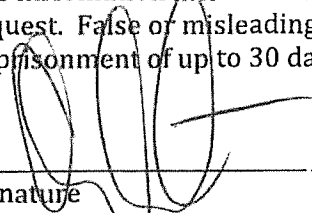
**Note:** Upon abandonment of a right-of-way in the City of Okeechobee or First Addition of City of Okeechobee Subdivision's, there may be a Fee Simple Interest from the Hamrick Trust. For more information contact Gil Culbreth, 3550 US Hwy 441 South, Okeechobee, Florida 34974, 863-763-3154.

**Purpose of the Right-of-Way Abandonment:**

NW 10th Street ROW and the alley are required to be abandoned so the block to the north can be joined to this one for a multifamily residential project.

<input checked="" type="checkbox"/>	Name of property owner(s): Omar Abuaita
	Owner(s) mailing address: 3000 N. Ocean Drive, Unit 16F, Rivera Beach, FL 33404
	Owner(s) e-mail address: randy@twodrunkengoats.net
	Owner(s) daytime phone(s): 863-824-7644 <span style="float: right;">Fax:</span>

<input checked="" type="checkbox"/>	<b>Required Attachments</b>
<input type="checkbox"/>	Copy of recorded deed of petitioner <sup>*</sup> as well as any other property owner whose property is contiguous to the right-of-way.
<input type="checkbox"/>	Letters of Consent or Objection. (If more than one property owner is involved and they are <b>not</b> signing the petition). <b>SEE NOTE BELOW FOR ADDITIONAL INSTRUCTIONS</b>
<input checked="" type="checkbox"/>	Location map of subject property and surrounding area within 100' (See Information Request Form attached) and dimensions of right-of-way.
<input type="checkbox"/>	List of all property owners within 300' of subject property (See Information Request Form attached)
<input checked="" type="checkbox"/>	Site Plan of property after abandonment. (No larger than 11x 17)
<input type="checkbox"/>	Utility Companies Authorization Form. (See attached)
<input checked="" type="checkbox"/>	Supplementary supporting information: Copy of recorded Plat of the Subdivision where right-of-way exists no larger than 11x17. (Can be obtained from the County Clerk's Office, Court House)
	<b>PLEASE NOTE:</b> <i>If there are other property owners that are contiguous to the subject right-of-way, a notarized letter must be attached with the following information: date, their name(s), what property they own, and whether they object to or consent to the right-of-way abandonment. (See attached sample letter)</i>

<input checked="" type="checkbox"/>	<b>Confirmation of Information Accuracy</b>
<p>I hereby certify that the information contained in and/or attached with this petition is correct. The information included in this petition is for use by the City of Okeechobee in processing my request. False or misleading information may be punishable by a fine of up to \$500.00 and imprisonment of up to 30 days and may result in the summary denial of this petition.</p>	
 Signature	Omar Abuaita Printed Name
	4-8-20 Date

**PLEASE COMPLETE THE FOLLOWING**

**FINDINGS REQUIRED FOR GRANTING A VACATION OF RIGHTS-OF-WAYS  
(Sec. 78-33, page CD78:4 in the LDR's)**

It is the Petitioner's responsibility to convince the Technical Review Committee, Planning Board/BOA and City Council that approval of the proposed vacation is justified. Specifically, the Petitioner should provide in his/her application and presentation sufficient explanation and documentation to convince the reviewing body to find that:

1. Proposed vacation is consistent with the Comprehensive Plan:	
The requested road ROW and alley are currently not used for access or utilities, there is no mention of alleys in the City's Comprehensive plan, the LDR's mention alleys in Section 86-142, which states alley may be allowed in residential districts, also in Section 70-335, which states notice of abandonment required, otherwise they are other referenced, but not concerning vacancies.	_____
	_____
	_____

2. Right-of-way to be vacated is not the sole access to any property, and the remaining access is not an easement:	
Neither ROW or alley is sole access to any property and a remaining land will not require an easement.	_____
	_____
	_____

3. Proposed vacation is in the public interest and provides a benefit to the City:	
The proposed vacation of the ROW and alley is within a block that will become a multifamily project to provide workforce housing, which the City is in need of, so this vacation will allow the existing ROW and alley's square footage to add density to this project so more housing can be added and return the property to the tax rolls.	

4. Proposed vacation would not jeopardize the location of any utility.	
There are currently no utilities in either of the requested abandonments.	

The City Staff will, in the Staff Report, address the request and evaluate it and the Petitioner's submission in light of the above criteria and offer a recommendation for *approval or denial*).



FILE NUM 2019009528  
 OR BK 830 PG 1298  
 SHARON ROBERTSON, CLERK & COMPTROLLER  
 OKEECHOBEE COUNTY, FLORIDA  
 RECORDED 09/16/2019 08:33:01 AM  
 AMT \$12,000.00  
 RECORDING FEES \$18.50  
 DEED DOC \$84.00  
 RECORDED BY M Pinon  
 Pgs 1298 - 1299; (2 pgs)

Prepared by and return to:  
 Patricia A. Ragon

Clear Title & Legal Services  
 202 NW 5th Street  
 Okeechobee, FL 34972  
 863-824-6776  
 File Number: 3488-19  
 Will Call No.:

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 13th day of September, 2019 between Selina Abney, a single woman whose post office address is 477 SW 72nd Terrace, Okeechobee, FL 34974, grantor, and Omar Abuaita, a single man whose post office address is 2800 N. Ocean Drive, Unit A23D, Riviera Beach, FL 33404, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Okeechobee County, Florida to-wit:

Lots 17,18,19,20,21,22,23,24,25 and 26, Block 39, CITY OF OKEECHOBEE, according to the Plat thereof recorded in Plat Book 5, Page 5, Public Records of Okeechobee County, Florida

Parcel Identification Number: 3-15-37-35-0010-00390-0170

and

Lots 1,2,3,4,5,6,7,8,9 and 10, Block 39, CITY OF OKEECHOBEE, according to the Plat thereof recorded in Plat Book 5, Page 5, Public Records of Okeechobee County, Florida

Parcel Identification Number: 3-15-37-35-0010-00390-0010

Subject to; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

DoubleTime®

Signed, sealed and delivered in our presence:

Patricia A. Ragon  
Witness Name: **Patricia A. Ragon**

Selina Abney (Seal)  
Selina Abney

Valerie Martin  
Witness Name: **Valerie Martin**

State of Florida  
County of Okeechobee

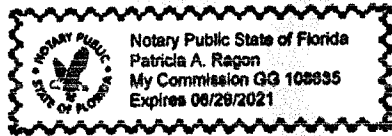
The foregoing instrument was acknowledged before me this 13th day of September, 2019 by Selina Abney, who  is personally known or  has produced a driver's license as identification.

[Notary Seal]

Patricia A. Ragon  
Notary Public

Printed Name: **Patricia A. Ragon**

My Commission Expires: \_\_\_\_\_





Prepared By:  
CITIZENS TITLE ONLINE INC  
10235 W SAMPLE ROAD SUITE 206  
CORAL SPRINGS, FL 33065

FILE NUM 2007014721  
OR BK 00442 PG 0463  
SHARON ROBERTSON, CLERK OF CIRCUIT COURT  
OKEECHOBEE COUNTY, FL  
RECORDED 11/01/2007 12:28:44 PM  
RECORDING FEES 10.00  
DEED DOC 2,450.00  
RECORDED BY N Arnold  
Pg 0463 (1pg)

**PERSONAL REPRESENTATIVE DEED**

**File No., 92070816**

This Indenture made this 11 day of OCTOBER, A.D. 2007 between  
NYSOLA GRANT AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MELTON  
GEORGE GRANT as Grantor\*, whose address is: 14432 WELLINGTON TRACE  
WELLINGTON, FL 33414

and FOSLER, LLC  
as Grantee\*, whose address is: 728 SANDPIPER WAY NORTH NORTH PALM BEACH, FL 33408

WITNESSETH, That said Grantor, for and in consideration of the sum of TEN AND 00/100'S  
(\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantee,  
the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's  
heirs and assigns forever the following described land located in the County of OKEECHOBEE  
State of Florida, to-wit:

LOTS 1 THROUGH 10, INCLUSIVE AND LOTS 17 THROUGH 26 INCLUSIVE, BLOCK 28,  
CITY OF OKEECHOBEE, ACCORDING TO THE PLAT OR MAP THEREOF DESCRIBED  
IN PLAT BOOK 5, AT PAGE(S) 5, OF THE PUBLIC RECORDS OF OKEECHOBEE  
COUNTY, FLORIDA.

Property Tax ID Number: 3-15-37-35-0010-00280-0010, R3-15-37-35-0010-00280-0100  
3-15-37-35-0010-00280-0170 and 3-15-37-35-0010-00280-0180

SUBJECT TO easements, restrictions and reservations of record, if any but this shall not  
reimpose same and taxes for 2007 and subsequent years.

Said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful  
claims of all persons whomsoever.

\*Singular and plural are interchangeable as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first  
above written,

(WITNESS 1) Amber E B McMichael  
SIGN AND PRINT NAME  
Amber E B McMichael

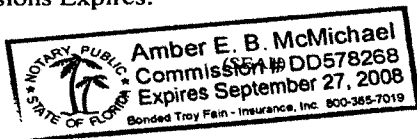
[Signature]  
NYSOLA GRANT, AS PERSONAL REPRESENTATIVE  
OF THE ESTATE OF MELTON GEORGE GRANT

(WITNESS 2) Jody Newman  
SIGN AND PRINT NAME  
Jody Newman

State of FLORIDA  
County of Palm Beach

The foregoing instrument was acknowledged before me on this 11<sup>th</sup> day of October,  
2007 by NYSOLA GRANT is personally known to me or who has produced  
FDC as identification and did \_\_\_\_\_ take any oath.

My Commissions Expires:



Amber E B McMichael  
Notary Public  
PRINT OR TYPE NAME:

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

Dear Reviewer:

Fosler, LLC owns the following property:

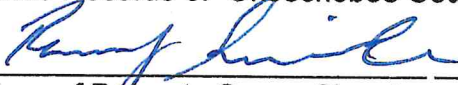
Lots 1 to 10 Block 28 and lots 17 to 26 inclusive, City of Okeechobee, Plat Book 5, Page 5 as recorded in the Okeechobee County Public Records.

Do hereby consent or agree, with my/our signature below, to the closing of the alley and/or street described below:

That portion of alley, 20 feet in width, lying between Lots 1 through 10 and Lots 17 through 26, Block 39, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.

Together with

That portion of Northwest 10th Street (formerly known per plat as Sixteenth Avenue), 70 feet in width, lying between Lots 1 through 10, Block 39 and Lots 17 through 26, Block 28, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.



\_\_\_\_\_  
Signature of Property Owner Signature of Property Owner

Randy Simler

Printed Name Printed Name

STATE OF FLORIDA

COUNTY OF OKEECHOBEE

The foregoing instrument was acknowledged before me this 03-30-2020

(date) by RAUDEL G. SIMLER,

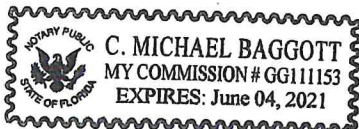
who is personally known to me or who produced FLORIDA DL as identification and who did (did not) take oath.

(Seal) 

(Notary Public signature)

Commission No. GG111153

\_\_\_\_\_  
(Name of Notary typed, printed or stamped)



**2019 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT**

DOCUMENT# L07000081937

Entity Name: FOSLER, LLC

**Current Principal Place of Business:**

C/O RANDY SIMLER  
310 LAKE SHORE DR APT #3  
LAKE PARK, FL 33403

**Current Mailing Address:**

C/O RANDY SIMLER  
310 LAKE SHORE DR APT #3  
LAKE PARK, FL 33403 US

FEI Number: 26-0811427

Certificate of Status Desired: No

**Name and Address of Current Registered Agent:**

SIMLER, RANDY  
310 LAKE SHORE DR  
APT #3  
LAKE PARK, FL 33403 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

SIGNATURE:

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**Authorized Person(s) Detail :**

Title MGRM  
Name FOSTER, KENNETH  
Address 525 KINGFISH RD  
City-State-Zip: NORTH PALM BEACH FL 33408

Title MGRM  
Name SIMLER, RANDY  
Address 310 LAKE SHORE DR  
APT #3  
City-State-Zip: LAKE PARK FL 33403

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

SIGNATURE: KENNETH FOSTER

MGRM

03/28/2019

\_\_\_\_\_  
Electronic Signature of Signing Authorized Person(s) Detail

\_\_\_\_\_  
Date

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

Dear Reviewer:

Fosler, LLC owns the following property:


Lots 1 to 10 Block 28 and lots 17 to 26 inclusive, City of Okeechobee, Plat Book 5, Page 5 as recorded in the Okeechobee County Public Records.

Do hereby consent or agree, with my/our signature below, to the closing of the alley and/or street described below:

That portion of alley, 20 feet in width, lying between Lots 1 through 10 and Lots 17 through 26, Block 39, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.

Together with

That portion of Northwest 10th Street (formerly known per plat as Sixteenth Avenue), 70 feet in width, lying between Lots 1 through 10, Block 39 and Lots 17 through 26, Block 28, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.



Signature of Property Owner Signature of Property Owner

Randy Simler

Printed Name Printed Name

STATE OF FLORIDA

COUNTY OF OKEECHOBEE

The foregoing instrument was acknowledged before me this 03-30-2020

(date) by RANDEL G. SIMLER,

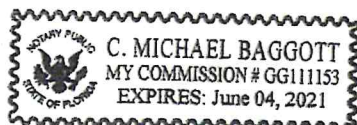
who is personally known to me or who produced FLORIDA DL as identification and who did (did not) take oath.

(Seal) 

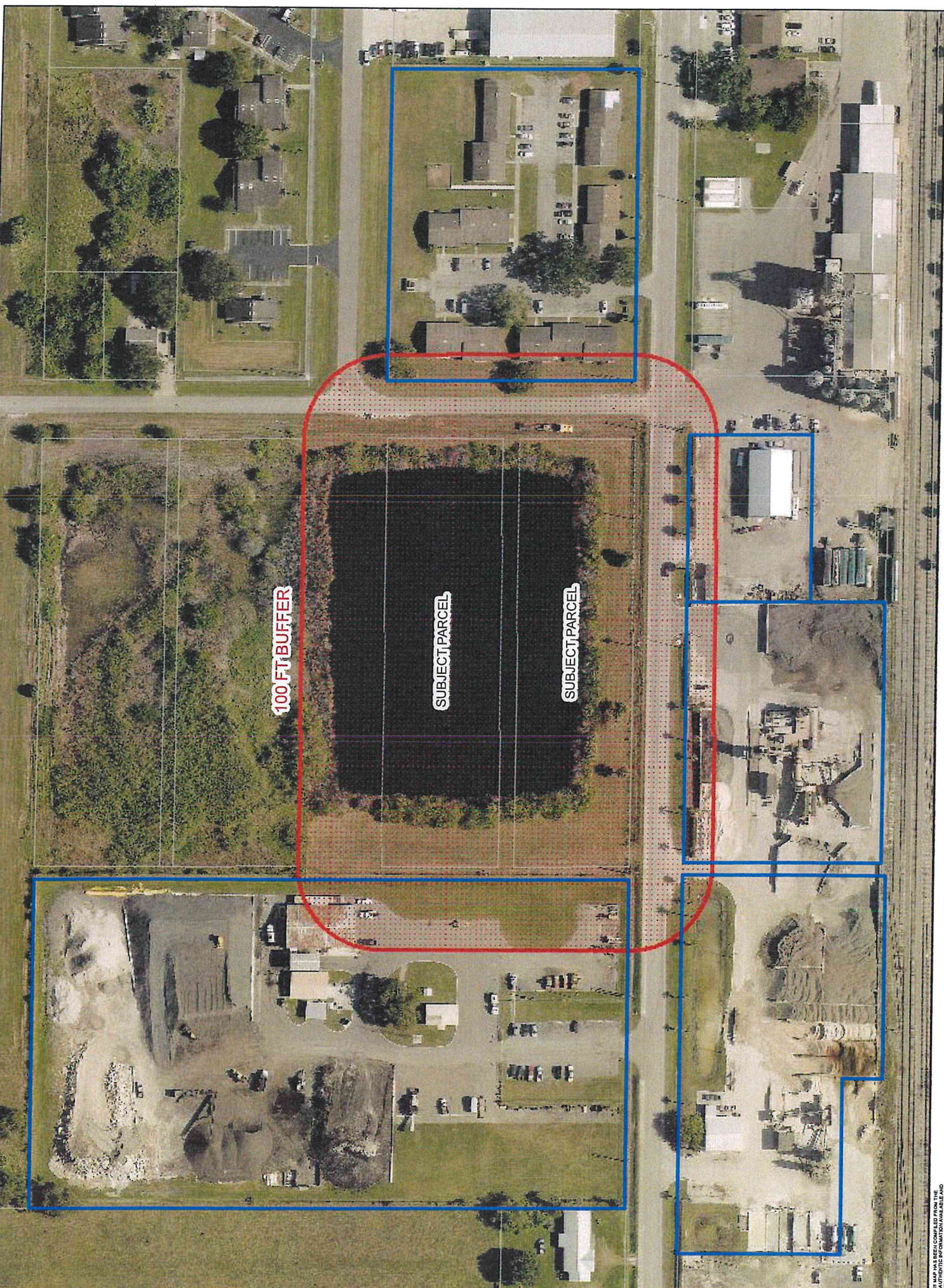
(Notary Public signature)

Commission No. 6611153

(Name of Notary typed, printed or stamped)







100 FT BUFFER

SUBJECT PARCEL

SUBJECT PARCEL

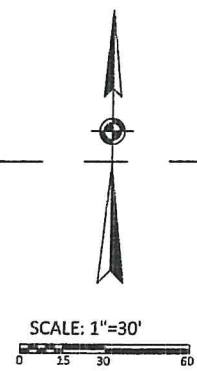
OKEECHOBEE COUNTY PROPERTY APPRAISER'S OFFICE

THIS MAP HAS BEEN COMPILED FROM THE  
OKEECHOBEE COUNTY PROPERTY APPRAISER'S  
FILES OR OMISSIONS CONTAINED THEREON



PARCEL NUMBER	OWNER	ADDRESS 1	ADDRESS 2	ADDRESS 3	CITY	ST	ZIP
3-15-37-35-0010-00280-0010	FOSLER LLC	C/O RANDY SIMLER	310 LAKE SHORE DR APT #3		NLAKE PARK	FL	33403
3-15-37-35-0010-00280-001A	HAMRICK TRUST	% H G CULBRETH	P O BOX 848		OKEECHOBEE	FL	349730848
3-15-37-35-0010-00280-0180	FOSLER LLC	C/O RANDY SIMLER	310 LAKE SHORE DR APT#3		LAKE PARK	FL	33403
3-15-37-35-0010-00290-0010	OKEECHOBEE COMMONS, LTD.	C/O PROPERTY TAX EAGLE	3338-L1 COUNTRY CLUB RD	SUITE 236	VALDOSTA	GA	316050000
3-15-37-35-0010-00290-0110	KNIGHT ROBERT W	1010 NW 5TH AVE			OKEECHOBEE	FL	349740000
3-15-37-35-0010-00380-0070	TANGLEWOOD LTD	C/O A & M PROPERTIES INC	PO BOX 330		LAKELAND	FL	338020000
3-15-37-35-0010-00400-0070	C W ROBERTS CONTRACTING INC	3372 CAPITAL CIR NE			TALLAHASSEE	FL	323083710
3-15-37-35-0010-00450-0010	C W ROBERTS CONTRACTING INC	3372 CAPITAL CIR NE			TALLAHASSEE	FL	323083710
3-15-37-35-0010-00460-0010	WALPOLE JAY L & STEPHANIE	PO BOX 1723			OKEECHOBEE	FL	349731723
3-15-37-35-0010-00460-0050	C W ROBERTS CONTRACTING INC	3372 CAPITAL CIR NE			TALLAHASSEE	FL	323083710
3-15-37-35-0010-00460-0220	SEABOARD COAST LINE RAILROAD	%WALPOLE FEED & SUPPLY CO	2595 NW 8TH STREET		OKEECHOBEE	FL	34974
3-15-37-35-0010-00460-022A	WALPOLE JAY L	PO BOX 1723			OKEECHOBEE	FL	349731723
3-15-37-35-0010-00470-0010	WALPOLE KEITH A	2850 SW 16TH ST			OKEECHOBEE	FL	34972
3-15-37-35-0010-00470-0100	WALPOLE FEED AND SUPPLY CO	2595 NW 8TH STREET			OKEECHOBEE	FL	34972





FOSLER, LLC

OMAR ABUAITA

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. ABUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADOPTION BY STEVEN L. DOBBS, P. E., SHALL BE WITHOUT LIABILITY TO STEVEN L. DOBBS ENGINEERING, LLC.

**Steven L. Dobbs Engineering, LLC**  
 1062 JAKES WAY  
 Okeechobee, FL 34974  
 Phone: (863) 824-7644

FLORIDA CERTIFICATE OF AUTHORIZATION No. 00029206

No.	DATE	BY	REVISIONS

**OMAR ABUAITA**  
**CITY OF OKEECHOBEE ANBANDONMENT**  
 LOCATED IN THE CITY OF OKEECHOBEE, FL

**POST ABANDONMENT EXHIBIT**

JOB No.: 2019-031  
 SHEET  
 1 OF 1



**CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION**  
Utility Companies Authorization Form

**Instructions:**

Applicant: Deliver the petition and this form to the following Utility Companies for their comments. It must be signed and dated with a contact number for each person.

Utility Companies: If an easement is needed, provide a complete legal description for it. The City Attorney will address it as a nonexclusive perpetual easement within the Ordinance. If there is going to be a relocated easement, provide legal of where it's to be relocated to. The City Attorney will address this in the Ordinance by denoting the relocated easement is in an attached exhibit to the Ordinance. Additionally, the effective date will be upon the City's receipt of the recorded relocated easement between the owner and utility company and provided on the utility company's form.

Florida Power & Light	FPL HAS NO Objection
863-467-3708	There Are NO FPL FACILITIES
Donna Padgett	At this time

Donna Padgett      Donna Padgett      863 467-3708      3/20/20  
Authorized Signature      Typed Name & Title      Phone No.      Date

Embarq d/b/a Century Link	
863-452-3185	
Kenneth R. Lutz	
ken.lutz@centurylink.com	

\_\_\_\_\_  
Authorized Signature      Typed Name & Title      Phone No.      Date

Comcast Cable	
863-763-2824	
107 NW 7 <sup>th</sup> Avenue	

\_\_\_\_\_  
Authorized Signature      Typed Name & Title      Phone No.      Date

Okeechobee Utility Authority	
John Hayford	
863-763-9460	
100 SW 5 <sup>th</sup> Avenue	

\_\_\_\_\_  
Authorized Signature      Typed Name & Title      Phone No.      Date

Florida Public Utilities	
Dale M. Butcher	
561-366-1635	
dbutcher@fpuc.com	

\_\_\_\_\_  
Authorized Signature      Typed Name & Title      Phone No.      Date

**\*REQUIRED ONLY FOR CITY OF OKEECHOBEE & FIRST ADDITION TO CITY OF OKEECHOBEE SUBDIVISIONS**

Hamrick Estate	
Gil Culbreth, Co-Trustee	
863-763-3154	

\_\_\_\_\_  
Authorized Signature      Typed Name & Title      Phone No.      Date

LEGEND:

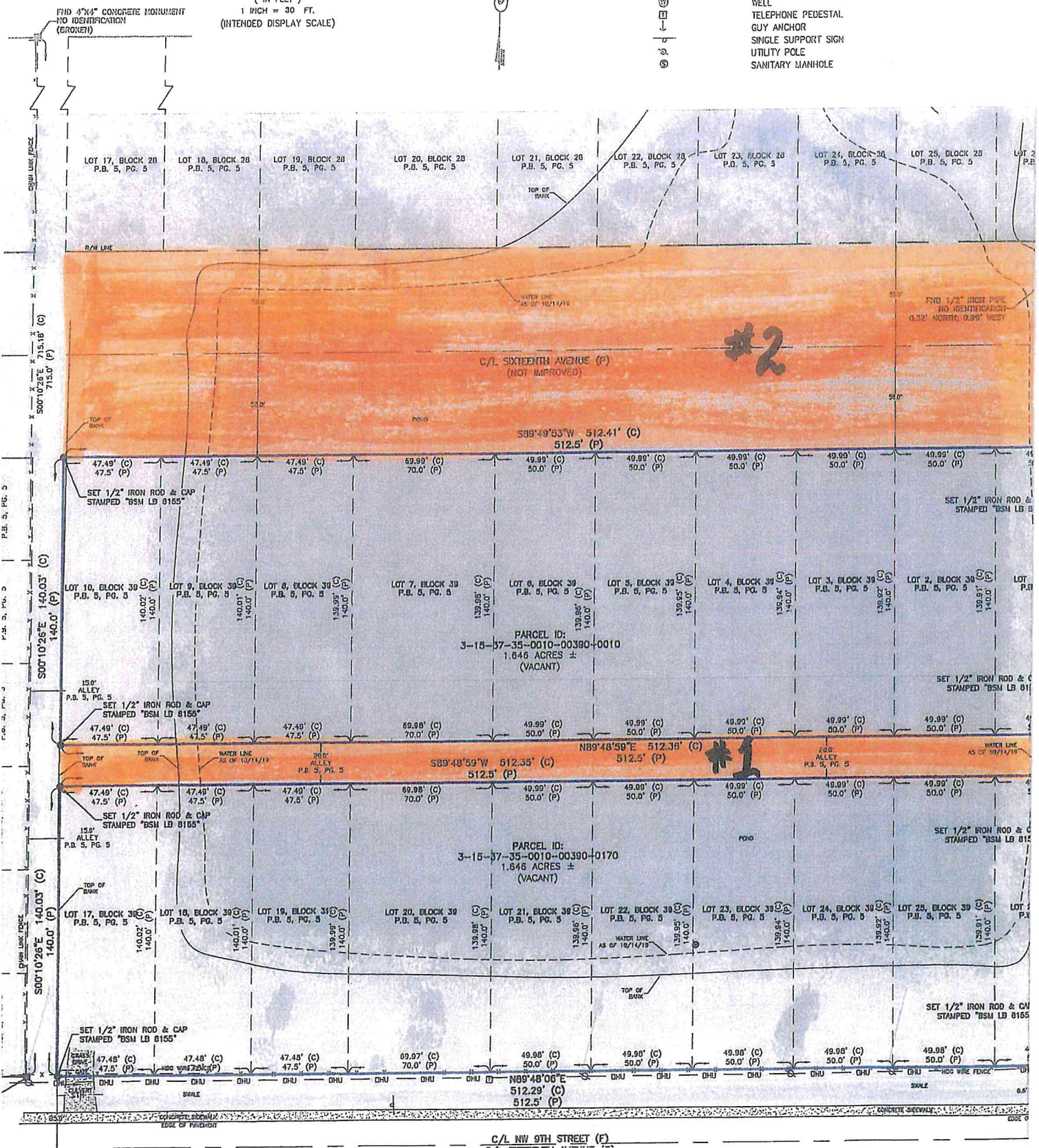
BOUNDARY

SECTION  
TOWNSHIP :  
RANGE 3

GRAPHIC SCALE

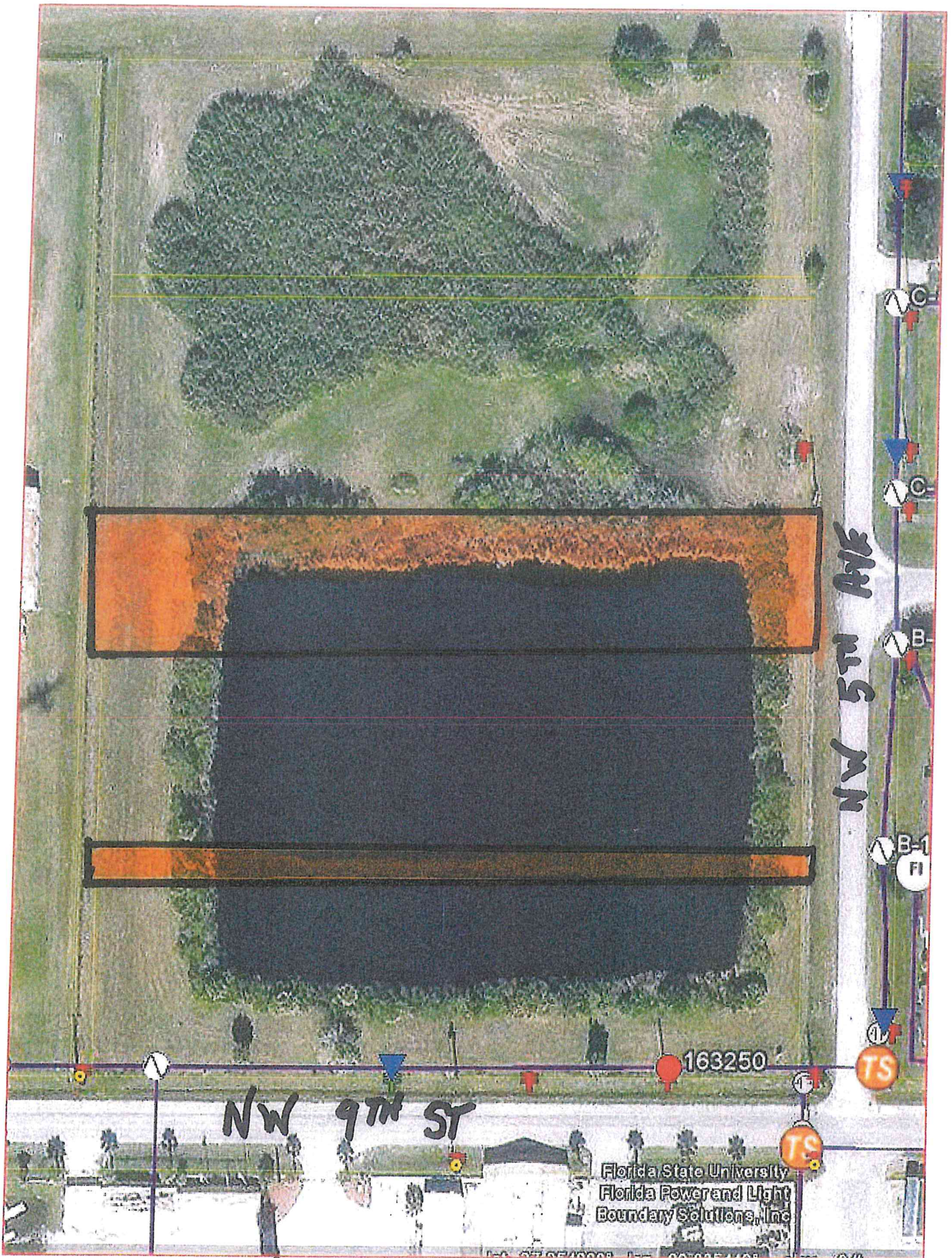


- ID
- FND FOUND
- P.B. PLAT BOOK
- PG. PAGE
- (C) CALCULATED DIMENSION
- (P) PLAT DIMENSION
- (F) FIELD
- OHU OVERHEAD UTILITY LINE
- WELL
- TELEPHONE PEDESTAL
- GUY ANCHOR
- SINGLE SUPPORT SIGN
- UTILITY POLE
- SANITARY MANHOLE



C/L NW 9TH STREET (F)





NW 5TH AVE

NW 9TH ST

163250

Florida State University  
Florida Power and Light  
Boundary Solutions, Inc

DRIVER OF NW 9TH ST & NW 5TH AVE



**CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION**  
Utility Companies Authorization Form

**Instructions:**

**Applicant:** Deliver the petition and this form to the following Utility Companies for their comments. It must be signed and dated with a contact number for each person.

**Utility Companies:** If an easement is needed, provide a complete legal description for it. The City Attorney will address it as a nonexclusive perpetual easement within the Ordinance. If there is going to be a relocated easement, provide legal of where it's to be relocated to. The City Attorney will address this in the Ordinance by denoting the relocated easement is in an attached exhibit to the Ordinance. Additionally, the effective date will be upon the City's receipt of the recorded relocated easement between the owner and utility company and provided on the utility company's form.

<b>Florida Power &amp; Light</b>	
<b>863-467-3708</b>	
<b>Donna Padgett</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Embarq d/b/a Century Link</b>	
<b>863-452-3185</b>	
<b>Kenneth R. Lutz</b>	
<b><a href="mailto:ken.lutz@centurylink.com">ken.lutz@centurylink.com</a></b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Comcast Cable</b>	
<b>863-763-2824</b>	
<b>107 NW 7<sup>th</sup> Avenue</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Okeechobee Utility Authority</b>	
<b>John Hayford</b>	
<b>863-763-9460</b>	
<b>100 SW 5<sup>th</sup> Avenue</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Florida Public Utilities</b>	
<b>Dale M. Butcher</b>	
<b>561-366-1635</b>	
<b><a href="mailto:dbutcher@fpuc.com">dbutcher@fpuc.com</a></b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

**\*REQUIRED ONLY FOR CITY OF OKEECHOBEE & FIRST ADDITION TO CITY OF OKEECHOBEE SUBDIVISIONS**

<b>Hamrick Estate</b>	
<b>Gil Culbreth, Co-Trustee</b>	
<b>863-763-3154</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_



CenturyLink

3/20/2020

Steven L. Dobbs Engineering, LLC  
Steven L. Dobbs, P.E.  
208 NE 2<sup>nd</sup> Avenue  
Okeechobee, FL 34972

No Reservations/No Objection

**SUBJECT:**

That portion of alley, 20 feet in width, lying between Lots 1 through 10 and Lots 17 through 26, Block 39, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida

Together with:

That portion of Northwest 10th Street (formerly known per plat as Sixteenth Avenue), 100 feet in width, lying between Lots 1 through 10, Block 39 and Lots 17 through 26, Block 28, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.

To Whom It May Concern:

Embarq Florida, Inc., d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

Sincerely yours,

Mike Pietlukiewicz  
Contract Manager II  
CenturyLink  
P826193

5/25/2020

Steven L. Dobbs Engineering, LLC  
Steven L. Dobbs, P.E.  
208 NE 2<sup>nd</sup> Avenue  
Okeechobee, FL 34972



No Reservations/No Objection

**SUBJECT:**

That portion of alley, 20 feet in width, lying between Lots 1 through 10 and Lots 17 through 26, Block 39, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida

Together with:

That portion of Northwest 10th Street (formerly known per plat as Sixteenth Avenue), 100 feet in width, lying between Lots 1 through 10, Block 39 and Lots 17 through 26, Block 28, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the Public Records of Okeechobee County, Florida.

To Whom It May Concern:

Embarq Florida, Inc., d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

Sincerely yours,

  
Danett Kennedy  
Senior Manager, ROW/Network Infrastructure Services  
CenturyLink  
P826193

**CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION**  
Utility Companies Authorization Form

**Instructions:**

**Applicant:** Deliver the petition and this form to the following Utility Companies for their comments. It must be signed and dated with a contact number for each person.

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<b>Florida Power &amp; Light</b>	
<b>863-467-3708</b>	
<b>Donna Padgett</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Embarq d/b/a Century Link</b>	
<b>863-452-3185</b>	
<b>Kenneth R. Lutz</b>	
<b>ken.lutz@centurylink.com</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Comcast Cable</b>	
<b>863-763-2824</b>	<i>RICK JOHNSON @ CABLE.COMCAST.COM</i>
<b>107 NW 7<sup>th</sup> Avenue</b>	<i>NO OBJECTION</i>

*[Signature]* \_\_\_\_\_ *Rick Johnson* <sup>CONTRACTOR</sup> <sub>COORDINATOR</sub> *561-402-4513* *2-8-10*  
Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Okeechobee Utility Authority</b>	
<b>John Hayford</b>	
<b>863-763-9460</b>	
<b>100 SW 5<sup>th</sup> Avenue</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Florida Public Utilities</b>	
<b>Dale M. Butcher</b>	
<b>561-366-1635</b>	
<b>dbutcher@fpuc.com</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

**\* REQUIRED ONLY FOR CITY OF OKEECHOBEE & FIRST ADDITION TO CITY OF OKEECHOBEE SUBDIVISIONS**

<b>Hamrick Estate</b>	
<b>Gil Culbreth, Co-Trustee</b>	
<b>863-763-3154</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

**CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION**  
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<b>Donna Padgett</b>	

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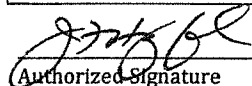
<b>Embarq d/b/a Century Link</b>	
<b>863-452-3185</b>	
<b>Kenneth R. Lutz</b>	
<b>ken.lutz@centurylink.com</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Comcast Cable</b>	
<b>863-763-2824</b>	
<b>107 NW 7<sup>th</sup> Avenue</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

<b>Okeechobee Utility Authority</b>	<i>No impact to OUA facilities</i>
<b>John Hayford</b>	
<b>863-763-9460</b>	<i>Wester LLC Abandonment</i>
<b>100 SW 5<sup>th</sup> Avenue</b>	<i>2019-03</i>

 Authorized Signature \_\_\_\_\_ *John F. Hayford* Typed Name & Title \_\_\_\_\_ *Executive Director* Phone No. *763-9460* Date *3/26/20*

<b>Florida Public Utilities</b>	
<b>Dale M. Butcher</b>	
<b>561-366-1635</b>	
<b>dbutcher@fpuc.com</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

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<b>Gil Culbreth, Co-Trustee</b>	
<b>863-763-3154</b>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_



**CITY OF OKEECHOBEE RIGHT-OF-WAY ABANDONMENT PETITION**  
Utility Companies Authorization Form

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Florida Power & Light	
863-467-3708	
Donna Padgett	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

Embarq d/b/a Century Link	
863-452-3185	
Kenneth R. Lutz	
<a href="mailto:ken.lutz@centurylink.com">ken.lutz@centurylink.com</a>	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

Comcast Cable	
863-763-2824	
107 NW 7 <sup>th</sup> Avenue	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

Okeechobee Utility Authority	
John Hayford	
863-763-9460	
100 SW 5 <sup>th</sup> Avenue	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

Florida Public Utilities	
Dale M. Butcher <i>Ivan Gibbs</i>	
561-366-1635	
<a href="mailto:dbutcher@fpuc.com">dbutcher@fpuc.com</a> <i>igibbs@fpuc.com</i>	

*[Signature]* \_\_\_\_\_ *Ivan Gibbs Engineering* \_\_\_\_\_ *561-723-3459* \_\_\_\_\_ *2/14/2020*  
Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

**\*REQUIRED ONLY FOR CITY OF OKEECHOBEE & FIRST ADDITION TO CITY OF OKEECHOBEE SUBDIVISIONS**

Hamrick Estate	
Gil Culbreth, Co-Trustee	
863-763-3154	

Authorized Signature \_\_\_\_\_ Typed Name & Title \_\_\_\_\_ Phone No. \_\_\_\_\_ Date \_\_\_\_\_

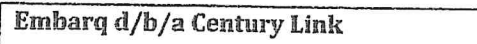
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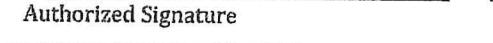
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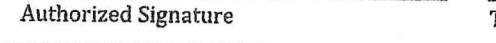
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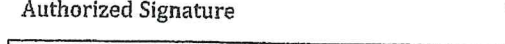
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Florida Power & Light	
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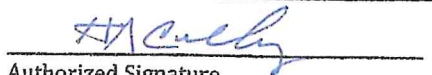
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Authorized Signature	Typed Name & Title	Phone No.	Date
	Comcast Cable		
	863-763-2824		
	107 NW 7 <sup>th</sup> Avenue		

Authorized Signature	Typed Name & Title	Phone No.	Date
	Okeechobee Utility Authority		
	John Hayford		
	863-763-9460		
	100 SW 5 <sup>th</sup> Avenue		

Authorized Signature	Typed Name & Title	Phone No.	Date
	Florida Public Utilities		
	Dale M. Butcher		
	561-366-1635		
	<a href="mailto:dbutcher@fpuc.com">dbutcher@fpuc.com</a>		

Authorized Signature	Typed Name & Title	Phone No.	Date
	Hamrick Estate TRUST		
	Gil Culbreth, Co-Trustee		
	863-763-3154		
	THE HAMRICK TRUST HAS A FEE SIMPLE INTEREST IN THE SUBJECT PROPERTY		

	H.G. Culbreth, Jr.	863 6100265	4-15-2020
Authorized Signature	Typed Name & Title CO-TRUSTEE	Phone No.	Date







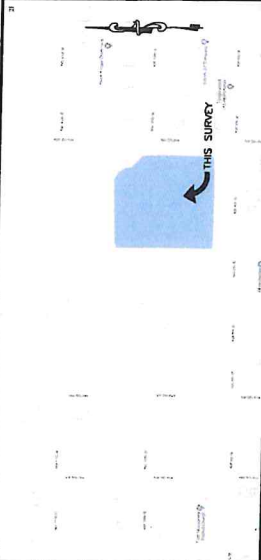
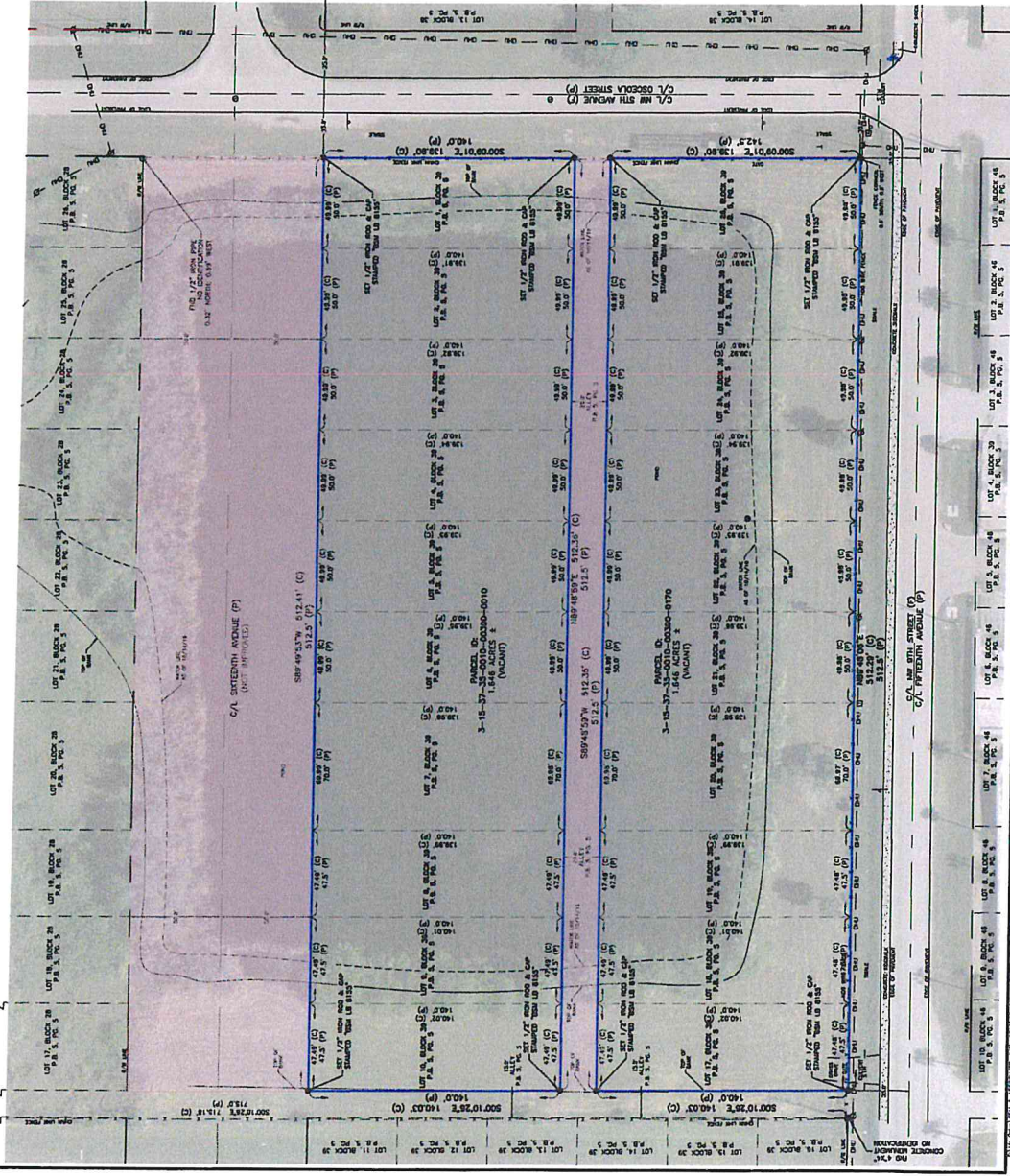
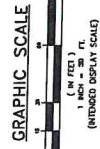
Checklist for Abandonment of Right-of-Way  
 Petition No. 20-001-PC-SC

	Required Information and Attachments	Date Rcv'd	Ck'd
1	Application fee (non-refundable) \$600.00  <b>Note: (Resolution No. 98-11) Schedule of Land Development Regulation Fees and Charges</b> <b>When the cost for advertising publishing and mailing notices of public hearings exceeds the established fee, or when a professional consultant is hired to advise the city on the application, the applicant shall pay the actual costs.</b>	4-24-20	✓
2	Completed and signed petition		✓
3	✓ Copy of recorded deed of petitioner as well as <u>any other property owner whose property is contiguous to the right-of-way.</u>		✓
4	Letters of Consent or Objection. (If more than one property owner is involved and they are <b>not</b> signing the petition).		✓
5	Location map of subject property and surrounding area within 100' (See Information Request Form attached) and dimensions of right-of-way.		
6	Missing List of all property owners within 300' of subject property (See Information Request Form attached)		
7	Site Plan of property after abandonment. (No larger than 11x 17)		✓
8	Utility Companies Authorization Form. (See attached)		
9	Copy of recorded Plat of the Subdivision where right-of-way exists no Larger than 11x17. (Can be obtained from the County Clerk's Office, Court House)		✓

# BOUNDARY SURVEY

## SECTION 15 TOWNSHIP 37 SOUTH RANGE 35 EAST

- LEGEND:**
- P.F. PRO
  - P.B. P.B.
  - P.C. CALCULATED DIMENSION
  - (C) FIELD DIMENSION
  - (F) FIELD DIMENSION
  - (O) OVERHEAD UTILITY LINE
  - (T) TELEPHONE/POSTAL
  - (A) SHIELD SUPPORT SIGN
  - (M) SANITARY MANHOLE



**LEGAL DESCRIPTION:**

(O.R. 800, PG. 1298) 25, 26, 27, 28, 29, 30, 31, 32, AND 34, BLOCK 39, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA, AND

1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK 39, CITY OF OKEECHOBEE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 5, PUBLIC RECORDS OF OKEECHOBEE COUNTY, FLORIDA.

**SURVEYOR'S NOTES:**

1. THE SURVEY DATE IS OCTOBER 14, 2018.
2. THIS IS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 54-17.050(1) OF THE FLORIDA ADMINISTRATIVE CODE.
3. THIS SURVEY MAY AND REPORT ON THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND HIS ASSISTANT.
4. ADDITIONS OR DELETIONS TO SURVEY MAPS OR INSTRUMENTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
5. COPYRIGHT © 2018 BY BSM & ASSOCIATES, INC.
6. BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH, AND ARE REFERENCED TO THE NORTH POINT OF WAY LINE OF SIXTEENTH AVENUE, SAID LINE BEARS N 89° 45' 57" W, AN ANGLE OF 90° 14' 03" BEING MADE AT THE POINT OF INTERSECTION OF SAID LINE WITH THE EAST LINE OF SAID AVENUE.
7. THE SURVEYOR HAS REVIEWED THE CURRENT TITLE COMMITMENT, PLAT, AND RECORDS OF THE COUNTY OF OKEECHOBEE, FLORIDA, AND HAS DETERMINED THAT THE SURVEY IS ACCURATE AND CORRECT.
8. THE SURVEYOR HAS REVIEWED THE CURRENT TITLE COMMITMENT, PLAT, AND RECORDS OF THE COUNTY OF OKEECHOBEE, FLORIDA, AND HAS DETERMINED THAT THE SURVEY IS ACCURATE AND CORRECT.
9. THIS SURVEY DELINEATES THE LOCATIONS OF THE LEGAL DESCRIPTIONS ON THE GROUND, BUT DOES NOT DETERMINE OWNERSHIP OR PROPERTY RIGHTS.
10. UNDERGROUND IMPROVEMENTS, IF ANY, WERE NOT LOCATED EXCEPT AS SHOWN.
11. ADDITIONAL PROPERTY INFORMATION WAS OBTAINED FROM OKEECHOBEE COUNTY PURPOSES ONLY.
12. INFORMATION SYSTEMS (LANS) DATED 2018 AND IS SHOWN FOR INFORMATIONAL PURPOSES ONLY.
13. SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE X PER FEMA MAP NUMBER 17093C, PANEL NUMBER 0115C, WITH AN EFFECTIVE DATE OF 07/14/15.

**CERTIFICATION:**

I, RICHARD E. BARNES, BEING A LICENSED SURVEYOR IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT THE ATTACHED SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT IT MEETS THE STANDARDS OF A PROFESSIONAL SURVEYOR AND MAPPER IN THE STATE OF FLORIDA, ADMINISTRATIVE CODE CHAPTER 54-17.050.

USE THE SIGNATURE OF THE FOLLOWING PARTIES ONLY:

1) OMAK ABAYATA  
2) STEVE DOBBS ENGINEERING, INC.  
3) BSM & ASSOCIATES, INC.

RICHARD E. BARNES IS  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. 7074

**BSM & ASSOCIATES**  
LAND SURVEYING SERVICES

100 S.E. 14TH AVE., OKEECHOBEE, FL 33474  
FLY@bsm-surveying.com  
888-354-5221  
888-354-5221

CAD	2/14/2018	BSM & ASSOCIATES, INC. 3111 9TH STREET FORTLAUDERDALE, FL 33405
FLD	MM/DD/YY	7/8/PC, PL #1/20-22
OFF	BLM	
CAD	REB	
SHEET 1 OF 1		
DWP 19-221 BOUNDARY SURVEY		
DATE 10/14/18		

**BOUNDARY SURVEY**  
NW 9TH STREET  
OKEECHOBEE, FLORIDA 34974



## **Staff Report**

# **Right-of-Way Abandonment/Street Vacation**

*Prepared for:*            *The City of Okeechobee*

*Applicant:*                *Omar Abuaita*

*Petition No.:*            *20-001-AC-SC*

**LaRue**  
**planning**

1375 Jackson Street # 206 Fort Myers, FL 33901



**Request**

The matter before the TRC is a request to abandon two sections of public right-of-way:

1. A 20' by 512.5' ROW section totaling 10,250 square feet described as follows:

*“That portion of alley, 20 feet in width, lying between Lots 1 through 10 and Lots 17 through 26, Block 39, City of Okeechobee, according to the plat thereof as recorded in Plat Book 5 at Page 5 of the public Records of Okeechobee County, Florida.*

2. A 70' by 512.5' ROW section totaling 35,875 square feet described as follows:

*“That portion of Northwest 10th Street (formerly known per plat as Sixteenth Avenue), 70 feet in width, lying between Lots 1 through 10, Block 39 and Lots 17 through 26 Block 28, City of Okeechobee, according to the plat thereof as recorded*

In total, the abandonment request encompasses 46,125 square feet (1.06 acres) of public ROW. The vacant portion of block 39 contiguous to the subject ROWs was recently approved for a future land use map amendment and a rezoning to multifamily residential. If this request is approved, the applicant has stated their intention is to join that property to the vacant portion of block 28 to the north and construct a multifamily residential project.

**General Information**

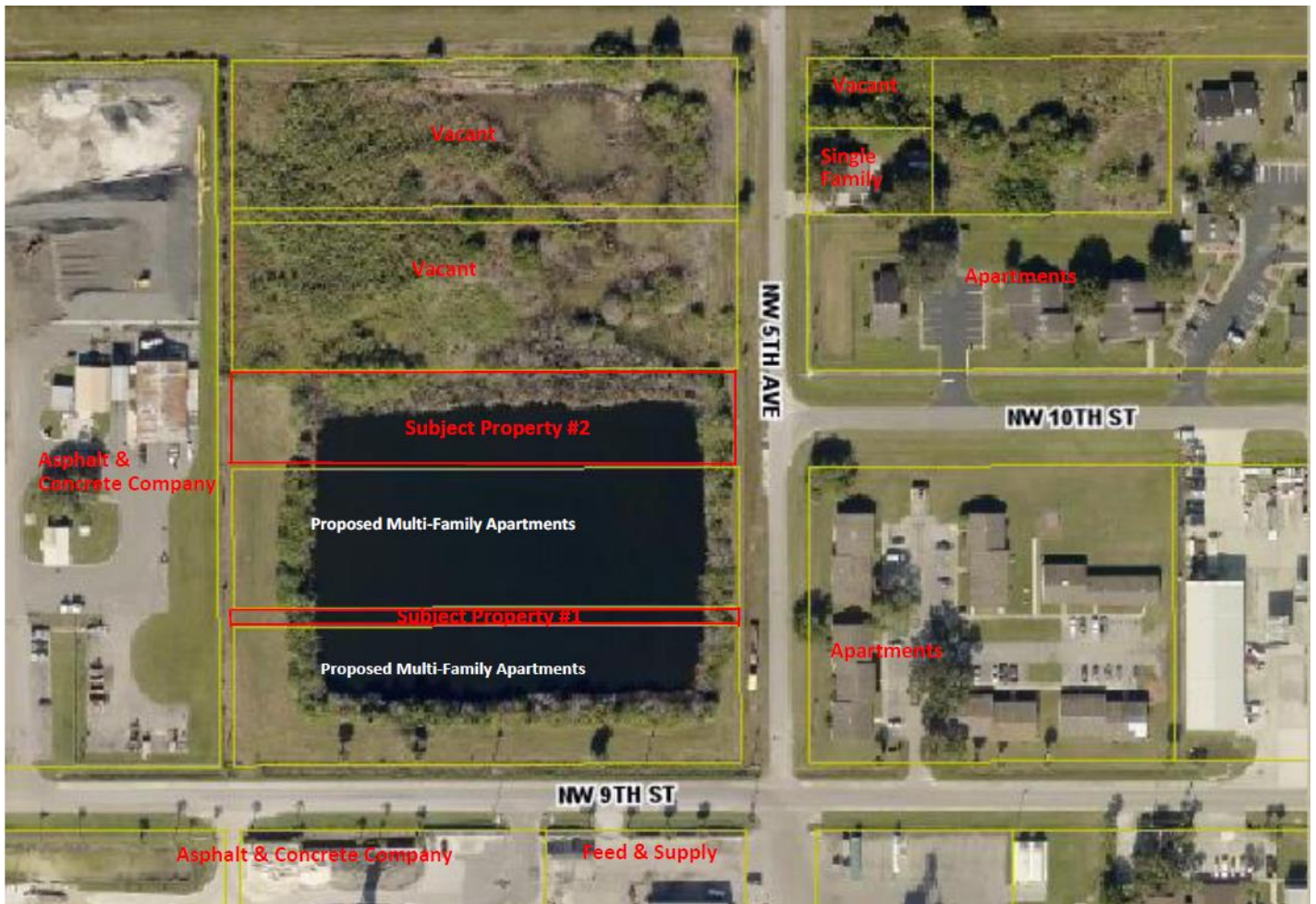
Applicant / Owner	Omar Abuaita 3000 N. Ocean Drive Unit 16F Riviera Beach, FL
Owner Phone Number	863.824.7644
Owner E-mail Address	randy@twodrunkenangoats.net
For the legal description of the project or other information regarding this application, please refer to the application submittal package which is available by request at City Hall and is posted on the City’s website prior to the advertised public meeting at <a href="https://www.cityofokeechobee.com/agendas.html">https://www.cityofokeechobee.com/agendas.html</a> .	

**Characteristics of the Subject Property**

	Existing	Proposed
Future Land Use Map Classification	Multi Family Residential	Multi Family Residential
Zoning District	Residential Multiple Family	Residential Multiple Family
Use of Property	Vacant	Multi-Family Apartments
Acreage	3.26	4.32

**Description of the Subject Site and Surrounding Area**

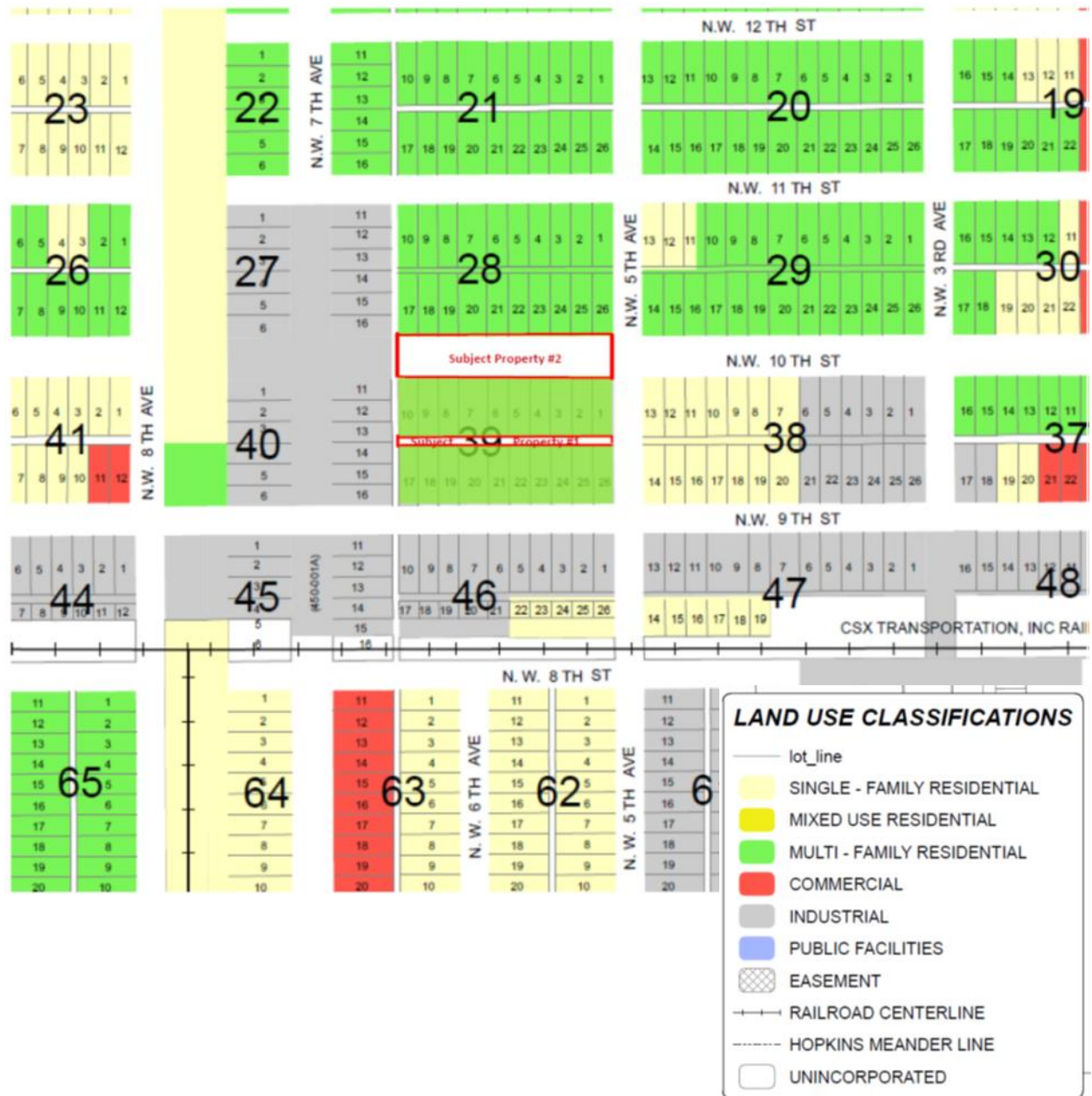
The subjects of the abandonment/vacation, vacant alley (subject property #1) and unimproved right-of-way of NW 10<sup>th</sup> Street (subject property #2) are outlined in Red, and the existing land uses in the vicinity are shown below on the aerial photograph from the Property Appraiser’s office. The Applicant owns the two parcels labeled *proposed multi-family apartments*.





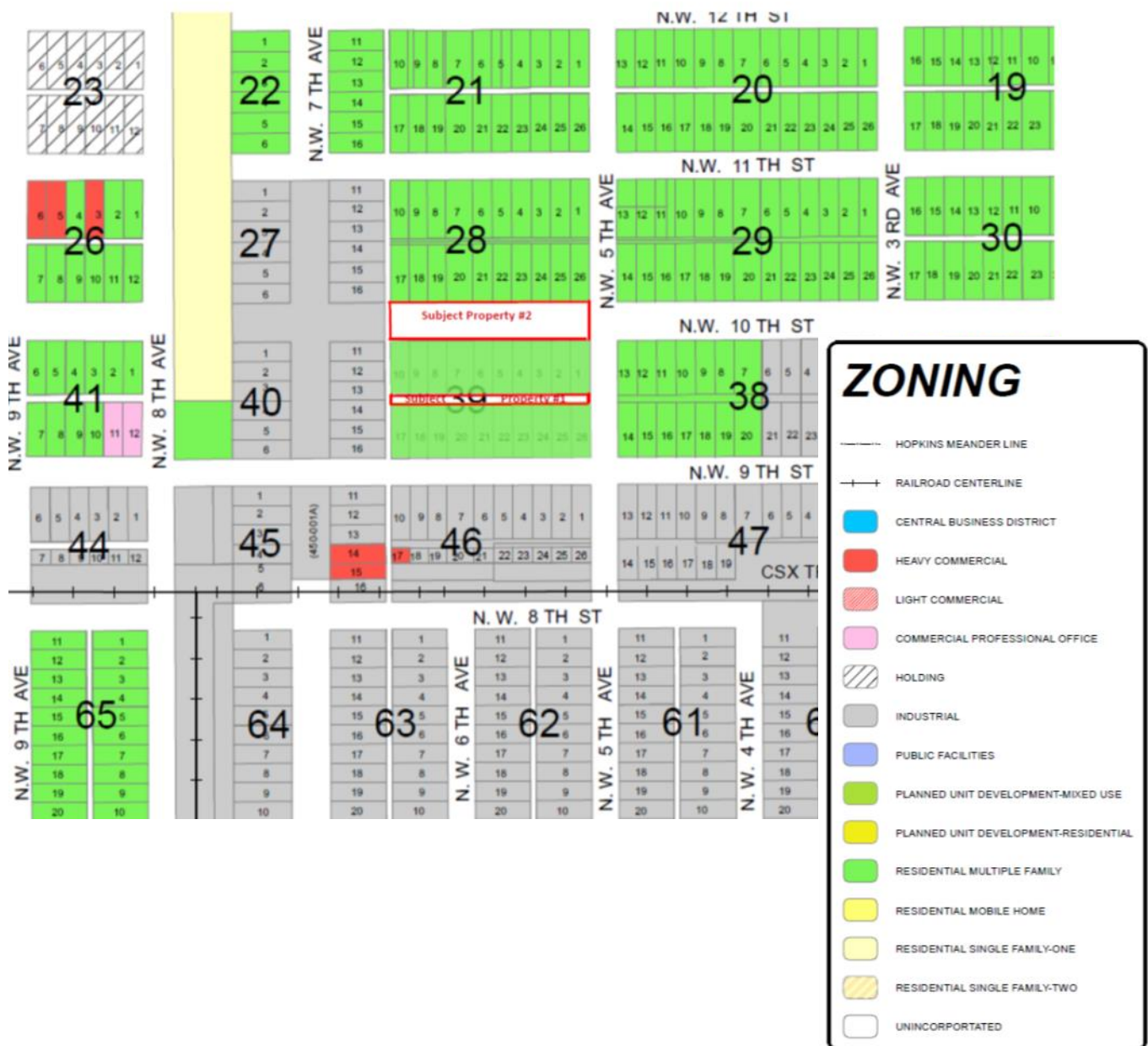
**FUTURE LAND USE**

The subjects of the abandonment/vacation, vacant alley (subject property #1) and unimproved right-of-way of NW 10<sup>th</sup> Street (subject property #2) are outlined in Red, and the existing Future Land Use Map designations are shown on this excerpt from the City's Future Land Use Map. With the City Council recently approving a map amendment change of the Applicant's property to multi-family residential, and the property to the north designated as multi-family residential, it seems appropriate to place the same designation on the vacated property. The multi-family designation is also necessary if the Applicant is to complete the stated goal of developing a multi-family residential project at this site.



**ZONING**

The subjects of the abandonment/vacation, vacant alley (subject property #1) and unimproved right-of-way of NW 10<sup>th</sup> Street (subject property #2) are outlined in Red, and the existing zoning designations are shown on this excerpt from the City’s Zoning Map. With the City Council recently approving a zoning map change of the Applicant’s property to residential multiple family, and the property to the north designated as residential multiple family, it seems appropriate to place the same designation on the vacated property. The multi-family designation is also necessary if the Applicant is to complete the stated goal of developing a multi-family residential project at this site.



### **Consistency with Sec. 78-33, Vacation of Rights-of-Way**

Sec. 78.33 states that applications to vacate an alley or public right-of-way may be approved upon a finding by the City Council that the following requirements have been met. The Applicant's responses are provided in Times Roman typeface and are repeated below exactly as provided by the Applicant. Staff has made no attempt to correct typos, grammar, or clarify the Applicant's comments. Staff Comments are in Arial typeface.

**1. *Proposed vacation is consistent with the Comprehensive Plan.***

**Applicant Comment:** "The requested road ROW and alley are currently not used for access or utilities, there is no mention of alleys in the City's Comprehensive Plan, the LDR's mention alleys in Section 86-142, which states alley may be allowed in residential districts, also in Section 70-335, which states notice of abandonment required, otherwise they are other referenced, but not concerning vacancies."

**Staff Comment:** There is nothing in the City's Comprehensive Plan concerning abandonments or vacations of rights-of-way.

**2. *Right-of-way to be vacated is not the sole access to any property, and the remaining access is not an easement***

**Applicant Comment:** "Neither ROW or alley is sole access to any property and a remaining land will not require an easement."

**Staff Comment:** Access will not be affected for any properties. Additionally, the property owner of the parcel on the north of the 10<sup>th</sup> St ROW has provided a notarized form of consent to the Applicant's request. The Applicant has provided a diagram depicting how the 10<sup>th</sup> St ROW would be divided, with the northern half going to Fosler LLC and the southern half going to Omar Abuaita, the Applicant. This arrangement makes sense as these are the only contiguous properties (NW 5<sup>th</sup> Ave lies to east of these properties and an alley separates these properties from the parcel to the west).

**3. *Proposed vacation is in the public interest and provides a benefit to the City.***

**Applicant Comment:** "The proposed vacation of ROW and alley is within a block that will become a multifamily project to provide workforce housing, which the City is in need of, so this vacation will allow the existing ROW and alley's square footage to add density to this project so more housing can be added and return the property to the tax rolls."

**Staff Comment:** The proposed right-of-way area to be vacated has not been improved to facilitate vehicular traffic. Turning over maintenance responsibility to the Applicant and adding this property to the City tax rolls will be a benefit to the City. If the property is developed according to the Applicant's stated plans, additional taxes will be collected by the City.

**4. Proposed vacation would not jeopardize the location of any utility.**

**Applicant Comment:** “There are currently no utilities in either of the requested abandonments.”

**Staff Comment:** The Applicant has provided signed authorizations from all necessary utility entities including:

- Florida Power & Light
- Century Link (with the condition that the Applicant will bear the cost of relocation and repair of any facilities that are found and/or damaged in the vacated areas)
- Comcast
- Okeechobee Utility Authority
- Florida Public Utilities

## Recommendation

Based on the foregoing information and analysis, we believe, from a planning perspective, that the requested alley vacation/abandonment can be considered consistent with the requirements of Sec. 78-33. Staff recommends **approval** of this request.

Submitted by:



Benjamin L. Smith, AICP  
Sr. Planner, LaRue Planning

May 29, 2020

TRC Meeting: June 18, 2020

PB/BOA Meeting: July 16, 2020

City Council 1<sup>st</sup> Reading: (tentative) August 4, 2020

City Council 2<sup>nd</sup> Reading and Public Hearing: (tentative) September 1, 2020





**CITY OF OKEECHOBEE, FLORIDA**  
**JUNE 18, 2020**  
**DRAFT TECHNICAL REVIEW COMMITTEE MINUTES**

**I. CALL TO ORDER**

Chairperson Montes De Oca called the regular meeting of the Technical Review Committee for the City of Okeechobee to order on Thursday, June 18, 2020, at 10:00 A.M. in the City Council Chambers, located at 55 Southeast 3rd Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and extended by Executive Order No. 20-112, effective May 4, 2020, the meeting was conducted utilizing communications media technology as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and digital comments are recorded and retained as a permanent record.

A. The Pledge of Allegiance was led by Chairperson Montes De Oca.

**II. ATTENDANCE**

Technical Review Committee Secretary Patty Burnette called the roll. City Administrator Marcos Montes De Oca, Public Works Director David Allen, and Building Official Jeffery Newell were present. Police Chief Bob Peterson was absent, and Major Donald Hagan was present in his place. Fire Chief Smith was absent, and Lieutenant Steve Weeks was present in his place.

**CITY STAFF**

City Planning Consultant Ben Smith, General Services Secretary Yesica Montoya and Executive Assistant Robin Brock were present in the Chambers and City Attorney John Fumero was present via Zoom. The School Board Representative, Okeechobee Utility Authority (OUA) Executive Director John Hayford, and Okeechobee County Environmental Health Director Victor Faconti were absent with consent.

**III. AGENDA**

- A. Chairperson Montes De Oca asked whether there were any agenda items to be added, deferred or withdrawn. There were none.
- B. A motion was made by Building Official Newell to approve the agenda as published; seconded by Public Works Director Allen.

**Chairperson Montes De Oca, Public Works Director Allen, Building Official Newell, Major Hagan, and Fire Lieutenant Weeks voted: Aye. Nays: none. Motion Carried.**

**IV. MINUTES**

- A. A motion was made by Building Official Newell to dispense with the reading and approve the May 21, 2020 regular meeting minutes; seconded by Public Works Director Allen.

**Chairperson Montes De Oca, Public Works Director Allen, Building Official Newell, Major Hagan, and Fire Lieutenant Weeks voted: Aye. Nays: none. Motion Carried.**

## V. NEW BUSINESS

- A. City Planning Consultant Ben Smith of LaRue Planning and Management Services briefly reviewed the Planning Staff Report for Abandonment of Right-of-Way Petition No. 20-001-AC-SC, which requests to vacate the 20-foot wide by 512.5-foot long East to West alleyway lying between Lots 1 through 10 and Lots 17 through 26, of Block 39, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public of Records of Okeechobee County, and a 70-foot wide by 512.5-foot long portion of Northwest 10<sup>th</sup> Street, formally known as Sixteenth Avenue, lying between Lots 1 through 10, Block 39 and Lots 17 through 26, Block 28, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public of Records of Okeechobee County. He stated recently the vacant portion of Block 39 contiguous to the subject rights-of-way was approved for a Future Land Use Map Amendment (FLUM) to Multi-Family Residential and a Rezoning change to Residential Multiple Family (RMF). If this request is approved, the Applicant intends to join the vacant portion of Block 28 to the North and construct a multifamily residential project. With those recent FLUM and Zoning approvals and the property to the North being designated as Multi-Family Residential on the FLUM and RMF on the zoning map, it seems appropriate to place the same designation on the vacated property. This designation is also necessary if the Applicant is to complete the stated goal of developing a multi-family residential project at this site.

Planning Staff's responses to the required findings are. The alleyway is not the sole means of access to any property. The property owner of the parcel to the North of the Northwest 10<sup>th</sup> Street right-of-way, Fosler LLC, has provided consent and the Applicant owns the Southern half. The proposed right-of-way areas to be vacated have not been improved to facilitate vehicular travel. Turning over maintenance responsibility to the Applicant and adding property to the City's tax rolls will be a benefit to the City. Finally, the Applicant has received authorization from all necessary utility entities. Planning Staff is recommending approval based on these findings.

1. Building Official Newell commented he is in support of the request although, just a little concerned with the Industrial uses close by he proposed residential.

Fire Lieutenant Weeks: No issues were received.

Major Hagan: No issues were received.

Public Works Director Allen stated his concern is with the North to South Alleyway located on the West side of Blocks 28 and 39 that would still be open for the City to maintain. He understands the property is in the City of Okeechobee subdivision which would involve purchasing the property from the H. E. Hamrick Trust. Since this would be an additional expense for the Applicant, maybe a maintenance agreement would be a better alternative.

Chairperson Montes De Oca asked Mr. Randy Simler, Registered Agent for Fosler LLC, who is intending to purchase the property from the Applicant, Omar Abuaita, if the City requested a maintenance agreement would he be open to that. Mr. Simler answered yes.

County Environmental Health Dept: No issues were received.

OUA: No issues were received.

2. Mr. Michael Baggot, with SLD Engineering, who represents the Property Owner, Omar Abuaita, and the Applicant, Mr. Randy Simler, was present for questions. Mr. Simler, 310 Lakeshore Drive, Lake Park Florida, was present as well.
3. Chairperson Montes De Oca asked whether there were any comments or questions from those in attendance from the Public. There were none.
4. Chairperson Montes De Oca disclosed he had spoken to both Mr. Simler and Mr. Steve Dobbs, PE, with SLD Engineering, regarding the application. There were no other disclosures offered.
5. A motion was offered by Building Official Newell to recommend approval to the Planning Board for Abandonment of Right-of-Way Petition No. 20-001-AC-SC, which requests to vacate the 20-foot wide by 512.5-foot long East to West alleyway lying between Lots 1 through 10 and Lots 17 through 26, of Block 39, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public of Records of Okeechobee County, and a 70-foot wide by 512.5-foot long portion of Northwest 10<sup>th</sup> Street, formally known as Sixteenth Avenue, lying between Lots 1 through 10, Block 39 and Lots 17 through 26 Block 28; seconded by Public Works Director Allen.
  - a) The Committee offered no further discussion.
  - b) **Chairperson Montes De Oca, Public Works Director Allen, Building Official Newell, Major Hagan, and Fire Lieutenant Weeks voted: Aye. Nays: none. Motion Carried.**

VI. There being no further items on the agenda, Chairperson Montes De Oca adjourned the meeting at 10:12 A.M.

Please take note and be advised that any person desiring to appeal any decision made by the Technical Review Committee with respect to any matter considered at this proceeding, such interested person will need a record of the proceedings, and for such purpose may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. General Service's media are for the sole purpose of backup for official records of the Department.

Marcos Montes De Oca, Chairperson

ATTEST:  
Patty M. Burnette, Secretary



**CITY OF OKEECHOBEE, FLORIDA  
PLANNING BOARD & WORKSHOP MEETING  
JULY 16, 2020  
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, July 16, 2020, at 6:22 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and extended by Executive Order No. 20-150 effective June 23, 2020, the meeting was conducted utilizing communications media technology (CMT) as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and other digital comments are recorded and retained as a permanent record.

A. The Pledge of Allegiance was led by Chairperson Hoover.

**II. ATTENDANCE**

Planning Board Secretary Burnette called the roll. Chairperson Dawn Hoover, Vice Chairperson Doug McCoy, Board Members Phil Baughman, Karyne Brass, Rick Chartier, Felix Granados and Mac Jonassaint were present. Alternate Board Members Joe Papasso and Jim Shaw were present.

CITY STAFF: City Attorney John Fumero, City Planning Consultant Ben Smith, General Services Secretary Yesica Montoya, and Executive Assistant Robin Brock were present.

**III. AGENDA**

1. Chairperson Hoover asked whether there were any agenda items to be added, deferred, or withdrawn. There were none.
2. A motion was made by Board Member Baughman to adopt the agenda as presented; seconded by Board Member Brass.

**Chairperson Hoover, Vice Chairperson McCoy, Board Members Baughman, Brass, Chartier, Granados and Jonassaint voted: Aye. Nays: None. Motion Carried.**

**IV. MINUTES**

1. A motion was made by Board Member Brass to dispense with the reading and approve the May 21, 2020 Regular Meeting minutes; seconded by Board Member Chartier.

**Chairperson Hoover, Vice Chairperson McCoy, Board Members Baughman, Brass, Chartier, Granados and Jonassaint voted: Aye. Nays: None. Motion Carried.**

**V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:25 P.M.**

- A. Chairperson Hoover yielded the floor to City Planning Consultant Ben Smith of LaRue Planning and Management Services who briefly reviewed the Planning Staff Report for Abandonment of Right-of-Way Petition No. 20-001-AC-SC, which requests to vacate the 20-foot wide by 512.5-foot long East to West alleyway lying between Lots 1 through 10 and Lots 17 through 26, of Block 39, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public of Records of Okeechobee County, and a 70-foot wide by 512.5-foot long portion of Northwest 10th Street, formally known as Sixteenth Avenue, lying between Lots 1 through 10, Block 39 and Lots 17 through 26, Block 28, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public of Records of Okeechobee County. He stated recently the vacant portion of Block 39 contiguous to the subject rights-of-way was approved for a Future Land Use Map Amendment (FLUM) to Multi-Family Residential (MF) and a Rezoning change to Residential Multiple Family (RMF). Should this request be approved, the Applicant intends to join the vacant portion of Block 28 to the North and construct a multifamily residential project.



**V. PUBLIC HEARING ITEM CONTINUED**

With those recent FLUM and Zoning approvals and the property to the North being designated as MF Residential on the FLUM and RMF on the zoning map, it seems appropriate to place the same designation on the vacated property. This designation is also necessary if the Applicant is to complete the stated goal of developing a multi-family residential project at this site. The Petition was reviewed by the Technical Review Committee at their meeting on June 18, 2020 and a motion was made to recommend approval.

Planning Staff is recommending **approval** based on the following responses to the required findings. The alleyway is not the sole means of access to any property. The property owner of the parcel to the North of the Northwest 10<sup>th</sup> Street right-of-way, Fosler LLC, has provided consent and the Applicant owns the Southern half. The proposed right-of-way areas to be vacated have not been improved to facilitate vehicular travel. Turning over maintenance responsibility to the Applicant and adding property to the City's tax rolls will be a benefit to the City. Finally, the Applicant has received authorization from all necessary utility entities.

1. Mr. Steven Dobbs, with SLD Engineering, who represents the Applicant, Mr. Omar Abuaita, and Mr. Randy Simler, Co-Owner of Fosler LLC and property owner to the North of the subject Northwest 10<sup>th</sup> Street Right-of-Way, were present for questions. Board Member Brass voiced a concern with "giving away" these rights-of-way instead of having a policy in place to assign some sort of worth to them. She commented she knows the Hamrick Trust is paid but does one pay the City. Mr. Simler stated he has paid quite a bit of money for the property and plans to join them together whether the properties get developed or not. Property taxes will still have to be paid either way.
2. Chairperson Hoover opened the floor for public comment. There were none. The Petition was advertised in the local newspaper, two signs were posted on the subject property and courtesy notices were mailed to nine surrounding property owners.
3. No disclosures of Ex-Parte were offered.
4. A motion was offered by Member Baughman to recommend **approval** to the City Council for Abandonment of Right-of-Way Petition 20-001-AC-SC requesting to vacate an unimproved portion of Northwest 10<sup>th</sup> Street, formally known as Sixteenth Avenue, running East to West and lying South of Lots 17 to 26 of Block 28, and North of Lots 1 to 10 of Block 39, approximately 70-feet by 512.5-feet, OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public of Records of Okeechobee County; and vacate the East to West alleyway in Block 39; seconded by Member Jonassaint.
  - a) The Board offered no further discussion.
  - b) **Chairperson Hoover, Vice Chairperson McCoy, Board Members Baughman, Brass, Chartier, Granados and Jonassaint, voted: Aye. Nays: None. Motion Carried.** The recommendation will be forwarded to the City Council for consideration at a Public Hearing, tentatively September 1, 2020, 6:00 P.M.

**CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 6:38 P. M.**

**VI. CHAIRPERSON HOOVER RECESSED THE REGULAR MEETING AND CONVENED THE WORKSHOP AT 6:38 P.M.**

- A. City Planning Consultant Mr. Smith briefly reviewed the Staff Report for the Workshop regarding Rezoning of Holding Properties. The City's FLUM and Zoning maps have several existing types of conflicts. Properties with zoning designations that are inconsistent with the Future Land Use (FLU) designation; properties with existing land uses that are inconsistent with map designations; and lastly, properties zoned Holding.

## **RESOLUTION NO. 2020-12**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA EXTENDING THE PUBLIC HEALTH EMERGENCY DUE TO CORONAVIRUS DISEASE 2019 (COVID-19) THROUGH OCTOBER 1, 2020; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, over the last several months, Florida Governor Ron DeSantis has issued several Executive Orders declaring a public health emergency in the State of Florida and providing directives to address the emergency, which continue to be in effect; and

**WHEREAS**, on March 17, 2020, the City Council adopted Resolution No. 2020-02 declaring that a State of Emergency exists in the City of Okeechobee, and authorizing the Mayor to extend it; and

**WHEREAS**, on April 7, 2020, the City Council adopted Resolution No. 2020-03 extending the Emergency declaration and allowing for waivers of certain timeframes; and

**WHEREAS**, on May 19, 2020, the City Council extended the Emergency declarations under Resolution No. 2020-06; and

**WHEREAS**, on August 4, 2020, the City Council extended the Emergency declarations under Resolution No. 2020-11; and

**WHEREAS**, mitigating the effects of COVID-19 continues to be is a high priority in the City of Okeechobee, and the City Council wishes to extend the State of Emergency.

**NOW, THEREFORE**, be it resolved by the City Council of the City of Okeechobee:

**Section 1:** The above recitals are true and correct and incorporated in this Resolution.

**Section 2:** The City Council and the Chief of Police of the City of Okeechobee hereby re-enacts and extends the State of Emergency that exists in the City of Okeechobee under Resolutions No. 2020-02, No. 2020-03, No. 2020-06, and No. 2020-11.

**Section 3:** Consistent with the direction of the Governor of the State of Florida by Executive Order No. 20-193 issued on August 7, 2020, extending certain timeframes and extending the effectiveness of prior Executive Orders, this Resolution will remain in effect until October 1, 2020.

**Section 4.** This Resolution shall become effective immediately upon adoption.

**APPROVED and ADOPTED** by the City Council of the City of Okeechobee, Florida, on this 3<sup>rd</sup> day of September, 2020.

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Dowling R. Watford, Jr., Mayor

**ATTEST:**

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

**REVIEWED FOR LEGAL SUFFICIENCY:**

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

**RESOLUTION NO. 2020-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA AUTHORIZING THE EXECUTION AND ACCEPTANCE OF A STATE HIGHWAY LIGHTING, MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR AN EFFECTIVE DATE.**

FPID: 432726-1-78-09	COUNTY: OKEECHOBEE
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**WHEREAS**, the **State of Florida Department of Transportation**, hereinafter referred to as the **FDOT**, proposes to compensate the agencies for maintenance and operation of lighting on the State Highway System, hereinafter referred to as the **Project**; and

**WHEREAS**, in order for the **FDOT** to proceed with the **Project**, it is necessary for the City of Okeechobee hereinafter referred to as the **Utility Agency Owner (UAO)**, to execute and deliver to the **FDOT** the Agreement identified as State Highway Lighting, Maintenance, and Compensation Agreement, hereinafter referred to as the **Agreement**.

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

1. THAT by Resolution, Mr. David Allen, City of Okeechobee Public Works Director, is hereby authorized and directed to execute and deliver the **Agreement** to the **FDOT**.
2. A certified copy of this Resolution will be forwarded to the **FDOT** along with the executed **Agreement**.
3. This Resolution shall become effective immediately upon adoption.

**INTRODUCED and ADOPTED** by the City Council of the City of Okeechobee, Florida, on this 3<sup>rd</sup> day of September, 2020.

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

**ATTEST:**

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

**REVIEWED FOR LEGAL SUFFICIENCY:**

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

## ORDINANCE NO. 1216

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OKEECHOBEE, FLORIDA LEVYING THE AD VALOREM PROPERTY TAX MILLAGE RATE FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE CITY IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING THAT 7.6018 PER THOUSAND DOLLAR VALUATION SHALL NOT BE LEVIED ON HOMESTEAD PROPERTY; THAT 7.6018 VALUATION SHALL BE USED FOR GENERAL CITY PURPOSES; THAT SAID MILLAGE RATE IS 6.03 PERCENT (6.03%) MORE THAN THE ROLL-BACK RATE OF 7.1696 COMPUTED IN ACCORDANCE WITH FLORIDA STATUTE 200.065(1); PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Section 200.001(8)(f), Florida Statutes, provides that “voted millage” or “voted levies” means ad valorem taxes in excess of maximum millage amounts authorized by law approved for periods not longer than two (2) years by vote of the electors pursuant to s. 9(b), Art. VII of the State Constitution or ad valorem taxes levied for purposes provided in s. 12, Art. VII of the State Constitution; and

**WHEREAS**, Section 200.001(2)(a), Florida Statutes, provides that “general municipal millage” shall be that non-voted millage rate set by the governing body; and

**WHEREAS**, Section 200.065, Florida Statutes, governs the adoption and levying of millage rates and provides that the City Council of the City of Okeechobee shall comply with the controlling provisions of Florida law in adoption of any millage rates, including municipal debt service millage, voted millage and voted levies; and

**WHEREAS**, Section 200.065, Florida Statutes, provides that the City Council as the governing body of the City of Okeechobee and as its taxing authority must adopt a resolution or ordinance in order to levy any millage in the manner specifically provided by general law or special act; and

**WHEREAS**, October 1, 2020 is the commencement of the fiscal year for the City of Okeechobee, which shall end on September 30, 2021; and

**WHEREAS**, the City of Okeechobee, Florida, held public hearings as required by Section 200.065, Florida Statutes, on September 3, 2020, and September 21, 2020; and

**WHEREAS**, the City of Okeechobee, Florida has complied with all other requirements of law.

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

**Section 1:** The ad valorem property tax operating millage rate for municipal purposes is hereby levied on the taxable property within the City Limits of the City of Okeechobee for Fiscal Year beginning October 1, 2020 and ending September 30, 2021.

The City Council of the City of Okeechobee, Florida, hereby levies a tax of 7.6018 per thousand dollar valuation on all real and tangible personal property within the corporate limits of the City of Okeechobee, provided however, that 7.6018 shall not be levied upon property in the City of Okeechobee claimed and allowed as homestead on the general laws of the State of Florida.

**Section 2:** The millage rate adopted is 6.03 percent more than the roll-back rate of 7.1696 as computed in accordance with Florida Statutes Section 200.065(1).

**Section 3:** That this Ordinance was proposed, considered, and adopted under the provisions of Florida Statutes Chapter 166 and Section 200.065, in conformance with applicable law and the State Constitution.

**Section 4:** The Finance Director shall furnish a certified copy of this Ordinance upon second reading and final adoption to the Okeechobee County Property Appraiser, the Okeechobee County Tax Collector, and the Florida Department of Revenue as required by law.

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

**Section 6:** The provisions within this Ordinance shall take effect October 1, 2020.

**INTRODUCED** for First Reading and Public Hearing on the 3<sup>rd</sup> day of **September 2020**.

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

**ATTEST:**

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

**PASSED AND ADOPTED** after Second Reading and Final Public Hearing on the 21<sup>st</sup> day of **September 2020**.

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Dowling R. Watford, Jr., Mayor

**ATTEST:**

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Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

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

## **ORDINANCE NO. 1217**

**AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE CITY OF OKEECHOBEE, FLORIDA; FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING FUNDS FOR OPERATING EXPENSES OF THE CITY OF OKEECHOBEE FOR THE GENERAL OPERATION OF THE SEVERAL DEPARTMENTS OF THE CITY AND OTHER FIXED OBLIGATIONS OF THE CITY FOR AND DURING THE FISCAL YEAR; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Okeechobee adopts a final budget and appropriates funds on an annual basis for the general operation of several departments of the City; and

**WHEREAS**, the City of Okeechobee held budget workshops on August 12, 2020, and August 18, 2020; and

**WHEREAS**, Section 166.241, Florida Statutes provides specific requirements to which municipalities must comply with regard to budgets and budget amendments; and

**WHEREAS**, State law requires that municipal budgets are balanced and adopted annually, and the adoption must be by resolution or ordinance including provisions relating to the methods and timing of budget amendments; and

**WHEREAS**, the 2020 tax assessment role for the City of Okeechobee has been paired, equalized and certified, showing: Total taxable value of real and personal property: \$332,221,139.00; and

**WHEREAS**, the process of the adoption of the annual budget is governed by Chapter 200, Florida Statutes, requiring calculation of the rolled-back tax rate and percentage increase over the rolled-rate, certain public notices, public hearings, format of required ordinances, and the like.

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

**Section 1:** The City Council of the City of Okeechobee, Florida, after having held a public hearing on the annual budget, including General Fund, Public Facilities Improvement Fund, Other Grants Fund, Appropriations Grant Fund, Capital Improvement Projects Fund, and Law Enforcement Special Fund, hereby adopts as its annual budget the expenditures, as fully set forth below, for the Fiscal Year beginning October 1, 2020, and ending September 30, 2021.

### **GENERAL FUND**

#### **Revenues:**

Fund Balance	\$ 4,342,501.00
Ad Valorem Taxes - 7.6018	\$ 2,424,459.00
Other Fees	\$ 731,300.00
Intergovernmental Revenue	\$ 1,502,876.00
Charges for Current Services	\$ 1,023,700.00
Fines, Forfeitures and Penalties	\$ 21,475.00
Uses of Money and Property	\$ 90,000.00
Other Revenues	<u>\$ 28,310.00</u>
<b>TOTAL REVENUES</b>	<b>\$10,164,621.00</b>
Transfer-In from Public Facilities Improvement Fund	\$ 350,000.00
Transfer-In from Capital Improvement Projects Fund	<u>\$ 1,362,311.00</u>
<b>TOTAL REVENUES AND TRANSFERS</b>	<b>\$11,876,932.00</b>

#### **Expenditures:**

Legislative	\$ 213,771.00
Executive	\$ 252,322.00

City Clerk	\$ 288,057.00
Financial Services	\$ 333,055.00
Legal Counsel	\$ 166,400.00
General Services	\$ 515,573.00
Law Enforcement	\$ 3,084,217.00
Fire Protection	\$ 1,458,050.00
Road and Street Facilities	<u>\$ 1,222,986.00</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 7,534,431.00</u></b>
<b>GENERAL FUND BALANCE</b>	<b>\$ 4,342,501.00</b>

**PUBLIC FACILITIES IMPROVEMENT FUND**

**Revenues:**

Fund Balance	\$ 844,807.00
Revenues	<u>\$ 1,164,028.00</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 2,008,835.00</u></b>

**Expenditures:**

<b>TOTAL EXPENDITURES</b>	<b>\$ 900,488.00</b>
Transfer-Out to General Fund	<u>\$ 350,000.00</u>
<b>TOTAL EXPENDITURES AND TRANSFERS</b>	<b><u>\$ 1,250,488.00</u></b>

<b>PUBLIC FACILITIES IMPROVEMENT FUND BALANCE</b>	<b>\$ 758,347.00</b>
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**CAPITAL IMPROVEMENT PROJECTS FUND**

**Revenues:**

Fund Balance	\$ 3,190,195.00
Revenues	<u>\$ 6,550.00</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 3,196,745.00</u></b>

**Expenditures:**

<b>TOTAL EXPENDITURES</b>	<b>\$ 155,900.00</b>
Transfer-Out to General Fund	<u>\$ 1,362,311.00</u>
<b>TOTAL EXPENDITURES AND TRANSFERS</b>	<b><u>\$ 1,518,211.00</u></b>

<b>CAPITAL IMPROVEMENT PROJECTS FUND BALANCE</b>	<b>\$ 1,678,534.00</b>
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**OTHER GRANTS FUND**

**Revenues:**

Fund Balance	\$ 260,000.00
Revenues	<u>\$ 300,000.00</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 560,000.00</u></b>

**Expenditures:**

<b>TOTAL EXPENDITURES</b>	<b><u>\$ 420,000.00</u></b>
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<b>OTHER GRANTS FUND BALANCE</b>	<b>\$ 140,000.00</b>
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**APPROPRIATION GRANTS FUND**

**Revenues:**

Fund Balance	\$ 593.00
Revenues	<u>\$ 209,000.00</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 209,593.00</u></b>

**Expenditures:**

<b>TOTAL EXPENDITURES</b>	<b><u>\$ 209,000.00</u></b>
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<b>APPROPRIATION GRANTS FUND BALANCE</b>	<b>\$ 593.00</b>
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**LAW ENFORCEMENT SPECIAL FUND**

**Revenues:**

Fund Balance	\$ 9,920.00
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Revenues \$ 1,000.00  
TOTAL REVENUES \$ 10,920.00

**Expenditures:**  
TOTAL EXPENDITURES \$ 6,500.00

LAW ENFORCEMENT SPECIAL FUND BALANCE \$ 4,420.00

**Section 2:** That this Ordinance was proposed, considered and adopted under the provisions of Chapter 166 and 200.065 Florida Statutes.

**Section 3:** The Finance Director shall furnish a certified copy of this Ordinance upon second reading and final adoption to the Okeechobee County Property Appraiser, the Okeechobee County Tax Collector, and the Florida Department of Revenue as required by law.

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

**Section 5:** The City Administrator, through the Finance Director, is hereby authorized and directed to disburse monies for the purpose of meeting the expenses and expenditures of the City as appropriated.

**Section 6:** Effective Date. This Ordinance shall be effective October 1, 2020.

**INTRODUCED** for First Reading and Public Hearing on the 3<sup>rd</sup> day of **September, 2020.**

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

**ATTEST:**

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

**PASSED AND ADOPTED** after Second Reading and Final Public Hearing on the 21<sup>st</sup> day of **September, 2020.**

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Dowling R. Watford, Jr., Mayor

**ATTEST:**

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Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

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John J. Fumero, City Attorney





# City of Okeechobee

## Fire Department



18 August 2020

Administrator Marcos

Sole Source for Bunker Gear (Capital Purchase):

Bunker gear can be purchased several ways including online websites as well as regional vendors such as we utilize. Although, the specific style or make of gear being worn by our department is not complicated to come across, the time and effort depleted by vendors (customer service) is extremely important when purchasing these costly items. The gear we purchase is customized (sizes, style, cuts, colors, equipment attachments, etc..) to our needs as it always has been in the past.

The current vendor, Municipal Equipment Services, Inc. (MES) has been servicing our department for many years. This includes the time exhausted by the sales person coming to our station three different shifts where he sizes and prepares future orders for enhanced fitting of gear for our firefighters. This is not mandatory by the vendor in general, however, when you can find one that is prepared to do this and has a long track record as our representative has it seems to pay off in the long run regarding errors. We need to continue with uniformity between sets of gear since we are purchasing between years. Customer Service has always been excellent with this representative. The Sales Order reflects six (6) sets (Coat, pant, boot, etc.) of bunker gear that outfits six firefighters.

The fire department request's that the city council approve the amount of \$17,351.04 (\$18,000 was budgeted/approved by council) for the six sets of bunker gear.

Respectfully,

Herb Smith

Fire Chief  
Okeechobee Fire Department



3789 62nd Avenue North  
Pinellas Park, FL 33781

# Quote

Page 1 of 2

Date 08/12/2020

Quote # QT1393099

Expires 09/11/2020

Sales Rep Osborn, Lee

PO #

Shipping Method FedEx Ground

**Bill To**

CITY OF OKEECHOBEE FIRE DEPT  
55 SE THIRD AVENUE  
Okeechobee FL 34974

**Ship To**

CITY OF OKEECHOBEE FIRE DEPT  
55 SE THIRD AVENUE  
Okeechobee FL 34974

Item	Alt. Item #	Units	Description	QTY	Unit Sales Pri...	Amount
VERIDIAN			<p>Custom VERIDIAN Velocity Coat. OS: Armor AP, Color: Gold. MB: CrossTech Black, TL: Glide Gold 2-Layer. Closure: Hook &amp; Loop/Zipper. Reflective Trim: Reflexite Brilliance Diamond w/ Center Stripe. Style: New York Style. Black Poly Coated Kevlar re(more...)</p> <p>Oversize charges will apply for chest sizes greater than 2XL. 56-58 inches add 10%. 60-62 inches add 15%. 64-66 inches add 20%. Over 68 inches add 25%.</p>	6	1,190.51	7,143.06
VERIDIAN			<p>Custom VERIDIAN Velocity Pants: OS: Armor AP, Color Gold. MB: CrossTech Black, TL: Glide Gold 2-Layer. Closure: Snap Hook &amp; Dee/ Hook &amp; Loop. Reflective Trim: Reflexite Brilliance Diamond w/ Center Stripe, Vertical Side Leg. Angled Cuff: Poly Coat(more...)</p> <p>Oversize charges will apply for waist sizes greater than 2XL. 50-52 inches add 10%. 54-56 inches add 15%. 58-60 inches add 20%. Over 60 inches add 25%.</p>	6	939.18	5,635.08
USTM5-Black			<p>Traditional styled fiberglass structural fire helmet with 4" faceshield &amp; 5" brass eagle Black Firefighter Helmets</p> <p>**COLOR TBD **</p>	6	237.09	1,422.54
Custom Sewn Fronts 5in			<p>5" leather front w/ sewn or recessed letters - ref MES QUOTE 180164 Black Firefighter leather fronts</p> <p>*** COLOR/RANK TBD ***</p>	6	43.14	258.84
MAJESTIC FIRE	100% NX PAC		<p>100% NX PAC II-DS Custom MAJESTIC FIRE NOMEX HOODS PAC II-DS 100% NOMEX - WHITE</p>	6	28.17	169.02
Alpha-X-Hybrid-L			<p>ALPHA X Hybrid Certified NFPA 1971 Structural Glove Size: Large All Sizes</p>	6	60.53	363.18
FDXLM80-10-Med			<p>MES/FDX LEATHER BOOT - SERIES 80 - 10 Med *** SIZES TBD ***</p>	6	339.04	2,034.24



# Quote

Page 2 of 2

Date

08/12/2020

Quote #

QT1393099

Item	Alt. Item #	Units	Description	QTY	Unit Sales Pr...	Amount
90540			Survivor Alkaline Model - Orange	6	54.18	325.08

Government Member ID: M-5702443  
MES ID: F10000002489

<b>Subtotal</b>	17,351.04
<b>Shipping Cost (FedEx Ground)</b>	0.00
<b>Total</b>	\$17,351.04

FREIGHT INCLUDED

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current local tax information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1393099