I. CALL TO ORDER – Chairperson.

The November 15, 2018, Technical Review Committee (TRC) meeting was called to order at 10:00 a.m. by Chairperson Montes De Oca.

II. STAFF ATTENDANCE – Secretary.

Voting Members:
- City Administrator Marcos Montes De Oca – Present
- Building Official Jeffery Newell – Absent (Entered chambers at 10:06)
- Fire Chief Herb Smith – Present
- Police Chief Robert Peterson – Absent (Major Hagan in attendance)
- Public Works Director David Allen – Present

Non-Voting Ex-Officio Members:
- City Attorney John R. Cook – Absent with consent
- City Planning Consultant Bill Brisson – Present
- City Civil Engineering Consultant – Attendance not requested
- County Environmental Health Department Victor Faconti – Present
- OUA Executive Director John Hayford – Present
- School District Representative – Absent
- Committee Secretary Patty Burnette – Present (Ms. Dunham, General Services Secretary, in attendance as well)

III. AGENDA – Chairperson.

Chairperson Montes De Oca asked whether there were any requests for the addition, deferral or withdrawal of items on today's Agenda. There being none the Agenda stands as published.

IV. MINUTES – Secretary.

Public Works Director Allen moved to dispense with the reading and approve the Minutes for the regular meeting held September 20, 2018; seconded by Major Hagan. Motion carried unanimously.

V. NEW BUSINESS – Secretary.

A. Abandonment of Right-of-Way Petition No. 18-002-SC, a portion of Southwest 18th Street between Southwest 2nd and 3rd Avenues (approximately 300-feet by 40-feet) - Senior Planner.

Planning Staff Report: Planner Brisson explained the Applicants, Mr. Delbert and Ms. Donna Howard, are proposing to vacate the 300-foot long, 40-foot wide unimproved Right-of-Way of Southwest 18th Street between Southwest 2nd and 3rd Avenues. The Right-of-Way is lying between Blocks 33 and 36. Marilyn Frazier Revocable Trust owns Lots 5 through 6 of Block 33, Carl and Cassie Murphy own Lots 11 through 12 of Block 33, Faith Christian Center of Okeechobee owns Lot 7 through 8, of Block 36 and the Howards own Lots 1 through 2 of block 36.
V. NEW BUSINESS CONTINUED.
   A. Abandonment of Right-of-Way Petition No. 18-002-SC continued.

Planning Staff Report continued:

Planning Staff’s responses to the required findings are the property is designated Single-Family Residential on the Future Land Use Map and Residential Single-Family One on the Zoning Map. The proposed future use is undetermined. The lands bordering the Right-of-Way carry the same Future Land Use and Zoning designations which simplifies development and enhances the chances that all future development will be compatible with surrounding properties. The Right-of-Way is not the sole means of access to any property. All adjoining or nearby properties have access from either Southwest 2nd or 3rd Avenues. The public benefits associated with the abandonment are: none of the East-West Rights-of-Way between Southwest 2nd and 3rd Avenues South of 17th Street have been improved to facilitate vehicle traffic except 21st Street which provides access to the development West of Southwest 5th Avenue. It should be noted that it appears the Faith Christian Center has already utilized some of the Right-of-Way for its fenced in outdoor play area. It will be a benefit to the City to remove the existing Right-of-Way which will reduce the land the City is required to maintain and the property will be subject to ad valorem taxation. The Applicant has submitted Letters of No Objection from Florida Power and Light, CenturyLink, Comcast Cable and Okeechobee Utility Authority (OUA). However, OUA requires the North half of Southwest 18th Street to be reserved as an easement with unrestricted 24-hour access and with OUA being responsible only for restoration of seed/mulch/sod in the event work is required on the water main. Planning Staff is recommending approval based on these findings.

County Environmental Health Department: No issues were received.

OUA: Mr. Hayford commented there is an existing water main located in this Right-of-Way. An easement for the North half of Southwest 18th Street will need to be reserved with unrestricted 24-hour access and with OUA being responsible only for restoration of seed/mulch/sod in the event work is required on the water main. No buildings or permanent structures should be in this Right-of-Way.

Public Works: Public Works Director Allen noted that even though the North to South alleyways located between Blocks 33 and 36 are currently not maintained, they are still public Rights-of-Way and the Public Works’ Department may need to access them in the future. An access easement for the entire portion of SW 18th Street will be needed.

Police Department: No issues were received.

Building Official: No issues were received.

Fire Department: No issues were received.

Chairperson Montes De Oca commented on a concern with the property owner, Faith Christian Center of Okeechobee. Currently they are using part of the Right-of-Way for a fenced in playground area and he doesn't know whether they have a Use Agreement with the City. He would like to address this before recommending approval for the closure so as not to cause undue problems for the property owner to their North. Ms. Sharon Robertson, Mother of the Applicant, Ms. Howard, commented that the two property owners have an agreement between the two of them and will be executing a Quitclaim Deed.
Chairperson Montes De Oca asked whether there were any comments or questions from those in attendance. The property owner, Ms. Howard, was in attendance. She did not have any comments nor did the Committee have any questions.

Chairperson Montes De Oca then asked TRC Members to disclose for the record whether they had spoken to anyone regarding the Application or visited the site. There were no disclosures.

A motion and a second was offered by Fire Chief Smith and Public Works Director Allen to recommend approval to the Planning Board for Abandonment of Right-of-Way Petition No. 18-002-SC, to abandon a portion of Southwest 18th Street between Southwest 2nd and 3rd Avenues (approximately 300-feet by 40-feet), with the following conditions:

1. OUA requires the North half of Southwest 18th Street to be reserved as an easement with unrestricted 24-hour access and with OUA being responsible only for restoration of seed/mulch/sod in the event work is required on the water main.

2. The City of Okeechobee Public Works Department requires an access easement for the entire portion of Southwest 18th Street.

3. Receive a copy of the Agreement between the property owners on the West side of the Right-of-Way closest to Southwest 3rd Avenue.

Motion carried unanimously.

VI. ADJOURNMENT – Chairperson.

There being no further items on the Agenda, Chairperson Montes De Oca adjourned the Technical Review Committee meeting at 10:08 a.m.

PLEASE TAKE NOTICE 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