

**OCOEE CITY COMMISSION**

Ocoee Commission Chambers  
150 North Lakeshore Drive  
Ocoee, Florida

**NOVEMBER 1, 2016**

**6:00 P.M. COMMUNITY REDEVELOPMENT AGENCY BOARD MEETING**

**7:15 P.M. AGENDA  
REGULAR CITY COMMISSION MEETING**

**A. CALL TO ORDER**

**Invocation  
Pledge of Allegiance  
Roll Call and Determination of Quorum**

**B. PRESENTATIONS AND PROCLAMATIONS**

**Proclamation – National Hunger and Homelessness Awareness Week, November 13 – 19, 2016 – Accepted by Steve Smith, President, New Beginnings of Central Florida. (Mayor Johnson)**

**Presentation - Update on Ordinance No. 2015-012, Establishing Requirements for Emergency Access to Gated Communities Including Existing Gated Communities. (Police Lieutenant Wagner)**

**C. COMMENTS FROM CITIZENS/PUBLIC**

**D. STAFF REPORTS AND AGENDA REVIEW**

**E. COMMISSIONERS ANNOUNCEMENTS**

**F. CONSENT AGENDA**

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND WILL BE ACTED UPON BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS DISCUSSION IS DESIRED BY A MEMBER OF THE COMMISSION, IN WHICH CASE THE MAYOR WILL INSTRUCT THE CITY CLERK TO REMOVE THAT ITEM FROM THE CONSENT AGENDA AND SUCH ITEM WILL BE CONSIDERED SEPARATELY.

- 1. Approval of the Minutes for the Regular Commission Meeting held October 18, 2016. (City Clerk Sibbitt)**
- 2. Approval of Fourth Amendment to Agreement with American Traffic Solutions, LLC, Pertaining to the Red Light Running Camera Enforcement System. (Police Chief Brown)**

The City desires to ensure the safety of all citizens that travel the roadways within City limits. The disregard of traffic control signals within intersections poses a threat to all citizens. The current contract with the City's red light camera system contractor, American Traffic Solutions, LLC (ATS), will expire on December 2, 2016. The City and ATS would like to extend this contract for an additional term of one (1) year under the same terms and conditions. Accordingly, following execution of this Fourth Amendment to the ATS Agreement, the term of the Agreement with ATS will expire and terminate on December 2, 2017.

Additionally, in connection with the Highway 50 improvements, three cameras are no longer operational. Pursuant to an informal agreement with ATS, these three cameras were removed by ATS and no monthly fee has been paid by the City to ATS since June 17, 2015. This Fourth Amendment also formalizes and establishes cameras that are currently operational in the City and identifies those cameras for which the City pays a monthly fee.

**3. Approval of Stormwater Division 2016-2017 Budgeted Equipment Purchase. (Public Works Director Krug)**

The Stormwater Division budget includes the replacement of an existing Bobcat skid steer loader and the purchase of a new Weedoo TigerCat Aquatic Harvester. The City traditionally purchases vehicles and equipment through existing bids from various Florida State annual contracts. Public Works has researched pricing throughout the State and has found the Florida Department of Management Services Contract #22101000-15-1 provides the lowest competitively bid pricing for the Bobcat. Public Works determined purchasing a new Bobcat brand loader will allow the City to save money by utilizing Public Works' existing Bobcat equipment attachments. Public Works is also requesting the Commission to declare the existing Bobcat, Unit #163, surplus and approved for auction.

The Weedoo TigerCat is a floating front-end loader designed to remove nuisance aquatic plants from water bodies such as the lagoon in front of City Hall along with soon to be developed areas around Lake Bennet. The TigerCat is a sole source product relatively new on the market, which proved its worth in a demonstration on Starke Lake. The TigerCat is not currently included on any continuing contracts as it is a specialty item not offered by other manufacturers at this time. Several municipalities and State agencies have purchased the TigerCat with excellent results and at the same pricing. The following is a summary of the equipment incorporated in the approved Stormwater budget for purchase: One (1) Bobcat T590 T4 Compact Track Loader, \$62,058.00 (Replacement); one (1) TigerCat floating front-end loader & trailer, \$72,770.00 (New).

**4. Approval of the Forest Lake Estates Subdivision (FKA Ocoee Pines) Plat, Name Change and Upgraded Street Light Agreement. (Development Engineer Womack)**

This plat is for the Forest Lake Estates Subdivision. The Preliminary/Final Subdivision Plan was approved on October 6, 2015, under the subdivision name of Ocoee Pines. The Developer has requested that the subdivision name be changed to Forest Lake Estates. The Forest Lake Estates Subdivision is located on the north side of Clarcona-Ocoee Road, east of Adair Street and adjacent to the Forest Lake Golf Course. The subdivision contains 278 single-family lots on approximately 101.53 acres of land. The developer has chosen to install upgraded street lights and has pre-paid Duke Energy the capital installation costs and executed the City of Ocoee's Developers and Homeowners Association Agreement for Upgraded Street Lights. The subdivision is not a gated community.

**5. Approval of the Reclaimed Water Main Extension in the North Service Area. (Utilities Director Smith)**

In order to continue with our efforts to provide customers cost-effective water utility services and conserve valuable potable water, the City of Ocoee has been maturing the North Service Area by construction of a perimeter loop of the area. Currently, the loop is constructed on the north and west sides, and portions along the south and east sides have been completed. Having a mature reclaimed system will allow the City to adequately provide reclaimed water to the current neighborhoods in the north part of the City and the neighborhoods currently under construction such as Crown Pointe Cove, The Preserve at Crown Point, Westyn Bay Commercial, Forest Lake Estates, Arden Park, Oak Trail Reserve, and McCormick Reserve.

City Staff working with the developer of the McCormick Reserve Subdivision, Ocoee II, LLC, have conditionally agreed to construct a portion of the loop (east side) in the Clarke Road right-of-way. The City has agreed to reimburse the developer for constructing the reclaimed water extension. The portion of the main to be constructed by McCormick Reserve will be 940 linear feet of eight (8) inch reclaimed water pipe and will connect the existing main from the entrance to Kensington Manor (Whiteflair Dr.) to a future main to be constructed by the Arden Park North Development.

The IBI Group's Proposal for the eight (8) inch reclaimed line on Clarke Road, which includes a construction breakdown by "The Briar Team" Site Developer - Contract Cost in the amount of \$47,293.75. The cost appears to be in line with other costs recently experienced by the City on projects similar in nature.

**G. PUBLIC HEARING**

6. **Approval of Water and Sewer System Bond Resolutions.** *(Advertised in the Orlando Sentinel on Sunday, October 23, 2016.) (Chief Accountant Briggs)*

**a. Master Water and Sewer System Bond Resolution.**

In 2013, The City issued Water and Sewer Refunding Revenue Notes, Series 2013, to further realize debt service savings. As of 2013, the City's Water and Sewer System ceased to have any Bonds outstanding, having refunded all issues with Bank Notes. As directed by the City Commission, staff proceeded with a new Bond Issue to fund certain improvements. The Master Water and Sewer System Bond Resolution was created to facilitate this new financing. The new Resolution allowed for updates to reflect changes in certain definitions and for updates in GASB mandated reporting requirements.

**b. Supplemental Resolution Water and Sewer System Revenue and Refunding Bonds, Series 2016, Not to Exceed \$26M.**

On August 2, 2016, the Commission approved issuance of water and sewer bonds to support the first phase of the City's downtown utility improvements and AMI meter installations. Total borrowing for these new projects is \$8.1M over a 20-year term. The bond issue also includes a refunding of the Series 2012 and 2013 Water and Sewer Notes. The principal being refunded totals \$16.9M and generates annual savings of \$111,432. Total Annual Debt service will increase an average of \$425,000 over the 20-year period. There will be no financial impacts to Utility user charges as a result of this bond issue. This resolution also delegates certain administrative functions to the City Manager related to the Official Statement, Underwriters Purchase Contract, Registrar and to certain City staff to execute required documents.

**H. SECOND READING OF ORDINANCE – PUBLIC HEARING**

7. **Second Reading of Ordinance Proposing Amending Chapter 77, Fire Protection Assessments, in the Code of Ordinance of the City of Ocoee.** *(Advertised in the Orlando Sentinel on Sunday, October 23, 2016.) (Support Services Director Butler)*

The Ocoee City Commission originally enacted Ordinance No. 2013-010 to establish a Fire Protection Assessment, which was codified as Chapter 77 of the City of Ocoee Code of Ordinances. The intent of the assessment is to better allocate the cost of fire protection services to the property owners of the city on the basis of fire risk and severity rather than appraised value. After several years of experience, staff has developed a series of minor adjustments to the Ordinance that simplify the annual adoption process while preserving citizen input opportunities.

The primary modification offered by the ordinance is to reduce the number of City Commission actions needed to complete the annual adoption process from two to one by eliminating the Preliminary Rate Resolution. The revised approach matches that used to impose other non-ad valorem assessments, such as those for stormwater management services, by preserving the adoption of an annual assessment roll. The annual Preliminary Rate Resolution has been replaced with a Revised Rate Resolution, which needs to be adopted only when the City Commission wants to change either the Maximum Assessment Rate or the Applied Assessment Rate. The current Maximum Assessment Rate of \$69.50 will become the Applied Assessment Rate and will remain in effect until changed by the City Commission's adoption of a Revised Rate Resolution. This practice is also identical to that used by other non-ad valorem assessments levied by the City. Notification to property owners by U.S. Mail is required only when the Maximum Assessment Rate is to be changed. Other changes include adjustments to various definitions, minor changes reflecting the new terms, deletion of the exemptions and hardship assistance provisions (which were never implemented), and endorsement of the governmental and institutional property exemptions in the ordinance rather than through an annual resolution.

**Regular City Commission  
November 1, 2016**

**8. Second Reading of Ordinance Proposing Amending Chapter 21, Purchasing Policy.** *(Advertised in the West Orange Times on Thursday, October 20, 2016.) (Purchasing Agent Tolbert)*

Staff recognizes that enhancements and revisions to the existing Purchasing Ordinance are periodically necessary to streamline the procurement of commodities, construction, and contractual services for the City. The recommended changes address these issues and the increase in cost of items. Procedures have been reviewed and will be updated to reflect the changes in this Ordinance once adopted.

**9. Second Reading of Ordinance Proposing a Temporary Moratorium on Development in Special Overlay Areas** *(Advertised in the West Orange Times on Thursday, September 22, 2016, and Thursday, October 20, 2016.) (City Attorney Cookson)*

On September 6, 2015, City staff made a presentation to the City Commission relating to the development and redevelopment of parcels within the Special Overlay Areas. Topics of specific concern to staff and the City Commission is the redevelopment of parcels within the Overlay Areas, density and compatibility concerns with development and redevelopment, allowable uses in the overlay, and the development of zoning standards that will enhance economic development and redevelopment in the Overlay Areas with the following uses or intended uses: pharmaceutical dispensaries, fast food and other drive through restaurant establishments, check cashing stores, self-storage facilities, vehicle and tire service, sales, and repair facilities, and discount retail stores. City Staff recommended the City Commission adopt a moratorium in order to allow staff the time to evaluate the current Special Overlay Area standards and update the standards as necessary. The moratorium will expire on March 31, 2017, unless terminated earlier or extended by action of the City Commission.

**10. Second Reading of Ordinance Proposing a Temporary Moratorium on Above-Ground Utility Poles** *(Advertised in the West Orange Times on Thursday, October 6, 2016, and Thursday, October 20, 2016.) (City Planner Rumer)*

The City has received an application for the location of a new 120 foot above-ground utility pole within the existing City right of way. Upon review of the City Code, the City's Land Development Code, and the application, City staff and the City Attorney's Office has determined that existing regulations are not adequate to address this type of request. Therefore, regulations relating to location of an above-ground utility pole within existing right of way that will meet the City's land development regulations as well as Florida Department of Transportation safety standards must be created. The City Attorney's Office has been in communication with other local government attorneys in regards to issuing permits for above ground utility poles and has found it appropriate to recommend a six month moratorium be established. This moratorium will cover the processing and consideration of applications for development orders, development permits, and right of way utilization permits relating to above-ground utility poles within the existing right of way. This moratorium will allow City Staff and the City Attorney's Office time to establish land development code citing criteria and right-of-way use permit requirements. The moratorium will expire on April 30, 2017, unless terminated earlier or extended by action of the City Commission.

**I. REGULAR AGENDA**

**J. STAFF ACTION ITEMS**

**K. COMMENTS FROM COMMISSIONERS**

**ADJOURNMENT**

PLEASE NOTE: IN ACCORDANCE WITH FLORIDA STATUTES 286.0105: ANY PERSON WHO DESIRES TO APPEAL ANY DECISION AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THIS PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. ALSO, IN ACCORDANCE WITH FLORIDA STATUTE 286.26: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE OFFICE OF THE CITY CLERK, 150 N. LAKESHORE DRIVE, OCOEE, FL 34761, (407) 905 -3105 48 HOURS IN ADVANCE OF THE MEETING.