

OCOEE CITY COMMISSION

Ocoee Commission Chambers
150 North Lakeshore Drive
Ocoee, Florida

MARCH 21, 2017

AGENDA

7:15 P.M.

REGULAR CITY COMMISSION MEETING

A. CALL TO ORDER

Invocation
Pledge of Allegiance
Roll Call and Determination of Quorum

B. PRESENTATIONS AND PROCLAMATIONS

Proclamations – Water Conservation Month - April 2017. (Mayor Johnson)

Ocoee Special Economic Enhancement District (S.E.E.D.) Brownfield Update. (City Planner Rumer)

Update on Moratoriums for Overlay Districts and Above Ground Utility Poles. (City Planner Rumer)

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 City Commission Meeting held March 7, 2017. (City Clerk Sibbitt)**
- 2. Approval of Second Amendment to Development Agreement for Ocoee Town Center with Oasis at Lake Bennet, LLC. (City Planner Rumer)**

On December 6, 2011, the City Commission approved and executed a Development Agreement for Ocoee Town Center by and between Colonial Bluford LLC and the City of Ocoee. The Development Agreement required the development of certain future public roads with the ability to receive impact fee credit for the construction costs. Subsequent to the execution of the Original Agreement, on June 16, 2015, the City Commission approved the First Amendment to the Development Agreement which shifted the obligation to construct certain public roads to Oasis at Lake Bennet, LLC, as part of the Oasis at Lake Bennet multi-family project.

Due to the timing of the construction of City Center West Orange Development, City staff authorized the construction of Public Road #3 (also known as Richmond Avenue) to be fully constructed by City Center West Orange. This action relieved Oasis at Lake Bennet, LLC, from the obligation to construct Public Road #3. The Second Amendment to the Development Agreement proposes to remove the obligation to Construct Public Road #3 (also known as Richmond Avenue) from the Development Agreement.

3. **Approval of Award of RFP #17-003 Shuttle Bus to Florida Transportation Systems, Inc., in the Amount of \$101,554.00. (Purchasing Agent Tolbert)**

The budget for Fiscal Year 2017 includes the four-year lease-purchase of one (1) replacement bus for the Parks and Recreation Department. The proposal is for one (1) new Blue Bird Vision 34 passenger activity bus. The vehicle is certified as a multi-function school activity bus. The bus has safety features, such as emergency exits, heavily padded seats, reinforced sidewalls, etc. The bus will be used to transport children to and from the City's recreation center to school, as well as adults for City sponsored events. The Respondent will be required to comply with all State and Federal laws and regulations regarding transportation and the sale of activity buses for the purpose of carrying children to and from school. Delivery is within 90-130 days after receipt of order (ARO). In compliance with the Purchasing Policy - Chapter 21 of the City's Code of Ordinances, a Request for Proposals (RFP) was advertised on February 12, 2017, and was publicly opened on March 1, 2017. There was a single proposal received. The proposal was evaluated by the RFP Evaluation Committee appointed by the City Manager, which was comprised of three (3) members: Jeff Hayes, Parks and Recreation Director; Steve Krug, Public Works Director; and Bill Simmons, Public Works Operations Manager. The evaluation committee recommends the purchase of the shuttle bus from Florida Transportation Systems, Inc. The price of the bus is below the estimate incorporated into the City's budget and will be added to the upcoming lease/purchase financing agreement along with other equipment and vehicles.

4. **Approval to Trade in Non-Working Thermal Camera for Credit on Purchase of New Camera. (Fire Chief Miller)**

The Ocoee Fire Department utilizes a thermal imaging camera on each of its apparatuses. These cameras allow the firefighters to see the image of victims in a smoked-filled, low visibility environment. They are also utilized to detect the source of the heat/fire for extinguishment. The camera in question has reached its serviceable life, and the Department would like to trade-in the old camera for credit towards a new imager. Municipal Equipment is going to give the Ocoee Fire Department a credit of \$500.00 for the trade-in of the old thermal imaging camera towards the purchase of a new camera.

5. **Approval to Donate Ocoee Fire Department Public Education Equipment to the Westminster Fire Department. (Fire Chief Miller)**

The public education equipment, which includes a small stage with puppets and two (2) costumes, was purchased, primarily through donations, for the Ocoee Fire Department in 1997. During the first 10 years of service, it was utilized frequently and very effective in educating the youth of Ocoee. In the last several years, this public education tool has not been used. Therefore, the Ocoee Fire Department would like to assist a volunteer fire department in need by donating this used public education equipment.

6. **Approval of Fencing at City Pond #5 with All-Rite Fence Services, Inc. (Public Works Director Krug)**

City-maintained Pond No. 5, located at the east end of Nicole Boulevard and the northern end of the treatment plant property on Lake Meadow, has an unfenced open northern border. Off-road vehicles have been accessing the property and damaging the pond slopes. Public Works proposes fencing the northern property line to eliminate unauthorized vehicle access to the pond. Public Works proposes utilizing Orange County Continuing Contract Y16-1075-LC, Fence Installation and Repair, with All-Rite Fence Services, Inc. Public Works recommends approval to have the fence installed utilizing the Orange County contract as the work is adequately funded in the Stormwater Division.

G. PUBLIC HEARINGS

7. **Approval of Resolution for the Georgia Street Right-of-Way Vacation. (Advertised in the West Orange Times on Thursday, March 9, 2017) (City Planner Rumer)**

Georgia Street is a 60-foot unimproved right-of-way running in an east-west direction. The right-of-way was platted under the Map of Ocoee plat. Georgia Street is located north of Maine Street and south of Crooked Creek Drive. The western portion of Georgia Street located between Richmond and Chicago was previously vacated. Currently, the subject area is located where the City Center West

Orange Development's offsite retention pond is being constructed. The proposed vacate and abandonment is being brought forward as the City Center West Orange project is under development and the area of right-of-way is no longer needed. Also, staff has contacted all utility companies that may have an interest in the location for future services. No objection responses have been received by all companies.

8. Approval of Capital Improvement Bond Resolutions. *(Advertised in the Orlando Sentinel on Monday, March 13, 2017)* **(Chief Accountant Briggs)**

a. Master Capital Improvement Bond Resolution.

The City previously issued Capital Improvement Refunding Revenue Note, Series 2011 and Transportation Improvement Refunding Revenue Note, Series 2012 to further realize debt service savings. As directed by the City Commission, staff proceeded with a new bond issue to facilitate funding the City's General Fund portion of our downtown Ocoee improvement initiative. In addition to refunding the Series 2011 and 2012 Notes addressed above, the City is borrowing approximately \$25.0 million for the new improvements in the downtown Ocoee area. The financing has been structured such that there is not expected to be any additional financial burden to the City taxpayers. The new resolution allows for updates to reflect changes in certain definitions and a general updating since the City has not revised a General Fund bonds supporting Resolution since 1999.

b. Supplemental Resolution to Capital Improvement Revenue and Refunding Bonds, Series 2017, Not to Exceed \$44 M.

As part of the annual budget adoption, the City Commission approved the financing of capital improvements to the Downtown area of the city. Borrowings for the new projects are \$25.0M, and additional proceeds of \$18.0M will be used to retire the Capital Improvement Refunding Revenue Note, Series 2011 and Transportation Improvement Refunding Revenue Note, Series 2012. This financing structure will result in level debt service payments of approximately \$2.5M annually through 2046. Revenues pledged for the issue are the Communications Services Tax, Public Services Tax and the Half Cent Sales Tax. There is not expected to be any additional financial burden to City taxpayers as a result of this bond issue. This resolution 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. FIRST READING OF ORDINANCE

9. First Reading of Ordinance Regulating Human Signs. *(Second Reading and Public Hearing Date scheduled for April 4, 2017, Regular City Commission Meeting at 7:15 p.m. or soon thereafter)* **(City Planner Rumer)**

A human sign is a sign that is continuously held by, spun, or attached to a person that displays a commercial message advertising or otherwise drawing attention to a business, commodity, service, or product. In recent months, the City of Ocoee City Commission and the City of Ocoee Community Redevelopment Agency have observed an increase in the number of human signs in the city. Staff was directed to evaluate methods by which such behavior could be regulated more effectively. Upon review of numerous city codes across the state, City staff proposes an ordinance to regulate human signs in much the same manner as fixed signage is regulated. Under the proposed ordinance the Land Development Code and Chapter 153 of the City of Ocoee Code of Ordinances are both amended. The proposed ordinance will allow for one human sign per business. Additionally, a human sign must remain on the same parcel or within the common areas of a commercial subdivision within which the business, commodity, service, or product being advertised is located; the total sign area for any single human sign may not exceed 96 square inches (2 feet x 4 feet); and a human sign shall not occupy any portion of the public right-of-way or other public property.

I. SECOND READING OF ORDINANCE – PUBLIC HEARING

10. Second Reading of Ordinance Regulating Panhandling. *(Advertised in the West Orange Times on Thursday, March 9, 2017)* **(Deputy Police Chief McCosker)**

Panhandling is a solicitation made in person whereby the solicitor requests the immediate donation of money or other thing of value or requests one to purchase an item in an amount far exceeding the item's value. In recent 18 months, the City of Ocoee Police Department has observed an increase in aggressive panhandling and panhandling from City medians and rights of way. The public health, safety, and welfare issues to both persons and traffic flow that result from such activity are numerous. Therefore, in an effort to balance a solution to problems arising from such activity while continuing to allow for panhandling in public areas, City staff has drafted an ordinance that will restrict such activity so that it does not interfere with vehicular traffic, cause traffic safety or traffic flow issues, and so that it does not constitute a threat to the public health, safety, and welfare of the citizenry. The proposed ordinance will create a new Article IV at Chapter 153 of the City of Ocoee Code of Ordinances to establish purpose, findings and intent; clearly describe prohibited activities; and to require panhandlers to register. This ordinance is modeled after the ordinances previously adopted by the City of Winter Garden and the City of Orlando and also includes provisions from other city ordinances.

J. REGULAR AGENDA

K. STAFF ACTION ITEMS

L. 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.