



230 North Tubb Street
P.O. Box 98
Oakland, Florida 34760
407- 656-1117 (voice)

TOWN COMMISSION MEETING AGENDA

MAY 28, 2024 – 7:00 P.M.
OAKLAND MEETING HALL
221 N. ARRINGTON STREET, OAKLAND, FL 34760
(Details to view meeting through Zoom are at bottom of agenda)

PLEASE NOTE: All hearings are open to the public. Any interested party is invited to offer comments about any agenda items in-person at the meeting on May 28, 2024, or in advance by 5:00 p.m. on Monday, May 27, 2024, in writing to the Town of Oakland, PO Box 98, Oakland FL 34760, or by e-mail to ehui@oaklandfl.gov. Any person needing special accommodations to attend a meeting must contact Elise Hui, Town Clerk, at 407-656-1117 x2110, at least 24 hours before the meeting.

1. CALL TO ORDER:

Pledge of Allegiance and Invocation

2. ROLL CALL: Town Clerk

3. PRESENTATION(S):

- Senator Geraldine Thompson – Legislative Update
- Proclamation – Memorial Day – May 27, 2024
- Proclamation – LGBTQ+ Pride Month - June

4. PUBLIC FORUM:

You may be recognized to address matters not on the agenda. The Mayor may limit each addressee to three minutes.

5. CONSENT AGENDA:

- a. Minutes – 5-14-2024 Town Commission Regular Meeting
- b. Bid Award - Lift Station #7
- c. 202 W. Oakland Avenue Code Enforcement Settlement Agreement
- d. Appointment of Solid Waste Advisory Group Members
- e. Manager’s Report

6. TOWN MANAGER & DEPARTMENT REPORTS:

7. MAYOR & COMMISSION REPORTS:

8. ADJOURNMENT

PLEASE NOTE: This meeting will be held as an in-person meeting and livestreamed to Zoom. Attendees may watch the livestream of the meeting via the Zoom link below, however, attendees will be in listen-only mode and will not have the opportunity to provide public comment virtually. Any interested party is invited to offer comments about any agenda items in-person on May 28, 2024, or in advance by 5:00 p.m. on Monday, May 27, 2024, in writing to the Town of Oakland, PO Box 98, Oakland FL 34760, or by e-mail to ehui@oaklandfl.gov.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85900922253>

Passcode: gZy82a

Or One tap mobile:

+13052241968,,85900922253#,,,,*080562# US

+13126266799,,85900922253#,,,,*080562# US (Chicago)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 305 224 1968 or +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 309 205 3325 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171

Webinar ID: 859 0092 2253

Passcode: 080562

TOWN OF OAKLAND
MEMORIAL DAY

WHEREAS, Memorial Day is a solemn day of remembrance for the men and women who have died in service to our country, ensuring the freedoms and liberties we hold dear; and

WHEREAS, on this day, we honor the bravery, sacrifice, and unwavering commitment of the members of the United States Armed Forces who gave their lives in defense of our nation; and

WHEREAS, it is our collective duty to remember and pay tribute to these heroes, ensuring that their sacrifices are never forgotten by future generations; and

WHEREAS, we express our deepest gratitude to the families of the fallen, whose strength and resilience are a testament to the enduring spirit of the American people; and

WHEREAS, Memorial Day serves as a reminder of the profound cost of freedom and the enduring importance of peace; and

WHEREAS, we encourage all citizens to participate in ceremonies and activities that honor the memory of those who have given their lives in service to our country;

NOW, THEREFORE, I, Shane Taylor, by virtue of the authority vested in me as Mayor of the Town of Oakland, Florida and on behalf of the entire Town Commission, do hereby proclaim May 27, 2024, as Memorial Day in the Town of Oakland, and urge all citizens to observe this day with respect and gratitude, remembering the sacrifices of those who have served and those who continue to serve in our Armed Forces.

IN WITNESS WHEREOF, I hereunto have set my hand and caused the Seal of the Town of Oakland to be affixed on this 28th day of May 2024.

TOWN OF OAKLAND:

Shane Taylor, Mayor

ATTEST:

Elise Hui, Town Clerk

TOWN OF OAKLAND
"PRIDE MONTH"

WHEREAS, our nation was founded on the principal of equal rights for all people, but the fulfillment of this promise has been long in coming for many Americans;

WHEREAS, the historical riot at Stonewall in New York City on June 28, 1969, is considered a turning point for LGBTQ liberation in the United States;

WHEREAS, for more than 50 years, June has been celebrated as LGBTQ+ Pride Month nationwide in honor of the LGBTQ+ citizens that rose up and fought discriminatory laws at Stonewall;

WHEREAS, everyone should be able to live without fear of prejudice, discrimination, violence, and hatred based on race, ethnicity, religion, class, gender identity, sexual orientation, age, mental or physical disability and to be supported by their peers, educators, and community leaders;

WHEREAS, June has become a nationally recognized moment to celebrate and honor the way LGBTQ+ Americans have overcome adversity and enriched our society;

WHEREAS, the Town of Oakland strives to be a community where everyone is celebrated for our differences, rather than being limited by what might divide us;

NOW, THEREFORE, I, Shane Taylor, by virtue of the authority vested in me as Mayor of the Town of Oakland, Florida and on behalf of the entire Town Commission, do hereby proclaim June 2024, as

"LGBTQ+ PRIDE MONTH".

IN WITNESS WHEREOF, I hereunto have set my hand and caused the Seal of the Town of Oakland to be affixed on this 28th day of May 2024.

TOWN OF OAKLAND:

Shane Taylor, Mayor

ATTEST:

Elise Hui, Town Clerk

**TOWN COMMISSION REGULAR MEETING MINUTES
TUESDAY, MAY 14, 2024
7:00 P.M.
OAKLAND MEETING HALL**

CALL TO ORDER:

This meeting was held in-person and livestreamed as a Zoom webinar. Mayor Taylor called the regular meeting to order at 7:00 p.m. This was followed by the Pledge of Allegiance and Invocation by Commissioner Ramos.

ROLL CALL

COMMISSIONERS PRESENT: Commissioner McMullen
 Commissioner Polland
 Commissioner Ramos
 Vice Mayor Satterfield
 Mayor Taylor

COMMISSIONERS ABSENT: None

PRESENTATIONS:

Introduction of new Oakland Police Dept Officers Brienna Brown and Barry Strykowski

Chief Esan introduced two new Oakland Police Department Officers:

Officer Brienna Brown

Chief Esan introduced Officer Brienna Brown and said she comes to us from the Mississippi Police Department. He said she started with Florida Highway Patrol and realized that the brown is just not great, so she went to Pinecrest PD, down in South Florida, and then moved back up to the Central Florida area. Chief Esan said Officer Brown was most recently with the Kissimmee PD and we are fortunate enough to be able to snatch her up here in town. He said so far, she has been doing an outstanding job, she is only one her third day of training, and she's teaching him things.

Officer Barry Strykowski

Chief Esan said Officer Barry Strykowski comes to us via Lowell, Massachusetts. He came to Central Florida several years ago and served 14 years with the Mount Dora Police Department where he rose to the rank of lieutenant, and we are so fortunate to get him here as well.

Chief Esan said both officers, Brown, and Strykowski, are out there really, really doing a great job.

Proclamation – National Public Works Week – May 19-25

Mayor Taylor read the National Public Works Week Proclamation announcing May 19-25, 2024, as National Public Works Week.

PUBLIC FORUM:

Public comments were as follows:

- Becky Corcoran, 19 Oakland Pointe Circle – Becky said there were two events this weekend, the one at the school was on the 4th and it was Legacy Lock day. She said there were tons of people that were there and enjoyed it. There was also the car show. It was a great day, there was lots of love in the area for the school that has been here for 20 years and every year, it keeps getting better and better. She said seeing all of the kids that were once this big was tremendous, what we saw with the car show was tremendous but there is too much hate in this town, and it has got to go. Becky said it has got to go, it is not fair, you are teaching your kids to hate.
- John Hammerstein, 306 E. Vick Avenue – John said he noticed some work today on Edgegrove and he is just curious about what is happening and what will happen next and could we just add some clarity to that and the possible schedule. John said about two weeks ago we talked about testing Edgegrove and Vick so he would like any updates.
 - Public Works Director Parker said that the contractor started on Edgegrove today but unfortunately got rained out. They got about half of it completed, once it is done, we will double check everything and then Vick is scheduled for tomorrow so the contractor said they would be in and out of there in three days.
 - John asked what they did today.
 - Public Works Director Parker said that they spready the material which is a crushed shell material, and they compacted the northern end of it, and they brought in the remainder, but they were rained out.
 - John said it looks like sand.
 - Public Works Director Parker said that it does, it will have the general appearance of a dirt road.
 - John said tomorrow it is like an 80% chance of rain.
 - Public Works Director Parker said that unfortunately, it is Florida summer. He said once the material is down, we will assess it for like 90 or 100 days just to see the integrity of the road, just to make sure that everything is going to work out correctly.
 - John asked if they are doing two different thicknesses, one on Edgegrove and a different sampling on Vick?
 - Public Works Director Parker said that was the original thought, but we are just going to do the same thickness on both streets just to see. Edgegrove has very little traffic and Vick has quite a bit of traffic so we will be able to tell.

- John said he almost tracked down one of the big dump trucks because he was mad, he thought it was going down to another neighborhood but then realized it was going to his.
- Bill Ungaro, 321 E. Henschen – Bill said that they have a drainage water problem down on Henschen. They did a program about four or five years ago and it never was completed because the town ran out of money but now they are having problems with water coming up within 10 feet of his driveway, going into his garage. Bill said that the drainage part on his side, they did a ditch, but on the other side, they didn't do a little ditch and all the water is flowing on his side of the road and the pipes they put down there cannot hold the water. Bill said if the commission remembers about four or five years ago, the residents requested that the road be paved. They offered to pay for the road, but the commission rejected it saying they wanted to keep the dirt roads, the country look. Bill would like the commission to consider paving that road and fixing the drainage.
- Eli said he is the owner of For The Kids Entertainment. He said last week they hit a milestone of nine years and decided to do 5 events in 5 days touching the communities that they have been impacting, when they mentor, when they connect with the kids and their first event was here in Oakland. Eli said they did the burgers and basketball which turned out to be a phenomenal event. He said in less than three weeks, they had over 100 people stop by and show up. Eli thanked the town of Oakland, thanked everyone for coming out for support, and thanked Commissioner Ramos for coming out and making the burgers for the kids. Eli said they are getting so much good feedback from some of their mentees. He also thanked Mr. Trillshun Bacon for walking him through everything and just helping make this possible. Eli said he grew up in Oakland and his wife lived here for over 20 years at 1501 Johns Cove Lane. He heard somebody say a lot of anger and stuff going on, at least this shows that we are headed in a good direction, and he is happy to be part of everything that is going on and anything anybody needs, he does entertainment for the kids, he mentors, he is an artist, and he is just looking to help the youth develop.
 - Commissioner Ramos said thank you to Trillshun and thank you to Eli, they did a lot of work and invested a lot of hours to make that happen out of their own time and we praise them for that. We appreciate them for thinking about the west side and the kids and everything. Commissioner Ramos also thanked Officer Castro, good job, and thanks Mayor Taylor for going out there and shooting the first hoop. We need to keep this going.
- Louis Smith, 316 N. Tubb Street – Louis wanted to say vigorous debate is good, hate is not good. Louis said he loves riding his bike in the neighborhood into Winter Garden, Oakland Park, the one that is coming into Oakland, and it is probably just because construction is ongoing but where there is the culvert and they are putting the netting where they are going to have seeds there on the embankment, that is a pretty steep embankment. Louis said where the bridge is all the way to the existing neighborhood, he was just riding his bike and he looked down there and some little kids or kids could go around, have no control, and we should put one of those little

orange fences along that because he didn't see anything, and someone could just roll down there. That is not safe.

- Valerie Bruton, 207 W. Henschen Avenue – Valerie said she wants to say that she doesn't have any hate and she is not mad at anybody, but she was raised here, and her dad served as a commission seat for many years. Valerie said she wanted to talk about what Pioneer Builders did to her property. They cleared property next door and knocked over her fence; they refused to fix that part of the fence. Valerie provided some pictures of the damage for the record, please see attached. Valerie said they did come out and do a nice job on replacing a portion of the fence, but Franco did not honor his commitment to me. She said when she asked if his tree company was insured, she was told that it was none of her business, but if they weren't, it fell under his umbrella. Valerie said her concern is for the residents, if we are letting Pioneer Builders build and they're not having insured contractors, and it falls under their umbrella, why are we not holding them accountable, and making them repair what was damaged. Valerie said she was offered \$200, and they did over \$1,600 worth of damage to her property. She said all she is asking is them to honor their word and commitment to her and repair what's left. Valerie said she was very patient, and she understands that this is considered a civil matter, but we should honor our word and she doesn't think it should come out of her pocket. She said she just wanted to let the commission know, if we're letting people build and they're not insured using contractors, then it should fall under their umbrella. Valerie said she doesn't feel that she should have to go to court and fight to get something that Franco committed to doing in the first place.

CONSENT AGENDA:

- a. Minutes – 4-23-2024 Town Commission Regular Meeting
- b. Manager's Report

Mayor Taylor announced the items on the Consent Agenda.

Commissioner McMullen said in the meeting minutes, it said he was absent however he was caught in customs and called in.

Commissioner Polland said that on page 14 in the packet on the meeting minutes it said that Commissioner Ramos said he likes the fact that there are 54 units and 35 acres, which is an average of one and a half acres per unit, however he believes Commissioner Ramos meant one and a half units per acre. Commissioner Ramos said that is what he meant.

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Ramos to approve the Consent Agenda with the one exception to the minutes that Commissioner Polland discussed and look into Commissioner McMullen comment.

AYE: McMullen, Polland, Ramos, Satterfield, Taylor

NAY: None

Mayor Taylor said that we would be moving up Item 7 – Other Policy Matters to take care of those items first before the ordinances.

OTHER POLICY MATTERS:

Recommendation for Appointment to Appearance Review Board

We currently have two Appearance Review Board alternate positions available. We recently received an application for the ARB from John E. Gill III. John attended the May 7th Appearance Review Board meeting and felt it would be something he would like to be part of. Town Clerk Hui is confident that John will be a good fit with the current ARB members and would like to recommend that John be appointed as an alternate member of the Appearance Review Board. We will then have one Appearance Review Board alternate position available for anyone interested in applying.

MOTION was made by Commissioner Ramos, seconded by Commissioner Polland to appoint John E. Gill III to an alternate position on the Appearance Review Board.

AYE: McMullen, Polland, Ramos, Satterfield, Taylor

NAY: None

Mayor Taylor had John E. Gill III recite the Oath of Office to officially swear him in.

Bike/Walk Central Florida Project Agreement

Town Manager Stewart provided the following information:

Town Staff contacted Bike/Walk Central Florida to assist with the creation of an inventory list of trails, sidewalks, bike lanes and crossings within the Town of Oakland. The mapping of these pedestrian networks will provide the Town with a methodology to analyze the existing inventory and identify opportunities to enhance the connectivity of pedestrian traffic within the Town of Oakland.

The proposal will also assist staff with the curation of a list of identified opportunities for prioritization and provide the Town funding recommendations based on the prioritization list.

The inventory and GIS mapping will be instrumental when prioritizing projects within the Town that have the greatest probability of receiving grant funding. The GIS/Mapping Inventory is proposed to be funded by Transportation Impact Fees at a cost of \$2,105.88.

Town Staff is recommending approval of the proposal with Bike/Walk Central Florida.

Town Commission discussion was as follows:

- Mayor Taylor said that just from a little bit of being here and talking to Tallahassee and the state, the more updated reports that you have and the more you have shovel ready projects ready to go, the more likely you are to get funding quicker.
- Commissioner Ramos said that is the same way with MetroPlan, when you bring the plan to them, it is more likely for us to tap into their grants because we are ready.
- Town Manager Steward said that we have received some calls on some sidewalk networks that are not connected on Tubb Street and some areas that for a relatively small amount of money, we can make a large improvement, so he thinks this is really going to give us that overall plan and be beneficial for submitting for grants.

MOTION was made by Commissioner Polland, seconded by Commissioner Ramos to approve the proposal with Bike/Walk Central Florida.

AYE: McMullen, Polland, Ramos, Satterfield, Taylor

NAY: None

School Zone Speed Monitoring Program

Chief Esan stated that they have been looking at some other ways to increase safety in the town, specifically this presentation around the school zone and the police department has had two companies demonstrate speed enforcement cameras and license plate reading systems (LPR) for the Town. Jenoptik, one company who provides these products would like to present a synopsis of their products, their capabilities, and results of a two-week study which took place in the school zone in front of the Oakland Avenue Charter School. An Ordinance will be drafted for First/Second readings and approval should the commission decide to move forward with this project.

Town Staff is requesting the Town Commission consider the school zone speed enforcement program and LPR cameras for the town.

Brett Dresser, 4024 Norwood Drive, Orlando, Florida, representative from Jenoptik said he is a retired police officer from Ocoee and has been in Orange County for 40 years so public safety and serving the community is something that he has always had a passion for. Brett said that it is about keeping the kids safe so that is really their mission; they don't want any kids to get hurt at all. Brett said they actually did a speed study and put one of their cameras here; he is going to give us the numbers of what actually happened in the Town of Oakland. He said he is going to talk about what happened in our school zone; they did a speed study six days in one direction and turned around and did six days in the other direction. He said they came up with vastly different results. Brett said the other part of the program is automated license plate readers. They have a program with this where their cameras are multi-tasked, and they do a lot of different things. He said it will do the same as in the school zone, but they will also do license plate readers for criminals who come through your town and they will be able to identify who they are, when they came through, that type of information for security for your town. Brett said these won't just be in the school zone;

they will also be on Highway 50, and the town has a trailer that they are going to do as well so there'll be five cameras and the violator is going to pay. He said it doesn't cost the town any money at all and it doesn't cost the taxpayers any money unless the taxpayers are speeders in your school zone. If the taxpayers are speeders in your school zone, they're probably only going to get one ticket before they don't do it again. Brett said it is easy to say, you kind of feel bad for them, but you kind of don't because it's about the safety of the kids.

Brett said Jenoptik is a company that has been in business since 1933. It's a German-based company and in the United States, they have been a manufacturing distributor since the early 90s, probably 80s. Jenoptik is involved in many different things. You see where it says optics; they are involved in a lot in lenses to cameras, and things like that. Brett says Jenoptik is headquartered in Jupiter, Florida for the North Americas, which covers Canada, North America, South America, Central America, all the way through. He said there is team that does that, and they have about 250 employees in Jupiter. Jenoptik has 30,000 cameras worldwide that they do, and they are the largest company in this business. Brett reiterated that they have been in this business since 1933. In 1933, they invented the very first camera that was sold to the public, that rotated around and filmed it. In the 1950s, they started getting into civil security by creating the first in-car camera for a police car. Jenoptik did some technology for bank robberies, so they would have a camera and when the bad guy came in, they would take a picture of him. A lot of the convenience stores throughout the county have little speaker-looking things which have cameras in there that take pictures of when the suspect does things wrong, and their company actually has helped in that. In 1963, Jenoptik started getting into traffic counts and traffic, looking at monitoring traffic, and things like that that we see now. This has happened in Europe all over the place and today, Jenoptik is the largest ALPR provider for traffic law enforcement and civil security. Brett talked about Jenoptik's neatest partnership which is a when they partnered with NASA to do all of the lenses on the large rover. He said if you can send it from Mars to here, you can probably send it from the roadside to the town, their technology is that good. Brett said they have a lot of partnerships not just with NASA but with the government as well. For the commission and the town, last year DeSantis signed a bill saying that photo enforcement in speed zones is allowed and it says that the vehicle has to be going in excess of 10 miles an hour. Brett said that means if there's a speed limit of 20 miles an hour, at 31 miles an hour, you can issue a ticket through photo enforcement. Officers can issue a ticket under that but for photo enforcement for the rest of the town, they have to be going at least 11 miles an hour over the limit. He said it will operate from 30 minutes before school to 30 minutes after school. He said when the kids are on the campus, this program is only to keep the campus and the kids in that area safe. It's not a 24-7 operation like a redlight camera or something like that, it is only about the safety of the kids while they're on the campus.

Brett said there are more than 76 million students enrolled in school. He said the thing that comes off of this, the advantages, for the town of Oakland is that it's going to give you the help for the license plate readers. It's going to give a little more technology to the police department. It's going to put some extra eyes out there of what's going on in your town so they can do that, and the track enforcement solution can be flexibly deployed. Brett said it

can be a mobile unit, it can be a fixed unit, it can be a semi-fixed or mobile unit, depending on the chief and how he wants to deploy the equipment. This just talks about the school zone speed camera, the benefits are increased children's safety, deliver peace of mind for the parents, significantly reduces accidents in communities, and it absolutely supports the Vision Zero initiative which is about having zero fatalities. That's the goal. The goal in your school zone is absolutely to have zero fatalities. Nobody wants to see a kid get hurt.

The school zone speed camera program is a \$100 fine. Out of that portion, 77% of the fine comes back for school safety. So, \$77 out of the \$100 comes back, \$60 goes to the town; there's money that goes to the school crossing guard program, and there's money for school, safety improvements. Brett says it is his understanding that it's a charter school and the town owns that so probably \$77 of that \$100 will come to the town. The state will take a little bit. Brett says that they have over 3,000 systems installed nationwide in the United States and have captured millions of incidents. He said that these systems help modify driver behavior; that is the goal. The goal is to have nobody speeding through your school zone. Brett said they did a study in Palm Beach County last year. At one school, over 70% of the speedings were over 20 miles an hour in the morning and drop off in the afternoon. There were 30% of the speed violations exceeding 30 miles an hour so at least 30% of them are going over 30 miles an hour. Brett said Jenoptik has different cameras and different solutions. They're pretty slick on the pole. There's not like 15 cameras on it. It's just one camera that does a lot of, multi things. This is the important part. It's a no upfront cost to the town to implement, it is 100% violated funded program. All fees and costs are paid complete with collected funds, paid violations, and revenue, can be used to fund any features that the town might want to add on. Other features Jenoptik offers are sound detection and distracted driving solutions so that would be something if the town later, determined they wanted to deal with something like that, they could. But the fines can be used for that, or the fines can be used for sidewalk improvements or whatever the town decides that they want to use it for.

Brett said for the town Jenoptik has performance reports. They have a suite of reports where you can report what time of the day the violations occurred and how many violations occurred. These reports work for accreditation and all kinds of report monitoring. There are financial reports too where everybody can see what's going on in the town as far as what's collected. Brett talked about the actual study that they did for the town of Oakland.

- Commissioner Ramos asked Chief Esan if we get \$77 back for the \$100 with this program?
- Brett said \$60 comes back to the town and the state says some comes back for school safety programs, some comes back for school crossing guards, some comes back for school safety programs, and some comes back for school safety guards. He said because the town owns the school, he can't imagine what the state would do with that money; it is the town's money.
- Commissioner Ramos asked Chief Esan how much the town gets back for the police department tickets?
- Chief Esan said it is a very small amount as long as they take care of it in 30 days. If they don't, it automatically reverts to a state ticket and that is where the price almost

doubles. He said he thinks it is around \$106, in our county for a ticket. Chief Esan reiterated that the purpose is not like what red light cameras are viewed as which is a money grab, that is not the purpose here. The purpose here is to encourage people to drive slower when kids are around. If it was a money grab, this thing would be working on Saturdays and Sundays. A citation is issued initially and if it reverts after 30 days, it goes to the state, then it goes against your license.

- Brett said his company will be involved in processing and issuing all that stuff through the Police Department. The Police Department will determine if it's a violation, and then his company will do that so there won't be any cost to the town for managing the back end.
- Mayor Taylor said so you catch somebody, you send that to the Police Department, the Oakland Police Department looks at it, they determine at that point in time, go ahead and send a citation to this guy or if you're like, no, don't.
- Chief Esan said that is exactly right because computers too sometimes are not perfect, so Jenoptik gets the violation alert, and they ship it over to the Police Department who assigns it to one officer for this program. He said that officer has to review the moving video of it to make sure the system was working properly, and that the violation was on that specific car and then we tell them yes, that's a violation and the citation gets sent.
- Deputy Chief Bryant reiterated that we're only going to get them after 11 miles an hour over, we're not going to get 21, 22, we're only going to get the ones that are at least 11 miles an hour over the school zone speed.
- Commissioner Polland said so like 31 miles an hour?
- Chief Esan said 31 and over. The State of Florida says that police officers are not allowed to write tickets for 5 miles or less over but with this system, it has to be 11 miles or over so there's 6 miles an hour more leeway to show that this wasn't that close, it wasn't by a hair, it was 11 miles an hour.
- Commissioner Polland said that Brett said the cameras run 30 minutes before and 30 minutes after school, but the 20 miles an hour isn't that whole time, it is only when they're letting in and letting out.
- Brett said that is correct. From 7:45 to 8:45, the speed limit is 20 miles an hour. From 8:45 to 2:45, the speed limit is 35 miles an hour so at 46 miles an hour, you would then capture somebody. And then back at 2:45 to 3:45, it's back down to 31 miles an hour.
- Brett showed the example of what happened for westbound traffic coming from Winter Garden into Oakland; the first week, there were 386 violations in your school zone. Out of those 386, 62 of them were going over 45 miles an hour. Brett said for the next example, they went eastbound, so it's probably more of the people who live in Oakland coming out of Oakland would be his guess. That week there were 78 violations and out of those 78 violations, 38 of them were going over 45 miles an hour so there were less violations, but some of the speeds are a little more concerning. When you look at the numbers, it's almost 48% of violations eastbound that are going 45 miles an hour and over. Brett said this is a picture of what happened here. They go to a lot of commission meetings and talk about speed

in general and national and all that stuff, but they like to come to us and say this is what's happening here. This is a picture of your school and what is going on and it is kind of an eye opener as far as the violations and the rate of the speed. Brett said he thinks the 4-way stop sign will help with that, but he thinks what is also going to happen is that 40 stop at the sign but when somebody's 45th back, when they get to the stop sign, they're going to take it, so they are still going to speed in the school zone.

- Chief Esan asked Brett if he has the estimates based off the study, what the average was for that month?
- Brett said if we took 450 tickets a week like the study showed, that would be about 1,800 a month. So even if you did 900 a month, revenue-wise, at \$60, using that other money for other things, the revenue for the town is probably anywhere between \$250,000 to \$300,000. Brett said they obviously don't know what the speeders are going to do when the cameras are up, but they do know that these two cameras in our school zone are going to pay for civil security all over the town. He said we are going to be able to know what's going on in the town, which is the important thing. If we had to buy the license plate readers out of a budget, it's a very large number; the data storage alone to store data is a lot of money and could be tens of thousands of dollars.
- Chief Esan said for those who don't know, with the automated license plate readers, they use that for criminal intelligence. Chief Esan said he has heard the voice of some of the people in the town who said they wish we had LPRs in this town. This is one way that we would be able to afford it; on our budget, we can't go out and buy LPRs. He said by allowing people who are going to come in and violate the law pay for those LPRs, it's kind of a win-win. Chief Esan said, we slow everybody down, we increase the safety of our students, and we're able to fund these criminal investigative tools as well.
- Deputy Chief Bryant said to provide an example of what the LPRs can do, he said we can program them for, say, sex offenders that are coming into our town that don't live here or shouldn't be here. He said it will flag it, so we can figure out why was a sex offender in town? It'll alert us that they've come into town. And if we do have a burglary or any kind of crime, we immediately go back to the film, and we can see the license plates of the cars that are leaving, so we find that bad guy that much quicker.
- Brett said the back office of their system is very searchable. You could just say, I want a white car, between this time frame and that time frame and it will show all the white cars that came through. He said for an investigator, it is a lot.
- Chief Esan said there was a resident here in town that suffered a burglary, on the west side of town, and they lost over \$15,000 worth of items. A resident, a neighbor on the street said, hey, I don't recognize this car from our neighborhood. I contacted Lake County who has LPRs on 50 at Deer Island and I said, hey, I'm just looking for a silver Mustang, do you have any between 6:50 and 7 a.m. on this day? Within minutes, I had a car, the tag, and we were at the owner's house that morning. Chief Esan said that is the beauty of these products, we are going to let people that are

going to speed pay for it. He said fortunately right now, we're so lucky that we have a low crime rate but the towns around us, when their crimes are passing through our town, we get to aid them and capture them.

- There was additional discussion along with questions from the public. Some of the questions and answers were as follows:
 - Q: Where are we going to be putting the LPRs?
 - A: One on each corner of the town so one on each end of 50, one on each end of Oakland Avenue.
 - Q: If a citation is disputed, how does that work?
 - A: There is a dispute process through the magistrate in town.
 - Q: Are there statistics once these systems are put in place if there is a big decrease in the number of people speeding?
 - A: Yes, speeds will drop and that is what we are looking to do. This is not a money grab, the purpose of this is to drop the speeding. Based on the data, when these are installed in other towns, there is a dramatic drop because people learn but then they might go back up a little bit because we're human beings, and we get comfortable with it, and we forget this new product, and we go through it again.
 - Q: Are we going to have big signs saying camera?
 - A: Yes, we want to put it out. State law mandates that big signs be put up, photo enforcement ahead. If the town decides to move forward with that, there'll be a public campaign, Jenoptik will partner with the town on social media, however the town wants to put the word out. There's also a 30-day warning phase when it kicks off which could be the first week of school. There'll be a campaign, anybody moving through there for the first day will get a letter saying, "You're speeding in the school zone, in 30 days, that's going to cost you this much money. Don't do that." We want it up front, no secrets. You see the signs, they're big. Nobody's hiding under a tree anywhere and that's the way you want your program to work. You don't want people speeding through the school zone while your kids are there. The data is not stored so if you just drive through the school zone obeying the law, the Police Department can't access that.
 - Q: How many cameras will there be and what does it mean that it is no cost.
 - A: Jenoptik is taking 100% of the risk. There may be times when the town has zero violations, it still costs Jenoptik money to operate the cameras. Jenoptik believes with the violations that they did with this study, that there's plenty of violators to pay for this program. Now, the two cameras in front of the school, they're the only cameras that are going to make any revenue. The other three cameras are simply for civil security for your town and would be fixed on Oakland Avenue and State Road 50. The town will not be paying anything out of pocket, we would just get a lesser percentage of the citations.
 - Q: Is there an opportunity to also grab photos of those that are rolling through or not coming to a complete stop before the school or after?

- A: Not at the location where we're going to place the camera. If the stop sign wasn't there then absolutely but because of the stop sign, the camera has to be placed on the other side of the stop sign. There are communities that do that however Florida is not a state that allows it. It would be something that you would take a little bit of risk against the state if you decided that you wanted to do something like that because the state says it's not authorized. They just authorized the photo enforcement for school zones. They just authorized it for school buses, to put the cameras on the school buses when the kids are getting on and off the bus. And they just, this year, passed it and it's kind of weird, because Florida is so far behind a lot of other states that have had it but they're finally realizing that the kids' safety is the kids' safety. This is totally different than the red-light camera program, because, that's 24-7 and this is just when the kids are in school.
- Brett said if the town decided to move forward, the next step would be to make an ordinance. He said he has several ordinances that he can share that have been done throughout the state and the town could look at that and decide the best way to draft the ordinance for your town and then it would just be a matter of negotiating a contract.
- Bob Christie, 141 Millholland Street said he thinks it's a fantastic thing to do. It's great to keep that road nice and slow and keep it under control. Is there a different price on the ticket? Is it different for different speeds? Is there a \$100 no matter how fast you're going?
 - Brett said the State of Florida left it at \$100. Some states have it tiered. The State of Florida said it's a \$100 violation. The goal is, you get one, you don't get a second one. Brett said in other states, the first one is \$100, the second one is \$200, the third, fourth, fifth, and sixth are \$500; it just depends on how different states handle that. The State of Florida said it's a \$100 ticket.
- Carlos Esquivel, 1408 Planted Pine Street said he was going to say, obviously, yes, it is residents, but often times, with traffic on Colonial and accidents, we get non-Oakland people there all the time.
 - Chief Esan said the speed devices would not be on Colonial, only in the school zone.
 - Deputy Chief Bryant said that he believes the stats said that before the stop signs were there, there were three times as many speeders coming into town in the morning and one-third of residents leaving so it was definitely not citizens.
- John Hammerstein, 306 East Vick Avenue said if the system doesn't pay for itself, can the company withdraw the hardware and maintenance and all that or is there a plan that the town would take over the cost?
 - Brett said they have never had a program not pay for itself. However, they are going to negotiate a five-year contract because they believe in five years, they will be able to get the revenue out that they put in the ground.
 - Mayor Taylor asked if after five years, will they update their equipment if we decide to renew a contract?

- Brett said they will update our equipment as they create new equipment. He said that's the neat thing about them being a manufacturing distributor, they are not buying it from somebody else off the shelf. Brett said that anytime they have an upgrade, with their ALPR cameras, they are constantly upgrading their technology with better things, and better lights, and things like that, anybody who, has a program with them gets it upgraded because it's all done right through the system. If something breaks, it doesn't cost the town any money.
- This company's going to really go good in this, because with their equipment, we no longer have to call their bank numbers, and pay \$500 for their phone calls.
- Vice Mayor Satterfield asked Brett how long he has been doing this for.
 - Brett said he retired in 2015, so nine years.
 - Vice Mayor Satterfield said in all the ones that they have across the country, it's never been successful enough, because he thinks being successful means we stop getting tickets.
 - Brett said correct, that is the goal.
 - Vice Mayor Satterfield said that's the goal, but they haven't achieved that anywhere?
 - Brett said they haven't achieved the number of where it doesn't pay for itself. He said what's going to happen is in the beginning, the citations will be high. When the cameras have been there a while and the community learns where they are, and the people who live in Winter Garden who obviously speed through our town learn after a ticket or two to slow down, the number of tickets is going to drop so that is the goal.
 - Brett said they appreciate the opportunity to partner with the town and the community.

ORDINANCES:

ORDINANCE 2024-03 – SECOND PUBLIC HEARING – AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, ADOPTING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT OF ITS COMPREHENSIVE PLAN FROM MIXED USE COMMERCIAL TO MIXED USE ACTIVITY CENTER, FOR THE PROJECT 4TH STREET VILLAGE, FOR CERTAIN REAL PROPERTY OWNED BY OAKLAND WEST FIVE ZERO, LLC, GENERALLY LOCATED ON THE SOUTH SIDE OF W COLONIAL DRIVE AT 4TH STREET, AS MORE PARTICULARLY DESCRIBED HERE IN, WITH AN APPROXIMATE SIZE OF 21.25 ACRES; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

Town Clerk Hui read the ordinance title for the record. Sarah Mastison, Contracted Town Planner with Wade Trim provided a presentation on Ordinance 2024-03 and 2024-04. Please see attached presentation for additional information.

A summary of the discussion was as follows:

- The project name is 4th Street Village.
- The applicant/owner is Oakland West Five Zero, LLC, Steve Healy.
- The representative is Gemini Land Development, Inc., Nicole Gargas.
- The property is located at the Southeast Corner of the Intersection of Tubb 4th Street and SR 50.
- The property area is approximately 21.25 acres, and the property is currently vacant.
- The proposal is to amend the Future Land Use Map designation from Mixed Use Commercial to Mixed Use Activity Center, and the related rezoning is to Planned Development (PD) with a Development Agreement.
- The Town Commission held the first readings and public hearings for Ordinance 2024-03 – Small Scale Future Land Use Amendment and Ordinance 2024-04 – Rezoning with Development Agreement on March 12, 2024. At the first reading and public hearing for Ordinance 2024-04, the Town Commission requested the applicant to make the following three (3) changes to their concept plan:
 1. Remove the proposed 110-room hotel and replace it with a mixed-use building.
 2. Relocate the higher buildings to the back of the property near the Florida Turnpike; and
 3. Provide a minimum non-residential square footage.
- At the Town Commission second reading on March 26, 2024, at the direction of the Town Attorney, the Town Commission continued the second readings of the two ordinances to allow the Planning & Zoning Board to make a recommendation on the revised site plan and development agreement for the 4th Street Village project.
- At the Town Commission second reading on April 23, 2024, the Town Commission continued the second readings of the two ordinances to May 14, 2024.
- Attached to the staff report is the applicant's response to the requested changes by the Town Commission and the revised conceptual site plan and revised development agreement. The result of the changes to the 4th Street Village project for Planning & Zoning Board review and recommendation are:
 1. The entitlements requested are for 190 multi-family dwelling units and 150,000 square feet of commercial (eliminated 110-room hotel).
 2. Added a minimum required 40,000 square feet of commercial (included in the 150,000 square feet total).
 3. Added a requirement that buildings within 250 feet of the SR 50 right-of-way are limited to three (3) stories. Buildings more than 250 feet away from the SR 50 right-of-way are limited to a maximum of four (4) stories or sixty (60) feet, whichever is less.
- Also, after the first reading by the Town Commission, the permitted uses were added to the development agreement. The permitted uses are business and professional office, clinic, commercial recreation, pub/tavern, restaurant (with or without beer and/or wine), restaurant (with on-premises consumption of liquor), and retail sales and services (indoor only).

- There were also a few other clarification edits to the development agreement, but not substantive edits, that are shown in the development agreement in the agenda packet in strikeout and underlined format.
- At the April 16, 2024, Planning and Zoning Board (P&Z Board) meeting, the P&Z Board reviewed the revised proposed 4th Street Village small scale future land use amendment ordinance (Ordinance 2024-03) and rezoning ordinance (Ordinance 2024-04) and recommended approval of Ordinance 2024-03 and Ordinance 2024-04 with the following condition:
 - Adjustments needed related to water and wastewater system capacities and for improvements to SR 50, if needed.
- Staff recommends that the Town Commission recommend approval of Ordinance 2024-03, Small Scale Future Land Use Amendment, based on the revised conceptual plan and amended development agreement.

On behalf of the owner, Tara Tedrow, Shareholder with Lowndes, Drosdick, Doster, Kantor & Reed, P.A., and Bobby Johnson, P.E. & Nicole Gargas, Principles with Gemini Land Development, Inc., gave a presentation and were available to answer any questions. Owner Steve Healey was also present. Please see attached presentation for additional information.

Town Commission discussion was as follows:

- Commissioner Polland said that he wants to add to the motion that the town is working toward Dark Sky certification and even though we do have a Dark Sky Ordinance, that Dark Sky Ordinance is going to be changed. He said that we are going to have to make some adjustments and changes to it and this may not have any effect at all on the lighting they have now. Commissioner Polland said he doesn't know that but would like to make sure they do comply with the Dark Sky Ordinance that would be required for Dark Sky certification.
 - Mayor Taylor said that it is in the Developer's Agreement and that is the next ordinance that they will be dealing with.

Mayor Taylor opened up the floor for public comment. Public comment was as follows:

- Louis Smith, 316 North Tubb Street said that he knows that when Sal ran, he said his slogan is keep Oakland quaint and he doesn't think any more, apartments in Oakland is keeping Oakland quaint.
- Kimberly Parsons, 284 South 4th Street said she lives right across the street from this project. This is right in front of her house and according to the plan that she is looking at, the driveway that they want to put in is right smack dab in front of her house. Kimberly said that her property has two accesses on that road, and they are going to have so many cars coming down that road, it's going to be unbelievable to get in and out of her driveway much less getting her husband's truck in and out of their driveway. She said she also has her grandkids that come up and play and visit every so often. Her other concern is how many places are going to be on the other property because it looks like you've got the main drive going all the way through on the back side right there where her driveway is. So how many cars are there going to be? 190 homes times 2 to 3 cars, and then you have all your restaurants, then you want to

put a pub and a tavern. Kimberly said she is for improvements, but like this gentleman just said, enough is enough. The town already has so many apartments over there, this traffic starts at 4 o'clock in the afternoon on 50 backing up. The turnpike is backing up, because she hears it every single day when she is out there feeding her horses and walking her dogs. She says she hears the trucks stop and they go forward, and they stop, and they go forward and the sirens that come out every day at least 2 to 3 times a day. Sometimes it's nice and quiet, other times during the afternoon I hear them at 6 o'clock going down the road, 7 o'clock going down the road. Kimberly said that nobody came to talk to them about how they feel about it. She said there are 15 residents across the bridge over there that have kids, and one family has like five kids. Kimberly said that if the developer put a music venue and a tavern, and you've got a music event going on, where's everybody going to park? She said she knows that the commission has already made up their minds. They are going to listen to her, but they are not going to do anything. Kimberly reiterated that not one person has stopped and asked them how they feel about it. She really doesn't want it coming up to their side of the street but said we will put it there anyway. She asked if we are going to put up a wall so that everybody stays on that side? What about all the bums right now? They have already had to kick out three or four bums on both sides of them, because they're moving all over the place. Kimberly said she can only watch it so much and she might be just one little person sitting here but come on. She said just like the lady said a little while ago, at the very beginning, she doesn't hate anybody, she is not a mean person, she can get along with anybody but it's when you start stepping on her toes and say, well, forget this person here. We don't care but all these people that are going to be over here in these in these apartments, how do we know that they're good people?

Mayor Taylor closed the public comment.

Tara Tedrow with Lowndes said she appreciates the comments that came from the public. She said the commission heard a detailed analysis of all the changes that were made by the staff to the Development Agreement, those were put in and reviewed by the town attorney and by town staff as well. She said that they agree with those modifications, and she thinks some of the important highlights are the dark skies initiative was put in there originally so they will be compliant with that type of lighting requirement for the entirety of the project. Tara said another highlight was special events. There's a question as to whether special events are going to be problematic for the folks that might live around the project and that is because they do have an outdoor area that has been planned in the event that you want to hold a special event. It's green space right now, but if a special event was to be held, the town does have an ordinance in place and that's Ordinance 2022-21, and it says that your Police Chief has to review any special event permit applications that get submitted. There's a page and a half of criteria in your ordinance that would have to be met, one of which, again, is that the Chief of Police has to determine that there is sufficient parking for any type of event. Tara said that one of the changes that was also put into the ordinance was that sufficient and adequate parking has to be proven for the development when they come back, which is a multi-step process to get them to final building permits. Tara said she thinks

everybody knows that the town has a very long process to get final building permits; it is a good and lengthy review process that brings items back for consideration. She said tonight is the future land use and zoning, but they would still have to come back for your preliminary subdivision and plotting and appearance review, which goes before the town's Appearance Review Board, Planning and Zoning, and back before the commission. There are also three additional steps with final construction and engineering plans and other staff level reviews. And if a final plat happens, it comes back to the commission as well. Tara said there are multiple public hearings, and she think questions about things like where exactly are they going to have a driveway located, that is a town street so the commission has the authority to approve or deny the locations that they put on a final engineer plan that will come before the commission. She said what they have in the packet is purely conceptual and was based on the visioning plan that the town had produced and had adopted in 2023. Tara said they have made some modifications since because they got feedback from residents as well as from some of the commission all saying to take away the hotel and make some modifications to height. So, they have gone back on what that vision plan had originally contemplated. Tara said she says all of that because they were presenting what they had hoped was a plan that everyone would like based on the State Road 50 vision guidance that they were given. They were happy to modify it. She said when they come back before the commission for the appearance review, those type of technical questions will be publicly advertised for a hearing. Tara said they encourage the neighbors, if they want to get involved, if they want a copy when they actually get to that point, they are happy to send it to them. Right now, it's purely conceptual, but their concerns are heard. They understand that driveway locations will be impactful to those who are across the street, from the project and certainly something that they are going to have our planners take into consideration, when they design out those plans that will come out before the commission.

- Vice Mayor Satterfield said as we move forward and get to a point where we start talking about the streets, and the traffic and it is something that we can't live with it can still stop right there until we can get it figured out, is that correct?
- Tara said that the commission has the authority to approve or deny their plans. They bring them before the commission for appearance review and they have to do that in compliance with our code, and the staff has to look at technical standards for driveway spacing and their traffic studies that get submitted so all of that would be reviewed at that time.
- Mayor Taylor said this is just the land itself so nothing with the developer's agreement right now, nothing with the buildings, just the land itself right now.
- Tara said that they are not entitled to that driveway location by virtue of the concept plan. Tara said that the Development Agreement makes it clear that they still have a process they have to go through, and they still have to comply with our code, our comp plan, and our technical staff review of any final plans that come back.
- Vice Mayor Satterfield said he is wary of it. He said he knows we need commercial out there, but it's just flat, and as we've all talked about, we've done this for a long time, but he would like to make some sort of concession for the people who live right next door to residential. He said then we get that taken care of and if we can figure that out, we're all in for it. Vice Mayor Satterfield said that is his biggest problem.

- Mayor Taylor said that there are some comments he has for the developer's agreement that may address the issue. This is just turning the land into a working piece.
- Vice Mayor Satterfield said then we have that into consideration, because he is fully understandable of the kids in the street.

MOTION was made by Commissioner Polland, seconded by Commissioner Ramos to approve Ordinance 2024-03, Small Scale Future Land Use Amendment, based on the revised conceptual site plan and amended development agreement.

AYE: McMullen, Polland, Ramos, Satterfield, Taylor

NAY: None

Motion passed with a vote of 5 in favor; 0 opposed.

ORDINANCE 2024-04 – SECOND PUBLIC HEARING – AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, ADOPTING A TOWN OFFICIAL ZONING MAP AMENDMENT TO ADOPT A NEW PLANNED DEVELOPMENT (PD) ZONING WITH A DEVELOPMENT AGREEMENT AND MASTER PLAN FOR THE PROJECT 4TH STREET VILLAGE, FOR CERTAIN REAL PROPERTY OWNED BY OAKLAND WEST FIVE ZERO, LLC, GENERALLY LOCATED ON THE SOUTH SIDE OF W COLONIAL DRIVE AT 4TH STREET, AS MORE PARTICULARLY DESCRIBED HERE IN, WITH AN APPROXIMATE SIZE OF 21.25 ACRES, MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

Town Clerk Hui read the ordinance title for the record. Sarah Mastison, Contracted Town Planner with Wade Trim provided a presentation on Ordinance 2024-03 and 2024-04. Please see attached presentation for additional information.

A summary of the discussion was as follows:

- The project name is 4th Street Village.
- The applicant/owner is Oakland West Five Zero, LLC, Steve Healy.
- The representative is Gemini Land Development, Inc., Nicole Gargas.
- The property is located at the Southeast Corner of the Intersection of Tubb 4th Street and SR 50.
- The property area is approximately 21.25 acres, and the property is currently vacant.
- The proposal is to amend the Future Land Use Map designation from Mixed Use Commercial to Mixed Use Activity Center, and the related rezoning is to Planned Development (PD) with a Development Agreement.
- The Town Commission held the first readings and public hearings for Ordinance 2024-03 – Small Scale Future Land Use Amendment and Ordinance 2024-04 – Rezoning with Development Agreement on March 12, 202. At the first reading and public hearing for Ordinance 2024-04, the Town Commission requested the applicant to make the following three (3) changes to their concept plan:
 4. Remove the proposed 110-room hotel and replace it with a mixed-use building.

5. Relocate the higher buildings to the back of the property near the Florida Turnpike; and
 6. Provide a minimum non-residential square footage.
- At the Town Commission second reading on March 26, 2024, at the direction of the Town Attorney, the Town Commission continued the second readings of the two ordinances to allow the Planning & Zoning Board to make a recommendation on the revised site plan and development agreement for the 4th Street Village project.
 - At the Town Commission second reading on April 23, 2024, the Town Commission continued the second readings of the two ordinances to May 14, 2024.
 - Attached to the staff report is the applicant's response to the requested changes by the Town Commission and the revised conceptual site plan and revised development agreement. The result of the changes to the 4th Street Village project for Planning & Zoning Board review and recommendation are:
 4. The entitlements requested are for 190 multi-family dwelling units and 150,000 square feet of commercial (eliminated 110-room hotel).
 5. Added a minimum required 40,000 square feet of commercial (included in the 150,000 square feet total).
 6. Added a requirement that buildings within 250 feet of the SR 50 right-of-way are limited to three (3) stories. Buildings more than 250 feet away from the SR 50 right-of-way are limited to a maximum of four (4) stories or sixty (60) feet, whichever is less.
 - Also, after the first reading by the Town Commission, the permitted uses were added to the development agreement. The permitted uses are business and professional office, clinic, commercial recreation, pub/tavern, restaurant (with or without beer and/or wine), restaurant (with on-premises consumption of liquor), and retail sales and services (indoor only).
 - There were also a few other clarification edits to the development agreement, but not substantive edits, that are shown in the development agreement in the agenda packet in strikeout and underlined format.
 - At the April 16, 2024, Planning and Zoning Board (P&Z Board) meeting, the P&Z Board reviewed the revised proposed 4th Street Village small scale future land use amendment ordinance (Ordinance 2024-03) and rezoning ordinance (Ordinance 2024-04) and recommended approval of Ordinance 2024-03 and Ordinance 2024-04 with the following condition:
 - Adjustments needed related to water and wastewater system capacities and for improvements to SR 50, if needed.
 - Staff recommends that the Town Commission recommend approval of Ordinance 2024-04, Rezoning to Planned Development, based on the revised conceptual site plan and amended development agreement with adjustments as recommended by the P&Z Board.

On behalf of the owner, Tara Tedrow, Shareholder with Lowndes, Drosdick, Doster, Kantor & Reed, P.A., and Bobby Johnson, P.E. & Nicole Gargas, Principles with Gemini Land Development, Inc., gave a presentation and were available to answer any questions. Owner Steve Healey was also present. Please see attached presentation for additional information.

Town Commission discussion was as follows:

- Vice Mayor Satterfield said he has the same concerns of going down 4th Street with having residential just right there.
- Mayor Taylor told Commissioner Polland that his question about Dark Skies is in there, it is paragraph 7L, and it does discuss the Dark Skies initiative, and adhering to that. He said he did go through and make some adjustments and some suggestions that were incorporated, so thank you to the developer for incorporating those. It was just talking about potable water, but he wanted to make sure that we added things like sewer as well, that falls under the developer to take care of, that's their development, not ours. Mayor Taylor said here's our choices. We can keep the land like it is, and FDOT will come and buy the land and put a pond there, and it does nothing for the town. It's just a pond that you see down the road. We make nothing of it. This town is ready to move forward with some commercial, and we're going to do that in a smart way. Mayor Taylor said that when he ran, that's what he promised to do. He said we're not going to throw things together; we're going to do this the smart way. The plan could change, it just may not be that, the entrances could change. He said one of the things that he wanted to look at because of where Kimberly is at and where she lives is that he wanted to add into the Developers Agreement putting in an enhanced, landscape package. Mayor Taylor said it would block Kimberly's property and it would block the development so that would run down Highway 50 and run down 4th Street that would essentially surround the development. He is going to ask the developer if they're willing to do something there. Mayor Taylor said that the other thing he wanted to add in there to the agreement, was during construction, if the developers wouldn't mind putting up a temporary construction fencing, like a temporary chain link fencing with a windscreen around it that kind of helps us a little bit as far as debris and everything because that is a big piece of property they're clearing off and it will protect their property as well as protect ours. Mayor Taylor said the other thing he had on there was related to their commercial and retail uses, if we could look at prohibiting smoke shops because what happens is that's just an easy sell to an easy lease and the next thing you know, you've got these nice, big, bright LED lights that are shining in the windows and all that stuff, and it's just not something he think the town wants to be known for.
- Vice Mayor Satterfield said that when it comes to LED lighting and stuff, there's plenty of developments and plenty of towns and cities that limit that too on the type of lighting. They don't need other signs or wooden signs and that's probably what we would more want to see customs going in over there off of 4th Street so that we don't have neon lights and stuff like that. He said that is kind of what we did with Speedway with limiting them down but that's more in the future for us to talk about.
- Mayor Taylor said the last thing he would like to add is the possibility of looking and bringing, and he said this when he was on the planning and zoning, which is he hates going down through streets and seeing a sea of parking before you get to a building or you see a building so he would like to explore the option of them maybe pushing a building closer to 50. He said when you're going down, you start framing the road is what you do instead of driving down the road and there's a big 350-space parking

lot. It would probably help out too as far as commercial because it creates that visibility for your commercial and retail that is along 50 as well. So that's another item he would like to look at.

- Commissioner Ramos said it would be great to show some hardscape in the front, not necessarily the building, but, a retaining wall, a knee wall, a sitting area, hardscape, landscape, so you don't see only asphalt.
- Steve Healey said they're excited to come back through because it will be a lot easier. It would be seeing what they want to do because right now you're looking at boxes that are being yellowed. He thinks when people see the vision, it will be something they are excited about. That will be the next step and they will have a lot of feedback from everybody on that.
- Mayor Taylor says he thinks by doing that they will attract more commercial and retail in there, and they will probably get some better brands, better uses out of there than having those guys tucked in the back.
- Vice Mayor Satterfield said that is the same thing that he is saying with the décor, what the buildings look like, and how they're lit so we have something that looks Oakland-y.
- Commissioner Ramos said that when we get to that stage, we are going to really look hard at not losing our identity with the whole style that we have, brick, precast, something that looks like us. He said, just for the record, he knows he ran on keep Oakland quaint. He didn't mean no progress, he meant smart, no apartments, that is all he said. Commissioner Ramos said one of the examples was the RaceTrac, that is quaint to him. He said we made them wait nine years, for it to look the way it looks. And we'll make this property look just like Oakland and people will notice it.

Mayor Taylor opened up the floor for public comment. Public comment was as follows:

- Beverly Ammerman, 2014 Gopher Tortoise said this project is getting 190 apartments, and then we have the Grove at Oakland, or Oakland at the Grove, whatever it's being called down the street, getting 72 apartments. That's going the other way, across from the school. Like, can't we let one project get finished and see how it goes.

Mayor Taylor closed the public comment.

MOTION was made by Commissioner Ramos, seconded by Commissioner Polland to approve Ordinance 2024-04, Rezoning to Planned Development, based on the revised conceptual site plan and amended development agreement with the addition of an enhanced landscape and hardscape package along 50 and 4th; construction fencing around the perimeter on 4th and 50; prohibition of smoke shops; and explore option of pushing buildings closer to 50.

AYE: McMullen, Polland, Ramos, Satterfield, Taylor

NAY: None

Motion passed with a vote of 5 in favor; 0 opposed.

ORDINANCE 2024-07 – SECOND PUBLIC HEARING – AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, ADOPTING A TOWN OFFICIAL ZONING MAP AMENDMENT TO ADOPT A PLANNED DEVELOPMENT (PD) ZONING WITH A DEVELOPMENT AGREEMENT AND DESIGN GUIDELINES AND ARCHITECTURAL STANDARDS FOR THE BRILEY FARM PHASE 1 PROJECT, ON APPROXIMATELY 35 ACRES OF CERTAIN REAL PROPERTY OWNED BY BRILEY LAND HOLDINGS, LLC, AND DANIELS STREET HOLDINGS, LLC, AS MORE PARTICULARLY DESCRIBED HERE IN; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS SEVERABILITY, AND FOR AN EFFECTIVE DATE.

Sarah Mastison, Contracted Town Planner with Wade Trim provided a PowerPoint presentation on Ordinance 2024-07. Please see attached presentation for details.

A summary of the presentation was as follows:

- The project name is Briley Farm Phase 1.
- The applicant/owner is Briley Land Holdings, LLC (Steve Healey) and Daniels Street Holdings, LLC (Franco Scala).
- The property area is approximately 35 acres, and the existing use is vacant.
- The proposal is to rezone Briley Farm Phase 1A, Briley Farm 1B, and Daniels Cove from R1-A to Planned Development to unify into Briley Farm Phase 1 and approved specific design guidelines and architectural standards for development within Briley Farm Phase 1.
- In 2021 and 2022, the Town Commission approved the Briley Farm development, which was comprised of three (3) parts, which are Phase 1A (19 single-family lots), Phase 1B (27 lots), and Phase 2 (111 lots). However, only Phase 2 was approved as a Planned Development (PD) zoning with a development and Phases 1A and 1B were approved without a PD and subject to the Town Land Development Code (LDC) standard zoning and design district requirements. In 2022, the Town Commission approved the Daniels Cove Replat without a PD and subject to the Town LDC standard zoning and design district requirements (8 lots).
- In 2023, Briley Land Holdings, LLC acquired Briley Farm Phase 1A and Phase 1B. In 2022, Daniels Land Holdings, LCC acquired Daniels Cove.
- Briley Land Holdings, LLC, together with Daniels Land Holdings, LLC, applied to the Town to rezone Briley Farm Phase 1A and 1B and Daniels Cove to the Town's Planned Development (PD) zoning district and for the approval of a development agreement. The primary purpose of this rezoning to PD and development agreement is for the Town to approve unified specific site standards, design guidelines and architectural standards for the portion of the Briley Farm development that is not currently zoned PD, which is Briley Farm Phase 1A and 1B, and to include Daniels Cove.
- At this time, Briley Farm Phase 2 is not owned by Briley Land Holdings, LLC nor Daniels Land Holdings, LLC. Briley Farm Phase 2 is owned by the Voss Family Holdings, LLC, and Jefferson Rich Voss Trust. Briley Farm Phase 2 is

currently zoned PD with a development agreement, which was approved by the Town Commission in 2022. Consequently, Briley Farm Phase 2 is not included in this rezoning to PD and related development agreement. It is Town staff's understanding that Briley Land Holdings, LLC is under contract to purchase Briley Farm Phase 2. After Briley Land Holdings, LLC takes ownership of Briley Farm Phase 2, it is anticipated that Briley Land Holdings, LLC will apply to the Town to combine all Briley Farm phases (Phase 1A, Phase 1B, Phase 2, and Daniels Cove) under one PD zoning and development agreement.

- Briley Farm Phase 1A, 1B, and Daniels Cove were all approved under the Town's standard zoning and design district (R1-A Zoning District and Neighborhood General Design District) and did not provide for any specific approvals for alternative site or home designs to the Town's standard site and home design requirements in Article 3 and Article 4 of the Town's LDC. When Briley Land Holdings, LLC began to design homes for Briley Farm Phase 1A, it was identified that the Town's design standards in the Town's Land Development Code would not allow for the proposed home designs. The proposed homes are generally consistent with the purpose and intent of the Town's LDC design standards but provide more alternatives and options in the design of the proposed homes. In discussions with representatives of Briley Land Holdings, LLC and Daniels Land Holdings, LLC, it was determined that the best approach to allow for alternative home and site designs within the Briley Farm project (Phase 1A, 1B, and Daniels Cove) was to rezone the properties from R1-A to Planned Development (PD) with a development agreement for Briley Farm Phase 1A, 1B, and Daniels Cove. The development agreement does not change the number of lots previously approved for Briley Farm Phase 1A and 1B. The only proposed change is to the Daniels Cove section. The original Town Commission approval had the eight (8) lots oriented north-south and the applicant is now proposing the lots be oriented east-west and integrated into the Briley Farm development.
- Attached to this agenda memo is the proposed "Design Guidelines and Architectural Standards for Briley Farm" document submitted by the applicant for approval by the Town. If the attached document is approved by the Town, then the development within Briley Farm would be subject to the site, design, and architectural standards within the attached document and not the Town's standard design and architectural standards within Article 3 and Article 4 of the Town's LDC.
- The following is a general summary of the proposed design guidelines and architectural standards proposed for Town approval:
 - Community Standards provided address building gross floor area, yard/open space/impervious surface areas, porches, and outbuildings. All buildings must be approved by the Briley Farm Homeowner Association Project Architect and Briley Farm Design Review Board. – This is a similar approach to the Town's process with the Oakland Park PD.

- Architectural Standards provided that address the materials, configuration, and general standards for walls, hardscape, porches and columns, roofs, and windows/doors/shutters. Deviations, consistent with the design character of Briley Farm with approval by the Briley Farm Homeowner Associations Project Architect and Briley Farm Design Review Board. – This is a similar approach to the Town’s process with the Oakland Park PD.
- There are four (4) lot types. Each lot type has a description of the type of design approved for each lot. The specific site and design standards for each lot type is provided in the “Lot Types” section of the attached document.
- There are outbuildings (garages, guest cottage/studio, other accessory structures). The proposed is to allow accessory dwelling units (ADU) as permitted use without approval by the Town as a special exception as provided in the Town’s LDC. This is a similar approach to the Town’s process with the Oakland Park PD.
- At the April 23, 2024, Town Commission first reading of Ordinance 2024-07, the Town Commission motion to approve the first reading of the ordinance included the following conditions to change the proposed Briley Farm Phase 1 design guidelines and architectural standards:
 - 1. Side setbacks at a minimum of 7.5’ with exception of Lot Type D at 5.0’.
 - 2. Accessory Dwelling Units (ADU) cannot contain permanent cooking appliances and not used for permanent occupancy; and
 - 3. Eliminate the “British West Indies | Bermudian” building architectural style.
- The applicant submitted revised proposed Briley Farm Phase I design guidelines and architectural standards in response to the Town Commission’s direction. The following changes were made by the applicant:
 1. Community Standards – Outbuildings: Revised to include the following:
 - “ADU’s cannot contain ovens, cooktops, or full-size refrigerators.
 - “ADU’s may only be occupied by the principal home’s residents and their family and guests. It cannot be leased or rented independently from the principal home so as to create a separate residential unit on a parcel.”
 2. Lot Type A, B, and C: Revised side setbacks to be 7.5’ (Lot Type D side setbacks remain at 5.0’).
 3. “British West Indies | Bermudian” building architectural style removed from allowed home architectural styles. Remaining allowed four (4) architectural styles are:
 - Colonial Revival, Florida Vernacular, Folk Victorian, French Farmhouse.
- The Applicant has revised the proposed “Design Guidelines and Architectural

Standards for Briley Farm” consistent with the Town Commission motion for approval of the first reading of Ordinance 2024-07. Staff recommends that the Town Commission approve the second reading of Ordinance 2024-07 to rezone Briley Farm Phase 1 to Planned Development (PD) and approve the development agreement that implements the “Design Guidelines and Architectural Standards for Briley Farm”.

On behalf of the applicant, Steve Healey, and Bobby Johnson, P.E. & Nicole Gargas, Principles with Gemini Land Development, Inc. were available to answer any questions.

Town Commission discussion was as follows:

- Vice Mayor Satterfield said that the other question that had come up was to do with the lakefront access and he believes the developer said they would enter into it on the other side of the Voss property in Phase 2. He said he knows the developer hasn’t acquired that part at this point but that needs to be part of that conversation in that agreement.
 - Steve Healey said it has nothing to do with this phase. They will be closing on Phase 2 in about six days and then they plan to present a new plan for Phase 2 to the commission and think it is far superior to what was previously reviewed and approved and at that point can talk about Phase 2.
- Commissioner Polland said he is looking at the Developer Agreement and does not see the compliance with the Dark Sky Initiative.
 - Bobby Johnson said this Developer Agreement was solely created for architectural standards.
 - Mayor Taylor asked if this was in the initial Developer Agreement?
 - Bobby said there was not an initial Developer Agreement, this is the first one for Phase 1. He said there is a Developer Agreement for Phase 2.
 - Commissioner Ramos said since this is the first Developer Agreement, does it have dark sky compliance?
 - Mayor Taylor said he thinks what Bobby is saying is that this is a developer's agreement to approve the architecture of it.
 - Commissioner Polland said it wouldn't cover the street lighting and whatnot.
 - Town Clerk Hui said we have an ordinance.
 - Commissioner Polland said what he is saying is we do have a dark sky ordinance, but he doesn’t know if our current dark sky ordinance is going to change to comply with the dark sky initiative to get dark sky certification. We don't know. Our dark sky ordinance may cover everything right now. We don't know that at this point and we want to make sure that it is covered.
 - Mayor Taylor asked if Commissioner Polland is saying there's enhancements to it?
 - Commissioner Polland said yes.
 - Tara Tedrow said they don't have an issue if it's compliant with dark sky's initiatives. I think the streetlights aren't part of this design package specifically because it's just the residential home design.

- Commissioner Polland said that this developer's agreement won't cover the street lighting.
- Tara said that is correct, this is just for house design however they have no objections to however we want to codify that, they are fine with it.

Mayor Taylor opened up the floor for public comment. Public comment was as follows:

- Becky Corcoran, 19 Oakland Pointe Circle said that the house designs are perfectly fine, but she has some concerns that the four houses they have listed went off the market yesterday. She said they have been through three different developers and one foreclosure of land, and she is kind of concerned why the houses that were listed were taken off the market.
 - Steve Healey said the answer to that is there's a thing in sales where you don't want the listing to go stale. He said they put a couple houses out there and said, let's wait because they don't have their full permits to start cutting the roads. Steve said they have their town permit; they are waiting on the St. Johns Water Management District and should have that in a few weeks. They decided that as soon as they get their permit to cut the road, they will launch the houses and formally put it out there. You don't want to leave it sitting there while you're waiting for this plus, they wanted to get this approved. Steve said they have a few more house permits and will start getting things out of the ground, so they are going to roll it all out at once with more excitement than sitting out there with no action.
 - Becky said she understands. She said she has been through a lot of this, so that is why she was like, hey, you never know, could be in foreclosure again next month.
 - Steve said they don't have a mortgage, so there's no foreclosure.
 - Commissioner Ramos said that was a good question. He said he thought they took it off because it was a British West Indies that was for sale.
- Carlos Esquivel, 1408 Planted Pine Street asked for a quick timeline. He said if everything went the way the developer wanted it, are we looking at like 2025, 2026?
 - Steve Healey said if they had the permit today, they would start tomorrow. He said they signed on their site contractor.
 - Carlos said so potentially people could be moving in 2025.
 - Steve said yes, they are excited and ready to go.
- Tracie Comtois, 75 S. Daniels Street said has a question about the peacocks. She said we have protected peacocks, so with all the construction, what's going to happen with that?
- Steve Healey said that is a very good question, they love the peacocks.
- Tracie said but she means, it's the construction and all of the commotion on all of that, and the nest is there. What is going to happen with the peacocks?
- Steve said they will absolutely look into that and explore it. Jay Russell is on the Planning and Zoning Board and Jay actually lives on the property with the Voss family. Steve said one of the things that they've talked about with him, and what they're doing on Phase 1, is just cutting roads. They are not cutting and flattening out the

whole property, all the trees and everything will stay, and the builder will work around those as they work on the lots. Steve said they will talk to Jay and work that out with the peacocks. Their plan would be to obviously keep them, they are on the Briley Farm logo.

- Tracie said they're protected here in the town. She said her point is that in construction you have lots of trucks that come in, they have to build the roads.
- Steve said the nice thing is, they are not doing anything on Phase 2. It is in steps, so they are going to do phase one,
- Tracie said but they still roam around all day, so she is saying the trucks that have to come through all of that stuff. She thinks that's a big deal for the Town of Oakland, those birds are protected and that for her that's number one. Tracie said she knows that they want to build but for her it's our town. She said she has been here 26 years and the development that's going on is excessive and she thinks at this point she knows they want to make money, but she is more about the birds than them making money.

Mayor Taylor closed the public comment.

MOTION was made by Commissioner Polland, seconded by Commissioner Polland to approve Ordinance 2024-07 with the addition in the Developers Agreement that they comply with the future Dark Sky Ordinance that would be required for Dark Sky certification and a plan to protect the peacocks during construction.

AYE: McMullen, Polland, Ramos, Satterfield, Taylor

NAY: None

Motion passed with a vote of 5 in favor; 0 opposed.

TOWN MANAGER REPORT:

Town Manager Stewart had the department heads provide a presentation on things going on. Please see attached PowerPoint for additional information.

COMMISSION REPORTS:

Commissioner Polland – Nothing additional.

Commissioner Ramos said that a couple of weeks ago he was at the MetroPlan Transportation Board, he has been talking to a lot of people here in Oakland about the bus access to our town, which stopped coming in 2008. Commissioner Ramos said he doesn't know if a lot of the town has been aware, but a lot of people on the west side have been asking him about the bus. The LYNX bus stopped coming in 2008 and it only goes to Park Avenue in Winter Garden. They stopped it because they did not have enough density to support the route. He said now that we're grown, in 2008 we had 1,900 residents, more or less, and now in 2023, we counted 5,400 residents. Commissioner Ramos said he has been talking to Patricia from LYNX to figure out how we can bring that bus back over here

eventually. This 4th Street project is a good example, it shows a bus stop and that's where it used to come to 4th Street and Tubb and go back. He said they have been using LYNX 27, which is more like a neighborhood LYNX that you call, and they bring you. Commissioner Ramos said that now there's so many residents and there's going to be more now, with the whole construction, all the units and all the people, a lot of workers, we're going to have to have the transportation so we've been exploring that and we're going to be having meetings with Patricia and with Town Manager Stewart, in the next few months to try to start to eventually bring it over here. Commissioner Ramos said the other thing is talking to FDOT, Amy Beckman, for safety crossing and Alice Giuliani for beautifying and landscaping the medium. He said he doesn't know if everyone is aware, in Winter Garden, we have the medium on Colonial and it is beautified up until it gets to our town limits. The medium has those crown palm trees, the royal palm trees, so he has been talking to them to get some grants and bring it all the way to our side of town, all the way until it gets to Clermont. Commissioner Ramos said with these projects coming up, that ties into the whole beautifying of the whole West Colonial for our town, to bring that over to us. He said we also have the safety crossing grant, so they can pay for all this so we can have a safe crossing from 4th Street down to Tubb North. He just wanted everyone to know we're working on that, he has been working on it a long time, and now it's coming to fruition, and hopefully now, with Town Manager Stewart coming alongside him to start pushing it. It will be something that we have to pay for, but he is pushing them to put up the grants, so the town doesn't have to pay a dime for it and that's what we're going to be working on. Commissioner Ramos said everything comes with a plan, like he said earlier, if you don't put a plan out, they won't jump on it and they won't help us. He said that now that we've put the plan out, this is just one piece of it. The other one's Vision Zero and SafeWalk and SafeBikes with the sidewalks. We started putting all that legwork and structure and plans up front, so when we present it to them, we're the first ones to get those grants. A lot of the towns, like Oviedo and Lake Mary, bring up things they need, but they don't have any plans. And every time I say it, I say, we already have it. He said he e-mails it to them all the time and says, here's our plan, here it is, we've been working on this for years. They know we're on the top list to get the first grants.

Commissioner McMullen wanted to provide a reminder of the training on Ethics. The Tri-County is presenting this coming Thursday, and it is a new time from 10 to 2.30, so you get those four hours of ethics training every year. You can get it now or get it at the league conference early on Friday morning.

Vice Mayor Satterfield said last Friday night, as Principal Dwyer mentioned, Town Manager Stewart, Mayor Taylor, himself, Commissioner Ramos, and their wives all attended the gala, which was just absolutely fabulous. He said everyone had a great time, PTO did a wonderful job yet again. The PTO presented to the town a 20-year anniversary plaque as this is the 20th anniversary of when the school was originally built. He said his first thought was to put it in the town hall building, but he figured that this would be much better at the art center so if everyone agrees with that, then that might be the best place for this to go.

Mayor Taylor said that several weeks ago he talked to Town Manager Stewart, and he may or may not have gotten with the commission yet on this, but he asked him to explore the options for a CRA, which is a Community Redevelopment Agency. And what that is, it's where you identify certain areas of the town that you want to enhance, per se. And with the county's cooperation, if everything goes okay, they will contribute a portion of their tax revenue that you pay them now to back to the town for a time period. You see CRAs right now, they're in Winter Garden, you see them in Ocoee. For example, when Downtown Winter Garden started out and before all the beautification in the buildings, they applied for a CRA, and they were able to get extra funds to come in. He said you use those funds that you get, the tax dollars that come in, and you use those to help that area that you've identified to enhance. That allows us to upgrade utilities, that allows us to pave roads, brick roads, whatever you want to do for that area including landscaping. Mayor Taylor said Town Manager Stewart is researching that and if he hasn't, he'll get with the rest of the commission on that. By doing stuff like that, it kind of helps spark a lot of this growth and a little bit of commercial that we're looking for down through there. Mayor Taylor said this has been going around, and he saw the little coyote that's been running around, everybody's seen him. He said he saw him this morning about 6.45 at the Presbyterian Church, kind of hanging out, walking on the street so he asked Town Manager Stewart just to start looking into options on how do might control some of this coyote growth going on. You can't really do anything on private property, but we can see what we can do. Mayor Taylor said on May 1st, he had his first Meet Your Mayor meeting here in the room, and it was pretty well attended so we're going to try to continue that monthly. It will be on the first Wednesday of the month and he encourages the rest of the commission to come in. He said we had a great staff presence who didn't have to hang around, but they did. He said they answered a lot of questions from residents, it was very informal, and anything goes. There was discussion on everything from why the chief put stop signs, to why Mark Parker put rumble strips at the stop signs. We heard things from residents that they want more events in town, such as block parties and car strolls and stuff like that. He said we'll do the next one on June 5th, and that's at 630, and we will try to keep it brief, the first ran kind of long.

ADJOURNMENT

There being no further business, Commissioner McMullen adjourned the meeting at 9:47 p.m.

TOWN OF OAKLAND:


SHANE TAYLOR, MAYOR

ATTEST:

ELISE HUI, TOWN CLERK

DATE: May 28, 2024

TO: Town Commission

FROM: Mike Parker – Public Works Director 

Re: Bid Award – Construction of Lift Station No. 7

BACKGROUND:

In July 2021, the Florida Legislature awarded the Town of Oakland \$500,000.00 to further our sewer initiative.

Lift Station No. 7 will be constructed on town-owned land, near Lake Apopka, and at the northernmost terminus of the future extension of Jefferson Street. This facility will receive sewage from the surrounding areas, which include the Briley Farms development, and will serve future septic to sewer conversions in the area.

The project was advertised for bids on February 19, 2024.

A bid opening was held shortly after 2:00 pm on March 21, 2024. The three bids we received are noted below.

Apparent Rank	Contractor	Bid
1	RCM Utilities, LLC	\$966,464.95
2	Cathcart Construction Company, LLC	\$985,000.00
3	Carr & Collier, Inc	\$1,405,700.00

After researching the bids received from the three firms, CPH has made a recommendation to award the construction project to RCM Utilities, LLC., a firm based in Lake County. Staff has also reviewed the qualifications and determined that they had submitted a valid bid. It should be noted that since the grant award was only about half of the construction cost, the remainder will be funded from utility reserves, accumulated impact fees and developer contributions.

RECOMMENDATION:

Staff recommends that the Town Commission award Bid No. 2024-01, Lift Station No. 7, to RCM Utilities, LLC., and authorize the Town Manager to execute the necessary contract documents.

ATTACHMENTS:

Bid Tabulation - Bid Recommendation



April 11, 2024

Mr. Mike Parker
Public Works Director
Town of Oakland
50 E Gulley Avenue
Oakland, FL 34760

1117 East Robinson Street
Orlando, Florida 32801
Phone: 407.425.0452
Fax: 407.648.1036
www.cphengineers.com

Re: Town of Oakland Lift Station No. 7
Invitation to Bid No. 2024-01
Engineer's Bid Review and Recommendation
CPH Project No. O4628

Dear Mr. Parker:

Project Description

The Town of Oakland received three (3) bid packages for the Town of Oakland Lift Station No. 7 Bid No. 2024-01 on March 21, 2024. The project includes the following:

- Furnish and install all sanitary sewer piping and manholes, paint exposed force main in valve vault, lift station wet well, valve vault, lift station pumps and appurtenances, electrical equipment and control panels, site lighting, coordinate with Duke, install 6-inch PVC and 6-inch HDPE force main via open cut, jack & bore, and directional drill, make connection to existing sanitary sewer system, making connection to existing water main for water service to site, construct concrete driveway, site fencing, site ground cover (gravel), and final restoration required to construct the proposed lift station and force main shown on the plans.

Bid Tabulation

CPH prepared a bid tabulation of three (3) lowest Contractor's bids and the engineer's opinion of probable construction cost (OPCC) (see attached Bid Tabulation). The Bid appears reasonable for the work effort necessary to complete the project.

Apparent Rank	Contractor	Base Bid	Bid with Deductive Alternate
1	RCM Utilities, LLC	\$995,208.95	\$966,464.95
2	Cathcart Construction Company	\$985,000.00	\$985,000.00
3	Carr & Collier, Inc.	\$1,357,700.00	\$1,405,700.00

Engineer's Opinion of Probable Construction Costs \$877,247.40

The bidder was responsive in submitting the following:

- Bid Form
- Bid Security
- Florida Trench Safety

Recommendation

The apparent lowest bidder was responsive in submitting requested evidence of Responsibility Requirements and Bidder Evaluation Submittal Requirements.

RCM Utilities, LLC is the apparent low bidder with the deductive alternate. RCM Utilities, LLC has submitted the required documents with their bid and has been deemed responsive. CPH attempted to contact up to three (3) references to determine the quality of work previously provided by the contractor (see attached Reference Check table).

Based on review of the proper licenses, experience as a prime contractor, and references, RCM Utilities, LLC appears to be a qualified and responsible contractor to perform the construction of the subject project. Therefore, we recommend the Town award the Project to RCM Utilities, LLC.

Please note that we have not reviewed any financial data as we are not accounting professionals. If such a review is required, we recommend either a review by your Finance Department, or your financial adviser/accountant. Also, the contractor bonds and insurance should be reviewed prior to execution of the agreement.

Closing

We appreciate the opportunity to assist the Town on this important project. If you have any questions, or if you require any additional information please contact Kayla J. Lockcuff, P.E. at (407) 425-0452.

Sincerely,

CPH, LLC

Kayla Jay Lockcuff, P.E.

Kayla J. Lockcuff, P.E.
Senior Project Manager

Attachments

Town of Oakland
Bid Tabulation

CPH Project No. O4628

Town of Oakland Lift Station No. 7 Bid Tabulation April 11, 2024				
	RCM Utilities, LLC	Cathcart Construction Company	Carr & Collier, Inc.	Engineers Estimate
Line Items				
Mobilization, Bonds, GC	\$ 46,940.25	\$ 100,000.00	\$ 123,400.00	\$ 133,817.40
Site Layout/Survey	\$ 10,953.75	\$ 25,000.00	\$ 18,300.00	\$ 20,000.00
Site Work / Grading	\$ 56,454.85	\$ 35,000.00	\$ 40,000.00	\$ 43,180.00
Gravity Sanitary Sewer	\$ 12,822.12	\$ 25,000.00	\$ 66,000.00	\$ 42,500.00
Sanitary Sewer Force Main (Open Cut, J&B, HDD)	\$ 328,105.71	\$ 150,000.00	\$ 377,000.00	\$ 260,925.00
Lift Station	\$ 438,133.21	\$ 520,000.00	\$ 583,000.00	\$ 291,825.00
Electrical	\$ 45,845.31	\$ 75,000.00	\$ 100,000.00	\$ 40,000.00
Duke Fee Allocation	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00
Record Dwg and Closeout	\$ 15,953.75	\$ 15,000.00	\$ 10,000.00	\$ 5,000.00
Total Lump Sum	\$ 995,208.95	\$ 985,000.00	\$ 1,357,700.00	\$ 877,247.40
Deductive Alternate				
Sanitary Sewer Force Main (HDD only)	\$ 28,744.00	\$ -	\$ 48,000.00	-
Total Lump Sum	\$ 966,464.95	\$ 985,000.00	\$ 1,405,700.00	\$ 877,247.40

REFERENCE CHECKLIST

**TOWN OF OAKLAND
 BID NO. 2024-01
 OAKLAND LIFT STATION NO. 7**

Item	Reference for: RCM Utilities		
	No. 1	No. 2	No. 3
Project Name	GPWCA Irrigation Pump Station #2	Daughtery Road Force Main Replacement	Magnolia Pointe Lift Station
Owner / Client	The Villages Land Development Company	City of Zephyrhills	Forestar Real Estate Group
Contact Name	Ryan Schoel	Joey Theel	Chris Tyree
Contact Email	Ryan.Schoel@vikuswater.com	JTheel@ci.zephyrhills.fl.us	christyree@forestar.com
Contact Phone	352-753-4747		407-850-3033
Owner/Client Address			
Contract Amount	\$2,495,092.41	\$116,500.00	\$244,750.00
Change Orders			
Completed on Schedule/Date	October 2023	May 2021	February 2024
Project Description	New Construction of 5000 gpm irrigation PS, electrical, pumps, controls, 12" & 16" yard piping, buildings	Relocation, replacement and abandonment of 100' of 6" force main with one lane shut down, open cut procedure.	Lift Station new construction included all mechanical, electrical, pump package, site work
Comments –	<ol style="list-style-type: none"> 1. How was their quality of work? <ul style="list-style-type: none"> ❖ Excellent 2. Did the Contractor self-perform the work or did they subcontract a lot of it? <ul style="list-style-type: none"> ❖ Subbed concrete, structural, HVAC 3. Was the job finished on schedule? <ul style="list-style-type: none"> ❖ Yes 4. Were they generally cooperative? <ul style="list-style-type: none"> ❖ Yes, very 5. Did they constantly request "extras" to the contract? <ul style="list-style-type: none"> ❖ Change Orders were design related 6. Were there any financial claims for unpaid bills through the subcontractors? <ul style="list-style-type: none"> ❖ No 7. Were pay requests in accordance with work completed? <ul style="list-style-type: none"> ❖ Yes 8. Who was the Superintendent and did he do a good job? <ul style="list-style-type: none"> ❖ Chad Libby; Yes 9. What is the overall evaluation of the company? <ul style="list-style-type: none"> ❖ Extremely pleased; good contractor 	<ol style="list-style-type: none"> 1. How was their quality of work? <ul style="list-style-type: none"> ❖ RCM Utilities always does a good job, and the quality of work is always excellent. 2. Did the Contractor self-perform the work or did they subcontract a lot of it? <ul style="list-style-type: none"> ❖ RCM has always done all the work, unless they need a line stop and that is contracted out. 3. Was the job finished on schedule? <ul style="list-style-type: none"> ❖ The jobs are always finished on schedule. 4. Were they generally cooperative? <ul style="list-style-type: none"> ❖ Always cooperative and the communication is always superb. 5. Did they constantly request "extras" to the contract? <ul style="list-style-type: none"> ❖ No change orders ever, to my knowledge. 6. Were there any financial claims for unpaid bills through the subcontractors? <ul style="list-style-type: none"> ❖ Never any unpaid claims from subcontractors. 7. Were pay requests in accordance with work completed? <ul style="list-style-type: none"> ❖ All invoices match the scope of work performed. 8. Who was the Superintendent and did he do a good job? <ul style="list-style-type: none"> ❖ The superintendent was Weston Hartwright and as always, he did an excellent job as do all the job foremen. 9. What is the overall evaluation of the company? <ul style="list-style-type: none"> ❖ RCM Utilities from the office staff to the people in the trenches, are very professional and courteous. 	<ol style="list-style-type: none"> 1. How was their quality of work? <ul style="list-style-type: none"> ❖ Outstanding 2. Did the Contractor self-perform the work or did they subcontract a lot of it? <ul style="list-style-type: none"> ❖ Self-performed all work 3. Was the job finished on schedule? <ul style="list-style-type: none"> ❖ Ahead of schedule 4. Were they generally cooperative? <ul style="list-style-type: none"> ❖ Yes, very 5. Did they constantly request "extras" to the contract? <ul style="list-style-type: none"> ❖ No Change Orders 6. Were there any financial claims for unpaid bills through the subcontractors? <ul style="list-style-type: none"> ❖ N/A 7. Were pay requests in accordance with work completed? <ul style="list-style-type: none"> ❖ Yes 8. Who was the Superintendent and did he do a good job? <ul style="list-style-type: none"> ❖ Chris Creech; Outstanding 9. What is the overall evaluation of the company? <ul style="list-style-type: none"> ❖ 10 out of 10

DATE: May 28, 2024

TO: Town Commission

FROM: Elise Hui, Assistant Town Manager/Town Clerk

Re: 202 W. Oakland Avenue Code Enforcement Settlement Agreement

BACKGROUND:

In May 2015, Code Enforcement Case No: CE 2015-002 was heard by the Town of Oakland Code Enforcement Special Magistrate for the property located at 202 West Oakland Avenue regarding violation of the Town of Oakland Code of Ordinance. This resulted in the recording of Order Imposing Code Enforcement Fine/Lien. The order stipulated that code enforcement fines in the amount of \$50 per day began to accrue on May 25, 2015.

The owner of the property, Jerome Scott Wise, is in the process of selling the home located at 202 West Oakland Avenue and was made aware of the Code Enforcement Lien as part of the title search. Mr. Wise disputes ever receiving notice of the Code Enforcement Special Magistrate Hearing and states that the boat and trailer that were the subject of the Code Enforcement Fine were stolen during that same time period. Mr. Wise is requesting the town to reduce the amount owing in order to be able to sell the home.

Town staff are recommending the Town Commission authorize a settlement agreement in the sum of \$1,500 in full settlement of the recorded liens, fines, attorney fees and costs incurred by the Town in connection with the Code Enforcement Case. We will also require the property owner to resolve any current violations. Payment and violation resolution must occur within 30 days of approval of this agreement.

RECOMMENDATION: Authorize Town Manager Stewart to sign Stipulated Settlement Agreement with Jerome Scott Wise for the property located at 202 West Oakland Avenue for Code Enforcement Case No. CE 2015-002.

**TOWN OF OAKLAND CODE ENFORCEMENT
STIPULATED SETTLEMENT AGREEMENT**

This **STIPULATED SETTLEMENT AGREEMENT** (“Settlement Agreement”) is entered into this ____ day of _____, 2024, by and between Jerome Scott Wise (“Property Owner”), P.O. Box 1022, Oakland, FL 34760-1022, and the Town of Oakland, Florida, a political subdivision of the State of Florida (“Town”), 230 N. Tubb Street, P.O. Box 98, Oakland, FL 34760-0098, and collectively referred to as the “Parties.”

RECITALS

WHEREAS, Property Owner is the current legal title owner of real property located at 202 West Oakland Avenue, Oakland, Florida 34760 (“Subject Property”) with a property tax ID of 20-22-27-6108-20-010.

WHEREAS, Code Enforcement Case No: CE 2015-002 (“Code Enforcement Case”) was heard by the Town of Oakland Code Enforcement Special Magistrate (“Special Magistrate”) regarding violations (“Violations”) of the Town of Oakland Code of Ordinance (“Code”) on the Subject Property, which resulted in the recording of Order Imposing Code Enforcement Fine/Lien as Orange County Official Document #20150629370, Book 11022 on page 9013, in the Official Records of Orange County, Florida (“Order Imposing Code Enforcement Fine/Lien”); and

WHEREAS, on May 26, 2015, code enforcement fines in the amount of \$50 per day began to accrue pursuant to the Order Imposing Code Enforcement Fine/Lien in Case No. CE 2015-002, (hereinafter referred to as the “Code Enforcement Fine”), and pursuant to Section 162.09(3), Florida Statutes, constitute a lien upon all real and personal property owned by the Property Owner on the date of recordation, including the Subject Property; and

WHEREAS, the Town and the Property Owner agree that the referenced Violations have been resolved, but the parties dispute the date of compliance and the amount of the accrued code enforcement fines; and

WHEREAS, the parties desire to enter into this Settlement Agreement to resolve Code Enforcement Case No: CE 2015-002 and their dispute regarding the code enforcement fines; and

NOW, THEREFORE, the Parties hereby agree as follows:

1. **RECITALS.** The above recitals are true and correct and are incorporated herein by reference.
2. **COMPLIANCE.** The Property Owner agrees to resolve any current violations of the Town of Oakland Code of Ordinances on the Subject Property within 30 days from the date of the Effective Date of this Settlement Agreement and to maintain the Subject Property in compliance with all provisions of the Town of Oakland Code of Ordinances moving forward.
3. **SETTLEMENT AMOUNT.** Property Owner agrees to pay Town of Oakland the sum of One Thousand Five Hundred and NO/100 Dollars (\$1,500.00) in full settlement of the recorded liens, fines, attorney fees and costs incurred by the Town in connection with the Code Enforcement Case.

4. **PAYMENT.** Property Owner shall pay the Settlement Amount (Paragraph 3) to the Town of Oakland within 30 days of approval of this Agreement by the Town.

5. **RELEASE OF LIEN.** Within 30 days of payment of the Settlement Amount identified in Paragraph 3, Town shall issue a release and satisfaction of the Order Imposing Code Enforcement Fine/Lien.

6. **REDUCTION IN FINES.** Any reduction in fines pursuant to this Agreement is subject to reinstatement of total fines due in the event of a default of any term of this Agreement.

7. **TOWN'S NONEXCLUSIVE REMEDY IN CASE OF DEFENDANT'S DEFAULT.** Without limiting any of Town's remedies pursuant to applicable law and this Settlement Agreement, in the event of Property Owner's default of this agreement, Town shall be entitled to reinstate the lien(s) referenced herein.

8. **AUTHORITY.** The signatories to this Settlement Agreement are expressly authorized to resolve their dispute as set forth herein and by their signatures here represent and affirm their authority to execute this Settlement Agreement.

9. **WAIVER AND RELEASE OF LIABILITY.** The Property Owner, on behalf of himself and his successors and assigns, hereby waives any claim, defense, setoff, or counterclaim which the Property Owner may have, or may acquire, arising from the Code Enforcement Case. Additionally, Property Owner, on behalf of himself and his successors and assigns, does remise, release, acquit, satisfy, and forever discharge Town, as well as its officers, employees, agents, and attorneys from all manner of action and actions, cause and causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, executions, claims and demands whatsoever, in law or in equity, which Property Owner ever had, now have, or which any successor or assign of Property Owner hereafter can, shall or may have, against the Town or its officers, employees, agents, or attorneys, for, upon, by reason of, or relating to, any matter, cause or thing, whatsoever, including but not limited to those arising from any and all dealings regarding the Subject Property and the Code Enforcement Case up to and including the date of the execution of this Settlement Agreement.

10. **SETTLEMENT.** The parties enter into this Settlement Agreement knowingly, freely, and voluntarily, having determined that they have adequate information upon which to make informed decisions and having decided that it is in their best interests to amicably resolve this action. Neither party is under coercion or duress or has been forced into this Settlement Agreement or threatened in any way, or knows of any fact or circumstance which would cause this Settlement Agreement to be void or otherwise unenforceable.

11. **GOOD FAITH.** These settlement negotiations have been undertaken by the parties in good faith.

12. **CHOICE OF LAW; GOVERNING LAW; JURISDICTION; VENUE.** This Settlement Agreement is not subject to arbitration and shall be governed by, and construed and enforced in accordance with, the laws of the State of Florida. The parties agree that the venue for all claims, controversies, or disputes relating to or arising from this Settlement Agreement shall be in the Circuit

Court of the 9th Judicial Circuit in and for Orange County, Florida.

13. **CONSTRUCTION OF AGREEMENT; DIVISIONS AND HEADINGS.** Captions and paragraph headings, where used herein, are inserted for convenience only and are not intended to descriptively limit the scope and intent of the particular paragraph or text to which they refer.

14. **INCONSISTENCY, PARTIAL INVALIDITY, SEVERABILITY, AND SURVIVAL OF PROVISIONS.** If any condition, provision, reservation, restriction, right, or term of this Settlement Agreement, or any portion(s) thereof, is/are held to be invalid or unenforceable by any administrative hearing officer or by a court of competent jurisdiction, the invalidity or unenforceability of such condition, provision, reservation, restriction, right, or term, or any portion(s) thereof, shall neither limit nor impair the operation, enforceability, or validity of any other condition, provision, reservation, restriction, right, term, or any remaining portion(s) thereof. All such other conditions, provisions, reservations, restrictions, rights, terms, and remaining portion(s) thereof shall continue unimpaired in full force and effect.

15. **BINDING EFFECT.** The parties agree and understand that this Settlement Agreement shall be and is forever binding upon the parties, including their successors in interest.

16. **NON-RELIANCE BY THIRD PARTIES.** Non-signatory person(s) or entity(ies) shall not be entitled to rely upon any conditions, provisions, or terms of this Settlement Agreement to enforce or to attempt to enforce any third-party claim(s) or entitlement(s) to or benefit(s) from any conditions, provisions, or terms hereunder.

17. **EXECUTION IN COUNTERPARTS.** The parties acknowledge and agree that this Settlement Agreement may be executed in one or more counterparts, and each counterpart shall be considered an original portion of this Agreement, all of which shall constitute a single instrument.

18. **SCRIVENER'S ERRORS.** The Town of Oakland Town Commission authorizes the Town Attorney to correct any scrivener's errors within this Settlement Agreement, prior to written execution of this Settlement Agreement on Town's behalf as authorized and approved by the Town Commission following a duly noticed public meeting of the Town Commission at which this Settlement Agreement is considered.

19. **FORCE MAJEURE.** Property Owner shall not be held
Settlement

Force Majeure

20. **ENTIRE AGREEMENT.** The Parties acknowledge that this Settlement Agreement constitutes the entire agreement between them regarding the settlement of their dispute and any prior statements, whether oral or written, are merged herein. This Settlement Agreement may not be modified or amended without a written instrument signed by the party against whom enforcement is sought.

21. **EFFECTIVE DATE.** On the date that this Settlement Agreement is fully and finally executed by all parties (“Effective Date”), this Settlement Agreement shall be considered legally effective and forever binding on the parties.

WHEREFORE, this Settlement Agreement is entered into as of the date of last execution below.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

[SIGNATURES ON FOLLOWING PAGE]

JEROME SCOTT WISE

Signature of Witness # 1

Jerome Scott Wise

Print or type name

Signature of Witness #2

Print or type name

**STATE OF FLORIDA
COUNTY OF ORANGE**

Subscribed and sworn to (or affirmed) before me, by means of [] physical presence or [] online notarization, on _____, 2024 by **Jerome Scott Wise**. He [] is personally known to me or [] has produced _____ as identification.

(NOTARY SEAL)

NOTARY PUBLIC
My Commission Expires: _____

TOWN OF OAKLAND, FLORIDA

Paul Andrew Stewart, Town Manager

Date: _____

DATE: May 28, 2024

TO: Town Commission

FROM: Elise Hui, Assistant Town Manager/Town Clerk

Re: Recommendation for Appointments to Solid Waste Advisory Group (SWAG)

BACKGROUND:

As previously discussed at the April 23, 2024, Town Commission Meeting, the Town of Oakland Solid Waste Franchise Agreement expires February 1, 2025. The current franchise agreement has been in place since February 1, 2015, and the current provider is Waste Management.

The Solid Waste RFP was issued on May 10, 2024, and proposals are due to the town on Friday, June 28, 2024. The intent is to have presentations if needed in July and a decision made and contract in place with the new provider by August 2024, so they are ready to mobilize on February 1, 2025.

The Solid Waste Advisory Group will be responsible for reviewing the Request for Proposals including the qualifications of the service providers and will make recommendations for the type of service delivery to the Town Commission.

This committee will be considered a sunshine committee that will adhere to statutory regulations. This committee will be limited in scope and will sunset in September 2024. We reached out to prior members of the Solid Waste Advisory Group that served in 2020 as well as to several residents who had expressed interest in serving. As of May 21, 2024, we have received 5 applications from interested residents, 4 of these served on the 2020 advisory group.

RECOMMENDATION: Appoint the following individuals to the Solid Waste Advisory Group:

- Blaine Dooley
- Carlos Esquivel
- Edward Kulakowski
- John Schmidt
- Steve Stanford



Andy Stewart, Town Manager
Manager and Staff Reports

DATE: May 28, 2024
TO: Town Commission
FROM: Andy Stewart, Town Manager
SUBJECT: Town Manager Staff Report

Principal Dwyer

During the summer, OACS front office will close on Fridays from June 1 – July 26. Staff that work 11 or 12 months will be required to make up the time through the PTO use for the full day, working 4–10-hour days or working 4–9-hour days with a ½ day PTO for Friday. Adjusted office hours will be posted on the front door of the school.

Important Dates:

May 24 – ½ Day Noon Release / 5th Grade Fly Away Parade (Promotion Event)
May 27 – Memorial Holiday -School Closed
May 28-29 – Teacher Post Planning

Town Manager Stewart:

Upcoming Important Dates:

Tuesday, June 25th – 6:00 p.m. – OACS/Town Budget Work Session
Tuesday, August 6th – 6:00 p.m. – Joint ARB/PZB/TC Work Session – Ethics Training
Monday, September 9th – 6:00 p.m. – Tentative Budget Hearing
Tuesday, September 24th – 6:00 p.m. – Final Budget Hearing

Please visit www.Oaklandfl.gov (Town News) for the latest news about the Town.