



**COMMISSION AGENDA
SESSION OF THE CITY COMMISSION TO BE HELD AT THE
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, MARCH 3, 2020
6:00 PM**

1. MEETING CALLED TO ORDER

"As a courtesy to others, please silence all electronic devices during the meeting."

"Citizens desiring to speak under Hear Audience shall submit a request form for the City Clerk prior to the meeting. Forms are available at the door or from the City Clerk."

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

3.A PROCLAMATION - MARCH FOR MEALS MONTH

The request is for the City Commission to present a Proclamation in honor of "March for Meals Month".

3.B PROCLAMATION - NATIONAL VIETNAM WAR VETERANS DAY

The request is for the City Commission to present a Proclamation in honor of "National Vietnam War Veterans Day".

3.C SWEARING-IN CEREMONY FOR TWO NEW POLICE CHAPLAINS

Swearing in and administering of oath for two (2) new Police Chaplains.

3.D EMPLOYEE OF THE MONTH FOR MARCH

Request the City Commission join the City Manager in recognizing **Javier Romero**, Public Works & Engineering, as March's Employee of the Month.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A PUBLIC HEARING – FIRST READING – ORDINANCE AMENDING CITY INVESTMENT POLICY – PROPOSED ORDINANCE #20-08

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF KISSIMMEE, TITLE II, ADMINISTRATION, CHAPTER 2-7, FINANCE; PROVIDING FOR AN INVESTMENT POLICY OF CITY FUNDS PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTE 218.415; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION. REPEALING ORDINANCE 2136, AND ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE

Commission approval of the First Reading of proposed ordinance #20-08 to amend the City's Investment Policy.

5. PUBLIC HEARINGS

6. HEAR AUDIENCE

"ANYTHING REQUIRING A VOTE WILL BE HEARD AT A LATER TIME"

7. CONSENT AGENDA

THE CONSENT AGENDA IS A TECHNIQUE DESIGNED TO EXPEDITE HANDLING OF ROUTINE MISCELLANEOUS BUSINESS OF THE CITY COMMISSION. THE CITY COMMISSION IN ONE MOTION MAY ADOPT THE ENTIRE AGENDA. THE MOTION FOR ADOPTION IS NON-DEBATABLE AND MUST RECEIVE UNANIMOUS APPROVAL. BY REQUEST OF ANY INDIVIDUAL MEMBER, ANY ITEM MAY BE REMOVED FROM THE CONSENT AGENDA AND PLACED UPON THE REGULAR AGENDA FOR DEBATE.

7.A COMMISSION MINUTES APPROVAL

Request Commission approval of the February 18, 2020 Commission Minutes.

7.B PURCHASE OF FULLY AUTOMATED GARBAGE TRUCKS FROM THE SANITATION FUND

Approval of the purchase of five (5) Autocar/New Way fully automated garbage trucks from Kenworth of Central Florida and the disposition and trade-in of four (4) replacement trucks.

7.C FEDERALLY FUNDED PUBLIC ASSISTANCE STATE AGREEMENT - HURRICANE DORIAN

Approval of the Federally Funded Public Assistance State Agreement between the State of Florida, Division of Emergency Management and the City of Kissimmee for Hurricane Dorian.

7.D UTILIZATION OF TREASURY FORFEITURE FUND RESERVES FOR TRAINING FROM THE PACIFIC INSTITUTE

Approval to utilize \$115,000 from Treasury Forfeiture funds to purchase a training program designed to positively impact leadership and the future mindset of the Kissimmee Police Department members.

7.E RESOLUTION ESTABLISHING QUALIFYING PERIOD FOR THE AUGUST 18, 2020 CITY GENERAL ELECTION

Commission adoption of a Resolution establishing the qualifying period for the August 18, 2020 City General Election.

7.F ESRI SMALL GOVERNMENT ENTERPRISE LICENSE AGREEMENT

Approval to renew the three-year Small Government Enterprise License Agreement with Environmental Systems Research Institute (ESRI) in the amount of \$150,000.

7.G REQUEST TO PURCHASE A FLEX-WING ROTARY CUTTER FROM AIRPORT RESERVES

Approval to purchase a Flex-Wing Rotary Cutter at a total cost of \$15,219 from Airport reserves.

7.H ACCEPTANCE OF GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS

Request City Commission approval of the acceptance of Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice Office of Justice Programs.

7.I BURKHARDT CONSTRUCTION MANAGER AT RISK FOR THE LAKE TOHO APARTMENT (HANSEL PLANT) UTILITY RELOCATION CHANGE ORDER # 1

Approval of change order # 1 to the Construction Manager at Risk contract with Burkhardt Construction for the relocation of utilities at the Toho Apartment (Hansel Plant) site in order to upgrade the size of a new water main for the Toho Water Authority.

7.J DISPOSAL OF CITY ASSETS

Approval to dispose of the asset items detailed in the attached report.

7.K DONATION FROM KISSIMMEE UTILITY AUTHORITY FOR PARKS AND RECREATION SPECIAL EVENTS

Approval to accept the sponsorship donation from Kissimmee Utility Authority in the amount of \$25,000 for special events at Lakefront Park.

7.L AWARD OF CONTINUING SERVICES CONTRACTS FOR AQUATIC VEGETATION REMOVAL SERVICES

Commission approval to award continuing services contracts for aquatic vegetation removal to the top two (2) contractors that provided a responsive bid to the request for qualifications.

7.M LANDLORD CONSENT AND ESTOPPEL CERTIFICATE FOR CLASSIC BRITISH AIRCRAFT SHARES LTD. CORP.

Request Commission approval of a Landlord Consent and Estoppel Certificate for Classic British Aircraft Shares Ltd. Corp.

7.N MITIGATION CREDIT PURCHASE AND DEPOSIT AGREEMENT FOR SHINGLE CREEK REGIONAL TRAIL - WESTON RESERVE PHASE 2B NORTH

Approval of the Mitigation Credit Purchase and Deposit Agreement for Shingle Creek Regional Trail- Weston Reserve Phase 2B North and authorization for the City Manager to execute any other documents necessary for the purchase of mitigation credits for Shingle Creek Regional Trail.

7.O LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF THE EMORY CANAL TRAIL NORTH FROM ERNEST TO VINE (US 192)

Approval of the attached resolution authorizing the Mayor to execute the Local Agency Program (LAP) Agreement and the City Manager to execute and deliver to the Florida Department of Transportation (FDOT) any subsequent documentation and amendments for the construction of Emory Canal Trail North from Ernest Street to Vine Street (US 192) project, FPN: 439069-1-58-01.

8. DISCUSSION ITEMS

None.

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

9.B CITY ATTORNEY

9.C CITY COMMISSION

10. ADJOURNMENT

IN ACCORDANCE WITH FLORIDA STATUTES 286.105: ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.

IN ACCORDANCE WITH FLORIDA STATUTE 286.26, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE OFFICE OF THE CITY CLERK, 101 CHURCH STREET, KISSIMMEE, FL 34741, (407) 518-2309.

ITEM 3.A

PROCLAMATION - MARCH FOR MEALS MONTH

Request

The request is for the City Commission to present a Proclamation in honor of "March for Meals Month".

Explanation

N/A

Attachment(s):

1. Proclamation-March for Meals.2020

ITEM 3.B**PROCLAMATION - NATIONAL VIETNAM WAR VETERANS DAY****Request**

The request is for the City Commission to present a Proclamation in honor of "National Vietnam War Veterans Day".

Explanation

N/A

Attachment(s):

1. Proclamation-National Vietnam War Veterans.2020

ITEM 3.C**SWEARING-IN CEREMONY FOR TWO NEW POLICE CHAPLAINS****Request**

Swearing in and administering of oath for two (2) new Police Chaplains.

Explanation

Two (2) new Police Chaplains have been brought into the City of Kissimmee Police Department. The Chaplains will be a valuable resource for employees of the Department and citizens of Kissimmee. Both Chaplains are volunteers. Having the Chaplains sworn in at a City Commission meeting serves as a formal introduction to the Mayor, City Commissioners, and the citizens and the community. The procedure of swearing in new chaplains instills formality and professionalism at the start of their volunteer careers with the City of Kissimmee Police Department.

The new Chaplains are:

Pastor Jose Gabriel Mejia
Pastor Ruben Ocasio Mercado

Attachment(s):

None

ITEM 3.D

EMPLOYEE OF THE MONTH FOR MARCH

Request

Request the City Commission join the City Manager in recognizing **Javier Romero**, Public Works & Engineering, as March's Employee of the Month.

Explanation

It is an honor for the City to announce that Javier Romero, Foreman, Public Works & Engineering, is Employee of the Month for March. Javier has been with the City just over 3 years. He started as a Tradesworker, was promoted to Foreman and is currently serving as acting Facility Maintenance Superintendent.

Javier supervises employees who have a variety of specialties: Tradesworkers, Custodial staff, and Warehouse staff. He must rely on a varied amount of knowledge to oversee the issues that arise as the staff maintains our City facilities. Additionally, he interacts with vendors and keeps a positive repartee with them as they do contract work or provide us with supplies. Work orders largely drive the work to be done and Javier is on his 'A' game with these, to the point that he often personally takes time to make sure everything was satisfactory.

Whether it's staff, coworkers or vendors, Javier is known as a team player, punctual and willing to help. Even when he is off duty, he has been known to follow up on projects. Please join us as we recognize his contributions by honoring Javier as the Employee of the Month.

Attachment(s):

None

ITEM 4.A

PUBLIC HEARING – FIRST READING – ORDINANCE AMENDING CITY INVESTMENT POLICY – PROPOSED ORDINANCE #20-08

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF KISSIMMEE, TITLE II, ADMINISTRATION, CHAPTER 2-7, FINANCE; PROVIDING FOR AN INVESTMENT POLICY OF CITY FUNDS PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTE 218.415; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION. REPEALING ORDINANCE 2136, AND ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE

Request

Commission approval of the First Reading of proposed ordinance #20-08 to amend the City's Investment Policy.

Explanation

It has been a number of years since the City's investment policy has been updated; therefore, the City's external auditors recommended that the policy be updated to reflect any changes in the State Statute governing municipal investment policies as well as changes in the investment markets. The attached policy represents a complete overhaul of the policy and properly reflects the requirements of State Statute.

Recommendation

Staff recommends approval of the First Reading of this proposed ordinance.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. Investment Ordinance-Policy 02.25.20 LH v.1
2. Investment Policy Exhibit A
3. Advertisement - ORD 20-08 Investment Policy (2-29-2020)

ITEM 7.A**COMMISSION MINUTES APPROVAL****Request**

Request Commission approval of the February 18, 2020 Commission Minutes.

Explanation

Minutes of the Commission meeting held on February 18, 2020 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. Commission Minutes - February 18, 2020

ITEM 7.B

PURCHASE OF FULLY AUTOMATED GARBAGE TRUCKS FROM THE SANITATION FUND

Request

Approval of the purchase of five (5) Autocar/New Way fully automated garbage trucks from Kenworth of Central Florida and the disposition and trade-in of four (4) replacement trucks.

Explanation

The Sanitation division has met with the principals of Autocar Truck, New Way Trucks and Southern Sewer Equipment Sales to negotiate an updated price for the purchase of five (5) fully automated garbage trucks. The parties agreed upon a price for five (5) Autocar ACX with New Way Sidewinder bodies, which are similar to the vehicles currently operated by the Sanitation division. The price will be the Sheriff's Bid price of \$305,965 each. The division will take advantage of a \$6,000 discount per truck resulting in a final price of \$299,965 each. This is a savings of \$30,000 for the five vehicles.

The division has also negotiated a trade-in of \$38,500 per truck which is available to the City if the purchase and trade in occurs no later than August 3, 2020. The details of the transaction requested are as follows:

2021 Autocar ACX w/options	\$178,297
2021 New Way Sidewinder 31yd w/options	\$127,668
Sheriff Bid (FSA18VEH-16.0) Total	\$ 305,965
Multi-truck Discount (5%)	- \$6,000
Total to be paid per vehicle	\$ 299,965
Total for five (5) vehicles	\$1,499,825
Trade-in value (4) vehicles	- \$154,000
Total purchase price	\$1,345,825

**The City has the right to inspect the truck and final approval at time of delivery.*

The Sanitation division is purchasing these vehicles as part of the division's vehicle replacement program.

Trade-in vehicles:

Vehicle SA102:

2012 Autocar/Labrie Garbage Truck

VIN# 5VCACR8FXCH213813

Asset Tag #: 22046

Tag#: 128542

City of Kissimmee

Vehicle SA103:

2012 Autocar/Labrie Garbage Truck

VIN# 5VCACR8F1CH213184

Asset Tag #: 22047

Tag #: 136723

Vehicle SA104:

2012 Autocar/Labrie Garbage Truck

VIN# 5VCACR8F3CH213185

Asset Tag # 22062

Tag #: 227625

Vehicle SA105:

2012 Autocar/Labrie Garbage Truck

VIN# 5VCACR8F5CH213186

Asset Tag # 22063

Tag #: 227626

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
4411-45-4571-534-5006495	SA1902	Decrease	\$600,000	\$538,330
4411-45-4571-534-5006495	SA2002	Decrease	\$300,000	\$269,165
4411-45-4571-534-5006495	SA2003	Decrease	\$600,000	\$538,330

Financial Summary:

Adequate funds are available in the Sanitation Fund for this purchase.

Recommendation

Staff recommends approval to purchase five (5) Autocar/New Way fully automated 2021 garbage trucks from Kenworth of Central Florida at a cost of \$1,499,825 from the Sanitation Fund and the disposition and trade-in of replacement trucks for \$154,000.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. FSA18 Extension Complete Quotation - Kissimmee _5_2021 ACX-CFEL_1 14 2020
(00000002)

ITEM 7.C

FEDERALLY FUNDED PUBLIC ASSISTANCE STATE AGREEMENT - HURRICANE DORIAN

Request

Approval of the Federally Funded Public Assistance State Agreement between the State of Florida, Division of Emergency Management and the City of Kissimmee for Hurricane Dorian.

Explanation

The State of Florida, Division of Emergency Management (DEM) serves as the Grantee for funds to be received from both the Federal Emergency Management Agency (FEMA) and the State Division of Emergency Management. In order to begin receiving reimbursements from both governmental agencies, the FEMA - State agreement must be approved by the City Commission. The attached agreement outlines the documentation required, the process for payment of claims, audit requirements, etc. This is a standard agreement that all governmental entities are required to sign in order to receive federally funded public assistance.

Exhibit 1 of the attached agreement has no referenced project as it is still being processed by both FEMA and the State. As additional projects are reviewed and processed by both entities, amendments to this agreement will be provided to the City to include the reimbursement amounts associated with each project. Each of these amendments must be executed by the City. Since there is a large number of outstanding projects, staff is requesting the Commission delegate the authority to sign these amendments to the City's Finance Director.

Recommendation

Staff recommends approval of the Federally Funded Public Assistance State Agreement between the State of Florida, Division of Emergency Management and the City of Kissimmee for Hurricane Dorian and to delegate authority to approve any amendments to the City Finance Director.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. DR4468 City of Kissimmee Z1605
2. Letterhead - Delegation Letter Hurricane Dorian

ITEM 7.D

UTILIZATION OF TREASURY FORFEITURE FUND RESERVES FOR TRAINING FROM THE PACIFIC INSTITUTE

Request

Approval to utilize \$115,000 from Treasury Forfeiture funds to purchase a training program designed to positively impact leadership and the future mindset of the Kissimmee Police Department members.

Explanation

A paramount goal for 2020 is to invest in the Police Department's staff in an effort that ensures there is a constructive organizational structure that will shape the direction of all current and future employees. With that in mind, the Police Department has been in discussions and working with The Pacific Institute to create and develop a transformational leadership curriculum designed to impact and sustain the cultural blueprint of this agency.

The Pacific Institute has been developing organizational strategies in the private sector world-wide for 40 years with science-backed programs rooted in Mindsetting. The City's curriculum will be Pacific's first program specifically designed for the law enforcement arena, building upon the City's commitment to servant leadership and connection with the community.

The scope of this 6-month program will impact every member of the agency, with a critical focus on all members of leadership, sworn and civilian.

The City has determined that this contractual service is only available from Pacific Institute as a sole source and therefore exempt from the competitive solicitation process in the procurement of the service as provided by Florida Statute, due to the unique nature of the training which this firm will provide the police department.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
0024-30-3074-521-5005555		Increase	\$115,000	
0024-30-3074-521-5009276		Decrease	\$115,000	

Financial Summary:

Adequate funds are available in the Treasury Forfeiture reserves for this purchase.

Recommendation

Staff recommends approval for the Police Department to utilize \$115,000 from Treasury Forfeiture reserves to purchase a training program from The Pacific Institute.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. Mental Tactics in LE with Kissimmee PD Proposal

ITEM 7.E

RESOLUTION ESTABLISHING QUALIFYING PERIOD FOR THE AUGUST 18, 2020 CITY GENERAL ELECTION

Request

Commission adoption of a Resolution establishing the qualifying period for the August 18, 2020 City General Election.

Explanation

Each election year, the City Commission adopts a Resolution proclaiming the upcoming City Election, announcing the Commission seats to be placed on the election ballot, and establishing the date of the qualifying period.

In accordance with voter approval of Ordinance # 2646, the General Election will be held August 18, 2020. The qualifying period, set by the State of Florida Division of Elections, is Noon, June 8, 2020 through Noon, June 12, 2020. If no candidate for a particular seat receives a majority of the votes cast in the August 18, 2020 election, a run-off election between the top two finishers will be held on November 3, 2020.

In order to qualify, Candidates must meet the following requirements as set forth in the proposed Resolution:

- Be qualified to vote in the Florida Primary Election scheduled for August 18, 2020
- Be a resident of the City for one (1) year immediately prior to registering/qualifying for the particular office
- Provide payment of the election assessment fee required in F.S. 99.093
- Payment must be made to the Supervisor of Elections Office

The following Seats will be placed on the August 18, 2020 ballot:

City Commission Seat No. 1

City Commission Seat No. 3

City Commission Seat No. 5 (Mayor)

Attached is the proposed Resolution for your consideration and adoption. The "Qualifying Procedures" are also attached for your review.

Recommendation

Staff recommends Commission adoption of the attached Resolution.

REQUESTED CITY COMMISSION ACTION:

Adopt

Attachment(s):

City of Kissimmee

1. 2020 Resolution - Method of Qualifying - Notice of Adoption- English FORM (Approved OSDF)
2. 2020 Qualifying Procedures (Update for Review) 2-06-2020 Working Verison 2v (Approved OSDF)

ITEM 7.F

ESRI SMALL GOVERNMENT ENTERPRISE LICENSE AGREEMENT

Request

Approval to renew the three-year Small Government Enterprise License Agreement with Environmental Systems Research Institute (ESRI) in the amount of \$150,000.

Explanation

For the past twelve years, the City of Kissimmee and Kissimmee Utility Authority (KUA) have jointly participated in a licensing agreement with Environmental Systems Research Institute (ESRI) specifically designed to assist small governments with the software and maintenance costs associated with providing Geographical Information Systems (GIS). The Small Government Enterprise License Agreement (SGELA) allows both the City and KUA coverage under one agreement. The combined license count and existing annual maintenance fees make it cost effective to utilize the SGELA to provide for unlimited installations of ESRI client - server GIS software as well as their cloud offerings.

The current agreement is due to expire in March 2020. The renewal agreement provides for a three-year commitment of \$50,000 annually totaling \$150,000. The fee will be divided between both entities. The City's portion will be \$25,000 per year and KUA will pay \$25,000 annually. The Enterprise agreement will be in the City's name and the City will pay the fee directly to ESRI and then bill KUA for its portion. This payment arrangement has been in place and has worked well over the past twelve years.

By utilizing the SGELA, the City will continue to realize extensive cost savings. Throughout the last twelve years, the City and KUA have both benefited from adding user and server software at no additional cost; therefore, leveraging each entity's respective investments in GIS. These savings are compounded within the operational budget as the ESRI annual maintenance fee and will not increase as the number of licenses being used increases. Having access to unlimited licensing greatly increases the opportunity to expand GIS throughout other departments without having to expend additional capital dollars for the software licenses and without increasing the operational budget for annual maintenance.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
5560-60-6010-516-5004647	N/A		\$25,000	\$25,000

Financial Summary:

City of Kissimmee

The City's portion for year one is included in the approved FY 19/20 Information Technology operating budget and the two subsequent years will be budgeted in the FY 2020/2021 and FY 2021/2022 operating budgets.

Recommendation

Staff recommends approval to renew the three-year Small Government Enterprise License Agreement with ESRI for a total of \$150,000.

REQUESTED CITY COMMISSION ACTION:

Approve
Execute

Attachment(s):

1. SGEA (M) - 00280571.0

ITEM 7.G

REQUEST TO PURCHASE A FLEX-WING ROTARY CUTTER FROM AIRPORT RESERVES

Request

Approval to purchase a Flex-Wing Rotary Cutter at a total cost of \$15,219 from Airport reserves.

Explanation

In July 2018, the Kissimmee Golf Course property was reverted back to the Kissimmee Airport due to a declared default with the previous tenant. This action added more than 140 acres of land into the mowing routine for the Department.

The purchase of a large rotary cutter attachment would increase efficiencies and reduce the amount of time it takes to mow the airfield, golf course property, and other land on Airport grounds. Personnel will be able to redirect time saved with the use of a larger unit to other necessary maintenance tasks.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
4461-70-7010-542-5009276		Decrease	\$15,219	
4461-70-7010-542-5006494		Increase Budget/Decrease Actual	\$15,219	\$15,219

Financial Summary:

Adequate reserves are available in the Airport Fund for this purchase.

Recommendation

Staff recommends Commission approval to purchase a new Flex-Wing Rotary Cutter at a total cost of \$15,219 from Airport reserves and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. Lawn Equipment Quotes

ITEM 7.H

ACCEPTANCE OF GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS

Request

Request City Commission approval of the acceptance of Fiscal Year 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice Office of Justice Programs.

Explanation

The Police Department applied for funding from the FY 2019 Edward Byrne Memorial Justice Assistance Grant (JAG). On September 18, 2019, the City was notified by the Office of Justice Programs that the application for funding under the FY 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local was approved. The City was awarded \$31,446, which will be allocated for the partial funding of salaries for two (2) police officers and one police sergeant as outlined in the grant application for the City's fiscal year budget beginning October 1, 2020. The balance of the monies needed for the salary and benefits of the officers and sergeant will continue to come from the General Fund. This is a four-year recurring grant.

Since monies will not be spent until the new fiscal year, no budget adjustment is needed at this time.

The Department requests the Commission accept the FY 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice Office of Justice Programs.

Recommendation

Staff recommends that the City Commission accept the funding and authorize the City Manager to execute the required documents to accept the award.

REQUESTED CITY COMMISSION ACTION:

Accept

Attachment(s):

1. 4. BUDGET INFORMATION AND ASSOCIATED DOCUMENTATION amended
2. 4A. BUDGET DETAIL WORKSHEET amended

ITEM 7.I

BURKHARDT CONSTRUCTION MANAGER AT RISK FOR THE LAKE TOHO APARTMENT (HANSEL PLANT) UTILITY RELOCATION CHANGE ORDER # 1

Request

Approval of change order # 1 to the Construction Manager at Risk contract with Burkhardt Construction for the relocation of utilities at the Toho Apartment (Hansel Plant) site in order to upgrade the size of a new water main for the Toho Water Authority.

Explanation

At the December 3, 2019 meeting, the City Commission approved the Construction Manager at Risk contract for Lake Toho Apartment Utility Relocation that authorized Burkhardt Construction to be the City's Construction Manager at Risk. The work to relocate the sanitary sewer line has begun. However, due to some design issues, the relocation of the water line has not begun.

The water line had to be redesigned requiring the 14 inch water main that runs along Ruby Avenue be upgraded to a 16 inch water main. The additional cost of this work will be \$399,997.09. Change order # 1 is included in the Commission's back up with the details of the additional cost.

The enlargement of the water main on Ruby Avenue benefits Toho Water Authority; therefore, TWA has agreed, in concept, to pay for a portion of the water main relocation costs. In an effort to complete the work so construction can begin on the Lake Toho Apartments by the first part of April, this reimbursement will be negotiated after the work is completed.

The relocation of the water and sanitary sewer lines are part of the City's contractual obligation to provide Mosaic Partners IV, Inc. a build-able site for construction.

The original Construction Manager at Risk agreement is included in the Commission's back up.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1107-10-1010-559-5006393	CM1710	Decrease	\$690,095.00	\$399,997.09

Financial Summary:

Funds are available for change order # 1. No General Fund monies will be used.

Recommendation

City of Kissimmee

Staff recommends approval of change order # 1 in the amount of \$399,997.09.

REQUESTED CITY COMMISSION ACTION:

Approve
Execute

Attachment(s):

1. Lake Toho Apartments Public Utility Relocations Change Order 1
2. Construction Manager at Risk agenda item From Dec 3 2019 City Commission Meeting

ITEM 7.J
DISPOSAL OF CITY ASSETS

Request

Approval to dispose of the asset items detailed in the attached report.

Explanation

The Charter states that the City Manager “shall not dispose of property belonging to the City, except on authority of the City Commission.” Therefore, staff is requesting approval to dispose of the items included on the attached list.

The items included on the attached list are slated to be auctioned or junked and have not previously been approved for disposition by the City Commission. These items will be placed up for auction via Manheim live auction or Manheim online auction.

Recommendation

Staff recommends Commission approval to remove these items from the City’s equipment inventory listing and to send those items to the auction for disposition.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. Auction COK03'20

ITEM 7.K

DONATION FROM KISSIMMEE UTILITY AUTHORITY FOR PARKS AND RECREATION SPECIAL EVENTS

Request

Approval to accept the sponsorship donation from Kissimmee Utility Authority in the amount of \$25,000 for special events at Lakefront Park.

Explanation

The Parks and Recreation Department received a Top Tier Presenting Sponsorship in the amount of \$25,000 from Kissimmee Utility Authority. This sponsorship provides funding for special events organized by the City, which includes 2019/2020 events such as: Festival of Lights Parade, Martin Luther King Parade and Unity Celebration, Chili Cook-Off, Kowtown, Night of Music, Pridefest, Monumental July 4th Celebration, and Fandom.

These funds will allow the Parks and Recreation Department to host and promote high quality community events that create leisure experiences designed to enhance the quality of life for the City's residents and visitors. In exchange, KUA is listed as a sponsor on promotional materials and event advertisements, and is given the opportunity to supplement those events through the KUA Kids Zone and other activities. After reviewing the budget, staff believes that the funds will be best utilized for funding Special Events that have significant community benefit.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
0001-50-5066-575-5004901		Increase		\$25,000
0001-00-0000-366-3660010		Increase		\$25,000

Financial Summary:

Donated funds will be used for upcoming events at the Lakefront Park.

Recommendation

Staff recommends City Commission approval to accept the donation from Kissimmee Utility Authority, approval for the funds to be utilized towards special events in the park and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Accept

Attachment(s):

1. KUA Sponsorship

ITEM 7.L

AWARD OF CONTINUING SERVICES CONTRACTS FOR AQUATIC VEGETATION REMOVAL SERVICES

Request

Commission approval to award continuing services contracts for aquatic vegetation removal to the top two (2) contractors that provided a responsive bid to the request for qualifications.

Explanation

On January 12, 2020, the Parks and Recreation Department advertised, via the Orlando Sentinel, Demand Star and Vendor Link, a request for statement of qualifications (RFQ2020-003) for continuing services contracts for aquatic vegetation removal to be performed City-wide. Final submissions of these statements of qualifications were due to the City by February 3, 2020.

In response to this request, the Parks and Recreation Department received a statement of qualifications from six (6) qualified vendors. The evaluation committee scored each proposal based upon completeness of the proposal, submission of required documentation, contractors expertise and experience, type and quality of equipment to be used on the project and rates (hourly, daily and disposal). After evaluating the six responsive proposals, the evaluation committee determined that the following two contractors best met the requirements of the proposal.

- 1) Wilkerson's Hydrology Services Inc.
- 2) Ground Level Inc.

Therefore, staff recommends entering into a continuing services contract with both entities.

Recommendation

Staff recommends approval to award and execute continuing services contracts for aquatic vegetation removal services to the following two contractors: Wilkerson's Hydrology Services Inc. and Ground Level Inc.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. Abstract Aquatic Vegetation
2. Aquatic Scoresheets
3. Groundlevel Contract (one signature)
4. Wilkersons Hydrology (one signature)

ITEM 7.M

LANDLORD CONSENT AND ESTOPPEL CERTIFICATE FOR CLASSIC BRITISH AIRCRAFT SHARES LTD. CORP.

Request

Request Commission approval of a Landlord Consent and Estoppel Certificate for Classic British Aircraft Shares Ltd. Corp.

Explanation

Classic British Aircraft Shares Ltd. Corp. (CBAS) owns property adjacent to the Airport and has an agreement to operate aircraft to and from the property via the Airport property. KISM Hangar LLC (KISM) is in the process of purchasing the property with the intent of entering into a long-term agreement with the City and transferring property ownership permanently to the City. During this transition, KISM is requesting the rights of CBAS to access the property from the Airport be assigned to KISM so they may continue to operate aircraft to and from the property.

Recommendation

Staff recommends Commission approval of a Landlord Consent and Estoppel Certificate for Classic British Aircraft Shares Ltd. Corp.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. Landlord Consent and Estoppel Certificate-C

ITEM 7.N

MITIGATION CREDIT PURCHASE AND DEPOSIT AGREEMENT FOR SHINGLE CREEK REGIONAL TRAIL - WESTON RESERVE PHASE 2B NORTH

Request

Approval of the Mitigation Credit Purchase and Deposit Agreement for Shingle Creek Regional Trail-Weston Reserve Phase 2B North and authorization for the City Manager to execute any other documents necessary for the purchase of mitigation credits for Shingle Creek Regional Trail.

Explanation

The Shingle Creek Regional Trail Project Area known as Weston Reserve Phase North 2B consists of the construction of a multi-use trail running from the Tapestry development to Osceola Parkway tying into the Tapestry Connector Trail on the southern end and the North Phase 2D Osceola Parkway pedestrian bridge to the north. The trail also contains boardwalk sections over certain areas.

As part of the environmental permitting process with the US. Army Corp of Engineers for the construction of the trail, it was determined that the permitting for the project would be contingent upon the City's purchase of credits as compensatory mitigation. This agreement is for the purchase of .07 Palustrine Forested Federal WRAP Credits from Florida Mitigation Bank, LLC.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1116-50-5070-572-5006393	RI2001	Decrease	\$200,000.00	\$2,047.50

Financial Summary:

Adequate funds are available in the Shingle Creek Regional Trail construction project to cover the cost of the mitigation credits.

Recommendation

Staff recommends the City Commission approve the attached Mitigation Credit Purchase and authorize the City Manager to execute any other documents that may be necessary for the purchase of mitigation credits for Shingle Creek Trail.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. FMB Purchase Agreement Shingle Creek Trail PH 2B North Federal Only Agreement 2-4-20
2. FMB SCRT Phase 2B North 2-4-20 Balance Invoice

ITEM 7.0

LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF THE EMORY CANAL TRAIL NORTH FROM ERNEST TO VINE (US 192)

Request

Approval of the attached resolution authorizing the Mayor to execute the Local Agency Program (LAP) Agreement and the City Manager to execute and deliver to the Florida Department of Transportation (FDOT) any subsequent documentation and amendments for the construction of Emory Canal Trail North from Ernest Street to Vine Street (US 192) project, FPN: 439069-1-58-01.

Explanation

This agreement is for State funding for a portion of the bike trail network planned for the local trail system. This multi-modal improvement project involves the construction of a concrete trail in a north-south direction along Emory Canal and through the residential areas west of downtown Kissimmee, as well improvements for erosion, utilities, drainage and pedestrian walkways. The purpose of this agreement is to provide for the participation of FDOT in the construction of Emory Canal Trail North from Ernest Street to Vine Street (US 192) project, as further described in Exhibit "A", and attached hereto as Attachment 1.

FDOT has committed to funding \$912,691 for this project; however, the construction estimates and the programmed amount for construction is \$1,022,156 which may change once the project is advertised for construction and the City receives formal bids for the project. The City plans to request additional funds from MetroPlan Orlando to cover the difference, if needed, and anticipates that the additional funds will be received.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
XXXX-00-0000-334-3344900	N/A	Increase	\$912,691	
XXXX-45-4565-541-5006393	PW20XX	Increase	\$912,691	

Financial Summary:

There is no City match required for this grant unless FDOT is unable to fund the difference between the budgeted amount reflected above and the ultimate cost of the project which is yet to be determined. However, staff anticipates that MetroPlan Orlando will fund the difference. Once the Commission approves the LAP agreement, a separate fund and project number will be established to

track the revenues and expenses associated with this project.

Recommendation

Staff recommends the City Commission approve the attached resolution authorizing the Mayor to execute the LAP Agreement and the City Manager to execute and deliver to the Florida Department of Transportation (FDOT) any subsequent documentation and amendments for the construction of Emory Canal Trail North from Ernest Street to Vine Street (US 192) project, FPN: 439069-1-58-01 and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Attachment(s):

1. LAP Agreement 439069-1-58-01
2. LAP RESOLUTION Emory Canal.CAO (002) LH