



**MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION HELD TUESDAY, MARCH 5, 2019, AT 6:00 PM AT THE CITY OF KISSIMMEE, CITY HALL COMMISSION CHAMBERS LOCATED AT 101 CHURCH STREET, KISSIMMEE, FLORIDA**

**1. MEETING CALLED TO ORDER**

**Members Present:** Mayor Jose Alvarez, Commissioners Olga Gonzalez, Felix Ortiz, Angela Eady, Jim Fisher

**Staff Present:** City Manager Mike Steigerwald, City Attorney Don Smallwood, Deputy City Attorney Olga Sanchez de Fuentes, Deputy City Manager Desiree Matthews, Assistant City Manager Austin Blake, City Clerk Linda Hansell, Records Specialist Eugenio Morales

**Members Absent:** None

Mayor Alvarez called the meeting to order at 6:00 p.m.

**2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

After a Moment of Silence, Commissioner Fisher led the audience in the Pledge of Allegiance.

**3. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**3.A. PROCLAMATION - CONFEDERATE MEMORIAL DAY**

The request is for the City Commission to present a Proclamation in honor of "Confederate Memorial Day."

City Manager Steigerwald read a proclamation in honor of Confederate Memorial Day as the Mayor and Commissioners presented the proclamation to Herman Al Massey and Gary Schmidt.

Mr. Massey presented a Certificate of Appreciation (Exhibit "A") to the City Commission for their continued support in recognizing Confederate Memorial Day and the Battle of Narcoossee Mill. Mr. Massey provided information on the history of Confederate Memorial Day.

**3.B. SWEARING IN OF FIRE LIEUTENANT DANE FARMER**

Staff requests that Dane Farmer be sworn into his new position of Lieutenant in the Fire Department.

Deputy Fire Chief Eric Cruz administered the Oath of Office (Exhibit "B") to Fire Lieutenant Dane Farmer. Deputy Chief Cruz gave a brief overview of the work history of Lieutenant Farmer.

### **3.C. EMPLOYEE OF THE MONTH - DALISA FIGUEROA**

Request the City Commission join the City Manager in honoring the March 2019 Employee of the Month, Dalisa Figueroa.

City Manager Steigerwald presented the March Employee of the Month, Dalisa Figueroa, works daily with Business Tax Receipts and Building Permits for our customers at the building counter. She has good ideas and communicates those ideas to bring more efficiency to the office. City Manager Steigerwald thanked Ms. Figueroa for all her hard work and reminded the audience that this honor is selected by a committee of peers and not by the Commission or City management which makes it even more special.

Ms. Figueroa thanked her supervisors and co-workers for their support and for all the kindness and patience while training.

### **4. PUBLIC HEARINGS - FIRST AND SECOND READINGS**

#### **4.A. PUBLIC HEARING - SECOND AND FINAL READING - LAND USE MAP AMENDMENT (LARGE SCALE) - (TWA HARRELSON LANE PROPERTY - DRC#18-00140) - PROPOSED ORDINANCE #18-20**

**AN ORDINANCE AMENDING ORDINANCE NO. 2771 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE**

Approval of an ordinance amending the future land use of a 19-acre property from SF-LDR (Single Family Low Density Residential District), UT (Utilities District), and CG (Commercial General) to MF-HDR (Multi-Family High Density Residential).

John Hambley, Planning Department, reviewed the request for land use changes for this 19-acre parcel. The Commission approved the First Reading on November 7, 2018 and transmittal was made to the State of Florida December 20, 2018, with only technical comments from the Florida Department of Transportation; these items can be addressed during the site plan review. All other agencies had no comments and staff finds it to be in compliance and recommends approval.

Raymond Dublonsky, 1533 Eola Circle, Kissimmee, spoke in opposition due to the problems they have with flooding and nothing being done to alleviate the situation; water does not drain, and the trees are dying. Mr. Dublonsky stated he was told nothing was ever going to be developed on this property.

Mayor Alvarez stated this property is not the City of Kissimmee it belongs to Toho Water Authority.

John Janney, 1605 Eola Circle, Kissimmee, questioned whether there was a plan in place to take care of the drainage issues, and asked if it will remain the same with no improvement if this is approved.

Craig Holland, Development Services Director, the City is doing an environmental Phase II study to determine whether any clean-up is needed. Any stormwater that falls on the property must be maintained on that property and it is usually made better by developing the site. At this time, there is no a site plan but stormwater would stay on the property with berms or retention basins.

Mayor Alvarez stated that is why a study is being done; the City may not be able to build on this property.

Ellie Watford, 1605 Eola Court, Kissimmee, sent pictures of the flooding to Stormwater and nothing has been done about it. The soil needs to be tested because there is iridescent water running off the site which was previously used as a salvage yard. Ms. Watford felt the soil needed to be tested.

Mayor Alvarez announced the Public Hearing with no further response from the audience.

Commissioner Jim Fisher moved to adopt and approve Ordinance # 3001. Commissioner Angela Eady seconded the motion.

Upon roll call, the vote was as follows:

|                       |     |
|-----------------------|-----|
| Commissioner Fisher   | AYE |
| Commissioner Gonzalez | AYE |
| Commissioner Ortiz    | AYE |
| Commissioner Eady     | AYE |
| Mayor Alvarez         | AYE |

Motion carried 5 - 0.

Deputy City Attorney Sanchez de Fuentes read Ordinance #3001 (Exhibit "C") by title.

**4.B. PUBLIC HEARING - FIRST READING - FIREFIGHTERS PENSION PLAN AMENDMENT  
– AMENDING CODE FOR INTERNAL REVENUE COMPLIANCE AND CLARIFYING  
OUTDATED LANGUAGE (PROPOSED ORDINANCE 19-05)**

**AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, AMENDING TITLE II, ADMINISTRATION, CHAPTER 2-6, CITY EMPLOYEES, FIREFIGHTERS RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING THE FIREFIGHTERS' RETIREMENT PLAN BY AMENDING SECTION 2-6-47, DISABILITY; AMENDING SECTION 2-6-57, MISCELLANEOUS PROVISIONS; AMENDING SECTION 2-6-67, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 2-6-69,**

**REEMPLOYMENT AFTER RETIREMENT; AMENDING SECTION 2-6-70, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE**

Commission approval of the First Reading of the proposed ordinance 19-05 for the Firefighters Pension Plan.

City Manager Steigerwald stated this is a First Reading of the Firefighter Pension Plan; these changes would bring the Ordinance into compliance with IRS standards will update the language. There is no financial impact to the City.

Mayor Alvarez announced the Public Hearing with no response from the audience.

Commissioner Jim Fisher moved to approve the First Reading of Proposed Ordinance # 19-05. Commissioner Angela Eady seconded the motion.

Motion passed 5 - 0.

Deputy City Attorney Sanchez de Fuentes read Proposed Ordinance #19-05 by title.

**4.C. PUBLIC HEARING - FIRST READING - POLICE OFFICERS PENSION PLAN AMENDMENT - AMENDING CODE FOR INTERNAL REVENUE COMPLIANCE AND CLARIFYING OUTDATED LANGUAGE (PROPOSED ORDINANCE 19-06)**

**AN ORDINANCE AMENDING TITLE II, ADMINISTRATION, CHAPTER 2-6, CITY EMPLOYEES, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING THE POLICE OFFICERS' RETIREMENT PLAN; AMENDING SECTION 2-6-87, DISABILITY; AMENDING SECTION 2-6-96, MISCELLANEOUS PROVISIONS; AMENDING SECTION 2-6-107, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 2-6-109, REEMPLOYMENT AFTER RETIREMENT; AMENDING SECTION 2-6-110, SUPPLEMENTAL SHARE PLAN RETIREMENT BENEFIT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE**

Commission approval of the First Reading of the proposed ordinance 19-06 for the Police Officers Pension Plan.

City Manager Steigerwald stated this is a First Reading of the Police Officer Pension Plan which would bring it into compliance with IRS standards along with clarifying outdated language. It has been determined there is no financial impact to the City and Staff therefore recommends approval.

Mayor Alvarez announced the Public Hearing with no response from the audience.



Commissioner Angela Eady moved to approve the First Reading of Proposed Ordinance # 19-06. City Commissioner Felix Ortiz seconded the motion.

Motion passed 5 - 0.

Deputy City Attorney Sanchez-deFuentes read Proposed Ordinance #19-06 by title.

## **5. PUBLIC HEARINGS**

None.

## **6. HEAR AUDIENCE**

Danna Camacho, 1951 Big Buck Drive, St. Cloud, Florida, 34772, stated she spoke at the last meeting and requested a waiver for the Civic Center use and sponsorship of the event, however, there was some confusion with the City processes and the event is being held at Osceola Heritage Park because they wanted to keep it in Kissimmee. She is now requesting the Commission consider a monetary sponsorship of the event.

Mayor Alvarez stated this was denied by the Commission at the last meeting and he will leave it up to the Commission to decide.

Commissioner Eady asked Ms. Camacho what she is requesting. Ms. Camacho stated she is requesting a monetary contribution for the event of \$1,000.00 since we are doing this to honor women in the community; they had over 350 women at the event.

Commissioner Ortiz stated he is in favor.

Commissioner Gonzalez stated she is abstaining from the vote because she is on their board and filed a Form 8B (Exhibit "D").

Mayor Alvarez questioned Ms. Camacho on why they did not follow the process to request funding.

Ms. Camacho stated she was new to the process, but they will be doing it again next year and will make sure they meet the deadlines set by Parks and Recreation. She was told the process of having the Parks and Recreation Board review their request is not in effect until April, so she has come to the Commission due to the timing of the event.

Mayor Alvarez commented on a program that came before the Commission last December and the same questions were being asked but in the end the money was given to the requestor.

Commissioner Gonzalez reiterated that she was abstaining from the vote, but she does have something to say in support of the funding being provided.

Mayor Alvarez asked the City Attorney if there was any type of violation by Commissioner

Gonzalez.

City Attorney Smallwood stated Commissioner Gonzalez has abstained and he does not feel it is clear there is a violation but that would be for the Commission on Ethics to determine. Commissioner Gonzalez does however have the right to speak on the item.

Commissioner Gonzalez stated she is the founder, but she is not on the board and is a Director.

Commissioner Fisher stated he stands behind the vote from last meeting.

Commissioner Angela Eady made a motion to approve \$500.00 sponsorship from Commission Contingency. City Commissioner Felix Ortiz seconded the motion.

City Manager Steigerwald informed the Commission there is approximately \$7,000.00 in Contingency after the \$25,000.00 was transferred to the Parks and Recreation Advisory Board.

AYE: Commissioner Angela Eady, City Commissioner Felix Ortiz

NAY: Mayor Jose Alvarez, Commissioner Jim Fisher

ABSTAIN: Commissioner Olga Gonzalez

Motion Failed 2 - 2.

Nelson Perez, 1500 W. Oak Street, Kissimmee, stated he is the Vice-President of Kissimmee Youth Baseball and they have made some advances and have received their 501(c) status and are paying umpires using Form 1099. To make it a more pleasant experience for the community, they would like to discuss the missing scoreboards from the ballfields. Mr. Perez questioned the \$25,000.00 that was transferred to Parks and Recreation and how Little League could request funds to replace the two (2) missing scoreboards.

City Manager Steigerwald stated we would have to investigate the agreement with Little League and what was agreed on the maintenance of the facilities. The day to day operations are under the City Manager and staff will look into this and get back with you.

Mr. Perez stated he wanted to say on the record that they have a great working relationship with Parks and Recreation staff and their efforts are truly appreciated.

Donald Williams, President, Kissimmee Youth Baseball, 1500 W. Oak Street, thanked the City and stated they changed over to Babe Ruth Baseball and their scoreboard sponsor, Sports Authority, closed and they would like to put the City name on the new scoreboards. But, he would like to bring to the attention of the City the issue with the basketball courts and the loud music and profanity that can be heard by the youth aged 4 - 10 years of age. He stated, we are trying to make an impression on the youth of Kissimmee and this sets a bad example.

City Manager Steigerwald stated staff will look at the agreement and whether they are responsible for the scoreboards.

Mayor Alvarez thanked Mr. Perez and Mr. Williams for bringing this to the Commission, staff will work with you to resolve these issues.

## **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.**

Commissioner Angela Eady made a motion to approve the Consent Agenda in its entirety. Commissioner Jim Fisher seconded the motion.

Motion passed 5 - 0.

### **7.A. COMMISSION MINUTES APPROVAL**

Request Commission approval of the February 5, 2019 and February 19, 2019 Commission Minutes.

### **7.B. CONTRACT AWARD TO GARLAND/DBS, INC. FOR UPPER ROOF SECTIONS B-D-E-F ROOF REPLACEMENT AT THE KISSIMMEE CIVIC CENTER**

Commission approval is requested to hire Garland/DBS, Inc. under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) and U.S Communities to replace four (4) sections of roof at the Kissimmee Civic Center.

### **7.C. STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM AGREEMENT FOR FACILITATION OF FINANCIAL ASSISTANCE RELATED PROGRAMS**

To approve and execute the State Housing Initiatives Partnership (SHIP) Program Agreement between the City of Kissimmee and the Osceola Council on Aging for the facilitation of the financial assistance programs.

### **7.D. LEACH PLAT - FINAL PLAT, DRC# 18-00071**

This request is for Commission approval of the final plat known as Leach Plat.

### **7.E. AWARD BID IFB2019-003 FOR FIREWORKS TO ZAMBELLI FIREWORKS OF FLORIDA FOR CITY OF KISSIMMEE'S MONUMENTAL JULY 4TH CELEBRATION**

Approval to award Bid IFB2019-003 to Zambelli Fireworks of Florida in the amount of \$30,000 for the 2019 City of Kissimmee's Monumental July 4th Celebration at Kissimmee Lakefront Park.

**7.F. APPROVAL TO EXPAND THE FINANCIAL SCOPE OF FOUR CONTINUING SERVICES CONTRACTS FOR BUILDING DIVISION SERVICES AND TRANSFER ADDITIONAL FUNDS FROM BUILDING FUND RESERVES**

Approval to expand the financial scope of four continuing services contracts for building division services and approval to transfer \$100,000 from the Building Fund reserves.

**7.G. CITY COMMISSION RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT WITH THE POLICE BENEVOLENT ASSOCIATION (PBA) REPRESENTING THE POLICE SERGEANTS**

Request ratification of the PBA collective bargaining agreement for Police Sergeants.

**7.H. REQUEST TO APPROVE OSCEOLA LEGISLATIVE EFFORT INTERLOCAL AGREEMENT FOR 2019**

Approval of the Osceola Legislative Effort (OLE) Agreement for the upcoming Legislative session in 2019.

**8. DISCUSSION ITEMS**

**8.A. COMMISSION CONSIDERATION OF GRANTING AN EXCEPTION TO THE CITY OF KISSIMMEE CODE OF ORDINANCES, TITLE VIII, AVIATION 8-1-63 AUXILIARY USE RESTRICTIONS BY TALISMAN PARTNERS, LLC. ON BEHALF OF THE SCHOOL DISTRICT OF OSCEOLA COUNTY SCHOOLS**

Talisman Partners, LLC., and the School District of Osceola County are requesting the Commission grant an exception to the City of Ordinances 8-1-63 which prohibits the construction of a school facility within five miles of either end of the runway.

City Manager Steigerwald stated this request is for a waiver relating to the auxiliary use of property for a proposed future school site. The waiver is being requested due the proximity to the City's Airport and is based on Florida Statute 333.02: Airport hazards and uses of land in airport vicinities contrary to public interest and 333.025 permitting required for structures exceeding federal obstruction standards. The site for the school is just under one (1) mile from the end of the Runway 15. The Florida Statutes 333.025 was repealed just over three (3) years ago but the City ordinance was not repealed. After review of this item, staff is recommending denial but encourages the Commission to listen to the speakers here tonight.

Attorney Frank Kruppenbacher, 9064 Great Heron Court, Orlando, stated he has been working with the City for close to 40-years and he thanked the City for the great working relationship with the School Board. Attorney Kruppenbacher stated he is here representing the School Board which is respectfully requesting consideration in waiving the current requirements that will not allow for a school to be built on property located within the allowable radius of Airport Runway 15. The site in question is needed and is the only available property to build a reliever school in the

area. Attorney Kruppenbacher stated he has experience with this issue due to his time on the Orlando International Airport (OIA) Board. He also noted that the Federal Aviation Authority (FAA) has given their approval. The School Board as well as the Superintendent feel confident this site is safe and are willing to take on that liability.

Commissioner Fisher stated he has no questions but he reviewed Attachment 1 and Attachment 2.

Stumpy Harris, 1201 E. Robinson Street, Orlando, stated he has worked for the City and KUA on different projects and worked with Attorney Smallwood. He is representing the owners of the property and he emphasized the need for this location and there are no others; the School Board is willing to take responsibility for safety. He noted that Runway 15 has been expanded three (3) times with no notices to property owners. He reviewed the measurements used for the runway. If you were looking at the original runway configuration, it would not be a problem but after expansion, there is a small portion of the playground that would be affected. They feel there is precedence to allow for a school on this property and there are plans for apartments to be built on this property which increases the need for a school. Mr. Harris suggested the Commission do the right thing and approve this waiver request.

Mayor Alvarez stated he had some concerns but after hearing that the School District is willing to take on the liability and the FAA has approved, he would like to ask staff if we can repeal the ordinance to comply with the State instead of approving a Waiver.

City Manager Steigerwald stated we could have the ordinance repealed by the second meeting in April, at the latest.

Attorney Kruppenbacher questioned if repealed could the School District move forward with this project.

Commissioner Jim Fisher made a motion to repeal the Ordinance as it is currently. Commissioner Angela Eady seconded the motion.

AYE: Mayor Jose Alvarez, Commissioner Olga Gonzalez, Commissioner Angela Eady, Commissioner Jim Fisher, City Commissioner Felix Ortiz  
NAY: None

Motion passed 5 - 0.

City Attorney Smallwood advised the Commission to continue the request for a waiver to the April 16, 2019.

Jim Fisher made a motion to continue the Commission waiver request to the April 16, 2019 Meeting. Angela Eady seconded the motion.

AYE: Mayor Jose Alvarez, Commissioner Olga Gonzalez, Commissioner Angela Eady,  
Commissioner Jim Fisher, City Commissioner Felix Ortiz

NAY: None

Motion carried 5 - 0.

## **9. HEAR CITY OFFICIALS**

### **9.A. CITY MANAGER**

#### CITY MANAGER STEIGERWALD

City Manager Steigerwald reminded the Commission of the upcoming events:

Downtown Area Council (DKAC) "Business Over Breakfast" on Thursday, March 7, 2019 at 8:00 a.m. at Berlinsky Community House

Employee Memorial on Friday, March 8, 2019 at 10:00 a.m. on front lawn of City Hall.

Police and Fire St. Baldrick's Public Safety Fest at 4:00 p.m. on Dakin Avenue.

Cattle Drive on Broadway, Monday, March 18, 2019, at 3:00 p.m.

### **9.B. CITY ATTORNEY**

#### CITY ATTORNEY SMALLWOOD

Kissimmee Kowboys are in the State Play-offs for Basketball.

### **9.C. CITY COMMISSION**

#### COMMISSIONER GONZALEZ

Nothing.

#### COMMISSIONER ORTIZ

Nothing.

#### COMMISSIONER EADY

Nothing.

COMMISSIONER FISHER

Nothing.

MAYOR ALVAREZ

Mayor Alvarez commented on the Cuban Sandwich Festival and what a wonderful event it was with what appeared to be over 3,000 people in attendance. The vendors were very pleased and were running out of food which is a good sign. We hope the event will come back for a 3<sup>rd</sup> year.

**10. ADJOURNMENT**

There being no further business to come before the Commission, Mayor Alvarez adjourned the meeting at 6:55 p.m.



ATTEST:

  
CITY CLERK

  
MAYOR-COMMISSIONER



Exhibit "A"  
Certificate of Appreciation  
Presented in Honor of Confederate Memorial Day and the Battle of Narcoossee Mill  
Item 3.A.

26th Annual



# BATTLE AT NARCOOSSEE MILL



This Certificate of Appreciation is awarded to

**The City of Kissimmee**

In Appreciation of your Recognition of Confederate History and the 26 years of the Battle of Narcoossee Mill

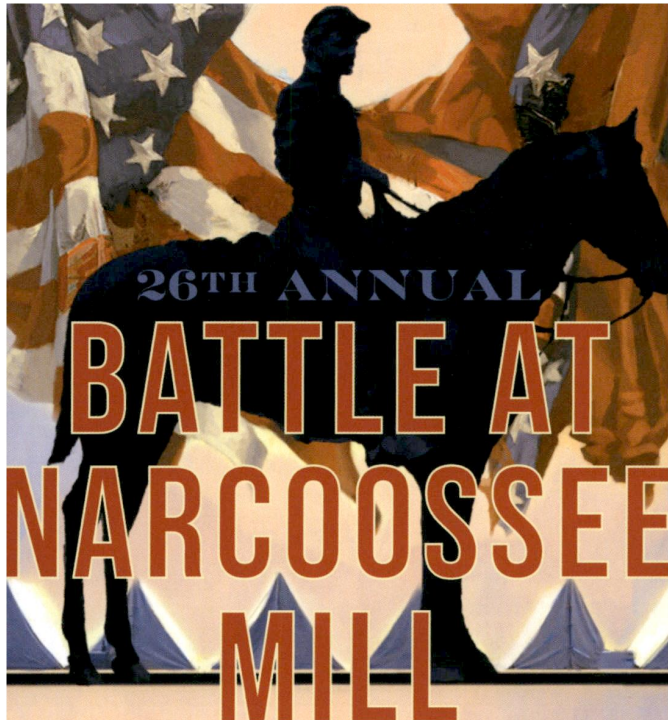
*Steven D. Wacey*

Commander

*John D. H.*

Past Commander





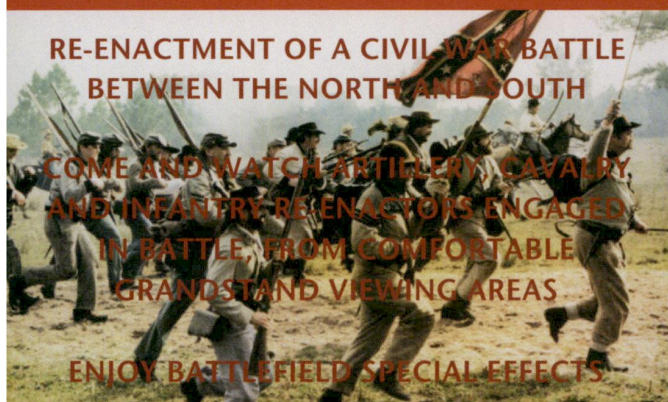
26TH ANNUAL  
**BATTLE AT  
NARCOOSSEE  
MILL**

EXPERIENCE HISTORY FIRST HAND!

MARCH 23<sup>RD</sup> & 24<sup>TH</sup> 2019

4700 CHISHOLM PARK TRAIL

SAINT CLOUD, FLORIDA 34771



RE-ENACTMENT OF A CIVIL WAR BATTLE  
BETWEEN THE NORTH AND SOUTH

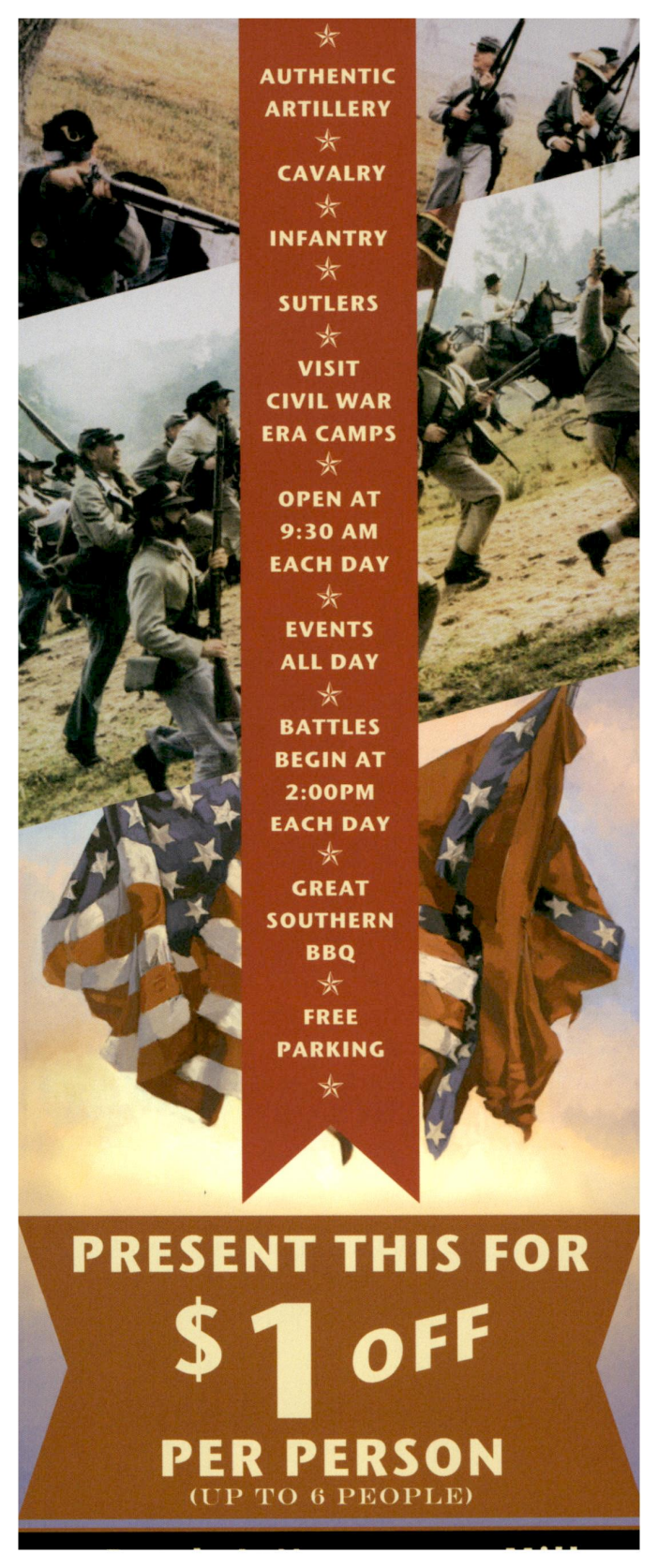
COME AND WATCH ARTILLERY, CAVALRY  
AND INFANTRY RE-ENACTORS ENGAGED  
IN BATTLE, FROM COMFORTABLE  
GRANDSTAND VIEWING AREAS

ENJOY BATTLEFIELD SPECIAL EFFECTS

|            |            |             |
|------------|------------|-------------|
| ADMISSION  | AGES 5-11  | UNDER 5     |
| <b>\$8</b> | <b>\$5</b> | <b>FREE</b> |

DISCOUNT WITH VALID MILITARY I.D.

BattleAtNarcoosseeMill



★  
**AUTHENTIC  
ARTILLERY**

★  
**CAVALRY**

★  
**INFANTRY**

★  
**SUTLERS**

★  
**VISIT  
CIVIL WAR  
ERA CAMPS**

★  
**OPEN AT  
9:30 AM  
EACH DAY**

★  
**EVENTS  
ALL DAY**

★  
**BATTLES  
BEGIN AT  
2:00PM  
EACH DAY**

★  
**GREAT  
SOUTHERN  
BBQ**

★  
**FREE  
PARKING**



**PRESENT THIS FOR**

**\$1 OFF**

**PER PERSON**

(UP TO 6 PEOPLE)

Exhibit "B"  
Oath of Office  
Fire Lieutenant Dane Farmer  
Item 3.B.



**City of Kissimmee Fire Department**

101 Church St.

Suite 200

Kissimmee, Florida 34741-5054

(407) 518-2222 • FAX (407) 933-8604



March 5, 2019

I, Ellison Farmer, having been appointed to the position of Lieutenant, do hereby solemnly swear and affirm that I will support, defend and obey the Constitution of the United States of America; the Constitution of the State of Florida; the Laws and Ordinances of the City of Kissimmee; and the Rules and Regulations of the Kissimmee Fire Department to the best of my ability. So help me God.

Seal

Attest (City Clerk)

Ellison Farmer

Witness

(Eric Cruz, Deputy Fire Chief)

Exhibit "C"  
Ordinance # 3001  
TWA Harrelson Lane – Land Use Map Amendment  
Item 4.A.

Exhibit "D"  
Hear the Audience  
Form 8B (Voting Conflict)  
Commissioner Olga Gonzalez  
Item 6.A.



# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

|                                                           |                        |                                                                                                                      |
|-----------------------------------------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------|
| LAST NAME—FIRST NAME—MIDDLE NAME<br><i>Gonzalez, Olga</i> |                        | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br><i>City of Kissimmee Commission</i>                   |
| MAILING ADDRESS<br><i>2390 Queenswood Circle</i>          |                        | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:                                |
| CITY<br><i>Kissimmee, FL</i>                              | COUNTY<br><i>34747</i> | <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| DATE ON WHICH VOTE OCCURRED                               |                        | NAME OF POLITICAL SUBDIVISION:<br><i>City of Kissimmee</i>                                                           |
|                                                           |                        | MY POSITION IS:<br><input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE                  |

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)



## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Olga Gonzalez, hereby disclose that on March 5, 20 19 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- ☒ inured to the special gain or loss of NOT FOR PROFIT ORGANIZATION - Director, by whom I am retained; or
- ☐ inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Financial support for charitable organization, church and community assistance program, of which I am a Board member. Specifically for the Able Women's Expo event being held on March 16, 2019.

Item 6 Hear the Audience

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

3-5-19

Signature

Olga Gonzalez

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.