COMMISSION AGENDA
SESSION OF THE CITY COMMISSION TO BE HELD
VIA COMMUNICATIONS MEDIA TECHNOLOGY (CMT)*
PUBLIC ACCESS AND PARTICIPATION INSTRUCTIONS AVAILABLE AT
WWW.KISSIMMEERESPONDS.COM/PUBLICMEETINGS

TO SEND PUBLIC COMMENT PRIOR TO THE MEETING SENT TO
CITYCLERKEMAIL@KISSIMMEE.ORG
OR CALL 407-518-2308 FOR ASSISTANCE
WEDNESDAY, SEPTEMBER 9, 2020
6:00 PM

** Per the Office of the Governor, Executive Order #20-69 allows governments to hold meetings telephonically. Should the Governor's order be amended or expire, the Kissimmee Commission meeting will be held in the City of Kissimmee, Commission Chambers, 101 N. Church Street, Kissimmee, Florida 34741*

1. MEETING CALLED TO ORDER

ROLL CALL:

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

3.A UCF DOWNTOWN KISSIMMEE BUSINESS INCUBATOR FISCAL YEAR-END PRESENTATION

The UCF Downtown Kissimmee Business Incubator will provide the City Commission with their fiscal year-end presentation.

3.B EMPLOYEE OF THE MONTH FOR SEPTEMBER

Request the City Commission join the City Manager in recognizing Mirta Rosa, Public Works and Engineering Department, as September's Employee of the Month.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A PUBLIC HEARING - SECOND AND FINAL READING - ANNEXATION: NORTH THACKER AVENUE RIGHT-OF-WAY, DRC#20-00037 - PROPOSED ORDINANCE #20-17

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND, TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Approval to annex approximately 4.1 acres of property and existing right-of-way west of N. John Young Parkway, east of Dyer Boulevard, north of Flora Boulevard, and south of Eagles Reserve Boulevard.

5. PUBLIC HEARINGS

5.A PUBLIC HEARING - ADOPTION OF TENTATIVE MILLAGE LEVY AND TENTATIVE BUDGET FOR FISCAL YEAR 2020-2021

Adoption of tentative millage levy of 4.6253 mills and tentative budget of $205,508,253 for fiscal year 2020-2021.

6. HEAR AUDIENCE

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

Citizens participating in the meeting via the Zoom webinar platform must use the “Raise Hand” feature to be recognized to address the City Commission.

Any testimony or public comment submitted to CityClerkEmail@kissimmee.org prior to the start of the meeting shall be read into the record during this section.

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 July 24, 2020 Budget Workshop and August 4, 2020 Commission Meeting Minutes.

7.B INTERGOVERNMENTAL TRANSFER AGREEMENT FOR MEDICAID MANAGED CARE ORGANIZATION PAYMENT PROGRAM

Approval of an Intergovernmental Transfer (IGT) agreement with the State of Florida, Agency for Health Care Administration (AHCA) in order to continue receiving supplemental payments for Medicaid patients transported by the Fire Department.

7.C BUDGET TRANSFER TO SATISFY FUNDING REQUIREMENTS NEEDED FOR THE CONSTRUCTION OF TWO CITY TRAFFIC SIGNALS

Approval to transfer $42,118 from the General Fund to the Local Option Sales Tax (LOST) Fund to supplement the funds needed for the construction of two City traffic signals.

7.D APPROVAL TO ACCEPT THE 2016/17 FLORIDA COMMUNITIES TRUST (FCT) PARKS AND OPEN SPACE FLORIDA FOREVER PROGRAM GRANT

Approval to accept the 2016/17 Florida Communities Trust (FCT) Parks and Open Space Florida Forever Program Grant in the amount of $2,832,241.81 for the purchase of the Lackey property and expansion of the Lancaster Ranch Park.

7.E INTERLOCAL AGREEMENT BETWEEN OSCEOLA COUNTY AND THE CITY OF KISSIMMEE FOR TRAFFIC SIGNAL DESIGN AND CONSTRUCTION

Approval to enter into an Interlocal Agreement (ILA) with Osceola County for traffic signal design and construction.

7.F AMENDMENT TO THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

Approval of an adjustment to the funding awarded under the 2018 Edward Byrne Memorial Justice Assistance Grant that is needed to fulfill the requirements of the grant.

7.G RATIFICATION OF EXECUTIVE ORDERS 2020-23, 2020-24, AND 2020-25

City Commission ratification of Executive Order 2020-23 issued August 17, 2020, Executive Order 2020-24 issued August 24, 2020, and Executive Order 2020-25, issued August 31, 2020 for the extension of the Local Declaration of Emergency to September 7, 2020.

7.H DESIGNATION OF THE DIRECTOR OF THE DEVELOPMENT SERVICES DEPARTMENT TO SIGN THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM ANNUAL REPORT AND LOCAL HOUSING INCENTIVES CERTIFICATION FORM

To approve the designation of the Director of the Development Services Department to sign the SHIP Program Annual Report and Local Housing Incentives Certification Form.

7.I AUTHORIZATION TO ACCEPT FUNDING FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION ALERT TODAY FLORIDA’S HIGH VISIBILITY ENFORCEMENT FOR PEDESTRIAN AND BICYCLE SAFETY PROGRAM

Acceptance of grant funding from the Florida Department of Transportation (FDOT) Alert Today Florida's High Visibility Enforcement for Pedestrian and Bicycle Safety Program.

7.J REAL PROPERTY CONVEYANCE AND LEASEBACK AGREEMENT BETWEEN KISM HANGER LLC AND THE CITY OF KISSIMMEE

Approval to accept an Airport real property conveyance of 2.86 acres and approval of a Lease Agreement with KISM Hanger, LLC.

7.K REQUEST TO APPROVE THE NON-EXCLUSIVE PERPETUAL ACCESS EASEMENT AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE SCHOOL BOARD OF OSCEOLA COUNTY FLORIDA

Approval of the Non-Exclusive Perpetual Access Easement and Memorandum of Understanding with the Osceola County School Board in reference to the Shingle Creek Regional Trail Project.

7.L ACCEPTANCE OF IMPROVEMENTS AND RIGHT-OF-WAY/EASEMENT DEDICATION FOR EPOCH FLORA RIDGE OFFSITE ROADS AND MASS GRADING (DRC# 18-00135) – AKA BALLPARK ROAD AND NORTH THACKER AVENUE

Acceptance of the roadway improvements for Ballpark Road and a portion of North Thacker Avenue associated with the Epoch Flora Ridge development, with conditions relating to right-of-way and easement dedications for the same.

8. DISCUSSION ITEMS

8.A PROSPERA FISCAL YEAR-END UPDATE AND SERVICES AGREEMENT RENEWAL

Prospera (formerly known as the Hispanic Business Initiative Fund) will present a summary of its efforts for FY 2019-2020 to the City Commission and request a continuation of its contract for FY 2021.

8.B UCF FLORIDA SMALL BUSINESS DEVELOPMENT CENTER ANNUAL REPORT AND SERVICES AGREEMENT

UCF Florida Small Business Development Center presentation of a summary of its efforts for FY 2019/20 and request for continuation of the contract for FY 2020/21.

8.C ANNUAL ADVISORY BOARD APPOINTMENTS

Commission reappoint existing board members who wish to continue serving and make appointments to fill any vacancies. All current board members continue to serve until reappointed or replaced.

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

9.B CITY ATTORNEY

9.C CITY COMMISSION

10. ADJOURNMENT

IN ACCORDANCE WITH FLORIDA STATUTES 286.0105: 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 AT 407-518-2308 OR VIA EMAIL AT CITYCLERKEMAIL@KISSIMMEE.ORG, PRIOR TO THE MEETING (FS 286.26).

ITEM 3.A
UCF DOWNTOWN KISSIMMEE BUSINESS INCUBATOR FISCAL YEAR-END PRESENTATION

Request

The UCF Downtown Kissimmee Business Incubator will provide the City Commission with their fiscal year-end presentation.

Explanation

As part of their contractual obligations, the UCF Downtown Kissimmee Business Incubator's Site Manager, Ms. Esther Vargas, will provide the City Commission with their fiscal year-end presentation.

Department: City Manager
Presenter: BELINDA KIRKEGARD

Attachment(s):
None

ITEM 3.B
EMPLOYEE OF THE MONTH FOR SEPTEMBER

Request

Request the City Commission join the City Manager in recognizing Mirta Rosa, Public Works and Engineering Department, as September's Employee of the Month.

Explanation

The City of Kissimmee is pleased to announce the Employee of the Month for September is Mirta Rosa, Custodian with the Public Works & Engineering Department. Mirta has been with the City for almost 2 years.

The work that Mirta and the custodial crew do to keep City Hall clean and in good shape has always been appreciated. Most recently, Mirta was exclusively assigned to City Hall as a cleaning ambassador contributing to important first impressions, and the additional sanitizing necessary for helping to prevent the spread of COVID 19. Mirta has earned a solid reputation for keeping buildings productive, clean and safe. She anticipates the needs of the building, and the people in it: monitoring the recycling pickup, quickly addressing matters such as drying up wet floors and putting out caution signage, and disinfecting all high touch surfaces – repeatedly.

Not only are we greeted by the friendly, gracious person that has been keeping our space so tidy, Mirta also helps to create a constant, dependable presence in City Hall. Mirta accomplishes her work in a very polite and quiet manner, careful not to intrude or interrupt. She is dependable, trustworthy and very meticulous with her duties.

On behalf of the public that uses the building, and the employees that work in it, the City of Kissimmee would like to recognize Mirta Rosa.

Department: Human Resources & Risk Management
Presenter: MIKE STEIGERWALD

Attachment(s):
None

ITEM 4.A
PUBLIC HEARING - SECOND AND FINAL READING - ANNEXATION: NORTH THACKER AVENUE RIGHT-OF-WAY, DRC#20-00037 - PROPOSED ORDINANCE #20-17

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND, TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Request

Approval to annex approximately 4.1 acres of property and existing right-of-way west of N. John Young Parkway, east of Dyer Boulevard, north of Flora Boulevard, and south of Eagles Reserve Boulevard.

Explanation

This annexation primarily includes parcels currently owned by the City of Kissimmee and Osceola County that will consist of the eastern half sections of the future N. Thacker Ave. extension. The future western half sections are currently within the City limits. The annexation also includes a portion of the existing N. Thacker Ave. roadway that currently exists from Dart Ave. and extends north through the intersection of W. Osceola Parkway. The annexation of the existing rights-of-way will improve the management and coordination of municipal services and will provide for the efficient maintenance of the N. Thacker Ave. extension roadway within a single jurisdiction.

The annexation is the initial catalyst needed to ultimately establish a new north-south corridor between Dyer Blvd. and John Young Pkwy. and to support the City's efforts to provide for the continuation and expansion of street grids to promote connectivity, improve pedestrian conditions and increase access to transit. This annexation includes a segment of N. Thacker Ave. that has been identified as a multimodal capital improvement needed to achieve the adopted Quality of Service (QOS) bicycle, pedestrian, and transit scores established in the Transportation Element of the Comprehensive Plan.

FINDINGS AND REASONS:
1. Compliance with Chapter 171 of the Florida Statutes as it meets all the criteria for voluntary annexation as the subject property is contiguous to the City Limits along the western boundary of the parcels and contiguous to City Limits along the western boundary of the existing right-of-way of N. Thacker Avenue and Osceola Parkway. Municipal services, including water, sewer, drainage, police and fire protection are already provided to surrounding properties. The subject property is reasonably compact and will not result in the creation of enclaves if annexed.
2. Compliance with Section 14-2-12 annexation regulations outlined in the Land Development Code.

Recommendation

The Development Review Committee (DRC) recommended approval on March 24, 2020.

The Planning Advisory Board recommended approval by a vote of 5-0 on June 3, 2020.

The City Commission approved the First Reading on July 21, 2020.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services
Presenter: BRENDA RYAN

Attachment(s):

1. 20-00037 Aerial Map
2. 20-00037 Vicinity Map
3. 20-00037 Proposed Ordinance 20-17
4. 20-00037 Site Data Tables
5. 20-00037 City Commission Ad
6. July 21, 2020 City Commission Action Summary
7. June 3, 20202 PAB Minutes
8. 20-00037 DRC Comments
9. 20-00037 DRC Application

ITEM 5.A
PUBLIC HEARING - ADOPTION OF TENTATIVE MILLAGE LEVY AND TENTATIVE BUDGET FOR FISCAL YEAR 2020-2021

Request

Adoption of tentative millage levy of 4.6253 mills and tentative budget of $205,508,253 for fiscal year 2020-2021.

Explanation

Public notice of this hearing was given via the Notice of Proposed Property Taxes mailed by the Property Appraiser. The entire procedure, including the following order of discussion, is specified within State Statutes and should be followed explicitly.

RESOLUTION FOR THE PROPOSED OPERATING MILLAGE

1. State that the Proposed Operating Millage is 4.6253 which is 6.49% more than the Rolled Back Rate of 4.3435.

2. Call for public comments or questions.

3. Have Attorney read the Resolution title and vote on adoption.

RESOLUTION ADOPTING THE TENTATIVE BUDGET

1. The Resolution will adopt a Tentative Budget of $205,508,253 and authorize 784 full and part-time positions. A schedule of positions authorized for each department and summaries of each Fund are attached to the Resolution.

2. Call for public comments or questions.

3. Have Attorney read the Resolution title and vote on adoption.

BACKGROUND:

As indicated above, the proposed millage rate is 4.6253 mills which is the same millage rate that was levied for the current budget year. The tentative budget for the General Fund remained relatively the same as what was presented in July, with the exception of $375,478 added to the estimated collections for the current fiscal year for state revenue sharing. This budget also includes changes to the Public Works Engineering division and Facilities Maintenance division to include a reorganization of these departments as approved by the Commission in July and effective on July 8, 2020.
This reorganization will not have a material impact in the overall budget since most of the changes will be covered by vacant positions within the respective divisions.

Recommendation

Staff requests that the Public Hearing be conducted as outlined above. In addition, staff recommends the Commission adopt the two Resolutions. The Second and Final Hearing will be held September 22, 2020.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Finance
Presenter: MIKE STEIGERWALD

Attachment(s):

1. Resolution to adopt tentative millage
2. Resolution to adopt tentative budget
3. 2020-2021 Budget Reports for Hearings

ITEM 7.A
COMMISSION MINUTES APPROVAL

Request

Request Commission approval of the July 24, 2020 Budget Workshop and August 4, 2020 Commission meeting Minutes.

Explanation

Minutes of the Commission meeting held on July 24, 2020 and August 4, 2020 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager
Presenter: MIKE STEIGERWALD

Attachment(s):
1. Commission Budget Workshop Minutes - July 24 2020
2. Commission Minutes - August 4 2020

ITEM 7.B
INTERGOVERNMENTAL TRANSFER AGREEMENT FOR MEDICAID MANAGED CARE ORGANIZATION PAYMENT PROGRAM

Request

Approval of an Intergovernmental Transfer (IGT) agreement with the State of Florida, Agency for Health Care Administration (AHCA) in order to continue receiving supplemental payments for Medicaid patients transported by the Fire Department.

Explanation

Since 2016, a program has been in place for Public Emergency Medical Service (EMS) providers in the state of Florida to receive Public Emergency Medical Transportation (PEMT) Medicaid Fees for Service (FFS) Supplemental Payment reimbursements. To date, the City has received $432,353 through the PEMT FFS program. In June of this year, the Commission approved the City entering into new agreements with the seven Medicaid Managed Care Organizations (MCOs) in the region in order to receive additional supplemental payments for Medicaid patients transported by the Fire Department. The PEMT program provides supplemental payments to eligible public entities that meet specific requirements and provide emergency medical transportation to Medicaid recipients.

In order to continue to receive these funds, the City needs to execute a Letter of Agreement (LOA) with AHCA for IGTs not to exceed $177,485.10 for FY 2020-21. These funds are included in the City's FY 2020-21 Budget. Once executed, the City can expect to receive a net total of approximately $275,000 in reimbursements from the MCOs.

Recommendation

Staff recommends approval of the IGT agreement with AHCA.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Fire
Presenter:

Attachment(s):
1. City of Kissimmee_Kissimmee Fire Department_Amended PEMT LOA_20-21

ITEM 7.C
BUDGET TRANSFER TO SATISFY FUNDING REQUIREMENTS NEEDED FOR THE CONSTRUCTION OF TWO CITY TRAFFIC SIGNALS

Request

Approval to transfer $42,118 from the General Fund to the Local Option Sales Tax (LOST) Fund to supplement the funds needed for the construction of two City traffic signals.

Explanation

The Traffic Engineering division is working to replace two aging traffic signals in downtown Kissimmee through the approved Interlocal Agreement (ILA) with Osceola County. The replacement of the two signaled intersections will be $600,600 each. Funds are budgeted in the Local Option Sales Tax Fund for these replacements, however, the amount available for construction of the signals is insufficient. Therefore, staff recommends transferring $42,118 from the General Fund to make up for the shortage needed to replace the signals at the intersections of West Oak Street at North Central Avenue and Broadway/Main Street at Neptune Road.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
0001-45-4540-541-5001212		Decrease	$42,118	
1105-45-4540-541-5006393	ST2020	Increase	$600	
1105-45-4540-541-5006393	ST2011	Increase	$41,518	

<u>Financial Summary:</u>

After completion of these transfers, adequate funding will be available to cover the costs included in the agenda item regarding the Interlocal Agreement with Osceola County for traffic signal design and construction.

Recommendation

Staff recommends Commission approval to transfer $42,118 from the General Fund to the LOST Fund to supplement the monies needed for the construction of two City traffic signals and to amend the budget accordingly.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: City Manager
Presenter:

Attachment(s):
None

ITEM 7.D
APPROVAL TO ACCEPT THE 2016/17 FLORIDA COMMUNITIES TRUST (FCT) PARKS AND OPEN SPACE FLORIDA FOREVER PROGRAM GRANT

Request

Approval to accept the 2016/17 Florida Communities Trust (FCT) Parks and Open Space Florida Forever Program Grant in the amount of $2,832,241.81 for the purchase of the Lackey property and expansion of the Lancaster Ranch Park.

Explanation

In 2016, the Commission approved Parks and Recreation's request to apply for the 2016/2017 Florida Communities Trust (FCT) Parks and Open Space Florida Forever Program Grant to assist with the purchase acquisition of the Lackey property and expansion of the Lancaster Ranch Park site. The FCT grant was up to 75% of the purchase price with the City match of 25%.

On July 18, 2017 the Commission approved the purchase of the Lackey property for the expansion of Lancaster Ranch Park. This purchase was for 53.46 acres at a cost of $5,185,600. This land purchase satisfies the City match and the FCT grant will essentially reimburse 55% of the purchase price.

Therefore, staff requests Commission approval to accept the grant in the amount of $2,832,241.81 with the caveat that the FCT may add an additional $400,000 before closing, and authorize the City Manager to sign documents pertaining to the grant.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1307-50-5010-572-5006393 1307-00-0000-334-3341000	ST2014 N/A	Increase Increase	$2,832,241.81 $2,832,241.81	

<u>Financial Summary:</u>

The financial requirements were already met with the purchase of the Lackey property for the expansion of Lancaster Ranch Park. These funds are a reimbursement of a portion of that purchase price. With the park's construction delayed due to the current economic crisis, these funds can now be applied to the construction of the Lancaster Ranch Park project, ST2014. Since these funds are from a grant, a new fund will be created to track the expenditures associated with this grant.

Recommendation

Staff recommends acceptance of the 2016/17 FCT Parks and Open Space Florida Forever Program Grant and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Parks & Recreation
Presenter:

Attachment(s):
1. FCT Agreement Lancaster

ITEM 7.E
INTERLOCAL AGREEMENT BETWEEN OSCEOLA COUNTY AND THE CITY OF KISSIMMEE FOR TRAFFIC SIGNAL DESIGN AND CONSTRUCTION

Request

Approval to enter into an Interlocal Agreement (ILA) with Osceola County for traffic signal design and construction.

Explanation

In 2019, the City entered into an Interlocal Agreement (ILA) with Osceola County to provide citywide traffic signal operation and maintenance. However, the City retained the responsibility to replace intersection signals as needed based on age and condition. There are currently four signal mast arms (referred to as "Signal") at the intersections of Broadway at Neptune and Oak at Central that are in need of replacement. After exploring several options, staff determined that contracting with Osceola County to complete the signal replacement is the most practical and cost effective option.

In order to proceed, staff requests entering into an ILA with Osceola County to provide signal design and construction services. The total cost of each "signal" is approximately $600,600 and will include costs for design, construction and construction engineering inspection (CEI) services.

The County will continue to perform signal inspections and maintenance for the City per the Signal Maintenance ILA.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1105-45-4540-541-5006393 1105-45-4540-541-5006393	ST2020 ST2011	Decrease Decrease	$600,000 $559,082	$600,600 $600,600

Financial Summary:

While the budgeted funds listed above are less than the estimated cost for each signal, the budget amounts will be increased to reflect the estimated cost after approval of an earlier item on this agenda.

Recommendation

Staff recommends City Commission approval of the Interlocal Agreement between Osceola County and the City of Kissimmee for traffic signal design and construction.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):
1. ILA Traffic Signal Design and Construction (8-24.20)

ITEM 7.F
AMENDMENT TO THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

Request

Approval of an adjustment to the funding awarded under the 2018 Edward Byrne Memorial Justice Assistance Grant that is needed to fulfill the requirements of the grant.

Explanation

The awarded amount of $34,356 was to be used to partially fund the salaries of two officers and one sergeant with 3% to be used to assist with the conversion of the Federal Bureau of Investigation's National Incident Based Reporting System (NIBRS). This reporting requirement must be met by 2021.

The original award needs to be amended to reflect this 3% use of awarded funds toward the purchase of equipment under this grant. The 3% reduction in salaries has been identified as $1,031 of the overall awarded funds of $34,356. This amount will be used to establish a project to purchase a computer to enhance the capabilities of the crime reporting process. The total cost of a dual monitor personal computer is $1,500. Most of the computer cost will be covered by the grant. However, the balance of $469 will be transferred from the Police Department's Patrol division operating expense account in the General Fund.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1250-30-3030-521-5002222		Decrease	$1,031	
1250-30-3030-521-5006494	PD20xx (TBD)	Increase	$1,031	
0001-30-3030-521-5005252		Decrease	$469	
1250-30-3030-521-5006464	PD20xx (TBD)	Increase	$469	

<u>Financial Summary:</u>

Once the above adjustment and transfer are processed, adequate funds will be available in the capital project to purchase the personal computer.

Recommendation

Staff requests approval to amend the original amount of the JAG Grant by $1,031, to transfer $469 from the General Fund to the JAG Fund and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Police
Presenter:

Attachment(s):
None

ITEM 7.G
RATIFICATION OF EXECUTIVE ORDERS 2020-23, 2020-24, AND 2020-25

Request

City Commission ratification of Executive Order 2020-23 issued August 17, 2020, Executive Order 2020-24 issued August 24, 2020, and Executive Order 2020-25, issued August 31, 2020 for the extension of the Local Declaration of Emergency to September 7, 2020.

Explanation

City Manager Steigerwald, as authorized by City Code Section 15-1-5, issued the original Local State of Emergency on March 16, 2020. Several extensions of the original Executive Order have been necessary due to the ongoing threat to the health and safety of our citizens. Executive Order 2020-23, 2020-24, and 2020-25 extend the original order through September 7, 2020.

Recommendation

Ratification of Executive Orders extending the State of Emergency.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Adopt
Approve

Department: City Manager
Presenter:

Attachment(s):
1. Ratification of Emergency Proclamation 2020-23 (Expires August 23 2020)
2. 2020-23 Executive Order 2020-23 Extension of Local State of Emergency Declaration (Expires August 23 2020)
3. Ratification of Emergency Proclamation 2020-24 (Expires August 30 2020)
4. 2020-24 Executive Order 2020-24 Extension of Local State of Emergency Declaration (Expires August 30, 2020)
5. Ratification of Emergency Proclamation 2020-25 (Expires September 7 2020)
6. 2020-25 Executive Order 2020-25 Extension of Local State of Emergency Declaration (Expires September 7, 2020)

ITEM 7.H
DESIGNATION OF THE DIRECTOR OF THE DEVELOPMENT SERVICES DEPARTMENT TO SIGN THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM ANNUAL REPORT AND LOCAL HOUSING INCENTIVES CERTIFICATION FORM

Request

To approve the designation of the Director of the Development Services Department to sign the SHIP Program Annual Report and Local Housing Incentives Certification Form.

Explanation

The SHIP Program Annual Report and Local Housing Incentives Certification Form is a document included in the SHIP Annual Report due to the Florida Housing Finance Corporation (FHFC) no later than September 15th of each year. The document certifies that the report is correct and that the City has implemented its adopted local housing incentives.

Up to now, the Mayor has always signed the certification form. However, staff believes it is more appropriate to have the Director of Development Services serve as the designee. This will expedite the process to complete and submit the annual report to the FHFC.

Recommendation

Approve the designation of the Director of the Development Services Department to sign the SHIP Program Annual Report and Local Housing Incentives Certification Form.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Development Services
Presenter:

Attachment(s):
1. ARCertificationForm_2020

ITEM 7.I
AUTHORIZATION TO ACCEPT FUNDING FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION ALERT TODAY FLORIDA'S HIGH VISIBILITY ENFORCEMENT FOR PEDESTRIAN AND BICYCLE SAFETY PROGRAM

Request

Acceptance of grant funding from the Florida Department of Transportation (FDOT) Alert Today Florida's High Visibility Enforcement for Pedestrian and Bicycle Safety Program.

Explanation

The Kissimmee Police Department has been identified as a priority agency within Osceola County, which has the highest representation of traffic crashes resulting in serious or fatal injuries to pedestrians and bicyclists. As a result, the Florida Department of Transportation (FDOT) has allocated overtime reimbursement funding to our agency up to the amount of $14,416 to assist in our High Visibility Enforcement efforts. These funds will be under agreement with the University of North Florida - Institute of Police Technology and Management.

This initiative is designed to educate the public in safe driving, walking, and biking behaviors and to increase compliance with traffic statutes. The goal of this data driven initiative is to reduce traffic crashes that result in serious and/or fatal injuries to both pedestrians and bicyclists.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1308-00-0000-334-3342000 1308-30-3060-521-5001414		Increase Increase	14,416 14,416	

Financial Summary:

Monthly invoicing will be done for overtime expenses to be reimbursed up to $14,416. All services must be completed by May 14, 2021.

Recommendation

Staff recommends approval to accept funding from FDOT. through the University of North Florida - Institute of Police Technology and Management, in the amount of $14,416 and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police
Presenter:

Attachment(s):
1. FDOT Florida's High Visibility Enforcement for Pedestrian and Bicycle Safety Program 2020
2. City of Kissimmee DRAFT Contract

ITEM 7.J
REAL PROPERTY CONVEYANCE AND LEASEBACK AGREEMENT BETWEEN KISM HANGER LLC AND THE CITY OF KISSIMMEE

Request

Approval to accept an Airport real property conveyance of 2.86 acres and approval of a Lease Agreement with KISM Hanger, LLC.

Explanation

KISM Hanger, LLC (KISM) owns fee simple title to land and improvements (property) of approximately 2.86 acres located at Kissimmee Gateway Airport. KISM and the City mutually desire to enter into a transaction whereby KISM will convey the property to the City.

Upon real estate closing of the property, KISM will lease the property from the City pursuant to the terms and conditions of a new ground lease agreement between KISM and the City for a period of 40 years with a 10-year option. In exchange for the property, appraised at approximately $1,470,000, KISM is entitled to use and occupy property without any obligation to pay rent. This agreement will end a long-term "through-the-fence" operation providing private access to public property, which the FAA discourages.

Upon City Commission approval and property real estate closing, the Ground Lease with KISM will be executed. Staff is requesting the City Commission authorize the City Manager to execute the Ground Lease, and any related documentation necessary to finalize this transaction.

Recommendation

City Commission approval to accept an Airport real property conveyance of 2.86 acres, approval of a Lease Agreement with KISM Hanger, LLC and authorization for City Manager to execute the subsequent ground lease after the real property is conveyed to the City.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):
1. Real Property Conveyance
2. Exhibit A
3. Exhibit B

ITEM 7.K
REQUEST TO APPROVE THE NON-EXCLUSIVE PERPETUAL ACCESS EASEMENT AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE SCHOOL BOARD OF OSCEOLA COUNTY FLORIDA

Request

Approval of the Non-Exclusive Perpetual Access Easement and Memorandum of Understanding with the Osceola County School Board in reference to the Shingle Creek Regional Trail Project.

Explanation

The City of Kissimmee and the School Board of Osceola County Florida agree to enter into a Non-Exclusive Perpetual Access Easement Agreement to allow for the future construction of the Shingle Creek Regional Trail. This Agreement grants a 20-foot access easement for pedestrian ingress and egress over and across a portion of the Pleasant Hill Elementary School property as described in Exhibit "B" within the Agreement. The improvements within the easement will be constructed and maintained by the City of Kissimmee. Due to the extended timeframe for beginning the construction of the Trail, a Memorandum of Understanding shall also be entered into which outlines the future installation of a 6-foot fence along the south and east sides of the Trail along with the future maintenance responsibilities of the City.

Recommendation

Approval of the Non-Exclusive Perpetual Access Easement and Memorandum of Understanding with the Osceola County School Board.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Public Works & Engineering
Presenter: ROBERT MASIKU

Attachment(s):
1. 08-18-2020 Single Creek Trail Easement Agreement
2. Memorandum of Understanding

ITEM 7.L
ACCEPTANCE OF IMPROVEMENTS AND RIGHT-OF-WAY/EASEMENT DEDICATION FOR EPOCH FLORA RIDGE OFFSITE ROADS AND MASS GRADING (DRC# 18-00135) – AKA BALLPARK ROAD AND NORTH THACKER AVENUE

Request

Acceptance of the roadway improvements for Ballpark Road and a portion of North Thacker Avenue associated with the Epoch Flora Ridge development, with conditions relating to right-of-way and easement dedications for the same.

Explanation

Staff requests Commission acceptance of the required four-lane roadway improvements for Ballpark Road, between Dyer Boulevard and the County limits to the east, and a two-lane portion of Thacker Avenue located north of Flora Ridge Boulevard to Ballpark Road. These roadways have been constructed with the development known as Epoch Flora Ridge. The required subdivision improvements include paving, grading, drainage, water, and sewer. The developer, Epoch Flora Ridge, has satisfactorily constructed the roadway improvements in accordance with the approved construction plans. The developer has also submitted a maintenance bond in the amount of $254,022.85 to guarantee the improvements for a term of one year from acceptance by the City Commission.

As part of the conditions of construction approval, the developer was to dedicate the road right-of-way and drainage easements needed to support this development prior to City acceptance. At this time, the developer is actively working on providing these items to the City and has asked for acceptance with conditions.

The City of Kissimmee will not issue a Certificate of Occupancy, Temporary Certificate of Occupancy or any other document or approval that will allow the final building in Phase I of the development to be occupied permanently or temporarily until the following conditions of the agreement have been satisfied:

1. Right of Way dedication requirements satisfied.
2. Easement conveyance requirements satisfied.
3. Cost share payment for future traffic signal at Dyer Boulevard and Ball Park Road

Recommendation

Staff recommends acceptance of the improvements for Epoch Flora Ridge offsite roads and mass grading (DRC# 18-00135) – aka Ballpark Road and North Thacker Avenue, with the conditions noted above.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):
1. R/W Dedication Area Map
2. E+_Lisa Cameron - bond Epoch
3. E+_Lisa Cameron - Bond Rider for City of Kissimmee

ITEM 8.A
PROSPERA FISCAL YEAR-END UPDATE AND SERVICES AGREEMENT RENEWAL

Request

Prospera (formerly known as the Hispanic Business Initiative Fund) will present a summary of its efforts for FY 2019-2020 to the City Commission and request a continuation of its contract for FY 2021.

Explanation

The City of Kissimmee originally entered into a formal agreement with Prospera in 2016. Propsera provides entrepreneurs with technical support towards the creation, development and evolution of their businesses.

Mrs. Katia Medina, Vice President of this state-wide organization, will provide the City Commission with a fiscal year-end update on the activities and events performed by the organization within the Kissimmee community.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
0001-10-1060-512-003434			$10,000	$10,000

Financial Summary:

Pending final Commission approval of the City's FY 2021 budget, funding for this program has been allocated in the Economic Development division's budget as outlined above. The attached funding agreement details the City's expectations of services to be purveyed.

Recommendation

Approval of the funding agreement with Prospera, in the amount of $10,000, to continue providing technical support and assistance to the City's business community.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter: BELINDA KIRKEGARD

Attachment(s):
1. Prospera 2020 City of Kissimmee presentation
2. Prospera FY 2020-21 Agreement

ITEM 8.B
UCF FLORIDA SMALL BUSINESS DEVELOPMENT CENTER ANNUAL REPORT AND SERVICES AGREEMENT

Request

UCF Florida Small Business Development Center presentation of a summary of its efforts for FY 2019/20 and request for continuation of the contract for FY 2020/21.

Explanation

The City of Kissimmee has a partnership with the UCF Florida Small Business Development Center (FSBDC) via the Kissimmee/Osceola Chamber of Commerce which houses the organization. The FSBDC provides entrepreneurs with technical support towards the creation or development of small businesses. It further provides the City with quarterly reports on its activities.

Mr. Rafael Pratts, Vice President and Site Manager of the Kissimmee FSBDC office, will provide the Commission with a fiscal year-end update on the activities and events performed by the agency.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
0001-10-1060-512-5003434			$30,000	$30,000

Financial Summary:

Pending Commission approval of the City's FY 2020/21 budget, funding for this program has been allocated in the City's Economic Development Division's budget as outlined above. The attached funding agreement outlines the City's expectations of services to be provided.

Recommendation

Approval of the funding agreement in the amount of $30,000 with the Kissimmee/Osceola Chamber of Commerce for the UCF Florida Small Business Development Center to provide continued technical support and assistance to the Kissimmee business community.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager
Presenter: BELINDA KIRKEGARD

Attachment(s):

1. KOC Center Yearly Performance 2019-20
2. SBDC FY 2020-21 Agreement

ITEM 8.C
ANNUAL ADVISORY BOARD APPOINTMENTS

Request

Commission reappoint existing board members who wish to continue serving and make appointments to fill any vacancies. All current board members continue to serve until reappointed or replaced.

Explanation

The list of annual appointments by Commission Seat is attached. Appointments are assigned to the individual City Commissioner in order of rotation. Currently, we have appointments remaining for the following boards:

Board of Adjustment
Parks and Recreation Advisory Board

Each of these boards have individual requirements for residency as well as additional items such as architects, engineers, business owner, etc. You will find the qualifications for the current board member on the attached list which also includes their desire to be reappointed or replaced. Active Applications for boards with vacancies have been supplied to the Commission. At the July 7, 2020 Commission meeting, the Commission voted to approve a 60-day extension on the appointments in order to gather applications from qualified candidates. The Commission extension expires September 9, 2020.

Recommendation

Staff requests the Commission reappoint active board members who wish to continue to serve and make appointments to fill any vacancies.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Appoint/Reappoint

Department: City Manager
Presenter: MIKE STEIGERWALD

Attachment(s):
1. Appointments by Seat 09-09-2020