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
TUESDAY, OCTOBER 6, 2020
6:00 P.M.

** 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 PROCLAMATION - HISPANIC HERITAGE MONTH

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

3.B EMPLOYEE OF THE MONTH FOR OCTOBER

Request the City Commission join the City Manager in recognizing Kevin Campbell, Information Technology Department, as October's Employee of the Month.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

None.

5. PUBLIC HEARINGS

5.A PUBLIC HEARING - PUD AMENDMENT: SUNBELT PHASE 1, DRC#20-00001 (UPDATE DESIGN & DEVELOPMENT STANDARDS)

Approval of a Planned Unit Development (PUD) Amendment to update the use and design standards for the Sunbelt Phase 1 Mixed Use PUD (MUPUD) on approximately 3.53 acres of land.

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 Commission City Manager and City Attorney Evaluations and the Commission Minutes both from September 9, 2020.

7.B INTERNSHIP GRANT FROM FLORIDA AIRPORT COUNCIL (FAC)

Commission approval of acceptance of an internship grant from Florida Airport Council (FAC).

7.C GROUND AND BUILDING LEASE FOR FLORIDA COACH, INC. AT AEROSPACE PARK LOCATED AT KISSIMMEE GATEWAY AIRPORT

Approval for ground and building lease at the Airport Aerospace Park (former golf clubhouse property) with Florida Coach, Inc.

7.D SUBMIT AND ACCEPT A 2021 FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT

Approval to submit and accept, if awarded, a 2021 Florida Recreation Development Assistance Program (FRDAP) grant in the amount of $50,000 to support the Oak Street Park pavilion replacement project.

7.E RATIFICATION OF EXECUTIVE ORDERS 2020-28 AND 2020-29

City Commission ratification of Executive Order 2020-28 issued September 21, 2020 and Executive Order 2020-29 issued September 28, 2020 for the extension of the Local Declaration of Emergency to October 4, 2020.

7.F CENTRALSQUARE TECHNOLOGIES ANNUAL SOFTWARE MAINTENANCE FOR ONESOLUTION PUBLIC SAFETY SOFTWARE SUITE

Approval of the annual maintenance contract for OneSolution Public Safety Software suite with CentralSquare Technologies in the amount of $148,000.

7.G TYLER TECHNOLOGIES ANNUAL SOFTWARE MAINTENANCE FOR ENTERPRISE RESOURCE PLANNING (ERP) SOFTWARE SUITE

Approval of the payment for the annual software maintenance for Tyler Technologies ERP software suite in the amount of $185,000.

7.H BUDGET AMENDMENT TO REFLECT AUCTION REVENUE FOR SALE OF COMPUTER EQUIPMENT

Approval to amend the Information Technology budget for auction proceeds in the amount of $4,003.

7.I REQUEST TO APPROVE DRAINAGE AND UTILITY EASEMENT AGREEMENT FOR MIRADOR WOODSIDE PROJECT

Approval of non-exclusive access, drainage, maintenance and utility easement agreement for Mirador Woodside project.

7.J FIRST AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR MOSAIC

Approve and authorize the Mayor to sign the First Amendment to the Amended and Restated Development Agreement with Mosaic Development LLC and Mosaic at Lake Toho LLC.

7.K AUTHORIZATION FOR THE CITY MANAGER TO SIGN ALL NECESSARY DOCUMENTS THAT MAY BE REQUIRED FOR THE CLOSING AND THE SALE OF THE PROPERTY KNOW AS THE HANSEL PLANT SITE

The City Commission to authorize the City Manager to sign all necessary documents that may be required for the closing and sale of the property known as the Hansel Plant site to Mosaic Development LLC and Mosaic at Lake Toho LLC.

7.L PURCHASE OF BUDGETED COMPUTER EQUIPMENT

Approval to purchase Fiscal Year 2020-21 budgeted servers, personal computers, printers, and associated equipment from the State or National purchasing contracts with the option to purchase directly from a certified reseller or the manufacturer if the price is lower than what is available from applicable contracts.

7.M APPROVAL OF MICROSOFT OFFICE LICENSE PURCHASE

Approval of the purchase of 434 Microsoft Office 2019 licenses in the amount of $120,881.40 to be purchased through the GSA Schedule.

7.N COMMISSION RATIFICATION OF CONTRACT REOPENER WITH THE POLICE BENEVOLENT ASSOCIATION REPRESENTING THE POLICE SERGEANTS

Approval of the ratification of the Police Benevolent Association (PBA) collective bargaining reopener for the Police Sergeants.

7.O CHASE BANK OSCEOLA SQUARE - FINAL PLAT (DRC#20-00066)

City Commission approval of the final plat known as Chase Bank Osceola Square.

7.P BUDGET AMENDMENT TO ESTABLISH MARK DURBIN MEMORIAL SCHOLARSHIP FUND

Approval of an amendment to the FY 2020-21 budget to establish the Mark Durbin Memorial Scholarship Fund through the Education Foundation of Osceola County.

8. DISCUSSION ITEMS

8.A REQUEST BY MR. CARLOS RAMIREZ TO ADDRESS THE CITY COMMISSION ON DOWNTOWN HOLIDAY DECORATIONS

Mr. Carlos Ramirez requests to address the City Commission regarding the Holiday decorations for Downtown Kissimmee.

8.B ANNUAL ADVISORY BOARD APPOINTMENTS

Commission reappointment of existing board members who wish to continue serving and/or 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
PROCLAMATION - HISPANIC HERITAGE MONTH

Request

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

Explanation

During National Hispanic Heritage Month, we honor the rich heritage and celebrate our Hispanic community's countless achievements. As part of this month's celebration, we have an art exhibit from five local artists that will end on October 15, 2020 at Kissimmee City Hall. As part of this celebration, the Communications and Public Affairs Office created a video to showcase our local artists, recognize their work, and thank Osceola Arts for their continued partnership to promote local artwork.

Department: City Manager
Presenter: Melissa Zayas-Moreno

Attachment(s):

1. Proclamation-Hispanic Heritage Month.2020(2)

ITEM 3.B
EMPLOYEE OF THE MONTH FOR OCTOBER

Request

Request the City Commission join the City Manager in recognizing Kevin Campbell, Information Technology Department, as October's Employee of the Month.

Explanation

It is an honor for the City of Kissimmee to announce that the Employee of the Month for October is **Kevin Campbell.** Kevin has been with the City just over 3 years and is an Enterprise Application Administrator for the Information Technology Department.

As a member of the IT team, Kevin has been praised by employees for his support. As the liaison for the Development Services department, he has been leading the implementation of their new permitting software. This has been a daily, time consuming, and sometimes overwhelming process – which also required him to quickly learn all the Development Services permitting and process standards.

Kevin does independent research and utilizes intergovernmental resources to increase his knowledge. He has been credited for providing the Department with new ideas and methods which has helped improve productivity and efficiency.

Kevin never seems to say ‘no’ – he often drops what he is doing and works tirelessly to get an issue resolved. He’s been described as a “breath of fresh air”. Staff have expressed they’d be lost without his expertise. It’s rare that a relatively new employee can so quickly become such a vital member of the team – and for this, the City would like to recognize Mr. Campbell.

Department: Human Resources & Risk Management
Presenter: MIKE STEIGERWALD

Attachment(s):
None

ITEM 5.A
PUBLIC HEARING - PUD AMENDMENT: SUNBELT PHASE 1, DRC#20-00001 (UPDATE DESIGN & DEVELOPMENT STANDARDS)

Request

Approval of a Planned Unit Development (PUD) Amendment to update the use and design standards for the Sunbelt Phase 1 Mixed Use PUD (MUPUD) on approximately 3.53 acres of land.

Explanation

The Sunbelt PUD was established as a MUPUD amendment in 1998 (DRC#97-142) in order to separate and establish its own uses and development standards from the original Quail Hollow PUD Rezoning (DRC#98-097). The Sunbelt MUPUD was amended in 2004 (DRC#04-037) for Ph. 1 with a revised Preliminary Plan and development standards to replace the previously expired plans. It consists of 14 single family lots and a neighborhood park. This amendment is requesting to change the use and design standards of the 2004 Sunbelt Ph. 1 PUD amendment with new building elevations, increase the maximum lot coverage from 40% to 50% consistent with the Single Family (RA-2) Zoning District standard, update the internal subdivision landscaping Preliminary Plan, and incorporate Traditional Neighborhood Design (TND) design standards that will amend the front setback range of 25-40ft. to a range between 5-20 ft. All other design and development standards and conditions from the 2004 Sunbelt Ph. 1 Amendment (DRC#04-037) will remain as previously approved.

A City Commission Variance was approved (DRC#04-104) at the October 5, 2004 City Commission meeting that waived the requirement to construct the portion of Bill Beck Blvd. adjacent to Phase 1. A subsequent City Commission Variance (DRC#05-151) was also granted to waive the construction requirements of Bill Beck Blvd. for Ph. 2 of Sunbelt at the November 15, 2005 City Commission meeting. Bill Beck Blvd. must be constructed prior to the City Commission subdivision acceptance or issuance of Certificates of Occupancy (CO’s) for Ph. 3.

After the 2004 Sunbelt Ph. 1 approvals were obtained, the developer built and completed the internal road, utilities, retention pond, and other supporting infrastructure. However, an economic recession prevented the lots from being developed. In addition, Ph. 1 was completed prior to the adoption of the City’s TND standards. Because most of the infrastructure improvements were completed under the Code requirements at that time, any past improvements are considered legal non-conformities. The 2004 Sunbelt Ph. 1 plans referred to the RA-2 Zoning District for permitted uses; therefore, the request to increase the maximum lot coverage to 50% is consistent with the current maximum of 50% for RA-2 parcels in the new LDC Table 4-3 in Section 14-4-6B. The building elevations, updated internal landscaping, and TND standards are compatible with the adjacent, existing surrounding community.

FINDINGS AND REASONS:
1. Compliance with the intent of the MUPUD zoning district requirements as outlined in Section 14-2-52(A) of the Land Development Code.
2. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.2, Single-Family Low Density Residential (SF-LDR) that is intended to accommodate single family detached dwelling units with a

maximum density of up to six (6) dwelling units per acre.

Recommendation

Development Review Committee (DRC) recommended approval on April 7, 2020.

The Planning Advisory Board recommended approval by a vote of 4-0 on September 16, 2020.

CONDITIONS:

1. With the exception to the proposed changes in this PUD Amendment, all uses, design standards, setbacks, buffers, landscaping, open space, phasing, and conditions as outlined in the Sunbelt Ph. 1 MUPUD Amendment (DRC#04-037) and Ph. 1 Construction Plans shall be adhered to.
2. A PUD Amendment, Preliminary Plan Amendment, Preliminary Plat, Final Plat and/or a PUD Site Plan shall be required for Phase 2 and any other future phases.
3. All common areas and facilities such as utilities, drainage, retention ponds, and the maintenance free masonry wall, which will be required adjacent to Mill Slough Road and Bill Beck Boulevard within a 10-foot wall easement, will be owned and maintained by the homeowners association. In addition, All amenities will be owned and maintained by the homeowner's association and will be constructed and completed prior to acceptance of improvements.
4. All sewer, potable water, and reuse lines will be dedicated to and maintained by Toho Water Authority.
5. Proposed buildings elevations shall be constructed to conform with the submitted building elevation plans included with this PUD Amendment.
6. All proposed screen enclosures (with screen roofs), patios, ancillary buildings, etc. shall not be located within any open space, common areas, or easement unless it is determined as permitted as part of this approval.
7. All mechanical equipment located outdoors, such as heating, ventilation, air conditioning, and refrigeration systems, shall be visually screened from adjacent rights- of-way.
8. A garage shall not be converted to living space unless the garage (parking space) has been relocated to an acceptable location approved by the Development Services Planning Division.
9. Existing trees on the property and those within close proximity from adjacent properties shall be preserved in accordance with the Land Development Code and shall be barricaded & inspected prior to any future land clearing of the site. Differing slopes to adjacent properties and/or a grade/fill greater than 6-inches within the dripline of any trees to be preserved shall be prohibited.
10. All applicable code requirements of the City of Kissimmee Code of Ordinances and conditions of approval shall be adhered to at all times. Failure to comply with the City of Kissimmee Code of Ordinances could result in re- evaluation of this request with possible revocation.

REQUESTED CITY COMMISSION ACTION:

Approve w/Conditions

Department: Development Services
Presenter: BRENDA RYAN

Attachment(s):

1. 20-00001 Vicinity Map
2. 20-00001 Aerial Map
3. 20-00001 Site Data Tables
4. 20-00001 Existing & Proposed Elevations
5. 20-00001 Existing & Proposed Landscaping & Preliminary Plan
6. 20-00001 PAB Action Summary
7. 20-00001 DRC Comments
8. 20-00001 DRC Application

ITEM 7.A
COMMISSION MINUTES APPROVAL

Request

Request Commission approval of the Commission City Manager and City Attorney Evaluations and the Commission Minutes both from September 9, 2020.

Explanation

Minutes of the Commission meetings held on September 9, 2020 are attached for approval.

Recommendation

Staff recommends Commission approval.

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

Approve

Department: City Manager
Presenter: MIKE STEIGERWALD

Attachment(s):

1. Commission Minutes - CM and CA Evaluations - September 9 2020
2. Commission Minutes - September 9 2020

ITEM 7.B
INTERNSHIP GRANT FROM FLORIDA AIRPORT COUNCIL (FAC)

Request

Commission approval of acceptance of an internship grant from Florida Airport Council (FAC).

Explanation

The Florida Airport Council (FAC) is offering the City an internship grant for the Fall/Winter 2020-2021. The total internship grant amount is $5,000 ($4000 FAC, $1,000 Airport funds). This opportunity has been given to the Kissimmee Gateway Airport again this year due to the great success of the FAC interns that have completed their internships for the past 8 years.

The purpose of FAC's program is to produce an intern that will possess the skills necessary to work for an airport in an entry-level position. The intern will work a total of 40 hours per week for a maximum of 12 weeks and produce a research project that will benefit the Kissimmee Gateway Airport.

The City Attorney has reviewed and approved the internship grant agreement from Florida Airport Council (FAC).

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
4461-00-0000-389-3894000		Increase	$4,000	
4461-70-7010-542-5001212		Increase	$3,471	
4461-70-7010-542-5002121		Increase	$306	
4461-70-7010-542-5002424		Increase	$223	
4461-70-7010-542-5001212		Increase	$868	
4461-70-7010-542-5002121		Increase	$77	
4461-70-7010-542-5002424		Increase	$55	
4461-70-7010-542-5003131		Decrease	$1,000	

Financial Summary:

The City's $1,000 match will come from Airport Professional Services account.

The City/Airport will be responsible for distributing the grant funds to the intern via the City's payroll process.

Recommendation

Staff recommends Commission approval to accept an internship grant from the Florida Airport Council (FAC) for FY 2020/2021 and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):
1. fac grant 2020-21-unsigned

ITEM 7.C
GROUND AND BUILDING LEASE FOR FLORIDA COACH, INC. AT AEROSPACE PARK LOCATED AT KISSIMMEE GATEWAY AIRPORT

Request

Approval for ground and building lease at the Airport Aerospace Park (former golf clubhouse property) with Florida Coach, Inc.

Explanation

Florida Coach, Inc. manufactures and delivers high quality motor coaches at facilities located adjacent to the Airport Aerospace Park. Florida Coach employs over 100 skilled artisans, engineers, drivers and family and has plans to expand its operations. Florida Coach desires to lease and redevelop the adjacent property removing the former golf clubhouse and constructing a 15,000 SF facility for manufacturing and storage of motor coaches. City staff values Florida Coach's operations and commitment to calling Kissimmee "home" and recommends entering into a direct lease with Florida Coach.

The lease term is thirty (30) years with two (2) ten (10) year renewal options. Florida Coach intends to remove the clubhouse facility estimated at $234,000 and then pay a ground rent of $31,425.36 annually on four (4) acres once the certificate of occupancy for the facility is received or in thirty-six (36) months, whichever occurs first. Based on the business expansion, repurposing and redevelopment of the property and rates set at fair market value, staff believes this to be a reasonable and fair agreement allowing Florida Coach to expand its operations and sustain local employment.

Recommendation

Commission approval of a ground lease agreement with Florida Coach, Inc. for property located at 3103 Florida Coach Drive.

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

Approve

Department: Airport
Presenter:

Attachment(s):
1. Lease For 3103 Florida Coach Drive (revised page 21 of 27)

ITEM 7.D
SUBMIT AND ACCEPT A 2021 FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT

Request

Approval to submit and accept, if awarded, a 2021 Florida Recreation Development Assistance Program (FRDAP) grant in the amount of $50,000 to support the Oak Street Park pavilion replacement project.

Explanation

The Florida Department of Environmental Protection provides funds through the Florida Recreation Development Assistance Program (FRDAP) for competitive grants to assist with the acquisition or development of outdoor recreational facilities. The anticipated grant is in the amount of $50,000 with no match required from the City of Kissimmee.

The Parks and Recreation Department is confident the City can obtain a high ranking for grant consideration for FY 2020/21 as this project is in alignment with the Commission's strategic initiatives and the 5 year capital budget.

This is the same grant program the City was recently awarded for the outdoor fitness park at Mill Slough Park and the hockey court improvements at Mark Durbin Park at Lakeside.

Recommendation

Staff recommends approval to submit and accept, if awarded, a 2021 Florida Recreation Development Assistance Program (FRDAP) grant for Oak Street Park pavilion replacement project and allow the City Manager to sign documents related to the proper administration of this grant and to amend the budget upon award.

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

Approve

Department: Parks & Recreation
Presenter:

Attachment(s):
None

ITEM 7.E
RATIFICATION OF EXECUTIVE ORDERS 2020-28 AND 2020-29

Request

City Commission ratification of Executive Order 2020-28 issued September 21, 2020 and Executive Order 2020-29 issued September 28, 2020 for the extension of the Local Declaration of Emergency to October 4, 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 2020-28 and 2020-29 extend the original order through October 4, 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 2020-28 (Expires September 27 2020)
2. 2020-28 Executive Order 2020-28 Extension of Local State of Emergency Declaration (Expires September 27, 2020)
3. Ratification of Emergency Proclamation 2020-29 (Expires October 4 2020)
4. 2020-29 Executive Order 2020-29 Extension of Local State of Emergency Declaration (Expires October 4, 2020) 9-27-2020

ITEM 7.F
CENTRALSQUARE TECHNOLOGIES ANNUAL SOFTWARE MAINTENANCE FOR ONESOLUTION PUBLIC SAFETY SOFTWARE SUITE

Request

Approval of the annual maintenance contract for OneSolution Public Safety Software suite with CentralSquare Technologies in the amount of $148,000.

Explanation

The City currently uses CentralSquare Technologies' Public Sector OneSolution Software suite for its public safety software. Each year, the City pays an annual maintenance fee as part of the City's contract for programming and staff support. The contract price also includes upgrades and new version releases of the software. The current contract is perpetual and will continue for as long as the City pays the annual fee. Since this service can only be provided by the software vendor, this is a sole source purchase.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
5560-60-6010-516-5004647		Decrease	$148,000	$148,000

Financial Summary:

Adequate funds are available in the FY 2021 operating budget for the CentralSquare Technologies annual software maintenance contract.

Recommendation

Staff recommends approval to pay CentralSquare Technologies the annual maintenance fee of $148,000 as outlined in the approved FY 2020-21 Information Technology operating budget.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Information Technology
Presenter:

Attachment(s):
None

ITEM 7.G
TYLER TECHNOLOGIES ANNUAL SOFTWARE MAINTENANCE FOR ENTERPRISE RESOURCE PLANNING (ERP) SOFTWARE SUITE

Request

Approval of the payment for the annual software maintenance for Tyler Technologies ERP software suite in the amount of $185,000.

Explanation

The City has purchased and is implementing the Tyler ERP Software Suite. Each year, the City pays an annual maintenance fee. The maintenance fee includes programming and staff support as well as upgrades and new version releases of the software. The current contract is perpetual and will continue for as long as the City pays the annual fee. Since the service can only be provided by the software vendor, this is a sole source purchase.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
5560-60-6010-516-5004647		Decrease	$185,000	$185,000

Financial Summary:

Adequate funds are available in the FY 2021 operating budget for Tyler Technologies annual software maintenance. This amount includes $130,000 for MUNIS ERP Financials and $55,000 for EnerGov Civic Services Solutions.

Recommendation

Staff recommends approval to pay Tyler Technologies the annual maintenance fee of $185,000 as outlined in the approved FY 2020-21 Information Technology operating budget.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Information Technology
Presenter:

Attachment(s):
None

ITEM 7.H
BUDGET AMENDMENT TO REFLECT AUCTION REVENUE FOR SALE OF COMPUTER EQUIPMENT

Request

Approval to amend the Information Technology budget for auction proceeds in the amount of $4,003.

Explanation

The City has been utilizing a public auction company to dispose of obsolete computer equipment. In the current fiscal year, the City has received a total of $4,002.50 in proceeds. Staff would like to use this funding to purchase computer equipment that will be used as loaner equipment to reduce technology related downtime.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
5560-60-6010-516-5006494 5560-00-0000-364-3640000		Increase Increase	$4,003 $4,003	

Financial Summary:

Since the budget does not accommodate pennies, the requested budget adjustment has been rounded to $4,003.

Recommendation

Staff recommends approval to amend the Information Technology budget to reflect auction proceeds in the amount of $4,003.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Information Technology
Presenter:

Attachment(s):

None

ITEM 7.I
REQUEST TO APPROVE DRAINAGE AND UTILITY EASEMENT AGREEMENT FOR MIRADOR WOODSIDE PROJECT

Request

Approval of non-exclusive access, drainage, maintenance and utility easement agreement for Mirador Woodside project.

Explanation

Mirador at Woodside Apartments, located at 900 Woodside Circle, Kissimmee, Florida 34741 and the areas surrounding that property have experienced severe flooding during hurricane seasons in 2004, 2009, and 2017. A drainage improvement study conducted by the City showed the need for increasing storm water capacity on-site and downstream. The City received a grant in the amount of $500,000.00 from the State of Florida Department of Environmental Protection to upgrade existing infrastructure to meet the City's Local Mitigation Strategy Plan.

The City advertised for a consultant and awarded Reynolds Smith and Hill, Inc. (RS&H) the contract to provide design services. Based on RS&H's design a Non-exclusive, Access, Drainage, Maintenance and Utility Easement Agreement has been negotiated with the property owners, which will allow for the construction of the drainage improvements, which are anticipated to occur in 2021. The improvements will consist of upgrading pipe sizes, replacing failing corrugate metal pipe, installing a check valve for the existing canal outfall, addressing road crossing and removing pipes with negative sloped. The improvements are expected to eliminate flooding for 25 year critical events and reduce 100 year critical event flooding by fifty percent.

Recommendation

Staff recommends approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney
Presenter: OLGA SANCHEZ DE FUENTES

Attachment(s):
1. Mirador at Woodside Drainage Easement Agreement

ITEM 7.J
FIRST AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR MOSAIC

Request

Approve and authorize the Mayor to sign the First Amendment to the Amended and Restated Development Agreement with Mosaic Development LLC and Mosaic at Lake Toho LLC.

Explanation

The City of Kissimmee and Mosaic Partners, IV, LLC. entered into the Amended and Restated Development Agreement on August 7, 2018.

The City Commission authorized the Mayor to sign the First Amendment of said document on July 21, 2020. This amendment addressed several changes including but not limited to the deletion of funding and credits for parking spaces for the non-residential uses on the Hansel Plant site, parking for the non-residential use on the Hansel Plant site, use of public spaces in proximity to the development and various changes to the Exhibits.

Mosaic Partners IV, LLC and Altis Cardinal Mosaic LLC never executed the First Amendment after City Commission approval due to changes in their partnership.

Subsequently, the City consented to the assignment of the Development Agreement and the rights to develop the Hansel Plant Site (the “Hansel Plant Development Rights”) to Mosaic Development LLC and Mosaic at Lake Toho LLC who shall execute this First Amendment to Amended and Restated Development Agreement. These changes have been reflected in the new documents.

Recommendation

Staff recommends authorizing the Mayor to sign the First Amendment to the Amended and Restated Development Agreement with Mosaic Development LLC and Mosaic at Lake Toho LLC.

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

Approve
Execute

Department: Development Services
Presenter: CRAIG HOLLAND

Attachment(s):
1. Lake Toho - First Amendment to Amended and Restated Development Agreement (9-29-20)

ITEM 7.K
AUTHORIZATION FOR THE CITY MANAGER TO SIGN ALL NECESSARY DOCUMENTS THAT MAY BE REQUIRED FOR THE CLOSING AND THE SALE OF THE PROPERTY KNOW AS THE HANSEL PLANT SITE

Request

The City Commission to authorize the City Manager to sign all necessary documents that may be required for the closing and sale of the property known as the Hansel Plant site to Mosaic Development LLC and Mosaic at Lake Toho LLC.

Explanation

The Mosaic Partner IV, LLC will be closing on the loan for the construction of the Toho Apartments on the Hansel Plant site. The sale of the property to the Mosaic Partners IV, LLC will occur sometime in October, on or after October 9, 2020.

The request is for the City Commission to authorize the City Manager to sign all necessary documents as the City's representative which may be required for the closing and the sale of the property.

This may include but is not limited to:

- Purchase Option Agreement
- Notice to Exercise
- Purchase Agreement for the Hansel Plant Site
- Escrow Agreement.
- Seller's Affidavit
- Closing and Compliance Agreement
- Broker's Agreement
- Warranty Deed

The terms of the sale are outlined in the Master Development Agreement that was previously approved by the City Commission.

Recommendation

Staff recommends the Commission authorize the City Manager to sign all necessary documents that may be required for the closing and sale of the property know as the Hansel Plant site to Mosaic Development LLC and Mosaic at Lake Toho LLC.

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

Accept
Approve

Department: Development Services
Presenter:

Attachment(s):

None

ITEM 7.L
PURCHASE OF BUDGETED COMPUTER EQUIPMENT

Request

Approval to purchase Fiscal Year 2020-21 budgeted servers, personal computers, printers, and associated equipment from the State or National purchasing contracts with the option to purchase directly from a certified reseller or the manufacturer if the price is lower than what is available from applicable contracts.

Explanation

Staff requests approval to purchase budgeted computer equipment from either the State contract or other applicable contracts that meet the City's purchasing requirements with the option to purchase from a certified reseller or directly from the manufacturer if the price is lower than contract pricing. This approach has been standard practice for the City and includes the purchase of computer equipment such as servers, personal computers, printers, and associated equipment as identified in the approved Fiscal Year 2020-21 budget.

To ensure continued standardization of City equipment, the requested computer equipment manufacturer list is as follows: IBM, Dell, Panasonic, Hewlett Packard, Lenovo, Apple, Getac Technology Corporation, Cisco, and Microsoft. The list of manufacturers of printers and scanners is as follows: Hewlett Packard, Dell, Fujitsu, Brother, Zebra, Activision and Contex. The list of manufacturers of the City's standardized equipment is the same as last year.

Recommendation

Staff recommends approval to purchase FY 2020-21 budgeted computer equipment from the approved manufacturer list from the State or other applicable contracts that meet the City's purchasing requirements with the option to purchase directly from a certified reseller or the manufacturer if the price is lower than what is available on applicable contracts.

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

Approve

Department: Information Technology
Presenter:

Attachment(s):
None

ITEM 7.M
APPROVAL OF MICROSOFT OFFICE LICENSE PURCHASE

Request

Approval of the purchase of 434 Microsoft Office 2019 licenses in the amount of $120,881.40 to be purchased through the GSA Schedule.

Explanation

Microsoft's Office 2010 version will soon be at its end of life (end of support). This purchase is to replace Microsoft Office 2010 licenses with the new Microsoft Office 2019 version. This one-time purchase includes 434 new licenses of Microsoft Office 2019 at the total cost of $120,881.40.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1105-60-6010-516-5006393 5560-60-6010-516-5006393	ST1906 IT2006		$72,586.00 $48,500.00	$72,381.40 $48,500.00

Financial Summary:

Adequate funds are available in the licensing projects to cover this cost.

Recommendation

Staff recommends approval of the purchase, via the GSA Schedule, of 434 Microsoft Office licenses to support all remaining computers requiring an update due to the expiration of Microsoft 2010.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Information Technology
Presenter:

Attachment(s):
None

ITEM 7.N
COMMISSION RATIFICATION OF CONTRACT REOPENER WITH THE POLICE BENEVOLENT ASSOCIATION REPRESENTING THE POLICE SERGEANTS

Request

Approval of the ratification of the Police Benevolent Association (PBA) collective bargaining reopener for the Police Sergeants.

Explanation

Pursuant to Collective Bargaining Agreement between the City of Kissimmee and the Florida Police Benevolent Association (Sergeant's Unit) Article 37, the Parties are able to re-open Articles for negotiation prior to the expiration of the Agreement, which is in effect until September 30, 2021. The City and PBA have reached agreement on reopener negotiations for the Police Sergeants' bargaining unit. These are the substantive changes from the previous agreement:

Article 12 Grievance and Arbitration Procedure. The Arbitrator has the ability to rule on the arbitrability of issues brought to arbitration if either party raises the issue of arbitrability.

Article 19. Additional Holiday Leave has been amended to provide for an increase in Additional Holiday from forty hours (40) to sixty-four hours (64).

Article 27 (a). Use of Department Vehicles has been amended to provide an increase in allowed air miles from twenty-five (25) air miles to thirty (30) air miles from the Kissimmee Police Station to be eligible for an assigned take-home vehicle.

Article 28. Pay Plan has been amended to provide a three percent (3%) pay increase (2% COLA and 1% Merit) effective October 1, 2020.

Attached is a copy of the articles of the reopener and a summary of all the changes for the Commission's review. The Police Sergeants have ratified the PBA collective bargaining reopener.

Recommendation

Staff recommends approval of the collective bargaining reopener with the Police Benevolent Association (PBA) representing the Police Sergeants.

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

Approve

Department: Human Resources & Risk Management
Presenter:

Attachment(s):
1. Article 12 Grievance and Arbitration PBA Final 2020
2. Article 19 Holidays PBA Final 2020

3. Article 27 Use of Vechicles PBA Final 2020
4. Article 28 Pay Plan PBA Final 2020

ITEM 7.O
CHASE BANK OSCEOLA SQUARE - FINAL PLAT (DRC#20-00066)

Request

City Commission approval of the final plat known as Chase Bank Osceola Square.

Explanation

The owner of the property, BW 192 MAIN, LLC, is requesting final plat approval without a guarantee. The subdivision is located on the northeast corner of Main Street and Vine Street, and is combining several underlying platted lots into one for development purposes.

Recommendation

Staff recommends approval of the Chase Bank Osceola Square final plat.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):
1. 20-066_Chase Bank Osceola Square-VM
2. 20-066_Chase Bank Osceola Square-FP_9.29.20

ITEM 7.P
BUDGET AMENDMENT TO ESTABLISH MARK DURBIN MEMORIAL SCHOLARSHIP FUND

Request

Approval of an amendment to the FY 2020-21 budget to establish the Mark Durbin Memorial Scholarship Fund through the Education Foundation of Osceola County.

Explanation

At the September 22, 2020 meeting, the City Commission authorized the City Manager to pursue creation of a scholarship in honor of Mark Durbin, the longest serving City Manager in the City's history who recently passed away. Staff is in the process of working with the Education Foundation of Osceola County on setting up the scholarship program since it will be administering the scholarship fund.

It is anticipated that the fund will be an endowment that over time will generate enough interest to fund an annual scholarship for a local college-bound student majoring in public administration with the intent on becoming a local government manager. Establishing an endowment will enable the Education Foundation to seek donations from those in the community interested in contributing to the fund. The City's annual contribution is recommended to be $5,000 which would require an amendment to the City budget.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
0001-90-9070-519-5009275		Decrease	$5,000	

<u>Financial Summary:</u>

Monies for the first year of the scholarship will be taken from the community betterment funds that are a part of the Commission contingency reserve. Future years' donations will be included as a budgeted line item in the Commission's budget.

Recommendation

Staff recommends approval to establish the Mark Durbin Memorial Scholarship Fund and to amend the budget accordingly.

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

Approve

Department: City Manager
Presenter:

Attachment(s):
None

ITEM 8.A
REQUEST BY MR. CARLOS RAMIREZ TO ADDRESS THE CITY COMMISSION ON DOWNTOWN HOLIDAY DECORATIONS

Request

Mr. Carlos Ramirez requests to address the City Commission regarding the Holiday decorations for Downtown Kissimmee.

Explanation

Mr. Carlos Ramirez of Aviles Hair Studio will address the City Commission regarding his concerns of how the Downtown Kissimmee area is decorated during the holiday seasons.

In January of 2020 Mr. Ramirez was also before the Commission discussing the lack of decorative displays in Kissimmee as compared to other Central Florida cities. He stated that Kissimmee businesses would benefit from a more attractive and aesthetically pleasing downtown area and is requesting enhanced lighting and décor for the 2020 holiday season be put in place.

Recommendation

Staff requests Commission direction.

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

Commission Direction

Department: City Manager
Presenter: Carlos Ramirez

Attachment(s):
None

ITEM 8.B
ANNUAL ADVISORY BOARD APPOINTMENTS

Request

Commission reappointment of existing board members who wish to continue serving and/or 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 an appointment for the following board:

Board of Adjustment

Each board has individual requirements for residency as well as additional qualifications 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 September 9, 2020 Commission meeting, the Commission voted to approve a 30-day extension for the Board of Adjustment vacancy in order to gather additional applications from qualified candidates. The new Commission extension expires October 6, 2020.

Recommendation

Staff requests the Commission make an appointment to fill a vacancy on the Board of Adjustment.

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

Appoint/Reappoint

Department: City Manager
Presenter: MIKE STEIGERWALD

Attachment(s):
1. Appointments by Seat 10-06-2020