



**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 SEND TO
CITYCLERKEMAIL@KISSIMMEE.ORG
OR CALL 407-518-2308 FOR ASSISTANCE
TUESDAY, OCTOBER 20, 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 PROCLAMATION - DOMESTIC VIOLENCE AWARENESS MONTH

The request is for the City Commission to present a Proclamation in honor of "Domestic Violence Awareness Month."

3.B PROCLAMATION - WORLD POLIO DAY 2020

The request is for the City Commission to present a Proclamation in honor of "World Polio Day 2020."

3.C PROCLAMATION - FLORIDA CITY GOVERNMENT WEEK

The request is for the City Commission to present a Proclamation in honor of "Florida City Government Week."

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A PUBLIC HEARING - FIRST READING - LAND USE PLAN AMENDMENT, LARGE SCALE: SHINGLE CREEK RESERVE, DRC#20-00075 (INST TO MF-MDR) - PROPOSED ORDINANCE NO. 20-19

Recommendation of approval of a large-scale land use map amendment from INST (Institutional) to MF-MDR (Multi-Family Medium Density Residential) on 22.34 acres of land.

5. PUBLIC HEARINGS

None.

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 September 22, 2020 and October 6, 2020 Commission Minutes.

7.B AUTHORIZATION TO PURCHASE THE ANNUAL CITY VEHICLE REQUIREMENTS FROM THE STATE CONTRACT, SHERIFF'S CONTRACT, OR THE CITY'S LOCAL BID

Authorization to purchase the FY 2020-21 City vehicle requirements from the State Contract, Sheriff's Contract, or the City bid, whichever is most cost-effective, considering the requirements of the departments.

7.C ACCEPTANCE OF 2020 GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS

Approval of the acceptance of Fiscal Year 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice Office of Justice Programs.

7.D RATIFICATION OF COLLECTIVE BARGAINING REOPENER WITH THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE (FOP) REPRESENTING THE POLICE OFFICERS, CORPORALS AND DETECTIVES

Approval of the ratification of the Florida State Lodge Fraternal Order of Police (FOP) collective bargaining reopener for the Police Officers, Corporals and Detectives.

7.E MEMORANDUM OF UNDERSTANDING WITH THE OSCEOLA COUNTY SCHOOL BOARD IN REFERENCE TO THE FUTURE TEMPORARY CONSTRUCTION AND ACCESS EASEMENT TO THE LANCASTER RANCH PARK PROJECT

Approval of the Memorandum of Understanding with the Osceola County School Board in reference of the future temporary construction and access easement to the Lancaster Ranch Park Project.

7.F AMENDMENT TO THE PROFESSIONAL SERVICE AGREEMENT WITH AVCON, INC. FOR RE-PACKAGE DESIGN, BIDDING, AND CONSTRUCTION ENGINEERING SERVICES FOR A NEW ELECTRICAL VAULT AND SUPPORT INFRASTRUCTURE

Approval of Amendment # 9 to the professional service agreement with AVCON, Inc. dated December 19, 2017, for the re-package design, bidding, and construction

engineering services for the construction of a new electrical vault and support infrastructure.

7.G GOMEZ CONSTRUCTION COMPANY SERVICE AGREEMENT TO CONSTRUCT NEW ELECTRICAL VAULT & SUPPORT INFRASTRUCTURE AT KISSIMMEE GATEWAY AIRPORT

Approval of an agreement with Gomez Construction Company of Miami FL in the amount of \$2,972,000 to construct a new electrical vault and support infrastructure.

7.H OSCEOLA COUNTY AND THE CITY OF KISSIMMEE ANALYSIS OF IMPEDIMENTS (2020-2025)

Adopt the Osceola County and City of Kissimmee Analysis of Impediments (2020-2025).

7.I CONTRACT FOR SALE AND PURCHASE - 836 CANTERBURY LANE

Approve the sale of the property located at 836 Canterbury Lane, Kissimmee 34741 and authorize the City Manager to sign the Residential Contract for Sale and Purchase between the City of Kissimmee and Xavier Ortiz Jaime and any needed addendum.

7.J FIRST AMENDMENT TO CONCESSION SERVICES AGREEMENT BETWEEN THE CITY OF KISSIMMEE AND GULFSTREAM CATERING INC.

Approval of the First Amendment to the Concession Service Agreement between the City of Kissimmee and Gulfstream Catering.

7.K FIRST AMENDMENT TO THE 2016/17 FLORIDA COMMUNITIES TRUST (FCT) PARKS AND OPEN SPACE FLORIDA FOREVER GRANT AGREEMENT FOR THE PURCHASE OF THE LACKEY PROPERTY AND EXPANSION OF LANCASTER RANCH PARK

Approval to accept the First Amendment to the 2016/17 Florida Communities Trust (FCT) Parks and Open Space Florida Forever Program Grant Agreement to correct a clerical error and accept an additional \$400,000 increasing the grant award to \$3,232,241.81.

7.L DISPOSAL OF CITY ASSETS

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

7.M RATIFICATION OF EXECUTIVE ORDERS 2020-30 AND 2020-31

City Commission ratification of Executive Order 2020-30 issued October 5, 2020 and Executive Order 2020-31 issued October 12, 2020 for the extension of the Local Declaration of Emergency to October 18, 2020.

7.N KISSIMMEE GATEWAY AIRPORT RATES & CHARGES POLICY

Staff requests City Commission approval of the Kissimmee Gateway Airport (KISM) Rates & Charges Policy dated October 2020, to be implemented January 2021.

7.O KISSIMMEE ECONOMIC DEVELOPMENT CONTRACT WITH FLORIDA COACH, INC.

Approval of the Kissimmee Economic Development contract with Florida Coach, Inc.

7.P BRACK STREET LANDS - FINAL PLAT (DRC#20-00034)

City Commission approval of the final plat known as Brack Street Lands.

8. DISCUSSION ITEMS

8.A PRESENTATION OF FINANCIAL STATEMENTS FOR THE KISSIMMEE CHARTER SCHOOL FOR THE YEAR ENDED JUNE 30, 2020

This request is for Commission acceptance of the Financial Statements for the Kissimmee Charter School for the fiscal year ended June 30, 2020.

8.B KISSIMMEE MAIN STREET ANNUAL UPDATE FOR FISCAL YEAR 2020 AND APPROVAL OF THE SERVICES AGREEMENT FOR FISCAL YEAR 2020-2021

Kissimmee Main Street annual update for Fiscal Year 2020 and approval of a new services agreement for FY 2020-2021, authorizing the Mayor to sign the agreement.

8.C PRESENTATION OF IN-HOUSE COMMERCIAL COLLECTION ANALYSIS FOR COMMERCIAL DUMPSTER SERVICES

Approval of the in-house commercial collection analysis for commercial dumpster services.

8.D ANNUAL ADVISORY BOARD APPOINTMENTS

Commission appointment to fill a vacancy on the Board of Adjustments.

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 - DOMESTIC VIOLENCE AWARENESS MONTH

Request

The request is for the City Commission to present a Proclamation in honor of "Domestic Violence Awareness Month."

Explanation

N/A

Department: City Manager

Presenter: Tammy Douglass

Attachment(s):

1. Proclamation-Domestic Violence Aware

ITEM 3.B

PROCLAMATION - WORLD POLIO DAY 2020

Request

The request is for the City Commission to present a Proclamation in honor of "World Polio Day 2020."

Explanation

N/A

Department: City Manager

Presenter: Pastor Peter Zieg

Attachment(s):

1. Proclamation-World Polio Day

ITEM 3.C

PROCLAMATION - FLORIDA CITY GOVERNMENT WEEK

Request

The request is for the City Commission to present a Proclamation in honor of "Florida City Government Week."

Explanation

N/A

Department: City Manager

Presenter: Melissa Zayas-Moreno

Attachment(s):

1. Proclamation-Florida City Govt Week

ITEM 4.A

PUBLIC HEARING - FIRST READING - LAND USE PLAN AMENDMENT, LARGE SCALE: SHINGLE CREEK RESERVE, DRC#20-00075 (INST TO MF-MDR) - PROPOSED ORDINANCE NO. 20-19

Request

Recommendation of approval of a large scale land use map amendment from INST (Institutional) to MF-MDR (Multi-Family Medium Density Residential) on 22.34 acres of land.

Explanation

Approval of a large scale land use map amendment from INST (Institutional) to MF-MDR (Multi-Family Medium Density Residential) for approximately 22.34 acres of land. The Institutional Future Land Use designation was intended to previously support an age restricted adult congregate living facility with ancillary uses, such as administrative and health facilities (DRC#12-0045). This land use amendment will accommodate multi-family residential development that is consistent with the adjacent Multi-Family High Density (MF-HDR) Future Land Use designation established north of the property for similar multi-family development.

FINDINGS AND REASONS:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.3, Multi-Family Medium Density Residential (MF-MDR), that is intended to accommodate multiple family structures.
2. Compliance with Comprehensive Plan Transportation Element Policies 2.1.1.7 (F) and 2.2.1.3 as the City of Kissimmee is considered a Transportation Concurrency Exception Area (TCEA). Roads outside of this area, such as S. John Young Parkway, are subject to Florida Department of Transportation (FDOT) and Osceola County review and approval prior to any access authorization.

Recommendation

Development Review Committee (DRC) recommended approval on August 11, 2020.

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

CONDITION:

1. Subject to Department of Economic Opportunity (DEO) review and approval.

REQUESTED CITY COMMISSION ACTION:

Approve w/Conditions

Department: Development Services

Presenter: BRENDA RYAN

Attachment(s):

1. 20-00075 Vicinity Map
2. 20-00075 Aerial Map

City of Kissimmee

3. 20-00075 Site Data Tables
4. 20-00075 City Commission Ad
5. 20-00075 Public Comments
6. 20-00075 PAB Actions 09-16-20
7. 20-00075 DRC Comments
8. 20-00075 DRC Application
9. Proposed Ord. 20-19 - Shingle Creek Reserve LUPA 10-15-2020

ITEM 7.A

COMMISSION MINUTES APPROVAL

Request

Request Commission approval of the September 22, 2020 and October 6, 2020 Commission Minutes.

Explanation

Minutes of the Commission meeting held on September 22, 2020 and October 6, 2020 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter:

Attachment(s):

1. Commission Minutes - September 22 2020
2. Commission Minutes - October 6 2020

ITEM 7.B

AUTHORIZATION TO PURCHASE THE ANNUAL CITY VEHICLE REQUIREMENTS FROM THE STATE CONTRACT, SHERIFF'S CONTRACT, OR THE CITY'S LOCAL BID

Request

Authorization to purchase the FY 2020-21 City vehicle requirements from the State Contract, Sheriff's Contract, or the City bid, whichever is most cost-effective, considering the requirements of the departments.

Explanation

The City has 31 units in the budget this year at a budgeted cost of \$1,273,800. Included in this total are 14 vehicles for the Police Department at a cost of \$630,000.

Standard procedure is to identify the pricing for those vehicles planned for purchase using the State and Sheriff's Association purchasing contracts, and then solicit bids from local dealers to match or beat the State contract pricing.

Recommendation

Staff recommends approval to purchase the City vehicle requirements from the State Contract, Sheriff's Contract, or City bid, whichever is the most cost effective, considering the needs of each department.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Finance

Presenter:

Attachment(s):

None

ITEM 7.C

ACCEPTANCE OF 2020 GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS

Request

Approval of the acceptance of Fiscal Year 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) from the United States Department of Justice Office of Justice Programs.

Explanation

The Police Department applied for funding from the FY 2020 Edward Byrne Memorial Justice Assistance Grant (JAG). On September 18, 2020, the City was notified the Office of Justice Programs approved the application for funding under the FY 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local. The City was awarded \$26,121, which will be allocated for the partial funding of salaries for two police officers and one police sergeant as outlined in the grant application. The balance of the monies needed for the salary and benefits of the officers and sergeant will continue to come from the General Fund. This is a four-year recurring grant.

Recommendation

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

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Police

Presenter:

Attachment(s):

1. Jag Grant Award Notification 2020

ITEM 7.D

RATIFICATION OF COLLECTIVE BARGAINING REOPENER WITH THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE (FOP) REPRESENTING THE POLICE OFFICERS, CORPORALS AND DETECTIVES

Request

Approval of the ratification of the Florida State Lodge Fraternal Order of Police (FOP) collective bargaining reopener for the Police Officers, Corporals and Detectives.

Explanation

Pursuant to the Collective Bargaining Agreement between the City of Kissimmee and the Florida State Lodge Fraternal Order of Police Inc. (Police Officers, Corporals and Detectives), 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 FOP have reached an agreement on reopener negotiations for the Police Officers, Corporals and Detectives bargaining unit. These are the substantive changes from the previous agreement:

Article 19 - 4 Additional Holiday Leave has been amended to provide for an increase in Additional Holiday from 8 hours (8) to 24 hours (24).

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.

Recommendation

Staff recommends execution of the Resolution ratifying the collective bargaining reopener with the Florida State Lodge Fraternal Order to Police (FOP) representing the Police Officers, Corporals and Detectives.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Human Resources & Risk Management

Presenter:

Attachment(s):

1. Article 27 Use of Vechicles FOP Final 2020
2. Article 28 Pay Plan FOP Final 2020
3. FOP Article 17 Stmt following Use of Deadly Force Final 2020
4. FOP article 19 Holidays Final 2020
5. RESOLUTION. FOP Reopener Ratification. 2020 Revised

City of Kissimmee

ITEM 7.E

MEMORANDUM OF UNDERSTANDING WITH THE OSCEOLA COUNTY SCHOOL BOARD IN REFERENCE TO THE FUTURE TEMPORARY CONSTRUCTION AND ACCESS EASEMENT TO THE LANCASTER RANCH PARK PROJECT

Request

Approval of the Memorandum of Understanding with the Osceola County School Board in reference of the future temporary construction and access easement to the Lancaster Ranch Park Project.

Explanation

This Memorandum of Understanding between the School Board of Osceola County and the City of Kissimmee memorializes that the School Board will allow the City to construct vehicular and pedestrian access to the future Lancaster Ranch Park, via the School Board's property located at Pleasant Hill Elementary, 1801 Jack Calhoun Drive, and to grant a Temporary Construction and Access Easement. At the sole cost of the City, the City will construct the park access consisting of a turn lane and driveway on the School Board's property. Prior to construction, the City is responsible for notifying the School Board with a written notice and to provide all permits and approvals.

Recommendation

Staff recommends approval of the Memorandum of Understanding with the Osceola County School Board in reference of the future temporary construction and access easement to the Lancaster Ranch Park Project.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Parks & Recreation

Presenter:

Attachment(s):

1. Final_MOU_SDOC_COK_Lancaster Park_09-9-2020_SDOC_Legal_09.28.2020Update.._

ITEM 7.F

AMENDMENT TO THE PROFESSIONAL SERVICE AGREEMENT WITH AVCON, INC. FOR RE-PACKAGE DESIGN, BIDDING, AND CONSTRUCTION ENGINEERING SERVICES FOR A NEW ELECTRICAL VAULT AND SUPPORT INFRASTRUCTURE

Request

Approval of Amendment # 9 to the professional service agreement with AVCON, Inc. dated December 19, 2017, for the re-package design, bidding, and construction engineering services for the construction of a new electrical vault and support infrastructure.

Explanation

AVCON, Inc is one of the City's continuing professional services providers. Due to their experience in the aviation and planning field, Kissimmee Gateway Airport staff has selected AVCON, Inc. to provide professional services to design, bid and oversee the construction of the Airport's airfield electrical vault. Construction services will also include on-site inspections, control and testing of materials, and record drawings of final construction.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
4418-70-7010-542-5006393	AP2003	Decrease	\$357,363	\$357,363

Financial Summary:

This project is funded 100% by the Federal Aviation Administration made possible by the CARES Act.

Recommendation

Staff recommends Commission approval of Amendment # 9 to the professional service agreement with AVCON, Inc. dated December 19, 2017, for the re-package design, bidding, and construction engineering services for the construction of a new electrical vault and support infrastructure.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

City of Kissimmee

Presenter:

Attachment(s):

1. AVCON Amendment No. 9 to Professional Service Agreement 12-19-2017
2. AVCON Service Agreement 12-19-2017

ITEM 7.G

GOMEZ CONSTRUCTION COMPANY SERVICE AGREEMENT TO CONSTRUCT NEW ELECTRICAL VAULT & SUPPORT INFRASTRUCTURE AT KISSIMMEE GATEWAY AIRPORT

Request

Approval of an agreement with Gomez Construction Company of Miami FL in the amount of \$2,972,000 to construct a new electrical vault and support infrastructure.

Explanation

On August 18, 2020, the Commission accepted a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant for a new electrical vault and support infrastructure construction project. This grant is provided by the FAA utilizing aviation user fees (no general funds) and is provided 100% by the FAA (no local airport revenue match) under the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

This agreement with Gomez Construction Company is being entered into via State Contract BDX 68 RFPDOT 13/14-9016-GH.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
4418-70-7010-542-5006393	AP2003	Decrease	\$3,329,131	\$2,972,000

Financial Summary:

Adequate monies are available in the FAA funded project for the associated construction costs.

Recommendation

Staff recommends Commission approval of the agreement with Gomez Construction Company.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):

1. Gomez Construction Agreement -Elect Vault Const Scan

ITEM 7.H

OSCEOLA COUNTY AND THE CITY OF KISSIMMEE ANALYSIS OF IMPEDIMENTS (2020-2025)

Request

Adopt the Osceola County and City of Kissimmee Analysis of Impediments (2020-2025).

Explanation

Provisions to affirmatively further fair housing are principal and long standing components of the U.S. Department of Housing and Urban Development (HUD) housing and community programs. HUD requires its grantees to conduct an analysis to identify impediments to fair housing choice within the jurisdiction; take appropriate actions to overcome the effects of any impediment identified through the analysis; and maintain records reflecting the analysis and actions taken in this regard. As a Community Development Block Grant (CDBG) program grantee, the City of Kissimmee is required to certify that it will affirmatively further fair housing. The goal is to improve housing opportunities for all residents, particularly members of disadvantaged minorities, on a nondiscriminatory basis.

Langton Associates completed the Analysis of Impediments for Osceola County and the City as part of the agreement to create a 5 year Consolidated Plan.

City staff will take the appropriate action to implement the recommendations and reduce the impediments.

Recommendation

Staff recommends the Commission adopt the Osceola County and City of Kissimmee Analysis of Impediments (2020-2025).

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Development Services

Presenter:

Attachment(s):

1. Osceola County HOME Consortium AI

ITEM 7.I

CONTRACT FOR SALE AND PURCHASE - 836 CANTERBURY LANE

Request

Approve the sale of the property located at 836 Canterbury Lane, Kissimmee 34741 and authorize the City Manager to sign the Residential Contract for Sale and Purchase between the City of Kissimmee and Xavier Ortiz Jaime and any needed addendum.

Explanation

The construction of the property located at 836 Canterbury Lane (previously 999 S Clyde Avenue) has been completed. Neighborhood Stabilization Program (NSP3) funds were used to build the house on this City owned lot. The sales price was set at \$236,000.

The City contracted the services of Goodwin Realty and Associates to market the property and identify eligible buyers. The prospective buyer made an offer to the City in the amount of \$244,000. In order to move forward to the financing phase, the City would like to accept that offer and enter into a sales and purchase contract. However, staff would like to have the ability to reduce the purchase price amount and amend the contract by signing an addendum to sell at appraised value if there is a difference between the offer and the appraised value. The house will not sell for anymore than \$236,000, regardless of the bid submitted. Also, the buyer was selected based on his income qualifications not the bid price.

Recommendation

Staff recommends approval to sell the property located at 836 Canterbury Lane, Kissimmee 34741 and authorize the City Manager to sign the Residential Contract for Sale and Purchase between the City of Kissimmee and Xavier Ortiz Jaime and any required addendum.

REQUESTED CITY COMMISSION ACTION:

Execute

Department: Development Services

Presenter:

Attachment(s):

1. Sales Contract - \$244,000

ITEM 7.J

FIRST AMENDMENT TO CONCESSION SERVICES AGREEMENT BETWEEN THE CITY OF KISSIMMEE AND GULFSTREAM CATERING INC.

Request

Approval of the First Amendment to the Concession Service Agreement between the City of Kissimmee and Gulfstream Catering.

Explanation

On October 1, 2017, the City of Kissimmee entered into a 36 month concession services agreement with Gulfstream Catering Inc. that ended September 30, 2020. The original agreement contained a provision allowing both parties to extend the term for an additional 12 months.

City staff and Gulfstream management wish to continue the original agreement without change and extend this First Amendment for 12 months from October 1, 2020 to September 30, 2021. The City and concessionaire retain the right to cancel the agreement for any reason with sixty (60) days written advance notification.

The concessionaire is aware that the City intends to start a competitive bidding process for concessionaire services during this 12 month term.

Recommendation

Staff recommends approval of the First Amendment to the Concession Agreement between the City of Kissimmee and Gulfstream Catering Inc.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Parks & Recreation

Presenter:

Attachment(s):

1. First Amendment Gulfstream Catering

ITEM 7.K

FIRST AMENDMENT TO THE 2016/17 FLORIDA COMMUNITIES TRUST (FCT) PARKS AND OPEN SPACE FLORIDA FOREVER GRANT AGREEMENT FOR THE PURCHASE OF THE LACKEY PROPERTY AND EXPANSION OF LANCASTER RANCH PARK

Request

Approval to accept the First Amendment to the 2016/17 Florida Communities Trust (FCT) Parks and Open Space Florida Forever Program Grant Agreement to correct a clerical error and accept an additional \$400,000 increasing the grant award to \$3,232,241.81.

Explanation

On September 9, 2020, the original grant agreement (UA012) for reimbursement for the acquisition of the Lackey property and expansion of Lancaster Ranch Park was approved by the Commission in the amount of \$2,832,241.81. Since that approval, an additional \$400,000 has become available for this project.

This First Amendment also corrects a clerical error and changes the Department of Environmental Protection (DEP) agreement number to UA013 and increases the total award amount to \$3,232,241.81.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1307-50-5010-572-5006393	ST2014	Increase	\$400,000	
1307-00-0000-334-3341000	N/A	Increase	\$400,000	

Financial Summary:

The project budget will be amended by the additional \$400,000 that is available from this first amendment.

Recommendation

Staff recommends acceptance of the First Amendment to the 2016/17 FCT Parks and Open Space Florida Forever Program Grant Agreement for the Lancaster Ranch Park project and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

City of Kissimmee

Accept

Department: Parks & Recreation

Presenter:

Attachment(s):

1. First Amendment FCT Lackey

ITEM 7.L
DISPOSAL OF CITY ASSETS

Request

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

Explanation

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

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

Recommendation

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

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Finance

Presenter:

Attachment(s):

1. Auction COK10'20

ITEM 7.M

RATIFICATION OF EXECUTIVE ORDERS 2020-30 AND 2020-31

Request

City Commission ratification of Executive Order 2020-30 issued October 5, 2020 and Executive Order 2020-31 issued October 12, 2020 for the extension of the Local Declaration of Emergency to October 18, 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 2020-30 and 2020-31 extend the original order through October 18, 2020.

Recommendation

Ratification of Executive Orders extending the State of Emergency.

REQUESTED CITY COMMISSION ACTION:

Adopt

Approve

Department: City Manager

Presenter:

Attachment(s):

1. Ratification of Emergency Proclamation 2020-30 (Expires October 11 2020)
2. 2020-30 Executive Order 2020-30 Extension of Local State of Emergency Declaration (Expires October 11, 2020)
3. Ratification of Emergency Proclamation 2020-31 (Expires October 18 2020)
4. 2020-31 Executive Order 2020-31 Extension of Local State of Emergency Declaration (Expires October 18, 2020)

ITEM 7.N

KISSIMMEE GATEWAY AIRPORT RATES & CHARGES POLICY

Request

Staff requests City Commission approval of the Kissimmee Gateway Airport (KISM) Rates & Charges Policy dated October 2020, to be implemented January 2021.

Explanation

The City of Kissimmee operates KISM as an enterprise fund, meaning revenues produced by the airport are utilized to offset the annual operating and capital expenses. KISM operates self-sufficiently with the goal of requiring no general funds from the public. To ensure this continues, rates and charges are set based on the operating and capital improvement forecast over a five-year projection. Setting rates and charges to meet the forecasted projections utilize a combination of fair market value appraisals by a third party and surveys of Florida airports of similar size and operations.

In addition, KISM is a recipient of federal grant-in-aid assistance provided by the Federal Aviation Administration's (FAA) Airport Improvement Program (AIP), and is obligated to comply with federal laws, grant assurances and regulatory requirements. Such requirements include maintaining a fee and rental structure to ensure the airport remains financially self-sufficient, and in the process, ensures fair, reasonable and non-discriminatory practices. The Rates & Charges Policy is written based on these requirements.

Recommendation

Staff requests City Commission approval of Kissimmee Gateway Airport Rates & Charges Policy dated October 2020 to be implemented January 2021.

REQUESTED CITY COMMISSION ACTION:

Adopt
Approve

Department: Airport
Presenter:

Attachment(s):

1. KISM Rates & Charges 2020

ITEM 7.O

KISSIMMEE ECONOMIC DEVELOPMENT CONTRACT WITH FLORIDA COACH, INC.

Request

Approval of the Kissimmee Economic Development contract with Florida Coach, Inc.

Explanation

Florida Coach, a manufacturer located within City limits, is expanding its operation to 3103 Florida Coach Drive. The company's expansion meets City Qualified Targeted Industry (QTI) criteria and is eligible for economic development incentives. All City of Kissimmee incentives are performance based and require companies to fulfill contractual obligations before the City will issue the respective incentive refunds or reimbursements.

Eligible incentives include:

- 5-day Fast Track Building Permit Process**
- Building Life Safety or Americans with Disabilities Act (ADA) Retrofit Rebate (up to \$25,000)
- Brownfield Building Review & Permit Fee Waivers (est. \$7,108)**
- Demolition Services (up to \$234,000)
- Kissimmee Mobility Fee Waiver (est. \$7,057)**
- KUA Commercial Line Extension Fee Waiver (est. over \$10,000 value provided by KUA)

** Denotes in-kind incentives. All others are cash incentives.

The company expansion includes the anticipated hiring of 10 new employees with a company average wage exceeding \$60,000 (165% above the 2020 Osceola County average wage).

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
0001-10-1060-512-5003434	N/A		\$1,137,984	\$259,000

Financial Summary:

Adequate monies are available in the Economic Development Incentives Fund to cover the cash incentives outlined above.

Recommendation

Staff recommends approval of the Kissimmee Economic Development contract with Florida Coach,
City of Kissimmee

Inc.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter:

Attachment(s):

1. FL Coach Econ Dev Contract 10-20-2020

ITEM 7.P**BRACK STREET LANDS - FINAL PLAT (DRC#20-00034)****Request**

City Commission approval of the final plat known as Brack Street Lands.

Explanation

The owner of the property, JMIC, LLC, is requesting final plat approval without a guarantee. The subdivision is located between Palmway Street and Brack Street, between Vine Street and Cherry Street, and is combining portions of several underlying platted lots into one lot for development purposes.

Recommendation

Staff recommends approval of the Brack Street Lands.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. 20-034_Brack Street Lands-VM
2. PLAT 20-034_Brack Street Lands-FP_7.28.20

ITEM 8.A

PRESENTATION OF FINANCIAL STATEMENTS FOR THE KISSIMMEE CHARTER SCHOOL FOR THE YEAR ENDED JUNE 30, 2020

Request

This request is for Commission acceptance of the Financial Statements for the Kissimmee Charter School for the fiscal year ended June 30, 2020.

Explanation

Copies of the Financial Statements for the Kissimmee Charter School for the year ended June 30, 2020 were provided to the Commission. This document was prepared for the City by the independent audit firm of King & Walker, CPAs, PL. Bob Walker, founding partner with King & Walker, will make a brief presentation about the financial statements.

The auditors have given the Kissimmee Charter School an unmodified opinion which means the financial statements conform with generally accepted accounting principles and present fairly, in all material respects, the financial position of the Charter School and the results of its operations.

Recommendation

Staff recommends the City Commission accept the Financial Statements as presented.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Finance

Presenter: AMY ADY

Attachment(s):

1. 2020 Kissimmee Charter Academy

ITEM 8.B

KISSIMMEE MAIN STREET ANNUAL UPDATE FOR FISCAL YEAR 2020 AND APPROVAL OF THE SERVICES AGREEMENT FOR FISCAL YEAR 2020-2021

Request

Kissimmee Main Street annual update for Fiscal Year 2020 and approval of a new services agreement for FY 2020-2021, authorizing the Mayor to sign the agreement.

Explanation

On October 1, 2019, the City Commission and Downtown Kissimmee Community Redevelopment Agency (CRA) approved an agreement with Kissimmee Main Street (KMS), which expired on March 31, 2020. On April 21, 2020, the City Commission and CRA approved an amendment to extend the agreement to September 30, 2020.

Per the Agreement, KMS shall provide an Annual Report, which is attached, due by October 1, 2020, that outlines the following:

1. Summary of web site and social media activity.
2. Summary of all events. This shall include events that Main Street hosted as well as events that Main Street participated in but were hosted by business owners in the Main Street District.
3. Summary of newsletter distribution.
4. Summary of business recruitment efforts.
5. Summary of business retention efforts.
6. Summary of market analysis and shopper surveys.
7. Summary of business membership and past year comparisons.

KMS has fulfilled the requirements of the Agreement, providing all Quarterly Reports for this fiscal year, including the Annual Report.

Per the agreement, KMS responsibilities are:

A. Business Recruitment:

1. Conduct shopper surveys and a market analysis to identify the types of businesses desired within the Main Street District.
2. Develop and implement an effective plan to promote vacant properties within the Main Street District.
3. Maintain current information on downtown business demographics. This information shall be posted on the Main Street web site and available to the City's Development Services Department as well as the City's Economic Development Director.
4. Develop a marketing plan that promotes businesses and events in the Main Street District. Main Street shall work and meet regularly with the City's Communication and Public Affairs team to ensure all marketing plans work cohesively with the City's overarching message.
5. Promote and support the New Business Start-Up Grant in partnership with Kissimmee Utility

Authority.

6. Work to explain the City building and renovation processes to prospective business owners. Main Street shall work with Development Services and other City Departments to develop a full understanding of the processes for the City's permitting and code enforcement offices.

B. Business Retention:

1. Create and distribute a Main Street newsletter that contains relevant business information and promotes downtown events.
2. Coordinate or assist with events and activities with business in the area to promote existing businesses in the Main Street District.
3. Work with the University of Central Florida Business Incubator, the Small Business Development Center, and Prosper to provide assistance to small businesses in the Main Street District.
4. Help Main Street District businesses navigate the City permitting processes, signage processes and act as a general liaison between the City and the Main Street District businesses.

Prior to the COVID-19 pandemic, KMS was actively involved in assisting new businesses with navigating local/state ordinances and regulations as well as basic business functions such as business plans, finance and marketing. Since the pandemic, KMS has been instrumental in downtown Kissimmee's business recovery efforts. KMS has been diligently working to support merchants by promoting the "We 'have Opened Safely" campaign and assisting merchants applying for the CARES Act Osceola County Emergency Economic Relief Grant.

KMS has met all of its obligations under the 2019-2020 agreement, including provision of the quarterly reports. In addition, KMS has restored its non-profit status. Therefore, Staff is requesting approval of a new agreement to cover the new fiscal year for annual funding in the amount of \$165,000 for KMS to continue to provide critically needed business recruitment, retention and recovery in downtown Kissimmee.

Upon approval of this agreement, the City/CRA will provide KMS a total of \$20,000 distributed quarterly in \$5,000 increments, contingent on the City/CRA receiving the quarterly report from KMS. In addition, \$145,000 is paid to Main Street upon receipt of an invoice detailing the annual salary and benefits for the two employees. This agreement also requires the City/CRA to provide resources and training to KMS staff in support of business assistance efforts. The KMS Board will have to approve and sign the new agreement for it to become official.

Recommendation

Staff recommends approval of a new one-year agreement with Kissimmee Main Street for the term October 1, 2020 to September 30, 2021. Staff also recommends authorization for the Mayor to sign the pending agreement.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: SAMIA SINGLETON

Attachment(s):

1. KMS 2020 Annual Report Presentation
2. City of Kissimmee Q4 Report.docx
3. Executed 2019-2020 Main Street Funding Agreement (CRA)
4. Executed KMS Amendment
5. 2020-2021 Main Street Funding Agreement (CRA)

ITEM 8.C

PRESENTATION OF IN-HOUSE COMMERCIAL COLLECTION ANALYSIS FOR COMMERCIAL DUMPSTER SERVICES

Request

Approval of the in-house commercial collection analysis for commercial dumpster services.

Explanation

The Solid Waste division conducted a solid waste rate study with the services of Kessler Consulting, Inc. that was finalized and approved in November of 2019. As part of this effort, the division was given approval to conduct a study to consider the option of providing in-house commercial dumpster services for the City of Kissimmee with the expiration of the franchise contract with Waste Management on December 31, 2022. The study has brought forth information showing that the implementation of commercial dumpster services being provided by the Solid Waste division is feasible.

The study shows the revenues and expenditures associated with the expansion of the Nord System and the implementation of commercial dumpster services. The main expansion of the Nord System will be in the downtown area with the conversion of all roll out carts and dumpsters to the Nord System containers. The NORD service rates that are outlined in the report are based on a "shared container rate". This will provide the downtown area with one type of service that will eliminate the need to have different types of vehicles and containers throughout. This service will also move outwards into the CRA areas with the same effect.

The implementation of commercial dumpster services will allow the Solid Waste division to provide an efficient and quality service to the City of Kissimmee. Bringing the service in-house will allow the division to handle accounts and issues quickly while keeping rates relatively the same.

In another effort to improve the feasibility and provide these services, it was found that a change in the Solid Waste's residential services from a 4 day-10 hour work week will need to be converted to a 5 day-8 hour work week for all personnel in the division. This will require a change to the routes to spread them out over the 5 days. This conversion allows the division to hire 2 less drivers than the 6 additional drivers needed and originally suggested by the study.

The move to provide commercial collection in-house will allow the City to achieve three main objectives. First, the City will have better control over business practices, service approach and customer pricing. Second, the City will be able to expand use of the Nord system within downtown to serve as many customers as possible while maximizing use of the system's collection equipment we've invested in. Third and most importantly, providing these services directly will enable the City to manage future increases and/or reduce commercial rates once the sanitation fund reserve is stabilized and built as projected by the study. Though it will take a few years after the initial capital investment needed for start-up, staff believes providing commercial service directly will ultimately present the most cost effective solution for the City and its business community.

Recommendation

City of Kissimmee

Staff recommends approval to begin the process of transitioning to in-house commercial dumpster collection services for the City of Kissimmee.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter: JODY KIRKENDALL

Attachment(s):

1. Kissimmee Commercial Analysis - Final Report

ITEM 8.D

ANNUAL ADVISORY BOARD APPOINTMENTS

Request

Commission appointment to fill a vacancy on the Board of Adjustments.

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 Adjustments

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 October 6, 2020 Commission meeting, the Commission voted to approve a 30-day extension for the Board of Adjustments vacancy in order to gather additional applications from qualified candidates. The new Commission extension expires November 3, 2020.

Recommendation

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

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: MIKE STEIGERWALD

Attachment(s):

1. Appointments by Seat 10-20-2020