COMMISSION AGENDA
SESSION OF THE CITY COMMISSION TO BE HELD AT THE CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, DECEMBER 1, 2020
6:00 PM

PUBLIC ACCESS AND PARTICIPATION AVAILABLE IN-PERSON* OR VIA COMMUNICATIONS MEDIA TECHNOLOGY (CMT) INSTRUCTIONS AT WWW.KISSIMMEERESPONDS.COM/PUBLICMEETINGS

IN-PERSON ACCESS LIMITED TO SOCIALLY DISTANCED OCCUPANCY LOAD

TO SEND PUBLIC COMMENT PRIOR TO THE MEETING SEND TO CITYCLERKEMAIL@KISSIMMEE.ORG OR CALL 407-518-2308 FOR ASSISTANCE

1. MEETING CALLED TO ORDER

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

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

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

None

5. PUBLIC HEARINGS

None

6. HEAR AUDIENCE

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

7. CONSENT AGENDA

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

7.A COMMISSION MINUTES APPROVAL

Request Commission approval of the November 17, 2020 Commission Minutes.

7.B PURCHASE OF REHRIG PACIFIC COMPANY CONTAINERS/PARTS AND SALE OF SURPLUS CONTAINERS FOR FISCAL YEAR 2020-2021

Approval to use the Omnia Partners (f/k/a U.S. Communities) pricing contract to purchase Rehrig Pacific Company containers/parts and to sell the City of Kissimmee surplus containers for fiscal year 2020-2021.

7.C APPROVAL OF FIRST AMENDMENT TO EXTEND CONTRACT WITH KESSLER CONSULTING, INC.

Approval to extend the contract with Kessler Consulting, Inc. for professional services for the Solid Waste division.

7.D RATIFICATION OF EXECUTIVE ORDERS 2020-36 AND 2020-37

City Commission ratification of Executive Order 2020-36 issued November 16, 2020 and Executive Order 2020-37 issued November 23, 2020 for the extension of the Local Declaration of Emergency to November 29, 2020.

7.E BUDGET ADJUSTMENT TO UPDATE THE CORONAVIRUS RELIEF FUNDS (CRF) RECEIVED FROM THE FLORIDA HOUSING FINANCE CORPORATION (FHFC)

Acceptance of additional Coronavirus Relief Funds (CRF) in the amount of $586,844 from the Florida Housing Finance Corporation (FHFC).

7.F REVISIONS TO THE ANNUAL ACTION PLAN FOR PROGRAM YEAR (PY) 2020-2021

Revise the Annual Action Plan for Program Year (PY) 2020-2021 as requested by the Department of Housing and Urban Development (HUD).

7.G REQUEST TO APPROVE AMENDED RESOLUTION FOR EMINENT DOMAIN FOR WEST OAK STREET IMPROVEMENT PROJECT - KISSIMMEE FLORIST.

Approval of amended Resolution for Kissimmee Florist.

8. DISCUSSION ITEMS

8.A APPOINTMENT OF COMMISSION REPRESENTATIVES TO EXTERNAL BOARDS AND COUNCILS

Request City Commission to make appointments to fill board vacancies previously held by Commissioners who have left office as well as make any additional changes as needed.

8.B SELECTION OF AN ELECTED OFFICIAL TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC)

To select a representative from the City Commission to the Affordable Housing Advisory Committee (AHAC).

8.C 2021 CITY COMMISSION MEETING CALENDAR

Request City Commission approval to establish the Commission meeting calendar for 2021.

8.D ANNUAL ADVISORY BOARD APPOINTMENTS

Commission appointment to fill a vacancy on the Board of Adjustment along with a Planning Advisory Board vacancy added due to the resignation of Linda McCoy.

8.E REQUEST BY MR. CARLOS RAMIREZ TO ADDRESS THE CITY COMMISSION

Mr. Carlos Ramirez requests to address the City Commission regarding concerns for downtown businesses.

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 7.A
COMMISSION MINUTES APPROVAL

Request

Request Commission approval of the November 17, 2020 Commission Minutes.

Explanation

Minutes of the Commission meeting held on November 17, 2020 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager
Presenter:

Attachment(s):

1. Commission Minutes - November 17 2020

ITEM 7.B
PURCHASE OF REHRIG PACIFIC COMPANY CONTAINERS/PARTS AND SALE OF SURPLUS CONTAINERS FOR FISCAL YEAR 2020-2021

Request

Approval to use the Omnia Partners (f/k/a U.S. Communities) pricing contract to purchase Rehrig Pacific Company containers/parts and to sell the City of Kissimmee surplus containers for fiscal year 2020-2021.

Explanation

The Solid Waste division is requesting to use the fiscal year 2020-2021 Omnia Partners (f/k/a U.S. Communities) pricing contract offered by Rehrig Pacific Company to purchase parts and 95-gallon garbage, yard waste and recycling containers. This will also include radio frequency identification (RFID) tags and in mold label (IML). The Solid Waste division has been purchasing containers from the Rehrig Pacific Company for over fifteen (15) years and this company has proven to provide exceptional service.

The Solid Waste division is also requesting to sell surplus containers to local plastic recycling companies providing the best price for plastic commodities. The Solid Waste division regularly swaps old and/or damaged containers to provide better service to customers in the City of Kissimmee. The old and/or damaged containers are stripped down, stacked and stored until they can be sold. Staff is requesting that the sale proceeds be returned to the Solid Waste Enterprise Fund.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
4411-45-4571-534-5005255	N/A	Decrease	$63,406	$63,406

<u>Financial Summary:</u>

Adequate monies to purchase the Rehrig Pacific Company containers and parts are available in the fiscal year 2020-2021 budget in the Solid Waste Enterprise Fund.

Recommendation

Staff recommends approval to use the Omnia Partners (f/k/a U.S. Communities) pricing contract to purchase Rehrig Pacific Company containers/parts and to sell the City of Kissimmee surplus containers for fiscal year 2020-2021.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter: JODY KIRKENDALL

Attachment(s):

1. Rehrig Contract No. 00254
2. Rehrig_Supplemental_Agreement_No._1._RFP-00254__Executed_Copy
3. Rehrig Contract No. 00254 Amendments
4. Appendix C Omnia Partners Tiered Pricing.xls

ITEM 7.C
APPROVAL OF FIRST AMENDMENT TO EXTEND CONTRACT WITH KESSLER CONSULTING, INC.

Request

Approval to extend the contract with Kessler Consulting, Inc. for professional services for the Solid Waste division.

Explanation

The original contract for professional services with Kessler Consulting, Inc. provided for three (3) one (1) year extensions. Instead of renewing the contract annually for the next three years, Staff would like to change the terms of the contract to allow for one (1) three (3) year extension. Upon approval of this change, the contract will then have an expiration date of June 30, 2023.

This contract will be handled as a continuing services contract; therefore any future fees associated with this contract will be funded from the Solid Waste division's professional services account.

Recommendation

Staff recommends approval to extend the contract with Kessler Consulting, Inc. until June 30, 2023 to provide professional services for the Solid Waste division.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter: JODY KIRKENDALL

Attachment(s):
1. First Amendment -Kessler Contract

ITEM 7.D
RATIFICATION OF EXECUTIVE ORDERS 2020-36 AND 2020-37

Request

City Commission ratification of Executive Order 2020-36 issued November 16, 2020 and Executive Order 2020-37 issued November 23, 2020 for the extension of the Local Declaration of Emergency to November 29, 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 2020-36 and 2020-37 extend the original order through November 29, 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. 2020-36 Executive Order 2020-36 Extension of Local State of Emergency Declaration (Expires November 22, 2020)
2. Ratification of Emergency Proclamation 2020-36 (Expires November 22 2020)
3. 2020-37 Executive Order 2020-37 Extension of Local State of Emergency Declaration (expires November 29 2020)
4. Ratification of Emergency Proclamation 2020-37 (Expires November 29 2020)

ITEM 7.E
BUDGET ADJUSTMENT TO UPDATE THE CORONAVIRUS RELIEF FUNDS (CRF) RECEIVED FROM THE FLORIDA HOUSING FINANCE CORPORATION (FHFC)

Request

Acceptance of additional Coronavirus Relief Funds (CRF) in the amount of $586,844 from the Florida Housing Finance Corporation (FHFC).

Explanation

On August 4, 2020, the City Commission accepted Coronavirus Relief Funds in the amount of $503,634 from the Florida Housing Finance Corporation (FHFC). At the time, the City expected to receive an unknown amount of additional funds based on unemployment figures and the City's performance in spending the allocated funds.

Since the original allocation was awarded, FHFC has awarded the City an additional allocation in the amount of $586,844 for a total of $1,090,478 with the purpose of continuing the program until December 30, 2020.

At this time, the majority of the CRF funds have been either expended or committed. The period of performance for this grant is still from March 1, 2020 to December 30, 2020. City staff strongly believes all the funds will be spent or obligated by the December 30, 2020 deadline. The City has utilized this money to provide unpaid and limited future rental and mortgage payments, first month's rent and deposit for new rental units and past due utility bills occurring during the grant period for households that were affected by COVID-19.

At the writing of this report:

153 households were provided with unpaid back rent/mortgage payments and future rent/mortgage payments.

9 households were provided with first month's rent and deposit for a new rental unit.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1280-00-0000-334-3344901	N/A	Increase	$586,844	
1280-25-2510-554-5003131	N/A	Increase	$11,837	
1280-25-2510-554-5003434	N/A	Increase	$575,007	

Financial Summary:

There is no impact to the General Fund since the program will be funded with monies from the Coronavirus Relief Fund (CRF) received from the Florida Housing Finance Corporation (FHFC).

Recommendation

Staff recommends acceptance of additional Coronavirus Relief Funds (CRF) in the amount of $586,844 from the Florida Housing Finance Corporation (FHFC) and approval to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services
Presenter: FRANCES DEJESUS

Attachment(s):
None

ITEM 7.F
REVISIONS TO THE ANNUAL ACTION PLAN FOR PROGRAM YEAR (PY) 2020-2021

Request

Revise the Annual Action Plan for Program Year (PY) 2020-2021 as requested by the Department of Housing and Urban Development (HUD).

Explanation

On July 21, 2020, the City Commission approved the Annual Action Plan for Program Year (PY) 2020-2021. Earlier this month, after HUD's review of the Plan, the City received a list of revisions required to maintain compliance with the regulations.

The most significant revision is regarding the amount of funds allocated. The initial Plan stated incorrectly that the City was expected to receive $775,197 instead of $725,197 due to a scribing error. The City's FY 2021 budget was adopted using the grant amount of $725,197. Subsequent to the budget adoption process, HUD notified staff earlier this month about an error made in the federal formula allocation for the Community Development Block Grant (CDBG) and the HOME Investment Partnerships (HOME) programs. These errors resulted in a decrease of $111 in the CDBG allocations to the City. Thus, the City ultimately was allocated $725,086 instead of $725,197 for the CDBG program. No changes to the City's HOME allocation resulted from the reduction in HOME funds.

Staff re-allocated the CDBG funds as follows in order to be ensure the City is within the guidelines of the program:

Program	Allocation
Back on Track	$ 10,000
Building Strong Families & Mortgage & Rental Assistance	$ 40,000
Financial Wellness in Times of Uncertainty	$ 10,000
Good Neighbors & Mortgage and Rental Assistance	$ 80,170
Vision Specific Job Training and Employment	$ 10,000
City of Kissimmee Mortgage and Rental Assistance	$109,899
Hill Street Sidewalk Extension	$250,000
Code Enforcement	$ 70,000
Planning/Administration	$145,017
TOTAL	$725,086

Once these changes are approved, the updated Plan will be sent to HUD for final approval.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1013-00-0000-331-3311000 1013-25-2510-515-5004747 1013-25-2510-515-5004041	N/A N/A N/A	Decrease Decrease Decrease	$111 $55 $56	

Financial Summary:

The above adjustment is necessary to properly reflect the total amount of $725,086 that will be received by the City in FY 2020-2021.

Recommendation

Staff recommends approval of the revisions made to the Annual Action Plan for Program Year (PY) 2020-2021 as requested by the Department of Housing and Urban Development after completing its review and approval to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services
Presenter: FRANCES DEJESUS

Attachment(s):
1. REVISED_Kissimmee 2020-2021 Annual Action Plan_11.20.20 - Final

ITEM 7.G
REQUEST TO APPROVE AMENDED RESOLUTION FOR EMINENT DOMAIN FOR WEST OAK STREET IMPROVEMENT PROJECT - KISSIMMEE FLORIST.

Request

Approval of amended Resolution for Kissimmee Florist.

Explanation

The Commission previously approved Resolution 30-2019 granting power to the City to exercise eminent domain for the purpose of acquiring the necessary property interests for the West Oak Street Improvement Project. Included in this Resolution were individual parcels 102, 702, and 802 comprised of "Kissimmee Florist".

Attached is an amended Resolution reflecting slightly revised legal descriptions as a result of the modification in the construction plans for the driveway.

Recommendation

Staff recommends approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney
Presenter:

Attachment(s):
1. Resolution 30-2019
2. Amended Resolution. Kissimmee Florist

ITEM 8.A
APPOINTMENT OF COMMISSION REPRESENTATIVES TO EXTERNAL BOARDS AND COUNCILS

Request

Request City Commission to make appointments to fill board vacancies previously held by Commissioners who have left office as well as make any additional changes as needed.

Explanation

Boards with Available Seats:

Central Florida Commission on Homelessness
East Central Florida Regional Planning Council
Foundation for Osceola Education - Board of Directors
HELP Now of Osceola, Inc.
Kissimmee/Osceola Chamber of Commerce - Board of Trustees
Kissimmee/Osceola Chamber of Commerce - Hispanic Business Council
MetroPlan Orlando - Board of Directors
Osceola Council on Aging
Toho Water Authority - Board of Directors
Tourist Development Council (TDC)

Filled Seats:

Kissimmee Utility Authority - Mayor Gonzalez (must be Mayor by Charter)
Osceola County Emergency Executive Policy Group - Mayor Gonzalez (must be Mayor by County Ordinance)
Tri-County League of Cities- Commissioner Fisher (appointed by Tri-County Board)

Recommendation

Staff requests Commission direction on the selection of Commissioners to serve on the individual boards.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager
Presenter:

Attachment(s):

1. City Commission External Board Appointments

ITEM 8.B
SELECTION OF AN ELECTED OFFICIAL TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC)

Request

To select a representative from the City Commission to the Affordable Housing Advisory Committee (AHAC).

Explanation

Pursuant to Florida Statute 420.9076, communities that participate in the State Housing Initiatives Partnership (SHIP) program and receive more than $350,000 annually, are required to review the established policies and procedures, ordinances, land development regulations, and the adopted local government comprehensive plan, and recommend initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. This review is conducted by the Affordable Housing Advisory Committee (AHAC) which consists of at least eight, no more than eleven, members who are appointed in each local government. The City's last AHAC met in 2018 and submitted a report to the Commission on December 18, 2018. At that time, the AHAC was required to meet at least once every three years.

During the last legislative session, a number of changes related to the AHAC were adopted (HB 1339), including the completion of an annual report instead of a triennial report. The first annual report is due on or before, December 31, 2021. Another change, is the requirement to have an elected official participate on the AHAC. This elected official must commit to participate in the local AHAC meetings and in a biannual regional workshop. The AHAC will start meeting regularly in the first part of 2021.

Participation in the AHAC represents a chance to promote regulatory reform in the City and in turn increase opportunities for the development of affordable housing initiatives.

Recommendation

To select a representative from the City Commission to the Affordable Housing Advisory Committee (AHAC).

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

Appoint/Reappoint

Department: Development Services
Presenter: FRANCES DEJESUS

Attachment(s):
None

ITEM 8.C
2021 CITY COMMISSION MEETING CALENDAR

Request

Request City Commission approval to establish the Commission meeting calendar for 2021.

Explanation

Every year the City Commission adopts the calendar for the upcoming year in order to assist staff in scheduling agenda items and to notify the Commission, staff, and the public of the Commission meeting schedule.

Since the Commission holds its meetings on the 1st and 3rd Tuesday of each month, these dates are checked first to confirm there is no conflict with City holidays. For 2021, none of the City holidays fall on the 1st or 3rd Tuesday, therefore we are not recommending any cancellations but staff would like feedback from the Commission on the meeting scheduled for the week of Christmas, December 21, 2021, and whether the Commission has any concerns with a quorum being present.

After any discussion, staff recommends the Commission accept the full calendar for 2021 including the dates as listed for the Annual Commission Retreat, Budget Workshop, City Manager and City Attorney Annual Evaluations, and the Budget Hearings. The Budget Hearings have been tentatively scheduled for the 1st and 3rd Tuesday in September, however the City is statutorily required to yield our adoption dates to Osceola County and the Osceola School District. In order to comply, the dates will be confirmed later in the year.

While the Commission meeting established and Workshops and CRA meetings will also be scheduled as necessary throughout the year.

Recommendation

After Commission discussion staff recommends approval of the 2021 City Commission Meeting Calendar.

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

Approve

Department: City Manager
Presenter: MIKE STEIGERWALD

Attachment(s):

1. Commission Meeting Calendar 2021 (Proposed)

ITEM 8.D
ANNUAL ADVISORY BOARD APPOINTMENTS

Request

Commission appointment to fill a vacancy on the Board of Adjustment along with a Planning Advisory Board vacancy added due to the resignation of Linda McCoy.

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 boards:

Board of Adjustment
Planning Advisory Board

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 November 3, 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 December 1, 2020 for that Board appointment.

Recommendation

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

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

Appoint/Reappoint

Department: City Manager
Presenter: MIKE STEIGERWALD

Attachment(s):
1. Appointments by Seat 12-01-2020

ITEM 8.E
REQUEST BY MR. CARLOS RAMIREZ TO ADDRESS THE CITY COMMISSION

Request

Mr. Carlos Ramirez requests to address the City Commission regarding concerns for downtown businesses.

Explanation

Mr. Ramirez of Aviles Hair Studio will address the City Commission regarding his concerns on fiscal decisions and their impacts on local businesses. His request to appear on the agenda is attached.

Recommendation

No staff recommendation required for this item.

REQUESTED CITY COMMISSION ACTION:

No Action

Department: City Manager
Presenter:

Attachment(s):
1. Ramirez