



**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, APRIL 6, 2021
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.GOV
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

3.A PROCLAMATION - WATER CONSERVATION MONTH

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

3.B PROCLAMATION - FAIR HOUSING MONTH

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

3.C EMPLOYEE OF THE MONTH FOR APRIL

That the Commission join the City Manager in recognizing Katiria Matos, Recreation Specialist for the Parks and Recreation Department as Employee of the Month.

3.D SERVICE AWARDS FOR JANUARY, FEBRUARY, MARCH

Request the City Commission join the City Manager in recognizing employees who have reached milestones in their years of service.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

5. PUBLIC HEARINGS

5.A PUBLIC HEARING - APPEAL OF PLANNING ADVISORY BOARD DECISION ON OSCEOLA ARTS "ARTISNOW" PUBLIC MURALS: AUTHORIZATION OF A TRUE WORK OF ART, DRC#21-00008

Review and decision of the City Commission of an appeal of the March 17, 2021 Planning Advisory Board (PAB) decision for the authorization of a True Work of Art of the Osceola Arts "ArtisNow" Public Murals located at 15 West Darlington (Fraternal Order of Eagles).

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 March 2, 2021 and March 16, 2021 Commission Minutes.

7.B PUBLIC WORKS & ENGINEERING DEPARTMENT RE-ORGANIZATION

Approval to reclassify and re-title positions in the Administration, Engineering, and Streets divisions to better align each division's responsibility and function within the Public Works and Engineering Department.

7.C REQUEST TO GRANT A NON-EXCLUSIVE PERPETUAL EASEMENT OVER CITY PROPERTY TO ADJACENT HOMEOWNER

Approval of Non-Exclusive Perpetual Easement with the property owner of 434 Lakeshore Boulevard.

7.D COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING AGREEMENT

Acceptance of the 2020-2021 Community Development Block Grant (CDBG) from the Department of Urban Development (HUD) in the amount \$725,086, approval to execute the funding agreement and approval for the Mayor, City Manager or Development Services Director to execute any CDBG related documents and sub-recipient agreements according to the levels of signature authority consistent with the City's Procurement Policy after its review by the City Attorney or her designee.

7.E DONATION OF OUTDATED POLICE BALLISTIC VESTS

Authorization to donate 26 outdated ballistic vests to the School Board of Osceola County Criminal Justice Academy of Osceola (CJAO).

7.F UPDATED PLAN YEAR 2020 OSCEOLA HOME CONSORTIUM DISBURSEMENT AGREEMENT

Approval to execute the updated Plan Year (PY) 20 Osceola HOME Consortium Disbursement Agreement; authorize the City Manager to execute documents related to this grant; authorize staff to adjust the City's HOME Fiscal Year (FY) 21 budget accordingly.

7.G INTERLOCAL AGREEMENT BETWEEN THE CITY OF KISSIMMEE AND OSCEOLA COUNTY FOR THE TEMPORARY CONSTRUCTION EASEMENT AND TRAIL MAINTENANCE EASEMENT AT FORTUNE ROAD ATHLETIC COMPLEX

Approval of the Interlocal Agreement between the City of Kissimmee and Osceola County for the temporary construction easement and trail maintenance easement at the Fortune Road Athletic Complex.

7.H RATIFICATION OF EXECUTIVE ORDERS 2021-08, 2021-09, AND 2021-10

City Commission ratification of Executive Order 2021-08 issued March 15, 2021, Executive Order 2021-09 issued March 22, 2021, and Executive Order 2021-10 issued March 29, 2021 for the extension of the Local Declaration of Emergency to April 4, 2021.

7.I AMEND RATES & CHARGES POLICY FOR KISSIMMEE GATEWAY AIRPORT

Staff requests Commission approval to amend the Rates & Charges Policy for Kissimmee Gateway Airport (KISM) approved on October 20, 2020.

7.J RIGHT OF FIRST REFUSAL AMENDMENT NO. 5 TO FIXED BASE OPERATOR LEASE AGREEMENT FOR SHELTAIR KISSIMMEE, LLC

Approval to amend a Right of First Refusal (ROFR) for Sheltair Kissimmee, LLC for two acres of real property known as Phase Four in the East T-Hangers off Patrick Street until March 31, 2022.

7.K FEDERAL AVIATION ADMINISTRATION AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM

Approval to accept a Federal Aviation Administration (FAA) Airport Coronavirus Response Grant Program in the amount of \$91,162 for COVID-19 Public Health Emergency for the Kissimmee Gateway Airport.

8. DISCUSSION ITEMS

8.A COMMISSION REVIEW OF DRAFT HOMELESS SERVICES AND EMERGENCY SHELTER REQUEST FOR PROPOSALS (RFP)

Commission discussion and direction on the scope of work and project specifications for the draft RFP for emergency shelter operations and comprehensive homeless services.

8.B CHARTER SCHOOL ADVISORY BOARD APPOINTMENTS

Request the Commission make appointments to fill the vacancies on the Charter School Advisory Board due to two (2) Parent resignations, one effective March 24th and the second May 31st, at the end of the 2021 school year.

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.GOV, PRIOR TO THE MEETING (FS 286.26).

ITEM 3.A

PROCLAMATION - WATER CONSERVATION MONTH

Request

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

Explanation

N/A

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. Proclamation-Water Conservation Month.2021

ITEM 3.B

PROCLAMATION - FAIR HOUSING MONTH

Request

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

Explanation

N/A

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. Proclamation-Fair Housing Month.2021

ITEM 3.C
EMPLOYEE OF THE MONTH FOR APRIL

Request

That the Commission join the City Manager in recognizing Katiria Matos, Recreation Specialist for the Parks and Recreation Department as Employee of the Month.

Explanation

The City is pleased to announce the Employee of the Month for April is Katiria Matos, Recreation Specialist for the Parks & Recreation Department. Kat has been full time with the City for 2 ½ years.

Katiria works very hard to meet the needs of our community, and to make sure our Chambers Park Center participants are given the very best service. She has been instrumental with the City's After-School and Summer Camp Programs. She recently helped the Parks Department venture into the virtual programming realm by volunteering to lead some Virtual Arts & Crafts sessions. Kat always goes the extra mile, such as the assistance she provides to the Covid vaccination team, which the City is privileged to have at the Chambers site.

Katiria is very upbeat, positive and professional - which is inviting to both our customers and the children she encounters daily. The City is proud to recognize such a vital member of our team.

Department: Human Resources & Risk Management
Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 3.D

SERVICE AWARDS FOR JANUARY, FEBRUARY, MARCH

Request

Request the City Commission join the City Manager in recognizing employees who have reached milestones in their years of service.

Explanation

<u>Five</u>	Samantha Bridle	Development Services
	Ryan Lebron Rodriguez	Parks & Recreation
	Aaron Mendez	Public Works & Engineering
	Dustin Moyer	Fire
	Nabil Muhaisen	Public Works & Engineering
	Luis Pena	Fire
	Patrick Williams	Parks & Recreation
	Erika Allen	Development Services
	Maximay Kellon	Parks & Recreation
<u>Ten</u>	Brad Ellig	Fire
	Willie McKinnon	Public Works & Engineering
	Drew Leathery	Information Technology
	Eric Longsworth	Police
<u>Fifteen</u>	Austin Blake	City Manager
	Andrew Holmberg	Police
<u>Twenty</u>	Hiram Darbouze	Police
	Georgie Torres	Police
<u>Twenty-Five</u>	Eva Dewalt	Police
<u>Thirty</u>	Linda Hansell	City Manager
<u>Thirty-Five</u>	Billy Miranda	Development Services

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 5.A

PUBLIC HEARING - APPEAL OF PLANNING ADVISORY BOARD DECISION ON OSCEOLA ARTS "ARTISNOW" PUBLIC MURALS: AUTHORIZATION OF A TRUE WORK OF ART, DRC#21-00008

Request

Review and decision of the City Commission of an appeal of the March 17, 2021 Planning Advisory Board (PAB) decision for the authorization of a True Work of Art of the Osceola Arts "ArtisNow" Public Murals located at 15 West Darlington (Fraternal Order of Eagles).

Explanation

The City has received an appeal of the March 17, 2021 Planning Advisory Board (PAB) approval for authorization of a True Work of Art Permit from Osceola Arts for the Fraternal Order of Eagles building at 15 West Darlington. The PAB approved the mural with the condition that it be relocated from the front building wall to either the side or rear building walls.

The appeal letter expresses the following concerns with the PAB proposed locations:

- 1) if the mural is located in the alley way, which is used for vehicular traffic, there is no sidewalk or pedestrian refuge from motor vehicles; and
- 2) if located at the rear of the building this is a private parking lot, limiting the viewing access to the public.

BACKGROUND: Osceola Arts submitted a True Work of Art application (DRC#21-00008) as part of their "ARTisNOW" public mural program for two (2) separate murals; one at the American Legion at 205 Lakeview Drive, and a second mural at the Fraternal Order of Eagles at 15 W Darlington. Staff determined both murals were consistent with the True Work of Art requirements of Section 14-2-74.5 of the Land Development Code that state a proposed mural:

- 1) Is a true work of art and not a sign as defined in Chapter 14-2-240; and
- 2) Is compatible with the character of the surrounding area (particularly residential areas) in terms of its size, style, colors, materials, general appearance, and location.

Therefore Staff recommended approval of both murals as proposed, subject to the following conditions:

- 1) The murals and subject building walls shall be conducted in accordance with the attachments.
- 2) No signage or direct association of the establishments shall be permitted within the murals.
- 3) Existing or proposed signage shall not be incorporated into the murals.
- 4) Subject to review and approval of Right-Of-Way/Easement Utilization permits and conditions.

The PAB approved the murals, subject to the four conditions above, but amended Condition #1 to state:

1) The American Legion mural at 205 Lakeview Drive and subject building wall shall be conducted in accordance with the attachments. The Fraternal Order of Eagles mural at 15 West Darlington shall be relocated to the side or rear building walls.

The Planning Advisory Board based their recommendation on their concern that it should not be placed on the front of the building, which is within their discretion per Section 14-2-74.5, of the code (that the mural was not compatible with the character of the surrounding areas in terms of location).

There was discussion about the façade requirements of the newly adopted Form Based Code, which are architectural in nature for new or renovated buildings and do not apply here. There was also concern about painting over the existing glass block windows on the front of the building; however several of the windows have been painted over for decades and the remaining windows serve no visual purpose and are strictly decorative.

Recommendation

Approve mural as was recommended by City staff at the March 17, 2021 Planning Advisory Board (PAB) and overrule PAB decision to relocate mural.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Brenda Ryan

Attachment(s):

1. True Work of Art Appeal - Osceola Arts
2. Fraternal Order of Eagles Mural
3. March 17, 2021 Planning Advisory Board Agenda & Supporting Documents
4. PAB - 03-17-21- Minutes

ITEM 7.A

COMMISSION MINUTES APPROVAL

Request

Request Commission approval of the March 2, 2021 and March 16, 2021 Commission Minutes.

Explanation

Minutes of the Commission meeting held on March 2, 2021 and March 16, 2021 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter:

Attachment(s):

1. Commission Minutes - March 2 2021
2. Commission Minutes March 16 2021

ITEM 7.B

PUBLIC WORKS & ENGINEERING DEPARTMENT RE-ORGANIZATION

Request

Approval to reclassify and re-title positions in the Administration, Engineering, and Streets divisions to better align each division's responsibility and function within the Public Works and Engineering Department.

Explanation

The goal of this proposed restructure is to create a succession plan and align work flow and function within each division. This proposed restructure will allow growth potential that, in turn, will retain highly qualified, experienced, and capable employees to assume mid to higher-level positions and roles as they become available.

The Administration division provides the overall leadership for the Department in developing and managing the department-wide administrative services, coordination of emergency operations, strategic planning activities, public education and information, and coordination of Information Technology, Finance, and Human Resources related items.

The Engineering division manages the complex professional, technical, and administrative work in the planning, design, and construction of the City's infrastructure. The Engineering division currently oversees the permitting, design, and construction of all City roadways and pavement management, street lighting, drainage, and other roadside facilities such as transit, pedestrian, and bicycle facilities within the public rights-of-way. The Engineering division also has development review responsibilities concerning on-site improvements and infrastructure that may have an impact on the City's infrastructure once developed.

The Streets & Stormwater division was restructured in December 2018 to combine the Streets division and the Stormwater division and has since discovered ways to improve maintenance schedules, share resources, and work more efficiently toward the Department's overall goals. This combined division manages and maintains the City's 161 miles of streets, herbicide spray program, 215 miles of sidewalk, 82 ponds, mowing operations, and street sweeping activities.

Staff is proposing to reclassify and re-title positions in the divisions mentioned above to align work flow and functions. There will be eleven (11) proposed reclassifications/re-titles, both downward and upward, which will offset some of the financial changes of the restructure. The proposed changes are illustrated in the attached table and, if approved, will be effective April 17, 2021.

Funding is available for these changes in the Department's budget for FY 2021. The additional costs to the General Fund and Local Option Gas Tax Fund will be offset by the savings from the downgrade of the Assistant Director-Operations position, underfill of the Construction Manager (00145201) position, and the current vacancy of the Engineer I (10345201) position. A summary of salary funding is included in the attached table.

This department re-organization will result in a budget savings of \$61,040.91.

Recommendation

Staff recommends approval to reclassify and re-title positions in the Administration, Engineering, and Streets divisions to better align each division's responsibility and function within the Public Works and Engineering Department.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. Summary_PWE Department Reorganization_042021

ITEM 7.C

REQUEST TO GRANT A NON-EXCLUSIVE PERPETUAL EASEMENT OVER CITY PROPERTY TO ADJACENT HOMEOWNER

Request

Approval of Non-Exclusive Perpetual Easement with the property owner of 434 Lakeshore Boulevard.

Explanation

Daniel and Susan Baxter live at 434 Lakeshore Blvd, Kissimmee, Florida 34741. The property owner's driveway and fence currently encroach upon City property. Aerial photos show the driveway has been like this since at least 2006. The homeowners requested the City provide them a Non-Exclusive Perpetual Easement to legally allow the City's property to be used by the homeowners. The property is currently for sale, with the closing scheduled for April 9, 2021. By granting the easement over the property, this will clear up any questions that could cloud the title, and allow for the issue free transfer of the property.

Recommendation

Staff recommends approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney

Presenter:

Attachment(s):

1. Final easement 434 Lakeshore with exhibits

ITEM 7.D

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING AGREEMENT

Request

Acceptance of the 2020-2021 Community Development Block Grant (CDBG) from the Department of Urban Development (HUD) in the amount \$725,086, approval to execute the funding agreement and approval for the Mayor, City Manager or Development Services Director to execute any CDBG related documents and sub-recipient agreements according to the levels of signature authority consistent with the City's Procurement Policy after its review by the City Attorney or her designee.

Explanation

On December 1, 2020, the City Commission approved the revised Annual Action Plan in the amount of \$725,086. In order to use the Community Development Block Grant (CDBG) funds, the attached funding agreement is required to be executed and returned to HUD.

Recommendation

Staff recommends acceptance of the 2020-2021 Community Development Block Grant (CDBG) from the Department of Urban Development (HUD) in the amount \$725,086, approval to execute the funding agreement and approval for the Mayor, City Manager or Development Services Director to execute any CDBG related documents and sub-recipient agreements according to the levels of signature authority consistent with the City's Procurement Policy after its review by the City Attorney or her designee.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Development Services

Presenter:

Attachment(s):

1. Kissimmee FY20 CDBG Grant Agreement

ITEM 7.E

DONATION OF OUTDATED POLICE BALLISTIC VESTS

Request

Authorization to donate 26 outdated ballistic vests to the School Board of Osceola County Criminal Justice Academy of Osceola (CJAO).

Explanation

The Kissimmee Police Department is requesting authorization to donate 26 outdated ballistic vests to the Criminal Justice Academy of Osceola (CJAO). The donation is being made to enhance the training and skill level of the cadets at the academy. This Academy provides training to future law enforcement personnel. These vests are beyond the ballistic warranty from the manufacturer and have already been replaced.

Recommendation

Staff recommends approval of donation of outdated ballistic shields to the School Board of Osceola County for use at the Criminal Justice Academy of Osceola.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police

Presenter:

Attachment(s):

None

ITEM 7.F

UPDATED PLAN YEAR 2020 OSCEOLA HOME CONSORTIUM DISBURSEMENT AGREEMENT

Request

Approval to execute the updated Plan Year (PY) 20 Osceola HOME Consortium Disbursement Agreement; authorize the City Manager to execute documents related to this grant; authorize staff to adjust the City's HOME Fiscal Year (FY) 21 budget accordingly.

Explanation

The City Commission approved the original Osceola HOME Disbursement for PY 20 on November 3, 2020. The City has been informed by Osceola County which is the Consortium lead agency that the original HUD HOME allocation for both the City and the County was overstated by \$231 and that the City's portion of the funds, equaling \$80.85 will be reduced accordingly. See below:

Line Item	Previous	Revised	Difference
Osceola County Consortium	\$986,383.00	\$986,152.00	\$231.00
City of Kissimmee's portion	\$345,234.05	\$345,153.20	\$ 80.85
Administration	\$ 29,591.49	\$ 29,584.57	\$ 6.92
CHDO 15% Set Aside	\$ 51,785.11	\$ 51,772.98	\$ 12.13
Projects	\$263,857.45	\$263,795.65	\$ 61.80

The City's HOME FY 21 budget must be adjusted accordingly.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
1255-00-0000-369-3699005		Decrease	\$81	
1255-25-2510-515-5003434		Decrease	\$7	
1255-25-2510-515-5008282		Decrease	\$74	

Financial Summary:

There is no impact to the General Fund because this is a grant funded program.

Recommendation

Staff recommends approval to execute the updated Plan Year (PY) 20 Osceola HOME Consortium Disbursement Agreement; authorize the City Manager to execute documents related to this grant; authorize staff to adjust the City's HOME FY 21 budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. Draft Agreement 2020-2021_rev

ITEM 7.G

INTERLOCAL AGREEMENT BETWEEN THE CITY OF KISSIMMEE AND OSCEOLA COUNTY FOR THE TEMPORARY CONSTRUCTION EASEMENT AND TRAIL MAINTENANCE EASEMENT AT FORTUNE ROAD ATHLETIC COMPLEX

Request

Approval of the Interlocal Agreement between the City of Kissimmee and Osceola County for the temporary construction easement and trail maintenance easement at the Fortune Road Athletic Complex.

Explanation

Osceola County's Fortune-Lakeshore Multi-Use Trail project is located along Fortune Road from US 192 to Lakeshore Boulevard and along Lakeshore Boulevard from Fortune Road to Columbia Avenue for a total distance of approximately 6.9 miles. The 10-foot-wide asphalt trail will be constructed throughout the length of the project area.

The Trail will traverse the north boundary of the Fortune Road Athletic Complex, encumbering a total of 13,104.35 square feet (0.301 acre) with a trail maintenance easement. To accommodate the Trail, the County is requesting the execution of an Interlocal Agreement, temporary construction easement and trail maintenance easement.

Osceola County will pay the City \$1,500 for an existing tree, having a thirty-inch diameter, that will be removed during the construction.

Additionally, the County will compensate the City \$50 per tree inch, not to exceed \$11,550, for any tree that has been compromised within twelve months of the completion date of the Trail within the temporary construction easement.

This Interlocal Agreement also outlines that Osceola County will maintain the Trail following completion of construction.

Recommendation

Staff recommends Commission approval of the Interlocal Agreement between the City of Kissimmee and Osceola County for the temporary construction easement and trail maintenance easement at the Fortune Road Athletic Complex.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Parks & Recreation

Presenter:

Attachment(s):

1. County-City of Kissimmee ILA - Fortune-Lakeshore Trail (3-18-21 final)_ck
City of Kissimmee

2. FLT 709 - COK TCE
3. Trail Easement (rev 3-18-21) final_ck

ITEM 7.H

RATIFICATION OF EXECUTIVE ORDERS 2021-08, 2021-09, AND 2021-10

Request

City Commission ratification of Executive Order 2021-08 issued March 15, 2021, Executive Order 2021-09 issued March 22, 2021, and Executive Order 2021-10 issued March 29, 2021 for the extension of the Local Declaration of Emergency to April 4, 2021.

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 2021-08, 2021-09, and 2021-10 extend the original order through April 4, 2021.

Recommendation

Ratification of Executive Orders extending the State of Emergency.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter:

Attachment(s):

1. Ratification of Emergency Proclamation 2021-08 (Expires March 22 2021)
2. 2021-08 Executive Order 2021-08 Extension of Local State of Emergency Declaration 2021-08 (Expires March 22 2021)
3. Ratification of Emergency Proclamation 2021-09 (Expires March 29 2021)
4. 2021-09 Executive Order 2021-09 Extension of Local State of Emergency Declaration 21-09 (Expires March 29 2021)
5. Ratification of Emergency Proclamation 2021-10 (Expires April 4 2021)
6. 2021-10 Executive Order 2021-10 Local State of Emergency Declaration (Expires April 4 2021)

ITEM 7.I

AMEND RATES & CHARGES POLICY FOR KISSIMMEE GATEWAY AIRPORT

Request

Staff requests Commission approval to amend the Rates & Charges Policy for Kissimmee Gateway Airport (KISM) approved on October 20, 2020.

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. Rates and charges are set to meet the forecasted projections utilizing 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.

In accordance with the Airport's Policy, Regulations and Minimum Aeronautical Service Standards for Aeronautical Tenants at Kissimmee Gateway Airport, the City may establish and set up such rules and regulations as may be required for the safe and orderly operation of the Airport. The City may establish charges for providing services and providing use of public space (Airport). These permit charges are established for the above reasons and to ensure a fair business environment for those who have leases/agreements with the City and have investments in businesses located on the Airport.

Amendment item:

Commercial Service Activity Permit.

Administration Fee: \$250.00 (One Time)

Airport Access Fee: \$1,500.00 (Annually)

This would add a category of charges for those services that utilize the airport for business activities but may not have a physical location or lease for space at the airport.

Recommendation

Staff recommends City Commission approval to amend the Rates & Charges Policy for Kissimmee Gateway Airport (KISM) approved on October 20, 2020.

REQUESTED CITY COMMISSION ACTION:

City of Kissimmee

Approve

Department: Airport

Presenter:

Attachment(s):

1. KISM Rates & Charges 2021

ITEM 7.J

RIGHT OF FIRST REFUSAL AMENDMENT NO. 5 TO FIXED BASE OPERATOR LEASE AGREEMENT FOR SHELTAIR KISSIMMEE, LLC

Request

Approval to amend a Right of First Refusal (ROFR) for Sheltair Kissimmee, LLC for two acres of real property known as Phase Four in the East T-Hangers off Patrick Street until March 31, 2022.

Explanation

The original lease that was entered into with Sheltair in 2001 granted the ability to construct aircraft hangars on Airport property. Phases One, Two and Three have been completed. A ROFR was granted for the final 2 acres to be constructed; however, it expired in January 2021. Sheltair is requesting a one-year renewal to initiate Phase Four design and construction for the final aircraft hangars. Groundbreaking is anticipated during this timeframe.

Recommendation

Staff recommends Commission approval to amend the Sheltair Kissimmee, LLC ROFR for a one-year period with expiration on March 31, 2022.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. Sheltair 5th Amendment to Lease-Signed

ITEM 7.K

FEDERAL AVIATION ADMINISTRATION AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM

Request

Approval to accept a Federal Aviation Administration (FAA) Airport Coronavirus Response Grant Program in the amount of \$91,162 for COVID-19 Public Health Emergency for the Kissimmee Gateway Airport.

Explanation

This grant is provided in accordance with the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) to provide eligible Sponsors with funding to help offset a decline in revenues arising from diminished airport operations and activities as a result of the COVID-19 Public Health Emergency. CRRSA Act Airport grant amounts for specific airports are derived by legislative formula.

The purpose of this grant is to maintain safe and efficient Airport operations. Funds provided under this grant agreement must only be used for purposes directly related to the Airport. Such purposes can include the reimbursement of an Airport's operational and maintenance expenses or debt service payments. The amount of the CRRSA Act Grant is \$91,162.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
46100331-331410		Increase	\$91,162	
46170100-509276		Increase	\$91,162	

Financial Summary:

Monies from this grant will be placed in Airport reserves to offset the decline in reserves experienced from decreased revenues as a result of the COVID-19 pandemic.

Recommendation

Staff recommends Commission approval to accept an FAA Coronavirus Response and Relief Supplemental Appropriations Act Coronavirus Response Grant Program Agreement for \$91,162 for COVID-19 Public Health Emergency for the Kissimmee Gateway Airport and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. ISM-SOG-3-12-0038-039-2021-Grant Agreement - unsigned

ITEM 8.A

COMMISSION REVIEW OF DRAFT HOMELESS SERVICES AND EMERGENCY SHELTER REQUEST FOR PROPOSALS (RFP)

Request

Commission discussion and direction on the scope of work and project specifications for the draft RFP for emergency shelter operations and comprehensive homeless services.

Explanation

This agenda item was initially presented during the March 18, 2021 meeting. The Commission voted to postpone the discussion for two weeks to allow for further review. The attached draft includes clarification on the 24/7/365 hours of operation and additional language to strengthen the areas discussed during the meeting.

Background:

During the last Commission workshop, the City Commission directed staff to draft an RFP for the purposes of securing an organization to address the needs of our homeless population. As a result, staff developed an RFP with a scope of work designed to meet the overarching goal of having a one-stop location for emergency shelter with comprehensive wrap around services. The desired program will be designed to move individuals from homelessness to housing quickly and effectively by utilizing the Housing First Model and employing best practices targeted towards individuals and families experiencing homelessness. The proposal contains two parts to meet the goal.

Part A of the project seeks to provide temporary, emergency non-congregate shelter and bridge housing services to individuals experiencing homelessness. This housing focused shelter approach will provide immediate, low barrier housing for unsheltered individuals and families and must be located in Osceola County. Since non-congregate shelter does not currently exist in Osceola County, the City is offering to assist with the purchase of a hotel/motel or other suitable multi-unit housing option for this purpose. This purchase can be done through the proposer or the City but selection will be based on the program proposers ability to effectively meet the City's outlined objectives. The selected proposer will provide 24/7/365 all-inclusive operation and site management of the proposed site.

A combination of funding through the Community Development Block Grant Corona Virus (CDBG-CV), the HOME Partnership Grant and Neighborhood Stabilization Program (NSP) funding, approximately \$2.2 million has been identified for use with this portion of the proposal. As a result, the initial rollout of the program will prioritize the needs of those who are at high risk of complications from COVID-19 which includes the chronically homeless, the elderly and/or those with disabilities. In addition, the program must be capable of providing bridge housing and other suitable housing types in order to ensure the rapid and effective transition from homelessness to suitable permanent housing.

Part B of the project seeks to provide comprehensive support services for the unsheltered. The goal of this portion of the proposal is to select a nonprofit organization with demonstrated experience in serving the homeless and deploying services that span from outreach and engagement to housing

placement and stabilization. The areas of focus will be: Street Outreach/ Point of Contact Liaison/Community HUB; Comprehensive Case Management; and Education, Training and Employment Program. Funding for this portion of the proposal will be negotiated with the selected entity. It will be based on the project proposal and the City's ability to fund a portion of the services. It is intended for this regional effort to receive additional financial support from Osceola County, the regional COC, grants and local funding partners as secured through the selected entity.

The proposer will provide services to address the needs of people who are homeless by (a) engaging homeless individuals and families who are defined as homeless through comprehensive service delivery onsite and offsite; (b) improving access to number and quality of emergency non-congregate shelter units for homeless individuals and families; (c) providing 24/7/365 operations of this shelter location; (d) providing essential services to shelter residents to improve self-sufficiency and housing stability, (e) rapidly re-housing homeless individuals and families, and (f) providing diversion services to further prevent families/ individuals from becoming homeless.

The specifications of the draft RFP are based on concerns addressed during the November 17, 2020 Commission meeting, the annual Commission Retreat and the February 9, 2021 Commission Workshop. While the goal to move forward is underway, staff requests additional time to fully review and determine the program specifics of the new funding available through the recently passed American Rescue Plan Act of 2021. It is known that funding is available for this very type of project, however it is unclear how the funds will be distributed and what the guidelines for spending the funds will be. Since the funds are from federal sources, the RFP will also include language to ensure compliance with funding requirements.

Once the funding guidelines are established and program goals are aligned, staff will make changes necessary to ensure the integrity to the Commission's intent and move forward with the RFP process.

Recommendation

Commission direction on the draft scope and specifications.

REQUESTED CITY COMMISSION ACTION:

Commission Direction

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. EmergShelterandSvcsRFPDraft.1.2

ITEM 8.B

CHARTER SCHOOL ADVISORY BOARD APPOINTMENTS

Request

Request the Commission make appointments to fill the vacancies on the Charter School Advisory Board due to two (2) Parent resignations, one effective March 24th and the second May 31st, at the end of the 2021 school year.

Explanation

We received notification from Lydia Cortez and Telisha Montgomery, two (2) Parent members of the Charter School Advisory Board, indicating their intention to resign from the Board. Ms. Cortez's resignation is effective March 24, 2021, and Ms. Montgomery is May 31, 2021; both will no longer have children at the school next year.

The Charter School Board members are appointed jointly by the City Commission and are not assigned to a particular Commission Seat. The term for each appointed Charter School Advisory Board member is four (4) years.

We have received applications from the following qualified individuals:

Rodney Denson
Andreina Paredes
Joshua Pies
Brenda Ryan

An additional application was received from Miriam Ellis but she does not qualify due to her employment at the Charter School.

Applications for both Denson, Paredes, Pies, and Ryan are attached for the Commission's review.

Recommendation

Staff recommends Commission review of the attached applications and appointment of selected individuals to fill two Parent vacancies.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. CSAB Application - Rodney Denson (Parent) March 4 2021
2. CSAB Application - Andreina Paredes (Parent) March 9 2021
3. CSAB Application - Joshua Pies (Parent) March 25 2021

City of Kissimmee

4. CSAB Application - Brenda Ryan (Parent) March 31 2021