COMMISSION WORKSHOP 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 27, 2021
2:00 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."

2. WORKSHOP DISCUSSION

2.A SOCIAL SERVICES PROCESS REVIEW

Commission direction on the process and potential changes.

2.B DISCUSSION ON SELECTION COMMITTEE FOR REVIEW OF THE EMERGENCY SHELTER/BRIDGE-HOUSING AND HOMELESS SERVICES RFP

Staff requests direction on the establishment of a review committee that will make recommendations to the Commission on the Emergency Shelter/Bridge-Housing and Homeless Services proposals.

2.C DISCUSSION ON ENFORCEMENT OF THE PROPOSED PEDESTRIAN SAFETY ORDINANCE

Staff will provide an overview of how the Kissimmee Police Department anticipates enforcing the proposed pedestrian safety ordinance.

3. 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 2.A
SOCIAL SERVICES PROCESS REVIEW

Request

Commission direction on the process and potential changes.

Explanation

During the Commission Strategic Planning session, the Commission identified the need to review and evaluate the current funding process as a priority. In response, staff met with each member of the commission to review the history of this process and determine how to incorporate the changes desired.

Background:

The City of Kissimmee has been a partner in serving those in need for more than two decades. In that time, the City has granted more than $7.4M in direct funding to non-profit organizations for the delivery of social services to those in need. The competitive funding process has evolved over the years in response to economic changes and emerging needs. From 1999-2007, the City partnered with the County on a competitive funding process which involved a facilitator, an open application process, citizen review committees, and comprehensive review of applicant requests and awards. The process was conducted over a two month period and required the coordination of more than 20 agencies and more than 25 volunteers.

The impacts of the Great Recession and ongoing budget cuts resulted in changes to the process. The Commission's desire to continue funding agencies that met the emergency needs of the most vulnerable in our community was steadfast and resulted in the continued funding of agencies through the process that is in place today. The process has continued with this methodology and continues to focus on programs that address the needs of the homeless and poverty alleviation. The current budget for the 2020-21 cycle is $300,000 for Social Services and $50,000 for quality of life.

The Process:

Each year the Commission appropriates budgeted funds to agencies that have applied through the funding process. The invited agencies are those who have provided critical services to our community based on priorities established by the Commission. Agencies are currently invited to participate in the funding cycle if they are a currently funded agency, have partnered with the City to address community needs, or by request of the Commission. Eligibility to apply for funding is a follows: Must be a 501c3, provide services in Osceola County, and have been operating for at least 3 years.

The application process opens in July and submissions are presented to the Commission in August. Funding awards are determined when each commissioner submits their funding appropriation to staff and the amounts are calculated using the averaging method. The funding averages are then presented to the Commission during a meeting in September for approval. Once awarded, agencies are granted the funds in October of the budgeted year. Funds are disbursed quarterly for awards over $15,000.

Since the inception of the grant program, more than 90% of the funding has remained with the following agencies. The Osceola Council on Aging, Park Place, Aspire Health (HOME), Help Now, and Community Hope Center. Until recently, each of these organizations had board representation by a Commissioner or staff. This involvement increased transparency and gave the City access to information and opportunities for collaboration with our service providers. Agencies are also required to submit an annual report detailing the yearly activities and services provided to the Community.

Based on a summary of discussions with Commissioners, the following areas of the process should be considered for discussion:

1. Open the funding process and issue a Notice of Funding Availability to all non profit organizations serving Osceola County.
2. Create a committee of volunteers to review applications and submit recommendations to the City Commission for final review and approval. (The Commission would have the final authority to determine the funding amount after the committee's submission of scores and awards.)
3. Implement a monitoring/audit process to review client files and verify outcomes.
4. Develop and implement a quality assurance tool/customer satisfaction survey to be included in the client intake process in order to obtain feedback on services delivered.
5. Limit funding award to a maximum of five years for each agency.

Recommendation

Staff requests Commission feedback and direction.

REQUESTED CITY COMMISSION ACTION:

Commission Direction

Department: City Manager
Presenter: City Manager

Attachment(s):
None

ITEM 2.B
DISCUSSION ON SELECTION COMMITTEE FOR REVIEW OF THE EMERGENCY SHELTER/BRIDGE-HOUSING AND HOMELESS SERVICES RFP

Request

Staff requests direction on the establishment of a review committee that will make recommendations to the Commission on the Emergency Shelter/Bridge-Housing and Homeless Services proposals.

Explanation

In accordance with Florida Statutes, the establishment of a committee is necessary to review the proposals received for the Emergency Shelter/Bridge-Housing and Homeless Services Request for Proposals (RFP) and make recommendations to the City Commission regarding the selection. This committee must made made up of individuals with some expertise in fields related to the services sought in the proposal. These committees are typically comprised of city staff, but for this particular RFP staff does not believe that we have a sufficient expertise in house to seat a selection committee.

Examples of relevant professions would include, but are not limited to:
- Healthcare Administration
- Human Services
- Non-profit Management
- Real Estate and Development
- General Business/Management
- Legal Services
- Education

Ideally the committee would consist of an odd number of members to ensure there are no tie votes. Staff believes a good approach would be to consider a seven or nine-member committee where each commissioner would appoint one individual to the committee, then the commission could make a collective at-large appointment to represent interest groups who have expressed desire to participate in the process, such as the business community, local medical industry, realtors, and/or an expert on homeless issues having no affiliation with an entity submitting a proposal.

Recommendation

Staff requests Commission input and direction on the proposed selection committee.

REQUESTED CITY COMMISSION ACTION:

Commission Direction

Department: City Manager
Presenter: City Manager

Attachment(s):
None

ITEM 2.C
DISCUSSION ON ENFORCEMENT OF THE PROPOSED PEDESTRIAN SAFETY ORDINANCE

Request

Staff will provide an overview of how the Kissimmee Police Department anticipates enforcing the proposed pedestrian safety ordinance.

Explanation

At the April 20th Commission meeting, Commissioner Carlos Alvarez III raised concerns over the enforcement approach of the proposed pedestrian safety ordinance. Police Chief Jeff O'Dell will provide an overview of KPD's anticipated enforcement approach and answer any questions the Commission may have. City Attorney Olga Sanchez de Fuentes and Assistant City Attorney/Police Legal Advisor Curtis McGehee will be present to address any legal questions.

Department: City Manager
Presenter: City Manager

Attachment(s):
1. Pedestrian Safety Ordinance

PROPOSED ORDINANCE NO. 21-04
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, RELATING TO PEDESTRIAN SAFETY; CREATING CHAPTER 9-8: PEDESTRIAN SAFETY AND SECTIONS 9-8-1 THROUGH 9-8-5; PROHIBITING PEDESTRIAN ACTIVITY IN CERTAIN MEDIANS; ADOPTING OSCEOLA COUNTY CODE SECTION 18-4 ON CERTAIN PUBLIC ROADS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Governor's Traffic Safety Association found that pedestrian fatalities increased by 53% nationwide from 2009 to 2018 while the combined number of all other traffic deaths in the United States increased by 2%; and

WHEREAS, Smart Growth America, a not for profit organization based in Washington D.C., found that the Orlando-Kissimmee-Sanford Metropolitan Area was the most dangerous place in the country for pedestrians in 2019 and 2021; and

WHEREAS, the Florida Department of Highway Safety and Motor Vehicles found there were 145 traffic crashes involving pedestrians resulting in 112 pedestrian injuries and 17 pedestrian fatalities in Osceola County in 2019; and

WHEREAS, the Florida Department of Highway Safety and Motor Vehicles found pedestrian crashes increased 12.4% and pedestrian fatalities increased 70% from 2018 to 2019 in Osceola County; and

WHEREAS, the Kissimmee Police Department found there were 1823 traffic crashes in Osceola County in 2019 and 1841 traffic crashes in 2018 attributed to distracted driving. Further, the Kissimmee Police Department has found that distracted driving continues to rise every year since 2013; and

WHEREAS, the Kissimmee Police Department found that in 2018, 2019, and 2020, the number one reason for crashes in the City was front to rear collision; and

WHEREAS, the Kissimmee Police Department found in 2018, 2019, and 2020 that John Young Parkway, Vine Street and Main Street are the most congested roads in the City, which in turn yield the highest incidents of front to rear collision crashes. The City Commission finds that front to rear collision crashes are most likely to occur at or near intersections; and

WHEREAS, in 2018, the Kissimmee Police Department found that six people died as a result of traffic crashes within the City. One of those six people was a pedestrian who died near the intersection of John Young Parkway and Oak Street after stumbling into a travel lane. Another was a bicyclist who passed away following a traffic crash at Main Street and Vine Street. Two more occupants of motor vehicles died as a result of traffic crashes that occurred as vehicles attempted to turn left through the intersections of Vine Street and Michigan Avenue and Vine Street and Thacker Avenue; and

WHEREAS, in 2019 and 2020, the Kissimmee Police Department found that 15 traffic fatalities occurred. In three of these fatalities, the driver of a motorcycle died after being struck by a vehicle that was attempting to make a left turn through a lighted intersection. One of these incidents occurred at West Vine Street and Hoagland Boulevard. In 2020, a pedestrian passed away as a result of a traffic crash at the intersection of John Young Parkway and Emmett Street. The pedestrian was attempting to cross John Young Parkway while oncoming traffic had a green light; and

WHEREAS, in 2020, 23,649 red light camera violations occurred within the City at the following intersections:

West Vine Street and North John Young Parkway (2083 violations),
Vine Street and Main Street (2226 violations),
East Osceola Parkway and Michigan Avenue (7102 violations),
West Vine Street and Bass Road (1167 violations),
John Young Parkway and Emmett Street (2511 violations),
East Vine Street and Michigan Avenue to the North and Oak Street to the South (3194 violations),
West Vine Street and Dyer Boulevard (1990 violations),
North John Young Parkway and Carrol Street (855 violations), and
West Vine Street and Thacker Avenue (2521 violations); and

WHEREAS, The City Commission finds that the prevalence of traffic crashes and frequent red light violations at busy intersections creates a danger to pedestrians that are within roadways or medians nearby; and

WHEREAS, from August 1, 2020 to February 16, 2021, Kissimmee Police Department received 77 calls for service regarding pedestrians unsafely soliciting in the roadway and 28 calls for service regarding pedestrians being perilously present within medians. Most of these calls for service occurred at or near the following intersections: Vine Street and John Young Parkway (31 calls), Vine Street and Main Street (16 calls), Osceola Parkway and Michigan Avenue (11 calls), Vine Street and Bass Road (7 calls), John Young Parkway and Emmett Street (7 calls), Vine

Street and Michigan Avenue to the North and Oak Street to the South (4 calls), Vine Street and Dyer Boulevard (2 calls), John Young Parkway and Carrol Street (2 calls), Vine Street and Hoagland Boulevard (2 calls), and John Young Parkway and Oak Street (2 calls). In at least six of these calls for service, the caller stated that a pedestrian has almost been hit or is likely to be hit by a vehicle; and

WHEREAS, the Governor's Traffic Safety Association has found that 59% of all pedestrian fatalities in 2018 occurred on Non-Freeway Arterial Roads, which are the main roads that carry local and regional traffic through communities; and

WHEREAS, in 2020, Best Foot Forward, a Florida-based not for profit organization, found that heavy traffic, high speeds and wide roads make main thoroughfares dangerous for pedestrians; and

WHEREAS, the City Commission finds that Vine Street, John Young Parkway, and Osceola Parkway are Non-Freeway Arterial Roads with heavy traffic, high speeds, and wide roadways; and

WHEREAS, the United States Department of Transportation Federal Highway Administration has found that more than 50% of the combined total of fatal and injury crashes occur at or near intersections; and

WHEREAS, Osceola County has found and determined that allowing the interaction of pedestrians and motor vehicles in close proximity is inherently dangerous on state and county roads; and

WHEREAS, Osceola County Code Section 18-4 allows municipalities within Osceola County to elect to have the provisions of this ordinance apply within their respective jurisdictions; and

WHEREAS, the City Commission finds that many medians within the City are not designed for pedestrian traffic and are less than 50 inches in width. These medians are particularly prevalent within heavily congested roadways with high speeds and wide roadways; and

WHEREAS, the City Commission finds medians which divide a roadway may be accidently or intentionally entered by vehicles as a result of a traffic crash or by drivers wishing to avoid traffic collision when no safer alternative exists to escape obstructions, obstacles, or to avoid collision within paved roadways; and

WHEREAS, the City Commission finds that use of narrow medians by pedestrians encourages and creates the risk that pedestrians may accidently or intentionally enter the roadway to avoid

obstacles within the median, because of a loss of balance, or to make improper or illegal roadway crossings; and

WHEREAS, in 2020, the Governor's Traffic Safety Association found that pedestrian refuge islands have been shown to improve pedestrian safety on Non-Freeway Arterial Roads. However, the City Commission finds that implementation of pedestrian refuge islands is not feasible at the intersections and adjoining roadways listed in Section 9-8-5. The City Commission further finds that 8 of the 11 intersections and adjoining roadways listed in Section 9-8-5 feature narrow medians. The City Commission further finds that the use of the medians near the intersections of East Vine Street and Michigan Avenue to the North and East Oak Street to the South, West Vine Street and Bass Road, and East Osceola Parkway and Michigan Avenue is unsafe due to the prevalence of red light violations, traffic crashes, heavy traffic, and high vehicle speeds at and near these intersections; and

WHEREAS, the City Commission now recognizes the need to regulate pedestrian activity at or near busy intersections, their medians, and narrow medians in furtherance of the safety of pedestrians and motorists.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA IN LAWFUL SESSION ASSEMBLED AS FOLLOWS:

SECTION 1. Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and represent the legislative findings of the City Commission and are hereby made a specific part of this Ordinance upon adoption.

SECTION 2. Chapter 9-8, of the Code of Ordinances of the City of Kissimmee, Florida, titled, Pedestrian Safety, is hereby adopted and shall read as follows:

CHAPTER 9-8: PEDESTRIAN SAFETY

§ 9-8-1 FINDINGS.

The City Commission finds and declares that it is in the best interest of the health, safety and welfare of the citizens, residents, visitors, and businesses of the city to enact ordinances regulating pedestrian use of certain medians and pedestrian activity at or near busy intersections within the City.

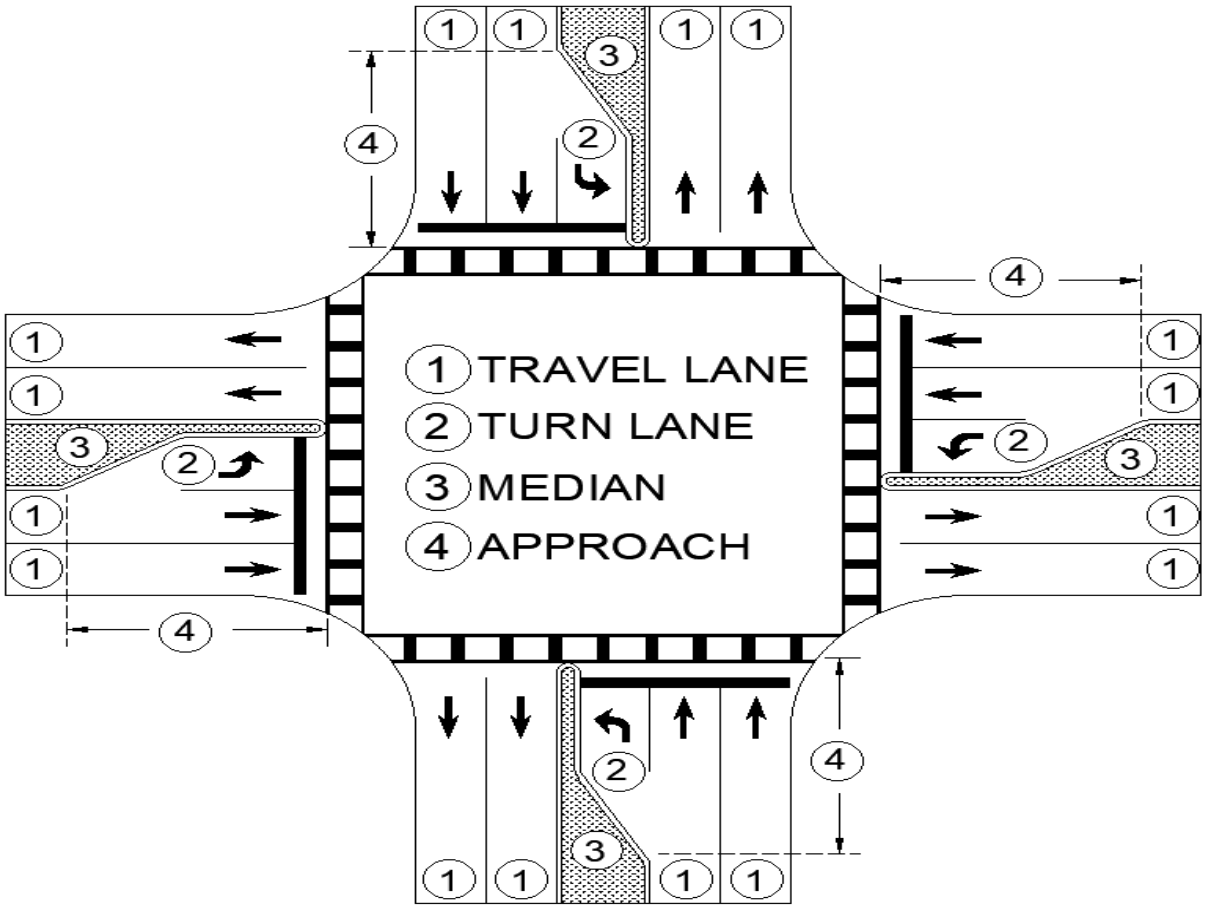
§ 9-8-2 INTENT AND PURPOSES.

It is further the intent and purpose of this ordinance to promote the health, safety, and general welfare of pedestrians and the motoring public and to further the free, orderly, undisrupted movement of motorized vehicles at busy intersections within the city. It is the intent of Section 9-8-4 of this Chapter to regulate conduct and not to affect activities protected by the First Amendment. It is the intent of Section 9-8-5 of this chapter, to apply evenhandedly to all persons who engage in the activities proscribed therein and to be narrowly tailored to serve the significant government interest of public safety while leaving open ample alternative channels for expressive activity.

§ 9-8-3 DEFINITIONS.

(1) "*Approach"* shall mean the portion of a roadway that starts where the left turn lane or lanes for the intersection begin and ends at the intersection. See Figure 1 below for an illustration of this term.

Figure 1.



(2) *"Intersection"* shall mean the area embraced within the prolongation or connection of the lateral curblines or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles; or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(3) *"Median"* shall mean an area that separates traffic, also known as a central reservation, median strip, island, or other separator.

(4) "*Roadway"* shall mean that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

§ 9-8-4 PEDESTRIAN ACTIVITY IN CERTAIN MEDIANS; PROHIBITION.

(a) *Prohibition.* No pedestrian shall stand, stop, sit, walk, place objects, or otherwise be upon any median of less than approximately 50 inches in width or that is adjacent to an approach to the intersections of East Osceola Parkway and Michigan Avenue, West Vine Street and Bass Road, or East Vine Street and Michigan Avenue to the North and East Oak Street to the South except as provided by this section.

(b) *Warning.* Upon witnessing a violation of this section, a police officer shall issue a verbal warning to the pedestrian in violation and instruct the pedestrian to leave the median.

(c) *Arrest.* A pedestrian, after having been warned in accordance with subsection (b), who after a reasonable time not to exceed 20 minutes persists in standing, stopping, sitting, or placing objects upon such median shall be subject to arrest for violation of this section.

(d) *Exceptions.* The prohibition in Subsection A shall not apply when:

(1) The subject median is being occupied for the purpose of crossing the street. However, persons standing or stopping upon medians for the purpose of crossing the street shall not stand or stop upon the median any longer than reasonably necessary to legally cross the street in accordance with applicable traffic and safety laws, regulations, and ordinances; or

(2) The persons standing, stopping, or placing objects are government employees or contractors doing so for the purpose of conducting government authorized construction, maintenance, or similar activities.

§ 9-8-5 SOLICITATION AND DISTRIBUTION ON CERTAIN PUBLIC ROADS.

The City hereby adopts the provisions of Osceola County Code Section 18-4 as applied to the following intersections and all four approaches to those intersections within the City of Kissimmee:

(1) West Vine Street and North John Young Parkway;
(2) Vine Street and Main Street;
(3) East Osceola Parkway and Michigan Avenue;
(4) West Vine Street and Bass Road;
(5) John Young Parkway and Emmett Street;
(6) East Vine Street and Michigan Avenue to the North and East Oak Street to the South;
(7) West Vine Street and Hoagland Boulevard;
(8) North John Young Parkway and West Oak Street;
(9) West Vine Street and Dyer Boulevard;
(10) North John Young Parkway and Carrol Street; and
(11) West Vine Street and Thacker Avenue.

SECTION 3. All Ordinances in conflict herewith are hereby repealed.

SECTION 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 5. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 6. This Ordinance shall take effect immediately upon its passage.

Commissioner _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Commissioner _____ and upon roll call on the motion the vote was as follows:

AYES: **NAYS:**

Said motion having been duly carried, thereupon, _____, declared said Ordinance duly passed and adopted this _____ day of _____, 2021.

_____
Olga Gonzalez, Mayor-Commissioner

ATTEST:

_____
Linda Hansell, City Clerk

Approved as to form and legality:

_____
Olga Sanchez de Fuentes, City Attorney