



MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION HELD WEDNESDAY, SEPTEMBER 11, 2019, AT 6:00 PM AT THE CITY OF KISSIMMEE, CITY HALL COMMISSION CHAMBERS LOCATED AT 101 CHURCH STREET, KISSIMMEE, FLORIDA

1. MEETING CALLED TO ORDER

Members Present: Mayor Jose Alvarez, Commissioners Olga Gonzalez, Felix Ortiz, Angela Eady, Jim Fisher

Staff Present: City Manager Mike Steigerwald, City Attorney Don Smallwood, Deputy City Attorney Olga Sanchez de Fuentes, Deputy City Manager Desiree Matthews, Assistant City Manager Austin Blake, City Clerk Linda Hansell

Members Absent: None

Mayor Alvarez called the meeting to order at 6:00 p.m.

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

After a Moment of Silence, Commissioner Fisher led the audience in the Pledge of Allegiance.

Commissioner Jim Fisher asked everyone to remember the events of eighteen years ago and stated, "Let us never forget."

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

None.

5. PUBLIC HEARINGS

5.A. PUBLIC HEARING - ADOPTION OF TENTATIVE MILLAGE LEVY AND TENTATIVE BUDGET FOR FISCAL YEAR 2019-2020

Adoption by Resolution of the tentative millage levy of 4.6253 mills and tentative budget of \$201,160,656 for the fiscal year 2019-2020.

TENTATIVE MILLAGE

City Manager Mike Steigerwald stated this is a Public Hearing to adopt the Tentative Millage and Tentative Budget for FY2019/2020. The City Manager reviewed some of the highlights and stated

this budget is largely unchanged from the document that was presented to the Commission at the Budget Workshop in July of this year. He continued by reviewing the addition of personnel over the next year, and he reviewed major capital projects. The final item City Manager Steigerwald reviewed was the employee compensation increase for the employees which will bring our employees to the top third of the Central Florida Market for governments. After following the script of the Public Hearing, staff recommends approval.

Mayor Alvarez stated The Proposed Operating Millage is 4.6253, which is 6.04% more than the Roll Back Rate of 4.3619.

Mayor Alvarez announced the Public Hearing with no response from the audience.

Deputy City Attorney Olga Sanchez de Fuentes read Resolution # 15-2019 for the Tentative Millage for FY 2019/2020.

Commissioner Jim Fisher made a motion to adopt Resolution # 15-2019 (Exhibit "A"). Commissioner Angela Eady seconded the motion.

Motion carried 5 – 0.

TENTATIVE BUDGET

Mayor Alvarez stated the Resolution will adopt a Tentative Budget of \$201,160,656 and authorize 783 full and part-time positions. A schedule of positions authorized for each department and summaries of each Fund are attached to the Resolution.

Mayor Alvarez announced the Public Hearing with no response from the audience.

Deputy City Attorney Olga Sanchez de Fuentes read Resolution # 16-2019 for the record.

Commissioner Angela Eady made a motion to adopt Resolution # 16-2019 (Exhibit "B"). Commissioner Jim Fisher seconded the motion.

Motion carried 5 – 0.

6. HEAR AUDIENCE

Julio Morris, 745 Osprey Landing, Orlando, stated he is a Scientist at NeoCity and he would like to raise the question to the Commission of why the City does not offer affordably priced fuel and parking to local aircraft owners.

Mayor Alvarez informed Mr. Morris the Commission would not take any action on this request and he asked staff to contact Mr. Morris to provide more information.

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.

Commissioner Jim Fisher made a motion to approve the Consent Agenda in its entirety. Commissioner Angela Eady seconded the motion.

Motion carried 5 - 0.

7.A. COMMISSION MINUTES APPROVAL

Request Commission approval of the August 20, 2019 Commission Minutes.

7.B. REQUEST TO APPROVE FIFTH AMENDMENT TO KISSIMMEE UTILITY AUTHORITY TRANSFER AGREEMENT

Request Approval of Fifth Amendment to the Kissimmee Utility Authority (KUA) Transfer Agreement.

7.C. RESOLUTION TO ADOPT A PUBLIC TRANSPORTATION GRANT AGREEMENT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR A WILDLIFE MANAGEMENT PLAN

Request approval and adoption of a resolution for a Public Transportation Grant Agreement (PTGA) from the Florida Department of Transportation (FDOT) for a Wildlife Management Plan, in the amount of \$4,232 (8% funded by FDOT, 2% funded by Airport funds), authorize the Mayor to sign extensions of the term dates as may be necessary in the future and amend the budget accordingly.

Resolution # 17-2019 (Exhibit "C").

7.D. STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM ANNUAL REPORT FOR CLOSE OUT FISCAL YEARS 2015-2016 AND 2016-2017

Accept the SHIP Annual Report for Close Out of Fiscal Years 2015-2016 and 2016-2017 and authorize the Mayor to execute the required certifications.

7.E. EASEMENT DEED TO THE KISSIMMEE UTILITY AUTHORITY OVER A PORTION OF THE KISSIMMEE PUBLIC SAFETY TRAINING FACILITY

Request approval of an Easement Deed to the Kissimmee Utility Authority (KUA) over a portion of the Kissimmee Public Safety Training Facility property for utility maintenance purposes.

7.F. ACCEPTANCE OF DONATION FROM WALMART FOUNDATION FOR SHOP WITH A COP

City Commission acceptance of donations in the amount of \$2,000 from the Wal-Mart Foundation for the purchase of Christmas gifts for the "Shop with a Cop" Program.

7.G. AUTHORIZATION TO PURCHASE GPS OPTICOM EQUIPMENT FOR TRAFFIC SIGNAL SAFETY IMPROVEMENTS

Public Works Traffic division requests Commission approval to purchase GPS Opticom Equipment for traffic signal safety improvements within the City limits by using the Florida Department of Transportation state contract from Transportation Control Systems, Inc.

7.H. APPROVAL OF A MEMORANDUM OF UNDERSTANDING FOR PROJECT MACH1

Commission approval of a Memorandum of Understanding (MOU) with Project Mach1 for two acres of Airport property in the Business Airpark.

7.I. BUDGET TRANSFER IN SHINGLE CREEK REGIONAL TRAIL SOUTH PHASE 1A PROJECT FOR SOILS ANALYSIS

City Commission approval to transfer monies from the General Fund (PW1901) to the Shingle Creek Regional Trail (SCRT) South Phase 1A Grant Fund (PW1730) to cover additional soils analysis costs of \$371.

7.J. WOODSIDE DRAINAGE IMPROVEMENTS

Commission approval of Supplemental Agreement No. 2 Scope & Fee for additional Professional Design Consultant Services with RS&H, Inc. for the Woodside Drainage Improvement project.

7.K. HGMP FUNDS FOR THE HILL STREET PHASE 3 DRAINAGE IMPROVEMENT PROJECT

Public Works & Engineering requests approval to apply for available funds through the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HGMP) to assist with the construction of the Hill Street Phase 3 Drainage Improvement project.

7.L. APPROVAL TO REQUEST AN EXTENSION OF A JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR DESIGN OF TAXIWAY "E" EXTENSION PROJECT

City Commission approval to request a six-month extension of a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for the design of the Taxiway "E" Extension project.

7.M. PROCLAMATION RATIFYING LOCAL STATE OF EMERGENCY EXECUTIVE ORDER 2019-01

Request City Commission ratification of Executive Order 2019-01 issued on August 29, 2019.

Proclamation Ratifying Executive Order 2019-01 (Exhibit "D").

8. DISCUSSION ITEMS

8.A. ANNUAL ADVISORY BOARD APPOINTMENTS AND VACANCIES

Request Commission make an appointment to fill the vacancy on the Board of Adjustment.

Commissioner Eady stated she has someone who she is verifying is interested; she plans to make the appointment at the September 17, 2019 meeting.

9. HEAR CITY OFFICIALS

9.A. CITY MANAGER

CITY MANAGER STEIGERWALD

City Manager Steigerwald reviewed the Osceola Legislative Effort (OLE) options for the City to participate in their legislative efforts with lobbying services; the proposed cost for this next year would be \$40,000 and OLE is not willing to negotiate a lower cost for a Partner Membership of \$16,000 instead of the full membership. It was suggested we speak with City of St. Cloud since their population has increased and we may be able to ask them to increase their membership cost.

Mayor Alvarez stated we were very clear we wanted to stay unified with all five (5) of us working together. We need to make a decision on whether the City will stay a full member or not.

Commissioner Fisher stated he thinks we should tell them thanks, but no thank you.

Commissioner Eady feels a local partnership would be good and we should stay involved, but the full membership is too much money.

Commissioner Ortiz does not feel we need them since we have our own lobbyist and we could use the money somewhere else.

Commissioner Gonzalez stated she agrees with Commissioner Fisher and Commissioner Ortiz.

Commission consensus was to forgo membership in the Osceola Legislative Effort for FY2019/2020.

City Manager Steigerwald reminded the Commission of the 9-1-1 Ceremony at Valencia College tonight.

9.B. CITY ATTORNEY

CITY ATTORNEY SMALLWOOD

City Attorney Smallwood read into the record his official letter of resignation effective September 30, 2019 (Exhibit "E") and thanked the City Manager and members of the City Manager and City Attorney's staff for all their support over the years.

9.C. CITY COMMISSION

COMMISSIONER GONZALEZ

Commissioner Gonzalez stated she is happy Attorney Smallwood can retire, but she will miss him very much, he has done an excellent job.

COMMISSIONER ORTIZ

Commissioner Ortiz thanked City Attorney Smallwood for his assistance in the time he has been on the Commission; his support is appreciated.

COMMISSIONER EADY

Commissioner Eady stated she feels Attorney Smallwood is the epitome of greatness. As the Eastern Star says, "So May It Be."

COMMISSIONER FISHER

Commissioner Fisher stated he hates to see Attorney Smallwood go but he is proud of all the work he has done for the City. He wished Attorney Smallwood and his wife a very happy retirement.

MAYOR ALVAREZ

Mayor Alvarez thanked Attorney Smallwood and stated he hated to see him go but very proud of all the things that were accomplished over your long career with the City. He wished him and his family all the best.

10. ADJOURNMENT

There being no further business to come before the Commission, Mayor Alvarez adjourned the meeting at 6:18 pm.



ATTEST

Dunde Hansell
CITY CLERK


MAYOR-COMMISSIONER

Exhibit "A"
Resolution # 15-2019
Adoption of Tentative Millage of 4.6253
Item 5.A.

Exhibit "B"
Resolution # 16-2019
Adoption of Tentative Budget \$201,160,656 for FY2019/2020
Item 5.A.

Exhibit "C"
Resolution # 17-2019
Adopt Public Transportation Grant Agreement
Florida Department of Transportation Wildlife Management
Item 7.C.

Exhibit "D"
Proclamation Ratifying Executive Order # 2019-01
Hurricane Dorian
Item 7.M.

Exhibit "E"
Letter of Resignation / Retirement
City Attorney Donald T. Smallwood
Item 9.B.

Exhibit "A"
9/11/2019



CITY OF KISSIMMEE

Office of the City Attorney
101 Church Street . Kissimmee, Florida 34741-5054 . Phone 407-518-2310 . FAX 407-846-8369

September 11, 2019

Dear City Commission/Staff,

Please accept this letter of resignation as City Attorney for the City of Kissimmee effective September 30, 2019. This letter memorializes my retirement announcement during my last annual evaluation. It truly has been a privilege and honor to have served as City Attorney both part-time and full-time for 30 years. My success I attribute to the family (employees) who always did what was asked of them and often times more. It has been fulfilling and I will miss you all.

I want to thank the various City commissions that I have served for the confidence and trust they had in my advice throughout the years. The City has been fortunate to have had leadership and wisdom of those commissions. I would like to thank former City Manager, Mark Durbin for his support.

To current City Manager, Mike Steigerwald, thank you for your loyal support in my decisions and undoubting faith in my advice. I value our friendship deeply. The City is indeed fortunate to have you as its leader and have Desiree Matthews as your Deputy. She is a hidden gem. The Commission would be wise in not letting either of you get hired away.

I want to also thank recent retiree Beth Stefek for her confidence and advice throughout the years, you were my rock and confidant.

Finally, I want to thank my former staff throughout the years, I couldn't have done it without you. That's not just words. To my current staff, I will miss you deeply. I have grown very fond of you. I appreciate your dedication. To Olga, congratulations as the new City Attorney. I am so happy for you and it gives me peace of mind to know that the office and city are in capable hands. Thank you.

Sincerely,

Donald T. Smallwood
City Attorney

Cc: Personnel