



MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION HELD TUESDAY, NOVEMBER 5, 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 Olga Sanchez de Fuentes, Deputy City Manager Desiree Matthews, Assistant City Manager Austin Blake, City Clerk Linda Hansell, Records Specialist Eugenio Morales

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.

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

3.A. PROMOTION CEREMONY FOR POLICE CAPTAIN, LIEUTENANT, SERGEANT AND CORPORALS

Swearing in and administering of oath for newly promoted Police Captain Christopher Succi, Lieutenant Jesus Garcia, Sergeant Shannon Taylor, Corporal Corey Anthony and Corporal Eddie Cruz.

Police Chief Jeffrey O'Dell administered the Oath of Office (Exhibit "A") to the Captain Christopher Succi, Lieutenant Jesus Garcia, Sergeant Shannon Taylor, Corporal Corey Anthony, and Corporal Eddie Cruz.

3.B. RECOGNITION OF KISSIMMEE POLICE DEPARTMENT EMPLOYEES FOR THEIR LIFE SAVING ACTIONS

The Police Department would like to recognize several officers from the Department for their efforts to save the life of a small child who was choking.

Police Chief O'Dell explained the occurrence of October 19, 2019 when Baby M.J. was rushed outside of their home as he was choking on a goldfish cracker. Officer Lanzo was the first to respond and she was followed by Officer Wooten, Officer Baez, Officer Gavilanes and Sergeant

Craig Putriment. These officers are being recognized for the life-saving efforts. Baby M.J. and his mother Amanda joined the Officer's as they received their awards.

3.C. EMPLOYEE OF THE MONTH FOR NOVEMBER

Request the City Commission join the City Manager in recognizing **John DeMichael**, Public Works and Engineering Department, as November's Employee of the Month.

City Manager Steigerwald introduced John DeMichael who was selected as the November Employee of the Month. John has been with the City for more than 20-years and he has served in many capacities in the Public Works Department. His most recent position change was to Secretary which expanded his responsibilities to payroll, invoices, budgeting, and work orders. Through-out all the changes John has made with the City, he has continued to keep a positive attitude and is an advocate for our residents when they need assistance. Some of the comments received on John are that he is very professional, motivated, dedicated, loyal, and overall a very pleasant person. John has also been a very active member of the General Employee Organization, Safety Committee, and volunteers at City events. Congratulations on this well-deserved honor.

City Manager Steigerwald commented that this award is not chosen by the City leadership, it is selected by a committee of peers from all departments and there is no greater honor.

Mr. DeMichael thanked the Commission and City Manager for this recognition.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A. PUBLIC HEARING - FIRST READING - TRANSMITTAL HEARING FOR COMPREHENSIVE TEXT AMENDMENT: MU-D & MU-FR COMP PLAN AMENDMENTS, DRC#19-113 - PROPOSED ORDINANCE 19-19

AN ORDINANCE SUPERSEDING ORDINANCE NO. 2771 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; AMENDING POLICY 1.2.9.1 MIXED-USE – DOWNTOWN (MU-D) TO UPDATE GENERAL LANGUAGE, INCREASE THE DENSITY AND INTENSITY OF THE MU-D COMMERCIAL MAIN STREET AREA AND THE MEDICAL CAMPUS AREA, AND ESTABLISH THE MU-D GOVERNMENT AREA; UPDATE THE TABLE IN POLICY 1.2.9.4; AND UPDATE THE DEVELOPMENT PROGRAM IN POLICY 1.2.10.4 FLORA RIDGE (MU-FR). DIRECTING THE CITY MANAGER TO REPLACE THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE

Requesting approval to transmit amendments to the Future Land Use Element of the Comprehensive Plan, specifically to the development program for the MU-FR (Mixed Use Flora Ridge) future land use designation (Policy 1.2.10.4), and to the MU-D (Mixed Use - Downtown) future land use designation (Policy 1.2.9.2) and associated table in Policy 1.2.9.4 to the Department of Economic Opportunity (DEO).

City Attorney Sanchez de Fuentes read Proposed Ordinance # 19-19 by title.

Planner Ashley Cornelison stated this is a First Reading and Transmittal Hearing of an amendment to Future Land Use Element for Flora Ridge MU-D. If any citizen is here to speak, there is a sign-in sheet available before you speak. Request is to update downtown Kissimmee Master Plan and update the dwelling units from 20 units to 30 units per acre and increase the density within the area as well as modifications to decrease the maximum number of single family units in Flora Ridge. In addition, there will be some clean-up of language. If approved, staff will transmit this request to the Department of Economic Opportunity for review. Staff and the Planning Advisory Board have reviewed and recommend approval.

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

Commissioner Fisher moved to approve the First Reading of Proposed Ordinance # 19-19. Commissioner Gonzalez seconded the motion.

Motion carried 5 - 0.

5. PUBLIC HEARINGS

*****CITY COMMISSION MEETING WAS RECESSED AS THE CITY COMMISSION AND RECONVENED AS THE CRA BOARD *****

5.A. PUBLIC HEARING - AMENDMENT TO THE STRATEGIC INVESTMENT AREAS MAP IN THE DOWNTOWN KISSIMMEE COMMUNITY REDEVELOPMENT PLAN

Requesting CRA Board approval to amend the Strategic Investment Areas Map (Map 4.1) located in the Downtown Kissimmee Community Redevelopment Area Plan Update.

City Attorney Sanchez de Fuentes stated this is an amendment to the Strategic Investment Areas Map of the Downtown Kissimmee Community Redevelopment Plan.

Planner Cornelison stated this request is to clean-up the map that was just discussed and introducing higher-density, mixed-use development along a network of pedestrian-friendly. Staff has reviewed and is recommending approval.

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

Commissioner Jim Fisher moved to approve the Public Hearing to Amend the Strategic Investment Areas Map. Commissioner Angela Eady seconded the motion.

AYE: Mayor Jose Alvarez, Commissioner Olga Gonzalez, Commissioner Angela Eady, Commissioner Jim Fisher, City Commissioner Felix Ortiz

NAY: None

Motion carried 5 - 0.

*****CITY COMMISSION WAS ADJOURNED AS THE CRA BOARD AND RECONVENED AS THE CITY COMMISSION *****

5.B. PUBLIC HEARING - AMENDMENT TO THE STRATEGIC INVESTMENT AREAS MAP IN THE DOWNTOWN KISSIMMEE COMMUNITY REDEVELOPMENT PLAN

Requesting Commission adoption of a Resolution approving an amendment to the Strategic Investment Areas Map (Map 4.1) located in the 2012 Downtown Kissimmee Community Redevelopment Area Plan Update.

City Attorney Sanchez de Fuentes stated this an amendment to the Strategic Investment Areas Map in the Downtown Kissimmee Redevelopment Plan.

Planner Cornelison stated this is a request to amend the Strategic Investment Map in the Downtown Kissimmee Community Redevelopment Area.

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

Commissioner Angela Eady made a motion to adopt Resolution # 20-2019 (Exhibit "B") and approve the Public Hearing. City Commissioner Felix Ortiz seconded the motion.

AYE: Mayor Jose Alvarez, Commissioner Olga Gonzalez, Commissioner Angela Eady, Commissioner Jim Fisher, City Commissioner Felix Ortiz

NAY: None

Motion carried 5 - 0.

6. HEAR AUDIENCE

Mike Lella, 2423 Regent Way, Kissimmee, thanked the Commission for allowing him to speak and requested the Commission act on adopting a Resolution (Exhibit "C") halting importation of Coal Ash to the State of Florida. Mr. Lella stated Osceola County and the City of St. Cloud have already adopted similar resolutions.

After a brief discussion the Commission informed Mr. Lella this would be brought back to the Commission at another meeting for discussion and action.

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

Motion carried 5 - 0.

7.A. COMMISSION MINUTES APPROVAL

Request Commission approval of the October 1, 2019 and October 15, 2019 Commission Minutes.

7.B. REQUEST TO PURCHASE PORTABLE RADIOS FROM MOTOROLA SOLUTIONS INC. FOR POLICE DEPARTMENT

Request approval to purchase portable radios from Motorola Solutions Inc. at a total cost of \$51,050.52 for the Police Department.

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

Acceptance of donations in the amount of \$3,000 from the Walmart Foundation for the purchase of Christmas gifts for the "Shop with a Cop" Program and to amend the budget accordingly.

7.D. EXECUTION OF THE OSCEOLA HOME CONSORTIUM DISBURSEMENT AGREEMENT BETWEEN OSCEOLA COUNTY AND CITY OF KISSIMMEE FOR FY 2019-2020

Approval of the Osceola HOME Consortium Disbursement Agreement between Osceola County and the City of Kissimmee for FY 2019-2020.

7.E. 2018 VINE STREET OVERLAY AND MULTIMODAL TRANSPORTATION DISTRICT (MMTD) ANNUAL PERFORMANCE MONITORING REPORT

Adoption of a resolution for the approval of the 2018 Vine Overlay and Multimodal Transportation District (MMTD) annual performance monitoring report.

Resolution # 21-2019 (Exhibit "D").

7.F. DONATION OF PORTABLE CONEX STORAGE CONTAINER TO THE CRIMINAL JUSTICE ACADEMY OF OSCEOLA TECHNICAL COLLEGE

Approval to donate a portable Conex storage container to the Criminal Justice Academy of Osceola Technical College.

7.G. REQUEST TO APPROVE RENEWAL OF LOBBYING CONTRACT WITH PEEBLES, SMITH & MATTHEWS

Approval to renew the contract with Peebles, Smith & Matthews for lobbying services at a cost of \$60,000 plus reasonable travel expenses.

7.H. PURCHASE OF FIRE TRAINING EQUIPMENT

Approval to purchase one (1) digital fire extinguisher system and one (1) digital fire training system from North America Fire Equipment Company Inc. (NAFECO).

7.I. PURCHASE OF PORTABLE AND MOBILE RADIOS FOR FIRE DEPARTMENT

Approval to purchase four (4) APX6000 2.5 portable radios, two (2) APX 8500 Dual Head All Band mobile radios, and six (6) APX8000XE Firefighter Extreme portable radios for the total amount of \$67,049.

7.J. PROJECTS TO BE CARRIED FORWARD TO FY 2019-2020

Approval to increase the FY 2019/2020 budget for carryover funds not to exceed the final adjusted balance to continue funding certain projects that were approved in prior years.

7.K. HELPING EMERGENCY RESPONDERS OBTAIN SUPPORT (HEROS) PROGRAM AT THE FLORIDA DEPARTMENT OF HEALTH GRANT AWARD FOR FY 2019

Request Commission approval for the Kissimmee Police Department to accept a materials grant award from the Helping Emergency Responders Obtain Support (HEROS) Program at the Florida Department of Health (DOH).

7.L. AWARD LANDSCAPE SERVICES AGREEMENT FOR KISSIMMEE LAKEFRONT PARK

Approval to award landscape services for Lakefront Park to Groundtek of Central Florida, Inc. in an amount up to \$86,900 and authorize the City Manager to sign the agreement.

7.M. AGREEMENT WITH MOSAIC PARTNERS IV, LLC REGARDING THE REMEDIATION OF THE HANSEL PLANT SITE

Approval of an agreement with Mosaic Partners IV, LLC regarding remediation of the Hansel Plant site and to use reserves from the Downtown Community Redevelopment Agency (CRA) for the cost of the remediation.

7.N. APPROVAL TO SUBMIT TWO 2020 FLORIDA RECREATIONAL DEVELOPMENT ASSISTANCE PROGRAM GRANTS

Approval to submit two 2020 Florida Recreational Development Assistance Program (FRDAP) grants in the amount of \$50,000 each to fund the development of outdoor recreational facilities.

7.O. 2020 CITY COMMISSION MEETING CALENDAR

Request City Commission approval to establish the Commission meeting calendar for 2020.

7.P. LAKEFRONT PARK, FINAL PLAT (DRC#19-00118)

City Commission approval of the final plat known as Lakefront Park.

7.Q. WEST OAK STREET INTERSECTION IMPROVEMENTS AT JOHN YOUNG PARKWAY

Request City Commission approval of the attached resolution authorizing the Mayor to execute and deliver to the Florida Department of Transportation (FDOT) Supplement Agreement No. 1 for the Local Agency Program Agreement dated January 4, 2017 in the amount of \$3,380,150 and to amend the fiscal year 2020 budget to reflect the additional funding.

Resolution # 22-2019 (Exhibit "E").

7.R. REQUEST TO APPROVE FIRST AMENDED PERFORMANCE GUARANTEE AGREEMENT BETWEEN THE CITY OF KISSIMMEE, SALA, INC., AND MARONDA HOMES, INC.

Approval of an amended agreement regarding Fiesta Key Phase II.

8. DISCUSSION ITEMS

None.

9. HEAR CITY OFFICIALS**9.A. CITY MANAGER****CITY MANAGER STEIGERWALD**

City Manager Steigerwald reminded the Commission of the Veteran's Day Parade being held at 10:00 a.m. on Saturday, November 9, 2019.

City Manager Steigerwald asked the Commission if they wanted the Coal Ash issue on the November 19, 2019 Agenda; that is the same night of the Delegation meeting so that item will be pending.

Commissioner Gonzalez stated she will not be here at the November 19, 2019 meeting and she would like action before she leaves.

Mayor Alvarez stated this is not an action item.

Commissioner Fisher did not feel we have enough information to make an informed decision.

Commissioner Ortiz feels he would need more time on the Coal Ash issue, but he thinks we should be on board with the County and the City of St. Cloud.

9.B. CITY ATTORNEY

CITY ATTORNEY SANCHEZ DE FUENTES

Nothing.

9.C. CITY COMMISSION

COMMISSIONER GONZALEZ

Nothing.

COMMISSIONER ORTIZ

Nothing.

COMMISSIONER EADY

Commissioner Eady asked for more details on the Legislative Drive-up.

Attorney Sanchez de Fuentes stated she would send an email with all the details.

COMMISSIONER FISHER

Nothing.

MAYOR ALVAREZ

Mayor Alvarez congratulated the Kissimmee Gateway Airport staff on reaching the 3-millionth flight; this is quite the accomplishment.

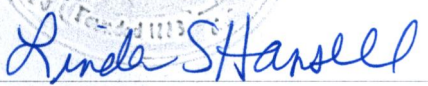
10. ADJOURNMENT

There being no further business to come before the Commission, Mayor Alvarez adjourned the meeting at 6:36 PM.



MAYOR-COMMISSIONER

ATTEST:

CITY CLERK

Exhibit "A"
Oaths of Office
Captain Christopher Succi, Lieutenant Jesus Garcia, Sergeant Shannon Taylor,
Corporal Corey Anthony, and Corporal Eddie Cruz
Item 3.A.



CITY OF KISSIMMEE POLICE DEPARTMENT

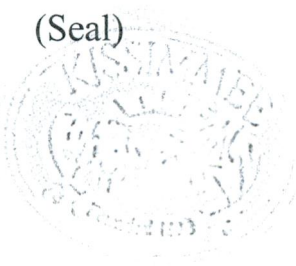
Chief Jeffrey M. O'Dell

8 N. Stewart Avenue . Kissimmee, Florida 34741-5499 . Phone 407-847-0176 . FAX 407-847-0460

November 5, 2019

I, Christopher Succi, having been appointed to the rank of Police Captain, do hereby solemnly swear and affirm, that I will support, defend and obey the Constitution of the United States of America; the Constitution of the State of Florida; the Laws and Ordinances of the City of Kissimmee; the Rules and Regulations of the Kissimmee Police Department to the best of my ability. So help me God.

(Seal)



Christopher Succi
Police Captain

ATTEST:

City Clerk

WITNESS:

Jeffrey M. O'Dell
Chief of Police





CITY OF KISSIMMEE POLICE DEPARTMENT

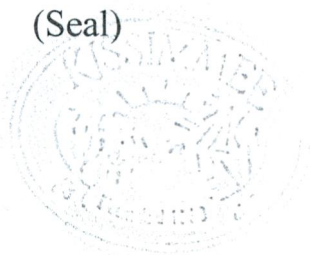
Chief Jeffrey M. O'Dell

8 N. Stewart Avenue . Kissimmee, Florida 34741-5499 . Phone 407-847-0176 . FAX 407-847-0460

November 5, 2019

I, Jesus Garcia, having been appointed to the rank of Police Lieutenant, do hereby solemnly swear and affirm, that I will support, defend and obey the Constitution of the United States of America; the Constitution of the State of Florida; the Laws and Ordinances of the City of Kissimmee; the Rules and Regulations of the Kissimmee Police Department to the best of my ability. So help me God.

(Seal)





Jesus Garcia
Police Lieutenant

ATTEST:



Linda Hansel
City Clerk

WITNESS:



Jeffrey M. O'Dell
Chief of Police





CITY OF KISSIMMEE POLICE DEPARTMENT

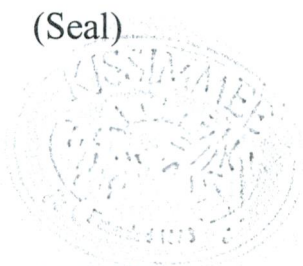
Chief Jeffrey M. O'Dell

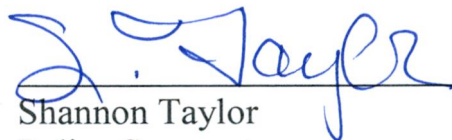
8 N. Stewart Avenue . Kissimmee, Florida 34741-5499 . Phone 407-847-0176 . FAX 407-847-0460

November 5, 2019

I, Shannon Taylor, having been appointed to the rank of Police Sergeant, do hereby solemnly swear and affirm, that I will support, defend and obey the Constitution of the United States of America; the Constitution of the State of Florida; the Laws and Ordinances of the City of Kissimmee; the Rules and Regulations of the Kissimmee Police Department to the best of my ability. So help me God.

(Seal)

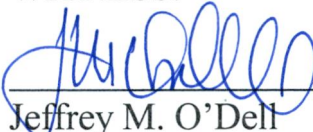



Shannon Taylor
Police Sergeant

ATTEST:


City Clerk

WITNESS:


Jeffrey M. O'Dell
Chief of Police





CITY OF KISSIMMEE POLICE DEPARTMENT

Chief Jeffrey M. O'Dell

8 N. Stewart Avenue . Kissimmee, Florida 34741-5499 . Phone 407-847-0176 . FAX 407-847-0460

November 5, 2019

I, Corey Anthony, having been appointed to the rank of Police Corporal, do hereby solemnly swear and affirm, that I will support, defend and obey the Constitution of the United States of America; the Constitution of the State of Florida; the Laws and Ordinances of the City of Kissimmee; the Rules and Regulations of the Kissimmee Police Department to the best of my ability. So help me God.

(Seal)





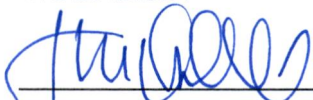
Corey Anthony
Police Corporal

ATTEST:



Linda S. Hansell
City Clerk

WITNESS:



Jeffrey M. O'Dell
Chief of Police





CITY OF KISSIMMEE POLICE DEPARTMENT

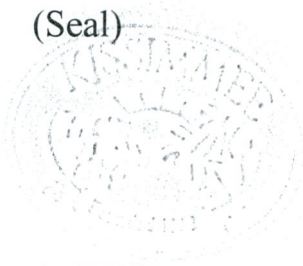
Chief Jeffrey M. O'Dell

8 N. Stewart Avenue . Kissimmee, Florida 34741-5499 . Phone 407-847-0176 . FAX 407-847-0460

November 5, 2019

I, Eddie Cruz, having been appointed to the rank of Police Corporal, do hereby solemnly swear and affirm, that I will support, defend and obey the Constitution of the United States of America; the Constitution of the State of Florida; the Laws and Ordinances of the City of Kissimmee; the Rules and Regulations of the Kissimmee Police Department to the best of my ability. So help me God.

(Seal)



A handwritten signature in blue ink, appearing to read "Eddie Cruz", with the number "444" written to the right.

Eddie Cruz
Police Corporal

ATTEST:

A handwritten signature in blue ink, appearing to read "Linda Stansel".
City Clerk

WITNESS:

A handwritten signature in blue ink, appearing to read "Jeffrey M. O'Dell".
Jeffrey M. O'Dell
Chief of Police

Exhibit "B"
Resolution 20-2019
Strategic Investment Areas Map in Downtown Kissimmee CRA
Item 5.B.

Exhibit "C"

Sample Resolution Halting the Importation of Coal Ash from Out of State
Hear the Audience – Mike Lella
Item 6

Title: Halting the Importation of Coal Ash from Out of State

An act related to the disposal of coal ash produced outside of the State of Florida

Coal combustion residuals; CCR. "Coal combustion residual" or "CCR" means fly ash, bottom ash, boiler slag, and flue gas desulfurization materials generated from burning coal for the purpose of generating electricity or steam.

Whereas the State of Florida has nine coal-burning power plants in the State of Florida that store their coal combustion residuals onsite and/or dispose of them in Class I landfills, and

Whereas coal combustion residuals are a hazard to human health and Florida's soil and water, and are improperly categorized as non-hazardous waste by the U.S. Environmental Protection Agency due to the improper use of the Toxic Characteristic Leaching Procedure to measure toxicity of CCRs, and thus can be legally disposed of in Class I landfills, and,

Whereas coal combustion residuals generated outside of the State of Florida have been shipped from other states and territories into the State of Florida for disposal, and,

Whereas Florida's high water table, lakes, streams, rivers, springs, wetlands, highly permeable soils, karst geology, and underground aquifers that hold our drinking water are vulnerable to contamination by coal combustion residuals,

Therefore the State of Florida shall remove the existing statutory exceptions that allow coal combustion residuals produced outside of the State of Florida to be disposed of in Class I landfills.

Subsection. 403.7045(2)(a), Florida Statutes is amended to read:

a) Ashes and scrubber sludges generated from the burning of boiler fuel for generation of electricity or steam, only if these are ashes and scrubber sludges are produced within the State of Florida.

Subsection 403.7222(4), Florida Statutes is amended to read:

(4) This section does not apply to a disposal facility or part of a facility that accepts fly ash, bottom ash, boiler slag, or flue-gas emission control materials from the operation of a fossil fuel-fired electric or steam generation facility within the State of Florida, from a clean coal or other innovative technology process at a fossil fuel-fired electric or steam generation facility within the State of Florida, or from any combination thereof produced by an electric or steam generation facility within the State of Florida.

Be it Enacted by the Florida Legislature

This Act takes effect upon becoming law.

Exhibit "D"
Resolution 21-2019
2018 Vine Street Overlay and Multimodal Transportation District MMTD
Annual Performance Monitoring Report
Item 7.E.

Exhibit "E"
Resolution # 22-2019
West Oak Street Intersection Improvements at John Young Parkway
Item 7.Q.