



**MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION  
HELD TUESDAY, AUGUST 3, 2021, 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 Olga Gonzalez, Commissioners Olga Lucia Castano, Felix Ortiz, Carlos Alvarez III, Jim Fisher

**Staff Present:** City Manager Mike Steigerwald, City Attorney Olga Sanchez de Fuentes, Assistant City Manager Austin Blake, City Clerk Linda Hansell

**Members Absent:** Deputy City Manager Desiree Matthews

Mayor Gonzalez called the meeting to order at 5:59 PM.

**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 EMPLOYEE OF THE MONTH FOR AUGUST - SUGEIL PEREZ**

The request is that the City Commission join the City Manager in recognizing Sugeil Perez, Public Works and Engineering, as August's Employee of the Month.

City Manager Steigerwald introduced Sugeil "Sue" Perez as the August Employee of the Month. He reviewed Ms. Perez's attributes with the Fleet Maintenance Division in the Public Works and reminded the Commission that the Employee of the Month is selected by a committee of their peers and there is no greater honor.

**4. PUBLIC HEARINGS - FIRST AND SECOND READINGS**

**4.A PUBLIC HEARING - SECOND AND FINAL READING - FIRE PENSION PLAN  
AMENDMENT; AMENDING SECTION 30-145; 30-149; 30-156 AND 30-167 - PROPOSED  
ORDINANCE # 21-08**

**AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, AMENDING CHAPTER 30,  
PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION III, FIREFIGHTERS'  
RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE;**

**AMENDING SECTION 30-145, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 30-149, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 30-156, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 30-167, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE**

Request Commission approval of the Second and Final Reading for the Proposed Ordinance 21-08 of the Firefighters Retirement Plan.

City Attorney Sanchez de Fuentes read Ordinance # 3045 by title.

City Manager Steigerwald explained this request is to amend the Fire Pension Ordinance to meet the requirements of the IRS Code.

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

Commissioner Castano moved to adopt Ordinance #3045 (Exhibit "A"). Commissioner Fisher seconded the motion.

Upon roll call, the vote was as follows:

|                      |     |
|----------------------|-----|
| Commissioner Alvarez | AYE |
| Commissioner Fisher  | AYE |
| Commissioner Castano | AYE |
| Commissioner Ortiz   | AYE |
| Mayor Gonzalez       | AYE |

Motion carried 5 - 0.

**4.B PUBLIC HEARING - SECOND AND FINAL READING - POLICE OFFICERS PENSION PLAN AMENDMENT; AMENDING SECTION 20-203; 30-207 AND 30-213 - PROPOSED ORDINANCE # 21-09**

**AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION 4, POLICE OFFICERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-203, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 30-207, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 30-213, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE**



Request Commission approval of the Second and Final Reading for the Proposed Ordinance 21-09 of the Police Retirement Plan.

City Attorney Sanchez de Fuentes read Ordinance #3046 by title.

City Manager Steigerwald explained this request is to amend the Police Pension Ordinance to meet the requirements of the IRS Code.

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

Commissioner Fisher moved to adopt Ordinance # 3046 (Exhibit "B"). Commissioner Castano seconded the motion.

Upon roll call, the vote was as follows:

|                      |     |
|----------------------|-----|
| Commissioner Fisher  | AYE |
| Commissioner Castano | AYE |
| Commissioner Ortiz   | AYE |
| Commissioner Alvarez | AYE |
| Mayor Gonzalez       | AYE |

Motion carried 5 - 0.

## **5. PUBLIC HEARINGS**

None.

## **6. HEAR AUDIENCE**

None.

## **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 Fisher made a motion to approve the Consent Agenda in its entirety. Commissioner Castano seconded the motion.

Motion carried 5 - 0.

#### **7.A COMMISSION MINUTES APPROVAL**

Request Commission approval of the July 6, 2021, Commission Minutes.

#### **7.B CONTRACT WITH M&M ASPHALT MAINTENANCE, INC FOR CENTRAL SERVICES BUS (LYNX) PARKING LOT & ROSE HILL CEMETERY ROADWAY RESURFACING**

Approval of piggyback contract (City of Fort Lauderdale construction agreement, ITB No.12336-103) with M&M Asphalt Maintenance dba All County Pavement Management Solutions, Inc. for the resurfacing of the Central Services Bus (LNYX) Parking Lot and the Rose Hill Cemetery roadway.

#### **7.C HELPING EMERGENCY RESPONDERS OBTAIN SUPPORT (HEROS) PROGRAM AT THE FLORIDA DEPARTMENT OF HEALTH (DOH) FOR FY2021**

Approval to allow the Kissimmee Police Department to apply for and receive funds from the Helping Emergency Responders Obtain Support (HEROS) Program at the Florida Department of Health (DOH).

#### **7.D CHANGE ORDER NO. 1 WITH GOMEZ CONSTRUCTION AND AMENDMENT NO. 1 TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT FOR SECURITY IMPROVEMENTS AT KISSIMMEE GATEWAY AIRPORT**

Approval of Change Order No. 1 with Gomez Construction and an Amendment to the Public Transportation Grant Agreement with Florida Department of Transportation (FDOT) for Airport Security Improvements Project in the amount \$14,273.00, using Florida FDOT grant funding and budgeted Airport funds.

#### **7.E IGLESIA CRISTIANA EL CABALLERO DE LA CRUZ - FINAL PLAT (DRC#21-00016)**

Approval of the final plat known as Iglesia Cristiana El Caballero De La Cruz.

#### **7.F ACCEPTANCE OF DONATION FROM MRS. SAUNDRA SORRELL FOR CRIMINAL JUSTICE ACADEMY TRAINING**



Approval to accept donation in the amount of \$3,000 from Mrs. Sandra Sorrell for Criminal Justice Academy Training.

**7.G AUTHORIZATION TO DONATE ONE GUN SAFE TO THE SCHOOL BOARD OF OSCEOLA COUNTY**

Approval to donate one gun safe to The School Board of Osceola County, Florida.

**7.H REQUEST APPROVAL OF PURCHASE AGREEMENT BETWEEN THE CITY OF KISSIMMEE AND AXON ENTERPRISE, INC. FOR MULTIPLE PUBLIC SAFETY PLATFORMS**

Approval to enter into an agreement with Axon Enterprise, Inc. for a five (5) year payment term for multiple public safety platforms.

**7.I AIRPORT SPACE/USE PERMIT RENEWAL FOR TERRY'S ELECTRIC**

Approval to renew a Space/Use Permit (SUP) on Airport property for Terry's Electric, Inc.

**7.J REORGANIZATION OF THE PUBLIC WORKS & ENGINEERING FACILITIES MANAGEMENT DIVISION GENERAL TRADESWORKER POSITIONS**

Approval to reclass the Facilities Management Division's General Tradesworker positions and adjust the position salaries accordingly.

**7.K RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT WITH THE POLICE BENEVOLENT ASSOCIATION REPRESENTING THE SERGEANTS UNIT**

Commission approval of the ratification of the collective bargaining agreement ("CBA") with the Florida Police Benevolent Association, Inc. ("PBA") representing the Sergeants bargaining unit.

**7.L CHANGE ORDERS NO. 3 AND NO. 4 TO AMEND THE CONTRACT WITH ATLANTIC CIVIL CONSTRUCTION CORPORATION FOR THE SHINGLE CREEK REGIONAL TRAIL SYSTEM (SCRT) – WESTON RESERVE TRAIL PHASE 2B NORTH SEGMENT PROJECT CLOSEOUT**

Approval of Change Order No. 3 to increase the contract time and Change Order No. 4 to decrease the contract in the amount of \$143,177.68 for costs associated with material not used due to reduction in the scope of work.

**7.M INTERLOCAL AGREEMENT BETWEEN SCHOOL DISTRICT OF OSCEOLA COUNTY AND THE CITY OF KISSIMMEE REGARDING RESOURCE OFFICERS**

Approval of an Interlocal Agreement for School Resource Officers relating to School Resource Officers at each public school.

**7.N CHANGE ORDER NO. 2 TO AMEND THE CONTRACT WITH CENTRAL CONCRETE PRODUCTS FOR THE EMORY CANAL TRAIL NORTH PROJECT CLOSEOUT**

Approval of Change Order No. 2 to decrease the contract amount for the Emory Canal Trail North project by \$20,913.50 for costs associated with material not used.

**7.O TASK WORK ORDER NO. 1 TO KIMLEY-HORN AND ASSOCIATES (KHA) FOR PROFESSIONAL SERVICES FOR THE BERMUDA ESTATES DRAINAGE IMPROVEMENT PROJECT**

Approval of Task Work Order No. 1 to KHA for the Bermuda Estates Drainage Improvement Project in the amount of \$90,536.81.

**7.P AGREEMENT BETWEEN FLORIDA DEPARTMENT OF LAW ENFORCEMENT AND THE CITY OF KISSIMMEE REGARDING FINANCIAL ASSISTANCE**

Approve an agreement between the Florida Department of Law Enforcement and The City of Kissimmee regarding reimbursement for one (1) detective assigned to the Electronic Surveillance Support team and Cyber High Tech Task Force (ESST/CHT).

**7.Q AUTHORIZATION TO ACCEPT 2020-2021 VICTIMS OF CRIME ACT (VOCA) AMENDED GRANT FUNDING**

Approval to accept the amended U.S. Department of Justice (DOJ) 2020-21 Victims of Crime Act (VOCA) Grant from the State of Florida, Office of the Attorney General, Bureau of Advocacy and Grants Management, in the amount of \$85,253.

**7.R AUTHORIZATION TO ENTER INTO CONTRACT WITH KISSIMMEE CHARTER ACADEMY**

Approval to enter into a contract with the Kissimmee Charter Academy to provide a school resource officer for the 2021-22 academic year.



**7.S TASK WORK ORDER NO. 1 TO METRO CONSULTING GROUP, LLC. FOR PROFESSIONAL SERVICES FOR THE LYNDELL DRAINAGE IMPROVEMENT PROJECT**

Approval of Task Work Order No. 1 to Metro Consulting Group, LLC for the Lyndell Street Drainage Improvement project in the amount of \$133,500.

**7.T CHANGE ORDER NO. 2 TO AMEND THE CONTRACT WITH SOUTHERN DEVELOPMENT AND CONSTRUCTION, INC. FOR THE CHURCH STREET IMPROVEMENT PROJECT**

Approval for Change Order No. 2 to increase the contract amount by \$54,546.00 for costs associated with Americans with Disabilities Act (ADA) improvements not included in the original scope of work for the Church Street Improvement project.

**8. DISCUSSION ITEMS**

None.

**9. HEAR CITY OFFICIALS**

**9.A CITY MANAGER**

CITY MANAGER STEIGERWALD

City Manager Steigerwald updated the Commission on the City's current COVID measures for staffing and advised we have returned to Phase II standards. This includes wearing masks in public spaces, encouraging digital meetings, and discouraging face to face contact unless necessary or function is outdoors and socially distanced. At this time the Governor has not authorized remote meetings and we will continue to meet in person. COVID sick leave has been reimplemented due to high exposures and positive cases amongst City employees. Due to this current surge, the first floor Building Department is currently closed to the public and we are experiencing a staff shortage in the Fire Department as well which is requiring paid overtime.

**9.B CITY ATTORNEY**

CITY ATTORNEY SANCHEZ DE FUENTES

Nothing.

## **9.C CITY COMMISSION**

### COMMISSIONER CASTANO

Commissioner Castano stated she is grateful that she feels better after contracting COVID although she was vaccinated, it made her recovery process easier.

### COMMISSIONER ORTIZ

Commissioner Ortiz expressed his concerns with homelessness issue Downtown and how it is affecting local businesses. He commented on the aggressive nature of some of the homeless and their unsavory activities happening behind the businesses. Commissioner Ortiz felt this is creating an unsafe environment for children and families. He expressed his deep concern that the non-profits are not working to educate the homeless and provide services when the City is funding them. He suggested the non-profits be relocated out of Downtown since they are coming for services which is attracting them here.

### COMMISSIONER ALVAREZ

Nothing.

### COMMISSIONER FISHER

Commissioner Fisher advised everyone to please get their vaccines.

### MAYOR GONZALEZ

Mayor Gonzalez reassured everyone that she knows it seems to be a slow process, but things will get better.

City Manager Steigerwald summarized that from a timing standpoint this is the best time to bring awareness to the situation. We are close to releasing the RFP for approval at the next Commission Meeting and notices have already been sent to all non-profits. This is the time the Commission can enforce the funding to the agencies who have the best plan and the ability to implement the goals of the Commission to reduce the number of homeless.



## 10. ADJOURNMENT

There being no further business to come before the Commission, Mayor Gonzalez adjourned the meeting at 6:17 PM.

  
MAYOR-COMMISSIONER

ATTEST:

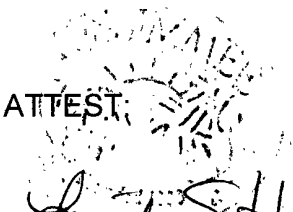
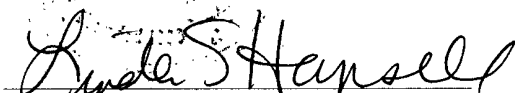
  
  
CITY CLERK

Exhibit "A"  
Ordinance # 3045  
Approval Amending the Fire Pension Plan to Meet IRS Code Requirements  
Item 4.A.



**PROPOSED ORDINANCE NO. 21-08**  
**ORDINANCE NO. 3045**

**AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA,  
AMENDING CHAPTER 30, PERSONNEL, ARTICLE III,  
EMPLOYEE RETIREMENT, DIVISION III, FIREFIGHTERS'  
RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF  
THE CITY OF KISSIMMEE; AMENDING SECTION 30-145,  
BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING  
SECTION 30-149, OPTIONAL FORMS OF BENEFITS;  
AMENDING SECTION 30-156, MINIMUM DISTRIBUTION  
OF BENEFITS; AMENDING SECTION 30-167, DEFERRED  
RETIREMENT OPTION PLAN; PROVIDING FOR  
CODIFICATION; PROVIDING FOR SEVERABILITY OF  
PROVISIONS; REPEALING ALL ORDINANCES IN  
CONFLICT HERewith AND PROVIDING AN EFFECTIVE  
DATE.**

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE,  
FLORIDA;

**SECTION 1:** That Chapter 30, Personnel, Article III, Employee Retirement, Division 3, Firefighters' Retirement Plan, of the Code of Ordinances of the City of Kissimmee, is hereby amended by amending Section 30-145, Benefit Amounts and Eligibility, subsection (h), *Required distribution date*, to read as follows:

\* \* \* \* \*

(h) *Required distribution date.* The member's benefit under this section must begin to be distributed to the member no later than ~~April 1 of the calendar year following the later of the calendar year in which the member attains age 70.5 or the calendar year in which the member terminates employment with the city~~ the member's required beginning date, as provided under Sec. 30-156.

\* \* \* \* \*

**SECTION 2:** That Chapter 30, Personnel, Article III, Employee Retirement, Division 3, Firefighters' Retirement Plan, of the Code of Ordinances of the City of Kissimmee, is hereby amended by amending Section 30-149, Optional Forms of Benefits, subsection (e)(5), to read as follows:

\* \* \* \* \*

(e) (5) The Member's benefit under this section must begin to be distributed to the member no later than ~~April 1 of the calendar year following the later of the calendar year in which the member attains age 70.5 or the calendar year in which the member terminates employment with the city~~ the member's required beginning date, as provided under Sec. 30-156.

\* \* \* \* \*

**SECTION 3:** That Chapter 30, Personnel, Article III, Employee Retirement, Division 3, Firefighters' Retirement Plan, of the Code of Ordinances of the City of Kissimmee, is hereby amended by amending Section 30-156, Minimum Distribution of Benefits, subsections (b)(1) and (b)(2)a., to read as follows:

\* \* \* \* \*

- (b) (1) *Required Beginning Date.* The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date ~~which shall not be later than April 1 of the calendar year following the later of the calendar year in which the member attains age 70.5 or the calendar year in which the member terminates employment with the city.~~ For a member who attains age 70.5 prior to January 1, 2020, the member's required beginning date is April 1 of the calendar year following the later of (i) the calendar year in which the member attains age 70.5 or (ii) the calendar year in which the member terminates employment with the City. For a member who attains age 70.5 on or after January 1, 2020, the member's required beginning date is April 1 of the calendar year following the later of (i) the calendar year in which the member attains age seventy-two (72) or (ii) the calendar year in which the member terminates employment with the City.

\* \* \* \* \*

- (b) (2) a. If the member's surviving spouse is the member's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Member died, or by a date on or before December 31 of the calendar year in which the member would have attained age 70.5, (or age 72 for a member who would have attained age 70.5 after December 31, 2019) if later, as the surviving spouse elects.

\* \* \* \* \*

**SECTION 4:** That Chapter 30, Personnel, Article III, Employee Retirement, Division 3, Firefighters' Retirement Plan, of the Code of Ordinances of the City of Kissimmee, is hereby amended by amending Section 30-167, Deferred Retirement Option Plan, subsection (d)(4), to read as follows:

\* \* \* \* \*

- (d) (4) *Age 70.5 required distribution.* In no event shall the provisions of this subsection (d) operate so as to allow the distribution of a member's DROP account to be later than ~~the April 1 following the later of the calendar year in which he terminates employment as a firefighter or attains age 70.5~~ the member's required beginning date, as provided under Sec. 30-156. In the event a member is required to receive payment while in service under the provisions of this subsection, the member shall receive one lump sum payment on or before his required beginning date equal to the member's entire DROP account balance and annual lump sum payments thereafter of amounts credited to the DROP account during each calendar year. Upon the member's subsequent termination of employment, payment of the DROP account shall be made in accordance with the provisions of subsection (d)(2) of this section.

\* \* \* \* \*

**SECTION 5:** Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Kissimmee.

**SECTION 6:** If any section, subsection, sentence, clause or phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

**SECTION 7:** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 8:** That this Ordinance shall become effective upon its adoption.

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

**AYES:**

|                      |     |
|----------------------|-----|
| Commissioner Alvarez | AYE |
| Commissioner Fisher  | AYE |
| Commissioner Castano | AYE |
| Commissioner Ortiz   | AYE |
| Mayor Gonzalez       | AYE |

**NAYS:**

Said motion having been duly carried, thereupon, Mayor-Commissioner declared said Ordinance duly passed and adopted the 3rd day of August, 2021.



**ATTEST:**

Linda S. Hansell  
City Clerk

Olga Gonzalez  
Mayor-Olga Gonzalez





July 7, 2021

VIA EMAIL

Board of Trustees  
City of Kissimmee  
101 North Church Street  
Kissimmee, FL 34741-5013

Re: City of Kissimmee  
Municipal Firefighters' Retirement Plan

Dear Board:

In response to Scott Christiansen's letter dated May 28, 2021, we have reviewed the proposed Ordinance (identified on page 3 as "dm/kiss/fire/05-28-21.ord") changing the Required Beginning Date from age 70 ½ to age 72.

We have determined that the adoption of the proposed changes will have no impact on the assumptions used in determining the funding requirements of the program. Because the changes do not result in a change in the valuation results, it is our opinion that a formal Actuarial Impact Statement is not required in support of its adoption. However, since the Division of Retirement must be aware of the current provisions of all public pension programs, it is recommended that you send a copy of this letter and a copy of the fully executed Ordinance to each of the following offices:

Mr. Keith Brinkman  
Bureau of Local Retirement Systems  
Division of Retirement  
P. O. Box 9000  
Tallahassee, FL 32315-9000

Mr. Steve Bardin  
Municipal Police and Fire  
Pension Trust Funds  
Division of Retirement  
P.O. Box 3010  
Tallahassee, FL 32315-3010

If you have any questions, please let me know.

Sincerely,

Douglas H. Lozen, EA, MAAA

cc: Scott R. Christiansen, Board Attorney

PROOF OF PUBLICATION  
From

# OSCEOLA NEWS-GAZETTE

STATE OF FLORIDA  
COUNTY OF OSCEOLA

Before me, the undersigned authority,  
personally appeared Pamela Bikowicz,  
who on oath says that she is the  
Business Manager of the Osceola News-Gazette,  
a twice-weekly newspaper published  
at Kissimmee, in Osceola County, Florida;  
that the attached copy of the advertisement  
was published in the regular and entire  
edition of said newspaper in  
the following issues:

July 15, 2021.

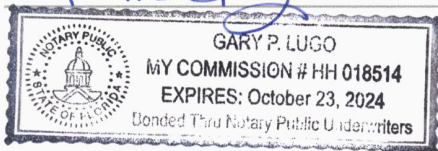
Affiant further says that the  
Osceola News-Gazette is a newspaper  
published in Kissimmee, in said  
Osceola County, Florida, and that the said  
newspaper has heretofore been  
continuously published in said  
Osceola County, Florida, each week  
and has been entered as periodicals  
postage matter at the post office  
in Kissimmee, in said Osceola County, Florida,  
for a period of one year preceding  
the first publication of the attached copy of  
advertisement; and affiant further says that  
he has neither paid nor promised  
any person, firm or corporation any discount,  
rebate, commission or refund for the  
purpose of securing this advertisement for  
publication in the said newspaper.

Sworn and subscribed before

me by Pamela Bikowicz, who is

personally known to me, this

July 15, 2021



In THE MATTER OF:  
NOTICE OF PUBLIC HEARING AND  
SECOND READING  
ORDINANCE 21-08

NOTICE OF PUBLIC HEARING  
AND SECOND READING

The City Commission of the City of Kissimmee, Florida will meet on **Tuesday, July 20, 2021, at 6:00 p.m.** in the City Commission Chambers, Municipal Administration Building, 101 Church Street, Kissimmee, Florida, to hear the **FIRST READING** and will meet on **Tuesday, August 3, 2021, at 6:00 p.m.** to hear the **SECOND AND FINAL READING** and consider the passage of the proposed ordinance as set forth below. The proposed Ordinance may be inspected in the Office of the City Clerk at the Municipal Administration Building, 101 Church Street, Kissimmee, Florida. All interested parties may appear and be heard on the above dates.

## PROPOSED ORDINANCE #21-08

**AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION III, FIREFIGHTERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-145, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 30-149, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 30-156, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 30-167, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE**

CITY COMMISSION  
KISSIMMEE, FLORIDA

IN ACCORDANCE WITH FLORIDA STATUTE 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 A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES MAY NEED TO ENSURE THAT A 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 PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK 407-518-2308 AT 101 CHURCH STREET, KISSIMMEE, FL 34741, PRIOR TO THE MEETING (FS 286.26).  
July 15, 2021



Make remittance to: Osceola News-Gazette  
22 W. Monument Ave., Suite 5  
Kissimmee, FL 34741  
Phone: (407) 846-7600 Fax: (321) 402-2946  
Email: [legalads@osceolanewsgazette.com](mailto:legalads@osceolanewsgazette.com)  
You can also view your Legal Advertising on  
[www.AroundOsceola.com](http://www.AroundOsceola.com) or  
[www.FloridaPublicNotices.com](http://www.FloridaPublicNotices.com)  
Ad#34454

Exhibit "B"  
Ordinance # 3046  
Approval Amending the Police Officer Pension Plan to Meet IRS Code Requirements  
Item 4.B.

**PROPOSED ORDINANCE NO. 21-09**  
**ORDINANCE NO. 3046**

**AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION 4, POLICE OFFICERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-203, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 30-207, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 30-213, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA;

**SECTION 1:** That Chapter 30, Personnel, Article III, Employee Retirement, Division 4, Police Officers' Retirement Plan, of the Code of Ordinances of the City of Kissimmee, is hereby amended by amending Section 30-203, Benefit Amounts and Eligibility, subsection (h), *Required distribution date*, to read as follows:

\* \* \* \* \*

(h) *Required distribution date.* The member's benefit under this section must begin to be distributed to the member no later than ~~April 1 of the calendar year following the later of the calendar year in which the member attains age 70.5 or the calendar year in which the member terminates employment with the city~~ the member's required beginning date, as provided under Sec. 30-213.

\* \* \* \* \*

**SECTION 2:** That Chapter 30, Personnel, Article III, Employee Retirement, Division 4, Police Officers' Retirement Plan, of the Code of Ordinances of the City of Kissimmee, is hereby amended by amending Section 30-207, Optional Forms of Benefits, subsection (e)(5), to read as follows:

\* \* \* \* \*

- (e) (5) The Member's benefit under this section must begin to be distributed to the member no later than ~~April 1 of the calendar year following the later of the calendar year in which the member attains age 70.5 or the calendar year in which the member terminates employment with the city~~ the member's required beginning date, as provided under Sec. 30-213.

\* \* \* \* \*



**SECTION 3:** That Chapter 30, Personnel, Article III, Employee Retirement, Division 4, Police Officers' Retirement Plan, of the Code of Ordinances of the City of Kissimmee, is hereby amended by amending Section 30-213, Minimum Distribution of Benefits, subsections (b)(1) and (b)(2)a., to read as follows:

\* \* \* \* \*

- (b) (1) *Required Beginning Date.* The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date ~~which shall not be later than April 1 of the calendar year following the later of the calendar year in which the member attains age 70.5 or the calendar year in which the member terminates employment with the city.~~ For a member who attains age 70.5 prior to January 1, 2020, the member's required beginning date is April 1 of the calendar year following the later of (i) the calendar year in which the member attains age 70.5 or (ii) the calendar year in which the member terminates employment with the City. For a member who attains age 70.5 on or after January 1, 2020, the member's required beginning date is April 1 of the calendar year following the later of (i) the calendar year in which the member attains age seventy-two (72) or (ii) the calendar year in which the member terminates employment with the City.

\* \* \* \* \*

- (b) (2) a. If the member's surviving spouse is the member's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Member died, or by a date on or before December 31 of the calendar year in which the member would have attained age 70.5, (or age 72 for a member who would have attained age 70.5 after December 31, 2019) if later, as the surviving spouse elects.

\* \* \* \* \*

**SECTION 4:** Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Kissimmee.

**SECTION 5:** If any section, subsection, sentence, clause or phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

**SECTION 6:** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 7:** That this Ordinance shall become effective upon its adoption.

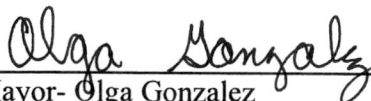
Commissioner Fisher moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Commissioner Castano and upon roll call on the motion of the vote was as follows:

AYES:

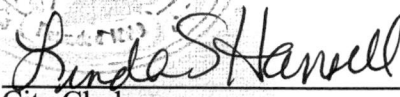
|                      |     |
|----------------------|-----|
| Commissioner Fisher  | AYE |
| Commissioner Castano | AYE |
| Commissioner Ortiz   | AYE |
| Commissioner Alvarez | AYE |
| Mayor Gonzalez       | AYE |

NAYS:

Said motion having been duly carried, thereupon, Mayor-Commissioner declared said Ordinance duly passed and adopted the 3rd day of August, 2021.

  
Mayor- Olga Gonzalez

  
ATTEST:

  
City Clerk

June 23, 2021

VIA EMAIL

Board of Trustees  
City of Kissimmee  
101 North Church Street  
Kissimmee, FL 34741-5013

Re: City of Kissimmee  
Municipal Police Officers' Retirement Plan

Dear Board:

In response to Scott Christiansen's letter dated May 28, 2021, we have reviewed the proposed Ordinance (identified on page 3 as "dm/kiss/pol/05-28-21.ord") changing the Required Beginning Date from age 70 ½ to age 72.

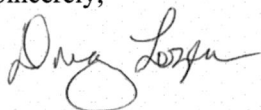
We have determined that the adoption of the proposed changes will have no impact on the assumptions used in determining the funding requirements of the program. Because the changes do not result in a change in the valuation results, it is our opinion that a formal Actuarial Impact Statement is not required in support of its adoption. However, since the Division of Retirement must be aware of the current provisions of all public pension programs, it is recommended that you send a copy of this letter and a copy of the fully executed Ordinance to each of the following offices:

Mr. Keith Brinkman  
Bureau of Local Retirement Systems  
Division of Retirement  
P. O. Box 9000  
Tallahassee, FL 32315-9000

Mr. Steve Bardin  
Municipal Police and Fire  
Pension Trust Funds  
Division of Retirement  
P.O. Box 3010  
Tallahassee, FL 32315-3010

If you have any questions, please let me know.

Sincerely,



Douglas H. Lozen, EA, MAAA

cc: Scott R. Christiansen, Board Attorney

PROOF OF PUBLICATION  
From

# OSCEOLA NEWS-GAZETTE

STATE OF FLORIDA  
COUNTY OF OSCEOLA

Before me, the undersigned authority, personally appeared Pamela Bikowicz, who on oath says that she is the Business Manager of the Osceola News-Gazette, a twice-weekly newspaper published at Kissimmee, in Osceola County, Florida; that the attached copy of the advertisement was published in the regular and entire edition of said newspaper in the following issues:

July 15, 2021,

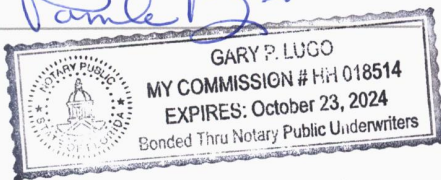
Affiant further says that the Osceola News-Gazette is a newspaper published in Kissimmee, in said Osceola County, Florida, and that the said newspaper has heretofore been continuously published in said Osceola County, Florida, each week and has been entered as periodicals postage matter at the post office in Kissimmee, in said Osceola County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn and subscribed before

me by Pamela Bikowicz, who is

personally known to me, this

July 15, 2021



*Gary P. Lugo*

In THE MATTER OF:  
NOTICE OF PUBLIC HEARING AND  
SECOND READING  
ORDINANCE 21-09

NOTICE OF PUBLIC HEARING  
AND SECOND READING

The City Commission of the City of Kissimmee, Florida will meet on **Tuesday, July 20, 2021, at 6:00 p.m.** in the City Commission Chambers, Municipal Administration Building, 101 Church Street, Kissimmee, Florida, to hear the **FIRST READING** and will meet on **Tuesday, August 3, 2021, at 6:00 p.m.** to hear the **SECOND AND FINAL READING** and consider the passage of the proposed ordinance as set forth below. The proposed Ordinance may be inspected in the Office of the City Clerk at the Municipal Administration Building, 101 Church Street, Kissimmee, Florida. All interested parties may appear and be heard on the above dates.

## PROPOSED ORDINANCE # 21-09

**AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION 4, POLICE OFFICERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-203, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 30-207, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 30-213, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE**

CITY COMMISSION  
KISSIMMEE, FLORIDA

IN ACCORDANCE WITH FLORIDA STATUTE 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 A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES MAY NEED TO ENSURE THAT A 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 PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK 407-518-2308 AT 101 CHURCH STREET, KISSIMMEE, FL 34741, PRIOR TO THE MEETING (FS 286.26).  
July 15, 2021



Make remittance to: Osceola News-Gazette  
22 W. Monument Ave., Suite 5  
Kissimmee, FL 34741  
Phone: (407) 846-7600 Fax: (321) 402-2946  
Email: [legalads@osceolanewsgazette.com](mailto:legalads@osceolanewsgazette.com)  
You can also view your Legal Advertising on  
[www.AroundOsceola.com](http://www.AroundOsceola.com) or  
[www.FloridaPublicNotices.com](http://www.FloridaPublicNotices.com)  
Ad#34455