COMMISSION AGENDA
SESSION OF THE CITY COMMISSION TO BE HELD AT THE
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, NOVEMBER 16, 2021
6:00 PM

1. MEETING CALLED TO ORDER

“As a courtesy to others, please silence all electronic devices during the meeting.”

“Citizens desiring to speak under Hear Audience shall submit a request form for the City Clerk prior to the meeting. Forms are available at the door or from the City Clerk.”

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

3.A SWEARING IN FOR NEW POLICE OFFICERS (PRE-RECORDED)

Swearing in and administering of oath for new hires not previously sworn in during the COVID-19 Pandemic.

3.B CHIEF'S SPECIAL AWARD RECOGNIZING THE COMMUNITY RECOMMENDATION PANEL

Chief Jeffrey O’Dell will present the Chief’s Special Award for the Community Recommendation Panel.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A PUBLIC HEARING - FIRST READING - POLICE OFFICERS' RETIREMENT PLAN AMENDMENT: AMENDING SECTION 30-225 DROP PARTICIPATION PERIOD

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 30-225, DEFERRED RETIREMENT OPTION PLAN (DROP); PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Approval of the first reading of the proposed ordinance for the Police Retirement Plan.

5. PUBLIC HEARINGS

5.A PUBLIC HEARING - ADOPTION OF RESOLUTION TO AMEND THE CITY'S FY 2020-2021 OPERATING BUDGET

Approval to adopt a resolution amending the City's operating budget for 2020-2021.

6. HEAR AUDIENCE

"ANYTHING REQUIRING A VOTE WILL BE HEARD AT A LATER TIME"

7. CONSENT AGENDA

THE CONSENT AGENDA IS A TECHNIQUE DESIGNED TO EXPEDITE HANDLING OF ROUTINE MISCELLANEOUS BUSINESS OF THE CITY COMMISSION. THE CITY COMMISSION IN ONE MOTION MAY ADOPT THE ENTIRE AGENDA. THE MOTION FOR ADOPTION IS NON-DEBATABLE AND MUST RECEIVE UNANIMOUS APPROVAL. BY REQUEST OF ANY INDIVIDUAL MEMBER, ANY ITEM MAY BE REMOVED FROM THE CONSENT AGENDA AND PLACED UPON THE REGULAR AGENDA FOR DEBATE.

7.A COMMISSION MINUTES APPROVAL

Request Commission Approval of the November 2, 2021, Commission Minutes.

7.B CHANGE ORDER NO. 3, TO ADJUST THE CONTRACT PRICE WITH SOUTHERN DEVELOPMENT AND CONSTRUCTION, INC. FOR THE CHURCH STREET IMPROVEMENT PROJECT CLOSEOUT

Approval of deductive Change Order No. 3 for the Church Street Improvement project to decrease the contract total, in the amount of $9,832.79, due to scope reduction for project closeout.

7.C AUTHORIZATION TO ACCEPT FY2021 BULLETPROOF VEST PARTNERSHIP GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE PROGRAMS

The Police Department requests the Commission's acceptance of the Fiscal Year 2021 Bulletproof Vest Partnership Grant from the United States Department of Justice Office of Justice Programs.

7.D BUDGET AMENDMENT TO RECLASSIFY DEVELOPMENT SERVICES PLANNING POSITION

Approval of an amendment to the Development Services Department budget to reclassify a Planner II position to a Senior Planner position.

7.E WORK ORDER NO. 1, ADDENDUM TO THE CONTRACT PRICE AND SCOPE OF WORK WITH METRO CONSULTING GROUP, LLC FOR THE LYNDELL DRAINAGE IMPROVEMENT PROJECT NO. 2.

Approval to increase Work Order No.1 with Metro Consulting Group, LLC for the Lyndell Drainage Improvement Project No.2 in the amount of $83,000.

7.F ADVERTISING FUNDING FROM EXPERIENCE KISSIMMEE FOR KISSIMMEE GATEWAY AIRPORT

Request Commission approval to accept advertising funding in the amount of $20,000.00 from Experience Kissimmee for Kissimmee Gateway Airport

7.G MINISTERIAL APPROVAL - FIRE PENSION BOARD - DAN GARAGUSO JR

Request City Commission approval of the ministerial re-appointment of Dan Garaguso Jr. as the fifth member of the Fire Pension Board.

7.H CHANGE ORDER NO. 2 WITH GOMEZ CONSTRUCTION AND AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT FOR SECURITY IMPROVEMENTS AT KISSIMMEE GATEWAY AIRPORT

Approval of Change Order No. 2 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 $27,167.00.

7.I APPROVAL TO PURCHASE CHEMICALS USING THE LAKE COUNTY AGRICULTURAL CHEMICALS CONTRACT (NO. 21-0705A) WITH HELENA AGRI ENTERPRISES, LLC

Authorization to execute the agreement between Helena Agri Enterprises, LLC and the City of Kissimmee to allow piggyback purchasing from the Lake County Contract No. 21-0705A.

7.J FIRST AMENDMENT TO THE CONCESSION AGREEMENT BETWEEN LALA & LOLO, LLC AND THE CITY OF KISSIMMEE FOR CONCESSION SERVICES AT RUBY PLAZA CAFE

Approval of the First Amendment to the Concession Agreement between Lala & Lolo, LLC and the City of Kissimmee for concession services at Ruby Plaza Cafe and the City of Kissimmee

7.K CONTRACT RENEWAL FOR INTERNET SERVICE PROVIDER - SUMMIT BROADBAND

Approval to renew a three-year contract with Summit Broadband to provide dedicated Internet Access in an amount not to exceed $59,400. This item is budgeted and will be funded in the Central Services Fund.

7.L FIRST AMENDMENT TO THE CONCESSION AGREEMENT BETWEEN KISSIMMEE MARINA BY LAKE TOHO, LLC AND THE CITY OF KISSIMMEE FOR BAIT, TACKLE, AND CONCESSION SERVICES AT BIG TOHO MARINA

Approval of the First Amendment to the Concession Agreement between Kissimmee Marina by Lake Toho, LLC and the City of Kissimmee

7.M CITY OF KISSIMMEE AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN AND RESOLUTION

Approval of the Americans with Disabilities Act (ADA) Transition Plan and Resolution update.

7.N FEDERAL AVIATION ADMINISTRATION AIRPORT RESCUE GRANT PROGRAM

Approval to accept a Federal Aviation Administration (FAA) Airport Rescue Plan Act (ARPA) Airport Grant Agreement of $148,000.00 for COVID-19 Public Health Emergency for the Kissimmee Gateway Airport.

7.O APPROVAL TO ADJUST THE FISCAL YEAR 2020-2021 BUDGET

Approval to adjust the budget for fiscal year 2020-2021 due to line-item variances in certain department budgets.

8. DISCUSSION ITEMS

8.A AMENDED LEGISLATIVE PRIORITIES 2022

Approval to add Commercial Solid Waste Expansion to the previously approved Legislative Priorities list.

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

9.B CITY ATTORNEY

9.C CITY COMMISSION

10. ADJOURNMENT

IN ACCORDANCE WITH FLORIDA STATUTES 286.105: 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, 101 CHURCH STREET, KISSIMMEE, FL 34741, (407) 518-2309.

ITEM 3.A
SWEARING IN FOR NEW POLICE OFFICERS (PRE-RECORDED)

Request

Swearing in and administering of oath for new hires not previously sworn in during the COVID-19 Pandemic.

Explanation

New Police Officers have been hired as employees by the City of Kissimmee Police Department. Having the Officers sworn in at City Commission meetings serves as a formal introduction to the Mayor, City Commissioners, the citizens, and the community. The procedure of swearing in new Officers instills formality and professionalism at the start of their careers with the City of Kissimmee. Due to the COVID-19 Pandemic, there has been an inability to conduct this ceremony in the presence of the Commission. With the permission of the City Manager's office, the Police Department recorded a swearing-in ceremony at the Civic Center that we request to play during the next Commission meeting.

The new Officers sworn in:

Glorihec Dominicci
Andres Reyes Aponte
Anthony Shaffer
Raul Vazquez
Briana Wilborn
Jujuan Willis

Department: Police
Presenter: Jeffrey Odell

Attachment(s):
None

ITEM 3.B
CHIEF'S SPECIAL AWARD RECOGNIZING THE COMMUNITY RECOMMENDATION PANEL

Request

Chief Jeffrey O’Dell will present the Chief’s Special Award for the Community Recommendation Panel.

Explanation

The Kissimmee Police Department and the City Attorney's Office developed a new City Policy and City Ordinance establishing a Citizens Police Review Board. Both were approved and adopted by the City Commission on June 1, 2021. To ensure there was no agency influence on the selection of the Citizens Review Board Members, Chief O’Dell enlisted the services of a Community Review Panel dedicated to making the Board Member recommendations to City Commission for approval. The City would like to express our gratitude for their continued support of the Kissimmee Police Department and for their invaluable service in selecting the Board Members for our first Citizens Police Review Board

The Community Recommendation Panel members are:

Deloris McMillon
Kelly Trace
Asma Patel
Jackie Espinosa
Tahitiana Chaffin

Department: Police
Presenter: Jeffrey Odell

Attachment(s):
None

ITEM 4.A

PUBLIC HEARING - FIRST READING - POLICE OFFICERS' RETIREMENT PLAN AMENDMENT: AMENDING SECTION 30-225 DROP PARTICIPATION PERIOD

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 30-225, DEFERRED RETIREMENT OPTION PLAN (DROP); PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Request

Approval of the first reading of the proposed ordinance for the Police Retirement Plan.

Explanation

This proposed ordinance amends Section 30-225, Deferred Retirement Option Plan (DROP) regarding the period of participation. The proposed ordinance removes the participation restriction so that a member may participate up to 60 months in the DROP, regardless of when the member becomes eligible for normal retirement or the member's age. Currently, members who choose to participate in the DROP program must do so within five years of reaching normal retirement or by age 55.

The Police Pension Board of Trustees recommends adoption of this proposed ordinance, which has been drafted by the plan's attorney. The plan's actuary has studied this proposal and has determined that there is no budget impact or cost associated with the adoption of the proposed ordinance.

Recommendation

Staff recommends approval of the first reading of proposed ordinance 21-14 to amend the Drop participation period for the Police Retirement Plan.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Human Resources & Risk Management
Presenter: Mike Steigerwald

Attachment(s):

1. Police proposed Ordinance 21-14
2. No impact statement Police Drop participation proposed ord 21-14
3. MOU POLICE Proposed Ord 21-14 Change in Drop Entry Date for Sergeants
4. MOU POLICE Proposed Ord 21-14 Change in Drop Entry Date for Police Officers

ITEM 5.A
PUBLIC HEARING - ADOPTION OF RESOLUTION TO AMEND THE CITY'S FY 2020-2021 OPERATING BUDGET

Request

Approval to adopt a resolution amending the City's operating budget for 2020-2021.

Explanation

As detailed in the attached spreadsheet, the City received additional revenues from grants, donations, lines of credit, etc. that resulted in an overall increase of $5,818,413 in the City's operating budget for FY 2020-2021. According to Florida Statute Section 166.214(4)(c), all budget adjustments that result in a change in total budget appropriations must be approved in the same manner as the original, adopted budget. Therefore, staff has compiled a schedule of all adjustments that have resulted in a change in the overall total budget.

Public notice of this hearing was given via an advertisement placed in the newspaper on November 14, 2021. Once approved, staff will adjust the final budget for FY 2020-2021 to reflect the changes included in Exhibit 1.

Recommendation

Staff recommends the Public Hearing be held and that the Commission adopt the Resolution to amend the City's overall budget.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Adopt

Department: Finance
Presenter: Tavia Conner

Attachment(s):
1. Resolution for Final Budget Amendment FY 2021
2. Budget Adjustment Recap Year End FY21

ITEM 7.A
COMMISSION MINUTES APPROVAL

Request

Request Commission Approval of the November 2, 2021, Commission Minutes.

Explanation

Minutes of the Commission meeting held on November 2, 2021, are attached for approval.

Recommendation

Staff recommends Commission approval.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: City Manager
Presenter:

Attachment(s):
1. Commission Minutes - November 2 2021

ITEM 7.B
CHANGE ORDER NO. 3, TO ADJUST THE CONTRACT PRICE WITH SOUTHERN DEVELOPMENT AND CONSTRUCTION, INC. FOR THE CHURCH STREET IMPROVEMENT PROJECT CLOSEOUT

Request

Approval of deductive Change Order No. 3 for the Church Street Improvement project to decrease the contract total, in the amount of $9,832.79, due to scope reduction for project closeout.

Explanation

On January 5, 2021, the City Commission awarded the Church Street Improvement Project to Southern Development and Construction, Inc. for $698,777.00. Since that time, the project has been successfully completed.

Previous changes to the project adjusted the cost to $770,600.72. This Change Order No. 3 decreases the contract to address the scope reduction and change as well as reconciles all the materials used and will closeout this project.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10445206 506393	ST2021	Decrease	$9,832.79	

Financial Summary:

The amount of the change order will be liquidated from the Southern Development and Construction, Inc. purchase order for this project thus freeing up monies that were originally encumbered.

Recommendation

Staff recommends City Commission approval for Change Order No. 3 to decrease the contract amount by $ 9,832.79 which will closeout the Church Street Improvement Project

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

1. Church St Improvement Project Change Order No. 3 (Revised Scanned)
2. Overrun/Underrun Request for Funds (Revised Scanned)

ITEM 7.C
AUTHORIZATION TO ACCEPT FY2021 BULLETPROOF VEST PARTNERSHIP GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE PROGRAMS

Request

The Police Department requests the Commission's acceptance of the Fiscal Year 2021 Bulletproof Vest Partnership Grant from the United States Department of Justice Office of Justice Programs.

Explanation

The Police Department applied for funding from the FY2021 Bulletproof Vest Partnership Grant. On October 14, 2021, the City was notified that the Office of Justice Programs approved the application for funding and was awarded $12,390. These funds will be allocated for the partial funding of bulletproof vests as outlined in the grant application. The balance of the money needed for the remainder of the bulletproof vests will come from the department's General Fund.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00100331 331100 00130303 505257		Increase Increase	$12,390 $12,390	

Financial Summary:

If the grant funding listed above does not cover the full cost of the bulletproof vest replacements for FY2021, additional monies will be appropriated from the Police Department's uniform budget.

Recommendation

Staff recommends the acceptance of the FY2021 Bulletproof Vest Partnership Grant for $12,390, and approval to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Police
Presenter:

Attachment(s):
1. FY 2021 Bullet Proof Vest Grant Awards

2. Bulletproof Vest Partnership (BVP) – FY 2021 Award Announcement 10.14.21

ITEM 7.D
BUDGET AMENDMENT TO RECLASSIFY DEVELOPMENT SERVICES PLANNING POSITION

Request

Approval of an amendment to the Development Services Department budget to reclassify a Planner II position to a Senior Planner position.

Explanation

The Development Services Department has a budgeted Planner II position that has recently become vacant. With the amount and complexity of the projects coming into the Planning Division for review, a more experienced and senior-level professional would provide better assistance to the Division and the public. Reclassifying this position to the next higher level, Senior Planner, will also help with the supervision of other members of the Planning Division, freeing the Planning Manager to focus on higher level projects and initiatives.

Planner II is a grade 20 position with a starting salary of $51,173 and a mid-range salary of $65,133. A Senior Planner is a grade 23 position with a starting salary of $63,393 and a mid-range of $82,679. To fund the position, a budgetary increase of $21,000 is anticipated.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00125101 501212		Increase	$16,000	$814,495
00125101 502121		Increase	$2,500	$63,858
00125101 502222		Increase	$2,500	$146,278
00125103 503131		Decrease	$21,000	$198,840

<u>Financial Summary:</u>

A budget adjustment in the amount of $21,000 is needed to fund the position reclass. Funds are available in the professional services account for FY2022.

Recommendation

Staff recommends approval to reclassify a Planner II position to a Senior Planner position and amend the budget accordingly.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Development Services
Presenter:

Attachment(s):
None

ITEM 7.E
WORK ORDER NO. 1, ADDENDUM TO THE CONTRACT PRICE AND SCOPE OF WORK WITH METRO CONSULTING GROUP, LLC FOR THE LYNDELL DRAINAGE IMPROVEMENT PROJECT NO. 2.

Request

Approval to increase Work Order No.1 with Metro Consulting Group, LLC for the Lyndell Drainage Improvement Project No.2 in the amount of $83,000.

Explanation

On August 3, 2021, the City entered into an agreement with Metro Consulting Group, LLC to design two (2) Lyndell Drainage Improvement projects.

Project No. 1 is South Lyndell Street, which involves full drainage design, permitting and procurement to modify drainage from an open ditch to a closed system.

Project No. 2 is West Lyndell Street (Renee Terrace Subdivision) which entails a drainage study that will provide solutions to improve the drainage in the area and alleviate residential flooding.

The purpose of this Work Order is to accept the consultant's design recommendation for Project No. 2 to upgrade approximately 450LF from an 18" to 24" pipe and replace approximately 400LF of existing open ditch with a 24" closed pipe system. This addendum will increase the current contract by $83,000.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
40945206-506393 40945206-506393	SW2118 SW1609	Increase Decrease	$26,500 $26,500	$56,500 $237,652

Financial Summary:

Adequate funds are available in the Stormwater Utility Fund. Funds will be transferred from project SW1609 to project SW2118 to cover the total project cost in the amount of $83,000.

Recommendation

Staff recommends Commission approval of Work Order No.1 with Metro Consulting Group, LLC for the Lyndell Drainage Improvement projects in the amount of $83,000.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):
1. Lyndell Drainage Impr Project No.2 WO#1
2. Signed Work Order (P&W)

ITEM 7.F
ADVERTISING FUNDING FROM EXPERIENCE KISSIMMEE FOR KISSIMMEE GATEWAY AIRPORT

Request

Request Commission approval to accept advertising funding in the amount of $20,000.00 from Experience Kissimmee for Kissimmee Gateway Airport

Explanation

Experience Kissimmee is offering a grant to fund an advertising program by and for the Kissimmee Gateway Airport, in the amount of $20,000.00 for FY2021-2022. Funds will be used to advertise to the corporate and leisure travel market, the flight training market, and the vintage aircraft/ warbird market.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
46170103-504901 46100389-389400		Increase Increase	20,000 20,000	

Financial Summary:

The total amount of $20,000 will go towards advertising the airport and its businesses.

Recommendation

Staff recommends acceptance of $20,000.00 from Experience Kissimmee for airport advertising.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Airport
Presenter:

Attachment(s):
1. Exp. Kiss. Agreement 2021-2022

ITEM 7.G
MINISTERIAL APPROVAL - FIRE PENSION BOARD - DAN GARAGUSO JR

Request

Request City Commission approval of the ministerial re-appointment of Dan Garaguso Jr. as the fifth member of the Fire Pension Board.

Explanation

The City Commission appoints two members to the Fire Pension Board and the employees elect two additional members. State Statute requires the four members then appoint the fifth member. At the November 2, 2021, Fire Pension Board meeting, Dan Garaguso Jr. was recommended for re-appointment as the fifth member.

The Fire Pension Ordinance states that upon receipt of the recommendation, the City Commission shall, as a ministerial duty, approve the appointment of the fifth Trustee. The full Fire Pension Board met on November 2, 2021 and voted to make their selection. The term for the vacancy will expire September 30, 2023.

Recommendation

Staff and the Fire Pension Board recommend the City Commission give ministerial approval for the re-appointment of Dan Garaguso Jr. to the Fire Pension Board.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Appoint/Reappoint

Department: City Manager
Presenter:

Attachment(s):
None

ITEM 7.H
CHANGE ORDER NO. 2 WITH GOMEZ CONSTRUCTION AND AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT FOR SECURITY IMPROVEMENTS AT KISSIMMEE GATEWAY AIRPORT

Request

Approval of Change Order No. 2 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 $27,167.00.

Explanation

Change Order No. 2 is related to additional fencing (Stallion 51 Area) which consists of furnishing and installing approximately 652 LF of 6 FT plus 1 FT 3- stranded barb wire chain link fence and posts, including all incidentals necessary to complete the installation. The new fencing secures the property acquired by the City on September 9, 2020, terminating a through the fence operation to the adjacent private property.

This item excludes removal of shrubs, trees, and fence, which will be performed by the city in advance of the installation.

The Amendment to the Public Transportation Grant Agreement with FDOT reflects the additional work approved. Under the grant, FDOT will cover 80% of the cost and the City is responsible for the remaining 20%.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47000334-334410	AP2103	Increase	21,733	
47070106-506393	AP2103	Increase	21,733	
47000381-381008	AP2103	Increase	5,434	
47070106-506393	AP2103	Decrease	5,434	

<u>Financial Summary:</u>

FDOT will pay 80% of the additional costs, totaling $27,167.00. Additional airport funds in Airport Project 2103 will be used to cover the City's required portion of 20%, in the amount of $5,434.00.

Recommendation

Staff recommends Commission approval of Change Order No. 2 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 $27,167.00

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):

1. 2021-10-29 ISM Safety Improvements (Phase 1) Change Order 2 (Gomez + Hanson signed)
2. 438442-2 Amendment #2 to PTGA - Kissimmee Security

ITEM 7.I
APPROVAL TO PURCHASE CHEMICALS USING THE LAKE COUNTY AGRICULTURAL CHEMICALS CONTRACT (NO. 21-0705A) WITH HELENA AGRI ENTERPRISES, LLC

Request

Authorization to execute the agreement between Helena Agri Enterprises, LLC and the City of Kissimmee to allow piggyback purchasing from the Lake County Contract No. 21-0705A.

Explanation

The Streets and Stormwater division of the Public Works & Engineering (PW&E) Department is requesting to purchase chemicals using the Lake County contract pricing with Helena Agri Enterprises, LLC. This agreement will allow purchases for right-of-way spraying at competitive bid pricing while realizing time and cost savings within the bid process.

Chemicals are purchased on an ongoing basis to control weeds, invasive plants, and insects. Annually, the PW&E Department budgets $55,000 to purchase chemicals, $40,000 in Stormwater Operations and $15,000 in the Streets division. Herbicides are used to spray aquatic vegetation in ponds and drainage ditches, weeds along fence lines and curbing, and within street median planters. Insecticides are used in landscaped areas city-wide.

The Lake County Contract with Helena Agri Enterprises is effective from 3/9/2021 through 3/8/2022, and provides for four (4) one (1) year renewals at Lake County's sole option within the terms noted in the Bid. Providing Lake County and Helena Agri Enterprises agree to renew each year, the PW&E Department requests permission to purchase from contract 21-0705A following each renewal, with final contract expiration on 3/8/2026.

Recommendation

Staff recommends approval to authorize the agreement between Helena Agri Enterprises, LLC and the City of Kissimmee for the full-term of Lake County Contract No. 21-0705A.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):
1. Lake County Helena Chemicals Contract 21-0705A
2. Lake County Certificate of Insurance
3. AGREEMENT between CITY OF KISSIMMEE & HELENA AGRI ENTERPRISES, LLC

ITEM 7.J
FIRST AMENDMENT TO THE CONCESSION AGREEMENT BETWEEN LALA & LOLO, LLC AND THE CITY OF KISSIMMEE FOR CONCESSION SERVICES AT RUBY PLAZA CAFE

Request

Approval of the First Amendment to the Concession Agreement between Lala & Lolo, LLC and the City of Kissimmee for concession services at Ruby Plaza Cafe and the City of Kissimmee

Explanation

On October 5, 2021 the City entered into a contract with Eden Fast Frozen Dessert dba Limbhelados for the concession services at the Ruby Plaza Cafe. The licensee has since decided to operate the location at 201 Lakeview Drive, Kissimmee, FL under the newly created Limited Liability Corporation of Lala & Lolo, LLC. They also will use the fictitious name of Ruby Plaza Cafe. The licensee may use the fictitious name of Ruby Plaza Cafe during the term or any renewal terms of this agreement. However, at the conclusion or termination of this License, the City retains the right to continue to use the name Ruby Plaza Cafe and the Licensee must cease use. All other terms and conditions of the original license dated October 5, 2021 shall remain in full force and effect.

Recommendation

Staff recommends approval of the First Amendment to the Concession agreement between Lala & Lolo, LLC and the City of Kissimmee

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Parks & Recreation
Presenter:

Attachment(s):
1. First Amendment Ruby Plaza
2. COncession Contract Eden Fast Frozen Ruby Plaza

ITEM 7.K
CONTRACT RENEWAL FOR INTERNET SERVICE PROVIDER - SUMMIT BROADBAND

Request

Approval to renew a three-year contract with Summit Broadband to provide dedicated Internet Access in an amount not to exceed $59,400. This item is budgeted and will be funded in the Central Services Fund.

Explanation

The City currently uses Summit Broadband as its Internet Service Provider and pays $1,850 per month for 1 GB of dedicated Internet Access. The City relies heavily on high speed, reliable access to the Internet to support many cloud-based software applications and to meet other general business needs including data transmitted from over 200 mobile computers utilized by Public Safety and other City departments.

The City's current contract is due for renewal in January 2022. Summit Broadband is offering a reduction to our current pricing by $2,400 annually. This will result in a savings of $7,200 over the 3-year period. This pricing is extremely competitive and will allow the City to continue to realize the capital investment made three years ago to install a fiber connection into City Hall. Renewing the contract will also result in a savings of staff time which would be required if we were to switch to another provider.

The City has received favorable service and support from Summit Broadband and is recommending the City proceed with a three-year renewal of the contract for a total of $59,400.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
56060103 504141			$22,200	$19,800

Financial Summary:

The contract will be paid monthly in the amount of $1,650. The first year contract amount is budgeted in the FY 2022 approved IT operating budget and the two remaining years will be included in future budget requests.

Recommendation

Approve the renewal of a three-year contract with Summit Broadband to provide dedicated Internet Access in the amount of $59,400.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Information Technology
Presenter:

Attachment(s):
1. SummitBroadband Renewal
2. SummitBroadband Contract (Revised)

ITEM 7.L

FIRST AMENDMENT TO THE CONCESSION AGREEMENT BETWEEN KISSIMMEE MARINA BY LAKE TOHO, LLC AND THE CITY OF KISSIMMEE FOR BAIT, TACKLE, AND CONCESSION SERVICES AT BIG TOHO MARINA

Request

Approval of the First Amendment to the Concession Agreement between Kissimmee Marina by Lake Toho, LLC and the City of Kissimmee

Explanation

On October 5, 2021, the City entered into contract with Kissimmee Diner, Inc., dba Matador Taco & Tapas for bait, tackle and food services at Big Toho Marina. This licensee has since decided to operate the location at 69 Lakeview Drive Kissimmee, FL under the newly created Limited Liability Company of Kissimmee Marina by Lake Toho, LLC. All other terms and conditions of the original license dated October 5, 2021 shall remain in full force and effect.

Recommendation

Staff recommends approval of the First Amendment to the Concession agreement between Kissimmee Marina by Lake Toho, LLC and the City of Kissimmee

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Parks & Recreation
Presenter:

Attachment(s):

1. First Amendment Marina
2. Concession Serices Food Service Operations DBa Matador Taco and Tapas

ITEM 7.M
CITY OF KISSIMMEE AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN AND RESOLUTION

Request

Approval of the Americans with Disabilities Act (ADA) Transition Plan and Resolution update.

Explanation

On October 20, 2015, the City adopted Resolution No. 25-2015 which comprises Title II of the Americans with Disabilities Act of 1990 (ADA); Executive Order 13166, and other applicable state and federal nondiscrimination regulations. Title II of the Americans with Disabilities Act (ADA) requires that State and Local Governments make programs and services accessible to persons with disabilities.

The attached ADA Transition Plan outlines the tracking process by which City staff works with a consultant to collect information on pedestrian facilities and infrastructure in compliance with ADA requirements within the public rights-of-way. Staff utilizes the information to prioritize and correct any deficiencies.

On February 5, 2019, the City adopted Resolution No. 01-2019 19 to renew its commitment to non-discrimination and update the Civil Rights Program Policies and Procedures. These Resolutions include ensuring the City would complete and post an ADA (504) Transition Plan for the accessibility of pedestrian facilities within the public rights of way as required by 28 CFR Part 35.

Based on the aforementioned Resolutions (2015 and 2019) and the Resolution update for 2021, the City desires to implement an ADA Transition Plan & Sidewalk Maintenance Program. This includes financial commitments for evaluation and construction of projects that remove barriers and promote compliance with the ADA Title II regulations. Ongoing engineering expenditures for ADA compliance are budgeted in project ST2013.

Recommendation

Staff recommends City Commission approval of the Americans with Disabilities Act (ADA) Transition Plan and Resolution update.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):
1. ADA TRANSITION Program Policy Resolution. 2021
2. ADA Transition Plan

ITEM 7.N
FEDERAL AVIATION ADMINISTRATION AIRPORT RESCUE GRANT PROGRAM

Request

Approval to accept a Federal Aviation Administration (FAA) Airport Rescue Plan Act (ARPA) Airport Grant Agreement of $148,000.00 for COVID-19 Public Health Emergency for the Kissimmee Gateway Airport.

Explanation

This Grant is provided in accordance with the ARPA, to provide eligible Sponsors with funding to help offset a decline in revenues arising from diminished airport operations and activities as a result of the COVID-19 Public Health Emergency. CARES Act Airport Grants amounts to specific airports are derived by legislative formula. The purpose of this Grant is to maintain safe and efficient airport operations. Funds provided under this Grant Agreement must only be used for purposes directly related to the airport. Such purposes can include the reimbursement of an airport's operational and maintenance expenses or debt service payments. The amount of the ARPA Grant is $148,000.00 FAA- CARES Act Grant No. 3-12-0038-041-2021

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
46100331-331410 46170100-509276		Increase Increase	$148,000 $148,000	

Financial Summary:

The budget will be amended to reflect the grant funds accordingly.

Recommendation

Staff requests City Commission approval to accept an FAA Airport Rescue Plan Act Grant Agreement of $148,000.00 for COVID-19 Public Health Emergency for the Kissimmee Gateway Airport.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):

1. ISM-SOG-3-12-0038-041-2022-Grant Agreement - unsigned

ITEM 7.O
APPROVAL TO ADJUST THE FISCAL YEAR 2020-2021 BUDGET

Request

Approval to adjust the budget for fiscal year 2020-2021 due to line-item variances in certain department budgets.

Explanation

As detailed in the attached spreadsheet, several budget adjustments must be made to properly report expenditure budgets for the fiscal year ended September 30, 2021.

In the Kissimmee Charter School Fund, an additional transfer of $98,742 is necessary to cover additional costs for Professional Services. This transfer will be taken from reserves.

In the Pavement assessment Fund, a budget adjustment of $17,794 is necessary to recognize additional interest received and used to pay additional costs.

In the Series 2021 Debt Service Fund, an increase of $16,785 is necessary to cover additional interest charges. These funds will be taken from reserves in the Local Option Sales Tax Fund.

Recommendation

Staff recommends the Commission approve the necessary adjustments to the budget for 2020-2021 as detailed in the attached document.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Finance
Presenter:

Attachment(s):
1. 2020-2021 Budget Adjustments

ITEM 8.A
AMENDED LEGISLATIVE PRIORITIES 2022

Request

Approval to add Commercial Solid Waste Expansion to the previously approved Legislative Priorities list.

Explanation

The recently approved INVEST in America Act will provide $1.2 trillion with $550 billion in new federal spending. Over the past 2 years, the City has been planning for the implementation of the commercial solid waste operation as approved in the City's 2019 Solid Waste Study. The new funding gives the city an opportunity to seek financial assistance with the implementation of these operational improvements. Since the guidance for the funding is being developed, staff would like to be proactive and include "Commercial Solid Waste Expansion" on the federal list of legislative priorities for the City.

Commercial Solid Waste Program Expansion

During the pandemic, our community was one of the hardest hit in the nation with more than 30% unemployment. Our service-based economy is vulnerable and many of the impacts from local and national economic pressures are experienced by local businesses. In response, the city continually looks for ways to keep costs low and support our local businesses through sustainability efforts such as solar power in all city buildings, energy efficiency improvements, emissions reduction, and electric/ hybrid vehicles.

The City is in the process of recapturing commercial solid waste collection services by providing these services in-house. As supported by a recent solid waste study, the ability to offer this service will give the City control over rates and service levels and ensure long-term sustainability in this area. In keeping with the City's longstanding commitment to sustainability and the environment, the city would like to utilize the newest technology by incorporating electric refuse trucks and the patented Nord System already in use in Kissimmee's Downtown District. The ability to expand this service will include purchasing (3) electric refuse trucks and equipment, expanding the existing fleet service center and cover the cost for infrastructure improvements necessary to service and maintain a heavy equipment electric fleet.

Recommendation

Approval to amend the previously approved list.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):
None