



**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, DECEMBER 7, 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 PRESENTATION TO MISS FLORIDA - ASHLEY CARINO

Request that the City Commission present a plaque to Miss Ashley Carino in honor of her achievement in the Miss USA Pageant 2021.

3.B EMPLOYEE OF THE MONTH FOR DECEMBER

That the City Commission join the City Manager in recognizing Carmen Cantres, Public Works & Engineering, as December's Employee of the Month

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A PUBLIC HEARING – SECOND AND FINAL READING - COMPREHENSIVE PLAN TEXT AND MAP AMENDMENT, LARGE SCALE (MUFB TO INST & MFMDR) S. POINCIANA BLVD. K-8 SCHOOL; DRC#21-00051 - PROPOSED ORDINANCE #21-10

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; REMOVING POLICY 1.2.10.2 MIXED USE - FRANK BROWN RANCH (MU-FB); DIRECTING THE CITY MANAGER TO AMEND 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

Approval of the Second and Final Reading of a land use text and map amendment to remove Future Land Use Element Policy 1.2.10.2 (Mixed Use - Frank Brown Ranch) from the Comprehensive Plan and change the Future Land Use Map designation of Mixed Use- Frank Brown Ranch (MU-FB) to Institutional and Multi-Family Medium Density Residential (INST & MF-MDR) on 128 acres of land.

4.B PUBLIC HEARING - SECOND AND FINAL READING - COMPREHENSIVE PLAN TEXT AMENDMENTS: 2021 COMP PLAN AMENDMENTS; DRC#21-00097 - PROPOSED ORDINANCE # 21-13

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 1.2.4.2 AIRPORT EXPANSION LAND USE DESIGNATION TO ADD LOW INTENSITY COMMERCIAL USES; REMOVING POLICY 2.1.2.4; OBJECTIVE 2.1.4 ADA AND TRANSPORTATION DISADVANTAGE LANGUAGE UPDATE; ADDING POLICY 2.2.1.2 BACK INTO THE TRANSPORTATION ELEMENT; MINOR UPDATES TO LANGUAGE THROUGHOUT THE CAPITAL IMPROVEMENTS ELEMENT; UPDATING TABLES 8-2, 8-3, 8-4, 8-5 IN THE CAPITAL IMPROVEMENTS ELEMENT; CREATING AND ADDING A NEW PROPERTY RIGHTS ELEMENT; 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

Adoption of an ordinance amending the Future Land Use, Transportation, and Capital Improvements Elements and adding a Property Rights Element to the Comprehensive Plan.

4.C PUBLIC HEARING - SECOND AND FINAL READING - POLICE OFFICERS' RETIREMENT PLAN AMENDMENT: AMENDING SECTION 30-225 DROP PARTICIPATION PERIOD - PROPOSED ORDINANCE #21-14

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 second and final reading of the proposed ordinance for the Police Retirement Plan.

5. PUBLIC HEARINGS

5.A PUBLIC HEARING - PROGRAM YEAR 2020-2021 CDBG CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

This public hearing for the approval of Program Year 2020-2021 CDBG Consolidated Annual Performance and Evaluation Report (CAPER) has been re-advertised for the December 21, 2021 Commission meeting.

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 16, 2021 Commission Minutes.

7.B APPROVAL OF A RESOLUTION AUTHORIZING THE ACQUISITION OF FIRE FIGHTING APPARATUS

Approval of a Resolution authorizing the City to acquire fire fighting apparatus using the lease-financing purchase agreement and buy back agreement through the collaboration and partnership of South Florida Emergency Vehicles, Leasing 2 Inc., and Brindlee Mountain Fire Apparatus, LLC. Staff also requests authorization for the City Manager to act as Lessee Authorized Signatory to execute and deliver any subsequent related documents necessary for the consummation of the transactions for this Lease-purchase and Deferred Purchase Value Agreement.

7.C PURCHASE AND INSTALL NEW VARIABLE AIR VOLUME (VAV) SYSTEMS USING TRANE U.S. INC. CONTINUING SERVICES AGREEMENT

Request approval to purchase and install the replacement VAV systems via the continuing services contract with Trane for City Hall (2nd and 3rd floors) for a total cost of \$153,244.00.

7.D ACCEPTANCE OF PROCEEDS FROM THE SALE OF VOLUNTARY CLEANUP TAX CREDITS FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Commission approval of a budget adjustment to accept the proceeds earned for the sale of Voluntary Cleanup Tax Credits (VCTC) from the Florida Department of Environmental Protection (DEP).

7.E DISPOSAL OF CITY ASSETS

Approval to dispose of the asset items detailed in the attached report.

7.F HOLIDAY INCENTIVE PAYMENT

This request is for Commission approval to utilize approximately \$145,800 from reserves for a one-time holiday incentive payment to all full-time and part-time employees.

7.G DONATION FROM WALMART FOUNDATION FOR SHOP WITH A COP

City Commission acceptance of donations in the amount of \$8,000 from the Walmart Foundation for the purchase of Christmas gifts for the "Shop with a Cop" Program.

8. DISCUSSION ITEMS

8.A CITIZEN REQUEST TO ADDRESS THE COMMISSION REGARDING DOWNTOWN HOLIDAY DECORATIONS AND EVENTS

The request is from Carlos Ramirez of Aviles Hair Studio to address the Commission regarding downtown holiday decorations and events.

8.B EPA BROWNFIELDS PROGRAM COALITION ASSESSMENT GRANT

Staff requests approval of the Orange Blossom Trail/State Road 441 Brownfields Coalition Memorandum of Understanding between the East Central Florida Regional Planning Council and the City of Kissimmee.

8.C RFP 2021-007 RFP SELECTION COMMITTEE RESULTS

Commission acceptance and discussion of Selection Committee results for RFP #2021-007 Emergency Shelter/Bridge Housing and Homeless Services.

8.D ADVISORY BOARD APPOINTMENT - VACANCY ON THE PARKS & RECREATION ADVISORY BOARD

Commission requested to appoint a replacement to fill the vacancy on the Parks and Recreation Advisory Board due to the resignation of Hendrith Smith. The term for this vacancy is due to expire May 31, 2023.

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

PRESENTATION TO MISS FLORIDA - ASHLEY CARINO

Request

Request that the City Commission present a plaque to Miss Ashley Carino in honor of her achievement in the Miss USA Pageant 2021.

Explanation

Miss Ashley Carino represented the State of Florida at the 70th Miss USA Pageant held on November 29, 2021 at the Paradise Cove Theater of River Spirit Casino Resort in Tulsa, Oklahoma.

Miss Carino, who was raised in Kissimmee, was awarded Second Runner-Up in the competition.

The City Commission would like to present Miss Carino with a plaque in recognition of her accomplishment in the Miss USA Pageant and for representing the State of Florida and the City of Kissimmee very well on the national stage.

The City of Kissimmee is very proud of her achievement and has invited Miss Carino to serve as Grand Marshal of the City's upcoming 2021 Festival of Lights Parade so that she can be honored by our community.

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 3.B

EMPLOYEE OF THE MONTH FOR DECEMBER

Request

That the City Commission join the City Manager in recognizing Carmen Cantres, Public Works & Engineering, as December's Employee of the Month

Explanation

It is a pleasure for the City of Kissimmee to announce that the Employee of the Month for December is Carmen Cantres. She has been the Secretary for the Facilities division of Public Works and Engineering for over 4 years.

Carmen has been called a self-starter, and is known for diligently seeing a task to its completion. When there was an issue with a supplier's account, she dug in and resolved it. When an account was transferred from the Facilities division to the Airport, she made sure the transition was smooth. Carmen worked with the Airport staff to ensure inspections were completed and invoices were paid, and was available throughout the process. She is good at evaluating the guidelines for her tasks, and has caught some mistakes, which helps streamline the City's business and save money.

The Facilities division is unique in that it interacts with all internal City departments, and multiple outside vendors. Carmen's customer service skills are excellent, as she serves all these customers – often going the extra mile. Her qualities of being friendly, helpful and quick are some of the reasons that the City would like to recognize her.

Department: Human Resources & Risk Management
Presenter: Mike Steigerwald

Attachment(s):
None

ITEM 4.A

PUBLIC HEARING – SECOND AND FINAL READING - COMPREHENSIVE PLAN TEXT AND MAP AMENDMENT, LARGE SCALE (MUFB TO INST & MFMDR) S. POINCIANA BLVD. K-8 SCHOOL; DRC#21-00051 - PROPOSED ORDINANCE #21-10

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; REMOVING POLICY 1.2.10.2 MIXED USE - FRANK BROWN RANCH (MU-FB); DIRECTING THE CITY MANAGER TO AMEND 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

Request

Approval of the Second and Final Reading of a land use text and map amendment to remove Future Land Use Element Policy 1.2.10.2 (Mixed Use - Frank Brown Ranch) from the Comprehensive Plan and change the Future Land Use Map designation of Mixed Use- Frank Brown Ranch (MU-FB) to Institutional and Multi-Family Medium Density Residential (INST & MF-MDR) on 128 acres of land.

Explanation

The Mixed Use - Frank Brown Ranch Future Land Use Policy 1.2.10.2 and map designation was established with the adoption of Ordinance 2404 (DRC#99-157) at the December 18, 2001 City Commission Meeting on approximately 128 acres of land. The development program included a maximum of 600 attached, multi-family townhomes (averaging 5.79 dwelling units per acre) and 26 acres of ancillary neighborhood commercial uses consistent with the allowable uses of the Neighborhood Commercial (B-2) Zoning District.

Consistent with the Mixed Use (MU) Future Land Use Policy 1.2.10.1, the development opted to defer a PUD rezoning to implement the development program and retain an Agricultural & Conservation (AC) Zoning designation (DRC#99-158; Ord. 2339; May 9, 2000) as a holding zone until such time new urban development was appropriate for the area.

The proposed new urban development that will replace the MU-FB program will now consist of institutional uses and residential development with a density consistent with the Multi-Family Medium Density Residential (MF-MDR) Land Use designation that is compatible with the surrounding area. The AC Zoning will remain a holding zone until residential development is proposed and permits elementary and middle schools in the meantime.

FINDINGS AND REASONS:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.3, Multi-Family Medium Density Residential (MF-MDR), that is intended to accommodate multiple family structures with a density of 10-20 units per acre. Lesser densities may be allowed in order to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses, including mixed-uses.
2. Compliance with Comprehensive Plan Future Land Use Policy 1.2.6.1, Institutional (INST), that is intended to accommodate existing public and semi-public services including: government

administration buildings and educational institutions. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 2.0 FAR.

3. Compliance with Comprehensive Plan Future Land Use Policy 1.2.6.2, Public School Facilities, that permits public schools (kindergarten through high school) as allowable uses in areas with Institutional (INST), Single Family Low Density Residential (SF-LDR), Single Family Medium Density Residential (SF-MDR), Multiple Family Medium Density Residential (MF-MDR), Multiple Family High Density Residential (MF-HDR), Office-Residential (OR), Commercial General (CG), Industrial Business (IN), and Mixed-Use categories (MU-D, MU-V) subject to Land Development Code.

4. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan Text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.

5. Compliance with Land Development Code Section 14-4-4A, Agricultural & Conservation (AC) Zoning District, which is compatible with the Institutional (INST) and Multiple Family Medium Density Residential (MF-MDR) Land Use designations.

Recommendation

The Development Review Committee (DRC) recommended approval on June 1, 2021.

The Planning Advisory Board (PAB) recommended approval by a vote of 5-0 on August 4, 2021.

The City Commission approved the First Reading on October 5, 2021.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Brenda Ryan

Attachment(s):

1. 21-00051 Vicinity Map
2. 21-00051 Aerial Map
3. 21-00051 Site Data Tables
4. 21-00051 Proposed Ordinance 21-10
5. 21-00051 Transmittal Comments
6. 21-00051 City Commission Ad
7. 21-00051 Oct. 5th City Commission Action Summary
8. 21-00051 PAB Minutes
9. 21-00051 DRC Comments
10. 21-00051 DRC Application

ITEM 4.B

PUBLIC HEARING - SECOND AND FINAL READING - COMPREHENSIVE PLAN TEXT AMENDMENTS: 2021 COMP PLAN AMENDMENTS; DRC#21-00097 - PROPOSED ORDINANCE # 21-13

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 1.2.4.2 AIRPORT EXPANSION LAND USE DESIGNATION TO ADD LOW INTENSITY COMMERCIAL USES; REMOVING POLICY 2.1.2.4; OBJECTIVE 2.1.4 ADA AND TRANSPORTATION DISADVANTAGE LANGUAGE UPDATE; ADDING POLICY 2.2.1.2 BACK INTO THE TRANSPORTATION ELEMENT; MINOR UPDATES TO LANGUAGE THROUGHOUT THE CAPITAL IMPROVEMENTS ELEMENT; UPDATING TABLES 8-2, 8-3, 8-4, 8-5 IN THE CAPITAL IMPROVEMENTS ELEMENT; CREATING AND ADDING A NEW PROPERTY RIGHTS ELEMENT; 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

Request

Adoption of an ordinance amending the Future Land Use, Transportation, and Capital Improvements Elements and adding a Property Rights Element to the Comprehensive Plan.

Explanation

This is a request to add a Property Rights Element, as required by the Florida Statute, into the Comprehensive Plan and make amendments to the Future Land Use, Transportation, and Capital Improvements Elements.

Per statutory requirements, staff transmitted applicable documentation for this request to the Department of Economic Opportunity (DEO) on October 8, 2021. On November 5, 2021, staff received comments from DEO requesting three minor edits to the packet. All requested edits have been incorporated per DEOs comments.

Property Rights Element

- This is a new Element of the Comprehensive Plan that was required by a recently adopted Statute. It emphasizes property rights as they relate to policy-making in the City.

Future Land Use Element

- Policy 1.2.4.2: Adding low intensity commercial uses to the Airport Expansion (AE) land use designation. As the City moves into a 'redevelopment mode' and emphasizes mixed-use development, it is advantageous to broaden the uses listed in the AE designation. This amendment is supported by the Kissimmee Gateway Airport.
- Policy 1.2.10.2 & the table in Goal 1.2: Shown to reflect the removal of the Frank Brown Ranch Mixed Use Land Use per DRC#21-051. NOTE: This language is being removed under DRC#21-051. Minor language updates throughout the document (i.e., updating names, reworking language so it is

easier to understand).

Transportation Element

- Policy 2.1.2.4: Deleting this section from the Transportation Element will remove annual and quinquennial monitoring of the Multimodal Transportation District (MMTD). These performance indicators are measured annually by staff (outside of the requirement in the Comprehensive Plan) and this Policy was duplicative of the current process. The Florida Department of Transportation (FDOT) reviewed this request and was supportive of the removal of this language.
- Policy 2.2.1.2: This policy was erroneously removed with the 2018 Comprehensive Plan update. Approval of this item will add the language back into the Element.
- Minor language updates throughout the document (i.e., updating names, reworking language so it is easier to understand).

Capital Improvements Element

- Table 8-2, Table 8-3, Table 8-4, Table 8-5: All tables listed were updated to reflect current budgets/projects within the City. These tables capture information from the City's and Toho Water Authority's budget, the MetroPlan Transportation Improvement Program and Prioritized Project List, and the Florida Department of Transportation's Five-Year Work Program. A clean copy of these tables was provided to make it easier to read.
- Minor language updates throughout the document (i.e., updating names, reworking language so it is easier to understand).

Recommendation

The Development Review Committee (DRC) recommended approval on September 7, 2021.

The Planning Advisory Board (PAB) recommended approval by a vote of 5-0 on September 15, 2021.

The City Commission approved the first reading on October 5, 2021.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Development Services

Presenter: Ashley Cornelison

Attachment(s):

1. Proposed Ordinance 21-13
2. Future Land Use Element_DRAFT
3. Transportation Element_DRAFT
4. Capital Improvements Element_DRAFT
5. Property Rights Element_DRAFT

6. Transmittal Responses 11.05.2021
7. Advertisement

ITEM 4.C

PUBLIC HEARING - SECOND AND FINAL READING - POLICE OFFICERS' RETIREMENT PLAN AMENDMENT: AMENDING SECTION 30-225 DROP PARTICIPATION PERIOD - PROPOSED ORDINANCE #21-14

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 second and final 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 second and final reading of proposed ordinance 21-14 to amend the Drop participation period for the Police Retirement Plan.

REQUESTED CITY COMMISSION ACTION:

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
5. Proposed Ord 21-14 Proof of Advertising (11-11-2021)

ITEM 5.A**PUBLIC HEARING - PROGRAM YEAR 2020-2021 CDBG CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)****Request**

This public hearing for the approval of Program Year 2020-2021 CDBG Consolidated Annual Performance and Evaluation Report (CAPER) has been re-advertised for the December 21, 2021 Commission meeting.

Explanation

The public hearing for the Program Year 2020-2021 CDBG Consolidated Annual Performance and Evaluation Report (CAPER) was originally advertised for the December 7, 2021 meeting but has been re-advertised for the December 21, 2021 Commission meeting. This is due to delays the City experienced in obtaining approval from the U.S. Department of Housing and Urban Development (HUD) on amendments approved by the City Commission earlier this year that need to be reflected in the report.

Recommendation

As this Public Hearing has been re-advertised, no action is necessary.

REQUESTED CITY COMMISSION ACTION:

No Action

Department: Development Services

Presenter: Frances DeJesus

Attachment(s):

None

ITEM 7.A
COMMISSION MINUTES APPROVAL

Request

Request Commission approval of the November 16, 2021 Commission Minutes.

Explanation

Minutes of the Commission meeting held on November 16, 2021 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter:

Attachment(s):

1. Commission Minutes - November 16 2021

ITEM 7.B

APPROVAL OF A RESOLUTION AUTHORIZING THE ACQUISITION OF FIRE FIGHTING APPARATUS

Request

Approval of a Resolution authorizing the City to acquire fire fighting apparatus using the lease-financing purchase agreement and buy back agreement through the collaboration and partnership of South Florida Emergency Vehicles, Leasing 2 Inc., and Brindlee Mountain Fire Apparatus, LLC. Staff also requests authorization for the City Manager to act as Lessee Authorized Signatory to execute and deliver any subsequent related documents necessary for the consummation of the transactions for this Lease-purchase and Deferred Purchase Value Agreement.

Explanation

The City of Kissimmee Fire Department requests Commission authorization for the Mayor to execute the lease-finance purchasing agreement with Leasing 2 Inc., for one (1) Sutphen Custom Pumper. The total annual cost of the lease shall be \$90,111.86 for a term of five (5) years, with a balloon payment of \$242,434 due November 15, 2028. Staff requests Commission authorization for the Mayor to execute the Deferred Purchase Value Agreement to sell the truck to Brindlee Fire Apparatus, LLC for \$242,434 at the end of the lease period. Staff requests Commission authorization for the City Manager to act as Lessee Authorized Signatory to execute and deliver any subsequent related documents necessary for the consummation of the transactions for this Lease-purchase and Deferred Purchase Value Agreement.

The City Commission previously approved a similar deal in January 2020, when it was determined that it was economically advantageous and in the best interest of the City to utilize this unique purchasing process to acquire the fire fighting apparatus. The primary benefit of moving to the lease purchase model is that, for the same costs we currently budget for traditional purchases of new and replacement apparatus, our apparatus can be replaced more frequently since pre-approved resale arrangements will be in place at the time of purchase. This resale date varies with the type of truck we purchase but is timed to save the substantial maintenance costs typically experienced during the final years of the useful life of our fleet. The end result will be a newer, more reliable fleet with less downtime and lower maintenance expenses.

Due to the lag in equipment delivery times, Staff is seeking approval to order the apparatus early. The anticipated delivery date is November 2023, at which point in time annual lease payments referenced above will begin.

This proposed approach was analyzed by staff and found to be more fiscally and operationally beneficial than the traditional purchase arrangement. The annual lease payments for this apparatus will be paid from the Local Option Sales Tax Fund from monies that were originally budgeted to purchase this equipment. The above referenced annual lease payments will begin when the equipment is received, which is expected to occur in November 2023. The balloon payment that will be required in 2028 will be included in the 5-year Capital Budget in future years.

Recommendation

Staff recommends approval to acquire fire fighting apparatus using the lease-financing purchase agreement and buy back agreement through the collaboration and partnership of South Florida Emergency Vehicles, Leasing 2 Inc., and Brindlee Mountain Fire Apparatus, LLC.

City of Kissimmee

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Fire

Presenter:

Attachment(s):

1. Resolution
2. Purchase Agreement - Sutphen (2)
3. Deferred Purchase Value Agreement-Brindlee Mountain

ITEM 7.C

PURCHASE AND INSTALL NEW VARIABLE AIR VOLUME (VAV) SYSTEMS USING TRANE U.S. INC. CONTINUING SERVICES AGREEMENT

Request

Request approval to purchase and install the replacement VAV systems via the continuing services contract with Trane for City Hall (2nd and 3rd floors) for a total cost of \$153,244.00.

Explanation

Initial approval to purchase the replacement of the VAV system was approved in the Fiscal Year 21-22 budget (Project CS2228) at an estimated cost of \$163,200. Facilities management staff seeks approval to initiate the VAV system project for City Hall's second and third floors at a cost of \$153,244.

On February 18, 2020, the City commission executed a continuing services agreement with Trane U.S., Inc. to provide comprehensive HVAC products and installation services. Trane has presented the City with a HVAC solution that will help the City of Kissimmee reach its performance goals and objectives. The proposed project will provide a control system that will help achieve a comfortable building environment for the people who occupy the building. Trane will provide a reliable building management system and control products that improve system performance.

Key benefits will be upgraded from legacy controls and failing worn gear air dampers to the latest Trane BACnet Wireless controls. Serviceable parts are readily available for reduced downtime and ease of access, efficient system control with Trane programming and software tools. The replacement will consist of forty-three (43) VAV controllers, air dampers and space temperature sensors.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
56045606-506393	CS2228	Decrease	\$163,200.00	\$153,244.00

Financial Summary:

Adequate funds are available in the Central Services fund for this project.

Recommendation

Staff recommends Commission approval to purchase and install the replacement VAV systems using the Trane continuing services contract for a total cost of \$153,244.00.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. Trane Controls Proposal for City Hall VAV's
2. Public Works & Engineering Work Order Form

ITEM 7.D

ACCEPTANCE OF PROCEEDS FROM THE SALE OF VOLUNTARY CLEANUP TAX CREDITS FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Request

Commission approval of a budget adjustment to accept the proceeds earned for the sale of Voluntary Cleanup Tax Credits (VCTC) from the Florida Department of Environmental Protection (DEP).

Explanation

During the construction of the Lake Toho Apartments at the Hansel Site, several environmental issues were discovered that required clean up and remediation. The City was eligible for Voluntary Cleanup Tax Credits (VCTC) issued by the State based on the clean up and remediation that was completed. VCTCs are issued by the Florida Department of Environmental Protection (DEP) and can be sold to developers and investors to be used elsewhere in the state.

Mosaic Partners IV, LLC handled the marketing and the sale of the VCTCs on the tax credit market for a management fee. The clean up and remediation occurred over a 2-year period. The total amount of VCTC proceeds received to date is \$200,366.26, less Mosaic's management fee of \$10,018.31, resulting in the City receiving a total of \$190,347.95.

The City anticipates one more round of VCTC to be funded in 2022.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10625500-509276		Increase		190,347.95

Financial Summary:

The increase in account 10625500-509276 is to accept \$190,347.95 for the proceeds made from the sale of the VCTCs. Funds will be placed in reserves for the time being.

Recommendation

Commission approval of a budget adjustment to accept the proceeds earned for the sale of Voluntary Cleanup Tax Credits (VCTC) from the Florida Department of Environmental Protection (DEP).

REQUESTED CITY COMMISSION ACTION:

Approve

City of Kissimmee

Department: Development Services

Presenter:

Attachment(s):

None

ITEM 7.E

DISPOSAL OF CITY ASSETS

Request

Approval to dispose of the asset items detailed in the attached report.

Explanation

The Charter states that the City Manager “shall not dispose of property belonging to the City, except on authority of the City Commission.” Therefore, staff is requesting approval to dispose of the items included on the attached list.

The items included on the attached list are slated to be auctioned or junked and have not previously been approved for disposition by the City Commission. These items will be placed up for auction via George Gideon Auctioneers, Inc. live auction or George Gideon Auctioneers, Inc. online auction. All items from the City's Information Technology Department will go to auction via A-1 Assets.

Recommendation

Staff recommends Commission approval to remove these items from the City’s equipment inventory listing and to send those items to the auction for disposition.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Finance

Presenter:

Attachment(s):

1. Auction COK12'21

ITEM 7.F

HOLIDAY INCENTIVE PAYMENT

Request

This request is for Commission approval to utilize approximately \$145,800 from reserves for a one-time holiday incentive payment to all full-time and part-time employees.

Explanation

The year-end results for FY 2021 are approximately 27% better than anticipated. This can be attributed to conservative spending by the General Fund departments as well as slightly better revenue performance. Thus, staff is requesting Commission consideration of a holiday incentive payment to reward employees for their efforts to contain costs and enhance revenues. Staff recommends all full-time employees with more than one year of service receive \$215 while all part-time employees with one year of service receive \$107.50. All employees with less than one year of service as of the date of the incentive payment will receive one-half of the above amounts depending upon whether the employee is a full-time or part-time employee. Within the General Fund, this is estimated to cost approximately \$117,650. The cost to other funds would be approximately \$28,150 for a total cost to the City of \$145,800.

Recommendation

Based upon the projected fiscal year end results, staff requests Commission approval of a holiday incentive payment of \$215 for each full-time employee with more than one year of service (\$107.50 for less than one year) and \$107.50 for each part-time employee with more than one year of service (\$53.75 for less than one year) utilizing General Fund reserves of approximately \$117,650 and reserves from other operating funds of approximately \$28,150.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Finance

Presenter:

Attachment(s):

None

ITEM 7.G

DONATION FROM WALMART FOUNDATION FOR SHOP WITH A COP

Request

City Commission acceptance of donations in the amount of \$8,000 from the Walmart Foundation for the purchase of Christmas gifts for the "Shop with a Cop" Program.

Explanation

The Walmart Foundation has awarded the Kissimmee Police Department donations in the amount of \$8,000. The following checks have been received and await approval to be accepted by the Commission:

Walmart Check #1182647 Date: 11/1/2021 Amount: \$ 2,000

Walmart Check #1184839 Date: 11/3/2021 Amount: \$ 5,000

Walmart Check #1190028 Date: 11/9/2021 Amount: \$ 1,000

These donations are part of the Walmart Foundation's commitment to the communities in which its stores are located.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
01500366 366002		Increase	\$8,000	
01530303 505255		Increase	\$8,000	

Financial Summary:

Funding will be used to purchase Christmas gifts for underprivileged children who will be accompanied by uniformed police officers through the Shop with a Cop program.

Recommendation

Staff recommends acceptance of donations in the amount of \$8,000 from the Walmart Foundation for the purchase of Christmas gifts for the "Shop with a Cop" program and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Police

Presenter:

Attachment(s):

None

ITEM 8.A**CITIZEN REQUEST TO ADDRESS THE COMMISSION REGARDING DOWNTOWN HOLIDAY DECORATIONS AND EVENTS****Request**

The request is from Carlos Ramirez of Aviles Hair Studio to address the Commission regarding downtown holiday decorations and events.

Explanation

Carlos Ramirez of Aviles Hair Studio requested to address the City Commission regarding downtown Christmas lighting and communication downtown regarding City events.

Recommendation

Staff requests Commission direction.

REQUESTED CITY COMMISSION ACTION:

Commission Direction

Department: City Manager

Presenter:

Attachment(s):

1. Agenda Request

ITEM 8.B

EPA BROWNFIELDS PROGRAM COALITION ASSESSMENT GRANT

Request

Staff requests approval of the Orange Blossom Trail/State Road 441 Brownfields Coalition Memorandum of Understanding between the East Central Florida Regional Planning Council and the City of Kissimmee.

Explanation

In 2011, the City of Kissimmee established a regional brownfield area, known as the Kissimmee Environmental Redevelopment Area (KERA), a 3,112.39 acre area. Establishing KERA allowed the City to benefit from federal, state and local economic and redevelopment incentives related to brownfields. In 2020, the City expanded KERA by adding an additional 1,401.58 acres.

In 2017, the East Central Florida Regional Planning Council (ECRPC) and the cities of Apopka, Eustis, Kissimmee, and Longwood united to form the Orange Blossom Trail/SR 441 Brownfield Assessment Coalition (referred to as the Coalition) in order to apply for funding opportunities from the U.S. Environmental Protection Agency (EPA) Brownfields Program.

In 2020, on behalf of the Coalition, the ECFRPC, as the lead applicant, submitted an application for the EPA Brownfields Program Coalition Assessment Grant.

In May 2021, the Coalition was subsequently awarded a grant in the amount of \$600,000 for the following purposes:

- Revitalize land and prevent contamination
- Attract investment
- Preserve greenfield areas
- Generate new jobs

Grant funds will be divided into the following categories:

1. Project Management & Reporting
2. Community Involvement/ Engagement
3. Site Identification/Assessment
4. Cleanup Planning

ECFRPC will serve as the administrator and fiscal agent for the entire grant period, which is from October 1, 2021, to September 30, 2023. A representative from ECFRPC will be present in case the Commission has any questions on the partnership or grant.

Recommendation

Staff recommends approval of the Orange Blossom Trail/State Road 441 Brownfields Coalition Memorandum of Understanding between the East Central Florida Regional Planning Council and the City of Kissimmee.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Samia Singleton

Attachment(s):

1. Brownfield Coalition Memorandum of Understanding
2. ECFRPC Brownfields Grant Application
3. KERA Map

ITEM 8.C

RFP 2021-007 RFP SELECTION COMMITTEE RESULTS

Request

Commission acceptance and discussion of Selection Committee results for RFP #2021-007 Emergency Shelter/Bridge Housing and Homeless Services.

Explanation

On August 29, 2021, the City advertised a Request for Proposals (RFP) #2021-007 Emergency Shelter/Bridge-Housing and Homeless Services. The RFP was issued by the City of Kissimmee to solicit proposals from qualified firms, agencies, project teams or individuals to provide housing focusing on emergency, low barrier, non-congregate shelter; bridge housing; and homeless support services.

This project's goal was to seek a respondent to provide a plan that utilizes ethical and responsible practices to move clients from homelessness to permanent housing quickly through temporary, hotel/motel-based or other suitable emergency non-congregate shelter and support services to individuals experiencing homelessness. This shelter program would also provide cold night and extreme weather shelter options and support for the most vulnerable in our community with a capacity to maintain a minimum of 50 non-congregate units to house and provide services to unsheltered individuals and families.

The initial activation of this program was to prioritize the needs of Osceola-based, unsheltered individuals and families in a 24/7/365 non-congregate setting for as long as is necessary to end and/or respond to their homelessness through proven principles and practices in a housing-focused program. The proposed plan needed to include bridge housing in their plan to ensure residents are prepared for the next phase of housing stability as well as demonstrate competencies in best practices and client outcomes for this target population.

On October 14, 2021, the bid opening was conducted, and three (3) proposals were received from the following respondents: Church and Community Assistance Program, The Salvation Army, and Ability Housing. The selection committee met on November 5, 2021 to review proposals but due to the complexity of the project, requested presentations and follow-up information from all respondents. On November 30, 2021, the committee met again to hear presentations, ask questions and determine a selection.

Upon completion of the presentations and follow-up questions, the committee voted 7-0 not to make a selection due to all bids being non-responsive to one or more areas of the RFP.

Responsive BIDS must address the following:

- Plan focused on emergency, low barrier, non-congregate shelter; bridge housing; and homeless support services.
- Demonstrate an ability to secure, manage and operate a 24/7/365 emergency housing-focused non-congregate shelter with a minimum of 50 units.
- Provide comprehensive wraparound support services. If subcontracting services to another provider, a Memorandum of Understanding with the service provider must be included.

- Demonstrate experience in progressively moving residents to permanent stable housing with the greatest levels of self-sufficiency.
- Demonstrate a well-developed approach to assist our community in transforming decentralized homeless services into a crisis response system that rapidly returns people who experience homelessness to stable housing and self-sufficiency.
- Demonstrate the capacity to maintain a minimum of 50 non-congregate units to house and provide services to unsheltered individuals and families. A contract or MOU detailing shelter location(s) must be included in the proposal if the construction of a shelter is not proposed.
- Provide a plan for long-term services once homeless response system is in place.
- Ability and documented goal to leverage services and capital funds to ensure long-term sustainability of the project.
- Document proven ability to operate homeless shelter in a way that will help individuals experiencing homelessness with opportunities to develop a pathway towards permanent housing, income, healthcare, and stability through continued care services.
- If the housing option includes use of the city's 18-acre land option, a long-term plan for homeless/affordable housing must include a shelter, bridge, and permanent housing plan.

PROPOSAL SUMMARIES:

Church and Community Assistance Program, Kissimmee, FL

Total Request: \$9,600,000

Shelter/Bridge Housing and Homeless Services budget over a 5-year period: \$6,683,029

Proposal was updated during the presentation to construct 50 tiny homes @ \$73,000 (\$3,750,000). Hotel/motel rooms will continue to be used for emergency shelter placement.

Permanent Housing Proposal budget: \$2,916,970

Construct a Central Hub for homeless services, education and training. Unknown future multifamily development.

Ability Housing, Jacksonville, FL (Orlando/Kissimmee)

Total Request: \$9,600,000

Shelter/Bridge Housing and Homeless Services budget over 3 - year period: \$3,600,000

Construct modular units for a minimum of 50 emergency non-congregate shelter units. Planned to partner with a local organization to provide a time-limited 24/7/365 non-congregate shelter and bridge housing for a period of 3 years. The local partner was not yet selected.

Permanent Housing Proposal Budget:

Phase 1- 100 units (50 @ 30% AMI and 50 @ 60% AMI) - \$2,400,000

Phase 2- up to 150 units - \$3,600,000

Included plan to secure financing to develop permanent affordable and supportive housing; housing will be developed in multiple phases as financing is secured.

The Salvation Army, Atlanta, GA (Orlando/Kissimmee)

Total Request: \$12,149,000*

Homeless Services: \$6,125,000

Funds will be used to expand operations at current center on Union Street for years 1-3 and enhanced operations at new service center for years 4-5.

Emergency Shelter: Will not provide accommodations for homeless in the manner suggested in the current RFP. Plans to fund emergency shelter for unhoused individuals through funds noted below in the financial assistance line item in the amount of \$363,000 over the contract period. Plans to use hotel/motel rooms for shelter but did not have a commitment for minimum units required.

Construct a new Emergency Service Center (No shelter on site): \$6,024,000

Permanent Housing Proposal Budget:

Phase 1- 120 units (12@30%AMI; 108@60%AMI)

Included plan to secure financing to develop permanent affordable and supportive housing; housing will be developed in multiple phases as financing is secured.

*\$9,600,000 plus an additional \$2,549,000 in funding is requested for the project. Proposal states additional funding is required from the City. During the presentation, it was stated that fundraising efforts would attempt to cover some of the needed funds.

NEXT STEPS:

The Committee was very thorough in their assessment and consideration of all proposals. They understood the complex and comprehensive approach necessary to meet the needs of the homeless and the fact that a one-size fits all approach will be difficult to ensure a sustainable solution for our community. When the RFP was issued, the City's goal was to provide funding to purchase and renovate a hotel/motel for non-congregate shelter and bridge housing. Due to changes in the market, the county's moratorium on hotel conversions, and escalating purchase prices, this option was not viable for many of the respondents. As a result, utilizing hotel rooms, in their current state, was proposed by two respondents as short-term and long-term emergency shelter options.

For the first time, the city has received a significant amount of funding with enough flexibility to develop a unique and sustainable solution to address the needs of the homeless. In response to the completed process and the committee's recommendation, staff is requesting Commission consideration of four options to determine the next steps in the process.

1) Select a proposal. The Commission may choose to reject the selection committee's recommendation and move forward with one of the three submissions. However, doing so may result in legal challenges since the procurement process for a project of this magnitude requires equitable consideration of the responses and conformance with the RFP's published criteria.

2) Reject all proposals, close the current process, and issue a new RFP with a revised approach towards providing these services.

3) Reject all proposals, close the current process, and then separate the components of the current RFP into multiple RFPs to be issued for each focus area. Separating the project might provide a better opportunity for the nonprofits and developers to focus on their areas of expertise in a proposal specific to the City's desired outcomes. For example, separate RFP's could be issued for:

A) Homeless shelter development and emergency services component; and

B) Affordable housing development component

4) Reject all proposals, close the current process, and direct staff to develop a plan for the City to pursue the development and construction of a city-owned shelter that we could contract with a non-profit to manage and operate. The affordable housing component would be addressed via a separate RFP process.

Recommendation

Acceptance of committee recommendation and Commission direction on next steps.

REQUESTED CITY COMMISSION ACTION:

Commission Direction

Department: City Manager

Presenter: Desiree Matthews

Attachment(s):

1. Church and Community Assistance Program, INC..
2. Ability Housing, Inc Min.
3. The Salvation Army, A GA Corp (min)
4. CCAP Budget and Construction Proposal
5. Presentation Info_TSA
6. AbilityHousingRFP2021-007Presentation

ITEM 8.D

ADVISORY BOARD APPOINTMENT - VACANCY ON THE PARKS & RECREATION ADVISORY BOARD

Request

Commission requested to appoint a replacement to fill the vacancy on the Parks and Recreation Advisory Board due to the resignation of Hendrith Smith. The term for this vacancy is due to expire May 31, 2023.

Explanation

On November 23, 2021, Parks and Recreation staff received a resignation letter from Board Member Hendrith Smith; he tendered his resignation effective December 1, 2021.

As the Commission is aware, appointments are assigned to individual Commissioners in order of rotation. Seat # 5 had the last appointment, so this vacancy will be assigned to Seat # 1. All qualified applications will be provided to the Commission for consideration.

The Parks and Recreation Advisory Board requires members to be either Resident or Non-Resident (non-residents must reside in Osceola County), and no members may serve on any other board.

Commissioner Castano will have 30-days to make this appointment or an extension will be necessary. If no extension is requested, the appointment will automatically rollover to the next Commissioner in the rotation.

Recommendation

Staff recommends the Commission make an appointment to fill the vacancy on the Parks and Recreation Advisory Board.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. Appointments by Seat 12-07-2021
2. (2021) 07-28-2021 PARAB and PAB Jaime Reyes Application (Osceola County Resident) Letter 7-30-2021
3. (2021) 04-20-2021 PARAB Application Randy Fisher (Non-City but County Eligible)
4. (2021) 03-19-2021 PARAB Application Scott Grenald (City Resident) (03-19-2021)