(REVISED) 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 21, 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 SERVICE AWARDS FOR OCTOBER, NOVEMBER AND DECEMBER

Request that the City Commission join the City Manager in recognizing employees who have reached milestones in years of service.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

None.

5. PUBLIC HEARINGS

5.A PUBLIC HEARING - PROGRAM YEAR 2020 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT

Approval of the 2020 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER).

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 AUTHORIZATION TO TRANSFER AMERICAN RESCUE PLAN - CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS

Authorization to transfer funds from the American Rescue Plan - Coronavirus Local Fiscal Recovery Funds.

7.B DONATION OF VEHICLE TO THE KISSIMMEE MAIN STREET PROGRAM

The Police Department is requesting City Commission approval to donate a John Deere Gator to the Kissimmee Main Street Program.

7.C LICENSE AGREEMENT BETWEEN GREEN MEADOWS FARM LTD AND THE CITY OF KISSIMMEE TO OPERATE AT LANCASTER RANCH PARK

Approval of a License Agreement with Green Meadows Farm to operate an educational farm and ranch attraction at Lancaster Ranch Park.

7.D MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KISSIMMEE AND SKYVIEW KISSIMMEE DEVELOPER LLC REGARDING THE BEAUMONT DEVELOPMENT SITE

Approval of the Master Development Agreement between the City of Kissimmee and Skyview Kissimmee Developer LLC regarding the purchase and redevelopment of the Beaumont Development Site. Authorization for the City Manager or designee to execute Property Use License Agreement and Temporary Construction Easements, and any other documents that may be necessary to allow the Developer access to the property prior to the sale.

7.E APPROVAL OF A SPACE USE PERMIT FOR LEAD AIR

Request Commission approval of a Space Use Permit for Lead Air.

7.F REQUEST TO APPROVE PROPERTY CONVEYANCE DOCUMENTS RELATING TO OSCEOLA COUNTY'S BILL BECK BOULEVARD - SEGMENT B ROADWAY IMPROVEMENT PROJECT

This request is for City Commission approval to dedicate utility easements to the Kissimmee Utility Authority and the Toho Water Authority to help complete the expansion and improvement of Segment B of the Bill Beck Boulevard County expansion project.

7.G AUTHORIZATION TO ACCEPT 2021-2022 VICTIMS OF CRIME ACT (VOCA) GRANT FUNDING

Approval to accept the U.S. Department of Justice (DOJ) 2021-22 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.H CHANGE ORDER NO.3 WITH GOMEZ CONSTRUCTION FOR THE SECURITY IMPROVEMENTS AT KISSIMMEE GATEWAY AIRPORT

Approval of Change Order No. 3 with Gomez Construction for the Airport Security Improvements Project in the amount of $6,975.00 using project AP2103 funds.

7.I APPROVAL OF SECOND AMENDMENT TO AGREEMENT BETWEEN THE CITY OF KISSIMMEE AND REDFLEX TRAFFIC SYSTEMS, INC. AUTHORIZING A SHORT-TERM 90-DAY EXTENSION

Approval of a second amendment to the agreement between the City and Reflex Traffic Systems, Inc authorizing a 90-day extension of the original contract.

7.J ACCEPTANCE OF ASSIGNMENT OF GROUND LEASE AGREEMENT WITH SKY WAY ENTERPRISES, INC.

Approval of a ground lease agreement with Sky Way Enterprises, Inc., for 3031 Patrick Street, Kissimmee Gateway Airport.

7.K COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2021 FUNDING AGREEMENT

Acceptance of the Program Year 2021 Community Development Block Grant (CDBG) from the U.S. Department of Urban Development (HUD) in the amount $769,084, approval to execute the funding agreement and approval for the Mayor, City Manager or Development Services Director to execute any CDBG related documents and sub-recipient agreements according to the levels of signature authority consistent with the City's Procurement Policy.

7.L AMENDED AND RESTATED AIRPORT LEASE AGREEMENT WITH SANDPIPER FLORIDA REAL ESTATE HOLDINGS, LLC

Approval of a lease modification for Sandpiper Florida Real Estate Holdings, LLC.

7.M COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS ROUND 3 (CDBG-CV 3) FUNDING AGREEMENT

Acceptance of the allocation of the Community Development Block Grant Coronavirus Round 3 (CDBG-CV3) HUD funds in the amount $737,760, approval to execute the funding agreement, and approval for the Mayor, City Manager or Development Services Director to execute any CDBG-CV related documents and sub-recipient agreements according to the levels of signature authority consistent with the City's Procurement Policy after review by the City Attorney or her designee.

7.N AMENDMENTS TO THE HOME CONSORTIUM PROJECT AGREEMENT (THIRD AMENDMENT) AND THE HOME PROGRAM AGREEMENT (FOURTH AMENDMENT) FOR THE REHABILITATION OF THE OAK LEAF LANDINGS APARTMENTS

Commission approval of the Third Amendment to the HOME Consortium Project Agreement between Osceola County and the City of Kissimmee and the Fourth Amendment to the HOME Project Agreement between the City of Kissimmee, Osceola Council on Aging, Inc., and Kissimmee Oaks Housing I, Inc. for the rehabilitation of the Oak Leaf Landings Apartments.

7.O PROFESSIONAL ENGINEERING CONTINUING SERVICES CONTRACT EXTENSIONS

Approval to extend the Professional Engineering Continuing Services Contracts with the following firms: (1) Askey Hughey, Inc., (2) RS&H, Inc., (3) Burgess & Niple, Inc., (4) T. Y. Lin International, Inc., and (5) CDM Smith, Inc. for one year.

7.P AMENDMENT NO.1 TO THE AGREEMENT WITH YSI INCORPORATED FOR STORMWATER MONITORING, MAINTENANCE, AND DATA COLLECTION SERVICES

Approval to amend and increase the current contract price of $241,797.00 by $33,908.34 to provide additional stormwater monitoring, maintenance, and data collection services.

7.Q PROFESSIONAL SURVEYING CONTINUING SERVICES CONTRACT EXTENSION WITH JOHNSTON'S SURVEYING, INC.

Approval to extend the Professional Surveying Continuing Services Contract with Johnston's Surveying, Inc. for one-year.

7.R WORK ORDER NO. 1 TO MICHAEL BAKER INTERNATIONAL, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN SUPPORT OF THE 20-YEAR STORMWATER NEEDS ANALYSIS REQUIRED BY THE FLORIDA LEGISLATURE

Approval of Work Order No. 1 to Michael Baker International, Inc. for professional engineering services in support of the 20-year stormwater needs analysis required by the Florida Legislature.

7.S APPROVAL OF AN AGREEMENT FOR CODE ENFORCEMENT SPECIAL MAGISTRATE SERVICES

Approval of an Agreement between the City of Kissimmee and Clifford Shepard of Shepard, Smith, Kholmyer and Hand, PA for Special Magistrate services.

7.T APPROVAL TO SUBMIT A 2021 AFRICAN AMERICAN CULTURAL AND HISTORICAL GRANT THROUGH THE FLORIDA DIVISION OF HISTORIC RESOURCES FOR IMPROVEMENTS TO CHAMBERS PARK COMMUNITY CENTER

Approval to submit a 2021 African American Cultural and Historical Grant through the Florida Division of Historic Resources for improvements to Chambers Park Community Center.

7.U ACCEPTANCE OF ASSIGNMENT OF AIRPORT GROUND LEASE AGREEMENT WITH ZELIFF PROPERTIES, INC.

Approval of a ground lease agreement with Zeliff Properties, Inc., for 3955 Merlin Drive at the Airport.

7.V APPROVAL TO SELL HANGAR AT 4134 AVIATION DRIVE TO CIRRUS AIRCRAFT AND APPROVE MEMORANDUM OF LEASE

Approval to sell an aircraft hangar at 4134 Aviation Drive to Cirrus Design Corporation, D/B/A Cirrus Aircraft and to provide the City Manager with authorization to sign any documents needed for the closing of the sale.

7.W APPROVAL OF A RESOLUTION ESTABLISHING THE CITY'S INTENT TO SECURE TAX-EXEMPT FINANCING TO REIMBURSE THE CITY FOR CAPITAL EXPENDITURES RELATED TO SEVERAL CAPITAL IMPROVEMENT PROJECTS

Approval of a reimbursement Resolution to establish the City's intent to procure future tax exempt financing for capital expenditures in connection with several capital improvement projects.

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 AFFORDABLE HOUSING INCENTIVES AND RECOMMENDATIONS FROM THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) FOR THE 2021 CALENDAR YEAR

Accept the recommended incentive strategies made by the Affordable Housing Advisory Committee (AHAC) during the 2021 calendar year and direct staff to follow up with the implementation of each recommendation accordingly.

8.C KISSIMMEE UTILITY AUTHORITY BOARD OF DIRECTORS REAPPOINTMENT

The request is for City Commission consideration of the reappointment of an incumbent member of the Kissimmee Utility Authority (KUA) Board of Directors whose term expires in 2022.

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
SERVICE AWARDS FOR OCTOBER, NOVEMBER AND DECEMBER

Request

Request that the City Commission join the City Manager in recognizing employees who have reached milestones in years of service.

Explanation

Five	Patrick Smith	Police
	Emily Kaluszkin	Police
	Roxane Walton	Human Resources
Ten	Andrea Campbell	Parks & Recreation
Fifteen	Antonio Aviles	Police
	Duane Fay	Police
	Vincent Hickey	Public Works & Engineering
	Suzette Moran Hall	Fire
	Jeff Pon	Parks & Recreation
	Dawn Stapf	Parks & Recreation
	Dave Stoloff	Information Technology
	Arnaldo Vega	Public Works & Engineering
Twenty	Chris Succi	Police
Twenty-five	James Napier	Police
Thirty	Deborah Ashley	Police
Thirty-Five	Bethany Santiago	Police

Department: Human Resources & Risk Management
Presenter: Mike Steigerwald

Attachment(s):
None

ITEM 5.A

PUBLIC HEARING - PROGRAM YEAR 2020 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT

Request

Approval of the 2020 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER).

Explanation

The Consolidated Annual Performance and Evaluation Report (CAPER) is the document required annually by the Department of Urban Development (HUD) that evaluates the City of Kissimmee's use of Community Development Block Grant (CDBG) funds for the previous year. It provides a summary of the accomplishments and an accounting of the allocation and expenditure of the CDBG funds. For Program Year 2020, the City of Kissimmee received $725,168 in CDBG funds and the following accomplishments were met:

- $40,170 to the Community Hope Center to assist chronically homeless individuals and families through entry into a coordinated assessment system that provides ranking, referrals, and assistance such as rapid rehousing. Accomplishments: 159 persons were assisted.
- $40,000 to the Community Hope Center to provide rental and mortgage assistance to low income households to promote stable housing. Accomplishments: 10 households were assisted.
- $70,000 for code enforcement activities intended to assist in the preservation of the existing housing stock and relevant commercial structures. Accomplishments: 790 cases were handled. Of those, 344 were residential.
- $250,000 to the Public Works and Engineering Department to pay for the design and survey for the sidewalk extension project. This project will extend the sidewalk located on the south side of Hill Street (approximately 1100 ft of new sidewalk). Accomplishments: None. A Substantial Amendment was made in PY 2020 to delete this project from the 2020 Annual Action Plan and re-allocate the funding to the Hudson Street Improvement project.
- $10,000 to the Consumer Credit Counseling of PR to provide one on one confidential sessions, workshops, and public activities on credit and budgeting, financial planning, money management, and housing counseling. Accomplishments: None.
- $40,000 to Osceola Council on Aging to provide rental and mortgage assistance to promote stable housing for low-income households. Accomplishments: 29 households were assisted.
- $10,000 to Back on Track Employment Services to provide education that will lead to employment opportunities with a living wage for low and moderate income individuals. Accomplishments: Successfully enrolled 17 participants into the program. All of them completed training and 6 of the participants obtained employment.
- $10,000 to Lighthouse of Central Florida to provide vision rehabilitation services for teens and adults who are blind or severely vision impaired and their families. Accomplishments: 5 persons received services.

As required by the City's CDBG Citizen Participation Plan, the report was made available for public comment from Monday, December 6 through December 20, 2021. No public comments were received.

This report will be submitted to HUD for final approval. If necessary, staff will make minor corrections without further review by the City Commission unless there are substantive changes to the intent of the report.

Recommendation

Staff recommends approval of the 2020 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER).

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services
Presenter: Frances DeJesus

Attachment(s):
1. CAPER2021_IDIS Version
2. Public Notice_12.2.2021

ITEM 7.A
AUTHORIZATION TO TRANSFER AMERICAN RESCUE PLAN - CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS

Request

Authorization to transfer funds from the American Rescue Plan - Coronavirus Local Fiscal Recovery Funds.

Explanation

During the June 21, 2021, Commission Workshop, the Commission approved moving forward with allocating the American Rescue Plan - Coronavirus State and Local Fiscal Recovery Funds for projects that meet the following federally-authorized uses. In response, staff is requesting authorization to transfer funds from the American Rescue Plan Fund to the appropriate funds and accounts as listed below, amending the budget accordingly.

1) Address negative economic impacts caused by the public health emergency
Use of these funds are to aid in addressing negative impacts and economic harms to workers, households, small businesses, impacted industries, and the public sector.
Small Business Assistance Program “Operation Business Boost” - $350,000

2) Replace lost public sector revenue
Use of these funds are to provide support for government services to the extent of the reduction in revenue experienced due to the pandemic.
General Fund - $1,689,000.00
Sales Tax Fund - $2,304,000.00
Gas Tax Fund - $571,000.00
Building Fund - $750,000.00

3) Invest in water, sewer, and broadband infrastructure
Use of these funds will assist with necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.
Chamber Park Fiber project to provide access to broadband internet in the community center hub - $80,000

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00110603 - 503434		Increase	350,000	
00100381 - 381000		Increase	350,000	
00100369 - 369900		Increase	1,689,000	
00190700 - 509276		Increase	1,689,000	
10400369 - 369900		Increase	2,304,000	
10490700 - 509276		Increase	2,304,000	
10300369 - 369900		Increase	571,000	

10345650 - 509276 10100369 - 369900 10140106 - 506292 56000369 - 369900 56060106 - 506393		Increase Increase Increase Increase Increase	571,000 750,000 750,000 80,000 80,000	

Financial Summary:

Increase revenue to transfer funds from the American Rescue Act Fund to the General, Sales Tax, Gas Tax, and Building Funds, amending the budget accordingly.

Recommendation

Authorization to transfer and expend funds from the American Rescue Plan - Coronavirus Local Fiscal Recovery Funds as requested.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager
Presenter:

Attachment(s):
None

ITEM 7.B
DONATION OF VEHICLE TO THE KISSIMMEE MAIN STREET PROGRAM

Request

The Police Department is requesting City Commission approval to donate a John Deere Gator to the Kissimmee Main Street Program.

Explanation

The Kissimmee Main Street Program is currently in need of a golf cart-type vehicle. The Kissimmee Police Department has the below described City asset designated to be removed from service. We no longer utilize the John Deere in our fleet as we have another golf cart in use. The Department is requesting authorization to donate the identified vehicle to the Kissimmee Main Street Program.

The vehicle to be donated is described as follows:

- PD 477
- 1999 John Deere Gator
- Serial# W006X4X034520
- City Asset # 22487
- Estimated Current Value $1,500.00

Recommendation

Staff recommends approval to donate PD 477 to the Kissimmee Main Street Program.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police
Presenter:

Attachment(s):
None

ITEM 7.C
LICENSE AGREEMENT BETWEEN GREEN MEADOWS FARM LTD AND THE CITY OF KISSIMMEE TO OPERATE AT LANCASTER RANCH PARK

Request

Approval of a License Agreement with Green Meadows Farm to operate an educational farm and ranch attraction at Lancaster Ranch Park.

Explanation

Green Meadows Petting Farm opened in Kissimmee, Florida in 1988 and, for 30 years, provided an educational farm and ranch experience for school children and church groups, as well as special community events such as an Easter Egg Hunt, Fall Corn Festival, Halloween and Christmas Lights Adventure. In 2018, they were forced to close due to the expiration of their land lease and had no other property to move the operations to in the local area.

At the March 27, 2018 Commission Workshop, the concept of Green Meadows Petting Farm becoming a tenant at the developing Lancaster Ranch Park was approved. Staff has worked closely with Green Meadows Farm and the AECOM park design team to incorporate the petting farm into the future park program and design. The City feels it is in the best interest of the community to enter into a public private partnership with Green Meadows Farm as outlined in the License Agreement.

Within the agreement, the term shall be for four (4) years commencing January 1, 2022 and ending September 20, 2026, with an option to enter into future agreements. Green Meadows Farm will be responsible for maintenance of the approximately 7 acre parcel within the City park and capital improvements made to support their operations, including animal housing, as well as proper care of any livestock and any hazardous materials or waste. Green Meadows will also provide and maintain proper insurance naming the City of Kissimmee as Additional Insured for the duration of the agreement. The City will maintain the building (existing house) on site. Green Meadows Farm will pay a rental fee monthly as listed in the agreement with the City of Kissimmee.

Recommendation

Staff recommends Commission approval of the License Agreement with Green Meadows Farm to operate at the Lancaster Ranch Park.

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

Approve

Department: Parks & Recreation
Presenter:

Attachment(s):
1. Green Meadows. License Agreement. Dec. 2021 edits (1)
2. Exhibit A - Map
3. Exhibit B with livestock

ITEM 7.D
MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KISSIMMEE AND SKYVIEW KISSIMMEE DEVELOPER LLC REGARDING THE BEAUMONT DEVELOPMENT SITE

Request

Approval of the Master Development Agreement between the City of Kissimmee and Skyview Kissimmee Developer LLC regarding the purchase and redevelopment of the Beaumont Development Site. Authorization for the City Manager or designee to execute Property Use License Agreement and Temporary Construction Easements, and any other documents that may be necessary to allow the Developer access to the property prior to the sale.

Explanation

The City has had a long-term goal of adding more housing in the Downtown Kissimmee Community Redevelopment Area (CRA) to increase the number of full-time residents in Kissimmee's Downtown and support the growing number of employers in the Medical Arts District. The Beaumont Development Site, a city-owned property of approximately 20 acres, is located on the south side of Martin Luther King Jr. Boulevard between Central and Clyde Avenues. The City acquired this property in 2018 for the purpose of fostering redevelopment consistent with the City's goals for the CRA and the Medical Arts District.

The City issued RFQ2020-006 to solicit a qualified private sector master developer to spearhead the redevelopment to include varying medium and high density residential unit types, mixed use and commercial buildings to compliment the nearby Medical Arts District. On November 2, 2020, the City Commission accepted Skyview's proposal and authorized the City Manager to negotiate with Skyview to acquire and develop the property.

The purpose of the Master Development Agreement is to set out the responsibilities, time periods, development regulations, and standards to govern the redevelopment of the Beaumont Development Site and memorialize the public-private partnership created to prepare the site for development and establish incentives to ensure a quality project that enhances downtown and the Medical Arts District.

Some of the highlights of the agreement are:
- Skyview will purchase approximately 13.7 acres of developable land from the City for $2.74 million. The remaining 6.3 acres will remain city-owned for public uses including the extension of the surrounding street network through the property.
- The City will fund the installation of certain public infrastructure, such as public streets, sidewalks, storm drainage and a park. Skyview will construct these improvements in Phase 1.
- Phase 1 of the project will comprise the southwesternmost portion of the site and will consist of approximately 300 multi-family residential units, parking and amenities to be developed by Skyview.
- The City will make a good faith effort to acquire an additional parcel at the northwest corner of the site to incorporate into the City-owned portion of the project as previously contemplated and funded in the City budget.
- Performance based financial incentives will be granted to Skyview to assist in the development of the site in accordance with the City's CRA and Brownfield programs.

The public infrastructure portion of the project will include extension of the City street grid and sidewalk network through the property and construction of a master stormwater system to accommodate the new streets, the development project, and compensating storage for the portion of the property that lies within the 100-year floodplain. Funding for the public infrastructure will be provided in the form of a planned tax-exempt debt issuance anticipated to be approximately $5.9 million. Funding for the performance-based financial incentives is anticipated to total up to $3.1 million to be credited over 15 years following completion of the first phase of the project. The debt service for the infrastructure funding and the costs of the financial incentives will be funded by the annual tax increment revenues generated by the development, Phase 1 of which is an estimated $60 million investment.

Design and construction of Phase 1 and the infrastructure for all three phases will begin in 2022, with Phases 2 and 3 commencing at a later date within one to three years. Phases 2 and 3, which will front on Martin Luther King Jr. Boulevard, will include higher density mixed uses to include additional multi-family housing, offices, and supportive retail estimated at an additional $140 million worth of investment by Skyview.

Recommendation

Staff recommends the City Commission approve the Master Development Agreement between the City of Kissimmee and Skyview Kissimmee Developer LLC regarding the purchase and redevelopment of the Beaumont Development Site, and authorize the City Manager to execute any documents that may be necessary to allow the Developer access to the property prior to the sale.

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

Approve

Department: Development Services
Presenter:

Attachment(s):

1. Master Development Agreement Kissimmee and Skyview. FFP-REV Corrected Signature Pg (R)
2. EXHIBIT A Beaumont Legal Description (R)
3. EXHIBIT B CONCEPTUAL SITE PLAN (R3)
4. EXHIBIT C PurchaseOptionAgreement Beaumont Development Parcel 12-17-21 (R)
5. EXHIBIT D API RESPONSIBILITY R13 (R)
6. EXHIBIT E MILESTONE SCHEDULE R13 (R)
7. EXHIBIT F Survey Boundry TOPO (R)
8. EXHIBIT G Sample Temp Construction Easement (R2)
9. EXHIBIT H - Staging Locations (R)
10. EXHIBIT I. SAMPLE Property Use License (R2)
11. EXHIBIT J- Insurance Requirements (R)

ITEM 7.E
APPROVAL OF A SPACE USE PERMIT FOR LEAD AIR

Request

Request Commission approval of a Space Use Permit for Lead Air.

Explanation

Lead Air is an aviation related company that currently leases hangar space from WA Hangars in the Business Airpark. Their on-airport operation involves mounting their surveillance and sensor systems onto customers' aircraft. The systems are manufactured off-airport at their site on Hoagland Blvd on the airport’s perimeter.

Lead Air has entered into a long-term contract to provide their services which will require additional space that is not available in their current location. They have requested to enter into a Space Use Permit (SUP) for the “lean to” open portion (approximately 2,475 square feet) of our Airport Maintenance hangar at 4009 4th Street.

The new SUP will be effective December 31, 2021, through December 31, 2023. The monthly rent for the SUP will be $231.00 + $17.32 (7.5% sales tax) monthly = $248.

Recommendation

Staff recommends Commission approval of the Space/Use Permit for Lead Air.

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

Approve

Department: Airport
Presenter:

Attachment(s):
1. Lead Air Space Use-Signed

ITEM 7.F

REQUEST TO APPROVE PROPERTY CONVEYANCE DOCUMENTS RELATING TO OSCEOLA COUNTY'S BILL BECK BOULEVARD - SEGMENT B ROADWAY IMPROVEMENT PROJECT

Request

This request is for City Commission approval to dedicate utility easements to the Kissimmee Utility Authority and the Toho Water Authority to help complete the expansion and improvement of Segment B of the Bill Beck Boulevard County expansion project.

Explanation

Staff requests Commission approval to convey a 10-foot utility easement to the Kissimmee Utility Authority in order to install the utilities necessary for the Bill Beck Boulevard - Segment B Roadway Improvement Project and a second 10-foot utility easement to the Toho Water Authority for similar purposes. These instruments are necessary for the completion of the Bill Beck Boulevard Project and involve a small portion of a retention pond parcel owned by the City just north of the Kissimmee Charter Academy.

This County project will extend Bill Beck Boulevard from its current terminus at the Kissimmee Charter Academy north to Osceola Parkway, providing a much needed alternative to Michigan Avenue for Mill Run/Oak Run area residents.

Recommendation

Staff recommends approval of the two conveyance documents.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

1. COK to KUA Easement
2. Exhibit A of COK to KUA Easement -- Bill Beck Blvd -Seg B
3. COK to TWA Easement
4. Exhibit A of COK to TWA Easement -- Bill Beck Blvd -Seg B

ITEM 7.G
AUTHORIZATION TO ACCEPT 2021-2022 VICTIMS OF CRIME ACT (VOCA) GRANT FUNDING

Request

Approval to accept the U.S. Department of Justice (DOJ) 2021-22 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.

Explanation

The City of Kissimmee has been notified by the State of Florida, Office of the Attorney General, Bureau of Advocacy and Grants Management, that is has been awarded the U.S. Department of Justice 2020-2021 Victims of Crime Act (VOCA) Grant. The approved award amount is $85,253. This award amount includes $2,500 for training and $10,000 for operating costs for the VOCA program. The grant no longer requires any local matching funds from the Police Department's General Fund salaries and benefits accounts.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
11400334 334200	VOCA22	Increase	$85,253	
11430401 501212	VOCA22	Increase	$55,443	
11430401 502121	VOCA22	Increase	$2,837	
11430401 502323	VOCA22	Increase	$12,878	
11430401 502424	VOCA22	Increase	$1,595	
11430401 505252	VOCA22	Increase	$10,000	
11430401 505555	VOCA22	Increase	$2,500	

Financial Summary:

Adequate monies will be available in the VOCA Grant Fund upon receipt of the DOJ funds.

Recommendation

Staff recommends the acceptance of the 2021-2022 Victims of Crime Act (VOCA) Grant for $85,253 and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police
Presenter:

Attachment(s):
1. VOCA-2021-City of Kissimmee Police -00575 - signed

ITEM 7.H
CHANGE ORDER NO.3 WITH GOMEZ CONSTRUCTION FOR THE SECURITY IMPROVEMENTS AT KISSIMMEE GATEWAY AIRPORT

Request

Approval of Change Order No. 3 with Gomez Construction for the Airport Security Improvements Project in the amount of $6,975.00 using project AP2103 funds.

Explanation

Change Order No.3 Kissimmee Airport Security Improvements will add an additional segment of chain link fence to the Airport Security Improvements Project. This added fencing will be located adjacent to the parcel the City recently acquired and annexed to the airport boundary. After land clearing activities were completed by City crews near the hangar, it was discovered that additional fencing is needed to secure the airfield area.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47000381-381008 47070106-506393	AP2103 AP2103	Increase Increase	6,975.00 6,975.00	6,975.00 6,975.00

Financial Summary:

Airport funds allocated in AP2103 will be used to cover this entire Change Order amount of $6,975.00.

Recommendation

Staff recommends Commission approval of Change Order No. 3 with Gomez Construction for the Airport Security Improvements Project in the amount of $6,975.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):
1. Gomez SOR 004 Added Fence

ITEM 7.I
APPROVAL OF SECOND AMENDMENT TO AGREEMENT BETWEEN THE CITY OF KISSIMMEE AND REDFLEX TRAFFIC SYSTEMS, INC. AUTHORIZING A SHORT-TERM 90-DAY EXTENSION

Request

Approval of a second amendment to the agreement between the City and Redflex Traffic Systems, Inc authorizing a 90-day extension of the original contract.

Explanation

Through the enactment of the Mark Wendall Traffic Safety Act effective July 1, 2010 and codified at F.S. 316.0083, the State of Florida authorized the use of red light cameras at intersections for the issuance of traffic citations for failure to obey traffic control devices. On August 2, 2011, the City entered into an Agreement with Redflex Traffic Systems, Inc and entered into a First Amendment of the Agreement on August 30, 2016, extending it through December 31, 2021.

In late October, Red Flex was acquired by American Traffic Solutions, doing business as Verra Mobility. Staff began negotiating the contract with the new entity; however, negotiations will not be finalized before the current contract expiration date. Redflex has agreed to enter into a short-term ninety (90) day extension, with a new expiration date of March 31, 2022, to give the parties adequate time to address pricing, equipment and to finalize the new agreement for services.

Recommendation

Staff recommends approval of the second amendment of the original agreement with Redflex Traffic Systems Inc.

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

Approve

Department: City Attorney
Presenter:

Attachment(s):
1. Second Amendment Kissimmee, FL - 90 Day Extension (RF)

ITEM 7.J
ACCEPTANCE OF ASSIGNMENT OF GROUND LEASE AGREEMENT WITH SKY WAY ENTERPRISES, INC.

Request

Approval of a ground lease agreement with Sky Way Enterprises, Inc., for 3031 Patrick Street, Kissimmee Gateway Airport.

Explanation

Sky Way Enterprises, Inc. operates a cargo aircraft maintenance operation at 3031 Patrick Street, formerly utilized by Kissimmee Aviation services A/K/A Kissimmee Jet Center. Sky Way desires to continue to operate aircraft maintenance solely on their own aircraft and has proposed to construct a new facility south of the current hangar.

The current hangar is scheduled to be demolished and removed in 2023 as part of an FAA funded taxiway extension project (funding to be applied for in 2022). The agreement will consist of a one-year term and continue month-to-month thereafter until the taxiway project begins or occupancy by Sky Way in the new hangar facility. A separate agreement will be developed and presented for the new proposed facility.

Recommendation

Staff recommends Commission approval of the ground lease agreement with Sky Way Enterprises, Inc., 3031 Patrick Street.

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

Approve

Department: Airport
Presenter:

Attachment(s):
1. SKY WAY ENTERPRISES LEASE
2. Skyway Exhibit A
3. EXHIBIT B

ITEM 7.K
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2021 FUNDING AGREEMENT

Request

Acceptance of the Program Year 2021 Community Development Block Grant (CDBG) from the U.S. Department of Urban Development (HUD) in the amount $769,084, approval to execute the funding agreement and approval for the Mayor, City Manager or Development Services Director to execute any CDBG related documents and sub-recipient agreements according to the levels of signature authority consistent with the City's Procurement Policy.

Explanation

On July 20, 2021, The City Commission approved the Program Year (PY) 2021 Annual Action Plan. The Plan delineates how the City intends to use its PY 2021 CDBG allocation of $769,084 to address the needs and priorities of the community. In order to use the CDBG funds, the attached funding agreement is required to be executed and returned to HUD.

Recommendation

Staff recommends acceptance of the Program Year 2021 Community Development Block Grant (CDBG) from the U.S. Department of Urban Development (HUD) in the amount $769,084, approval to execute the funding agreement, and approval for the Mayor, City Manager or Development Services Director to execute any CDBG related documents and sub-recipient agreements according to the levels of signature authority consistent with the City's Procurement Policy after review by the City Attorney or her designee.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services
Presenter:

Attachment(s):
1. Funding Agreement_doc
2. CDBG Special Grant Conditions (1)

ITEM 7.L
AMENDED AND RESTATED AIRPORT LEASE AGREEMENT WITH SANDPIPER FLORIDA REAL ESTATE HOLDINGS, LLC

Request

Approval of a lease modification for Sandpiper Florida Real Estate Holdings, LLC.

Explanation

The City signed an agreement with Sandpiper Florida Real Estate Holdings, LLC, on November 3, 2020, for a ground lease for Parcels W3 and W4 to support aircraft hangars. Sandpiper is selling one Hangar on Parcel W4 and has requested the agreement be modified to reflect the reduced square footage at the current land rental rate. All other terms remain in place.

Recommendation

Staff recommends City Commission approval of a lease modification for Sandpiper Florida Real Estate Holdings, LLC.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):
1. Amended and Restated Fixed Base Operator's Lease Agreement

ITEM 7.M
COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS ROUND 3 (CDBG-CV 3) FUNDING AGREEMENT

Request

Acceptance of the allocation of the Community Development Block Grant Coronavirus Round 3 (CDBG-CV3) HUD funds in the amount $737,760, approval to execute the funding agreement, and approval for the Mayor, City Manager or Development Services Director to execute any CDBG-CV related documents and sub-recipient agreements according to the levels of signature authority consistent with the City's Procurement Policy after review by the City Attorney or her designee.

Explanation

The City Commission accepted the allocation of the first round of CDBG-CV funds in the amount of $426,609 on May 19, 2020. Soon after, the City was notified of another allocation (Round 3) in the amount of $737,760. Final approval of the funds was contingent on the City going through the process of amending the corresponding Annual Action Plan to include the Cares Act funds from Round 3. The Third Substantial Amendment to the Program Year 2019 Annual Action Plan was approved by the City Commission on July 20, 2021.

All of the funds from Round 3 are being allocated to the Homeless Facility project, which will serve the housing needs of the chronic homeless and those that are at risk of homelessness. The attached funding agreement is required to be executed and returned to HUD in order to use the CDBG-CV3.

Recommendation

Staff recommends acceptance of the allocation of the Community Development Block Grant Coronavirus Round 3 (CDBG-CV3) HUD funds in the amount $737,760, approval to execute the funding agreement, and approval for the Mayor, City Manager or Development Services Director to execute any CDBG-CV related documents and sub-recipient agreements according to the levels of signature authority consistent with the City's Procurement Policy after review by the City Attorney or her designee.

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

Approve

Department: Development Services
Presenter:

Attachment(s):
1. Kissimmee CARES Act CDBG-CV3 Grant Agreement
2. CDBG-CV Special Grant Conditions

ITEM 7.N

AMENDMENTS TO THE HOME CONSORTIUM PROJECT AGREEMENT (THIRD AMENDMENT) AND THE HOME PROGRAM AGREEMENT (FOURTH AMENDMENT) FOR THE REHABILITATION OF THE OAK LEAF LANDINGS APARTMENTS

Request

Commission approval of the Third Amendment to the HOME Consortium Project Agreement between Osceola County and the City of Kissimmee and the Fourth Amendment to the HOME Project Agreement between the City of Kissimmee, Osceola Council on Aging, Inc., and Kissimmee Oaks Housing I, Inc. for the rehabilitation of the Oak Leaf Landings Apartments.

Explanation

As a member of the Osceola County HOME Consortium, the City of Kissimmee receives federal HOME funds in order to carry out eligible activities. Each time the City awards HOME funds to a project, the City is required to enter into an agreement with Osceola County (Consortium lead agency) to describe how the City intends to use the HOME funds on the particular project. The agreement, known as the Consortium Project Agreement, provides information about the project and outlines all of the specific project requirements. This is in addition to the required HOME Project Agreement with the developer/owner.

The City of Kissimmee has allocated HOME funds in the amount of $159,435 to the Council on Aging, Inc. to rehabilitate the Oak Leaf Landings Apartments, a 50-unit elderly housing complex, as a part of the Consortium Project Agreement. The initial allocation of funds was approved by the City Commission on October 15, 2019 and amended on November 3, 2020. The project has experienced significant material shortages as a result of the pandemic. Therefore, staff is requesting an extension of the project term from December 31, 2021 to February 28, 2022 to allow for additional time for project completion. This change means the Consortium Project Agreement between Osceola County and the City of Kissimmee as well as the HOME Project Agreement between the City of Kissimmee and the developer must both be amended accordingly.

Recommendation

Approve the Third Amendment to the HOME Consortium Project Agreement between Osceola County and the City of Kissimmee and the Fourth Amendment to the HOME Project Agreement between the City of Kissimmee, Osceola Council on Aging, Inc., and Kissimmee Oaks Housing I, Inc. for the rehabilitation of the Oak Leaf Landings Apartments.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services
Presenter:

Attachment(s):

1. Consortium Agreement (Third Amendment) Oak Leaf Landings
2. Fourth Amended Project Agreement Oak Leaf Landings-executed

ITEM 7.O
PROFESSIONAL ENGINEERING CONTINUING SERVICES CONTRACT EXTENSIONS

Request

Approval to extend the Professional Engineering Continuing Services Contracts with the following firms: (1) Askey Hughey, Inc., (2) RS&H, Inc., (3) Burgess & Niple, Inc., (4) T. Y. Lin International, Inc., and (5) CDM Smith, Inc. for one year.

Explanation

On March 20, 2018, the City Commission approved the selection of (1) Askey Hughey, Inc., (2) RS&H, Inc., (3) Burgess & Niple, Inc., (4) T. Y. Lin International, Inc., and (5) CDM Smith, Inc. for the Professional Engineering Continuing Services Contract to provide engineering services on a task basis. These contracts were for two (2) years with the option of three (3) one-year extensions. Staff would like to request approval to extend these contracts for another one-year with a new expiration date of March 20, 2022.

Recommendation

Staff recommends City Commission approval to extend the Professional Engineering Continuing Services Contracts with the following firms: (1) Askey Hughey, Inc., (2) RS&H, Inc., (3) Burgess & Niple, Inc., (4) T. Y. Lin International, Inc., and (5) CDM Smith, Inc. The extension is for a one-year renewal with a new expiration date of March 20, 2022.

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

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):
1. Engineering Contract Extension-2021-Askey Hughey
2. Engineering Contract Extension-2021-Burgess & Niple
3. Engineering Contract Extension-2021-CDM Smith
4. Engineering Contract Extension-2021-RSH
5. Engineering Contract extension-2021-T.Y. Lin International
6. Fully Executed CDM Smith Contract (3-20-2018) (2)
7. Fully Executed RS&H, INC. Contract (03-20-2018)
8. Fully Executed T.Y. LIN Contract (03-20-2018)
9. Fully Executed BURGESS NIPLE (03-20-2018)
10. Fully Executed ASKEY HUGHEY INC. Contract (03-20-2018)

ITEM 7.P
AMENDMENT NO.1 TO THE AGREEMENT WITH YSI INCORPORATED FOR STORMWATER MONITORING, MAINTENANCE, AND DATA COLLECTION SERVICES

Request

Approval to amend and increase the current contract price of $241,797.00 by $33,908.34 to provide additional stormwater monitoring, maintenance, and data collection services.

Explanation

On January 05, 2021, the City Commission approved a one-year contract extension with YSI Incorporated including an amended not to exceed cost in the amount of $241,797 for the City's stormwater monitoring, maintenance, and data collection services.

This amendment No. 1 is for additional unforeseen costs associated with vandalism repairs and non-routine services needed. The current task of maintenance, website and data management, and hydrological services are for all seventeen (17) stormwater monitoring stations throughout the City of Kissimmee.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
40945203 503434		Decrease	275,818	33,909

Financial Summary:

Adequate funds are available in the Stormwater Utility Fund to cover the cost of these additional services.

Recommendation

Staff recommends Commission approval to amend and increase the current contract price of $241,797.00 by $33,908.34 to provide additional stormwater monitoring, maintenance, and data collection services.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

1. YSI Task Work Order_Signed
2. YSI Supplement Service Cost Proposal Summary

ITEM 7.Q

PROFESSIONAL SURVEYING CONTINUING SERVICES CONTRACT EXTENSION WITH JOHNSTON'S SURVEYING, INC.

Request

Approval to extend the Professional Surveying Continuing Services Contract with Johnston's Surveying, Inc. for one-year.

Explanation

On June 19, 2018, the City Commission approved the selection of Johnston's Surveying, Inc. for the Professional Surveying Continuing Services Contract to provide surveying services on a task basis. This contract was for two (2) years with the option of three (3) one-year extensions. Staff would like to request approval to extend this contract for another year. The new expiration date will be June 20, 2022.

Recommendation

Staff recommends City Commission approval to extend the Professional Surveying Continuing Service Contract with Johnston's Surveying, Inc. for an additional year.

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

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

1. Johnston's Surveying Inc Continuing Services Contract Extension-2021
2. Fully Executed Johnston's Surveying (6-19-2018)

ITEM 7.R
WORK ORDER NO. 1 TO MICHAEL BAKER INTERNATIONAL, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN SUPPORT OF THE 20-YEAR STORMWATER NEEDS ANALYSIS REQUIRED BY THE FLORIDA LEGISLATURE

Request

Approval of Work Order No. 1 to Michael Baker International, Inc. for professional engineering services in support of the 20-year stormwater needs analysis required by the Florida Legislature.

Explanation

During the 2021 legislative session, the Florida Legislature (Section 403.9302, Florida Statute) passed House Bill 53, which now requires all local municipalities, counties, and independent special districts that have stormwater management systems, programs, or wastewater management services, to develop a 20-year needs analysis report to be updated every five years. This analysis includes a comprehensive review of stormwater and wastewater budgets, revenues, and expenditures, and a 20-year projection of those figures. It also includes an inventory of all stormwater, flood control, and resilience projects and identification of funding gaps for future projects.

The City has selected Michael Baker International, Inc. under its continuing services agreement (executed July 6, 2021), to provide professional services for completing the Stormwater Needs Analysis Report required to be completed by June 30, 2022. These services will require data collection of existing and proposed stormwater related systems/programs and include a 20-year forecast. Part of this effort will also include current and projected costs for operation and maintenance, flood protection, water quality, resiliency, and infrastructure replacement. The cost of these services is not to exceed $40,000.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
40945203 503131		Decrease	300,000	40,000

<u>Financial Summary:</u>

Adequate funds are available in the Stormwater Utility Fund to cover the cost of these services.

Recommendation

Staff recommends approval of Work Order No. 1 to Michael Baker International, Inc. for professional engineering services in support of the 20-year stormwater needs analysis required by the Florida Legislature.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

1. Michael Baker Task Work Order #1 Signed
2. Michael Baker Scope- Stormwater Needs Analysis
3. Supplemental_Michael Baker Continuing Services Agreement_ 2021 Executed

ITEM 7.S
APPROVAL OF AN AGREEMENT FOR CODE ENFORCEMENT SPECIAL MAGISTRATE SERVICES

Request

Approval of an Agreement between the City of Kissimmee and Clifford Shepard of Shepard, Smith, Kholmyer and Hand, PA for Special Magistrate services.

Explanation

Pursuant to RFP #2022-002, a request for the retention of a qualified attorney to perform special magistrate services regarding Code Enforcement quasi-judicial proceedings, the City seeks to enter into an agreement with Clifford B. Shepard, Esq. of Shepard, Smith, Kholmyer and Hand, PA.

The majority of the funds are currently budgeted out of the Development Services Professional Services Account and a remaining portion of the funds will be paid out of the City Attorney's Other Contract Services Account.

Recommendation

Staff recommends approval of the Agreement.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney
Presenter:

Attachment(s):
1. 12.14.21 Special Magistrate Agreement Code Enforcement Services

ITEM 7.T
APPROVAL TO SUBMIT A 2021 AFRICAN AMERICAN CULTURAL AND HISTORICAL GRANT THROUGH THE FLORIDA DIVISION OF HISTORIC RESOURCES FOR IMPROVEMENTS TO CHAMBERS PARK COMMUNITY CENTER

Request

Approval to submit a 2021 African American Cultural and Historical Grant through the Florida Division of Historic Resources for improvements to Chambers Park Community Center.

Explanation

The Florida Division of Historic Resources is providing funds through an African American Cultural and Historical Grant to assist in construction projects at facilities in Florida that highlight the contributions, culture, or history of African Americans. Priority funding is given to projects that enhance a facility named for a significant African American.

The Chambers Park Community Center, named for Cornelius Chambers, plays a large role in the daily lives of many community residents. It provides cultural and recreational programming to thousands of participants throughout the year. Mr. Chambers was a Kissimmee native and Osceola County's first African American to be killed during the Vietnam War.

The proposed improvements to the facility will not only beautify the building but also enhance its use by the public. The Public Works Facilities Division has multiple capital projects in the coming budgets to address this facility, such as roof replacement, restroom addition, interior flooring replacement and movable wall partition for more programmable space options. The City would like to apply for a $500,000 grant which would not require a City match. The grant funding will offset the cost of these capital projects.

Recommendation

Staff recommends approval to submit a 2021 African American Cultural and Historical Grant through the Florida Division of Historic Resources for improvements to Chambers Park Community Center.

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

Approve

Department: Parks & Recreation
Presenter:

Attachment(s):
1. African American Cult. & Hist Grant

ITEM 7.U
ACCEPTANCE OF ASSIGNMENT OF AIRPORT GROUND LEASE AGREEMENT WITH ZELIFF PROPERTIES, INC.

Request

Approval of a ground lease agreement with Zeliff Properties, Inc., for 3955 Merlin Drive at the Airport.

Explanation

Sandpiper Real Estate Holdings, LLC, is in the process of selling Hangar #2, Parcel W4 at 3955 Merlin Drive, to Zeliff Properties, Inc. Zeliff intends to utilize the hangar for vintage warbird storage, maintenance and operations.The agreement has a thirty (30) year term with one option to renew for an additional ten (10) years. The agreement adheres to a fair market value land rent in accordance with the Airport's Rates & Charges Policy and has provisions for periodic adjustments for market increases.

Recommendation

Staff recommends Commission approval of the ground lease agreement with Zeliff Properties, Inc. 3955 Merlin Drive and Parcel W4.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):
1. Fixed Base Operator Lease Agreement Zeliff Properties, Inc. (2)

ITEM 7.V
APPROVAL TO SELL HANGAR AT 4134 AVIATION DRIVE TO CIRRUS AIRCRAFT AND APPROVE MEMORANDUM OF LEASE

Request

Approval to sell an aircraft hangar at 4134 Aviation Drive to Cirrus Design Corporation, D/B/A Cirrus Aircraft and to provide the City Manager with authorization to sign any documents needed for the closing of the sale.

Explanation

On September 14, 2021, Cirrus Design Corporation d/b/a Cirrus Aircraft signed an Airport Ground Lease Agreement with the City to lease an aircraft hangar at 4134 Aviation Drive, at Kissimmee Gateway Airport for the purposes of establishing a customer service center. Section 13(a) of the Lease Agreement provided Cirrus the option to purchase the hangar within the first four years of the lease for $1,590,000, which is the amount the City paid for the hanger. Cirrus has provided the City with a Notice of Intent to purchase the hangar at this time.

The hangar ground lease will continue at the standard ground lease rate of $0.27 per square feet or $15,297.39 annually. It is intended that Cirrus will construct additional facilities on an 8-acre parcel near Dyer Blvd (Parcel 8). The investment will meet or exceed $5,000,000.00 and include a forty-year lease term with an additional ten-year lease option.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
46100361-361105 35690709-509171 00190700-509276	N/A CM1815 N/A	Increase Increase Increase	400,000 459,578 730,422	

Financial Summary:

Proceeds from the sale of the hangar will repay the General Fund for a loan approved by the City Commission on July 6, 2021, Item 7.L to purchase the aircraft hangar and other funding sources.

Recommendation

Staff recommends Commission approval of the hangar sale and memorandum of lease agreements with Cirrus Aircraft and Commission approval for the City Manager to sign any documents that may be needed to effectuate the sale of the hanger at closing.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):
1. Cirrus - KISM - First Amendment to Ground Lease
2. Cirrus - KISM - Memo of Ground Lease
3. Cirrus - KISM - Termination of Lease and Memo of Lease (WB Hangars)
4. Cirrus - KISM - Quitclaim Deed
5. Cirrus - KISM - Warranty Bill of Sale
6. Cirrus - KISM - Declaration of Severance
7. Cirrus - KISM - Escrow Agreement
8. Cirrus - KISM - Seller's Closing Certificate
9. Cirrus - KISM - FIRPTA. V2
10. CIRRUS HANGAR LEASE

ITEM 7.W

APPROVAL OF A RESOLUTION ESTABLISHING THE CITY'S INTENT TO SECURE TAX-EXEMPT FINANCING TO REIMBURSE THE CITY FOR CAPITAL EXPENDITURES RELATED TO SEVERAL CAPITAL IMPROVEMENT PROJECTS

Request

Approval of a reimbursement Resolution to establish the City's intent to procure future tax exempt financing for capital expenditures in connection with several capital improvement projects.

Explanation

This proposed resolution establishes the City's intent to pursue tax-exempt financing and to utilize those future revenues to reimburse the City for capital expenditures made in advance of that debt issuance. This funding is for several capital improvement projects, including the installation of public infrastructure at the Beaumont Property and the purchase of vehicles and equipment necessary for the Commercial Solid Waste transition project. Adoption of the resolution will allow the City to begin making purchases prior to the issuance of the debt, which is critical given the current supply chain issues affecting the availability of equipment, vehicles, and construction materials.

Finance staff is working with the City's Financial Advisors on the process of securing the financing, which will include a procurement process to consider a variety of financing vehicles, issuers and rates. The final recommendation on the planned debt issuance will be scheduled for City Commission consideration at a later date.

Recommendation

Staff recommends approval of the Resolution.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney
Presenter:

Attachment(s):

1. Kiss 2021 Reimbursement Resolution 12.15.21

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
AFFORDABLE HOUSING INCENTIVES AND RECOMMENDATIONS FROM THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) FOR THE 2021 CALENDAR YEAR

Request

Accept the recommended incentive strategies made by the Affordable Housing Advisory Committee (AHAC) during the 2021 calendar year and direct staff to follow up with the implementation of each recommendation accordingly.

Explanation

Pursuant to Chapter 420.9076 F.S. and Rule 67-37.010, all communities that participate in the State Housing Initiatives Partnership (SHIP) program are required to review the established policies and procedures, ordinances, land development regulations, and local government comprehensive plans and recommend initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. This review is carried out by the Affordable Housing Advisory Committee (AHAC) which consists of eleven appointed members. The Committee meets on a monthly basis and at the end they complete an AHAC Incentive Strategies Report.

Below are the recommendations made by the Committee for the consideration of the City Commission to incorporate into the City's housing strategy:

- The City of Kissimmee should develop a policy to offer reimbursement of mobility fees and park and recreation impact fees for affordable housing developments based on a sliding scale related to the level of affordability and subject to availability of funding.
- In order for developments to be eligible for a density bonus of 5%, the City of Kissimmee should require that developments seeking to provide affordable housing to obtain density bonuses must set aside at least 20% of its units as affordable housing. These units must remain affordable for up to 15 years.
- The City of Kissimmee should not include attached Accessory Dwelling Units (ADU) in the density calculations for any of the zoning districts; however, the attached ADU should be included in the calculation for infrastructure for the purpose of calculating mobility fees, impact fees and connection fees. In addition, the City should remove the requirement that the principal structure be owner occupied.
- The City of Kissimmee should adopt a more formal process of ongoing review to consider, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing. AHAC recommended that staff from the initiating department/division should meet with the housing staff to discuss the impact of the policy on the cost of affordable housing. During the review of the proposed policy or regulation, the housing staff should perform research on the impacts of that policy or regulation on housing cost and provide the results in the form of an impact analysis (Housing Impact Statement) to the AHAC at an upcoming meeting.
- Housing staff should prepare the inventory list of surplus land including only those parcels that are appropriate for affordable housing, and draft guidelines for a Surplus Land for Affordable Housing Program. The program should include guidelines on parcel identification, oversight, disposition procedures, affordability requirements, etc.
- The City should encourage housing developments that meet the definition of either affordable housing or workforce housing and are located near transportation, employment centers,

and/or mixed used development through available funding sources and/or regulatory incentives.
- The City of Kissimmee should evaluate the Community Land Trust model as a potential program for affordable housing in the City of Kissimmee.
- The City of Kissimmee should define affordable housing developments as those in which at least 20% of the units are set aside and meet the definition of affordable housing as defined in Chapter 420 of the Florida Statutes.

The following incentives were reviewed and the AHAC did not make any recommendations:

- The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects;
- The reservation of infrastructure capacity for housing for very low-income, low-income, and moderate-income persons;
- The reduction of parking and setback requirements for affordable housing;
- The allowance of flexible lot configurations, including zero lot line configurations for affordable housing; and,
- The modification of street requirements for affordable housing.

As required by the statute, the AHAC held a public hearing on Wednesday, December 8, 2021 to approve the recommendations by affirmative vote of a majority of the members.

Frances De Jesus (Staff) will provide a brief introduction of the Affordable Housing Advisory Committee. She will then introduce the AHAC Vice-Chair, Robert Bussiere, and he will make a presentation to the City Commission on the incentive strategies and the AHAC's recommendations.

Recommendation

Accept the recommended incentive strategies made by the Affordable Housing Advisory Committee (AHAC) during the 2021 calendar year and direct staff to follow up with the implementation of each recommendation accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services
Presenter: Frances DeJesus

Attachment(s):

1. AHACPresentation_12.21.2021
2. AHAC Report _2021

ITEM 8.C
KISSIMMEE UTILITY AUTHORITY BOARD OF DIRECTORS REAPPOINTMENT

Request

The request is for City Commission consideration of the reappointment of an incumbent member of the Kissimmee Utility Authority (KUA) Board of Directors whose term expires in 2022.

Explanation

One of the seats on the KUA Board of Directors is set to expire in September of 2022. Board member Rae Hemphill is the incumbent appointee in this seat, is eligible for reappointment, and is interested in serving another term. Per City Commission policy, when a seat on the KUA Board is set to expire and the incumbent is eligible for re-appointment, the Commission is given the option to consider reappointment of the incumbent prior to KUA beginning the process of searching for candidates for the upcoming opening.

The term for this seat on the Board is from October 1, 2022 through September 30, 2027.

Recommendation

Staff requests Commission direction.

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

Appoint/Reappoint

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):
1. Hemphill Reappointment Letter

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.

If Commissioner Castano does not make this appointment, 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.

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

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)