



MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION HELD TUESDAY, NOVEMBER 16, 2021, AT 6:00 PM AT THE CITY OF KISSIMMEE, CITY HALL COMMISSION CHAMBERS LOCATED AT 101 CHURCH STREET, KISSIMMEE, FLORIDA

1. MEETING CALLED TO ORDER

Members Present: Mayor Olga Gonzalez, Commissioners Olga Castano, Felix Ortiz, Carlos Alvarez, III, Jim Fisher

Staff Present: City Manager Mike Steigerwald, Deputy City Manager Desiree Matthews, City Attorney Olga Sanchez de Fuentes, Record Specialist Eugenio L. Morales

Members Absent: Assistant City Manager Austin Blake, City Clerk Linda Hansell

Mayor Gonzalez called the meeting to order at 6:00 PM.

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

After a Moment of Silence, Commissioner Fisher led the audience in the Pledge of Allegiance.

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

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

Swearing in and administering oaths to new hires not previously sworn in during the COVID-19 Pandemic.

Police Chief Jeffrey O'Dell shared a video of the Swearing in Ceremony held for the newest group of Officers hired by the City.

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

Chief Jeffrey O'Dell will present the Chief's Special Award to the Community Recommendation Panel.

Chief O'Dell thanked the Community Recommendation Panel for their willingness to serve and presented them with the Chief's Award and a Certificate of Appreciation.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A PUBLIC HEARING - FIRST READING - POLICE OFFICERS' RETIREMENT PLAN

AMENDMENT: AMENDING SECTION 30-225 DROP PARTICIPATION PERIOD

AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION 4, POLICE OFFICERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-225, DEFERRED RETIREMENT OPTION PLAN (DROP); PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

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

City Attorney Sanchez de Fuentes read the proposed ordinance# 21-12.

The City Manager Steigerwald reviewed the proposed changes and recommended approval after holding the public hearing.

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

Commissioner Fisher moved to approve the Public Hearing. Commissioner Castano seconded the motion.

Upon roll call, the vote was as follows:

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

5. PUBLIC HEARINGS

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

Approval to adopt resolution #28-2021 amending the City's operating budget for 2020-2021.

City Manager Steigerwald provided detail to the Commission on the requirement of adopting a resolution to amend the City budget recommended approval after holding the public hearing.

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

Commissioner Fisher moved to approve the Public Hearing and adopt Resolution # 28-2021. Commissioner Castano seconded the motion.

Upon roll call, the vote was as follows:

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

Motion carried 5 – 0.

6. HEAR AUDIENCE

None.

7. CONSENT AGENDA

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

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

Motion carried 5 - 0.

7.A COMMISSION MINUTES APPROVAL

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

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

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

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

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

7.D BUDGET AMENDMENT TO RECLASSIFY DEVELOPMENT SERVICES PLANNING POSITION

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

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

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

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

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

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

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

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

Approval of Change Order No. 2 with Gomez Construction, and an Amendment to the Public Transportation Grant Agreement with Florida Department of Transportation (FDOT) for Airport Security Improvements Project in the amount \$27,167.00.

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

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

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

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

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

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

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

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

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

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

Resolution # 29-2021 (Exhibit "A").

7.N FEDERAL AVIATION ADMINISTRATION AIRPORT RESCUE GRANT PROGRAM

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

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

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

8. DISCUSSION ITEMS

8.A AMENDED LEGISLATIVE PRIORITIES 2022

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

City Manager Steigerwald reviewed the addition of a Legislative Priority for Solid Waste Expansion and informed the Commission of the ability to apply for federal funding. Staff recommends approval.

The Commission questioned some of the specifications on the equipment when being purchased abroad. City Manager Steigerwald confirmed we have national vendors who can supply the

components that are needed.

Commissioner Castano made a motion to approve the 2022 Legislative Priorities. Commissioner Fisher seconded the motion.

AYE: Mayor-Commissioner Gonzalez, Commissioner Fisher, Commissioner Ortiz, Commissioner Alvarez, Commissioner Castano

NAY: None

Motion carried 5 - 0.

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

CITY MANAGER STEIGERWALD

City Manager Steigerwald reminded the Commission of the Tree Lighting Event being held on Saturday, November 27, 2021. Small Business Saturday will be held in partnership with Kissimmee Main Street and will be hosting the tree lighting ceremony.

City Manager Steigerwald stated he will be out of the office next week and Deputy City Manager Matthews will be Acting City Manager.

9.B CITY ATTORNEY

CITY ATTORNEY SANCHEZ DE FUENTES

Nothing.

9.C CITY COMMISSION

COMMISSIONER FISHER

Commissioner Fisher stated he would be out of town and not available for the Tree Lighting Ceremony.

COMMISSIONER ALVAREZ

Nothing.

COMMISSIONER CASTANO

Commissioner Castano wished everyone a Happy Thanksgiving.

COMMISSIONER ORTIZ

Nothing.

MAYOR GONZALEZ

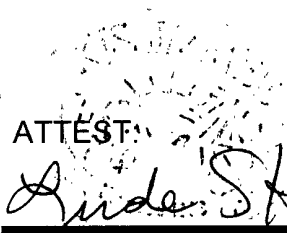
Mayor Gonzalez wished everyone a Happy Thanksgiving and thanked them for attending the meeting.

10. ADJOURNMENT

There being no further business to come before the Commission, Mayor Gonzalez adjourned the meeting at 6:18 PM.


MAYOR-COMMISSIONER

ATTEST:



CITY CLERK

Exhibit "A"
Resolution # 29-2021
City of Kissimmee Americans with Disabilities Act (ADA) Transition Plan
Item 7.M

RESOLUTION NO. 29-2021

**A RESOLUTION OF THE CITY OF KISSIMMEE, FLORIDA
APPROVING AND ADOPTING AN ADA (504) TRANSITION
PLAN FOR ACCESSIBILITY OF PEDESTRIAN FACILITIES
WITHIN THE PUBLIC RIGHTS OF WAY AS REQUIRED BY
FEDERAL LAW; AND IMPLEMENT PROCEDURES IN
FURTHERANCE OF THE PLAN CONSISTENT WITH
FEDERAL AND STATE REGULATIONS; PROVIDING FOR
AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA, IN LAWFUL SESSION ASSEMBLED, AS FOLLOWS:

WHEREAS, The City of Kissimmee is committed to protecting the rights of all people to ensure their ability to work, and enjoy equal access to facilities open to the public in an environment free of unlawful discrimination, harassment, intimidation and retaliation;

WHEREAS, the City adopted Resolution No. 25-2015 on October 20, 2015, adopting policies and procedures in compliance with Title VI of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972; Age Discrimination in Employment Act of 1967; Title II of the Americans with Disabilities Act of 1990 (ADA); Executive Order 13166, and other applicable state and federal nondiscrimination regulations; and

WHEREAS, the City adopted Resolution No. 01-2019 on February 5, 2019, to renew its commitment to non-discrimination and update the Civil Rights Program Policies and Procedures.

WHEREAS, those Resolutions including ensuring the City would complete and posts an ADA (504) Transition Plan for the accessibility of pedestrian facilities within the public rights of way as required by 28 CFR Part 35, "Nondiscrimination on the basis of disability in State and Local Government Services", Sections 105 through 150(d); and

WHEREAS, the City desires to implement an ADA Transition Plan & Sidewalk Maintenance Program, which includes financial commitments for evaluation and construction of projects that remove barriers and promote compliance with the ADA Title II regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Kissimmee that:

Section 1. The above recitals are true and correct legislative findings.

Section 2. The City Manager, and/or his designees are hereby authorized to create, implement, and distribute policies and procedures relative to the implementation of the ADA Transition Plan. The City shall identify, self evaluate and plan to eliminate physical barriers to access of public sidewalks, and generally improve Pedestrian Facilities.

Section 3. The City shall continue to evaluate the ADA Transition Plan to ensure compliance with State and Federal regulations and that program is meeting nondiscrimination and accessibility objectives.

Section 4. This Resolution shall take effect immediately upon its passage.

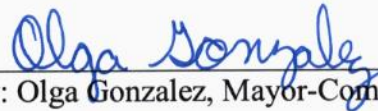
DONE AND RESOLVED this 16 day of November, 2021.

CITY OF KISSIMMEE

ATTEST:

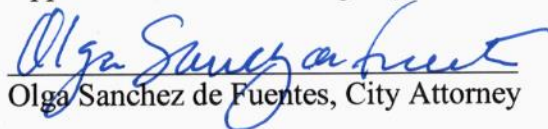


By: Linda S. Hansell
City Clerk



By: Olga Gonzalez, Mayor-Commissioner

Approved as to form & legality:



Olga Sanchez de Fuentes, City Attorney