



**MEETING AGENDA  
SESSION OF THE COMMISSION MEETING  
CITY OF KISSIMMEE  
CITY HALL, COMMISSION CHAMBERS  
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054  
TUESDAY, MAY 3, 2022 AT 6:00 PM**

- 1. MEETING CALLED TO ORDER**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

- 3.A Proclamation - National Day of Prayer
- 3.B Proclamation - Foster Youth Connection
- 3.C Proclamation - Lupus Awareness Month
- 3.D Employee of the Month for May - Melissa Zayas-Moreno
- 3.E Service Awards for January, February and March

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

- 4.A Public Hearing - First Reading - Ordinance to Annex 1.19 acres of land: Tangelo Circle, AX-22-0001 - Proposed Ordinance # 22-08

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND, TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

- 4.B Public Hearing - First Reading - Ordinance amending the Future Land Use designation from MF-MDR, MF-HDR, CONS, & CG to CONS AND IB: Constellation (Formerly Ramona), LUPA-22-0001 - Proposed Ordinance #22-09

AN ORDINANCE AMENDING ORDINANCE NO. 3050 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; 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.

- 5. PUBLIC HEARINGS**
- 6. HEAR AUDIENCE**
- 7. CONSENT AGENDA**

*Anything requiring a vote will be heard at a later time.*

*The consent agenda is a technique designed to expedite the handling of routine miscellaneous business of the City Commission. The City Commission in one motion may adopt the entire Consent Agenda. The motion for adoption is non-debatable and*

*must receive unanimous approval. By request of any individual member, an item may be removed from the Consent Agenda for discussion.*

- 7.A Approval of City Commission Minutes from the April 5, 2022 meeting
- 7.B HOME American Rescue Plan Allocation Plan - Osceola County HOME Consortium
- 7.C Agreement between the Kissimmee Police Department and Pinellas County Sheriff's Office for access to Florida's Facial Recognition Network
- 7.D Resolution Establishing Qualifying Period for the August 23, 2022 City General Election
- 7.E Agreement with Tele911, Inc. to provide Virtual Visits with Emergency Medical Providers during certain Calls for Service
- 7.F Amendment to the Consulting Services Contract for the Noise Ordinance Project
- 7.G Mill Creek Mall Lot 4 Replat - Final Plat (DRC# SR-22-0001)
- 7.H Osceola Village Center – Major Subdivision, Final Plat (DRC# 21-00060)
- 7.I Engineering Continuing Services contract extension with RS&H, Inc.
- 7.J Local Agency Program (LAP) agreement with the Florida Department of Transportation (FDOT) for the construction of the West Oak Street at John Young Parkway Intersection Improvement Project
- 7.K Agreement with AMH Development LLC to repave Ixora Court in the Sunbelt Phase I Subdivision
- 7.L Resolution to Accept a Public Transportation Grant Agreement from the Florida Department of Transportation for the Design of Infrastructure for Parcel 8 at Kissimmee Gateway Airport
- 7.M Amendment No. 12 to the Professional Service Agreement with AVCON, Inc.
- 7.N Transfer of Funds from Airport Reserves for Design of Infrastructure for Parcel 8 at the Dyer Business Airpark at Kissimmee Gateway Airport
- 7.O Approval of an Interlocal Agreement between the School District of Osceola County and the City of Kissimmee

## **8. DISCUSSION ITEMS**

- 8.A Annual Advisory Board Appointments/Reappointments

## **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 Commission Meeting 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.

## Commission Meeting – May 3, 2022

In accordance with Florida State 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk, 101 Church Street, Kissimmee, Florida, (407) 518-2309.

### **ITEM 3.A**

#### **Proclamation - National Day of Prayer**

##### **Request**

The request is for the City Commission to present a Proclamation in honor of the "National Day of Prayer".

##### **Explanation**

NA

Department: City Manager  
Presenter: Mike Steigerwald

##### **Attachment(s):**

1. Proclamation - National Day of Prayer

### **ITEM 3.B**

#### **Proclamation - Foster Youth Connection**

##### **Request**

The request is for the City Commission to present a Proclamation in honor of "Foster Youth Connection Month".

##### **Explanation**

N/A

Department: City Manager

Presenter: Mike Steigerwald

##### **Attachment(s):**

1. Proclamation - Foster Youth Connection Month

### **ITEM 3.C**

#### **Proclamation - Lupus Awareness Month**

##### **Request**

The request is for the City Commission to present a Proclamation in honor of "Lupus Awareness Month".

##### **Explanation**

N/A

Department: City Manager  
Presenter: Mike Steigerwald

##### **Attachment(s):**

1. Proclamation - Lupus Awareness Month

### **ITEM 3.D**

#### **Employee of the Month for May - Melissa Zayas-Moreno**

##### **Request**

That the City Commission join the City Manager in recognizing Melissa Zayas-Moreno, City Manager's Department, as May's Employee of the Month.

##### **Explanation**

It is an honor to announce that Melissa Zayas-Moreno is Employee of the Month for May. Melissa has been with the City almost 5 years, and she is the Communications and Public Affairs Manager for the City Manager's Department.

Melissa leads a critical division that works to share the City's vision, programs, and successes to the residents. As a working manager, she must produce deliverables while managing her team and their projects. She works tirelessly, and often, around the clock to ensure the City is ahead of any breaking news and promptly responds to media and citizen inquiries.

Melissa strives to be inclusive in her outreach to the public. She has implemented changes for members of the deaf and hard-of-hearing community for their access to multi-media content, and additionally produces content in Spanish. To increase the City's exposure, Melissa participates in a weekly Spanish-language radio show, is a board member of the Florida Municipal Communicators Association, and is the Chair of the Osceola Chamber of Commerce's Hispanic Business Council. She also recently received her Accreditation in Public Relations credential.

In addition to her work ethic, Melissa's upbeat personality is like no other: she is always polite, courteous, and professional – with a radiating energy. For her commitment to bettering the City, we are pleased to recognize Mellissa.

Department: Human Resources & Risk Management  
Presenter: Mike Steigerwald

##### **Attachment(s):**

None

### ITEM 3.E

#### Service Awards for January, February and March

##### Request

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

##### Explanation

|                    |                 |                            |
|--------------------|-----------------|----------------------------|
| <b>Five</b>        | Edwin Chavarria | Public Works & Engineering |
|                    | Lydia Cortez    | Public Works & Engineering |
|                    | Hai Nguyen      | Fire                       |
|                    | Sugeil Perez    | Public Works & Engineering |
|                    | Ashely Putney   | Police                     |
|                    | Javier Romero   | Public Works & Engineering |
|                    | Charles Smith   | Police                     |
|                    | Jamie Steffen   | Fire                       |
| <b>Ten</b>         | Ashley Willis   | Public Works & Engineering |
|                    | Erika Garcia    | Airport                    |
|                    | Norman Mesch    | Airport                    |
| <b>Fifteen</b>     | Julio Vega      | Public Works & Engineering |
|                    | Andrew Baseggio | Police                     |
|                    | Edward Diehl    | Police                     |
|                    | Margie Figueroa | Fire                       |
|                    | Jack Flanary    | Police                     |
| <b>Twenty-Five</b> | Lynn Henderson  | Public Works & Engineering |
|                    | Dwight Johnson  | Fire                       |
|                    | Kevin King      | Police                     |
|                    | Brandon Layne   | Police                     |
| <b>Thirty-Five</b> | Yvette Beltran  | Police                     |
|                    | Keith Pereira   | Parks & Recreation         |

Department: Human Resources & Risk Management  
Presenter: Mike Steigerwald

##### Attachment(s):

None



## **ITEM 4.A**

### **Public Hearing - First Reading - Ordinance to Annex 1.19 acres of land: Tangelo Circle, AX-22-0001 - Proposed Ordinance # 22-08**

#### **AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND, TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE**

#### **Request**

Approval to annex approximately 1.19 acres of property located east of Old Vineland, and north of W. Vine St.

#### **Explanation**

This annexation includes a 1.19 acre parcel of land located off of Old Vineland Road. The property is contiguous, or adjacent to parcels currently within City limits along the north, east and southern boundaries, meeting the state voluntary annexation and city Land Development Code requirements.

Improvements and conditions to mitigate impacts will be addressed with subsequent development review applications and reviews and are subject to applicable local, state, and federal permitting requirements and standards.

#### **FINDINGS AND REASONS:**

1. Compliance with Chapter 171 of the Florida Statutes as it meets all the criteria for voluntary annexation as the subject property is contiguous to the City Limits along the north, east, and southern boundaries of the parcel. Adequate public facilities, including water, sewer, drainage, and emergency protection are already provided for surrounding properties. The subject property is reasonably compact and will eliminate the existing enclave if annexed.
2. Compliance with Section 14-2-12 annexation regulations outlined in the Land Development Code.

#### **Recommendation**

The Development Review Committee (DRC) recommended approval on March 1, 2022.

The Planning Advisory Board (PAB) recommended approval by a vote of 5-0 on April 6, 2022.

#### **REQUESTED CITY COMMISSION ACTION:**

Approve

Department: Development Services

Presenter: Brenda Ryan

#### **Attachment(s):**

1. AX-22-0001 Vicinity Map
2. AX-22-0001 Aerial Map
3. AX-22-0001 Site Data Tables

City of Kissimmee

4. AX-22-0001 Proposed Ordinance 22-08
5. AX-22-0001 City Commission Ad
6. AX-22-0001 April 6, 2022 PAB Actions
7. AX-22-0001 School District DRC Comments
8. AX-22-0001 PWE DRC Comments
9. AX-22-0001 Planning DRC Comments

## **ITEM 4.B**

**Public Hearing - First Reading - Ordinance amending the Future Land Use designation from MF-MDR, MF-HDR, CONS, & CG to CONS AND IB: Constellation (Formerly Ramona), LUPA-22-0001 - Proposed Ordinance #22-09**

**AN ORDINANCE AMENDING ORDINANCE NO. 3050 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; 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 to transmit a Land Use Plan Amendment to change the Future Land Use Map designation from Multi Family Medium Density Residential (MF-MDR), Multi-Family High Density Residential (MF-HDR), Conservation (CONS), and Commercial General (CG) to Conservation (CONS) and Industrial Business (IB) on 114.25 acres of land west of Florida's Turnpike, east of Bill Beck Blvd., along the north and south sides of E. Osceola Parkway.

### **Explanation**

Approval of a Land Use Map Amendment from Multi Family Medium Density Residential (MF-MDR), Multi-Family High Density Residential (MF-HDR), Conservation (CONS), and Commercial General (CG) to Conservation (CONS) and Industrial Business (IB) on 114.25 acres of land. This is a companion application to the Constellation (formerly Ramona) Planned Unit Development (PUD)(PUD-22-0001) that will accommodate industrial warehouse uses that will be discussed at a City Commission meeting after this Land Use Amendment has been transmitted for state review.

Off-site transportation improvements to the segment of Bill Beck Blvd. south of Osceola Parkway have commenced and the project is under construction by Osceola County. Construction includes a 2-lane, undivided urban roadway designed for future expansion to 4 lanes. The improvements also include sidewalks, provisions for street lighting, and a new traffic signal at the Osceola Parkway intersection.

On-site improvements and conditions to mitigate impacts will be addressed with subsequent development review submittals and reviews and are subject to applicable local, state, and federal permitting requirements and standards.

### **FINDINGS AND REASONS:**

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.4.3, Industrial Business (IN) Future Land Use Designation, that is intended to accommodate a mixture of typical industrial uses and more intense non-industrial uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 0.50 FAR. This designation shall be applied to areas appropriate for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses.
2. Compliance with Comprehensive Plan Future Land Use Policy 1.2.8.2, Conservation (CONS) Future Land Use Designation, that is intended for those lands, because of their environmental quality or sensitivity, for protection and is not intended for development activities, and

therefore have no allowable FAR. These lands may include wetlands, wildlife habitats, and/or watershed protection areas. The CONS designation shall be applied to portions of major natural resource areas and environmentally sensitive corridors which the City deems appropriate and feasible to protect in order to help implement natural resource conservation goals, objectives, and policies stipulated in the Comprehensive Plan. The designation shall be primarily assigned to publicly owned and restricted privately owned properties.

3. Compliance with Transportation Element Policy, 2.2.2.3: Density Support, in that transportation infrastructure and services shall support residential, non-residential, and mixed-use land uses.
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.

## **Recommendation**

The Development Review Committee (DRC) recommended approval on March 1, 2022.

The Planning Advisory Board (PAB) recommended approval by a vote of 5-0 on April 6, 2022.

### **CONDITION:**

1. Subject to City Commission approval and transmittal to the Department of Economic Opportunity (DEO).

### **REQUESTED CITY COMMISSION ACTION:**

Approve w/Conditions

Department: Development Services

Presenter: Brenda Ryan

### **Attachment(s):**

1. LUPA-22-0001 Vicinity Map
2. LUPA-22-0001 Aerial Map
3. LUPA-22-0001 Site Data Tables
4. LUPA-22-0001 Proposed Ordinance 22-09
5. LUPA-22-0001 City Commission Ad
6. 04.06.2022 PAB Actions
7. LUPA 22-0001 Planning DRC Comments
8. LUPA-22-0001 School District DRC Comments
9. LUPA-22-0001 PWE DRC Comments
10. LUPA-22-0001 DRC Application

**ITEM 7.A****Approval of City Commission Minutes from the April 5, 2022 meeting****Request**

Request Commission approval of the April 5, 2022 Commission Minutes.

**Explanation**

Minutes of the Commission meeting held on April 5, 2022 are attached for approval.

**Recommendation**

Staff recommends Commission approval.

**REQUESTED CITY COMMISSION ACTION:**

Approve

Department: City Commission

Presenter:

**Attachment(s):**

1. Commission Minutes - April 5, 2022

## ITEM 7.B

### HOME American Rescue Plan Allocation Plan - Osceola County HOME Consortium

#### Request

Approval of the City's portion of the HOME - American Rescue Plan (HOME-ARP) Allocation Plan.

#### Explanation

The Osceola County HOME Consortia has been awarded \$3,478,510 in HOME-ARP funding to provide housing, rental assistance, supportive services, and non-congregate shelter, to reduce homelessness and increase housing stability. The City of Kissimmee will be receiving \$1,217,478.50 (35%) from that allocation. The funding must primarily benefit qualifying individuals and families who are homeless, at risk of homelessness, or in a vulnerable population. Funding can be used to develop and support affordable housing; to fund a tenant-based rental assistance program, to provide supportive services, and/or to acquire and develop non-congregate shelter units.

Osceola County, as the lead agency, conducted a needs assessment and gap analysis in order to identify potential uses of the funds. Based on the results, the City of Kissimmee determined the best use of HOME-ARP funds is to offer Tenant Based Rental Assistance (TBRA) and Supportive Services to the residents of the proposed non-congregate shelter facility that is being planned by the City. The residents of the non-congregate shelter facility qualify as a target population of the HOME-ARP Program. Below is the proposed use of funds:

| Eligible Use                          | Allocation   | Description                                                                                                                                                                                                                                                                                                              | Selection Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tenant Based Rental Assistance (TBRA) | \$360,000    | To help approximately 10 households pay their monthly rent/utilities for a maximum period of 2 years (24 months). The maximum assistance to be provided on a monthly basis cannot exceed \$1,500.                                                                                                                        | Households will be selected based on their participation in the program and the likelihood that they will be able to become self-sufficient within two years of entering the program. The head of household or spouse must enroll in a training or education program that will lead to full-time employment. Case management is required. Acceptance to the program will be based on recommendations from the case manager and/or other personal and work references. |
| Supportive Services                   | \$718,338.10 | To be provided by the lead nonprofit agency who will be responsible for the administration of the shelter facility for operating expenses (\$34,785/yr for 5 years) and/or for case management and/or to different non-profit agencies that will subcontract with the main agency to provide supportive services such as | Different non-profit agencies offering the supportive services will be solicited through a Request for Proposal/Request for Qualifications                                                                                                                                                                                                                                                                                                                            |

|                                                                                 |
|---------------------------------------------------------------------------------|
| housing counseling,<br>education, training and<br>employment, child care, etc.) |
|---------------------------------------------------------------------------------|

In addition, the City has allocated the remaining \$139,140.40 (4%) to eligible administrative activities for the implementation of the proposed HOME-ARP projects.

Osceola County held the public comment period for the HOME ARP-Allocation Plan from April 18, 2022 to May 2, 2022. The final Plan will be presented for approval to the Board of County Commissioners Meeting on May 16, 2022.

Another agenda item will be brought to the Commission at a later date to accept the money and amend the budget.

**Recommendation**

Staff recommends the Commission approve the City's portion of the HOME-ARP Allocation Plan.

**REQUESTED CITY COMMISSION ACTION:**

Approve

Department: Development Services

Presenter:

**Attachment(s):**

1. Osceola County HOME Consortia HOME-ARP Allocation Plan\_Draft

## **ITEM 7.C**

### **Agreement between the Kissimmee Police Department and Pinellas County Sheriff's Office for access to Florida's Facial Recognition Network**

#### **Request**

The Police Department requests Commission approval for the Chief of Police to sign and execute the Agreement between the Kissimmee Police Department and the Pinellas County Sheriff's Office for access to Florida's Facial Recognition Network.

#### **Explanation**

The Pinellas County Sheriff's Office maintains Florida's Facial Recognition Network, which provides facial biometric search capabilities, subject information, face image comparison tools, and face image analysis methods. In order to gain access to this Network, which is an important tool in criminal investigations, the Kissimmee Police Department must enter into a memorandum of understanding to ensure proper usage of the Network.

#### **Recommendation**

Staff recommends the Commission authorize the Chief of Police to sign and execute the Agreement between the Kissimmee Police Department and the Pinellas County Sheriff's Office for access to Florida's Facial Recognition Network.

#### **REQUESTED CITY COMMISSION ACTION:**

Approve

Department: Police

Presenter:

#### **Attachment(s):**

1. Florida Facial Recognition Network MOU



## **ITEM 7.D**

### **Resolution Establishing Qualifying Period for the August 23, 2022 City General Election**

#### **Request**

Request Commission adoption of a Resolution establishing the qualifying period for the August 23, 2022 City General Election.

#### **Explanation**

Each election year, the City Commission adopts a Resolution proclaiming the upcoming City Election, announcing the Commission seats to be placed on the election ballot, and establishing the date of the qualifying period.

In accordance with the voter approval Ordinance #2646, the date of the General Election will be held on August 23, 2022. The qualifying period, set by the State of Florida Division of Elections, is Noon, June 13, 2022 through Noon, June 17, 2022. If no candidate for a particular seat receives a majority of the votes cast in the August 23, 2022 election, a run-off election between the top two finishers will be held on November 8, 2022.

In order to qualify, candidates must meet the following requirements as set forth in the proposed Resolution:

- \* Be qualified to vote in the Florida Primary Election scheduled on August 23, 2022
- \* Be a resident of the City for one (1) year immediately prior to registering/qualifying for the particular office
- \* Provide payment of the election assessment fee required in F.S. §99.093
- \* Payment must be made to the Supervisor of Elections Office

The following seats will be placed on the August 23, 2022 ballot:

City Commission Seat No. 2

City Commission Seat No. 4

Attached is the Proposed Resolution for Commission consideration and adoption. The "Qualifying Procedures" are also attached for review.

#### **Recommendation**

Staff recommends Commission adoption of the attached Resolution.

#### **REQUESTED CITY COMMISSION ACTION:**

Adopt

Department: City Manager

Presenter:

#### **Attachment(s):**

1. Resolution for Qualification of Candidates 2022
2. 2022 Qualifying Procedures Version 4.v (OSDF) (Salary Updated)

## **ITEM 7.E**

### **Agreement with Tele911, Inc. to provide Virtual Visits with Emergency Medical Providers during certain Calls for Service**

#### **Request**

Approval for the Mayor to execute the Telemedicine and Patient Navigation Facilitation Agreement and Business Associate Agreement between the City of Kissimmee and Tele911, Inc. to provide virtual visits with emergency medical providers during certain calls for service.

#### **Explanation**

The Telemedicine and Patient Navigation Facilitation agreement will allow the Fire Department to virtually connect patients with participating health insurance plans to an emergency medical provider prior to any transport when appropriate. The emergency medical provider will then determine whether the patient should be transported to the closest emergency department, transported to an alternate destination, or treated in place with prescription(s) as needed, and attempt to follow up the TELE911 Medical Provider within 24 hours. The Fire Department anticipates this agreement will further public health by reducing its total call time for 911 emergency calls responding to low acuity patients, making EMS resources more readily available for time-critical emergencies, and decreasing incidents of patient transportation when it may not be medically necessary.

The facilitation services will be provided at no out of pocket cost to the City.

#### **Recommendation**

Staff recommends approval for the Mayor to execute the Telemedicine and Patient Navigation Facilitation Agreement and Business Associate Agreement between the City of Kissimmee and Tele911, Inc. to provide virtual visits with emergency medical providers during certain calls for service.

#### **REQUESTED CITY COMMISSION ACTION:**

Approve

Department: Fire

Presenter:

#### **Attachment(s):**

1. Telemedicine and Patient Navigation Facilitation Agreement

## ITEM 7.F

### Amendment to the Consulting Services Contract for the Noise Ordinance Project

#### Request

Approval of Amendment #1 to the consulting services contract with VHB, Inc. to expand the scope and increase public engagement opportunities for the Noise Ordinance revision project.

#### Explanation

City staff has been working on the Noise Ordinance with its consultant, VHB, Inc., since January 2022. The project is intended to make an updated ordinance that is easier to interpret and enforce. The original scope was for services totaling \$50,000, approved by the City Manager in November 2021. Staff is requesting an additional \$17,500 to add an in-person meeting, a virtual space for citizens to provide comments/learn more about the project, and a multiple choice survey (offered in English and Spanish) for the project. Since this addition would bring the total project cost over \$50,000, it is over the amount the City Manager has authorization to sign for and must be approved by the City Commission.

#### Financial Information

| Account #       | Project # | Increase / Decrease | Budget  | Actual |
|-----------------|-----------|---------------------|---------|--------|
| 00125103-503131 | N/A       | Decrease            | 646,352 | 17,500 |

#### Financial Summary:

Adequate funds are available in the professional services account.

#### Recommendation

Approval of Amendment #1 to the consulting contract with VHB, Inc. to increase public outreach and add \$17,500 to the budget for the Noise Ordinance project.

#### REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

#### Attachment(s):

1. Noise Ordinance Amended Scope
2. Noise Ordinance Original Scope

City of Kissimmee

3. Continuing Services Contract (VHB, Inc.)

**ITEM 7.G****Mill Creek Mall Lot 4 Replat - Final Plat (DRC# SR-22-0001)****Request**

Requesting City Commission approval of the final plat known as Mill Creek Mall Lot 4 Replat.

**Explanation**

The owner of the property, Mill Creek, LLP, is requesting final plat approval without a guarantee, as this was reviewed as a Minor Subdivision in accordance with the City's Land Development Code. This property is located south of US 192 (Vine Street) and east of Oak Street, and is being re-subdivided to split the original LOT 4 into three (3) lots for future development purposes.

**Recommendation**

Staff recommends approval of the final plat for Mill Creek Mall Lot 4 Replat.

**REQUESTED CITY COMMISSION ACTION:**

Approve

Department: Public Works & Engineering

Presenter:

**Attachment(s):**

1. Final Plat

## **ITEM 7.H**

### **Osceola Village Center – Major Subdivision, Final Plat (DRC# 21-00060)**

#### **Request**

Requesting City Commission approval of the final plat known as Osceola Village Center, with performance guarantee/agreement.

#### **Explanation**

The Osceola Village Center property is located east of S. John Young Parkway and north of Shingle Creek and is being subdivided into 22 tracts and 168 fee-simple lots for development purposes. The owner of the property, JEN FLORIDA 40, LLC, is requesting final plat approval with a guarantee.

The roadways (Tract R-1) and drainage canal (Tract F-2) on the northwest side will be owned and maintained by the City of Kissimmee. All other tracts and lots are to be privately owned and maintained. This is a Major Subdivision, as defined in the City's Land Development Code §14-2, and the preliminary and final plat procedure was utilized.

The owner has posted a performance bond in the amount of \$6,674,691.54 and entered into a performance guarantee agreement with the City to guarantee the construction of the required subdivision improvements.

#### **Recommendation**

Staff recommends approval of the Osceola Village Center final plat with performance guarantee/agreement.

#### **REQUESTED CITY COMMISSION ACTION:**

Approve

Department: Public Works & Engineering

Presenter:

#### **Attachment(s):**

1. Osceola Village Center Final Plat
2. Osceola Village Center Performance Bond
3. Osceola Village Center Performance Guarantee Agreement

## **ITEM 7.I**

### **Engineering Continuing Services contract extension with RS&H, Inc.**

#### **Request**

Approval to extend the Engineering Continuing Services contract with RS&H, Inc.

#### **Explanation**

On March 20, 2018, the City entered into an agreement with RS&H, Inc. for the Engineering Continuing Services Contract to provide consulting 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 the final one-year option with a new expiration date of March 20, 2023.

#### **Recommendation**

Staff recommends City Commission approval of the Continuing Engineering Service contract extension with RS&H, Inc. for one-year with a new expiration date of March 20, 2023.

#### **REQUESTED CITY COMMISSION ACTION:**

Approve

Department: Public Works & Engineering

Presenter:

#### **Attachment(s):**

1. RS&H Contract Extension Letter

## ITEM 7.J

### **Local Agency Program (LAP) agreement with the Florida Department of Transportation (FDOT) for the construction of the West Oak Street at John Young Parkway Intersection Improvement Project**

#### **Request**

Approval of the attached resolution authorizing the Mayor to execute and deliver the LAP Agreement, authorizing the City Manager to execute and deliver to the FDOT the LAP Agreement for the construction of the West Oak St at John Young Pkwy Intersection Improvements project, and to amend the budget accordingly.

#### **Explanation**

Through the City's participation in Metroplan Orlando, the City has been able to secure funding from the FDOT by means of a LAP agreement for the construction of the West Oak St at John Young Parkway Intersection Improvements project in the amount of \$1,341,938.00, and Construction Engineering and Inspection (CEI) Services in the amount of \$328,312.

The project location is at the intersection of West Oak Street and John Young Parkway (State Road 600 / US 17 / US 92) in the City of Kissimmee. The project limits along West Oak Street begin approximately 662 feet west of John Young Parkway and end at approximately 607 feet east of John Young Parkway. Improvements include widening West Oak Street to provide continuous through lanes along Oak Street, from the westbound and eastbound directions at the John Young Parkway intersection.

The project will also include new asphalt pavement, signalization, lighting, drainage improvements, curb and gutter, traffic separators, sidewalks, gravity wall, guiderail/handrail, driveway reconstruction, detectable warning surfaces, signing and pavement markings, and landscaping. All pedestrian features shall adhere to current Americans with Disabilities Act (ADA) standards. Utility coordination is required. All work will be constructed within the existing or acquired right of way.

Construction Engineering and Inspection (CEI) services for this project are being provided through the FDOT District's Continuing Services CEI contract. Federal funds in the amount of \$328,312.00, representing the negotiated CEI contract amount, have been programmed for this project. Should costs for federally eligible items exceed the programmed amount and additional federal funding is not available, the City will be solely responsible for providing the additional funds that are necessary to complete the project.

While there is no City match required for the LAP agreement, the City will be required to deposit a 15% contingency cost associated with CEI Services in the amount of \$49,246.75 as described in the attached CEI Services agreement. If these funds are not used, they will be returned to the City.

#### **Financial Information**

| Account # | Project # | Increase / Decrease | Budget | Actual |
|-----------|-----------|---------------------|--------|--------|
|-----------|-----------|---------------------|--------|--------|



|                 |        |          |                |  |
|-----------------|--------|----------|----------------|--|
| 15145656-506393 | PW22XX | Increase | \$1,391,184.75 |  |
| 15100334-334490 | N/A    | Increase | \$1,341,938.00 |  |
| 10345656-506393 | GT2209 | Decrease | \$49,246.75    |  |

Financial Summary:

Adequate funding for the City's 15% contingency cost for CEI services is available in Project GT2209.

**Recommendation**

Staff recommends Commission approval of the attached resolution authorizing the Mayor to execute and deliver the LAP Agreement, authorizing the City Manager to execute and deliver to the FDOT the LAP Agreement for the construction of the West Oak St at John Young Pkwy Intersection Improvements project, and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

**Attachment(s):**

1. LAP Resolution - West Oak St
2. LAP Agreement 434916-1-58-01
3. CEI Services Contingency Agreement
4. Escrow Agreement

## **ITEM 7.K**

### **Agreement with AMH Development LLC to repave Ixora Court in the Sunbelt Phase I Subdivision**

#### **Request**

Approval of a maintenance bond agreement, hold harmless agreement, and temporary construction easement agreement between AMH Development, LLC, and the City of Kissimmee to repave Ixora Court in the Sunbelt Phase I subdivision.

#### **Explanation**

AMH Development, LLC, developer of 14 single-family homes located on Ixora Court within the Sunbelt Phase 1 subdivision, would like to mill and resurface Ixora Court, a public street, upon completion of building construction within the subdivision. This subdivision is located west of the Florida Turnpike and north of Mill Slough Road.

The developer has posted a maintenance bond in the amount of \$54,116.10 to guarantee the materials and workmanship of the repaving project for a period of one (1) year from the date the City certifies the work complete. The limits of paving are detailed within the temporary construction easement agreement.

#### **Recommendation**

Staff recommends Commission approval of the maintenance bond agreement, hold harmless agreement, and temporary construction easement agreement between the developer and the City of Kissimmee to repave Ixora Court in the Sunbelt Phase I subdivision.

#### **REQUESTED CITY COMMISSION ACTION:**

Approve

Department: Public Works & Engineering

Presenter:

#### **Attachment(s):**

1. Ixora Court Repaving - Maintenance Bond Agreement
2. Ixora Court Repaving - Bond No. 107537346
3. Ixora Court Repaving - Hold Harmless Agreement
4. Ixora Court Repaving - Temporary Construction Easement

## ITEM 7.L

### Resolution to Accept a Public Transportation Grant Agreement from the Florida Department of Transportation for the Design of Infrastructure for Parcel 8 at Kissimmee Gateway Airport

#### Request

Approval of a Resolution to accept a Public Transportation Grant Agreement (PTGA) from the Florida Department of Transportation (FDOT) for the Design of Infrastructure for Parcel 8 at Kissimmee Gateway Airport.

#### Explanation

FDOT is offering a grant in the amount of \$448,000 for the design of infrastructure development (auto parking, utilities, aircraft apron parking and taxiway connection). Parcel 8 is located at the airport, west of MLK Blvd. and Dyer Blvd. and will provide the opportunity for aviation business development. Staff is requesting approval of the PTGA to assist with funding the design project.

#### Financial Information

| Account #       | Project # | Increase / Decrease | Budget  | Actual |
|-----------------|-----------|---------------------|---------|--------|
| 46100334-334410 | APXXXX    | Increase            | 448,000 |        |
| 47070106-506393 |           | Increase            | 448,000 |        |

#### Financial Summary:

Portions of this project are funded by the Florida Department of Transportation (80%) and the Kissimmee Gateway Airport (20%). The total project amount is \$560,000.00 with each agency funding the following amounts:

FDOT-PTGA (Grant #: 450681-1-94-01) - \$448,000  
Kissimmee Gateway Airport - \$112,000

The balance needed for the City match will be provided by Airport reserves in the amount of \$112,000 based upon a subsequent agenda item requesting a transfer from reserves.

#### Recommendation

Staff recommends Commission approval of a Resolution to accept a PTGA from FDOT for the Design of Infrastructure for Parcel 8 at Kissimmee Gateway Airport and to amend the budget accordingly.

#### REQUESTED CITY COMMISSION ACTION:

Adopt  
Approve

Department: Airport  
Presenter:

**Attachment(s):**

1. Resolution PTGA for Design of Infrastructure for Parcel 8
2. FDOT PTGA Design of Infrastructure for Parcel 8 at Kissimmee Gateway Airport Project

## ITEM 7.M

### Amendment No. 12 to the Professional Service Agreement with AVCON, Inc.

#### Request

Approval of Amendment No. 12 to the professional service agreement between the City of Kissimmee and AVCON, Inc. dated December 19, 2017, for technical design engineering services in connection with Parcel 8 Airpark development site work - design and permitting.

#### Explanation

Due to the experience of AVCON Inc. in the aviation and planning field, the Kissimmee Gateway Airport has selected AVCON, Inc. to provide professional services to oversee the completion of technical design engineering services in connection with Parcel 8 Airpark development site work - design and permitting.

AVCON has ample experience working at Kissimmee Gateway Airport since 2008 and understands the airport's history, environment, and vision. In addition, AVCON has recently updated FDOT's Airport Master Plan Guidebook, illustrating their understanding and close relationship to FDOT.

#### Financial Information

| Account #                                             | Project # | Increase / Decrease | Budget                        | Actual |
|-------------------------------------------------------|-----------|---------------------|-------------------------------|--------|
| 46100334-334410<br>46170100-509276<br>47070106-506393 | APXXXX    |                     | 448,000<br>112,000<br>560,000 |        |

#### Financial Summary:

Portions of this project are funded by the Florida Department of Transportation (80%) and the Kissimmee Gateway Airport (20%). The total project amount is \$560,000.00 with each agency funding the following amounts:

FDOT-PTGA (Grant #: 450681-1-94-01) - \$448,000  
Kissimmee Gateway Airport - \$112,000

The balance for the City match will be provided by Airport reserves in the amount of \$112,000.

#### Recommendation

Staff recommends Commission approval of Amendment No. 12 to the professional service agreement between the City of Kissimmee and AVCON, Inc. dated December 19, 2017, for technical design engineering services in connection with Parcel 8 Airpark development site work - design and permitting.

City of Kissimmee

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

**Attachment(s):**

1. AVCON Amendment 12 Design of Infrastructure for Parcel 8

## ITEM 7.N

### Transfer of Funds from Airport Reserves for Design of Infrastructure for Parcel 8 at the Dyer Business Airpark at Kissimmee Gateway Airport

#### Request

Approval to transfer funds from Airport Reserves to complete the City's funding match for the Design of Infrastructure for Parcel 8 at the Dyer Business Airpark at Kissimmee Gateway Airport.

#### Explanation

The Florida Department of Transportation (FDOT) is offering a grant in the amount of \$448,000 for the design of infrastructure development (auto parking, utilities, aircraft apron parking and taxiway connection). Parcel 8 is located at the airport, west of MLK Blvd. and Dyer Blvd. and will provide the opportunity for aviation business development. Staff is requesting approval of a budget transfer to provide the required match for the FDOT grant.

#### Financial Information

| Account #       | Project # | Increase / Decrease | Budget  | Actual |
|-----------------|-----------|---------------------|---------|--------|
| 46170100-509276 | APXXXX    | Decrease            | 112,000 |        |
| 47070106-506393 |           | Increase            | 112,000 |        |

#### Financial Summary:

Portions of this project are funded by the Florida Department of Transportation (80%) and the Kissimmee Gateway Airport (20%). The total project amount is \$560,000.00 with each agency funding the following amounts:

FDOT-PTGA (Grant #: 450681-1-94-01) - \$448,000  
Kissimmee Gateway Airport - \$112,000

Upon Commission approval, the balance needed for the City match will be provided by Airport reserves in the amount of \$112,000.

#### Recommendation

Staff recommends Commission approval to transfer funds from Airport Reserves to complete the City's funding match for Design of Infrastructure for Parcel 8 at the Dyer Business Airpark at Kissimmee Gateway Airport and to amend the budget accordingly.

#### REQUESTED CITY COMMISSION ACTION:

Approve

City of Kissimmee

Department: Airport  
Presenter:

**Attachment(s):**  
None



## **ITEM 7.O**

### **Approval of an Interlocal Agreement between the School District of Osceola County and the City of Kissimmee**

#### **Request**

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

#### **Explanation**

During the 2018 legislative session, the Florida Legislature enacted the Marjory Stoneman Douglas High School Public Safety Act amending section 1006.12, which allows School Resource Officer programs in public schools. The Act requires each School District to partner with Law Enforcement Agencies to establish or assign one or more Safety School Officers to each public school within the School District. The Osceola County School Board desires the City of Kissimmee to provide law enforcement personnel as School Resource Officers (SRO) to each of the District Public School facilities within the city limits.

The Kissimmee Police Department has the personnel to place a full time SRO at the two (2) public middle schools and seven (7) public elementary schools, and two (2) full time SROs at the public high school within the City. The public schools are as follows: Osceola High School, Kissimmee Middle School, Denn John Middle School, Central Avenue Elementary School, Thacker Avenue Elementary School, Highlands Elementary School, Flora Ridge Elementary School, Kissimmee Elementary School, Cypress Elementary School, and Mill Creek Elementary School. In 2020-2021 and 2021-2022, the City Commission approved a similar contract that placed SROs in these public schools.

The School District cannot afford to fund the entire salary of each School Resource Officer but agrees to provide funds to the City in the amount of \$48,667.50 per officer. There are eleven (11) SROs assigned to the City public schools and a Sergeant to supervise the SROs. The School District has also agreed to fund one (1) detail officer to work at New Beginnings Education Center at the current Off Duty Detail rate. As of this agreement, the School District has agreed to fund one (1) full time and one (1) part-time Guardian floater to cover missed workdays by primary SROs. The total amount of the contract is \$735,063.00.

#### **Recommendation**

Staff recommends the Commission approve an Interlocal Agreement relating to School Resource Officers at each district public school.

#### **REQUESTED CITY COMMISSION ACTION:**

Approve

Department: Police

Presenter:

#### **Attachment(s):**

1. Interlocal Agreement for SRO Contract - Signed by School District

## **ITEM 8.A**

### **Annual Advisory Board Appointments/Reappointments**

#### **Request**

The Commission is requested to reappoint or replace Board Members with terms expiring May 31, 2022.

#### **Explanation**

Annual board appointments are due to expire on May 31, 2022 for the following boards:

Board of Adjustment  
Citizens Police Review Board  
Historic Preservation Board  
Parks & Recreation Advisory Board  
Planning Advisory Board

Appointments are assigned to individual Commissioners in order of rotation. Seat # 1 had the last appointment in January, so we will begin the rotation with Seat # 2 with Board of Adjustment. All qualified applications will be provided to each of the Commissioners making appointments if you do not wish to reappoint existing Board Members.

Each Board has individual requirements for residency as well as additional positions such as architects, engineers, business owners, etc. You will find the qualifications for the board members on the attached list as well as responses to whether they would like to continue serving on their current board.

The Commission will have 30-days to make these appointments 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 appointments to reappoint or replace members with terms expiring May 31, 2022.

#### **REQUESTED CITY COMMISSION ACTION:**

Appoint/Reappoint

Department: City Manager  
Presenter: Mike Steigerwald

#### **Attachment(s):**

1. Appointments by Seat 4-28-2022 Final