MEETING MINUTES
SESSION OF THE COMMISSION MEETING
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, APRIL 19, 2022 AT 6:00 PM

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, City Attorney Olga Sanchez de Fuentes, Deputy City Manager Desiree Matthews, Assistant City Manager Austin Blake, City Clerk Linda Hansell, Deputy City Clerk Tameara Crespo
Members Absent: None

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 Ceremony for Three New Police Officers

Swearing In and Administering Oaths for three (3) new Police Officers.

Police Chief Jeffrey O'Dell administered the Oath of Office (Exhibit "A") to Police Officers Jonathan Rogenus, Brian Lopez, and Tristan Clark.

3.B ***PRESENTATION BY CONGRESSMAN DARREN SOTO ADDED TO THE AGENDA AFTER AGENDA WAS PUBLISHED***

Mayor Gonzalez recognized Congressman Darren Soto.

Congressman Soto addressed the Commission and thanked them for allowing him to speak. He commented he enjoys representing his hometown of Kissimmee and provided an overview of the successes of many projects over the past few years. He discussed in particular, redevelopment projects such as the Lakefront and other positive impacts additional projects have made, such as SunRail, American Rescue Plan, and law enforcement funding. Congressman Soto thanked Commissioner Fisher and Commissioner Castano for their participation in local events. He ended the presentation by announcing the City appropriations for this Fiscal Year and that includes $1,000,000 to assist for the Berlinsky House renovations.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A Public Hearing - Second and Final Reading - Ordinance Amending Part II, Chapter 4: Alcoholic Beverages - Proposed Ordinance #22-07

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF

KISSIMMEE, FLORIDA, TITLE V, LICENSES AND BUSINESS REGULATIONS, CHAPTER 4, ALCOHOLIC BEVERAGES; UPDATING AND REORGANIZING LANGUAGE THROUGHOUT CHAPTER 4; ADDING A DEFINITION OF A STOCK MEAL; AMENDING SECTION 4-2, LOCATION OF ESTABLISHMENT, ZONING; AMENDING SECTION 4-5 REGULATION OF RESTAURANTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE

Approval of amendments to the Alcoholic Beverage Ordinances. Planner Ashley Cornelison provided a brief overview of the amendments and language changes to the Ordinance.

City Attorney Sanchez de Fuentes read Proposed Ordinance #3055 by title.

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

Commissioner Fisher made a motion to approve the Public Hearing and adopt Ordinance # 3055 (Exhibit "B"). 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

Motion carried 5 - 0.

4.B Public Hearing - Second and Final Reading - Ordinance to Annex 13.52 acres of land: Hilliard Park, AX-21-0001 - Proposed Ordinance # 22-002

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

Approval of an annexation of approximately 13.52 acres of property located east of Simpson Road, north of Hilliard Isle Road, south of Pebble Pointe Way, and west of Cahokia Court.

City Attorney Sanchez de Fuentes read Proposed Ordinance # 3056 by title.

Mayor Gonzalez announced the Public Hearing.

Planner Brenda Ryan reviewed the annexation which was before the Commission for First Reading on March 15, 2022. She explained the applicant received comments and complaints and they have withdrawn the request for Multi-Family Medium Density and will use the City land use conversation table in Future Land Use Policy 1.1.10.5 to

establish Single-Family Low Density Residential. Staff recommends approval of the annexation. Planner Ryan briefly discussed the timeline for the Simpson Road improvement project.

The following individuals spoke in opposition to the annexation and land-use:

Michael Gomez, 2520 Greenwood Drive, Kissimmee, stated he opposed a multi-family development of the property and would like to keep one (1) acre lots per home. He also expressed concern in reference to townhomes as part of the plans.

Tina Wybiral, 2555 Stemwood Court, Kissimmee, spoke on behalf of herself and other members of the audience that gave their time to her. She addressed her opposition to Planner Ryan's comments regarding the land use designation and reiterated that the community did not want townhomes. Ms. Wybiral entered into the record a petition (Exhibit “C”) which was circulated in the community and received approximately 70 signatures.

In addition to the speakers who were present, emails (Exhibit “D”) received prior to the meeting were submitted for review.

Mr. Thomas Vosik, 2620 Cahokia Court, Kissimmee, stated he he was prepared to speak about the zoning map ddesignation item (4.C) and not the annexation.

The remaining citizens who submitted a form in opposition include:

Michelle Lux, 2675 Hilliard Court, Kissimmee
John Lux, 2675 Hilliard Court, Kissimmee
Gustavo Pimentel, 2685 Hilliard Court, Kissimmee
Adriana Herrera, 2520 Greenwood Drive, Kissimmee
George Burgos, 2690 Hilliard Court, Kissimmee
Juanita Burgos, 2690 Hilliard Court, Kissimmee

Planner Ryan clarified that Osceola County had an E-1 low density designation. City Manager Steigerwald asked Ms. Ryan to confirm if the City Code allows for townhomes. Ms. Ryan confirmed it did not authorize townhomes or multi-family, only single-family detached. City Manager Steigerwald provided education to the City Commission and the public on the difference between land uses and zoning.

Shawn Hindle, Hanson & Walters Associates, 8 Broadway, representing the applicant, stated that after receiving complaints about the original land use, they rescinded their initial request. In the newly proposed low-density residential with approximately four (4) homes per acre, there would be no townhomes in the concept plan as the City does not allow for them. Mr. Hindle requested Commission consideration of the use of RA-4.

Commissioner Fisher made a motion to approve the Public Hearing and adopt Ordinance #3056 (Exhibit “E”). Commissioner Castano seconded the motion.
Upon roll call, the vote was as follows:

Commissioner Fisher AYE

Commissioner Castano	AYE
Commissioner Ortiz	NAY
Commissioner Alvarez	NAY
Mayor Gonzalez	AYE

Motion carried 3 - 2.

4.C Public Hearing - Final Reading - Ordinance amending the Zoning Map designation to establish the City's Single Family Residential (RA-4) on 13.52 acres of land - Proposed Ordinance # 22-004

AN ORDINANCE AMENDING ORDINANCE NO. 3034 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Approval of a zoning map amendment to establish the City zoning designation of Single Family Residential (RA-4) on 13.52 acres of land that has a County zoning designation of Estate Development (E-1).

City Attorney Sanchez de Fuentes read Ordinance # 3057 by title.

Mayor Gonzalez announced the Public Hearing.

Planner Ryan explained that the Planning Advisory Board approved the item on February 16, 2022. After receiving public comment and concerns, Ms. Ryan reiterated that the applicant amended their request from medium-density residential to single-family low-density residential (RA-4). She briefly discussed the capital improvement plans for roadways and stated staff recommends approval.

A discussion amongst the Commission and staff ensued concerning RA-4 and RA-3 land use designations.

Commissioner Alvarez stated that he firmly believes the larger lots allow the area to remain intact and preserved was his desire.

Thomas Kapp, 21 N. Clyde, Kissimmee, stated that he was opposed to the zoning if it meant Hilliard Park would be small and congested like communities in Lakeside Estates.

Mayor Gonzalez had concerns about the size of the proposed RA-4 zoning lots.

Commissioner Castano expressed her concern that these homes mirror others in the community.

Commissioner Fisher recommended the Commission reserve their discussion until all members of the public have a chance to comment. Mayor Gonzalez reopened the public comment portion of the meeting.

Thomas Werline, 2834 Hilliard Isle Road, Kissimmee, stated the road system should be a priority over the annexation and zoning.

Mr. Thomas Vosik, 2620 Cahokia Court, Kissimmee, spoke in opposition to the zoning changes and expressed concerns about public safety and the availability of transportation, unplanned growth, an incompatible zoning plan, and that the Simpson Road improvement project should be a priority. He asked the Commission to reject the zoning request.

Shawn Hindle, Hanson & Walter Associate, 8 Broadway, Kissimmee, provided an overview of his experience working on multiple city projects. He discussed the land values and appraisal differences on homes inside Hilliard Isle from 1995 to the present. Mr. Hindle provided details on the timeline to construct Simpson Road and stated that his client listened to the concerns and comments of the public and willingly made changes to the zoning, but those changes still had to be economically feasible for the developer. He concluded this public comment by reiterating that lots need to be smaller to be affordable and highlighted that infrastructure protects Florida.

John Lux, 2675 Hilliard Court, Kissimmee, commented on Mr. Hindle's assessment of property values and expressed they were inaccurate. He further opposed the development of small lots.

Avita Hubbard, 2570 Greenwood Drive, Kissimmee, reiterated the concerns listed in her email (Exhibit "D"), and stated the community is for families and asked the Commission to consider their needs over a developer.

Mr. Hindle stated there needs to be a transitional use between commercial and residential. He detailed that the codes have changed and that what the public is requesting cannot be built. He reiterated that they would be willing to develop under an RA-3 or RA-4.

Commissioner Fisher motioned to amend the zoning map to the RA-4 designation. Commissioner Castano seconded the motion for discussion.

Commissioner Alvarez and City Manager Steigerwald discussed lot sizes and acreage.

Upon roll call, the vote was as follows:

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

Motion Failed 1 - 4.

Commissioner Castano moved to adopt Ordinance # 3057 (Exhibit “F”) with a RA-3 designation. Mayor Gonzalez seconded the motion.

Upon roll call, the vote was as follows:

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

Motion carried 3 - 2.

5. PUBLIC HEARINGS

6. HEAR AUDIENCE

7. CONSENT AGENDA

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.

City Manager Steigerwald requested the removal of item 7.C. from the Consent Agenda and requested it be moved to discussion due to the need to make a small correction to the Bond documents (Exhibit “G”).

Commissioner Fisher motioned to approve the Consent Agenda minus item 7.C. Commissioner Castano seconded the motion.

Motion Passed 5 - 0.

7.A <u>Acceptance of the Fiscal Year 2021 Justice Assistance Grant Program made available by the U.S. Department of Justice</u>

Approval of the acceptance of the Fiscal Year 2021 Justice Assistance Grant Program - Countywide (JA-C) made available by the U.S. Department of Justice (USDOJ) via Osceola County Government.

7.B <u>Amendment No. 2 to Task Work Order No. 3 with RS&H, Inc. for the West Oak Street at John Young Parkway Improvement Project</u>

Approval to amend Work Order No. 3 with RS&H, Inc. for the West Oak Street at John Young Parkway Improvement Project in the amount of $92,035.02 for post design services.

7.D <u>Adoption of a Resolution approving the Local Housing Assistance Plan for Fiscal Years 2022-2023, 2023-2024, and 2024-2025</u>

Approval of the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan for the Fiscal Years 2022-2023, 2023-2024, and 2024-2025 and to authorize the

Mayor to execute the related Resolution and certification.

Resolution # 03-2022 (Exhibit "H").

7.E Resolution authorizing the City to submit and accept a 2022 Florida Boating Improvement Program Grant through the Florida Fish and Wildlife Conservation Commission

Approval of a Resolution to submit and accept, if awarded, a 2022 Florida Boating Improvement Program Grant through the Florida Fish and Wildlife Conservation Commission in the amount of $150,000 and allow the City Manager to sign any required documents pertaining to this grant.

Resolution # 04-2022 (Exhibit "I").

7.F Disposal of City Assets

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

7.G Contract with the Kissimmee Charter Academy for a School Resource Officer

Approval to enter into a contract with the Kissimmee Charter Academy to provide a School Resource Officer for the 2022-2023 academic year.

8. DISCUSSION ITEMS

7.C Supplemental Resolution Authorizing the Negotiated Sale of Capital Improvement Refunding Revenue Bonds, Series 2022 and Other Actions Concerning the Issuance and Sale of the Series 2022 Bonds

Approval of a Supplemental Resolution authorizing the negotiated sale of not to exceed $37,000,000 Capital Improvement Refunding Revenue Bonds, Series 2022, along with various other actions necessary for the sale and issuance of the bonds.

City Manager Steigerwald discussed a small change made to the interest rate of the bond, which had been reviewed by the financial advisors of the City. Staff recommends approval.

Commission Fisher made a motion to approve Item 7.C. and adopt Resolution #02-2022 (Exhibit "J"). Commissioner Castano seconded the motion

Motion Passed 5 – 0.

8.A Commercial Solid Waste Collection Transition Update

Franchise Coordinator Jody Kirkendall introduced Chaz Jordan with Kessler Consulting.

Mr. Jordan reviewed the presentation (attached to the agenda) and discussed the project background, transition plan, major milestones, and financial analysis based upon new data.

Commissioner Fisher questioned if purchasing the Waste Management containers is an option.

Mr. Jordan stated Waste Management was not willing to sell their containers to the City.

A discussion continued with staff and the Commission on options for replacing the containers.

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

City Manager Steigerwald reminded everyone about the Tidy-Up Lake Toho Event and Caribbean Fusion planned for the weekend.

9.B CITY ATTORNEY

Nothing.

9.C CITY COMMISSION

Commissioner Castano welcomed the Agriculture Consult of Mexico.

Commissioner Alvarez reminded everyone about the upcoming Puerto Rican Day Parade in downtown Orlando, Kissimmee Cuban Sandwich Festival, and Toho Marina Clean-Up.

Commissioner Fisher wished everyone a Happy Easter, Ramadan and Passover.

Mayor Gonzalez, wished everyone a good night.

10. ADJOURNMENT There being no further business to come before the Commission, Mayor Gonzalez adjourned the meeting at 7:36 PM.

Olga Gonzalez
MAYOR-COMMISSIONER

ATTEST:
Linda S Hansell
CITY CLERK

Exhibit “A”
Oath of Office – Kissimmee Police Officers
Jonathan Rogenus, Brian Lopez, Tristan Clark
Item 3.A

April 19, 2022

I, Jonathan Rogenus, having been appointed to the rank of Police Officer, do hereby solemnly swear, and affirm, that I will support, defend and obey the Constitution of the United States of America; the Constitution of the State of Florida; the Laws and Ordinances of the City of Kissimmee; the Rules and Regulations of the Kissimmee Police Department to the best of my ability. So help me God.

(Seal)

Jonathan Rogenus
Police Officer

ATTEST:

City Clerk

WITNESS:

Jeffrey M. O'Dell
Chief of Police

April 19, 2022

I, Brian Lopez, having been appointed to the rank of Police Officer, do hereby solemnly swear, and affirm, that I will support, defend and obey the Constitution of the United States of America; the Constitution of the State of Florida; the Laws and Ordinances of the City of Kissimmee; the Rules and Regulations of the Kissimmee Police Department to the best of my ability. So help me God.

(Seal)

Brian Lopez
Police Officer

ATTEST:

City Clerk

WITNESS:

Jeffrey M. O'Dell
Chief of Police

April 19, 2022

I, Tristan Clark, having been appointed to the rank of Police Officer, do hereby solemnly swear, and affirm, that I will support, defend and obey the Constitution of the United States of America; the Constitution of the State of Florida; the Laws and Ordinances of the City of Kissimmee; the Rules and Regulations of the Kissimmee Police Department to the best of my ability. So help me God.

(Seal)

Tristan Clark
Police Officer

ATTEST:

City Clerk

WITNESS:

Jeffrey M. O'Dell
Chief of Police

Exhibit “B”
Ordinance #3055 – Alcoholic Beverage Ordinance
Item 4.A

PROPOSED ORDINANCE NO. 22-07
ORDINANCE NO. 3055

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE, FLORIDA, TITLE V, LICENSES AND BUSINESS REGULATIONS, CHAPTER 4, ALCOHOLIC BEVERAGES; UPDATING AND REORGANIZING LANGUAGE THROUGHOUT CHAPTER 4; ADDING A DEFINITION OF A STOCK MEAL; AMENDING SECTION 4-2, LOCATION OF ESTABLISHMENT, ZONING; AMENDING SECTION 4-5 REGULATION OF RESTAURANTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. CHAPTER 4: Alcoholic Beverages of the City of Kissimmee Code of Ordinances is hereby amended as shown in the attached "Exhibit A"

SECTION 2. All Ordinances in conflict herewith are hereby repealed.

SECTION 3. The City attorney may correct scrivener's errors found in this ordinance by filing a correct copy of the Ordinance with the City Clerk.

SECTION 4. This ordinance shall take effect immediately upon its passage. .

Commissioner Fisher moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Commissioner Castano and upon roll call on the motion the vote was as follows:

AYES:		NAYS:
Commissioner Alvarez	AYE	
Commissioner Fisher	AYE	
Commissioner Castano	AYE	
Commissioner Ortiz	AYE	
Mayor Gonzalez	AYE	

Said motion having been duly carried, thereupon, Mayor Gonzalez declared said Ordinance duly passed and adopted this 19th day of April 2022.

Olga Gonzalez
Mayor-Commissioner

ATTEST:

Linda S Hensell
City Clerk

Approved as to form and legality

City Attorney

EXHIBIT A

Chapter 4 ALCOHOLIC BEVERAGES[1]

Sec. 4-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. In those cases wherein a term is not defined, its definition shall be as found in Black's Law Dictionary, latest edition, or in American Heritage College Dictionary, latest edition.

Alcoholic beverage means distilled spirits and all beverages containing one-half of one percent or more alcohol by volume. The percentage of alcohol by volume shall be determined by measuring the volume of the standard ethyl alcohol in the beverage and comparing it with the volume of the remainder of the ingredients as though said remainder ingredients were distilled water.

Intoxicating liquor means all intoxicating or alcoholic liquor or beverages, including, but not limited to, beer, wine, ale, whiskey, spirits, liquor and all other so-called intoxicating and alcoholic beverages, regardless of the amount of alcoholic content. It shall be prima facie evidence that a beverage is an intoxicating liquor if there is proof that the beverage in question was or is known as whiskey, moonshine whiskey, shine, rum, gin, tequila, vodka, scotch whiskey, brandy, beer, ale, malt liquor, wine, liqueur, cordial, or by any other similar name or names, or was contained in a bottle or can labeled as any of the above names, or a name similar thereto, and the bottle or can bears the manufacturer's insignia, name or trademark. Any person who, by experience in the handling of intoxicating liquors, or who by taste, smell, or drinking of such intoxicating liquors has knowledge of the alcoholic nature thereof, may testify as to their opinion about whether such beverage is an intoxicating liquor.

Major shopping center means a shopping center comprised of a group of separate stores, with a minimum of three, having a gross floor space of not less than 12,000 square feet, utilizing a common parking facility.

Microbrewery/distillery means a limited-production brewery establishment in which the principal purpose is the production of alcoholic beverages, including the on-site fermentation, distilling, bottling, and distribution of alcoholic beverages, and which includes accessory uses that are tourist-oriented, such as tours of the microbrewery, tasting/sampling and retail sales of alcoholic beverages, on-site brewing, and related food products and/or restaurants.

Outdoor dining area means a space in which a licensee serves food and beverages as part of the operation of the licensed premises of a restaurant as a sidewalk cafe or porch area. An outdoor dining area must be located contiguous to the licensed restaurant and may only be separated by a sidewalk. No part of a sidewalk cafe or

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[1]State law reference(s)—Alcoholic beverage code, F.S. chs. 561—568; authority to regulate time of sale and use of premises, F.S. § 562.14; authority to regulate hours of business and location, sanitation and type of entertainment and conduct, F.S. § 562.45; disorderly intoxication, F.S. § 856.011.

outdoor dining area shall be located within a public right-of-way and must meet all other requirements of zoning applicable to the location.

Public place/semi-public place means all publicly owned real property and such other private real property where the public is expressly or implicitly invited, which includes, but is not limited to, streets; highways; roads; alleys; sidewalks; school grounds; playgrounds; fields; courts; other facilities designed or used for athletic events or games; parking lots and parking structures that are open to the public; walkways and hallways of apartment buildings, condominiums, motels, hotels, and homeowner association owned areas, shopping centers, retail malls and retail stores; and parked vehicles in any of the foregoing places. The term "public place/semi-public place" does not include the front, side or back yards of dwelling units, up to but not including the public right-of-way or the pool areas of apartment buildings, condominiums, motels, hotels, and homeowner association owned areas.

Restaurant means an establishment having the necessary equipment to cook and prepare meals and that does prepare and serve meals. To cook and prepare meals shall mean foods that are cooked through the use of heat, such as boiling, baking or roasting on the premises, and shall not mean meals that are microwaved, cooked or prepared at a different location and reheated on the premises.

Specialty retail. The following establishments are specialty retail:

Cafe style bookstore/shop is an establishment that primarily sells books and which contains an accessory cafe or small restaurant which offers a complete meal that is breakfast, lunch, or supper and where beer and wine are sold or offered for sale for consumption on-premises as incidentals to the bookstore.

Cigar store/cigar club means an establishment which contains a cigar store and/or cigar club which primarily provides a smoking experience or environment and where beer and wine are sold or offered for sale for consumption on-premises as incidental to the cigar club.

Gourmet food store means an establishment which primarily offers for sale gourmet and specialty items, treats for special occasions, or hard to find or luxury food items where beer and wine are occasionally offered as tasting samples on the premises. The term "gourmet food store" does not include convenience stores, conventional full line supermarkets, ethnic food stores or restaurants, delis, diners and similar eating establishments.

Wine shops/tasting room means an establishment which primarily offers for sale packaged wines, and contains a tasting room to sample wines, corkage fees permitted.

Stock Meal is the serving of cold plates, snacks, previously prepared sandwiches and any other type of meal that is capable of being served to more than one customer.

Tasting room means an accessory retail establishment to a microbrewery/distillery where individuals sample, purchase and consume the products created on-premises.

(Code 1976, §§ 4-14—4-16; Code 1995, § 5-3-1; Ord. No. 912, 3-21-1978; Ord. No. 920, 5-2-1978; Ord. No. 923, 6-23-1978; Ord. No. 1009, 10-9-1979; Ord. No. 1093, 3-31-1981; Ord. No.

2663, 9-18-2007; Ord. No. 2673, 3-4-2008; Ord. No. 2702, 11-4-2008; Ord. No. 2728, 9-1-2009; Ord. No. 2756, 5-4-2010; Ord. No. 2960, § 1(5-3-1), 8-1-2017)

Sec. 4-2. Location of establishments; zoning.

(a) The sale of alcoholic beverages, for consumption on-premises shall be allowed in the city only in motels, hotels, restaurants, microbreweries, tasting rooms, and specialty retail establishments having a valid state alcoholic beverage license as provided for in the state regulations governing such licenses.

(b) The property must also be located with frontage on a collector or arterial roadway as designated by the city comprehensive plan.

(c) The sale of alcoholic beverages, for consumption on-premises shall be allowed in the city only in motels, hotels, restaurants, and specialty retail establishments and must be in one of the following zoning districts/transects: T5-M, T5-U, B-2, B-3, HC, and B-5 or within an MUPUD with approved uses that are similar to the uses in those districts.(d) The sale of intoxicating liquors in package only, other than beer and wine, shall be limited to buildings having a minimum of 5,000-square feet of gross floor space and must be in one of the following zoning districts/transects: T5-M, T5-U, B-2, B-3, HC, and B-5 or within an MUPUD with approved uses that are similar to the uses in those districts.

(e) The sale of intoxicating liquors of beer and wine, when sold in package only, shall be allowed in the following zoning districts: T5-M, T5-U, B-2, B-3, HC, and B-5 or within an MUPUD with approved uses that are similar to the uses in those districts.

(f) The sale of alcoholic beverages when sold for consumption on-premises of a microbrewery/distillery shall be allowed in the city in the following districts only: T5-M, T5-U, B-2, B-3, HC, IB, and AI.

(g) No license for the sale or consumption of intoxicating liquor shall be granted to any vendor whose place of business is or shall be within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the city approves the location as promoting the public health, safety, and general welfare of the community under proceedings as provided F.S. § 166.041(3)(c). The distance of 500 feet shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of the place of business to the main entrance of the school. This subsection shall not apply to premises licensed on or before July 1, 1999, or to locations that are licensed as restaurants, which derive at least 51 percent of their gross revenues from the sale of food and nonalcoholic beverages, pursuant to F.S. ch. 509.

(h) No establishment dispensing or selling intoxicating liquor shall be located within 300 feet of an established church within the city. The distance of 300 feet shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of the place of business to the main entrance of the church.

(1) This subsection (h) shall not apply to locations that are licensed as restaurants, which derive at least 51 percent of their gross revenues from the sale of food and nonalcoholic beverages, pursuant to F.S. ch. 509, when located in the downtown district, described as follows: All properties located in the B-1 zoning district at the time of adoption of the ordinance from which this chapter is derived.

(2) This subsection (h) shall not apply to specialty retail establishments located in the Downtown District, as described in subsection (g)(1) of this section.

(3) This subsection (h) shall not apply to retail establishments in shopping centers.

(Code 1976, § 4-16; Code 1995, § 5-3-2; Ord. No. 920, 5-2-1978; Ord. No. 923, 6-23-1978; Ord. No. 1009, 10-9-1979; Ord. No. 1093, 3-31-1981; Ord. No. 2673, 3-4-2008; Ord. No. 2702, 11-4-2008; Ord. No. 2728, 9-1-2009; Ord. No. 2960, § 1(5-3-2), 8-1-2017; Ord. No. 2963, § 1, 9-26-2017)

State law reference(s)—Authority to regulate, hours of business and location of place of business, F.S. § 562.45(2).

Sec. 4-3. Hours of sale.

(a) Establishments which sell intoxicating liquor for consumption on premises or package sale may only be open for business between the hours of 7:00 a.m. and 2:00 a.m. on all days.

(b) The opening of the doors of any such establishment 15 minutes prior to closing time for the purpose of admitting customers is hereby prohibited.

(c) Any establishment dispensing or selling intoxicating liquor will be construed open for business under this section if any customer is inside the place of business, it is the intention of this section that all customers shall have vacated such place on or before the designated closing hour set forth in subsection (a) of this section, and that no customer shall be admitted to or be inside of such place of business after 2:00 a.m. on any day of the week and shall not gain admittance before the allowed times of sale as set out in subsection (a) of this section.

(d) Establishments meeting all state and local requirements for dispensing or selling intoxicating liquors may only dispense intoxicating liquor within the allowed hours of sale outlined above.

(Code 1976, § 4-19; Code 1995, § 5-3-3; Ord. No. 920, 5-2-1978; Ord. No. 923, 6-23-1978; Ord. No. 951, 12-12-1978; Ord. No. 2459, 1-7-2003; Ord. No. 2668, 9-18-2007; Ord. No. 2673, 3-4-2008; Ord. No. 2702, 11-4-2008)

State law reference(s)—Hours of sale, regulation, F.S. §§ 562.14(1), 562.45(2).

Sec. 4-4. Conditions of operations.

(a) It shall be unlawful for any establishment which is authorized to sell or dispense intoxicating liquor, or any of its agents, servants and employees, to knowingly or intentionally:

(1) Allow indecent, offensive, shocking and revolting conduct in or on the premises for which a license hereunder has been issued to such an extent that such conduct annoys, disturbs, and inconveniences reasonable people properly and legitimately in or on such premises, or in the reasonable neighborhood of such premises.

(2) Knowingly allow any person to take away from the licensed premises any opened intoxicating liquor in any glass or other open or unsealed container.

(3) Allow the consumption of any intoxicating liquor in or upon any parking or other area outside of the building other than areas approved by a site plan or building permit as an outdoor dining area or sidewalk cafe.

(b) Anyone violating any part of this section upon conviction shall be punished as provided in section 1-22.

(Code 1976, § 4-20; Code 1995, § 5-3-4; Ord. No. 920, 5-2-1978; Ord. No. 2673, 3-4-2008; Ord. No. 2702, 11-4-2008)

State law reference(s)—Authority to regulate conduct, F.S. § 562.45(2).

Sec. 4-5. Regulations of restaurants.

(a) To qualify as a bona fide restaurant under this chapter, the establishment must offer to the general public at least one complete meal per day, that is, lunch or supper, such meals to be offered for sale within the usual hours during which such meals are generally consumed. A restaurant shall derive at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages during the first 60-day operating period and each 12-month operating period thereafter.

(b) Restaurants must have present in the establishment, and available and ready, the necessary facilities and personnel to accommodate its patrons in the normal restaurant manner and be capable of seating not less than 50 persons simultaneously. Within the Downtown Community Redevelopment Area Overlay (CRAO), the following must be met:

(1) Restaurants selling intoxicating liquors for consumption on premises shall be capable of seating no less than 80 persons simultaneously and shall occupy a minimum of 1,800-square feet. The criteria in 5-3-5 shall also be met.
(2) Restaurants selling beer and wine for consumption on premises shall be capable of seating no less than 30 persons simultaneously and shall not have a minimum square footage requirement. The criteria in 5-3-5 shall also be met.

(b) Any establishment regulated by this chapter shall obtain a city business tax receipt prior to conducting any business activities. An interior layout, exterior layout, menu, and a detailed explanation of the business activities, including hours of operation, shall be provided and approved by the city prior to any business tax receipt or certificate of occupancy (CO) issuance. Any dining or other activities planned outdoors shall meet the criteria in Chapter 14-5 and 14-6 and obtain any necessary approvals from the City.

(c) Any establishment attempting to circumvent the intent of this section by an artifice or scheme, such as the serving of stock meals, shall be subject to the penalties herein set forth.

(d) Any person securing a business tax receipt under the provisions of this section who during the time such business tax receipt is in existence shall discontinue operation of a restaurant for the main purpose of serving meals to the general public shall be subject to having their business tax receipt immediately revoked.

(Code 1976, § 4-15; Code 1995, § 5-3-5; Ord. No. 912, 3-21-1978; Ord. No. 2037, 12-13-1994; Ord. No. 2673, 3-4-2008; Ord. No. 2702, 11-4-2008; Ord. No. 2756, 5-4-2010; Ord. No. 2960, § 1(5-3-5), 8-1-2017)

Sec. 4-6. Drinking in public.

(a) It shall be unlawful for any person to drink, consume or possess all or any part of an open container of any type of intoxicating liquor in or upon any public place/semi-public place as defined in section 4-1 in the city except as provided for in subsections (c) through (e) of this section.

(b) It shall be unlawful for any person to drink, consume or possess all or any part of an open container of any type of intoxicating liquor within 1,000 feet of any retail store where intoxicating liquors are sold in package form or anywhere within the boundary lines of the property on which such retail store is located, whichever constitutes the greater distance.

(c) The chief of police may authorize the consumption of said intoxicating liquors in or upon any public place/semi-public place when same are used in conjunction with a picnic, social event or public gathering held by a family, group of persons or any organization; said authorization shall be in writing and shall set forth the date, time and place during which said intoxicating liquors may be consumed.

(d) At bona fide restaurants with valid liquor licenses, a licensee may prepare and serve intoxicating liquors to be consumed within an outdoor dining area as part of the operation of a sidewalk cafe. Open containers of intoxicating liquors shall only be transported in or out of outdoor dining areas by the licensees' working employees as part of their work duties.

(e) Owners of businesses, its employees and guests may consume intoxicating liquors within the boundary lines of the business for private special events.

(Code 1995, § 5-3-7; Ord. No. 2673, 3-4-2008; Ord. No. 2702, 11-4-2008)

State law reference(s)—Possession of open containers in vehicles, F.S. § 316.1936.

Sec. 4-7. Microbrewery/distillery operating requirements.

In addition to the development standards of the zoning district, applicable general development standards and, where applicable, use specific development standards for restaurant or retail uses, an establishment that meets the definition of microbrewery/distillery shall comply with the following:

(1) In zoning districts that permit microbreweries, a maximum of 75 percent of the gross floor area shall be dedicated to equipment used for the brewing and/or distilling alcoholic beverages, including, but not limited to, the brew house boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, condition tanks and servicing tanks. A minimum of 25 percent of the establishment must be dedicated to the retail, tasting room, and/or restaurant component.

(2) Microbrewery/distillery establishments within in the AI and IB zoning districts shall not be located at least 500 feet from another similar establishment. The distance of 500 feet shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of the place of business to the main entrance of the other microbrewery and/or distillery establishment.

(3) Any equipment associated with brewery activities located outdoors shall obtain any applicable permits and must be approved by the architectural review committee (ARC) prior to permit approval and installation. All mechanical equipment visible from the street (excluding alleys) may require screening using architectural features consistent with the principal structure, at the discretion of the ARC.

(4) No outdoor storage shall be allowed, including the use of portable storage units, cargo containers and tractor trailers, except as follows: spent or used grain, which is a natural byproduct of the brewing process, may be stored outdoors for a period of time not to exceed 24 hours. The temporary storage area of spent grain shall be:

a. Designated on the approved site plan;

b. Permitted within the interior side or rear yard or within the minimum building setbacks;

c. Prohibited within any yard abutting a residential use or residential zoning district;

d. Fully enclosed within a suitable container, secured and screened behind a solid, opaque fence or wall measuring a minimum five feet in height.

(Ord. No. 2960, § 1(5-3-8), 8-1-2017)

Sec. 4-8. Penalty; prosecutions under this chapter.

(a) Any person, including officers of any corporations or clubs, violating any of the provisions of this chapter shall be subject to prosecution; and if convicted such violator shall be punished as provided by section 1-22.

(b) In all prosecutions for violations of this chapter, the manufacturer's label on the beverage container shall be prima facie evidence that the substance in such container was and is an intoxicating liquor as defined by this chapter.

(Code 1976, § 4-22; Code 1995, § 5-3-99; Ord. No. 920, 5-2-1978; Ord. No. 2673, 3-4-2008; Ord. No. 2702, 11-4-2008)

Orlando Sentinel

Publication Date: 03/23/2022

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Insertion Number:		Advertiser:	City of Kissimmee Planning Services
Size:	2 x 10.5000	Section/Page/Zone:	Nation & World/B004/FLA
Color Type:	B&W	Description:	Proposed Ordinance #22-07

NEWS BRIEFING

Split verdict in Jan. 6 riot trial for Cowboys for Trump founder

From news services

WASHINGTON — A federal judge on Tuesday convicted an elected official from New Mexico of illegally entering restricted U.S. Capitol grounds but acquitted him of engaging in disorderly conduct during the riot that disrupted Congress from certifying Joe Biden's presidential election victory.

U.S. District Court Judge Trevor McFadden heard one day of testimony without a jury on Monday before handing down a verdict in the misdemeanor case against Otero County Commissioner Couy Griffin, a 48-year-old former rodeo rider who helped found a group called Cowboys for Trump.

McFadden, a nominee of then-President Donald Trump, said there was ample evidence that Griffin knew he was in a restricted area and didn't leave. Griffin crossed over three walls, needing help from others or a ladder to get over them, the judge noted.

"All of this would suggest to a normal person that perhaps you should not be entering the area," McFadden said from the bench.

But the judge said prosecutors didn't meet their burden to prove that Griffin engaged in disorderly conduct.

"Arguably, he was trying to calm people down, not rile them up," he said.

Griffin's trial in Washington, D.C., was the second among the hundreds of federal cases arising from the Jan. 6, 2021, siege. Earlier this month, a jury convicted a Texas man, Guy Wesley Reffitt, of storming the Capitol with a holstered handgun, interfering with police and obstructing Congress' joint session to certify the Electoral College vote.

Griffin was charged with two misdemeanors: entering and remaining in a restricted building or grounds and disorderly and disruptive conduct in a restricted building or grounds. Both carry maximum sentences of one year imprisonment.

Griffin is scheduled to be sentenced on June 17. He was jailed for more than two weeks after his arrest on Jan. 19, 2021.

Griffin described himself as "halfway pleased" with the split verdict and said he will continue to view his involvement in Jan. 6 as "a badge of honor."

Griffin is one of three members of the Otero County Commission in southern New Mexico.

Michigan school shooting: A judge concerned about potential conflicts of interest is assigning independent counsel to each parent of a 15-year-old boy charged with killing four students at his Michigan high school.

Oakland County Circuit Judge Cheryl Matthews said during a pretrial hearing Tuesday for Jennifer and James Crumbley that because each is represented by an attorney from the same law firm the potential for a conflict exists.

The Crumbleys face involuntary manslaughter charges and are accused of making the gun used in the Nov. 30 shooting at Oxford High School available to their son, Ethan. They also are accused of failing to intervene when he showed signs of mental distress at home and at school.

Their son is charged as an adult with first-degree murder, assault with intent to murder, terrorism and gun charges in the shooting at his school, about 30 miles north of Detroit. Six other students and a teacher were wounded.



Deadly stabbing attack: Policemen work at the scene of a deadly stabbing attack on Tuesday in Beersheba, Israel. Police said a knife-wielding Arab man killed four people and seriously wounded two others before being shot and killed. Police also said the man was "a terrorist known to security services" and that he had served time in prison. TSAFRIR ABAYOV/AP

COVID-19 impasse: With an urgent funding request stuck in Congress, a federal agency says it can no longer cover COVID-19 tests and treatments bills for uninsured people and will stop taking claims at midnight Tuesday.

The Uninsured Program is an early casualty of the budget impasse between Congress and the White House over the Biden administration's request for an additional $22.5 billion for ongoing COVID-19 response. In operation since the Trump administration, the program reimburses hospitals, clinics, doctors and other service providers for COVID-19 care for uninsured people, whose numbers total about 28 million.

Martin Kramer, a spokesman for the Health Resources and Services Administration, said the program will next have to stop accepting claims for vaccination-related costs, after April 5.

Hillary Clinton positive: Former Secretary of State Hillary Clinton said Tuesday she has tested positive for COVID-19 with "mild" symptoms.

On social media, the 74-year-old former Democratic presidential candidate said she was "feeling fine" and that former President Bill Clinton had tested negative and was quarantining until their household was fully cleared.

Meanwhile, White House press secretary Jen Psaki said she is positive again for COVID-19 and will not accompany President Joe Biden to Europe this week for meetings with world counterparts on Russia's invasion of Ukraine.

Biden tested negative on Tuesday, she said.

Psaki tweeted that she took a laboratory test for COVID-19 as part of her preparation for the trip, which gets underway on Wednesday, and was later notified of a positive result.

Psaki said she has experienced only mild symptoms of COVID-19.

Under White House COVID-19 protocols, she said she will work from home and return to work after a five-day isolation period and a negative test.

Trudeau staying in power: Prime Minister Justin Trudeau said Tuesday his Liberal Party has reached an agreement with the leftist opposition New Democratic Party that would keep his party in power until 2025.

Trudeau's Liberal Party won reelection in September but failed to win a majority of seats in Parliament and must rely on the opposition to pass legislation. The NDP party will support Trudeau's Liberals in exchange for deals on pharmaceutical and dental care plans, but it will not have a lawmaker in Trudeau's Cabinet, and Trudeau said the NDP won't have a veto on any budget or any other legislation.

Trudeau said he plans to run again when the next election is held, which must be by 2025.

Polio vaccination drive: A drive to vaccinate more than 9 million children against polio has been launched this week in four countries in southern and eastern Africa after an outbreak was confirmed in Malawi.

The urgent vaccination campaign has started in Malawi where drops of the inoculation are being placed in the mouths of children across the country, including in the capital, Lilongwe, and the country's largest city, Blantyre.

The vaccination campaign will be expanded Thursday to include the neighboring countries of Mozambique, Tanzania and Zambia, according to UNICEF, which is working with the governments and other partners.

Three more rounds of vaccinations will follow in the coming months with a goal of reaching more than 20 million children.



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NOTICE OF PUBLIC HEARING AND SECOND READING

The City Commission of the City of Kissimmee, Florida will meet on **Tuesday, April 5, 2022,** at **6:00 p.m.** in the City Commission Chambers, Municipal Administration Building, 101 Church Street, Kissimmee, Florida, to hear the **FIRST READING** and will meet on **Tuesday, April 19, 2022,** at **6:00 p.m.** to hear the **SECOND AND FINAL READING** and consider the passage of the proposed ordinance as set forth below. The proposed Ordinance may be inspected in the Office of the City Clerk at the Municipal Administration Building, 101 Church Street, Kissimmee, Florida. All interested parties may appear and be heard on the above dates.

PROPOSED ORDINANCE # 22-07

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE, FLORIDA, TITLE V, LICENSES AND BUSINESS REGULATIONS, CHAPTER 4, ALCOHOLIC BEVERAGES; UPDATING AND REORGANIZING LANGUAGE THROUGHOUT CHAPTER 4; ADDING A DEFINITION OF A STOCK MEAL; AMENDING SECTION 4-2, LOCATION OF ESTABLISHMENT, ZONING; AMENDING SECTION 4-5 REGULATION OF RESTAURANTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY COMMISSION
KISSIMMEE, FLORIDA

IN ACCORDANCE WITH FLORIDA STATUTE 286.0105: 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 A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSES MAY NEED TO ENSURE THAT A 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 PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK 407-518-2308 AT 101 CHURCH STREET, KISSIMMEE, FL 34741, PRIOR TO THE MEETING (FS 286.26).



Exhibit “C”
Hilliard Isle Petition by Community Residents
Copy Presented to Osceola County Commission Osceola Planning Board
Item 4.B

Public Hearing
4.B.

Exhibit "C"
4/19/2022

To: Osceola County Commissioners and Planning Commission,

ZMAZ1-03

We the residents off of Hillard Isle Road oppose the rezoning of the property and plan submitted PS 21-00001, to allow 108 town home units. If this proposal goes through the road can't handle 108 units more worth of traffic, as it is and its side roads are all dead end roads. Currently we already have a traffic problem and the light that was added in the shopping plaza does not help the situation. Most of the time this light is blocked by the traffic at the Duncan Donut or a delivery truck for one of the stores. This makes getting out at the end of Hillard onto Simpson very difficult most of the time and more difficult during rush hour.

By signing this petition we request that you do not allow the rezoning of this property.

Name and Address
Barb Hinderman
2555 Stemwood Ct,
Kissimmee, Fl 34744
Signature Barbara E Hinderman

Name and Address
Carlos Rodriguez
2608 Cahokia Court
Kissimmee, Fl 34744
Signature

Name and Address
Nestor Cailahua
2573 Stemwood Ct
Kissimmee FL
Signature Nestor Cailla

Name and Address
Edmund Cid
2612 Cahokia Ct
Kiss, fl 34744
Signature E Cid

Name and Address
Earnest Hickson
Sharon Hickson
2568 Stemwood CT Kissim. FL
Signature Earnest Hickson

Name and Address
Daisy Cid
2612 Cahokia Ct.
Kissimmee, fl. 34744
Signature Daisy Cid

Name and Address
Rajan Mathew &
Jaya Rajan.
26041 Cahokia CT, Kissimmee, FL
Signature

Name and Address
TOM VACEK
2620 CAHOKIA CT
KISSIMMEE FL
Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Jaykon Harrison
2550 Longbranch Ct
Kissimmee FL 34744

Signature

Name and Address

Signature

Name and Address

Roy S. Harbor
2550 Longbranch Ct
Kissimmee Fla 34744

Signature Roy S Harbor

Name and Address

Jeffrey Torres
2545 Shadetree CT
Kissimmee FL 34744

Signature

Name and Address

Edgar Abarca
2553 Longbranch Ct
Kissimmee FL 34744

Signature

Name and Address

Signature

Name and Address

Sara Carro
2540 Longbranch Ct
Kissimmee, FL 34744

Signature Sara Carro

Name and Address

Teddy J. Amaro
2550 Longbranch, ct

Signature

Name and Address

Eli Carro
2540 Longbranch Ct
Kissimmee, 34744

Signature

Name and Address

Sabrina Williams
2615 Hilliard Crt.
Kissimmee, FL 34744

Signature Sabrina V. Williams

Name and Address

SALVATORE BIANCO JR
2700 HILLIARD CT
KISSIMMEE FL 34744

Signature

Name and Address

Evelyn Diaz
2620 Hilliard Court
Kiss. FL 34744

Signature Evelyn Diaz

Name and Address

GEORGE BURGOS
2690 HILLIARD CT.
KISS. FL 34744

Signature

Name and Address

Ignacio Rivera
2630 Hilliard Ct
Kissimmee, Fl 34744

Signature Ignacio Rivera

Name and Address

Gustavo Plel
2685 hilliard ct
kissimmee fl.

Signature

Name and Address

IRMA RIVERA
2630 Hilliard Ct
KISSIMMEE, FL 34744

Signature Irma Rivera

Name and Address

JUANITA BURGOS
2650 HILLIARD COURT
KISSIMMEE FL 34744

Signature Juanita Burgos

Name and Address

HAROLD SOOKHAI
2640 HILLIARD COURT
KISSIMMEE FL 34744

Signature H. Sookhai

Name and Address

Charlyn Castro-Ryan
2651 Hilliard Ct.
Kiss. FL 34744

Signature

Name and Address
Kieran Mikell
2864 Hillcrest Isle Rd.
Kissimmee, FL 34741
Signature

Name and Address
Alex Correa
2633 Belmont Place
Kissimmee, FL 34744
Signature

Name and Address
[illegible]
2605 Belmont Pl
Kissimmee, FL 34744
Signature

Name and Address
[illegible]
2627 Belmont Pl
Kissimmee, FL 34744
Signature

Name and Address
Medina Family
2609 Belmont Pl
Kissimmee FL 34744
Signature

Name and Address
Ligia Wachtel
2624 Belmont Pl
Kiss, FL 34744
Signature

Name and Address
Calita Smith
2612 Belmont
Place Kissimmee FL
Signature

Name and Address
Carlos Perdomo
2625 Belmont Place
Kissimmee FL 34744
Signature

Name and Address
Luis Jimenez
2617 Belmont PL
Kiss, FL 34742
Signature

Name and Address
Mayra J Nieves M.D
2629 Belmont PL
Kissimmee, FL 34744
Signature

Name and Address
Justlen Lala
2621 Belmont pl
Kissimmee FL 34744
Signature

Name and Address
Nancy Arias
2621 Belmont
Kissimmee FL 34744
Signature Nancy Arias

Name and Address
Ada Garcia
2632 Belmont Place
Kissimmee, FL 347
Signature

Name and Address
Marian Jaeklich
2540 Greenwood Dr.
Kissimmee, FL 34744
Signature Marian Jaeklich

Name and Address
Avita & Rob Hubbard
2570 Greenwood Dr
Kissimmee, FL 34744
Signature

Name and Address
2550 Greenwood Dr.
Kiss FL 34743
Signature

Name and Address
Gloria Gomez
2555 Greenwood Drive
Kissimmee FL 34745
Signature

Name and Address
Michael Gomez
2520 Greenwood Dr
Kiss, FL 34744
Signature

Name and Address
Clara Valiente
2535 Greenwood Dr.
Kissimmee FL 34744
Signature

Name and Address
Luz Herrera
2520 Greenwood Dr
Kiss, FL 34744
Signature

Name and Address

Deanna Russell
2525 Greenwood Dr
Kissimmee, FL 34744
Signature Russell

Name and Address

Tina Wybiral
2555 Stemwood ct
Kissimmee, FL 34744
Signature

Name and Address

KATHY POWELL
2590 GREENWOOD DRIVE
KISSIMMEE, FL 34744
Signature

Name and Address

MICHAEL POWELL
2590 GREENWOOD DRIVE
KISSIMMEE, FL 34744
Signature Michael Powell

Name and Address

Angel Gonzalez
2600 Greenwood DR
Kissimmee FL 34744
Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Name and Address

Signature

Exhibit “D”
Emails to City from Hilliard Isle Community Residents
George Burgos, Avita Hubbard, Luisa Ardila & Daniel Cirigliano, Juanita Burgos
Item 4.B

Hand-out Hilliard Park
Item 4.B. and 4.C.
Citizen - Juanita Burgos

From: Mike Steigerwald
To: Linda Hansell
Subject: FW: Please stop this madness of Development
Date: Tuesday, April 19, 2022 10:50:44 AM

Linda, FYI

From: Olga Gonzalez <OLGA.GONZALEZ@kissimmee.gov>
Sent: Monday, April 18, 2022 8:00 PM
To: Mike Steigerwald <MIKE.STEIGERWALD@kissimmee.gov>
Subject: Fwd: Please stop this madness of Development

Mayor Olga González
City of Kissimmee
101 Church Street, Suite 500
Kissimmee, FL 34741
c: 407-747-0393

Sent from my iPhone

Begin forwarded message:

> **From:** Juanita Acosta <juanita.acosta@icloud.com>
> **Date:** April 18, 2022 at 6:45:56 PM EDT
> **To:** Olga Gonzalez <OLGA.GONZALEZ@kissimmee.gov>
> **Subject: Fwd: Please stop this madness of Development**
>
> **EXTERNAL EMAIL:** This email originated from outside of the organization. DO NOT REPLY, CLICK LINKS, or OPEN ATTACHMENTS unless you recognize the sender and know the content is safe
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** Juanita Acosta <juanita.acosta@icloud.com>
> > **Date:** April 18, 2022 at 6:08:19 PM EDT
> > **To:** Felix.ortiz@kissimmee.gov
> > **Subject: Please stop this madness of Development**
> >
> > My name is Juanita Burgos

I live at 2690 Hilliard court
Kissimmee Fl
I have live here for the past 12 years very peaceful and save
We love our neighborhood .
I am a retired nurse from the Veterans Affair Administration
I know how our sisters and Brothers come home with PTSD
Looking for a quiet place to live
Without loud noise and congestion, now we are facing this problem where they trying to take this peace away from all of us and not only that , we do not oppose of the growth of our city
I approached this developer and I told them why not due single homes or little mansions this way they will get their project done have their money in their pocket and our neighborhoods will have more value , if they try to do a low income home apartment and town houses
The value of our properties that we have work so hard to keep will decrease . I am asking you to please stop this people from taking our peace and crime away from us . The value of our properties are above $500,000
And the traffic will be hastic to go in or out .
Please take all this in consideration DONT let it happen. We beg you please do it for them who almost gave their life for us . My husband is a Corporal with two Purple Heart .
Thank you
Hoping you can reconsider
Juanita Burgos

Sent from my iPhone

Hand-out Hilliard Park
Item 4.B. and 4.C.
Citizen - Luisa Ardila
and Daniel Cirigliano

From: Mike Steigerwald
To: Linda Hansell
Subject: FW: Hilliard Isle Rd. Parcel Hearing 4/19/22
Date: Tuesday, April 19, 2022 10:52:09 AM

FYI

From: Olga Gonzalez <OLGA.GONZALEZ@kissimmee.gov>
Sent: Tuesday, April 19, 2022 3:24 AM
To: Mike Steigerwald <MIKE.STEIGERWALD@kissimmee.gov>
Subject: Fwd: Hilliard Isle Rd. Parcel Hearing 4/19/22

Mayor Olga González
City of Kissimmee
101 Church Street, Suite 500
Kissimmee, FL 34741
c: 407-747-0393

Sent from my iPhone

Begin forwarded message:

From: Luisa Ardila <lardila@live.com>
Date: April 18, 2022 at 11:41:02 PM EDT
To: Olga Gonzalez <OLGA.GONZALEZ@kissimmee.gov>, Olga Castano <OLGA.CASTANO@kissimmee.gov>, Felix Ortiz <FELIX.ORTIZ@kissimmee.gov>, "Carlos Alvarez, III" <CARLOS.ALVAREZ@kissimmee.gov>, Jim Fisher <JIM.FISHER@kissimmee.gov>
Cc: Daniel Cirigliano <danielcirigliano@live.com>
Subject: Hilliard Isle Rd. Parcel Hearing 4/19/22

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Dear City Commissioners,

We are writing to you regarding the Public Hearing on the zoning for the Hilliard Isle Rd Parcel ID: 08-25-30-0000-0085-0000 (Reference #ZMA-21-002, Hilliard Park). We will not be able to attend the hearing due to work commitments but as neighbors living off of Hilliard Isle Rd. (in Ascot Park) we are immensely concerned about what is proposed to be developed on that site, and we hope that you could hear our thoughts.

As you know, that parcel and much of the land around it has not been developed.

Right now, it is a necessary haven for local fauna, and it is full of lush vegetation. There are bodies of water that create an entire ecosystem that currently thrives there. As it is now, our neighborhood is surrounded by nature and many animals cross through our backyards on their way to the wide-open spaces near us, particularly the parcel in question. Aside from concerns about traffic and density —which are very critical—we are gravely concerned about the environmental and practical impacts any development on that land could cause.

We have not heard from the developer on how they plan to make sure that the many animals currently living on the land are dealt with. Will they be displaced, pushed to cross busy streets and barren backyards in search of food and shelter? That would wreak havoc through our neighborhoods. Or worse, are they planning to kill those animals in cold blood? Something must be done about them. They will not just evaporate into thin air.

Ideally, that parcel should be left alone or set aside as a natural sanctuary. If the land must be used, it should have the smallest footprint possible that could allow the existing animals, bodies of water, and much of the vegetation to remain undisturbed.

The more we develop land like this in our city, the more we encroach on the animals that are native to these lands. But more importantly, the more we develop, the more we degrade our own air, water, and standard of living—not just for our neighborhood, but for all of Kissimmee.

We do not condemn all development and growth, but we argue that all development should be mindful of the impact around it. And we're not talking about an empty parcel of land that is currently mowed down and unused. We're talking about a completely natural landscape that is largely untouched.

We beg the Commission to please look into the natural habitat this project is threatening. Study it. Figure out what is there and how this project will affect it. Do not rush to grant this project a green light when it could mean a nightmare for the people of the area and complete devastation for an entire ecosystem.

Thank you for your consideration,
Luisa Ardila & Daniel Cirigliano

Hand-out Hilliard Park
Item 4.B. and 4.C.
Citizen - Avita Hubbard

From: Avita Hubbard
To: CITY CLERK
Cc: City of Kissimmee Planning Division
Subject: Reference #ZMA-21-0002 Hillard Park
Date: Monday, April 18, 2022 5:43:48 PM

EXTERNAL EMAIL: This email originated from outside of the organization. DO NOT REPLY, CLICK LINKS, or OPEN ATTACHMENTS unless you recognize the sender and know the content is safe

All,

Good evening. My name is Avita Hubbard, and I reside at 2570 Greenwood Dr, Kissimmee, FL 34744.

Two months ago, we met with the City of Kissimmee Advisory Board, and it was voted not to change the Land-use from E-1 Estate to RB-1 Medium Density Residential.

I am begging you, please do not change the land use to RB-1 Medium Density Residential. I know we need to develop this land, but please consider Urban Settlement with one house per half an acre. Ascot is a part of the City's land, and that is one house per half an acre.

For the seller and the buyer, this transaction is about money - what each of them can get out of this transaction. However, for the residents in this neighborhood, this will affect our daily lives. It will decrease the value of our homes; it will cause huge traffic jams in the mornings and evenings.

Also, this will change the entire dynamic of our neighborhood. We are a small community, where we all know each other, and feel safe in our neighborhood. These are our forever homes. We do not buy, live in a few years, and then sell. Some of my neighbors have been here for over 25 years. We have been in our home for almost 13 years.

This area was built before Lakeside was developed. Our community is old and solid with hard-working, honest people. Please don't take this away from us.

I urge you, please think about how this will impact our neighborhood when you vote tonight. Think of everything that we would lose with this rezoning. Please, if they need to rezone this land, then please rezone it as Unban Settlement, with one house per half an acre.

Thank you for your time on this matter!

Sincerely,
Avita Hubbard
813-417-7644

Hand-out Hilliard Park
Item 4.B and 4.C.
Citizen - George Burgos

From: Mike Steigerwald
To: Linda Hansell
Subject: FW: Dispute development
Date: Tuesday, April 19, 2022 10:53:02 AM

FYI

From: Olga Gonzalez <OLGA.GONZALEZ@kissimmee.gov>
Sent: Monday, April 18, 2022 5:36 PM
To: Mike Steigerwald <MIKE.STEIGERWALD@kissimmee.gov>
Subject: Fwd: Dispute development

Mayor Olga González
City of Kissimmee
101 Church Street, Suite 500
Kissimmee, FL 34741
c: 407-747-0393

Sent from my iPhone

Begin forwarded message:

> **From:** George Burgos <gburgos47@yahoo.com>
> **Date:** April 18, 2022 at 5:19:17 PM EDT
> **To:** Olga Gonzalez <OLGA.GONZALEZ@kissimmee.gov>
> **Cc:** Olga Castano <OLGA.CASTANO@kissimmee.gov>
> **Subject: Dispute development**
>
> EXTERNAL EMAIL: This email originated from outside of the organization. DO NOT REPLY, CLICK LINKS, or OPEN ATTACHMENTS unless you recognize the sender and know the content is safe
>
> My name is George Burgos, a disabled veteran living in Hilliard Ct. for the past 12years. I am a recipient of two Purple Heart among others. I purchased this house because it is a quiet, peaceful neighborhood and this has made my life a lot easier to cope with my PTSD and other health issues. I am also aware that there are other veterans living in this area. I am also aware that some money hungry developers are trying to destroy our peaceful community with stupid projects to take that away from us. What is wrong with you people? How many more times do I have to take my walker back and forth to fight trying to protect my community. Haven't you overcrowded and damaged enough precious Florida land? Stop this nonsense and (try) to think where all this will end. Overcrowding is not pretty, born and raised in New York I know what is like, that's the reason I came to Florida after retirement, now you are allowing greedy developers

bring those days to me, after running away from that lifestyle, I am sorry but I fought for my country and I will fight for my community all the way. Sent from my iPhone

Exhibit “E”
Ordinance # 3056 – Hilliard Park Annexation
Item 4.B

PROPOSED ORDINANCE NO. 22-002
ORDINANCE NO. 3056

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.

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

SECTION 1. After public hearing and proper legal advertisement, the City Commission of the City of Kissimmee determined that the hereinafter described property is susceptible of municipal benefits and that the best interest of the City of Kissimmee will be served by the annexation of the hereinafter described land.

Acreage: 13.52

The subject property is located at: Parcel ID: 08-25-30-0000-0085-0000

Legal Description:
THE WEST ½ OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 8, TOWNSHIP 25 SOUTH, RANGE 30 EAST, OSCEOLA COUNTY, FLORIDA, LYING SOUTH AND EAST OF BOGGY CREEK ROAD (STATE ROAD NO. 530) AND NORTH OF HILLIARD ISLE ROAD, LESS THE 400.0 FEET THEREOF

SECTION 2. That upon the effective date of this Ordinance, the land described in Section 1 of this Ordinance shall be part of the City of Kissimmee, Florida, and the boundaries of said shall now include the herein above described land from the effective date of this Ordinance.

SECTION 3. That the land described in Section 1 of this Ordinance shall from the effective date of this Ordinance be susceptible to all of the municipal benefits and responsibilities. That the land shall be subject to taxation by the City of Kissimmee beginning the first date of the first calendar year after the effective date of this Ordinance.

However, until that date, no real or personal property within the area described in this Ordinance and so annexed, shall be liable for or taxed to pay any bonded indebtedness of the City of Kissimmee existing at the time of the passage of this Ordinance. Except the exemption provided in this Ordinance, said land shall be subject to all of the obligations and duties as any other lands within the corporate boundaries of the City of Kissimmee, Florida.

SECTION 4. This Ordinance shall take effect 10 days after its passage.

Commissioner Fisher moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Commissioner Castano and upon

roll call on the motion the vote was as follows:

AYES:		NAYS:
Commissioner Fisher	AYE	
Commissioner Castano	AYE	
Commissioner Ortiz		NAY
Commissioner Alvarez		NAY
Mayor Gonzalez	AYE	

Said motion having been duly carried, thereupon, Mayor Gonzalez, declared said Ordinance duly passed and adopted the 19th day of April, 2022.

Olga Gonzalez
Mayor Commissioner

ATTEST:
Linda S Hansell
City Clerk

Exhibit “F”
Ordinance # 3057 – Zoning Map Designation to Establish RA-3
Item 4.C

PROPOSED ORDINANCE NO. 22-04
ORDINANCE NO. 3057

AN ORDINANCE AMENDING ORDINANCE NO. 3034 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION THAT ORDINANCE NO. 3034 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE IS HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 1. Ordinance No. 3034, known as the City of Kissimmee Land Development Code, is hereby amended so as to rezone the following described property to-wit:

FROM: E-1 (Estate Development) – County

TO: RA-3 (Single Family Residential) – City

The subject property is located at: Parcel ID# 08-25-30-0000-0085-0000

Legal Description:
THE WEST ½ OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 8, TOWNSHIP 25 SOUTH, RANGE 30 EAST, OSCEOLA COUNTY, FLORIDA, LYING SOUTH AND EAST OF BOGGY CREEK ROAD (STATE ROAD NO. 530) AND NORTH OF HILLIARD ISLE ROAD, LESS THE 400.0 FEET THEREOF

A map of the area is included with this ordinance.

SECTION 2. Upon the effective date of this ordinance, the City Manager shall promptly cause the rezoning as provided in Section 1 herein to be entered onto the official zoning map of the City of Kissimmee.

SECTION 3. Except as hereby amended said City of Kissimmee Land Development Code Ordinance No. 3034 as heretofore amended shall remain in full force and effect.

SECTION 4. This Ordinance shall take effect 10 days after its passage.

Commissioner Castano moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Commissioner Gonzalez and upon roll call on the motion the vote was as follows:

AYES: NAYS:

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

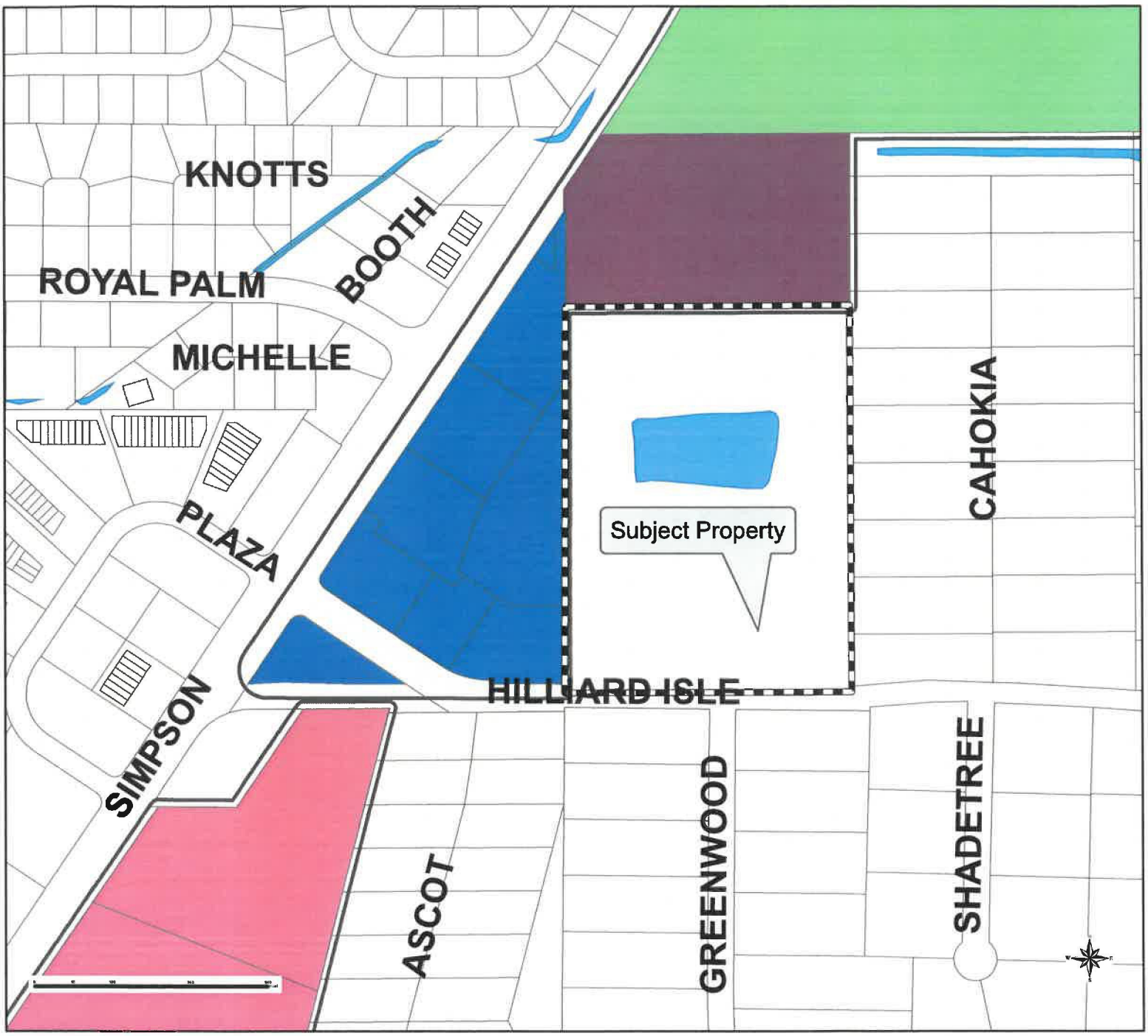
Said motion having been duly carried, thereupon, Mayor Olga Gonzalez declared said Ordinance duly passed and adopted the 19th day of April, 2022.

Olga Gonzalez
Mayor - Commissioner

ATTEST:

Linda S Hansell
City Clerk

Hilliard Park
Zoning Map Amendment ZMA-21-0002



- Subject Property
- CRA District Boundary
- Railroad
- City Limit Boundary
- Kissimmee Gateway Airport
- Lake Surfaces

Zoning Districts

- AC (Agricultural Conservation)
- AI (Airport Industrial)
- AO (Airport Operations)
- B-2 (Neighborhood Commercial)
- B-3 (General Commercial)
- B-5 (Office Commercial)
- BP (Business Park)
- CF (Community Facility)
- HC (Highway Commercial)
- HF (Hospital Facility)
- IB (Industrial Business)
- MH (Mobile Home 6,000 sqft)
- MHP (Mobile Home Park)
- MUPUD (Mixed Use Planned Unit Development)
- OS (Open Space)
- RA-1 (Single Family Residential)
- RA-2 (Single Family Residential)
- RA-3 (Single Family Residential)
- RA-4 (Single Family Residential)
- RB-1 (Medium Density Residential)
- RB-2 (Medium Density Residential - Office)
- RC-1 (Multiple Family Medium Density Residential)
- RC-2 (Mutliple Family High Density Residential)
- RE (Residential Estate)
- RPB (Residential Professional Business)
- RPUD (Residential Planned Unit Development)
- SRPUD (Short Term Rental Planned Unit Development)
- UT (Utilities)
- SD (Special District)
- T1 (Natural)
- T3 (Edge)
- T4-O (Neighborhood Open)
- T4-R (Neighborhood Restricted)
- T5-M (Mixed-Use Center)
- T5-U (Mixed-Use Urban Core)
- T6 (Waterfront)

Exhibit “G”
Resolution # 02-2022 – Capital Improvement Bond/ Rate Changes Handout
Item 7.C

N.C. Handout
Exhibit "6"

conditioned upon such refunding providing net present value debt service savings of at least three percent (3%) with respect to each of the 2010A Note, 2014A and the 2015B Note, each as determined by the City's Finance Director. The Issuer hereby delegates to the Mayor the authority to determine the final terms of the Series 2022 Bonds, based upon the advice of the Financial Advisor, including (i) the dated date, (ii) the principal amount and whether the Series 2022 Bonds shall be issued as Serial Bonds and/or Term Bonds, (iii) the maturity dates and amounts, (iv) the interest rates, prices and yields, and Interest Dates, (v) the optional redemption features, if any, (vi) the Amortization Installments and other mandatory redemption features, if any, (vii) the sale date and the delivery date, (viii) all other details of the Series 2022 Bonds including, but not limited to, the designation Series 2022 Bonds as a Series or Sub-Series of Taxable Bonds, and to take such further action as shall be required for carrying out the purposes of this resolution all with respect to the Series 2022 Bonds. All covenants contained in the Master Resolution with respect to the Bonds shall be applicable to the Series 2022 Bonds.

SECTION 4. Award of Sale of the Series 2022 Bonds; Execution of Purchase Contract. Due to the willingness of the Underwriter to purchase the Series 2022 Bonds at interest rates favorable to the Issuer, the present volatility of the market for tax-exempt public obligations such as the Series 2022 Bonds and the critical importance of timing of the sale of the Series 2022 Bonds, the Issuer hereby approves the negotiated sale of the Series 2022 Bonds to the Underwriter and delegates to the Mayor the authority to accept the offer of the Underwriter to purchase the Series 2022 Bonds and to execute and deliver, on behalf of the Issuer, the Purchase Contract, in the form attached hereto as Exhibit A, which form is hereby approved; provided, however, that the Mayor shall not have the authority to execute and deliver the Purchase Contract, unless the Mayor shall have received from the Underwriter (i) all applicable disclosure information required by Section 218.385, Florida Statutes, and (ii) such other information as the Mayor shall deem necessary, upon the advice of the Financial Advisor, which demonstrates to the Mayor that (A) the aggregate principal amount of the Series 2022 Bonds is not in excess of $37,000,000, (B) the final maturity of the Series 2022 Bonds is not later than October 1, 2051, (C) the underwriting discount is not greater than 0.75% of the original principal amount of the Series 2022 Bonds (net any original issue discount and/or premium), and (D) and the true interest cost rate on the Series 2022 Bonds is not greater than ~~4.50~~5.15%.

All actions of the Mayor taken pursuant to the authority contained in this Section shall be evidenced by the execution and delivery of the Purchase Contract. The execution and delivery of the Purchase Contract shall constitute complete evidence of the actions of the Mayor and shall constitute the action of the Issuer. Subject to satisfaction of the conditions in this Section 4, the Mayor is hereby authorized and directed to execute and deliver, and the City Clerk is hereby authorized to attest under seal, the Purchase Contract. The execution and delivery thereof in the manner described in the preceding sentence shall constitute complete approval of such Purchase Contract by the Issuer, including any changes to the form attached hereto as Exhibit A, and shall be deemed to be a part of this instrument as fully and to the same extent as if incorporated verbatim herein.

M.C. Handout

RESOLUTION NO. 02-2022

A RESOLUTION OF THE CITY OF KISSIMMEE, FLORIDA, SUPPLEMENTING RESOLUTION NO. 03-2016 ADOPTED ON JANUARY 19, 2016; AUTHORIZING AND APPROVING THE NEGOTIATED SALE OF NOT TO EXCEED $37,000,000 CAPITAL IMPROVEMENT REFUNDING REVENUE BONDS, SERIES 2022, IN ONE OR MORE SERIES, FOR THE PURPOSES DESCRIBED HEREIN; PROVIDING A BACKUP COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES OF THE ISSUER AS ADDITIONAL SECURITY FOR SUCH SERIES 2022 BONDS; DELEGATING AUTHORITY TO THE MAYOR TO AWARD THE SALE OF THE SERIES 2022 BONDS TO HILLTOP SECURITIES INC. PURSUANT TO A NEGOTIATED SALE AND SUBJECT TO THE CONDITIONS AND TERMS SET FORTH HEREIN AND IN A PURCHASE CONTRACT; APPROVING THE FORMS OF SUCH PURCHASE CONTRACT, THE PRELIMINARY OFFICIAL STATEMENT AND THE CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING THE EXECUTION AND DELIVERY OF THE PURCHASE CONTRACT, THE FINAL OFFICIAL STATEMENT AND CONTINUING DISCLOSURE CERTIFICATE; APPOINTING A PAYING AGENT AND REGISTRAR; APPROVING A NOT-TO-EXCEED COSTS OF ISSUANCE BUDGET; PROVIDING OTHER DETAILS FOR THE SERIES 2022 BONDS AND AUTHORIZING OTHER REQUIRED ACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission (the "City Commission") of the City of Kissimmee, Florida (the "Issuer") has previously adopted Resolution No. 03-2016 on January 19, 2016 (the "Master Resolution" and, as supplemented hereby, the "Resolution") authorizing the issuance of Bonds, in one or more Series from time to time; and

WHEREAS, the City Commission has determined to authorize the issuance of not to exceed $37,000,000 City of Kissimmee, Florida Capital Improvement Refunding Revenue Bonds, Series 2022, in one or more series (the "Series 2022 Bonds"); and

WHEREAS, all capitalized undefined terms used herein shall have the meanings ascribed thereto in the Resolution; and

WHEREAS, the Underwriter has indicated that it is willing to enter into the hereinafter defined Purchase Contract with the Issuer pursuant to which the Underwriter will agree to purchase the Series 2022 Bonds; and

WHEREAS, due to the present volatility of the market for taxable and tax-exempt public obligations such as the Series 2022 Bonds, the need to access such market very quickly, the willingness of the Underwriter to purchase the Series 2022 Bonds at interest rates favorable to the

Issuer, and the critical importance of timing of the sale of the Series 2022 Bonds, the Issuer has determined to sell the Series 2022 Bonds through a negotiated sale to the Underwriter, and it is hereby determined that it is in the best interest of the public and the Issuer to delegate to the Mayor the authority to fix the final details of the Series 2022 Bonds, based upon the advice of the Financial Advisor, and accept the offer of the Underwriter to purchase the Series 2022 Bonds at a negotiated sale pursuant to the terms of a Purchase Contract, the form of which is attached hereto as Exhibit A (the "Purchase Contract"), if certain conditions set forth in this resolution are satisfied; and

WHEREAS, prior to acceptance by the Issuer of the offer of the Underwriter to purchase the Series 2022 Bonds, the Underwriter will provide the Issuer with all applicable disclosure information required by Section 218.385, Florida Statutes, to be attached to, or otherwise included as part of, the Purchase Contract; and

WHEREAS, the Series 2022 Bonds are being issued to (i) finance and/or reimburse all or a portion of the Costs of the Series 2022 Project and (ii) paying certain costs of issuance of the Series 2022 Bonds; and

WHEREAS, the Issuer has determined it to be in its best interests and to serve a public purpose to provide in this resolution for the issuance of the Series 2022 Bonds for the purposes heretofore stated, and this resolution shall constitute a Supplemental Resolution for purposes of the Master Resolution; and

WHEREAS, the Series 2022 Bonds constitute Additional Bonds for purposes of the Master Resolution and will be secured by a lien on the Pledged Revenues on a parity with the Issuer's Outstanding Capital Improvement Revenue Bonds, Series 2016 (the "Series 2016 Bonds"); and

WHEREAS, in connection with the offering and sale of the Series 2022 Bonds, the Issuer desires to approve the distribution of the Preliminary Official Statement, a form of which is attached hereto as Exhibit B, and delegate to (i) the City Manager the authority to deem the Preliminary Official Statement "final" for purposes of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and (ii) to the Mayor, City Manager and Finance Director to execute and deliver a final Official Statement with respect to the Series 2022 Bonds (the "Official Statement"); and

WHEREAS, the Issuer desires to appoint The Bank of New York Mellon Trust Company, N.A. as registrar and paying agent with respect to the Series 2022 Bonds (the "Registrar and Paying Agent") and approve the form of and authorize the execution and delivery of a Registrar and Paying Agent Agreement, a form of which is attached hereto as Exhibit E (the "Registrar and Paying Agent Agreement"); and

WHEREAS, in connection with its continuing disclosure obligations under the Rule, the Issuer desires to approve the form of, and authorize the execution and delivery of, a Continuing Disclosure Certificate, a form of which is attached hereto as Exhibit C (the "Continuing Disclosure Certificate"); and

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

SECTION 1. Authority for this Resolution. This resolution is adopted pursuant to the provisions of the Act and the Master Resolution.

SECTION 2. Definitions. All capitalized undefined terms shall have the meaning ascribed thereto in the Master Resolution or the whereas clauses above. In addition, the following terms, unless the context otherwise requires, shall have the meanings specified in this Section. Words importing singular number shall include plural number in each case and vice versa, and words importing persons shall include firms and corporations.

"Non-Ad Valorem Revenues" means all revenues of the Issuer not derived from ad valorem taxation, and which are lawfully available to pay debt service on the Series 2022 Bonds.

"Series 2022 Project" means, collectively, various capital projects including, but not limited to, land acquisition and various infrastructure improvements related to lands known as the "Beaumont Development Site," as well as certain commercial solid waste capital needs. In addition to the foregoing, the Series 2022 Project may include the refunding of all or a portion of the Issuer's Capital Improvement Revenue Note, Series 2010C (the "2010C Note"), Public Improvement Revenue Note, Series 2014A (the "2014A Note"), and Capital Improvement Refunding Revenue Note, Series 2015B (the "2015B Note"), as well as any outstanding Revenue Note Draws in connection with the Issuer's participation in the Florida Local Government Finance Commission Pooled Commercial Paper Notes (the "Commercial Paper Notes") program. Such Series 2022 Project shall include, without limitation, all property rights, appurtenances, easements, franchises and equipment relating thereto and deemed necessary or convenient for the construction, designing, permitting, reconstruction, acquisition and equipping thereof, in accordance with certain plans on file or to be on file with the City Clerk, with such changes, deletions, additions or modifications to the enumerated improvements, equipment and facilities, or such other improvements as approved by the City Commission of the Issuer in a Supplemental Resolution in accordance with the Act. The Series 2022 Project constitutes an Additional Project for purposes of the Master Resolution.

"Underwriter" shall mean Hilltop Securities Inc.

SECTION 3. Approval of Series 2022 Project; Approval of Issuance of Series 2022 Bonds; Terms of Series 2022 Bonds. The Series 2022 Project is hereby approved; provided, however, that the approval of the refunding of each of the 2010A Note, 2014A Note and 2015B Note is

conditioned upon such refunding providing net present value debt service savings of at least three percent (3%) with respect to each of the 2010A Note, 2014A and the 2015B Note, each as determined by the City's Finance Director. The Issuer hereby delegates to the Mayor the authority to determine the final terms of the Series 2022 Bonds, based upon the advice of the Financial Advisor, including (i) the dated date, (ii) the principal amount and whether the Series 2022 Bonds shall be issued as Serial Bonds and/or Term Bonds, (iii) the maturity dates and amounts, (iv) the interest rates, prices and yields, and Interest Dates, (v) the optional redemption features, if any, (vi) the Amortization Installments and other mandatory redemption features, if any, (vii) the sale date and the delivery date, (viii) all other details of the Series 2022 Bonds including, but not limited to, the designation Series 2022 Bonds as a Series or Sub-Series of Taxable Bonds, and to take such further action as shall be required for carrying out the purposes of this resolution all with respect to the Series 2022 Bonds. All covenants contained in the Master Resolution with respect to the Bonds shall be applicable to the Series 2022 Bonds.

SECTION 4. Award of Sale of the Series 2022 Bonds; Execution of Purchase Contract. Due to the willingness of the Underwriter to purchase the Series 2022 Bonds at interest rates favorable to the Issuer, the present volatility of the market for tax-exempt public obligations such as the Series 2022 Bonds and the critical importance of timing of the sale of the Series 2022 Bonds, the Issuer hereby approves the negotiated sale of the Series 2022 Bonds to the Underwriter and delegates to the Mayor the authority to accept the offer of the Underwriter to purchase the Series 2022 Bonds and to execute and deliver, on behalf of the Issuer, the Purchase Contract, in the form attached hereto as Exhibit A, which form is hereby approved; provided, however, that the Mayor shall not have the authority to execute and deliver the Purchase Contract, unless the Mayor shall have received from the Underwriter (i) all applicable disclosure information required by Section 218.385, Florida Statutes, and (ii) such other information as the Mayor shall deem necessary, upon the advice of the Financial Advisor, which demonstrates to the Mayor that (A) the aggregate principal amount of the Series 2022 Bonds is not in excess of $37,000,000, (B) the final maturity of the Series 2022 Bonds is not later than October 1, 2051, (C) the underwriting discount is not greater than 0.75% of the original principal amount of the Series 2022 Bonds (net any original issue discount and/or premium), and (D) and the true interest cost rate on the Series 2022 Bonds is not greater than 5.15%.

All actions of the Mayor taken pursuant to the authority contained in this Section shall be evidenced by the execution and delivery of the Purchase Contract. The execution and delivery of the Purchase Contract shall constitute complete evidence of the actions of the Mayor and shall constitute the action of the Issuer. Subject to satisfaction of the conditions in this Section 4, the Mayor is hereby authorized and directed to execute and deliver, and the City Clerk is hereby authorized to attest under seal, the Purchase Contract. The execution and delivery thereof in the manner described in the preceding sentence shall constitute complete approval of such Purchase Contract by the Issuer, including any changes to the form attached hereto as Exhibit A, and shall be deemed to be a part of this instrument as fully and to the same extent as if incorporated verbatim herein.

The Series 2022 Bonds shall be issued under and secured by the Resolution and shall be executed and delivered in the manner as set forth in the Resolution, with such additional changes and insertions therein as conform to the provisions of the Purchase Contract, and such execution and delivery shall be conclusive evidence of the approval thereof by such officer.

SECTION 5. Authorization of Series 2022 Bonds. Subject and pursuant to the provisions hereof, obligations of the Issuer to be known as "Capital Improvement Refunding Revenue Bonds, Series 2022" are authorized to be issued in the aggregate principal amount of not to exceed $37,000,000.

SECTION 6. Book Entry System. The Issuer has previously executed a blanket letter of representation dated July 21, 1999 (the "Letter of Representation") with The Depository Trust Company ("DTC"). The Mayor and City Manager are hereby authorized to execute an updated blanket letter of representation if required by DTC in connection with the issuance of the Series 2022 Bonds. It is intended that the Series 2022 Bonds be registered so as to participate in a global book-entry system with DTC as set forth herein and in such Letter of Representation. The Series 2022 Bonds shall be initially issued in the form of a single fully registered Series 2022 Bond for each maturity. Upon initial issuance, the ownership of such Series 2022 Bonds shall be registered by the Registrar and Paying Agent in the name of Cede & Co., as nominee for DTC. With respect to Series 2022 Bonds registered by the Registrar and Paying Agent in the name of Cede & Co., as nominee of DTC, the Issuer and the Registrar and Paying Agent shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Series 2022 Bonds from time to time as securities depositary (each such broker-dealer, bank or other financial institution being referred to herein as a "Depository Participant") or to any person on behalf of whom such a Depository Participant holds an interest in the Series 2022 Bonds (each such person being herein referred to as an "Indirect Participant"). Without limiting the immediately preceding sentence, the Issuer and the Registrar and Paying Agent shall have no responsibility or obligation with respect to (a) the accuracy of the records of DTC, Cede & Co., or any Depository Participant with respect to the ownership interest in the Series 2022 Bonds, (b) the delivery to any Depository Participant or any Indirect Participant or any other person, other than a registered owner of a Series 2022 Bond as shown in the bond register, of any notice with respect to the Series 2022 Bonds, including any notice of redemption, if applicable, or (c) the payment to any Depository Participant or Indirect Participant or any other person, other than a registered owner of a Series 2022 Bond as shown in the bond register, of any amount with respect to principal of, premium, if any, or interest on, if applicable, the Series 2022 Bonds. No person other than a registered owner of a Series 2022 Bond as shown in the bond register shall receive a Series 2022 Bond certificate with respect to any Series 2022 Bond. Upon delivery by DTC to the Registrar and Paying Agent of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions hereof with respect to the payment of interest by the mailing of checks or drafts to the registered owners of Series 2022 Bonds appearing as registered owners in the registration books maintained by the Registrar and Paying Agent at the close of business on a regular record date, the name "Cede & Co." in this resolution shall refer to such new nominee of DTC.

In the event that (a) the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the Letter of Representation, (b) the agreement among the Issuer, the Registrar and Paying Agent and DTC evidenced by the Letter of Representation shall be terminated for any reason or (c) the Issuer determines that it is in the best interests of the beneficial owners of the Series 2022 Bonds that they be able to obtain certificated Series 2022 Bonds, the Issuer shall notify DTC of the availability through DTC of Series 2022 Bond certificates and the Series 2022 Bonds shall no longer be restricted to being registered in the bond register in the name of Cede & Co., as nominee of DTC, but only in accordance with the Letter of Representation. At that time, the Issuer may determine that the Series 2022 Bonds shall be registered in the name of and deposited with a successor depository operating a universal book-entry system, as may be acceptable to the Issuer, or such depository's agent or designee, and if the Issuer does not select such alternate universal book-entry system, then the Series 2022 Bonds may be registered in whatever name or names registered owners of Series 2022 Bonds transferring or changing Series 2022 Bonds designate, in accordance with the provisions hereof. Notwithstanding any other provision of the Resolution to the contrary, so long as any Series 2022 Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on, if applicable, such Series 2022 Bond and all notices with respect to such Series 2022 Bond shall be made and given, respectively, in the manner provided in the Letter of Representation.

As long as any Series 2022 Bonds are outstanding in book-entry form, the provisions of the Resolution inconsistent with such system of book-entry registration shall not be applicable to such Series 2022 Bonds, and the Issuer covenants to cause adequate records to be kept with respect to the ownership of any Series 2022 Bonds issued in book-entry form or the beneficial ownership of Series 2022 Bonds issued in the name of a nominee.

SECTION 7. Application of Series 2022 Bond Proceeds.

The proceeds, including any accrued interest received from the sale of the Series 2022 Bonds, shall be applied by the Issuer as follows:

1. Accrued interest, if any, shall be deposited in the Interest Account in the Debt Service Fund, and shall be used only for the purpose of paying interest becoming due on the Series 2022 Bonds.

2. The Issuer shall pay all costs and expenses in connection with the preparation, issuance and sale of the Series 2022 Bonds.

3. In connection with any refunding of the 2010C Note, 2014A Note, 2015B Note or the Commercial Paper Notes, proceeds of the Series 2022 Bonds may be used to refund and/or defease such outstanding debt.

4. The balance of said proceeds shall be deposited in the Construction Fund to be used to pay all or a portion of the Costs of the Series 2022 Project.

SECTION 8. Reserve Account. The Issuer hereby determines that the Series 2022 Bonds shall not be secured by the Reserve Account and there shall be no Reserve Account Requirement with respect to the Series 2022 Bonds.

SECTION 9. Creation of Non-Ad Valorem Revenue Fund; Backup Covenant to Budget and Appropriate.

The Issuer covenants and agrees to establish with a bank or trust company in the State of Florida, which is eligible under the laws of such State to receive funds of the Issuer, a separate fund to be known as the "City of Kissimmee, Florida Capital Improvement Refunding Revenue Bonds Non-Ad Valorem Revenue Fund" (the "Non-Ad Valorem Revenue Fund") into which the Issuer shall deposit Non-Ad Valorem Revenues budgeted and appropriated as provided in this Section 9. Amounts on deposit in the Non-Ad Valorem Revenue Fund shall be applied to cure deficiencies in the amount of Pledged Revenues available under the Resolution to pay principal of and interest on the Series 2022 Bonds and all other payments due with respect to the Series 2022 Bonds under the Resolution as the same shall become due. Moneys in the aforementioned fund shall be subject to a lien and charge in favor of the Holders of the Series 2022 Bonds and Series 2016 Bonds and for the further security of the Holders of the Series 2022 Bonds and Series 2016 Bonds. The Issuer may from time to time provide that the Non-Ad Valorem Revenue Fund shall also be subject to a lien and charge in favor of the Holders of Additional Bonds and for the further security of the Holders of Additional Bonds.

Subject to the next paragraph, as additional security for the Series 2022 Bonds, and only to the extent Pledged Revenues are insufficient to make payments required pursuant to the Resolution, the Issuer covenants and agrees and has a positive and affirmative duty to appropriate in its annual budget, by amendment, if necessary, from Non-Ad Valorem Revenues and deposit to the credit of the Non-Ad Valorem Revenue Fund, amounts sufficient to cure deficiencies in the amount of Pledged Revenues available under the Resolution to pay principal of and interest on the Series 2022 Bonds and all other payments due with respect to the Series 2022 Bonds under the Resolution as the same shall become due. Such covenant and agreement on the part of the Issuer to budget and appropriate such amounts of Non-Ad Valorem Revenues shall be cumulative to the extent not paid and shall continue until such Non-Ad Valorem Revenues or other legally available funds in amounts sufficient to make all such required payments shall have been budgeted, appropriated and actually paid. The Issuer further acknowledges and agrees that the obligations of the Issuer to include the amount of such amendments in each of its annual budgets and to pay such amounts from Non-Ad Valorem Revenues may be enforced in a court of competent jurisdiction in accordance with the remedies set forth in the Resolution.

Until such monies are budgeted, appropriated and deposited into the Non-Ad Valorem Revenue Fund as provided herein, such covenant to budget and appropriate does not create any lien upon or pledge of such Non-Ad Valorem Revenues, nor does it preclude the Issuer from pledging in the future its Non-Ad Valorem Revenues, nor does it require the Issuer to levy and collect any particular Non-Ad Valorem Revenues, nor does it give the holder of the Series 2022 Bonds a prior claim on the Non-Ad Valorem Revenues as opposed to claims of general creditors of the Issuer. Such covenant to budget and appropriate Non-Ad Valorem Revenues is subject in all respects to the prior payment of obligations secured by a pledge of such Non-Ad Valorem Revenues heretofore or hereafter entered into (including the payment of debt service on bonds and other debt instruments). Anything in this Resolution to the contrary notwithstanding, it is understood and agreed that all obligations of the Issuer hereunder shall be payable from the portion of Non-Ad Valorem Revenues budgeted, appropriated and deposited into the Non-Ad Valorem Revenue Fund as provided for herein and nothing herein shall be deemed to pledge ad valorem tax power or ad valorem taxing revenues or to permit or constitute a mortgage or lien upon any assets owned by the Issuer and no holder of the Series 2022 Bonds nor any other person, may compel the levy of ad valorem taxes on real or personal property within the boundaries of the Issuer or the use or application of ad valorem tax revenues in order to satisfy any payment obligations hereunder or to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees, or any other Non-Ad Valorem Revenues. The obligation of the Issuer to budget, appropriate and deposit into the Non-Ad Valorem Revenue Fund its Non-Ad Valorem Revenues is subject to the availability of Non-Ad Valorem Revenues after the satisfaction of the funding requirements for obligations having an express lien on or pledge of such revenues and is further subject to the payment of services and programs which are for essential public purposes affecting the health, welfare and safety of the inhabitants of the Issuer and to the provisions of Section 166.241, Florida Statutes, insofar as there are not sufficient Non-Ad Valorem Revenues to comply with such covenant after satisfaction of the funding requirements for obligations having an express lien or pledge of such revenues and the funding requirements for essential governmental services of the Issuer. Notwithstanding any provisions of this Resolution or the Series 2022 Bonds to the contrary, the Issuer shall never be obligated to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any Non-Ad Valorem Revenues. Until such monies are budgeted, appropriated and deposited into the Non-Ad Valorem Revenue Fund as provided herein, neither this Resolution nor the obligations of the Issuer hereunder shall be construed as a pledge of or a lien on all or any legally available Non-Ad Valorem Revenues of the Issuer other than Pledged Revenues, but shall be payable solely as provided herein.

SECTION 10. Approval of Distribution of Preliminary Official Statement and Authorization of Final Official Statement. The preparation and distribution of the Preliminary Official Statement relating to the Series 2022 Bonds, in the form attached hereto as Exhibit B, is hereby approved and authorized. The City Manager is hereby authorized to execute and deliver a certificate of the Issuer which deems such Preliminary Official Statement "final" within the contemplation of the Rule. Such Preliminary Official Statement is hereby authorized to be used and distributed in connection with the sale and marketing of the Series 2022 Bonds. The

distribution of the final Official Statement relating to the Series 2022 Bonds is hereby authorized, and the execution and delivery of such Official Statement by the Mayor, City Manager and Finance Director is hereby authorized, which execution and delivery shall constitute complete evidence of the approval of such final Official Statement by the Issuer.

SECTION 11. Appointment of Registrar and Paying Agent; Authorization of Execution and Delivery of Registrar and Paying Agent Agreement. The Bank of New York Mellon Trust Company, N.A. is hereby appointed to serve as Registrar and Paying Agent with respect to the Series 2022 Bonds. The Registrar and Paying Agent shall perform such duties as are more fully described in the Resolution and the Registrar and Paying Agent Agreement, in the form attached hereto as Exhibit E, to be entered into with the Issuer in connection with the Series 2022 Bonds.

The Registrar and Paying Agent shall fulfill such functions with respect to Registrar and Paying Agent Agreement until a qualified successor shall have been designated by the Issuer and accepts such duties, such designation to be subject to written notice to the Registrar and Paying Agent, or until the Series 2022 Bonds have been paid in full pursuant to the Resolution.

The Registrar and Paying Agent Agreement shall be executed in the name of the Issuer by the Mayor, such signature to be attested to and countersigned by the City Clerk, the official seal of the Issuer to be imprinted thereon, with such additional changes and insertions therein as are subsequently approved, and such execution and delivery shall be conclusive evidence of the approval thereof by such officers.

SECTION 12. Continuing Disclosure. The Issuer hereby covenants and agrees that, in order to assist the Underwriter in complying with the continuing disclosure requirements of the Rule with respect to the Series 2022 Bonds, it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate to be executed by the Issuer prior to the time the Issuer delivers the Series 2022 Bonds to the Underwriter, as may be amended from time to time in accordance with the terms thereof. The form of the Continuing Disclosure Certificate, attached hereto as Exhibit C is hereby approved and ratified, all of the provisions of which, when executed and delivered by the Issuer as authorized herein shall be deemed to be a part of this instrument as fully and to the same extent as if incorporated verbatim herein. Notwithstanding any other provision of the Resolution, failure of the Issuer to comply with such Continuing Disclosure Certificate shall not be considered an event of default under the Resolution. However, the Continuing Disclosure Certificate shall be enforceable by the Series 2022 Bondholders in the event that the Issuer fails to cure a breach thereunder within a reasonable time after written notice from a Series 2022 Bondholder to the Issuer that a breach exists. Any rights of the Series 2022 Bondholders to enforce the provisions of this covenant shall be on behalf of all Series 2022 Bondholders and shall be limited to a right to obtain specific performance of the Issuer's obligations thereunder.

The Continuing Disclosure Certificate shall be executed in the name of the Issuer by the Mayor, attested to and countersigned by the City Clerk under seal, with such additional changes

and insertions therein as are subsequently approved, and such execution and delivery shall be conclusive evidence of the approval thereof by such officers.

The City Manager is hereby authorized to appoint a Dissemination Agent pursuant to the Continuing Disclosure Certificate.

SECTION 13. Approval of Costs of Issuance Budget. The not-to-exceed Costs of Issuance Budget attached hereto as Exhibit E is hereby approved.

SECTION 14. Prior Resolutions. All prior resolutions of the Issuer inconsistent with the provisions of the Master Resolution are hereby amended and supplemented to conform with the provisions herein contained and, except as may otherwise amended and supplemented hereby, the Master Resolution shall remain in full force and effect.

SECTION 15. No Personal Liability. Neither the members of the City Commission nor any person executing the Series 2022 Bond shall be personally liable therefor or be subject to any personal liability or accountability by reason of the issuance thereof.

SECTION 16. General Authority. The Mayor, the City Manager, the Finance Director, the City Clerk, the City Attorney and any other proper officials of the Issuer are hereby authorized to do all acts and things required of them by this resolution, the Master Resolution, the Series 2022 Bonds, or any other agreement or contract relating to the Series 2022 Bonds, or that may otherwise be desirable or consistent with accomplishing the full, punctual and complete performance of all the terms, covenants and agreements contained in any of the foregoing and each member, employee, attorney and officer of the Issuer is hereby authorized and directed to execute and deliver any and all papers and instruments, including without limitation tax returns, non-arbitrage certificates, and various other certificates, and to cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated thereby.

SECTION 17. Severability and Invalid Provisions. If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, but not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way affect the validity of the other provisions hereof or of the Series 2022 Bonds.

SECTION 18. No Third Party Beneficiaries. Except such other Persons as may be expressly described in the Resolution or in the Series 2022 Bonds, nothing in the Resolution or in the Series 2022 Bonds, expressed or implied, is intended or shall be construed to confer upon any Person, other than the Issuer and the Series 2022 Bondholders, any right, remedy or claim, legal or equitable, under and by reason of the Resolution or of the Series 2022 Bonds, or any provisions

thereof, all provisions thereof being intended to be and being for the sole and exclusive benefit of the Issuer, the Persons who shall from time to time be the Series 2022 Bondholders.

SECTION 19. Master Resolution to Continue in Force. The Master Resolution and all the terms and provisions thereof, are and shall remain in full force and effect.

SECTION 20. Effective Date. This Resolution shall take effect immediately upon its adoption.

Dated this 19th day of April, 2022.

_____

Olga Gonzalez
Mayor-Commissioner

ATTEST:

_____

City Clerk

EXHIBIT A

Form of Purchase Contract

EXHIBIT B

Form of Preliminary Official Statement

EXHIBIT C

Form of Continuing Disclosure Certificate

[See Appendix E to the Form of Preliminary Official Statement]

EXHIBIT D

Form of Registrar and Paying Agent Agreement

EXHIBIT E

Not to Exceed Costs of Issuance Budget

Exhibit “H”
Resolution # 03-2022 – Approval of Local Housing Assistance Plan
For FY 2022-23, 2023-24, 2024-25
Item 7.D

RESOLUTION #: 03-2022

A RESOLUTION OF THE CITY OF KISSIMMEE, FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES;AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

****

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one- to three-year Local Housing Assistance Plan outlining how funds will be used; and

WHEREAS, the SHIP Act requires local governments to establish the maximum SHIP funds allowable for each strategy; and

WHEREAS, the SHIP Act further requires local governments to establish an average area purchase price for new and existing housing benefiting from awards made pursuant to the Act; The methodology and purchase prices used are defined in the attached Local Housing Assistance Plan; and

WHEREAS, as required by *section 420.9075, F.S.* It is found that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to $350,000 may use up to 10 percent of program income for administrative costs.

WHEREAS, the Development Services Department has prepared a three-year Local Housing Assistance Plan for submission to the Florida Housing Finance Corporation; and

WHEREAS, the City Commission finds that it is in the best interest of the public for the City of

Kissimmee to submit the Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA that:

Section 1: The Kissimmee City Commission hereby approves the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2022-2023, 2023-2024, 2024-2025.

Section 2: The Mayor or designee, is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

Section 3: This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS 19th DAY OF APRIL, 2022.

Olga Gonzalez
Mayor

(SEAL)

ATTEST: Linda S. Harrell
City Clerk

Exhibit D
67-37.005(1), F.A.C.
2022

CERTIFICATION TO
FLORIDA HOUSING FINANCE CORPORATION

Local Government or Interlocal Entity: **CITY OF KISSIMMEE**

Certifies that:

(1) The availability of SHIP funds will be advertised pursuant to program requirements in 420.907-420.9079, Florida Statutes.

(2) All SHIP funds will be expended in a manner which will ensure that there will be no discrimination on the basis of race, color, national origin, sex, handicap, familial status, or religion.

(3) A process to determine eligibility and for selection of recipients for funds has been developed.

(4) Recipients of funds will be required to contractually commit to program guidelines and loan terms.

(5) Florida Housing will be notified promptly if the local government /interlocal entity will be unable to comply with any provision of the local housing assistance plan (LHAP).

(6) The LHAP provides a plan for the encumbrance of funds within twelve months of the end of the State fiscal year in which they are received and a plan for the expenditure of SHIP funds including allocation, program income and recaptured funds within 24 months following the end of the State fiscal year in which they are received.

(7) The LHAP conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the LHAP.

(8) Amendments to the approved LHAP shall be provided to the Florida Housing for review and/or approval within 21 days after adoption.

(9) The trust fund exists with a qualified depository for all SHIP funds as well as program income or recaptured funds.

(10) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.

(11) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements (CAFR). An electronic copy of the CAFR or a hyperlink shall be provided to Florida Housing by June 30 of the applicable year.

(12) Evidence of compliance with the Florida Single Audit Act, as referenced in Section 215.97, F.S. shall be provided to Florida Housing by June 30 of the applicable year.

(13) SHIP funds will not be pledged for debt service on bonds.

(14) Developers receiving assistance from both SHIP and the Low-Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.

(15) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to serve eligible persons.

(16) Rental Units constructed or rehabilitated with SHIP funds shall be monitored for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e). To the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility.

(17) The LHAP meets the requirements of Section 420.907-9079 FS, and Rule Chapter 67-37 FAC.

(18) The provisions of Chapter 83-220, Laws of Florida have not been implemented (except for Miami-Dade County).

Witness

Witness

04/19/2022
Date

Chief Elected Official or designee

Mayor Olga Gonzalez
Type Name and Title

OR

Attest:

(Seal)

Exhibit “I”
Resolution # 04-2022 – Acceptance of 2022 Florida Boating Improvement Grant Program
Item 7.E

RESOLUTION NO. 04-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AND SUBMIT A GRANT APPLICATION TO THE FLORIDA BOATING IMPROVEMENT PROGRAM FOR THE PURPOSE OF RESTORING THE BREAKWATER STRUCTURES THAT PROTECT THE TOHO MARIANA AND BOAT LAUNCH FACILITY AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AND SUBMIT ANY ADDITIONAL AGREEMENTS OR DOCUMENTS RELATED TO THIS GRANT, INCLUDING THE ACCEPTANCE OF ANY FUNDS AWARDED UNDER THIS GRANT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Fish and Wildlife Conservation Commission has established the Florida Boating Improvement Program (hereinafter "Program") to provide funding through grants for boating access projects and other boating-related activities on the inland waters of Florida; and

WHEREAS, the City of Kissimmee Parks and Recreation Department has identified the need for restoration of the breakwater structures that protect the Toho Marina and Boat Launch Facility (hereinafter "Toho Marina Breakwater Project"); and

WHEREAS, the City Commission of Kissimmee deems it to be in the best interest of the City to approve and authorize the City Manager to execute and submit an application to the Program and to further authorize the City Manager to execute and submit any additional agreements or documents related to this grant application, including the acceptance of any funds awarded under this grant; and

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

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

(a). The City of Kissimmee has complied with all requirements and procedures of Florida law in processing and advertising this Resolution.

(b). The City of Kissimmee, Florida, is interested in applying for project and grant approval from Program, receiving and accepting grant funds from Program, and carrying out the "Toho Marina Breakwater Project" for the enjoyment of the citizens of the City of Kissimmee and the State of Florida which project will have a multiplicity of benefits to the City and the State.

(c). Financial assistance from Program (FBIP) is essential to the implementation of the development of the Toho Marina Breakwater Project.

(d). The City of Kissimmee has developed and maintained a very good relationship with the State of Florida and its agencies over the years and the City and State have worked well together in grant and funding relationships for the benefit of the State of Florida and its public welfare.

SECTION 2. APPROVAL OF PROGRAM GRANT.

(a). The City Commission of Kissimmee hereby authorizes the Program grant application by the City of Kissimmee for the Toho Marina Breakwater Project.

(b). The City Commission of Kissimmee further authorizes the City Manager is to execute and submit the Program grant application and re-application, as needed, in the amount of $150,000.00 on behalf of the City of Kissimmee in order to obtain partial funding for the Toho Marina Breakwater Project.

(c). The City Manager is further authorized to execute and submit any additional agreements or documents related to this grant, including the acceptance of any funds awarded under this grant.

(d). The City Commission of Kissimmee further authorizes the City Manager is to encumber and expend matching funds in the amount of $150,000 on behalf of the City in order to obtain funding, as referenced herein, from the Program for the Toho Marina Breakwater Project.

SECTION 3. COVENANTS OF THE CITY OF KISSIMMEE.

(a). The City of Kissimmee certifies to the State of Florida and agrees that:

(1). The City will accept the terms and conditions set forth in the Program's grant agreement.

(2). The City has the ability and intention to finance the cost of the Toho Marina Breakwater Project and that the City anticipates that the Toho Marina and Boat Launch Facility will continue to be operated and maintained at the expense of the City for public use.

(3). The City will not discriminate against any person on the basis of race, color, religion, disability, or national origin in the use of any property or facility acquired or developed pursuant to a grant awarded by the Program and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, Public Law 88-352 (1964) and all other controlling law.

(4). The City shall design and construct all facilities relating to the Toho Marina Breakwater Project in order to fully comply fully with all laws, statutes, rules, regulations, codes, and ordinances relating to accessibility by disabled persons including, but not limited to, the Americans With Disabilities Act.

(5). The City of Kissimmee shall also comply with all other applicable Federal, State and local laws, codes, ordinances, rules, regulations, and requirements.

(6). The City will maintain adequate financial records on the Toho Marina Breakwater Project to substantiate claims for reimbursement and in order to appropriately accomplish any and all pre-audits and post-audits of the expenditure of public funds as well as a performance review of the Toho Marina Breakwater Project and the achievement of the goals and objectives of the Program.

SECTION 4. SAVINGS. The prior actions of the City of Kissimmee related to the development of the Toho Mariana and Boat Launch Facility are hereby ratified and affirmed.

SECTION 5. CONFLICTS. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

SECTION 6. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 7. EFFECTIVE DATE. This Resolution shall become effective immediately upon enactment.

DONE AND RESOLVED this 19th day of April 2022.

Attest:

Linda Hansell, City Clerk

CITY OF KISSIMMEE, FLORIDA

Olga Gonzalez, Mayor-Commissioner

Approved as to Form and Legality:

Olga Sanchez de Fuentes, City Attorney

Exhibit “J”
Resolution # 02-2022 – Final Capital Improvement Bond
and Purchase Contract
Item 7.C

RESOLUTION NO. 02-2022

A RESOLUTION OF THE CITY OF KISSIMMEE, FLORIDA, SUPPLEMENTING RESOLUTION NO. 03-2016 ADOPTED ON JANUARY 19, 2016; AUTHORIZING AND APPROVING THE NEGOTIATED SALE OF NOT TO EXCEED $37,000,000 CAPITAL IMPROVEMENT REFUNDING REVENUE BONDS, SERIES 2022, IN ONE OR MORE SERIES, FOR THE PURPOSES DESCRIBED HEREIN; PROVIDING A BACKUP COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES OF THE ISSUER AS ADDITIONAL SECURITY FOR SUCH SERIES 2022 BONDS; DELEGATING AUTHORITY TO THE MAYOR TO AWARD THE SALE OF THE SERIES 2022 BONDS TO HILLTOP SECURITIES INC. PURSUANT TO A NEGOTIATED SALE AND SUBJECT TO THE CONDITIONS AND TERMS SET FORTH HEREIN AND IN A PURCHASE CONTRACT; APPROVING THE FORMS OF SUCH PURCHASE CONTRACT, THE PRELIMINARY OFFICIAL STATEMENT AND THE CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING THE EXECUTION AND DELIVERY OF THE PURCHASE CONTRACT, THE FINAL OFFICIAL STATEMENT AND CONTINUING DISCLOSURE CERTIFICATE; APPOINTING A PAYING AGENT AND REGISTRAR; APPROVING A NOT-TO-EXCEED COSTS OF ISSUANCE BUDGET; PROVIDING OTHER DETAILS FOR THE SERIES 2022 BONDS AND AUTHORIZING OTHER REQUIRED ACTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission (the "City Commission") of the City of Kissimmee, Florida (the "Issuer") has previously adopted Resolution No. 03-2016 on January 19, 2016 (the "Master Resolution" and, as supplemented hereby, the "Resolution") authorizing the issuance of Bonds, in one or more Series from time to time; and

WHEREAS, the City Commission has determined to authorize the issuance of not to exceed $37,000,000 City of Kissimmee, Florida Capital Improvement Refunding Revenue Bonds, Series 2022, in one or more series (the "Series 2022 Bonds"); and

WHEREAS, all capitalized undefined terms used herein shall have the meanings ascribed thereto in the Resolution; and

WHEREAS, the Underwriter has indicated that it is willing to enter into the hereinafter defined Purchase Contract with the Issuer pursuant to which the Underwriter will agree to purchase the Series 2022 Bonds; and

WHEREAS, due to the present volatility of the market for taxable and tax-exempt public obligations such as the Series 2022 Bonds, the need to access such market very quickly, the willingness of the Underwriter to purchase the Series 2022 Bonds at interest rates favorable to the

Issuer, and the critical importance of timing of the sale of the Series 2022 Bonds, the Issuer has determined to sell the Series 2022 Bonds through a negotiated sale to the Underwriter, and it is hereby determined that it is in the best interest of the public and the Issuer to delegate to the Mayor the authority to fix the final details of the Series 2022 Bonds, based upon the advice of the Financial Advisor, and accept the offer of the Underwriter to purchase the Series 2022 Bonds at a negotiated sale pursuant to the terms of a Purchase Contract, the form of which is attached hereto as Exhibit A (the "Purchase Contract"), if certain conditions set forth in this resolution are satisfied; and

WHEREAS, prior to acceptance by the Issuer of the offer of the Underwriter to purchase the Series 2022 Bonds, the Underwriter will provide the Issuer with all applicable disclosure information required by Section 218.385, Florida Statutes, to be attached to, or otherwise included as part of, the Purchase Contract; and

WHEREAS, the Series 2022 Bonds are being issued to (i) finance and/or reimburse all or a portion of the Costs of the Series 2022 Project and (ii) paying certain costs of issuance of the Series 2022 Bonds; and

WHEREAS, the Issuer has determined it to be in its best interests and to serve a public purpose to provide in this resolution for the issuance of the Series 2022 Bonds for the purposes heretofore stated, and this resolution shall constitute a Supplemental Resolution for purposes of the Master Resolution; and

WHEREAS, the Series 2022 Bonds constitute Additional Bonds for purposes of the Master Resolution and will be secured by a lien on the Pledged Revenues on a parity with the Issuer's Outstanding Capital Improvement Revenue Bonds, Series 2016 (the "Series 2016 Bonds"); and

WHEREAS, in connection with the offering and sale of the Series 2022 Bonds, the Issuer desires to approve the distribution of the Preliminary Official Statement, a form of which is attached hereto as Exhibit B, and delegate to (i) the City Manager the authority to deem the Preliminary Official Statement "final" for purposes of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and (ii) to the Mayor, City Manager and Finance Director to execute and deliver a final Official Statement with respect to the Series 2022 Bonds (the "Official Statement"); and

WHEREAS, the Issuer desires to appoint The Bank of New York Mellon Trust Company, N.A. as registrar and paying agent with respect to the Series 2022 Bonds (the "Registrar and Paying Agent") and approve the form of and authorize the execution and delivery of a Registrar and Paying Agent Agreement, a form of which is attached hereto as Exhibit E (the "Registrar and Paying Agent Agreement"); and

WHEREAS, in connection with its continuing disclosure obligations under the Rule, the Issuer desires to approve the form of, and authorize the execution and delivery of, a Continuing Disclosure Certificate, a form of which is attached hereto as Exhibit C (the "Continuing Disclosure Certificate"); and

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

SECTION 1. Authority for this Resolution. This resolution is adopted pursuant to the provisions of the Act and the Master Resolution.

SECTION 2. Definitions. All capitalized undefined terms shall have the meaning ascribed thereto in the Master Resolution or the whereas clauses above. In addition, the following terms, unless the context otherwise requires, shall have the meanings specified in this Section. Words importing singular number shall include plural number in each case and vice versa, and words importing persons shall include firms and corporations.

"Non-Ad Valorem Revenues" means all revenues of the Issuer not derived from ad valorem taxation, and which are lawfully available to pay debt service on the Series 2022 Bonds.

"Series 2022 Project" means, collectively, various capital projects including, but not limited to, land acquisition and various infrastructure improvements related to lands known as the "Beaumont Development Site," as well as certain commercial solid waste capital needs. In addition to the foregoing, the Series 2022 Project may include the refunding of all or a portion of the Issuer's Capital Improvement Revenue Note, Series 2010C (the "2010C Note"), Public Improvement Revenue Note, Series 2014A (the "2014A Note"), and Capital Improvement Refunding Revenue Note, Series 2015B (the "2015B Note"), as well as any outstanding Revenue Note Draws in connection with the Issuer's participation in the Florida Local Government Finance Commission Pooled Commercial Paper Notes (the "Commercial Paper Notes") program. Such Series 2022 Project shall include, without limitation, all property rights, appurtenances, easements, franchises and equipment relating thereto and deemed necessary or convenient for the construction, designing, permitting, reconstruction, acquisition and equipping thereof, in accordance with certain plans on file or to be on file with the City Clerk, with such changes, deletions, additions or modifications to the enumerated improvements, equipment and facilities, or such other improvements as approved by the City Commission of the Issuer in a Supplemental Resolution in accordance with the Act. The Series 2022 Project constitutes an Additional Project for purposes of the Master Resolution.

"Underwriter" shall mean Hilltop Securities Inc.

SECTION 3. Approval of Series 2022 Project; Approval of Issuance of Series 2022 Bonds; Terms of Series 2022 Bonds. The Series 2022 Project is hereby approved; provided, however, that the approval of the refunding of each of the 2010A Note, 2014A Note and 2015B Note is

conditioned upon such refunding providing net present value debt service savings of at least three percent (3%) with respect to each of the 2010A Note, 2014A and the 2015B Note, each as determined by the City's Finance Director. The Issuer hereby delegates to the Mayor the authority to determine the final terms of the Series 2022 Bonds, based upon the advice of the Financial Advisor, including (i) the dated date, (ii) the principal amount and whether the Series 2022 Bonds shall be issued as Serial Bonds and/or Term Bonds, (iii) the maturity dates and amounts, (iv) the interest rates, prices and yields, and Interest Dates, (v) the optional redemption features, if any, (vi) the Amortization Installments and other mandatory redemption features, if any, (vii) the sale date and the delivery date, (viii) all other details of the Series 2022 Bonds including, but not limited to, the designation Series 2022 Bonds as a Series or Sub-Series of Taxable Bonds, and to take such further action as shall be required for carrying out the purposes of this resolution all with respect to the Series 2022 Bonds. All covenants contained in the Master Resolution with respect to the Bonds shall be applicable to the Series 2022 Bonds.

SECTION 4. Award of Sale of the Series 2022 Bonds; Execution of Purchase Contract. Due to the willingness of the Underwriter to purchase the Series 2022 Bonds at interest rates favorable to the Issuer, the present volatility of the market for tax-exempt public obligations such as the Series 2022 Bonds and the critical importance of timing of the sale of the Series 2022 Bonds, the Issuer hereby approves the negotiated sale of the Series 2022 Bonds to the Underwriter and delegates to the Mayor the authority to accept the offer of the Underwriter to purchase the Series 2022 Bonds and to execute and deliver, on behalf of the Issuer, the Purchase Contract, in the form attached hereto as Exhibit A, which form is hereby approved; provided, however, that the Mayor shall not have the authority to execute and deliver the Purchase Contract, unless the Mayor shall have received from the Underwriter (i) all applicable disclosure information required by Section 218.385, Florida Statutes, and (ii) such other information as the Mayor shall deem necessary, upon the advice of the Financial Advisor, which demonstrates to the Mayor that (A) the aggregate principal amount of the Series 2022 Bonds is not in excess of $37,000,000, (B) the final maturity of the Series 2022 Bonds is not later than October 1, 2051, (C) the underwriting discount is not greater than 0.75% of the original principal amount of the Series 2022 Bonds (net any original issue discount and/or premium), and (D) and the true interest cost rate on the Series 2022 Bonds is not greater than 5.15%.

All actions of the Mayor taken pursuant to the authority contained in this Section shall be evidenced by the execution and delivery of the Purchase Contract. The execution and delivery of the Purchase Contract shall constitute complete evidence of the actions of the Mayor and shall constitute the action of the Issuer. Subject to satisfaction of the conditions in this Section 4, the Mayor is hereby authorized and directed to execute and deliver, and the City Clerk is hereby authorized to attest under seal, the Purchase Contract. The execution and delivery thereof in the manner described in the preceding sentence shall constitute complete approval of such Purchase Contract by the Issuer, including any changes to the form attached hereto as Exhibit A, and shall be deemed to be a part of this instrument as fully and to the same extent as if incorporated verbatim herein.

The Series 2022 Bonds shall be issued under and secured by the Resolution and shall be executed and delivered in the manner as set forth in the Resolution, with such additional changes and insertions therein as conform to the provisions of the Purchase Contract, and such execution and delivery shall be conclusive evidence of the approval thereof by such officer.

SECTION 5. Authorization of Series 2022 Bonds. Subject and pursuant to the provisions hereof, obligations of the Issuer to be known as "Capital Improvement Refunding Revenue Bonds, Series 2022" are authorized to be issued in the aggregate principal amount of not to exceed $37,000,000.

SECTION 6. Book Entry System. The Issuer has previously executed a blanket letter of representation dated July 21, 1999 (the "Letter of Representation") with The Depository Trust Company ("DTC"). The Mayor and City Manager are hereby authorized to execute an updated blanket letter of representation if required by DTC in connection with the issuance of the Series 2022 Bonds. It is intended that the Series 2022 Bonds be registered so as to participate in a global book-entry system with DTC as set forth herein and in such Letter of Representation. The Series 2022 Bonds shall be initially issued in the form of a single fully registered Series 2022 Bond for each maturity. Upon initial issuance, the ownership of such Series 2022 Bonds shall be registered by the Registrar and Paying Agent in the name of Cede & Co., as nominee for DTC. With respect to Series 2022 Bonds registered by the Registrar and Paying Agent in the name of Cede & Co., as nominee of DTC, the Issuer and the Registrar and Paying Agent shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Series 2022 Bonds from time to time as securities depositary (each such broker-dealer, bank or other financial institution being referred to herein as a "Depository Participant") or to any person on behalf of whom such a Depository Participant holds an interest in the Series 2022 Bonds (each such person being herein referred to as an "Indirect Participant"). Without limiting the immediately preceding sentence, the Issuer and the Registrar and Paying Agent shall have no responsibility or obligation with respect to (a) the accuracy of the records of DTC, Cede & Co., or any Depository Participant with respect to the ownership interest in the Series 2022 Bonds, (b) the delivery to any Depository Participant or any Indirect Participant or any other person, other than a registered owner of a Series 2022 Bond as shown in the bond register, of any notice with respect to the Series 2022 Bonds, including any notice of redemption, if applicable, or (c) the payment to any Depository Participant or Indirect Participant or any other person, other than a registered owner of a Series 2022 Bond as shown in the bond register, of any amount with respect to principal of, premium, if any, or interest on, if applicable, the Series 2022 Bonds. No person other than a registered owner of a Series 2022 Bond as shown in the bond register shall receive a Series 2022 Bond certificate with respect to any Series 2022 Bond. Upon delivery by DTC to the Registrar and Paying Agent of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions hereof with respect to the payment of interest by the mailing of checks or drafts to the registered owners of Series 2022 Bonds appearing as registered owners in the registration books maintained by the Registrar and Paying Agent at the close of business on a regular record date, the name "Cede & Co." in this resolution shall refer to such new nominee of DTC.

In the event that (a) the Issuer determines that DTC is incapable of discharging its responsibilities described herein and in the Letter of Representation, (b) the agreement among the Issuer, the Registrar and Paying Agent and DTC evidenced by the Letter of Representation shall be terminated for any reason or (c) the Issuer determines that it is in the best interests of the beneficial owners of the Series 2022 Bonds that they be able to obtain certificated Series 2022 Bonds, the Issuer shall notify DTC of the availability through DTC of Series 2022 Bond certificates and the Series 2022 Bonds shall no longer be restricted to being registered in the bond register in the name of Cede & Co., as nominee of DTC, but only in accordance with the Letter of Representation. At that time, the Issuer may determine that the Series 2022 Bonds shall be registered in the name of and deposited with a successor depository operating a universal book-entry system, as may be acceptable to the Issuer, or such depository's agent or designee, and if the Issuer does not select such alternate universal book-entry system, then the Series 2022 Bonds may be registered in whatever name or names registered owners of Series 2022 Bonds transferring or changing Series 2022 Bonds designate, in accordance with the provisions hereof. Notwithstanding any other provision of the Resolution to the contrary, so long as any Series 2022 Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on, if applicable, such Series 2022 Bond and all notices with respect to such Series 2022 Bond shall be made and given, respectively, in the manner provided in the Letter of Representation.

As long as any Series 2022 Bonds are outstanding in book-entry form, the provisions of the Resolution inconsistent with such system of book-entry registration shall not be applicable to such Series 2022 Bonds, and the Issuer covenants to cause adequate records to be kept with respect to the ownership of any Series 2022 Bonds issued in book-entry form or the beneficial ownership of Series 2022 Bonds issued in the name of a nominee.

SECTION 7. Application of Series 2022 Bond Proceeds.

The proceeds, including any accrued interest received from the sale of the Series 2022 Bonds, shall be applied by the Issuer as follows:

1. Accrued interest, if any, shall be deposited in the Interest Account in the Debt Service Fund, and shall be used only for the purpose of paying interest becoming due on the Series 2022 Bonds.

2. The Issuer shall pay all costs and expenses in connection with the preparation, issuance and sale of the Series 2022 Bonds.

3. In connection with any refunding of the 2010C Note, 2014A Note, 2015B Note or the Commercial Paper Notes, proceeds of the Series 2022 Bonds may be used to refund and/or defease such outstanding debt.

4. The balance of said proceeds shall be deposited in the Construction Fund to be used to pay all or a portion of the Costs of the Series 2022 Project.

SECTION 8. Reserve Account. The Issuer hereby determines that the Series 2022 Bonds shall not be secured by the Reserve Account and there shall be no Reserve Account Requirement with respect to the Series 2022 Bonds.

SECTION 9. Creation of Non-Ad Valorem Revenue Fund; Backup Covenant to Budget and Appropriate.

The Issuer covenants and agrees to establish with a bank or trust company in the State of Florida, which is eligible under the laws of such State to receive funds of the Issuer, a separate fund to be known as the "City of Kissimmee, Florida Capital Improvement Refunding Revenue Bonds Non-Ad Valorem Revenue Fund" (the "Non-Ad Valorem Revenue Fund") into which the Issuer shall deposit Non-Ad Valorem Revenues budgeted and appropriated as provided in this Section 9. Amounts on deposit in the Non-Ad Valorem Revenue Fund shall be applied to cure deficiencies in the amount of Pledged Revenues available under the Resolution to pay principal of and interest on the Series 2022 Bonds and all other payments due with respect to the Series 2022 Bonds under the Resolution as the same shall become due. Moneys in the aforementioned fund shall be subject to a lien and charge in favor of the Holders of the Series 2022 Bonds and Series 2016 Bonds and for the further security of the Holders of the Series 2022 Bonds and Series 2016 Bonds. The Issuer may from time to time provide that the Non-Ad Valorem Revenue Fund shall also be subject to a lien and charge in favor of the Holders of Additional Bonds and for the further security of the Holders of Additional Bonds.

Subject to the next paragraph, as additional security for the Series 2022 Bonds, and only to the extent Pledged Revenues are insufficient to make payments required pursuant to the Resolution, the Issuer covenants and agrees and has a positive and affirmative duty to appropriate in its annual budget, by amendment, if necessary, from Non-Ad Valorem Revenues and deposit to the credit of the Non-Ad Valorem Revenue Fund, amounts sufficient to cure deficiencies in the amount of Pledged Revenues available under the Resolution to pay principal of and interest on the Series 2022 Bonds and all other payments due with respect to the Series 2022 Bonds under the Resolution as the same shall become due. Such covenant and agreement on the part of the Issuer to budget and appropriate such amounts of Non-Ad Valorem Revenues shall be cumulative to the extent not paid and shall continue until such Non-Ad Valorem Revenues or other legally available funds in amounts sufficient to make all such required payments shall have been budgeted, appropriated and actually paid. The Issuer further acknowledges and agrees that the obligations of the Issuer to include the amount of such amendments in each of its annual budgets and to pay such amounts from Non-Ad Valorem Revenues may be enforced in a court of competent jurisdiction in accordance with the remedies set forth in the Resolution.

Until such monies are budgeted, appropriated and deposited into the Non-Ad Valorem Revenue Fund as provided herein, such covenant to budget and appropriate does not create any lien upon or pledge of such Non-Ad Valorem Revenues, nor does it preclude the Issuer from pledging in the future its Non-Ad Valorem Revenues, nor does it require the Issuer to levy and collect any particular Non-Ad Valorem Revenues, nor does it give the holder of the Series 2022 Bonds a prior claim on the Non-Ad Valorem Revenues as opposed to claims of general creditors of the Issuer. Such covenant to budget and appropriate Non-Ad Valorem Revenues is subject in all respects to the prior payment of obligations secured by a pledge of such Non-Ad Valorem Revenues heretofore or hereafter entered into (including the payment of debt service on bonds and other debt instruments). Anything in this Resolution to the contrary notwithstanding, it is understood and agreed that all obligations of the Issuer hereunder shall be payable from the portion of Non-Ad Valorem Revenues budgeted, appropriated and deposited into the Non-Ad Valorem Revenue Fund as provided for herein and nothing herein shall be deemed to pledge ad valorem tax power or ad valorem taxing revenues or to permit or constitute a mortgage or lien upon any assets owned by the Issuer and no holder of the Series 2022 Bonds nor any other person, may compel the levy of ad valorem taxes on real or personal property within the boundaries of the Issuer or the use or application of ad valorem tax revenues in order to satisfy any payment obligations hereunder or to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees, or any other Non-Ad Valorem Revenues. The obligation of the Issuer to budget, appropriate and deposit into the Non-Ad Valorem Revenue Fund its Non-Ad Valorem Revenues is subject to the availability of Non-Ad Valorem Revenues after the satisfaction of the funding requirements for obligations having an express lien on or pledge of such revenues and is further subject to the payment of services and programs which are for essential public purposes affecting the health, welfare and safety of the inhabitants of the Issuer and to the provisions of Section 166.241, Florida Statutes, insofar as there are not sufficient Non-Ad Valorem Revenues to comply with such covenant after satisfaction of the funding requirements for obligations having an express lien or pledge of such revenues and the funding requirements for essential governmental services of the Issuer. Notwithstanding any provisions of this Resolution or the Series 2022 Bonds to the contrary, the Issuer shall never be obligated to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any Non-Ad Valorem Revenues. Until such monies are budgeted, appropriated and deposited into the Non-Ad Valorem Revenue Fund as provided herein, neither this Resolution nor the obligations of the Issuer hereunder shall be construed as a pledge of or a lien on all or any legally available Non-Ad Valorem Revenues of the Issuer other than Pledged Revenues, but shall be payable solely as provided herein.

SECTION 10. Approval of Distribution of Preliminary Official Statement and Authorization of Final Official Statement. The preparation and distribution of the Preliminary Official Statement relating to the Series 2022 Bonds, in the form attached hereto as Exhibit B, is hereby approved and authorized. The City Manager is hereby authorized to execute and deliver a certificate of the Issuer which deems such Preliminary Official Statement "final" within the contemplation of the Rule. Such Preliminary Official Statement is hereby authorized to be used and distributed in connection with the sale and marketing of the Series 2022 Bonds. The

distribution of the final Official Statement relating to the Series 2022 Bonds is hereby authorized, and the execution and delivery of such Official Statement by the Mayor, City Manager and Finance Director is hereby authorized, which execution and delivery shall constitute complete evidence of the approval of such final Official Statement by the Issuer.

SECTION 11. Appointment of Registrar and Paying Agent; Authorization of Execution and Delivery of Registrar and Paying Agent Agreement. The Bank of New York Mellon Trust Company, N.A. is hereby appointed to serve as Registrar and Paying Agent with respect to the Series 2022 Bonds. The Registrar and Paying Agent shall perform such duties as are more fully described in the Resolution and the Registrar and Paying Agent Agreement, in the form attached hereto as Exhibit E, to be entered into with the Issuer in connection with the Series 2022 Bonds.

The Registrar and Paying Agent shall fulfill such functions with respect to Registrar and Paying Agent Agreement until a qualified successor shall have been designated by the Issuer and accepts such duties, such designation to be subject to written notice to the Registrar and Paying Agent, or until the Series 2022 Bonds have been paid in full pursuant to the Resolution.

The Registrar and Paying Agent Agreement shall be executed in the name of the Issuer by the Mayor, such signature to be attested to and countersigned by the City Clerk, the official seal of the Issuer to be imprinted thereon, with such additional changes and insertions therein as are subsequently approved, and such execution and delivery shall be conclusive evidence of the approval thereof by such officers.

SECTION 12. Continuing Disclosure. The Issuer hereby covenants and agrees that, in order to assist the Underwriter in complying with the continuing disclosure requirements of the Rule with respect to the Series 2022 Bonds, it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate to be executed by the Issuer prior to the time the Issuer delivers the Series 2022 Bonds to the Underwriter, as may be amended from time to time in accordance with the terms thereof. The form of the Continuing Disclosure Certificate, attached hereto as Exhibit C is hereby approved and ratified, all of the provisions of which, when executed and delivered by the Issuer as authorized herein shall be deemed to be a part of this instrument as fully and to the same extent as if incorporated verbatim herein. Notwithstanding any other provision of the Resolution, failure of the Issuer to comply with such Continuing Disclosure Certificate shall not be considered an event of default under the Resolution. However, the Continuing Disclosure Certificate shall be enforceable by the Series 2022 Bondholders in the event that the Issuer fails to cure a breach thereunder within a reasonable time after written notice from a Series 2022 Bondholder to the Issuer that a breach exists. Any rights of the Series 2022 Bondholders to enforce the provisions of this covenant shall be on behalf of all Series 2022 Bondholders and shall be limited to a right to obtain specific performance of the Issuer's obligations thereunder.

The Continuing Disclosure Certificate shall be executed in the name of the Issuer by the Mayor, attested to and countersigned by the City Clerk under seal, with such additional changes

and insertions therein as are subsequently approved, and such execution and delivery shall be conclusive evidence of the approval thereof by such officers.

The City Manager is hereby authorized to appoint a Dissemination Agent pursuant to the Continuing Disclosure Certificate.

SECTION 13. Approval of Costs of Issuance Budget. The not-to-exceed Costs of Issuance Budget attached hereto as Exhibit E is hereby approved.

SECTION 14. Prior Resolutions. All prior resolutions of the Issuer inconsistent with the provisions of the Master Resolution are hereby amended and supplemented to conform with the provisions herein contained and, except as may otherwise amended and supplemented hereby, the Master Resolution shall remain in full force and effect.

SECTION 15. No Personal Liability. Neither the members of the City Commission nor any person executing the Series 2022 Bond shall be personally liable therefor or be subject to any personal liability or accountability by reason of the issuance thereof.

SECTION 16. General Authority. The Mayor, the City Manager, the Finance Director, the City Clerk, the City Attorney and any other proper officials of the Issuer are hereby authorized to do all acts and things required of them by this resolution, the Master Resolution, the Series 2022 Bonds, or any other agreement or contract relating to the Series 2022 Bonds, or that may otherwise be desirable or consistent with accomplishing the full, punctual and complete performance of all the terms, covenants and agreements contained in any of the foregoing and each member, employee, attorney and officer of the Issuer is hereby authorized and directed to execute and deliver any and all papers and instruments, including without limitation tax returns, non-arbitrage certificates, and various other certificates, and to cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated thereby.

SECTION 17. Severability and Invalid Provisions. If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, but not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way affect the validity of the other provisions hereof or of the Series 2022 Bonds.

SECTION 18. No Third Party Beneficiaries. Except such other Persons as may be expressly described in the Resolution or in the Series 2022 Bonds, nothing in the Resolution or in the Series 2022 Bonds, expressed or implied, is intended or shall be construed to confer upon any Person, other than the Issuer and the Series 2022 Bondholders, any right, remedy or claim, legal or equitable, under and by reason of the Resolution or of the Series 2022 Bonds, or any provisions

thereof, all provisions thereof being intended to be and being for the sole and exclusive benefit of the Issuer, the Persons who shall from time to time be the Series 2022 Bondholders.

SECTION 19. Master Resolution to Continue in Force. The Master Resolution and all the terms and provisions thereof, are and shall remain in full force and effect.

SECTION 20. Effective Date. This Resolution shall take effect immediately upon its adoption.

Dated this 19th day of April, 2022.

Olga Gonzalez
Mayor-Commissioner

ATTEST:

City Clerk