



MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION HELD TUESDAY, JULY 21, 2020, AT 6:00 PM VIA COMMUNICATIONS MEDIA TECHNOLOGY (CMT) FOR PUBLIC ACCESS AND PARTICIPATION

1. MEETING CALLED TO ORDER

ROLL CALL: Commissioner Olga Gonzalez, Commissioner Felix Ortiz, Commissioner Angela Eady, Commissioner Jim Fisher, Mayor Jose Alvarez

Staff Present: City Manager Mike Steigerwald, City Attorney Olga Sanchez de Fuentes, Assistant City Manager Austin Blake, and Records Specialist Eugenio Morales

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A PUBLIC HEARING – SECOND AND FINAL READING – ORDINANCE EXTENDING THE CITY OF KISSIMMEE COMMUNITY REDEVELOPMENT AGENCY THROUGH FISCAL YEAR 2053 - PROPOSED ORDINANCE #20-16

AN ORDINANCE EXTENDING THE CITY OF KISSIMMEE COMMUNITY REDEVELOPMENT AGENCY AND THE TIME FOR FINANCING AND PERFORMING PROJECTS ENUMERATED IN THE DOWNTOWN KISSIMMEE COMMUNITY REDEVELOPMENT PLAN UNTIL THE END OF FISCAL YEAR 2053 AS PERMITTED BY F.S. SECTION 163.362(10); RENAMING THE CITY OF KISSIMMEE COMMUNITY REDEVELOPMENT AGENCY AS THE DOWNTOWN KISSIMMEE COMMUNITY REDEVELOPMENT AGENCY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE

Approval of an Ordinance to extend the City of Kissimmee Community Redevelopment Agency (CRA) until the year 2053, the operational timeframe to the 60-year time limit authorized by Florida Statute 163.362; and rename the CRA to the Downtown Kissimmee Community Redevelopment Agency.

City Attorney Sanchez de Fuentes read Proposed Ordinance # 3031 (Exhibit "A") by title.

City Manager Steigerwald summarized this is the Second and Final Reading of a proposed ordinance to extend the Downtown Community Redevelopment Agency for an additional ten (10) years as allowed under Florida Statute 163.362, and staff recommends approval.

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

Commissioner Jim Fisher moved to adopt Ordinance # 3031. Commissioner Angela Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Ortiz	AYE
Commissioner Eady	AYE
Commissioner Fisher	AYE
Commissioner Gonzalez	AYE
Mayor Alvarez	AYE

Motion carried 5 - 0.

4.B PUBLIC HEARING - FINAL READING - LAND USE PLAN AMENDMENT, SMALL SCALE: STAFFORD PLACE, DRC#20-00045 (MH-MDR to MF-MDR) - PROPOSED ORDINANCE #20-13

AN ORDINANCE AMENDING ORDINANCE NO. 2771 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE

Approval of a small-scale land use map amendment from MH-MDR (Mobile Home Medium Density Residential) to MF-MDR (Multi-Family Medium Density Residential) on 8.18 acres of land.

City Attorney Sanchez de Fuentes read Proposed Ordinance # 3032 (Exhibit "B") by title.

Planner Brenda Ryan reviewed the request and stated staff recommends approval.

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

Commissioner Angela Eady moved to adopt Ordinance # 3032. Commissioner Jim Fisher seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Eady	AYE
Commissioner Fisher	AYE
Commissioner Gonzalez	AYE
Commissioner Ortiz	AYE
Mayor Alvarez	AYE

Motion carried 5 – 0.

4.C PUBLIC HEARING - FINAL READING - ZONING MAP AMENDMENT: STAFFORD PLACE, DRC#20-00046 (MHP to RC-1) - PROPOSED ORDINANCE #20-14

AN ORDINANCE AMENDING ORDINANCE NO. 2038 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 from MHP (Mobile Home Park) to RC-1 (Multiple Family Medium Density Residential) on 8.18 acres of land.

City Attorney Sanchez de Fuentes read Proposed Ordinance # 3033 (Exhibit "C") by title.

Planner Brenda Ryan reviewed the request and stated this request is compatible with proposed future land use of the surrounding properties. Staff recommends approval subject to the approval of the Comprehensive Plan Amendment.

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

Commissioner Jim Fisher moved to adopt Ordinance # 3033. Commissioner Olga Gonzalez seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Fisher	AYE
Commissioner Gonzalez	AYE
Commissioner Ortiz	AYE
Commissioner Eady	AYE
Mayor Alvarez	AYE

Motion carried 5 - 0.

4.D PUBLIC HEARING - FIRST READING - LAND DEVELOPMENT CODE TEXT AMENDMENT: LDC UPDATE AND FORM-BASED CODE (DRC#20-053) - PROPOSED ORDINANCE #20-15

AN ORDINANCE AMENDING THE CITY OF KISSIMMEE, FLORIDA CODE OF ORDINANCES TITLES; UPDATING AND MOVING LANGUAGE FROM THE LAND DEVELOPMENT CODE TO TITLE 2, TITLE 7, TITLE 9, TITLE 10, AND TITLE 12 OF THE CODE OF ORDINANCES; REORGANIZING AND UPDATING LANGUAGE IN TITLE 14 OF THE CODE OF ORDINANCES; ADDING SECTION 14-5 FORM BASED CODE (FBC) AND CREATING AND AMENDING THE ZONING MAP TO REFLECT THE REGULATING PLAN IN 14-5; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Commission approval of the first reading of an ordinance that will reorganize the Land Development Code with minor text updates and add the Form-Based Code Chapter.

City Attorney Sanchez de Fuentes read proposed Ordinance # 20-15 by title.

Planner Ashley Cornelison reviewed the request for First Reading and stated staff has been working with SM&E for the last few years to complete this project.

Pat Tyjeski, SM&E, reviewed the PowerPoint Presentation provided with the agenda and asked the Commission if they had any questions and announced a Second Reading will be held on August 4, 2020.

City Manager Steigerwald stated staff recommends approval of the First Reading.

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

Commissioner Jim Fisher moved to approve the First Reading of Proposed Ordinance # 20-15. Commissioner Angela Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Gonzalez	AYE
Commissioner Ortiz	AYE
Commissioner Eady	AYE
Commissioner Fisher	AYE
Mayor Alvarez	AYE

Motion carried 5 – 0.

4.E PUBLIC HEARING - FIRST READING - ANNEXATION: NORTH THACKER AVENUE RIGHT-OF-WAY, DRC#20-00037 - PROPOSED ORDINANCE #20-17

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 to annex approximately 4.1 acres of property and existing right-of-way west of N. John Young Parkway, east of Dyer Boulevard, north of Flora Boulevard, and south of Eagles Reserve Boulevard.

City Attorney Sanchez de Fuentes read Proposed Ordinance # 20-17 by title.

Planner Brenda Ryan reviewed the request and stated staff is recommending approval.

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

Commissioner Jim Fisher moved to approve the First Reading of Proposed Ordinance # 20-17. Commissioner Angela Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Ortiz	AYE
Commissioner Eady	AYE
Commissioner Fisher	AYE
Commissioner Gonzalez	AYE
Mayor Alvarez	AYE

Motion carried 5 - 0.

5. PUBLIC HEARINGS

5.A PUBLIC HEARING - CITY OF KISSIMMEE 2020-2025 CITIZEN PARTICIPATION PLAN

Adoption of the City of Kissimmee 2020-2025 Citizen Participation Plan.

Frances DeJesus, Development Services, reviewed the details of the approval process. The plan provides citizens with CDBG funded activities and ensures low- and moderate-income citizens, including minorities, are offered an opportunity to participate. Citizens were given the chance to comment on proposal for a one (1) week period, and staff recommends approval.

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

Commissioner Jim Fisher moved to approve the Public Hearing. Commissioner Angela Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Eady	AYE
Commissioner Fisher	AYE
Commissioner Gonzalez	AYE
Commissioner Ortiz	AYE
Mayor Alvarez	AYE

Motion carried 5 – 0.

5.B PUBLIC HEARING - CITY OF KISSIMMEE 2020-2025 CONSOLIDATED PLAN

Approve and adopt the City of Kissimmee 2020-2025 Consolidated Plan.

Frances DeJesus, Development Services, reviewed the details of the Consolidated Plan for FY 2020-2025. Citizens were given the opportunity to comment for a one (1) week period. Staff recommends approval.

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

Commissioner Jim Fisher moved to approve the Public Hearing. Commissioner Angela Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Fisher	AYE
Commissioner Gonzalez	AYE
Commissioner Ortiz	AYE
Commissioner Eady	AYE
Mayor Alvarez	AYE

Motion carried 5 – 0.

5.C PUBLIC HEARING - CITY OF KISSIMMEE ANNUAL ACTION PLAN FOR PROGRAM YEAR (PY) 2020-2021

Approval of a resolution to adopt the City of Kissimmee PY 2020-2021 Annual Action Plan.

Frances DeJesus, Development Services, stated the request is for the approval of the Annual Action Plan for Plan Year 2020-2021, which is required by the Department of Housing and Urban Development as the application for funding for Community Development Block Grants (CDBG). The City expects to receive over \$775,000 in funding, which will be used for Public Services, Rental and Mortgage Assistance, Public Facilities and Infrastructure, Code Enforcement, and Planning and Administration. As a member of the Osceola HOME Consortium, the City is eligible to receive an additional \$345,234 to be used for additional housing assistance programs.

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

Commissioner Fisher moved to adopt Resolution #12-2020 (Exhibit "D") and approve the Public Hearing. Commissioner Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Gonzalez	AYE
Commissioner Ortiz	AYE
Commissioner Eady	AYE
Commissioner Fisher	AYE
Mayor Alvarez	AYE

Motion carried 5 – 0.

6. HEAR AUDIENCE

None.

7. CONSENT AGENDA

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

Commissioner Angela Eady moved to approve the Consent Agenda in its entirety. Commissioner Jim Fisher seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Ortiz	AYE
Commissioner Eady	AYE
Commissioner Fisher	AYE
Commissioner Gonzalez	AYE
Mayor Alvarez	AYE

Motion carried 5 - 0

7.A PURCHASE OF REMOTE-CONTROLLED SAFETY MECHANISM FOR HERBICIDE SPRAY TRUCK

Approval to purchase a remote-controlled safety mechanism for the herbicide spray truck from Chemical Containers, Inc. in the amount of \$68,860 in lieu of the existing human-boom.

7.B HELPING EMERGENCY RESPONDERS OBTAIN SUPPORT PROGRAM AT THE FLORIDA DEPARTMENT OF HEALTH FOR FY 2020

Approval to apply for the Helping Emergency Responders Obtain Support (HEROS) Program from the Florida Department of Health.

7.C FIRST AMENDMENT TO SIGNAL MAINTENANCE INTERLOCAL AGREEMENT WITH OSCEOLA COUNTY FOR SALE OF REMAINING SIGNAL PARTS INVENTORY

Approval to sell the City's remaining traffic signal parts inventory to Osceola County for signal maintenance in the total amount of \$29,651.78.

7.D APPROVAL OF TRANSFER OF TRAFFIC SIGNAL CABINET TO OSCEOLA COUNTY

Approval to transfer a spare traffic signal cabinet currently available in the City's inventory to the County.

7.E RECLASSIFICATION OF HUMAN RESOURCES ADMINISTRATIVE TECHNICIAN

Approval of the reclassification of the Human Resources Administrative Technician position to the Finance Payroll Specialist position.

7.F RATIFICATION OF EXECUTIVE ORDERS 2020-17 AND 2020-18

City Commission ratification of Executive Order 2020-17 issued July 6, 2020, Executive Order 2020-18 issued July 13, 2020, for the extension of the Local Declaration of Emergency to July 19, 2020.

7.G FIRST AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT WITH MOSAIC PARTNERS IV, LLC.

Approve and authorize the Mayor to sign the First Amendment to the Amended and Restated Development Agreement with Mosaic Partners IV, LLC.

7.H SPECIAL EVENTS AND PARADES POLICY UPDATE

Approval of the 2020-2021 Special Events & Parade Calendar and the necessary adjustments to the Policy and Procedures and General Provisions for use of Kissimmee's Lakefront Park for events and parades.

7.I FUNDS TRANSFER TO THE 2017 HOME GRANT (PROGRAM YEAR 2016)

Approval to transfer funds in the amount of \$6,515 to the 2017 HOME Grant Fund (Program Year 2016) from the City's General Fund Development Services professional services account and to amend the budget accordingly.

7.J ACCEPTANCE OF SANITIZING/DISINFECTING EQUIPMENT PURCHASED BY OSCEOLA COUNTY THROUGH A DISBURSEMENT MADE BY THE FLORIDA E911 BOARD

Acceptance of sanitizing and disinfecting equipment valued at \$15,582.48 that was purchased by Osceola County via a disbursement made by the Florida E911 Board.

7.K BURKHARDT CONSTRUCTION MANAGER AT RISK FOR THE TOHO APARTMENTS (HANSEL PLANT) UTILITY RELOCATION CHANGE ORDERS #2 AND #3

Approval of change orders #2 and #3 to the Construction Manager at Risk contract with Burkhardt Construction for the relocation and improvements of utilities at the Toho Apartment site (Hansel Plant).

7.L AUTHORIZATION TO SUBMIT APPLICATION FOR THE FY 2020 AAA FLORIDA TRAFFIC SAFETY GRANT PROGRAM

Authorization to submit an application for the Fiscal Year 2020 AAA Florida Traffic Safety Grant Program (First Responders/Law Enforcement Organizations/Fire Departments).

7.M BELLAVIDA, PHASE 2C (DRC# 17-00179) – ACCEPTANCE OF IMPROVEMENTS WITH CONDITIONS, MAJOR SUBDIVISION

City Commission Acceptance of the Improvements for Bellavida, Phase 2C, with Conditions. The subdivision is located west of Bass Road and north of Yowell Road.

8. DISCUSSION ITEMS

None.

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

CITY MANAGER STEIGERWALD

City Manager Steigerwald reminded the Commission of the Budget Workshop scheduled for Friday, July 24, 2020 at 8:30 a.m. via Communications Media Technology.

City Manager Steigerwald explained Summer Camp will be extended for an additional two (2) weeks with the change in schools starting on August 24th. Staff feels we have enough facilities to house the campers with the schools no longer being available. We have approximately 135 campers currently.

City Manager Steigerwald notified the Commission the application process for the Business Assistance Grants program closed today, and we have received 40 applications; funding is available for approximately 30 applications. The County-wide CARES Act funding is also available should they do not receive funding through the City. The City also received notification from the State of Florida that we will be receiving \$500,000 from the Florida Housing Finance Corporation, and this additional funding will be handled in-house with the assistance of our Parks and Recreation staff. The City has received over \$1 million dollars to assist our citizens and businesses, which does not include the County funds.

9.B CITY ATTORNEY

CITY ATTORNEY SANCHEZ DE FUENTES

City Attorney Sanchez de Fuentes notified the Commission that we will have our first in-person Red Light Camera Hearing tomorrow, we will be spacing out the hearings every half-hour so that we keep the attendance within the set guidelines.

Commissioner Fisher asked if seating was available for an audience.

Attorney Sanchez de Fuentes stated she would check the docket and let him know.

9.C CITY COMMISSION

COMMISSIONER GONZALEZ

Nothing.

COMMISSIONER ORTIZ

Commissioner Ortiz thanked Parks and Recreation Director Liz Harris and the students from the summer camp for the goodie bag.

COMMISSIONER EADY

Commissioner Eady questioned staff on the ratio of students at the Charter School.

City Manager Steigerwald explained the school submitted its reopening plan to the District, but it is still pending approval.

COMMISSIONER FISHER

Commissioner Fisher thanked the students for the gift bags and reminded everyone to wear their masks.

MAYOR ALVAREZ

Mayor Alvarez discussed the use of face masks, the current increase in COVID-19 cases, and him addressing the County Commission, along with other citizens, concerning penalties for not complying with the mandatory requirements. He stated that he did not want Florida to go backwards and shut down again because many businesses will not survive.

Mayor Alvarez complimented staff on finishing the Form-Based Code and making it easier for everyone to understand. He asked the City Manager for an update on the signage for commercial properties and bringing it back to the Commission if needed.

10. ADJOURNMENT

There being no further business to come before the Commission, Mayor Alvarez adjourned the meeting at 6 44 PM

ATTEST:

CITY CLERK


MAYOR-COMMISSIONER

Exhibit "A"
Ordinance # 3031
Extending the Community Development Agency through FY 2053
Renaming Downtown Kissimmee Community Redevelopment Agency
Item 4.A.

Exhibit "B"
Ordinance # 3032
Small-Scale Land Use Amendment – Stafford Place (DRC # 20-00045)
Item 4.B.

Exhibit "C"
Ordinance # 3033
Zoning Map Amendment – Stafford Place (DRC # 20-00046)
Item 4.C.

Exhibit "D"
Resolution # 12-2020
Adopting the Annual Action Plan for PY 2020-2021
Item 5.C.