



**MEETING AGENDA
SESSION OF THE COMMISSION MEETING
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, SEPTEMBER 13, 2022 AT 6:00 PM**

1. MEETING CALLED TO ORDER

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

- 3.A Acceptance of the August 23, 2022 Election Returns for Commission Seat #2 and Seat #4
- 3.B Swearing in Ceremony for City Commission Seat #2 and City Commission Seat #4
- 3.C Recognition of outgoing Commissioners - Felix Ortiz and Jim Fisher
- 3.D City Commission selection of Vice Mayor and Mayor Pro Tem
- 3.E Presentation of Retirement Watch to Michael Carter
- 3.F Employee Service Awards for April, May and June
- 3.G Employee of the Month for September - Catherine Finneran

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

5. PUBLIC HEARINGS

**CITY COMMISSION RECESSES AND CONVENES AS COMMUNITY
REDEVELOPMENT AGENCY BOARD**

- 5.A Public Hearing - Tentative Resolution to adopt the Downtown Kissimmee Community Redevelopment Agency Budget for Fiscal Year 2022-2023
- 5.B Public Hearing - Tentative Resolution to adopt the Vine Street Community Redevelopment Agency budget for Fiscal Year 2022-2023

**COMMUNITY REDEVELOPMENT AGENCY ADJOURNS AND RECONVENES AS
CITY COMMISSION**

- 5.C Public Hearing - Adoption by Resolution of the Tentative Millage Levy and Tentative Budget for Fiscal Year 2022-2023

6. HEAR AUDIENCE

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

7. CONSENT AGENDA

The consent agenda is a technique designed to expedite the handling of routine miscellaneous business of the City Commission. The City Commission in one motion may adopt the entire Consent Agenda. The motion for adoption is non-debatable and must receive unanimous approval. By request of any individual member, an item may be removed from the Consent Agenda for discussion.

- 7.A Approval of City Commission Minutes from the August 16, 2022 meeting
- 7.B First Amended and Restated Fountainhead Development Agreement

- 7.C Authorization To Submit Application For The Fiscal Year 2021 Justice Assistance Grant – Countywide (Jag-C) Program Made Available By The U.S. Department Of Justice (USDOJ)
- 7.D Acceptance of Helping Emergency Responders Obtain Support (HEROS) Program Award for FY2022
- 7.E Approval of Third Amendment to the Landscape Services Agreement between the City and Premier Lawn Maintenance LLC.
- 7.F Resolution for Acceptance of a Public Transportation Grant Agreement (PTGA) from the Florida Department of Transportation (FDOT) for the Construction of Taxiway “E” Extension project at Kissimmee Gateway Airport
- 7.G Approval of Updates to the Charitable Donations & Sponsorships Policy (Community Benefit Fund)
- 7.H Approval to accept a 2022 Florida Recreational Development Assistance Program Grant for the Fortune Road Athletic Complex
- 7.I State Housing Initiatives Partnership (SHIP) Program Annual Reports for Close Out Years 2018-2019 and 2019-2020
- 7.J Approval to Apply for State of Florida Job Growth Grant Fund through Enterprise Florida
- 7.K Disposal of City Assets
- 7.L Simpson Road Warranty Deed to School Board of Osceola County
- 7.M Open-End Leasehold Mortgage and Collateral Assignment of Lease between Hanger 3 Kissimmee, LLC, Quantem FBO Group- Kissimmee LLC and Huntington National Bank
- 7.N Approval to Proceed with House America Initiative
- 7.O Amendment to FAA AIP Grant Agreement for Electrical Vault Project at Kissimmee Gateway Airport

8. DISCUSSION ITEMS

- 8.A UCF Florida Small Business Development Center Annual Report & Services Agreement
- 8.B Presentation of Financial Statements for the Kissimmee Charter Academy for Year Ended June 30, 2022
- 8.C Replacement of the Kissimmee Connector Downtown Bus Circulator provided by Lynx with a new Micro-Mobility Transit Service to be provided by Freebee
- 8.D Advisory Board Appointments and Vacancies

9. HEAR CITY OFFICIALS

- 9.A CITY MANAGER
- 9.B CITY ATTORNEY
- 9.C CITY COMMISSION

10. ADJOURNMENT

Commission Meeting – September 13, 2022

In accordance with Florida Statutes 286.105: Any person wishing to appeal any decision made by the Commission Meeting with respect to any matter considered at such meeting or hearing will need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made.

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

ITEM 3.A

Acceptance of the August 23, 2022 Election Returns for Commission Seat #2 and Seat #4

Request

Request Commission acceptance and approval of the August 23, 2022 City of Kissimmee General Election Returns for Commission Seat # 2 and Seat # 4.

Explanation

On August 23, 2022, the City of Kissimmee held a General Election for Commission Seats # 2 and # 4. The Osceola County Canvassing Board met on August 30, 2022 to review the final counts. The results listed below are the "Official" Results received from the Supervisor of Elections and Canvassing Board.

<u>Commission Seat #2</u>	<u>Votes</u>
Angela Eady	3,180
Felix Ortiz	2,782
<u>Commission Seat #4</u>	<u>Votes</u>
Jim Fisher	2,680
Janette Martinez	3,299

In accordance with Article II, Chapter 2, Section 8 of the City Code, the Commission is the sole judge of the election of its members, and therefore acceptance of the returns requires Commission action.

Recommendation

Staff recommends Commission acceptance of the August 23, 2022, City of Kissimmee General Election Results.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. Unofficial Results of August 2023 Election (Seat #2 and Seat #4)
2. Official Results of August 23, 2022 Election (Seat #2 and Seat #4)

ITEM 3.B

Swearing in Ceremony for City Commission Seat #2 and City Commission Seat #4

Request

Commissioner-Elect Seat # 2, Angela Eady, and Commissioner-Elect Seat # 4, Janette Martinez, will be sworn in following the acceptance of the Official Election Results certified by the Osceola County Canvassing Board on August 30, 2022.

Explanation

The Reverend Remer Baker, Jr. will administer the Oath of Office to Commissioner-Elect Angela Eady, Seat #2.

The Honorable Judge Christine E. Arendas will administer the Oath of Office to Commissioner-Elect Janette Martinez, Seat #4.

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):

1. Oath of Office - Seat # 2 (Angela Eady)
2. Oath of Office - Seat # 4 (Janette Martinez)

ITEM 3.C

Recognition of outgoing Commissioners - Felix Ortiz and Jim Fisher

Request

Request the City Commission recognize outgoing Commissioner Felix Ortiz and Commissioner Jim Fisher for their years of service to the City Commission and our citizens.

Explanation

Staff recommends we acknowledge the service of City Commissioner Felix Ortiz and City Commissioner Jim Fisher.

Commissioner Ortiz was elected in November of 2018 and served one (1) four-year term.

Commissioner Fisher was elected in August of 2016 to fill a vacancy in Seat # 4; he continued to serve and was re-elected for a four-year term in August of 2018. Commissioner Fisher served for six (6) years on the Commission.

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 3.D**City Commission selection of Vice Mayor and Mayor Pro Tem****Request**

Request the Commission select a Commission member to serve as Vice Mayor and Mayor Pro Tem for the next two years.

Explanation

The terms for the positions of Vice Mayor and Mayor Pro Tem for the next two years are selected and approved by the City Commission at the conclusion of each General Election cycle.

Recommendation

Staff recommends the Commission make the selection of Vice Mayor and Mayor Pro Tem.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 3.E

Presentation of Retirement Watch to Michael Carter

Request

Request the presentation of Corporal Michael Carter's retirement watch. Corporal Carter is retiring from the City of Kissimmee after 20 years of service with the Kissimmee Police Department.

Explanation

Corporal Carter began his career with the Kissimmee Police Department in April 2002. Corporal Carter was most recently assigned to the Patrol Division as a supervisor on day shift.

During his tenure with the City, Corporal Carter worked as a Patrol Officer, Traffic Enforcement Officer, Traffic Homicide Investigator and Corporal within the Patrol Division. Corporal Carter always took great pride in his job assignments and displayed a true passion for helping others and the officers that worked under his command. Corporal Carter also served his country with 13 years of active duty and 15 years of reserve duty in the Marine Corps. He was assigned to the Wounded Warrior Regiment for 4 years where he assisted returning combat veterans and their families readjust to life after suffering severe injuries. Corporal Carter retired from the Marine Corps as a Master Sergeant.

Corporal Carter leaves the Department in good standing and as a role model to those officers new to their career in how to treat the community, fellow employees, and most importantly, how to treat every individual. The Department will truly miss Corporal Carter. We wish him success in his future endeavors.

Department: Police

Presenter: Jeffrey Odell

Attachment(s):

None

ITEM 3.F

Employee Service Awards for April, May and June

Request

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

Explanation

<u>Five</u>	Dalisa Figueroa Brenton Jewett Taylor Robertson Terrence Tatume	Development Services Public Works & Engineering Fire Public Works & Engineering
<u>Ten</u>	Rachel Higgins Josue Naranjo	Police Police
<u>Fifteen</u>	Mariam Habibzadegan	Police
<u>Twenty</u>	Michael Carter Rob O'Shields	Police Parks & Recreation
<u>Twenty-five</u>	Nancy Walker	Fire

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 3.G

Employee of the Month for September - Catherine Finneran

Request

That the City Commission join the City Manager in recognizing Catherine Finneran, Development Services, as September's Employee of the Month

Explanation

The City is pleased to announce that the Employee of the Month for September is Catherine Finneran. Cathy is an Administrative Assistant for the Development Services Department and has been with the City for 26 years.

The Development Services Department has installed a new operating program, Energov, and Cathy has been instrumental in its implementation. She helped with the tedious data conversion and did additional research to assist in going live. Cathy is also pivotal in the budget process – which is quite involved due to the size of the Department. In addition to her many tasks, Cathy helps with all the Department camaraderie events such as birthdays and potlucks – these are just some of the many ways she helps her fellow employees, and boosts morale.

Cathy is known for her friendly manner, and her willingness to assist. When helping fellow employees, she typically goes above and beyond what is asked, while keeping the City's best interests in mind. She is also good with follow-up to be sure expectations were met.

Cathy is a key employee in her Department who helps facilitate many functions. For this, and much more, the City is pleased to recognize her.

Department: Human Resources & Risk Management
Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 5.A

Public Hearing - Tentative Resolution to adopt the Downtown Kissimmee Community Redevelopment Agency Budget for Fiscal Year 2022-2023

Request

Request the Downtown Kissimmee Community Redevelopment Agency Board to adopt the fiscal year 2022-2023 budget.

Explanation

Per Florida Statute 163.387, moneys in the redevelopment trust fund may be expended for undertakings of a community redevelopment agency as described in the community redevelopment plan only pursuant to an annual budget adopted by the board of the community redevelopment agency.

The Tax Increment Financing (TIF) revenues for the Downtown Kissimmee CRA are \$2,680,648. The entire budget for the Downtown Kissimmee CRA is \$4,765,539.

In addition to reserves in the amount of \$1,841,645, the budget includes the following:

Professional Services	\$108,000
Operating Costs	\$162,398
General Fund Admin Cost	\$106,840
Capital Outlay	\$850,000
Aid to Private Organizations	\$525,000

The Downtown Kissimmee CRA also funds debt service on previous development and infrastructure projects, sets aside funding for major legacy projects in Downtown Kissimmee, such as the Beaumont Redevelopment project, and includes operating funds for the Downtown Holiday Lighting contract, the Osceola Arts Downtown Mural Program, Kissimmee Main Street, and the Downtown Clean Team. The recently established Commercial Property Improvement Grant and Pioneer Project Incentive Program is funded as well.

Recommendation

Staff recommends the Downtown Kissimmee Community Redevelopment Agency Board to adopt the fiscal year 2022-2023 budget.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Samia Singleton

Attachment(s):

1. 9.7.2022 Tentative Resolution for Annual DCRA Budget 2023
2. FY2022-2023 Downtown Community Redevelopment Fund

ITEM 5.B

Public Hearing - Tentative Resolution to adopt the Vine Street Community Redevelopment Agency budget for Fiscal Year 2022-2023

Request

Request the Vine Street Community Redevelopment Agency Board to adopt the fiscal year 2022-2023 tentative Budget.

Explanation

Per Florida Statute 163.387, moneys in the redevelopment trust fund may be expended for undertakings of a community redevelopment agency as described in the community redevelopment plan only pursuant to an annual budget adopted by the board of the community redevelopment agency.

The Tax Increment Financing (TIF) revenues for the Vine Street CRA are \$1,602,498. The entire budget for the Vine Street CRA is \$3,497,023.

In addition to reserves in the amount of \$2,025,803, the budget includes the following:

General Fund Administration Cost:	\$106,840
Operating Cost:	\$186,580
Capital Outlay:	\$702,800
Aid to Private Organizations:	\$475,000

The Vine Street CRA will be working on upgraded streetlighting, landscaping, demolition of blighted structures and other redevelopment projects along the corridor. The budget includes operating funds, such as the Osceola Arts Mural Program, as well as the recently established Commercial Property Improvement Grant and Pioneer Project Incentive Program.

Recommendation

Staff recommends the Vine Street Community Redevelopment Agency Board adopt the fiscal year 2022-2023 budget.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Samia Singleton

Attachment(s):

1. 9.7.2022 Tentative Resolution for Annual VCRA Budget 2023
2. FY 2022-2023 Vine Street Community Redevelopment Fund Budget

ITEM 5.C

Public Hearing - Adoption by Resolution of the Tentative Millage Levy and Tentative Budget for Fiscal Year 2022-2023

Request

Adoption by Resolution of the Tentative Millage Levy of 4.6253 mills and Tentative Budget of \$240,953,811 for Fiscal Year 2022-2023.

Explanation

Public notice of this hearing was given via the Notice of Proposed Property Taxes mailed by the Property Appraiser. The entire procedure, including the following order of discussion, is specified within State Statutes and should be followed explicitly.

RESOLUTION OF THE PROPOSED OPERATING MILLAGE

1. State that the Proposed Operating Millage is 4.6253 which is 8.90% more than the Rolled Back Rate of 4.2472.
2. Call for public comments or questions.
3. Have the attorney read the Resolution title and vote on adoption.

RESOLUTION ADOPTING THE TENTATIVE BUDGET

1. The Resolution will adopt a Tentative Budget of \$240,953,811 and authorize 804 full and part-time positions. A schedule of positions authorized for each department and summaries of each Fund are attached to the Resolution.
2. Call for public comments or questions.
3. Have the attorney read the Resolution title and vote on adoption.

BACKGROUND:

As indicated above, the proposed millage rate is 4.6253 mills, which is the same millage rate that was levied for the current budget year. The tentative budget for the General Fund remained relatively the same as what was presented in July, with the exception of three position reclassifications. These reclasses consisted of freezing a vacant crime analyst position to reclass a part time Special Detail Coordinator to a full-time Administrative Secretary within the Police Department, changing a vacant Community Service Officer position to a Health and Wellness Coordinator within the Police Department, as well as the upgrade of a Pension Coordinator to a Pension Administrator within the Human Resources Department. The General Fund also included revenue forecast adjustments based on current state trends, the inclusion of funding for General Pension Plan DROP changes, and the presentation of employee lump sum increases and reclasses approved at the July workshop. Lastly, Airport fund estimates were updated, leading to a positive increase in fund balance.

Recommendation

Staff requests that the Public Hearing be conducted as outlined above. In addition, staff recommends the Commission adopt the two (2) Resolutions. The Second and Final Hearing will be held September 27, 2022.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Finance

Presenter: Mike Steigerwald

Attachment(s):

1. Resolution - Tentative Millage FY22-23
2. Resolution - Tentative Budget FY22-23
3. Budget Hearing Reports FY 23

ITEM 7.A**Approval of City Commission Minutes from the August 16, 2022 meeting****Request**

Request Commission approval of the August 16, 2022, Commission meeting minutes.

Explanation

Minutes of the Commission meeting held on Tuesday, August 16, 2022, are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Commission

Presenter:

Attachment(s):

1. Commission Minutes - August 16, 2022

ITEM 7.B

First Amended and Restated Fountainhead Development Agreement

Request

Approval of the First Amended and Restated Fountainhead Development Agreement.

Explanation

In 2015, the City entered into the Fountainhead Development Agreement (DA) with Kissimmee Investors, Ltd. (Owner/ Developer) to Master Plan approximately 128.1 acres of property. This is an Amendment to that agreement which will revise the established time frame of phase two of the development and transportation summaries to now reflect the time frame of 2022-2032; establish the new project build-out date to December 31, 2032; and make modifications to the land use conversion matrix and reporting requirements.

This Amendment is necessary to align the DA with the new requirements contained in the recently amended Fountainhead PUD ordinance approved on July 19, 2022.

Recommendation

Approval of the First Amended and Restated Fountainhead Development Agreement.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney

Presenter:

Attachment(s):

1. Kissimmee Investors Ltd - First Amendment and Restated Fountainhead Development Agreement

ITEM 7.C

Authorization To Submit Application For The Fiscal Year 2021 Justice Assistance Grant – Countywide (Jag-C) Program Made Available By The U.S. Department Of Justice (USDOJ)

Request

Approval to submit an application for the fiscal year 2021 Justice Assistance Grant – Countywide (JAG-C) Program

Explanation

The Osceola County Board of County Commissioners has received notification from the Florida Department of Law Enforcement (FDLE) of the Justice Assistance Grant – Countywide (JAG-C) allocation for the fiscal year 2021. The total amount of JAG funding made available to Osceola County is \$97,884. The purpose of the funding is to address law enforcement programs, prosecution and court programs, crime prevention, drug treatment/enforcement, victim/witness programs, and mental health-related programs.

Due to the timing of the grant application period, the Police Department submitted the application by the August 19, 2022 deadline. If the Commission decides not to pursue this opportunity, the Police Department's application will be withdrawn.

Recommendation

Staff recommends approval for the Police Department to apply for the Justice Assistance Grant – Countywide (JAG-C) allocation for fiscal year 2021.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police

Presenter:

Attachment(s):

1. Kissimmee PD JAG Grant 1st Application 081822

ITEM 7.D

Acceptance of Helping Emergency Responders Obtain Support (HEROS) Program Award for FY2022

Request

Commission review and approval to allow the Kissimmee Police Department to accept funding from the Helping Emergency Responders Obtain Support (HEROS) Program at the Florida Department of Health (DOH).

Explanation

The Florida Department of Health has announced the availability of grant funds to state and local units of government through the Helping Emergency Responders Obtain Support (HEROS) Program at the Florida Department of Health (DOH), FY2022 Local Solicitation. This program allows states and local governments to become equipped with Naloxone which is an opioid antagonist. The funding distribution is based on a percentage of trained staff, organization type and the number of overdoses per year. The City of Kissimmee requested and was awarded 200 units of Naloxone at a cost of \$7,500.

Each uniformed employee would carry Naloxone once trained and will respond to overdoses. The goal is for Kissimmee Police Department's employees to immediately administer the Naloxone once on scene.

Recommendation

Staff recommends approval for the Police Department to accept the awarded units of Naloxone from the Helping Emergency Responders Obtain Support (HEROS) Program at the Florida Department of Health (DOH) Program FY2021 at a cost of \$7,500.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Police

Presenter:

Attachment(s):

1. HEROS Program Award Letter 08-05-22

ITEM 7.E

Approval of Third Amendment to the Landscape Services Agreement between the City and Premier Lawn Maintenance LLC.

Request

Approval of the Third Amendment to the Landscape Services Agreement between the City and Premier Lawn Maintenance, LLC.

Explanation

The Third Amendment to the Landscape Services Agreement between the City and Premier Lawn Maintenance, LLC Provides for landscape services for the SunRail parking garage property and Rose Hill Cemetery for the next fiscal year. Both parties wish to exercise the option in the agreement to renew the agreement for a one-year term effective October 1, 2022 and ending September 30, 2023. This will be the final term of the original contract.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00150203-504646		Decrease		\$19,500
00150503-504646		Decrease		\$75,582

Financial Summary:

The City agrees to pay the contractor the total sum of \$500 for the Civic Center parking garage and \$1,900 for Rose Hill Cemetery per cycle with a maximum of 39 cycles over the term of this renewal.

Recommendation

Approval of the Third Amendment to the Landscape Services Agreement between the City and Premier Lawn Maintenance, LLC.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Parks & Recreation

Presenter:

Attachment(s):

1. Premier Lawn Amend 3

City of Kissimmee

ITEM 7.F

Resolution for Acceptance of a Public Transportation Grant Agreement (PTGA) from the Florida Department of Transportation (FDOT) for the Construction of Taxiway “E” Extension project at Kissimmee Gateway Airport

Request

Request City Commission approval to accept, by Resolution, a PTGA from FDOT for the construction of Taxiway “E” Extension project at Kissimmee Gateway Airport.

Explanation

The Florida Department of Transportation (FDOT) is offering a grant in the amount of \$468,920 (8%) for the construction of Taxiway “E” Extension project. This will assist in the funding for new pavement and airfield lighting to assist air traffic control safety procedures.

The City Commission approved to accept an FAA AIP grant of \$5,275,350 (90%) at their August 16, 2022, meeting. The airport’s 2% portion will come from airport reserves.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47070106-506393	TBD	Increase	468,920	468,920

Financial Summary:

Portions of this project are funded by the FAA (90%), FDOT (8%) and the Kissimmee Gateway Airport Reserves (2%). The total project amount is \$5,861,500.

FAA-AIP (Grant # 3-12-0038-042-2022) \$5,275,350

FDOT-PTGA (Grant #: 438441-2-94-01) \$468,920

Kissimmee Gateway Airport Reserves \$117,230

Recommendation

Staff recommends City Commission approval to accept, by Resolution, a PTGA from FDOT for the construction of Taxiway “E” Extension project at Kissimmee Gateway Airport.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Airport

Presenter:

City of Kissimmee

Attachment(s):

1. Resolution PTGA for Construction Taxiway E Extension
2. PTGA Taxi E Construction

ITEM 7.G

Approval of Updates to the Charitable Donations & Sponsorships Policy (Community Benefit Fund)

Request

Approval of updates to the Charitable Donations & Sponsorships Policy that clarifies eligibility and the use of funds from the Community Benefit Fund.

Explanation

The City Commission approved the Charitable Donation & Sponsorship Policy in 2019 to provide the community and staff with clear guidelines on how the annual funds should be allocated during each fiscal year to eligible applicants.

Since its enactment, staff has identified the need to add clarifying language to ensure the Parks & Recreation Advisory Board, which was delegated responsibility by the City Commission to manage the program, can better allocate funds and adhere to the initial intent of the program.

Proposed changes to the policy include:

- Adding that the award of funds may be up to \$2,500 instead of an "all or nothing" approach.
- Clarifying the award of funds to an individual must be contingent on them representing the City in an event or competition with a sanctioned or nationally recognized entity.
- Preventing the use of funds to support or directly operate programming.
- Preventing the award of funds to an organization that will pass it on to another organization.
- Restricting the use of funds awarded to educational organizations only to cover the cost of students' travel or other costs in which the students' participation would positively promote the City of Kissimmee.

Recommendation

Staff recommends approval of proposed changes to the Charitable Donation & Scholarship Policy.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter:

Attachment(s):

1. Proposed CP 1605 - Charitable Donation & Sponsorship Policy

ITEM 7.H

Approval to accept a 2022 Florida Recreational Development Assistance Program Grant for the Fortune Road Athletic Complex

Request

Approval to accept a 2022 Florida Recreational Development Assistance Program (FRDAP) grant in the amount of \$50,000 to fund the development of outdoor recreational facilities at the Fortune Road Athletic Complex.

Explanation

The Florida Department of Environmental Protection provides funds through the Florida Recreational Development Assistance Program (FRDAP) for competitive grants to assist with the acquisition or development of outdoor recreational facilities. The grant has a maximum amount of \$50,000 and does not require a match.

The City has been awarded the grant as Project A23061 and will use the grant to complete the addition of batting cages as identified in our 5 year capital improvement plan. These batting cages will be installed at the Fortune Road Athletic Complex to enhance the communities' ability to practice their skills prior to games and leagues.

With the acceptance of this grant, we also ask the Commission to give the City Manager the ability to sign future documents related to the grant.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
15150106-506393	PR2143	Increase		\$50,000
15100334-334700		Increase		\$50,000

Financial Summary:

With the acceptance of this grant we will need to add a project string to PR2143 to reflect the \$50,000 and amend the budget accordingly.

Recommendation

Staff recommends approval to accept a Florida Recreational Development Assistance Program (FRDAP) grant to fund additional batting cages at our Fortune Road Athletic Complex.

REQUESTED CITY COMMISSION ACTION:

Accept

City of Kissimmee

Department: Parks & Recreation

Presenter:

Attachment(s):

1. A3061 - Fortune Road Sports Complex - MERGED AGREEMENT

ITEM 7.I

State Housing Initiatives Partnership (SHIP) Program Annual Reports for Close Out Years 2018-2019 and 2019-2020

Request

Accept the SHIP Annual Reports for the Close Out of Fiscal Years 2018-2019 and 2019-2020 and authorize the Mayor to execute the required certifications.

Explanation

Each year, by September 15th, the City of Kissimmee is required to submit an Annual Report to the Florida Housing Finance Corporation (FHFC) regarding the status of its SHIP Program allocation. Funds from the closeout years are required to be spent and funds from the "interim year" are required to be committed by June 30th along with meeting all of the set asides of the program.

SHIP 2018-2019: The SHIP allocation was \$114,224. The City collected additional funds as program income. Funds were not completely spent by the required deadline of June 30, 2021 due to construction delays in one of the housing rehabilitation jobs. The FHFC gave the City an extension to submit the report once the funds were spent and all of the set asides were met. As of June 30, 2022, all of the work was completed and the funds spent. The following strategies were addressed with 2018-2019 funds: Owner occupied Housing Rehabilitation, Eviction Prevention, Foreclosure Prevention, and Security Deposits.

SHIP 2019-2020: The SHIP allocation was \$139,683. The City collected additional funds as program income. As of June 30, 2022, all of the work has been completed and all of the funds related to the jobs allocated to that funding year have been spent. The following strategies were addressed with 2019-2020 funds: Owner Occupied Housing Rehabilitation, Eviction Prevention, and Security Deposits.

For this reporting period, the SHIP fiscal year 2020-2021 is considered the "interim year". The FHFC did not distribute any SHIP funds to local governments for that year. However, the City received program income in the form of recaptured funds and, as a result, was able to have some funds for projects. The amount of funds available to allocate to projects that year was \$57,192. As of June 30, 2022, all of the funds were committed. The following strategies are addressed with 2020-2021 funds: Owner Occupied Housing Rehabilitation and Eviction Prevention.

Copies of the annual reports were made available to the public from August 30 - September 8, 2022. Citizens were invited to review the documents and make written comments.

Recommendation

Acceptance of the SHIP Annual Reports for the Close Out of Fiscal Years 2018-2019 and 2019-2020 and authorize the Mayor to execute the required certifications.

REQUESTED CITY COMMISSION ACTION:

Accept
Execute

Department: Development Services

Presenter:

City of Kissimmee

Attachment(s):

1. Annual Report_2018
2. Certification_2018
3. Annual Report_2019
4. Certification_2019

ITEM 7.J

Approval to Apply for State of Florida Job Growth Grant Fund through Enterprise Florida

Request

City Commission approval to apply for an Infrastructure Grant through the State of Florida Job Growth Grant Fund, Enterprise Florida, and to authorize the City's Director of Aviation to sign the grant application.

Explanation

Enterprise Florida is providing infrastructure grants. The Kissimmee Gateway Airport and the Economic Development Division wish to apply for an Infrastructure Grant.

The infrastructure grant will request up to \$10M to develop approximately eight (8) acres of airport property located at the Dyer Business Airpark (Dyer Blvd and M.L.K. Blvd). This grant will specifically assist with the 'horizontal' buildout to include underground utilities, aircraft parking aprons, taxiway connection and automobile parking. This will enable the construction of facilities to support future aircraft sales, instruction, management, and servicing with an anticipated job creation of approximately 50 people. Once developed, the property will be subject to a ground rental lease at fair market value.

If a grant is indeed offered, staff will bring the grant award request to the Commission for consideration.

Recommendation

Staff recommends the Commission approve applying for an Infrastructure Grant through the Enterprise Florida Job Growth Grant Fund, to authorize the City's Director of Aviation to sign the grant application.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. Florida Job Growth Grant Application-Sample
2. Florida Job Growth Website

ITEM 7.K
Disposal of City Assets

Request

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

Explanation

The Charter states that the City Manager “shall not dispose of property belonging to the City, except on the authority of the City Commission.” Therefore, staff is requesting approval to dispose of the items included on the attached list.

The items included on the attached list are slated to be auctioned or junked and have not previously been approved for disposition by the City Commission. These items will be placed up for auction via George Gideon Auctioneers, Inc. live auction or George Gideon Auctioneers, Inc. online auction.

Recommendation

Staff recommends Commission approval to remove these items from the City’s equipment inventory listing and to send those items to the auction for disposition.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Finance

Presenter:

Attachment(s):

1. September Asset Disposal

ITEM 7.L

Simpson Road Warranty Deed to School Board of Osceola County

Request

This is a request for Commission approval of a warranty deed granted from the City of Kissimmee to the School Board of Osceola County.

Explanation

Osceola County is extending an internal access road within the School District facility on the east side of Simpson Rd., north of the Florida Turnpike overpass, a small portion of which overlaps with City property, at 2330 New Beginnings Road, Kissimmee, Florida 34744. The City is therefore deeding approximately 473 square feet of the parcel to the School Board of Osceola County, Florida so that they may build the road. This property originally belonged to the School Board, who deeded it to the City in 1997.

Recommendation

Staff recommends approval of the warranty deed to the School Board of Osceola County, Florida.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. 8.15.2022 Simpson Road Warranty Deed (1)
2. Simpson Road Land to School Board Vicinity Map

ITEM 7.M

Open-End Leasehold Mortgage and Collateral Assignment of Lease between Hanger 3 Kissimmee, LLC, Quantem FBO Group- Kissimmee LLC and Huntington National Bank

Request

Commission approval of an Open-End Leasehold Mortgage and Collateral Assignment of Lease between Hanger 3 Kissimmee, LLC, Quantem FBO Group- Kissimmee LLC and Huntington National Bank.

Explanation

The City, Quantem FBO Group- Kissimmee LLC (Quantem) and Ranger Aviation entered into an Assignment Consent and Assumption of Kissimmee Gateway Airport Lease Agreements on March 17, 2015, wherein Quantem took over the leases and agreed to provide full-service fixed-based operations (FBO) services. Hangar 3, Quantem and TDBank, N.A. entered into a Leasehold Mortgage on February 2, 2017, for the purchase of property and hangars at the airport. Quantem and Hangar 3 refinanced the property with Huntington National Bank as the lender in 2018, and the City was asked to consent to the Collateral Assignment of Airport Leases as security for the loan.

Quantem and Hanger 3 Kissimmee LLC desire to purchase Hanger 2. As part of their financing of this purchase, they are executing an Open-end Leasehold Mortgage and a Collateral Assignment of Lease with Huntington National Bank (Lender), which are standard financing requirements for commercial loans.

The Open- End Leasehold Mortgage provides that the lease interests held by the Parties by way of the recorded lease agreements with the City, are the security for the mortgage with the Lender. The Collateral Assignment of Lease provides that the lease interest held by the Parties by way of the recorded lease agreements with the City are assigned to the Lender, which includes their right to sublease and rental income. As such, the parties are requesting the City to acknowledge receipt of and consent to the Open-End Leasehold Mortgage and the Assignment transaction contemplated in the documentation.

Staff has reviewed the documents and they do not affect the City's rights under the lease agreements with Quantem.

Recommendation

Staff recommends Commission approval of the Open-End Leasehold Mortgage and Collateral Assignment of Lease between Hanger 3 Kissimmee, LLC, Quantem FBO Group- Kissimmee LLC and Huntington National Bank.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. Open-End Leasehold Mortgage
City of Kissimmee

2. Quantem Kissimmee Collateral Assignment of Lease 7.28.22 (1)

ITEM 7.N

Approval to Proceed with House America Initiative

Request

Approval to proceed with House America Initiative

Explanation

For more than a decade, the city commission has made addressing homelessness a high priority. In response, the City Commission authorized staff to begin the initial steps of developing a local goal for the House America Initiative. Since that time, staff has identified ways to participate in both the rehousing and affordable housing categories for the program. This goal includes achieving the following by December 31, 2022:

- 1) Rehouse 20% of chronic homeless households currently listed on the registry in HMIS
- 2) Support the addition of up to 500 affordable housing units to the pipeline

Participation in this initiative will be in partnership with Osceola County, the local CoC, and local service providers to meet the needs of our most vulnerable population.

House America is a federal effort to decrease homelessness by re-housing families and individuals in stable, affordable housing and by creating new units of affordable and supportive housing to serve people experiencing homelessness. To address the homelessness crisis, worsened by the COVID-19 pandemic, the U.S. Department of Housing and Urban Development (HUD) developed the House America initiative. The City joins Jacksonville, Miami-Dade, Tallahassee, Orlando and Orange County in this effort to make an impact on the quality of life in Florida.

The attached proclamation will be submitted to HUD to announce the partnership and finalize the plan.

Recommendation

Commission approval to proceed with House America Initiative

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter:

Attachment(s):

1. Proclamation- House America 2022

ITEM 7.O

Amendment to FAA AIP Grant Agreement for Electrical Vault Project at Kissimmee Gateway Airport

Request

Request City Commission approval of an Amendment to the FAA AIP Grant for Airport Electrical Vault Project in the amount of \$8,314.00.

Explanation

The purpose of the change is for unforeseen changes to the original plans per discussion with Federal Aviation Authority (FAA) and Toho Water (TWA) utilities agency. Originally planned, TWA was to assume the ownership and operation of the project's lift station. Due to FAA paying 100% of the project for this AIP Grant previously approved by the City Commission on August 18, 2020 Item 7.B, and the requirement for City ownership, the City will assume the ownership and operation. Certain charges and fees are assumed by the City under this arrangement.

The Amendment to the AIP Grant reflects the additional work approved by the FAA.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47070106-506393	AP2003	Increase	8,314.00	
47000334-334410	AP2003	Increase	8,314.00	

Financial Summary:

FAA will reimburse 100% of the additional costs, totaling \$8,314.00.

Recommendation

Staff recommends Commission approval of Amendment to the AIP Grant Agreement with the Federal Aviation Administration (FAA) for the Airfield Electrical Vault Project in the amount of \$8,314.00

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Airport
Presenter: Shaun Germolus

Attachment(s):

City of Kissimmee

1. 3012 PATRICK ST ELEC VAULT- INVOICE
2. 210007 TWA KISSIMMEE AIRPRT ELECT VAU- INVOICE
3. METER EXPECTATION PDF
4. 210007 - Kissimmee Airport
5. 3012 PATRICK ST LIFTSTATION- INVOICE
6. Amendment to FAA AIP Grant for AP2003 Electrical Vault
7. 08-18-2020 Commission Action Explanation Item 7.B FAA Grant Acceptance
8. Construct Aifield Electrical Vault ISM-SOG-3-12-0038-037-2020-Grant Agreement (part 1) - signed
9. 08-18-2020 Commission Action Summary Item 7.B FAA Grant Acceptance
10. ISM-SOG-3-12-0038-037-2020-Grant Agreement - audit

ITEM 8.A

UCF Florida Small Business Development Center Annual Report & Services Agreement

Request

The UCF Florida Small Business Development Center will present to the City Commission a summary of its efforts for this fiscal year and request a continuation of their contract for FY 2022-23.

Explanation

The City of Kissimmee has a partnership with the UCF Florida Small Business Development Center (FSBDC) via the Osceola Chamber of Commerce, which houses the organization. The FSBDC provides entrepreneurs with technical support towards the creation or development of small businesses. It further provides the City with quarterly reports on its activities.

Mr. Rafael Pratts, Vice President and Site Manager of the Kissimmee FSBDC office, will provide the Commission with a fiscal year-end update on the activities and events performed by their agency for this fiscal year.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00110603-503434			30,000	30,000

Financial Summary:

Pending Commission approval of the City's FY 2022-23 budget, funding for this program has been allocated to the City's Economic Development Division's "Other Contracted Services" account in the amount of \$30,000. The attached funding agreement outlines the City's expectations of services.

Recommendation

Staff recommends approval of the funding agreement in the amount of \$30,000 with the Kissimmee/Osceola Chamber of Commerce for the UCF Florida Small Business Development Center to provide technical support and assistance to our small business community.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager
Presenter: Belinda Kirkegard

Attachment(s):

City of Kissimmee

1. City of Kissimmee Agreement SBDC 2022-2023

ITEM 8.B

Presentation of Financial Statements for the Kissimmee Charter Academy for Year Ended June 30, 2022

Request

This request is for Commission acceptance of the Financial Statements for the Kissimmee Charter School for the fiscal year ended June 30, 2022.

Explanation

Copies of the Financial Statements for the Kissimmee Charter School for the year ended June 30, 2022, were provided to the Commission. This document was prepared for the City by the independent audit firm of King & Walker, CPAs, PL.

Greg Young, with Imagine Kissimmee Charter Academy, will make a brief presentation about the financial statements. The auditors have given the Kissimmee Charter School an unmodified opinion, which means the financial statements conform with generally accepted accounting principles and present fairly, in all material respects, the financial position of the Charter School and the results of its operations.

Recommendation

Staff recommends the City Commission accept the Financial Statements as presented.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Finance

Presenter: Mike Steigerwald

Attachment(s):

1. 2022 Financial Statements for Kissimmee Charter Academy

ITEM 8.C

Replacement of the Kissimmee Connector Downtown Bus Circulator provided by Lynx with a new Micro-Mobility Transit Service to be provided by Freebee

Request

Request Commission authorization to negotiate a contract with Freebee to provide a micro-mobility solution for downtown and surrounding areas and direction regarding the status of the Lynx contract for the Kissimmee Connector downtown circulator bus service.

Explanation

The Kissimmee Connector Downtown Circulator has been operating since January 2019, providing a free fixed-route bus service between the Downtown Kissimmee Multi-Modal Transportation Center and Downtown's biggest employers, medical district, City and County offices and Lakefront Park. Unfortunately, the COVID pandemic reduced ridership numbers and the limitations of the service have made the service cost prohibitive. The Connector currently provides transportation for an average of 500 riders each month, or approximately 25 riders per operating day at a cost to the City of \$540,000 per year. The intent of this service is to provide "last mile" service to commuters and visitors using SunRail to get to employers, businesses and entertainment destinations in Downtown Kissimmee.

As a result of feedback from the Commission, Staff would like to negotiate a contract with Freebee, a micro-mobility point-to-point transportation provider who submitted a proposal earlier this year following a procurement process. A Request for Letters of Interest (RFLOI) was published and three responses from interested vendors were received. Freebee was the only respondent that met the criteria requested by the RFLOI. Freebee is not a fixed route service, but instead provides free on-demand point to point service using an all-electric vehicle fleet, providing more flexibility in service and lower cost of operation. Background information on Freebee has been provided to the Commission and consideration of a contract could be scheduled within the next few months. If approved, Freebee service would be expected to begin January 1, 2023, though staff will attempt to expedite this date to avoid a lapse in service.

A brief presentation will be provided to the Commission outlining the differences between the current Lynx service and the proposed Freebee service.

The City's contract with Lynx ends on September 30, 2022. The City has the ability to enter into a short-term contract with Lynx to extend the Connector service to December 9, 2022. However, Lynx will only extend service beyond this date with a full 1-year contract. In addition, any new contract the City enters into with Lynx will include an approximately 23% increase in cost to the City.

Should the Commission agree to consider a contract with Freebee, the City will have two viable options regarding the current Connector service:

Option 1: Allow the Lynx contract to expire and end the Connector service on September 30, 2022, resulting in an approximately 90-day gap in service before Freebee service begins. There would be no additional cost to the City with this option.

Option 2: Enter into a contract with Lynx through December 9, 2022, resulting in an approximately 30-day gap in service between the end of the Connector service and potential start of Freebee service. The cost to continue operating the Connector service through December 9 is approximately

\$100,000, which would be funded out of the transit allocation budgeted for FY2023.

The December 9, 2022 date is the date Lynx changes service routes system-wide. Therefore, Lynx will not provide services past this date without a one-year or longer contract.

Recommendation

Authorization for staff to negotiate a contract with Freebee to provide a micro-mobility solution for downtown and direction on the existing Lynx contract for the downtown Kissimmee Connector service.

REQUESTED CITY COMMISSION ACTION:

Commission Direction
Approve

Department: Development Services
Presenter: Craig Holland

Attachment(s):

1. CC Presentation 09.13.2022
2. Kissimmee Presentation - Update - September 2021-compressed

ITEM 8.D

Advisory Board Appointments and Vacancies

Request

The Commission is requested to replace a Board of Adjustment member due to a recent resignation.

Explanation

Seat #1 will be assigned to the vacancy. The Commission will have 30-days to make these appointments or an extension will be necessary. If no extension is requested, the appointment will automatically roll over to the next Commissioner in the rotation.

Commissioner Rotation:	Date Assigned:	Advisory Board:	Appointment Expires:	Reason:	Special Requirements:
Seat #1 - Castano	09/13/2022	Board of Adjustment	05/31/2023	Resignation of Member (Fernando Homs)	City Resident and must have a Florida License as an Engineer, Architect, Surveyor or Contractor. Members may be a resident or non-City resident; non-residents must either own real property or maintain a business office within the City.

There are currently no applications on file for this seat.

Recommendation

Staff recommends the Commission make an appointment to fill a vacancy on the Board of Adjustment.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

None