



**MEETING AGENDA
SESSION OF THE CITY COMMISSION
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, OCTOBER 18, 2022 AT 6:00 PM**

1. MEETING CALLED TO ORDER

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

- 3.A Proclamation- Domestic Violence Awareness Month
- 3.B Proclamation in recognition of World Polio Day
- 3.C Update from The Opportunity Center, Inc. regarding CDBG funded building improvements
- 3.D Service Awards for July, August and September

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

- 4.A Public Hearing - Second and Final Reading - Ordinance amending the Future Land Use designation from MF-MDR, MF-HDR, CONS, & CG to CONS and IB: Ramona, LUPA-22-0001 - Proposed Ordinance #22-09

AN ORDINANCE AMENDING ORDINANCE NO. 3050 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

- 4.B Public Hearing - First Reading - General Employees' Retirement Plan Amendment: Amending Section 30-84, 30-88, 30-110, 30-111

AN ORDINANCE OF THE CITY OF KISSIMMEE AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION 2, GENERAL EMPLOYEES' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-84, DEFINITIONS; AMENDING SECTION 30-88, CONTRIBUTIONS; AMENDING SECTION 30-110, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 30-111, REEMPLOYMENT AFTER RETIREMENT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

5. PUBLIC HEARINGS

- 5.A Public Hearing - Ramona Planned Unit Development (PUD) Amendment: PUD-22-0001

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 September 13, 2022, September 27, 2022, and October 4, 2022 meetings
- 7.B Authorization to Accept the 2022 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs
- 7.C Authorization to Negotiate with Balfour Beatty for Construction Manager at Risk for the Addition to City Hall for the Building Division of Development Services
- 7.D Osceola Village Center, Phase 1 (DRC# 19-00100) – Major Subdivision, Final Acceptance with Conditions.

8. DISCUSSION ITEMS

- 8.A Approval of a License Agreement for Outdoor Dining within the Dakin Avenue Right-of-Way at 16 E. Dakin Avenue (ROW-22-0003)
- 8.B Social Service and Quality of Life Grant Funding Allocations for FY 2022-2023
- 8.C Charter School Advisory Board Appointment / Reappoint (Parent)
- 8.D Advisory Board Vacancy - Board of Adjustment

9. HEAR CITY OFFICIALS

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

10. ADJOURNMENT

In accordance with Florida Statutes 286.105: Any person wishing to appeal any decision made by the City Commission 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

Proclamation- Domestic Violence Awareness Month

Request

The request is for the Commission to present a Proclamation to Tammy Douglass, Executive Director of Help Now of Osceola, in honor of "Domestic Violence Awareness Month".

Explanation

N/A

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):

1. Proclamation- Domestic Violence Awareness Month 2022

ITEM 3.B

Proclamation in recognition of World Polio Day

Request

The request is for the Commission to present a Proclamation to representatives of the Rotary Clubs of Osceola County.

Explanation

N/A

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):

1. Proclamation- World Polio Day

ITEM 3.C

Update from The Opportunity Center, Inc. regarding CDBG funded building improvements

Request

Request to thank the Commission for granting CDBG (Community Development Block Grant) funds to make building improvements to the Opportunity Center, Inc.

Explanation

The Opportunity Center provides adult day training for developmentally disabled individuals. They are a non-profit that relies on government funding and grants to provide these services. Their building is 52 years old and was in need of upgrades. A CDBG grant allowed them to reroof the entire facility, replace an aging HVAC system, upgrade the inside lighting, and redo all flooring surfaces. The Opportunity Center is grateful to have these upgrades as they have extended the life of their building, which helps provide a safe place for individuals to attend daily. The center would like to thank the Commission for granting this funding, and Frances DeJesus and her staff for processing this grant. They will be extending an invitation to the City Commission for a 'grand reopening' in the coming months.

Department: City Manager
Presenter: Scott Pool

Attachment(s):

None

ITEM 3.D

Service Awards for July, August and September

Request

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

Explanation

Five	Kevin Campbell	Information Technology
	Carmen Cantres	Public Works & Engineering
	Frances DeJesus	Development Services
	Edwin Garcia	Police
	Spencer Goodwin	Fire
Ten	Melissa Zayas Moreno	City Manager
	Victor Daboin	Public Works & Engineering
	Pam Lynch	Police
	Ramon Senorans	Airport
	Joe Spady	Parks & Recreation
Fifteen	Chris Breuer	Police
	Jose Flores	Public Works & Engineering
	Amy Meers	Fire
	Charles Wildigg	Police
Twenty Five	Glenn Ford	Police
	Scott Pool	Human Resources

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 4.A

Public Hearing - Second and Final Reading - Ordinance amending the Future Land Use designation from MF-MDR, MF-HDR, CONS, & CG to CONS and IB: Ramona, LUPA-22-0001 - Proposed Ordinance #22-09

AN ORDINANCE AMENDING ORDINANCE NO. 3050 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

Request

Approval to approve a Land Use Plan Amendment to change the Future Land Use Map designation from Multi Family Medium Density Residential (MF-MDR), Multi-Family High Density Residential (MF-HDR), Conservation (CONS), and Commercial General (CG) to Conservation (CONS) and Industrial Business (IB) on 114.25 acres of land west of Florida's Turnpike, east of Bill Beck Blvd., along the north and south sides of E. Osceola Parkway.

Explanation

This item was continued from the August 2, 2022 and August 16, 2022 City Commission meetings.

Approval of a Land Use Map Amendment from Multi Family Medium Density Residential (MF-MDR), Multi-Family High Density Residential (MF-HDR), Conservation (CONS), and Commercial General (CG) to Conservation (CONS) and Industrial Business (IB) on 114.25 acres of land. This is a companion application to the Ramona Planned Unit Development (PUD)(PUD-22-0001) that will accommodate industrial warehouse uses that is also on tonight's City Commission agenda.

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

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

FINDINGS AND REASONS:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.4.3, Industrial Business (IN) Future Land Use Designation, that is intended to accommodate a mixture of typical industrial uses and more intense non-industrial uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 0.50 FAR. This designation shall be applied to areas appropriate for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses.
2. Compliance with Comprehensive Plan Future Land Use Policy 1.2.8.2, Conservation (CONS) Future Land Use Designation, that is intended for those lands, because of their environmental

quality or sensitivity, for protection and is not intended for development activities, and therefore have no allowable FAR. These lands may include wetlands, wildlife habitats, and/or watershed protection areas. The CONS designation shall be applied to portions of major natural resource areas and environmentally sensitive corridors which the City deems appropriate and feasible to protect in order to help implement natural resource conservation goals, objectives, and policies stipulated in the Comprehensive Plan. The designation shall be primarily assigned to publicly owned and restricted privately owned properties.

3. Compliance with Transportation Element Policy, 2.2.2.3: Density Support, in that transportation infrastructure and services shall support residential, non-residential, and mixed-use land uses.
4. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan Text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.

Recommendation

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

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

The City Commission approved the First Reading on May 3, 2022.

CONDITION:

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

REQUESTED CITY COMMISSION ACTION:

Approve w/Conditions

Adopt

Department: Development Services

Presenter: Brenda Ryan

Attachment(s):

1. LUPA-22-0001 Vicinity Map
2. LUPA-22-0001 Aerial Map
3. LUPA-22-0001 Site Data Tables
4. LUPA-22-0001 Proposed Ordinance 22-09
5. LUPA-22-0001 State Transmittal Comments
6. LUPA-22-0001 Aug. 16, 2022 City Commission Action Summary
7. LUPA-22-0001 Aug. 2, 2022 City Commission Action Summary
8. LUPA-22-0001 City Commission Ad
9. LUPA-22-0001 May 03 2022 City Commission Mtg. Minutes
10. LUPA-22-0001 April 6, 2022 PAB Actions
11. LUPA 22-0001 Planning DRC Comments
12. LUPA-22-0001 School District DRC Comments
13. LUPA-22-0001 PWE DRC Comments
14. LUPA-22-0001 DRC Application

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ITEM 4.B

Public Hearing - First Reading - General Employees' Retirement Plan Amendment: Amending Section 30-84, 30-88, 30-110, 30-111

AN ORDINANCE OF THE CITY OF KISSIMMEE AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION 2, GENERAL EMPLOYEES' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-84, DEFINITIONS; AMENDING SECTION 30-88, CONTRIBUTIONS; AMENDING SECTION 30-110, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 30-111, REEMPLOYMENT AFTER RETIREMENT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Request

Approval of the first reading of the Proposed Ordinance for the General Employees' Retirement Plan.

Explanation

This is a request to amend the following sections within the General Employees' Retirement Plan:

Section 30-84 is being amended to clarify the definition of salary. This change is provided by the Internal Revenue Code.

Section 30-88 is being amended for Toho members of the plan to no longer make member contributions to the plan upon completion of 30 years of credited service.

Section 30-110 is being amended to change the eligibility to enter the Drop at age 55 with the completion of 30 years of credited service. The early retirement reduction factor will still apply, and the Drop members will continue to make member contributions for their selected tier until they reach the age of 60 or end their Drop participation.

Section 30-111 amends and clarifies the reemployment language.

The attached impact statement from the Actuary indicates the \$37,900 annual cost to the plan for these changes, which has been included with the adopted FY 2023 budget. The General Employees Pension Board voted unanimously to recommend these changes to the plan at their August 25, 2022 meeting.

Recommendation

Staff recommends approval of the first reading of proposed ordinance 22-19.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

City of Kissimmee

1. Proposed Ordinance 22-19
2. Proposed Ordinance 22-19 Affidavit
3. Actuarial Impact Statement Proposed Ordinance 22-19

ITEM 5.A

Public Hearing - Ramona Planned Unit Development (PUD) Amendment: PUD-22-0001

Request

Approval of a Planned Unit Development (PUD) Amendment to establish industrial warehouse uses on approximately 114.25 acres of land west of Florida's Turnpike, east of Bill Beck Blvd., along the north and south sides of E. Osceola Parkway.

Explanation

This item was continued from the August 2, 2022 and August 16, 2022 City Commission meetings.

This PUD Amendment will establish 1,020,000 sq. ft. of industrial warehouse uses and remove the previously approved 720 residential units, 182,000 sq. ft. commercial, 300 hotel rooms, and assisted living facility uses from the Ramona PUD (DRC#18-0018). The amendment will specifically include Industrial Business (IB) Zoning permitted uses such as warehouse and distribution, wholesale trade, light and medium manufacturing, as well as ancillary office uses. The new uses are compatible with the concurrent Ramona Industrial Land Use Amendment (LUPA-22-0001).

The parcels were previously part of the Gateway Commons Development of Regional Impact (DRI)(DRC#18-0016) that was rescinded at the May 7, 2019 City Commission Meeting.

Off-site transportation improvements to the segment of Bill Beck Blvd. south of Osceola Parkway have commenced and the project is under construction by Osceola County. Construction includes a 2 lane, undivided urban roadway designed for future expansion to 4 lanes. The improvements also include sidewalks, provisions for street lighting, and a new traffic signal at the Osceola Parkway intersection. A trip generation analysis has been included within the PUD Narrative that demonstrates a decrease of daily transportation trips with the new industrial entitlements compared to the previously approved Ramona PUD mixed uses.

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

FINDINGS AND REASONS:

1. Compliance with Land Development Code Section 14-3-28(G), Zoning Map Amendment to Planned Unit Development, in regards to the submittal and review procedures and criteria to support PUD conceptual plan amendments.
2. Compliance with the site design regulations such as density, lot area, setbacks, building separation, height, and other general standards such as internal circulation, access and other conditions as outlined in Section 14-4-8(D)(4).
3. Compliance with Policy 1.2.4.3, Industrial Business (IN) Future Land Use Designation, intended to accommodate a mixture of typical industrial uses and more intense non-industrial uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 0.50 FAR. This designation shall be applied to areas appropriate for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses.

Recommendation

City of Kissimmee

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve w/Conditions

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

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

CONDITION:

1. Subject to City Commission approval of the Ramona Land Use Amendment (LUPA-22-0001).

Attachment(s):

1. PUD-22-0001 Vicinity Map
2. PUD-22-0001 Aerial Map
3. PUD-22-0001 PUD Narrative
4. PUD-22-0001 Site Data Tables
5. PUD-22-0001 Aug. 16, 2022 City Commission Action Summary
6. PUD-22-0001 Aug. 2, 2022 City Commission Action Summary
7. PUD-22-0001 April 6, 2022 PAB Actions
8. PUD-22-0001 Planning DRC Comments
9. PUD-22-0001 School District DRC Comments
10. PUD-22-0001 PWE DRC Comments
11. PUD-22-0001 DRC Application Supporting Documents

ITEM 7.A

Approval of City Commission Minutes from the September 13, 2022, September 27, 2022, and October 4, 2022 meetings

Request

Request Commission approval of the September 13, 2022, September 27, 2022, and October 4, 2022 Commission Minutes.

Explanation

Minutes of the Commission meeting held on September 13, 2022, September 27, 2022, and October 4, 2022 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Commission

Presenter: Mike Steigerwald

Attachment(s):

1. Commission Minutes - September 13, 2022 (R)
2. Commission Minutes - September 27, 2022 (R)
3. Commission Minutes - October 4, 2022

ITEM 7.B

Authorization to Accept the 2022 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs

Request

The Police Department requests the Commission's acceptance of the 2022 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs, in the amount of \$12,458.25.

Explanation

The City of Kissimmee has been notified by the Bureau of Justice Assistance that it has been awarded funds under the Fiscal Year (FY) 2022 Patrick Leahy Bulletproof Vest Partnership (BVP) solicitation.

The total award is \$12,458.25. These monies will be allocated for the partial funding of bulletproof vests as outlined in the grant application. The balance of the monies needed for the remainder of the bulletproof vests will come from the department's General Fund.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00100331 331100		Increase	12,459	
00130303 505257		Increase	12,459	

Financial Summary:

Grant funds will be deposited in the above accounts.

Recommendation

Staff recommends the acceptance of the FY2022 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Police

Presenter:

Attachment(s):

City of Kissimmee

1. BVP 2022 application awarded

ITEM 7.C

Authorization to Negotiate with Balfour Beatty for Construction Manager at Risk for the Addition to City Hall for the Building Division of Development Services

Request

Authorization to negotiate a contract with Balfour Beatty for Construction Manager at Risk for the addition to City Hall for the Building Division expansion for Development Services.

Explanation

The City Commission approved the addition to City Hall for the Building Division service center expansion for the Development Services Department. The addition will house the Building Counter and staff offices, as well as a large conference room that will serve as the City's Emergency Operations Center. An added benefit, is that Development Services staff will be able to consolidate into the Department's current space on the first floor, opening portions of the second and fifth floors for other uses and addressing future space needs of several departments.

The addition has been designed and is currently in the permitting process. The estimates for construction provided during pre-construction services came in over the \$4 million cap for using the City's existing continuing services contracts. The City issued a Request for Proposals for a Construction Manager at Risk for the addition to City Hall. RFP 2022-008 was issued and 5 firms responded. A review committee was formed with representatives from the Development Services, Public Works and Engineering, and Finance Departments. The consensus of the selection committee was to enter into negotiations with Balfour Beatty. The following is the list of firms that submitted proposals:

- Balfour Beatty Construction LLC.
- CORE Construction.
- Gomez Construction.
- H.J. High Construction.
- The A.D. Morgan Corporation.

The selection committee results are attached to this report.

Once the cost and details of the contract have been negotiated with Balfour Beatty, the finalized contract will be brought back to the Commission for approval.

Recommendation

Approval to authorize staff to negotiate a contract with Balfour Beatty for the Construction Manager at Risk for the City Hall addition.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. RFP2022-008 Final Scores
City of Kissimmee

2. Balfour Beatty RFP Response

ITEM 7.D

Osceola Village Center, Phase 1 (DRC# 19-00100) – Major Subdivision, Final Acceptance with Conditions.

Request

Requesting City Commission acceptance of the required subdivision improvements for the subdivision known as Osceola Village Center, Phase 1 with conditions.

Explanation

The developer, Stanley Martin Homes, is requesting acceptance of the subdivision improvements constructed with the development known as Osceola Village Center, Phase 1, in accordance with the City's Subdivision Site Improvements and Inspection and Certification procedures (LDC §14-3-43).

This subdivision is located east of S. John Young Parkway and north of Shingle Creek. The required subdivision improvements include paving, grading, drainage, water, sewer, landscaping, irrigation, site lighting, walls, and other amenities. With verification from other City departments and Toho Water Authority, the City Engineer certifies these improvements to be substantially complete with the following conditions:

1. Stanley Martin Homes shall work diligently to obtain approval from the City for an access and maintenance easement for a portion of subdivision wall constructed within the City's Canal Access and Maintenance tract (Tract F-2 of the Osceola Village Center final plat; PB 32, PPG 60-64), and once approved, shall ensure the easement is recorded as soon as reasonably possible.
2. The developer shall also submit a FEMA MT-1 Form to the City's Certified Floodplain Manager for the remainder of the lots/tracts not previously removed from the Special Flood Hazard Area that qualify for removal.

All roads will be owned and maintained by the City. All other common areas will be owned and maintained by the Home Owner's Association.

The owner has posted a maintenance bond in the amount of \$466,975.47 to assure the satisfactory condition of the required subdivision improvements for a period of one-year from formal acceptance by the City Commission.

The City Commission previously approved the final plat for this subdivision, Osceola Village Center, on 5/3/2022.

Recommendation

Staff recommends acceptance of the subdivision improvements for Osceola Village Center, Phase 1 with these conditions.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

City of Kissimmee

1. Vicinity Map
2. Maintenance Bond and Rider

ITEM 8.A

Approval of a License Agreement for Outdoor Dining within the Dakin Avenue Right-of-Way at 16 E. Dakin Avenue (ROW-22-0003)

Request

Approval to execute a license agreement with LR Business Consulting Investment Inc. d/b/aTwo Brothers Steakhouse and Bistro to utilize outdoor dining on public sidewalks located at 16 E Dakin Avenue within the Downtown Community Redevelopment Area.

Explanation

Subject to standards in Section 14-5-6F(1)(Site Standards within the Form Based Code Areas) and Section 14-6-9 (Outdoor Dining), accessory outdoor dining may be located on public sidewalks provided a right-of-way agreement has been executed and various standards are met. The license is a hold harmless agreement between the City and the business to address items such as location of the seating, maintenance, safety, insurance, and other conditions.

The agreement was submitted by the tenant at 16 E. Dakin (LR Business Consulting Investment Inc. d/b/aTwo Brothers Steakhouse and Bistro).

The agreement, which requires City Commission execution, will govern outdoor activities for the business. The establishment is proposing to conduct outdoor dining on the sidewalk along their Dakin Avenue frontage.

Recommendation

Approval to execute the outdoor license agreement with LR Business Consulting Investment Inc. d/b/aTwo Brothers Steakhouse and Bistro at 16 E Dakin Avenue, subject to conditions.

CONDITIONS:

1. A maximum of six (6) tables, with a maximum of 4 chairs per table, may be established along the business frontage in front of Dakin Avenue.
2. The Outdoor Dining License Agreement will be valid for a period of one (1) year and must be renewed annually with valid insurance liability documents and adherence to conditions of approval included with the agreement.
3. A minimum five (5) foot clear path must be maintained at all times.
4. Access doors to the establishment must maintain a four (4) foot wide clearance.
5. Tables and chairs cannot be placed beyond the boundary of the business frontage.
6. Tables and chairs must be kept clean, free of trash, and are to be cleared in a timely manner. City trash cans cannot be used to clear/bus tables.
7. The City Noise Ordinance must be adhered to at all times.
8. A pedestrian oriented sign may be located on the public sidewalk provided that the five (5) foot clear pedestrian access is maintained on the sidewalk. The sign may be a maximum of eight (8) square feet per side and no more than four (4) feet in height. All other signs are prohibited within the sidewalk.
9. The pedestrian oriented sign must only be displayed during regular business hours of operation. Signs must be stored inside the business when not in use and must not be left outside or on the public sidewalk after business hours.
10. The Outdoor Dining License Agreement shall become void at the conclusion of the term indicated within the agreement, if there is a change of ownership or business, or if a valid

Business License is not maintained. A new License Agreement must be filed by the new owner and/or business and authorized by the City Commission prior to the outdoor placement of any tables, chairs, or umbrellas.

11. Failure to maintain the standards and conditions of the Outdoor Dining License Agreement will result in City notification of violation(s). All tables and chairs must be removed upon City notification of violation(s) within one (1) hour. If the violation is not corrected, the approval of the license agreement may be revoked.

REQUESTED CITY COMMISSION ACTION:

Approve w/Conditions

Department: Development Services

Presenter: Brenda Ryan

Attachment(s):

1. ROW-22-0003 Revised Approved Dining Plan
2. ROW-22-0003 Certificate of Liability Insurance
3. ROW-22-0003 Site Pictures
4. ROW-22-0003 Outdoor Dining License Agreement

ITEM 8.B

Social Service and Quality of Life Grant Funding Allocations for FY 2022-2023

Request

Commission discussion and approval of the FY 2022-23 Social Services and Quality of Life Funding Allocations.

Explanation

Each year the Commission approves funding for non-profit agencies instrumental in supporting the mission of the City and furthering the Commission's annual goals. This funding process includes two categories. The Social Services category is designed to support non-profit agencies with direct service programs that reduce the burden on City services by meeting the needs of our most vulnerable residents. In response, the City Commission has prioritized funding for programs that support the needs of the homeless and families in crisis.

The proposed FY 2022-23 budget for Social Services is \$300,000. These funds were previously approved by the Commission in the Coronavirus State and Local Fiscal Recovery Funds. Upon approval of this item, staff will budget and transfer funds into the Aid to Private Organizations account in the amount of \$300,000 for each of the fiscal years 2021-22, 2022-23, and 2023-24 to aid non-profits in providing critical services.

The second category is Quality of Life, which provides funding for programs designed to improve the quality of life for residents by supporting the arts, education, and culture in the amount of \$50,000. Funds for these activities are budgeted in the General Fund.

Each Commissioner was provided with a spreadsheet and application packets in order to complete their allocation recommendations. During the meeting, the funding averages of all submissions will be provided for review and approval.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
03210108 - 508282		Increase	900,000	
03200380 - 380001		Increase	900,000	

Financial Summary:

Funds will be transferred into the Aid to Private Organizations account in the amount of \$300,000 for each of the fiscal years 2021-22, 2022-23, and 2023-24

Recommendation

Staff requests Commission discussion and approval on the funding allocations for FY 2022-23.
City of Kissimmee

REQUESTED CITY COMMISSION ACTION:

Approve
Commission Direction

Department: City Manager
Presenter: Desiree Matthews

Attachment(s):

1. (R) Social_Services_Funding_FY_2022-23 Draft
2. Social_Services- Quality of Life_Funding_FY_2022-23 Draft

ITEM 8.C

Charter School Advisory Board Appointment / Reappoint (Parent)

Request

Request Commission consider the reappointment of Brenda Ryan as a Parent member of the Charter School Advisory Board.

Explanation

Ms. Brenda Ryan is a current member of the Charter School Advisory Board and meets all of the requirements to be reappointed to an additional term. The terms for the Charter School Board expire in September, therefore the new term, if reappointed, for Ms. Ryan would expire on September 30, 2026. Ms. Ryan has expressed an interest in continuing to serve on the board.

The Charter School Advisory Board members are appointed jointly by the City Commission and are not assigned to a particular Commission Seat. The term for each appointed Charter School Advisory Board member is four (4) years.

Recommendation

Staff recommends Commission reappointment of current member Brenda Ryan.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 8.D

Advisory Board Vacancy - Board of Adjustment

Request

The Commission is requested to make an appointment to fill a vacancy on the Board of Adjustment.

Explanation

- Seat #1 will be assigned to the Board of Adjustment vacancy due to the resignation of Fernando Homs

The Commission will have 30-days to make 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 Castano requested a 30-day extension at the October 4, 2022 meeting. Therefore, the new expiration date for the Board of Adjustment appointment is November 1, 2022.

Commissioner Rotation:	Date Assigned:	Advisory Board:	Appointment Expires:	Requirements:
Seat #1 - Castano <i>*No applications currently on file*</i>	09/13/2022 Assignment Expires: 11/01/2022	Board of Adjustment	05/31/2023	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.

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

City of Kissimmee

ITEM 9.B
CITY ATTORNEY

Request

Explanation

Recommendation

REQUESTED CITY COMMISSION ACTION:

Department: City Manager

Presenter:

Attachment(s):

None