



**MEETING AGENDA
SESSION OF THE CITY COMMISSION
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, NOVEMBER 15, 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 First Fair Housing Drawing Contest

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

- 4.A Public Hearing - Second and Final Reading - Glitch Ordinance LUPA-22-0005 - Proposed Ordinance #22-017

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA CODE OF ORDINANCES TITLES; UPDATING LANGUAGE THROUGHOUT THE LAND DEVELOPMENT CODE, CHAPTER 14; MOVING A STATEMENT IN CODE OF ORDINANCES SECTION 42-48 TO SECTION 14-4-6.A.9 IN THE LAND DEVELOPMENT CODE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

- 4.B Public Hearing - Second and Final Reading - Car Washes in the FBC: ZMA-22-0003 - Proposed Ordinance #22-018

AN ORDINANCE AMENDING THE CITY OF KISSIMMEE, FLORIDA CODE OF ORDINANCES PART III, CHAPTER 14-5-8; ADDING SECTION 14-5-8.G. TO ESTABLISH DEVELOPMENT STANDARDS FOR CAR WASHES WITHIN THE FORM-BASED CODE AREA; AMENDING 14-5-6 SITE STANDARDS, TABLE 5-1 PERMITTED USES TO ADD CAR WASH AS A PERMITTED USE IN THE T5-U TRANSECT ZONE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

5. PUBLIC HEARINGS

- 5.A Public Hearing - Adoption of Resolution to Amend the City's FY2021-2022 Operating Budget

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 October 18, 2022 and November 1, 2022 meetings

- 7.B Purchase of Archer 1200 Steel Barrier Security Kit Barricades for Roadway Closures
- 7.C Security Information and Event Monitoring Enterprise Software Agreement
- 7.D First Amendment to the Community Development Block Grant (CDBG) Contract - Hudson Street Public Improvements
- 7.E Approval of Task Work Orders with RS&H, Inc. for Design Services of the Woodside Drainage Improvement Project
- 7.F Approval of Purchase Agreement between Argo Partners and City of Kissimmee to purchase claims against Physicians United Plan, Inc.
- 7.G Recommendation to Award Trinity Electrical Services, Inc. to construct Secondary Weather Sensor
- 7.H Amendment No. 14 to the Professional Service Agreement with AVCON, Inc. for bidding and engineering services to oversee the construction of a Weather Station at Kissimmee Gateway Airport
- 7.I Request to use funds from airport reserves for Auxiliary Weather Station to support the Air Traffic Control Tower
- 7.J Knightsbridge Phase 1 Major Subdivision, Final Plat (DRC# SR-22-0009)
- 7.K Approval to Adjust the Fiscal Year 2021-2022 Budget
- 7.L Osceola Village Center Phase 2 Major Subdivision, Final Acceptance with Condition (DRC# 19-00100)
- 7.M Resolution 26-2022 - Ratification of City Manager Declaration of Local State of Emergency and Extension of State of Emergency

8. DISCUSSION ITEMS

- 8.A 2023 City Commission Meeting Calendar

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

First Fair Housing Drawing Contest

Request

To recognize the winners and participants of the Fair Housing Drawing Contest.

Explanation

Fair housing is the right to choose housing free from discrimination. Nationwide, fair housing is celebrated in April. The City of Kissimmee, in partnership with the Osceola County Association of REALTORS (R), joined forces to launch the City's first Fair Housing Contest in April 2022. The purpose of the contest was to deliver the message that where we live affects our quality of life and that housing discrimination not only denies access to better resources and opportunities, but it can also result in homelessness.

Elementary and middle schools located within the city limits were asked to submit drawings, then a selection committee selected the winners. Each winning student and their Art class teacher will be receiving the following - First Prize - \$100 each; Second Prize - \$75 each; and Third Prize - \$50 each. The Opportunity Center was also invited to participate and their clients also competed for first, second, and third prize.

Below is a list of the winners:

Elementary School - 1st thru 3rd grade	1st Prize	Ezequiel Hernandez Rivera (student)	Donatina Quintana (teacher)
Elementary School - 1st thru 3rd grade	2nd Prize	Alyssa Troche (student)	Alma Fontaine (teacher)
Elementary School - 4th thru 6th grade	1st Prize	Saniya Warden (student)	Shena Wilkins (teacher)
The Opportunity Center	1st Prize	Clark Bruce	N/A
The Opportunity Center	2nd Prize	Joseph Hull	N/A
The Opportunity Center	3rd Prize	Peter Almodovar	N/A

Drawings were also received from: Vincent Schato, Luther Arroyo, Karissa Nieves, Arielle Batista, William Pantoja, Claribel Rosado, Amy Stlis, Chyna Slater, Nneka Collins, Edalix Rodriguez (The Opportunity Center). Each of them will receive a Certificate of Participation.

Department: Development Services
Presenter: Frances DeJesus

Attachment(s):

1. Certificate(s) of Appreciation

ITEM 4.A

Public Hearing - Second and Final Reading - Glitch Ordinance LUPA-22-0005 - Proposed Ordinance #22-017

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA CODE OF ORDINANCES TITLES; UPDATING LANGUAGE THROUGHOUT THE LAND DEVELOPMENT CODE, CHAPTER 14; MOVING A STATEMENT IN CODE OF ORDINANCES SECTION 42-48 TO SECTION 14-4-6.A.9 IN THE LAND DEVELOPMENT CODE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

Request

Requesting approval an ordinance to make minor language and formatting amendments to the Land Development Code.

Explanation

A major update to the Land Development Code was approved by the City Commission in August 2020, including the addition of the new Form-Based Code chapter. As this update included language changes and updates throughout the Land Development Code, it was understood that staff would likely need to make minor updates to the language to ensure clarity and applicability. This request is the resulting "Glitch Ordinance" and includes minor edits to almost all chapters of the Land Development Code (excluding chapters one and eight). All edits are included in the underline/strikethrough included in the backup. All chapters impacted have minor formatting and language amendments but below is a brief breakdown of the major changes:

Chapter 14-2: Terms Defined

Added a definition for Affordable Housing per recommendation from the Affordable Housing Advisory Committee.

Removed the requirement for five vendors in the definition of a Special Event. This is no longer necessary in the definition.

Chapter 14-3: Development Review Boards and Procedures

Edited Table 3-1, requiring DRC review of LDC text amendments.

Chapter 14-4: Zoning

Edited the title of section 14-4-6 so its standards apply to all zoning districts, not just standard zoning districts.

Relocated language that no residential lot shall have more than 40% of the front and side yards covered. This was previously in another section of the Code of Ordinances.

Added language requiring buildings to front a right-of-way or civic space.

Increase the amount of affordable housing from ten to 20% for density bonuses. This change was made after a recommendation from the Affordable Housing Advisory Committee.

Chapter 14-5: Form-Based Code

Adding churches as a permitted use (if they existed prior to August 2020) in the T5-M.

Added the other portion of the Street Hierarchy Map in Figure 5-25.

Added language in the Stormwater Management section per recommendations from Public Works and Engineering.

Added figures to the Code.

Chapter 14-6: Standards for Accessory, Temporary, and other uses.
Clarify language in the Accessory Dwelling Unit section.
Add standards for recreational vehicles.

Chapter 14-7: Access, Circulation, and Parking

Added standards for drive aisles.

Edit the standards for parallel parking spaces in 14-7-24 to match the general standards.

Update 14-7-31 to have vehicular access points based on street and not parcel.

Chapter 14-9: Environment

Updated language throughout per recommendations from Public Works and Engineering.

Chapter 14-10: Subdivision and Site Design; Public Improvements

Updated language throughout per recommendations from Public Works and Engineering.

Added the breakdown of active and passive recreation, which was erroneously left out of the Code.

Recommendation

The Development Review Committee (DRC) recommended approval on September 6, 2022.

The Planning Advisory Board (PAB) recommended approval on October 5, 2022.

The City Commission approved the first reading on November 1, 2022.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Development Services

Presenter: Ashley Cornelison

Attachment(s):

1. (S) - Proposed Ordinance 22-017
2. Advertisement

ITEM 4.B

Public Hearing - Second and Final Reading - Car Washes in the FBC: ZMA-22-0003 - Proposed Ordinance #22-018

AN ORDINANCE AMENDING THE CITY OF KISSIMMEE, FLORIDA CODE OF ORDINANCES PART III, CHAPTER 14-5-8; ADDING SECTION 14-5-8.G. TO ESTABLISH DEVELOPMENT STANDARDS FOR CAR WASHES WITHIN THE FORM-BASED CODE AREA; AMENDING 14-5-6 SITE STANDARDS, TABLE 5-1 PERMITTED USES TO ADD CAR WASH AS A PERMITTED USE IN THE T5-U TRANSECT ZONE; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

Request

Requesting approval of standards for car washes in the Form-Based Code area.

Explanation

This is a request to amend the T5-U transect zone to add car washes as a permitted use and establish development standards for them. While car washes are auto-centric, a use typically discouraged in the Form-Based Code, the proposed standards include requirements for active uses on frontage streets, locations of bay doors, and screening requirements that meet the intent of that chapter. The proposed standards also include location and noise measurement criteria to protect other uses, particularly residential, from vacuum stations and similar ancillary activities.

Recommendation

The Development Review Committee (DRC) recommended approval on September 6, 2022.

The Planning Advisory Board (PAB) recommended approval on October 5, 2022.

The City Commission approved the first reading on November 1, 2022.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Development Services

Presenter: Ashley Cornelison

Attachment(s):

1. (S) - Proposed Ordinance 22-018
2. Advertisement

ITEM 5.A

Public Hearing - Adoption of Resolution to Amend the City's FY2021-2022 Operating Budget

Request

This request is for Commission approval to adopt a resolution amending the City's operating budget for 2021-2022.

Explanation

As detailed in the attached spreadsheet, the City received additional revenues from grants, donations, bond issuances, lease treatment, etc. that resulted in an overall increase of \$35,611,695 in the City's operating budget for FY 2021-2022. According to Florida Statute Section 166.214(4)(c), all budget adjustments that result in a change in total budget appropriations must be approved in the same manner as the original, adopted budget. Therefore, staff has compiled a schedule of all adjustments that have resulted in a change in the overall total budget.

Public notice of this hearing was given via an advertisement placed in the newspaper on November 13, 2022. Once approved, staff will adjust the final budget for FY 2021-2022 to reflect the changes included in Exhibit 1.

Recommendation

Staff recommends the Public Hearing be held and that the Commission adopt the Resolution to amend the City's overall budget.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Finance

Presenter: Tavia Ritchie

Attachment(s):

1. (S) - Resolution for Final Budget Amendment FY 2022
2. Budget Adjustment Recap Year End FY22

ITEM 7.A**Approval of City Commission Minutes from the October 18, 2022 and November 1, 2022 meetings****Request**

Request Commission approval of the October 18, 2022 and November 1, 2022 Commission Minutes.

Explanation

Minutes of the Commission meeting held on October 18, 2022 and November 1, 2022 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Commission

Presenter: Mike Steigerwald

Attachment(s):

1. (S) Commission Minutes - October 18, 2022
2. (S) Commission Minutes - November 1, 2022

ITEM 7.B

Purchase of Archer 1200 Steel Barrier Security Kit Barricades for Roadway Closures

Request

Staff requests approval to purchase an Archer 1200 Steel Barrier Security Kit.

Explanation

The Public Works and Engineering Department - Traffic Division is responsible for major roadway closures throughout the city. Examples of the roadway closures include city events, parades, festivals, and sports venues. Roadway closures are currently done with the use of wood frame barricades (Typell) for small roadways and side streets. Major roadway closures are completed utilizing water-filled plastic barricades known as Yodoks. The Archer 1200 barricades are manufactured of high strength ballistic rated steel. The barricades can be deployed rapidly and do not require assembly. They are designed to augment fixed-in-place hostile vehicle mitigation barricades. The Archer 1200 Barriers can also be utilized as a security system for entry points, roadways and perimeters.

The Kissimmee Police Department and the Traffic Safety Team recently experimented with the Archer 1200 barricades during the City's 2022 July 4th Celebration in the downtown area. Following the positive experience with the barricades, the Traffic division would like to proceed with purchasing more of these barriers. The standard barrier kit includes eight (8) Archer barriers and a trailer for their deployment. The total cost of this kit is \$93,264.34, which also includes freight/shipping and the in-field certification training.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00145406-506393	GT2108		14,000	14,000
10345406-506393	GT2108		80,000	80,000

Financial Summary:

The project has been funded by the General and the Gas Tax Funds.

Recommendation

Staff recommends authorization from the City Commission to purchase the Archer 1200 Steel Barrier Security Kit at the cost of \$93,264.34.

REQUESTED CITY COMMISSION ACTION:

Approve

City of Kissimmee

Department: Public Works & Engineering
Presenter:

Attachment(s):

1. Archer 1200 Barrier Kit
2. Sole Source Letter for the City of Kissimmee

ITEM 7.C

Security Information and Event Monitoring Enterprise Software Agreement

Request

Approval of a three-year Security information and event monitoring (SIEM) Enterprise Software Agreement in the amount of \$113,019.39 (\$37,673.13 annually) from Software House International utilizing the Sourcewell purchasing contract.

Explanation

The City has a significant investment in technology that is used by every department in the City. Each year the risk of cyber attack becomes more concerning and is requiring more and more resources to keep City Information systems secure. The City has implemented multi-factor authentication and provides employees with specific training to identify malicious attempts to gain access to the network. The City is under constant attack from malicious actors trying to gain access to City assets which creates large amounts of logged data. As a result, the City is requesting approval to replace the current SIEM tool with a more robust product capable of allowing IT staff to analyze these large data sets, detect malicious network activity, and respond to threats quickly and accurately. This SIEM improves operational efficiency by using workflow-based context for automated and human-assisted decisions. The tool also includes intuitive query capability, canned criminal justice reports and integrates with other tools to make managing log data simpler, saving valuable staff time.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
56060103 505455			\$40,000	\$37,673.13

Financial Summary:

Years 2 and 3 of the agreement will be budgeted in the Information Technology Dues and Subscription budget line item for fiscal years 2024 and 2025.

Recommendation

Staff recommends approval of the purchase of a three-year Security information and event management enterprise software agreement in the amount of \$113,019.39 (\$37,673.13 annually) from Software House International.

REQUESTED CITY COMMISSION ACTION:

Approve

City of Kissimmee

Department: Information Technology

Presenter:

Attachment(s):

1. (S) Security Information and Event Monitoring Enterprise Software Agreement - Vendor Signed
11.9.2022

ITEM 7.D

First Amendment to the Community Development Block Grant (CDBG) Contract - Hudson Street Public Improvements

Request

Approve the First Amendment to the CDBG Program Contract with DB Civil Construction, LLC for the Hudson Street Improvement Project.

Explanation

On January 24, 2022, the City of Kissimmee entered into a CDBG contract with DB Civil Construction, LLC to pay for paving and other improvements to the Hudson Street project. Per the contract, the completion date for the project was September 30, 2022.

However, due to a number of unforeseen circumstances such as delays in availability and delivery of materials and the most recent hurricane, the project was not completed on time. The contractor is requesting additional time to complete the project. In order for the project to be completed and to allow staff to conduct all of the administrative close-out steps necessary once it is completed, staff would like for the contract to be extended until March 30, 2023. The contract price of \$373,204 remains unchanged.

Recommendation

Approve the First Amendment to the CDBG Program Contract with DB Civil Construction, LLC for the Hudson Street Improvement Project.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. (S) First Amendment to the CDBG Contract - Hudson Street Improvements

ITEM 7.E

Approval of Task Work Orders with RS&H, Inc. for Design Services of the Woodside Drainage Improvement Project

Request

Approval of Task Work Order No. 5 & 6 with RS&H, Inc. to provide additional design services for the Woodside Drainage Improvement project.

Explanation

On February 1, 2022, the City Commission approved Amendment No. 4 to Task Work Order No. 4 to increase the design cost by \$64,560.34 in order to address the Federal Aviation Administration (FAA) requirements of an Obstruction Evaluation/Airport Airspace Analysis permit, as well as phasing coordination and a redesign of the storm drain along the airport to limit construction activities near the medium-intensity approach lighting system. Also required, was a redesign of the storm drain along Dyer Boulevard as a result of utility conflicts.

Subsequently, during the design phase of this project, additional unforeseen issues were discovered impacting the design schedule and cost to complete this project:

Task Work Order No. 5 will increase the current contract by \$92,220.00. This will require additional coordination with the Kissimmee Gateway Airport (ISM) and FAA, additional utility coordination, designation, and engineering (topographic survey) within ISM, revising and resubmital of FAA Form 7460-1 and the Construction Safety and Phasing Plan to ISM and FAA, and revision of construction documents to address the persistent structural flooding within Mirador at Woodside Apartments. These additional services are within the project limits from west of Hoagland Blvd. to east of Dyer Blvd.

Task Work Order No. 6 will increase the current contract by \$74,580.00. This will also require additional design, plans production, environmental permitting, survey, and utility services to expand a portion of the airport canal immediately upstream of Shingle Creek and address the persistent structural flooding within Mirador at Woodside Apartments. These additional services are within the project limits from west of Heron Ditch to Shingle Creek and will complete the final design and environmental permitting for the Woodside Drainage Improvement Project, Phase 2.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
40945206 506393	SW1827		\$379,749.99	\$92,220.00
40945206 506393	SW1827		\$287,530.00	\$74,580.00

Financial Summary:

Adequate funds are available in the SW1827 project to cover the cost of the additional design services.

Recommendation

Staff recommends approval of Task Work Order No. 5 & 6 with RS&H, Inc. to provide additional design services for the Woodside Drainage Improvement Project.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

1. (S) RS&H Woodside Work Order SA 5
2. (S) RS&H Woodside Work Order SA 6

ITEM 7.F

Approval of Purchase Agreement between Argo Partners and City of Kissimmee to purchase claims against Physicians United Plan, Inc.

Request

Staff requests approval of the Purchase Agreement between Argo Partners and City of Kissimmee which will result in the receipt of \$31,146.63 of the \$50,236.50 owed by Physicians United Plan, Inc.

Explanation

In 2014, Physicians United Plan, Inc. declared bankruptcy and currently owes the City \$50,236.50 for outstanding insurance payments for ambulance transports. The City has a claim in the amount of \$50,236.50 against Physicians United Plan, Inc. in the Second Judicial Circuit Court in Leon County, Florida (Bankruptcy Case Number 2014-CA-14722021). If the City were to receive any funds from the court claim, it would result in a percentage of return lower than the 62% which the City would receive from Argo Partners due to sharing of court awarded funds among the various owed entities.

Argo Partners is a U.S. based investment firm specializing in the buying and selling of claims in various bankruptcies and liquidations, both in the U.S. and abroad. They have been providing vital liquidity options to creditors with illiquid holdings for 30 years. On August 17, 2022, the Fire Department was contacted by Aidan Cordero of Argo Partners about purchasing our claims in the above referenced case. After some negotiation, the City has agreed to sell our claims at the rate of 62%, plus a 50% share of any cash recoveries received by Argo Partners from Physicians United Plan, Inc. in excess of 80% of the allowed claim. By accepting their offer, the City will receive \$31,146.63 of the \$50,236.50.

Recommendation

Staff recommends approval of the Purchase Agreement with Argo Partners which will result in the receipt of \$31,146.63.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Fire

Presenter:

Attachment(s):

1. Argo Partners - Term Sheet
2. (S) Assignment of Claim - Signed by Vendor 11.8.2022
3. (S) Purchase Agreement - Signed by Vendor 11.8.2022
4. (S) Assignment of Claim Request Change Form

ITEM 7.G

Recommendation to Award Trinity Electrical Services, Inc. to construct Secondary Weather Sensor

Request

Request Commission approval to award a construction contract and authorize staff to issue Notice to Procure and to Proceed to Trinity Electrical Services, Inc. (Trinity) for a Secondary Weather Sensor (AWOS-1) unit at the Kissimmee Gateway Airport.

Explanation

Per FAA requirements, the Kissimmee Gateway Airport is to install a secondary weather observation system to support the Air Traffic Control Tower services. A competitive bid process was conducted with Trinity being the sole bid (this is very specific work with limited contractor availability) at \$311,000. A Recommendation to Award Letter has been sent, reviewed, and approved by the Florida Department of Transportation (FDOT). On June 1, 2021, the City Commission accepted an FDOT 80% Public Transportation Grant Agreement (PTGA) for this project. At that time, the airport's responsibility was 20%, which is \$75,000. Due to the increase in prices, the selected bid came in higher than estimated over 12 months ago, and the new airport responsibility is \$90,100.

FDOT does not have any additional funds allocated for this project. Therefore, Avcon, Inc. has agreed to reduce "Special Services, No.2-B. for Part-Time Inspection Expenses" in the amount of \$37,492.50 from their amendment No. 10 Agreement. In addition to this reduction, a transfer of \$15,100 from reserves is needed to meet the gap in the increased bid price.

Separate agenda items will follow to request a reduction of a previously approved line item for Avcon, Inc. Amendment No. 10 and a request for a transfer from Airport Reserves.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
46170106-506393	AP2102		\$311,000	\$311,000

Financial Summary:

The initial estimated cost of this project was \$375,000 with 80% funded by the Florida Department of Transportation and the Kissimmee Gateway Airport responsible for 20%. Due to the increase in costs, the airport will take an additional \$15,100 from reserves to cover the additional funding need. The new total project amount is \$390,100.00 with each agency funding the following amounts:

FDOT-PTGA (Grant #: 449265-1-94-01) \$300,000
Kissimmee Gateway Airport \$90,100

Recommendation

City of Kissimmee

Staff recommends Commission approval to award a construction contract and authorize staff to issue Notice to Procure and to Proceed to Trinity to construct a Secondary Weather Sensor (AWOS-1) unit at the Kissimmee Gateway Airport.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):

1. AWOS Trinity-Avcon Recommendation to Award Letter
2. (S) Trinity Contract Agreement (3pgs)
3. AP2102 Secondary Weather Station- Resolution
4. CC Agenda Item 06-01-2021 Item 7.E
5. CC Agenda Item 06-01-2021 Item 7.G
6. EXECUTED Public Transportation Grant Agreement AWOS

ITEM 7.H

Amendment No. 14 to the Professional Service Agreement with AVCON, Inc. for bidding and engineering services to oversee the construction of a Weather Station at Kissimmee Gateway Airport

Request

Request Commission approval of Amendment No. 14 to the professional service agreement between the City of Kissimmee and AVCON, Inc. dated December 19, 2017, for the design, bidding, and construction engineering services for the construction of a Weather Station.

Explanation

Due to their experience in the aviation and planning field, the Kissimmee Gateway Airport has selected AVCON, Inc. to provide professional services to design, bid and oversee the construction of the airport's weather station. Construction services will also include on-site inspections, control and testing of materials, and record drawings of final construction.

The FAA requires the Federal Contract Tower at the Kissimmee Gateway Airport to provide air traffic services including up-to-date weather information for the pilots. As part of the requirements, a secondary weather system is to be installed at the airport to provide backup data in the event of a failure of the primary system. On June 1, 2021, the City Commission accepted a Florida Department of Transportation (FDOT) 80% Public Transportation Grant Agreement (PTGA) for this project. At that time, the airport's responsibility was 20%, which is \$75,000. Due to the increase in prices, the selected bid came in higher than estimated over 12 months ago, and the new airport responsibility is \$90,000.

FDOT does not have any additional funds allocated for this project. Therefore, Avcon, Inc. has agreed to reduce "Special Services, No.2-B. for Part-Time Inspection Expenses" in the amount of \$37,492.50 from their amendment No. 10 Agreement. In addition to this reduction, a transfer of \$15,100 from reserves is needed to meet the gap with the increased bid price.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47070106-506393	AP2102	Increase	\$375,000	\$15,100

Financial Summary:

The initial estimated cost of this project was \$375,000 with 80% funded by the Florida Department of Transportation and the Kissimmee Gateway Airport responsible for 20%. Due to the increase in costs, the airport will take an additional \$15,100 from reserves to cover the additional funding need. The new total project amount is \$390,100.00 with each agency funding the following amounts:

FDOT-PTGA (Grant #: 449265-1-94-01) \$300,000
Kissimmee Gateway Airport \$90,100

Recommendation

Staff recommends Commission approval of Amendment No. 14 to the professional service agreement between the City of Kissimmee and AVCON, Inc. dated December 19, 2017, for the design, bidding, and construction engineering services for the construction of a Weather Station.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):

1. (S) Amendment No. 14 to the Airport Consulting Agreement City of Kissimmee and AVCON, Inc.
2. 7-2 Avcon Amendment No. 10 - Secondary Weather Station AP 2102 - \$116,492.50
3. 7-3 CC Agenda Item 06-01-2021 Item 7.G
4. 7-4 EXECUTED Public Transportation Grant Agreement AWOS
5. 7-5 AP2102 Secondary Weather Station- Resolution

ITEM 7.I

Request to use funds from airport reserves for Auxiliary Weather Station to support the Air Traffic Control Tower

Request

Request Commission approval to transfer funds from Airport Reserves to complete financial requirements for an Automated Weather Observation System an FAA requirement to support the air traffic control tower.

Explanation

The FAA requires the Federal Contract Tower at the Kissimmee Gateway Airport to provide air traffic services, including up-to-date weather information for the pilots. As part of the requirements, a secondary weather system is to be installed at the airport to provide backup data in the event of a failure of the primary system. On June 1, 2021, the City Commission accepted an FDOT 80% Public Transportation Grant Agreement (PTGA) for this project by resolution. At that time, the airport's responsibility was 20%, which is \$75,000. Due to the increase in prices, the selected bid came in higher than estimated over 12 months ago, and the new airport responsibility is \$90,000.

FDOT does not have any additional funds allocated for this project. Therefore, Avcon, Inc. has agreed to reduce "Special Services, No.2-B. for Part-Time Inspection +Expenses" in the amount of \$37,492.50 of their amendment No. 10 Agreement. In addition to this reduction, a transfer of \$15,100 from reserves is needed to meet the gap of the increased bid price.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
46170100-509276	AP2102	Decrease	15,100	15,100
47070106-506393	AP2102	Increase	15,100	15,100

Financial Summary:

The initial estimated cost of this project was \$375,000 with 80% funded by the Florida Department of Transportation and the Kissimmee Gateway Airport responsible for 20%. Due to the increase in costs, the airport will take an additional \$15,100 from reserves to cover the additional funding need. The new total project amount is \$390,100.00 with each agency funding the following amounts:

FDOT-PTGA (Grant #: 449265-1-94-01) \$300,000
Kissimmee Gateway Airport \$90,100

Recommendation

Staff recommends Commission approval to transfer funds from the Airport Reserves to the weather station project for a total of \$15,100.

City of Kissimmee

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

None

ITEM 7.J

Knightsbridge Phase 1 Major Subdivision, Final Plat (DRC# SR-22-0009)

Request

Approval of the final plat known as Knightsbridge Phase 1, with performance guarantee/agreement.

Explanation

The owners of the property, Lennar Homes, LLC, and Parisa Sabeti and Pegah Sabeti, are requesting final plat approval with a guarantee, in accordance with the City's Land Development Code (LDC) requirements. This is a major subdivision, as defined in LDC §14-3, and was reviewed using the City's preliminary and final plat procedures.

The property is located southeast of South Poinciana Boulevard and north of Old Tampa Highway and is zoned Short Term Rental Planned Unit Development (SRPUD). The 40.55+/- acre parcel is being subdivided into 9 tracts and 127 fee-simple lots for development purposes. All tracts and lots are to be privately owned and maintained.

The owners posted a performance bond in the amount of \$7,959,089.19 and entered into a performance guarantee agreement with the City to guarantee the construction of the required subdivision improvements for Knightsbridge Phase 1 (DRC# 06-00032) until their completion, inspection, and certification by the City of Kissimmee, as required by LDC §14-3-43(A).

This major subdivision plat has been prepared in accordance with the City's Land Development Code and Florida Statutes Chapter 177 requirements.

Recommendation

Staff recommends City Commission approval of the Knightsbridge Phase 1 final plat with performance guarantee/agreement.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. (S) SR-22-0009 Knightsbridge PH 1_FP - Final Plat
2. (S) SR-22-0009 Knightsbridge PH 1_FP - Performance Guarantee Agreement
3. SR-22-0009 Knightsbridge PH 1_FP - Performance Guarantee
4. SR-22-0009 Knightsbridge PH 1_FP - Vicinity Map

ITEM 7.K

Approval to Adjust the Fiscal Year 2021-2022 Budget

Request

This request is for Commission approval to adjust the budget for fiscal year 2021-2022 due to line-item variances in certain department budgets.

Explanation

As detailed in the attached spreadsheet, several budget adjustments must be made to properly report expenditure budgets for the fiscal year ended September 30, 2022.

In the General Fund, the bad debt expense exceeded budget by \$1,353,979 due to the write-off of uncollectable ambulance services. The amount written off is based on amounts provided by a new collections company used by the City. The overage of \$1,353,979 in the General Fund will be taken from reserves. The budget will also be adjusted by \$900,600 to account for the new GASB 87 requirement for the lease of equipment under the red light camera program. This money will come from other financing sources.

In the Kissimmee Charter School Fund, an additional transfer of \$382,885 is necessary to cover additional costs for Professional Services. This transfer will be taken from reserves.

In the Central Services Fund, a budget adjustment of \$168,095 is necessary to account for additional expenditures in the vehicle parts line. Reserves in this fund will cover the shortage.

Retirement Contributions accounts in all divisions were under budget due to a mistake in the budgeting process. A total of \$571,769 is needed for all funds affected. This amount will be taken from reserves on each individual fund.

Recommendation

Staff recommends the Commission approve the necessary adjustments to the budget for 2021-2022 as detailed in the attached document.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Finance

Presenter:

Attachment(s):

1. 2021-2022 Budget Adjustments

ITEM 7.L

Osceola Village Center Phase 2 Major Subdivision, Final Acceptance with Condition (DRC# 19-00100)

Request

Acceptance of the required subdivision improvements with conditions for Phase 2 of the subdivision known as Osceola Village Center.

Explanation

Stanley Martin Homes (Developer) is requesting acceptance of the subdivision improvements constructed with the development known as Osceola Village Center Phase 2, in accordance with the City's Subdivision Site Improvements and Inspection and Certification procedures (LDC §14-3-43).

This subdivision is located east of South 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 condition:

1. The developer shall provide updated record drawings to the City within thirty (30) days of final acceptance.

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

The owner has posted a maintenance bond in the amount of \$48,266.55 to assure the satisfactory condition of the required subdivision improvements for a period of one (1) year from formal acceptance by the City Commission.

The City Commission previously approved the final plat for this subdivision, Osceola Village Center Phase 2, on 10/4/2022.

Recommendation

Staff recommends City Commission acceptance of the subdivision improvements for Osceola Village Center, Phase 2 with this condition.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. DRC-19-00100 Osceola Village Center PH 2_FA - Maintenance Bond + Rider
2. DRC-19-00100 Osceola Village Center PH 2_FA - Vicinity Map

ITEM 7.M

Resolution 26-2022 - Ratification of City Manager Declaration of Local State of Emergency and Extension of State of Emergency

Request

City Commission ratification of Executive Order 2022-02 issued November 07, 2022 for the Local Declaration of Emergency to November 14, 2022, and approval to extend the Declaration to November 21, 2022.

Explanation

City Manager Steigerwald, as authorized by City Code Section 14-20, issued the original Local State of Emergency on November 07, 2022. Extension of the original Executive Order is necessary due to the ongoing recovery from both Hurricane Ian and Tropical Storm Nicole.

Recommendation

Staff recommends adoption of the resolution.

REQUESTED CITY COMMISSION ACTION:

Approve
Adopt

Department: City Attorney
Presenter:

Attachment(s):

1. (S) Resolution 26-2022 - Ratification of City Manager Declaration of State of Emergency

ITEM 8.A

2023 City Commission Meeting Calendar

Request

Request City Commission approval to establish the Commission meeting calendar for 2023.

Explanation

Every year the City Commission adopts the calendar for the upcoming year in order to assist staff in scheduling agenda items and to notify the Commission, staff, and the public of the Commission meeting schedule.

Since the Commission holds its meetings on the 1st and 3rd Tuesday of each month, these dates are checked first to confirm there is no conflict with City Holidays. For 2023, Independence Day (July 4th) falls on the first Tuesday of July and therefore that meeting will need to be canceled or rescheduled. The second date for consideration is the first meeting of 2023 which is immediately following the New Years' holiday on Tuesday, January 3rd. Staff recommends cancelation of this meeting due to overall staffing during the Christmas and New Years' holiday.

After any discussion, staff recommends the Commission accept the full calendar for 2023, including the dates as listed for the Annual Commission Retreat, Budget Workshop, City Manager and City Attorney Annual Evaluations, and the Budget Hearings. The Budget Hearings have been tentatively scheduled for the 1st and 3rd Tuesday in September. However, the City is statutorily required to yield our adoption dates to Osceola County and the Osceola County School District. In order to comply, the dates will be confirmed later in the year.

While the Commission meetings are established, Workshops and CRA meetings will also be scheduled as necessary throughout the year.

Recommendation

After Commission discussion, staff recommends approval of the 2023 City Commission Meeting Calendar with the cancelation of January 3, 2023 and July 4, 2023.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. 2023 Tentative Dates for Approval - 11-15-2022 Agenda