



**MEETING AGENDA
SESSION OF THE CITY COMMISSION
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, APRIL 4, 2023 AT 6:00 PM**

1. MEETING CALLED TO ORDER

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

3.A Employee of the Month for April - Suzanne Negron

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

5. PUBLIC HEARINGS

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 March 21, 2023, meeting

7.B Authorization to Accept Grant Award for the Fiscal Year 2021 Justice Assistance Grant – Countywide (Jag-C) Program made available by The U.S. Department of Justice (USDOJ)

7.C Request transfer of funds from Airport Reserves to purchase a replacement vehicle

7.D Correction to cost of Fire Apparatus Driving Simulator

7.E Approval to utilize Department of the Treasury Federal Asset Sharing Trust Funds for purchase of Driving Simulator Trailer

7.F Approval of the Estoppel and Agreement between the City of Kissimmee, the Downtown Kissimmee Community Redevelopment Agency and Skyview.

7.G Approval of the Agreement to Cooperate between the City of Kissimmee and Skyview.

8. DISCUSSION ITEMS

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

8.A Approval of the Estoppel between the City of Kissimmee, the Downtown Kissimmee Community Redevelopment Agency and Skyview.

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

8.B Advisory Board Vacancies: Board of Adjustment and Planning Advisory Board

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

Employee of the Month for April - Suzanne Negrón

Request

That the City Commission join the City Manager in recognizing Suzanne Negrón, Development Services, as April's Employee of the Month.

Explanation

The City is pleased to announce that the Employee of the Month for April is Suzanne Negrón, Administrative Assistant for the Community Redevelopment Agency (CRA), which is part of the Development Services (DS) Department. Suzanne has just passed her 23rd anniversary with the City.

Suzanne is multi-faceted and able to adapt to the needs at hand. This is evidenced by the positions she's held throughout her career in: Public Works, the City Attorney's office, and the CRA. During part of her tenure with the CRA, the department was in between Managers. Suzanne kept the responsibilities of the CRA going, assisting with the state requirements and current regulations. She takes great pride in her work and goes above and beyond when assisting owners with grants for their downtown businesses. She's even involved with details such as the banners and holiday lights on the downtown streets.

Suzanne is an asset to the DS Department, and the City. She translates for non-English speaking customers, assists with office coverage for other departments, and helps organize DS gatherings – she pitches in wherever needed. For this, and all she brings to the City, we are pleased to recognize Suzanne.

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 7.A**Approval of City Commission Minutes from the March 21, 2023, meeting****Request**

Request Commission approval of the Tuesday, March 21, 2023, Commission Minutes.

Explanation

Minutes of the Commission meeting held on Tuesday, March 21, 2023, are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Commission

Presenter:

Attachment(s):

1. (S) 03-21-2023 Minutes TC LH Edits Final for Agenda

ITEM 7.B

Authorization to Accept Grant Award 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 accept grant award for the fiscal year 2021 Justice Assistance Grant – Countywide (JAG-C) Program in the amount of \$26,219.04, and approval to amend the budget accordingly.

Explanation

The Kissimmee Police Department began the application process for the Countywide JAG-C grant in August 2022. The grant application specifically applied for the purchase of bicycles for our Emergency Response Team (ERT). Our ERT works closely with local regional teams to address any incidents of civil unrest, planned protests and spontaneous gatherings of large crowds. The Kissimmee Police Department has 18 members assigned to the Emergency Response Team. 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.

On January 31, 2023 we received our award agreement from the Florida Department of Law Enforcement which requires the signature of our chief official, identified as the Mayor of Kissimmee, per the grant application.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
11500331-331200		Increase	\$26,220	
11530306-506494		Increase	\$26,220	

Financial Summary:

This is a reimbursement grant. Upon completion, invoice will be sent for reimbursement.

Recommendation

Staff recommends approval for the City of Kissimmee Police Department to accept the Justice Assistance Grant – Countywide (JAG-C) allocation of \$26,219.04 for fiscal year 2021.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Police

Presenter:

City of Kissimmee

Attachment(s):

1. (S) - JAGC-8C215 Federal Award Agreement

ITEM 7.C

Request transfer of funds from Airport Reserves to purchase a replacement vehicle

Request

Request Commission approval to transfer additional funds of \$5,400.00 from Airport Reserves to purchase a replacement vehicle (AP24, pickup).

Explanation

The budget for this replacement vehicle is \$34,000.00 and due to inflation costs, the State Contract price is \$41,629.00, a difference of \$7,629.00. The Airport budget currently has remaining allocated funds of \$2,252.00 from two recent equipment purchases requiring a budget transfer with City Manager's approval. This leaves a remaining amount of \$5,377.00 to be transferred from Airport Reserves. Once the new vehicle is purchased and received, the existing AP24 will be auctioned to recover these funds at a later date.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
46170100-509276	AP2304	Decrease	5,400	
46170106-506495	AP2304	Increase	5,400	

Financial Summary:

Request transfer of funds from Airport Reserves to complete the purchase of a replacement vehicle in the amount of \$5,400.

Recommendation

Staff recommends Commission approval to transfer additional funds of \$5,400.00 from Airport Reserves to purchase a replacement vehicle (AP24, pickup).

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport
Presenter:

Attachment(s):

1. Vehicle Proposal

City of Kissimmee

ITEM 7.D

Correction to cost of Fire Apparatus Driving Simulator

Request

Approval to purchase a Fire Apparatus Driving Simulator at the corrected cost of \$130,125.

Explanation

On February 7, 2023, the Commission approved the purchase of a ST-Genesis Series Fire Apparatus Driving Simulator from Sim-Tech for the amount of \$115,275. Unfortunately, when assembling that agenda item, the cost of the software was omitted. This software was originally budgeted for and is included in project ST2300.

We are submitting this agenda item to correct the total cost of the Fire Apparatus Driving Simulator to \$130,125. The breakdown of this cost is shown below.

ST-Genesis Series Fire Apparatus Driving Simulator:	\$ 98,775
ST-Genesis Series Driving Simulator Motion Package:	\$ 14,850
ST-Genesis Series Driving Simulator 1 year extended warranty:	\$ 16,500
Total Cost:	\$130,125

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10435106 506494	ST2300		145,432	130,125

Financial Summary:

The balance of this project, \$15,307, will be combined with funds from the Police Department to purchase an air-conditioned trailer in which the Driving Simulator will be mounted.

Recommendation

Approval to purchase a Fire Apparatus Driving Simulator at the corrected cost of \$130,125.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Fire
Presenter:

City of Kissimmee

Attachment(s):

1. Driving Simulator Quote

ITEM 7.E

Approval to utilize Department of the Treasury Federal Asset Sharing Trust Funds for purchase of Driving Simulator Trailer

Request

The Police Department is requesting that the Commission approve the use of up to \$89,693 of Department of the Treasury (Treasury) Federal Asset Sharing Trust (FAST) Funds to purchase an air-conditioned trailer to house the ST-Genesis Series Fire Apparatus Driving Simulator (Driving Simulator) purchased earlier this year, and to amend the budget accordingly.

Explanation

KPD and KFD would like to purchase an air-conditioned trailer to house the Driving Simulator in order to transport the Driving Simulator to different fire stations, KPD Headquarters, the City's Public Safety Training Center, and other City locations. The purchase of this trailer will allow city employees to utilize the Driving Simulator for training purposes while minimizing or eliminating employees' travel time to and from the training. Despite the title "Fire Apparatus Driving Simulator," this device also simulates the driving of several types of vehicles used by KPD and other City departments, including KPD's SWAT vehicle, KPD's mobile command post, police sedans and SUVs, pickup trucks of various sizes, and garbage trucks. KPD, in particular, will use the Driving Simulator to supplement routine and remedial driving training. The total cost of the air-conditioned trailer is \$105,000. KPD seeks to use up to \$89,693 in FAST funds and KFD seeks to use \$15,307 of previously budgeted funds to make this purchase. KPD has determined that use of FAST funds in this manner is permissible according federal guidelines because the air-condition trailer qualifies as public safety operations equipment. In abundance of caution, KPD has contacted the Treasury for guidance as to whether expending FAST funds in this manner is permissible and the Treasury advises that expenditure of funds in this manner is considered permissible.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
02430306-506495		Increase	\$89,693	
02400284-284000		Increase	\$89,693	

Financial Summary:

Adequate funding is available within the Treasury Forfeiture fund for this equipment.

Recommendation

Staff recommends approval of the use of FAST money for the purchase of the Driving Simulator Trailer, and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

City of Kissimmee

Approve

Department: Police

Presenter:

Attachment(s):

None

ITEM 7.F

Approval of the Estoppel and Agreement between the City of Kissimmee, the Downtown Kissimmee Community Redevelopment Agency and Skyview.

Request

Approval of the Estoppel and Agreement between the City of Kissimmee, the Downtown Kissimmee Community Redevelopment Agency and Skyview.

Explanation

In efforts to assist Skyview to close on the loan that will enable purchase and development of Phase 1 of the Beaumont Redevelopment Site, The Allen at Beaumont, an Estoppel is necessary to facilitate the process.

The Estoppel provides an opportunity for the Lender to step into the shoes of the Developer in the event of a default and also allows the Lender to be provided with information regarding changes in the Master Development without asserting any unnecessary influence on the Public-Private Partnership.

Approval of this document will likely have little to no impact on the City, but will help ensure the purchase of Phase 1 of the Beaumont Redevelopment Site and development of the same to Skyview and its assignee.

Recommendation

Approval of the Estoppel and Agreement between the City of Kissimmee, the Downtown Kissimmee Community Redevelopment Agency and Skyview.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. (S) Doc#_50550290_v_1_Estoppel and Agreement

ITEM 7.G

Approval of the Agreement to Cooperate between the City of Kissimmee and Skyview.

Request

Approval of the Agreement to Cooperate between the City of Kissimmee and Skyview.

Explanation

In order for Skyview to close on the loan that will enable the purchase and development of Phase 1 of the Beaumont Redevelopment Site, The Allen at Beaumont, an Agreement to Cooperate is necessary to facilitate the process.

The Agreement to Cooperate allows the City (as the property owner) and Skyview to take affirmative or defensive action in the event that the century-old Right of Reverter is exercised on the three strips of property on the Phase 1 parcel. The likelihood of such an occurrence is de minimis given that this property has been previously conveyed and no heir who may have been vested with the entitlement to invoke the Right has done so.

Approval of this document is likely to have little to no impact on the City but will help ensure the purchase of Phase 1 of the Beaumont Redevelopment Site and development of the same to Skyview and its assignee.

Recommendation

Approval of the Agreement to Cooperate between the City of Kissimmee and Skyview.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. (S) Doc#_50546557_v_1_Agreement to Cooperate

ITEM 8.A

Approval of the Estoppel between the City of Kissimmee, the Downtown Kissimmee Community Redevelopment Agency and Skyview.

Request

Approval of the Estoppel between the City of Kissimmee, the Downtown Kissimmee Community Redevelopment Agency and Skyview.

Explanation

In order for Skyview to close on the loan that will enable purchase and development of Phase 1 of the Beaumont Redevelopment Site, The Allen at Beaumont, an Estoppel is necessary to facilitate the process:

The Estoppel provides an opportunity for the Lender to step into the shoes of the Developer in the event of a default and also allows the Lender to be provided with information regarding changes in the Master Development without asserting any unnecessary influence on the Public-Private Partnership.

Approval of this document will likely have little to no impact on the City, but will help ensure the purchase of Phase 1 of the Beaumont Redevelopment Site and development of the same to Skyview and its assignee.

Recommendation

Approval of the Estoppel and Agreement between the City of Kissimmee, the Downtown Kissimmee Community Redevelopment Agency and Skyview .

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Samia Singleton

Attachment(s):

1. (S) Doc#_50550290_v_1_Estoppel and Agreement

ITEM 8.B

Advisory Board Vacancies: Board of Adjustment and Planning Advisory Board

Request

The Commission is requested to make appointments to fill vacancies on the Board of Adjustment and Planning Advisory Board.

Explanation

Commissioner Castano appointed Jeniffer Salas to the Board of Adjustment on October 18, 2022, pending review of an application that was to be filed. Ms. Salas' application was received, but upon review she did not qualify for the position. She was notified and submitted a second application with changes but she still did not qualify for the position on the grounds she is not a City resident and does not own or operate a business in the City. Since the term expiration date for this vacancy is set for May 31, 2023, City staff requests that the appointment be made for the remainder of the term, plus an additional three (3) full year term, expiring on May 31, 2026. Seat # 1 was originally assigned the Board of Adjustment vacancy and it has been reassigned to Seat # 1 due to the applicant not qualifying for appointment.

Commissioner Eady appointed Yohanna Cruz to the Planning Advisory Board on February 21, 2023, pending review of an application that was to be filed. Ms. Cruz's application was received, but upon review she did not qualify for the position as she is not a City resident and does not maintain a business office in the City limits. Seat # 2 was originally assigned the Planning Advisory Board vacancy and it has been reassigned to Seat # 2 due to the applicant not qualifying for appointment.

Planning Advisory Board Member, Jeffrey Wolff missed more than half of the scheduled meetings for the calendar year of 2022. City Code Section 2-146, states that "in the event that an appointee misses three consecutive meetings or at least one-half of the meetings of the calendar year, he shall be considered to have resigned and a new replacement may be appointed." Mr. Wolff's term is set to expire on May 31, 2023. When an appointment is made, City staff requests that the appointment be made for the remainder of the term, plus an additional three (3) full year term, expiring on May 31, 2026. Seat # 3 has been assigned this Planning Advisory Board vacancy.

The Commissioners will have 30 days to make an appointment. If no extension is requested, the appointment will automatically roll over to the next Commissioner in the rotation.

Commissioner Rotation:	Appointment Expires:	Advisory Board:	Board Term Expires:	Requirements:
Seat #1 - Castano <i>*No applications currently on file*</i>	1/17/2023 2/21/2023 3/21/2023 4/18/2023	Board of Adjustment	05/31/2023 (requesting filling of partial term, plus new three (3) year term, ending 05/31/2026)	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.

Seat #2 - Eady <i>*No applications currently on file*</i>	2/21/2023 4/04/2023	Planning Advisory Board	05/31/2024	Member must be a City resident or maintain a business office within the City.
Seat #3 - Alvarez <i>*No applications currently on file*</i>	2/21/2023 3/21/2023 4/18/2023	Planning Advisory Board	05/31/2023 (requesting filling of partial term, plus new three (3) year term, ending 05/31/2026	Member 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 appointments to fill vacancies on the Board of Adjustment and Planning Advisory Board.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

None