



**MEETING AGENDA
SESSION OF THE COMMISSION AGENDA
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, MAY 2, 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 Proclamation - National Day of Prayer 2023
- 3.B Proclamation - Foster Youth Connection Month 2023
- 3.C Proclamation - Arab American Heritage Month
- 3.D Swearing In of New Police Chief Betty Holland
- 3.E Retirement of Fire Department Chaplain Peter Zieg
- 3.F Employee of the Month for May - Michael Kane
- 3.G Service Awards for January, February and March

- 4. PUBLIC HEARINGS - FIRST AND SECOND READINGS**

- 4.A Public Hearing - First Reading - Proposed Ordinance # 23-03 - Amending the Firefighters Retirement Plan

AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION III, FIREFIGHTERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-140, DEFINITIONS; AMENDING SECTION 30-143, FINANCES AND FUND MANAGEMENT - ESTABLISHMENT AND OPERATION OF FUND; AMENDING SECTION 30-146, PRE-RETIREMENT DEATH; AMENDING SECTION 30-148, VESTING; AMENDING SECTION 30-156, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 30-164, MILITARY SERVICE PRIOR TO EMPLOYMENT; AMENDING SECTION 30-167, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 30-168, PRIOR FIRE SERVICE; AMENDING SECTION 30-170, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS, CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

- 4.B Public Hearing - First Reading - Proposed Ordinance # 23-04 - Amending the General Employees Retirement Plan

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 30-87, FINANCES AND FUND MANAGEMENT, ESTABLISHMENT AND OPERATION OF FUND; AMENDING

SECTION 30-90, PRE-RETIREMENT DEATH; AMENDING SECTION 30-93, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 30-98, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 30-105, MILITARY SERVICE PRIOR TO EMPLOYMENT; AMENDING SECTION 30-108, PRIOR GOVERNMENT SERVICE; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

- 4.C Public Hearing - First Reading - Proposed Ordinance # 23-05 - Amending Chapter 22-26, Article II: Noise

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA; AMENDING ARTICLE II NOISE, SECTION 22-26 REPLACING SPECIAL MAGISTRATE WITH CITY HEARING OFFICER; REMOVING SECTION 22-26(B); PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

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 the First Amendment to the License Agreement between the City of Kissimmee and Green Meadows Farm Ltd. for use of a portion of Lancaster Ranch Park
- 7.B Approval of Grant Agreement B-22-CP-FL-0261 between the U.S. Department of Housing and Urban Development (HUD) and the City of Kissimmee for the Berlinsky House Reconstruction Project
- 7.C Kathy's Corner - Final Plat (DRC# SR-22-0012)
- 7.D Approval to accept Interlocal Agreement between City of Kissimmee and Overoaks Community Development District relating to the Right-of-Way Maintenance Agreement for Landscaping
- 7.E Disposal of City Assets
- 7.F First Right of Refusal to Lease Property at the Kissimmee Gateway Airport for Land Development, LLC at Patrick Street
- 7.G First Right of Refusal to Lease Property at the Kissimmee Gateway Airport for T28, LLC at Aviation Way
- 7.H Budget transfer for the Building Division to cover credit card processing cost for FY2023

8. DISCUSSION ITEMS

- 8.A Social Services Funding Awardee Update - Help Now of Osceola, Inc.
- 8.B KUA Board of Directors Appointment

Commission Agenda – May 2, 2023

8.C Advisory Board Vacancy - Planning Advisory Board

8.D Annual Advisory Board vacancies with terms ending May 31, 2023

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 Commission Agenda 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 - National Day of Prayer 2023

Request

The request is for the Commission to present a Proclamation to Randy Law, President of National Day of Prayer of Osceola County, Inc.

Explanation

N/A

Department: City Manager

Presenter:

Attachment(s):

1. Proclamation- National Day of Prayer 2023

ITEM 3.B

Proclamation - Foster Youth Connection Month 2023

Request

The request is for the Commission to present a Proclamation to Pastor Rupert Henry, founder of Foster Youth Connection.

Explanation

N/A

Department: City Manager

Presenter:

Attachment(s):

1. Proclamation- Foster Youth Connection 2023

ITEM 3.C

Proclamation - Arab American Heritage Month

Request

The request is for the City Commission to present a Proclamation to Neal Abid, Florida Chapter Lead at the Arab American Foundation.

Explanation

Recommendation

REQUESTED CITY COMMISSION ACTION:

No Action

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. Proclamation- Arab American Heritage Month 2023

ITEM 3.D

Swearing In of New Police Chief Betty Holland

Request

The request is for the City Commission to welcome the new Police Chief for the City of Kissimmee, Chief Betty Holland.

Explanation

Upon completion of the internal selection process, Betty Holland was selected by the City Manager to fill the position of Chief of Police. Chief Holland was selected from among five internal candidates for the position. She has served for the past five years as Deputy Chief for the Kissimmee Police Department, and, prior to that, retired as a Captain from the Polk County Sheriff's Office, where she served for 30 years.

Chief Holland's experience in a variety of roles in law enforcement, including acting as Chief in the absence of our former chief, will enable her to step into her new role quickly and seamlessly. Her more than 20 years of supervisory experience in Kissimmee and Polk County, including time as director of the Polk County Sheriff's Police Academy, have well positioned her to continue our quest to build the Kissimmee Police Department into one of the most respected law enforcement agencies in the State.

Chief Holland began her tenure as Police Chief on April 29, 2023.

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 3.E

Retirement of Fire Department Chaplain Peter Zieg

Request

Staff requests recognition of retired Fire Department Chaplain Peter Zieg

Explanation

Pastor Peter Zieg retired from the Kissimmee Fire Department on January 18, 2023.

He started as the Fire Department's Chaplain in 1990. He has been an integral part of the department since that date, and he will continue to be considered a part of the department long after his retirement. KFD Chaplain is a volunteer position, but Pastor Pete always gave it everything he had. During his 32 years serving with the department, he continued to go above and beyond what was expected. I am sure he never anticipated officiating over the funerals of six active firefighters, not to mention the funerals of several retired firefighters. But on the other hand, he also probably never anticipated how many firefighters would ask him to officiate at their wedding! He was quick to help neighboring departments when they needed a pastor for an event and theirs was unavailable. The only time Pastor Pete ever said no to any request was when he would be off on an exciting adventure with his wife, Judy.

Pastor Pete was a vital part of our department. For a good part of his tenure he was employed full-time elsewhere, but he always made the time to come to visit the crews, he showed up at our special events and parties and was always at our new hire ceremonies, promotional ceremonies, etc. He is a kind, compassionate man who has earned the trust of the firefighters, which was vital in his position. The firefighters knew they could trust Pastor Pete and they would open up to him if they were having issues after a particularly rough call, or even if they were having struggles in their personal lives. Pastor Pete is considered a friend to all in the department, and for many of us, he is like family.

Pastor Pete is now retired, but we sincerely hope that does not mean we have seen the last of him. He will forever be a member of the KFD and is welcome in administration or at any station, any time!

We wish Pastor Pete the best in his retirement and hope that with his new set of wheels, he and Judy will be enjoying many more adventures together.

Department: Fire
Presenter: James Walls

Attachment(s):

None

ITEM 3.F

Employee of the Month for May - Michael Kane

Request

That the City Commission join the City Manager in recognizing Michael Kane, Fire Department, as May's Employee of the Month.

Explanation

The City is honored to announce the Employee of the Month for May is Michael Kane, Fire Engineer, Fire Department. Mike has been with the City for over 18 years.

Fire Engineer's duties are to operate and drive the emergency vehicles, and Mike is assigned to Engine 14. Mike also utilizes his paramedic and other fire/rescue skills as needed during operations. In addition, Mike works as the pre-plan coordinator and is spearheading the Department's move to a new online pre-plan program which allows fire companies to develop and verify pre-plans for all commercial properties in a city. Mike's forward thinking was instrumental in the program's integration with the City's CAD and GIS systems. This will greatly increase the number of pre-plans completed and will provide a mechanism for fire crews to visit 'first due' areas on a regular basis (first apparatus arriving on the scene). Meanwhile, Mike has single-handedly developed dozens of pre-fire plans for the Department, utilizing his architectural drafting skills learned in a previous career.

Mike's calm, can-do manner is appreciated wherever he is serving the City. For these attributes, and many more, the City is pleased to acknowledge Mike's contributions.

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 3.G

Service Awards for January, February and March

Request

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

Explanation

Five	Michael Colon	Parks & Recreation
	Edwin Garcia	Police
	Betty Holland	Police
	Felix Pinto	Public Works & Engineering
	Brad Renner	Public Works & Engineering
	Danny Schad	Police
	Oscar Sosa	Public Works & Engineering
	Dennis Vazquez	Police
Ten	Kristina Chavarria	Parks & Recreation
	Nigel Hoyt	Public Works & Engineering
	Yokeenba Jenkins	Parks & Recreation
	Paul McCrimon	Public Works & Engineering
	Jeff O'Dell	Police
Fifteen	Ian Downing	Police
	Matt Fitzgerald	Police
	Elisabeth Richter-Belote	Development Services
	Holly Sparklin	Public Works & Engineering
Twenty	Alberto Aponte	Police
	Jeremy Christ	Fire
	Todd Pascual	Public Works & Engineering
	Travis Yates	Fire
	John McCommon	Fire

Department: Human Resources & Risk Management
Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 4.A

Public Hearing - First Reading - Proposed Ordinance # 23-03 - Amending the Firefighters Retirement Plan

AN ORDINANCE OF THE CITY OF KISSIMMEE, FLORIDA, AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION III, FIREFIGHTERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-140, DEFINITIONS; AMENDING SECTION 30-143, FINANCES AND FUND MANAGEMENT - ESTABLISHMENT AND OPERATION OF FUND; AMENDING SECTION 30-146, PRE-RETIREMENT DEATH; AMENDING SECTION 30-148, VESTING; AMENDING SECTION 30-156, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 30-164, MILITARY SERVICE PRIOR TO EMPLOYMENT; AMENDING SECTION 30-167, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 30-168, PRIOR FIRE SERVICE; AMENDING SECTION 30-170, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS, CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR CODIFICATION; 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 #23-03 for the Firefighters Retirement Plan.

Explanation

The proposed ordinance #23-03 and the no impact statement from the Plan's Actuary are attached for approval. The Pension Attorney prepared the proposed ordinance and the Actuary indicated that this will not have an actuarial impact on the cost of the Firefighters Retirement Plan.

This proposed ordinance includes minor changes that accomplish the following:

- 1) Better align language with the Internal Revenue Code (including changing the required distribution date from age 72 to the applicable age provided for in the Internal Revenue Code) and to make clarifying changes;
- 2) Provides for Board discretion in recovering inadvertent overpayments, pursuant to Secure Act 2.0.
- 3) Removes outdated vesting language that does not apply to remaining active members;
- 4) Provides for the option to purchase credited service over a period of time, not to exceed 5 years, by after-tax payroll deduction rather than a one-time lump sum payment; and
- 5) Clarifies and confirms that members who receive share plan distributions are not entitled to a refund of member contributions, and vice versa.

Recommendation

Staff recommends approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

1. Firefighter # 23-03 Proposed Ordinance
 2. No Impact Statement for Firefighters 23-03 Proposed Ordinance
- City of Kissimmee

3. Public Notice - Prop Ord 23-03 (Amending Firefighter Retirement Plan) (Gazette 04-27-2023)

ITEM 4.B

Public Hearing - First Reading - Proposed Ordinance # 23-04 - Amending the General Employees Retirement Plan

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 30-87, FINANCES AND FUND MANAGEMENT, ESTABLISHMENT AND OPERATION OF FUND; AMENDING SECTION 30-90, PRE-RETIREMENT DEATH; AMENDING SECTION 30-93, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 30-98, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 30-105, MILITARY SERVICE PRIOR TO EMPLOYMENT; AMENDING SECTION 30-108, PRIOR GOVERNMENT SERVICE; 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 #23-04 for the General Employees Retirement Plan.

Explanation

The proposed ordinance #23-04 and the no impact statement are attached for approval. The Pension Attorney prepared the Proposed Ordinance and the Actuary indicated that this will not have an actuarial impact on the cost of the General Employees Retirement Plan.

This Proposed Ordinance makes the following changes:

- 1) Amends the optional forms of benefits to include a social security option;
- 2) Adds payment methods for the purchase of prior service;
- 3) Adds language regarding the Board's discretion on seeking recovery of inadvertent overpayments per the Secure Act 2.0;
- 4) Clarifies the pre-retirement death language;
- 5) Amends the minimum distribution age to the applicable age in the Internal Revenue Code; and
- 6) Amends the timeframe to purchase prior military service, not to exceed 5 years.

Recommendation

Staff recommends approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

1. General Employees Proposed Ordinance #23-04
2. General Employees No Actuarial Impact Letter Proposed Ordinance 23-04
3. Public Notice - Prop Ord 23-04 (Amending General Employees Retirement Plan) (Gazette 04-27-2023)

ITEM 4.C

Public Hearing - First Reading - Proposed Ordinance # 23-05 - Amending Chapter 22-26, Article II: Noise

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA; AMENDING ARTICLE II NOISE, SECTION 22-26 REPLACING SPECIAL MAGISTRATE WITH CITY HEARING OFFICER; REMOVING SECTION 22-26(B); PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Request

Requesting approval of minor amendments to Section 22-26 of the Noise Ordinance.

Explanation

In February 2023, the City Commission approved an updated and reorganized Noise Ordinance, which included a 90 day effective date to allow training and to finalize details on implementation. As implementation was finalized, it was determined that noise violations processed by the Kissimmee Police Department (KPD) should not go through the Special Magistrate, as it would place other regulations for Code Enforcement onto KPD officers. This amendment would replace the "Special Magistrate" with a "city hearing officer" allowing KPD and Code Enforcement to go through their respective processes.

This request also includes the deletion of section 22-26B, which was erroneously left in the language of the original ordinance.

Recommendation

Approval of the first reading to amend Section 22-26, Article II: Noise.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Ashley Cornelison

Attachment(s):

1. Proposed Ordinance # 23-05
2. Advertisement

ITEM 7.A

Approval of the First Amendment to the License Agreement between the City of Kissimmee and Green Meadows Farm Ltd. for use of a portion of Lancaster Ranch Park

Request

The Parks and Recreation Department is requesting the Commission approve and the Mayor sign the First Amendment to the License Agreement between the City of Kissimmee and Green Meadows Farm Ltd. for use of a portion of Lancaster Ranch Park and authorize the City Manager to approve any further amendments to this License Agreement.

Explanation

On December 21, 2021, the City and Green Meadows entered into a License Agreement to allow Green Meadows to use a portion of the Lancaster Ranch Park site known as the Lackey property for a petting farm. The License Agreement also provided Green Meadows a single-family residence on the Lackey Parcel as the residence for Green Meadow's on-site livestock manager. Construction on Phase 1 of the Lancaster Ranch Park project is scheduled to begin early May. Currently, the Green Meadows staff have begun cleaning, prepping and doing renovations to the portion of the park identified in the License Agreement as the Petting Farm operations area.

Green Meadows intends to move livestock onto the property and occupy the livestock manager's residence beginning June 1, 2023. As this date approaches, the City and Green Meadows decided it was necessary to further clarify and define some of the terms of the License Agreement regarding the livestock managers' residence, specifically, and a few other general provisions, including provisions concerning utilities, tax obligations, insurance and background checks, by entering into a First Amendment to the License Agreement.

Recommendation

Staff recommends approval of the First Amendment to the License Agreement between the City of Kissimmee and Green Meadows Farm Ltd. for use of a portion of Lancaster Ranch Park and providing the City Manager's authorization to approve any further amendments to this License Agreement.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Parks & Recreation

Presenter:

Attachment(s):

1. (S) First Amendment Green Meadows Lancaster Ranch

ITEM 7.B

Approval of Grant Agreement B-22-CP-FL-0261 between the U.S. Department of Housing and Urban Development (HUD) and the City of Kissimmee for the Berlinsky House Reconstruction Project

Request

Approval to accept a grant agreement in the amount of \$1,000,000 for the FY2022 Community Project Funding (CPF) award made pursuant to the authority of the Consolidated Appropriations Act, 2022 (Public Law 117-103); and the Explanatory Statement for Division L of that Act, which was printed in the House section of the Congressional Record on March 9, 2022 (Explanatory Statement); and superseding provisions of the Consolidated Appropriations Act, 2023 (Public Law 117-328).

Explanation

On April 19, 2022, Congressman Darren Soto presented to the City Commission a \$1,000,000 grant award for the Berlinsky Community House. On July 18, 2022, the City received a Letter of Invitation (LOI) from HUD grant #B-22-CP-FL-0261. An application to demolish and rebuild the structure was made to the Economic Development Initiative (EDI) for the purposes of Community Project Funding/Congressionally Directed Spending.” All required documentation was submitted to HUD in December 2022 and on March 7, 2023 the agreement between HUD and the City of Kissimmee was received. Staff is currently working on completing the Environmental Review required under 24 CFR Part 58 in order to receive the funds once approved by HUD. In accordance with the Consolidated Appropriations Act, 2022, CPF funds cannot be used to reimburse expenses incurred before the date the CPF grant agreement is executed.

Approval of this agreement will also authorize the City Manager to approve and execute this agreement, in addition to any and all subsequent documents necessary to secure funds under this award.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
11125106-506292	ST2117	Increase	\$1,000,000.00	
11100331-331100		Increase	\$1,000,000.00	

Financial Summary:

A new project string will be added to project ST2117 to segregate the federal funding and the City's funds.

Recommendation

Staff recommends approval to enter into an agreement with HUD in the amount of \$1,000,000.00 to demolish and rebuild the Berlinsky Community House. The use of the CPF award is conditioned on

City of Kissimmee

the satisfactory completion of the environmental review and receipt of the Release of Funds from HUD.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager
Presenter:

Attachment(s):

1. (S) Grant Agreement B-22-CP-FL-0261
2. Award Letter B-22-CP-FL-0261
3. HUD Form 1044 B-22-CP-FL-0261

ITEM 7.C**Kathy's Corner - Final Plat (DRC# SR-22-0012)****Request**

Approval of the final plat known as Kathy's Corner.

Explanation

The owner of the property, Abe's Electric, Inc., is requesting final plat approval without a guarantee. The property is located at the intersection of Oak Street and Royal Street and is combining multiple lots into two lots for development purposes.

Recommendation

Staff recommends approval of the final plat for Kathy's Corner.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. (S) Kathy's Corner Plat
2. Kathy's Corner Vicinity Map

ITEM 7.D

Approval to accept Interlocal Agreement between City of Kissimmee and Overoaks Community Development District relating to the Right-of-Way Maintenance Agreement for Landscaping

Request

Approval of an interlocal agreement between the City of Kissimmee and Overoaks Community Development District (CDD) regarding the maintenance of improvements within the City right-of-way.

Explanation

The Public Works and Engineering Department and Overoaks CDD desire to enter into an interlocal agreement for the maintenance responsibility of the landscaping and irrigation within the City right-of-way (ROW) "Maintenance Area". The agreement outlines the City's sole responsibility to maintain the City ROW and the Overoaks CDD's option to exceed the City's maintenance frequency. The agreement also requires the CDD to submit plans for approval to the City to perform improvements of the landscaping and irrigation within the City's ROW and be maintained by the Overoaks CDD.

Recommendation

Approval of an interlocal agreement between the City of Kissimmee and Overoaks Community Development District regarding the maintenance of improvements within the City right-of-way.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. (S) Interlocal Agt. for ROW Maintenance

ITEM 7.E

Disposal of City Assets

Request

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

Explanation

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

The items included on the attached list are slated to be auctioned or junked and have not previously been approved for disposition by the City Commission. These items will be placed up for auction via George Gideon Auctioneers, Inc. live auction or George Gideon Auctioneers, Inc. online auction. All items from the City's Information Technology Department will go to auction via A-1 Assets.

Recommendation

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

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Finance

Presenter:

Attachment(s):

1. May 2023 Asset Disposal

ITEM 7.F

First Right of Refusal to Lease Property at the Kissimmee Gateway Airport for Land Development, LLC at Patrick Street

Request

Request Commission approval of a First Right of Refusal to Lease Airport Property with Land Development, LLC.

Explanation

The City has established City Policy 1501, "First Right of Refusal to Lease Property at the Kissimmee Airport." The policy allows an airport business seeking to develop a business location to lease property for up to two (2) years to allow for facility design and permitting for construction. This agreement may be converted to a ground lease at any time during the two-year period. The fee for the First Right of Refusal (FRR) shall be \$2,500.00 per acre per year.

Land Development, LLC, has requested a FRR for seven (7) acres to redevelop the former Kissimmee Jet Center property located near Patrick Street. The proposed intent is to construct a minimum of three (3) 15,000 S.F. aircraft hangars, office spaces, associated utilities and automobile parking. The FRR allows for an additional 18,000 S.F. aircraft hangar to be constructed within this space. The hangars will support maintenance and operations for aviation businesses.

Recommendation

Staff recommends the Commission approve the First Right of Refusal to Lease Airport Property with Land Development, LLC, at Patrick Street.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. (S) - First Right of Refusal LD Patrick Street 2023

ITEM 7.G

First Right of Refusal to Lease Property at the Kissimmee Gateway Airport for T28, LLC at Aviation Way

Request

Request Commission approval of a First Right of Refusal to Lease Airport Property with T28, LLC.

Explanation

The City has established City Policy 1501, "First Right of Refusal to Lease Property at the Kissimmee Airport." The policy allows an airport business wishing to develop a site for business purposes to lease property for up to two (2) years to allow time for facility design and permitting for construction. This agreement may be converted to a ground lease at any time during the two-year period. The fee for the First Right of Refusal (FRR) shall be \$2,500.00 per acre per year.

T28, LLC, has requested a FRR for three (3) acres in the Airport Business Park located near Aviation Way. The proposed intent is to construct a 12,000 square foot aircraft hangar, office spaces, associated utilities and automobile parking. The FRR allows for an additional 10,000 square foot aircraft hangar to be constructed within this space. The hangars will support maintenance and operations for an aviation charter business.

Recommendation

Staff recommends the Commission approve the First Right of Refusal to Lease Airport Property with T28, LLC, at Aviation Way.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. (S) - First Right of Refusal T28 Aviation Way 2023

ITEM 7.H

Budget transfer for the Building Division to cover credit card processing cost for FY2023

Request

The City Commission authorize a budget transfer from the Building Fund Reserves to the Other Contract Service line item to pay for credit card processing fees.

Explanation

Over the past several years, there has been a shift from customers writing checks for permits to the utilization of credit cards, almost exclusively. Because of this shift, credit card processing fees have averaged \$32,000 a month for Fiscal Year 2023. Starting May 1, 2023, the City will be switching to the Tyler Cashiering software module, which will reduce the fees and add e-check services for a small fee.

The plan is to amend the fee ordinance to incorporate these fees into the cost of the permit. However, this takes an ordinance amendment and will take approximately 90 days to complete. There are already fees from October 2022 forward that need to be paid.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10140100-509276		Decrease		\$250,000
10140103-503434		Increase		\$250,000

Financial Summary:

The transfer will cover past costs and future costs. Any funds left over after the fees have been paid will be transferred back to the Building Fund Reserve.

Recommendation

The City Commission authorize a budget transfer from the Building Fund Reserves to the Other Contract Service line item to pay for credit card processing fees.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services
Presenter:

Attachment(s):

City of Kissimmee

None

ITEM 8.A

Social Services Funding Awardee Update - Help Now of Osceola, Inc.

Request

Help Now will provide an update to the Commission on the impact of City of Kissimmee funding on their services and ongoing agency needs.

Explanation

Help Now of Osceola, Inc. is a non-profit agency that provides a temporary safe shelter for survivors of domestic abuse who are in danger and experience fear of abuse through the operation of an emergency safe shelter, an outreach advocacy center and a 24-hour crisis line that allows victims and survivors access to services for safety and support. The City Commission awarded \$37,796.81 for FY2022-23 in funding to provide domestic violence shelter and services and advocacy assistance to victims of domestic violence and their children.

Tammy Douglas, CEO, will make a presentation to the Commission and will be available to answer questions.

Recommendation

No recommendation. For informational purposes.

REQUESTED CITY COMMISSION ACTION:

No Action

Department: City Manager

Presenter:

Attachment(s):

None

ITEM 8.B

KUA Board of Directors Appointment

Request

Consideration of Appointment to KUA Board of Directors due to an unforeseen vacancy.

Explanation

The City was notified of Director Raymond Sanchez's resignation on April 3, creating a vacancy. Director Ethel Urbina is willing and able to fill the remainder of former Director Sanchez's term, which runs from May 3, 2023 through September 30, 2025. Due to KUA's Resolution 01-01, Rule of Thirteen Years for Board Nominees, Director Urbina is eligible to complete this partial term. Furthermore, if the City Commission appoints Ethel Urbina to serve this partial term, her current term would then be vacant and need to be filled for the remainder of her term, which ends September 30, 2023. The City would then have 30 days from May 2 to fill that term, which would be June 1, 2023.

Recommendation

The Board is asking that the City Commission consider Ethel Urbina to fill this vacancy. The KUA Charter provides for the Kissimmee City Commission to fill any unforeseen vacancy on KUA Board within 30 days of the vacancy.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. Letter to COK - BoD Interim EU 20230406 (003)

ITEM 8.C

Advisory Board Vacancy - Planning Advisory Board

Request

The Commission is requested to make an appointment to fill the vacancy on the Planning Advisory Board

Explanation

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 Commissioner 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 #3 - Alvarez <i>Two applications on file.</i>	2/21/2023 3/21/2023 4/18/2023 5/16/2023	Planning Advisory Board	05/31/2023 (requesting filling of partial term, plus new three (3) year term, ending 05/31/2026	Member must be a City resident.

Recommendation

Staff recommends the Commission make appointments to fill the vacancy on the Planning Advisory Board.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. Manuel Gomez - PAB Application
2. Alexander Alemi - PAB Application

ITEM 8.D

Annual Advisory Board vacancies with terms ending May 31, 2023

Request

The Commission is requested to make appointments to appoint/reappointment members to boards with terms ending on May 31, 2023.

Explanation

The following board member terms are expiring May 31, 2023. All current board members responded that they were seeking reappointment to continue serving on their respective boards. The assigned Commissioner will have thirty (30) days to make an appointment. At the end of the 30-day assignment, Commissioners who have active vacancies will need to request an extension or the appointment will automatically rotate to the next Commissioner in the rotation.

Commission Assignment	Commission Appointment Expires	Board	Expiration of Board Term
Seat # 5 Current Board Member: Carlos Angarita is seeking reappointment	06/07/2023	Board of Adjustment	05/31/2026
Seat # 1 Current Board Member: Joseph Billittier is seeking reappointment	06/07/2023	Citizens Police Review Board	05/31/2025
Seat # 2 Current Board member: David Bracy is seeking reappointment	06/07/2023	Citizens Police Review Board	05/31/2025
Seat # 3 Current Board member: Kristen Camero is seeking reappointment	06/07/2023	Citizens Police Review Board	05/31/2025
Seat # 4 Current Board Member: Kimberly Murray is seeking reappointment	06/07/2023	Historic Preservation Board	05/31/2025
Seat # 5 Current Board Member: Adriana Serrano is seeking reappointment	06/07/2023	Historic Presentation Board	05/31/2025

Seat # 1 Current Board Member: Hannan M. Khan is seeking reappointment	06/07/2023	Parks and Recreation Board	05/31/2026
Seat # 2 Current Board Member: Seewat "David" Anderson is seeking reappointment	06/07/2023	Parks and Recreation Board	05/31/2026
Seat # 3 Current Board Member: Robert Bussiere is seeking reappointment	06/07/2023	Planning Advisory Board	05/31/2026

Recommendation

Staff recommends the Commission appoint/reappoint members to boards with terms expiring on May 31, 2023.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

None