



**MEETING AGENDA
SESSION OF THE CITY COMMISSION
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, MAY 16, 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 Swearing In of New Police Officers**
- 4. PUBLIC HEARINGS - FIRST AND SECOND READINGS**

- 4.A Public Hearing - Second and Final 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 - Second and Final 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 - Second and Final 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 City Commission Minutes from the April 18, 2023 meeting

7.B Second Amendment to the Community Development Block Grant (CDBG) Contract - Hudson Street Public Improvements

7.C Small Matching Grant through the Florida Division of Historical Resources

7.D Approval to award RFI 22-042 for Alcohol Beverage Service Vendors for Kissimmee Civic Center and Kissimmee Lakefront Park to Events by John Michael Inc. and Big John's Rockin' BBQ

7.E Amendment 1 to Federal Aviation Administration Grant Agreement for Airport Electrical Vault Project

7.F Approval to accept a Federal Aviation Administration (FAA) Airport Grant to Conduct Environmental Assessment for Federal Contract Control Tower

7.G Approval to apply for Federal Aviation Administration Grant for the Design of Taxiway Delta Improvements

7.H Authorization to submit an application for the 2023 Patrick Leahy Bulletproof Vest Partnership Program from the U.S. Bureau of Justice Assistance

7.I Budget Adjustment in the State Housing Initiatives Partnership (SHIP) Fund

7.J Professional Service Agreement with Avcon, Inc., to conduct Environmental Assessment for Federal Contract Air Traffic Control Tower

7.K Approval of a Resolution to Accept a Public Transportation Grant Agreement from the Florida Department of Transportation for the Air Traffic Control Tower Environmental Assessment

7.L Approval of a Resolution to Accept a Public Transportation Grant Agreement from the Florida Department of Transportation for the Business Airpark Improvements

7.M Memorandum of Understanding with T28, LLC, for Grant Agreement Financial Obligation

8. DISCUSSION ITEMS

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

Swearing In of New Police Officers

Request

Swearing in and administering oaths to four new police officers.

Explanation

Four new police officers have been hired as employees of the City of Kissimmee Police Department. Having officers sworn in at the City Commission Meetings, serves as a formal introduction to the Mayor, the City Commission, the citizens and the community. The procedure of swearing in new officers instills formality and professionalism at the start of their careers with the City of Kissimmee.

The new police officers to be sworn in are:

Melissa Guitonez
Eliezer Vazquez
Olajuwon Bynoe
Austin McLeod

Department: Police
Presenter: Betty Holland

Attachment(s):

1. (S) Oath of Office - Melissa Guitonez
2. (S) Oath of Office - Eliezer Vazquez
3. (S) Oath of Office - Olajuwon Bynoe
4. (S) Oath of Office - Austin McLeod

ITEM 4.A

Public Hearing - Second and Final 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 Second and Final Reading of the Proposed Ordinance #23-03 for the Firefighters Retirement Plan.

Explanation

This proposed ordinance amends the definition of salary and includes clarification of the determination period, adds language regarding the Board's discretion on seeking recovery of inadvertent overpayments and amends the pre-retirement death language. This also, amends the minimum distribution age and the timeframe to purchase prior military service not to exceed 5 years, as well as clarifies the language for the distribution of the share allocation.

The proposed ordinance #23-03 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 Firefighters Retirement Plan.

Recommendation

Staff recommends approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

1. (S) - Firefighter # 23-03 Proposed Ordinance
2. Affidavit of Publication Proposed ORD 23-03 - Firefighters Retirement Plan
3. No Impact Statement for Firefighters 23-03 Proposed Ordinance
4. Public Notice - Prop Ord 23-03 (Amending Firefighter Retirement Plan) (Gazette 04-27-2023)

ITEM 4.B

Public Hearing - Second and Final 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 Second and Final Reading of Proposed Ordinance #23-04 for the General Employees Retirement Plan.

Explanation

This Proposed Ordinance amends the optional forms of benefits, amends payment methods for the purchase of prior service, adds language regarding the Board's discretion on seeking recovery of inadvertent overpayments and amends the pre-retirement death language. This also, amends the minimum distribution age and the timeframe to purchase prior military service not to exceed 5 years.

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.

Recommendation

Staff recommends approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

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

ITEM 4.C

Public Hearing - Second and Final 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

The City Commission approved the first reading on May 2, 2023.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Ashley Cornelison

Attachment(s):

1. (S) Proposed Ordinance # 23-05
2. Advertisement

ITEM 7.A**Approval of City Commission Minutes from the April 18, 2023 meeting****Request**

Request Commission approval of the April 18, 2023 Commission Minutes.

Explanation

Minutes of the Commission meeting held on April 18, 2023 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Commission

Presenter:

Attachment(s):

1. (S) - Commission Minutes - April 18, 2023

ITEM 7.B

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

Request

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

Explanation

The Hudson Street Public Improvement project consists of paving one of the remaining dirt roads within the city limits. The street is located off W. Ernest Street, about 500 ft west of the intersection of W. Ernest Street & Thacker Avenue on the south side of Osceola High School. Proposed improvements also include the addition of sidewalks, as well as necessary drainage improvements. Funds totaling \$514,478 in CDBG funding have been set aside for this project through the City's Annual Action Plan and Substantial Amendment process for fiscal years 2018, 2019, and 2020.

The City first entered into a contract with DB Civil Construction, LLC on January 24, 2022, providing funds in the amount of \$373,204 and establishing the completion date for the project at September 30, 2022. Then, the contract was amended on November 15, 2022 to extend the completion deadline to March 30, 2023 due to construction delays (Amendment #1). Unfortunately, the project had additional delays in construction materials/delivery and increased costs, so the contractor submitted change orders requesting to have an extension to complete the project and to increase the funding by \$17,533.98, resulting in another amendment (Amendment #2). This second amendment to the contract sets the project completion date to June 30, 2023 and increases the total project cost to \$390,737.98.

Attached to this agenda item are the different change orders submitted by the contractor and the second amendment to the original contract.

Recommendation

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

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. Hudson Street Improvements CO#1 - approved 11.15.22
2. Hudson Street Improvements CO#2
3. Hudson Street Improvements CO#3
4. Hudson Street Improvements CO#4
5. (S) Second Amended Contract Agreement - Hudson Street (FINAL)

ITEM 7.C

Small Matching Grant through the Florida Division of Historical Resources

Request

Requesting City Commission approval to apply for a Small Matching Grant through the Florida Division of Historical Resources.

Explanation

Staff is requesting approval to apply for a \$50,000 Small Matching Grant through the Florida Division of Historical Resources. This grant will be used to conduct a survey of the historic properties within an area of the Downtown Community Redevelopment Area. Since the City is a Certified Local Government (CLG), a match is not required but the City is planning to commit \$10,000 to the project.

The last historic survey was conducted in 2004 and cataloged photos of structures as well as their age and architectural type. Since almost 20 years have passed since the last survey, staff would like to use this grant funding to conduct a new survey, incorporating structures that are now considered contributing (over 50 years of age). This survey will identify historic structures and their architectural style, potential areas eligible for an historic district, properties eligible for local or national historic designation, and other similar recommendations based on the survey results.

Should the grant be awarded, work will begin in July 2024.

Recommendation

Approval to apply for the small matching grant.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. Grant Information

ITEM 7.D

Approval to award RFI 22-042 for Alcohol Beverage Service Vendors for Kissimmee Civic Center and Kissimmee Lakefront Park to Events by John Michael Inc. and Big John's Rockin' BBQ

Request

Approval to award RFI 22-042 for Alcohol Beverage Service Vendors for Kissimmee Civic Center and Kissimmee Lakefront Park to Events by John Michael Inc. and Big John's Rockin' BBQ and allow the City Manager to sign any additional documents or amendments regarding this contract.

Explanation

The Parks and Recreation Department recently published a Request for Information to enter into an Alcohol Beverage Service Vendor Agreement for Kissimmee Civic Center and Kissimmee Lakefront Park. The RFI 22-042 was advertised by the Purchasing Department on December 13, 2022. There were a total of 285 vendors notified between Demand Star (63) and Vendor Link (222). The subject bid was opened on January 2, 2023 with two responsive proposals. These two proposals were evaluated and ranked by an evaluation committee according to the evaluation criteria provided in the RFI. Based on the scoring, the staff recommends that the Alcohol Beverage Service Vendor Agreement for the two locations be awarded to Events by John Michael, Inc. and Big John's Rockin' BBQ. The two vendors will share the events on a rotating schedule based on event needs. We would also like to allow the City Manager to sign and approve any subsequent documents including amendments pertaining to these Agreements.

The Agreement states that the vendor pays the City on or before the 10th day after each event 25% of gross sales. The Agreement shall be for an initial period of thirty-six (36) months with an option to renew for up to two (2) additional twelve (12) month periods by written agreement.

Recommendation

Approval to award RFI 22-042 for Alcohol Beverage Service Vendors for Kissimmee Civic Center and Kissimmee Lakefront Park to Events by John Michael Inc. and Big John's Rockin' BBQ and allow the City Manager to sign any additional documents or amendments regarding this contract.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Parks & Recreation

Presenter:

Attachment(s):

1. (S)Events by John Michael Alcohol
2. (S) Big Johns BBQ Alcohol

ITEM 7.E

Amendment 1 to Federal Aviation Administration Grant Agreement for Airport Electrical Vault Project

Request

Request City Commission approval of an Amendment to the Federal Aviation Administration AIP Grant for Airport Electrical Vault Project in the amount \$387,204.00.

Explanation

The FAA has determined there was an overrun in eligible project costs. These costs included unforeseen changes to the original bid plans by reviewing/permitting agencies, significant material price increases, and additional required work. A project completion extension was granted due to permitting reviews and supply chain delays resulting from the extreme weather events in February 2021, as well as the global pandemic. Additional work approved included roofing revisions, wireless equipment, additional decking material, an access control system and TOHO Water Authority and Kissimmee Utility Authority requirements.

This grant is provided by the FAA utilizing aviation user fees and is provided 100% by the FAA (no local airport revenue match) under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The original grant was previously approved by the Commission on August 18, 2020, Item 7.B and Change Orders were approved by the Commission on September 13, 2022, Item 7.O. The Amendment to the AIP Grant No. 3-12-0038-037-2020 reflects the additional work approved by the FAA.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47070106-506393	AP2003	Increase	\$387,204	\$387,204
47000334-334410	AP2003	Increase	\$387,204	\$387,204

Financial Summary:

FAA will pay 100% of the additional costs, totaling \$387,204.00.

Recommendation

Staff recommends Commission approval of an Amendment to the Federal Aviation Administration AIP Grant for the Airport Electrical Vault Project in the amount \$387,204.00

REQUESTED CITY COMMISSION ACTION:

Approve

City of Kissimmee

Department: Airport

Presenter:

Attachment(s):

1. AIP_Amendment_ISM_3-12-0038-037-2020
2. Construct Airfield Electrical Vault ISM-SOG-3-12-0038-037-2020-Grant Agreement (part 1) - signed
3. 08-18-2020 Commission Action Summary Item 7.B FAA Grant Acceptance
4. 08-18-2020 Commission Action Explanation Item 7.B FAA Grant Acceptance

ITEM 7.F

Approval to accept a Federal Aviation Administration (FAA) Airport Grant to Conduct Environmental Assessment for Federal Contract Control Tower

Request

City Commission approval to accept an FAA Bipartisan Infrastructure Law (BIL) – Airport Infrastructure Grant (AIG) Agreement of \$75,501 to Conduct Environmental Assessment for the Federal Contract Control Tower at the Kissimmee Gateway Airport.

Explanation

The purpose of this Grant is to conduct an FAA required Environmental Assessment (EA) for a proposed new Air Traffic Control Tower (ATCT). The current ATCT was constructed in 1996 and the airport has experienced significant growth since that time. The current tower does not meet the FAA's current visual performance criteria and recommends doubling the height to provide better views.

An EA was conducted and a new ATCT was designed for construction in 2015. However, lack of Federal funding has delayed the project and the EA has expired and the design requires revisions to meet today's building codes. The EA renewal will review the proposed location and allow the project to update the design and prepare for a solicitation of bids. Additional Federal funding for new construction will be applied for at that time.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47000331-331410	AP2302	Increase	75,501	
47070106-506393	AP2302	Increase	75,501	

Financial Summary:

The amount of the (BIL-AIG) Grant is \$75,501.00 per contract FAA No. 3-12-0038-043-2023. The Florida Department of Transportation (FDOT) and the Kissimmee Gateway Airport will be responsible for the remaining cost.

Recommendation

Staff requests City Commission to accept an FAA Bipartisan Infrastructure Law (BIL) – Airport Infrastructure Grant (AIG) Agreement of \$75,501 to Conduct Environmental Assessment for Federal Contract Control Tower at the Kissimmee Gateway Airport.

REQUESTED CITY COMMISSION ACTION:

Approve

City of Kissimmee

Department: Airport

Presenter:

Attachment(s):

1. (S) - ISM-SOG-3-12-0038-043-2023-Grant Agreement

ITEM 7.G

Approval to apply for Federal Aviation Administration Grant for the Design of Taxiway Delta Improvements

Request

Request City Commission approval to apply for a Federal Aviation Administration Grant to fund an Airport Improvement Project: “Rehabilitate, Mark, Light Taxiway Delta & RIMS – Design and Permitting Engineering” at Kissimmee Gateway Airport.

Explanation

The Kissimmee Gateway Airport’s 3-year Capital Improvement Plan has identified the need to rehabilitate pavement and replace associated lighting for Taxiway Delta (TW D). The Pavement Condition Index (PCI) rating evaluates pavement conditions assigning a scale, 0 indicating failed, and 100 indicating perfect. PCI rating 41-55 indicates a “poor condition” and the current average number assigned to TW D is 47.5. The project will improve lighting with new LED edge lights and directional signs. In addition, the project will straighten an adjacent pavement, Taxiway Charlie, to meet the FAA’s Runway Incursion Mitigation (RIM) Program.

The design project cost is \$500,000. An application for funding will request 90% FAA (\$450,000). Typically, the Florida Department of Transportation (FDOT) will offer 8% (\$40,000) and require a local match (Airport) of 2% (\$10,000). The construction cost is estimated at \$7,800,000 and is scheduled for FY24.

Recommendation

Staff recommends approval to apply for a Federal Aviation Administration Grant to fund an Airport Improvement Project: “Rehabilitate, Mark, Light Taxiway Delta & RIMS – Design and Permitting Engineering” at Kissimmee Gateway Airport.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. Airport Application for Federal Funding Taxiway Delta

ITEM 7.H

Authorization to submit an application for the 2023 Patrick Leahy Bulletproof Vest Partnership Program from the U.S. Bureau of Justice Assistance

Request

Authorization to submit an application for the 2023 Patrick Leahy Bulletproof Vest Partnership Program from the U.S. Bureau of Justice Assistance.

Explanation

The City is eligible to submit application for the 2023 Patrick Leahy Bulletproof Vest Partnership Program from the Bureau of Justice Assistance. These monies will be allocated for the partial funding of bulletproof vests as outlined in the application. The City will budget for the balance of the expenses.

Recommendation

Staff recommends authorization to submit the required application for the 2023 Patrick Leahy Bulletproof Vest Partnership Program from the Bureau of Justice Assistance.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police

Presenter:

Attachment(s):

1. Bulletproof Vest Fact Sheet 05-04-23

ITEM 7.I

Budget Adjustment in the State Housing Initiatives Partnership (SHIP) Fund

Request

Approval to accept recaptured funds in the amount of \$19,367.22 and adjust the SHIP budget accordingly.

Explanation

The City of Kissimmee entered into an agreement with Bernice Elam to provide a loan in the amount of \$30,734.73 to rehabilitate her home located at 1804 Ernest Street. A mortgage deed and deferred payment promissory note dated April 23, 2019 was recorded in the public records. On January 3, 2021, Ms. Elam passed away; and recently, the property went into foreclosure. The City received notification from the Circuit Court for the Ninth Judicial Circuit in and for Osceola County, Florida that there is surplus money in the amount of \$19,367.22. According to the SHIP rules, any funds that are recaptured by the local government must be added to the current year's allocation and deposited in the current fiscal year's account so they can be reallocated to carry out eligible SHIP activities.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
11200335-335500		Increase	19,367.22	
11225108-508282		Increase	19,367.22	

Financial Summary:

There is no fiscal impact on the General Fund since this is a grant-funded project.

Recommendation

Accept recaptured funds in the amount of \$19,367.22 and adjust the SHIP budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. Surplus Funds - Foreclosure Notification 1804 Ernest Street

ITEM 7.J

Professional Service Agreement with Avcon, Inc., to conduct Environmental Assessment for Federal Contract Air Traffic Control Tower

Request

Staff requests Commission approval of Task Order No. 1 of the professional service agreement between the City of Kissimmee and AVCON, Inc. that was executed on February 7, 2023, to conduct an environmental assessment for the construction of a new federal contract control tower.

Explanation

The current air traffic control tower (ATCT) was constructed in 1996 and the airport has experienced significant growth since that time. The current tower does not meet the FAA's current visual performance criteria and recommends doubling the height to provide better views.

An Environmental Assessment (EA) was conducted and a new ATCT was designed for construction in 2015. However, lack of Federal funding has delayed the project and the EA has expired and the design requires revisions to meet today's building codes. The EA renewal will review the proposed location and allow the project to update the design and prepare for a solicitation of bids. Additional Federal funding for new construction will be applied for at that time.

The amount of the FAA (BIL-AIG) Grant for this work is \$75,501.00 per FAA Contract No. 3-12-0038-043-2023.

All hours and expenses are included in Lump Sum Costs as shown in Attachment A of the provided document, which are consistent with the original project agreement.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
46170106-506393		Decrease	800	
47070106-506393	AP2302	Increase	800	
47000334-334410	AP2302		3,180	3,180
47070106-506393	AP2302		3,180	3,180
47070106-506393	AP2302		75,501	75,501
47000331-331410	AP2302		75,501	75,501

Financial Summary:

Portions of this project are funded by the Federal Aviation Administration (FAA) (95%), Florida Department of Transportation (FDOT) (4%), and the Kissimmee Gateway Airport (1%). The total project amount is \$79,475 with each agency funding the following amounts:

FAA BIL (Grant # 3-12-0038-043-2023) - \$75,501
FDOT – PTGA (FM # 453055-1-94-01) - \$3,180
Airport – AP2302- \$800

City of Kissimmee

Recommendation

Staff recommends Commission approval of Task Order No. 1 of the professional service agreement between the City of Kissimmee and AVCON, Inc. that was executed on February 7, 2023, to conduct an environmental assessment for the construction of a new federal contract control tower.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. (S) - AVCON_Focused_EA_Scope_Signed
2. AvconAirportConsultingAgreementRev-10-24-2022-Executed_Feb-08-2023_completed

ITEM 7.K

Approval of a Resolution to Accept a Public Transportation Grant Agreement from the Florida Department of Transportation for the Air Traffic Control Tower Environmental Assessment

Request

Approval to accept, by Resolution, a Public Transportation Grant Agreement (PTGA) from the Florida Department of Transportation (FDOT) for the Air Traffic Control Tower (ATCT) Environmental Assessment (EA) at the Kissimmee Gateway Airport.

Explanation

FDOT is offering a grant in the amount of \$3,180 to conduct an FAA required Environmental Assessment (EA) for a proposed new Air Traffic Control Tower (ATCT). The current ATCT was constructed in 1996 and the airport has experienced significant growth since that time. The current tower does not meet the FAA's current visual performance criteria and recommends doubling the height to provide better views.

An EA was conducted and a new ATCT was designed for construction in 2015. However, lack of Federal funding has delayed the project and the EA has expired and the design requires revisions to meet today's building codes. The EA renewal will review the proposed location and allow the project to update the design and prepare for a solicitation of bids. Additional Federal funding for new construction will be applied for at that time.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47000334-334410	AP2302	Increase	3,180	
47070106-506393	AP2302	Increase	3,180	

Financial Summary:

Portions of this project are funded by the Federal Aviation Administration (FAA) (95%), Florida Department of Transportation (FDOT) (4%), and the Kissimmee Gateway Airport (1%). The total project amount is \$79,476 with each agency funding the following amounts:

FAA-BIL (Grant # 3-12-0038-043-2023) - \$75,501
FDOT – PTGA (FM # 453055-1-94-01) - \$3,180
Airport – AP2302- \$800

Recommendation

Staff recommends City Commission approval by Resolution to accept a PTGA from FDOT for the Air Traffic Control Tower Environmental Assessment at Kissimmee Gateway Airport.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. (S) - PTGA By Resolution to Sponsor 453055-1-94-01 ATCT EA at Kissimmee Gateway

ITEM 7.L

Approval of a Resolution to Accept a Public Transportation Grant Agreement from the Florida Department of Transportation for the Business Airpark Improvements

Request

Approval to accept, by Resolution, a Public Transportation Grant Agreement (PTGA) from the Florida Department of Transportation (FDOT) for the Business Airpark Development (Phase II) at Kissimmee Gateway Airport.

Explanation

FDOT is offering a grant in the amount of \$440,000 for infrastructure development (utility extensions, earthwork, stormwater, pavements, etc.). The Business Airpark at Aviation Way was initiated over ten years ago for aviation economic development. Developers have now proposed the final layout of aviation facilities requiring final site improvements. These infrastructure improvements will be required for the final site preparation and will allow development to support aviation economic development. The developer, T28, LLC, will provide the local match required under the PTGA. The City will oversee the bid and construction of these improvements and will retain ownership of the improvements.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47000334-334410		Increase	440,000	
47070106-506393		Increase	440,000	

Financial Summary:

Portions of this project are funded by the Florida Department of Transportation (80%) and the private developer T28, LLC (20%). The total project amount is \$550,000.00 with each agency funding the following amounts:

FDOT-PTGA (Grant #: 452965-1-94-01) - \$440,000
T28, LLC - \$110,000

Recommendation

Staff recommends City Commission approval to accept by Resolution an FDOT Public Transportation Grant Agreement for Business Airpark Development (Phase II) at Kissimmee Gateway Airport.

REQUESTED CITY COMMISSION ACTION:

Approve

City of Kissimmee

Department: Airport

Presenter:

Attachment(s):

1. (S) -Resolution PTGA from FDOT Business Park Development Phase II

ITEM 7.M

Memorandum of Understanding with T28, LLC, for Grant Agreement Financial Obligation

Request

Request Commission approval of a Memorandum of Understanding with T28, LLC, for Financial Obligation for the FDOT Public Transportation Grant Agreement (PTGA).

Explanation

The Florida Department of Transportation (FDOT) is offering a grant in the amount of \$440,000 for infrastructure development (utility extensions, earthwork, stormwater, pavements, etc.). The Business Airpark at Aviation Way was initiated over ten years ago for aviation economic development. Developers have now proposed the final layout of aviation facilities requiring final site improvements. These infrastructure improvements will be required for the final site preparation and allow development to support aviation economic development. The developer, T28, LLC, will provide the local match required under the PTGA. The City will oversee the bid and construction of these improvements and will retain ownership of the improvements.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47000389-389401		Increase	110,000	
47070106-506393		Increase	110,000	

Financial Summary:

Portions of this project are funded by the Florida Department of Transportation (80%) and the private developer T28, LLC (20%). The total project amount is \$550,000.00 with each agency funding the following amounts:

FDOT-PTGA (Grant #: 452965-1-94-01) - \$440,000

T28, LLC - \$110,000

Recommendation

Request Commission approval of a Memorandum of Understanding with T28, LLC, for Financial Obligation for FDOT Public Transportation Grant Agreement (PTGA).

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

City of Kissimmee

Attachment(s):

1. (S) - T28, LLC City of Kissimmee MOU Business Airpark Development May 2023