



**MEETING MINUTES
SESSION OF THE CITY COMMISSION
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, JUNE 20, 2023 AT 6:00 PM**

1. MEETING CALLED TO ORDER

Members Present: Vice-Mayor Olga Castano, Commissioners Angela Eady, Janette Martinez

Staff Present: City Attorney Olga Sanchez de Fuentes, Deputy City Manager Desiree Matthews, Assistant City Manager Austin Blake, City Clerk Linda Hansell

Members Absent: Mayor-Commissioner Olga Gonzalez, Commissioner Carlos Alvarez, City Manager Mike Steigerwald

Vice-Mayor Castano called the meeting to order at 6:02 PM.

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

After a Moment of Silence, Commissioner Eady led the audience in the Pledge of Allegiance.

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

- 4.A Public Hearing – Final Reading - Proposed Ordinance #23-06 - Amending the Future Land Use Map designation from Multi Family Medium Density Residential (MF-MDR) to Commercial General (CG): Storeright Boggy Creek - LUPA-23-0001

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

Approval of a Land Use Plan Amendment changing the Future Land Use Map designation from Multi-Family Medium Density Residential (MF-MDR) to Commercial General (CG) on approximately 6.73 acres of land.

Deputy City Manager Matthews introduced the item.

City Attorney Sanchez de Fuentes read Proposed Ordinance # 3075 by title.

Senior Planner Brenda Ryan reviewed the request for approval of a change in land use from Multi-Family Medium Density to Commercial General. The change in land use will allow for a reduction in vehicular trips with the development of self-storage units. Staff recommends approval after holding the public hearing.

Vice-Mayor Castano announced the Public Hearing with no response from the audience.

Attorney Jennifer Cockcroft, Lacey, Lyons, & Rezanka, representing the applicant. Attorney Cockcroft stated the applicant agrees with the land use request and feels it is the most appropriate use.

Commissioner Martinez moved to approve Ordinance # 3075. Commissioner Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Alvarez	ABSENT
Commissioner Martinez	AYE
Commissioner Castano	AYE
Commissioner Eady	AYE
Mayor Gonzalez	ABSENT

Motion carried 3 - 0.

4.B Public Hearing - Final Reading - Proposed Ordinance #23-07 - Amending the Zoning Map designation from Residential Planned Unit Development (RPUD) to General Commercial (B-3): Storeright Boggy Creek - ZMA-23-0001

AN ORDINANCE AMENDING ORDINANCE NO. 3068 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

Approval of a Zoning Map Amendment to change the Zoning designation from Residential Planned Unit Development (RPUD) to General Commercial (B-3) on approximately 6.73 acres of land.

City Attorney Sanchez de Fuentes read Proposed Ordinance # 3076 by title.

Senior Planner Ryan reviewed the information on the Boggy Creek Townhomes property that was annexed into the City in 2006 and explained the townhomes generate more average daily vehicular trips than the proposed self-storage facility. All impacts will be reviewed and addressed during the Development Review process.

Vice-Mayor Castano announced the Public Hearing.

Attorney Jennifer Cockcroft, Lacey, Lyons, & Rezanka, was present representing the applicant. Attorney Cockcroft stated a meeting was held with the citizens and the applicant is working with the City to make sure the most compatible use is designated.

Commissioner Eady moved to adopt Ordinance # 3076. Commissioner Martinez seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Martinez	AYE
Commissioner Castano	AYE
Commissioner Eady	AYE
Commissioner Alvarez	ABSENT
Mayor Gonzalez	ABSENT

Motion carried 3 - 0.

4.C Public Hearing - Second and Final Reading - Proposed Ordinance # 23-11 - Amending the Code of Ordinances, Chapter 2 - Section 2-384, Adding an Economic Development Department

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF KISSIMMEE, CHAPTER 2, ADMINISTRATION, ARTICLE IV, DEPARTMENTS, OFFICERS, AND EMPLOYEES, AMENDING SECTION 2-384, DEPARTMENTS ESTABLISHED, ADDING AN ECONOMIC DEVELOPMENT DEPARTMENT; PROVIDING FOR DEPARTMENT MEMBERS; PROVIDING FOR POWERS DUTIES AND RESPONSIBILITIES; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

Requesting approval of the Second and Final Reading of the Proposed Ordinance # 23-11 for the addition of an Economic Development Department.

City Attorney Sanchez de Fuentes read Ordinance # 3077 by title.

Deputy City Manager Matthews stated this request is to create an Economic Development Department. Initially, the City hired our first Economic Development Director and the City partnered with Osceola County. Since that time, economic development opportunities in the City have increased in responsibility and are spread over several departments. To ensure a more comprehensive approach to economic development, staff is recommending all economic endeavors fall under the new Economic Development Department.

Vice-Mayor Castano announced the Public Hearing with no response from the audience.

Commissioner Martinez made a motion to approve and stated she would like an opportunity to discuss the marketing for the 192 Corridor before the department grows any further.

Commissioner Martinez moved to adopt Ordinance # 3077. Commissioner Eady seconded the motion.

Upon roll call, the vote was as follows:

Commissioner Castano	AYE
Commissioner Eady	AYE
Commissioner Alvarez	ABSENT
Commissioner Martinez	AYE
Mayor Gonzalez	ABSENT

Motion carried 3 - 0.

4.D Public Hearing - First Reading - Proposed Ordinance #23-13 - Amending Chapter 42, Traffic and Vehicles

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; CHAPTER 42, TRAFFIC AND VEHICLES, ARTICLE II, PARKING, STANDING, STOPPING, DIVISION 1, GENERALLY, SECTION 42-21, LIABILITY FOR PAYMENT OF PARKING CITATION AND SECTION 42-22, HEARING TO CONTEST PARKING CITATION; AND CHAPTER 1, SECTION 1-22, GENERAL PENALTY; CREATING CHAPTER 42, TRAFFIC AND VEHICLES, ARTICLE III, VEHICLES, SECTION 42-72, IMPOUNDMENT OF VEHICLES; REPEALING ALL ORDINANCES CONFLICTING HERewith AND PROVIDING AN EFFECTIVE DATE

Staff requests the Public Hearing be announced for the originally proposed First Reading of Proposed Ordinance #23-13 for the Amendment of Chapter 42, Traffic and Vehicles. This ordinance has been withdrawn and will be re-advertised at a later date.

City Attorney Sanchez de Fuentes explained that this Public Hearing is being continued. After it was advertised, staff realized there was more work needed before it went to Public Hearing. We do not have a specific time but it will be re-advertised.

Vice-Mayor Castano announced the Public Hearing with no response from the Audience.

No action was taken on this item.

5. PUBLIC HEARINGS

None.

6. HEAR AUDIENCE

None.

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.

Commissioner Eady made a motion to approve the Consent Agenda in its entirety. Commissioner Martinez seconded the motion.

Motion carried 3 - 0.

7.A Helping Emergency Responders Obtain Support Program through the Florida Department of Health for FY2023

Commission approval to allow the Kissimmee Police Department to apply for the Helping Emergency Responders Obtain Support (HEROS) Program through the Florida Department of Health (DOH).

7.B Dillingham-June Street Plat - Final Plat (DRC# SR 22-0011)

Approval of the final plat known as Dillingham-June Street Plat.

7.C Resolutions authorizing the Dedication of Easements to the Florida Department of Transportation for the Central Florida Commuter Rail System Phase II South project

Approval of two (2) resolutions authorizing the Mayor to execute and deliver the Easement Agreement to the Florida Department of Transportation (FDOT) as it pertains to the Central Florida Commuter Rail System Phase II South project.

Resolution # 07-2023 and Resolution # 08-2023

- 7.D Client Service Agreement with City Health Insurance Broker
Approve agreement with Marsh & McLennan Agency LLC to reflect the entity name change from Bouchard Insurance.
- 7.E Sonoma Resort at Tapestry, Phase 2B – Final Plat, Major Subdivision (DRC# SR-21-0003)
Requesting City Commission approval of the final plat known as Sonoma Resort at Tapestry, Phase 2B, with performance guarantee/agreement.
- 7.F Disposal of City Assets
Approval to dispose of the asset items detailed in the attached report.
- 7.G Purchase of FirstWatch software from FirstWatch Solutions, Inc.
Approval to purchase FirstWatch software which will perform valuable quality assurance and measure accreditation compliance, ensuring continuous improvement and crew safety.
- 7.H Approval of Agreement between Kissimmee Charter Academy and the City of Kissimmee relating to a School Resource Officer
The Police Department is requesting the Commission approve the Agreement between Kissimmee Charter Academy and the City of Kissimmee relating to a School Resource Officer.
- 7.I Trade-in of a Stryker Hydraulic Stretcher and a Stryker Power Load Cot Fastening System
Staff is requesting approval to trade in a Stryker Hydraulic Stretcher and a Stryker Power Load Cot Fastening System towards the purchase of replacements for these items.
- 7.J Agreement Regarding Utility Easement for the Beaumont Property
Staff requests the approval of the agreement regarding utility easement for the Beaumont Property.

8. DISCUSSION ITEMS

CITY COMMISSION RECESSES AND CONVENES AS THE COMMUNITY REDEVELOPMENT AGENCY BOARD

- 8.A Approval of a Vine Street Community Redevelopment Agency Pioneer Project Incentive Program Agreement with TRJ 4030 Kissimmee, LLC.
Approval of a Vine Street Community Redevelopment Agency Pioneer Project Incentive Program Agreement with TRJ 4030 Kissimmee, LLC.

Tom Tomerlin, Economic Development Director, presented the request and introduced Samia Singleton, CRA Manager, and Richard Corley, developer of the property at 4030 W. Vine Street, Kissimmee (known as the TRJ 2030 Kissimmee LLC). This property is eligible for the Pioneer Project Incentive Program (PPIP). Mr. Tomerlin explained the use of the property which is located at the Southeast corner of Vine and Hoagland in the former Walgreens store that most recently was Amigos Supermarket. He stated to be eligible for this program, the following must be true; 1) Increases the CRA's population; 2)

Creates the opportunity for new jobs in the CRA; and 3) Attracts visitors to the CRA District. All three (3) requirements have been met by adding 20 housing units, adding 30 additional jobs, bringing visitors to the CRA district and reusing an abandoned store to house a Social Security Office.

Mr. Tomerlin stated the requirements of this project match the goals of the Vine Street Community Redevelopment Agency. Therefore, staff recommends the funding of \$147,826 be granted to TRJ 4030 Kissimmee, LLC.

Commissioner Martinez made a motion to approve funding in the amount of \$147,826. Commissioner Eady seconded the motion.

AYE: Commissioner Castano, Commissioner Eady, Commissioner Martinez

NAY: None

Motion carried 3 - 0.

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

8.B Advisory Board Vacancy: Police Pension Board

The Commission is requested to make an appointment to fill a vacancy on the Police Pension Board.

No action was taken on this item.

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

Deputy City Manager Matthews brought up an item for approval by the Commission for the Florida Department of Transportation (FDOT) Local Agency Program Agreement (LAP) for an extension of Program # 437472-2-38-01 for Connect Kissimmee Complete Streets. The agreement will expire on June 30, 2023 and we do not have another Commission meeting until July 18, 2023. The request for an extension will allow the City to continue with the project with a new extension date of April 30, 2024; this will provide time for the completion of the design and project close-out.

Commissioner Martinez made a motion to approve the FDOT - Time Extension #1 (Exhibit "A"). Commissioner Eady seconded the motion.

Motion carried 3 - 0.

9.B CITY ATTORNEY

Nothing.

9.C CITY COMMISSION

Commissioner Martinez announced that she was blessed this morning with the birth of her first grandchild at 5:45 a.m. She thanked everyone for allowing her to share her joy of welcoming this new member to her family.

Commissioner Castano congratulated Commissioner Martinez on her joyous news.

Commissioner Eady expressed her congratulations to Commissioner Martinez and commented on the joys of being a grandparent.

Commissioner Castano thanked everyone for their participation in the meeting and she appreciates the support from everyone.

10. ADJOURNMENT

There being no further business to come before the Commission, Vice-Mayor Castano adjourned the meeting at 6:21 PM.



ATTEST:

Tameara Crespo for
CITY CLERK

Angela Eady for
MAYOR-COMMISSIONER

Exhibit "A"
Florida Department of Transportation
LAP Agreement – Connect Kissimmee Complete Street (Time Extension #1)
9.A.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 South Woodland Boulevard
DeLand, FL 32720-6834

JARED W. PERDUE, P.E.
SECRETARY

DATE: June 16, 2023

TO: Florida Department of Transportation
District Five Local Programs

FROM: City of Kissimmee

SUBJECT: Time Extension #1
Local Agency Program Agreement
Financial Project No.: 437472-2-38-01
Contract No.: G2473
Project Description: Connect Kissimmee Complete Streets

The Local Agency Program (LAP) Agreement for the subject project will expire on June 31, 2023.

In accordance with Section 3.00 of the LAP Agreement, it is hereby requested by the Recipient that the term for the Agreement of the subject project be extended until **April 30, 2024**, for the following reason(s):

Due to the process of phasing out the project to meet the available budget. This extension will provide time for completion of the design and project close-out.

Recipient: CITY OF KISSIMMEE

By: _____

Name: Olga Castano
Title: Vice-Mayor

Date: June 20, 2023

APPROVED:

The Department approves a time extension for the subject LAP Agreement to **April 30, 2024**.

By: _____ Date: _____

Name: C. Jack Adkins

Title: Director of Transportation Development

Legal Review: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

525-010-40
 PROGRAM MANAGEMENT
 OGC/OOC - 05/21
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FPN: <u>437472-2-38-01</u>	FPN: _____	FPN: _____
Federal No (FAIN): <u>D521 065 B</u>	Federal No (FAIN): _____	Federal No (FAIN): _____
Federal Award Date: <u>12/20/2021</u>	Federal Award Date: _____	Federal Award Date: _____
Fund: <u>SU/LF</u>	Fund: _____	Fund: _____
Org Code: <u>55053010541</u>	Org Code: _____	Org Code: _____
FLAIR Approp: <u>088849</u>	FLAIR Approp: _____	FLAIR Approp: _____
FLAIR Obj: <u>780000</u>	FLAIR Obj: _____	FLAIR Obj: _____
County No: <u>92</u>	Contract No: <u>G2473</u>	
Recipient Vendor No: <u>F596000348006</u>	Recipient DUNS No: <u>07-048-1952</u>	
Catalog of Federal Domestic Assistance (CFDA): <u>20.205 Highway Planning and Construction</u>		

THIS LOCAL AGENCY PROGRAM AGREEMENT ("Agreement"), is entered into on 1/10/2022 | 11:44 AM EST, by and between the State of Florida Department of Transportation, an agency (This date to be entered by DOT only) of the State of Florida ("Department"), and City of Kissimmee ("Recipient").

NOW, THEREFORE, in consideration of the mutual benefits to be derived from joint participation on the Project, the Parties agree to the following:

1. **Authority:** The Department is authorized to enter into this Agreement pursuant to Section 339.12, Florida Statutes. The Recipient by Resolution or other form of official authorization, a copy of which is attached as **Exhibit "D"** and made a part of this Agreement, has authorized its officers to execute this Agreement on its behalf.
2. **Purpose of Agreement:** The purpose of this Agreement is to provide for the Department's participation in Connect Kissimmee Complete Streets, as further described in **Exhibit "A"**, Project Description and Responsibilities attached to and incorporated in this Agreement ("Project"), to provide Department financial assistance to the Recipient; state the terms and conditions upon which Department funds will be provided; and to set forth the manner in which the Project will be undertaken and completed.
3. **Term of Agreement:** The Recipient agrees to complete the Project on or before June 30, 2023. If the Recipient does not complete the Project within this time period, this Agreement will expire on the last day of the scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Recipient and granted in writing by the Department prior to the expiration of this Agreement. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the term of this Agreement will not be reimbursed by the Department.
4. **Project Cost:**
 - a. The estimated cost of the Project is \$ 1,530,512.00 (One Million Five Hundred Thirty Thousand Five Hundred Twelve Dollars and No/100). This amount is based upon the Schedule of Financial Assistance in **Exhibit "B"**, attached to and incorporated in this Agreement. **Exhibit "B"** may be modified by mutual execution of an amendment as provided for in paragraph 5.i.
 - b. The Department agrees to participate in the Project cost up to the maximum amount of \$1,430,000.00 (One Million Four Hundred Thirty Thousand Dollars and No/100) and as more fully described in **Exhibit "B"**. This amount includes Federal-aid funds which are limited to the actual amount of Federal-aid participation. The Department's participation may be increased or reduced upon determination of the actual bid amounts of the Project by the mutual execution of an amendment. The Recipient agrees to bear all expenses in excess of the total cost of the Project and any deficits incurred in connection with the completion of the Project.
 - c. Project costs eligible for Department participation will be allowed only from the date of this Agreement. It is understood that Department participation in eligible Project costs is subject to: