



**MEETING AGENDA
SESSION OF THE CITY COMMISSION
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, AUGUST 15, 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 Four New Police Officers

3.B Proclamation and "Ruby Award" Presentation - 50th Anniversary of The Motorcycle Clinic

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A Public Hearing - Second and Final Reading -Proposed Ordinance #23-15 - Amending the Future Land Use Map designation from Industrial Business (IB) to Single Family Low Density Residential (SF-LDR): Carter Case - LUPA-23-0003

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

4.B Public Hearing - Second and Final Reading -Proposed Ordinance #23-16 - Amending the Zoning Map designation from Airport Industrial (AI) to Agriculture and Conservation (AC): Carter Case - ZMA-23-0004

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

4.C Public Hearing - First Reading - Proposed Ordinance #23-17 - Establishment of a Police and Fire Impact Fee

AN ORDINANCE ADOPTING POLICE AND FIRE IMPACT FEES BY ADOPTING CHAPTER 9, BUILDING AND BUILDING REGULATIONS, ARTICLE X, POLICE AND FIRE IMPACT FEES; REPEALING ALL ORDINANCES CONFLICTING HERewith AND PROVIDING AN EFFECTIVE DATE

4.D Public Hearing - First Reading - Proposed Ordinance #23-18 - Amendment to the Parks and Recreation Impact Fee Ordinance

AN ORDINANCE AMENDING "THE KISSIMMEE PARKS AND RECREATIONAL IMPACT FEE ORDINANCE," CODE OF ORDINANCES OF THE CITY OF

KISSIMMEE; CHAPTER 28, PARKS AND RECREATION, ARTICLE III, IMPACT FEES, DIVISION 2, RECREATIONAL IMPACT FEES; REPEALING ALL ORDINANCES CONFLICTING HERewith AND PROVIDING 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 August 1, 2023 Commission Workshop and Commission Meeting

7.B Acceptance of a donation from Osceola County for portable basketball courts and goals

7.C Approval of a Resolution to accept a Public Transportation Grant Agreement from the Florida Department of Transportation for Taxiway D Rehabilitation Design

7.D Approval for the Purchase of Two (2) Firefighting Apparatus

7.E Acceptance of Donation from Walmart Foundation for Shop with a Cop

7.F Approval to use funds from the Law Enforcement Trust Fund for the City-Wide Security Enhancement Project

7.G Application of the FY 2023 Edward Byrne Memorial Justice Assistance Grant Program – Local Solicitation from the U.S. Department of Justice

7.H Interlocal Agreement between the City of Kissimmee and the School Board of Osceola County relating to the Denn John Middle School Gymnasium

7.I Kissimmee Executive Park Replat - Final Plat (DRC# SR-23-0005)

7.J Commission Ratification of Collective Bargaining Agreement Reopeners with the Florida State Lodge Fraternal Order of Police Inc. (FOP) Representing the Police Officers, Corporals and Detectives Unit, and the Contract for the Sergeants Unit

7.K Consent To Sub-Lease Between Sunstate Aviation Holdings, LLC and Sunstate Aviation Flight School, LLC

7.L Agreement for Traffic Control Jurisdiction between the Cypress Ridge Community Homeowners Association, Inc and the City of Kissimmee

7.M Authorization to submit an application for the Fiscal Year 2022 Justice Assistance Grant made available by the U.S. Department of Justice

8. DISCUSSION ITEMS

8.A UCF Small Business Development Center Annual Report and Services Agreement

8.B Prospera Annual Report and Services Agreement

8.C Commission Review and Approval of Legislative Priorities for 2024

8.D Advisory Board Vacancy: Parks and Recreation Advisory Board

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

9.B CITY ATTORNEY

9.C CITY COMMISSION

10. ADJOURNMENT

In accordance with Florida Statutes 286.105: Any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing will need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Florida State 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk, 101 Church Street, Kissimmee, Florida, (407) 518-2309.

ITEM 3.A

Swearing In Four 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 the 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 four new police officers to be sworn in are:

Courtney Chapman
Jonathan Irizarry Lugo
Frances Ramirez Camacho
Christopher Rivera Navarro

Recommendation

REQUESTED CITY COMMISSION ACTION:

No Action

Department: Police
Presenter: Betty Holland

Attachment(s):

1. (S) Oath of Office - Chapman, Courtney
2. (S) Oath of Office- Irizarry Lugo, Jonathan
3. (S) Oath of Office - Ramirez Camacho, Frances
4. (S) Oath of Office - Rivera Navarro, Christopher

ITEM 3.B**Proclamation and "Ruby Award" Presentation - 50th Anniversary of The Motorcycle Clinic****Request**

The request is for the Commission to present a Proclamation to Brian Dady, owner of The Motorcycle Clinic.

Explanation

Economic Development Director Tom Tomerlin will present the Ruby Award to the Motorcycle Clinic in honor of their 50 years in business, and invites the City Commission to join him in presenting a Proclamation in honor of this milestone.

Department: Economic Development

Presenter: Arthur Tomerlin

Attachment(s):

1. Proclamation- 50th Anniversary of The Motorcycle Clinic

ITEM 4.A

Public Hearing - Second and Final Reading -Proposed Ordinance #23-15 - Amending the Future Land Use Map designation from Industrial Business (IB) to Single Family Low Density Residential (SF-LDR): Carter Case - LUPA-23-0003

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

Request

Approval of a Land Use Amendment changing the Future Land Use Map designation from Industrial Business (IB) to Single Family Low Density Residential (SF-LDR) on approximately 3.4 acres of land.

Explanation

The parcels were annexed, along with 264 other properties, as part of a Small Enclaves Interlocal Agreement (ILA) between the City of Kissimmee and Osceola County (DRC-19-00017). The ILA was intended to annex enclave properties and their associated roadways that could potentially create problems with planning, growth management, and local services. Enclaves, per Florida Statutes Chapter 171, are those areas that are encompassed by a City and where municipal services, such as water, sewer, drainage, police, and fire protection are already provided to surrounding properties. This agreement was approved and adopted by the Osceola County Board of County Commissioners on February 18, 2019.

The Future Land Use designations of properties within the agreement were determined and established in accordance with Comprehensive Plan Policy 1.1.10.5 -- Osceola County and City of Kissimmee Land Use Conversions (DRC-19-00018), however, there were some inconsistencies and errors with the prior County Future Land Use and Zoning designations. The County Future Land Use designation was Low Density Residential (LDR) which is not compatible with the current City Industrial Business (IB) Future Land Use designation (DRC-19-00019). The properties contain residential homes with a small residential subdivision less than a quarter mile to the east. The proposed Single Family Low Density Residential (SF-LDR) Future Land Use designation is more appropriate and compatible within the surrounding area.

FINDINGS AND REASONS:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.2, Single Family Low Density Residential (SF-LDR), that is intended to protect the quality and character of existing and stable single family detached low density residential neighborhoods. Areas delineated on the Future Land Use Map for single family low density residential uses shall accommodate single family detached dwelling units with a maximum density of up to six (6) dwelling units per acre. Specific densities will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, and other factors which may be identified in the land development regulations.

2. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan Text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.
3. Compliance with Land Development Code Section 14-3-27, Zoning Map and Land Development Code Amendments, in regards to the submittal and review procedures and criteria to support an amendment. Compliance with Land Development Code Section 14-4-4(A), Agriculture and Conservation District (AC) Zoning District, that is compatible with the Single Family Low Density Residential (SF-LDR) Future Land Use designation that can be considered a holding zone which will permit appropriate rural development until such time new urban development is appropriate.

Recommendation

The Development Review Committee (DRC) recommended approval on June 20, 2023.

The Planning Advisory Board (PAB) recommended approval by a vote of 4-0 on July 19, 2023.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Brenda Ryan

Attachment(s):

1. LUPA-23-0003 Vicinity Map
2. LUPA-23-0003 Aerial Map
3. LUPA-23-0003 Site Data Tables
4. (S)LUPA-23-0003 Proposed Ord 23-15
5. LUPA-23-0003 City Commission Ad
6. LUPA-23-0003 July 19, 2023 PAB Actions
7. LUPA-23-0003 DRC Comments
8. LUPA-23-0003 DRC Support Documents

ITEM 4.B

Public Hearing - Second and Final Reading -Proposed Ordinance #23-16 - Amending the Zoning Map designation from Airport Industrial (AI) to Agriculture and Conservation (AC): Carter Case - ZMA-23-0004

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

Request

Approval of a Zoning Map Amendment to change the Zoning Map designation from Airport Industrial (AI) to Agriculture and Conservation (AC) on approximately 3.4 acres of land.

Explanation

The parcels were annexed, along with 264 other properties, as part of a Small Enclaves Interlocal Agreement (ILA) between the City of Kissimmee and Osceola County (DRC-19-00017). The ILA was intended to annex enclave properties and their associated roadways that could potentially create problems with planning, growth management, and local services. Enclaves, per Florida Statutes Chapter 171, are those areas that are encompassed by a City and where municipal services, such as water, sewer, drainage, police, and fire protection are already provided to surrounding properties. This agreement was approved and adopted by the Osceola County Board of County Commissioners on February 18, 2019.

The Future Land Use designations of properties within the agreement were determined and established in accordance with Comprehensive Plan Policy 1.1.10.5 -- Osceola County and City of Kissimmee Land Use Conversions (DRC-19-00018), however, there were some inconsistencies and errors with the prior County Future Land Use and Zoning designations. The County Zoning designation was Medium Density Residential (RM-2) which is not compatible with the current City Airport Industrial (AI) Zoning designation (DRC-19-00019). The properties contain residential homes with a small residential subdivision less than a quarter mile to the east. The proposed Agriculture and Conservation (AC) Zoning designation is more appropriate and compatible and can be considered a holding zone with a Single Family Low Density Residential (SF-LDR) Future Land Use designation which will permit appropriate rural development until such time new urban development is appropriate.

FINDINGS AND REASONS:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.2, Single Family Low Density Residential (SF-LDR), that is intended to protect the quality and character of existing and stable single family detached low density residential neighborhoods. Areas delineated on the Future Land Use Map for single family low density residential uses shall accommodate single family detached dwelling units with a maximum density of up to six (6) dwelling units per acre. Specific densities will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, and other factors which may be identified in the land development regulations.
2. Compliance with Land Development Code Section 14-3-27, Zoning Map and Land Development Code Amendments, in regards to the submittal and review procedures and criteria to support an amendment.

City of Kissimmee

3. Compliance with Land Development Code Section 14-4-4(A), Agriculture and Conservation District (AC) Zoning District, that is compatible with the Single Family Low Density Residential (SF-LDR) Future Land Use designation that can be considered a holding zone which will permit appropriate rural development until such time new urban development is appropriate.

Recommendation

The Development Review Committee (DRC) recommended approval on June 20, 2023.

The Planning Advisory Board (PAB) recommended approval by a vote of 4-0 on July 19, 2023.

CONDITION:

1. Subject to the approval of the associated Carter Case Land Use Amendment (LUPA-23-0003).

REQUESTED CITY COMMISSION ACTION:

Approve w/Conditions

Department: Development Services

Presenter: Brenda Ryan

Attachment(s):

1. ZMA-23-0004 Vicinity Map
2. ZMA-23-0004 Aerial Map
3. ZMA-23-0004 Site Data Tables
4. (S)ZMA-23-0004 Proposed Ord 23-16
5. ZMA-23-0004 City Commission Ad
6. ZMA-23-0004 July 19, 2023 PAB Actions
7. ZMA-23-0004 DRC Comments
8. ZMA-23-0004 DRC Support Documents

ITEM 4.C

Public Hearing - First Reading - Proposed Ordinance #23-17 - Establishment of a Police and Fire Impact Fee

AN ORDINANCE ADOPTING POLICE AND FIRE IMPACT FEES BY ADOPTING CHAPTER 9, BUILDING AND BUILDING REGULATIONS, ARTICLE X, POLICE AND FIRE IMPACT FEES; REPEALING ALL ORDINANCES CONFLICTING HEREWITH AND PROVIDING AN EFFECTIVE DATE

Request

Staff requests the approval of the First Reading of the Proposed Ordinance #23-17 for the establishment of a Police and Fire Impact Fee.

Explanation

The City retained Raftelis Financial Consultants, Inc. ("Raftelis") to develop police and fire impact fees. The City has not previously enacted police or fire impact fees, so a study is required under state law to implement one. Raftelis produced a 2023 Municipal Impact Fee Study ("Raftelis Study"), which recommended the implementation of police and fire impact fees as proposed.

The Raftelis Study projected that there will be a sizable increase in the city's population over the next decade. In order to maintain the City's existing level of police and fire services, the City will need to add additional police officers and firefighters over the next decade should those projections hold. To support the additional personnel necessary, additional capital costs will also be required to provide vehicles, equipment and facilities to support the additional police and fire personnel. These new fees would ensure that these capital costs are funded at levels necessary to support the additional personnel required to keep pace with population growth.

Maintaining the City's currently existing level of police and fire service is essential to and in the best interests of the public health, safety, and general welfare of the citizens of Kissimmee. This proposed police and fire impact fee ordinance will adopt the police and fire impact fees as recommended in the Raftelis Study. It will also help to ensure that new development pays a portion of the overall costs related to maintaining the existing level of police and fire service to accommodate such new development. Impact fees provide a reasonable and fair method of regulating new development to ensure a portion of capital costs for these necessary services are able to accommodate such new development. These fees are one-time fees that are collected at permit issuance for any new development that is anticipated to generate impacts on police and fire services.

Recommendation

Staff recommends the approval of the First Reading of the Proposed Ordinance #23-17 for the Police and Fire Impact Fee.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney
Presenter: Curtis McGehee

Attachment(s):

1. Police and Fire Impact Fee Ordinance with Exhibit A
City of Kissimmee

2. Proposed ORD 23-17 Advertisement - Police and Fire Impact Fees (Publication Date 08-10-2023)

ITEM 4.D

Public Hearing - First Reading - Proposed Ordinance #23-18 - Amendment to the Parks and Recreation Impact Fee Ordinance

AN ORDINANCE AMENDING "THE KISSIMMEE PARKS AND RECREATIONAL IMPACT FEE ORDINANCE," CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; CHAPTER 28, PARKS AND RECREATION, ARTICLE III, IMPACT FEES, DIVISION 2, RECREATIONAL IMPACT FEES; REPEALING ALL ORDINANCES CONFLICTING HERewith AND PROVIDING AN EFFECTIVE DATE

Request

Staff requests approval of the first reading of Proposed Ordinance #23-18 which will amend the Parks and Recreation Impact Fee section of the City Code.

Explanation

The City previously enacted the Parks and Recreational Impact Fee Ordinance, City Code Secs. 28-105 through 28-116 ("the Ordinance"). The ordinance was last updated on March 10, 2009. The City retained Raftelis Financial Consultants, Inc. to review and update the Ordinance. Raftelis created a 2023 Municipal Impact Fee Study, which also serves as a "demonstrated needs study" demonstrating the extraordinary circumstances necessitating the need to exceed the phase-in limitations found in Sec. 163.31801(6), Florida Statutes ("the Raftelis Study"). The City Commission held two public workshops on July 18, 2023 and July 25, 2023 dedicated to public discussion of the extraordinary circumstances leading to the need to exceed the phase-in limitations found in Sec. 163.31801(6), Florida Statutes. This proposed ordinance increases the parks and recreational impact fees to reflect the recommendations in the Raftelis Study. This ordinance must pass by at least a two-thirds Commission vote according to Sec. 163.31801(6)(g)(3) in order to raise parks and recreational impact fees to the amount proposed by the ordinance.

The City currently maintains twenty (20) parks and recreation facilities encompassing approximately 982.80 acres that provide a level of service to existing residents of 11.89 acres of park and recreational lands per 1,000 residents. The Raftelis Study found that the City is anticipated to experience a sizable population increase over the next ten (10) years, which will require additional parks and recreational facilities.

In order to maintain the existing level of service, the increases to the parks and recreational impact fee proposed by this ordinance will help to ensure that new residential development in the City pays a portion of the overall costs related to the additional parks and recreational facilities and capital expenditures needed to accommodate such new development. This increase will also ensure that the fees are in line with increasing construction costs of new facilities that the city has experienced over the past few years. The proposed impact fee increases provide a reasonable and fair method of regulating new development in order to maintain an adequate level of service for parks and recreational facilities which is essential to and in the best interests of the public health, safety, and general welfare of the citizens of Kissimmee. These fees are one-time fees paid prior to permit issuance for any new residential development that will create an impact on the City's parks and recreation system.

Recommendation

Staff recommends approval of the first reading of Proposed Ordinance #23-18 for the Parks and Recreation Impact Fee Amendment.

City of Kissimmee

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney

Presenter: Steve Lackey

Attachment(s):

1. Parks and Recreation Impact Fee Ordinance with Exhibit A
2. Proposed ORD 23-18 Advertisement - Parks and Rec Impact Fees (Publication Date 08-10-2023)

ITEM 7.A**Approval of City Commission Minutes from the August 1, 2023 Commission Workshop and Commission Meeting****Request**

Request Commission approval of the August 1, 2023 Commission meeting and workshop minutes.

Explanation

Minutes of the Commission meeting and workshop held on August 1, 2023 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Commission

Presenter: Mike Steigerwald

Attachment(s):

1. (S) Commission Minutes - Night Life Safety Workshop - August 1 2023
2. (S) Commission Minutes - August 1 2023

ITEM 7.B**Acceptance of a donation from Osceola County for portable basketball courts and goals****Request**

Acceptance of a donation from Osceola County for three basketball courts and six basketball goals which were previously used at Osceola Heritage Park.

Explanation

Osceola County has recently determined that they no longer need these assets and have graciously donated the courts and goals to the City of Kissimmee Parks & Recreation Department.

The three hardwood portable basketball courts and six goals are high end professional quality, originally purchased in 2012 at \$76,710 per asset or \$230,130 for the three sets. These courts are in excellent condition, with very limited wear and tear. Each asset has approximately 10 years of useful life remaining on a 15 year life expectancy. Using straight line depreciation, the value of these items is approximately \$153,420.

Recommendation

Acceptance of a donation from Osceola County for three basketball courts and six basketball goals which were previously used at Osceola Heritage Park.

REQUESTED CITY COMMISSION ACTION:

Department: Parks & Recreation

Presenter:

Attachment(s):

1. Basketball Donation Letter

ITEM 7.C

Approval of a Resolution to accept a Public Transportation Grant Agreement from the Florida Department of Transportation for Taxiway D Rehabilitation Design

Request

Approval of a Resolution to accept a Public Transportation Grant Agreement (PTGA) from the Florida Department of Transportation (FDOT) in the amount of \$40,000.00 for Taxiway D Rehabilitation Design at Kissimmee Gateway Airport.

Explanation

FDOT is offering a grant in the amount of \$40,000 for Taxiway D Rehabilitation Design. This project will rehabilitate the existing partial parallel Taxiway Delta, including Runway Incursion Mitigations (RIMs) correction. The rehabilitation is approximately 3200 LF. The project includes Medium Intensity Taxiway Lights (MITLS), guidance and mandatory signs, marking, grading, and drainage.

Portions of this project are funded by the Florida Department of Transportation (8%), FAA (90%) as previously approved by City Commission 07/18/2023, Item No. 7.H; and the Airport (2%). The total project amount is \$500,000.00.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47000334-334410	AP2305	Increase	40,000	

Financial Summary:

Portions of this project are funded by the Florida Department of Transportation (8%), FAA (90%) previously approved by the City Commission 07/18/2023, Item No. 7.H; and Airport (2%). The total project amount is \$500,000.00 with each agency funding the following amounts:

FDOT-PTGA 8% (Grant #: 438446-1-94-01) - \$40,000
FAA AIP 90% (Grant # 3-12-0038-044-2023) - \$450,000
Airport 2% (AP2305) - \$10,000

Recommendation

Staff recommends City Commission approval to accept by Resolution, an FDOT Public Transportation Grant Agreement for Design of Taxiway D Rehabilitation at Kissimmee Gateway Airport.

REQUESTED CITY COMMISSION ACTION:

Accept

City of Kissimmee

Department: Airport

Presenter:

Attachment(s):

1. (S) - Resolution PTGA for Taxiway D Design 438446-1-94-01
2. (S) - PTGA to Sponsor 438446-1 Taxiway D Design at ISM

ITEM 7.D

Approval for the Purchase of Two (2) Firefighting Apparatus

Request

Approval to make an advanced purchase of two (2) firefighting apparatus scheduled for replacement in FY2026 due to extended manufacturer delivery dates.

Explanation

The City of Kissimmee Fire Department requests Commission authorization to purchase two (2) Sutphen Custom Engines for a total cost of \$1,895,950 as scheduled replacements for engines in our current fleet. Staff has discussed this purchase with the City Manager and Finance Director and determined that it is in the City's best interest to purchase these apparatus outright, as opposed to the lease purchase method used in the past. Although these apparatus will be paid for in this fiscal year, it takes approximately three to four years for the trucks to be manufactured and received by the Department.

Purchasing the apparatus in this method will save the City \$320,234.

The funding for this purchase will come from funds originally budgeted in the Solid Waste account (41145716-506494), Project (SA2204-411-506494). These funds are not currently needed for that project and will be transferred to the Fire Operations account (10435206-506495) in a new project that will be set up. Funding budgeted for the annual lease payments for these engines in the Sales Tax Fund will be dedicated to covering the debt service for this funding source.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
41145716-506494	SA2204	Decrease		1,895,950
10435206-506495	To be set up	Increase		1,895,950

Financial Summary:

The funds will be transferred from the Solid Waste account to the Fire Operations account (10435206-506495) in a new project that will be set up.

Recommendation

Staff recommends approval to purchase two (2) firefighting apparatus using funds from the Solid Waste account (41145716-506494) Project (SA2204-41-506494), and approval to transfer these funds to the Fire Operations account (10435206-506495) in a new project to be set up. Staff also recommends approval for the Mayor to execute the Purchase Agreement for this purchase.

REQUESTED CITY COMMISSION ACTION:

City of Kissimmee

Approve

Department: Fire

Presenter:

Attachment(s):

1. (S) Sutphen - Purchase Agreement

ITEM 7.E

Acceptance of Donation from Walmart Foundation for Shop with a Cop

Request

City Commission acceptance of donation in the amount of \$1,000 from the Wal-Mart Foundation for the purchase of Christmas gifts for the "Shop with a Cop" Program.

Explanation

The Wal-Mart Foundation has awarded the Kissimmee Police Department a donation in the amount of \$1,000. The following check has been received and awaits approval to be accepted by the Commission:

Wal-Mart Check Number 62259 Date: 05/29/2023 Amount: \$1,000

This donation is part of the Wal-Mart Foundation's commitment to the communities in which its stores are located.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
01500366 366002		Increase	\$1,000	
01530203 505255		Increase	\$1,000	

Financial Summary:

Funding will be used to purchase Christmas gifts for underprivileged children who will be accompanied by uniformed police officers.

Recommendation

Acceptance of donation in the amount of \$1,000 from the Wal-Mart Foundation for the purchase of Christmas gifts for the "Shop with a Cop" program and to amend the budget accordingly.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Police

Presenter:

Attachment(s):

None

City of Kissimmee

ITEM 7.F

Approval to use funds from the Law Enforcement Trust Fund for the City-Wide Security Enhancement Project

Request

The Police Department requests that the Commission approve the use of \$182,500 from the Law Enforcement Trust Fund (LETf) to partially fund the first phase of the City-Wide Security Enhancement Project (Project).

Explanation

KPD seeks to contribute to the funding of the Project, which calls for the construction, installation, and integration into the City's network of public safety cameras positioned at outdoor public spaces, like parks, trails, and traffic intersections, within the City. KPD received \$184,149.79 in forfeiture funds following the dissolution of the Osceola County Investigative Bureau and seeks to use these forfeiture funds for the Project.

The City Manager's Office has created a budget estimate for the first phase of this Project for \$281,680 that relies on \$182,500 in forfeiture funds and seeks to identify other sources for the remaining funding. The first phase of the Project will pay for the construction, installation, and integration into the City's network of additional public safety cameras within outdoor public spaces. The spending of LETf funds for this purpose complies with section 932.7055, Florida Statutes, as these funds will be used to purchase additional equipment to be used by the Department to prevent crime and promote safe trails within the City. Under section 932.7055, Florida Statutes, the Commission must approve the use of funds from the LETf.

Recommendation

Staff recommends approval of the use of LETf money for the Project.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police

Presenter:

Attachment(s):

1. CWSE LETf Trust Fund Certification
2. Memo regarding CWSE LETf Trust Fund Certification

ITEM 7.G

Application of the FY 2023 Edward Byrne Memorial Justice Assistance Grant Program – Local Solicitation from the U.S. Department of Justice

Request

Request City Commission approval to submit an application for the FY 2023 Bureau of Justice Affairs (BJA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Local Solicitation from the United States Department of Justice Office.

Explanation

The Police Department requests approval to submit an application for the FY 2023 BJA Edward Byrne Memorial Justice Assistance Grant Program – Local Solicitation from the U.S. Department of Justice. On June 30 2023, the City was notified that the Office of Justice Programs is open to applications for funding under the FY 2023 Edward Byrne Memorial Justice Assistance Grant Program. The City is eligible for \$29,974, which will be allocated for the partial funding of salaries for two police officers and one police sergeant as outlined in the grant application. The balance of the monies needed for the salaries and benefits of the officers and sergeant will continue to come from the General Fund.

This request is only for the approval to submit the application. The approval to accept the grant and increase the budget will come at a later date.

Recommendation

Staff recommends that the City Commission approve the application of the grant.

REQUESTED CITY COMMISSION ACTION:

Accept

Department: Police

Presenter:

Attachment(s):

1. JAG Grant Opportunity OMB No. 1121-0329
2. JAG Program Fact Sheet June 2023
3. JAGFY23 Florida Local Allocations
4. JAG Grant Application for Federal Assistance (SF-424) #O-BJA-2023-171790 (3)
5. JAG Grant Disclosure of Lobbying Activities (SF-LLL) (1)

ITEM 7.H

Interlocal Agreement between the City of Kissimmee and the School Board of Osceola County relating to the Denn John Middle School Gymnasium

Request

Approval of the Interlocal Agreement between the City of Kissimmee and the School Board of Osceola County relating to the Denn John Middle School Gymnasium.

Explanation

The City of Kissimmee and the School Board of Osceola County wish to enter into an Interlocal Agreement relating to the replacement of the gymnasium floor at Denn John Middle School. The City of Kissimmee will contribute financially to the replacement cost and in return be given the right of first reserved use of the gymnasium. The City has had a long-standing partnership with the School District for use of the Denn John gym outside of school hours for recreation programs that we operate at the facility for the general community.

The term of this agreement will be for a period of ten (10) years from the effective date. The School Board will replace the gymnasium floor and in consideration of the right of first reserved use, the City will pay \$10,000 on October 1, 2024 and \$10,000 on each subsequent October 1st while this agreement is in effect. These funds will be budgeted in the Recreation Division's annual Operating Budget.

Recommendation

Staff recommends approval of the Interlocal Agreement between the City of Kissimmee and the School Board of Osceola County relating to the use of the Denn John Middle School Gymnasium.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Parks & Recreation

Presenter:

Attachment(s):

1. (S) Interlocal Agreement Denn John Middle School (final)

ITEM 7.I

Kissimmee Executive Park Replat - Final Plat (DRC# SR-23-0005)

Request

Approval of the final plat known as Kissimmee Executive Park Replat.

Explanation

The owner of the property, Christaville Inc., is requesting final plat approval without a guarantee. The property is south of West Vine Street and east of Armstrong Boulevard and is combining multiple underlying lots into one lot for development purposes.

Recommendation

Staff recommends approval of the final plat for the Kissimmee Executive Park Replat.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. (S) Final Plat
2. Vicinity Map

ITEM 7.J

Commission Ratification of Collective Bargaining Agreement Reopeners with the Florida State Lodge Fraternal Order of Police Inc. (FOP) Representing the Police Officers, Corporals and Detectives Unit, and the Contract for the Sergeants Unit

Request

Commission ratification of the amendments to the Collective Bargaining Agreement (CBA) with the Florida State Lodge Fraternal Order of Police Inc. (FOP) representing the Police Officers, Corporals and Detectives Unit, and the Contract for Sergeants Unit.

Explanation

The current Collective Bargaining Agreements (CBA) with the City and FOP are effective from October 1, 2021 through September 24, 2024. However, pursuant to Article 37 of the CBA in the second and third years of the term of the CBA, parties may reopen Article 28, "Pay Plan" and up to two additional articles per side. The City negotiation team and FOP have reached agreement on reopener negotiations for both bargaining units.

In a unanimous vote for both CBA's, FOP members voted affirmatively to ratify the amendments to the CBA, which are now presented to the Commission for ratification.

The changes applicable to both of the CBAs are as follows:

Article 14: Off-Duty Police Details - An increase of \$7.00 in the hourly rate for off-duty event details, bringing the total to \$57.00 an hour, \$66.00 an hour for holiday events, and \$50.00 for City-sponsored events. Additionally, there is an increase to FTO training compensation from \$35.00 to \$40.00 per day for up to two officer recruits and an additional \$10.00 a day to \$50.00 for the training of three or more officer recruits.

The changes to the Police Officers, Corporals, and Detectives CBA are as follows:

Article 28: Pay Plan - The new language reflects a 12% pay increase for unit members that are currently making \$52,353 annually or below and a 10% increase for all other members. Officers' starting pay will be \$54,745.60 annually (\$26.32 an hour). Corporal's starting pay will be \$78,436.80 annually (\$37.71 an hour).

The changes to the Sergeant's CBA are as follows:

Article 28: Pay Plan - The new language reflects a 10% pay increase, which will bring the starting pay to \$86,444.80 annually (\$41.56 an hour).

Recommendation

Approval of the CBA contract amendments with the Florida State Lodge Fraternal Order of Police Inc. (FOP) Representing the Police Officers, Corporals and Detectives Unit, and the Contract for Sergeants Unit.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney

Presenter:

Attachment(s):

City of Kissimmee

1. (S) Kissimmee Sgts. Reopeners 2023. CLEAN COPY
2. Kissimmee Sgts. Reopeners 2023. REDLINED COPY
3. (S) Kissimmee Officers Corporals Detectives - Reopeners 2023. CLEAN COPY
4. Kissimmee Officers Corporals Detectives - Reopeners 2023. REDLINED COPY

ITEM 7.K

Consent To Sub-Lease Between Sunstate Aviation Holdings, LLC and Sunstate Aviation Flight School, LLC

Request

Request City Commission approval of Consent to Sub-Lease between Sunstate Aviation Holdings, LLC and Sunstate Aviation Flight School, LLC

Explanation

Sunstate Aviation Holdings, LLC, has a current ground rental lease at the Kissimmee Gateway Airport to operate limited commercial aviation services. One such service is flight instruction. Sunstate Aviation Holdings, LLC, has created a separate organization for these services and has registered the business as Sunstate Aviation Flight School, LLC. Sunstate Aviation Holdings, LLC has requested the City recognize Sunstate Aviation Flight School, LLC as a subleased operation. This will provide the future opportunity to sell or sublease the flight instruction operation to another operator.

Recommendation

Staff recommends Commission approval of Consent to Sub-Lease between Sunstate Aviation Holdings, LLC and Sunstate Aviation Flight School, LLC

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. (S) Agreement for Consent to Sublease Sunstate Aviation Holding, LLC and Sunstate Aviation Flight School, LLC

ITEM 7.L

Agreement for Traffic Control Jurisdiction between the Cypress Ridge Community Homeowners Association, Inc and the City of Kissimmee

Request

The Police Department requests the Mayor to sign the Agreement for Traffic Control Jurisdiction between The Cypress Ridge Community Homeowners Association, Inc. and the City of Kissimmee.

Explanation

The Police Department requests Commission approval for the Mayor to sign the Traffic Control Jurisdiction between the Cypress Ridge Community Homeowners Association, Inc. and the City of Kissimmee. Cypress Ridge, a gated community, has requested that the Kissimmee Police Department exercise traffic control jurisdiction on private roads within the neighborhood. Florida Statute section 316.006(2)(b) allows Kissimmee Police Department to exercise such jurisdiction upon written agreement approved by the Commission.

Recommendation

Staff recommends that the Mayor sign the Traffic Control Jurisdiction between Cypress Ridge Community Homeowners Association, Inc. and the City of Kissimmee.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police

Presenter:

Attachment(s):

1. (S) Cypress Ridge Community HOA Traffic Control Agreement signed by HOA (1)

ITEM 7.M

Authorization to submit an application for the Fiscal Year 2022 Justice Assistance Grant made available by the U.S. Department of Justice

Request

The Kissimmee Police Department requests the Commission review and approve the submittal of an application for the Fiscal Year 2022 Justice Assistance Grant (JAG-C) program.

Explanation

The Osceola County Board of County Commissioners has received notification from the Florida Department of Law Enforcement (FDLE) of the Justice Assistance Grant (JAG-C) allocated for fiscal year 2022. The total amount of JAG-C funding made available to Osceola County is \$103,550 and is made available by the U.S. Department of Justice (USDOJ). This grant funding is intended to assist state, local, and tribal efforts to prevent or reduce crime and violence.

Recommendation

Approval to apply for the Justice Assistance Grant (JAG-C) allocation for fiscal year 2022.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police

Presenter:

Attachment(s):

1. Osceola Co grant application notice
2. 072523_JAGC-FY-2022-Application_fillable (1)

ITEM 8.A

UCF Small Business Development Center Annual Report and Services Agreement

Request

UCF Florida Small Business Development Center (SBDC) Presentation and request to continue agreement for FY 2023-24.

Explanation

The City of Kissimmee has a partnership with the UCF Florida Small Business Development Center (SBDC) via the Osceola Chamber of Commerce, which houses the organization. The SBDC provides entrepreneurs with technical support to create, operate and advise small businesses. The SBDC serves a central role in getting small businesses launched in the City of Kissimmee, Florida. The site manager of the Kissimmee SBDC will provide the Commission with a year-end update.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00110603 503434		Decrease	\$30,000	\$30,000

Financial Summary:

Pending Commission approval of the FY 2023-24 budget, funding for this program has been allocated in the Economic Development Department's "Other Contract Services" account in the amount of \$30,000.

Recommendation

Approval to continue funding the SBDC in the amount of \$30,000 and authorize the City Manager to update and execute the annual services agreement with the SBDC.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Economic Development
Presenter: Arthur Tomerlin

Attachment(s):

1. KOC Center Yearly Performance 2022-23

ITEM 8.B

Prospera Annual Report and Services Agreement

Request

Prospera annual report presentation and request to continue agreement for FY 2023-24.

Explanation

The City of Kissimmee has a partnership with Prospera to advance Hispanic business in our City. Prospera offers business education, consulting, minority certification, technical help and access to capital. Prospera is focused on helping Hispanic businesses, and will tailor services according to individual needs. Prospera has experienced an increase in demand for its services and recommends a funding increase in order to grow capacity. Funding is proposed to increase to \$20,000 per year (current funding is \$10,000/year). Prospera serves a central role in getting Hispanic business kick-started with a customized suite of business development services. Prospera Leadership will provide the Commission with a year-end update and overview of their plan to enhance services in Kissimmee.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00110603 503434		Decrease	\$20,000	\$20,000

Financial Summary:

Pending Commission approval of the FY 2023-24 budget, funding for this program has been allocated in the Economic Development Department's "Other Contract Services" account in the amount of \$20,000.

Recommendation

Approval to continue funding Prospera at the new amount of \$20,000 and authorize the City Manager to update and execute the annual services agreement with Prospera.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Economic Development
Presenter: Arthur Tomerlin

Attachment(s):

1. Prospera Central Florida - Kissimmee update August 2023

City of Kissimmee

ITEM 8.C

Commission Review and Approval of Legislative Priorities for 2024

Request

Commission review and approval of the 2024 Proposed Legislative Priorities.

Explanation

Each year, the City establishes legislative priorities featuring requests to be considered for funding and/or legislative support at the state and federal level. These priorities will serve as the work program for our lobbying teams hired for the upcoming 2024 Legislative Session and are based on the City's Strategic Plan and Commission Goals. The following list includes the proposed priorities:

STATE LEGISLATIVE FUNDING REQUESTS:

Stormwater and Flood Mitigation Projects - Lindell Avenue and Bermuda Estates Neighborhood
Hill Street Sidewalk Improvements
Kissimmee Gateway Airport South Business Park Utility Improvements
Intersection Safety Improvements for Thacker and Flora

STATE LEGISLATIVE SUPPORT REQUESTS:

Cyber Security Grants to Local Governments
FDOT Aviation Funding
Emergency Medical Services – Controlled Substances
ALS Non-Transport Service Reimbursement
Funding for Workforce Development and Recruitment

FEDERAL CONGRESSIONAL SUPPORT/FUNDING:

Kissimmee Gateway Airport Tower
North Lake Toho Water Quality Improvements

A more detailed explanation of each of the proposed Legislative Priorities will be provided to the Commission prior to the meeting. This is a working document that may be amended as priorities are determined and finalized.

Recommendation

Commission review and approval

REQUESTED CITY COMMISSION ACTION:

Commission Direction

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 8.D

Advisory Board Vacancy: Parks and Recreation Advisory Board

Request

The Commission is requested to make an appointment to fill a vacancy due to the death of a member of the Parks and Recreation Advisory Board.

Explanation

In July 2023, the City was notified of the passing of Board Member Guillermo Hansen, leaving a vacancy on the Parks and Recreation Advisory Board. The remaining term for that vacancy will expire on May 31, 2025; Seat # 5 will be assigned to the vacancy.

The Commission will have 30-days to make the appointment or an extension will be necessary. If no extension is requested, the appointment will automatically rollover to the next Commissioner in the rotation.

Commissioner Rotation:	Appointment Expires:	Advisory Board:	Board Term Expires:	Requirements:
Seat # 5: Mayor Gonzalez <i>*Two applications on file</i>	09/12/2023	Parks & Recreation Advisory Board	05/31/2025	Member must be a City Resident.

Recommendation

Staff recommends the Commission make an appointment to fill the open vacancy on the Parks and Recreation Advisory Board.

REQUESTED CITY COMMISSION ACTION:

Appoint/Reappoint

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. Linda McCoy Application - PARAB
2. Carlynn Rothey Application - PARAB