



**MEETING AGENDA
SESSION OF THE CITY COMMISSION
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, NOVEMBER 7, 2023 AT 6:00 PM**

1. MEETING CALLED TO ORDER

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

3.A Employee of the Month for November

3.B Promotion Ceremony for Police Lieutenant, Sergeant and Corporal

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A Public Hearing - Second and Final Reading - Proposed Ordinance #23-08 - Ordinance to annex 0.79 acres of land - AX-23-0001 - County Vacated Right-of-Way (ROW) Hilliard Isle

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND, TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

4.B Public Hearing – Final Reading - Proposed Ordinance #23-09 - Ordinance amending the Future Land Use Map designation from County Vacated Right-of-Way (ROW) to City Commercial General (CG): Hilliard Isle ROW Vacation, LUPA-23-0002

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.C Public Hearing - Final Reading - Proposed Ordinance #23-10 - Ordinance amending the Zoning Map designation from County Vacated Right-of-Way to City Neighborhood Commercial (B-2): Hilliard Isle ROW, ZMA-23-0003

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.D Public Hearing - Second and Final Reading - Proposed Ordinance # 23-21 - Amending the Police Retirement Plan

AN ORDINANCE OF THE CITY OF KISSIMMEE ,FLORIDA, AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION 4, POLICE OFFICERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-198,DEFINITIONS; AMENDING SECTION 30- 201, FINANCES AND FUND MANAGEMENT, ESTABLISHMENT OF OPERATION OF FUND;AMENDING SECTION 30-213, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 30-228, SUPPLEMENTAL SHARE PLAN RETIREMENT BENEFIT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT 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 October 17, 2023 meeting

7.B Purchase of Compact Rapid Deployable (CRD) Communications Device

7.C Donation of a trained scent discrimination Bloodhound from Senior Resource Alliance

7.D Replacement of playground at Kissimmee Lakefront Park

7.E State of Florida Mutual Aid Agreement (Contract 20240037)

7.F Commission Ratification of the Collective Bargaining Agreement (CBA) with the International Association of Firefighters, Local 4208 (IAFF) Representing the Rank and File and Supervisory Bargaining Units

7.G New pavilion at Oak Street Park

7.H Building Fund budget adjustments

7.I 2023 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs

7.J Resilient Florida Grant for Woodside Drainage Improvement Project

7.K Randolph Place - Final Plat (DRC# SR-22-0020)

7.L Purchase of a Street Sweeper for Public Works Streets and Stormwater Division

7.M Amendment to Drainage and Retention Pond Easement for the Epoch Phase 3 Development (DRC# 21-00085)

7.N Budget Adjustment to the State Housing Initiatives Partnership (SHIP) Funds

7.O First Addendum of Janitorial Services contract with Halo Building Services

7.P Sale of vacant land located at 504 Canterbury Lane

7.Q Projects to be Carried Forward to FY 2023-2024

7.R Federal Aviation Administration Grant for Construction/Improvements of Taxiway Delta

7.S HOME Program and Subordination Agreements for the Pinnacle at the Wesleyan Apartments

7.T Temporary Construction Easement Agreement Between the City of Kissimmee and Park Square MF, LLC

8. DISCUSSION ITEMS

8.A Social Services and Quality of Life Grant Funding Allocations for FY 2023-24

9. HEAR CITY OFFICIALS

9.A CITY MANAGER

9.B CITY ATTORNEY

9.C CITY COMMISSION

10. ADJOURNMENT

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

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

ITEM 3.A

Employee of the Month for November

Request

Request that the City Commission join the City Manager in recognizing Scott Pool, Human Resources & Risk Management, as November's Employee of the Month.

Explanation

The City is honored to recognize Scott Pool as Employee of the Month for November. Scott is the Benefits Analyst and has been with the City for over 26 years.

Scott is an excellent contributor to the City and its employees. His dedication, compassion, and willingness to help others demonstrate not only his professional competence but also his outstanding character. Scott's ability to simplify complex Wellness and Benefits information, his involvement in various committees, his thoughtful gestures, and his big heart are among a few of his special qualities. Scott's commitment to the overall well-being of his colleagues and the organization as a whole shines bright when he is coordinating the City Health Fair, Memorial Service, Employee Seminars, Employee Orientations, and Exit Interviews. One example of Scott's benevolence is when he assisted co-workers during a rainstorm: employees were waiting in the lobby to go to their vehicles, and Scott took it upon himself to locate umbrellas, so his co-workers were able to get to their cars safely and dry. Employees are fortunate to have someone like Scott who goes above and beyond to create a positive and supportive work environment. His actions truly make a difference and contribute significantly to the City's community spirit.

For this and many more, the City is pleased to recognize Scott Pool.

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

None

ITEM 3.B

Promotion Ceremony for Police Lieutenant, Sergeant and Corporal

Request

Swearing in and administering of oath for newly promoted Police Lieutenant Brandin J. Suarez, Sergeant Josue A. Naranjo and Corporal Mario O. Lewis.

Explanation

Brandin J. Suarez was hired by the City on April 26, 2010, and has worked assignments in the Patrol, Special Operations, and Criminal Investigations Divisions.

Josue A. Naranjo was hired by the City on May 21, 2012, and has worked assignments in the Patrol, Special Operations, and Criminal Investigations Divisions.

Mario O. Lewis was hired by the City on March 11, 2019, and has worked assignments in the Patrol Division and Professional Standards Section.

Department: Police
Presenter: Betty Holland

Attachment(s):

1. (S) Swearing Oath 11.07.23

ITEM 4.A

Public Hearing - Second and Final Reading - Proposed Ordinance #23-08 - Ordinance to annex 0.79 acres of land - AX-23-0001 - County Vacated Right-of-Way (ROW) Hilliard Isle

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND, TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Request

Approval to Annex approximately 0.79 acres of property located east of Simpson Road and north of Hilliard Isle Road.

Explanation

The subject property has a total land area of 1.3 acres of land. A portion to the south of this property, approximately 0.79 acres of land, remains in Osceola County's jurisdiction. The applicant has initiated this annexation application to annex this portion of vacated street right-of-way to develop the entire site in the near future. The proposed annexation meets all the requirements set forth by local ordinance and Florida Statutes for a voluntary annexation as the property is contiguous, or adjacent, to the City Limits along the northern and southern boundaries.

Property History: The subject site has gone through various changes over time. In 2000, the City of Kissimmee Commission approved an annexation request, which included a portion of the subject property to the south (please see attached Ordinance #2410). It was during this time that Hilliard Isle Road was to the south of the subject property. In 2007, a final plat was approved by the City of Kissimmee where it introduced a realignment of Hilliard Isle Road to the north of the subject property (refer to attached Final Map "Hilliard Isle Commercial Center"). In 2015, the Board of County Commissioners of Osceola County initiated the vacation of right-of-way of Hilliard Isle Road to the south (refer to Osceola County Vacation ROW Map). Since then, this portion has remained in Osceola's County jurisdiction as a vacated ROW. The First Reading of this annexation was approved at the July 18, 2023, City Commission meeting.

FINDINGS AND REASONS:

1. Compliance with Chapter 171 of the Florida Statutes as it meets all the criteria for voluntary annexation as the property is contiguous, or adjacent, to the City Limits along the northern and southern boundaries of the parcel. Public services, including water, sewer, drainage, and emergency services are already provided to these adjacent City parcels. The subject property is reasonably compact and will not result in the creation of an enclave if annexed.
2. Compliance with Section 14-3-25 annexation regulations outlined in the Land Development Code that refers to Chapter 171, Florida Statutes, and the general annexation procedures in the City's Comprehensive Plan utilizing either the City's land use conversion table in Future Land Use Policy 1.1.10.5, an Annexation Agreement, or a Future Land Use Map amendment. A concurrent Future Land Use Amendment (LUPA-23-0002) will be utilized to establish the Future Land Use designation on this property.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve
City of Kissimmee

The Development Review Committee (DRC) recommended approval on April 4, 2023.

The Planning and Advisory Board (PAB) recommended approval by a vote of 4-0 on June 7, 2023.

The First Reading was approved at the July 18, 2023 City Commission meeting.

Attachment(s):

1. AX-23-0001 Vicinity Map
2. AX-23-0001 Aerial Map
3. AX-23-0001 Site Data Tables
4. (S)AX-23-0001 Proposed Ordinance 23-08
5. AX-23-0001 City Commission Ad
6. AX-23-0001 July 18, 2023 City Commission Minutes
7. AX-23-0001 June 7, 2023 PAB Minutes
8. AX-23-0001 DRC Comments
9. AX-23-0001 DRC Application
10. AX-23-0001 Support Documents
11. AX-23-0001 Affidavit of Publication (Orlando Sentinel)

ITEM 4.B

Public Hearing – Final Reading - Proposed Ordinance #23-09 - Ordinance amending the Future Land Use Map designation from County Vacated Right-of-Way (ROW) to City Commercial General (CG): Hilliard Isle ROW Vacation, LUPA-23-0002

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 Plan Amendment changing the Future Land Use Map designation from County Vacated Right-of-Way to City Commercial Commercial (CG) on approximately 0.79 acres of land.

Explanation

The subject parcel was annexed to the City of Kissimmee in 2000 with a Future Land Use Map designation of Commercial General (CG). On April 1, 2008, a Final Plat was approved by the City of Kissimmee which resulted in the realignment of Hilliard Isle Road connecting to Simpson Road. The existing portion of Hilliard Isle south of the realignment was closed and no longer used as a road. On November 9, 2015, the property owner initiated a Vacation of Right-of-Way (ROW) for the existing portion with the County to offset the loss in property that was provided with the dedication of the new road alignment, which was approved by Osceola County.

Even though the Vacation of the ROW application was approved, this portion of land (0.47 acres) remained in Osceola County jurisdiction. The applicant wishes to use the same Land Use designation of Commercial General (CG) in order to develop the entire property as a unified commercial development.

FINDINGS AND REASONS:

1. Compliance with Policy 1.2.3.2, Commercial General (CG): Future Land Use Designation, that is intended to accommodate office uses, general retail sales, and service uses that are highly accessible and adjacent to major thoroughfares and transit facilities and possess necessary location, site, and market requirements.
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.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve w/Conditions

The Development Review Committee (DRC) recommended approval on May 2, 2023.

City of Kissimmee

The Planning Advisory Board (PAB) recommended approval by a vote of 4-0 on June 7, 2023.

CONDITION:

1. Subject to the approval of the Hilliard Isle ROW Annexation (AX-23-0001).

Attachment(s):

1. LUPA-23-0002 Vicinity Map
2. LUPA-23-0002 Aerial Map
3. LUPA-23-0002 Site Data Tables
4. (S)LUPA-23-0002 Proposed Ord 23-09
5. LUPA-23-0002 City Commission Ad
6. LUPA-23-0002 June 7, 2023 PAB Minutes
7. LUPA-23-0002 DRC Comments
8. LUPA-23-0002 DRC Application
9. LUPA-23-0002 Affidavit of Publication (Orlando Sentinel)

ITEM 4.C

Public Hearing - Final Reading - Proposed Ordinance #23-10 - Ordinance amending the Zoning Map designation from County Vacated Right-of-Way to City Neighborhood Commercial (B-2): Hilliard Isle ROW, ZMA-23-0003

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 designation from County Vacated Right-of-Way to City Neighborhood Commercial (B-2) on approximately 0.79 acres of land.

Explanation

The subject parcel is in the Neighborhood Commercial (B-2) zoning district and has a total land area of 1.3 acres of land. A portion to the south of this property, approximately 0.79 acres of land, is currently in Osceola County jurisdiction with no zoning designation (classified as Vacated ROW). The applicant has requested to annex this portion of vacated ROW in order to develop the site in the near future.

The subject site has gone through various changes over time. In 2000, the City of Kissimmee Commission approved an annexation request, which included a portion of the subject property to the south (please see attached Ordinance #2410). It was during this time that Hilliard Isle Road was to the south of the subject property. In 2007, a final plat was approved by the City of Kissimmee where it introduced a realignment of Hilliard Isle Road to the north of the subject property (refer to attached Final Map "Hilliard Isle Commercial Center"). In 2015, the Board of County Commissioners of Osceola County approved the vacation of right-of-way of Hilliard Isle Road to the south (refer to Osceola County Vacation ROW Map). Since then, this portion has remained in Osceola's County jurisdiction as a vacated ROW.

FINDINGS AND REASONS:

1. Compliance with the intent of the Neighborhood Commercial (B-2) zoning district as outlined in Section 14-4-4(l) of the Land Development Code.
2. Compliance with the allowable uses as outlined in Section 14-4-5, Table 4-2, is consistent and compatible with the surrounding area.
3. Compliance with Land Development Code Section 14-3-27, Zoning map and Land Development Code (LDC) amendments, in regards to the submittal and review procedures and criteria to support an amendment.
4. Compliance with Comprehensive Plan Future Land Use Policy 1.2.3.2, Commercial General, in that this designation is compatible with the Neighborhood Commercial (B-2) Zoning designation.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve w/Conditions

City of Kissimmee

The Development Review Committee (DRC) recommended approval on May 2, 2023.

The Planning Advisory Board (PAB) recommended approval by a vote of 4-0 on June 7, 2023.

CONDITION:

1. Subject to the approval of the associated Hilliard Isle ROW Annexation (AX-23-0001) and Land Use Plan Amendment (LUPA-23-0002).

Attachment(s):

1. ZMA-23-0003 Vicinity Map
2. ZMA-23-0003 Aerial Map
3. ZMA-23-0003 Site Data Tables
4. (S)ZMA-23-0003 Proposed Ordinance 23-10
5. ZMA-23-0003 City Commission Ad
6. ZMA-23-0003 June 7, 2023 PAB Minutes
7. ZMA-23-0003 DRC Comments
8. ZMA-23-0003 DRC Application
9. ZMA-23-0003 Affidavit of Publication (Orlando Sentinel)

ITEM 4.D

Public Hearing - Second and Final Reading - Proposed Ordinance # 23-21 - Amending the Police Retirement Plan

AN ORDINANCE OF THE CITY OF KISSIMMEE ,FLORIDA, AMENDING CHAPTER 30, PERSONNEL, ARTICLE III, EMPLOYEE RETIREMENT, DIVISION 4, POLICE OFFICERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE; AMENDING SECTION 30-198,DEFINITIONS; AMENDING SECTION 30- 201, FINANCES AND FUND MANAGEMENT, ESTABLISHMENT OF OPERATION OF FUND;AMENDING SECTION 30-213, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 30-228, SUPPLEMENTAL SHARE PLAN RETIREMENT BENEFIT; 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 # 23-21 for the Police Retirement Plan.

Explanation

The proposed ordinance #23-21 and the no impact statement from the Plan's Actuary are attached for approval. The Pension Attorney prepared the proposed ordinance and the Actuary indicated that this will not have an actuarial impact on the cost of the Police Retirement Plan.

This proposed ordinance includes minor changes that accomplish the following:

- 1) Amending the definition of salary to better align the language with the Internal Revenue Code.
- 2) Allow for Board discretion on recovering inadvertent overpayments, pursuant to Secure Act 2.0.
- 3) Updating the language with the Internal Revenue Code in the Secure Act 2.0, changing the required distribution date from age 70½ to age 72, the applicable age provided for in the Internal Revenue Code.
- 4) Clarifies language that members who receive a refund of their accumulated contributions will forfeit their distribution of their share allocation and vice versa.

Recommendation

Staff recommends approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Human Resources & Risk Management

Presenter: Mike Steigerwald

Attachment(s):

1. Proposed Police Ordinance 23-21
2. No Impact Statement for Proposed Ord 23-21
3. Steigerwald.09-07-23

ITEM 7.A**Approval of City Commission Minutes from the October 17, 2023 meeting****Request**

Request Commission approval of the October 17, 2023 Commission Minutes.

Explanation

Minutes of the Commission meeting held on October 17, 2023 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Commission

Presenter:

Attachment(s):

1. (S) - City Commission Meeting Minutes - October 17, 2023

ITEM 7.B

Purchase of Compact Rapid Deployable (CRD) Communications Device

Request

Approval to purchase a Compact Rapid Deployable (CRD) communications device for redundant mission critical communications.

Explanation

The Police and Fire Departments rely heavily on modern communications devices and technologies to ensure full operational readiness and effectively respond to any natural or manmade event. Additionally, other mission critical functions that support the city's operations also rely on fast, secure, and reliable communications with outside systems.

To better prepare the City of Kissimmee, the use of a Compact Rapid Deployable (CRD) communications device would provide multiple forms of redundant satellite and cellular data backhaul to support mission critical communications and activities. Additionally, a CRD provides first responders with a completely standalone cellular tower to ensure mobile computers, cell phones, and enhanced push-to-talk functions are capable of operating in the event of an outage. Additionally, the CRD can be deployed during pre-planned events to provide supplemental coverage to first responders to ensure voice and data communications stay active and are not impacted by large crowds that can easily impact and overload a single cellular tower during an event with several thousand attendees.

The CRD is also capable of being deployed during blue sky conditions to provide data backhaul to City facilities in the event the data connection to the facility is lost due to a planned or unplanned data outage.

The purchase of the CRD is being considered a sole-source purchase due to restrictions and licensing requirements of the FirstNet Authority, an independent agency within the U.S. Department of Commerce's National Telecommunications and Information Administration (NITA). FirstNet has legally licensed the use of the Band 14 spectrum to first responder communication devices.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
56060106-506494	CM2321	Decrease	\$54,860	
00110706-506494	CM2321	Increase	\$54,860	
00110706-506494	CM2321		\$116,289	\$87,202.98

Financial Summary:

The purchase of the CRD is fully funded through project CM2321 which includes funding strings from two different City funds. As part of this purchase request, staff is requesting the approval of a budget

transfer and amendment that moves all allocated funds in the project out of the Central Services Fund and into the General Fund project string to cover the CRD, training, and service fees.

Recommendation

Approval to complete necessary budget adjustments and transfers for CM2321, and purchase a Compact Rapid Deployable (CRD) communications device from FirstNet for \$87,202.98.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter:

Attachment(s):

1. FirstNet Compact Rapid Deployable Quote

ITEM 7.C

Donation of a trained scent discrimination Bloodhound from Senior Resource Alliance

Request

The Police Department requests authorization to accept the donation of a trained scent discrimination Bloodhound from Senior Resource Alliance.

Explanation

The Senior Resource Alliance (SRA) assists senior citizens, their caregivers and family members in accessing the many services and programs of the state and federal government available to senior citizens. The SRA also is an objective clearinghouse for information and services offered by local, state, and national organizations. SRA has been serving our community since 1985. The SRA is donating a scent trained Bloodhound (value \$15,000) to the Kissimmee Police Department to assist us to protect those in our community who are at risk of wandering, finding missing persons, and creating a safer community.

Recommendation

Staff recommends approval for the Police Department to accept the donation of a trained scent discrimination Bloodhound from the Senior Resource Alliance.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police

Presenter:

Attachment(s):

1. Senior Resource Alliance Donation Letter

ITEM 7.D

Replacement of playground at Kissimmee Lakefront Park

Request

Approval to transfer funds, purchase and construct a replacement playground at Kissimmee Lakefront Park.

Explanation

Parks and Recreation has been given a great opportunity to replace the ten-year-old playground at Kissimmee Lakefront Park off of Monument Avenue. The new playground structure will be built for children ages 2-5 and 5-12 years olds. This playground will feature state of the art playground components not currently available for purchase. BCI Burke Company, LLC has offered this playground at a substantial savings of \$128,946 with plans to unveil the new product line at its January 2024 Annual National Conference. BCI Burke Company is part of the Sourcewell Cooperative Purchasing Alliance, of which the City of Kissimmee is also a member (Contract #010521-BUR). The ability to use this contract has been verified by the City's Procurement division.

This new playground structure retails at \$192,974, but with the City's discount of nearly 67%, the cost will only be \$64,028. With shipping and discounted professional installation, the total cost is \$113,527.90. In order to provide this unique play space for the City's citizens to enjoy, staff is requesting to combine money from various projects to create this new project at our most frequently used park.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10450106-506393	ST2401	Decrease	\$40,000	\$113,527.90
10450106-506393	ST2403	Decrease	\$35,000	
00150206-506393	PR2401	Decrease	\$35,000	
00150406-506494	PR2411	Decrease	\$4,000	
10450706-506393	TBD	Increase	\$114,000	

Financial Summary:

Staff is requesting to combine funds from Parks and Recreation capital projects and create a new project that will be titled Lakefront Park Playground to purchase and install the proposed playground.

Recommendation

Approval to transfer funds, purchase and construct a playground at Kissimmee Lakefront Park

REQUESTED CITY COMMISSION ACTION:

City of Kissimmee

Approve

Department: Parks & Recreation

Presenter:

Attachment(s):

1. (S) Agreement BCI Burke Lakefront Playground - Agenda
2. BCI Burke Quote

ITEM 7.E

State of Florida Mutual Aid Agreement (Contract 20240037)

Request

Approval to adopt the Statewide Mutual Aid Agreement between the City and the Florida Division of Emergency Management to receive and/or provide assistance during emergencies.

Explanation

The State of Florida Emergency Management Action, Chapter 252, authorizes the State of Florida and its political subdivisions to provide emergency aid and assistance in the event of a disaster or emergency.

The statutes also authorize the State to coordinate the provision of any equipment, services, or facilities owned or organized by the State or its political subdivisions for use in the affected area upon the request of the duly constituted authority of the area.

This agreement would provide the City of Kissimmee to request assistance for resources when a local incident has expanded beyond the response capabilities of the organization. Additionally, it would allow the City to provide assistance and resources to other political subdivisions in a disaster or emergency.

Recommendation

Adoption of the Statewide Mutual Aid Agreement between the City of Kissimmee and the Florida Division of Emergency Management

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter:

Attachment(s):

1. Statewide Mutual Aid Agreement (S)

ITEM 7.F

Commission Ratification of the Collective Bargaining Agreement (CBA) with the International Association of Firefighters, Local 4208 (IAFF) Representing the Rank and File and Supervisory Bargaining Units

Request

Commission approval and ratification of the Collective Bargaining Agreement between the City of Kissimmee and the International Association of Firefighters (IAFF), Local 4208, representing the Rank and File Unit (Cert #1400) and Supervisory unit (Cert #1401) effective October 1, 2022 to September 30, 2024.

Explanation

The Collective Bargaining Agreement (CBA) with the City and Kissimmee Professional Firefighters Local 4208 expired September 30, 2022. Negotiations between the respective parties' bargaining team members began in June 2022, and the parties met regularly in an effort to come to mutually agreeable terms for the CBA. The parties tentatively agreed to all matters of the contract in late April 2023, when the Union brought matters forward that are not part of the CBA and are part of Department SOGs.

Unfortunately, on July 6, 2023, the Union declared an impasse after the parties could not come to an agreement regarding continued lung function testing, which is conducted annually as part of the firefighter's respiratory protection program. The Union wanted the City to discontinue this testing which has been the department's past practice for over 25 years, and every other agency in Central Florida conducts the same type of testing.

Although an impasse was declared, the Union and the City continued to negotiate the terms of the new CBA. On September 22, 2023, the Union's leadership agreed to bring the negotiated CBA to a vote of the membership. On October 16, 2023, the Union President advised the City of a favorable vote on the CBA by both bargaining units.

The substantive changes to the CBA for existing articles are as follows:

Wages-

FY 2022-2023, union members will receive a 5% increase to their base pay and a one-time lump sum payment of \$2,500.

FY 2023-2024, union members will receive a 10% increase to their base pay and a 3% increase (one-step progression in the Step Plan in Appendix B).

Live Fire Training Instructors 2 (LFTI2) will receive compensation of \$1250.00 a year.

Paramedic Incentive increased from \$9,250.00 to \$10,500.

Beginning FY2023-2024, Unit members assigned to the medic position on the rescue will receive an additional

\$1.00 an hour while working in that assignment.

Holiday Leave - Increase from 240 hours of "Fire Holiday Leave" to 252 hours, representing 12 hours for each of the 11 City recognized holidays (equivalent of 132 hours).

The following summarizes new articles added to the CBA:

Annual Physicals- all unit members shall be required to complete a medical examination each calendar year through the City's Motivate Me program.

Special Events- Lieutenants needed for special events shall be compensated \$50.00 an hour, or their City of Kissimmee

overtime rate if it is more than \$50.00 an hour. Firefighters and Engineers shall be paid \$40.00 an hour, or their overtime rate if it is more than \$40.00 an hour.

With the increases in wages, the City's new firefighter's starting salary will be \$51,818 (with FLSA) compared to Osceola County's starting salary of \$49,495.68 and St. Cloud's starting salary of \$46,866. This does not include the additional incentive pay that an employee may receive as a paramedic of \$10,500 a year or other applicable incentives due to special certifications.

This CBA shall remain in effect until midnight September 30, 2024.

Recommendation

Approval of the Collective Bargaining Agreement with the International Association of Firefighters (IAFF), Local 4208, representing the Kissimmee rank and file and supervisory units.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney

Presenter:

Attachment(s):

1. Kissimmee IAFF CBA RED-LINE Version -FINAL. 2022.2024
2. /S/ Kissimmee IAFF 2022 CBA Clean Version -FINAL. 2022.2024

ITEM 7.G

New pavilion at Oak Street Park

Request

Approval of agreement to purchase and construct a new pavilion at Oak Street Park from Top Line Recreation Inc. through an intergovernmental cooperative purchasing agreement

Explanation

This project involves the replacement of a small 20' x 20' pavilion at the Oak Street Park playground with a larger 20' x 40' structure, resulting in enhanced amenities for park users and providing the opportunity for pavilion rentals to residents. The total cost of the new pavilion, including removal of the existing structure, shipping and installation, is \$101,629.

The Parks and Recreation Department seeks to engage Top Line Recreation Inc. for the procurement, delivery and installation of the Oak Street Park pavilion through an intergovernmental cooperative purchasing agreement. This selection follows a competitive bidding and selection process that was successfully concluded on March 3, 2023 by Clay County, Florida as reflected in agreement RFP No. 18/19-2 with Top Line Recreation, Inc.

The term of this agreement commences upon execution and extends through May 27, 2024, coinciding with the expiration date of the master agreement with Clay County. If the master agreement is extended, this agreement can also be extended accordingly.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00150406-506393	PR1951	Decrease	\$40,000	
10450106-506393	ST2216	Decrease	\$40,000	
15150106-506393	ST2216	Decrease	\$50,000	

Financial Summary:

This project will be funded by a General Fund capital project, a Sales Tax capital project and a Florida Recreation Development Assistance Program Grant with a total available budget of \$130,000. By entering into this agreement, the City will secure favorable pricing and ensure the timely delivery and installation of the Oak Street Park pavilion. Remaining balance will be used for landscaping and site amenities.

Recommendation

Approval of agreement to purchase and construct a new pavilion at Oak Street Park from Top Line Recreation Inc. through an intergovernmental cooperative purchasing agreement

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Parks & Recreation

Presenter:

Attachment(s):

1. (S) Top Line Recreation Agreement - Oak Street Pavilion w exhibits

ITEM 7.H

Building Fund budget adjustments

Request

Approval of a budget transfer of \$2,365,928 from the Building Fund Reserve account to the Capital Project and Professional Services accounts.

Explanation

Phase 1 of the addition to City Hall that will house the Development Services Building Division is currently under construction. The contract for the addition was approved by the City Commission on December 6, 2022. Phase 2 was included in the contract as an additional task, which includes the completion of the interior of the second floor of the addition and has been priced at \$2,306,428.00. This brings the cost of the building addition to \$6,828,627.39. The additional funds must be transferred from the Building Fund Reserve Account.

In addition, City Staff is currently in the process of developing construction documents for the City Hall courtyard and plaza design that will occur once the building addition is complete. The cost of this task is \$34,500. These funds will also need to come out of the Building Fund Reserve, as they were unplanned and not budgeted for Fiscal Year 2024.

Finally, the Fire Prevention section of the Building Division is purchasing a new vehicle for the new Fire Inspector that was hired as of October 1, 2023. The vehicle is priced much higher than last year's State Contract for vehicles on which the FY24 Budget request is based. Along with the specialized equipment required for Fire Prevention, an additional \$15,000 is required to purchase the vehicle.

The total amount that will be transferred from the Building Fund Reserve account is \$2,355,928.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10140100-509276		Decrease	\$2,355,928	
10140106-506292	DS2206	Increase	\$2,306,428	
10140103-503131	NA	Increase	\$34,500	
10140106-506495	DS2310	Increase	\$15,000	

Financial Summary:

The building fund has adequate reserves to cover these expenditures.

Recommendation

The City Commission approve a budget transfer of \$2,365,928 from the Building Fund Reserve account to Capital Project and Professional Services accounts.

City of Kissimmee

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. Inspire Placemaking Collective Proposal for City Hall Courtyard and Plaza Design
2. Balfour Beatty Construction Work Order Change 5.

ITEM 7.I

2023 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs

Request

The Police Department requests the Commission's approval to accept the 2023 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs, in the amount of \$12,660.

Explanation

The City of Kissimmee has been notified by the Bureau of Justice Assistance that it has been awarded funds under the Fiscal Year (FY) 2023 Patrick Leahy Bulletproof Vest Partnership (BVP) solicitation.

The total award is \$12,660. These monies will be allocated for the partial funding of bulletproof vests as outlined in the grant application. The balance of the funds needed for the purchase of the remainder of the bulletproof vests will come from the department's General Fund.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00100331 331100		Increase	12,660	
00130303 505257		Increase	12,660	

Financial Summary:

Grant funds will be deposited in the above accounts.

Recommendation

Staff recommends the acceptance of the FY2023 Bulletproof Vest Partnership Grant from the United States Department of Justice, Office of Justice Programs.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Police

Presenter:

Attachment(s):

1. 2023 BVP application awarded

City of Kissimmee

ITEM 7.J

Resilient Florida Grant for Woodside Drainage Improvement Project

Request

Approval to pursue a Resilient Florida grant through the Florida Department of Environmental Protection (FDEP) for \$3,780,000.

Explanation

At present, the construction cost of the Woodside project is funded with a grant through the Florida Department of Economic Opportunity (FDEO) in the amount of \$3,400,000. During the design phase, the Engineer of Record updated the construction cost estimate, considering the material price escalation. Additionally, the scope of work was increased to include an additional Stormwater management facility to mitigate the existing flooding within the project limits that were not previously accounted for. The revised engineer's construction cost estimate is \$7,900,000.

Staff is requesting the City Commission's approval to apply for funding through the Resilient Florida grant. The funding application will benefit and improve the existing Woodside drainage by reducing the historical flooding within the Woodside project area. If the grant were to be awarded to the City, it would provide the City with an additional \$3,780,000 that will be used to fill the funding gap in the construction cost of the project. The Resilient Florida grant has no matching requirements. With this proposed funding, it will enable the project to move forward with the stormwater improvements necessary to reduce the current flooding for the residents.

Engineer's Construction Cost Estimate: \$7,900,000

Awarded FDEO Funding: \$3,400,000

Proposed FDEP Funding: \$3,780,000

City Contribution: \$720,000

The purpose of the Resilient Florida program is to effectively address the impacts of flooding and sea level rise that the state faces, providing eligible applicants with funding assistance to analyze and plan for vulnerabilities, as well as implement projects for adaptation and mitigation.

Recommendation

Approval to authorize staff to apply for a \$3,780,000 Resilient Florida grant through FDEP.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

None

ITEM 7.K**Randolph Place - Final Plat (DRC# SR-22-0020)****Request**

Approval of the final plat known as Randolph Place.

Explanation

The owner of the property, Gabriel Londono, is requesting final plat approval without a guarantee. The property is located south of June Street, north of King Street, east of North John Young Parkway and west of Randolph Avenue and is combining multiple underlying lots for development purposes. The subject property has frontage on improved roads and access to the necessary utilities.

Recommendation

Staff recommends approval of the final plat known as Randolph Place.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. (S) SR-22-0020 - Randolph Place Plat
2. SR-22-0020 Randolph Place - VM

ITEM 7.L

Purchase of a Street Sweeper for Public Works Streets and Stormwater Division

Request

Public Works requests approval to purchase an Elgin Regen X Mid-Dump street sweeper from Environmental Products Group in the amount of \$309,139.

Explanation

Street sweeper activities are important in meeting Florida Department of Environmental Protection (FDEP) requirements per the National Pollutant Discharge Elimination System (NPDES). Sweepers are used as a frontline measure in removing pollutants before they enter the storm water system. This machine is used to complete a dedicated route to ensure compliance and also used for emergency events. Environmental Products Group is offering a new Elgin Regen X Mid-Dump sweeper from Environmental Products Group at a cost of \$309,139, which is within the approved capital budget.

The Fleet Maintenance division has reviewed the purchase in order to ensure compatibility and conformance to City standards. Procurement has also reviewed specifications to ensure competitive/comparative pricing via the Sourcewell contract, #093021-ELG.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
40945506-506494	SW2408	Decrease	309,500	309,139

Financial Summary:

Sufficient funds are available in the Stormwater Utility Fund in Project SW2408.

Recommendation

Staff recommends approval to purchase an Elgin Regen X Mid-Dump street sweeper from Environmental Products Group in the amount of \$309,139.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

1. Proposal - Elgin RegenX Kissimmee 10052023
City of Kissimmee

2. RegenXBrochure

ITEM 7.M

Amendment to Drainage and Retention Pond Easement for the Epoch Phase 3 Development (DRC# 21-00085)

Request

Approval of an Amendment to Drainage and Retention Pond Easement between CRP/EPOCH FLORA RIDGE MF II OWNER, L.L.C. ("Grantor") and CITY OF KISSIMMEE, FLORIDA ("Grantee").

Explanation

The original Drainage Agreement, dated July 16, 2004, was executed between the Grantee and Kelley Properties. This drainage agreement granted a non-exclusive stormwater drainage easement over certain real property owned by Kelley Properties for the purpose of accommodating stormwater runoff from Dyer Boulevard into retention ponds constructed on Kelley Properties' land. Following approval of this drainage agreement, construction of the stormwater management facility (pond) was completed.

Subsequently, a portion of the real property subject to the agreement has been conveyed to CRP/EPOCH FLORA RIDGE MF II OWNER, L.L.C., the "Grantor." The Grantor has developed the property and expanded the stormwater retention pond to accommodate both the roadway and the development runoff along with water quality requirements, as approved by the City.

This Amendment highlights the connection between the "Grantor" and the expanded stormwater retention pond on the Grantor Property, specifically designed to accommodate the roadway and development. It ensures the continued effectiveness of the Drainage Agreement for the remaining real property encumbered by the easement.

Recommendation

Staff recommends approval of the Amendment to Drainage and Retention Pond Easement between CRP/EPOCH FLORA RIDGE MF II OWNER, L.L.C. and CITY OF KISSIMMEE, FLORIDA.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. (S) Epoch Phase 3 Amendment to Drainage and Retention Pond Easement
2. Vicinity Map

ITEM 7.N

Budget Adjustment to the State Housing Initiatives Partnership (SHIP) Funds

Request

Approval of a budget adjustment to the State Housing Initiatives Partnership (SHIP) fund in the amount of \$19,004.72.

Explanation

The City received additional revenue from its SHIP program as a result of a program participant's passing away before the maturity date of the loan. The paid off loan was for the rehabilitation of the property located at 310 Dolphin Street, Kissimmee 34744. The original mortgage amount was \$48,407 and the property has a ten (10) year lien. According to the program, the property has to be maintained as affordable housing and can not be transferred, conveyed, sold, or leased for a period of ten (10) years. Since the owner passed away before the required time, the City received \$19,004.72 as a prorated share of the outstanding loan amount.

The revenues received from the sale of the property must be allocated to the appropriate account - other contractual services - in order for the City to use the funds to carry out eligible SHIP activities in the future.

A satisfaction of mortgage will be prepared and given to the City Manager for his signature.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
11200335	335500	Increase	\$19,004.72	
11225103	503434	Increase	\$19,004.72	

Financial Summary:

There is no fiscal impact to the general fund since this is a grant-funded project.

Recommendation

Approval of a budget amendment to the State Housing Initiatives Partnership (SHIP) fund in the amount of \$19,004.72.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

City of Kissimmee

Attachment(s):

None

ITEM 7.0

First Addendum of Janitorial Services contract with Halo Building Services

Request

Approval of first addendum to the existing janitorial services contract with Halo Building Services to increase the annual amount by \$22,672.

Explanation

The City entered into contract with Halo Building Services on September 27, 2022, for janitorial services citywide.

Due to inflation and overall cost increase, Halo Building Services is requesting a 10% increase to their annual invoice for employee wages and other cost increases. As a result, their annual fee will go from \$226,724 to \$249,396.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10140103-503435		Decrease		\$12,902
40945503-503435		Decrease		\$4,254
41145713-503435		Decrease		\$3,986
41145723-503435		Decrease		\$1,941
4617010-503435		Decrease		\$14,626
56045603-503435		Decrease		\$211,689

Financial Summary:

Adequate funding is available in the General Fund and Enterprise Funds (Building, Airport, Stormwater, Solid Waste, Weld Shop, and Facilities) budgets for this revised contract cost.

Recommendation

Approval of the first addendum to the existing janitorial services contract with Halo Building Services in the amount of \$22,672, bringing the new contract total to \$249,396.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

City of Kissimmee

1. (S) First Addendum To Agreement

ITEM 7.P

Sale of vacant land located at 504 Canterbury Lane

Request

Approval of the sale of 504 Canterbury Lane and authorize the City Manager or his designee to sign all transactional documents.

Explanation

Approximately fifteen years ago, the City acquired 504 Canterbury Lane through Code Enforcement and Unsafe Abatement actions. At a neighborhood meeting held after a developer showed interest in the property to build a cottage development, it was determined that selling the property for an infill single family home was the best course of action for the City.

The City entered a contract with Goodwin Realty to represent the City on the property in question. Based on a recently completed appraisal and market analysis, the asking price for the property was set at \$165,000.

A buyer was found and an offer of \$162,000 was accepted pending Commission approval. The potential buyer is planning to build a single-family home for their family. The proceeds of the sale will be used to build an affordable owner-occupied home on a City-owned lot located elsewhere in the City.

The property is a 3/4 acre vacant lot within the Canterbury Terrace neighborhood. The neighborhood is located between Clyde Avenue and Lake Toho. This lot is adjacent to Lakeview Drive and is within walking distance of Lakefront Park and Downtown Kissimmee.

Recommendation

Approve the sale of 504 Canterbury Lane and authorize the City Manager or his designee to sign all transactional documents.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. Survey of 504 Canterbury Lane

ITEM 7.Q

Projects to be Carried Forward to FY 2023-2024

Request

Approval to increase the FY 2023-2024 budget to continue funding certain projects that were approved in prior years.

Explanation

Attached is a listing of projects that are being recommended for carryover to the FY2023-2024 budget. To expedite the carry forward process, staff has prepared the carry forward schedule based upon expenditures and transfers posted as of September 30, 2023. As such, staff requests Commission approval to carry forward the projects/accounts in an amount not to exceed the final adjusted balance at September 30, 2023.

After all accruals and budget transfers have been posted after the year-end, these amounts will be adjusted, if necessary. The projects/accounts that are being carried forward took longer than twelve months to complete or were delayed for some other reason. Most of these are capital projects; however, a few items are budgeted in other accounts. The carry forward of the funds in the projects and accounts listed was anticipated during preparation of the budget and will not adversely affect reserves for the current budget year.

Recommendation

Staff recommends Commission approval to carryover funds not to exceed the final adjusted balance for the projects/accounts on the attached list.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Finance

Presenter:

Attachment(s):

1. Carry Forwards 2023

ITEM 7.R

Federal Aviation Administration Grant for Construction/Improvements of Taxiway Delta

Request

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

Explanation

The Kissimmee Gateway Airport’s 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 by assigning a scale...0 indicating failed and 100 indicating perfect. A PCI rating in the range of 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 construction project cost is \$8,260,000.00 and is scheduled for FY24. An application for funding will request 90% FAA (\$7,434,000.00). Typically, the Florida Department of Transportation (FDOT) will offer 8% (\$660,800.00) and require a local match (Airport) of 2% (\$165,200.00).

Recommendation

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

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. FAA Grant Application Taxiway Delta-Construction

ITEM 7.S

HOME Program and Subordination Agreements for the Pinnacle at the Wesleyan Apartments

Request

Approval and execution of the HOME Program Agreement between the City and Pinnacle at the Wesleyan, LLC (Pinnacle at the Wesleyan Apartments) and the associated Subordination Agreement.

Explanation

On June 6, 2023, the City Commission approved the award of HOME funding in an amount of \$500,000 to subsidize the construction of a 96 unit multifamily complex known as Pinnacle at the Wesleyan Apartments for households with an income not to exceed 60% of the area median income (that is \$52,680 for a family of 4), of which ten (10) units are to be set aside as HOME assisted units. The project consists of new construction of 96 units with a mix of 12 one-bedrooms, 60 two-bedrooms, and 24 three-bedroom units.

The project will have an affordability period of twenty (20) years. The affordability restrictions must remain in force regardless of transfer of ownership. The termination of the affordability restriction upon foreclosure does not terminate the requirement that the City of Kissimmee must repay the HOME funds invested in the project.

The total development budget for the project is \$33,817,641 and the funding sources are as follows: Bank of America (tax credit equity and construction loan); Neighborhood Lending Partners (permanent first mortgage); CDFI funds (second mortgage), FHFC Viability Loan Funds (third mortgage), Osceola County (fourth mortgage); and City of Kissimmee (fifth mortgage).

Of the \$500,000 committed to this project, \$305,949.38 is being allocated from prior HOME allocations and is available for disbursement on a reimbursement basis after the execution of the Agreement and the remaining \$194,050.62 is subject to appropriation for the PY23 HOME allocation by HUD and will be available for disbursement on a reimbursement basis after the HOME Disbursement Agreement is signed with Osceola County who is the lead agency of the Osceola HOME Consortium.

A subordination agreement is required because of the four other loans that are senior in position.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
11325103 503434	11320	Decrease	\$33,509	\$33,509
11325108 508282	11320	Decrease	\$8,749	\$8,749
11325108 508282	HOME2021	Decrease	\$291,012	\$255,949.38
11325108 508282	HOME2022	Decrease	\$123,582	\$7,742
11325108 508282	HOME2023	Decrease	\$328,616	\$194,050.62

Financial Summary:

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

Recommendation

Approval to execute the HOME Program Agreement and Subordination Agreement for the Pinnacle at the Wesleyan Apartments.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter:

Attachment(s):

1. (S) Pinnacle at Wesleyan Apartments HOME Agreement v2
2. (S) Wesleyan Subordination Agt

ITEM 7.T

Temporary Construction Easement Agreement Between the City of Kissimmee and Park Square MF, LLC

Request

Staff requests approval of a new Temporary Construction Easement Agreement between the City and Park Square MF, LLC, a Florida limited liability company, and joined by Kissimmee/Osceola County Chamber of Commerce, Inc., a Florida not-for-profit corporation.

Explanation

The City owns certain real property located at 1425 E Vine Street, while Park Square MF, LLC, is currently developing the adjacent property known as Aston Square (DRC# 18-00145), which includes retail, commercial, and residential uses. As part of this development, Park Square needs to construct, install, and relocate specific sanitary sewer improvements, such as a sanitary sewer line stub-out and a force main, across a portion of the City's property, that will be jointly used by all parties. This easement is requested to construct the above improvements. The Agreement outlines the rights and obligations of the Parties regarding these sanitary sewer improvements and the granting of the easement. Additionally, the Chamber of Commerce, as a lessee, has consented to the terms while holding a leasehold interest in the City's property. The parties to this Easement Agreement, in addition to the Toho Water Authority, who will assume ownership and maintenance of the lift station once it is completed, have tentatively agreed to a Perpetual Sanitary Sewer Easement Agreement which, once fully executed, will extinguish this Temporary Construction Agreement.

Recommendation

Staff recommends City Commission approval of the new Temporary Construction Easement Agreement between the City, Park Square MF, LLC, for the Aston Square Development, and Kissimmee/Osceola County Chamber of Commerce, Inc.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Attorney

Presenter:

Attachment(s):

1. (S) Temp Construction Easement Agreement (Ashton Square) Partially Executed
2. 11.1.2023 Ashton Square Vicinity Map

ITEM 8.A

Social Services and Quality of Life Grant Funding Allocations for FY 2023-24

Request

Commission discussion and approval of the FY 2023-24 Social Services and Quality of Life Funding Allocations.

Explanation

Each year the Commission approves funding for non-profit agencies instrumental in supporting the mission of the City and furthering the Commission's goals each year. This funding process includes two categories. The Social Services category is designed to support non-profit agencies with direct service programs that reduce the burden on City services by meeting the needs of our most vulnerable residents. For several years, the City Commission has prioritized funding for programs that support the needs of the homeless and families in crisis. The second category is Quality of Life, which provides funding for programs designed to improve the quality of life for residents by supporting the arts, education, and culture.

During the July Budget Workshop, the Commission approved continuing with the averaging method for the initial recommendations. Each Commissioner was provided with a spreadsheet and application packets in order to complete their allocation recommendations. During the meeting, the funding averages of all submissions will be provided for discussion and approval.

The approved FY 2023-24 budget for Social Services is \$300,000 and Quality of Life is \$50,000.

The funding request summary is attached.

Recommendation

Staff requests Commission discussion and direction regarding the approval of the funding allocations for FY 2023-24

REQUESTED CITY COMMISSION ACTION:

Commission Direction

Department: City Manager

Presenter: Desiree Matthews

Attachment(s):

1. Social_Services_Funding_FY_2023-24 PDF
2. Social_Services_Funding_FY_2023-24 QOL PDF