



**MEETING AGENDA
SESSION OF THE CITY COMMISSION
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, AUGUST 20, 2024 AT 6:00 PM**

1. MEETING CALLED TO ORDER

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

- 4.A Public Hearing - Second and Final Reading - Proposed Ordinance # 24-11 -
Repealing the Charter School Advisory Board

AN ORDINANCE REPEALING THE CODE OF ORDINANCES OF THE CITY OF
KISSIMMEE, FLORIDA, CHAPTER 2, ADMINISTRATION, ARTICLE III, BOARDS
AND COMMISSIONS, DIVISION 9, CHARTER SCHOOL ADVISORY BOARD,
SECTIONS 2-334 THROUGH 2-336; AND PROVIDING AN EFFECTIVE DATE

5. PUBLIC HEARINGS

- 5.A Public Hearing – Resolutions Adopting Substantial Amendments to the CDBG 2017-
2018 and 2022-2023 Annual Action Plans

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 Binding Lot Agreement and Sidewalk Easement with Adventist Health
System/Sunbelt, Inc.
- 7.B Federal Aviation Administration Airport Grant Offer for Air Traffic Control Tower
Design
- 7.C Resolution for the acceptance of Grant Funding from Florida Department of
Transportation for Air Traffic Control Tower Design
- 7.D Purchase of Property at 1007 Martin Luther King Boulevard

8. DISCUSSION ITEMS

- 8.A Request for Mayor Gonzalez to attend the 2024 Children & Families Summit
- 8.B Retirement Benefit for Elected Officials

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 4.A

Public Hearing - Second and Final Reading - Proposed Ordinance # 24-11 - Repealing the Charter School Advisory Board

AN ORDINANCE REPEALING THE CODE OF ORDINANCES OF THE CITY OF KISSIMMEE, FLORIDA, CHAPTER 2, ADMINISTRATION, ARTICLE III, BOARDS AND COMMISSIONS, DIVISION 9, CHARTER SCHOOL ADVISORY BOARD, SECTIONS 2-334 THROUGH 2-336; AND PROVIDING AN EFFECTIVE DATE

Request

Approval of the Second and Final Reading of Proposed Ordinance #24-11 repealing the Charter School Advisory Board.

Explanation

On November 22, 2023, the City entered into an agreement to sell the Kissimmee Charter School to Imagine Kissimmee Charter Academy, LLC. As a result, the City is no longer involved in the governance or funding of the school. This ordinance repeals the City ordinance related to the Charter School Advisory Board, which was created to provide oversight for the school.

Recommendation

Approval of the Second and Final Reading of Proposed Ordinance # 24-11 repealing the Charter School Advisory Board.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. (S) - Proposed Ordinance 24-11 - Repealing Charter School Advisory Board
2. Proof of Advertising (Publication Date August 1, 2024)

ITEM 5.A

Public Hearing – Resolutions Adopting Substantial Amendments to the CDBG 2017-2018 and 2022-2023 Annual Action Plans

Request

Approval of the Substantial Amendment to the CDBG Annual Action Plans for Fiscal Years 2017-2018 and 2022-2023 to reallocate funding from completed or under performing activities; execution of the Amended Resolutions by the Mayor.

Explanation

The City of Kissimmee's Community Development Block Grant (CDBG) Five Year Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions and activities that will be undertaken that year to address the priority needs, and specific goals identified by the Consolidated Plan. The Consolidated Plan regulations allow the City to make certain amendments to the Annual Action Plan through the Substantial Amendment process if the budget needs to be adjusted and changes to projects need to be made. The Substantial Amendment process requires a public comment period and additional citizen participation.

The City of Kissimmee is proposing to amend two (2) Annual Action Plan years: Plan Years 2017-2018 and 2022-2023. These amendments are required in order to spend funds in a more expeditious manner. The funds are being re-allocated from completed activities with remaining funds to "expenditure ready" projects such as the rehabilitation of the Haven on Vine Apartments. As a consequence, the Consolidated Plan(s) covering the respective years will also be amended to address these changes.

Amendment to Annual Action Plan 2017-2018

Transfer remaining funds from Project OPEN and Planning and Administration to Code Enforcement activities and partially fund a new activity listed in AAP 2022 – Rehabilitation of the Haven on Vine project in the amount of \$27,404.64.

Amendment to Annual Action Plan 2022-2023

Transfer remaining funds from Code Enforcement, Housing Rehabilitation, Pathways, Good Neighbors, and Planning and Administration to partially fund a new activity to be listed in AAP 2022– Rehabilitation of the Haven on Vine project in the amount of \$122,843.39.

The City met the required 30-day comment period required by the City's Citizen Participation Plan before presenting these amendments for your approval. The ad was published in the Osceola Gazette on Thursday, July 11, 2024.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
111 25108 508282	11117	Decrease		\$27,404.64
034 10106 506292	CM2408	Increase		\$27,404.64
11125108 508282	CDBG2022	Decrease		\$119,845.71
11125103 504141	CDBG2022	Decrease		\$125.68

City of Kissimmee

11125103 504649	CDBG2022	Decrease		\$500.61
11125103 505257	CDBG2022	Decrease		\$140.87
11125013 5055259	CDBG2022	Decrease		\$1,680.52
11125103 505455	CDBG2022	Decrease		\$50.00
11125103 505555	CDBG2022	Decrease		\$500.00
034 10106 506292	CM2408	Increase		\$122,843.39

Financial Summary:

These are grant funded projects with no Fiscal Impact on the General Fund.

Recommendation

Approval of the Substantial Amendment to the CDBG Annual Action Plans for Fiscal Years 2017-2018 and 2022-2023 to reallocate funding from completed or underperforming activities; execution of the Amended Resolutions by the Mayor.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services

Presenter: Frances DeJesus

Attachment(s):

1. (S) - RES - 2nd Amend to the 2017-2018 AAP
2. (S) - RES - 1st Amend to the 2022-2023 AAP

ITEM 7.A

Binding Lot Agreement and Sidewalk Easement with Adventist Health System/Sunbelt, Inc.

Request

The City Commission is requested to approve a Binding Lot Agreement and Sidewalk Easement with Adventist Health System/Sunbelt, Inc., to facilitate the development of a property as a parking lot. (Contract #20240478).

Explanation

Adventist Health System/Sunbelt, Inc., a Florida not-for-profit corporation, owns a parcel of land within the city limits of Kissimmee, which it intends to develop as a parking lot. The agreement ensures the property remains as a single, integral parcel and is not subdivided. The lot agreement helps streamline the development process and maintain the intended use of the land. The sidewalk easement is being dedicated to the City and is necessary for a sidewalk.

Recommendation

Approve the Binding Lot Agreement and Sidewalk Easement with Adventist Health System/Sunbelt, Inc.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering

Presenter:

Attachment(s):

1. (S) AH Binding Lot Agreement
2. AH Binding Lot Agreement_VM
3. (S) Sidewalk Easement to City of Kissimmee Advent Health

ITEM 7.B

Federal Aviation Administration Airport Grant Offer for Air Traffic Control Tower Design

Request

Approval to accept a Federal Aviation Administration (FAA) Bipartisan Infrastructure Law (BIL) – Airport Infrastructure Grant (AIG) Grant of \$413,697.00 to develop the design and VISTA Report Study for a new Federal Contract Control Tower at the Kissimmee Gateway Airport. Grant Master No. ATCTDesig2.

Explanation

The purpose of this Grant is to design a new Federal Contract Air Traffic Control Tower (ATCT) to be constructed at the Kissimmee Gateway Airport. The current ATCT was constructed in 1996 and the airport has experienced significant growth since that time. The current tower does not meet the FAA's current visual performance criteria and recommends doubling the height to provide better views.

The funding will also include a Virtual Immersive Siting Tower Assessment (VISTA) Study. The purpose of the study is to select a recommended site and height of the new ATCT. This will be accomplished by preparing a Safety Risk Management Document for a new ATCT and to acquire FAA signature approvals for the recommended ATCT site and height.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47000331-331410	NA	Increase	413,697	413,697
47070100-506393	NA	Increase	413,697	413,697

Financial Summary:

The amount of this portion of the project is \$459,663.00 of which this (BIL-AIG) Grant is \$413,697.00 FAA No. 3-12-0038-046-2024. This grant is 90% \$413,697 federally funded, 8% \$36,773 Florida Department of Transportation (FDOT) funded, and 2% \$9,193 Airport funded.

An FDOT Grant offer will be presented to the Commission on another agenda item requesting approval of the grant by resolution.

Recommendation

Approval to accept an FAA Bipartisan Infrastructure Law (BIL) – Federal Contract Tower (FCT) Grant of \$413,697 to develop the design and VISTA Report Study for a new Federal Contract Control Tower at the Kissimmee Gateway Airport. Grant Master No. ATCTDesig2.

REQUESTED CITY COMMISSION ACTION:

City of Kissimmee

Approve

Department: Airport

Presenter:

Attachment(s):

1. FAA BIL-AIG-SOG-3-12-0038-046-2024-Grant Agreement - unsigned

ITEM 7.C

Resolution for the acceptance of Grant Funding from Florida Department of Transportation for Air Traffic Control Tower Design

Request

Approval to accept, by Resolution, a Public Transportation Grant Agreement (PTGA) from the Florida Department of Transportation (FDOT) to develop the design and VISTA Report Study for a new Federal Contract Control Tower at the Kissimmee Gateway Airport in the amount of \$36,773. Grant Master No. ATCTDsng-S.

Explanation

Additional funds are required to complete the design of the Airport's New Federal Contract Control Tower. The total cost of the remaining design expense is \$459,663.00. The Federal Aviation Administration has provided a 90% grant. The Florida Department of Transportation is offering a grant in the amount of \$36,773.00 (8%). The remaining amount of \$9,193.00 (2%) will be paid by the Airport.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
47070106-506393	AP2201		9,400	9,193
47000334-334410	NA	Increase	36,773	36,773
47070106-506393	NA	Increase	36,773	36,773

Financial Summary:

Portions of this project are funded by the Federal Aviation Administration (90%), Florida Department of Transportation (8%) and the Kissimmee Gateway Airport (2%).

The total project amount is \$1,459,663 with each agency funding the following amounts.

FDOT-PTGA (Grant #: 453055-2-94-01) - \$36,773
FAA-AIP (FCT) Grant # 3-12-0038-045-2024 - \$1,000,000
FAA-AIR (BIL) Grant # 3-12-0038-046-2024 - \$413,697
Kissimmee Gateway Airport - \$9,193

Recommendation

Approval to accept, by Resolution, a Public Transportation Grant Agreement (PTGA) from the Florida Department of Transportation to develop the design and VISTA Report Study for a new Federal Contract Control Tower at the Kissimmee Gateway Airport in the amount of \$36,773. Grant Master No. ATCTDsng-S.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Airport

Presenter:

Attachment(s):

1. (S) Resolution PTGA for Air Traffic Tower Design and Vista Study
2. (S) PTGA to Sponsor 453055-2-94-01 ATCT Design and VISTA Study at ISM

ITEM 7.D

Purchase of Property at 1007 Martin Luther King Boulevard

Request

Approval of the purchase of property at 1007 Martin Luther King Boulevard from Poma Homes, LLC (contract #20240479) for right of way (ROW) needs related to the Mann Street Extension Project in the amount of \$125,000.

Explanation

The Mann Street Extension Project requires additional right of way to extend Mann Street from Martin Luther King Boulevard to Hill Street. The extension will require sufficient right of way to include the necessary roadway lane width, sidewalk width, and slope tie-downs. Acquiring the property at 1007 Martin Luther King Boulevard (Parcel Id. 21-25-29-1760-0001-0210) is essential to meet these project requirements and ensure the project's successful completion. The purchase price is within 8% of the appraised value, which staff believes is justifiable since this purchase will avoid costs associated with condemnation.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10345656 506393	GT2408	Decrease	\$300,000	\$125,000

Financial Summary:

Sufficient funds are available for the project.

Recommendation

Approval of the purchase of the property at 1007 Martin Luther King Blvd., Kissimmee, FL 34741, from Poma Homes, LLC for right of way needs related to the Mann Street Extension Project in the amount of \$125,000.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

1. (S) Purchase Agreement for 1007 Martin Luther King Blvd.

City of Kissimmee

ITEM 8.A

Request for Mayor Gonzalez to attend the 2024 Children & Families Summit

Request

Request from Mayor Gonzalez to approve her attendance at the 2024 Children & Families Summit on September 4-6, 2024 at the JW Marriott Orlando, and for the associated expenses to be covered by the City.

Explanation

The 2024 Children & Families Summit is an annual event that serves as a platform for leaders, advocates, and policymakers to discuss and develop strategies to support and improve the well-being of children and families. By attending this summit, Mayor Olga Gonzalez would have the opportunity to engage in discussions and gain valuable insights into the latest strategies and best practices in these areas.

Recommendation

Staff requests Commission direction.

REQUESTED CITY COMMISSION ACTION:

Commission Direction

Department: City Manager

Presenter: Mike Steigerwald

Attachment(s):

1. 2024 Children & Families Summit
2. 2024 Children & Families Summit Agenda
3. Workshop Tracks 2024 Children & Families Summit

ITEM 8.B

Retirement Benefit for Elected Officials

Request

Staff is seeking guidance on how to proceed with implementing a Retirement Benefit for Elected Officials.

Explanation

As a follow-up to the discussion at the budget workshop on July 23, staff is seeking direction from the Commission on which retirement benefits it would like us to pursue. Implementing the Pension option will require an ordinance to be drafted and public hearings to be held in September to ensure everything is in place for the 2025 fiscal year, whereas the Defined Contribution options can be done at any time.

As a reminder, the following retirement benefit options illustrate future proposed benefit contributions and cost estimates for potential retirement benefits for commissioners.

Option A: Pension - Defined Benefit

Key Points:

1. Contribution Structure:

- Commissioners contribute 3.69% for Tier 1 or 7.5% for Tier 2 of their salary.
- City contributions are determined by the Actuary with Actuarial Validation Report. For example, FY 23/24, City will contribute at least 21.5% of salary.

2. Partial Vesting Schedule: Partial vesting starts after 5 years of service, with increasing vesting percentages based on years of service:

- 5 years but less than 6 years: 25%
- 6 years but less than 7 years: 40%
- 7 years but less than 8 years: 55%
- 8 years but less than 9 years: 70%
- 9 years but less than 10 years: 85%
- 10 or more years: 100%

3. Retirement Eligibility:

- Commissioners must be at least partially vested and,
- Commissioners must be at least 60 years old to collect the pension and,
- Must have accrued a minimum of 10 years of credited service.

Example
Contributions:

Fiscal Year	Pensionable Pay	Tier 1 3.69% Commissioner Contributions	21.5% City Contribution
2021	31,500.00	1,162.35	6,772.50
2022	32,000.00	1,180.80	6,880.00
2023	32,500.00	1,199.25	6,987.50
2024	33,000.00	1,217.70	7,095.00

2025	33,500.00	1,236.15	7,202.50
2026	34,000.00	1,254.60	7,310.00
2027	34,500.00	1,273.05	7,417.50
2028	35,000.00	1,291.50	7,525.00
Total Contributions		9,815.40	57,190.00

Fiscal Year	Pensionable Pay	Tier 2 7.5% Commissioner Contributions	21.5% City Contribution
2021	31,500.00	2,362.50	6,772.50
2022	32,000.00	2,400.00	6,880.00
2023	32,500.00	2,437.50	6,987.50
2024	33,000.00	2,475.00	7,095.00
2025	33,500.00	2,512.50	7,202.50
2026	34,000.00	2,550.00	7,310.00
2027	34,500.00	2,587.50	7,417.50
2028	35,000.00	2,625.00	7,525.00
Total Contributions		19,950.00	57,190.00

Sample Benefit Calculation: For a commissioner vested for 8 years, at the retirement age of 60, the estimated benefit would be \$514.27 Tier 1 (2.8%) or \$546.00 Tier 2 (3.0%) per month.

Option B: 401(a) Defined Contribution Employer Sponsored

- 10% early-withdrawal penalty before age 59½.
- City contributions are discretionary.
- City contributions are pre-tax dollars.
- City sets vesting schedule for the city contributions.
- Monthly benefits are based on the valuation of the account.

457(b) Deferred Compensation Optional Employee Contributions

- Contributions to a 457(b) plan are tax-deferred.
- Earnings on the retirement money are tax-deferred.
- No 10% Tax Penalty for Early Withdrawal before age 59½.
- Monthly benefits are based on the valuation of the account.
- In addition to pre-tax contributions, your employer's 457(b) plan may also permit Roth contributions, which are made on an after-tax basis.

2024 Retirement Plan Contribution Limits for 457(b) & 401(a)

The following chart compares the contribution limits for 457(b) plans and 401(a) plans. Each plan has separate contribution limits.

	457(b) Plans	401(a) Plans
Maximum Annual Contribution	\$23,000	\$69,000*

"Age 50 Catch-Up" Limit \$7,500 None

Maximum not to exceed the total annual salary.

Recommendation

Staff recommends selecting between option A, "Pension-Defined Benefit" or Option B, "401(a) "Defined Contribution Employer-Sponsored".

REQUESTED CITY COMMISSION ACTION:

Commission Direction

Department: Human Resources & Risk Management

Presenter: Roxane Walton

Attachment(s):

None