MEETING AGENDA
SESSION OF THE CITY COMMISSION
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
TUESDAY, OCTOBER 1, 2024 AT 6:00 PM

1. MEETING CALLED TO ORDER

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND SPECIAL PRESENTATIONS

3.A Proclamation - National Fire Prevention Week

3.B Proclamation - Domestic Violence Awareness Month

3.C Employee of the Month for October

4. PUBLIC HEARINGS - FIRST AND SECOND READINGS

4.A Public Hearing - Second and Final Reading - Proposed Ordinance #24-15 - Amending Land Development Code, Chapter 14-10-8, Dumpsters

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF KISSIMMEE, CHAPTER 14-10, SUBDIVISION AND SITE DESIGN; PUBLIC IMPROVEMENTS, 14-10-8, DUMPSTERS, PROVIDING REGULATIONS FOR DUMPSTERS LOCATED FIFTY FEET FROM A WATERBODY; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE

4.B Public Hearing - First Reading - Proposed Ordinance #24-14 - Amending Land Development Code, Creating a Processing Fee

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA PART II CODE OF GENERAL ORDINANCES, CHAPTER 9 BUILDINGS AND BUILDING REGULATIONS,ARTICLE II ADMINISTRATION; AMENDING DIVISION 5 SECTION 9-126 BUILDING PERMITS; DIVISION 6 SECTION 9-146 MECHANICAL PERMITS; DIVISION 7 SECTION 9-173 PLUMBING PERMITS; DIVISION 8 SECTION 9-193 ELECTRICAL PERMITS; AND PART III LAND DEVELOPMENT CODE CHAPTER 14-3 DEVELOPMENT REVIEW BOARDS AND PROCEDURES SECTION 14-3-19 APPLICATION SUBMITTAL AND REVIEW, BY ADDING A PROCESSING FEE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

5. PUBLIC HEARINGS

5.A Public Hearing - Resolution to vacate a portion of the Mill Slough Road right-of-way located adjacent to 1630 Mill Slough Road, 1700 Mill Slough Road, 2402 Oak Mill Drive, & 2418 Quail Hollow Court- ABDN-24-0001

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 September 17, 2024 meeting

7.B Modification to Lakefront Sovereignty Submerged Lands Fee Waived Lease

7.C Supplemental Agreement No. 2 for Connect Kissimmee Project

7.D Consent to Sub-Lease between Signature Aviation and Go Rentals

7.E Purchase of Real Property on Thacker Avenue

7.F Intergovernmental Transfer Agreement for Medicaid Managed Care Organization Payment Program

7.G State Housing Initiatives Partnership Owner-Occupied Rehabilitation Agreement between with the Osceola Council on Aging and Rosemary Holt for the property located at 1703 Smith Street

7.H Disposal of City Assets

7.I Change Order to Extend Completion Date for the Rehabilitation of 1124 Lindsay Way

7.J Tyler Software Service Agreement

7.K Award Oak Street Backstop renovations to MVB & Associates, Inc.

7.L Change Order No. 1 for Fire Station Mill Run Project

7.M Purchase of Solid Waste Garbage Trucks

7.N Purchase of annual budgeted computer equipment

7.O Settlement Agreement and Release Between City of Kissimmee, GB Skyview Kissimmee Phase I Owner, LLC and the heirs holding reversionary interest in three parcels on the Beaumont Property

8. DISCUSSION ITEMS

8.A Prospera Annual Presentation and Approval of the FY2024-2025 Agreement

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
Proclamation - National Fire Prevention Week

Request

To present a proclamation to Fire Chief Walls from the Kissimmee Fire Department, in honor of Fire Prevention Week.

Explanation

N/A

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):
1. Proclamation- National Fire Prevention Week 2024

ITEM 3.B
Proclamation - Domestic Violence Awareness Month

Request

To present a proclamation to Tammy Douglas, Executive Director of Help Now, along with staff and the Domestic Violence Task Force.

Explanation

N/A

Department: City Manager
Presenter: Mike Steigerwald

Attachment(s):
1. Proclamation- Domestic Violence Awareness Month 2024

ITEM 3.C
Employee of the Month for October

Request

That the Commission join the City Manager recognizing Angel Cruz of the Public Works & Engineering Department as the Employee of the Month for October.

Explanation

The City is pleased to honor Angel Cruz as the employee of the month for October. Angel has been with the City for 3 years and currently serves as a Facilities Tradesworker for the Public Works & Engineering Department.

Angel has consistently demonstrated a dedication and a commitment to excellence in his role. He is known for going above and beyond to complete tasks efficiently and with precision. His willingness to assist coworkers whenever needed has made him an invaluable member of the team, and his speed and thoroughness are consistently appreciated by colleagues. In addition to his great work ethic, Angel brings a friendly attitude and positive energy to the workplace.

His upbeat demeanor makes him approachable and fosters a positive work environment for everyone around him. Angel's hard work, dedication, and infectious positivity make him truly deserving of this recognition as Employee of the Month. For these reasons and more, the City would like to recognize Angel Cruz.

Department: Human Resources & Risk Management
Presenter: Mike Steigerwald

Attachment(s):
None

ITEM 4.A

Public Hearing - Second and Final Reading - Proposed Ordinance #24-15 - Amending Land Development Code, Chapter 14-10-8, Dumpsters

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF KISSIMMEE, CHAPTER 14-10, SUBDIVISION AND SITE DESIGN; PUBLIC IMPROVEMENTS, 14-10-8, DUMPSTERS, PROVIDING REGULATIONS FOR DUMPSTERS LOCATED FIFTY FEET FROM A WATERBODY; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE

Request

Request approval of the Second and Final Reading of Proposed Ordinance #24-15, amending the Land Development Code, Chapter 14-10-8, Dumpsters, providing for regulations for dumpsters located fifty feet from a body of water.

Explanation

The City Commission found that garbage and refuse from commercial dumpsters are often not adequately contained in the dumpster, which results in the city's waterways and other bodies of water being polluted with trash. For the health and safety of the citizens and to protect local wildlife and the environment, it is necessary to provide regulations to help mitigate this type of pollution. The code shall be amended to state that dumpsters located within fifty (50) feet of a body of water must be completely enclosed. Placement of new dumpsters located within fifty (50) feet of a body of water shall be prohibited unless it is below ground or Nord containers are being utilized. Existing dumpsters located fifty (50) feet from a body of water must be completely covered with a lid at all times.

Recommendation

Recommend approval of the Second and Final Reading of Proposed Ordinance #24-15, amending the Land Development Code, Chapter 14-10-8, Dumpsters, providing for regulations for dumpsters located fifty feet from a body of water.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Development Services
Presenter: Craig Holland

Attachment(s):

1. (S) Proposed Ordinance #24-15 _ DUMPSTERS
2. Legal Publication Affidavit - Proof of Publication

ITEM 4.B

Public Hearing - First Reading - Proposed Ordinance #24-14 - Amending Land Development Code, Creating a Processing Fee

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA PART II CODE OF GENERAL ORDINANCES, CHAPTER 9 BUILDINGS AND BUILDING REGULATIONS,ARTICLE II ADMINISTRATION; AMENDING DIVISION 5 SECTION 9-126 BUILDING PERMITS; DIVISION 6 SECTION 9-146 MECHANICAL PERMITS; DIVISION 7 SECTION 9-173 PLUMBING PERMITS; DIVISION 8 SECTION 9-193 ELECTRICAL PERMITS; AND PART III LAND DEVELOPMENT CODE CHAPTER 14-3 DEVELOPMENT REVIEW BOARDS AND PROCEDURES SECTION 14-3-19 APPLICATION SUBMITTAL AND REVIEW, BY ADDING A PROCESSING FEE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Request

Request approval to amend the Land Development Code by creating a processing fee that will be applied to all credit card and e-check transactions conducted within the Development Services Department.

Explanation

When an applicant applies for a project or permit within the Development Services Department and pays by credit card or e-check (electronic), not all the fees are paid by that individual. When a credit card is used, credit card companies charge a percentage, better known as a surcharge, to conduct these transactions. In some instances, this can be tens of thousands of dollars monthly. When this occurs, the City has to pay this surcharge.

Due to the overwhelming amount of customers now paying by credit card or e-check, these surcharges are averaging $25,000 monthly, which the City has to pay. Because the City is not recouping surcharge costs, it has to pay these surcharges at the taxpayers' expense. Therefore, this amendment will create a processing fee to require all customers to pay their payment processing costs when applying for a proposed project or permit within the Development Services Department.

All customers will still have the option to pay in cash or non-e-check (in person) and not pay surcharges.

The City will not be making revenue off this fee, it will simply pay for a cost currently not covered by fee revenues.

Recommendation

Recommend approval of the First Reading of Proposed Ordinance #24-14, amending the Land Development Code, creating a processing fee.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Development Services
Presenter: Doug Etheredge

Attachment(s):

City of Kissimmee

1. City Commission Ad
2. Proposed Ordinance 24-14

ITEM 5.A
Public Hearing - Resolution to vacate a portion of the Mill Slough Road right-of-way located adjacent to 1630 Mill Slough Road, 1700 Mill Slough Road, 2402 Oak Mill Drive, & 2418 Quail Hollow Court- ABDN-24-0001

Request

Approval of a resolution to vacate 0.67 acres, more or less, of right-of-way located adjacent to 1630 Mill Slough Road, 1700 Mill Slough Road, 2402 Oak Mill Drive, & 2418 Quail Hollow Court that has a Single Family Residential (RA-1), Community Facilities (CF), Single Family Residential (RA-3), and Mixed Use Planned Unit Development (MUPUD) Zoning designations.

Explanation

This item was continued from the September 17, 2024 City Commission meeting. This is a City initiated vacation/abandonment request. This proposed vacated/abandoned portion of the Mill Slough right-of-way is located behind the perimeter fence of private property at 1630 Mill Slough Road, 2418 Quail Hollow Ct and Mill Creek Elementary School located at 1700 Mill Slough Road. The proposed areas are being privately maintained by the property owners. The width of the proposed vacation/abandonment varies and the length is approximately 1,300 linear feet. The existing sidewalk is outside of the perimeter fence of the private properties, is not part of this request, and will remain as part of the Mill Slough Road right-of-way. No objections were received for this right-of-way vacation/abandonment by any utility providers. Public comment received is included within the attachments. The dedication of easements within the vacated area will be required for existing utilities and infrastructure.

The easternmost portion of the Mill Slough right-of-way was created with the approval of the Quail Hollow Phase Two subdivision plat at the August 3, 1993 City Commission meeting. The Quail Hollow Phase Two plat also created the 2418 Quail Hollow Ct. lot, and as such, under Florida Law the vacated portion of the right-of-way located east of the school property will revert to 2418 Quail Hollow Ct. The adjacent 2402 Oak Mill Drive lot was created in 2000 with the approval of the Oakbrook Estates plat at the June 27, 2000 City Commission meeting, long after the right-of-way was established.

At the August 7, 2024 Planning Advisory Board (PAB) meeting, the board made a motion to modify the staff recommendation to exclude all ROW property north of the fence lines from the vacation. In addition, the PAB made a separate recommendation by a vote of 4-0 during the PAB discussion to construct a missing sidewalk segment within the remaining Mill Slough ROW. Staff is recommending to the City Commission not to construct a sidewalk at this time. Based on the Florida Department of Transportation (FDOT) cost-per-mile model, the rough estimate is $10,000.00 which excludes any safety, structural, drainage upgrades or improvements. The construction of any sidewalks should be deferred until there is a full ROW needs assessment and cost estimate completed and a funding source(s) is identified.

<u>FINDINGS AND REASONS</u>:

1. Removal of the rights-of-way or easements does not have an impact or effect on the roadway network and will result in no net loss of connectivity within the City's Multimodal Transportation District (MMTD).
2. Consistent with applicant justification; future development; emergency responses; city services; and other Land Development Code documents.

3. Compliance with Land Development Code Sections 14-3-47 Vacation and Abandonment of Rights-of-Way and Easements, procedures, requirements, and criteria for right of way and easement vacation requests.

Recommendation

STAFF RECOMMENDATION:
The staff recommendation is to adopt a resolution to vacate a portion of the Mill Slough right-of-way, subject to the conditions listed below.
The Development Review Committee (DRC) recommended approval on June 4, 2024, subject to conditions.

CONDITIONS:

1. Easements must remain over the vacated portion of right-of-way and must be provided with a final plat or by a separate legal instrument(s).
2. Defer the construction of a sidewalk until there is a full ROW needs assessment and cost estimate completed and funding is attained for a roadway improvement plan.

PLANNING ADVISORY BOARD RECOMMENDATION:
The Planning Advisory Board (PAB) approved a motion to modify the staff recommendation by a vote of 3-1 on August 7, 2024 to exclude all ROW property north of the fence lines from the vacation.

In addition, the PAB made a separate recommendation by a vote of 4-0 during the PAB discussion to construct a sidewalk within the remaining Mill Slough ROW.

REQUESTED CITY COMMISSION ACTION:

Adopt

Department: Development Services
Presenter: Brenda Ryan

Attachment(s):
1. ABDN-24-0001 Aerial Map
2. ABDN-24-0001 Vicinity Map
3. ABDN-24-0001 ROW Exhibit
4. ABDN-24-0001 Quail Hollow Plat
5. ABDN-24-0001 Oakbrook Estates Plat
6. (S)ABDN-24-0001 Resolution
7. ABDN-24-0001 City Commission Ad
8. ABDN-24-0001 Public Comments
9. ABDN-24-0001 Aug. 7, 2024 PAB Actions
10. ABDN-24-0001 DRC Comments
11. ABDN-24-0001 DRC Support Documents

ITEM 7.A
Approval of City Commission Minutes from the September 17, 2024 meeting

Request

Request Commission approval of the September 17, 2024 Commission Minutes.

Explanation

Minutes of the Commission meeting held on September 17, 2024 are attached for approval.

Recommendation

Staff recommends Commission approval.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Commission
Presenter:

Attachment(s):
1. (S) - CCM MIN SEP 17 2024

ITEM 7.B
Modification to Lakefront Sovereignty Submerged Lands Fee Waived Lease

Request

Approval of modifications to Sovereignty Submerged Land Lease BOT No 490003974 to allow for mooring of recreational and commercial vessels at the Kissimmee Lakefront Park Marina, contract # 20240529.

Explanation

The City of Kissimmee Sovereignty Submerged Land Lease issued by the Board of Trustees of the Internal Trust Fund of the State of Florida covers the use of property on Lake Tohopekaliga and authorizes the operation of the boat slips, concrete ramps, fishing pier and bait shop/restaurant at the Kissimmee Lakefront Park. Prior to this modification, commercial vessels could not operate or moor from this location.

In order to move forward with the commission's goal of offering an eco-tour lake vessel operation, the current lease required this modification. The modification to the lease, once executed, will allow for the City of Kissimmee to contract with a commercial operator to provide ecotourism opportunities at the Kissimmee Lakefront Park. This lease will be effective through April 6, 2033.

Recommendation

Approval of modifications to Sovereignty Submerged Land Lease BOT No 490003974 to allow for mooring of recreational and commercial vessels at the Kissimmee Lakefront Park Marina.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Parks & Recreation
Presenter:

Attachment(s):

1. (S) A AID 49968 Lease 490003974 OGC signed
2. City and Florida -Sovereignty Submerged Lands Fee Waived (Boat Slips) Lease Modification (10-07-2014)
3. City and Florida -Sovereignty Submerged Land Lease

ITEM 7.C
Supplemental Agreement No. 2 for Connect Kissimmee Project

Request

Approval of Supplemental Agreement No. 2 for design services related to the Connect Kissimmee Complete Streets Project with AECOM (Contract No. 20230049) in the amount of $150,184. The additional funding required will be provided by MetroPlan Orlando.

Explanation

This agreement pertains to the consultant's work required to develop a Cultural Resource Assessment Survey (CRAS) report. The Florida Department of Transportation (FDOT) requires this CRAS report for the project.

The FDOT has allocated $2,077,197 for the design of the Connect Kissimmee Complete Streets project. This allocation includes $1,812,769 for reimbursable items and $264,428 for non-reimbursable items required to complete the project. MetroPlan will contribute an additional $150,184 to cover this agreement, increasing the total grant funding to $1,962,953, with no ineligible items associated with this agreement. Consequently, the total project design cost will amount to $2,227,381.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
15145656 506393 15100334 334490	PW2216	Increase Increase	$150,184 $150,184	

Financial Summary:

MetroPlan will provide the additional funding of $150,184 to cover this agreement.

Recommendation

Approval of Supplemental Agreement No.2 with AECOM for design services of the Connect Kissimmee Complete Streets Project in the amount of $150,184.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):

City of Kissimmee

1. (S) Connect Kissimmee Project - SA No 2 Consultant’s Contract Amendment
2. Connect Kissimmee Project – SA No 3 Design LAP Supplemental Agreement

ITEM 7.D
Consent to Sub-Lease between Signature Aviation and Go Rentals

Request

Approval of Consent to Sub-Lease between Signature Aviation and Go Rentals Contract # 20240466.

Explanation

Signature Aviation has a Fixed Base Operators rental lease agreement with Kissimmee Gateway Airport and the City of Kissimmee. Signature Aviation operates a full-service fixed base operator (FBO). With city approval, Signature Aviation has the ability to sublease space to other aeronautical and guest transportation service providers, enhancing aviation services for the public.

Go Rentals is a car rental company and will offer transportation services for airport guests flying into Kissimmee Gateway Airport.

Per the tenant lease with Signature Aviation, the airport collects (5%) of the gross car rental revenue from Signature Aviation the Go Rental pays directly to the airport.

Recommendation

Approval of Consent to Sub-Lease between Signature Aviation and Go Rentals.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Airport
Presenter:

Attachment(s):
1. (S) Agreement for Sublease Signature Aviation + Go Rentals
2. Space Use-Sublease Signature Aviation + Go Rentals
3. FBO Lease Agreement Signature Flight Services- 9-26-2000

ITEM 7.E
Purchase of Real Property on Thacker Avenue

Request

Approval to purchase an approximately 8.27 acre parcel at the intersection of N. Thacker Ave and W Carroll Street as part of the City's strategic plan to acquire property to maintain and provide quality services to the community.

Explanation

During the annual planning retreat in January 2024, the City Commission established a goal of strategically acquiring real property that would support future projects. The property located at the intersection of N. Thacker Avenue and W Carroll Street (Parcel ID: 08-25-29-0000-0010-0000) plays a key role in the long-term plan of managing growth within the City of Kissimmee. Currently, the site is projected to be the home of a new strategically located fire station and recreation space that includes pickleball courts and a playground to serve the north-west quadrant of the City. The City Commission has included both of these projects in the 5-Year Capital Improvement Plan.

The property was appraised at $4,548,500, and no major concerns were identified during the due diligence process. The property is also one of the last large undeveloped tracts of land remaining in the northwest portion of the City. The City is proposing to pay the brokers 3% fee on top of the negotiated price, resulting in a total purchase price of $4,484,556.00. A $50,000 deposit was placed into escrow by the City when the property went under contract earlier this year.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10435106-506191	ST2421	Decrease	$4,750,000	$4,434,531.87

Financial Summary:

Funding is available in the sales tax fund within the FY24-25 capital budget for this purchase.

Recommendation

Approve the purchase of approximately 8.27 acres (Parcel ID: 08-25-29-0000-0010-0000) for $4,434,531.87 from Bronsons, LLP, and authorize the City Manager to execute any documents associated with the purchase.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: City Manager
Presenter:

Attachment(s):
1. Purchase Agreement
2. Draft Settlement Agreement 2024-157 - Bronson Site

ITEM 7.F

Intergovernmental Transfer Agreement for Medicaid Managed Care Organization Payment Program

Request

Approval of an Intergovernmental Transfer (IGT) agreement with the Agency for Health Care Administration (AHCA) to continue receiving supplemental payments for Medicaid patients transported by the Fire Department.

Explanation

Since 2016, a program has been in place for Public EMS providers in the state of Florida to receive Public Emergency Medical Transportation (PEMT) Medicaid Fees for Service (FFS) Supplemental Payment reimbursements. To date, the City has received $3,311,359.24 through the PEMT FFS program. In June of 2020, the Commission approved the City to enter into agreements with the seven Medicaid Managed Care Organizations (MCOs) in our region to receive additional supplemental payments for Medicaid patients transported by the Fire Department. The PEMT program provides supplemental payments to eligible public entities that meet specific requirements and provide emergency medical transportation to Medicaid recipients.

In order to continue to receive these funds, the City needs to execute a Letter of Agreement (LOA) with AHCA for IGTs not to exceed $616,024.86 for FY24-25. These funds are included in the City's FY24-25 Budget. Once executed, the City can expect to receive an estimated net total of approximately $822,278.75 in reimbursements from the MCOs.

Recommendation

Staff recommends approval of the IGT agreement with AHCA.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Fire
Presenter:

Attachment(s):

1. (S) 2024-25 PEMT LOA-Kissimmee Fire Department

ITEM 7.G
State Housing Initiatives Partnership Owner-Occupied Rehabilitation Agreement between with the Osceola Council on Aging and Rosemary Holt for the property located at 1703 Smith Street

Request

Approve the execution of the State Housing Initiatives Partnership (SHIP) Owner Occupied Rehabilitation Agreement, Contract #20240039, between the City of Kissimmee, Osceola County Council on Aging, and Rosemary Holt in the amount of $67,159.20 for the rehabilitation of 1703 Smith Street, Kissimmee 34744.

Explanation

The homeowner of the property located at 1703 Smith Street, Rosemary Holt, has been qualified and meets all the requirements of the City's Owner Occupied Rehabilitation Program. The approved nonprofit acting as a general contractor for the City's program, Osceola County Council on Aging, has provided a quote of $65,659.20 to complete the work needed on the property. An amount of $1,500 has been added to the quote to cover the closing costs for the transaction. After completion of the rehabilitation, the mortgage and the note placed on the property in the amount of $67,159.20 will be modified to reflect modifications in the event the final amount changes.

Per the program's guidelines, the assistance will be provided in the form of a forgivable, deferred loan with a term of 10-years as long as the homeowner does not default on the conditions of the loan. Default on the loan during the 10-years will occur if: (1) the property goes into foreclosure; (2) death of all parties listed on the mortgage; (3) the property is used as rental property; (4) sale of the property prior to the end of the 10-year anniversary of closing; (5) cash equity is taken out within the 10-year loan term; (6) the destruction or abandonment of the improvements on the subject property; (7) failure to pay applicable property taxes; and, (8) failure to maintain adequate hazard insurance. The 10-year loan term is a result of the dollar amount for this particular project.

This project is being funded by the City's State Housing Initiatives Partnership (SHIP) program.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
11225103 503434	SHIP 2021	Decrease	76,731.03	67,159.20

Financial Summary:

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

Recommendation

Approve the execution of the State Housing Initiatives Partnership (SHIP) Owner Occupied Rehabilitation Agreement between the City of Kissimmee, Osceola County Council on Aging, and

Rosemary Holt in the amount of $67,159.20 for the rehabilitation of 1703 Smith Street, Kissimmee 34744.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Development Services
Presenter:

Attachment(s):
1. (S) SHIP COA Construction Agreement Holt 1703 smith st

ITEM 7.H
Disposal of City Assets

Request

Approval to dispose of the asset items detailed in the attached report.

Explanation

The Charter states that the City Manager “shall not dispose of property belonging to the City, except on authority of the City Commission.” Therefore, staff is requesting approval to dispose of the items included on the attached list.

The items included on the attached list are slated to be auctioned, junked or scrapped and have not previously been approved for disposition by the City Commission. These items will be placed up for auction via George Gideon Auctioneers, Inc. online auction.

Recommendation

Staff recommends Commission approval to remove these items from the City’s equipment inventory listing and to send those items to the auction for disposition.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Finance
Presenter:

Attachment(s):
1. October 2024 Asset Disposal

ITEM 7.I
Change Order to Extend Completion Date for the Rehabilitation of 1124 Lindsay Way

Request

Approve the change order, contract #20240039, extending the completion date of the project to May 30, 2025 and authorize the Mayor to execute the Amendment at a later time.

Explanation

On August 6, 2024, the City Commission approved the rehabilitation of the property located at 1124 Lindsay Way, Kissimmee 34744. The agreement stated a completion date of December 31, 2024. However, the Council on Aging, which is acting as the contractor on this project, was recently advised that each individual modular home needs the State of Florida's approval before construction. Palm Harbor, the manufacturer, provided an estimate of 5 to 6 weeks for engineered plans and 5 weeks to build. Osceola Council on Aging is requesting the City extend the completion date until May 30, 2025.

The Owner Occupied Rehabilitation Agreement between the City, Osceola Council on Aging, and Norman Alan Fraser will be amended accordingly and given to the Mayor for her signature at a later time.

Recommendation

Approve the change order, Contract #20240039, extending the completion date of the project to May 30, 2025 and authorize the Mayor to execute the Amendment at a later time.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Development Services
Presenter:

Attachment(s):
1. Change Order #001

ITEM 7.J
Tyler Software Service Agreement

Request

Approval of the Software as a Service (SaaS) Agreement with Tyler Technologies for the amount of $587,264.

Explanation

The City purchased Tyler Technologies Enterprise Resource Planning and Enterprise Permitting and Licensing suites in 2018. The software is currently installed on-premise using City Resources and the City pays an annual maintenance fee to Tyler Technologies for version upgrades, product enhancements and technical support. The Company is transitioning its customers to a cloud-based model. This model is called Software as a Service (SaaS). The City will pay an annual fee to Tyler Technologies which will cover the costs to utilize the software and all associated hardware costs for server infrastructure, security and data backup and recovery. The City will retain all ownership of data and the perpetual license initially purchased. The agreement will automatically renew for two additional years. The annual SaaS fee will not increase by more than 5% annually. The difference between what the City currently pays for annual maintenance and the new SaaS fee will be offset over time as the City reduces its investment in on-premise infrastructure,

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10460103 505456	TBD		$ 587,000	$ 587,264

Financial Summary:

The City has the option to allow this agreement to renew automatically for two additional years with an annual increase not to exceed 5% per year.

Recommendation

Approval of the Tyler Technologies Software as a Service (SaaS) Agreement in the amount of $587,264.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Information Technology
Presenter:

Attachment(s):

City of Kissimmee

1. (S) - TylerTechnologies Software As a Service Agreement

ITEM 7.K
Award Oak Street Backstop renovations to MVB & Associates, Inc.

Request

Award the Oak Street Backstop renovations to MVB & Associates, Inc. in the amount of $157,595 through the Construction and Renovation Contract # 20230206 (continued service) and authorize the City Manager to execute any agreements or amendments related to this award.

Explanation

The Parks and Recreation Department would like to renovate the backstops at the Oak Street baseball facility, which will include block wall, concrete, rebar, padded mats and black netting to ensure a long-lasting and structurally sound project. The current backstop needs major repairs due to age, weather and usage, causing safety concerns. In collaboration with our Public Works, Facilities division, it was determined that this project can be successfully completed using one of the City's continued service contractors MVB & Associates, Inc, contract # 20230206, in the amount of $157,595.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00150206-506393	PR2308	Decrease	$181,279	$157,595

<u>Financial Summary:</u>

The funds are currently available for this project in PR2308. The balance of these funds will be used to then renovate the Denn John ballfield backstops.

Recommendation

Award Oak Street Backstop renovations to MVB & Associates, Inc. and authorize the City Manager to execute any agreements or amendments related to this award.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Parks & Recreation
Presenter:

Attachment(s):
1. Oak Street Park- Baseball Backstop Replacement
2. Mvb &Amp; Associates Agreement (3)_Jun-07-2023_completed

ITEM 7.L
Change Order No. 1 for Fire Station Mill Run Project

Request

Approval of Change Order No. 1 to amend the current contract price for the Fire Station Mill Run project (Contract # 20240408) from $91,920 to $103,420 to include geotechnical services.

Explanation

The City of Kissimmee originally approved a contract with KPM Franklin for the Fire Station Mill Run project in the amount of $91,920. This total, however, did not include geotechnical services amounting to $11,500.

This change order will increase the contract price by $11,500, bringing the total project cost to $103,420.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
10435106-506292	ST2400	Decrease	$338,500	$11,500

Financial Summary:

Adequate funds are available within the Fire Station Mill Run Sales Tax project (ST2400) as allocated in the FY24 budget.

Recommendation

Approval of Change Order No. 1 to amend the current contract price from $91,920 to $103,420 for the Fire Station Mill Run project.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):
1. Proposal FS Mill Run Civil Design

ITEM 7.M
Purchase of Solid Waste Garbage Trucks

Request

Approval for the purchase of two (2) garbage trucks in the amount of $791,721 from Nextran Truck Centers.

Explanation

The Solid Waste Division is seeking approval for the scheduled replacement of two (2) garbage trucks via Florida Sheriff's Cooperative Purchasing Program from Nextran Truck Centers. There is $791,721 in Project #SA25XX in the budget to cover the purchase of these two (2) trucks.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
41145716-506495	SA25XX	Decrease	$858,000	$791,721

Financial Summary:

Project #SA25XX has sufficient funds to cover the purchase of these two (2) trucks.

Recommendation

Approval to purchase two (2) garbage trucks in the amount of $791,721.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Public Works & Engineering
Presenter:

Attachment(s):
1. Nextran - Mack and Newway Truck Order

ITEM 7.N
Purchase of annual budgeted computer equipment

Request

Approval to purchase Fiscal Year 2024-25 budgeted servers, personal computers, printers, and associated equipment from the State or National purchasing contracts with the option to purchase directly from a certified reseller or the manufacturer if the price is lower than what is available from applicable contracts.

Explanation

Staff requests approval to purchase budgeted computer equipment from either the state contract or other applicable contracts that meet the City's purchasing requirements with the option to purchase from a certified reseller or directly from the manufacturer if the price is lower than contract pricing. This approach has been standard practice for the City and includes the purchase of computer equipment such as servers, personal computers, printers, and associated equipment as identified in the approved Fiscal Year 2024-25 budget.

To ensure continued standardization of City equipment, the requested computer equipment manufacturer list is as follows: IBM, Dell, Panasonic, Hewlett Packard, Lenovo, Apple, Getac Technology Corporation, Cisco, and Microsoft. The list of manufacturers of printers and scanners is as follows: Hewlett Packard, Dell, Fujitsu, Brother, Zebra, and Contex. The list of manufacturers of the City's standardized equipment is the same as last year.

Recommendation

Staff recommends approval to purchase FY 2024-25 budgeted computer equipment from the approved manufacturer list from the State or other applicable contracts that meet the City's purchasing requirements with the option to purchase directly from a certified reseller or the manufacturer if the price is lower than what is available on applicable contracts.

REQUESTED CITY COMMISSION ACTION:

Approve

Department: Information Technology
Presenter:

Attachment(s):
None

ITEM 7.O

Settlement Agreement and Release Between City of Kissimmee, GB Skyview Kissimmee Phase I Owner, LLC and the heirs holding reversionary interest in three parcels on the Beaumont Property

Request

Approval of the Settlement Agreement and Release Between City of Kissimmee, GB Skyview Kissimmee Phase I Owner, LLC and Carl Rush, Louise Rush Legere, John A. Rush, III, George Rush, Elizabeth White, Elizabeth Rush Mccoy, Charles A. Rush, Bryan Simpson, Jr., Nathan Bryan Simpson, Sr., Frank Allen May, Jr., David Bryan May, Elizabeth Leslie Keiffer, Thomas Morgan Simpson, Arthur A. Simpson, Iii, Katie Pierce, and Allen Simpson Murray.

Explanation

In December 2023, the Commission approved the City's recommendation to join Skyview in filing a Quiet Title complaint. Lots 15 and 16 of block N of the Subject Property, located at 310 N. Beaumont Avenue, were subject to a limited revert clause conveyed in a 1938 deed of the property to the Osceola County School Board.

All parties have now reached a settlement and are seeking Commission approval of the Settlement Agreement and Release. Skyview has agreed to pay $25,000.00 for each of Lots 15, 16, and 23 of the Subject Property, totaling a sum of $75,000.00. The City has agreed to designate Tract 10 as "Simpson and Donegan Families Memorial Park" and will provide a memorial plaque to be placed on the site. The Settlement Agreement will clear all potential claims to the property and title will vest in GB Skyview Kissimmee Phase I Owner, LLC

Recommendation

Recommend approval of the Settlement Agreement and Release Between City of Kissimmee, GB Skyview Kissimmee Phase I Owner, LLC and Carl Rush, Louise Rush Legere, John A. Rush, III, George Rush, Elizabeth White, Elizabeth Rush Mccoy, Charles A. Rush, Bryan Simpson, Jr., Nathan Bryan Simpson, Sr., Frank Allen May, Jr., David Bryan May, Elizabeth Leslie Keiffer, Thomas Morgan Simpson, Arthur A. Simpson, Iii, Katie Pierce, and Allen Simpson Murray.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: City Attorney
Presenter:

Attachment(s):

1. (S)- 9.25.2024 Settlement Agreement (Skyview City Heirs)
2. Final Judgment Stipulation between Skyview, City of Kissimmee & Heirs
3. Tract 10 City Park Plan

ITEM 8.A
Prospera Annual Presentation and Approval of the FY2024-2025 Agreement

Request

Approve Agreement/Contract #20240483 for FY2024-2025.

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 assistance and access to capital. Prospera is focused on tailoring their services according to the individual needs. Prospera has been very successful in providing education and resources to the community for new businesses and existing businesses alike.

Prospera will update the City Commission on its successes for this past year.

Financial Information

Account #	Project #	Increase / Decrease	Budget	Actual
00122103-503434		Decrease	20,000	20,000

<u>Financial Summary:</u>

The cost for this agreement is $20,000 and is included in the approved budget for this year.

Recommendation

Approve the Prospera agreement for FY2024-2025.

<u>REQUESTED CITY COMMISSION ACTION:</u>

Approve

Department: Economic Development
Presenter: Samia Singleton

Attachment(s):
1. 2024 Prospera City of Kissimmee Presentation
2. (S) Prospera 2024-2025 Agreement