LAKELAND CITY COMMISSION
September 20, 2021

The Lakeland City Commission met in Regular Session in the City Commission Chambers. Mayor Bill Mutz and Commissioners Chad McLeod, Bill Read, Stephanie Madden, Sara McCarley, Mike Musick and Phillip Walker were present. City Manager Shawn Sherrouse, City Attorney Palmer Davis, Finance Director Mike Brossart, and City Clerk Kelly Koos were present.

CALL TO ORDER - 9:00 A.M.

PRESENTATIONS

What's Up Downtown (Julie Townsend, LDDA Executive Director)

PROCLAMATIONS

Constitution Week
White Cane Safety Day - Light House for the Blind
Lakeland Tropics Youth Futbol Club Season

COMMITTEE REPORTS AND RELATED ITEMS

Real Estate & Transportation Committee

1. Lease Agreement with Skyway Leasing, Inc.
2. Purchase and Sale Agreement with English Creek, LLC for the Purchase of Property Located South of W. Pipkin Road and West of Medulla Road for Southwest Lakeland Park

Commissioner Bill Read presented this report to the Commission.

Action on Report: Commissioner Phillip Walker moved to approve the report. Commissioner Mike Musick seconded and the motion carried unanimously.

Motion on Skyway: Commissioner Mike Musick moved to approve the lease with Skyway. Commissioner Chad McLeod seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Motion on English Creek: Commissioner Mike Musick moved to approve the Purchase/Sale Agreement. Commissioner Phillip Walker seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments from the audience.

The Commission discussed the price per acre, approximately $70,000. The price was well within the appraised value. Other parcels were more expensive.

Assistant Parks Director Pam Paige gave a brief update on the project for the benefit of the public. They had $1.25 Million set aside in 2030. The property is directly adjacent to River Stone. The developer was generous in selling below appraised value. Staff planned to move forward prudently. Lakeland's experience is that someone always comes forward to help Lakeland achieve their dreams. They were planning for 10 years out but they hoped to have something in 2.5 years. East Lakeland should be next.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

APPROVAL OF CONSENT AGENDA

All items listed with an asterisk (*) are considered routine by the City Commission and will be enacted by one motion following an opportunity for public comment. There will be no separate discussion of these items unless a City Commissioner or Citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

Motion: Commissioner Chad McLeod moved to approve the Consent Agenda. Commissioner Sara McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

APPROVAL OF MINUTES (with any amendments)

* City Commission Minutes 09/03/21 - 09/07/21

* Utility Committee Minutes 09/03/21

Action: The Commission approved these minutes as part of the Consent Agenda.

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

EQUALIZATION HEARINGS

Recess/Convene: The Commission recessed the Regular Session and convened as the Equalization Board.

Palmer Davis explained the City Charter requires that prior to recording a lien against private property, the City Commission convene as the Equalization Board and grant those property owners the opportunity to object to the recording of the lien or ask any questions they might have. If someone present received a notice to appear before the City Commission re a lots cleaning/clearing or demolition assessment, this is the time to address the Commission.

Demolition of Buildings

Motion: Commissioner Phillip Walker moved to approve the assessments. Commissioner Sara McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Adjourn/Reconvene: The Equalization Board recessed and the Commission reconvened in Regular Session.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 5888; Proposed 21-032; Amending the City of Lakeland's Affordable Housing Incentive Plan (1st Rdg. 09-07-21)

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE CITY OF LAKELAND AFFORDABLE HOUSING INCENTIVE PLAN; MAKING FINDINGS; AMENDING INCENTIVE TARGET AREAS UNDER THE PLAN; PROVIDING FOR ADMINISTRATIVE REVIEW OF INCENTIVE APPLICATIONS; REPEALING PREVIOUS ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Chad McLeod moved to approve the ordinance. Commissioner Phillip Walker seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Action: Upon roll call vote Commissioners Phillip Walker, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Ordinance 5889; Proposed 21-035; Approving a Conditional Use to Construct a 180-Foot High Ground Mounted, Personal Wireless Services Facility on Approximately 24.07 Acres Located East of Lakeland Highlands Road and North of SR 570

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO CONSTRUCT A 180-FOOT HIGH GROUND MOUNTED, PERSONAL WIRELESS SERVICES FACILITY (CELL TOWER) ON APPROXIMATELY 24.07 ACRES LOCATED EAST OF LAKELAND HIGHLANDS ROAD AND NORTH OF SR 570 (POLK PARKWAY); FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker moved to approve the ordinance. Commissioner Chad McLeod seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments from the audience.

The Commission discussed the development. The entire 24 acres was designated for the cell tower.

Action: Upon roll call vote Commissioners Chad McLeod, Bill Read, Stephanie Madden, Sara McCarley, Mike Musick, Phillip Walker, and Mayor Bill Mutz voted aye. Ayes – seven. Nays – zero. The motion carried unanimously.

Ordinance 5890; Proposed 21-036; Amending Ordinance 3839, as Amended; Major Modification of PUD Zoning for Parkway Preserve, to Allow Driveway Access on Airport Road for Property Located South of Carillon Boulevard and West of Airport Road (1st Rdg. 09-07-21)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 3839, AS AMENDED, TO PROVIDE FOR A MODIFICATION TO PUD ZONING FOR PARKWAY PRESERVE, TO ALLOW DRIVEWAY ACCESS ON AIRPORT ROAD FOR PROPERTY LOCATED SOUTH OF CARILLON BOULEVARD AND WEST OF AIRPORT ROAD; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Bill Read moved to approve the ordinance. Commissioner Phillip Walker seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience.

The Commission discussed:

- The desire for both access points. Both entrances are sufficient on their own. Tim Campbell now held a signed letter of agreement with the HOA. They agreed to do due diligence to include the second access via Airport Road. They will communicate with the HOA should the second access prove too expensive for the project to allow them the opportunity to participate.
- Acknowledged not everyone would be happy with the result.
- The Developer will work with the HOA should the Airport Rd entrance be too costly.
- Having both entrances is an advantage to Parkway Preserve too.
- Written approval from FDOT. FDOT wanted to approve the plans.
- The developer will need written FDOT approval before beginning the engineering plans.
- The Commission appreciated the two parties coming to an agreement.

James Adams of Pilka, Adams & Reed, representing the HOA briefly reviewed their agreement.

Donna Willett spoke in favor of the agreement.

Jackie Michael HOA Board of Director. They wanted to see that second access on Airport Road. Carillon Lakes will have additional costs to improve security and possible support for the second access.

Action: Action: Upon roll call vote Commissioners Phillip Walker, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Ordinance 5891; Proposed 21-037; Permitting and Providing Regulations for the Operation of Non-Motorized Vehicles for Hire on Designated Streets (1st Rdg. 09-07-21)

> AN ORDINANCE OF THE CITY OF LAKELAND, FLORIDA RELATED TO NON-MOTORIZED VEHICLES FOR HIRE; AMENDING THE CODE OF THE CITY OF LAKELAND, FLORIDA BY CREATING ARTICLE V OF CHAPTER 106 TITLED "NON-MOTORIZED VEHICLES FOR HIRE"; SETTING FORTH PURPOSE AND INTENT; PROVIDING DEFINITIONS; PERMITTING THE OPERATION OF NON-MOTORIZED VEHICLES FOR HIRE ON DESIGNATED STREETS WITHIN THE CITY OF LAKELAND; ESTABLISHING REGULATIONS, STANDARDS AND PERMIT REQUIREMENTS FOR NON-MOTORIZED VEHICLES FOR HIRE AND THE DRIVERS THEREOF; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR THE REPEAL OF

ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker moved to approve the ordinance. Commissioner Chad McLeod seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience.

The Commission discussed:

- Policing; violation can result in suspension or revocation of the permit.
- Posting the price on the vehicle
- FDOT may require a traffic study before permitting the crossing of Florida Avenue.
- Swan Pedal and The Squeeze should work together to get approval for the crossings.

Representatives from Swan Pedal (Leslie Raysin and Paige Conaster) planned to always work with the Lakeland Police Department and to hire quality drivers. They plan to stay on top of any issues that arise. They have rules built in. Passengers will sign that they will be kicked off the bike if they violate the rules. There is a fine for passengers who break the rules. Passengers will pay online and sign the waiver at that time. They first encountered the pedal bike in Savannah. They had fun and wanted to bring it to Lakeland.

Action: Upon roll call vote Commissioners Chad McLeod, Bill Read, Stephanie Madden, Sara McCarley, Mike Musick, Phillip Walker, and Mayor Bill Mutz voted aye. Ayes – seven. Nays – zero. The motion carried unanimously.

Proposed 21-040; Dissolving the Hawthorne Mill North Community Development District

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO COMMUNITY DEVELOPMENT DISTRICTS; REPEALING ORDINANCE 5758; DISSOLVING THE HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on October 4, 2021.

The Commission discussed:

Commissioner Bill Read: School board refused a school site there. He would like to see a "set aside" for a school location. If the school board does not take advantage, he would like to see it go commercial.

Teresa Maio: the action they will take in second reading is to establish the district for financing purposes. The PUD does not require the school site. There is a location for a private charter school. It is not in the PUD to reserve land for a school. The developer has planned houses with the full number of units. The opportunity has passed.

Commissioner Bill Read did not want to support without the set aside.

Commissioner Phillip Walker: what can col do if the schoolboard has declined a site location?

Commissioner Sara McCarley understood Commissioner Bill Read's request. We approve these things in silos. It would be a good idea to talk with the developer to see if they would agree to the set aside. It is not on us but it would not hurt to request the set aside.

Commissioner Phillip Walker did not mind the ask but he did not want to hinder the development.

Mayor Bill Mutz clarified the schoolboard is aware of the PUD so it is not a silo.

Commissioner Sara McCarley: if they know the city is considering this, that may heighten the awareness.

Commissioner Stephanie Madden the discussion is our only leverage. If we do not discuss the matter, we will not get a better project. We should have the conversation. The cc wants to hear from the schoolboard if not here where?

Commissioner Chad McLeod: does the concept of a set aside fit with the item today?

Teresa Maio: a set aside would require rezoning.

Commissioner Sara McCarley: drove out there on Friday. This is another 1300 roof tops, 2600 cars 3250 in people. She was concerned about the need of a school site and the safety of traffic with the volume.

Chuck Barmby, that is a big issue addressed by the Comprehensive Plan and the Development Review Process will tie all the roads together. With this site, the City has required interconnectivity. Each individual zoning ordinance has required interconnectivity with the roads and the trails. As the area evolves and more commercial is added, it will shorten trips of the surrounding residents. The City is working with Polk County. The surrounding roads are in Polk County. The City anticipated a Transportation Agreement with Hawthorne Mills, similar to Riverstone.

Commissioner Bill Read wanted to have the schoolboard come to the next meeting and tell the City they do not need the site.

Teresa Maio committed to reach out and bring an answer back to the next meeting. She cannot guarantee that they will come to our meeting.

Commissioner Mike Musick: we should be able to receive documentation as to when and why they declined.

Palmer Davis clarified that neither of these ordinances are zoning ordinances. The school site was removed in 2018. There are legal ramifications to remove an entitlement. The zoning has already been approved.

Action: Mayor Bill Mutz asked for public comment. There were no comments from the public.

Proposed 21-041; Establishing a New Hawthorne Mill North Community Development District on Approximately 289.07 Acres Located South of Pipkin Road, North of Ewell Road and East of County Line Road

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA, ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT TO BE KNOWN AS THE HAWTHORNE MILL NORTH COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Action: Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

COMMUNITY REDEVELOPMENT AGENCY - None

CITY MANAGER

Recommendation re: Ratification of Collective Bargaining Agreement with the International Brotherhood of Electrical Workers Local 108

Representatives from the Human Resources Department and the Bargaining Committee representing the Purchasing and Stores Division Warehouse bargaining unit have been actively negotiating a successor agreement for the current active Collective Bargaining

Agreement (CBA) between the City and the International Brotherhood of Electrical Workers Local 108 (IBEW) ending September 30, 2021.

Negotiation teams for the City and the IBEW recently reached agreement on proposed terms and conditions for a successor 3-year agreement IBEW Unit CBA, which has been ratified by the respective employees on August 31, 2021. With the ratification of the agreements by represented Bargaining Unit employees, the CBA now awaits formal consideration from the Lakeland City Commission. The following provides a summary of the recently agreed upon major economic terms and conditions of the CBA.

IBEW Bargaining Unit:

• Wages:

Effective October 1, 2021 (FY 2022):
1.5% Across the Board (ATB) increase for all active Bargaining Unit employees
2.5% merit increase for eligible Bargaining Unit employees

In addition, those employees under pay step 5 or lower will receive a one time additional 2.5% merit increase in six months following their next performance review (PPR) if they are meeting all performance expectations.

Effective October 1, 2022 (FY 2023):
1.5% ATB increase for all active Bargaining Unit employees

2.5% merit increase for eligible Bargaining Unit employees

Effective October 1, 2023 (FY 2024):
Effective 90 days prior to the expiration date of September 30, for the fiscal year 2023, the parties will enter negotiations specific to Article 23 (Wages) to attempt to reach mutual agreement for the wage adjustments that would become effective October 1, 2023. The Economic reopener will only apply to Article 23.

• Term of Agreement:
From date of ratification through September 30, 2024 (an overall (3) three- year agreement).

• Other:
Article 9 (Discipline Management Policy) was updated to reflect current City Policy as it related to those employees who are suspended for a duration less than 3 days being eligible for promotion or merit wage adjustments if approved by the Department Head, Human Resources and City Manager's Office.

Article 14 (Hours of Work and Overtime) was modified to incorporate a previously agreed to Memorandum of Understanding in the Temporary Assignments Article Section. In addition, the meal reimbursement amount was increased from the current rate of $12.00 to $13.75.

All other articles that were tentatively agreed to have been incorporated into the final CBA.

Staff recommended that the City Commission ratify the proposed amendments to the current CBA to reflect the above noted wage modifications and authorize the appropriate City officials to execute the associated documents between the City of Lakeland and the IBEW, Local 108.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Phillip Walker moved to approve the agreement. Commissioner Sara McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments from the audience.

The Commission discussed:

- The Warehouse duties.
- The supervisor is not a union member.
- Self-service opportunities to minimize callout for warehouse employees.
- Callout pay and Standby pay.
- The highest salary is $30 per hour. Most are in the $20 range. The positions are hard to fill.
- During storms they work 12-hour shifts. They are critical.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Recommendation re: Lakeland Linder International Airport – Approval to Negotiate with Engineering Firms to enter a Professional Engineering Consulting Services Contract per the Consultants Competitive Negotiation Act

Lakeland Linder International Airport (LLIA) has recently solicited professional engineering consulting services (RFQ # 1189) according to the guidelines published in the Florida Statutes Chapter 287 Section 055 known as the Consultants Competitive Negotiation Act (CCNA). The responses were reviewed and ranked using consistent criteria in order to identify the most qualified firms by analyzing items such as the professionals assigned to the Airport, experiences of the firms, knowledge of the Airport, FAA, FDOT, proximity to Airport, and other factors relative to ranking the firms. The team performing the review consisted of LLIA staff and representatives from the City Manager's Office and Public Works.

The Selection Committee held an open public meeting on Wednesday, August 25 ,2021 to discuss the submittals and scoring/ranking of the firms for the RFQ. The final overall ranking is as follows:

Firms	Avg Score	Ranking	Location
Atkins North America, Inc.	91.4	1	Tampa
Hansen Professional Services Inc.	84.4	2	Maitland
HDR Engineering Inc.	83.2	3	Tampa
AVCON, Inc	82.2	4	Orlando
AECOM Technical Services Inc.	79.6	5	Tampa

LLIA is requesting approval to proceed with negotiating contracts at a price that is fair, competitive and reasonable according to the guidelines established by the Florida Statutes Chapter 287 using the short listing of the firms in the order shown. LLIA intends to secure contracts for a three-year term with one additional option year with the top three firms.

Staff recommended that the City Commission authorize the appropriate City officials to negotiate and enter contracts with the three most qualified firms according to the guidelines established by the Florida Statutes Chapter 287 to provide Engineering Services for LLIA.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Chad McLeod moved to approve the recommendation. Commissioner Stephanie Madden seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Recommendation re: Renewal of Insurance for Property and Boiler Machinery, Excess Workers' Compensation, Inland Marine/ Electronic Data Processing, Crime, Surety Bond for City Treasurer, Excess Liability Coverage, Cyber Liability, and Contractors' Equipment

The City is finalizing the annual renewal process for the above referenced policies for FY 2022 with the assistance of our current Broker of Record, Arthur J. Gallagher Risk Management Services. The variety of quotations for noted coverages are as follows for the period from October 1, 2021, through September 30, 2022.

1. Property and Boiler Machinery: The program provides risk coverage for City property and boiler machinery for all City operations. They City's total insured values were reduced by 26% from $2,086,131,409 to $1,541,733,434 this year, primarily due to the removal of the Unit #3 assets from the property schedule.

The FY 2022 base premium of $3,750,000 represents a decrease of $288,369 compared to the FY 2021 base premium of $4,038,369. The current renewal premium is being presented as "not to exceed" while our Broker, A.J. Gallagher, continues to negotiate with underwriters to improve pricing and drive the lowest possible premiums. Additionally, the AIG Engineering Fee remains at $35,000.

2. Excess Workers' Compensation: The City currently self-insures its Workers' Compensation program with a retention limit of $350,000. The incumbent, Florida Municipal Insurance Trust (FMIT), has again offered a competitive program. The premium for FY 2022 will decrease by a total of 19% (or -$135,723). The decrease is based upon an improvement in the City's experience modification factor from 1.04 to .85 combined with a decrease in payroll of 1% ($142,944,779). FMIT is offering the FY 2022 renewal for an annual premium of $592,289.

3. Inland Marine/Electronic Data Processing: Hartford Insurance Company remains the carrier for this coverage. The FY 2021 annual premium was $62,872. The annual premium for FY 2022 is $58,210 representing a $4,662 decrease. This is from a reduction in overall exposures of 7%.

4. Crime: Travelers Insurance will pay the insured (City) for the direct loss of the transferring, paying, or delivering money or securities, directly caused by Social Engineering Fraud committed by a person purporting to be: (a) a vendor, or (b) a client. The annual renewal premium for this coverage remains the same at$13,378.

5. Surety Bond for City Treasurer: The premium from the existing policy with the Hartford Insurance Company remains at an annual base fee of $685.00.

6. Excess Liability: The City is self-insured for Auto, General, Law Enforcement, Public Officials and Employment Practices Liability. The current policy has a $5,000,000 per occurrence limit for each type of coverage. The current carrier, Argonaut Insurance Company, has non-renewed its entire book of business for Public Entity excess liability. As a result, the City will need to move to a new carrier starting October 1, 2021.

The most competitive option is through Munich Re, which retains the current $5,000,000 limit for all coverages, except for Sexual Abuse coverage, which is now separated and has a $2,000,000 sublimit.

Additionally, Munich Re provides a $500,000 self-insured retention (SIR) for a total premium of $377,652. This is a $53,378 (16.4%) increase over the expiring program. The City has only incurred $145,000 in claims excess of $250,000 in the last 10 years under this policy.

7. Cyber Liability: Chubb Insurance Company is providing this coverage, which is inclusive of network security and privacy liability, data breach fraud, internet media liability, and network extortion. Chubb was able to offer a renewal quote this year as a

result of the City's compliance with their new underwriting guidelines. The coverage limit has been reduced from $3,000,000 to $1,000,000, and the policy retention has been increased from $75,000 to $500,000. The FY 2022 premium for this renewal program is $27,054, a $14,041 (34%) reduction as compared to the FY 2021.

8. Inland Marine: Markel American Insurance Company was selected to provide the physical damage coverage for various equipment being leased, which ranges from Street Sweepers, Gradalls, and a Vacuum Truck. For this year's renewal, the premium rate increased 3% along with a 19% increase in values. Therefore, the total premium in FY 2022 is $46,644, an increase of $8,621 as compared to FY 2021.

Arthur J. Gallagher's annual brokerage service fee is $175,000 for FY 2022. This service fee includes all lines of coverage currently handled by Gallagher and excludes all commissions.

Proposed FY 2022 coverage premiums and comparisons to FY 2021 are as follows:

Coverage	20-21 Premium	21-22 Premium	Premium Difference	% Increase
Property	$4,039,217	$3,750,000	($289,217)	-7%
Property Carrier Loss Control	$35,000	$35,000	$0	0%
Excess Workers Compensation	$728,012	$592,289	($135,723)	-19%
Inland Marine/EDP	$62,872	$58,210	($4,662)	-7%
Crime	$13,378	$13,378	$0	0%
Cyber	$41,095	$27,054	($14,041)	-34%
Surety Bond for City Treasurer	$685	$685	$0	0%
Excess Liability	$324,274	$377,652	$53,378	16%
Contractors Equipment	$38,023	$46,644	$8,621	23%
Broker Fee	$175,000	$175,000	$0	0%
TOTAL	**$5,457,556**	**$5,075,912**	**($381,644)**	**-7%**

Staff recommended that the City Commission approve renewing the property/boiler machinery quota share coverage, which utilizes AIG, Munich Re, Swiss Re, AEGIS, Zurich, and Lloyd's of London, the excess Workers' Compensation through the Florida Municipal Insurance Trust, the Inland Marine/Electronic Data Processing coverage through Hartford, Cyber Policy through Chubb, Crime Policy through Travelers, Inland Marine coverage through Markel, Excess Liability through Munich Re, as most advantageous to the City, and Surety Bond for the City Treasurer through Hartford also be approved with the above noted vendors, all of which have an October 1, 2021, effective date.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Phillip Walker moved to approve the recommendation. Commissioner Mike Musick seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments from the audience.

The Commission discussed:

- Cyber security. Carriers had reduced the amounts of coverage they are willing to provide.
- Staff was making sure we have the finances available to self-insure. The City was working toward being self-insured.

Action: Mayor Bill Mutz called for the vote and the motion carried 6-0. Commissioner Sara McCarley was absent at that time.

Shawn Sherrouse offered a Verbal Report. The City received $215 Million from Lakeland Regional Health as prepayment of their lease through 2040. There is an established board that will begin investing those funds.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 21-042; Amending Ordinance 5341, as Amended; Related to Firefighters' Retirement System

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE CITY OF LAKELAND FIREFIGHTERS' RETIREMENT SYSTEM; AMENDING THE CITY OF LAKELAND FIREFIGHTERS' DEFINED BENEFIT PLAN BY AMENDING SECTION 27, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS, RELATED TO SHARE ACCOUNTS UNDER CHAPTER 175, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on October 4, 2021.

Resolutions

Resolution 5716; Proposed 21-072; Demolition of Buildings

A RESOLUTION PROVIDING FOR THE ASSESSMENT OF A LIEN AGAINST PROPERTIES FOR EXPENSES INCURRED IN THE REMOVAL OF DILAPIDATED AND HAZARDOUS BUILDINGS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker moved to approve the resolution. Commissioner Chad McLeod seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Action: Upon roll call vote Commissioners Phillip Walker, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Resolution 5717; Proposed 21-073; Delegating Certain Administrative Duties to the City Clerk and the Deputy City Clerk; Appointing the City Clerk and the Deputy City Clerk as a Member of the Canvassing Board for a Limited Purpose

A RESOLUTION RELATING TO ELECTIONS; DELEGATING CERTAIN ADMINISTRATIVE DUTIES TO THE CITY CLERK; APPOINTING THE CITY CLERK AND THE DEPUTY CITY CLERK AS MEMBERS OF THE CANVASSING BOARD FOR A LIMITED PURPOSE; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Bill Read moved to approve the resolution. Commissioner Sara McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Chad McLeod, Bill Read, Stephanie Madden, Sara McCarley, Mike Musick, Phillip Walker, and Mayor Bill Mutz voted aye. Ayes – seven. Nays – zero. The motion carried unanimously.

Resolution 5718; Proposed 21-074; Vacating a Public Utility Easement Located at 3516 Lakeside Heritage Dr.

A RESOLUTION RELATING TO PUBLIC UTILITY EASEMENTS; MAKING FINDINGS; VACATING AN EXISTING 15-FOOT PUBLIC UTILITY EASEMENT LOCATED AT 3516 LAKESIDE HERITAGE DRIVE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker moved to approve the resolution. Commissioner Bill Read seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were none.

Action: Upon roll call vote Commissioners Chad McLeod, Bill Read, Stephanie Madden, Sara McCarley, Mike Musick, Phillip Walker, and Mayor Bill Mutz voted aye. Ayes – seven. Nays – zero. The motion carried unanimously.

Resolution 5719; Proposed 21-075; Authorizing Application for the State Revolving Fund Loan Program for Glendale Water Reclamation Facility Effluent Pumping Improvements

A RESOLUTION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING A LOAN APPLICATION; AUTHORIZING A LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Chad McLeod moved to approve the resolution. Commissioner Phillip Walker seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Action: Upon roll call vote Commissioners Phillip Walker, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Miscellaneous Reports

* **Memo re: 5:01 P.M. Hearing Waiver**

During the month of October, the Community & Economic Development Department will be presenting the Commission with Amendments to the Land Development Code which will require at least one hearing after 5:00 p.m. Staff requested that the Commission waive the statutory requirement that at least one of the hearings on these matters be held after 5:00 p.m.

Action: The Commission approved this item as part of the Consent Agenda.

* **Memo re: Task Authorization with Chastain-Skillman, Inc. for Piping Modifications to the Southwest Pump Station**

This proposed Task Authorization with Chastain-Skillman, Inc. (CSI) was for professional services to assist the Water Utilities Department with design, bidding and construction support associated with piping modifications to reverse the effluent flow of the Southwest Pump Station.

The Southwest (SW) Pump Station discharge is currently flow-limited because it discharges into a gravity pipe system with other flows. This flow limitation is restricting the SW Pump Station from running at full capacity. With the English Oaks Force Main coming online soon, an existing 20-inch force main that currently discharges into the SW Pump Station can be reversed and allow all the flow from the SW Station to be redirected though this 20-inch pipe. This change in direction will allow the SW Pump Station to run at full capacity. To accomplish this change in flow direction, additional piping needs to be designed and constructed at the Pump Station. In addition, a design analysis of this new system is needed to ensure these changes will operate as planned.

In accordance with the Task Authorization, CSI will develop drawings and bid documents for use in the procurement of contractor services. CSI will perform preliminary and final design, assist with bidding and award, and perform construction administration, including inspection services.

All services under this Task Authorization will be performed in accordance with the terms and conditions set forth in the Continuing Agreement for Municipal Engineering Services between the City and CSI previously approved by the City Commission in September 2016. The total not-to-exceed cost associated with this Task Authorization is $79,700. This project has been approved and budgeted in the Water Utilities' FY 2021 budget.

Staff recommended that the City Commission approved the Task Authorization with Chastain-Skillman and authorize the appropriate City officials to execute the Task Authorization.

Action: The Commission approved this item as part of the Consent Agenda.

Memo re: Agreement with IBM Business Machines Corporation for Software Subscription & Support Renewal for MAXIMO Enterprise System

This proposed Software Subscription & Support Renewal Agreement was for MAXIMO with International Business Machines Corporation (IBM). IBM MAXIMO is the enterprise system utilized by City departments such as Lakeland Electric Production and Delivery, Water and Wastewater, Information Technology and Parks and Recreation to provide asset lifecycle and maintenance management for all asset types on a single platform. It is used to help maximize the value of critical business and Information Technology assets over their lifecycles with workflows by enforcing best practices that yield benefits for all types of assets.

In order to maintain vendor support on this enterprise system, the City is seeking to renew its existing Software Subscription & Support Agreement. IBM is the sole MAXIMO vendor for resolving application issues related to the City's existing enterprise system, as well as the sole vendor that will enable the City to maintain its ability to download patches, fixes and version updates. While the City is seeking to renew its existing Agreement, IBM has issued a new platform for these services referred to as a Passport Advantage Program. In order to procure competitive pricing related to this renewal from IBM, the City is utilizing State of Florida Contract No. 43211500-WSCA-15-ACS.

The Software Subscription & Support Renewal Agreement is for a term of nine (9) months, effective October 1, 2021 through June 30, 2022, subject to City Commission approval. Following the initial term, the Agreement will be renewed annually for one (1) year periods unless otherwise terminated upon thirty (30) days prior to a renewal period with written notice. The total cost for the initial term is $338,848.20, a portion of which DoIT has budgeted in its Software, License & Maintenance account for FY21, with the remaining cost included in DoIT's FY22 budget, subject to approval by the City Commission. All terms and conditions for this purchase will be governed by the State of Florida Contract and corresponding attached Addendum, as well as IBM's proposal dated August 24, 2021.

Staff recommended that the City Commission approve this Agreement with IBM for Software Subscription & Support Renewal for MAXIMO and authorize the appropriate City officials to execute all corresponding documents related to the Agreement.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Sara McCarley moved to approve the recommendation. Commissioner Stephanie Madden seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote the motion carried unanimously.

FINANCE DIRECTOR

* **Appropriation and Increase in Estimated Revenues – Fleet Management Vehicle Replacement Fund**

The City is requesting an appropriation for early replacement of four Solid Waste refuse trucks programmed for replacement in FY2022. Taking this action will enable avoidance of significant cost increases in September in addition to reducing lead time to vehicle delivery.

The following costs associated with replacement of the vehicles are as follows:
- Current replacement balance including anticipated auction revenue and replacement surplus: $1,439,720
- Replacement cost: $1,439,720

Staff requested that the City Commission authorize an appropriation and increase in estimated revenue from the Unappropriated Surplus in the Fleet Management Vehicle Replacement Fund of $1,439,720 for the early replacement of four refuse trucks for Solid Waste.

Action: The Commission approved this item as part of the Consent Agenda.

Utility

Miscellaneous

Memo re: Amendment No. 3 to ARCOS, LLC Master Service Agreement

This was Amendment No. 3 to the Master Service Agreement (Agreement) with ARCOS LLC (ARCOS). In December 2004, the City Commission approved the Master Service Agreement and Work Order No. 0001 for the ARCOS resource management system providing for ongoing primary Call Out Services and establishing monthly service/ancillary fees.

ARCOS is the Automated Roster Callout System utilized by the City of Lakeland for emergency crew call outs initiated by Lakeland Electric's System Control. The system is currently used by Energy Delivery Operations, the Water Department, Lakeland Electric Phone Team, and the McIntosh Power Plant Emergency Operations and Gas Operations. The ARCOS system finds, assembles, and tracks repair crews to improve service restoration and emergency response for electric utilities, gas utilities and power generation plants. It also centralizes management control for improved accountability, provides visibility of operations for transparency and creates detailed reports for proof of results.

In accordance with Amendment No. 2, the Agreement with ARCOS is set to expire on September 30, 2021. Pursuant to Amendment No. 3, the City is now seeking to extend the term of the Agreement for an additional three (3) year period effective October 1, 2021 through September 30, 2024, upon City Commission approval. Amendment No. 3

will also establish pricing based on the number of electric/water meters the City has, extend uses of existing licenses, provide for updated data-security documents and further clarify miscellaneous terms in the Agreement.

The firm price of the base callout system for the three (3) year term of the Agreement is $328,039.20, which represents a 5.4% increase over the previous three (3) year term. Additional costs also include a one-time Application Service Package that will help optimize the system at a cost of $36,000. As such, the total estimated cost of the three (3) year Agreement to $364,039.20, which is included in Lakeland Electric's FY21 budget. Except as otherwise provided in Amendment No. 3, all other terms and conditions contained in the Master Service Agreement and subsequent Amendments thereto shall remain in full force and effect.

Staff recommended that the City Commission approve Amendment No. 3 with ARCOS and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item.

Motion: Commissioner Sara McCarley moved to approve the amendment. Commissioner Mike Musick seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously, 6-0. Commissioner Phillip Walker was absent at that time.

* **Memo re: Agreement with GE International, Inc. for Update of Larsen Unit 8 Control Curves**

This proposed Agreement with GE International, Inc. (GE) was to update the Larsen Unit 8 combustion turbine control curve constants. These control curves ensure that firing temperatures are maintained in the allowable range, maximizing reliability and efficiency of the combustion turbine. The control curves are recommended to be updated periodically to account for hardware changes and component aging. The control curves were last updated in 2010.

The City's Purchasing Department has approved GE, the original equipment manufacturer of Unit 8, as a sole source supplier for the work. Upon approval by the City Commission, a Purchase Order will be issued for the work that includes the updated control curves and the necessary field engineering services. The installation will take place during Unit 8's Spring 2022 outage. The purchase will be governed by the terms and conditions contained in GE's proposal dated September 9, 2021. The total cost of the work is $57,980 and is included in Lakeland Electric's FY21 budget.

Staff recommended that the City Commission approve the proposed Agreement with GE for Larsen Unit 8 control curve update and authorize the appropriate City officials to issue a Purchase Order for the work.

Action: The Commission approved this item as part of the Consent Agenda.

Memo re: Agreement with Advanced Overhead Systems, Inc. for Gantry Crane Controls Upgrade at Larsen Power Plant

This proposed Agreement was with Advanced Overhead Systems, Inc. (AOS) for an upgrade to the Gantry crane controls at the Larsen Power Plant. The existing crane is over 70 years old, has virtually no parts availability and currently has limited functionality. A steam turbine outage is scheduled for Larsen Unit 8 in the Spring of 2022. The use of this crane is integral to the work being performed during that outage. A crane failure would create costly delays, which are estimated at $25,000 per day, and significantly extend the duration of the outage. There is not a feasible alternative to getting another crane into the Larsen building to support this outage since a mobile crane would require removal of a large section of the building's roof resulting in exposure to inclement weather such as rain. Additionally, the Gantry crane is required to move several critical spare motors stored in the Larsen building for transport to their serviceable areas.

Accordingly, on June 25, 2021, the City's Purchasing Department issued Invitation to Bid No. 1205 seeking qualified crane contractors to upgrade the existing Manning, Maxwell & Moore, Inc. Shaw-Box Gantry Crane at the Larsen Power Plant. The City received responses from the two (2) vendors listed below.

Contractor	Location	Bid Price
Advanced Overhead Systems, Inc.	Lakeland, FL	$199,240
Florida Handling Systems, Inc.	Bartow, FL	$318,167

Upon evaluation by staff, AOS was selected as the most responsive, responsible bidder with the lowest price capable of providing the services in accordance with the City's Bid Specifications. Upon City Commission approval, AOS will begin procuring parts with an anticipated commencement of the work to occur in January 2022, which is scheduled to be completed in a one (1) month period. AOS will perform all services pursuant to the terms and conditions set forth in the City's Bid Specifications and AOS's submittal to the City's bid dated July 21, 2021. The total cost of the work is $199,240 and is included in Lakeland Electric's FY21 budget.

Staff recommended that the City Commission approve this Agreement with AOS and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item.

Motion: Commissioner Chad McLeod moved to approve the recommendation. Commissioner Phillip Walker seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

Memo re: Natural Gas Sales Agreement with the City of Clearwater, Florida

This was a proposed Agreement with the City of Clearwater, Florida to purchase approximately 10,000 MMBtus of qualifying use natural gas per day set forth in two (2) separate transactions, with the first purchase consisting of 4,200 MMBtus and the second purchase consisting of 5,800 MMBtus as defined by U.S. Treasury Regulations. Municipal entities can only use this type of qualified natural gas because tax-exempt bonds are required to fund the natural gas supply.

Black Belt Energy (BBE) Gas District will acquire a long-term natural gas supply under a prepaid gas transaction to purchase its supply from J. Aron & Company, LLC for a period of thirty (30) years. Florida Gas Utility (FGU) will subsequently buy the BBE supply and sell it to the City of Clearwater, which will then sell the natural gas to the City of Lakeland for use by Lakeland Electric to generate electricity for its customers. The purchase of 10,000 MMBtu's of natural gas per day from the City of Clearwater, utilizing the previous five (5) year average, only represents a small portion of Lakeland Electric's daily natural gas supply which was previously around 23%, but will now likely only be around 19% of Lakeland Electric's daily MMBtu's required to generate power.

The term of the Agreement for the purchase of 4,200 MMBtus of natural gas will be effective for an initial term commencing April 1, 2022 and continuing through March 31, 2027, subject to City Commission approval. The second purchase of 5,800 MMBtus of natural gas will be effective either on April 1, 2022 or a few months later in 2022, whichever occurs first, and will also be effective for a five (5) year term. In accordance with both transactions, Lakeland Electric will receive 80% of the minimum discount rate that the natural gas is being sold to the City of Clearwater for, which equates to 24 cents per MMBtu. A one (1) year termination notice prior to expiration of the initial contract term will be required to discontinue the purchase of natural gas from the City of Clearwater for either transaction.

The Agreement applicable to both purchases contains a period of re-pricing when BBE will have to return to the market to reissue bonds. During this remarketing period, there is a minimum discount floor, which again Lakeland Electric would receive 80% of the minimum discount rate which is equal to 13.6 cents per MMBtu. Once BBE goes out to market within the upcoming month, the actual discount rate and date of the remarketing period will be finalized in the Agreement. While the Agreement is structured so the discount rate cannot be lower than 30 cents per MMBtu on the initial offering, it can also be greater than that amount, which could result in an even larger discount on the natural gas purchase for the City. During the remarketing period, the discount for either purchase cannot be lower than 17 cents or the Agreement may be terminated with no further obligation for the City. Until BBE goes to market, pricing will not be available so the Agreement does not currently contain the discounted rate.

The Agreement for both purchases also requires a one (1) year notice of termination prior to each renewal date during the contract term to relieve the City of Lakeland from its obligation to continue purchasing natural gas from the City of Clearwater. In the event the City of Lakeland terminates the Agreement, there is a two (2) year waiting period restriction that would prohibit the purchase of the specific replacement volumes of MMBtus of prepaid natural gas. If the Agreement terminates because BBE cannot meet the minimum discount during the remarketing period, there is no waiting period restriction.

The estimated minimum savings to the City pursuant to this Agreement for prepaid natural gas of 4,200 MMBtus is approximately $1,839,600 over a five (5) year period. The estimated minimum savings to the City for pre-paid natural gas of 5,800 MMBtus is approximately $2,540,400. The total cost of natural gas is included in Lakeland Electric's FY22 fuel budget.

This Agreement is contingent on the City of Clearwater obtaining final approval by its City Council of a Gas Services agreement with FGU so it can resell the natural gas to the City of Lakeland. If the City of Clearwater does not approve either of the transactions, the City of Leesburg, Florida may enter a similar transaction with FGU. In such event, City of Lakeland staff is seeking authority to enter into an Agreement, with substantially similar terms and conditions with the City of Leesburg.

Staff recommended that the City of Lakeland City Commission approve the Natural Gas Sales Agreement for the purchase of up to 10,000 MMBtus of natural gas in two (2) separate transactions with the City of Clearwater and authorize the appropriate City of Lakeland officials to execute all corresponding documents to the Agreement, including authority for Lakeland Electric staff to enter into an Agreement with the City of Leesburg if the City of Clearwater City Council does not approve its agreement with FGU. Any final Agreement pursuant to any of the above-specified purchases are subject to final review by the City Attorney's Office.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Bill Read moved to approve the recommendation. Commissioner Sara McCarley seconded.

Mayor Bill Mutz asked for comments from the Commission and the audience. There were no comments from the audience.

The Commission discussed:

- MM=one million BTus
- Contract lengths. The City did have some 30-year contracts. The market had to be right.

- LE was already buying the gas. Agreeing to the 5-year contract earned them a greater discount.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously.

AUDIENCE - None

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Phillip Walker:
Larry Hardaway passed away recently. There will be a public memorial October 1 at Victory Church. The family requested donations toward LH Memorial Fund thru GiveWell in leu of flowers.
This Saturday is the GTF Neighborhood Outreach in partnership with the Dream Center. They will be in the north Lake Wire Neighborhood in partnership with All Saints Episcopal. 8:30 to Noon.
He requested a proclamation recognizing Cycle Cell Anemia.
Thanked the Commission for allowing the update on the LHCC and their support on the project. Gala slated for March 11th

Commissioner Mike Musick:
Excited about the election.

Commissioner Sara McCarley:
Congratulated Commissioner Stephanie Madden for being re-elected without opposition.
Asked about a broadband update. Shawn Sherrouse explained the technical teams are meeting regularly. No update beyond that at this time.

CALL FOR ADJOURNMENT - 12:33 p.m.

H. William Mutz, Mayor

Kelly S. Koos, City Clerk

CITY OF LAKELAND, FLORIDA
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