

LAKELAND CITY COMMISSION

**August 5, 2024
Regular Session**

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 Roberts McCarley, Mike Musick, and Guy LaLonde were present. City Manager Shawn Sherrouse, City Attorney Palmer Davis, Finance Director Mike Brossart, and City Clerk Kelly Koos were also present.

CALL TO ORDER - 9:00 A.M.**PRESENTATIONS**

What's Up Downtown (Julie Townsend, Executive Director Lakeland Downtown Development Authority)

Beautification Awards (Bill Koen)

- Residential: 2112 Carolina Avenue - Janice Duncan
- Commercial: 5415 US Highway 98 North - TNT Carwash

PROCLAMATIONS

Breastfeeding Month
Florida Water Professionals Month
Purple Heart Day

COMMITTEE REPORTS AND RELATED ITEMS - None**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. For items listed with an asterisk (*) under the Community Redevelopment Agency portion of the agenda, the City Commission shall be deemed to be acting in its capacity as the Community Redevelopment Agency of the City of Lakeland when approving the consent agenda.

Motion: Commissioner Sara Roberts McCarley moved to approve the Consent Agenda. 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.

APPROVAL OF MINUTES (with any amendments)

- * City Commission Minutes – July 1-15, 2024

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

EQUALIZATION HEARINGS

Recess/Convene: The City 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 regarding a lot cleaning/clearing or demolition assessment, this is the time to address the Commission.

Lots Cleaning and Clearing

Lucille Poe came forward and asked her charges to be dismissed. The address was 1005 N Webster Ave., LOT24-00349.

Community and Economic Development Director Brian Rewis suggested the Commission could remove this item from the roll and allow staff to work with the property owner to try and come to a resolution.

Motion: Commissioner Sara Roberts McCarley moved to remove LOT24-00349 and approved the amended roll. Commissioner Bill Read seconded.

M.D. (Chip) Purcell, Jr. came forward about 1437 N Webster. He did not understand the process. He did not object to leaving this item on the roll. He will meet with Mr. Rewis on his way out.

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

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

PUBLIC HEARINGS

Resolutions

Resolution 5920; Proposed 24-045; Lots Cleaning and Clearing

A RESOLUTION RELATING TO ASSESSMENTS; DETERMINING THE NECESSITY FOR HAVING CLEANED AND CLEARED CERTAIN PROPERTIES WITHIN THE CITY OF LAKE LAND; PROVIDING FOR THE ASSESSMENT OF LIENS AGAINST SUCH PROPERTY FOR EXPENSES INCURRED IN THE CLEANING AND CLEARING THEREOF; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title and explained the resolution should be amended to reflect the action of the Equalization Board by removing LOT24-00349.

Motion: Commissioner Bill Read moved to approve the resolution as amended. Commissioner Mike Musick 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 Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – seven. Nays – zero. The motion carried unanimously.

Resolution 5921; Proposed 24-046; Intent to Vacate Public Right-of-Way Located at 1321 N. Grace Street

A RESOLUTION RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; DECLARING THE CITY COMMISSION'S INTENTION TO ADOPT AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY LOCATED AT 1321 N. GRACE STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

David Enderton, the property owner, came forward. Staff has been great to deal with. He asked if the Commission would reduce the \$2,900 fee to vacate the Right-of-Way.

Mayor Bill Mutz explained the Commission did not make changes to Right-of-Way fees.

Palmer Davis explained the figure was a 50% reduction because of the reservation of the easement.

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

Resolution 5922; Proposed 24-047; Vacating a Portion of an Existing Public Utility Easement Located at 2229 Country Bend South

A RESOLUTION RELATING TO PUBLIC UTILITY EASEMENTS; MAKING FINDINGS; VACATING A PORTION OF AN EXISTING PUBLIC UTILITY EASEMENT LOCATED AT 2229 COUNTRY BEND SOUTH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Chad McLeod moved to approve the resolution. Commissioner Sara Roberts 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 Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – seven. Nays – zero. The motion carried unanimously.

Miscellaneous

One Year Action Plan and Projected Use of Funds - 50th Year of the Community Development Block Grant (CDBG) Program and 30th Year of the HOME Investment Partnerships Program

This is the recommendations for the City's One Year Action Plan and Projected Use of Funds for the 50th Year of the Community Development Block Grant (CDBG) program and 30th Year of the HOME Investment Partnerships (HOME) program. The program year will begin October 1, 2024 and end September 30, 2025.

The recommendations continue to emphasize benefits to low and moderate income residents of the City, with funding directed to housing rehabilitation, home purchase assistance, new construction through the HOME CHDO program, code enforcement, and public services ranging from summer recreation to services for the elderly.

For Program Year 2024-2025, HUD has issued awards to the City of Lakeland of \$851,621 for the CDBG program and \$385,060 for the HOME program. The Planning & Housing Division has conducted numerous public meetings, published notices in the local newspaper, posted information on the city's website, and the City Commission held the first of two public hearings on June 17, 2024. The final public hearing is August 5, 2024, at the conclusion of which staff will request the City Commission's approval to

submit the plan to the U.S. Department of Housing and Urban Development by the August 15, 2024 deadline.

Housing Programs Manager, Mike Smith presented this item. This was the second public hearing. He requested the Commission's approval of the final action plan. They have not received any public comments or feedback. It is CDBG's 50th Anniversary. They were hosting an open house August 22, 2024 at the Coleman-Bush building from 11:30 a.m. – 2:30 p.m. and invited the Commission to attend.

Motion: Commissioner Mike Musick moved to approve the recommendation. Commissioner Sara Roberts 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 contribution to Parks, Recreation, and Cultural Arts. The funds provide afterschool activities to underprivileged households.

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

COMMUNITY REDEVELOPMENT AGENCY - None

CITY MANAGER

Year 3 Renewal of Airport Liability Insurance with Ace Property & Casualty Insurance Company

The City's Risk Broker, Arthur J. Gallagher Risk Management Services, Inc. markets our Airport Liability Insurance coverage renewal. Ace Property & Casualty Insurance Company holds the current 3-year policy for the City's Airport Liability Insurance which will expire on June 22, 2025. Airport Liability insurance covers the liability of the City. The annual premium for the current three-year policy, which began in June of 2022 was \$55,116.13 per year, with Terrorism and War endorsements included.

As the Airport has expanded into commercial service this year, it is necessary to increase the insurance coverage to protect the City in this venue. With these ongoing public and private investments, it is prudent that the Airport insures itself against additional perils further protecting the Airport and City.

The renewal premium quoted by the current insurance company, Ace Property & Casualty Insurance Company, is \$60,592 annually. This will include the Endorsements of Terrorism and War and a .7% Florida Insurance Guarantee Association (FIGA) charge. FIGA is a nonprofit corporation created by the Florida Legislature in 1970 and provides protection to insurance policyholders and beneficiaries of policies issued by an insurance company that has become insolvent and is no longer able to meet its obligations.

Staff recommended that the City Commission authorize the appropriate City Officials to pay the Airport Liability insurance coverage for this third year of the policy at the premium of \$60,592.13 with Ace Property & Casualty Insurance effective June 23, 2024.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Bill Read 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.

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

The Commission took a brief recess from 10:26 AM to 10:33 a.m.

Change Order No. 1 to Rodda Construction PO #294479 to Add Picnic Shelters to the Lake Crago Park Phase III Project and an Appropriation and Increase in Estimated Revenues from the Parks and Recreation District 1 Impact Fee Fund

The Lake Crago Park Phase III PO #294479 was issued to Rodda Construction in response to RFQ 2311 for the not-to-exceed price of \$2,987,828 July 1, 2023. The project added three multipurpose fields with sports field lighting, restroom/storage building, parking lot and site work to Lake Crago Park. The project is substantially complete. Parks, Recreation and & Cultural Arts would like to add three (3) metal prefabricated picnic shelters to the project. Rodda has submitted a Change Order Request of \$132,190 for the additional work.

Change Order No.1 includes three steel gable pavilion kits (quantity two 14'x24' and quantity one 20'x24'), concrete slabs and column footers, assembly and installation of the pavilion kits and cleanup. Staff has determined these costs to be reasonable and justified.

Change Order No. 1 will bring the not-to-exceed contract price to \$3,120,018. The Change Order will be funded with Parks and Recreation District 1 Impact Fees.

Staff recommended the City Commission authorize appropriate City officials to execute Change Order No.1 with Rodda Construction for \$132,190 and to authorize an appropriation and increase in estimated revenues from the Parks and Recreation District 1 Impact Fee Fund to the Public Improvement Fund for expenditure.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Mike Musick moved to approve the recommendation. Commissioner Bill Read seconded.

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

The Commission discussed rental options. The shelters will be open to public use without rent.

Pam Page came forward and explained the project. They were like the pavilions in Lake Bonny Park.

The District 1 Impact Fee Fund had approximately \$660,000 still remaining after this appropriation. The City will do additional work at Lake Crago.

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

Award of Purchase Order to DWR Aquatics for Simpson Pool Repair

Simpson Pool was built in 1988 as a marcite pool. In 2000 a PVC liner was installed to eliminate the leaking in the original marcite shell. When that liner failed in 2013 it was replaced with a pre-engineered modular laminated steel panel and buttress system including a new PVC liner on the pool floor which is exclusive technology to Myrtha Pools. The Myrtha system provided a 15-year warranty to the City of Lakeland for the pool for materials only.

Myrtha technicians have examined the condition of the current system and due to the degradation of the PVC liner it is recommended that it be replaced. The quote for the materials and installation is \$461,488, warranty reduced the material cost to a total cost of material and installation to \$408,435. DRW Aquatics, a certified Myrtha installer, was selected by Myrtha to perform the repair and installation.

Funds for the pool repair are available in FY 2024 Public Improvement Fund. The pool repair will begin the first week of September and will take approximately one month to complete.

Staff recommended the City Commission authorize the issuance of a Purchase Order to DRW Aquatics for a not to exceed price of \$408,435 for the Simpson Pool repair.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Mike Musick 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 from the audience.

The Commission discussed:

- The unfortunate timing.

- The Myrtha technology is used by FSC, UF, and UCF. It is the most current technology. The walls are stainless steel. The liner is adhered to the stainless steel. Because they were within the warranty, they were not expecting problems.
- The bubble did not occur until the beginning of the swim season. The City had to wait until Myrtha responded to not violate the warranty. There could not have been worse timing.
- Myrtha was working on a pool for Olympic trials and were delayed in responding.
- Simpson pool is not open in the winter but it is maintained all year round.
- The bubble was found 2-3 weeks before school ended. It was a small bubble in the dive well. Unfortunately, the bubble moved and grew. The manufacturer advised that the small bubble in the dive well would not cause a problem for the summer season.
- Staff does swim and inspect on a regular basis.
- Heating Simpson pool is cost prohibitive.
- Simpson pool will open after the repair and remain open as long as weather permits.
- The Commission appreciated the flexibility of staff in dealing with this situation.

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

McIntosh Reciprocating Engine Project Builder's Risk Insurance Coverage True-up and Extension

The City Commission approved the Builder's Risk coverage for the MREP in December 2022 that expired May 30, 2024. At that time the not to exceed premium of \$856,108 was approved on the project valuation of \$108,657,413. When the original policy was being bound it was determined that coverage through June 30, 2024, was needed, and was administratively approved for the additional \$41,591. The original policy had an automatic 30-day extension included which was exercised to extend coverage through July 31, 2024. An additional extension was determined to be necessary based on scheduling, supply chain issues and market challenges in obtaining additional carrier coverage through the anticipated conclusion of this project, estimated to be by January 31, 2025.

This insurance coverage is obtained to protect the construction and assets onsite for the MREP, as the plant construction advances and the value and liability to the City of Lakeland continues to increase. This extended coverage will be necessary to carry us through the final constructing, assembling, and testing phase of the project until the units become commercially available. At that time, the coverage will be transferred over to our utility property and boiler machinery insurance policies.

The City's Risk Broker, AJ Gallagher, has obtained builder's risk coverage extensions quoted through the following carriers: Endurance American Specialty Insurance Company (Sompo), Scor, Avivia (London), Axis (London) and Associated Electric & Gas Ins. Service Ltd (AEGIS). Ironshore Specialty Insurance Co. was on the original policy and effective August 15, 2024, will no longer provide builder's risk through their

construction group; therefore, the other carriers were marketed to increase their percentage of coverage.

The term extension also includes the following changes which increased overall premium:

1. The project values have increased.
2. The number of hot testing days has increased from 90 to 140.
3. The original policy term only included coverage for one hurricane season and the extension adds an additional hurricane season during the time with the largest amount of values at risk.

To extend coverage from August 01, 2024 to January 31, 2025, additional capacity needed to be added to the program. The additional costs associated with the increased exposures and term extension into another wind season are as follows:

Amendments to the Policy	Coverage Dates	Additional Premiums	Notes
Project Value Increase (\$108,657,413 to \$165,767,327)	12/14/22 – 06/30/24	\$ 479,180	
30 Day Extension per original agreement	07/01/24 – 07/31/24	\$ 226,493	
Additional Extension	08/01/24 – 01/31/25	\$ 1,507,835	Ironshore no longer providing coverage effective 8/15/24. Coverage will be on a 95% basis from 8/15/24-1/31/25.
Total Additional Premiums		\$ 2,213,508	

This coverage is anticipated to be no more than \$ 2,213,508 and will be in effect from July 1, 2024, through January 31, 2025, or before that date, dependent upon what date the units are commercial. Additionally, it amends the valuation of the project's coverage from December 14, 2022.

Staff recommended that the City Commission authorize the appropriate City Officials to Bind the Builder's Risk coverage to the carriers July 1, 2024, through January 31, 2025, for a premium of \$ 2,213,508.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Chad McLeod moved to approve the recommendation. Commissioner Bill Read seconded.

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

The Commission discussed:

- The additional fees and why this project was still being delayed. Joyce Dias could not speak to the timing of the project. Michael Gillon of Gallagher explained the first policy was written with one wind season and 90 days of hot testing. The values onsite during this hurricane season are now significantly higher than in the beginning and the number of days of hot testing have increased by 50 days so the rates and costs have increased. The values on the new policy are \$165 Million and were originally \$108 Million.
- The effective date of July 1. All these programs are auditable when they expire. If the values are higher on closing, an additional premium is charged. The first component is the true up through the original July 1 extension date. The second component is the 45 days of extension built into the original policy date and the third component is the extension from August until January 2025.
- The delivery incident with the train is not affecting the increase.
- Once the project goes commercial, the rates will be substantially lower.
- David Holdener stated they were still on schedule to complete the project by the end of this year. Based on insurance, the decision was made to extend beyond what they anticipated needing. Other delays were caused by procurement challenges from supply chain issues. The increase costs were because the estimates were from pre-covid.
- LE was now challenged on the project budget. LE did not have this covered in the budget. Tory Bombard explained there was cash in reserves to pay for the insurance but they will need an appropriation in the end.
- There was a presentation on supply chain issues at FMEA. It made clear how we are at the will of global circumstances.

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

CITY ATTORNEY

Ordinances (First Reading)

Proposed 24-026; Vacation of Public Right-of-Way Located at 1321 N. Grace Street

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING PUBLIC RIGHT-OF-WAY ON PROPERTY LOCATED AT 1321 N. GRACE STREET; AUTHORIZING THE RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; 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 August 19, 2024.

Proposed 24-027; Small Scale Amendment #LUS23-003 to the Future Land Use Map to Change Future Land Use from Residential Medium (RM) to Public Buildings, Grounds, and Institutional Uses (PI) on Approximately 2.29 Acres

Located West of N. Florida Avenue, South of W. 5th Street, East of N. New York Avenue and North of W. 4th Street

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS23- 003 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030, CHANGING THE FUTURE LAND USE DESIGNATION FROM RESIDENTIAL MEDIUM (RM) TO PUBLIC BUILDINGS, GROUNDS AND INSTITUTIONAL USES (PI) ON APPROXIMATELY 2.29 ACRES LOCATED WEST OF N. FLORIDA AVENUE, SOUTH OF W. 5TH STREET, EAST OF N. NEW YORK AVENUE AND NORTH OF W. 4TH STREET; PROVIDING FOR SEVERABILITY; 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 August 19, 2024.

Proposed 24-028; Change in Zoning from RA-4 (Single-Family Residential) to PUD (Planned Unit Development) to Allow for the Development of a Four-Story Community Health Clinic/Medical-Office Use on Approximately 2.29 Acres Located West of N. Florida Avenue, South of W. 5th Street, East of N. New York Avenue and North of W. 4th Street

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM RA-4 (SINGLE-FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW FOR THE DEVELOPMENT OF A FOUR-STORY COMMUNITY HEALTH CLINIC/MEDICAL-OFFICE USE ON APPROXIMATELY 2.29 ACRES LOCATED WEST OF N. FLORIDA AVENUE, SOUTH OF W. 5TH STREET, EAST OF N. NEW YORK AVENUE AND NORTH OF W. 4TH STREET; REPEALING ORDINANCES 4053, 5230 AND 5327; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; 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 August 19, 2024.

Chuck Barmby gave a presentation on the project associated with 24-027 and 24-028. A copy of the presentation slides is on file in the agenda packet. The location was directly across from Henley Field. Right-of-Ways and Easements were vacated by the City in July 2024. The new building will be located to the west. The clinic will remain in operation until the new building is complete. A site plan was currently under review. Binding concurrency determination shall be made at the time of site plan submittal.

Mayor Bill Mutz asked about the size of the building. Would they have room for expansion?

Tim Campbell representing the applicant thought there was some room for growth given the size of the building. The intent was to combine many of their facilities throughout the city. There were many different challenges for this project and he gave kudos to Community and Economic Development, City Attorney, and City Manager staff.

Commissioner Stephanie Madden asked Chuck Barmby about better signalization for the ball field. FDOT has funded a fully signalized pedestrian crossing at that location. FDOT has awarded a contract for the project. He guessed they were just waiting to receive the equipment before beginning construction.

Commissioner Bill Read asked about parking. What will the final number be? There are 152 spaces. There is a cross parking arrangement with the church. They were meeting code requirement.

Miscellaneous

Sewer Line Maintenance and Reimbursement Agreement with Park 4@Lakeland, LLC for Wastewater System Upsize

This Sewer Line Maintenance and Reimbursement Agreement with PARK@LAKE LAND, LLC was for design, construction, and dedication of an upsized wastewater utility system to a commercial development project located at 3400 University Blvd, Lakeland, Florida.

To provide adequate service to future developments nearby and accommodate growth in the surrounding service area, Water Utilities determined that it would be beneficial for the capacity of the PARK 4 sanitary sewer system extension to be expanded prior to connecting to the City's system. This expansion will reduce the cost of future infrastructure upgrades and facilitate other development in the area.

Under this Agreement, the City will reimburse PARK 4 @LAKE LAND, LLC for the essential construction expenses associated with upsizing their proposed pressurized force main from a 4-inch to 12-inch pipeline. PARK 4's engineer of record prepared a proposed cost estimate, included in the agreement, that itemizes the expected cost differential, considering the cost of the engineered base case that fully meets the needs for PARK 4 and the cost of an upsized system with greater capacity for future growth in the service area. Proof of competitive pricing will be required for the cost differential.

After the improvements are constructed, inspected, tested, and certified by the project's engineer, and with approvals from Water Utilities and the Florida Department of Environmental Protection, the City will take ownership to permanently maintain and operate the upgraded facilities. PARK 4@LAKE LAND, LLC will provide a one (1) year warranty from the date of dedication, standard for all systems turned over to the City for ownership.

As construction progresses, the City shall make periodic payments monthly for the actual reimbursement costs. The estimated total cost for this reimbursement agreement is \$1,327,175. Construction of the utilities shall start within one (1) year of execution of this agreement and be completed no later than three (3) years after execution of this agreement.

Since this project was a recent opportunity, it has not been included in any previous budgets. Therefore, staff recommends that the City Commission authorize an appropriation and increase in estimated revenues of \$1,327,175 in the Wastewater Replacement & Renewal Fund from the Unappropriated Surplus of the Wastewater Utilities Fund.

Staff recommended that the City Commission approve and authorize the appropriate City Officials to execute the attached Sewer Line Maintenance and Reimbursement Agreement with PARK 4@LAKELAND, LLC, and all other documents necessary to complete this project.

Assistant City Attorney Alex Landback presented this item to the Commission.

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

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

Robby Kniss gave a brief presentation on this agreement. This was a good opportunity to upsize the line.

The Commission discussed:

- Commissioner Bill Read asked about location. All the work was being done in the Right-of-Way of University Bl.
- Commissioner Stephanie Madden commended the water department for having a larger vision than one property or project at a time.
- Commissioner Bill Read asked about working with FDOT on their work on this intersection. The design is complete. FDOT will do construction. The City will inspect.

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

FINANCE DIRECTOR

Appropriation - Solid Waste Collection Fund

To ensure uninterrupted commercial recycling services to businesses amid delays in receiving new commercial front-loader trucks on order and parts delays for repairing City- owned equipment, the City entered into a short-term emergency agreement with

Republic Services of Florida for the collection of commercial recycling. This agreement, utilizing an existing contract with Polk County Schools #045-PGB-0418, provided two months of commercial recycling collection.

During these two months, the Solid Waste Division received three new front-loader trucks and plans to terminate the agreement after two months.

The cost for these services is \$145,000 with \$75,000 funded from FY 2024 budgeted line items. The remaining \$70,000 is unbudgeted and requires a transfer from the Solid Waste Fund's Undesignated Surplus.

Staff recommended the City Commission authorize an appropriation in the amount of \$70,000 from the Unappropriated Surplus of the Solid Waste Fund.

Mike Brossart presented this item to the Commission.

Motion: Commissioner Mike Musick moved to approve the recommendation. 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.

UTILITY

Ordinances – None

Resolutions – None

Miscellaneous

Change Order #9 to the Perpetual Software License and General Consulting Services Agreement with Power Cost, Inc.

This was a proposed Change Order #9 to the Perpetual Software License and General Consulting Agreement between Power Cost, Inc. (PCI) and the City of Lakeland, together with the Orlando Utilities Commission (OUC) and the Florida Municipal Power Agency (FMPP), collectively referred to as the Florida Municipal Power Pool (FMPP). In 2005, FMPP members jointly purchased software from PCI for production cost modeling and economic forecasting of generation resources to meet load requirements. In 2020, FMPP added licenses, support and hosting for additional software which consolidated applications to automate data input/outputs related to hourly transactions, energy scheduling and required transmission reservations.

Pursuant to Change Order #9, PCI will upgrade its Generation Supply Management System (GSMS). This GSMS platform is pool settlement system software used by the FMPP in computing hourly energy transactions and monthly allocations between its

members. Change Order #9 will provide an enhancement to the GSMS billing to support new ancillary service charge codes for the FMPP to accommodate more intermittent solar generation.

Upon approval by all FMPP members, PCI will begin design work in September 2024, with full implementation scheduled to be completed by March 2025. The development cost of this Change Order is \$333,680.00, with an additional \$50,525.00 for first year maintenance/support services, for a total cost of \$384,205.00, which will be split equally among the three (3) pool members that are parties to the Agreement. As such, the City's share of the cost is \$128,068.33, which is included in Lakeland Electric's FY25 budget.

Staff recommended that the City Commission approve this Change Order #9 with PCI for software and consulting services and authorize the appropriate City officials to execute all related documents on behalf of the City.

Motion: Commissioner Bill Read 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.

For the benefit of the public, Commissioner Stephanie Madden asked Paul Shipps to explain this project. Was this because Lakeland was adding more solar?

Paul Shipps explained the 3 members of FMPP. Each member has separate resources, including solar resources. We are putting additional solar into the power pool. This software allows for economical dispatch of power generation. The software will accommodate the hourly and monthly billing of the 3 members. The software only managed the commercial solar farms, not residential solar.

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

AUDIENCE - None

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Guy LaLonde enjoyed the FMEA conference.

Commissioner Mike Musick: It is raining and he is busy. Great FMEA Conference!

Commissioner Sara Roberts McCarley learned a lot at FMEA, especially security. She appreciated the utility teams setting up in advance of the storm.

Commissioner Stephanie Madden was joyful to have so many colleagues attend FMEA. She gave a brief update of her meetings in D.C. the week before FMEA.

She gave a shout out to Emily Colon. She has been an inspiration as Deputy City Manager. She thanked the City Manager Shawn Sherrouse for supporting Emily Colon and motherhood.

Commissioner Bill Read reminded the public that school would be starting soon. Be careful about students. Tomorrow is National Night Out.

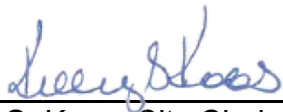
Commissioner Chad McLeod asked about Emily Colon's departure date. Shawn Sherrouse explained she is on vacation this week and their family is moving. Emily Colon is going to continue working remotely with staff and on her projects. There will be an opportunity to recognize her prior to her final departure.

Commissioner Chad McLeod thanked Commissioner Stephanie Madden for her advocacy of public power.

Shawn Sherrouse had a few updates.

1. There has been a second overflow in the western trunk line.
2. Some Parks, Recreation, and Cultural Arts facilities are closed due to weather and flooding.
3. We anticipate that solid waste collections will run behind this week. The County landfill is flooded so trucks are moving slow.

CALL FOR ADJOURNMENT - 11:56 a.m.


Kelly S. Koos, City Clerk

