

LAKELAND CITY COMMISSION

Regular Session

July 6, 2021

The Lakeland City Commission met in Regular Session in the City Commission Chambers. The meeting was also available for viewing online. Mayor Bill Mutz and Commissioners Chad McLeod, Bill Read, Stephanie Madden, Mike Musick, and Phillip Walker were present. Commissioner Sara McCarley was absent. 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

Pivot or Perish, Today's Leadership Challenges (Mark Farrington, HR Director)

Beautification Awards (Bill Koen)

- Residential: 2121 New Tampa Highway Lot N 16 – Laura Anderson
- Commercial: 741 E. Parker Street – Midtown Lofts

PROCLAMATIONS

40th Anniversary of Family Fun Center

COMMITTEE REPORTS AND RELATED ITEMS

Finance Committee 07/02/21

Commissioner Chad McLeod presented the report to the Commission.

Motion: Commissioner Phillip Walker moved to approve the report. 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 CONSENT AGENDA

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

Motion: Commissioner Bill Read moved to approve the Consent Agenda. 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.

APPROVAL OF MINUTES (with any amendments)

* Commission Minutes – June 18-21, 2021

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 Commission just recessed in their legislative capacity as the City Commission and convened- as the Equalization Board. The City on occasion had to clean and clear lots or demolish buildings on private property. The City imposed a lien for that work. The Equalization Board decided if the liens imposed were appropriate and fair. Anyone present concerning these liens would be given an opportunity to speak in just a moment.

Lots Cleaning and Clearing

Palmer Davis presented this item to the Commission.

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

Mayor Bill Mutz asked from comments from the public. There were no comments.

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

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

PUBLIC HEARINGS

Ordinances (Second Reading)**Ordinance 5883; Proposed 21-031; Amending Ordinance 5341; as Amended, Amending Section 6, Contributions, of the City of Lakeland Firefighters Defined Benefit Plan (1st Rdg. 06-21-21)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO THE CITY OF LAKE LAND FIRE FIGHTERS' RETIREMENT SYSTEM; AMENDING SECTION 6 OF ORDINANCE 5341, AS AMENDED, RELATING TO REQUIRED CONTRIBUTIONS; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; 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 from the audience.

The Commission discussed the Fire Pension Board's approval and the requirement that the actuary determine the contribution rate to the plan.

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

Miscellaneous**Memo re: Five Year Consolidated Plan & Strategy (2021-2025) and One Year Action Plan & Projected Use of Funds 47th Year CDBG and 27th Year HOME Programs**

The program year will begin October 1, 2021 and end September 30, 2022. The recommendations continue to emphasize benefits to low- and moderate-income residents of the City, with funding directed to housing rehabilitation, new construction, home purchase assistance, code enforcement, and public services ranging from summer recreation programs to services for the elderly. The Action Plan reflects the shift of funds to new construction strategy.

For program year 2021-2022, the U.S. Department of Housing and Urban Development (HUD) issued awards to the City of Lakeland in the amount of \$975,018 for CDBG and \$387,047 for HOME. The Affordable Housing Advisory Committee (AHAC) received Public Service requests for the 47th year CDBG funding and is recommending funding in the amount of \$145,147. City staff concurs with the AHAC's recommendations.

Public meetings on the Action Plan were held on May 10 and May 27, 2021. Public hearings related to the Action Plan will be conducted on July 6 and August 2, 2021, after which it will be submitted to HUD. The public review and comment period will run from July 1 to July 30, 2021. The Consolidated Plan & Strategy, along with the Action Plan & Projected Use of Funds are due to be filed in HUD's Jacksonville offices on or before August 15, 2021.

Palmer Davis presented this item and explained after Annie Gibson's presentation, the Commission should take public comment. The presentation covered this item and item VI-C-2, Public Service Funding Recommendations.

Annie Gibson gave a brief presentation, a copy of which is on file in the Agenda Packet. Action was not required until August 1, 2021.

Mayor Bill Mutz asked for comments from the Commission.

Commissioner Phillip Walker commended Annie Gibson and her staff for their work in the community.

Commissioner Mike Musick: Asked about the number of lots available in the land bank, about the reimbursement grant, and the audit criteria.

Ms. Gibson explained the infill lot program started with 70-80 lots. The first round of awards was 49. There were 30-35 lots remaining. Public Service grants are monitored on an annual basis. Providers must spend the money first and submit receipts. Staff reimbursed from receipts according to their contract.

Action: The Commission took no action.

COMMUNITY REDEVELOPMENT AGENCY - None

CITY MANAGER

Recommendation re: Ratification of Economic Reopener with the International Association of Firefighters Local 4173

Representatives from the Lakeland Fire Department, Human Resources, Finance, and Bargaining Committees for the Firefighters, Driver Engineers and Lieutenants completed the negotiations for a Wage Reopener for the third year of the Collective Bargaining Agreements (CBA) between the City and the International Association of Firefighters (IAFF) Local 4137 in May 2021.

The current CBAs end on September 30, 2022.

The proposed wage adjustment for FY 2022 was recently ratified by a majority of the Lakeland Firefighters bargaining units and now awaits formal approval by the Lakeland City Commission.

Language of the current CBAs remain unchanged, except for the following FY2022 (October 1, 2021 through September 30, 2022) wage amendments:

- A 1.5% Across the Board (ATB) wage increase for all bargaining unit members.
- A 2.5% Merit increase for all eligible members of the bargaining unit upon completion of an acceptable performance review during the members normally scheduled review cycle except for those at Step 17.
- A "me too" agreement if general employees receive more than the aforementioned percentages.

Staff recommended that the City Commission ratify the proposed amendments to the current Collective Bargaining Agreements to reflect the above wage modifications for FY 2022 and authorize the appropriate City officials to execute the associated documents between the City of Lakeland and the IAFF Local 4173

Shawn Sherrouse presented this item to the Commission.

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

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

The Commission requested the numbers of the vote. Staff did not have that information. A majority is all that is required.

Shannon Turbeville came forward representing the IAFF. He thanked staff for their work on the negotiations. He asked the Commission to allow funding to fully man all fire trucks.

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

Award of Bid No. 1116 to Schnell Contractors, Inc. for Repainting, Various Concrete and Waterproofing Repairs, Sealant, and Traffic Coating Replacements at Orange Street Parking Garage

Each of the City's three parking garages are on a three-year inspection cycle. The garages are inspected by a third-party engineering firm for structural integrity, condition of sealants and coatings, and accessibility compliance. The Orange Street Garage was inspected on December 15, 2020, and several needs were identified as a result of the inspection, including concrete repairs and traffic coatings. Public Works staff has been working with the City's Consultant, Intertek-PSI, over the past several months, developing base and alternate bid documents and specifications for the work at the

Orange Street Parking Garage. Base and alternate bids were developed to allow flexibility of selecting additional work as allowed by the available budget. Bids were solicited through the Purchasing Division and opened on May 3, 2021. A total of eight bids were received. The bids ranked as follows:

1. Schnell Contractors, Inc., Tampa, FL \$182,734.00
2. General Caulking & Coatings, Tampa, FL \$213,105.00
3. Concrete Protection & Restoration LLC., Oakland Park, FL \$229,375.00
4. One Source Restoration and Building Svcs Inc., Tampa, FL \$236,395.00
5. Restocon Corporation, Tampa, FL \$249,610.00
6. Western Specialty Contractors of America, Winter Park, FL \$262,881.00
7. Mailloux and Sons, Inc., Palmetto, FL \$349,100.00
8. Construct Group S.E., Tallahassee, FL \$372,346.00

Based upon the available budget, evaluation was centered on the Base Bid. Schnell Contractors, Inc. represents the lowest and most responsive bidder, and fully meets the requirements of the project specifications.

Purchasing issued a Notice of Intent to Award on June 16, 2021, to Schnell Contractors, Inc. The protest period expired without incident. Intertek-PSI and Public Works staff recommends the award of Bid No. 1116 to Schnell Contractors, Inc. in the amount of \$182,734.00. The contract term is 60 calendar days. Work is expected to begin in August 2021. This project is funded in the FY 2021 Parking System Fund CIP.

Staff recommended that the City Commission approve the award of Bid No. 1116 to Schnell Contractors, Inc. for the Repainting, Various Concrete and Waterproofing Repairs, Sealant, and Traffic Coating Replacements at Orange Street Parking Garage in the amount of \$182,734.00.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Phillip Walker moved to approve the bid award. 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 the impact to parking, which would be minimal. The primary renovations are on the roof top.

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

Verbal Reports:

1. Announced the City would begin enforcing the sign code effective August 1, 2021. That has been relaxed during the pandemic.

2. Announced the temporary expanded outdoor seating for restaurants would be repealed effective August 1, 2021. Code Enforcement will be spreading the word throughout July.

CITY ATTORNEY

Ordinances (First Reading) – None

Resolutions

Resolution 5693; Proposed 21-049; Lots Cleaning and Clearing

A RESOLUTION RELATING TO ASSESSMENTS; DETERMINING THE NECESSITY FOR HAVING CLEANED AND CLEARED CERTAIN PROPERTIES WITHIN THE CITY OF LAKELAND; 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 short title.

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

Resolution 21-051; Proposed 21-051; Providing for the Issuance of Not to Exceed \$60,000,000 Improvement Revenue Bonds for the Purpose of Financing Certain Capital Projects

A RESOLUTION OF THE CITY OF LAKELAND, FLORIDA, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$60,000,000 CITY OF LAKELAND, FLORIDA CAPITAL IMPROVEMENT REVENUE AND REVENUE REFUNDING BONDS, SERIES 2021A (NON-AMT) AND CAPITAL IMPROVEMENT REVENUE AND REVENUE REFUNDING BONDS, SERIES 2021B (AMT), FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS, REFUNDING CERTAIN OUTSTANDING DEBT OF THE CITY AND PAYING COSTS OF ISSUANCE THERETO; PROVIDING FOR THE PAYMENT OF SUCH BONDS FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES OF THE CITY WHICH ARE BUDGETED AND APPROPRIATED BY THE CITY ON AN ANNUAL BASIS AND DEPOSITED INTO A DEBT SERVICE FUND FOR SUCH BONDS; PROVIDING FOR THE RIGHTS AND REMEDIES

OF THE HOLDERS THEREOF, AND MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING AN EFFECTIVE DATE; AND PROVIDING CERTAIN OTHER DETAILS.

Palmer Davis read the short title.

Palmer Davis read the public hearing notice.

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

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

Mayor Bill Mutz asked Finance Director Mike Brossart to clarify the article in The Ledger this morning.

Mike Brossart explained some of the money was for the replacement of the fuel island rather than the purchase of fuel. All the money was for capital use.

Commissioner Stephanie Madden had not received any citizen input on this borrowing. There were things that gave her pause. She asked about the miscellaneous city projects. Did the city vehicle purchases include the fire truck mentioned earlier in the meeting? Mike Brossart explained the Union would like the City to hire more employees to man a truck that already exists.

Commissioner Stephanie Madden was worried about approving the bond without knowing the needs for the budget process. She wanted the Commission and Community to be able to weigh in on these type items before a bond issue. She was leaning toward no because of the \$13.1M miscellaneous projects. The Commission and community should be setting these priorities. The Commission's name is on the line for these type approvals. How do we know these are the projects the citizens want? We need citizen input for these special luxury items.

Mike Brossart this was all funded and planned. They have budgeted for the purchase of these vehicles. They have the cash to purchase the vehicles, but the City can make money on that cash. This is good cash management. The southwest park has been on the CIP for a good while. Funding was coming from impact fees from that district. P&R has a pickle ball court scheduled for FY22. These borrowings are not done in a vacuum.

Mayor Bill Mutz: this was historical refunding or cost savings in order to accomplish the project. He heard her frustration. The Commission can work to approve any direction they like. Staff will then make recommendations for funding.

Commissioner Stephanie Madden: asked in a previous meeting about getting the highline in the CIP and she heard that if they direct the City Manager, staff will work out financing options. Then she heard that it would take 90-120 days and surprising the

rating agency with another borrowing could become a credibility issue. She hasn't seen staff find the funding for Commission initiatives. She wanted to have this discussion with her colleagues and cannot do that in private.

Commissioner Chad McLeod appreciated the term good cash management. He asked Mr. Brossart to elaborate on good cash management and if the Commission would vote on the purchase of the land for the southwest park.

Shawn Sherrouse explained it is a timing issue. There is land available now. They have more information for the upcoming one-on-ones. The need is based on the comprehensive plan. It is not a need staff came up with.

Mike Brossart explained that of the \$55 Million, \$47 Million is something the Commission already approved over the last few years as they approved the line of credit to borrow for the projects at the airport. Most of this bonding has already been borrowed. The remainder are items such as the fuel island. The interest on the bond is lower than the interest on an internal loan. The fleet vehicles are already covered in the budget. The bond issue is a money saver. The land for the southwest park just happened to become available. It will be paid for by impact fees. The miscellaneous items have already been budgeted.

Commissioner Phillip Walker: the public needs to understand the fiscal management and responsibilities that falls on the Commission. We tend to forget the items that were requested a few years back. Big items take time. The southwest park has been in the works for several years. He would still say we need a park in southwest Lakeland. Moving the fire station is another project that the Commission has been discussing for a few years. It is our responsibility to make sure staff is practicing good fiscal management.

Commissioner Bill Read stated Commissioner Stephanie Madden makes some valid points. We all have projects we would like to see come forward. Our hands are tied when it comes to collaborating. We are refinancing which will save on interest rates. He commended Commissioner Stephanie Madden for stepping up and making her voice heard. It is a good move to go forward with these bonds. We have talked about many of these things for years. There are other projects we have been discussing that have not come forward.

Mayor Bill Mutz: We cannot bond rainy day funds. We bond capital items. We need to consider as a governance group if there is something our City needs. It is up to staff to find funding. He thought the frustration was the desire to offer input on what the future should include.

Mike Brossart: Commissioner Stephanie Madden makes a good point. The City Manager has begun to make changes to the strategic plan and budget process by allowing the Commission to list needed items for staff to begin to prioritize how to bring

them into existence. He thought the process was started for the Commission and it is more forward thinking than he has seen in the past.

Commissioner Mike Musick clarified this puts us in a stronger position why?

Mike Brossart responded the refunding saves money. We make money on the cash we have on hand above the rate we pay on the bonds.

Shawn Sherrouse: these are projects that have been programed in and carry out the comp plan. The Commission can cut out most of those projects if they so desire. If the Commission wants us to refocus in another area, staff will and can do that.

Mayor Bill Mutz asked for any other comments or comments from the audience. There were no other comments.

Action: Action: Upon roll call vote Commissioners Phillip Walker, Mike Musick, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Commissioner Stephanie Madden voted nay. Ayes-five. Nays-one. The motion carried.

Resolution 5695; Proposed 21-052; Authorizing the Award of Not to Exceed \$60,000,000 Improvement Revenue Bonds for the Purpose of Financing Certain Capital Projects

A RESOLUTION OF THE CITY OF LAKE LAND, FLORIDA, SUPPLEMENTING A RESOLUTION OF THE CITY ADOPTED ON THE DATE HEREOF AND PROVIDING FOR AND AUTHORIZING THE ISSUANCE OF THE CITY'S CAPITAL IMPROVEMENT REVENUE AND REVENUE REFUNDING BONDS, SERIES 2021A (NON-AMT) AND CAPITAL IMPROVEMENT REVENUE AND REVENUE REFUNDING BONDS, SERIES 2021B (AMT) IN AN ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$60,000,000 FOR THE PURPOSE OF FINANCING THE COSTS OF CERTAIN CAPITAL PROJECTS, REFUNDING CERTAIN INDEBTEDNESS OF THE CITY AND PAYING COSTS OF ISSUANCE INCIDENTAL THERETO; AUTHORIZING THE MAYOR, MAYOR PRO TEM, CITY MANAGER OR FINANCE DIRECTOR TO AWARD THE SALE OF SUCH BONDS TO WELLS FARGO BANK, N.A., IN ACCORDANCE WITH CERTAIN PARAMETERS SET FORTH HEREIN; APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT; APPOINTING THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS PAYING AGENT AND REGISTRAR WITH RESPECT TO SUCH BONDS; APPROVING THE FORM AND AUTHORIZING THE CIRCULATION OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT; AUTHORIZING THE MAYOR, MAYOR PRO TEM, CITY MANAGER OR FINANCE DIRECTOR TO DEEM FINAL THE PRELIMINARY OFFICIAL STATEMENT; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE;

AUTHORIZING CERTAIN OFFICIALS OF THE CITY TO EXECUTE ANY DOCUMENTS AND TAKE ANY ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; PROVIDING AN EFFECTIVE DATE FOR THIS RESOLUTION; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO.

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: Upon roll call vote Commissioners Chad McLeod, Bill Read, Mike Musick, Phillip Walker, and Mayor Bill Mutz voted aye. Commissioner Stephanie Madden voted nay. Ayes – five. Nays – one. The motion carried.

Miscellaneous Reports

Memo re: Fiber Optic License Use Agreement with Orlando Telephone Company, Inc., d/b/a Summit Broadband

On March 4, 2020, the City of Lakeland Purchasing Division issued Request for Proposal (RFP) No. 0125, seeking a public-private partnership to develop and expand broadband internet services within the City of Lakeland and surrounding Lakeland Electric Service Area. On August 17, 2020, the City Commission convened as the Selection Committee for the RFP and selected Summit Broadband, based in Orlando, Florida, with which to negotiate a contract out of a total of eight respondents to the RFP. In its response to the RFP, Summit proposed to finance, construct and operate a middle and last mile fiber network to serve the City of Lakeland and surrounding Lakeland Electric Service Area based off the City's existing fiber backbone.

The Fiber Optic License Use Agreement between the City of Lakeland and Orlando Telephone Company, Inc., d/b/a Summit Broadband is the product of the negotiations between the City and Summit. Under the Agreement, Summit will serve as the exclusive marketing and sales agent for commercializing all available fiber capacity in the City's existing fiber network as well as for all fiber Summit installs beyond the City's network. Summit will be responsible for all new customer accounts, including installation, testing, service turn-up and delivery, and ongoing customer service and billing. The City will have no responsibility relating to new customers. Key terms of the Agreement are the following:

- Summit will pay the City the greater of: (i) ten percent (10%) of Summit's gross revenue from commercial, residential and wholesale broadband internet service provided to customers located within the City of Lakeland and surrounding Lakeland Electric Service Area, or (ii) \$144,000 per year.
- The City will have the right to audit Summit's financial records on an annual basis to verify that the proper sums are being paid to the City under the Agreement.

- Summit will contribute at least Twenty Thousand Dollars (\$20,000) per year during the first 10 years of the Agreement to reduce the digital divide in the City and Lakeland Electric Service Area.
- The Agreement is for an initial term of ten (10) years and will automatically renew thereafter for additional 10-year terms except upon the occurrence of any the following:
 - Summit fails to make a required payment to the City under the Agreement or allow the City to perform audits;
 - Summit does not invest at least Twenty Million Dollars (\$20,000,000) over the first five (5) years of the Agreement to provide broadband internet service to customers within the City of Lakeland and Lakeland Electric Service Area;
 - Summit fails to contribute at least Twenty Thousand Dollars (\$20,000) per year during the initial ten years of the Agreement to reduce the digital divide.
- The City may terminate the Agreement in its entirety after a 45-day cure period and subsequent 90-day wind down period if Summit's fails to make a required payment to the City or denies City the right to audit its financial records. This remedy can be exercised at any time during the Agreement.
- For all other breaches of the Agreement, because of the significant investment Summit will be making within Lakeland and the customers that will be utilizing their services, Summit will be allowed to continue to utilize fibers being actively utilized to serve customers, but will forfeit the right to use fibers that it is not currently utilizing. The City may pursue damages or injunctive relief for any default by Summit.
- The City will continue to own its existing network and will continue to have maintenance responsibility for the network.
- Summit will own and be responsible for any fiber it installs beyond the City's existing network.
- The City will continue to provide fiber service to its existing nine (9) customers. Summit will have the right to provide service to new facilities constructed by the City's existing customers at the same rates as charged by the City.
- Summit will have the exclusive right to utilize all "Available Fiber" within the City's existing network. "Available Fiber" is defined in the Agreement as all dark fiber within the City's existing network, except for the following:
 - Fiber actively in use by the City for City operations, such as Lakeland Electric and other City Department operations;
 - Fiber needed to serve the City's nine (9) existing customers;
 - Thirty percent (30%) of uncommitted dark fiber, but no less than two (2) dark fiber strands in any cable, for additional City operations as necessary.
- Summit's exclusivity rights do not apply to fiber installed by the City subsequent to the effective date of the Agreement.
- The City will initially make two (2) strands of dark fiber available to Summit on three distinct rings that Summit will develop. The City will be responsible for providing network augments to the City's network at any location where there are not at least six (6) strands of fiber available for Summit's use, at a cost to the City not to exceed \$100,000. Any further augments to add fiber to the City's system will be at Summit's cost and will be owned by Summit.

- Summit may also require augmentation of the City's system where necessary to reduce any splice loss to no greater than 0.30 decibels per kilometer (0.30db/km). If such augmentation is performed by Summit, Summit may offset the costs it incurs in doing so against the 10% revenue share otherwise due the City, but must nonetheless pay
- the City at least \$144,000 per year.
- Summit will be responsible for payment of the same pole attachment fees all other providers must pay and will operate under the City's standard right-of-way use permit when working within the public right-of-way, although the City and Summit will attempt to consolidate Summit's right-of-way applications into larger groupings to achieve efficiencies. Any request by Summit to attach to City buildings or structures will be handled by a separate agreement.
- The Agreement with Summit will become effective immediately upon execution by the parties.

Staff recommended that the City Commission approve the Fiber Optic License Use Agreement between the City of Lakeland and Orlando Telephone Company, Inc., d/b/a Summit Broadband, and authorize the appropriate City officials to execute the Agreement.

Palmer Davis presented this item to the Commission.

Shawn Sherrouse gave a brief presentation, a copy of which is on file in the Agenda Packet.

Kevin Coyne, CEO of Summit Broadband offered a few comments. The City of Lakeland invested significant capital in an existing network. It takes a lot of capital to expand and bring service to the community. That is what they are here for. They are going to build out from the core arteries of the City. There were significant opportunities to provide service. There are neighborhoods lacking infrastructure. There has been a lack of investment from other service providers. They've invested in space at COLOGIX. They were ready to move forward. They were just waiting on this contract.

Commission discussion:

Commissioner Bill Read asked about the pole fee. Shawn Sherrouse explained Summit will be required to pay a pole attachment fee, but their model did not have a great deal of pole attachments.

Commissioner Bill Read: this is the right move for the city. He wanted to see Lakeland become a SMART City without the burden of bonding. It is not a get rich scheme, but we are going to accomplish some goals. There was some revenue for the City. He was pleased they were to this point.

Commissioner Phillip Walker was pleased with the progress. He was excited to provide service to the underserved. The digital divide has been an issue the City has been

working to resolve. He was looking forward to communities that have been challenged to be able to connect. He commended Commissioner Stephanie Madden for her work on the project. We all bring different skill sets to the dais.

Commissioner Mike Musick: interesting to hear Commissioner Stephanie Madden's thoughts on the bond issue. He is doing a lot of readying trying to get caught up. He had reservations on this deal. He liked P3s. He tried to ask his service provider questions but was on hold for 28 minutes. He had 2 sticking points.

1. Partnership - will that stymie competition of other providers because the City was behind Summit.
2. Concerned about a 20-year contract. The city will change a lot in 20 years.

Commissioner Stephanie Madden tried to let the other commissioners ask questions on Friday. She was initially concerned about the sole access for 20 years in the beginning. The City has been working for competition in the community for 10 years. She explained the need for the 20-year commitment and the ability to permit additional providers if the City wanted to add additional fiber.

Commissioner Mike Musick: if our current network is as poor as stated, and the customers are here to make a profit, why do we need a contract?

Commissioner Stephanie Madden responded Spectrum will not add fiber because their co-ax is working right now. It is not future proof. They are considering antennas to connect to the home. We are moving forward with very little investment.

Commissioner Mike Musick: are we confident that fiber is the only way to go? Are you saying we will be in a dark hole without this?

Commissioner Stephanie Madden: yes, because the providers are only going to go to dense populations because that is smart business sense. Summit is choosing a business model that saves them a cost by simply providing that last mile. The incumbent providers are just tricking out what they already have.

Joel Ivy: The City had long term contracts. Long term contracts were not new for LE. Summit agreed to a performance clause to bring comfort to the City with the long-term contract. Their performance must happen within the first 5 years. The City's fiber optic system is a great system. It serves the city well. The agreement will take it to another level it was not originally built for. If Summit is going to make this investment, they are going to have to be around for a while.

Pastor Holmes came forward representing the Inner Denominations Ministerial Alliance. Summit has been a great partner. We have 10 minority business who want to scale up to adequate broadband services. He thought with the leadership of this Commission, people are going to look at Lakeland like Chattanooga. Anytime someone makes an investment, they expect a return on that investment. He thinks the City has chosen the right partner. He was skeptical at first but is now convinced that Summit was the right

choice. COVID exposed the need for telemedicine and the need for broadband for students. He is confident these things will happen.

Commissioner Chad McLeod thought this could spur more competition in the area. The impact 20 years from now could be huge.

Mayor Bill Mutz many people look at internet as being only for television and the computer but in the future homes will be run by devices that will crush the existing network.

Commissioner Bill Read big projects take years to come to fruition. He thought this was a good avenue to take. He was initially concerned. He was comfortable with the 20 years.

Mayor Bill Mutz the 20-year question was a good caution and question.

Commissioner Mike Musick: a lot of individuals are behind this project so if he votes no, it will still be approved. He was concerned about giving Summit an unfair advantage.

Mayor Bill Mutz: the difference in that example is marketing vs investment advantage.

Commissioner Mike Musick understands that there is a need. That is just one thing he cannot get past.

Commissioner Bill Read: the deciding factor will be costs. If they give good service for a good price they will flourish. If they do not competition will come.

Kevin Coyne: great questions. He commended Commissioner Stephanie Madden for her work. Competition: Lakeland had 2-3 providers today. They have failed to make the investment. They have their customers and do not have the motivation for the additional investment. This P3 takes an asset and leverages it to stimulate additional capital. Once they begin to lose customers, they will begin to invest. He has seen that in other markets. The capital investment is large, and it will take many years to get the ROI. It takes many years to meet their needs and get the service in the community. The City will continue to receive the additional revenue. Summit was here to stay.

Mayor Bill Mutz asked for any other comments from the audience. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried 5-1 with Commissioner Mike Musick voting nay.

Memo re: Public Service Funding Recommendations, FY 2021-2022 General Fund Grant Program

As provided for in the Action Plan, each year the City awards Community Development Block Grant (CDBG) funds through a competitive process to nonprofit public service agencies that serve persons and households at 80% and below the Area Median Income. The annual allocation is capped at 15% of CDBG funds. In addition, the City's General Fund allocates another \$100,000 to benefit this same group of agencies.

This year the City received twenty-six (26) applications and, as with prior years, the requested funding exceeds the amount of funding available. In determining how to invest its limited resources in the best possible way, the City is committed to selecting those programs and projects that best serve the residents of Lakeland and manage the selection of CDBG and General Fund public service activities more effectively. To this end, a public services subcommittee consisting of four (4) City staff members and three (3) members of the Affordable Housing Advisory Committee (AHAC) met on Tuesday, April 20, 2021, to rank the applications for the 2021–2022 program year.

Prior to the meeting, the subcommittee members and staff reviewed all applications considering the criteria previously established and applicable CDBG regulations. The six (6) objectives or criteria for funding are as follows:

- 1) Avoid annual (perpetual) funding of organizations solely dependent on City funds;
- 2) Favor those requests which will have the greatest impact on Lakeland's youth and elderly residents and on diminishing long term poverty, neighborhood decline, and dependence on government assistance;
- 3) Review proposals which are most efficient in providing benefits to clients and which minimize duplication of services, overhead, and administrative costs;
- 4) Concentrate funding to have the greatest benefit within the City limits and within Lakeland's most economically disadvantaged neighborhoods, as opposed to spreading limited funds across a wide spectrum of unrelated or non-complimentary activities;
- 5) Give special consideration to proposals which are innovative and have the potential to become model programs with broad application throughout the Lakeland community and beyond; and
- 6) Give special consideration to projects which reduce or eliminate the need for the City to directly provide the service.

The Community & Economic Development Department staff presented the funding requests and committee members discussed funding amounts for each of the public service programs. After discussing each of the requests and arriving at a consensus on which agency would be funded, the subcommittee reconsidered each request and recommended final funding levels which meet the total amount available. Those programs recommended for funding and the respective amounts are shown below and were approved by the full AHAC on May 27, 2021.

	Public Services	Requested Funding	Funding CDBG	Projected Funding Community Services
1	Achievement Academy	30,000	15,000	0

2	Big Brothers Big Sisters of Tampa Bay, Inc	7,500	7,500	0
3	Boys & Girls Club	30,000	10,000	0
4	Dream Center of Lakeland	15,000	0	10,000
5	Drug Prevention Resource Center DBA InnerAct Alliance	20,000	0	0
6	Early Learning Coalition of Polk County	30,000	0	5,000
7	Elder Point Ministries of Greater Lakeland	30,000	0	0
8	Faith in Action North Lakeland, Inc	20,000	0	5,000
9	Florida Rural Legal Service	30,000	0	10,000
10	Girls, Inc. of Lakeland	10,000	0	7,000
11	Gospel, Inc.	30,000	0	0
12	Homeless Coalition of Polk County, Inc	10,000	0	10,000
13	Kids PACK, Inc	30,000	0	10,000
14	Lakeland Volunteers in Medicine	30,000	18,977	0
15	New Life Outreach Ministry, Inc	15,000	0	5,000
16	Pace Center for Girls, Polk	30,000	0	0
17	Peace River Center for Personal Development, Inc.	30,000	15,000	0
18	Polk Vision, Inc	4,550	0	3,000
19	Senior Wellness Services of Catholic Charities	30,000	0	10,000
20	Sunrise Community of Polk, Inc.	19,000	0	0
21	Talbot House Ministries of Lakeland, Inc	30,000	10,000	0
22	The Salvation Army of Lakeland	30,000	0	10,000
23	The Wilson House, Inc	30,000	10,000	0
24	Volunteers in Service to the Elderly (VISTE)	24,500	0	10,000
25	Women's Resource Center of Florida, Inc.	5,000	0	5,000
26	Lakeland Parks and Recreation Department* Summer Recreation Program (Simpson Park) \$25,900 Summer Swim Lessons (Simpson Park) 5,000 Summer Tutoring (Coleman Bush) 4,400 Art Class (Simpson Park) 3,240 Dance Class (Simpson Park) 2,180 After-school Tutoring (Coleman-Bush) 14,800 After-school Cultural (Coleman-Bush) 3,150 *6% set-aside per City Commission Recommendation	58,670	58,670	0
	Total	\$629,220	\$145,147	\$100,000

Staff recommended that the City Commission approve the AHAC's recommendation for the public service grant awards for the upcoming budget of Fiscal Year October 1, 2021 through September 30, 2022.

Palmer Davis presented this item.

Annie Gibson came forward. This was a complete list of all agencies that applied. It was considered by the full Affordable Housing Advisory Committee.

Motion: Commissioner Phillip Walker 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 6-0.

Memo re: Five Year Consolidated Plan & Strategy (2021-2025) and One Year Action Plan & Projected Use of Funds 47th Year CDBG and 27th Year HOME Programs

Annie Gibson asked the Mayor to ask for public comment on the Consolidate Plan.

Action: Mayor Bill Mutz asked for any public comment on the Five-Year Consolidated Plan & Strategy. There were no comments.

FINANCE DIRECTOR – None

UTILITY

Miscellaneous

- * **Memo re: Agreement with DIS-TRAN Steel, LLC for Structural Steel Fabrication for Bridgewater Substation**

TRAN Steel, LLC. (DIS-TRAN) for Structural Steel Fabrication for the Bridgewater Substation located at 5430 Lakeland Hills Blvd. The Bridgewater Substation is part of Lakeland Electric System Planning's ten (10) year plan. This phase of the project involves the furnishing, fabrication, and delivery of structural steel required to construct the 12kV distribution bus structures and feeder circuit connections at the Bridgewater Substation site.

On May 21, 2021, the City's Purchasing Department issued Invitation to Bid (ITB) No. 1161 seeking qualified contractors to provide all specified structural steel and components delivered to the Bridgewater substation for assembly by Lakeland Electric personnel. The City received responses from the seven (7) vendors listed below.

Contractor	Location	Bid Price
DIS-TRAN Steel, LLC	Pineville, LA	\$107,561.00
Valmont Industries, Inc.	Tulsa, OK	\$143,341.64

Dixie Metals Products, Inc.	Ocala, FL	\$159,525.00
Rayco Industrial, Inc.	Selma, AL	\$187,982.00
Southeastern Industrial Corp.	Ft. Meade, FL	\$194,401.00
MVA Power, Inc.	Montreal, Quebec	\$201,103.00
Diversified Plant Services	Lutz, FL	\$271,251.00

Upon evaluation by staff, DIS-TRAN 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, DIS-TRAN will commence work with anticipated delivery of the structural steel in September 2021. DIS-TRAN will perform all services pursuant to the terms and conditions set forth in the City's Bid Specifications and DIS-TRAN's submittal dated June 7, 2021. The total cost of the work is \$107,561 and is included in Lakeland Electric's FY21 budget.

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

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

*** Memo re: Approval of Ranked Engineering Firms and Authority to Negotiate an Agreement for Relocation of the City's Natural Gas Pipeline**

In accordance with the Consultant's Competitive Negotiation Act (CCNA), the City's Purchasing Department issued Request for Qualifications (RFQ) #1154 on May 6, 2021, requesting qualifications from engineering consulting firms to provide services related to the design and installation of a 16-inch high pressure natural gas transmission pipeline owned by the City. A three (3) mile portion of the City's gas transmission pipeline is currently located in the Florida Department of Transportation's (FDOT) right-of-way and will need to be relocated as a result of FDOT's State Road 33 road widening project.

As a result of the FDOT road widening project, the gas transmission pipeline relocation will cover all engineering and construction management work in two (2) main phases. Phase A, related to existing pipeline engineering support, is necessary to ensure the City's existing gas pipeline can remain active and will not adversely impact FDOT's schedule and construction. Phase B of the project will encompass the design and installation of the relocated gas pipeline.

A total of nine (9) firms responded to the City's RFQ. A Selection Committee, comprised of staff from Lakeland Electric, evaluated the firms based on the following overall criteria:

- Experience and knowledge of high-pressure gas transmission pipelines
- Experience with and knowledge of FDOT road and utility plans
- Experience with design/build projects
- Ability to meet the necessary timeline and budget
- Experience working with the City

After review of the qualifications by the Selection Committee, the nine (9) responding firms were ranked in the order listed below:

Company Name	Location
1. AECOM Technical Services, Inc.	Tampa, FL
2. Pond & Company	Peachtree Corners, GA
3. EXP Energy Services, Inc.	Tallahassee, FL
4. Golder Associates, Inc.	Atlanta, GA
5. Yuro & Associates, LLC	Ponte Vedra, FL
6. Magnolia River Services, Inc.	Decatur, GA
7. TRC Pipeline Services, LLC	Tulsa, OK
8. Project Consulting Services, Inc.	Atlanta, GA
9. Cornerstone Energy Services, Inc.	Lakeland, FL

Staff recommended that the City Commission approve the above-specified ranking of firms in accordance with the CCNA and authorize staff to negotiate an Agreement with top ranked firm, AECOM, to provide Professional Engineering Services for Relocation of the City's Natural Gas Pipeline. A final negotiated Agreement will be presented to the City Commission for approval.

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

Memo re: Task Authorization with Geosyntec Consultants, Inc. for Engineering and Permitting Support for Stormwater and Conditions of Certification at McIntosh Power Plant

This proposed Task Authorization with Geosyntec Consultants, Inc. (Geosyntec) was to provide professional engineering and permitting support services for amendments, minor modifications, and major modifications to McIntosh Power Plant Site Conditions of Certification (COC) permit for either a Demolition or Abandon in Place of Unit 3 at the McIntosh Power Plant. Specifically, modifications to McIntosh Power Plant's COC will require a detailed topographic survey review, a project narrative, an ecological survey, stormwater calculations and rationale, engineering plans that show the proposed work and final grading/stabilization plans, and an as-built certification of existing stormwater ponds. The proposed project is being conducted to comply with existing State and Federal regulations.

Pursuant to this Task Authorization Geosyntec's services will include:

- Stormwater Redirect and Zero Discharge Pond Evaluation
- Existing Topographic Survey Review
- Site Visit and Ecological Survey
- Listed Wildlife, Gopher Tortoise, Bird Nest and Listed Plant Surveys
- Process Water Pond Closeout
- Engineering and Permitting Support

Upon City Commission approval, Geosyntec will commence work. All services pursuant to this Task Authorization will be performed in accordance with the terms and conditions contained in the City's Continuing Contract for Environmental Consulting Services with Geosyntec dated September 5, 2019 and Geosyntec's proposal dated June 7, 2021. All reimbursable expenses shall be paid in accordance with the City's Consultant Expense Reimbursement Policy. The total not-to-exceed cost of the work is estimated at \$188,850 and is included in Lakeland Electric's FY2021 budget.

Staff recommended that the City Commission approve this Task Authorization with Geosyntec for Stormwater and Conditions of Certification at the McIntosh Power Plant and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni 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.

Memo re: Agreement with GPI Geospatial, Inc. for Aerial LiDAR Services

This proposed agreement with GPI Geospatial, Inc. (GPI) was for Aerial Light Detection and Ranging (LiDAR) services in conjunction with Lakeland Electric's 230kV and 69kV transmission lines. This project consists of surveying approximately 27 miles of existing 230kV transmission lines and 9.6 miles of proposed 69kV transmission line corridors within the Lakeland Electric service area.

The high-resolution photos and PLS-CADD files resulting from the survey will provide Energy Delivery Engineering with accurate as-built models of Lakeland Electric's transmission lines. Specifically, the as-built models will enable engineering staff to verify sags and clearances of existing facilities, which helps provide better documentation supporting compliance with North American Electric Reliability Corporation standards for facility ratings and vegetation management. The aerial LiDAR survey results will also provide an accurate baseline for designing new transmission lines, as well as upgrades/reconductors and maintenance of transmission lines. The resulting survey data files will be used to design the two (2) new 69kV transmission lines that will serve the new Hamilton Distribution Substation planned to be in service in 2024.

On April 19, 2021, the City Commission approved the ranking of firms in accordance with the Consultant's Competitive Negotiation Act and authorized staff to negotiate an Agreement with top ranked firm, GPI. The negotiated agreement, effective upon City Commission approval, provides for the following tasks to be performed:

1. LiDAR Data Collection
2. Ground Control Survey Data Collection
3. Meteorological Data Collection
4. LiDAR Data Processing
5. PLS-CADD Modeling

The Agreement will commence upon City Commission approval and continue through July 5, 2024. GPI will perform services in accordance with the terms and conditions set forth in the Agreement, which includes GPI's Scope of Work. Pursuant to the Agreement, the City reserves the right to terminate the Agreement for any reason upon thirty (30) days prior written notice to GPI. The estimated cost of services is \$118,635 and is included in Lakeland Electric's FY21 & FY22 budget. Expenditures for FY22 will be subject to budget approval by the City Commission.

Staff recommended that the City Commission approve this Agreement with GPI to provide Aerial LiDAR services to Lakeland Electric and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Phillip Walker 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.

Memo re: Pole Attachment Agreement for Wireless Facilities

This proposed standard form Agreement was for wireless providers of internet and 5G smart technology seeking to attach their facilities to City poles. The advent of wireless technology and increased interest by wireless service providers to expand their technology by installing their facilities on poles owned by governmental entities, including municipally owned utilities, has resulted in a need for the City to further define and manage what may be allowed on its poles to ensure the public health, safety and general welfare of its citizens.

On November 2, 2020, the City Commission adopted an amendment to the City's existing Pole Attachment Ordinance establishing pole attachment rates for wireless communication facilities and requiring that any such attachments be governed by a separate agreement. As such, the proposed Agreement was developed to specifically manage the placement and maintenance of wireless communications facilities for wireless service providers. The purpose of this Agreement is to provide standard terms and conditions applicable to all wireless providers seeking to attach their facilities to City poles.

This Agreement serves to define the technology being attached, the way wireless facilities are attached to City poles to ensure compliance with safety standards, and protect the City's unique aesthetic qualities, while balancing the needs of wireless providers. The annual attachment fees contained in the Agreement are consistent with those set forth in the City's Pole Attachment Ordinance, which are \$225 per pole for City utility poles and \$205 per pole for City light poles. Specifically, the Agreement also contains the following provisions:

- Requires wireless providers, at their expense, to install and maintain any attachments in accordance with National Electrical Safety Code standards.
- Requires wireless providers to remove unauthorized attachments and pay for any fees associated with such removal.
- Requires wireless providers to reimburse the City for any repairs resulting from loss or damage to City facilities they may cause.
- Prohibits wireless providers from assigning or transferring rights to their attachments without prior written consent of the City.
- Establishes insurance requirements for wireless providers, including naming the City as an additional insured.
- Requires wireless providers to indemnify the City for any property damage or injury caused by their negligence.
- Enables the City to retain the ability to require wireless providers to remove or relocate any facilities that are unauthorized, create a safety issue or necessitate removal as a result of City's decision to replace or relocate a pole.

Upon approval by the City Commission of the standard form Pole Attachment Agreement for Wireless Facilities, Lakeland Electric's General Manager would be authorized to execute such Agreements, in substantially similar form, with wireless providers on behalf of the City, subject to review and final approval of the City Attorney's Office.

Staff recommended that the City Commission approve the standard form Pole Attachment Agreement for Wireless Facilities and delegate authority to Lakeland Electric's General Manager to execute such Agreements, as well as authorize any other appropriate City officials to execute all corresponding documents with prospective wireless providers that seek to attach their facilities to City poles.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Mike Musick moved to approve the agreement. Commissioner Chad McLeod seconded.

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

Commissioner Stephanie Madden: Cindy Clemmons has been working on this issue for 3 years. She saw this coming before we knew what was coming.

Commissioner Bill Read raised the issue of solar. He asked about the wellfield being used for solar. Shawn Sherrouse committed to look at it. A lot of it had to do with soil conditions and Water Utilities future needs. He would get more information and provide it to the Commission.

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

*** Memo re: Agreement with Siemens Energy, Inc. for Purchase of a Combustion Dynamics Monitoring System Upgrade for Unit 5**

This proposed Agreement with Siemens, Energy, Inc (Siemens) was for the purchase of a Combustion Dynamics Monitoring System (CDMS) upgrade for McIntosh Unit 5. The CDMS component is a critical piece of turbine protection equipment that functions to limit power when abnormal combustion is detected. The existing CDMS was installed in 2010 as part of the installation of the T3000 control system, but the existing components are now obsolete and no longer supported.

The City's Purchasing Department has approved Siemens as a sole source vendor for the purchase of the CDMS upgrade since Siemens is the Original Equipment Manufacturer of the T3000 system and is the only qualified source for these upgrades to Unit 5. Upon approval by the City Commission, the CDMS upgrade will be installed during Lakeland Electric's scheduled Fall 2021 Unit 5 outage, which will occur between November 6 and December 3, 2021. The purchase of the upgrade will be governed by Siemens Proposal dated June 11, 2021 and previously approved terms and conditions set forth in Siemens Selling Policy 1270 for Instrumentation and Electrical. The total cost of the equipment, installation and set-up is \$83,370.92 and is included in Lakeland Electric's FY22 budget, subject to the City Commission's approval of the budget.

Staff recommended that the City Commission approve the Agreement with Siemens for purchase of a CDMS upgrade for McIntosh Unit 5 and authorize the appropriate City officials to execute all corresponding documents with Siemens for the services

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

*** Memo re: Task Authorization with Trinity Consultants, Inc. for Air Permitting of New Engines at McIntosh Power Plant**

This proposed Task Authorization with Trinity Consultants, Inc. (Trinity) was to provide consulting services to assist Lakeland Electric with the air permitting of six (6) Reciprocating Internal Combustion Engines (RICE) at the McIntosh Power Plant. While historical emissions from the retired coal-fired Unit 3 will be used to offset potential emissions from the new engines, a detailed Prevention of Significant Deterioration (PSD) permit review is still expected to be triggered for the pollutant Volatile Organic Compounds (VOCs). PSD permit review may also be necessary for other pollutants such as various measures of particulate matter. Pursuant to this Task Authorization Trinity's services will include:

- Preparing a Best Available Control Technology evaluation for the proposed RICE installations and assisting in compiling data needed to complete the air emissions and ozone air quality analyses for the PSD permit.
- Participating in PSD pre-application calls/meetings with Florida's Department of Environmental Protection (DEP).
- Conducting an Air Emissions Analysis for the PSD applicability evaluation.
- Conducting a Control Technology Analysis to review control technologies and achievable emission levels applicable to RICE.
- Preparing an air dispersion protocol for submittal to the DEP.
- Conducting a Modeling Analysis that includes a secondary ozone impact assessment, significance modeling, National Ambient Air Quality Standards and additional impacts.

Upon City Commission approval, Trinity will commence work. All services pursuant to this Task Authorization will be performed in accordance with the terms and conditions contained in the City's Continuing Contract for Environmental Consulting Services with Trinity dated October 1, 2019, as well as Trinity's proposal dated April 1, 2021. All reimbursable expenses shall be paid in accordance with the City's Consultant Expense Reimbursement Policy. The total not-to-exceed cost of the work is estimated at \$93,400.00, which would include a PSD permit review for both VOCs and different types of particulate matter. However, if a PSD permit review is only triggered for VOCs, then the anticipated not-to-exceed cost for services will be \$43,100.00. The total cost for Trinity's services is included in Lakeland Electric's FY2021 budget.

Staff recommended that the City Commission approve this Task Authorization with Trinity for the air permitting of new engines at McIntosh Power Plant and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

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

Palmer Davis circulated a certificate that each Commissioner must sign related to the bond issue.

AUDIENCE - None

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Phillip Walker:

- Thanked everyone who attended the Engage Lakeland event.
- Thanked Tom Mims and Family for Red, White and Kaboom (RWK!) and the Communications staff

Commissioner Mike Musick thanked everyone who prepares well for the meetings. There is so much homework and leg work that goes on before the meeting.

Mayor Bill Mutz:

- Appreciated those who offered a dissenting vote on principal.
- Thankful for Fourth of July weekend.
- Lift Lakeland and other issues were coming to resolution in the community in the Fall. The City will be participating in a mentoring program with Big Brothers/Big Sisters.
- Received a request from the Chamber for funds for minority businesses from the ARP funds.

Commissioner Stephanie Madden: Mentoring is a priority of Lift Lakeland. She spent time with PAL kids to give them a look into a marketing career and to help them understand that marketing is a chance to tell the world what kind of person they are.

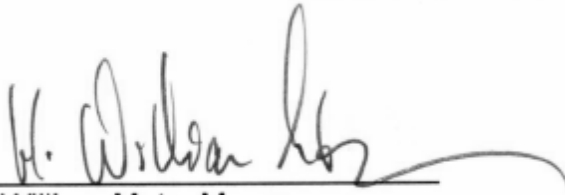
Commissioner Bill Read:

- Appreciated Commissioner Stephanie Madden's questioning today.
- Tropical Storm Elsa. He hoped citizens were paying attention and preparing for the storm.

Commissioner Chad McLeod asked Shawn Sherrouse to update on the storm. Shawn Sherrouse explained last week the City made sure the emergency operations center was ready to go. The City was monitoring the storm throughout the weekend. LE is in Phase II. Everyone is prepared to be called in.

Shawn Sherrouse thanked staff for their work on the RWK! There was a lot of effort that goes into that event and then the cleanup.

CALL FOR ADJOURNMENT - 12:04 p.m.



H. William Mutz, Mayor



Kelly S. Koes, City Clerk

