LAKELAND CITY COMMISSION

Regular Session
October 16, 2023

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

CALL TO ORDER - 9:00 A.M.

PRESENTATIONS

Mayor's Monarch Pledge Update (Stacy Smith, Horticulturist)

PROCLAMATIONS

National Chiropractic Health Month
Safe Sleep Awareness Month
World Polio Day

COMMITTEE REPORTS AND RELATED ITEMS

Municipal Boards & Committees 10/13/23

Commissioner Stephanie Madden presented this report to the Commission.

Motion: Commissioner Sara McCarley moved to approve the appointments. 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.

Real Estate & Transportation Committee 10/13/23

- Lease Agreement with International Aero Academy, Ltd.

Commissioner Mike Musick presented this item to the Commission.

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

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

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

Legislative Committee 10/13/23

Commissioner Sara McCarley presented this report to the Commission.

Action: There was no action on this report.

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 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)

* Utility Committee Minutes – Sep. 29, 2023
* City Commission Minutes – Sep. 29-Oct. 2, 2023

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

EQUALIZATION HEARINGS - None

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 6003; Proposed 23-036; Amending Ordinance 4773, as Amended; Major Modification of PUD Zoning to Allow a Freestanding Emergency Room on Property Located at 1075 Carpenters Way (1st Rdg. 10-02-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 4773, AS AMENDED, TO PROVIDE FOR A MAJOR MODIFICATION TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW A FREESTANDING EMERGENCY ROOM ON PROPERTY LOCATED AT 1075 CARPENTERS WAY; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Chad McLeod moved to approve the ordinance. 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 Samuel Simmons, Mike Musick, Sara McCarley, Stephanie Madden, Bill Read, Chad McLeod, Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Ordinance 6004; Proposed 23-037; Change in Zoning from MF-22 (Multi-Family Residential) to O-1 (Low Impact Office) on Approximately 1.17 Acres Located South of E. Lemon Street and East of Tyler Avenue (1303 E. Lemon Street) (1st Rdg. 10-02-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM MF-22 (MULTI-FAMILY RESIDENTIAL) TO O-1 (LOW IMPACT OFFICE) ON APPROXIMATELY 1.17 ACRES LOCATED SOUTH OF E. LEMON STREET AND EAST OF TYLER AVENUE (1303 E. LEMON STREET); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Ordinance 6005; Proposed 23-038; Application of C-1 (Pedestrian Commercial District) Zoning on Approximately 0.28 Acres Located at 1050 Sharon Drive (1st Rdg. 10-02-23)

> AN ORDINANCE RELATING TO ZONING; ADOPTING FINDINGS; PROVIDING FOR C-1 (PEDESTRIAN COMMERCIAL DISTRICT) ZONING ON APPROXIMATELY 0.28 ACRES LOCATED AT 1050 SHARON DRIVE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Sara McCarley moved to approve the ordinance. 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 Samuel Simmons, Mike Musick, Sara McCarley, Stephanie Madden, Bill Read, Chad McLeod, Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Ordinance 6006; Proposed 23-039; Amending Ordinance 4630; Major Modification of a Conditional Use to Allow a 1,017 sq. ft. Addition to an Existing Church Office Building and a Food Pantry Along with Support Services for the Elderly on Property Located at 1123 Omohundro Avenue (1st Rdg. 10-02-23)

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 4630 TO MODIFY AN EXISTING CONDITIONAL USE TO ALLOW A 1,017 SQUARE FOOT ADDITION TO AN EXISTING CHURCH OFFICE BUILDING AND A FOOD PANTRY ALONG WITH SUPPORT SERVICES FOR THE ELDERLY ON PROPERTY LOCATED AT 1123 OMOHUNDRO AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

Commissioner Samuel Simmons declared a conflict of interest and did not vote.

Action: Upon roll call vote Commissioners Chad McLeod, Bill Read, Stephanie Madden, Sara McCarley, Mike Musick, and Mayor Bill Mutz voted aye. Commissioner Samuel Simmons abstained. Ayes – six. Nays – zero. The motion carried unanimously, 6-0.

Ordinance 6007; Proposed 23-040; Approving a Conditional Use to Allow for the Conversion of an Existing Single-Family Detached Dwelling to a Two-Family Dwelling (Duplex) on Property Located at 838 E. Peachtree Street (1st Rdg. 10-02-23)

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE CONVERSION OF AN EXISTING SINGLE-FAMILY DETACHED DWELLING TO A TWO-FAMILY DWELLING (DUPLEX) ON PROPERTY LOCATED AT 838 E. PEACHTREE STREET; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Ordinance 6008; Proposed 23-041; Approving a Conditional Use to Allow a Two-Family Dwelling (Duplex) on Property Located at 814 N. Vermont Avenue (1st Rdg. 10-02-23)

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW A TWO-FAMILY DWELLING (DUPLEX) ON PROPERTY LOCATED AT 814 N. VERMONT AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Resolutions

Resolution 5856; Proposed 23-062; Approval of Utility Work Orders with the Florida Department of Transportation Related to City-Owned Utility Facilities Located on State Road 572 (Drane Field Road) at the Intersection of Waring Road

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING APPROVAL OF UTILITY WORK ORDERS PURSUANT TO A MASTER AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF LAKELAND IN ORDER TO AUTHORIZE FLORIDA DEPARTMENT OF TRANSPORTATION CONTRACTORS TO MODIFY, RELOCATE AND RECONSTRUCT CITY-OWNED UTILITY FACILTIES LOCATED ON STATE ROAD 572 (DRANE FIELD ROAD) AT ITS INTERSECTION WITH WARING ROAD; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Resolution 5857; Proposed Resolution re Conflict in the Middle East - Support for People of Israel; Condemning Anti-Semitism

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA, EXPRESSING ITS SUPPORT FOR THE PEOPLE OF ISRAEL AND OTHER VICTIMS OF THE TERRORIST ATTACKS OF OCTOBER 7, 2023; CONDEMNING ANTI-SEMITISM IN ALL OF ITS FORMS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

Commissioner Chad McLeod asked for an update from the community event last Thursday.

Mayor Bill Mutz - it was a beautiful event attended by a wide breadth of people from the community. It was a good reminder that there are many organizations that support Christian and Jewish alliances.

Commissioner Sara McCarley commented the Jewish people felt affirmed and loved by the attendance of the community.

Commissioner Samuel Simmons commented that it was important that the light of our support shine against tyranny.

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

COMMUNITY REDEVELOPMENT AGENCY - none

CITY MANAGER

Recommendation re: Award of RFQ No. 2023-ITB-088 to Strickland Construction, Inc. for Purchase and Installation of Lake Parker Park Pre-Engineered Metal Building

Lake Parker Park was a 100.5-acre city park. The park contains 6 soccer fields, 32 shuffleboard courts, lawn bowling, playgrounds, 18 picnic sheds, 6 pickle ball courts, 2 tennis courts, exercise equipment, boat ramps, sand volleyball courts, disc golf, walking paths, corporate rental pavilions, open play fields and multiple restrooms. The park needs a 20' x 30' prefab metal building to house and secure mowers and maintenance equipment under cover and out of the elements.

The City's Purchasing Division issued Bid No. 2023-ITB-088 and received three sealed bids on August 23, 2023. The bids were:

Strickland Construction, Inc. Lakeland, FL	$127,453
SEMCO Construction, Inc. Bartow, FL	$184,000
Qualis General Contractors Tampa, FL	Non-Responsive

City staff evaluated the bids and determined that Strickland Construction, Inc. was the lowest responsive bidder. An Intent to Award was sent on Wednesday, August 30, 2023, to all bidders. City staff requested a Schedule of Values from Strickland Construction, Inc. and removed two items from the bid to reduce the cost to $125,425.00.

Funds for construction and installation of the maintenance building are budgeted in FY 2024 Public Improvement Fund.

The project will begin construction within 90 days of contract execution and will take approximately six months to complete.

Staff recommended the City Commission authorize the appropriate City staff to award Bid 2023-ITB-088 to Strickland Construction and execute a Purchase Order for a not to exceed price of $125,425.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Chad McLeod 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.

Recommendation re: Task Authorization with Geosyntec Consultants, Inc. for City of Lakeland Stormwater Utility Review

In 1999, the City Commission established the Stormwater Utility (SWU) program to provide a dedicated funding source for operating and maintaining the City's stormwater system, water pollution abatement devices, and lake improvement projects. The City completed its last comprehensive review of the program in 2016.

Since the 2016 review, the city has experienced population growth and increased development. This engagement seeks to account for service-related changes and growth; update cost projections to ensure the SWU program's financial stability needed to maintain and enhance flood control measures, plan for continued growth and use of the utility's infrastructure; and address regulated stormwater pollution and surface water quality improvement mandates required by the City's Municipal Separate Stormwater Sewer System (MS4) permit, which includes City-owned infrastructure (i.e., ditches, curbs, catch basins, underground pipes, etc.) designed or used for collecting or conveying stormwater that discharges to lakes, wetlands, canals, ponds, and other water bodies. This SWU Review will assist the City in maintaining equitable stormwater fees, while ensuring that necessary operations and regulatory requirements are met.

Key tasks of this SWU Review include:

- Creating a database from the City's billing system records and the Polk County Property Appraiser tax rolls to identify and verify property features, including recorded impervious surface area to validate and/or revise the current Equivalent Residential Unit (ERU) used to calculate the tiered residential and non-residential property rates.
- Evaluating the full cost of the stormwater management program using the City's most current financial information and stormwater planning documents, including the 10-year Stormwater Capital Improvement Plan, projected land use changes and anticipated growth, and status of current and future imposed regulatory mandates. The full cost analysis will include the costs of maintaining and operating the City's stormwater system, the costs of projected CIP projects and currently unfunded needs such as retrofitting and/or replacing aging infrastructure, compliance with unfunded regulatory mandates for stormwater pollution prevention and surface water quality standards, and administrative costs.
- Proposing a cost apportionment method to calculate stormwater utility fee rates and revenues.
- Reviewing the current stormwater mitigation credit policy and updating the policy that provides credits to those properties that have on-site stormwater systems that reduce stormwater discharges to the City's MS4.
- Preparing a SWU Assessment Report that includes documentation of the assessment, recommended SWU rates for residential and non-residential properties, and recommended stormwater utility credit management.

Geosyntec is one of three firms with continuing professional services contracts approved by the City Commission on June 6, 2022 for Professional Lakes & Watershed Management Services. These services include environmental engineering, permitting, inspection, planning, consulting, monitoring and management services. Of these firms, Geosyntec is the most qualified firm with availability for this project's scope of services. Funding for this project is included in the FY24 Stormwater CIP budget.

Staff recommended the City Commission authorize the appropriate City officials to execute the Task Authorization with Geosyntec for the City of Lakeland Stormwater Utility Review in an amount not-to exceed $109,220.64.

Shawn Sherrouse 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.

Recommendation re: Approval of a Grant Agreement with the State of Florida Department of Environmental Protection for The Intelligent Process Automation System to Remove Algae from Lake Bonnet; Approval of a Sole Source Contract Award to AECOM Technical Services, Inc.; and an Appropriation and Increase in Estimated Revenues in the Stormwater Utility Fund

The State of Florida Department of Environmental Protection (FDEP) had awarded the City a $1,685,000 grant to remove algae from Lake Bonnet. This grant award required the use of innovative technology that can help mitigate harmful algal blooms (HABs) by removing nutrients from Lake Bonnet and the nutrient load discharged downstream during storm events flowing from Lake Bonnet, reaching the Hillsborough River and into Tampa Bay.

The selected technology was algae harvesting using Hydronucleation Flotation Technology (HFT), a proprietary design owned by AECOM Technical Services, Inc. (AECOM) that removes algae and associated nutrients and toxins from the water. AECOM has developed the process and technology and was the only company that could provide the specialized equipment and technology required to meet the project requirements; it had field staff with proven technical competence in providing this technology platform and services. The FDEP Grant Agreement required subcontracting with AECOM to complete this project. Therefore, Staff was seeking Commission approval to negotiate a contract with the sole source provider, AECOM, which would not exceed grant funding.

The City and Bonnet Springs Park had partnered on this project that would demonstrate an innovative Intelligent Process Automation System (IPAS) that can be incorporated into the algae harvesting HFT to provide a cost-effective and comprehensive "Cradle to Grave" solution for mitigating and preventing HABs. The project would test an advanced operating system for the algae harvesting HFT, confirm the use of an advanced dewatering system to concentrate and reduce the volume of recovered algae biomass and determine if the recovered algae biomass could be used for biocrude production. Hydrothermal Liquefaction Technology (HFT) would then be used to transform the dewatered algae biomass into biocrude, helping to reduce the dependence on fossil oil, provide a carbon-neutral biocrude oil that could be refined into sustainable aviation fuel, and eliminate the need for landfill disposal.

A dock at Bonnet Springs Park would be used to assemble and deploy the automatic intake pump structure to extract water from the pond at Bonnet Springs Park, which was hydraulically connected to Lake Bonnet. The HFT algae harvester would be self-sufficient and connected to an existing powerline with an internet connection for continuous and remote operations.

The parties estimated the total project cost at $1,685,000. FDEP would reimburse the City for all project costs upon completion of the project deliverables. The project timeline would begin upon the signature of the Agreement with an anticipated January 2025 completion date.

Staff recommended the City Commission authorize the appropriate City officials to execute the Grant Agreement with the State of Florida Department of Environmental Protection for the Intelligent Process Automation System to Remove Algae from Lake Bonnet; Approval of a Sole Source Contract Award to AECOM Technical Services, Inc.; and an appropriation and increase in estimated revenues in the Stormwater Utility Fund in the amount of $1,685,000 for the State of Florida grant.

Shawn Sherrouse presented this item to the Commission.

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

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

Commissioner Samuel Simmons asked about State reimbursement. Where would the money come from in the interim?

There was ample money in the stormwater fund to cover costs until reimbursement was received.

Commissioner Chad McLeod asked if they could do this in some of our other lakes?

Laurie Smith would consider doing this in other lakes if it proved to be feasible and cost effective. This was a test of a new technology. We would probably have to use a subcontractor for other lakes too. It runs 24-hours a day.

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

Verbal Report:

The City of Lakeland hosted Leadership Lakeland last week for local government day. Shawn Sherrouse recognized Kevin Cook and Communications for hosting. It was an intense day. Staff received a lot of accolades. They were the first class to get a tour of the RICE project location. Staff would provide the Commission with a tour later.

Commissioner Mike Musick noted it was interesting. The feedback from the other participants in the class was interesting. There was a lot of new information people did not know prior to local government day.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 23-042; Dissolving the Lakeland Public Employees Relations Commission

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO PUBLIC EMPLOYEE LABOR RELATIONS; MAKING FINDINGS; REPEALING ORDINANCE 3663 AND ANY SUBSEQUENT AMENDMENTS THERETO PURSUANT TO SECTION 447.603, FLORIDA STATUTES; PROVIDING FOR ADMINISTRATIVE ACTIONS; RATIFYING PRIOR ACTIONS; PROVIDING FOR THE TRANSFER OF ALL PRESENT AND FUTURE MATTERS RELATING TO PUBLIC EMPLOYEE LABOR ORGANIZATIONS TO THE FLORIDA PUBLIC EMPLOYEES RELATIONS COMMISSION; 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 November 6, 2023.

Miscellaneous

Annual Purchase of Sodium Hypochlorite for the Water Utilities and Parks, Recreation and Cultural Arts Departments

The City's Water Utilities and Parks, Recreation and Cultural Arts Departments seek approval for the purchase of the required annual supply of sodium hypochlorite from Allied Universal Corporation. Sodium hypochlorite is used in water and wastewater treatment plants for disinfection and odor control, and in the City's public swimming pools for algae prevention.

The City's total estimated annual usage of sodium hypochlorite is 105,000 gallons, divided between the Water Utilities Department, which would use approximately 67,500 gallons, and the Parks, Recreation and Cultural Arts Department, which will use about 37,500 gallons. To secure this annual supply, the City issued an Invitation to Bid (2023-ITB-132) for FY24, allowing for four (4) one-year renewals upon mutual consent of the parties. In response, two bids were received:

Company	Location	Cost per Gallon
Allied Universal Corporation	Miami, FL	$1.69
Odyssey Manufacturing Co	Tampa, FL	$1.76

Based on prior experience and cost, City staff evaluated the bids and concluded that Allied Universal Corporation was the lowest cost responsive and responsible bidder.

The total estimated annual cost for the Water Utilities Department was $114,075, while the Parks, Recreation and Cultural Arts Department's estimated annual cost is $63,375. Both amounts were included in each department's FY24 budget.

Staff recommended that the City Commission approve the purchase of the City's annual supply of sodium hypochlorite from Allied Universal Corporation and authorize the appropriate City officials to execute all necessary documents to finalize the purchase.

Palmer Davis presented this item to the Commission.

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

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

Mayor Bill Mutz asked how this was different from chlorine? *It was chlorine in liquid form.*

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

Task Authorization with General Control Systems, Inc. for Software Engineering Services for the Supervisory Controls and Data Acquisition (SCADA) Systems Upgrade Project

This was a proposed Task Authorization for software engineering services with General Control Systems, Inc. for the Supervisory Controls and Data Acquisition (SCADA) Systems upgrade project. The objective was to address the limitations of the current single-server SCADA system, which managed the Glendale Plant, Northside Plant, Artificial Wetlands, West Lakeland Plant, and Wastewater Collection system.

The upgrade entails splitting the existing SCADA server pair into four new server pairs—one each for the Glendale Plant, Northside Plant, West Lakeland Plant, and the Wastewater Collection system. Each server pair would consist of one primary and one backup server. The SCADA software would also be updated to the latest operating platform, and all existing data would be migrated to the appropriate server pair. This initiative was a collaboration with the City's IT team, who would provide the new servers.

All services under this Task Authorization would be performed in accordance with the terms and conditions specified in the Continuing Contract and Agreement for Professional Software Engineering Services between the City and General Control Systems, Inc., dated April 17, 2023, as well as General Control Systems, Inc.'s proposal dated October 4, 2023. The total cost for this project was $215,000 and was included in the Water Utilities Department's FY2024 budget.

Staff recommended that the City Commission approve the Task Authorization with General Control Systems, Inc. for the SCADA Servers Restructure and Upgrade and authorize the appropriate City officials to execute all corresponding documents related to the Task Authorization.

Palmer Davis presented this item to the Commission.

Motion: Commissioner Chad McLeod 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

FINANCE DIRECTOR - none

UTILITY

Ordinances - NONE

Resolutions – NONE

Miscellaneous

Agreement with The Davey Tree Expert Company for Line Clearance Services

This was a proposed Agreement with The Davey Tree Expert Company (Davey) for line clearance services for Lakeland Electric's Energy Delivery Operations. These line clearance services are to maintain the vegetative growth adjacent to Lakeland Electric's transmission and distribution lines to ensure system reliability. Lakeland Electric's Energy Delivery Operations' goal was to achieve clearance of approximately 400 distribution line miles per year over a three (3) year period to cover Lakeland Electric's 1,200 distribution line miles.

In September 2022, the City Commission approved an Annual Line Clearance agreement with Trees LLC, which was effective October 1, 2022 through October 1, 2025. However, due to continued poor performance by Trees LLC, the City exercised its right to terminate its agreement with Trees, LLC. The City was now seeking assistance to complete the line clearance work for the remainder of FY23 and for FY24.

On February 20, 2023, the City Commission approved a nine (9) month contract with Davey to complete the FY22 line clearance that was not completed by previous contractor, Burford's Tree, LLC. The City's contract with Davey was set to expire in November 2023. Now that the Trees, LLC contract has been terminated, the City needed a line clearance contractor to complete the FY23 line clearance work and begin the FY24 work.

Upon evaluation by Lakeland Electric staff, Davey had crews available to provide the necessary services for the line clearance work. The City's Purchasing Department had approved the procurement of Davey's services pursuant to a piggyback contract with

Orlando Utilities Commission (OUC). Accordingly, Davey would perform all work in accordance with the terms/conditions set forth in the Agreement. The term of the Agreement was for an initial period commencing October 16, 2023 to June 30, 2024, subject to City Commission approval. The Agreement also contained three (3) additional one (1) year renewal options upon mutual written consent of the parties. The total estimated cost of the line clearance work for the initial term through June 30, 2024, was $4,000,000, which was included in Lakeland Electric's FY24 budget.

Staff recommended that the City Commission approve this Agreement with Davey for line clearance services 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 Sara McCarley moved to approve the recommendation. Commissioner Mike Musick seconded.

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

The Commission was glad to see this renewal moving away from the height of hurricane season.

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

Agreement with WD Wright Contracting, Inc. for Annual Traffic Control Services for Lakeland Electric

This was a proposed Agreement with WD Wright Contracting, Inc. (WD Wright) for annual traffic control services for Lakeland Electric. As Lakeland Electric Line Crews undertake projects that involve lane or road closures throughout its service territory, there is often a need for traffic control to keep line crews and equipment safe, as well as provide for safe passage of vehicles in the area. Lakeland Electric does not have the internal staff necessary to handle such traffic control.

Accordingly, on August 7, 2023, the City's Purchasing Department issued Invitation to Bid (ITB) 2023-ITB-103 seeking qualified vendors to provide annual traffic control for Lakeland Electric. A total of five (5) firms responded to the City's ITB.

- WD Wright Contracting, Inc. – Beaver, PA (Haines City, FL)
- Arrive Alive Traffic Control, LLC – Apopka, FL
- Southeastern Traffic Supply – Mableton, GA
- ACME Barricades – Jacksonville, FL
- AWP, Inc – North Canton, OH

Upon evaluation by Lakeland Electric staff, WD Wright was selected as the most responsive, responsible bidder capable of providing the necessary services at the lowest price. The initial term of the Agreement would become effective upon approval by the City Commission and continue through September 30, 2024. The Agreement contained three (3) additional one (1) year renewal options upon mutual written agreement of the parties. All services would be performed in accordance with the terms and conditions contained in the City's Bid Specification and WD Wright's bid response dated August 18, 2023. The estimated cost of the work through September 2024 was $500,000 and was included in Lakeland Electric's FY24 budget. The total estimated cost of the Agreement for the initial term and renewals, should they be exercised, was $2,000,000. Any renewals would be subject to approval of the budget by the City Commission in subsequent fiscal years.

Staff recommended that the City Commission approve this Agreement with the WR Wright for annual traffic control services 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 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 none.

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

AUDIENCE

Roger Harris thanked the City for the proclamation celebrating National Chiropractic Health Month. He had been turned down by other government agencies. He recognized some Lakeland chiropractors by name.

Randy Wilkinson came forward to speak on the pod cast Bone Valley. He believed Leo Schofield was innocent of the crime.

Palmer Davis clarified the City Commission did not have jurisdiction over the matter.

ADJOURNMENT – 10:35 a.m.

H. William Mutz, Mayor

CITY OF LAKELAND, FLORIDA
INCORPORATED
JAN. 1, 1885

Kelly Koos, City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Simmons Samuel		City of Lakeland City Commission
MAILING ADDRESS 1036 W. 6th Street		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY Lakeland	COUNTY Polk	NAME OF POLITICAL SUBDIVISION: City of Lakeland
DATE ON WHICH VOTE OCCURRED October 16, 2023		MY POSITION IS: ☑ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

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ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

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APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Samuel Simmons, hereby disclose that on October 16, 20 23 :

(a) A measure came or will come before my agency which (check one or more)

✓ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, ______;

___ inured to the special gain or loss of my relative, ______;

___ inured to the special gain or loss of ______, by whom I am retained; or

___ inured to the special gain or loss of ______, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

MY BUSINESS, SAMUEL SIMMONS HOMES & FINANCIAL SERVICES, PARTNERED AND WORK WITH THE COMMUNITY KINGDOM BUILDERS TO PROVIDE CONSTRUCTION SERVICES FOR FAITH IN ACTION. NOT CURRENTLY PROVIDING CONSTRUCTION SERVICES AND RECEIVED PAYMENT FOR THOSE SERVICES

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

October 26, 2023
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.