LAKELAND CITY COMMISSION

Regular Session
March 20, 2023

The Lakeland City Commission met in Regular Session in the City Commission Chambers. Mayor Bill Mutz and Commissioners Bill Read, Stephanie Madden, Sara McCarley, Mike Musick, and Sam Simmons were present. Commissioner Chad McLeod 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

Aerospace Center for Excellence and 49th Annual SUN 'n FUN Aerospace Expo Updates (Gene Conrad, President/CEO of ACE and SUN 'n FUN)

PROCLAMATIONS – None

COMMITTEE REPORTS AND RELATED ITEMS - None

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 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)

* **City Commission Minutes – March 3-6, 2023**

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

EQUALIZATION HEARINGS -None

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 5976; Proposed 23-004; Changes to the Land Development Code (LDC); Article 2 (Use Standards) and Article 5 (Standards for Specific Uses) to Allow for the Development of Affordable, Multi-Family Residential Projects within Certain Non-Residential Zoning Districts Subject to Location Criteria, Development Standards, and an Approval Process (1st Rdg. 03-06-23)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 2 (USE STANDARDS) AND ARTICLE 5 (STANDARDS FOR SPECIFIC USES) OF THE LAND DEVELOPMENT CODE TO ALLOW FOR THE DEVELOPMENT OF AFFORDABLE MULTI-FAMILY RESIDENTIAL PROJECTS WITHIN CERTAIN NON-RESIDENTIAL ZONING DISTRICTS, SUBJECT TO CERTAIN LOCATION CRITERIA, DEVELOPMENT STANDARDS, AND AN APPROVAL PROCESS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Sara McCarley moved to approve the ordinance. Commissioner Stephanie Madden 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, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Ordinance 5977; Proposed 23-011; Changes to the Land Development Code (LDC); Article 2 (Use Standards), Section 2.6 (Master Use List), to Add Public Safety and Security Facilities, Including Police, Fire Rescue and Ambulance Facilities, as a Permitted Use under the General Use Category Utility and Essential service Facilities, Level I (1st Rdg. 03-06-23)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 2 (USE STANDARDS), SECTION 2.6 (MASTER USE LIST), TO ADD PUBLIC SAFETY AND SECURITY FACILITIES, INCLUDING POLICE, FIRE RESCUE AND AMBULANCE FACILITIES, AS PERMITTED USES UNDER THE GENERAL USE CATEGORY UTILITY AND ESSENTIAL SERVICE FACILITIES,

LEVEL I; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

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

Ordinance 5978; Proposed 23-012; Small Scale Amendment #LUS22-009 to the Future Land Use Map to Change Future Land Use from Residential Medium (RM) to Residential High (RH) on Approximately 3.53 Acres Located at 1205 Neville Avenue (1st Rdg. 03-06-23)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS22-009 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; CHANGING THE FUTURE LAND USE DESIGNATION ON APPROXIMATELY 3.53 ACRES LOCATED AT 1205 NEVILLE AVENUE FROM RESIDENTIAL MEDIUM (RM) TO RESIDENTIAL HIGH (RH); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Mike Musick moved to approve the ordinance. Commissioner Bill Read 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, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Ordinance 5979; Proposed 23-013; Change in Zoning from RA-3 (Single-Family Residential) to PUD (Planned Unit Development) to Allow an 88-Unit Multi-Family Residential Development on Approximately 3.53 Acres Located at 1205 Neville Avenue (1st Rdg. 03-06-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM RA-3 (SINGLE-FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW AN 88-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON APPROXIMATELY 3.53 ACRES LOCATED AT 1205 NEVILLE AVENUE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Mike Musick moved to approve the ordinance. Commissioner Stephanie Madden seconded.

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

Action: Upon roll call vote Commissioners Bill Read, Stephanie Madden, Scott Franklin, Sara McCarley, Phillip Walker and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously.

Proposed 23-014; Amending Ordinance 3432, as Amended; Major Modification of PUD (Planned Unit Development) Zoning to Allow a Two-Story 94,000 Sq. Ft. Mini-Warehouse/Self-Storage Facility on Approximately 4.33 Acres Located at 2575 Harden Boulevard (1st Rdg. 03-06-23) (No action to be taken - 2nd Rdg. to be held on 04-03-23)

Palmer Davis explained there was no action today. The Second Reading would be held on April 3, 2023.

Miscellaneous

Development Agreement with Pipkin Creek Properties, LLC.

Development Agreement with Prose Lakeland Owner, LLC.

Palmer Davis explained both developments together would trigger the need for a traffic signal. Today was just a public hearing. There would be no action.

Planning & Transportation Manager Chuck Barmby gave a presentation on the two developments. A copy of his presentation in on file in the Agenda Packet.

The Commission discussed:

- Drane Field Road was a constrained road and could not be expanded.
- The City received a payment from Riverstone for improvements to Waring Rd. It will be the north/south corridor in the area.

- Roundabouts: the one at the airport is almost finished. The one at Waring Rd was much larger and may take more time.
- Lot size in the developments.
- Level of service on Pipkin Rd. and Drane Field Rd.
- Impact fees are generated based on improvement costs and how much capacity is consumed by the development. This credit arrangement goes back to 1991 and included credit from Right-of-Way contributions from the West Lakeland DRI for the Polk Parkway.

Palmer Davis explained the State law required 2 public hearings prior to adoption of development agreement. He advised the Commission to ask for public comment on each agreement individually.

Development Agreement with Pipkin Creek Properties, LLC.

Mayor Bill Mutz asked for comments.

David Pendry of Lakeside Preserve was waiting for the Phase II pavilion and hiking trails that were promised. Traffic is backed up during rush hour because there are no turn lanes. He requested turn lanes when the signal is installed. Chuck Barmby explained that has been an issue discussed at the County and FDOT levels. We have Right-of-Way to add a turn lane should one be needed in the future. Staff is reviewing plans for the amenities center now. Staff has not seen details on the trails yet.

John Ahlschwede of Lakeside Preserve was concerned about traffic and fees. He asked if the expansion of the development would affect the HOA fees. Palmer Davis explained that was a private issue of the HOA. Once 90% of the lots are sold, the residents take control of the HOA.

Tom Ruesch asked about Phase III. He was concerned about the placement of the 17 lots. He was concerned about drainage. Half his back yard is filled with water during rainy season. When they clear the land will they chip or burn? Burning could be an environmental concern. Chuck Barmby will follow up with development team. He thought Phase III was only 7 lots, but he will make sure.

The Commission discussed mitigation credits. That area is low level, so drainage is a big deal. Hunter Engineering is doing the design work out of Lake Wales. The City will keep an eye on the issue. The applicant can respond at the next hearing.

Hector Ramirez inquired about the nature trail and the wooded area. Staff will work with the developer for a more definitive timeline. The wooded areas along the eastern and southern areas right now look to remain untouched. Staff will confirm that as well.

Development Agreement with Prose Lakeland Owner, LLC.

Mayor Bill Mutz asked for public comments.

David Pendry asked about the exit connecting the two developments. Chuck Barmby explained that has not been completed yet. The developers still must execute the agreement. The type of connection has not been determined yet. He did not think the parties were in complete agreement yet.

Mr. Pendry asked about moves toward annexation to the west of Pipkin Creek. He encouraged the City to pursue annexation. Chuck Barmby explained that area was part of a referendum in 1992 and it failed.

The Commission discussed the railroad tracks in the area.

COMMUNITY REDEVELOPMENT AGENCY - None

CITY MANAGER

* **Recommendation re: Award of Bid No. 3060 to JCR Construction & Services, LLC for Interior Office Repairs at Lakeland Linder International Airport**

Lakeland Linder International Airport (LLIA) is seeking approvals to enter into a contract with JCR Construction & Services, LLC to repair the interior office at 3240 Flightline Drive.

Due to storm damage from Hurricanes Ian and Nicole, LLIA advertised for interior office repairs through City of Lakeland Bid No. 3060 in February of 2023 receiving four (4) bids. The bid sought qualified and experienced contractors to repair the interior office, which includes the installation of insulation and drywall, carpets, overhead lights, painting, ceiling tiles, cabinets, countertops, and a kitchenet.

JCR Construction & Services, LLC	Lakeland, FL	$78,413.05
Waller Construction, Inc.	Lakeland, FL	$85,320.00
Henkelman Construction, Inc.	Lakeland, FL	$102,612.00
SEMCO Construction, Inc.	Bartow, FL	$134,388.52

The bids were then reviewed in detail prior to determining the lowest and most responsive bidder to be JCR Construction & Services, LLC with a bid of $78,413.05. The repair services are being charged to the Hurricane Ian FEMA account. The proposed contract states that all work will be completed by May 31, 2023.

Staff recommended that the City Commission authorize appropriate City Officials to enter into a contract with JCR Construction & Services, LLC for $78,413.05 to provide interior office repairs at Lakeland Linder International Airport due to Hurricane Ian. No additional appropriations are required to support this request.

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. There were no comments.

Action: Mayor Bill Mutz called for the vote and the motion carried 5-0. Commissioner Bill Read was absent at that time.

* **Recommendation re: 2022 Report of Local Affordable Housing Incentives**

The William E. Sadowski Affordable Housing Act, enacted by the Florida Legislature in 1992, established a funding source for local governments to expand the production and preservation of affordable housing.

The State Housing Initiatives Partnership Program (SHIP) provides distribution of Sadowski Funds to local governments to develop housing strategies that promote partnerships to preserve, improve and provide housing for families at or below 140% of area median income. SHIP entitlement communities are required to appoint an Affordable Housing Advisory Committee (AHAC) that reviews 11 specific incentives that are outlined in Florida Statutes.

Each AHAC must also review and evaluate the implementation of affordable housing incentives and submit an annual report. The report includes a review of established policies and procedures, including the Land Development Code and Comprehensive Plan, and recommends specific actions or initiatives to encourage or facilitate affordable housing.

Initial discussions on current challenges to creating affordable housing and the impact of the City's incentives on these challenges was discussed at the September 26, 2022, City of Lakeland AHAC meeting. At that time, Housing staff was in the process of updating guidelines and compiling a list of lots for the land bank program, which was adopted by the City Commission on February 6, 2023, and is noted in the report. This year's final report was reviewed and approved by the City of Lakeland AHAC on February 16, 2023. This report must now be presented to the City Commission and forwarded to the Florida Housing Finance Corporation (FHFC) by May 2, 2023.

Staff recommended the City Commission approve the 2022 Report of Affordable Housing Incentives and transmit it to the FHFC.

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

CITY ATTORNEY

Ordinances (First Reading) – None

Resolutions

Resolution 5809; Proposed 23-014; Authorizing the Lease Purchase of One New Elgin Broom Bear Sweeper and Five New Elgin Whirlwind Sweepers and Related Maintenance Services

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA FOR AND AUTHORIZING THE LEASE PURCHASE OF ONE (1) NEW ELGIN BROOM BEAR SWEEPER AND FIVE (5) NEW ELGIN WHIRLWIND SWEEPERS AND RELATED MAINTENANCE SERVICES FOR SUCH EQUIPMENT TO MAINTAIN CITY STREETS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $2,552,727.00; AWARDING THE LEASE FINANCING OF SUCH EQUIPMENT TO LEASING 2, INC. IN ACCORDANCE WITH THE TERMS SET FORTH HEREIN; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE ANY DOCUMENTS AND TAKE ANY ACTIONS REQUIRED IN CONNECTION WITH THE LEASE PURCHASE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

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

Resolution 5810; Proposed 23-015; Authorizing the Execution of an Agreement for the Subordination of City Utility Interests Located at State Road 400 (I-4) and State Road 33 Parcel 102.2

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING EXECUTION OF AN AGREEMENT FOR THE SUBORDINATION OF CITY UTILITY INTERESTS LOCATED AT STATE ROAD 400 (I-4) AND STATE ROAD 33 PARCEL 102.2; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Sara McCarley moved to approve the resolution.

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, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Resolution 5811; Proposed 23-016; Authorizing the Execution of an Agreement for the Subordination of City Utility Interests Located at State Road 400 (I-4) and State Road 33 Parcel 113.2

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING EXECUTION OF AN AGREEMENT FOR THE SUBORDINATION OF CITY UTILITY INTERESTS LOCATED AT STATE ROAD 400 (I-4) AND STATE ROAD 33 PARCEL 113.2; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

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

Miscellaneous Reports

Memo re: Equipment Lease Purchase Agreement for Elgin Street Sweepers with Leasing 2, Inc. and Related Maintenance/Repair Services with Environmental Products Group, Inc.

These proposed Lease Purchase Agreement and corresponding documents between the City and Leasing 2, Inc. were for one new (1) Elgin Broom Bear Street Sweeper and five new (5) Elgin Whirlwind Street Sweepers to be used by the Public Works Department to clean debris from streets owned by the City. In addition, there is a proposal for related maintenance/repair services for the equipment with Environmental Products Group, Inc. (Environmental Products).

This equipment is essential for the City to meet the National Pollution Discharge Elimination System Permit requirements for removing debris from streets before it enters the lakes. While the equipment will be used to accomplish work for a variety of City departments, the Elgin Sweepers will also serve as a valuable tool for removing debris and sediment after major storm events during emergency operations.

The Sweepers are being procured from Environmental Products pursuant to Sourcewell Contract #09021-ELG through a cooperative purchasing arrangement for state and local governments, and financed through Leasing 2, Inc. When City staff compared leasing versus purchasing the Sweepers, it was determined that leasing the Sweepers was more cost-effective. While the City's existing Sweeper lease does not expire until September 2024, due to the long equipment production lead time it is prudent to initiate this Lease now to ensure that the new Sweepers will be available when the current lease expires. Lease payments pursuant to this Lease for the new Sweepers, which will be delivered in July 2024, would not begin until August 2024.

The term of the Lease Agreement with Leasing 2, Inc. is for a period of four (4) years with an interest rate of 4.45%. The principal cost to purchase this equipment is $2,192,727.00. Maintenance/repair costs during the four (4) year term will be provided by Environmental Products and are also being financed through Leasing 2, Inc. at a cost of $360,000.00 over the Lease term. The associated maintenance/repair for the Elgin Street Sweepers requires highly specialized factory-trained mechanics that cannot be serviced by City staff. In addition, the maintenance agreement with Environmental Products provides for loaner equipment if equipment repairs take longer than five (5) days. The total cost to finance the equipment and maintenance/repair costs over the four (4) year term is $2,878,638.80. The cost of the Lease and related maintenance/repair services will be funded annually by the Storm Water Utility Fund.

Staff recommended that the City Commission approve this Lease Purchase Agreement for (6) Elgin Street Sweepers with Leasing 2, Inc. and related maintenance/repair services with Environmental Products and authorize the appropriate City officials to execute all corresponding documents.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Sara McCarley moved to approve the recommendation.

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

The Commission discussed the material collected by the street sweepers. It is put in a lay down lot and later taken to the landfill. They cover the City 4 times a year on a schedule. Staff will research the amount of material collected.

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

* **Memo re: Task Authorization with Black & Veatch Corporation for a Water and Wastewater Disinfection Study.**

This proposed Task Authorization with Black & Veatch Corporation (B&V) was for professional services to assist the Water Utilities Department with a determination of the best future approach to water and wastewater disinfection practices. The T.B. Williams, C.W. Combee, Glendale, and Northside Water and Wastewater Treatment Plants currently use chlorine gas to disinfect water and wastewater. The Water Utilities Department has been looking to implement alternative methods to address issues related to worker safety, concerns of chemical release in the surrounding community, price volatility, and reduced availability of the disinfectant product.

Pursuant to this Task Authorization, B&V will assess the economic, safety, operational, and regulatory aspect of multiple disinfection methods, primarily including bulk delivered liquid sodium hypochlorite, on-site generation, continued use of chlorine gas, and UV disinfection. Upon approval by the City Commission and issuance of a notice to proceed, B&V will commence the study and issue a final report to the City within six (6) months. All services pursuant to this Task Authorization will be performed in accordance with the terms and conditions set forth in the City's Continuing Contract for Municipal Engineering Services with B&V dated October 1, 2021, and B&V's proposal dated March 3, 2023. The total not-to-exceed cost of the study is $118,542, which is included in Water Utilities' FY2023 budget. All reimbursable expenses shall be paid in accordance with the City's Consultant Expense Reimbursement Policy.

Staff recommended that the City Commission approve this Task Authorization with B&V for a Water and Wastewater Disinfection Study and authorize the appropriate City officials to execute all corresponding documents related to the Task Authorization.

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

Memo re: Agreement with Kamminga & Roodvoets, Inc. for Griffin Road Gravity Sewer Line Replacement - Phase 2

The Agreement with Kamminga & Roodvoets, Inc. (K&R) was to install a new 24" gravity sewer line along Griffin Road. On March 6, 2023, the City Commission approved Phase 1 of this project, which entailed replacement of 1600 linear feet of sewer line. Phase 2 of this project consists of replacing about 600 linear feet of ductile iron pipe with PVC pipe. The existing pipe has slowly deteriorated due to corrosive gases made worse by the current configuration of the sewer line with steep drops at each manhole. Recently, a section of collapsed pipe was discovered near US 98, which will likely result in a large-scale eminent failure. The work area for Phase 2 of the project is along Griffin Road located between the intersection of Pyramid Parkway and US 98 North. This segment of sewer line transports approximately one million gallons of wastewater per day.

Due to the emergency nature of this repair, Water Utilities solicited five (5) contractors to provide quotes for this work. Only two (2) contractors submitted proposals for this work.

Company	Location	Evaluated Cost
Kamminga & Roodvoets, Inc.	Tampa, FL	$ 1,978,600.00
Killebrew, Inc.	Lakeland, FL	$ 2,574,000.00

City Staff evaluated the proposals and determined that K&R was the most responsive responsible contractor to perform the work at the lowest cost. Upon City Commission approval and issuance of a Notice to Proceed, K&R will complete all work within 120 calendar days. K&R will perform all construction services in accordance with terms/conditions in the proposed Agreement. The total cost for this work is $1,978,600.00.

Staff recommended that the City Commission approve this Agreement with K&R for Phase 2 of the Griffin Road Gravity Sewer Line Replacement and authorize the appropriate City officials to execute all corresponding documents related to the Agreement.

Ramona Sirianni presented this item to the Commission.

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

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

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

FINANCE DIRECTOR – None

UTILITY

Ordinances – None
Resolutions – None

Miscellaneous

* **Task Authorization with Geosyntec Consultants, Inc. for Groundwater Monitoring Support for McIntosh Power Plant**

This proposed Task Authorization with Geosyntec Consultants, Inc. (Geosyntec) was to provide groundwater monitoring support in accordance with the Coal Combustion Residual (CCR) Rule for the byproduct storage area at the McIntosh Power Plant. Pursuant to this Task Authorization, Geosyntec will:

- Provide sample collection from groundwater monitoring wells.
- Provide semi-annual detection and assessment monitoring support, including data validation of raw analytical data.
- Prepare an annual groundwater monitoring and corrective action report for the byproduct storage area.
- Provide a remedy selection report Addendum.
- Provide monitoring well redevelopment work on five (5) monitoring wells.
- Provide groundwater elevation contour maps.
- Provide general CCR support, including attendance at regular meetings with Lakeland Electric staff.

Upon approval by the City Commission, Geosyntec will commence work, which is anticipated to be completed in September 2023. 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 October 1, 2019, and Geosyntec's proposal dated February 28, 2023. 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 $124,000 and is included in Lakeland Electric's FY2023 budget.

Staff recommended that the City Commission approve this Task Authorization with Geosyntec to provide groundwater monitoring support in accordance with the CCR Rule for the byproduct storage area at the McIntosh Power Plant and authorize the appropriate City officials to execute all corresponding documents.

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

* **Revision to Change Order # 1 to Demolition Services Agreement with Total Wrecking & Environmental, LLC**

This proposed Revision to Change Order #1 to the Demolition and Services Agreement with Total Wrecking & Environmental, LLC (Total Wrecking) was for the demolition of McIntosh Units 1, 2 and 3. On April 18, 2022, the City Commission approved an Agreement with Total Wrecking for the demolition of McIntosh Units 1, 2, and 3. Pursuant to that Agreement, Total Wrecking issues monthly credits, based on the tonnage of scrap metal and equipment removed from the demolition, for a total payment to the City of $1,222,122.00 during the term of the Agreement.

During the demolition process, the City determined a need for separation between the cooling water pipes that service the Units and Lake Parker. For the separation to occur, the water needed to be drained from the pipes, thereby allowing the pipes to be injected with a "flowable fill" to prevent them from collapsing over time. This was the preferable process and less expensive than removing the pipes from under the ground.

Accordingly, Change Order #1 to the Agreement authorized a local dive company to perform the requested capping of the intake/discharge lines to allow for the dewatering and subsequent filling. The total cost of Change Order #1 was $46,000.00, which was approved by the City Manager pursuant to his delegated approval authority. The cost of the work was to be billed to the City and then deducted from the credits that Total Wrecking is required to pay to the City. However, while capping the intake/discharge lines, the City determined that the actual configuration of the piping was not consistent with the as-built drawings resulting in the need for additional manpower and materials to safely complete the closure.

City staff authorized the additional work to proceed due to the emergent nature of the change. The divers were instructed to proceed with closure under the supervision of Total Wrecking and City staff. This added a cost of $68,766.00, which brought the total cost of Change Order #1 to $114,766.00. The $114,766.00 will be billed to the City and then deducted from the credits issued by Total Wrecking. As such, due to the additional work required, the total credit payment to the City for the demolition project pursuant to the Agreement with Total Wrecking has been decreased to $1,107,356.00. Total Wrecking will perform all services pursuant to the terms and conditions set forth in its Agreement with the City. It is anticipated that Total Wrecking is on schedule to complete all demolition work by November 2023.

Staff recommended that the City Commission approve this revision to Change Order #1 with Total Wrecking and authorize the appropriate City officials to execute all corresponding documents related to revised Change Order #1.

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

AUDIENCE – None

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Sara McCarley:

- Thanked the City team, Carol Browner and Traci Terry, for their assistance while she was stepping up for the Mayor.
- She was glad to see Gene Conrad's Sun 'n Fun presentation today. That event pours right back into local education.
- Viewed Path of the Panther at the Polk Theatre Saturday night. It was about how we work to protect the panther amid development in the State of Florida. Government can purchase land to protect the panther, but we must also maintain those lands. She recommended the National Geographic movie.

Commissioner Bill Read:

- Announced that Guess Who will perform at RP Funding Center on Wednesday night.
- Asked about restrooms at parks. Shawn Sherrouse explained there is no requirement for a restroom in an open-air facility.

Commissioner Mike Musick: The City has had a lot of community engagement recently. He wanted to encourage the public to continue to reach out.

Commissioner Samuel Simmons:

- Attended Polk County Day in Tallahassee last week. It was very educational.
- Attended neighborhood association meeting and the neighbors asked him to let the Commission know there was still a prostitution problem in the North Lake Wire Neighborhood.

Commissioner Stephanie Madden announced that the Paul Diggs Neighborhood was holding their annual Save Our Children Campaign this weekend at Simpson Park.

Mayor Bill Mutz thanked Commissioner Sara McCarley for a great job during his absence.

Palmer Davis introduced newly appointed Assistant City Attorney Alex Landback.

CALL FOR ADJOURNMENT – 10:37 a.m.

H. William Mutz, Mayor

Kelly Koos, City Clerk

CITY OF LAKELAND, FLORIDA
INCORPORATED
JAN. 1, 1885