# LAKELAND CITY COMMISSION

## Regular Session
## November 15, 2021

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

## CALL TO ORDER - 9:00 A.M.

## PRESENTATIONS

Lakeland Regional Health - Annual Update (Danielle Drummond, LRH President/CEO)

Lake Crago AIA Honor Award (Bob Donahay & Pam Page, Parks & Recreation)

## COMMITTEE REPORTS AND RELATED ITEMS

### Finance Committee Meeting 11/12/21

Commissioner Chad McLeod presented the report.

**Motion: Commissioner Phillip Walker moved to approve the bond issue. Commissioner Bill Read seconded.**

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

Commissioner Chad McLeod asked that someone from LE give a brief overview of the RICE engines for the public.

Scott Bishop gave a brief overview. They were like engines on cruise ships. It Is a cruise ship engine used as an electric generating engine. They will be powered by natural gas with a 20% hydrogen opportunity in the future. They are in process now and will be established in late 2023 or 2024. They create 120MW of power and have a quick start.

Mayor Bill Mutz explained the bonds will be rated by S&P and Fitch which will save money.

**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 Sara McCarley moved to approve the Consent Agenda. Commissioner Bill Read 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 Oct 29 – Nov 1
- * Utility Committee Minutes Oct 29

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

## REQUESTS TO APPEAR FROM THE GENERAL PUBLIC

**Chuck McDanal, Interim President & CEO of Lakeland Chamber of Commerce re Lakeland Chamber Foundation Development and Disposition Agreement Inspection Period Extension**

The Chamber had a pause during COVID and requested a 12-month extension without triggering the $10,000 permanent deposit.

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

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

Commissioner Phillip Walker was glad to see this project would continue.

Chuck McDanal: The Chamber was full steam ahead on this project.

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

## EQUALIZATION HEARINGS - None

## PUBLIC HEARINGS

**Ordinances (Second Reading)**

**Ordinance 5905; Proposed 21-051; Small Scale Amendment #LUS21-002 to the Future Land Use Map to Change Future Land Use from Convenience Center (CC) to Conservation (C) on Approximately 8.23 Acres and Residential Low (RL) to Convenience Center (CC) on Approximately 6.29 Acres Located North of the Polk Parkway, East of Airport Road and South of Steeplechase Drive (1st Rdg. 11-01-21)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS21- 002 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; CHANGING THE FUTURE LAND USE DESIGNATION FROM CONVENIENCE CENTER (CC) TO CONSERVATION (C) ON APPROXIMATELY 8.23 ACRES AND FROM RESIDENTIAL LOW (RL) TO CONVENIENCE CENTER (CC) ON APPROXIMATELY 6.29 ACRES OF PROPERTY LOCATED NORTH OF THE POLK PARKWAY, EAST OF AIRPORT ROAD AND SOUTH OF STEEPLECHASE DRIVE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

Commissioner Chad McLeod clarified that this change had less impact on Airport Rd. than the previous plan.

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

**Ordinance 5906; Proposed 21-052; Providing for a Change in Zoning from LD (Limited Development) to PUD (Planned Unit Development) on Approximately 6.29 Acres Located North of the Polk Parkway, East of Airport Road and South of Steeplechase Drive (1st Rdg. 11-02-21)**

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING CLASSIFICATION FROM LIMITED DEVELOPMENT (LD) TO PLANNED UNIT DEVELOPMENT (PUD) ON APPROXIMATELY 6.29 ACRES LOCATED NORTH OF THE POLK PARKWAY,

EAST OF AIRPORT ROAD AND SOUTH OF STEEPLECHASE DRIVE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

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

**Ordinance 5907; Proposed 21-053; Providing for a change in Zoning from RA-4 (Single Family Residential) to O-1 (Low Impact Office) on Approximately 0.24 Acres Located at 103 W. 7th St.**

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM RA-4 (SINGLEFAMILY RESIDENTIAL) TO O-1 (LOW IMPACT OFFICE) ON APPROXIMATELY 0.24 ACRES LOCATED AT 103 W. 7th STREET; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

Commissioner Phillip Walker asked about the adjacent property, Mary's Bagels. This was across the improved alley directly south of Mary's Bagels.

Brian Rewis explained they've been approved for CRA assistance they have not submitted site plans for review.

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

**Ordinance 5908; Proposed 21-054; Providing for PUD (Planned Unit Development) Zoning on Approximately 10.45 Acres Generally Located on the West Side of Airport Road, South of the Polk Parkway and North of Carillon Boulevard**

> AN ORDINANCE RELATING TO ZONING; PROVIDING FOR PLANNED UNIT DEVELOPMENT (PUD) ZONING ON APPROXIMATELY 10.45 ACRES LOCATED WEST OF AIRPORT ROAD, SOUTH OF THE POLK PARKWAY AND NORTH OF CARILLON BOULEVARD TO ALLOW FOR A 148-BED ASSISTED LIVING FACILITY; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

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

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

Commissioner Mike Musick clarified this parcel did not have access through Carillon Lakes.

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

**Resolutions - None**

## COMMUNITY REDEVELOPMENT AGENCY - None

## CITY MANAGER

**Recommendation re: Renewal of the City's Long-Term Disability Coverage**

Lincoln is the City's current carrier for Long-Term Disability Coverage. The current contract is due for renewal on December 31, 2021. Long-term disability insurance protects an employee's family income in the event they are unable to work after a 6-month waiting period, related to a disability. The Long-Term Disability insurance benefit covers all full and part-time regular employees, who may be injured or have a serious illness.

We are at the end of a three-year rate guarantee with Lincoln. The renewal they offered to the City to hold the current rate, was to add an additional benefit or accept the rate of $0.247 Per Employee Per Month (PEPM), for every $100 of Payroll, which equates to a 17.62% increase in the premium. Risk Management requested Gallagher Benefits Services market the coverage to seek competitive pricing, they provided the 6 carrier options shown below as a result.

Summary of pricing options for Long-Term Disability Coverage:

| Carrier | $ PEPM per $100 Payroll | Annual Cost | Rate Guarantee | Percent Change |
|---|---|---|---|---|
| Lincoln | $0.247 | $283,245 | N/A | 17.62% |
| Reliance Standard Life | $0.245 | $280,952 | 2 Year | 16.67% |
| United Health Care | $0.210 | $240,816 | 3 Year | 0.00% |
| Voya | $0.200 | $229,349 | 3 Year | -4.76% |
| Mutual of Omaha | $0.205 | $235,082 | 3 Year | -2.38% |
| Unum | $0.377 | $432,322 | 3 Year | 79.52% |

Staff recommended that the City Commission authorize the appropriate City Officials to contract the Long-Term Disability coverage with Voya, effective January 1, 2022, with a 3- year rate guarantee, at $0.20 PEPM per $100 of covered payroll for an approximate total annual expense of $229,349.

Shawn Sherrouse presented this item.

**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.**

**Recommendation re: Renewal of the City's Health Plan's Stop Loss Reinsurance Coverage**

Voya is the City's current carrier for the City's Health Plan's Stop Loss Reinsurance Coverage. The current contract is due for renewal on December 31, 2021. The stop loss reinsurance provides reimbursement to the City on any single health claim that exceeds $435,000 during a calendar year.

Below is a summary of claims versus the premiums paid, over the past two years, as well as year to date for the current 2021 period.

| Calendar Year | Carrier | Number of Claims Exceeding Stop Loss | Annual Premium | Per Member Per Month | Stop Loss Reimbursement |
|---|---|---|---|---|---|
| 2018 | Symetra | 4 | $1,017,230 | $33.22 | $1,447,689 |
| 2019 | Symetra | 0 | $1,113,301 | $36.38 | $0 |
| 2020 | Voya | 1 | $986,129 | $32.74 | $43,406 |
| *2021 YTD | Voya | 4 | $986,129 | $32.74 | PTD* $517,827 |
| 2022 | Voya | N/A | $1,093,248 | $35.04 | TBD |

**The costs of claims have been posted through September 2021, and the City's Health Plan reflects nine claims that have surpassed 50% of the stop loss deductible, which is the required threshold ($217,500) United Health Care notifies the carrier (Voya). Shown in the chart above, 4 claims have already exceeded the $435,000 limit and continue to be on-going. We anticipate another 2-3 of those claims may exceed the stop loss limit before the end of the calendar year.*

Voya has proposed a 7% increase to the current rate, at $35.04 per member per month rate, with an enrollment of approximately 2,600 employees/retirees on the plan, for an annual premium of $1,093,248.

Staff recommended that the City Commission authorize the appropriate City Officials to renew the Stop Loss coverage with Voya, effective January 1, 2022, with a per member per month approximate total annual expense of $1,093,248.

Shawn Sherrouse presented this item.

**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. There were no comments from the audience.

The Commission discussed the coverage. It was an annual contract.

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

**Recommendation re: City's Onsite Employee Wellness Management Services**

Healthstat Wellness, Inc., dba Everside Health is the City's current On-site Employee Wellness Clinic Management contract. The Healthstat Clinic was established in 2007 as one of the first On-site Employee Wellness Clinics in the State of Florida. The current contract has been an automatic renewal each year. However, to ensure the best market pricing for the City, Risk Management & Purchasing Department took the opportunity to review the Polk County Board of County Commissioners RFP that was issued earlier in

2021. The City's Purchasing Division has approved procurement of these services from Healthstat, Wellness Inc., as a "piggyback" pursuant to the Polk County's RFP 21-233, Onsite Clinic Services, in furtherance of obtaining costs savings and efficiency for the City.

The City utilizes the Healthstat Employee Wellness Clinic for pre-employment physical exams, drug-free workplace program testing, workers' compensation injury care, employee wellness, and episodic care. Extended services include an On-site Physical Therapy treatment center for on the job injuries which allows for immediate attention to muscle skeletal treatment. In addition, care is provided targeting Disease Management Programs for Diabetes, Hypolipidemia (high Cholesterol), Hypertension (high blood Pressure) and a Registered Dietitian Nutritionist to assist with disease states and preventative wellness. These services are available to all active employees under our Health Plan.

The Healthstat On-site Clinic has provided a validated ROI which has consistently increased year over year. Our active employee population has a 97% utilization rate, well above the 80% benchmark Healthstat utilizes.

The new services will provide a corporate scheduling line, to allow the small staff (5) to focus on patient care. The current staff consists of 2 Advanced Registered Nurse Practitioners; 2 Medical Assistants and a 20-hour provider diagnosing and treating patients virtually and telephonically. All other expenses will be pass-through expenses with no mark-up to the City.

Staff recommended that the City Commission authorize the appropriate City Officials to negotiate a contract for the On-Site Employee Wellness Clinic Management services with Healthstat Wellness, Inc. dba Everside Health, effective January 1, 2022.

Shawn Sherrouse presented this item.

**Motion: Commissioner Phillip Walker moved to approve the recommendation. Commissioner Stephanie Madden seconded.**

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

The Commission discussed annual cost ($1 Million) and number of employees participating (1900).

Shawn Sherrouse: Healthstat services is a tremendous benefit for employees here at the City. It has worked well to keep costs down.

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

**Recommendation re: Task Authorization with Geosyntec Consultants for Stormwater Best Management Practices Design Manual**

The Lakes and Stormwater Division sought a proposal from Geosyntec Consultants, a Professional Lakes and Watershed Management Services firm currently under continuing contract with the City, to develop a Stormwater Best Management Practices (BMP) Design Manual. The Manual will be used to identify the most appropriate BMP stormwater management design aspects of future development and re-development within the City.

The goal of the Stormwater Design Manual will be to implement new practices, supported by City code, that will reduce the discharge of pollutants in stormwater runoff resulting from new development and redeveloped areas.

In recent years the stormwater industry has advanced their practice and many new technologies commonly referred to as Low Impact Development (LID) and Green Infrastructure (GI) have been proven effective. This is particularly the case in space-limited urban areas when constructing conventional stormwater BMPs (i.e., retention/detention ponds) are not feasible. Innovative strategies will assist the City with implementing stormwater control BMPs in areas developed prior to stormwater regulations, and in anticipation of increased growth. The implementation of such practices will be required by City departments and land development contractors during, and post construction, to ensure preservation of surface water quality through the requisite use of sediment and erosion control practices and stormwater control as outlined in the Stormwater BMP Design Manual.

The scope of work for the Task Authorization includes the following major elements of the project:

- Review of City stormwater codes, related policy, and stormwater program practices,
- Evaluate impacts of potential future needs for stormwater management based on land use and potential development/redevelopment,
- Review of City GIS for stormwater infrastructure, topographic, and hydrological data, and stormwater contributing area delineations,
- Evaluation and rank recommended BMPs including LID and green infrastructure as well as traditional BMPs for development and construction sites,
- Meetings and preparation of draft BMP Design Manual; and
- Attendance at City Commission Workshop to present recommendations prior to finalizing the BMP Design Manual.

Funding for the Stormwater BMP Design Manual, in an amount not-to-exceed $180,301.04, is provided in the FY22 Stormwater Utility CIP.

Staff recommended that the City Commission authorize the appropriate City officials to execute the Task Authorization with Geosyntec Consultants for Stormwater BMP Design Manual in an amount not-to-exceed $180,301.04.

Shawn Sherrouse presented this item.

**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 from the audience.

The Commission discussed best practices. The City currently relies on DEP and SWFWMD permits. Developers are required to have stormwater prevention plans on site. They are not reviewed and difficult to enforce. This gives the City the opportunity to put it in the Code and give enforcement measures to stormwater management.
Staff believes there would be significant changes. They hoped to have the draft by the end of next year. They will also look at stakeholders and the Commission for comments. The manual will affect new development and redeveloping properties. Redevelopment will allow for pollution control enforcement on those sites. All stormwater eventually ends up in the lakes. Preventing pollution from leaving a site protects the lakes. That is the goal.

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

**Recommendation re: Task Authorization with PGA, LLC to provide Professional Municipal Engineering Services for the Five Points Roundabout Project**

The Five Points Intersection is currently signalized and located at the crossroads of Sloan Avenue, West Central Avenue, West Main Street and Lake Beulah Drive. This intersection has complex geometrical features and signal operation but serves to provide critical access to Bonnet Springs Park and RP Funding Center facilities.

The City's Public Works Department and Community Redevelopment Agency conducted a feasibility study in 2018 to determine if a single lane roundabout could reduce intersection delay and improve roadway safety while serving as a gateway to the Downtown West area. The study concluded traffic operations and safety could be greatly enhanced through the implementation of the roundabout alternative. Public Works has implemented the first phase of the study recommendations by eliminating the 5th leg of the intersection or the connection of Lake Beulah Drive near West Main Street. Public Works also prepared roundabout concept plans before soliciting a proposal from Patel, Greene and Associates LLC (PGA) to provide project design through the City's Continuing Contract for Professional Municipal Engineering Services.

The services authorized within the Task Authorization are proposed at a not to exceed amount of $225,000 and include:

1. Preparation of construction plans. (Roadway, Signing and Marking, and Lighting Plans) with supporting design documentation.
2. Preparation of construction specifications.
3. Preparation of construction cost estimates and contract time memorandum.

4. Utility coordination services.
5. Preparation of applicable permit applications and supporting information.

Funding for the design of the roundabout project is identified and provided within the FY22 Transportation Fund.

Staff recommended that the City Commission authorize the appropriate City officials to execute the Task Authorization for the Five Points Roundabout project in the not to exceed amount of $225,000.00.

A project location map and concept are included in the agenda packet.

Shawn Sherrouse presented this item.

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

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

Ryan Lazenby review the project. The feasibility study was done in 2018. Public Works closed the 5th connection. The study to determine the roundabout would work. They were now ready to design. That will take 6-months. The intersection is failing today. This will also facilitate a roundabout access for the coming park.

The Commission discussed:
- The railroad underpass
- The Bonnet Springs Development traffic study which showed the need for signal modifications and a right bound turn lane.
- Bonnet Springs would need an event management plan.
- Creating a tunnel for bike/pedestrians. There was 60+ bike/ped using that vehicle tunnel now. That demand will increase when the park opens.
- The tunnel was added to the Polk Rail Study 10 years ago. When FDOT reestablishes the project list would be the time to lobby for support. The cost then was $1.5 Million.
- When Moorhead was at its height, the only way past the railroad was over the tracks. The underpass was the solution at that time.
- George Jenkins on the other side of the tracks is also a failing road
- The $1.5 Million was for a bike/pedestrian tunnel and would not accommodate vehicles. Vehicles would require digging down and there is a significant gas line in the area.

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

**Verbal Reports**

1. Summit Broadband Partners: The City has received the first transfer of funds from Summit. There will be an update scheduled soon. They have signed on some customers. They are ready to begin marketing and planning.
2. Build It Roundtable: Tonight is the Build It Roundtable at the Magnolia Building from 5:30 - 7:30 p.m.

## CITY ATTORNEY

**Ordinances (First Reading) – None**

**Resolutions**

**Resolution 5728; Proposed 21-083; Authorizing the Execution of a Locally Funded Agreement with the FDOT for the Tradeport Boulevard Alternative Corridor Evaluation**

> A RESOLUTION RELATING TO TRANSPORTATION; MAKING FINDINGS; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A LOCALLY-FUNDED AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF LAKELAND FOR A TRADEPORT BOULEVARD ALTERNATIVE CORRIDOR EVALUTION; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

**Motion: Commissioner Bill Read 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 Phillip Walker, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.**

**Miscellaneous Reports**

* **Waiver of 5:01 p.m. Hearing Requirement**

During the month of December, the Community & Economic Development Department will be presenting the Commission with a Text Amendment to the Lakeland Comprehensive Plan which will require at least one hearing after 5:00 p.m.

Staff requested that the Commission waive the statutory requirement that at least one of the hearings on these matters be held after 5:00 p.m.

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

**Memo re: Task Authorization with Kamminga & Roodvoets, Inc. for Construction Services for the English Oaks Force Main Phase III - Section 4 (Airport Rd.) Project**

This proposed Construction Task Authorization with Kamminga & Roodvoets, Inc. was for construction services for English Oaks Force Main Phase III – Section 4 (Airport Rd.). Section 4 will involve the installation of a new 16-inch PVC force main along Airport Road from Carillon Boulevard south to Drane Field Road. This new line will re-direct a few existing customers, while also increasing capacity in the existing Polk Parkway force main.

Water Utilities pre-qualified seven (7) contractors to participate in bidding for the six (6) sections of the English Oaks Force Main Project. City of Lakeland Purchasing issued Invitation to Bid No. 1284 to procure the services of one of these prequalified and experienced contractors to perform the work for Section 4. The following three (3) responses were received:

| Company | Location | Evaluated Cost |
|---|---|---|
| Kamminga & Roodvoets, Inc. | Tampa, FL | $ 1,087,680.00 |
| Killebrew, Inc | Lakeland, FL | $ 1,096,750.00 |
| Felix Associated of Florida, Inc | Stuart, FL | $ 1,648,330.00 |

City staff, as well as Chastain-Skillman, Inc., evaluated the bids and determined that Kamminga & Roodvoets, Inc. was the lowest responsive, responsible bidder. The City's local preference ordinance does not apply to this bid because of the use of State funds. Accordingly, a Notice of Intent to Award to Kamminga & Roodvoets was sent out on November 3, 2021.

Kamminga & Roodvoets will perform all construction services for this project for the total sum of $1,087,680.00 and in accordance with the terms and conditions of the original pre-qualification agreement (RFQ No. 7363) and this bid (ITB No. 1284). The work is expected to start as soon as possible and to be completed in late 2022. Project costs will be funded through a loan agreement with the Florida Department of Environmental Protection State Revolving Fund.

Staff recommended that the City Commission approve and authorize the appropriate City officials to execute the Construction Task Authorization with Kamminga & Roodvoets, Inc. for the English Oaks Phase III – Section 4 Force Main Project.

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

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

Robby Kniss displayed a drawing and gave a brief review of the project.

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

## FINANCE DIRECTOR

* **Appropriation and Increase in Estimated Revenues – American Rescue Plan Act Fund and General Fund**

WebEOC is a crisis management software system utilized by organizations to implement emergency management processes during emergency incidents. The platform provides a central "common picture" of the incident by customized dashboards, task tracking, resource management, communication, and mapping tools. This tool is also utilized by the Florida Department of Emergency Management for the management of incidents state-wide.

WebEOC will allow the City of Lakeland staff to coordinate response efforts through the consolidation of individual departments under one platform, providing seamless management of emergency exercises, incidents, or future health crisis's such as COVID-19. The cost of this software tool is $64,751 for a five-year contract and is applicable through the American Rescue Plan under "enhancement of public health data systems".

Staff requested that the City Commission authorize an appropriation and increase in estimated revenues of $64,751 from the American Rescue Plan to the General Fund, Emergency Operations Division, for the purchase of WebEOC.

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

* **Budget Carryover**

As the Finance Department closes one Fiscal Year and opens another, a list of carryover projects and supplemental appropriations is compiled and submitted for approval by the City Commission. Approval of the list will provide budgets for continuing projects which overlap Fiscal Years. The list is included in the agenda packet.

The Finance and the City Manager's Office has approved the following list of carryover accounts / projects. The balances are preliminary and will be finalized after all year-end accounting adjustments are posted.

Staff requested that estimated revenues be also increased where applicable and that funding for the accounts / projects as listed be appropriated retroactive to October 1, 2021.

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

* **Appropriation and Increase in Estimated Revenue – Various Funds for FY 2021**

Throughout the fiscal year, the City receives various donations from private individuals that are designated for expenditure on specific projects or operating expenses, at the donor's request. These donations are not included in the original operating budget of the City, because the dollar value cannot be anticipated. The City also receives reimbursement for certain types of expenses - most notably the reimbursement for overtime duties performed by Lakeland Police Officers. These reimbursements and the associated expenses are not included in the original operating budget of the City, because they cannot be forecasted accurately.

The budgeting practice adopted by the City for these transactions is to present these donations and expenses reimbursements to the City Commission semi-annually, at which time the operating budgets are amended accordingly. The list is included in the agenda packet.

Staff requested that the City Commission authorize an increase in estimated revenue and matching appropriation to the various operating budgets of the City as required based on the listing of donations and expense reimbursements received for the six-month period April 1, 2021 through September 30, 2021.

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

**UTILITY**

**Ordinances – None**

**Resolutions**

**Resolution 5729; Proposed 21-084; Authorizing the Issuance of City of Lakeland, Florida Energy System Revenue Bonds, Series 2021, in an Aggregate Principal Amount Not to Exceed $175,000,000 to Finance the Acquisition of Power Generators to be Located at the C.D. McIntosh Jr. Power Plant and Other Capital for the City's Electric System**

A RESOLUTION RELATING TO TRANSPORTATION; MAKING FINDINGS; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A LOCALLY-FUNDED AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF LAKELAND FOR A TRADEPORT BOULEVARD ALTERNATIVE CORRIDOR EVALUTION; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

**Motion: Commissioner Phillip Walker 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 Chad McLeod, Bill Read, Stephanie Madden, Sara McCarley, Mike Musick, Phillip Walker, and Mayor Bill Mutz voted aye. Ayes – seven. Nays – zero. The motion carried unanimously.**

**Miscellaneous**

**Memo re: Agreement with Oracle America, Inc. for Lakeland Electric's Utilities Meter Data Management Application Upgrade**

This proposed Agreement with Oracle America, Inc. (Oracle) was for Lakeland Electric Utilities Meter Data Management (MDM) Application Upgrade. The MDM Application Upgrade is necessary to maintain operational continuity by providing Customer Billing data and Electric and Water Customer Web Portal data. An upgrade is required because Premier level support for the current MDM version ends in March 2022. The Oracle MDM Application Upgrade is the only way to preserve historical data access and is also the most cost-effective option for converting current data. A transition to Oracle Utilities Meter Solution Cloud Service (MSCS) will accomplish the MDM Upgrade. MSCS will provide the City with Meter Data Management, Advanced Analytics, Service Order Management and Information Lifecycle Management.

The City's Purchasing Department has approved Oracle as the sole source supplier for this application. Upon approval by the City Commission, staff will issue a purchase order to Oracle. The MSCS subscription will begin January 1, 2022 and will continue for a period of five (5) years. Lakeland Electric staff, in conjunction with the Purchasing Department, will issue a Request for Proposal to engage a qualified systems integrator to implement the Oracle Utilities MCSC and integrate it with other applications. The transition is anticipated to be completed by the end of December 2022.

The terms and conditions set forth in this Agreement and the Oracle Order Document dated October 25, 2021, will govern the MSCS purchase. The total cost of the 5-year Agreement is $1,873,411.60, which will be paid quarterly in arrears starting with the third quarter of FY22. The Lakeland Electric FY22 budget includes $187,314.16 to be paid toward the contract obligation. The remainder of the cost will be disbursed in FY23-FY27, subject to budget approval by the City Commission.

Staff recommended that the City Commission approve this Agreement with Oracle to acquire Oracle MSCS and authorize the appropriate City officials to execute all corresponding documents with Oracle for the MDM Application Upgrade.

Palmer Davis presented this item.

**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.

James Moore, Smart Grid System Manager, gave an overview for the Commission. The software replaces our incumbent provider which is the system of record for all smart meter data. This allows customers to review their historical usage. The city uses it internally for engineering where they need fine data. The City of Lakeland owns the data. It is stored in a proprietary format. The agreement allows continued access to the older version storage. That saves us from transitioning the data to another data model. Staff has made the comparisons and the price is inline. The data is secure. Oracle's reputation is on the line for the security of the City's data.

Kevin Williams, a former Oracle employee, advised the City would benefit by making their own platform and encrypting it themselves. The citizens information is at risk on the cloud.

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

**Memo re: Authority to Enter into an Agreement with Florida Municipal Power Authority for Permanent Release of Transcontinental Gas Pipeline Capacity to Transport Natural Gas**

This was a request to authorize Lakeland Electric's Fuels Manager to enter into a Permanent Capacity Release Agreement (Agreement) with the Florida Municipal Power Authority (FMPA) for the daily purchase of 5,800 MMBtus of Transcontinental Gas Pipeline (Transco) capacity. This Agreement with FMPA will grant the City all rights to this capacity to transport natural gas through April 30, 2026. In addition, by acquiring this permanent capacity with FMPA, Lakeland Electric will be able to enter into a separate service agreement directly with Transco prior to the April 30, 2026 expiration of the Agreement with FMPA.

Since the occurrence of the February 2021 extreme cold weather event, the Florida Reliability Coordinating Council and North American Electric Reliability Corporation have instructed utilities to develop a winter weatherization plan to ensure reliable gas transportation in the event of extreme cold weather. As a risk mitigation strategy, Lakeland Electric has determined that owning Transco capacity enables Lakeland Electric to flow natural gas to the Gulfstream and Florida Gas Transmission (FGT) pipelines. In addition, Transco capacity provides for the natural gas supply to be closer to the Florida border and further ensures firm delivery of natural gas from other areas of the country.

On September 20, 2021, the City Commission authorized the daily purchase of 10,000 MMBtus of prepaid natural gas at a $0.24 cent discount with the City of Clearwater or the City of Leesburg. The first contract for the purchase has now been executed with the City of Leesburg for 4,200 MMBtus per day on the FGT pipeline. The prepaid purchase of the daily 5,800 MMBtus of natural gas with the City of Leesburg is expected to occur around November 15, 2021. The City Commission has already granted approval of that purchase subject to final review by the City Attorney's Office. However, for Lakeland Electric to use the Transco pipeline point rather than the FGT point, the City is required to purchase Transco capacity.

Since FMPA's capacity on the Transco pipeline expires April 30, 2026, the 5,800 MMBtus purchased pursuant to the City of Leesburg prepaid contract is also for an initial term of five (5) years. As such, it is essential that the City own the Transco capacity through a permanent release. Without owning the Transco capacity, there is a risk that FMPA would not renew its capacity agreement with Transco and then the City would be obligated to purchase natural gas from the City of Leesburg that it could not deliver to the McIntosh Plant. The cost of the capacity for the daily 5,800 MMBtus of natural gas with Transco is $208,059 per year for a total cost of $917,739 through the April 30, 2026 term of the Agreement with FMPA. The cost for purchase of the increased capacity on the Transco pipeline will be funded through an appropriation to Lakeland Electric's fuel budget that will be presented to the City Commission in August 2022.

Staff recommended that the City Commission approve and authorize Lakeland Electric's Fuels Manager to enter into an Agreement with FMPA for Transco pipeline permanent capacity and authorize the appropriate City staff to execute all documents related to the transaction for natural gas transport.

Palmer Davis presented this item.

**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.**

**AUDIENCE**

Katie Burns spoke for the unborn.

Jerry Kimmel spoke about Solomon and against abortion.

Eileen Sawyer spoke against a desire to ban abortions in Lakeland.

Carol Odeese spoke against abortions in Lakeland.

Kevin Williams spoke about suggestions he emailed to the Commission
1. The heartbeat law
2. They coerce women to have the abortion and do not consider the fathers' rights. Patients should be permitted to sue the clinic.
3. Clarify the executive order in action that folks have the right to pray in public places. He wanted the City to adopt all three of these items.

## MAYOR AND MEMBERS OF THE CITY COMMISSION

### Establish Compensation of City Manager and City Attorney

Historical Compensation Information & Starting Considerations:

| | |
|---|---|
| City Manager: | |
| Former City Manager final pay was | $214,000 |
| Current Compensation | $196,000 |
| 1.5% ATB and 2.5% merit increase applied: | $203,840 |
| | |
| City Attorney: | |
| Former City Attorney final pay was: | $222,000 |
| Current Compensation | $165,000 |
| One-time incremental step up of $25,000 | $190,000 |

Mayor Bill Mutz reviewed what was presented Friday.

**Motion: Commissioner Phillip Walker moved to approve the increases as presented retroactive to October 1, 2021. Commissioner Sara McCarley seconded.**

Mayor Bill Mutz asked for comments from the Commission.

Commissioner Mike Musick pointed out this comes off the heels of the Commission just evaluating both employees.

Commissioner Chad McLeod thanked HR for the data on other cities' city attorney salaries. This increase was competitive but not at the top. He thought Palmer Davis has done an exceptional job.

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

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

Commissioner Stephanie Madden announced she was happy to have the privilege to serve another term. It is interesting to watch the debates in this job. One interesting debate was the confederate monument. She was one who didn't know it was a confederate monument. She enjoys talking with citizens about local vendor preference policy, clay courts at the City of Lakeland's tennis courts, and Broadband. She was moved by the request that Lakeland become a sanctuary city from abortions. She thought people may be changing their minds on this issue. She thought it was something the Commission should discuss. She has asked the City Attorney to look at the ordinances being used in Texas. She would be curious to hear from citizens on this subject and asked that they email her.

Commissioner Chad McLeod asked to hear from the City Attorney about the legal ramifications. That should be part of the discussion.

Palmer Davis: the focus for this body should be the role of local government. Abortion is a lawful procedure protected by the Supreme Court. It is a lawful procedure in the State of Florida. He did not think the City could succeed in banning it. He did not think the City was in a strong position to ban abortions in the City. The City has not banned adult uses but rather imposed separation requirements.

Commissioner Phillip Walker questioned the role of local government. The abortion question was being debated at the State and Federal government levels. He was not interested in putting the City in a bad position where they find themselves challenged in court or not having legal standing. The issue would not be resolved for some time at the Federal level.

Mayor Bill Mutz: for us to engage in this effectively, we probably would want to monitor progress in the courts before we consider moving forward at all.

Palmer Davis: the Florida Constitution also has a specific right to privacy law that is not in the Federal constitution.

Commissioner Chad McLeod thought it was important for the City to show restraint and not pass laws in opposition to State and Federal laws.

Commissioner Bill Read: there are some very large issues that have already been decided for us. He did not have an appetite to address these issues until the Supreme court changes their ruling.

Commissioner Phillip Walker: there is State legislation being brought forward in Florida right now.

Commissioner Stephanie Madden: Texas said this formed from grass root efforts at the local level.

Commissioner Sara McCarley: single issue voters can have a ripple effect and keep us from getting other important day to day work finished.

Commissioner Phillip Walker: Happy Thanksgiving.

**CALL FOR ADJOURNMENT - 11:18 a.m.**

H. William Mutz, Mayor

Kelly S. Koos, City Clerk

CITY OF LAKELAND, FLORIDA
INCORPORATED
JAN. 1. 1885