LAKELAND CITY COMMISSION

Regular Session
October 21, 2024

The Lakeland City Commission met for the Regular Session in the City Commission Chambers. Mayor Bill Mutz and Commissioners Stephanie Madden, Sara Roberts McCarley, Mike Musick, and Guy LaLonde were present. Commissioners Chad McLeod and Bill Read were absent.

CALL TO ORDER - 9:00 A.M.

PRESENTATIONS

Lakeland Business Resource Office: Connecting Development Dots for Entrepreneurship, Commerce and Prosperity (Brian Rewis, Community & Economic Development Director & Kevin Lovelace, Economic Development Specialist)

PROCLAMATIONS

World Polio Day

Mayor Bill Mutz explained that after Committee Reports the Commission will hear from the public concerning flooding. Each speaker will have 3 minutes each to speak.

COMMITTEE REPORTS AND RELATED ITEMS

Municipal Boards & Committees 10/18/24

Commissioner Stephanie Madden presented this report.

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

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

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

Real Estate & Transportation Committee

Commissioner Mike Musick presented this report to the Commission.

Lease Agreement with Kingsky Flight Academy, LLC

Kingsky, a Florida based company that specializes in private pilot training, has been a tenant at the Airport for approximately nine (9) years. Kingsky is now seeking to enter a new lease to use 710 square feet of office space located at 2949 Airside Center Drive.

The initial term of the Lease is for a period five (5) years, with an effective date of October 21, 2024, subject to City Commission approval. Pursuant to the Lease, Kingsky will pay base rent in the amount of $1,425.91 per month or $17,110.92 ($24.10 per square foot) annually for the first year of the Lease, which is consistent with existing rental rates for that specific area of the Airport. Thereafter, the Lease will be subject to an annual increase of 2.5%. The monthly base rent includes utilities, but does not include any applicable taxes, which Kingsky will be required to pay in addition to the base rent.
As a condition of the Lease, Kingsky will be required to be the Flight Training Provider selected by and for Polk State College. If at any time during the Lease term Kingsky is no longer the Flight Training Provider for Polk State College, then the City reserves the right to terminate the Lease upon thirty (30) days prior written notice to Kingsky.

Staff recommended that the City Commission approve this Lease with Kingsky and authorize the appropriate City officials to finalize and execute all corresponding documents consistent with the above-specified terms.

Motion: Commissioner Sara Roberts 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.

Assistant Airport Director Adam Lunz spoke about the flight schools. They bring a lot of traffic to the airport. Traffic was down while Polk State was switching providers. Staff expected to see the numbers pick back up.

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

Second Modification of Land Lease Agreement with Xavier Aviation, LLC.

This was the Second Modification of the Land Lease Agreement (Second Modification) with Xavier Aviation, LLC. On April 3, 2017, the City Commission approved a Long-Term Ground Lease (Lease) with MK Homes Limited as the original lessee, which leased approximately 2.30 acres for office and hangar space located at 3240 Airfield Drive East on the north side of the Airport. On May 16, 2019, through an Assignment, Assumption, and Consent Agreement, the Lease was subsequently assigned to Xavier Aviation, LLC.

Pursuant to this Second Modification, Xavier Aviation, LLC is seeking to extend the term of the Lease for an additional ten (10) year period beyond the current expiration date of March 31, 2047. Except as otherwise set forth in this Second Modification, all terms and conditions of the Lease and First Modification of the Land Lease Agreement shall remain in full force and effect.

Staff recommended that the City Commission approve the Second Modification to extend the lease term and adjust the base rent with Xavier Aviation, LLC and authorize the appropriate City officials to finalize and execute all corresponding documents consistent with the above-specified terms.

Motion: Commissioner Sara Roberts 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.

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 Mike Musick moved to approve the Consent Agenda. Commissioner Sara Roberts McCarley 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 – Oct. 4, 2024
- ∗ City Commission Minutes – Oct. 4-7, 2024

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC

Residents of Lake Bonny re: flooding:

Michael Williams is a resident of the Lake Bonny neighborhood. The water is 130 ft into his property. His garage, a/c, and pool pump are flooded. He asked the City to improve the pumping from Lake Bonney to Lake Parker. The pump is inadequate.

Michael Coker of Longfellow Blvd. has lived there 50 years. There was water under his building since early September. He thought the pump needed to be maintained. It is not working at its best. The drainage canal is also full of trash which is restricting the water flow. The residents need help.

Pamela Smith lives at Lake Bonny Dr East. It is 113 ft from her back door to her dock. The lake is in front of her house. Her home is uninhabitable. Her home is not located in a flood zone. The pump is not working. The pump is unlocked. She submitted photos to the Commission, which are on file.

Terry Mullis lives at 564 Lake Bonny Dr E. They have had some flooding in the past but this time the neighborhood is a lake. After the storm the water continued to rise. It has just recently started to recede. They have flood insurance. He asked that the City coordinate with the County. This should not have happened.

Diana Hoagland lives on Lake Bonny Drive. The water is under her home. The water continued to rise for 6 days. She watched the water rise. They have been asking for help all summer.

Misty Wells lives at 567 Lake Bonny Dr E. She has had water in her house since August. The water is 6 inches up the wall of her home. 5,000 gallons per minute has not been moving out of that canal. She is homeless and living out of a camper in Auburndale. She submitted photos to the Commission which are on file.

Sandra Hackney lives at 425 Longfellow Blvd. She did not believe the pump has been pumping 5,000 gallons of water a day. She had water and alligators swimming where she parks her car. She lives by the canal and the water is not moving.

Layman Hackney explained the City can prove what that pump is running with a flow meter. He wanted a dye test. No one has checked to see if the pipe is stopped up.

Gina Tullio lives on Lake Bonny Dr W. Your empathy is not helping us fix this problem. Has the City reached out to experts to get an idea of what caused the problem and how to solve the issue? She had a problem with the transparency. She wanted to know when action was going to be taken. She asked when a ratchet strap was placed on that pump. The City is forcing gentrification in this area. Is the City going to help people rebuild or find new homes? The Commission needs to start a fund to help these residents.

Bryce Hazelwood lives on Crystal Lake Dr. His condo unit is flooded. He asked about the funding of SWFTMD. He did not think SWFTMD nor the City received enough appropriated funds. Not enough money is going to water management

Leonevil Petit-Homme explained his house is flooded. Pumping his septic tank did not help.

David Beck lives at 41 Bonny Shores Dr. The bottom line is there are hundreds of people in trouble who have no home and their property is flooded. They needed the City to step in and cure this problem. We do not need words. We need action. How do we get that? They needed the City to step in and make something happen.

Mayor Bill Mutz recommended they all attend the County Commission meeting tomorrow. There are other parties that need to be involved in this decision.

Marlon Lynn lives at 1329 Lake Bonney Dr W. He had no damage or flooding. He asked the City to act heroically on behalf of the citizens. Now is the time to use your skill to help the citizens. This event was an engineering failure. The citizens were not warned that the City's system would be overwhelmed. Many of the property owners do not have flood insurance. The system predictably failed over several months not suddenly over two days.

Emily Burnett lives at 1212 Sunset Ave. The lake was higher than ever a month before Milton. She was lucky that it did not get into their home at first. The floors are warped. Their septic tank is not working. The water is too deep on the street to get her car out of the garage. They desperately need help. They are not in a flood zone. They do not have flood insurance. If it happened once, it would happen again. This is a manmade problem.

Brittney Dickey lives at 361 Lake Bonney Dr E. Her whole home flooded. The morning after the hurricane she went out to check out the City. She does not think City staff took a moment to evaluate the situation. The pump does not have a meter. The lake has continued to rise all summer. The pump is not pumping 5,000 gallons per minute.

David Dickey explained the lake was low earlier this summer. By August the water was up to the end of the street. The canal has been neglected. They have reported it to the County and no one has responded. The water never started going down until Jennifer Canaday stood on the street. The pump needs some attention. He thought the pump was obstructed again. If the pump had been running since August 5th their house would not have flooded. We need a way to make the Lake Bonny citizens whole at their addresses.

Michael Chad Smith lives at 539 Lake Bonney Dr E. Nothing was going out of Lake Bonny. Water is coming in. Previous hurricanes gave you enough data to know how to respond. The City should have known there would be a catastrophic flood to the area. There is no way they are pumping 5,000 gallons per minute. Someone should be stationed at that pump. This is the only thing the City has to help them. He wanted the maintenance records on the pump. When it was installed and how often it was maintained. He wanted data. The City did a fantastic job responding to the storm besides Lake Bonny.

Commissioner Stephanie Madden: There has been strategies discussed but the City cannot act alone. They have to work with their partners. She then finished Brittney Dickey's comments: Can you prove the pump has been fully operational? What systems will you put in place to insure this never happens again?

Commissioner Mike Musick: When he first moved here the first house he rented was on Longfellow. In 1999, he lost his home to a fire and they lost everything. He understood the loss. His dad always said talk is cheap. The things he can do are small because it is not just Lakeland that can handle Lake Bonny. We must get the County and others together. The Commission is here and on the citizens' side. There are things limiting the City's response. We will insist on an answer.

Commissioner Sara Roberts McCarley: We are all devastated on your behalf. She is so sorry for their loss. We are sick over this. If we had the levers to pull, this would have been fixed in August. We must work with these other entities. We are working behind the scenes. We have not forgotten you. We are trying to get everyone to work together It is a complete mess we do not want to happen again. She does not want another building or neighborhood to go through this again. This is a failure of an infrastructure system. It is not sexy but when it does not work it is catastrophic. She felt the data about where we were and where we are going is important. She is excited for the residents to also talk to the County. She was thankful that everyone came to speak today. She was apologetic and so very sorry this happened.

Mayor Bill Mutz: We all are sorry this happened. We are supportive of the citizens. The citizens need to go to the meeting tomorrow at 9 a.m. The City wants to fix this. SWFTMD wants to work to solve the problem. This is a more drastic solution than Lakeland can do. We must get the lake down. Our goal is to accomplish that. The City's Lakes staff is a conscientious group who care about the lakes and the community. He did not want to point at staff, he wanted to point to solutions in multi jurisdictions. We need people to hear how devastating this has been. The meeting tomorrow with the County is very important.

Commissioner Stephanie Madden: We thought we had a solution on Friday. We must have approval from CSX.

Commissioner Guy LaLonde thanked everyone for taking the time to come to the meeting. He encouraged everyone to attend the County meeting tomorrow. He assured them that the City Manager has been working to find a solution.

Commissioner Mike Musick planned to reschedule his calendar tomorrow to go to the County Commission meeting.

City Manager Shawn Sherrouse explained the next County Commission meeting is November 5. It is not tomorrow. That is not to say that they cannot communicate to the County Commission in another way.

Commissioner Mike Musick: The people here will leave feeling like they have been heard but nothing will have changed at home. How do we get these people heard at the County level?

Mayor Bill Mutz asked for today to vet with the County about how to move forward. We will communicate back out the progress we make. We will look for an evening meeting. He preferred to reach an agreement without another meeting. Please know that we care. Our City Manager has done an excellent job trying to reach a solution.

Shawn Sherrouse acknowledged that what the citizens are going through is agonizing and City staff agonizes with you. Many of us are lifelong residents. The City only has 2 levers:

1. The pump. It has been pumping. It is not pumping at its max because of the system it is pumping into. He has been boots on the ground. He asked staff how we can ensure the water is flowing through the culverts. He stood on the shore of Lake Parker and observed the flow. That pump system is Lakeland's only control. We had staff all weekend, four times a day, checking the pump to make sure it was not clogged and was operating.
2. Advocacy. He has been on the phone and in meetings around the clock trying to find a solution. Unfortunately, those options require the agreement of multiple agencies, many at a higher level than the City of Lakeland. There are not many options. We are continuing to advocate for what options there are. We must have their agreement to move forward with the one solution they have. It was his strong recommendation not to go into details because those get complicated and are at the control of those partners. He has been reluctant to build false hope. Lastly, your City staff agonizes with you whether you believe or realize that or not. They are trying to do the best they can with what they have.

Mayor Bill Mutz: The absence of what you have heard from him is him trying to stay in the background and let staff work. We were on the phone at 11 p.m. last night. We are working to resolve the issue.

Commissioner Mike Musick hoped everyone had an appreciation for what the city is doing. He hoped that when they leave, they at least feel they have been heard. He asked Shawn Sherrouse what recommendation he would give them for next steps.

Shawn Sherrouse: Do not give up. They can reach out to their County Commission even though there is no meeting tomorrow. He will ask the County Manager for a joint evening meeting within a few days.

Commissioner Stephanie Madden encouraged the residents to call the County Commission and ask them to watch this meeting. Your attendance today is half the battle. Just keep making noise and keep sharing the video of this meeting.

Commissioner Mike Musick: Residents are angry, and he wanted to help them take that anger and frustration and focus it. Kevin Cook is awesome and his job is to take the information given to him and put it out. Do not shoot the messenger. Do not let your anger pull you back.

Mayor Bill Mutz apologized for the speaker time change. When there are a lot of public comments, we often limit the time to 3 minutes to get everyone heard. We are in this with you.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 6064; Proposed 24-050; Modification to PUD Zoning to Amend the Boundaries of the Mass Market PUD to Include Property Located at 802 N. Massachusetts Avenue and Parcels Located on N. Kentucky Avenue and N. Tennessee Avenue, North and South of Plum Street; Changing the Permitted Uses within the PUD from C-2 (Highway Commercial) to C-1 (Pedestrian Commercial) and Recognizing Certain Non-Conforming Uses (1st Rdg. 10-07-2024)

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 5558 TO PROVIDE FOR A MODIFICATION TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO AMEND THE BOUNDARIES OF THE PUD TO INCLUDE PROPERTY LOCATED AT 802 N. MASSACHUSETTS AVENUE AND PARCELS LOCATED ON N. KENTUCKY AVENUE AND N. TENNESSEE AVENUE, NORTH AND SOUTH OF PLUM STREET; CHANGING THE PERMITTED USES WITHIN THE PUD FROM C-2 (HIGHWAY COMMERCIAL) TO C-1 (PEDESTRIAN COMMERCIAL) AND RECOGNIZING CERTAIN NON-CONFORMING USES; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Sara Roberts 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 Guy LaLonde, Sara Roberts McCarley, Stephanie Madden, and Mayor Bill Mutz voted aye. Ayes-four. Nays-zero. The motion carried unanimously. Commissioner Mike Musick was absent at this time.

The next two ordinances were related to the same project.

Ordinance 6065; Proposed 24-051; Change in Zoning from RA-4 (Single-Family Residential) to O-1 (Low Impact Office) on Approximately 0.15 Acres Located at 1149 Parkhurst Avenue (1st Rdg. 10-07-24)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM RA-4 (SINGLE-FAMILY RESIDENTIAL) TO O-1 (LOW IMPACT OFFICE) ON APPROXIMATELY 0.15 ACRES LOCATED AT 1149 PARKHURST AVENUE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Sara Roberts 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 from the audience.

Commissioner Guy LaLonde declared a conflict and recused himself from this vote.

Urban Planning and Transportation Manager Chuck Barmby gave a brief presentation including the conditions for the Conditional Use.

Action: Upon roll call vote Commissioners Stephanie Madden, Sara Roberts McCarley, Mike Musick, and Mayor Bill Mutz voted aye. Ayes – four. Nays – zero. The motion carried unanimously, 4-0.

Ordinance 6066; Proposed 24-052; Approving a Conditional Use to Allow for a Group Home, Level 1, to Provide Communal Housing for Veterans on Approximately 0.15 Acres Located at 1149 Parkhurst Avenue (1st Rdg. 10-07-24)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW A GROUP HOME, LEVEL 1, ON APPROXIMATELY 0.15 ACRES LOCATED AT 1149 PARKHURST AVENUE IN ORDER TO PROVIDE COMMUNAL HOUSING FOR VETERANS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Sara Roberts 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.

Palmer Davis explained that Commissioner Guy LaLonde's conflict applied to this ordinance too.

Action: Upon roll call vote Commissioners Stephanie Madden, Sara Roberts McCarley, Mike Musick, and Mayor Bill Mutz voted aye. Ayes – four. Nays – zero. The motion carried unanimously, 4-0.

Ordinance 6067; Proposed 24-053; Small Scale Amendment #LUS24-005 to the Future Land Use Map to Change Future Land Use Designation from Business Park (BP) to Neighborhood Activity Center (NAC) on Approximately 7.97 Acres Generally Located North of W. Pipkin Road and East of Airside Center Drive (1st Rdg. 10-07-24)

> AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS24-005 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 BUSINESS PARK (BP) TO NEIGHBORHOOD ACTIVITY CENTER (NAC) ON APPROXIMATELY 7.97 ACRES GENERALLY LOCATED NORTH OF W. PIPKIN ROAD AND EAST OF AIRSIDE CENTER DRIVE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Sara Roberts 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 Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, and Mayor Bill Mutz voted aye. Ayes-five. Nays-zero. The motion carried unanimously.

Ordinance 6068; Proposed 24-054; Amending Ordinance 5658; Major Modification of PUD Zoning to Incorporate Additional Acreage and Allow for a Mix of Office, Commercial and Industrial Uses on Approximately 127.38 Acres; Change to Context District from Suburban Special Purpose (SSP) to Suburban Center (SCT) on Approximately 7.97 Acres (Parcel A1) Generally Located North of W. Pipkin Road and East of Airside Center Drive (1st Rdg. 10-07-2024)

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 5658; PROVIDING FOR A CHANGE IN ZONING FROM I-2 (MEDIUM INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) ZONING

ON APPROXIMATELY 65.50 ACRES, THE APPLICATION OF PUD ZONING ON APPROXIMATELY 16.9 ACRES, AND A MODIFICATION TO PUD ZONING IN ORDER TO INCORPORATE ADDITIONAL ACREAGE AND ALLOW FOR A MIX OF OFFICE, COMMERCIAL AND INDUSTRIAL USES ON APPROXIMATELY 127.38 ACRES GENERALLY LOCATED NORTH OF W. PIPKIN ROAD AND EAST OF AIRSIDE CENTER DRIVE; CHANGING THE CONTEXT SUB-DISTRICT ON APPROXIMATELY 7.97 ACRES OF SAID PROPERTY TO SUBURBAN CENTER (SCT); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Chuck Barmby gave a brief presentation.

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

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

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

Resolutions

Resolution 5949; Proposed 24-074; Approving the Transfer of Portions of N. Wabash Avenue between Polk County and the City of Lakeland

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO TRANSPORTATION; APPROVING THE TRANSFER OF JURISDICTIONAL AUTHORITY OVER A PORTION OF N. WABASH AVENUE FROM POLK COUNTY TO THE CITY OF LAKELAND; APPROVING THE TRANSFER OF PROPERTY INTERESTS FROM THE CITY OF LAKELAND TO POLK COUNTY FOR A PORTION OF N. WABASH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Sara Roberts McCarley moved to approve the resolution. 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 Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, and Mayor Bill Mutz voted aye. Ayes-five. Nays-zero. The motion carried unanimously.

Resolution 5950; Proposed 24-075; Authorizing the Execution of a Grant Agreement with the Florida Department of Transportation for Financial Project No. 455570-1-94-01 to Add State Funding for the Terminal Area Master Plan at Lakeland Linder International Airport

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE FUNDING FOR THE TERMINAL AREA MASTER PLAN AT LAKELAND LINDER INTERNATIONAL AIRPORT; ADOPTING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Sara Roberts 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 Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, and Mayor Bill Mutz voted aye. Ayes-five. Nays-zero. The motion carried unanimously.

COMMUNITY REDEVELOPMENT AGENCY – None

CITY MANAGER

Task Authorization with AtkinsRealis USA, Inc. for Development of a Terminal Area Master Plan at Lakeland Linder International Airport

Staff seeks approval to enter a Task Authorization with AtkinsRealis USA, Inc. (Atkins) for the development of a Terminal Area Master Plan at Lakeland Linder International Airport (LLIA). This Task Authorization will follow the terms and conditions of the City's Continuing Contract for Professional Municipal Engineering Services pursuant to Request for Qualifications (RFQ) No. 1189 from qualified firms under the guidelines set forth in the Consultants Competitive Negotiations Act (CCNA).

The proposed Task Authorization outlines the scope of work for the Terminal Area Master Plan. The plan will focus on the short-, medium-, and long-term development (up to 20 years) of the terminal area including the potential future development of a commercial passenger terminal, improvements to landside access, parking, ancillary facilities, and airside enhancements to the terminal apron, taxiways, and runways. Additionally, the plan will include an analysis of interior space requirements and determine planning activity levels that would trigger phased terminal expansion. The total cost of this Task Authorization is $488,144.00. The Federal Aviation Administration (FAA) will fund 90% of project costs, up to a maximum of $439,330. The remaining 10% will be split between the Florida Department of Transportation (FDOT) and the City, with each contributing $24,407, or 5% of the total cost.

Staff recommended the City Commission approve this Task Authorization with Atkins to complete the Terminal Area Master Plan at LLIA and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Shawn Sherrouse presented this item to the Commission.

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

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

The Commission discussed AtkinsRealis USA, Inc.'s role in the process. An internal advisory panel will be formed from the stakeholders. They will consider the space at the airport and their needs. They will set square footage requirements. AtkinsRealis will present six initial designs, which the panel will then narrow that down to three and then choose a preferred alternative. This process will begin to mold the commercial serve section of the airport.

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

- **Recommendation re: Approval of Purchase Order to Optiv Security, Inc. for One-year Subscription of Proofpoint Spam and Malware Protection**

The City of Lakeland received a proposal for a one-year subscription renewal from Optiv Security, Inc. to continue the use of Proofpoint Spam and malware protection for our e-mail environment. The renewal will allow the continued filtering and protection from unsolicited and malicious e-mail messages.

Optiv Security, Inc. has been a trusted provider for Proofpoint products, providing excellent support and service. The City's Purchasing Division has approved GSA-47QSWA18D008F-Carahsoft contract as a piggyback. The total cost of the one-year subscription is $68,634.30 and will be funded from the Department of Information Technology's FY 2025 Operating Budget.

Staff recommended the City Commission approve the issuance of a Purchase Order to Optiv Security, Inc. in the amount of $68,634.30 for a one-year subscription of Proofpoint Spam and Malware Protection.

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

* **Recommendation re: Approval of Purchase Order to Mythics, LLC for One-Year Renewal of Oracle Exadata Support**

The City of Lakeland received a proposal for a one-year renewal from Mythics, LLC for the Oracle Exadata Database Machine. The Oracle Exadata currently runs our on-premises Oracle databases which contain the underlying data for major City applications, including Maximo, Oracle E-Business, Peoplesoft, GIS, Meter Data Management, and others. This is to maintain operating system and hardware support including patches/fixes, product enhancements, and defective hardware replacement.

This additional year of support will maintain our current database infrastructure while we look at future options for replacement.

The City's Purchasing Division has approved the renewal of the support services contract through Mythics, LLC under existing Contract - Region 4 (Omnia)/National IPA R190801 as a piggyback. The total cost of the one-year term is $88,371.07 and will be funded from by the FY2025 DoIT operating budget.

Staff recommended approval of the attached proposal with Mythics, LLC using OMNIA Partners contract pricing.

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

Verbal Report: Noise Abatement Procedures at the Airport

Adam Lunn presented on LLIA's noise abatement procedures. LLIA has been working on this issue for several years. Their Parkway Approach, coming in from the east, has been approved and published on October 3rd. The two new departure procedures were approved and will be published on October 31st. Staff will work to make sure planes are using these new patterns as much as possible.

CITY ATTORNEY

Ordinances (First Reading) - None

Miscellaneous

Community Housing Development Organization Agreement with M.L.J. Land Trust, Inc.

This agreement between the City and M.L.J. Land Trust, Inc. governed the terms and conditions of eligible Community Housing Development Organization (CHDO) projects related to the development of affordable housing in the City of Lakeland.

Federal regulations require the City to set aside at least 15 percent of its annual HOME entitlement for CHDOs to support affordable housing development. For the program years 2020-2023, the City Commission allocated these funds annually. This was done through the adoption of a One Year Action Plan for each year. This Agreement awards $450,000 in CHDO funding to M.L.J. Land Trust Inc. as a loan to construct two single-family homes for sale to low-income households. The homes will be constructed on two city-owned lots, located at 1039 Roselle Avenue and 2140 W. Lanier Street, which were awarded to M.L.J. Land Trust, Inc. through the infill land bank program. The initial term of the Agreement is effective upon approval by the City Commission and shall continue through eighteen (18) months from closing of loan.

M.L.J. Land Trust Inc. is a 501(C)(3) non-profit corporation established in 2020. It is certified by the City of Lakeland Housing Division as a CHDO and an affordable housing developer. The principals of M.L.J. Land Trust, Inc. have over 18 years of affordable housing development experience throughout Florida and the Southeast United States.

Staff recommended that City Commission approve this agreement and authorize the appropriate City officials to execute the Agreement with M.L.J. Land Trust, Inc.

Palmer Davis presented this item.

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

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

- The sale price of the homes, $175,000-$200,000.
- The City will subsidize to keep the price affordable.
- The City will continue to recycle the funding for additional homes as loans are repaid.

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

Agreement with CDW Government, LLC for Purchase of Microsoft Enterprise Software

This Agreement with CDW Government, LLC (CDW) was for the purchase of Microsoft Enterprise software. Pursuant to this Agreement, CDW, a Microsoft software reseller, will provide the City with all required Microsoft software licensing for users, computers, servers, as well as any existing installed Microsoft software. The City currently uses Microsoft Enterprise software for all workstations, laptops, servers and general business applications. The City's existing Microsoft Enterprise agreement with CDW is set to expire on October 31, 2024.

The City's Purchasing Department has approved CDW as the vendor to provide this software pursuant to CDW-G Contract 121923, by procuring the services through Sourcewell, a public entity that serves as a municipal contracting agency which enables cities and other government agencies to cooperatively procure equipment, products and services to receive volume purchasing price discounts.

The term of this Agreement will be effective November 1, 2024, subject to approval by the City Commission, and will continue for a three (3) year term. The yearly cost of the Microsoft Enterprise software and associated support services is $909,829.81, with a total three (3) year cost of $2,729,489.43. All terms/conditions for this purchase will be governed by CDW-G Contract #121923, the Addendum and corresponding Enterprise Agreement with Microsoft. The first year of associated costs for the Agreement is funded in the Department of Information Technology's FY25 budget. Funding for the remaining term will be subject to budget approval by the City Commission in subsequent budget years.

Staff recommended that the City Commission approve the purchase of Microsoft Enterprise Software with CDW and authorize the appropriate City officials to execute the Microsoft Enterprise Agreement and any corresponding documents for the purchase.

Deputy City Attorney Ramona Sirianni presented this item.

Motion: Commissioner Sara Roberts 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 4-0. Commissioner Guy LaLonde was absent at that time.

- **Agreement with Florida Department of Law Enforcement for Edward Byrne Memorial Justice Assistance Grant**

This Agreement with the Florida Department of Law Enforcement (FDLE) was for a grant award from the Edward Byrne Memorial Justice Assistance Grant Program. The FDLE administers and distributes federal funding from the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant Program to local law enforcement agencies throughout the State.

Under the Agreement, the FDLE will provide grant funding in the amount of $20,740 to be used by the Lakeland Police Department for Axon Equipment upgrades and emergency light synchronization systems. In January 2023, LPD began upfitting patrol vehicles with Axon Fleet 3 video systems. As the department's older vehicles are replaced with new vehicles, some video system parts are recovered from the old vehicles and reinstalled in the new vehicles, saving money. To reuse these components, the Axon Fleet video systems require the installation of Axon-specific “Refresh Kits” and antennas. The kits enable the use of old working components in new vehicles.

In addition to the Axon kits, LPD is also seeking funding to continue to equip police cruisers with vehicle-to-vehicle emergency light synchronization systems. Research suggests that synchronizing emergency lights on scenes increases roadside safety by reducing the random flashes of lights from multiple vehicles, which can cause confusion with approaching traffic. The system also allows synchronization with brake lights, activating the rear red lights on the light bar to add lighting to slowing police cars in emergency modes. During motor vehicle pursuits, officers following another police car often have problems seeing brake lights with the flashing emergency lights.

Staff recommended that the City Commission approve the Award Agreement with the Florida Department of Law Enforcement for a grant award from the Edward Byrne Memorial Justice Assistance Grant Program as described above.

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

Transportation Infrastructure Improvement Agreement with Lefrois Builders South, Inc.

This Transportation Infrastructure Improvement Agreement was with LeFrois Builders South, Inc. (LeFrois). LeFrois is developing a mix of office, commercial and industrial uses on approximately 127.38 acres generally located north of W. Pipkin Road and east of Airside Center Drive in south Lakeland. This development is subject to a small-scale land use amendment and rezoning action also on this agenda.

The development includes two internal access roads that are currently under construction by the property owner/developer, LeFrois. An east-west road extends Aviation Drive between Airside Center Drive and Old Medulla Road, and a north-south road connects the Aviation Drive Extension to West Pipkin Road. Combined, both roadways are currently called “Air Park Access Road,” with final naming to occur prior to the opening of the roads to public traffic. The Air Park Access Road and other interconnections are intended to preserve the operational efficiency and capacity of the West Pipkin Road widening project that is scheduled for completion in 2025. West Pipkin Road is of particular significance for freight movement and high-capacity connectivity to Lakeland’s urban core. To minimize local traffic and improve corridor efficiency and safety, access to sites on West Pipkin Road is controlled and cross-access to adjacent properties is required.

During the right-of-way acquisition phase for Polk County’s West Pipkin Road four-lane widening project, LeFrois and the County coordinated the design and installation of a new traffic signal on West Pipkin Road at the north-south spine road for the development (Air Park Access Road). With this new signalized intersection, the West Pipkin Road design includes a full median at Old Medulla Road, restricting that intersection to right-in/right-out operations. At LeFrois’ request, these two internal access roads will be dedicated to the City of Lakeland as public right-of-way upon completion by LeFrois and acceptance by the City.

The Transportation Infrastructure Improvement Agreement is intended to formalize LeFrois' responsibilities for the design, construction and dedication of Air Park Access Road to the City, as well as the City's responsibilities for the maintenance of the improvements following that conveyance.

Staff recommended that the City Commission approve the Transportation Infrastructure Improvement Agreement with LeFrois Builders South, Inc. and authorize the appropriate City officials to execute the Agreement and all associated instruments necessary to finalize the transaction.

Chuck Barmby gave a presentation, a copy of which is on file in the Agenda Packet.

Representatives of the development team were present.

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

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

The commission discussed the trail which would be incorporated into the citywide pathways plan. It is a concrete trail.

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

FINANCE DIRECTOR – None

UTILITY

Ordinances – None

Resolutions – None

Miscellaneous

* **Approval of Short-Listed Firms and Authority to Negotiate Continuing Contracts for Environmental Consulting Services**

The City, through its Purchasing Department, recently issued Request for Qualification (RFQ) #292 in accordance with the Consultant's Competitive Negotiation Act, requesting qualifications from interested engineering firms to provide environmental consulting services pursuant to a continuing contract. A selection committee, comprised of City staff from Engineering, Water, Lakes/Stormwater, and Environmental evaluated the sixteen

(16) firms that responded to the City's RFQ. The overall criteria upon which the firms were evaluated included:

- Capability and adequacy of professional personnel
- Response to the requirements set forth in the City's RFQ
- Experience and past performance
- Willingness to meet the City's time and budget requirements
- Office location from where work will be performed
- Recent, current, and projected workload
- Volume of work previously awarded to the firm

After review of the proposals by the Selection Committee, the following sixteen (16) firms listed below, in the order in which they were ranked, have been short-listed:

Company Name	**Location**
1. A.C.T Environmental & Infrastructure	Bartow, Florida
2. ECT, Inc.	Gainesville, Florida
3. Kimley-Horn and Associates, Inc.	Orlando, Florida
4. OHC Environmental Engineering	Tampa, Florida
5. Professional Services Industries, Inc.	Tampa, Florida
6. Tetra Tech, Inc.	Tampa, Florida
7. Geosyntec Consultants	Boca Raton, Florida
8. WSP USA Environmental & Infrastructure, Inc.	Kennesaw, Georgia
9. S&ME, Inc.	Tampa, Florida
10.Tierra, Inc.	Tampa, Florida
11.Trinity Consultants	Orlando, Florida
12.Terracon Consultants, Inc.	Tampa, Florida
13.Burns & McDonnell Engineering Company Inc.	Kansas City, Missouri
14.MDM Services, Inc.	Lakeland, Florida
15.Enercon Services, Inc.	Kennesaw, Georgia
16.NV5	Hollywood, Florida

Included with this approval request is a copy of the standard continuing contract for Environmental Consulting Services the City intends to enter with the short-listed firms, once approved by the Commission. The initial term of the Agreement is for a period of three (3) years, with two (2) additional one (1) year renewal options upon mutual written agreement of the parties. The contract is a zero-dollar Agreement with all work performed pursuant to separately issued Task Authorizations requiring appropriate City approval based on the overall cost of a particular project.

Staff recommended that the City Commission approve the short-listed firms and authorize the appropriate City officials to negotiate and enter continuing contracts for environmental consulting services with those firms.

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

* Approval of Short-Listed Firms and Authority to Negotiate Continuing Contracts for Boiler and Plant Outage Engineering Consulting Services

The City, through its Purchasing Department, recently issued Request for Qualification (RFQ) #291, in accordance with the Consultant's Competitive Negotiation Act, requesting qualifications from interested engineering firms to provide boiler and plant outage engineering services pursuant to a continuing contract. A selection committee, comprised of Energy Production Engineering staff, evaluated the three (3) firms that responded to the City's RFQ. The overall criteria upon which the firms were evaluated included:

- Capability and adequacy of professional personnel
- Response to the requirements set forth in the City's RFQ
- Experience and past performance
- Willingness to meet the City's time and budget requirements
- Office location from where work will be performed
- Recent, current and projected workload
- Volume of work previously awarded to the firm

After review of the proposals by the selection committee, the following three (3) firms listed below, in the order in which they were ranked, have been short listed:

Company Name	**Location**
1. TJR Technical Services, Inc.	Secane, Pennsylvania
2. Thomas J Moos, P.E. PLLC	Davenport, Florida
3. Thielsch Engineering Cranston,	Rhode Island

Included with this approval request is a copy of the standard continuing contract for Boiler and Plant Outage Engineering Consulting Services that the City intends to enter with the short-listed firms, once approved by the Commission. The initial term of the Agreement is for a period of three (3) years, with two (2) additional one (1) year renewal options upon mutual written agreement of the parties. The contract is a zero-dollar Agreement with all work to be performed pursuant to separately issued Task Authorizations requiring appropriate City approval based on the overall cost of a particular project.

Staff recommended that the City Commission approve the short-listed firms and authorize the appropriate City officials to negotiate and enter a continuing contract for boiler and plant outage engineering consulting services with those firms.

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

AUDIENCE

Mayor Bill Mutz left for a funeral at 11:43 AM

Dan Swanson came on behalf of his mother. His mother has taken a job as a bus driver for Avelo. She works on the 3rd floor at the airport. The elevator has been out for 2 weeks. She has reported that the elevator is out. She has been told it is no big deal. Walking up 3 flights of stairs is a big deal for an elderly worker. There have been multiple contractors giving quotes. 2 contractors told him there is a temporary fix available. He was asking the Commission to help him move forward. Does he tell his mother to quit her job?

Shawn Sherrouse had not heard anything about this before now. He asked Adam Lunn to give an update on the elevator.

Assistant Airport Director Adam Lunn apologized for the inconvenience. They were advised there was no temporary fix. Trinity has ordered the parts for the elevator. They have applied for a State permit to work on the elevator. They are working to get the repairs done as soon as possible. Tenants must look at what accommodations they can provide. Mr. Lunn will see if they can provide an alternate workspace in the meantime.

Valerie Vaught CRA Manager came forward with tenants who wanted to offer comments on proposed Ordinance 24-050.

Diana Cortes Blanquicet, founder/owner of DOU Bakehouse has been a tenant for 9 years. She makes baked goods for the "happiest place on earth". The CRA has been vital in their process. She wanted to thank them and let the Commission know the CRA has been doing an amazing job.

Brian Seeley has been is a tenant at Mass Market for 9 years. He leased the apartments. They have a thriving community of young families who live in the neighborhood. The CRA has been a great support. It has been a privilege to work with multiple managers in the process.

Laura Shannon was with House 820, echoing comments and expressing belief in the Mass Market project.

Ms. Vaught thanked the Commission for the opportunity for allowing them to speak. They are committed to the vision. These 3 businesses are integral to the future of the project. The community garden was part of the next iteration. They just had a meeting on Friday to see what they can do with that space.

Commissioner Sara Roberts McCarley thanked everyone for staying through the entire meeting and staying in the area with their businesses.

Commissioner Guy LaLonde thanked the business owners for hanging in there and participating.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Stephanie Madden was leaving today to participate in Florida Women in Energy Leadership Forum in Tampa.

City Clerk Kelly Koos reminded voters that Thursday was the last day to request a Vote By Mail ballot for the November Presidential Election.

CALL FOR ADJOURNMENT - 12:00 PM

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Kelly S. Koos, City Clerk