

LAKELAND CITY COMMISSION

**Regular Session
December 18, 2023**

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

CALL TO ORDER - 9:00 A.M.

PRESENTATIONS

2023 Christmas Parade Winners (Bob Donahay, Parks, Recreation & Cultural Arts Director & Beth Sherling, Program Coordinator)

PROCLAMATIONS – None

COMMITTEE REPORTS AND RELATED ITEMS

Municipal Boards & Committees 12/15/23

Commissioner Stephanie Madden presented the report.

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

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

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

Real Estate & Transportation Committee 12/15/23

- Contract between Lakeland Community Redevelopment Agency and LFI Fort Pierce, Inc. for the Purchase of 811 N. Tennessee Avenue

Commissioner Mike Musick presented this report.

Motion: Commissioner Stephanie Madden 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.

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 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)

- * Canvassing Board Minutes – Nov. 28 – Dec. 8
- * City Commission Minutes – Dec. 1 – 4.
- * Utility Committee Minutes – Dec. 1

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

EQUALIZATION HEARINGS - None

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 6012; Proposed 23-045; Annual Update to the Capital Improvements Element (CIE) of the Lakeland Comprehensive Plan: Our Community 2030, Including Updates to the Five-Year Schedule of Capital Improvements (1st Rdg. 12-04-23)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR AN UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Chad McLeod moved to approve the ordinance. Commissioner Stephanie Madden seconded.

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

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

Ordinance 6013; Proposed 23-046; Approving a Conditional Use to Allow for the Development of a Solar Power Generation Facility on Approximately 2,044 Acres Generally Located South of University Boulevard, East of N. State Road 33, and East of N. Combee Road (1st Rdg. 12-04-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE DEVELOPMENT OF A SOLAR POWER GENERATION FACILITY ON APPROXIMATELY 2,044 ACRES GENERALLY LOCATED SOUTH OF UNIVERSITY BOULEVARD, EAST OF N. STATE ROAD 33, AND EAST OF N. COMBEE ROAD; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Bill Read moved to approve the ordinance. Commissioner Mike Musick seconded.

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

The Commission discussed:

Commissioner Stephanie Madden: this project was a long time coming. She acknowledged Seth Black from the Williams Company which is based in Oklahoma. They have been at the table with the City and Florida Poly. They have been instrumental in working with Florida Poly. She was excited to have them engaged. They own 30% of the natural gas pipelines throughout the Country. She expressed gratitude to the Williams Company for their support for efforts in the innovation district.

Commissioner Sara McCarley: was out sick on Friday. She had some questions. She wanted to affirm Commissioner Stephanie Madden's comments. This is the highest best use for this property right now. Her question was about the long-term plan. She tries to be careful in how she speaks about land use because of her experience with Bonnet

Springs Park. Down the road as technology changes, land use may change. She was not concerned about the project.

Mayor Bill Mutz: this also takes the least usable land in the area and makes it the most productive it can be. The solar farm will not be highly visible.

Seth Black of the Willaims Company appreciated their comments. They viewed this as a strategic partnership in the area. This has been a long time coming. Natural gas will be here for a long time. They looked forward to working with the City.

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

Ordinance 6014; Proposed 23-047; Approving a Conditional Use to Allow for the Construction of an Accessory Dwelling Unit on Property Located at 706 Gilmore Avenue (1st Rdg. 12-04-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE CONSTRUCTION OF AN ACCESSORY DWELLING UNIT ON PROPERTY LOCATED AT 706 GILMORE AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Chad McLeod moved to approve the ordinance. Commissioner Stephanie Madden seconded.

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

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

Ordinance 6015; Proposed 23-048; Approving a Conditional Use to Allow Off-Street Parking as a Principal Use on Property Located at 719 E. Orange Street (1st Rdg. 12-04-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW OFF-STREET PARKING AS A PRINCIPAL USE ON PROPERTY LOCATED AT 719 E. ORANGE STREET; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Chad McLeod moved to approve the ordinance. Commissioner 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, Samuel Simmons, and Mayor Bill Mutz voted aye. Ayes – seven. Nays – zero. The motion carried unanimously.

Ordinance 6016; Proposed 23-049; Amending Ordinance 4324; Major Modification of a Conditional Use for the Providence Church of God Located at 1990 Otis Avenue, in Order to Relocate Driveway Access for the Church from Providence Road to Otis Avenue (1st Rdg. 12-04-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 4324 TO MODIFY AN EXISTING CONDITIONAL USE FOR THE PROVIDENCE CHURCH OF GOD, LOCATED AT 1990 OTIS AVENUE, IN ORDER TO RELOCATE DRIVEWAY ACCESS FOR THE CHURCH FROM PROVIDENCE ROAD TO OTIS AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Mike Musick moved to approve the ordinance. Commissioner Samuel Simmons seconded.

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

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

Ordinance 6017; Proposed 23-050; Change in Zoning from I-1 (Light Industrial-Limited Commercial) to PUD (Planned Unit Development) to Allow for the Development of a Zero-Lot-Line Subdivision for I-1 Warehouse, Office and Flex Space Uses on Property Located at 1530 and 1543 Kendrick Lane (1st Rdg. 12-04-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM I-1 (LIGHT INDUSTRIAL-LIMITED COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO

ALLOW FOR THE DEVELOPMENT OF A ZERO-LOT-LINE SUBDIVISION FOR I-1 WAREHOUSE, OFFICE AND FLEX SPACE USES ON PROPERTY LOCATED AT 1530 AND 1543 KENDRICK LANE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Chad McLeod 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.

The Commission discussed a PUD versus regular zoning and other land use designations. The Commission agreed that a workshop would be good after the new year as a refresher and as information for the new commissioner.

Shawn Sherrouse will be happy to schedule a workshop. They have had orientation already with the new commissioner and will be setting up individual meetings with the different departments.

The Commission also discussed outside storage at this site. None was indicated on this application.

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

Ordinance 6018; Proposed 23-051; Amending Ordinance 5875; Major Modification of PUD (Planned Unit Development) Zoning to Allow Motor Vehicle Fuel Sales, Minor, within Tract A of the Cypress Point at Lake Parker Subdivision Located at 2012 U.S. Highway 92 East (1st Rdg. 12-04-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 5875 TO PROVIDE FOR A MAJOR MODIFICATION OF PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW MOTOR VEHICLE FUEL SALES, MINOR, WITHIN TRACT A OF THE CYPRESS POINT AT LAKE PARKER SUBDIVISION ON PROPERTY LOCATED AT 2012 U.S. HIGHWAY 92 EAST; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

The Commission discussed:

Commissioner Stephanie Madden acknowledged that there were limited uses for the commercial outparcels. Chuck Barmby responded that was correct. The PUD was required because of the unusual lot size in the residential area. The retail will buffer the fuel sales from the neighborhood. The site design will be pedestrian and bicycle friendly.

Commissioner Bill Read wanted to see additional traffic stacking to help with traffic flow. Chuck Barmby explained they annexed the land inside the City; however, the roads surrounding the development were under FDOT and County jurisdiction.

Commissioner Mike Musick asked if the gas station will be able to sell alcohol. If so, why exclude that from the retail center? Chuck Barmby explained that with a liquor store there could be a lounge and different licenses. The convenience store would only be able to sell beer and wine which is a lesser impact.

Commissioner Mike Musick asked the square footage of the retail space. Chuck Barmby responded that has not been determined yet.

Sara Case with Municipal Planning and Permitting went on record concerning the project. She commended staff. It has been a difficult project over the years. The site had existing commercial use along Memorial when it was in Polk County. We worked with staff to deepen the commercial nodes at the signalized intersections. We are now dealing with a private sector privately funded development team focusing on 199 single family lots. The area was a challenge itself because of the power plant across the street and industrial to the south. There was also an existing neighborhood with blight. The limited fuel sales made sense since they were located on a transportation corridor. They have worked and compromised with staff for the project.

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

Ordinance 6019; Proposed 23-052; Amending Ordinance 3575, as Amended; Major Modification of PUD (Planned Unit Development) Zoning to Increase the Maximum Number of Dwelling Units from 125 to 146 for the Development of a New Five-Story Multi-Family Building (Senior Independent Living) on Property Located at 810 E. Bella Vista Street (1st Rdg. 12-04-23)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 3575, AS AMENDED, TO PROVIDE FOR A MAJOR

MODIFICATION OF PUD (PLANNED UNIT DEVELOPMENT) ZONING TO INCREASE THE MAXIMUM NUMBER OF DWELLING UNITS ON PROPERTY LOCATED AT 810 E. BELLA VISTA STREET FROM 125 TO 146 UNITS IN ORDER TO ALLOW FOR THE DEVELOPMENT OF A NEW FIVE-STORY MULTI-FAMILY BUILDING FOR SENIOR INDEPENDENT LIVING USES; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. 0:52:08 09:51:47 AM motion

Palmer Davis read the title.

Motion: Commissioner Bill Read moved to approve the ordinance. Commissioner Mike Musick seconded.

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

Mayor Bill Mutz was supportive of this development. It provided additional support for seniors.

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

Resolutions

Resolution 5870; Proposed 23-076; Vacating Public Utility Easements Located at 3748 Kathleen Road

A RESOLUTION RELATING TO PUBLIC UTILITY EASEMENTS; MAKING FINDINGS; VACATING EXISTING PUBLIC UTILITY EASEMENTS LOCATED AT 3748 KATHLEEN ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Bill Read 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 Samuel Simmons, Mike Musick, Sara McCarley, Stephanie Madden, Bill Read, and Mayor Bill Mutz voted aye. Commissioner Chad McLeod was absent at that time. Ayes-six. Nays-zero. The motion carried unanimously.

Resolution 5871; Proposed 23-077; Authorizing the Execution of an Agreement for the Subordination of City Utility Interests Located at East Main Street (CR 542) and Combee Road (SR 659) Parcel 101

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA AUTHORIZING EXECUTION OF AN AGREEMENT FOR THE SUBORDINATION OF CITY UTILITY INTERESTS LOCATED AT EAST MAIN STREET (CR 542) AND COMBEE ROAD (SR 659) PARCEL 101; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Resolution 5872; Proposed 23-078; Authorizing the Execution of Agreements for the Subordination of City Utility Interests Located at State Road 33 and State Road 659 (Combee Road) Parcels 100.2 and 101.2

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA AUTHORIZING EXECUTION OF AGREEMENTS WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE SUBORDINATION OF CITY UTILITY INTERESTS ON PROPERTY LOCATED AT STATE ROAD 33 AND STATE ROAD 659 (COMBEE ROAD), DESCRIBED AS PARCELS 100.2 AND 101.2; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

Resolution 5873; Proposed 23-079; Authorizing Roadway Improvements within the Orangewood Community Subdivision and Providing for the Collection of a Non-Ad Valorem Assessment Against Each Lot within Orangewood to Defray the City's Costs

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO THE MAKING OF LOCAL IMPROVEMENTS; ADOPTING FINDINGS OF FACT; AUTHORIZING CERTAIN ROADWAY IMPROVEMENTS WITHIN THE ORANGEWOOD COMMUNITY SUBDIVISION IN LAKE LAND, FLORIDA; APPROPRIATING A CERTAIN SUM AND PROVIDING FOR THE LEVY OF A NON-AD VALOREM ASSESSMENT AGAINST EACH LOT WITHIN THE ORANGEWOOD COMMUNITY SUBDIVISION IN ORDER TO PAY FOR THE COSTS OF SAID ROADWAY IMPROVEMENTS AND ONGOING MAINTENANCE; PROVIDING A SCHEDULE AND TERMS FOR THE PAYMENT OF SAID ASSESSMENT; PROVIDING FOR THE COLLECTION OF SAID ASSESSMENT UTILIZING THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS, AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES, OR OTHER LEGALLY AVAILABLE COLLECTION METHODS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

Commissioner Bill Read stated this gives citizens an opportunity to improve their environment.

Mayor Bill Mutz asked Palmer Davis to explain the process.

Palmer Davis explained the roadways of the subdivision are privately owned and maintained. They do not meet City standards. The residents asked for assistance because they do not have an HOA to coordinate this type of work. The Public Works department inspected, and the roads need to be milled and resurfaced, and traffic calming devices need to be added. Public Works created an estimate for the work and the cost will be spread amongst all properties for a period of 10-years. It will be added to the ongoing maintenance of public areas.

Commissioner Stephanie Madden recognized Ryan Lazenby for his efforts to coordinate this project with the citizens of that community.

Commissioner Chad McLeod thanked Mr. Lazenby for his explanation on Friday. Will the roads need maintenance after the 10 years? Will this mean the City will have to step in again?

Mr. Lazenby explained it was not all his work. It started in the City Manager's Office and neighborhood liaisons also helped. He then explained the resurfacing process. The improvement should last approximately 15 years. They have had an assessment in the past so he would not be surprised to see another request in the future.

Commissioner Bill Read asked about other communities. Mr. Lazenby explained there is one other community considering a request.

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

Resolution 5874; Proposed 23-080; Establishing the City Commission's Intention to Utilize the Uniform Method of Collection to Collect All Unpaid Demolition and Lot Clearing Non-Ad Valorem Special Assessments Levied by the City Commission during Calendar Year 2023 and Preceding Years

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA ELECTING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS, AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES, FOR COLLECTING ALL UNPAID DEMOLITION AND LOT CLEARING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED BY THE CITY COMMISSION DURING CALENDAR YEAR 2023 AND PRECEDING YEARS; ADOPTING FINDINGS OF FACT; STATING THE NEED FOR THE LEVY OF SAID ASSESSMENTS; PROVIDING FOR THE MAILING OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title and explained this was a similar funding concept on a smaller scale. This would put equalization liens on the tax role.

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

Resolution 5875; Proposed 23-081; Expressing Intent to Incur Costs Related to the Improvement of Facilities at Lakeland Linder International Airport and to Reimburse with the Proceeds of Revenue Bonds the Capital Expenditures Made with Respect to Such Project

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA EXPRESSING THE INTENT TO INCUR COSTS RELATED TO THE IMPROVEMENT OF FACILITIES AT LAKE LAND LINDER INTERNATIONAL AIRPORT; EXPRESSING THE INTENT FOR PURPOSES OF COMPLIANCE WITH UNITED STATES TREASURY REGULATION SECTION 1.150-2 TO REIMBURSE WITH THE PROCEEDS OF REVENUE BONDS THE CAPITAL EXPENDITURES MADE WITH RESPECT TO SUCH PROJECT; PROVIDING INTENT FOR THE FUTURE ISSUANCE BY THE CITY OF NOTES, BONDS OR OTHER OBLIGATIONS IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$6,000,000 TO BE APPLIED TO PAY THE COST OF SUCH PROJECT; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Bill Read 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, Samuel Simmons, and Mayor Bill Mutz voted aye. Ayes – seven. Nays – zero. The motion carried unanimously.

COMMUNITY REDEVELOPMENT AGENCY

- * **First Amendment to Tax Increment Benefits Agreement with 923 Lemon LLC for Property Located at 915 and 923 E. Lemon Street**

This was the First Amendment to the Tax Increment Benefits Agreement with 923 Lemon LLC for property located at 915 and 923 E. Lemon Street. The CRA's Tax Increment Financing program allows qualified developers to receive reimbursement of tax increment funds collected by the Lakeland Community Redevelopment Agency (CRA). The reimbursement is based on incremental revenue collected by the CRA because of increases in the subject property's taxable value resulting from the investment made in real estate. The reimbursement begins in the first year following the project's receipt of a Certificate of Occupancy.

For the majority of recent TIF Agreements, the benefits and obligations provided are not assignable and terminate upon the sale or transfer of the subject property. The developer of 915 and 923 E. Lemon Street has requested that the TIF Agreement for its project be amended to remove this prohibition to facilitate refinancing of the project and marketability of the property. Under the First Amendment, the TIF Agreement for 915 and 923 E. Lemon Street is amended to allow assignment under the following conditions:

- The planned improvements must be completed and receive a certificate of occupancy.
- Following issuance of a certificate of occupancy, TIF benefits may be assigned by right for the purpose of replacing construction financing with permanent financing.
- For all other purposes, benefits may be assigned only upon approval of the CRA Advisory Board, which approval will not be unreasonably withheld.

The CRA Advisory Board reviewed this request at its regular meeting on December 7, 2023 and unanimously recommended approval. Staff recommended that the City Commission, acting as the Lakeland Community Redevelopment Agency, approve the First Amendment to Tax Increment Benefits Agreement with 923 Lemon LLC and authorize the appropriate CRA officials to execute the First Amendment and all associated documents.

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

*** First Amendment to Tax Increment Benefits Agreement with 725 E. Orange LLC for Property Located at 721 and 725 E. Orange Street and 0 Lake Avenue**

This was the First Amendment to the Tax Increment Benefits Agreement with 725 E. Orange LLC for property located at 721 and 725 E. Orange Street and 0 Lake Avenue. The CRA's Tax Increment Financing program allows qualified developers to receive reimbursement of tax increment funds collected by the Lakeland Community Redevelopment Agency (CRA). The reimbursement is based on incremental revenue collected by the CRA because of increases in the subject property's taxable value resulting from the investment made in real estate. The reimbursement begins in the first year following the project's receipt of a Certificate of Occupancy.

For the majority of recent TIF Agreements, the benefits and obligations provided are not assignable and terminate upon the sale or transfer of the subject property. The developer of 721/725 E. Orange Street and 0 Lake Avenue has requested that the TIF Agreement for its project be amended to remove this prohibition to facilitate refinancing of the project and marketability of the property. Under the First Amendment, the TIF Agreement for 721/725 E. Orange Street and 0 Lake Avenue is amended to allow assignment under the following conditions:

- The planned improvements must be completed and receive a certificate of occupancy.
- Following issuance of a certificate of occupancy, TIF benefits may be assigned by right for the purpose of replacing construction financing with permanent financing.
- For all other purposes, benefits may be assigned only upon approval of the CRA Advisory Board, which approval will not be unreasonably withheld.

The CRA Advisory Board reviewed this request at its regular meeting on December 7, 2023 and unanimously recommended approval. Staff recommended that the City Commission, acting as the Lakeland Community Redevelopment Agency, approve the attached First Amendment to Tax Increment Benefits Agreement with 725 E. Orange LLC and authorize the appropriate CRA officials to execute the First Amendment and all associated documents.

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

*** First Amendment to Tax Increment Benefits Agreement with 625 E. Lime LLC for Property Located at 611-613 and 625 E. Lime Street**

This was the First Amendment to the Tax Increment Benefits Agreement with 625 E. Lime LLC for property located at 611-613 and 625 E. Lime Street. The CRA's Tax Increment Financing program allows qualified developers to receive reimbursement of tax increment funds collected by the Lakeland Community Redevelopment Agency (CRA). The reimbursement is based on incremental revenue collected by the CRA because of increases in the subject property's taxable value resulting from the investment made in real estate. The reimbursement begins in the first year following the project's receipt of a Certificate of Occupancy.

For the majority of recent TIF Agreements, the benefits and obligations provided are not assignable and terminate upon the sale or transfer of the subject property. The developer of 611-613 and 625 E. Lime Street has requested that the TIF Agreement for its project be amended to remove this prohibition to facilitate refinancing of the project and marketability of the property. Under the First Amendment, the TIF Agreement for 611-613 and 625 E. Lime Street is amended to allow assignment under the following conditions:

- The planned improvements must be completed and receive a certificate of occupancy.
- Following issuance of a certificate of occupancy, TIF benefits may be assigned by right for the purpose of replacing construction financing with permanent financing.
- For all other purposes, benefits may be assigned only upon approval of the CRA Advisory Board, which approval will not be unreasonably withheld.

The CRA Advisory Board reviewed this request at its regular meeting on December 7, 2023 and unanimously recommended approval. Staff recommended that the City

Commission, acting as the Lakeland Community Redevelopment Agency, approve the First Amendment to Tax Increment Benefits Agreement with 625 E. Lime LLC and authorize the appropriate CRA officials to execute the First Amendment and all associated documents.

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

CITY MANAGER

*** Recommendation re: 2023 Report of Local Affordable Housing Incentives**

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

The State Housing Initiatives Partnership Program (SHIP) was created and provides distribution of Sadowski Funds to local governments to develop housing strategies that promote partnerships to preserve, improve and provide housing for families at or below 120% of area median income. SHIP entitlement communities are required to appoint an Affordable Housing Advisory Committee (AHAC) that reviews 11 specific incentives that are outlined in Florida Statutes.

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

This year's final report was reviewed and approved by the City of Lakeland AHAC on October 26, 2023. This report must also be presented to the City Commission for approval by December 31, 2023, and then forwarded to the Florida Housing Finance Corporation (FHFC) in Tallahassee.

Staff recommended the City Commission approve the 2023 Report of Affordable Housing Incentives and transmit it to the FHFC.

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

City Manager Shawn Sherrouse explained the following items related to the announcement made last week about bringing Avelo to Lakeland. He would like to have a presentation before presenting the various individual items.

Trevor Yealy of Avelo Airlines came forward. Avelo was a start-up airline founded in 2018 by veteran airline industry leader Andrew Leavy. Avelo First took flight in April 2021. His purpose is to inspire travel. They provide safe, convenient, and reliable travel. He looked forward to bringing their low fares and reliability to Lakeland. There were

months of hard work that went into bringing this agreement together. He thanked everyone who worked on the project.

Recommendation re: Task Authorization with HDR Engineering, Inc. for Architectural Design Plans for Terminal Modifications and Site Improvements at Lakeland Linder International Airport

Lakeland Linder International Airport (LLIA) seeks approval to enter a Task Authorization with HDR Engineering, Inc. for architectural design plans for permit issuance and construction adherence for terminal modifications and site improvements. This was the proposed Task Authorization under 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 includes the following modifications to the existing terminal and terminal parking lot:

- Area 1: First Floor Improvements
 - Demolition of existing glass partition walls in the TSA area, and erection of a framed/drywall wall at 36' long x 10'6" high.
 - Provide power and data to proposed TSA equipment.
 - New expanded screening and private screening room.
 - Expansion of the existing public entry doorway into secured area/TSA area.
 - Demolition of existing double exit door and installation of new automated unmanned exit lane (including relocation of one existing semi-recessed fire extinguisher cabinet).
 - Installation of 2 data drops for FIDS located at the front counter (including conduit for power and data).
 - Modifications to existing walls to mount FIDS system.
 - Air Curtain mounting detail and power circuit designation.
 - Installation of new security roll-up gate at access point to secure terminal area.
- Area 2: Second Floor Improvements
 - Modifications to conference room. Including demolition of existing room wall, extension into the existing hallway, and existing MEP updates.
 - MEP updates are limited to removal of existing water fountains and capping of water pipes.
 - Installation of a proposed storefront door entering the conference room and proposed exit door.
- Area 3: Public Parking Lot Improvements
 - Prefabricated awning/covers for parking lot ticketing machines at the entrance and exit.

The final deliverables will be the design documents that enable the permitting and allow the general contractor (Johnson Laux Construction, LLC) to construct the project. The total cost of this Task Authorization is \$93,150.00. This will be funded from the City's internal loan proceeds in FY24.

Staff recommends the City Commission approve this Task Authorization with HDR Engineering, Inc. to complete the architectural design plans for terminal modifications and site improvements at LLIA and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Shawn Sherrouse presented this time to the Commission.

Motion: Commissioner Bill Read moved to approve the recommendation. Commissioner Mike Musick seconded.

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

Palmer Davis explained he received an email yesterday from Trey Harden objecting to the deal with Avelo, which he filed with the City Clerk.

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

CITY ATTORNEY

Ordinances (First Reading) – None

Miscellaneous Reports

Airline Operating Agreement with Avelo Airlines, Inc.

This was the proposed Airline Operating Agreement between the City and Avelo Airlines, Inc. (Avelo) setting forth the operational terms and conditions related to commercial air service commencing at Lakeland Linder International Airport (Airport). Avelo is an ultra-low-cost air carrier focused on efficient asset utilization through unbundled revenue sources aside from its base fares by offering multiple products and services for additional fees. Avelo began operations on April 28, 2021 and has grown its fleet of aircraft to sixteen (16) Boeing 737's. Avelo currently serves forty-four (44) destinations throughout the United States.

The term of this Agreement shall commence on May 1, 2024 and, unless otherwise terminated or cancelled, shall continue for an initial term of fifteen (15) years. The Agreement may also be renewed for one (1) additional successive five (5) year term upon mutual written agreement of the parties. The Airline may terminate the Agreement upon 180 days prior written notice to the City. The City may terminate the Agreement if Avelo defaults on any of its obligations under the Agreement, including, but not limited to, filing for bankruptcy, corporate dissolution, failure to pay fees/charges, failure to

maintain required insurance coverage or engaging in unauthorized business activities at the Airport.

Pursuant to the Agreement, Avelo will be granted preferential use of three (3) of the four (4) aircraft parking positions, four (4) of the five (5) ticket counters, and the one (1) passenger hold room. While the Airport currently only has one (1) hold room, Avelo can provide the Airport with 286 days prior written notice of its need for a second temporary hold room that can then be constructed.

The fees Avelo will pay the City for use of the Airport will be adjusted based on the number of monthly enplanements for the calendar quarter. The fees paid by Avelo will be firm for a period of five (5) years. Thereafter, those fees are subject to an adjustment every five (5) years by a percentage not to exceed the percentile change in the Consumer Price Index, All Urban Consumers (the "CPI-U"), using August 2023 as the "Base Index" for such determination. Avelo will be responsible for payment of all taxes and/or assessments during the term of the Agreement. The City reserves the right to waive any fees pursuant to this Agreement upon implementation of an air carrier incentive program, which will result in a separate agreement between Avelo and the City. Set forth in the table below are the applicable fees Avelo will pay for the use of the Airport:

PER TURN FEE	LANDING FEE PER 1,000lbs	FUEL FLOWAGE FEE PER GAL.	MONTHLY ENPLANEMENT QTR. AVERAGE (CY)	
\$225	\$0.85	\$0.03	0	8,819
\$175	\$0.70	\$0.03	8,820	13,229
\$125	\$0.50	\$0.03	13,230	17,639
\$75	\$0.30	\$0.03	17,640	22,049
\$0	\$0	\$0.03	22,050	+

Additionally, the City reserves the right to charge Federal Inspection Station and Passenger Facility Charges in the future. However, pursuant to the Agreement, the City has agreed not to impose any new fees during the term of the Agreement unless federally or state mandated rules cause the City to incur additional expenses due to Avelo's operations at the Airport.

In accordance with the Agreement, the City will provide all maintenance and repairs of the Airport premises utilized by Avelo, including janitorial services during the term of the Agreement. The City is also responsible for providing utilities to the public areas of the Airport. However, Avelo will be responsible for payment of any applicable taxes incurred because of its use of utilities. Avelo will also be responsible for any expenses related to

the maintenance/repair of its own equipment or connections to the City's installed utility systems.

As the home of the annual SUN 'n FUN Aerospace Expo, and its resulting positive impact on the Lakeland and Polk County community, the Agreement requires Avelo to suspend its flight operations at the Airport during specified days and hours in the month of March or April unless otherwise coordinated and approved by the SUN 'n FUN Airshow Director. Additionally, the City reserves the right to relocate the premises used by Avelo to another location at the Airport when necessary for terminal expansion, rehabilitation, or repair.

During the term of this Agreement and any renewals thereof, Avelo is required to indemnify and hold harmless the City for any claims or liabilities resulting in personal injury or property damage arising out of Avelo's use or occupancy with the Airport premises or in connection with its airline passenger service. Avelo is also required to procure and maintain extensive insurance coverage during the term of the Agreement that includes workers' compensation, automobile liability and airline liability coverage of \$250,000,000.

Nothing contained in the Agreement grants or authorizes Avelo to have an exclusive right to provide commercial air transportation services to the public at the Airport. As such, the City reserves the right to grant the privileges and right of conducting any or all activities related to the operation of Airline Passenger Service at the Airport in the future.

Staff recommended that the City Commission approve this Agreement with Avelo for commercial air service and authorize the appropriate City officials to execute the Agreement and all corresponding documents with Avelo.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Bill Read 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:

- Projected passenger use. There is no way to project usage until flights begin. To break even, the airlines must move 22,500 people per month through the airport.
- The 2 sizes of planes were Boeing 737-700 and 737-800.
- The City has been pursuing air service for many years. They found a great partner in Avelo and in Polk County. This service will provide citizens the opportunity to travel without the dreaded I-4 drive. The agreement protects the airline and the airport.
- The airport continued to work with Hughes on approaches in and out of the airport. Aircraft noise is a concern in the community. We are encouraging all

planes to fly the approaches being developed. The airport held public hearings concerning the approaches to the airport. They are working to be good neighbors.

- : Commissioner Bill Read hoped this would bring a marquee to the roundabout.
- 1.4 million people are closer to Lakeland than to Tampa.
- The drive to the airports in Tampa and Orlando now is rough.
- Notice to property owners: When a developer is developing near the airport, an aviation notice is recorded in the public record for each parcel sold within the subdivision. That is based on the noise zones established by the joint airport zoning board. Those boundaries are in their own database based on approaches. They go as far east as Harden and west to County Line and as south as Ewell Road.
- Some folks will not mind living near an airport and in fact enjoy watching airport traffic. People who are surprised need only to look at the nation as a whole and the way airport traffic has increased nationwide.
- It is an equal responsibility for buyers to also be aware of the area in which they are buying.
- Anticipated timeline for development: The public is familiar with the Amazon aircraft. Avelo's will be the size of the smaller Amazon (blue) planes. Amazon has 14 flights a week. We anticipated a couple flights a week in the beginning. It will be a process of building. Avelo will have to build their customer base and we must do a marketing campaign. Lakeland's goal is not to be a Tampa or Orlando.

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

Air Carrier Incentive Program Agreement with Avelo Airlines, Inc.

This was a proposed Air Carrier Incentive Program Agreement with Avelo Airlines, Inc. (Avelo) to encourage and promote the City's new, non-stop commercial air carrier service outside of the State of Florida from Lakeland Linder International Airport (Airport). The Agreement seeks to promote Avelo's new commercial air service from Lakeland through a variety of incentives which include a waiver of specified rates and charges, as well as marketing support.

Pursuant to the Agreement, the City is agreeing to waive its landing fees, per turn fees, fuel flowage fees, and rent for the exclusive use premises in the Airport's terminal building. The waiver of such fees and rent are conditioned upon Avelo providing qualifying passenger service and complying with the terms and conditions set forth in its Airline Operating Agreement and Airline Facilities Construction and Lease Agreement with the City.

Additionally, the City will provide \$2,500 in monthly marketing support during the term of the Agreement, which is capped at \$30,000 per year. The City reserves the right to review and approve all proposed promotional materials prior to making payments for

qualified marketing expenses, which will be paid directly by the City to the marketing service provider and not Avelo upon submission of invoices.

The term of this Agreement will commence on December 18, 2023 and continue for a period of twenty-four (24) months from the date of the Airline's first scheduled commercial passenger flight, unless otherwise terminated. The incentives set forth in the Agreement are consistent with the Federal Aviation Administration's policy and procedures concerning the use of airport revenue and are considered typical industry practice for airports to adopt to attract air carriers to their communities. More importantly, this Agreement does not provide Avelo with a minimum revenue guarantee incentive in which the City would guarantee that Avelo would generate a specified amount of revenue from ticket sales associated with the new commercial air service and require the City to compensate Avelo for any shortfall should it fail to meet its target revenue.

Staff recommended that the City Commission approve this Air Carrier Incentive Program Agreement with Avelo and authorize the appropriate City officials to execute the Agreement and all corresponding documents. Staff also requested that the City Commission authorize an appropriation of \$30,000 for the marketing support to be paid from the unappropriated surplus of the Airport Operating Fund.

Ramona Sirianni presented this item to the Commission.

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

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

- The fact that there is no minimum revenue guarantee spoke to the fact that we are expecting Avelo will do as well or better than they hoped.

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

Airline Facilities Construction and Lease Agreement with Avelo Airlines, Inc.

This was a proposed Airline Facilities Construction and Lease Agreement with Avelo Airlines, Inc. (Avelo) to lease facilities at Lakeland Linder International Airport (Airport) in connection with providing Lakeland with commercial air passenger service. As such, the Airport is seeking to construct improvements to its existing facilities to provide temporary space to accommodate Avelo's operations until permanent facilities are constructed. Avelo is also seeking to incorporate the Airport into its commercial air service network as a base of operations in the future. Accordingly, Avelo would require additional exclusive support space for employees and material storage to support its future needs.

The initial temporary space Avelo will be leasing will require the City to construct improvements to accommodate Avelo's operations until permanent facilities are

constructed. Once permanent facilities are constructed, Avelo will relocate to the permanent facilities at the same rental rate charged for the temporary leased space. The temporary leased premises pursuant to this Agreement will include a 3,500 square foot Maintenance Storage Facility (Temporary Metal Building), a 500 square foot Maintenance Office (Temporary Prefabricated Space) and an 850 square foot Operations Office (Temporary Prefabricated Space). Subject to City Commission approval, the term of the Agreement shall commence on May 1, 2024, or upon the issuance of a Certificate of Occupancy for the facilities (the "Lease Commencement Date"), whichever occurs later. The term of the Lease shall continue until the earlier of the expiration or termination of Avelo's Airline Operating Agreement with Avelo or not less than ninety (90) days from the City's written notice that permanent facilities constructed by the City are ready for Avelo's occupancy.

In accordance with the Agreement, Avelo will have the right to occupy the facilities thirty (30) days prior to the Lease Commencement Date in the event the Certificate of Occupancy is issued, subject to the terms and conditions set forth in the Agreement at no cost. In accordance with the Lease Agreement, the City is responsible for payment of utilities.

Avelo will have the right to terminate this Agreement for any reason by providing 180 days prior written notice to the City. If Avelo terminates the Agreement within twelve (12) months of the Lease Commencement Date, Avelo shall not be required to reimburse the City for any construction costs associated with the new facilities. If Avelo terminates this Agreement between thirteen (13) and twenty-four (24) months of the Lease Commencement Date, then Avelo shall be required to reimburse the City for all construction costs in an amount not to exceed \$250,000 prorated in accordance with the table set forth below. In the event construction costs incurred by the City are less than \$250,000, then Avelo shall be charged the lower amount and the prorated table of payments will be adjusted accordingly.

TERMINATION MONTH	AMOUNT DUE
13	\$125,000.00
14	\$114,583.30
15	\$104,166.70
16	\$93,750.00
17	\$83,333.33
18	\$72,916.67
19	\$62,500.00
20	\$52,083.33
21	\$41,666.67
22	\$31,250.00
23	\$20,833.33
24	\$10,416.67
25	\$0.00

The Rent for the facilities shall be adjusted in accordance with the average number of monthly enplanements for the calendar quarter in the amount indicated in the table below. Sales tax, pass through expenses and all other applicable taxes and charges shall be paid by Avelo. The Airport reserves the right to increase the monthly installments of Rent every five (5) years by a percentage not exceeding the percentile change in the Consumer Price Index.

Monthly Lease Rate	Square Footage Rate	Monthly Quarterly Average (CY)	Enplanement
\$ 4,259.92	\$ 10.54	0	to 8,819
\$ 3,451.58	\$ 8.54	8,820	to 13,229
\$ 2,643.25	\$ 6.54	13,230	to 17,639
\$ 1,834.92	\$ 4.54	17,640	to 22,049
\$ 0.00	\$ 0.00	22,050	+

Staff recommended that the City Commission approve the Airline Facilities Construction and Lease Agreement with Avelo Airlines, Inc. and authorize the appropriate City officials to finalize and execute all corresponding documents consistent with the above-specified terms.

Ramona Sirianni presented this item to the Commission.

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

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

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

Agreement with Johnson Laux Construction, LLC for General Contractor Services for Terminal Modifications and Renovations

This was a proposed Agreement with Johnson Laux Construction, LLC (Johnson Laux) to perform general contractor services for terminal modifications and renovations at the Airport to accommodate commercial air service operations. The work in the terminal building generally includes: HVAC, flooring, electrical, drywall, minor plumbing, exterior building paint, installation of a public announcement system and additional hold room seating. In addition, there will be installation of security cameras for non-exclusive public areas and the Transportation Security Administration offices, as well as an expanded security screening checkpoint. The rental car offices will also be painted and receive new flooring. Lastly, the Airport's administration office conference room will be expanded to accommodate larger meetings and for training of personnel.

The City's Purchasing Department approved Johnson Laux in accordance with a piggyback contract with the Pinellas County Schools Department of Procurement issuance of Invitation to Bid (ITB) 23-909-027. Johnson Laux will perform the work pursuant to its proposal dated December 6, 2023 and in accordance with the terms and conditions set forth in the ITB. The term of this Agreement will commence December 18, 2023 and continue through April 26, 2024. The total cost of the work order is a firm fixed price of \$1,582,209.60. This project will be funded from the City's internal loan proceeds in FY24.

Staff recommended that the City Commission approve this Agreement with Johnson Laux to perform general contractor services for terminal modifications and renovations at the Airport and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Bill Read moved to approve the recommendation. Commissioner 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.

Agreement with Dormakaba USA, Inc. for the Purchase of Terminal Exit Lane Breach Control Technology

This was a proposed Agreement with Dormakaba USA, Inc. (Dormakaba) for the purchase of terminal exit lane breach control technology. With the commencement of commercial air service in Lakeland, the Airport needs to install exit lane technology in the terminal to enhance security measures and mitigate the risk of unauthorized access to critical areas. This technology is designed to monitor and prevent breaches in exit lanes where departing passengers leave the secure areas of the Airport. The technology includes sensors, surveillance cameras, and automated systems, including sequenced automated doors and barriers, which can detect and restrict unauthorized attempts to access the secured area of the Airport.

The City's Purchasing Department approved Dormakaba in accordance with The Interlocal Purchasing System (TIPS), a governmental entity and national purchasing cooperative, TIPS Contract 230202 Security Systems Products and Services. The term of this Agreement, effective upon City Commission approval, will continue until Airport's acceptance of the installation of equipment, which is scheduled to be completed March 31, 2024. The purchase with Dormakaba will be governed by the terms and conditions set forth in Dormakaba's proposal. The total cost of equipment, freight, and installation is \$95,350.00. This purchase will be funded from the City's internal loan proceeds in FY24.

Staff recommended that the City Commission approve this Agreement with Dormakaba for the purchase of terminal exit lane breach control technology and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Mike Musick moved to approve the recommendation. Commissioner Samuel Simmons 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.

Interlocal Agreement with Polk County for Marketing of Commercial Air Service into Lakeland and Site Master Planning for the Aerospace Center for Excellence

This was a proposed Interlocal Agreement between the City and Polk County (County) relating to the marketing of commercial air passenger service into Lakeland Linder International Airport (Airport) and the development of a Site Master Plan for the Aerospace Center for Excellence (ACE) leasehold located at the Airport.

Pursuant to the Agreement the County will be able to display tourism information throughout the Airport terminal building at the County's sole cost and expense. The County's marketing will include:

- Signage on the exterior of the terminal building, which would be visible to passengers as they disembark planes.
- Five (5) graphic panels near the baggage carousel in the Airport terminal building.
- A build out of a Visitor Information Desk located in the baggage area across from the Rental Car desk.
- Signage on the steel beams located under the covered walkway at the entrance of the Airport terminal building.
- A double-sided sign at the entrance to the Airport parking lot.
- Branded charging stations in the gate area of the terminal building.

All signage and other installations belonging to the County are required to be approved by the City, in writing, prior to their installation. These marketing items will enable the County to reach visitors arriving at the Airport by advertising local events and points of interest to promote tourism and create additional positive economic impacts throughout the community.

The Agreement also seeks to further develop a Site Master Plan for the ACE leasehold on the south side of the Airport. As the Airport continues to develop, it is necessary for ACE to complete a Site Master Planning project to address impacts to its existing facilities. This project will bring together multiple stakeholders, including the City and County, to ensure synergy between the Airport's Master Plan and the future of the ACE educational campus, event venues, as well as the future layout of the SUN 'n FUN Aerospace Expo.

In support of the project, the County will partner with the City to provide a total of \$300,000 toward the project. The County will fund \$150,000 of the total project cost which it will pay in a lump sum this fiscal year. The City will also fund \$150,000 of the total project cost, which it will pay in three (3) equal annual installments of \$50,000 each in fiscal years 2024, 2025 and 2026. It is also anticipated that SUN 'N FUN FLY-IN, INC. will contribute an additional \$150,000 towards the remaining balance of the project pursuant to a separate agreement with the City.

Staff recommended that the City Commission approve the Interlocal Agreement with the County and authorize the appropriate City officials to execute the Agreement and all corresponding documents with the County. It is also requested that the City Commission authorize an appropriation of \$50,000 to be paid from the unappropriated surplus of the Airport Operating Fund.

Ramona Sirianni presented this item to the Commission.

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

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

Mark Jackson, Director of Polk County Tourism and Sports Marketing, explained this boils down to relationships. Tourism sports marketing with the community is second to none. This is an airline that is at the top of the industry with on-time performance. We are going to spend \$6 Million in marketing Lakeland to the nation. It is part of an agreement with Avelo. It is a supply and demand relationship. Lakeland builds the supply and it will develop second to none. We'll be in 10 different markets promoting Lakeland, which will be more business in Lakeland and more jobs for our citizens.

The Commission discussed the partners who have been working on this project such as Mark Zimmerman, and Gene Conrad. We do not have competing interests. We have people on the project team who are equally committed to Sun 'n Fun and commercial air.

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

Local Government Comprehensive Planning Certification Program Agreement with the Florida Department of Commerce to Renew the City's Designation as a Certified Community

This was a certification agreement between the City of Lakeland and the Florida Department of Commerce ("Commerce") that renews the City's designation as a Certified Community under the State's Local Government Comprehensive Planning Certification Program ("Certification Program"). This agreement reaffirms Lakeland's status as one of a select number of local governments to be designated as a Certified Community, a distinction Lakeland has held since July 2004.

To be eligible for designation as a Certified Community pursuant to Section 163.3246, Florida Statutes, a local government must demonstrate a record of effective adoption, implementation, and enforcement of its comprehensive plan, an exceptional level of planning expertise, and a commitment to further exemplary planning practices. Local governments designated as Certified Communities require less oversight from state and regional authorities in the comprehensive plan amendment process.

The City and Commerce's predecessor agency, the Florida Department of Economic Opportunity ("DEO"), previously renewed their written agreement designating the City as a Certified Community on March 26, 2012. Since that time, the City has continued to meet the eligibility criteria for certification under the Certification Program and complied with annual reporting requirements.

Following the reorganization of DEO, Commerce notified the City of the need to renew the certification agreement and coordinated with City staff to update the agreement. The

substantive changes include an amended Certification Area Boundary Map (Exhibit "B") and updated Baseline Conditions and Community Development Goals (Exhibit "D").

Staff recommended that the City Commission approve the Local Government Comprehensive Planning Certification Program Agreement with Commerce and authorize the appropriate City officials execute all necessary documents to finalize the renewal.

Palmer Davis presented this item to the Commission. The city has held the distinction of being a certified community since 2004. We are exempt from State review for most of our comprehensive plan. There are only 3 communities in the State that qualify for this certification.

Motion: Commissioner Chad McLeod 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 amount of work that goes into development approvals before they get to the commission for approval. Commissioner Chad McLeod thanked City staff for meeting that achievement.
- Lakeland's planning staff is the best in the State. This is a community that values planning. Staff implements infrastructure into planning to help us look at the city as a whole. It is unique for any city, especially for one the size of Lakeland.
- In terms of State & County agencies, the City's relationships with those entities have helped retain the City's certification. Lakeland was at the table with those entities. Lakeland's partners understand the issues and are excited to help make good investments. Internally Lakeland's development review team reviews all development and site plans. Even at the concept level, they can see changes that may affect transportation infrastructure services. That allows staff to go back to the developer early on to make accommodations.
- The City is subject to the State if development is in the Green Swamp Area of Concern or if the development is newly annexed property that is outside of the certification area.
- The certification allows the City to treat land use on the same timeline as zoning ordinances.

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

Master Agreement with Avolve Software Corporation for Professional Services and Electronic Plan Review and Management System

This was a proposed Master Services Agreement with Avolve Software Corporation (Avolve) for a remotely hosted, electronic plan review and project information management system for the Community and Economic Development Department. The Agreement provides software-as-a-service access to Avolve's system converting the

City's existing on-premises installation to a remotely hosted subscription with annual upgrades, integration with the City's permitting system, and production of training videos for end-users and support staff (Avolve SaaS Solution).

The Purchasing Department has approved Avolve as a sole source provider of these services which the City has utilized since 2015 for its on-premises solution. Avolve is now discontinuing its on-premises solution and moving to a cloud platform. This conversion will store and secure all data remotely and all unlimited workflows for increased automation and efficiency.

The term of this Agreement shall be effective upon approval by the City Commission and continue for a period of one (1) year, commencing sixty (60) days from the initial setup and deployment of the Avolve SaaS Solution. The Agreement provides for automatic annual renewals, unless otherwise cancelled or terminated by the City upon thirty (30) days prior written notice of its intent not to renew. The total Year 1 cost associated with this Agreement is \$142,673.00, which is budgeted in FY24 using Building Inspection funds. The Year 1 cost includes the subscription services, professional services for implementation and estimated travel expenses which shall be paid in accordance with the City's Consultant Expense Reimbursement Policy. For any renewals exercised by the City, annual subscription fees will be capped at the lesser of the annual Consumer Price Index increase or 5%.

Staff recommended that the City Commission approve the Master Agreement with Avolve for professional services and electronic plan review and management system and that the appropriate City officials be authorized to execute this Agreement and all corresponding documents with Avolve.

Palmer Davis presented this item to the Commission.

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

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

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

FINANCE DIRECTOR

Appropriation and Increase in Estimated Revenues - Lakeland Linder International Airport Renewal and Replacement Fund

The Airport will be completing several projects in preparation for commercial airline service. The various projects will be funded through an internal loan. The airline start-up costs will include the following projects.

Phase A - Terminal	
Terminal Renovations Architectural Engineering	-This work includes the architectural design plans for permit issuance and construction adherence for the terminal modifications and renovations.
Terminal Renovations Contractor	-The work includes, but is not limited to, HVAC, flooring, electrical, drywall, minor plumbing, exterior building paint, a public announcement system, additional hold room seating, and CCTV's for non-exclusive public areas, Transportation Security Administration (TSA) offices and security screening checkpoint, rental car offices, and one airport administration conference room.
Ramp Markings	This task includes pavement striping to include pedestrian walkways, aircraft silhouettes, and ground support equipment staging areas.
Terminal Exit Lane Technology	This technology is designed to monitor and prevent breaches in exit lanes, where departing passengers leave the secure areas of the airport. This technology includes sensors, surveillance cameras, and automated systems (to include sequenced automated doors and barriers), which can detect and restrict unauthorized attempts to access the secured area of the airport.
ARFF Truck Backup Replacement	An Aircraft Rescue Fire Fighting truck is a required piece of equipment for airports to receive commercial service aircraft carrying passengers. This backup replacement truck will ensure the airport can meet the requirements of the FAA in the event one of the airport's front-line trucks is down for scheduled or unscheduled maintenance.
SIDA Signs Install	This task includes, but is not limited to, the purchase of two new FAA-approved lighted airfield signs and the installation of the bases and electrical connections. The signs will be placed along the two taxiways leading to the airport's security identification display area. These new signs will clearly delineate the boundaries of the Security Identification Display Area (SIDA) and that access is restricted to authorized personnel and aircraft only.
Tree Clearing	The TSA has advised the Airport to clear vegetation that is breaching the fence line in certain locations along the perimeter of the Airport. Maintaining a clear line of sight along the perimeter helps security personnel monitor and respond to any unauthorized access more effectively.

Website Update	The Airport will need to update the website, which includes linking to the air carrier's booking page through OAG. Additional updates will include a new background treatment (design, color changes) freshening the website's look and providing information about the air carrier to the public.
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Phase A.1 - Parking + FIDS

Parking Area Modifications - Contractor	The work includes, but is not limited to, canopy/awnings, bollards, wayfinding signage, informational signage, directional boring, utility mapping, pavement markings, etc.
Parking Revenue System	The parking revenue system will enhance operational efficiency, generate revenue, and provide security and access control to the public parking area. This project will automate fee collection, provide a significant source of revenue, and ensure that only authorized vehicles can enter and exit the designated area. It includes the installation of two automated entry and exit kiosks.
FIDS	Airports utilize Flight Information Display Systems (FIDS) to provide real-time updates on flight schedules, gate assignments, baggage handling, and any emergency communications. The project includes the addition of four raspberry pucks (router modem), four hanging kits, four monitors, one full subscription year, and the software purchase.

Therefore, it is requested that the City Commission authorize an appropriation and increase in revenues of \$3,578,313 in the Lakeland Linder International Airport Renewal and Replacement Fund for the following amounts:

- \$3,392,870 in proceeds from the Internal Loan Fund for the listed projects
- \$185,443 from the unappropriated surplus of the Lakeland Linder International Airport Operating Fund for the FY'24 debt service

Mike Brossart presented this item to the Commission.

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

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

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

UTILITY

Ordinances – None

Resolutions – None

Miscellaneous

- * **Approval of the Standard Continuing Contract for Consulting Services for Power Plant Turbines and Generators and Authorization to Negotiate a Continuing Contract with Short-Listed Firm IEM Energy Consultants, LLC**

In accordance with the Consultant's Competitive Negotiation Act (CCNA), the City recently issued Request for Qualifications (RFQ) #128 and formed a Committee to select qualified firms to provide Consulting Services for Power Plant Turbines and Generators pursuant to a continuing contract. Only one (1) firm responded to the City's RFQ.

Company

IEM Energy Consultants, LLC

Location

Alexandria, MN

The overall criteria evaluated by the Selection Committee, comprised of Energy Production Engineering staff members, included:

- Business value created for the City of Lakeland
- Experience providing services to similar jurisdictions
- Ability to complete the project within all constraints (Schedule, Scope of Work, Quality of Work and Customer Satisfaction)

Included with this approval request is a copy of the standard Continuing Contract for Consulting Services for Power Plant Turbines and Generators that the City intends to enter with short-listed firm, IEM Energy Consultants, LLC (IEM), upon approval by the City 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. All work performed by IEM is subject to the terms/conditions set forth in the Continuing Contract. The Continuing Contract is a zero-dollar agreement pursuant to which all work will be performed under separately issued Task Authorizations requiring appropriate City approval based on the dollar value of services provided.

Staff recommended that the City Commission approve the standard continuing contract for Consulting Services for Power Plant Turbines and Generators with the above-specified short-listed firm, IEM, and the appropriate City officials be authorized to negotiate and finalize an Agreement and all corresponding documents with IEM.

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

- * **Agreement with ErgoFlex Systems, Inc. d/b/a Xybix Systems, Inc. for Replacement of Workstations for Lakeland Electric's Control Center**

This is a proposed Agreement with ErgoFlex Systems, Inc. d/b/a Xybix Systems, Inc. (Xybix) for replacement of three (3) adjustable workstations for the Lakeland Electric's Control Center. The existing workstations in the Control Center, which are ten (10) years old, have sustained significant wear and tear. However, replacement parts for the workstations are unavailable due to their age. These workstations in Lakeland Electric's Control Center are used 24 hours a day, 365 days a year. Each workstation consists of two (2) adjustable tables, computer cabinets, power supply, USB docking stations and the ability to mount eight (8) monitors. The scope of work also includes filing cabinets and fabric panels between each workstation. This Agreement with Xybix seeks to replace 60% of the workstations in the Control Center, with the remaining 40% scheduled to be replaced in FY25.

The City's Purchasing Department has approved the procurement of the workstations from Xybix pursuant to a piggyback contract with the State of Florida, Department of Management Services Contract No. 43190000-22-NASPO-ACS for Public Safety Communications Products, Services and Solutions. Upon approval by the City Commission, the City will issue a Purchase Order for the workstations which are anticipated to be delivered and installed in January 2024. The purchase will be governed by the terms and conditions set forth in the City's Purchase Order, the State of Florida Contract and in the Xybix' quote dated October 31, 2023. The total cost of the work is \$58,296.75 and is included in Lakeland Electric's FY24 budget.

Staff recommended that the City Commission approve this Agreement with Xybix for replacement of workstations for the Lakeland Electric's Control Center and authorize the appropriate City officials to issue a Purchase Order and execute all corresponding documents on behalf of the City.

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

*** Agreement with Alliance Technical Group, LLC for Annual Continuous Emissions Monitoring Equipment Maintenance at McIntosh, Larsen, and Winston Power Plants**

This was a proposed Agreement with Alliance Technical Group, LLC (Alliance) for annual Continuous Emissions Monitoring Equipment Maintenance (CEMS) at the McIntosh, Larsen, and Winston Power Plants. Continuous emissions monitoring is required by federal and state. Accordingly, the equipment that monitors emissions at the City's power plants requires periodic inspection and maintenance. Failure to comply with federal and state requirements for this type of monitoring can result in significant penalties and/or fines.

On July 31, 2023, the City's Purchasing Department issued Invitation to Bid No. 2023-ITB-094 seeking qualified CEMS contractors to perform bi-weekly, weekly, monthly, quarterly, semiannual, and annual inspection, testing, calibration, and maintenance of

the City's CEMS equipment at the McIntosh, Larsen, and Winston Power Plants. The City received responses from the two (2) contractors listed below.

Contractor	Location	Total Bid Price
Alliance Technical Group, LLC	Decatur, AL	\$90,000.00
ESC Spectrum Corporation	Austin, TX	\$105,000.00

Upon evaluation by City staff, Alliance was selected as the most responsive responsible bidder with the lowest price for the services. Upon approval by the City Commission, the City will issue a Purchase Order for Alliance to begin services. The initial term of the Agreement will be for a period of one (1) year with four (4) additional one (1) year renewal options upon mutual written agreement of the parties. All services provided by Alliance will be performed in accordance with the terms and conditions set forth in the City's Bid Specification and Alliance's bid response. The total cost of the services for the initial one (1) year term is \$90,000.00, which is included in Lakeland Electric's FY24 budget. Any renewal options exercised will be subject to budget approval by the City Commission in subsequent budget years.

Staff recommended that the City Commission approve this Agreement with Alliance for CEMS at McIntosh, Larsen and Winston Power Plants and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

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

Agreements with Stag Industries, LLC and Trujillo Lawn Company for Mowing and Ground Maintenance Services at McIntosh, Larsen, and Winston Power Plants

This was proposed Agreements with Stag Industries, LLC (Stag) and Trujillo Lawn Company (Trujillo) for mowing and ground maintenance services at the McIntosh, Larsen, and Winston Power Plants. Lakeland Electric must maintain approximately 364 acres of power plant property to ensure the facilities are adequately kept, as well as to help control the population of potentially dangerous and disruptive wildlife. Such maintenance services include mowing of grass, weeding, tree and bush trimming and herbicide application.

On August 11, 2023, the City's Purchasing Department issued Invitation to Bid No. 2023-ITB-115 seeking qualified vendors to provide mowing and ground maintenance services at the McIntosh, Larsen, and Winston Power Plants. The City received responses from the three (3) vendors listed below.

Contractor	Location	Total Bid Price	McIntosh	Larsen	Winston
Cut Ups Lawn Service, Inc.	Tampa, FL	\$337,490.00	\$305,172.00	\$7,884.00	\$9,560.00
Stag Industries, LLC	Lakeland, FL	\$292,800.00	<u>\$231,200.00</u>	\$20,700.00	\$20,700.00
Trujillo Lawn Company	Winter Haven, FL	\$279,877.80	\$264,697.80	<u>\$6,210.00</u>	<u>\$8,970.00</u>

Upon evaluation by City staff, Stag was selected as the most responsive responsible bidder with the lowest price for the maintenance services at McIntosh, while Trujillo was selected as the most responsive responsible bidder with the lowest price for the maintenance services at Larsen and Winston. Upon approval by the City Commission, the City will issue a Purchase Order to Stag and Trujillo for mowing and grounds maintenance services at the respective locations noted above. The initial term of the Agreements will be for a period of one (1) year with, four (4) additional one (1) year renewal options upon mutual written agreement of the parties. Services will be performed in accordance with the terms and conditions set forth in the City's Bid Specification and each vendor's Bid response. The total cost of the work for the one (1) year term is \$246,380.00, which is included in Lakeland Electric's FY24 Budget. Any renewal terms, if exercised, will be subject to budget approval by the City Commission in subsequent budget years.

Staff recommended that the City Commission approve these Agreements with Stag and Trujillo for mowing and ground maintenance services at the McIntosh, Larsen and Winston Power Plants and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Motion: Commissioner Bill Read moved to approve the recommendation. Commissioner Mike Musick seconded.

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

- This was a necessary safety detail.
- This did not include police training.

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

Agreement with Pennzoil-Quaker State Company d/b/a SOPUS Products for the Supply of Oil for the McIntosh Reciprocating Engine Project

This was a proposed Agreement with SOPUS Products (Shell) for the supply of oil for the McIntosh Reciprocating Engine Project (MREP). The MREP requires oil for the engines in order to perform maintenance and flush the systems in preparation for startup, as well as provide a reserve oil supply for engine consumption. A total of 38,500 gallons of oil is needed in different shipments to support the construction and startup of the engines. An additional 18,000 gallons per year is needed for consumption by the engines based on projected run times.

On October 13, 2023, the City's Purchasing Department issued Invitation to Bid No. 2023-ITB-160 seeking qualified vendors to provide engine oil for the MREP. The City received responses from the four (4) vendors listed below.

Contractor	Location	Start-up Bid Price	Consumption Price/Gallon
Addinol North America, Inc.	New York, NY	\$482,338.08	\$12.59
Hujaya Supply	Wesley Chapel, FL	\$802,347.00	\$20.67
Pennzoil-Quaker State Company d/b/a SOPUS Products (Shell)	Houston, TX	\$374,084.00	\$9.68
RelaDyne Florida, LLC	Lakeland, FL	\$448,010.00	\$12.66

Upon evaluation by City staff, Shell was selected as the most responsive responsible bidder with the lowest price for the supply of oil for the MREP. Upon approval by the City Commission, the City will issue a Purchase Order to Shell and accept the first delivery of the oil in January 2024, with subsequent deliveries as needed through 2024 for the initial 38,500 gallons at a total cost of \$374,084.

In addition, the City will also enter a three (3) year agreement with Shell to provide 18,000 gallons of consumable oil per year needed to operate the MREP at an initial cost of \$9.68 per gallon. Pursuant to the Agreement, this per gallon cost for future years may escalate based on the price of oil at the time of ordering. However, the Agreement does not obligate the City to order a minimum quantity of oil. In accordance with the

Agreement, Shell will also provide oil quality monitoring for the MREP at a cost of \$125.00 per engine, per month or \$9,000 per year for the three (3) year term.

Services will be performed in accordance with the terms and conditions set forth in the City's Bid Specifications and the Agreement with Shell. The total cost of the initial oil supply of 38,500 gallons is \$374,084.00, which is included in the in the Lakeland Electric's budget for the MREP previously approved by the City Commission and funded through the City's Energy System Revenue Bond. The total estimated cost of the consumption oil and oil quality monitoring for the three (3) year term is \$549,720.00, which is part of the MREP operating budget and will be subject to budget approval by the City Commission in subsequent budget years. The total cost of the Agreement is \$923,804.00.

Staff recommended that the City Commission approve this Agreement with Shell to supply oil for the MREP and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Chad McLeod moved to approve the recommendation. Commissioner 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.

Agreement with Camfil Power Systems for Inlet Filter Modifications and Filter Changes at McIntosh Unit 5

This was a proposed Agreement with Camfil Power Systems (Camfil) for inlet filter modifications and filter changes at McIntosh Unit 5. The combustion turbine inlet filters, consisting of 648 conical and 648 cylindrical filters, need to be changed every 3 years. The last filter change occurred in 2020. In addition, the filters are currently installed with an Original Equipment Manufacturer twist lock system that has caused problems with material breakage and installation quality. As such, the scope of work also includes modification to the filter mounting system to allow for standard filter designs to be installed to extend filter life by as much as 50%.

On November 1, 2023, the City's Purchasing Department issued Invitation to Bid No. 2023-ITB-170 seeking qualified contractors to modify the inlet air filter house and replace the filter cartridges at McIntosh Unit 5. The City received responses from the three (3) contractors listed below.

Contractor	Location	Total Bid Price
Camfil Power Systems	Laval, Quebec, CA	\$313,023.40
Filter-Doc Corporation	Memphis, TN	\$342,192.00
Nederman MikroPul, LLC	Charlotte, NC	\$570,000.00

Upon evaluation by City staff, Camfil was selected as the most responsive responsible bidder with the lowest price for the work. Upon approval by the City Commission, the City will issue a Purchase Order for the work to be completed during Unit 5's Spring 2024 scheduled outage, scheduled to begin February 24, 2024. Services will be performed pursuant to the terms and conditions set forth in the City's Bid Specification and Camfil's bid response. The total cost of the work is \$313,023.40 and is included in Lakeland Electric's FY24 Budget.

Staff recommended that the City Commission approve this Agreement with Camfil for inlet filter modifications and filter changes at McIntosh Unit 5 and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Bill Read moved to approve the recommendation. Commissioner Mike Musick seconded.

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

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

AUDIENCE – None

MAYOR AND MEMBERS OF THE CITY COMMISSION

Mayor Bill Mutz:

- Applauded staff and the Commission on approving the final approach for Avelo as it comes to Lakeland.
- January 2nd is the Sine Die meeting. That is Commissioner Samuel Simmons's final meeting. He wanted to address the elephant in the room. This will be the first time since 1968 there has not been an African American at the dais. I know that has been a concern. All people in our city are important to us and we will work to represent all of them. He wanted to make sure Commissioner Samuel Simmons understands how important that is to the Commission.

Commissioner Samuel Simmons explained this is his last meeting. He appreciated the opportunity to serve the citizens of Lakeland.

Commissioner Mike Musick:

- It has been nice sitting next to Commissioner Samuel Simmons. He appreciated being able to ask Samuel Simmons questions about things he did not understand. He acknowledged the burden Commissioner Samuel Simmons must have felt for the year he served. Commissioner Samuel Simmons has done great by his neighborhood, his town, and his city.
- Happy Birthday Traci Terry. He did not know how previous commission's operated without her.
- Happy Birthday Commissioner Stephanie Madden.

Commissioner Stephanie Madden:

This is bittersweet. It has been joyful serving alongside Commissioner Samuel Simmons. She recognized his marriage, family, commitment to the community. She was always excited to tell people about Commissioner Samuel Simmons's character. You had a big learning curve and campaign all at once. In your quietness it may not have been evident to the community. She asked Commissioner Samuel Simmons to reach out to her when there were concerns in the community or with PAL. There are a lot of capable people and it was good for people to step up. She knows that Commissioner Samuel Simmons had a special place in his heart for his neighborhood. It is incumbent upon us to be the memory keepers of things we did not personally experience. We honor you and your service.

Commissioner Bill Read did get to meet Commissioner Samuel Simmons's family at the first parade. It was heartwarming to have Commissioner Samuel Simmons on the Commission. You are welcome here anytime. He encouraged Commissioner Samuel Simmons to participate and stay involved.

Commissioner Chad McLeod did not know Commissioner Samuel Simmons before he put his name in for the commission seat. He was impressed by Commissioner Samuel Simmons's thoughtfulness and knowledge of history of the City of Lakeland. He appreciated the way Commissioner Samuel Simmons represented the needs of his neighborhood. We can meet one on one now. Please continue to lend your voice to the City of Lakeland.

Commissioner Sara McCarley: We all were impressed with Commissioner Samuel Simmons's quiet dignity. You are so thoughtful in a very intellectual way. Sometimes silence in politics gets missed and is underappreciated. She was honored to say that they served together on different boards and he was always engaged. We love the entirety of Lakeland as do you. We want to make sure the northwest district has that historic perspective has a voice here and the people are cared for.

Mayor Bill Mutz: Commissioner-Elect LaLonde is a person that Commissioner Samuel Simmons should also reach out to. He will work hard for the community. Mayor Bill

Mutz asked Commissioner Samuel Simmons to not be shy to communicate needs in his community. We do not want to miss your input.

Commissioner Samuel Simmons: It has been great. He thanked the Commission for the opportunity to serve. He learned a lot from this perspective.

Commissioner Bill Read: Merry Christmas!

Palmer Davis reminded the Commission to submit their names to Kelly Koos for the Charter Review Committee. He hoped to make the appointment at the second meeting in January.

CALL FOR ADJOURNMENT - 11:43 A.M.



H. William Mutz, Mayor


Kelly Koos, City Clerk