LAKELAND CITY COMMISSION

Regular Session
February 7, 2022

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

CALL TO ORDER - 9:00 A.M.

PRESENTATIONS

Annual Report on the Lakeland Chamber of Commerce and Lakeland Convention and Visitors Bureau (Chuck McDanal, Interim President & CEO)

MLK Jr. Parade Winners (Bob Donahay, P&R Director and John Williams Jr, Asst. Supt of Recreation)

Beautification Awards (Bill Koen)

- Residential: James and Vicky Luffman – 1204 Easton Drive
- Commercial: Weinstein Computer Science Center FSC - 127 Callahan Court

PROCLAMATIONS

Black History Month

COMMITTEE REPORTS AND RELATED ITEMS

Real Estate & Transportation Committee 02/04/22

1. Lease Agreement with ITPS (America), LLC
2. Lease Agreement with Kingsky Flight Academy, LLC
3. Third Amendment to Lease Agreement with Lance Aviation, Inc.

Commissioner Mike Musick presented the report.

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

Mayor Bill Mutz asked for comments from the Commission and the public. 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 (*) were considered routine by the City Commission and were enacted by one motion following an opportunity for public comment. There was no separate discussion of these items unless a City Commissioner or Citizen so requested, in which event the item was removed from the consent agenda and considered in its normal sequence.

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

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

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

APPROVAL OF MINUTES (with any amendments)

* Commission Minutes – January 14-18, 2022

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

EQUALIZATION HEARINGS

Recess/Convene: The Commission recessed the Regular Session and convened as the Equalization Board.

Palmer Davis explained the City Charter requires that prior to recording a lien against private property, the City Commission convene as the Equalization Board and grant those property owners the opportunity to object to the recording of the lien or ask any questions they might have. If someone present received a notice to appear before the City Commission re a lots cleaning/clearing or demolition assessment, this is the time to address the Commission.

Lots Cleaning and Clearing

Motion: Commissioner Phillip Walker moved to approve the assessments. Commissioner Sara McCarley seconded.

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

Commissioner Sara McCarley had a question about a call she received concerning a city property. Palmer Davis asked her to provide him with the address information.

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

Adjourn/Reconvene: The Equalization Board adjourned and the City Commission reconvened in Regular Session.

PUBLIC HEARINGS

Ordinances (First Reading)

Proposed 22-002; Changes to the Land Development Code (LDC); Article 5 (Standards for Specific Uses) to Remove Development Standards Pertaining to Sidewalk Cafes

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 5 OF THE LAND DEVELOPMENT CODE TO REMOVE DEVELOPMENT STANDARDS PERTAINING TO SIDEWALK CAFES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on February 21, 2022.

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

Resolutions

Resolution 5740; Proposed 22-002; Designating Property Located at 900 East Bella Vista Street a Brownfield Area

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA DESIGNATING PROPERTY LOCATED AT 900 EAST BELLA VISTA STREET AS A BROWNFIELD AREA; AUTHORIZING THE CITY ATTORNEY TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker moved to approve the resolution. Commissioner Mike Musick seconded.

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

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

Miscellaneous

Development Agreement with Forestar (USA) Real Estate Group, Inc. for Property Located South of W. Pipkin Road, West of Yates Road, North of Ewell Road and West of Busy Bee Lane

Forestar (USA) Real Estate Group, Inc. is proposing to develop a residential community (Hawthorne) consisting of up to 1,051 single-family detached and 180 single-family attached dwelling units on 486.842 acres generally located south of West Pipkin Road, north of Ewell Road and west of the Riverstone development. A Planned Unit Development (PUD) zoning ordinance was originally approved for the property on February 19, 2007 by a previous developer, with the last major modification to the PUD being adopted by the City Commission on December 17, 2018. The recommended PUD conditions address the Project's expected traffic impacts in the 2030 buildout year as analyzed in a Major Traffic Study submitted by Traffic & Mobility Consultants, LLC dated March 2021. With Polk County's on-going four-lane construction project on West Pipkin Road between Medulla Road and Harden Boulevard and three-lane reconstruction project between Harden Boulevard and South Florida Avenue, the primary transportation concurrency deficiency at buildout attributed to the Project is on Ewell Road between County Line Road and South Florida Avenue. The analysis estimates that West Pipkin Road between Harden Boulevard and South Florida Avenue is expected to fail with or without the Project's traffic in Year 2030.

The PUD Ordinance requires that prior to the first plat submittal, a Development Agreement shall be executed between the developer and the City and recorded by the Polk County Clerk of Courts to define concurrency mitigation requirements and trip vesting obligations for each development phase of the Project through buildout. City staff is currently reviewing the first plat and construction plan submittal for the first 183 single-family detached residential lots, generally located in the northwest portion of the Project. The PUD ordinance and proposed Development Agreement require the implementation of an internal collector road network to better distribute Project traffic and provide internal pathways with connections to external properties, including Riverstone and the adjacent City park site. The PUD and proposed Development Agreement also require that the internal collector roadways for the Project (Roads A1, A2 and B/Medulla Extension) include multi-use trails, sidewalks and paved shoulders to maximize connectivity for non-motorized transportation modes.

In addition to the construction of internal transportation improvements, the Development Agreement requires that, prior to building permit issuance for the 400th dwelling unit within the Project, the developer shall pay the Lakeland Area Mass Transit District (LAMTD) the first of three annual installments of $166,666.66 (total payment of $500,000.00) to purchase a bus for a route serving the property. The final installment payment will be made no later than December 31, 2025. Prior to the first payment, the Developer shall execute a separate funding agreement with LAMTD. The bus purchase shall be eligible for City Transportation Impact Fee Credits. It should be noted that on November 18, 2020, LAMTD approved the Developer's petition to annex the property and be subject to the half-mill ad valorem tax assessment levied by LAMTD for mass transit services in the Lakeland area. This annexation petition was ratified by the City Commission on January 4, 2021.

Under the Development Agreement, construction of Roads A2 and B/Medulla Extension, between Riverstone and Ewell Road, must be completed by the Developer prior to Certificate of Occupancy (CO) issuance for the 660th dwelling in the Project. Roads A2 and B/Medulla Extension will complete the extension of a collector road corridor from Riverstone to Ewell Road. Finally, the City agrees that upon the Developer's performance under the Development Agreement, the City will vest the Project's 1,072 PM Peak Hour Trips as defined in the Major Traffic Study for a period of ten (10) years.

Staff recommended that the City Commission approve the Development Agreement with Forestar (USA) Real Estate Group, Inc. and authorize the appropriate City officials to execute the Agreement.

Palmer Davis presented this item to the Commission. This was commonly referred to as Hawthorne Mill. The agreement required the developer to provide transportation improvements. This was the first of two required public hearings. The second hearing was to be scheduled for February 21, 2022.

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

Michael Duncan came forward concerning the project. The property bordered his back fence. The surveyor put a marker 6 feet inside his fence line. He asked the Commission to consider the effect of that border.

Palmer Davis could not address the issue in detail this morning. He will talk with Mr. Duncan after the meeting and he will open a dialogue with the developer.

Commissioner Chad McLeod asked for an overview from Chuck Barmby.

Commissioner Mike Musick asked for a follow up from the City Attorney after his discussion with Mr. Duncan and the developer.

Chuck Barmby explained the development agreement. West Pipkin Rd was projected to fail with or without the project. Ewell Road was projected to fail between County Line Rd and Old Hwy 37 with the project. The focus was to take traffic off Ewell and help it circulate around the area. Vesting referred to concurrency approval and site development. Before construction could begin there must be a concurrency analysis. Typically, the City would consider if the 183 lots could be supported by transportation network, water, wastewater, and the school system. The City chose a development agreement for transportation concurrency to give the developer more time to develop and to provide infrastructure for the entire buildout of the project.

Commissioner Sara McCarley asked to see the concurrency matrix all in one grid.

Mr. Barmby continued. The developer will contribute to mass transit in the area by providing installments to pay for a bus. Prior to the certificate of occupancy for the 660th dwelling unit, the spine road will have to be completed to Ewell Rd. Based on today's impact fee schedule the developer will be netting just under $4.4 Million, that is with the $500,000 being removed as a credit for the first bus. Other credits could include the County's impact fee calculation is just under $2.8 Million. Those impact fees would be applied in south Lakeland. There were other key terms included trail connectivity, connectivity to the park property, and concurrency tracking. There were ongoing transportation improvements happening in the area now separate from this project.

Matthew Koops was concerned about traffic. He did not think the police were prepared to serve the area.

Mayor Bill Mutz asked Mr. Barmby to comment on the long-range plans for Ewell. Mr. Barmby explained it will be expanded from County Line to Lunn. There was no immediate fix. This project would signalize the spine road and provide a turn lane at the Ewell Rd. intersection. The developer was providing Right-of-Way for the widening.

Mr. Duncan's brother in law was killed at County Line/Ewell intersection a year ago. A police substation in the area may be beneficial.

Commissioner Sara McCarley asked both gentlemen to watch the agenda study session from Friday where they discussed the issue. The Commission was very aware of the issues in the area.

Commissioner Bill Read: we had a robust discussion on Friday. How long before their properties are impacted, 6-7 years? Mr. Barmby: Lazy Creek was about a 1/2 mile away from Pipkin Road so it would not appear to be affected by Phase I.

Mr. Koops asked about the distance between his home and the development. He wanted the trees at the back of the property to remain.

Chuck Barmby and the citizens reviewed a map and discussed possible wetlands at different locations.

Commissioner Chad McLeod we are discussing transportation specifics and not changing what has already been approved by prior Commissions. This was challenging because it involved Polk County and Hillsborough County. He thanked the public for coming to speak.

Commissioner Phillip Walker asked how many years Mr. Barmby thought it would take for Phase I to be completed. 1-2 years away from the occupancy of the first 183 homes with build out in 2030, which was about 10 years out, depending on market conditions. Site preparation work will begin well in advance. Site construction will be reviewed as the permits are issued.

Mayor Bill Mutz asked for any further comments from the Commission and the public. There were no further comments.

Palmer Davis reminded the Commission this item will return for second public hearing and adoption on February 21, 2022.

COMMUNITY REDEVELOPMENT AGENCY – None

CITY MANAGER

Recommendation re: Task Authorization with Geosyntec Consultants for Lake Parker Water Quality Improvement Alternatives Assessment

The Florida Department of Environmental Protection (FDEP) Verified Impaired Waters (2013) list identified Lake Parker as having excessive levels of nutrients that do not meet the current State water quality standards for Numeric Nutrient Criteria (NNC). In March 2021, the FDEP approved a Nutrient Reduction Plan (NRP) submitted by the City of Lakeland that tasked the City with implementing water quality restoration projects in the next five years.

The Lakes and Stormwater Division sought a proposal from Geosyntec Consultants, a professional Lakes and Watershed Management services firm, currently under continuing contract with the City, to conduct a Water Quality Improvement Alternative Study on a vacant City owned parcel of land located east of East Lake Parker Drive. The focus of the assessment will evaluate locations within the wetland and former mining pit pond areas for future water quality improvement projects. The Task Authorization includes the following major elements:

- Field reconnaissance and survey of the project area in coordination with City survey staff; review of City GIS for stormwater infrastructure, topographic, hydrological data, environmental permits, etc.
- Desktop constraints analysis Stormwater contributing area delineations
- Lake water quality sampling and laboratory analysis and comparison to historic data
- Hydraulic, hydrologic, and water quality modeling to determine pollutant loading and removal capacities for conceptualized water quality improvement alternatives.
- Permit determination and pre-application meetings
- Preparation of documentation, draft, and final technical memorandums
- Progress meetings and reports

Funding for the Lake Parker Water Quality Improvement Alternatives Assessment, in the not-to exceed amount of $144,067.88, is provided in the FY22 Stormwater Utility CIP.

Staff recommended that the City Commission authorize the appropriate City officials to execute the Task Authorization with Geosyntec Consultants for the Lake Parker Water Quality Improvement Alternatives Assessment Study in the not-to-exceed amount of $144,067.88.

Shawn Sherrouse presented this item to the Commission.

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

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

The Commission discussed:

- The importance of lakes to the community.
- Most of the City's lakes had a mandate for clean-up.
- Lily pads on Lake Morton. They were native species and cleaned the water. Staff will check to see if they need to be trimmed back.

Shawn Sherrouse recognized Laurie Smith and her staff who continue to work with partner agencies and place a renewed focus on our water quality.

Laurie Smith spoke about the Lake Parker Study; it will take big projects to address the impairment of this lake. They would like to circulate water from Lake Parker through these wetlands and return it to the lake with fewer nutrients. There were also flooding issues. Staff would like to treat that flood water to protect the lake. With the funding available, they were making good progress. They conduct feasibility studies for each project to make sure they take the best action. They are looking for grants to help with projects to supplement the stormwater utility fees.

Heath Frederick announced that Laurie Smith and her team just received a $280,000 grant.

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

Recommendation re: Task Authorization with Wood Environment & Infrastructure Solutions, Inc. for Lake Hollingsworth South Drainage Infrastructure Assessment and Improvement Feasibility Study

An area south of Lake Hollingsworth, specifically between Edgewood Avenue to the south and Lake Hollingsworth Drive to the north and bounded west to Cleveland Heights Boulevard and, east to Jonila Avenue, has experienced periodic and sometimes significant flooding issues. Multiple factors contribute to the flooding, including topography, undersized inlets and storm sewer conveyances and, conveyances partially blocked by utility conflicts.

This project will encompass an assessment of the existing drainage to identify the critical stormwater infrastructure needs specific to the area and the completion of a feasibility study to identify flood mitigation measures and drainage improvements. Results of the feasibility study will be used to assist the City in identifying and prioritizing future projects within the study area. The major elements of this Lake Hollingsworth South Drainage Infrastructure Assessment and Improvement Feasibility Study include:

- Review of records and databases including the City's GIS for stormwater infrastructure, topographic, and hydrologic data;
- Development of models to evaluate current and proposed improvement conditions to stormwater drainage conveyances and infrastructure;
- Evaluate outfalls to Lake Hollingsworth for potential consolidation and conveyance performance improvement;
- Evaluate feasible flood control, storage, and mitigation options; and,
- Identify, quantify, and prioritize future proposed improvement projects based on estimated cost/benefit.

Funding for this project in the not-to-exceed amount of $99,608 is provided in the FY22 Stormwater CIP budget.

Staff recommended that the City Commission authorize the appropriate City officials to execute the Task Authorization with Wood Environment & Infrastructure Solutions, Inc. for the Lake Hollingsworth South Drainage Infrastructure Assessment and Improvement Feasibility Study in the not-to-exceed amount of $99,608.

Shawn Sherrouse presented this item to the Commission.

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

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

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

- **Recommendation re: Change Order with Cobb Site Development, Inc. for the County Line Road at US 92 Project**

The City of Lakeland entered into a Construction Agreement with Cobb Site Development, Inc. (Cobb) on April 5, 2021 for the reconstruction and widening of the rail crossing located at County Line Road at US 92.

In advance of CSX commencing their widening of the crossing, Cobb was requested to perform work that was not included in their original scope of services. This work included removal and placement of asphalt, as well as, additional maintenance of traffic for additional road closures was required. CSX also required that temporary concrete barriers be placed on either side of the railroad gates for the remainder of the project.

Change Order No. 1 in the amount of $70,097.14 is submitted for the Commission's consideration. The project account has adequate funding to cover this expense.

Staff recommended that the City Commission authorize the appropriate City officials to enter this Change Order with Cobb Site Development, Inc. for the County Line Road at US 92 project in the amount of $70,097.14.

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

Recommendation re: Cooperative Funding Grant Agreement Between the Southwest Florida Water Management District and City of Lakeland for Lake Parker Restoration Study

The City of Lakeland has been awarded a reimbursable 50% matching Cooperative Funding Initiative (CFI) grant from the Southwest Florida Water Management District (SWFWMD) for the Lake Parker Restoration Study. The study will focus on evaluating the restoration of a degraded and channelized 200-acre forested swamp located west of Lake Parker for water quality improvement alternatives. Restoring the natural function of the swamp will reduce sediment and nutrient loading from its surrounding watershed prior to discharge to Lake Parker, which will help the City in its ongoing efforts to improve the water quality of Lake Parker. Lake Parker does not meet current water quality standards and has a Florida Department of Environmental Protection (FDEP) mandated Nutrient Reduction Plan.

The Cooperative Funding Agreement (Type 3) between SWFWMD and the City of Lakeland for the Lake Parker Restoration Study (Q286) outlines the obligations of both parties, deliverables, project schedule and budget.

The parties anticipate the total cost of the project will be $160,000. SWFWMD, through the Agreement, agrees to reimburse the City for 50% of all allowable costs up to $80,000. Funding for this project is provided in the FY22 Stormwater Utility CIP budget. The project budget is as follows:

PROJECT BUDGET:

DESCRIPTION	DISTRICT	COOPERATOR	TOTAL
Data Collection Plan	$2,500	$2,500	$5,000
Data Collection, Compilation, Analysis, and Technical Memorandum	$46,200	$46,200	$92,500
Watershed and Water Quality Assessment	$13,630	$13,630	$27,260
BMP Alternatives Analysis	$3,000	$3,000	$6,000

Draft Report	$9,420	$9,420	$18,840
Final Report	$5,200	$5,200	$10,400
TOTAL	$80,000	$80,000	$160,000

Staff recommended that the City Commission authorize the appropriate City officials to execute the Cooperative Funding Agreement (Type 3) between the Southwest Florida Water Management and the City of Lakeland for the Lake Parker Restoration Study (Q286).

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Phillip Walker moved to approve the agreement. Commissioner Sara McCarley seconded.

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

The Commission discussed:

- The City's 50% was in the stormwater budget.
- Staff was aware of Lake Parker's water qualify. This project first came up 20 years ago. They put other projects in place first. This was next on the list. Staff had been planning for it for a long time. There will be more projects coming.

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

Recommendation re: Change Order No. 8 to the Construction Agreement with Cobb Site Development, Inc. for the North Wabash Avenue Extension Project

Wabash Avenue with Fairbanks Street. The southern limits of the project are Crutchfield Road. The project will provide a two-lane roadway, 6' wide sidewalks on both sides of the street, street lighting, a new railroad crossing, stormwater drainage system, and an improved intersection at 10th Street with the addition of a traffic signal.

The City Commission awarded the construction agreement to Cobb Site Development Inc. (Cobb) in October 2020 and commenced construction of the project in November 2020. Construction is more than 65% complete.

The subject Change Order No. 8 has multiple tasks included:

Item 1: Relocation of 16" Waterline due to conflict with Stormwater on 10th Street. Contract Change: Increase of $36,671.15 and an additional 6 days.

Item 2: Removal and replacement of Sanitary Manhole MH33119A to avoid conflict with N. Wabash driveway at station 23+50(RT). Contract Change: Increase of $12,306.88 and an additional 2 days

<u>Item 3:</u> Elevation adjustment to existing Sanitary Sewer Manhole MH33154. Contract Change: Increase of $4,524.98 and an additional 1 day

<u>Item 4:</u> Removal and replacement of sanitary sewer pipe on 10th Street & Wabash Ave. Contract Change: Increase of $66,237.68 and an additional 13 days

Total Contract Price Change: Increase of $119,740.69 Total Contract Time Change: Additional 22 days

This change order will be funded from Water Utilities' CIP. Our new Final Completion date is April 8, 2022.

Staff recommended that the City Commission authorize the appropriate City officials to execute Change Order No. 8 to the construction agreement with Cobb Site Development, Inc. for the North Wabash Avenue Extension Project in the amount of $119,740.69 and the addition of 22 contract days.

Shawn Sherrouse presented this item to the Commission. The striped bike lane was included in the project.

Motion: Commissioner Bill Read moved to approve the change order. Commissioner Phillip Walker seconded.

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

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

CITY ATTORNEY

Ordinances (First Reading)

Proposed 22-003; Vacating Public Right-of-Way Located North of E. Main Street, South of the CSX Right-of-Way, East of Lake Mirror and West of U.S. Highway 98 North

> AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING PUBLIC RIGHT-OF-WAY LOCATED NORTH OF E. MAIN STREET, SOUTH OF THE CSX RIGHT-OF-WAY, EAST OF LAKE MIRROR AND WEST OF U.S. HIGHWAY 98 NORTH WITHIN THE CITY OF LAKELAND, FLORIDA; AUTHORIZING THE RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on February 21, 2022.

Proposed 22-004; Amending Ordinance 5183, as Amended; Major Modification of a Conditional Use to Allow for the Construction of a 2,000 sq. ft. Accessory Building on Nonconforming Commercial Property Located at 4505 Old Road 37

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 5183, AS AMENDED, TO MODIFY AN EXISTING CONDITIONAL USE TO ALLOW FOR THE CONSTRUCTION OF A 2,000 SQUARE FOOT ACCESSORY BUILDING ON PROPERTY LOCATED AT 4505 OLD ROAD 37; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVI OVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on February 21, 2022.

Proposed 22-005; Amending Ordinance 3987, as Amended; Major Modification of PUD Zoning to Allow for the Repair or Replacement of Existing Legal, Nonconforming Manufactured Homes on Certain Lots within the Highland Fairways Residential Golf Community

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 3987, AS AMENDED, TO PROVIDE FOR A MODIFICATION TO PUD ZONING TO ALLOW FOR THE REPAIR OR REPLACEMENT OF EXISTING LEGAL, NONCONFORMING MANUFACTURED HOMES ON CERTAIN LOTS WITHIN THE HIGHLAND FAIRWAYS RESIDENTIAL GOLF COMMUNITY; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on February 21, 2022.

Proposed 22-006; Small Scale Amendment #LUS21-006 to the Future Land Use Map to Change Future Land Use Designations on Properties Located East of County Line Road and North and South of Ralston Road

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS21-006 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 COMMUNITY ACTIVITY CENTER (CAC) TO RESIDENTIAL HIGH (RH) ON APPROXIMATELY 0.97 ACRES LOCATED AT THE NORTHEAST CORNER OF RALSTON ROAD AND COUNTY LINE ROAD, COMMUNITY ACTIVITY CENTER (CAC) TO RESIDENTIAL HIGH (RH) ON APPROXIMATELY 0.21 ACRES AND RESIDENTIAL LOW (RL) TO RESIDENTIAL HIGH (RH) ON APPROXIMATELY 0.14 ACRES OF PROPERTY LOCATED AT THE

SOUTHEAST CORNER OF RALSTON ROAD AND GRESHAM FARMS ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on February 21, 2022.

Proposed 22-007; Amending Ordinance 4918; Providing for a Change in Zoning on Properties Located East of County Line Road and North and South of Ralston Road

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 4918 TO PROVIDE FOR A CHANGE IN ZONING CLASSIFICATION FROM PUD (PLANNED UNIT DEVELOPMENT) TO MF-22 (MULTI-FAMILY RESIDENTIAL) ON APPROXIMATELY 0.97 ACRES LOCATED AT THE NORTHEAST CORNER OF RALSTON ROAD AND COUNTY LINE ROAD, PUD (PLANNED UNIT DEVELOPMENT) TO C-1 (PEDESTRIAN COMMERCIAL) ON APPROXIMATELY 0.21 ACRES, O-1 (LOW IMPACT OFFICE) TO C-1 (PEDESTRIAN COMMERIAL) ON APPROXIMATELY 1.3 ACRES AND THE APPLICATION OF C-1 (PEDESTRIAN COMMERCIAL) ON APPROXIMATELY 0.14 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF RALSTON ROAD AND GRESHAM FARMS ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on February 21, 2022.

Proposed 22-008; Amending Ordinance 5535, as Amended; Amending Economic Development Impact Fee Mitigation Incentives for Certain Capital Facilities Impact Construction; Extending Sunset Date

AN ORDINANCE AMENDING ORDINANCE NO. 5535, AS AMENDED, THE CITY OF LAKELAND IMPACT FEE ORDINANCE FOR TRANSPORTATION FACILITIES; ADOPTING FINDINGS; AMENDING ECONOMIC DEVELOPMENT IMPACT FEE MITIGATION INCENTIVES FOR CERTAIN CAPITAL FACILITIES IMPACT CONSTRUCTION; EXTENDING SUNSET PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on February 21, 2022.

Proposed 22-009; Amending Ordinance 5536, as Amended; Amending Economic Development Impact Fee Mitigation Incentives for Certain Capital Facilities Impact Construction; Extending Sunset Date

AN ORDINANCE AMENDING ORDINANCE NO. 5536, AS AMENDED, THE CITY OF LAKELAND CONSOLIDATED IMPACT FEE ORDINANCE; ADOPTING

FINDINGS; AMENDING ECONOMIC DEVELOPMENT IMPACT FEE MITIGATION INCENTIVES FOR CERTAIN CAPITAL FACILITIES IMPACT CONSTRUCTION; EXTENDING SUNSET PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on February 21, 2022.

Resolutions

Resolution 5741; Proposed 22-004; Lots Cleaning and Clearing

A RESOLUTION RELATING TO ASSESSMENTS; DETERMINING THE NECESSITY FOR HAVING CLEANED AND CLEARED CERTAIN PROPERTIES WITHIN THE CITY OF LAKELAND; PROVIDING FOR THE ASSESSMENT OF LIENS AGAINST SUCH PROPERTY FOR EXPENSES INCURRED IN THE CLEANING AND CLEARING THEREOF; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker moved to approve the resolution. Commissioner Sara McCarley seconded.

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

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

Resolution 5742; Proposed 22-005; Authorizing the Execution of an Amended Grant Agreement with the Florida Department of Transportation for Financial Project No. 445718-1-94-01 for ILS Category III Project

A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDED GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ADD STATE AND LOCAL FUNDING FOR THE ILS CATEGORY III PROJECT AT LAKELAND LINDER INTERNATIONAL AIRPORT; ADOPTING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

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

Resolution 5743; Proposed 22-006; Intent to Vacate Public Right-of-Way Located North of E. Main Street, South of the CSX Right-of-Way, East of Lake Mirror and West of U.S. Highway 98 North

> A RESOLUTION RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; DECLARING THE CITY COMMISSION'S INTENTION TO ADOPT AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY LOCATED NORTH OF E. MAIN STREET, SOUTH OF THE CSX RIGHT-OF-WAY, EAST OF LAKE MIRROR AND WEST OF U.S. HIGHWAY 98 NORTH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

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

Miscellaneous Reports

Memo re: Legal Fee Report

Following are legal fees and expenses paid to outside law firms from October 2021 – December 2021 along with a comparison from the same time frame for 2020 and a comparison of this fiscal year to previous years.

Boswell & Dunlap LLD	LPD Representation; C. LoBello Civil Service Board Appeal Hearing	$29,325.37
Constang Brooks & Smith y, LLC	Counsel Relating to Union and Labor Matters- Arbitrations; Negotiations	$33,275.00
Gail Cheatwood, Esq.	Miscellaneous Municipal Ordinance Defense	$675.00
Gray Robinson	Litigation Matters – Robson 200 (CE), Christopher Allen, W. Cook, H. Mathis	$64,136.24

	(RLC), M. Fitch, Healthy Progress PRR, Southern War Cry	
Allen Norton & Blue	Counsel Relating to Union and Labor Matters- PERC Matters	$36,638.85
Sugarman & Susskind	Counsel Relating to Employee Pension Plan Matters – Pension Board	$8,077.50
Campbell, Trohn, Tamayo & Aranda	Personal Injury Defense-injuries on city property or auto accidents involving city vehicles	$121,337.78
Vecchio, Carrier & Feldman P.A.	Miscellaneous Workers Comp Defense	$51,698.35
Carlton Fields	457B Plan, General Benefits Advice	$2,262.00
Holland & Knight LLP	Counsel Relating to Man Energy Solutions Agreement	$12,015.00
Berger Singerman	Modification of Site Certification of CD McIntosh Power Plant Unit 3	$805
Gunster	McIntosh Power Plant CCR Rule	$1,102.50
Mary Greenwood	Arbitration for FMCS Hearings	$1,636.94
	Total	**$362,985.53**

OCTOBER - DECEMBER 2021 TOTAL	**$362,985.53**
OCTOBER – DECEMBER 2020 TOTAL	$370,181.76
FY 2017-2018 (Oct – Dec)	$272,283.24
FY 2018-2019 (Oct – Dec)	$532,049.02
FY 2019-2020 (Oct – Dec)	$252,072.78
FY 2020-2021 (Oct – Dec)	$370,181.76
FY 2021-2022 (Oct – Dec)	$362,985.53

Action: The Commission took no action on this item.

Memo re: Fourth Modification to the TB Williams Clearwell Construction Manager at Risk Services Agreement with Wharton-Smith, Inc.

This was the Fourth Modification to the Construction Manager at Risk (CMAR) Agreement with Wharton-Smith, Inc. in the amount of $750,730.00, representing an increase for CMAR construction phase services based upon a change in the scope of work for the TB Williams Clearwell Project.

On August 5, 2019, the City Commission approved an Agreement for Construction Manager at Risk Services with Wharton-Smith, Inc., and on April 20, 2020 the City Commission approved a First Modification to the CMAR Agreement, incorporating a Guaranteed Maximum Price (GMP) of $17,301,164.00 for construction phase services.

On July 6, 2020, the City Commission approved a Second Modification to the Agreement in the amount of $4,546,404.24, reducing the GMP to reflect savings due to the City's direct purchase of materials for the Project. On November 16, 2020, the City Commission approved a Third Modification in the amount of $151,429.00 to further reduce the GMP to reflect additional tax savings and savings from value engineering.

The existing clearwell is a subterranean component of a larger structure that also supports the filters. Although there are no plans to place the exiting clearwell basin back into service, the integrity of the structure has been compromised by deterioration of the concrete inside the clearwell. A repair plan was prepared when the existing clearwell was inspected in 2017. However, due to the short timeframe the clearwell could be offline, the inspection was somewhat limited. When the GMP was developed in 2020, the inspection report from 2017 was used as a basis for estimating the scope of the work and a contingency amount of $450,000.00 was included in the original GMP.

In October 2021, the new clearwell was placed online and the existing clearwell was drained and re-inspected by the same structural engineer that prepared the 2017 report. The most recent inspection revealed more damage than was observed in 2017, resulting in a different repair plan. This new plan effectively changed the scope of work for the CMAR.

The CMAR has worked with their subcontractors to validate and price out the new scope of work. The total amount for the revised scope of work is $1,689,756. There are unspent dollars within the existing purchase order in the amount of $939,026 from underruns on certain allowances as well as tax and value engineering savings realized during construction. These unspent monies will be used to offset the total cost for the repairs, resulting in an increase in the contract amount of $750,730.

This project is funded through a loan with the FDEP's State Revolving Fund (SRF). The approved construction loan amount was $19,167,295.00, with a finance rate of 0.23%per annum. This loan amount was based on construction estimates at the time of the loan application but before the actual GMP was developed. The construction loan is also being used to pay for the costs of engineering construction services. The revised GMP plus engineering construction costs will still leave a balance available on the SRF loan. As a result, the requested increase to the GMP of $750,730.00 will not require requests for additional monies from SRF. The City will only repay the actual amount spent for the project.

Staff recommended that the City Commission approve the Fourth Modification to the Construction Manager at Risk Agreement with Wharton-Smith, Inc. and authorize the appropriate City officials to execute the Agreement on behalf of the City.

Palmer Davis presented this item.

Motion: Commissioner Sara McCarley moved to approve the modification. Commissioner Phillip Walker seconded.

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

The Commission discussed the possibility of using the clearwell in the future. It would only be available for a temporary basis.

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

Memo re: Third Modification to Agreement with Tetra Tech, Inc. for the TB Williams Clearwell Project

This was the Third Modification to the Agreement with Tetra Tech, Inc. for professional engineering services related to the T.B. Williams Clearwell Project, increasing Tetra Tech's scope of work as a result of the additional structural issues to be addressed by the Construction Manager at Risk for this Project and increasing the total contract price to be paid to Tetra Tech in the amount of $35,341.

On April 16, 2018, the City Commission approved an Agreement with Tetra Tech for engineering services to design a new Clearwell at the T.B. Williams Water Treatment Plant. On April 20, 2020, a First Modification to the Agreement was approved by the Commission, which included construction oversight services for the Project. On March 1, 2021, the City Commission approved a Second Modification in order to include additional design work.

This Project is funded by the FDEP's State Revolving Loan Fund (SRF) and, as such, the Project is subject to certain provisions. Two such provisions are ensuring that American Iron and Steel (AIS) provisions are followed for the Project and that all wages meet Davis-Bacon Wage Act requirements. To meet these provisions, inspections of materials as they arrive on the jobsite are required. In addition, review of payroll records of the Project's contractors and sub-contractors, as well as employee interviews, are completed on a monthly basis. Reports are then prepared and submitted to SRF to ensure compliance. Tetra-Tech has been providing these services throughout the construction of the Project.

Because of the need to continue the Project duration to complete the structural repairs to the old Clearwell, and the intent to use remaining SRF funds, AIS and Davis Bacon inspection/reporting services are needed until the repairs are completed. Tetra-Tech has provided a quotation in the amount of $35,341 to extend their services for an additional six months to coincide with the anticipated new completion date for the Project, which Staff has reviewed and assesses to be reasonable, bringing the new total contract price for Tetra Tech's services to $1,453,811.

Staff recommended that the City Commission approve the Third Modification to the Agreement with Tetra Tech in the amount of $35,341 for additional services related to the extension of the T.B. Williams Clearwell Project and authorize the appropriate City officials to execute the Agreement on behalf of the City.

Palmer Davis presented this item to the Commission.

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

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

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

Hunters on Lake Parker

Mayor Bill Mutz asked the City Attorney to comment on the question of hunting on Lake Parker.

Palmer Davis explained the State has adopted a broad preemption of firearms. Local ordinances are invalidated. The City had a local ordinance that prohibited hunting on lakes in Lakeland. State law does prohibit the discharge of firearms on public property. It does contain an exception for hunting on property approved for hunting by FWC. FWC allows for hunting on any lake with public access. He was seeking direction from Commission on how to proceed. He thought the way forward was to open discussions with FWC.

The Commission agreed that the City Attorney should reach out to FWC on the matter.

Mayor Bill Mutz asked for public comment.

Judy Kahler-Jalbert thanked the City Commission for taking up the topic. It has put a number of residents at risk. She read a message she received on Facebook.

Travis Thompson, water fowler, runs largest waterfowl hunting operation in Central Florida. He wanted to point out several things. There are several people watching this meeting. Waters of the State of Florida are public. They are a public trust resource, wildlife too. He felt this was about a fear of guns or a dislike for hunting. The City did not have the ability to control who can or cannot hunt wildlife. He could not believe that the reporter could not find any hunters or his organization in Polk County. The hunters did nothing illegal. There is a law against hunter harassment. One of the residents harassed a hunter.

Andrew Spicer FSC graduate. Lifetime hunter. He hunts to feed his family. Great sport. Two people yelled at them when they went and hunted on Lake Parker. People sounded airhorns at them. He apologized that the lady received that FB message. That did not represent hunters. The ducks showed up there because of the plant life. The plants provide a place to roost and dive for the different ducks. It is illegal to feed the wild animals.

PR Carey, Tampa resident, hunted on Jan 13th. He suggested the Commission take a measured approach. He was concerned about the desire to restrict hunting on the lakes. They have researched and cannot find an instance of a hunter harming a homeowner. This was their heritage. The rural areas were disappearing. They hunt where the ducks are located. The residents purchased their home next to a public water body. This is a public resource that the Commission is considering cutting off. Who is to say what is sporting and what is not?

Commissioner Bill Read was a member of CCA. Duck hunting was a lot of effort with little reward. He appreciated what the hunters were doing.

Commissioner Chad McLeod thanked the public for coming forward. He did not think they were interested in restricting people's right to legally hunt.

Commissioner Mike Musick has hunted on these lakes. We are talking about it because it was questioned. We are not looking to restrict citizens' rights.

Commissioner Sara McCarley stated that when we talk about growth, we are talking about the infringement on the agriculture community. There is an etiquette to the sport. We are discussing it because it is our job. There needs to be a balance between rights and etiquette. We need to work together to preserve the heritage and educate the neighborhoods. This does not have to be an issue full of animosity.

Commissioner Phillip Walker: when people approach us, we must talk about it. We are not looking to restrict but we must have the discussion.

Commissioner Stephanie Madden: we are here to hear from citizens and discuss issues of the community. That is what we do. The spirit of the discussion is to hear from the public and gather information. The goal is to have an educational experience and work together as neighbors.

Mayor Bill Mutz: we live in a world that wants to pull left or right. This is about people being concerned for others and their rights. Rather than being a bifurcator, lets contact FWC and have an understanding of the situation.

Palmer Davis will reach out to FWC to invite them to a workshop on the issue.

FINANCE DIRECTOR – None

UTILITY

Ordinances – None

Resolutions – None

Miscellaneous

* **Task Authorization with TEAMWORKnet, Inc. for Larsen Unit 8 Feeder and Transformer Protective Relay Upgrade**

This proposed Task Authorization with TEAMWORKnet, Inc. for engineering services, design, and on-site construction management services to upgrade the existing feeder and transformer protective relay system on Larsen Unit 8's medium voltage power distribution systems. There are over thirty (30) protective relays that were installed prior to 1970 that consist of antiquated electromechanical hardware that now require an upgrade to modern digital technology. A failure of the protective relays could result in a catastrophic event causing a substantial outage, which would make the Unit unavailable for several months. Pursuant to the Task Authorization, TEAMWORKnet, Inc. will provide the following services:

- All drawings detailing the installation of the relay upgrade.
- A Bill of Material for all major components, including relays, test switches, and control switches necessary for replacement of the existing relays.
- Develop settings for new and existing protective relays.
- Onsite engineering support to supervise relay installations.
- Onsite engineering support to test and commission relay protection elements and modified breaker control wiring.
- As-built drawing documentation after installations are complete.

Upon approval by the City Commission, TEAMWORKnet, Inc. will commence services, which are anticipated to be completed within one (1) year. All services pursuant to this Task Authorization will be performed in accordance with the terms and conditions contained in the City's Continuing Contract for Electrical Engineering Services with TEAMWORKnet, Inc. approved by the City Commission on October 1, 2017 and TEAMWORKnet, Inc.'s proposal dated January 20, 2022. All reimbursable expenses shall be paid in accordance with the City's Consultant Expense Reimbursement Policy. The total not-to-exceed cost of the services is estimated at $63,925 and is included in Lakeland Electric's FY2022 budget.

Staff recommended that the City Commission approve this Task Authorization with TEAMWORKnet, Inc. to provide engineering services, design.

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

* **Task Authorization with TEAMWORKnet, Inc. to Provide Engineering Services for Protective Relay Upgrade for Unit 8 Steam and Gas Turbine Generators**

This proposed Task Authorization with TEAMWORKnet, Inc. was for engineering services, design, and the on-site construction management to upgrade Larsen Unit 8's existing generator protective relay system. Unit 8 has over ten (10) protective relays that were installed prior to 1970 that provide electrical protection of the Unit's Combustion Turbine and Steam Turbine generators. The existing relays consist of antiquated electromechanical hardware and require an upgrade to modern digital technology. A failure of the relays could result in a catastrophic event causing a substantial outage, which would make the Unit unavailable for several months. Pursuant to this Task Authorization, TEAMWORKnet, Inc. will provide the following services:

- All drawings detailing the installation of the relay upgrade.
- Bill of Material for all major components necessary for replacement of the existing relays.
- Develop settings for new and existing protective relays.
- Onsite engineering support to supervise relay installations.
- Onsite engineering support to test and commission relay protection elements and modified breaker control wiring.
- As-built drawing documentation after installations are complete.

Upon approval by the City Commission, TEAMWORKnet, Inc. will commence services, which are anticipated to be completed within one (1) year. All services pursuant to this Task Authorization will be performed in accordance with the terms and conditions contained in the City's Continuing Contract for Electrical Engineering Services with TEAMWORKnet, Inc. approved by the City Commission on October 1, 2017 and TEAMWORKnet's proposal dated January 20, 2022. All reimbursable expenses shall be paid in accordance with the City's Consultant Expense Reimbursement Policy. The total not-to-exceed cost of the services is estimated at $111,500 and is included in Lakeland Electric's FY2022 budget.

Staff recommended that the City Commission approve this Task Authorization with TEAMWORKnet, Inc. for engineering services to design and commission protective relay upgrades for Unit 8 Steam and Gas Turbine and authorize the appropriate City officials to execute all corresponding documents related to the Task Authorization.

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

Memo re: Task Authorization with TEAMWORKnet, Inc. for Unit 3 Re-Powering Construction Management and Engineering Support Services

This Task Authorization with TEAMWORKnet, Inc. to provide on-site project construction management and engineering support services to assist in rerouting loads that will remain in place after demolition of McIntosh Unit 3. Critical auxiliary services to the remaining McIntosh fleet, such as MGT2 and Unit 5, that were originally routed through the area where demolition will occur now need to be rerouted. TEAMWORKnet, Inc. will assist in the project management of on-site electrical contractors to determine the best methods to reroute these existing loads.

Upon approval by the City Commission, TEAMWORKnet, Inc. will commence services, which are anticipated to be completed within a one (1) year period. All services pursuant to this Task Authorization will be performed in accordance with the terms and conditions contained in the City's Continuing Contract for Electrical Engineering Services with TEAMWORKnet, Inc. approved by the City Commission on October 1, 2017 and TEAMWORKnet's proposal dated January 19, 2022. All reimbursable expenses shall be paid in accordance with the City's Consultant Expense Reimbursement Policy. The total not-to-exceed cost of the services is $397,700 and is included in Lakeland Electric's FY2022 budget.

Staff recommended that the City Commission approve this Task Authorization with TEAMWORKnet, Inc. for Unit 3 Re-powering Construction Management and Engineering Support Services at the McIntosh Power Plant and authorize the appropriate City officials to execute all corresponding documents related to the Task Authorization.

Ramona Sirianni presented this item to the Commission.

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

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

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

Memo re: Agreement with Mid-State Industrial Maintenance, LLC for Replacement of Lube Oil Cooler Tube Bundle at Larsen Unit 8

This proposed Agreement with Mid- State Industrial Maintenance, LLC (Mid-State) was for replacement of the combustion turbine (CT) lube oil cooler tube bundle at Larsen Unit 8. Over the years, cooling capacity of the lube oil cooling tube bundle has been reduced due to age and wear such that the current tube bundle does not have the required cooling capacity. Consequently, the overall operational efficiency of the Unit has been reduced.

On November 3, 2021, the City's Purchasing Department issued Invitation to Bid No. 1335 seeking qualified contractors to provide all labor, materials, equipment, supervision, cranes, transportation and rigging required for the removal of the existing tube bundle and installation of a new CT lube oil cooler tube bundle at Larsen Unit 8. While the City received five (5) Bid responses, three (3) of those bidders were deemed non-responsive due to their failure to include installation costs, which was required in the City's Bid. Accordingly, the City evaluated the responses received from the two (2) bidders listed below.

Contractor	Location	Bid Price

Traylor Industrial, LLC	Evansville, IN	$448,078
Mid-State Industrial Maintenance, LLC	Lakeland, FL	$449,500

Upon evaluation by staff, Mid-State was selected as the most responsive, responsible bidder capable of providing the services in accordance with the City's Bid Specifications. Although Traylor Industrial submitted the bid with lowest price, Mid-State's bid price was within 10% of that price. As such and in accordance with the City's Local Preference Ordinance, Mid-State, a Lakeland business, was awarded the Bid. Upon City Commission approval, a purchase order will be issued to Mid-State. The work is scheduled to be completed upon delivery of the tube bundle, which is anticipated to be in September 2022. The actual work will take approximately three (3) weeks. Mid-State will perform all services pursuant to the terms and conditions set forth in the City's Bid Specifications and Mid-State's submittal to the City's bid dated December 8, 2021. The total cost of the work is $449,500 and is included in Lakeland Electric's FY22 budget.

Staff recommended that the City Commission approve this Agreement with Mid-State and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the Commission.

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

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

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

Memo re: Agreement with Digital Concrete Imaging, Inc. for Annual Electric and Fiber Line Locating Services

This proposed Agreement with Digital Concrete Imaging, Inc. (Digital) was for annual electric and fiber line locating services. The work consists of responding to excavation notices received on behalf of Lakeland Electric from Sunshine State One-Call of Florida, Inc. (One Call), which enables contractors to accurately locate and safeguard Lakeland Electric's underground facilities in the vicinity of an excavation area as required by Florida Statute Chapter 556.

Accordingly, on November 5, 2021, the City's Purchasing Department issued Invitation to Bid No. 1326 seeking the services of a qualified contractor to provide all labor, material, equipment and supervision necessary to provide Line Locating Services in Lakeland Electric's service territory. The City received responses from the seven (7) contractors listed below.

Contractor	Location	Per Ticket Bid Price
Digital Concrete Imaging, Inc.	Tampa, FL	$8.65
USIC Locating Services, LLC	Indianapolis, IN	$8.74
GeoPoint Surveying, Inc.	Tampa, FL	$11.92
High Tech Engineering, Inc.	Miami, FL	$15.65
Southern Cross, LLC	Peachtree Corners, GA	$19.00
Stake Center Locating, LLC	Greensboro, NC	$19.75
Venegroup Engineering	Doral, FL	$27.50

Upon evaluation by staff, Digital was selected as the most responsive responsible bidder with the lowest price. The Agreement with Digital will be effective March 1, 2022, subject to approval by the City Commission, and continue through February 28, 2025. The Agreement contains two (2) additional one (1) year renewal options upon mutual written agreement of the parties. Pricing for locate services will be subject to an annual 3% increase at the beginning of each renewal term. All services provided by Digital will be performed in accordance with

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Phillip Walker moved to approve the agreement. Commissioner Sara McCarley seconded.

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

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

Memo re: Agreement for Annual Electrical Construction Services

This proposed Agreement was for annual electrical construction services for the McIntosh and Larsen Power Plants. McIntosh Unit 3 is being prepared for demolition. Critical auxiliary services to the remaining McIntosh fleet that were originally routed through the area where demolition will occur need to be rerouted. To maintain continuity of service, it is essential to have on-site electrical construction contractors that are capable of immediately responding to restore critical power services on an as- needed basis. In addition, electrical construction services will provide support for upgrades at the Larsen Power Plant.

Accordingly, on December 7, 2021, the City's Purchasing Department issued Invitation to Bid (ITB) No. 2010 seeking qualified industrial power plant electrical contractors to provide industrial electrical construction services as defined in the City's bid specification. A total of four (4) firms, listed below, responded to the City's ITB.

- Electrical Engineering Enterprises – Tampa, FL

- J.H. Ham Engineering, Inc. – Lakeland, FL
- Rayco Industrial, Inc. – Selma, AL
- Electro Design Engineering, Inc. – Riverview, FL

Upon evaluation, Lakeland Electric staff determined that all four (4) firms can provide qualified, cost effective electrical construction services during the term of the Agreement. All four (4) contractors were selected due to the scope of the job and varying skillsets/expertise of each contractor. Work will be apportioned among the contractors based on their qualifications, pricing and availability to perform the work.

The initial term of the Agreement will become effective upon approval by the City Commission and continue through February 28, 2025. The Agreement contains two (2) additional one (1) year renewal options upon mutual written agreement of the parties. All services will be performed in accordance with the terms and conditions contained in the City's Bid Specifications and the firms' bid responses. The estimated cost of the work through September 2022 is $1,800,000 and is included in Lakeland Electric's FY22 budget. The total estimated cost for the initial term of the Agreement is $3,000,000, which will be subject to subsequent budget approval by the City Commission.

Staff recommended that the City Commission approve this Agreement with the above-specified contractors 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 agreement. Commissioner Stephanie Madden seconded.

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

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

Memo re: Agreement with Siemens Energy, Inc. for McIntosh Unit 5 Outage Work

This was a proposed Agreement with Siemens Energy, Inc. (Siemens) for McIntosh Unit 5's outage work in the Spring of 2022. The planned work will involve the following:

- A borescope inspection of the combustion turbine and replacement of two (2) torsion bars, which includes removal, installation and mobilization of Siemens' personnel to the site.
- A balance assessment and move of the steam turbine, which includes a visual inspection and preparation of a Non-Destructive Evaluation report by Siemens.

The City's Purchasing Department has approved Siemens, the original equipment manufacturer of Unit 5, as the sole source supplier for this work. Below is a summary of the work, along with their associated costs.

Scopes of Work		
Item	**Description**	**Cost**
1	Combustion Turbine Borescope Inspection	$16,289
2	Combustion Turbine Torsion Bar Replacement	$218,436
3	Steam Turbine Balance Move	$31,617
4	Division of Responsibility items for Siemens	$30,375
	TOTAL	**$296,717**

Upon approval by the City Commission, a Purchase Order will be issued for work that will be completed during Unit 5's Spring outage scheduled to occur between March 1, 2022 to March 9, 2022. The purchase will be governed by the City's Long-Term Maintenance Agreement with Siemens dated May 5, 2010, as well as Siemens' proposal 22-0001 dated January 14, 2022 and proposal 22- 0005 dated January 14, 2022. The total cost of the work is $296,717 and is included in Lakeland Electric's FY22 budget.

Staff recommended that the City Commission approve this Agreement with Siemens for McIntosh Unit 5's Outage Work and authorize the appropriate City

Ramona Sirianni presented this item to the Commission.

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

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

The Commission discussed the importance of the Turbine Torsion Bar to dampen vibration in the unit.

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

Memo re: Agreement with GE International, Inc. for Larsen Unit 8 Outage Work

This proposed Agreement with GE International, Inc. (GE) was for outage work on Larsen Unit 8. The steam turbine generator at Unit 8 is hydrogen cooled. The Unit currently has a high voltage bushing that is leaking hydrogen, which requires excessive filling in order to maintain proper pressure. GE's scope of work will include removal of the generator rotor, replacement of the bushings and further inspection and testing of the generator and rotor.

The City's Purchasing Department has approved GE, the original equipment manufacturer of Unit 8, as a sole source supplier for the work. Upon approval by the City

Commission, the City will issue a Purchase Order for the work that will take place during Unit 8's Spring 2022 outage scheduled to occur March 27, 2022 to May 16, 2022. The purchase will be governed by the terms and conditions contained in GE's Generator Major Inspection Proposal 1584112 Rev. 6. The total cost of the work is $498,763 and is included in Lakeland Electric's FY22 budget.

Staff recommended that the City Commission approve the proposed Agreement with GE for Larsen Unit 8 outage work and authorize the appropriate City officials to issue a Purchase Order and execute all corresponding documents for the work.

Ramona Sirianni presented this item to the Commission.

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

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

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

AUDIENCE

Katie Burns thanked everyone involved with City government. She has just recently started attending and has come to realize the many issues the Commission has to consider. There is a lot that the Commission must consider.

Mayor Bill Mutz: it is a privilege for us to serve together.

Commissioner Sara McCarley thanked her. That was the best thing she has heard all day.

Jim Kloha thanked the Commission for their service. There are many residents in Sandpiper who are in favor of the sidewalk project. He was in the process of educating the neighbors about the project. He planned to hold a couple of meetings to give them input. Until then, he asked the Commission to keep the project on hold.

Shawn Sherrouse spoke with the president of the HOA last week. That individual is preparing a letter from the HOA. We do intend to allow a request to appear and the Commission will hear from both sides. The project is on hold. Staff would be willing to attend the HOA meeting if desired.

MAYOR AND MEMBERS OF THE CITY COMMISSION

The Commission discussed the parklets. There was one at Fresco's and one at Harry's. Both businesses planned to dress up their parklets with planters and lighting.

Commissioner Chad McLeod explained that Commissioner Phillip Walker had to leave. He was headed to Tallahassee to FLC Advocacy Day. We continue to advocate for the City of Lakeland.

Commissioner Stephanie Madden:

- Leaving for Tallahassee today. Attending for FMEA too. Attending with Joey Curry and Cindy Clemmons.
- Strategic Planning is coming up.
- Affordable Housing: Winter Haven has an affordable housing trust fund. She recommended that Shawn Sherrouse talk to their City Manager about how or why they developed an affordable housing trust fund. They adopted that trust fund by ordinance.
- Neighborhood Association meeting recognized Lynn Simpkins for 30 years of service. Jonathan Rodriquez is doing a great job and adding a youthful vibrance. He recommended a youth council. The neighborhoods could name youth to the council. Mr. Rodriquez might be a good person to start a youth council.

Commissioner Sara McCarley:

- She took the Congressional Classroom students to Tallahassee last weekend.
- She thought the neighborhood association was a perfect place to get youth involved.
- She asked about the progress of hiring a Deputy City Manager and Lakeland Electric General Manager.

CALL FOR ADJOURNMENT - 11:53 a.m.

H. William Mutz, Mayor

Kelly S. Koos, City Clerk

CITY OF LAKELAND, FLORIDA
INCORPORATED
JAN. 1, 1885