

LAKELAND CITY COMMISSION

Regular Session February 5, 2024

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 Guy LaLonde 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

Parks, Recreation & Cultural Arts - MLK Parade Winners (Michael Marotz, Recreation Manager and John Williams, Recreation Supervisor)

Runner Friendly Community Designation - Sarah Kozul, Lakeland Runners Club, Inc.

Beautification Awards (Bill Koen)

- Residential: Betty Tedder - 1509 Jae Place
- Commercial: St. Paul Lutheran Church - 4450 Harden Blvd

PROCLAMATIONS – None

COMMITTEE REPORTS AND RELATED ITEMS – None

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 Chad McLeod moved to approve the Consent Agenda. Commissioner Stephanie Madden seconded.

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

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

APPROVAL OF MINUTES (with any amendments)

- * City Commission Minutes – January 12-16, 2024

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC

Harlem Turner re previous request for Juneteenth becoming an official paid city holiday for employees

Mr. Turner requested the City adopt Juneteenth as an official paid city holiday.

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 Mike Musick moved to approve the assessments. 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.

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

PUBLIC HEARINGS**Ordinances (Second Reading)**

Ordinance 6025; Proposed 24-006; Approving a Conditional Use to Allow for the Construction of a Garage Apartment on Property Located at 322 S. Indiana Avenue (1st Rdg. 01-16-24)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE CONSTRUCTION OF A GARAGE APARTMENT ON PROPERTY LOCATED AT 322 S. INDIANA 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 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 Guy LaLonde, Mike Musick, Sara McCarley, Stephanie Madden, Bill Read, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Palmer Davis explained that the next two ordinances required a public hearing as part of their first reading. The Commission will hold the second reading and public hearing on February 19, 2024.

Ordinances (First Reading)

Proposed 24-007; Application of I-3 (Heavy Industrial) Zoning on Approximately 17 Acres Located at 2700 N. Combee Road

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR I-3 (HEAVY INDUSTRIAL) ZONING ON APPROXIMATELY 17 ACRES LOCATED AT 2700 N. COMBEE ROAD; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Urban Planning & Transportation Manager Chuck Barmby gave a brief presentation. A turn lane may be required on Combee Rd. Combee Rd is a freight facility. It is a high-volume truck facility. There would be an internal connection to the substation facility. There was a substantial setback from Combee Rd.

The Commission discussed the turn lane.

Mayor Bill Mutz asked for public comment. There were no comments.

Proposed 24-008; Approving a Conditional Use to Allow for the Development of a Solid Waste Transfer Facility on Property Located at 2700 N. Combee Road

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE DEVELOPMENT OF A SOLID WASTE TRANSFER FACILITY ON PROPERTY LOCATED AT 2700 N. COMBEE ROAD; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Mayor Bill Mutz asked for public comment. There were no comments.

Resolutions

Resolution 5881; Proposed 24-006; 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 title.

Motion: Commissioner Mike Musick 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.

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

Resolution 5882; Proposed 24-007; Expressing Support for the Mall Hill Drive Sidewalk Project

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA EXPRESSING SUPPORT FOR THE MALL HILL DRIVE SIDEWALK PROJECT; AUTHORIZING THE CITY MANAGER TO SUBMIT FUNDING REQUESTS TO THE POLK TRANSPORTATION PLANNING ORGANIZATION (TPO) AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DURING THE TPO'S ANNUAL PROJECT SOLICITATION CYCLE; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Resolution 5883; Proposed 24-008; Authorizing Execution of a Subordination Agreement with Duke Energy Florida, LLC to Facilitate Construction of Duke Energy's 230kV Transmission Line within City Easements at University Boulevard

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING EXECUTION OF A SUBORDINATION AGREEMENT WITH DUKE ENERGY FLORIDA, LLC FOR THE SUBORDINATION OF CITY UTILITY INTERESTS LOCATED AT UNIVERSITY BOULEVARD ON PARCELS 69, 70 AND 71.2; MAKING 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 audience. There were no comments.

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

Resolution 5884; Proposed 24-009; Authorizing Execution of a Purchase Agreement, City Deed and Subordination Agreement with the Florida Department of Transportation for the Conveyance of Public Right-of-Way for the I-4/SR 33 Interchange Reconstruction Project

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING EXECUTION OF A PURCHASE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND CORRESPONDING CITY DEED PROVIDING FOR THE CONVEYANCE OF PUBLIC RIGHT-OF-WAY TO THE FDOT FOR THE I-4/SR 33 INTERCHANGE RECONSTRUCTION PROJECT, SUBJECT TO THE RESERVATION OF A PERMANENT UTILITY EASEMENT IN FAVOR OF THE CITY OF LAKELAND; PROVIDING FOR THE SUBORDINATION OF THE CITY'S PERMANENT

UTILITY TO THE INTERESTS OF THE FDOT; 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 Guy LaLonde, Mike Musick, Sara McCarley, Stephanie Madden, Bill Read, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Miscellaneous

Public Notification of Justice Assistance Grant Award

The Department of Justice recently posted 2023 local allocations for the Edward Byrne Memorial Justice Assistance Grant (JAG). Lakeland's allocation for 2023 was \$34,314. The Police Department's tentative plans for utilizing these funds was to fund equipment upgrades for the Police Forensics Lab. The period to expend these funds runs from October 1, 2023 through September 30, 2024.

This City Commission meeting will provide an opportunity for citizens and neighborhood or community organizations to comment as mandated.

Staff recommended that the Mayor and Police Chief be authorized to execute and submit the grant application on behalf of the City of Lakeland and that the City Commission approve the proposed expenditure of funds for the purposes as set forth herein.

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.

COMMUNITY REDEVELOPMENT AGENCY – None

CITY MANAGER

Recommendation re: Purchase 50kW LP Gas Generators from Mid Florida Diesel, Inc. for Radio Towers and Corresponding Appropriation

This is a request to purchase two 50kW LP Gas Generators. The two existing emergency generators at the Radio Tower sites have reached the end of their useful life. These generators are crucial to supporting City Radio communications in the event of a hurricane or other similar disaster. The generators are located at the Hemphill radio tower site and Grove radio tower site, which help provide coverage for the northern and southern boundaries of the P25 Motorola Radio system. The radio system supports radio communications for all City departments. The existing generators were placed in service in 2004 and are out of manufacturer support. Further, the maintenance vendor now is unable to source original parts. The lead time for installing the replacement generators is estimated at 36 weeks. Replacement generators will be 50kW Blue Star LP generators – one at each site, with a 2-year / 2,000-hour warranty.

Department of IT solicited a proposal from Mid Florida Diesel, Inc. and the City's Purchasing Division approved Mid Florida Diesel, Inc. as the selected vendor pursuant to a quote for the Florida Sheriff Association Bid FSA23.0-EQU21.0, Item #181. The expected cost of these services is \$102,000. \$92,180 will be used for the purchase of the generators, with the remaining budget being set aside as a contingency. Any unspent budget will be reappropriated back to the unappropriated surplus of the Department of Information Technology.

Staff recommended to purchase the two generators from Mid Florida Diesel, Inc. Staff also recommended that the City Commission approve an appropriation and increase in estimated revenues of \$102,000 from the unappropriated surplus in the Department of Information Technology Fund.

Shawn Sherrouse 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 with staff plans for storm season, testing & maintenance, and recycling the old units.

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

Recommendation re: Purchase 30KW Diesel Generator from Mid Florida Diesel, Inc. for Highlands Grove Elementary Pump Station

This is a request to purchase a 30kW Diesel Generator. The current onsite emergency power generator at the Highlands Grove Elementary Pump Station is approaching the end of its useful life and repair parts are becoming obsolete.

Staff recommends approval of the proposal with Mid-Florida Diesel, Inc. to replace the existing generator, fuel tank and automatic transfer switch and install a new generator, fuel tank, and transfer switch. This proposal includes factory and on-site startup testing. The City's Purchasing Division has approved Mid Florida Diesel, Inc. as the selected vendor pursuant to Florida Sheriff's Association Bid FSA23-EQU21.0, Item #181. Florida Sheriff's Association serves as a municipal contracting agency that enables cities and other governmental agencies to cooperatively procure equipment, products and services in order to receive volume pricing discounts. Additionally, Mid Florida Diesel, Inc. is our current Auxiliary Generator Maintenance and Repair Services provider (Bid No. 2023-ITB-142).

The total cost for this work is \$59,747 and is included in the Water Utilities Department's FY2024 budget.

Staff recommended that the City Commission approve this proposal with Mid Florida Diesel, Inc. for purchase of a replacement generator and authorize the appropriate City officials to execute all corresponding documents related to the proposal.

Shawn Sherrouse presented this item to the Commission.

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.

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

Verbal Report: Employee Recognition

City Manager Shawn Sherrouse recognized an employee from Code Enforcement. Mike McGuire emailed Joie Brownlow acknowledging Mr. Brownlow's effort to keep the temporary sign litter off Lakeland's streets.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 24-009; Amending Ordinance 3429, as Amended; Major Modification of PUD (Planned Unit Development) Zoning to Incorporate a 137.58 Acre Parcel Located at 5300 Allen K. Breed Highway and Allow for the Development of a New 450,000 sq. ft. Warehouse Distribution Center and a 61,535 sq. ft. Return Center as Part of an Expansion of the Publix Warehouse Campus Located at 2600 County Line Road

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 3429, AS AMENDED, TO PROVIDE FOR A MAJOR MODIFICATION OF PUD (PLANNED UNIT DEVELOPMENT) ZONING IN ORDER TO INCORPORATE A 137.58 ACRE PARCEL LOCATED AT 5300 ALLEN K. BREED HIGHWAY WITHIN THE PUD AND ALLOW FOR THE DEVELOPMENT OF A NEW 450,000 SQUARE FOOT WAREHOUSE DISTRIBUTION CENTER AND A 61,535 SQUARE FOOT RETURN CENTER AS PART OF AN EXPANSION OF THE PUBLIX WAREHOUSE CAMPUS LOCATED AT 2600 COUNTY LINE ROAD; PROVIDING CONDITIONS; 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 19, 2024.

Mayor Bill Mutz asked why some First Readings required public hearing and some do not. Palmer Davis explained, it is based on Florida statute. If it is City initiated and over 10 acres, it requires a public hearing.

Miscellaneous

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

During the month of February, the Community & Economic Development Department will be presenting the City Commission with a City-initiated zoning request which will require that at least one of the two hearings on the matter be held after 5:00 p.m. unless such requirement is waived by a majority plus one vote of the Commission.

Staff recommended that the City Commission waive the statutory requirement that at least one of the hearings on this matter be held after 5:00 p.m.

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

*** Agreement with Mesotech International, Inc. for the Purchase of an Automated Weather Observation System for Lakeland Linder International Airport**

This is a proposed Agreement with Mesotech International, Inc. (Mesotech) for the purchase of an Automated Weather Observation System (AWOS) for the Airport. The Airport's existing AWOS, which is approximately thirteen (13) years old, has experienced multiple component and sensor failures impacting the ability of aircraft to land in poor weather conditions due to the missing data. Additionally, replacement parts are becoming increasingly difficult to obtain and the controlling computer is no longer produced or supported by the manufacturer.

The City's Purchasing Department approved the purchase of the AWOS pursuant to the Federal Aviation Administration's (FAA) "Approved Non-Federal AWOS List of Systems and Manufacturers" from which the City obtained quotes from the sellers set forth below.

Mesotech International, Inc.	Rancho Cordova, California	\$109,695.00
DBT Transportation Services, LLC	Houston, Texas	\$125,682.00
All Weather, Inc.	Sacramento, CA	\$125,682.00

Upon review of the quotes, All Weather, Inc., a subsidiary of DBT Transportation Services, LLC, provided the same equipment at the same cost. As such, Mesotech was determined to be the most responsive responsible seller of the AWOS that offered the lowest price. The term of this Agreement, effective upon City Commission approval, will continue until the equipment is commissioned by the FAA, which is scheduled to be completed August 31, 2024. The purchase with Mesotech will be governed by the terms and conditions set forth in Mesotech's proposal. The total cost of equipment, freight, and installation is \$109,695.00. Funding for this purchase is included in the FY24 Airport budget, paid for with \$87,756 in Florida Department of Transportation grant revenues and the remaining \$21,939 from unappropriated surplus in the Airport Renewal & Replacement Fund.

Staff recommended that the City Commission approve this Agreement with Mesotech for the purchase of the AWOS 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.

*** Task Authorization with Geosyntec Consultants, Inc. for Control Structure Gates Feasibility Evaluation at Se7en Wetlands**

This proposed Task Authorization with Geosyntec Consultants, Inc. (Geosyntec) is for professional engineering services to assist the Water Utilities Department in the conceptual design of control gates at Se7en Wetlands. This initiative marks the first phase in a multi-phase project aimed at redesigning the control gates, specifically focusing on structures 6, 7, 8, 9, and 11.

Se7en Wetlands covers approximately 1,600 acres, with 1,200 acres being wet, and features ten water control structures equipped with gates, allowing manual manipulation of water levels and flow throughout the wetland. The gates are currently manually operated by adding and removing stoplogs based on the operating water levels in the system.

Under this Task Authorization, Geosyntec will conduct a comprehensive feasibility study for gate alternatives at five specified structures. This study will include a thorough cost benefit analysis, with alternatives being evaluated and ranked based on constructability, maintenance, and service life. The findings will be presented to City staff for consideration of the recommended alternatives.

All services pursuant to this Task Authorization will be performed in accordance with terms and conditions contained in the City's Continuing Contract and Agreement for Professional Municipal Engineering Services, dated September 7, 2021, and supplemented by Geosyntec's proposal dated January 17, 2024. The total cost for this Task Authorization is estimated at \$89,486.68, which is included in the Water Utilities Department's FY2024 budget.

Staff recommended that the City Commission approve this Task Authorization with Geosyntec and authorize the appropriate City officials to execute all necessary documents related to this Task Authorization.

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

Agreement with Rodda Construction, Inc. for Construction Manager at Risk Services for Phase III Trails Completion at Se7en Wetlands.

This contract agreement with Rodda Construction was for the Se7en Wetlands Phase III Trails Completion Project. This project will complete the 24-mile trail system planned within Se7en Wetlands, with an estimated project cost of \$455,882.00. Subject to the terms of the Florida Department of Environmental Protection's (FDEP) grant agreement with the City, FDEP will reimburse up to 50% of the incurred costs by the City upon project completion.

The Se7en Wetlands, a 1,640-acre reclaimed phosphate property acquired by the City of Lakeland in 1985 and operational since 1987, serves as a tertiary treatment process for the city's wastewater. The 2014 Master Plan initiated the transformation of this area into a public recreational and educational space, culminating in its opening in April 2018. Presently, 8.5 miles of trails are accessible around Wetland Cells 1 and 2, offering amenities like boardwalks, picnic shelters, and restrooms. The existing trails are currently accessible through Loyce Harpe Park and Lakeland Highlands Scrub.

Phase III of the Master Plan includes the completion of 15.5 miles of additional trails around Wetland Cells 4-7, bridge trail connectors, shade structures, and a trailhead with an entry gate connection to Mulberry Park on the south end of the property. The project will also involve the addition of boardwalks, wayfinding markers, and benches around the remaining wetlands pursuant to FDEP's April 2021 grant agreement with the City.

Following a competitive RFQ process initiated on January 6, 2023, with proposals received by February 6, 2023, City staff evaluated the responses and Rodda Construction emerged as the most responsive bidder among the four (4) firms that submitted qualifications:

<u>Ranking</u>	<u>Company</u>	<u>Location</u>
1	Rodda Construction	Lakeland, FL
2	SEMCO Construction Inc	Bartow, FL
3	A.D. Morgan Corporation	Tampa, FL
4	Rogers Group of South Florida LLC	Plant City, FL

All services pursuant to this project will be performed in accordance with terms and conditions contained in the Contract Agreement. This project is included in the Water Utilities Department's FY2024 budget.

Staff recommended that the City Commission approve this Contract Agreement with Rodda Construction Inc for the Se7en Wetlands Phase III Trails Completion Project and authorize the appropriate City officials to execute all corresponding documents related to the Agreement.

Assistant City Attorney Alex Landback 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 from the audience.

The Commission discussed:

- The completion goal is 2025. The DEP will reimburse up to the estimate we gave them for the grant agreement. If we go beyond that, it will come out of our pocket. If we go below, they will still only meet 50% of it.
- The trails are for passive recreation for pedestrians, runners, and trail walkers. No bikes.
- The Communications Department will acknowledge the construction but will not begin marketing until the project is complete.
- The City would like Mulberry High School to get their track team to come out there and hold races.
- No water is available on the trails, only at the entrances. There are signs advising people to take water with them.

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

Construction Agreement with Ballard Marine Construction, LLC for the Maintenance Dredging Project at Se7en Wetlands

This is a construction agreement with Ballard Marine Construction, LLC ("Ballard Marine") for the Se7en Wetlands Maintenance Dredging Project. The scope of work involves maintenance dredging of two control structures to remove approximately 16,000 cubic yards of sediments, ensuring smooth water flow and maintaining water

quality. This is the first dredging to occur at the wetlands since the City acquired the property in 1985.

On September 25, 2023, the City's Purchasing Department issued Invitation to Bid No. 2023-ITB-153 to procure the services of an experienced contractor to perform either mechanical or hydraulic dredging. Three (3) firms provided the following responses:

<u>Rank</u>	<u>Company</u>	<u>Location</u>	<u>Price</u>
1	Ballard Marine Construction	Washougal, WA	\$1,761,632.78 [mechanical]
2	Custom Built Marine Construction	Fort Pierce, FL	\$2,056,283.76 [mechanical]
3	Custom Built Marine Construction	Fort Pierce, FL	\$2,689,207.00 [hydraulic]
4	Atlantic & Gulf Dredging & Marine	Indiantown, FL	\$2,870,000.00 [hydraulic]

City staff and the City's consulting engineer, WSP USA Environment & Infrastructure, Inc., evaluated the bids and selected Ballard Marine, as the lowest responsive bidder. The City published a Notice of Intent to Award on December 12, 2023.

Ballard will perform all construction services in accordance with terms and conditions set forth in Bid No. 2023-ITB-153, with completion scheduled by September 4, 2024. The project was initially budgeted at \$1,083,000 in previous budget cycles and carried forward. Prior to final bidding this summer, the engineer's estimate anticipated higher project costs which are reflected in the bids received in response to 2023-ITB-153. Therefore, it is requested that the City Commission authorize an appropriation and increase in estimated revenues of \$680,000 from the Unappropriated Surplus of the Wastewater Utilities Fund to be placed in the Wastewater R&R Fund.

Staff recommended that the City Commission approve this Construction Agreement with Ballard Marine Construction, LLC, and corresponding appropriation, for the Se7en Wetlands Maintenance Dredging Project, and authorize the appropriate City officials to execute all corresponding documents related to the Agreement.

Assistant City Attorney Alex Landback presented this item to the Commission.

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

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

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

FINANCE DIRECTOR - NONE

UTILITY

Ordinances - NONE

Resolutions - NONE

Miscellaneous

Agreement with Industrial Air Flow Dynamics, Inc. for Unit 5 Exhaust Expansion Joint and Seal Replacement

This is a proposed Agreement with Industrial Air Flow Dynamics, Inc. (IAFD) for Unit 5's combustion turbine exhaust expansion joint and compartment wall penetration seal replacement at the McIntosh Power Plant. The expansion joint and compartment seals have degraded to the point requiring replacement due to excess heat exposure.

Accordingly, on December 18, 2023, the City's Purchasing Department issued Invitation to Bid 2023-ITB-186 seeking qualified expansion joint manufacturing and installation contractors to design, manufacture and install a combustion turbine exhaust expansion joint and penetration seals for Unit 5 at the McIntosh Power Plant. The City received only one (1) response to its Bid from the company listed below.

Contractor	Location	Initial Bid Price	Secondary Bid Price
Industrial Air Flow Dynamics, Inc.	Cleveland, TX	\$174,200.00	\$353,600.00

Upon evaluation by City staff, IAFD was selected as a responsive responsible bidder with a competitive price for the work. The initial bid price by IAFD was for direct replacement of the failed components. The City's Bid also included a request for bidders to recommend alternative methods to effectively insulate the turbine casing and exhaust duct to prevent thermal degradation of the expansion joint and seals. In response, IAFD submitted a secondary bid price that included pricing for the failed components as well as pricing for the necessary technology to address the premature heat degradation of the expansion joint and seals. Implementing this technology will result in longer life cycles for the components of Unit 5 and prevent premature failure due to excessive heat exposure which could lead to an emergency shutdown and an extended forced outage.

Upon approval by the City Commission, the City will issue a Purchase Order for the scope of work to be performed during Unit 5's Spring outage scheduled between February 22, 2024 to March 16, 2024. All services will be performed pursuant to the terms and conditions set forth in the City's Bid Specification and IADF's bid response 23963FL-2 dated January 22, 2024. The total estimated cost of the work is \$353,600.00 and is included in Lakeland Electric's FY24 budget.

Staff recommended that the City Commission approve this Agreement with IAFD for Unit 5's combustion turbine exhaust expansion joint and seal replacement and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Deputy City Attorney Ramona Sirianni 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 from the audience.

The Commissioner discussed the exhaust gas. The original design in the flow shield was flawed. Those gaskets must be replaced.

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

Agreement with Cintas Corporation No. 2 d/b/a Cintas Fire Protection for Annual Fire Systems Inspection Services at the McIntosh, Larsen and Winston Power Plants

This is a proposed Agreement with Cintas Corporation No. 2 d/b/a Cintas Fire Protection (Cintas) for annual fire systems inspection services at the McIntosh, Larsen and Winston Power Plants. Such inspection services include quarterly, semi-annual, annual and 5-year testing of the fire protection systems, as well as all site fire extinguishers. These services will also include eight (8) hours of hands-on or classroom training per quarter.

On September 20, 2023, the City's Purchasing Department issued Invitation to Bid 2023-ITB-151 seeking qualified Fire Protection System contractors to supply inspection services for the fire protection systems located at the McIntosh, Larsen and Winston Power Plants. The City received responses from the four (4) companies listed below.

Contractor	Location	Bid Price
Cintas Corporation No. 2 d/b/a Cintas Fire Protection	Tampa, FL	\$48,352.00
Summit Fire & Security	St. Paul, MN	\$65,103.00
FE Moran	Northbrook, IL	\$137,778.00
International Fire Protection, Inc.	Plant City, FL	\$159,000.00

Upon evaluation by City staff, Cintas 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 to Cintas for services to be performed for a period of one (1) year through February 4, 2025. The Agreement with Cintas also contains four (4) additional one (1) year renewal options upon mutual written consent of the parties. All services will be performed pursuant to the terms and conditions set forth in the City's Bid Specification, Cintas' Bid response and the City's Addendum to Cintas' Public Sector Cooperative Agreement dated February 5, 2024. The total estimated cost of the services for the initial one (1) year term of the Agreement is \$48,352.00 and is included in Lakeland Electric's FY24 budget. Pricing contained in the Agreement for the one (1) year term, as well as any subsequent renewals is firm. The total cost of the initial one (1) year term and the four (4) renewal options, if exercised, is estimated to be \$241,760.00, which will be subject to budget approval by the City Commission in subsequent budget years.

Staff recommended that the City Commission approve this Agreement with Cintas for annual fire systems inspection 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.

Deputy City Attorney Ramona Sirianni presented this item to the Commission.

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

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

The Commission discussed renewal options. It was standard procedure to request 4-year renewals. If approved, they do not have to come back to the City Commission to renew the agreement, if it is budgeted.

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

Agreement with Research America, Inc. for Lakeland Electric Customer Satisfaction Surveys

This is a proposed Agreement with Research America, Inc. (Research America) to conduct customer satisfaction surveys for Lakeland Electric's residential and commercial customers. The purpose of the surveys is to secure feedback from customers on their interaction with Lakeland Electric's Customer Service division and to measure overall customer satisfaction related to business transactions, reliability of service, price and employee professionalism.

Accordingly, on November 22, 2023, the City's Purchasing Department issued Request for Proposal 2023-RFP-181 (RFP) seeking qualified firms to conduct approximately 2000 satisfaction surveys per year. The City received responses from the eight (8) firms listed below.

- Research America, Inc. Newtown Square, PA
- Zilo International Group LLC Centennial, CO
- Probolsky Research Newport Beach, CA
- The Martec Group Odessa, FL
- BreatBlue Research Glastonbury, CT
- True Blue Market Insights Lawrence, KS
- HCP Associates Tampa, FL
- Summit Survey Research Dayton Beach, FL

Upon evaluation by City staff, Research America was selected as the firm that was most responsive to the City's RFP at the lowest price for the services.

Subject to approval by the City Commission, the City will issue a Purchase Order to Research America to commence services for an initial term which will continue through September 30, 2024. The Agreement with Research America also contains four (4) additional one (1) year renewal options upon mutual written consent of the parties. All services will be performed pursuant to the terms and conditions set forth in the Agreement. The total estimated cost of the services through September 30, 2024 is \$75,700.00 and is included in Lakeland Electric's FY24 budget. In accordance with the Agreement, pricing for subsequent years are subject to increase no more than 8% per year. As such, the total cost of the initial term and any subsequent renewals, if exercised, is estimated to be \$444,099.00, which will be subject to budget approval by the City Commission in subsequent budget years.

Staff recommended that the City Commission approve this Agreement with Research America to conduct customer satisfaction surveys for Lakeland Electric and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Deputy City Attorney 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.

The Commission discussed:

- The data is used for goal setting and training. It reviews all areas of the utility; energy audits and reconnects in addition to the call center.
- We have used this firm for several years. We did go out to bid and had several responses. This firm was most affordable.
- The surveys will change some as the customers move to digital interaction. We do get a lot of 1s and we concentrate on those and look for ways to move those numbers up.
- There are about 35 questions on the survey.

Citizen Lorenzo Robinson asked if the survey allowed for open comments for suggestions. Korey Bush explained there is a note taking portion which allows for comments from the customers. This survey was just the one for LE customers.

Mr. Robinson ask, if they see better results over a period of years by conducting the survey? The LE survey was just modified. We partner with another group, First Quartile, and they take the satisfaction data and compare the data on a national level. They use that comparison to set goals. They are always looking for improvements.

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

Agreement with Schneider Electric Systems USA, Inc. for McIntosh Unit 8 Digital Control Systems Upgrade

Lakeland Electric is seeking to upgrade the Foxboro and Triconex Distributed Control System, manufactured by Schneider Electric Systems USA, Inc. (Schneider), for McIntosh Unit 8. Unit 8's current control system hardware and software, installed in August 2019 is reaching the end of its useful life and will soon no longer be supported. To maintain system effectiveness and minimize cyber security risks, Lakeland Electric is seeking to upgrade the hardware and software manufactured by Schneider to the latest supported versions.

The City's Purchasing Department approved Schneider as a sole source vendor for both the Foxboro and Triconex Distributed Control Systems since Schneider is the Original Equipment Manufacturer of those systems. Upon approval by the City Commission, planning for the upgrade to the systems will begin. The Foxboro system will be installed and integrated by Schneider during Unit 8's Spring 2024 outage scheduled for April 20, 2024 to June 4, 2024. The Triconex system will be installed and integrated by Schneider no later than Unit 8's Spring 2025 outage scheduled for March 24, 2025 to April 7, 2025, due to the long lead time of the specified hardware.

This purchase will be governed by the terms and conditions set forth in Schneider's Proposal dated January 24, 2024. The total cost of the equipment, software, installation and training is \$222,980.00, and is included in Lakeland Electric's FY24 budget.

Staff recommended that the City Commission approve this purchase with Schneider to upgrade the Foxboro and Triconex Distributed Control Systems for McIntosh Unit 8 and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Deputy City Attorney Ramona Sirianni presented this item to the Commission.

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

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

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

**Verbal item #1 | Mayor Bill Mutz:
City of Lakeland as a supportive partner of Lakeland LEADS**

Lakeland LEADS looks to augment Polk County Public Schools and Charter Schools. The City is not a participant. They have asked the City to join them. It would be \$10,000 per year. Mayor Mutz reviewed some of their accomplishments. He recommended the

City join and participate. That would give a member of the Commission a seat on the Board.

The Commission discussed:

- Lakeland LEADS is a partner to the public-school system so students to have access to education. Education is a backbone Economic development is the back to a community's economic development. The school superintendent works well with Lakeland LEADS.
- According to the strategic plan, education is something they want to support and prioritize. The Mayor should sit in the seat.
- Requested a report on some of the initiatives they are working on now.
- Where will the \$10,000 come from? Finance Director Mike Brossart said it would probably come from the general fund.
- The \$10,000 is separate from Jr. Achievement and any other organization.

Motion: Commissioner Mike Musick moved to approved City's involvement in Lakeland LEADS. Commissioner Sara McCarley seconded.

The Commission continued to discuss:

- This is a Lakeland centric, 501(c)(3) organization that allows us to assist the Lakeland education system.
- Is this a 1-time option and we will reconsider? It is up to the Commission.
- Lakeland LEADS top 10 initiative list was reviewed.

Citizen Lorenzo Robinson supported the idea. Lakeland should have a person at the table. We should support the children. Do not forget the kids in PAL. His main concern was the need to bring back tutoring to PAL. He wanted them to consider tutoring for PAL before they spend money on Lakeland LEADS. When PAL has a tutoring program, they can involve children already onsite for other physical activities. The Commission informed there has been work behind the scenes to press tutoring back into the program. LPD Lieutenant Joe Parker is working to gain support from the community.

Commissioner Mike Musick left the meeting at 10:37 a.m.

Crystal Davis and Lieutenant Parker have been in touch with the Learning Resource Center to bring tutoring back to the program. The Commission had these discussions in one-on-ones, and they have received a presentation. There are active tutoring programs today.

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

AUDIENCE – None**Verbal item #2 | Mayor Bill Mutz - Juneteenth Holiday**

Mayor Mutz asked City Attorney Palmer Davis about the process to consider Juneteenth as an official holiday? It would be a resolution the City Commission can vote on.

The Commission discussed:

- There are other holidays Lakeland does not have that other cities observe.
- City staff should be surveyed to provide the Commission with input.
- Employees could be provided with a flex holiday to use as they choose. Juneteenth would be included on the list.
- There is concern about the cost of a holiday.
- Employees have a floating holiday they can use now.
- If there is a flex holiday, it would have to be used on a specific date tied to a holiday.

Citizen Harlem Turner came forward. He was disappointed to hear the Commission conversation and that the holiday did not mean anything to the Commission. It means something to the African American community. This was his second request for a Juneteenth holiday. He felt the Commission was not showing compassion.

City Manager Shawn Sherrouse asked for clear direction on Juneteenth. The Commission suggested an exploratory survey for employees to choose from a list of holidays not currently recognized (both state and federal). This information would be discussed at the next Strategic Planning.

Virginia Robinson, from the Save Our Children Campaign, came forward. She did not think the survey would work because of the population being surveyed. They probably would not choose Juneteenth. The greatest desire is from the African American community because it is their 4th of July. That is when they became free Americans.

The Commission said Ms. Robinson's had the strongest statement anyone could make. Hearing from other helps the Commission make the best decision. If it is a big desire in the African American community, the Commission needs to hear from them.

Keith Boyd asked about the procedure for holidays. Why reinvent the wheel with a survey? The employees already have a floating holiday they could use.

Wanda Gaines asked how many employees were surveyed when the City decided on the other holidays? Employees are not usually surveyed. Juneteenth is a national holiday, not a religious holiday. She did not see the point in comparing Juneteenth to religious holidays. Juneteenth is their 4th of July. If Lakeland honors Juneteenth, other cities will likely follow.

Veronica Rountree, Vice President of NAACP, asked the City Commission if they wanted them to pack the City Chambers with people or do a survey and bring the results. They asked Ms. Rountree to have people start emailing them.

Kenneth Glover explained Juneteenth is near to the heart of the African American community. It is education for the entire community so that those practices will not be repeated in the future. Be serious about recognizing the accomplishments of African Americans in the community.

Mayor Bill Mutz said his original recommendation was to consider a resolution to make Juneteenth an official holiday. He did like the idea of a flex holiday. His motivation was the recognition of the specific event, specifically for Juneteenth.

The Commission supported the initiative, and this has been a good discussion. Hearing from citizens compels the Commission to act. No survey is needed. The City Attorney will bring a resolution to adopt Juneteenth. The Commission also asked the public to email their support of the holiday. There was discussion about having the holiday in this budget year. They will have more discussion on implementation after the resolution has been presented.

Lorenzo Robinson asked for confirmation. Mayor Mutz explained they are going to consider a resolution soon and will decide implementation at that time. City Attorney Palmer Davis planned to bring the resolution to the second meeting in March. They will decide implementation at that time.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Chad McCleod: This discussion was a great example of how public input can affect the way local government works.

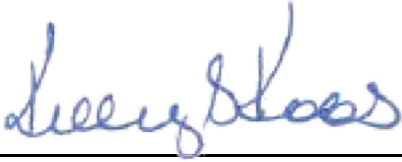
Commissioner Bill Read: Wanted to have a voting holiday. He would like more dialogue on this topic.

Commissioner Stephanie Madden: There needs to be signage for the Mayor & Commission float for the MLK Parade. They have been confused for Fred's Market (the sponsor) for many years now.

Commissioner Sara McCarley: Apologized for missing agenda study. She encouraged the public to go and watch previous meetings. The recorded meetings are convenient for commissioners to be able to catch up if they are absent. There are 3 weeks left in the legislative session. The legislative committee is keeping an eye on things. It is important for the City to be engaged. She prefers going to neighbors in the community instead of working in Tallahassee or D.C. She encouraged our team to work on relationships with the Polk delegation in the off season.

City Manager Shawn Sherrouse said this session has been well coordinated between our commission and the delegation. Dave Shepp, Emily Colon, and Rob Hernandez have done a great job with that. Coordination between cities has improved.

CALL FOR ADJOURNMENT – 11:31 a.m.



Kelly S. Koos, City Clerk

