LAKELAND CITY COMMISSION

Regular Session
November 18, 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 Roberts 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 – None

PROCLAMATIONS

Celebrating the 10th Holly Jolly Jingle Bell Jog and Completion of 3 Park Trail

COMMITTEE REPORTS AND RELATED ITEMS

Real Estate & Transportation Committee 11/15/24

Purchase Agreement for 711 N. Kentucky Avenue

Motion: Commissioner Bill Read moved to approve the agreement. Commissioner Sara Roberts McCarley seconded.

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

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

Purchase Agreement for 111 W. Memorial Boulevard and 0 N. Missouri Avenue

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

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

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

Sale of Property to the Polk Regional Water Cooperative

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

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

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

Ingress/Egress Easement Agreement with the Polk Regional Water Cooperative

Motion: Commissioner Stephanie Madden moved to approve the agreement. 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.

Attorney/Manager Review Committee 11/4/24

Commissioner Chad McLeod presented this report to the Commission.

Motion: Commissioner Stephanie Madden moved to approve the Committee recommendations. Commissioner Sara Roberts McCarley seconded.

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

Nicole Rameriz objected to the raise as her home is still covered in mold. They have one dumpster and the dumpster is full.

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

APPROVAL OF CONSENT AGENDA

All items listed with an asterisk (*) are considered routine by the City Commission and will be enacted by one motion following an opportunity for public comment. There will be no separate discussion of these items unless a City Commissioner or Citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. For items listed with an asterisk (*) under the Community Redevelopment Agency portion of the agenda, the City Commission shall be deemed to be acting in its capacity as the Community Redevelopment Agency of the City of Lakeland when approving the consent agenda.

Motion: Commissioner Sara Roberts McCarley moved to approve the Consent Agenda. 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.

APPROVAL OF MINUTES (with any amendments)

* Utility Committee Minutes – Nov 1, 2024
* City Commission Minutes – Nov 1 - 6, 2024

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

EQUALIZATION HEARINGS - None

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 6069; Proposed 24-031; Proposed Text Amendment CPA24-001 to the Lakeland Comprehensive Plan to Correct a Typographical Error Pertaining to the Percentage of Residential Uses Allowed within Regional Activity Center (RAC), Community Activity Center (CAC), Neighborhood Activity Center (NAC) and Interchange Activity Center (IAC) Future Land Use Districts and the Percentage of Commercial Uses Allowed within Business Park (BP) Future Land Use Designations (1st Rdg. 09-03-2024)

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT CPA24-001 TO THE FUTURE LAND USE ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030, TO CORRECT TYPOGRAPHICAL ERRORS PERTAINING TO THE PERCENTAGE OF RESIDENTIAL USES ALLOWED WITHIN REGIONAL ACTIVITY CENTER (RAC), COMMUNITY ACTIVITY CENTER (CAC), NEIGHBORHOOD ACTIVITY CENTER (NAC) AND INTERCHANGE ACTIVITY CENTER (IAC) FUTURE LAND USE DESIGNATIONS AND THE PERCENTAGE OF COMMERCIAL USES ALLOWED WITHIN BUSINESS PARK (BP) FUTURE LAND USE DESIGNATIONS; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Ordinance 6070; Proposed 24-032; Proposed Text Amendment CPA24-002 to the Lakeland Comprehensive Plan to Evaluate the Feasibility of Connecting On-Site Private Septic Systems to City Sanitary Sewer Service (1st Rdg. 09-03-2024)

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT CPA24-002 TO THE INFRASTRUCTURE ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; TO EVALUATE THE FEASIBILITY OF CONNECTING ON-SITE PRIVATE SEPTIC SYSTEMS TO CITY SANITARY SEWER SERVICE; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

Mayor Bill Mutz requested a presentation.

Urban Planning & Transportation Manager Chuck Barmby gave a brief presentation, a copy of which is included in the Agenda Packet. This ordinance is in response to Legislative action in Tallahassee. It requires local governments across the State to adopt master plans to migrate from septic to sewer services. He displayed a map showing the septic tanks within the city limits. There are quite a few locations south of the Polk Parkway. There has already been some work to study conversion of some neighborhoods to city sewer. He reviewed changes resulting from FDEP comments. The changes have been included in the city's ordinance.

The Commission discussed:

- Timeline. The timeline is part of the master plan. That is where the detailed work would happen, identifying locations, flows, impact, fund sources, and impact to infrastructure.
- Existing houses not located within a development. Staff has tried to divide the issue in two, one being new development and two a larger citywide master plan.
- Polk County. FDEP expects the County and City to be on similar timelines.
- There are also other water and wastewater service providers.

- The Lakeland Planning Area was roughly equivalent to the Lakeland Electric Service Territory.
- There were a few hundred septic systems inside the City's limits.

Mayor Bill Mutz asked for comments from the audience.

Nicole Ramirez asked about sewage in their home before flooding. No one is addressing the flooding and sewage she had in her home before the storm.

Chuck Barmby responded that was on a separate tract. Water Utilities could provide specifics. The City is working to shore up the wastewater lines to stop stormwater intrusion. Stormwater puts a strain on wastewater lines and the wastewater plant.

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

Ordinance 6071; Proposed 24-055; Change in Zoning from RA-1 (Single-Family Residential) to LD (Limited Development) on Approximately 3.44 Acres Generally Located North of Lake Miriam Drive, South of E. Alamo Drive, East of Lake Miriam and West of Highlands Place Circle (1st Rdg. 11-04-2024)

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM RA-1 (SINGLEFAMILY RESIDENTIAL) TO LD (LIMITED DEVELOPMENT) ON APPROXIMATELY 3.44 ACRES GENERALLY LOCATED NORTH OF LAKE MIRIAM DRIVE, SOUTH OF E. ALAMO DRIVE, EAST OF LAKE MIRIAM AND WEST OF HIGHLANDS PLACE CIRCLE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Ordinance 6072; Proposed 24-056; Approving a Conditional Use to Allow for the Placement of Accessory Buildings and Structures on a Vacant, Non-Residential Parcel used for Private Recreational Purposes on Approximately 3.44 Acres

Generally Located North of Lake Miriam Drive, South of E. Alamo Drive, East of Lake Miriam and West of Highlands Place Circle (1st Rdg. 11-04-2024)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE PLACEMENT OF ACCESSORY BUILDINGS AND STRUCTURES ON A VACANT, NON-RESIDENTIAL PARCEL APPROXIMATELY 3.44 ACRES IN SIZE USED FOR PRIVATE RECREATIONAL PURPOSES AND GENERALLY LOCATED NORTH OF LAKE MIRIAM DRIVE, SOUTH OF E. ALAMO DRIVE, EAST OF LAKE MIRIAM AND WEST OF HIGHLANDS PLACE CIRCLE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

The Commission discussed:

- Neighborhood feedback: No one objected to the project.
- Livestock: The applicant would have to comply with the conditional use, which did not permit livestock.

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

Ordinance 6073; Proposed 24-057; Change in Zoning from RA-4 (Single-Family Residential) to C-1 (Pedestrian Commercial) on Approximately 0.13 Acres on Property Located at 109 W. 7th Street and a Change in Zoning from O-1 (Low Impact Office) to C-1 (Pedestrian Commercial) on Approximately 0.24 Acres Located at 103 W. 7th Street (1st Rdg. 11-04-2024)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM RA-4 (SINGLEFAMILY RESIDENTIAL) TO C-1 (PEDESTRIAN COMMERCIAL) ON APPROXIMATELY 0.13 ACRES LOCATED AT 109 W. 7TH STREET, AND A CHANGE IN ZONING FROM O-1 (LOW IMPACT OFFICE) TO C-1 (PEDESTRIAN COMMERCIAL) ON APPROXIMATELY 0.24 ACRES LOCATED AT 103 W. 7TH STREET; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Ordinance 6074; Proposed 24-058; Approving a Conditional Use to Allow for Future Development of C-1 (Pedestrian Commercial) Uses within the Residential Medium Future Land Use Designation on Approximately 0.37 Acres Located at 103 and 109 W. 7th Street (1st Rdg. 11-04-2024)

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR FUTURE DEVELOPMENT OF C-1 (PEDESTRIAN COMMERCIAL) USES WITHIN THE RESIDENTIAL MEDIUM FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.37 ACRES LOCATED AT 103 AND 109 W. 7TH STREET; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Resolutions

Resolution 5952; Proposed 24-077; Supporting the Designation of State Road 570/Polk Parkway between Mile Markers 3.5 and 2.5 as the "Randy Roberts Memorial Highway" and the Designation of State Road 35/George Jenkins Boulevard between Kathleen Road and N. Sloan Avenue as the "Carol Jenkins Barnett Memorial Highway"

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA SUPPORTING THE DESIGNATION OF STATE ROAD 570/POLK PARKWAY BETWEEN MILE MARKERS 3.5 AND 2.5 IN THE CITY OF LAKELAND AS THE “RANDY ROBERTS MEMORIAL HIGHWAY” AND THE DESIGNATION OF THAT PORTION OF STATE ROAD 35/GEORGE JENKINS BOULEVARD BETWEEN KATHLEEN ROAD AND N. SLOAN AVENUE IN THE CITY OF LAKELAND AS THE “CAROL JENKINS BARNETT MEMORIAL HIGHWAY”; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short 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 from the audience.

The Commission discussed ceremony dates. The ceremony date for Carol Jenkins Barnett has not been set yet. The ceremony for Randy Roberts was on October 4, 2024. Randy Roberts was the late husband of Commissioner Sara Roberts McCarley.

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

Miscellaneous

Development Agreement with IPS Enterprises, Inc. for IDEA Charter School

This was a Development Agreement between the City of Lakeland and IPS Enterprises, Inc. IPS Enterprises operates the IDEA K-8 charter school at 1775 Interstate Drive within Interstate Business Park. The school opened in 2024 with a Phase I enrollment capacity of 425 students. As part of the Phase I site plan approval and to accommodate a future Phase II buildout enrollment of 1,645 students by Year 2026, a Development Agreement is necessary to formalize the parties’ transportation concurrency and operational mitigation requirements.

Under the Development Agreement, the Developer will complete the following:

- Construction of a westbound left-turn lane on Interstate Drive at the State Road 539 (Kathleen Road) intersection and construction of a 155-foot-long northbound right-turn lane on Interstate Drive at the northern site driveway so that both are complete prior to final Certificate of Occupancy issuance
- Installation of a school zone on Interstate Drive if merited by pedestrian traffic
- Installation of an internal sidewalk connection to the site’s 14th Street frontage.

The Agreement specifies that school traffic shall not queue into public right-of-way and that, in the event queuing exceeds available storage during arrival and dismissal times, the Developer and the City will reasonably cooperate to identify/implement programmatic solutions to the traffic management plan, such as expanded on-site queuing and, if necessary, staggered arrival and dismissal times. The Agreement also requires the Developer to report on the number of students enrolled at the school annually, with the enrollment numbers identifying commuters, bus riders and pedestrians. The Developer would expand bus operations or other means of student transportation commensurate with additional demand. In exchange for the site improvements to be completed by the Developer, transportation concurrency vesting will be granted for the project for 2,448 Daily, 445 AM Peak and 265 School PM Peak trips for up to 15 years, with the City Commission having the option to extend this vesting period twice for periods of five years each.

Staff recommended that the City Commission approve the Development Agreement with IPS Enterprises, Inc. and authorize the appropriate City officials to execute the Agreement.

Chuck Barmby gave a brief presentation. This was the second of two public hearings. Phase I opened in Fall of 2024. Phase II is expected to be complete in 2026.

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

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

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

COMMUNITY REDEVELOPMENT AGENCY

Recess/convene: The Commission recessed the Regular Session and convened as the Community Redevelopment Agency.

Resolutions

Resolution CRA2024-1; Proposed CRA24-001; Releasing Mineral Rights Pursuant to F.S. 270.11 for Real Property Located at 1249 N. New York Avenue

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA, ACTING IN ITS CAPACITY AS THE LAKELAND COMMUNITY REDEVELOPMENT AGENCY; MAKING FINDINGS; RELEASING PHOSPHATE, MINERAL, PETROLEUM AND CERTAIN OTHER RIGHTS WITH RESPECT TO REAL PROPERTY LOCATED AT 1249 N. NEW YORK AVENUE IN THE CITY OF LAKELAND, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Adjourn/reconvene: The Community Redevelopment Agency adjourned and the City Commission reconvened in Regular Session.

CITY MANAGER

- **Purchase Order to Medi-Test Occupational Health Services for Annual Drug Testing**

Medi-Test Occupational Health Services, located in Bartow, Florida, is the City's current provider for random drug testing, post-accident drug testing, and reasonable suspicion drug testing services. Random drug testing is performed on a quarterly basis, while post-accident and reasonable suspicion is performed on an as-needed basis. The annual cost to receive these services varies based on the number of mandatory tested positions filled and the volume of incidents and accidents.

The City's Purchasing Division has approved Medi-Test Occupational Health Services, as a sole source provider for third party administration of employee drug testing services. MediTest provides random selection service, scheduling and attending collection sites at City facility locations, post-accident drug (including alcohol) testing after hours at City facility locations and during business hours on-site at the Medi-Test clinic in Bartow.

Medi-Test has designed, developed and regularly updates its programs to meet all governmental laws and regulations in the workplace. Included in their services, a certified Medical Review Officer, certified labs to perform drug testing, records management of test results, Clearinghouse reporting, and distinction for Department of Transportation (DOT) v. Non-DOT regulated testing.

Staff recommended the City Commission authorize the issuance of a Purchase Order to Medi- Test Occupational Health Services in the estimated amount of $80,000 for annual drug testing for fiscal year 2025 and authorize the appropriate City officials to execute the appropriate documents.

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

Renewal of the City's Health Plan's Stop Loss Reinsurance Coverage with Voya

Voya is the City's current carrier for the City's Health Plan's Stop Loss Reinsurance Coverage. The current contract is due for renewal on December 31, 2024. The stop loss reinsurance provides reimbursement to the city on any single health claim that exceeds $435,000 during a calendar year.

Below is a summary of claims versus the premiums paid, over the past three years, as well as year to date for the current 2024 period.

Calendar Year	Carrier	Number of Claims Exceeding Stop Loss	Annual Premium	Per Member Per Month	Stop Loss Reimbursement Payments
2021	Voya	4	$949,427	$32.74	$848,244
2022	Voya	1	$991,211	$35.04	$88,828
2023	Voya	2	$1,060,320	$37.60	$45,369
2024	Voya	4	$1,110,241	$39.13	*PTD $2,894,273
2025	Voya	N/A	$1,102,527	$39.13	TBD

*The costs of claims have been posted through September 2024, and the City's Health Plan reflects eleven claims that have surpassed 50% of the stop loss deductible, which is the required threshold ($217,500), United Health Care notifies the carrier (Voya). Shown in the chart above, 4 claims have exceeded the $435,000 limit and continue to be on-going. We anticipate another 2-3 of those claims may exceed the stop loss limit before the end of the calendar year.

Gehring Group, the City's employee health broker, solicited the stop loss reinsurance market with five other vendors. Voya has proposed a 0% increase to the current rate at $39.13 per member per month rate, with an enrollment of approximately 2,348 employees/retirees on the plan, providing for an annual premium of $1,102,527.

Staff recommended that the City Commission authorize the appropriate City Officials to renew the Stop Loss coverage with Voya, effective January 1, 2025, with a per member per month premium of $39.13 for an approximate total annual expense of $1,102,527.

Shawn Sherrouse presented this item to the Commission.

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

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

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

Approval of Funding Appropriation and Purchase Order to Xybix Systems Inc. for 911 Emergency Communications Center Workstations and Accessories

On October 8, 2024, the City of Lakeland received a proposal from Xybix Systems, Inc. utilizing the State of Florida Department of Management Services' Alternate Contract Source No. 43190000-22-NASPO-ACS, Public Safety Communications Products, Services and Solutions, to upgrade all workstations and accessories at the Lakeland Police Department's 911 Emergency Communication Center located at 219 N. Massachusetts Avenue.

Due to outdated conditions and increasing operational demands at the 911 Emergency Communication Center, this space is scheduled for a comprehensive renovation to improve efficiency and increase capacity. This renovation will include a new layout, rerouting of all low-voltage data cabling, installation of new light fixtures, new flooring, painting and additional finishes, and replacement and installation of new workstations.

Project funding is included in the Public Improvement Fund. Additionally, the Polk County Board of County Commissioners will provide $400,000 to assist the City with this renovation project. These funds were generated from Enhanced 911 (E911) fees which were levied on wireless and non-wireless service subscribers to cover certain costs associated with 911 or E911 services.

Staff recommended the City Commission authorize the appropriate City officials to execute all necessary documents for the receipt and appropriation of $400,000 from Polk County to the City of Lakeland. Staff also recommends proceeding with the approval of a purchase order to Xybix Systems Inc. for the purchase of workstations and accessories in the amount of $419,167.61.

Accordingly, staff requested that the City Commission authorize an appropriation in the amount of $419,168 and an increase in estimated revenues of $400,000 in the Public Improvement Fund.

Shawn Sherrouse 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 Commission discussed the possibility of additional employees in the future.

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

Verbal Reports:

1. Congratulated Parks, Recreation & Cultural Arts on the grand opening of the On Dog Time Park in downtown.
2. Great American Teach In - He recognized City staff who participated in the teach in.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 24-059; Approving the Annexation of Lands within the Boundaries of the Lakeland Area Mass Transit District

> AN ORDINANCE RELATING TO THE LAKELAND AREA MASS TRANSIT DISTRICT; MAKING FINDINGS; APPROVING THE INCLUSION OF CERTAIN LANDS LOCATED WITHIN THE CITY OF LAKELAND WITHIN THE BOUNDARIES OF THE LAKELAND AREA MASS TRANSIT DISTRICT; 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 December 2, 2024.

Miscellaneous

* **Conservation Project Agreement Relating to the Development of a Polk Regional Water Cooperative Conservation Program**

This was a proposed Conservation Project Agreement Relating to the Development of a Polk Regional Water Cooperative Conservation Program. The Agreement is by and between the Polk Regional Water Cooperative (PRWC) and the various member governments comprising the PRWC.

In March of 2016, the City Commission authorized the City's participation in a multi-party Interlocal Agreement that created the PRWC. The Interlocal Agreement contemplated that there would be subsequent agreements for the implementation of specific water conservation initiatives. The PRWC Conservation Work Group developed the Conservation Project Agreement for this purpose, which has been approved by the PRWC Board of Directors. Under the proposed Conservation Project Agreement, annual funding for conservation initiatives will be limited to $150,000, of which the member governments will be responsible for 50%, or no more than $75,000, and the remaining 50%, not to exceed $75,000, will be derived from Heartland Headwaters Protection and Sustainability Act funds, funds from cooperative funding agencies, or other available funding sources. Each member government's proportionate share of the costs for which they are responsible will be in proportion to that member government's annual average water usage for the prior year compared to the total annual average water usage of all member governments, as reported to the Southwest Florida Water Management District.

The PRWC Board of Directors will be responsible for approving the annual budget and scope of work for the conservation program and will engage a contractor to assist with the development of conservation initiatives. The Conservation Project Agreement will allow the member participants to provide consumer-focused water conservation services, implement water savings rebate programs, customer conservation evaluation services and other potential conservation initiatives.

Staff recommended that the City Commission approve the Conservation Project Agreement Relating to the Development of a Polk Regional Water Cooperative Conservation Program and authorize the appropriate City officials to execute the Agreement.

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

FINANCE DIRECTOR

* **Budget Carryover – All Funds**

As the Finance Department closes one fiscal year and opens another, a list of carryover projects and supplemental appropriations is compiled and submitted for approval by the City Commission. Approval of the list will provide budgets for continuing projects which overlap fiscal years.

The Finance Department and City Manager's Office request the list of carryover accounts/projects be approved by the City Commission. The balances are preliminary and will be finalized after all year-end accounting adjustments/accruals are posted. It is also requested that the estimated revenues are increased where applicable and that the funding for the accounts/projects listed be appropriated retroactive to October 1, 2024.

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

* **Appropriation and Increase in Estimated Revenue – Various Funds for FY 2024**

Throughout the fiscal year, the City receives various donations from private individuals that are designated for expenditure on specific projects or operating expenses, at the donor's request. These donations are not included in the original operating budget of the City, because the dollar value cannot be anticipated. The budgeting practice adopted by Resolution 4051 is for these transactions to be auto appropriated to the proper revenue and expense accounts in accordance with the grantor's intended purpose. The City also receives reimbursement for certain types of expenses - most notably the reimbursement for extra duty details performed by Lakeland Police Officers. These reimbursements and the associated expenses are not included in the original operating budget of the City, because they cannot be forecasted accurately. They are subsequently presented to the City Commission semi-annually; at which time these auto appropriations are formally adopted. Staff requested that the City Commission authorize an increase in estimated revenues and matching expense appropriations to the various operating budgets of the City according to the listed auto appropriations of donations and expense reimbursements received for the six-month period of April1, 2024 through September 30, 2024.

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

UTILITY

Ordinances - None

Resolutions - None

Miscellaneous

Agreement with Pye-Barker Fire & Safety, LLC d/b/a United Fire Protection for a Wet Mist Fire Suppression System for Unit 5's Combustion Turbine Enclosure

This proposed Agreement with Pye-Barker Fire & Safety, LLC, d/b/a United Fire Protection (United), was to design, furnish and install a wet mist fire suppression system for McIntosh Unit 5’s Combustion Turbine (CT) enclosure.

The existing CT enclosure fire suppression system is original to Unit 5, which was commissioned in 2001 and now requires replacement. The existing system is a halocarbon extinguishing system which removes oxygen to extinguish a fire. Alternatively, the proposed new wet mist fire suppression system utilizes water, which tends to be more environmentally friendly since it does not use halocarbons. In addition, the new wet mist fire suppression system requires fewer periodic inspections and is generally safer for Plant personnel compared to the original halo system.

Accordingly, on August 30, 2024, the City’s Purchasing Department issued Invitation to Bid 2024-ITB-299 (ITB) seeking qualified vendors to remove the existing fire suppression system and design, furnish and install a wet mist fire suppression system for the CT enclosure at McIntosh Unit 5. A total of three (3) firms responded to the City’s ITB.

Contractor	Location	Bid Price
F.E. Moran Special Hazard Systems	Northbrook, IL	$692,537.00
Johnson Controls	Tampa, FL	$780,480.42
Pye-Barker Fire & Safety, LLC d/b/a United Fire Protection	St. Petersburg, FL	$451,000.00

Upon evaluation by Lakeland Electric staff, United was selected as the most responsive, responsible bidder with the lowest price capable of meeting the City’s Bid Specifications. All services will be performed in accordance with the terms and conditions contained in the City’s Bid Specifications and United’s bid response. The work will be performed during Unit 5’s Spring 2025 outage starting on February 22, 2025. The work will take 45 days to complete with a total cost of $451,000.00, which is included in Lakeland Electric’s FY25 budget.

Staff recommended that the City Commission approve this Agreement with United to design, furnish and install a wet mist fire suppression system for McIntosh Unit 5’s CT enclosure and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Palmer Davis presented this item to the Commission.

Motion: Commissioner Mike Musick moved to approve the recommendation. Commissioner Guy LaLonde 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.

* **Change Order #2 to Task Authorization with Geosyntec Consultants, Inc. for Additional Construction Quality Assurance Services for the Byproduct Storage Area Closure at Mcintosh Power Plant**

This was proposed Change Order #2 to Task Authorization GEO-24-07(e) with Geosyntec Consultants, Inc. (Geosyntec). On January 16, 2024, the City Commission approved Task Authorization GEO-24-07(e) with Geosyntec for engineering design and related construction quality assurance services for the construction oversite of the closure of the Byproduct Storage Area at the McIntosh Power Plant. On August 19, 2024, the City Commission subsequently approved Change Order GEO-24-07-CO for additional man-hours for mobilization of additional field services.

Pursuant to this Change Order #2 to the Task Authorization, Geosyntec will provide an additional 500 hours of construction quality assurance services related to the construction oversite of the Byproduct Storage Area Closure at the McIntosh Power Plant. The additional hours are necessary due to inclement weather conditions from Hurricanes Helene and Milton that caused major portions of previously completed earthwork to require repair. This significantly delayed the project schedule which now requires additional hours for field quality assurance staff to be onsite through project completion. The construction quality assurance services will support a final deliverable of a construction quality assurance certification report prepared by Geosyntec for submittal to the Florida Department of Environmental Protection in accordance with state law requirements.

Upon approval by the City Commission, Geosyntec will continue its construction quality assurance services, with project completion currently anticipated to be on December 4, 2024. All services pursuant to this Change Order #2 to the Task Authorization will be performed in accordance with the terms and conditions contained in the City's Continuing Contract for Environmental Consulting Services with Geosyntec dated September 5, 2019, and Geosyntec's proposal dated October 15, 2024. All reimbursable expenses shall be paid in accordance with the City's Consultant Expense Reimbursement Policy. The total not-to-exceed cost of this Change Order #2 is estimated at $106,700, which is included in Lakeland Electric's FY2025 budget.

Staff recommended that the City Commission approve this Change Order #2 to the Task Authorization with Geosyntec to provide additional construction quality assurance services for the Byproduct Storage Area at the McIntosh Power Plant and authorize the appropriate City officials to execute all documents on behalf of the City.

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

AUDIENCE

Kevin Kayden, who lived in unincorporated Polk County, came forward to speak about Lake Bonny Flooding and the City's refusal for him to provide a presentation on a thumb drive.

Nicole Ramirez of 1227 Honey Tree Lane East. She received a letter from her homeowners insurance. They are dropping her. The dumpster needs to be emptied. She needed displacement assistance. She is not getting her mail. LE has increased her deposit when she turns her utilities back on. The water is not going down. What is the plan for Hurricane Sara? Are you going to pump more?

Michael Coker lived on Longfellow Blvd. The County came by and picked up the trash. He has removed 5 rooms of redwood flooring. He was told the County will pick that up. Can the City help get the County to pick up the flooring out by the road? His address is 427 Longfellow Blvd. Mayor Bill Mutz will work on that.

Shawn Sherrouse explained he did communicate with the County and got permission to put City dumpsters in their service territory. Those dumpsters will be emptied and returned. The City sent claw trucks into the County area. We did make a first pass. We will continue to monitor and pick up. He will look for an additional location for another dumpster.

Nicole Ramirez suggested a cul-de-sac in front of her house.

Mayor Bill Mutz stated a loose goal would be two empty dumpsters by Wednesday.

Commissioner Guy LaLonde appreciated everything that Shawn Sherrouse has done. Is the County doing anything to assist us in this other than giving us permission to put out dumpsters?

Shawn Sherrouse explained the County Manager did ask the City to keep a record of their costs and they will participate at 50%. They are still involved in the pumping. They had a discussion last week on the Army Corps' mission. The Corps' current mission runs through November 24th. The City asked to have that mission extended. The County submitted a request to extend the mission and are awaiting a response. This Saturday at RP Funding Center is the United Way Assistance Day. Citizens can go there for additional support.

Commissioner Chad McLeod asked about LE and payment extension.

Shawn Sherrouse explained we are trying to be flexible. He will investigate the request for an increased deposit. That is the first he heard of that issue.

Courtney Kraft asked for an update on the request for the records on the pump. She has not had an update on those records.

Shawn Sherrouse explained staff had been focused on the actionable items. We have been compiling the requests. The plan is to take the timeline from the meeting and fill in the details so the citizens can have a complete picture.

Mayor Bill Mutz stated the pump ran during the period of time.

Who do we call if we flood again? Alot of her neighbors still have back yards full of water. The water levels have not gone down. They are starting to come back up.

The City is continuously pumping.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Stephanie Madden:
Questions concerning flooding - We have not had this type of flood before. We have had some neighborhoods that were prone to flooding. We have been working on the issues at May Manor. How are areas identified as flood prone? How does that fit into the master plan? When it comes to flooding and stormwater, how did may manor get mitigated?

Shawn Sherrouse responded that the City was working on a stormwater study but given what has occurred, those study results will change. That will include mitigation when it comes forward.

Commissioner Stephanie Madden: From our perspective typically, our response is long term. When residents are hit extraordinarily, what is the typical response? Should these residents leave because this is always going to be a problem. We have talked about flood zones; which are not under the City's purview. What neighborhood could these citizens be patched into to continue to receive information? Who could serve as an advocate or serve as a point person on their behalf? Catapult has offered a free location for remote workers in the Lake Bonny area.

Commissioner Stephanie Madden: Kevin Kayden is a frequent guest at our commission meeting. She wanted to point out that thumb drives are a real cyber security threat. We want to hear everyone's voice but we cannot compromise the City's system by introducing foreign thumb drives. It is nothing against Mr. Kayden personally.

Commissioner Stephanie Madden thanked Shawn Sherrouse for recognizing the Great American Teach In.

Commissioner Chad McLeod thanked Shawn Sherrouse for sharing the names of staff who participated in the Great American Teach In. He acknowledged this was a busy season for our staff. Their efforts do not go unnoticed.

Commissioner Sara Roberts McCarley:
The Randy Roberts Foundation hosted the Community Classroom. This was a shift from Congressional Classroom because of COVID. It was a blessing because it allowed us to engage more students. She thanks Mayor Bill Mutz, Commissioner Stephanie Madden, Shawn Sherrouse and Chief Doug Riley for speaking to the students. Catapult was a gracious host. This was the best one yet. They had 38 students here from all over Polk County. There were 3 youth council members participating too. They helped run a mock commission meeting. The City of Lakeland has been a partner with Congressional Classroom since Adam Putnam was in Congress.

Mayor Bill Mutz thought their comments and questions were inciteful. Teaching civil discourse is so important.

Commissioner Mike Musick was at the State’s cross-country competition on Friday. Lakeland Christian School (LCS) had a girl win 6th place.

Commissioner Guy LaLonde attended several Veterans’ Day celebrations. He appreciated the City's efforts in response to Hurricane Milton.

Commissioner Bill Read thanked Shawn Sherrouse for his efforts in storm response. They had flooded homes in their neighborhood near Lake Parker. He appreciated the City’s their assistance.

CALL FOR ADJOURNMENT – 10:43 a.m.

Kelly S. Koos, City Clerk

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