LAKELAND CITY COMMISSION

Regular Session
June 7, 2021

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

CALL TO ORDER – 9 A.M.

PRESENTATIONS

Who is the Water Utility? (David Bayhan, Assistant Director Water Utilities)

Beautification Awards (Bill Koen)
Residential: 1016 South Boulevard – Lille Jean Weaver & Ryan Lopez
Commercial: 1723 Highway 98 South – SVN Headquarters

PROCLAMATIONS

Juneteenth Day
LGBT Pride Month
National Garden Week
Vitiligo Awareness Month

COMMITTEE REPORTS AND RELATED ITEMS

Real Estate & Transportation Committee 06/04/21

1. First Amendment to Lease with Lakeland Aircraft Maintenance, LLC
2. Second Amendment to Ground Lease with Tigertown GM, Ltd.

Commissioner Bill Read presented this report.

Motion: Commissioner Phillip Walker moved to approve the report. Commissioner Chad McLeod seconded.

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience. There were no comments from the audience.

Palmer Davis clarified the lease rate.

Commissioner Chad McLeod asked for a correction to the minutes. Both motions should have been to approve lease amendments, and not purchases.

Motion to Amend: Commissioner Stephanie Madden moved to amend the motion, to correct the minutes. Commissioner Bill Read seconded.

Action on the Amendment: Mayor Pro Tem Sara McCarley called for the vote on the amendment. The motion carried unanimously.

Action: Mayor Pro Tem Sara McCarley called for the vote on the amended motion 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 Phillip Walker seconded.

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Pro Tem Sara McCarley called for the vote and the motion carried unanimously.

APPROVAL OF MINUTES (with any amendments)

* City Commission Minutes 05/14/21 – 05/17/21

Action: The Commission approved this item 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 Commission just recessed in their legislative capacity as the City Commission and convened- as the Equalization Board. The City on occasion had to clean and clear lots or demolish buildings on private property. The City imposed a lien for that work. The Equalization Board decided if the liens imposed were appropriate and fair. Anyone present concerning these liens would be given an opportunity to speak in just a moment. He then presented the assessments to the Equalization Board.

Lots Cleaning and Clearing

L.T. Watson, of 809 N. Ohio Ave. came forward with concerns of the assessment against his property. He had someone keeping his property clean. He stated he believed someone was dumping items there.

This assessment would be removed from this roll and staff would meet with Mr. Watson.

Motion: Commissioner Bill Read moved to approve the assessments, with 809 N. Ohio Ave being removed from the roll. Commissioner Phillip Walker seconded.

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Pro Tem Sara McCarley 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 (Second Reading)

Ordinance 5873; Proposed 21-020; Vacating a Portion of Right-of-Way Located East of 119 Kerneywood Street (1st Rdg. 05-17-21)

> AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED EAST OF 119 KERNEYWOOD STREET, WITHIN THE CITY OF LAKELAND, FLORIDA; AUTHORIZING THE RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker moved to approve the ordinance. Commissioner Chad McLeod seconded.

Mayor Pro Tem Sara McCarley 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, Mike Musick, Phillip Walker, and Mayor Pro Tem Sara McCarley voted aye. Ayes – six. Nays – zero. The motion carried unanimously.

COMMUNITY REDEVELOPMENT AGENCY – None

CITY MANAGER

Recommendation re: Award of Request for Proposal No. 1103 to Gallagher Benefit Services Inc. for Employee Benefits Broker/Consultant

Gallagher Benefit Services, Inc. is the City's current Employee Benefits Broker/Consultant. The current contract was due for renewal on June 1, 2021. The Employee Benefits Broker/Consultant was instrumental in analyzing the marketplace, consulting on behalf of the City regarding changes to our benefit plans, recommending benefit plan changes, preparing mandated certified actuarial reports, assisting with Request for Proposal (RFP) preparation, as well as securing a comprehensive benefits package for our employees, retirees, and their dependents.

On February 12, 2021, 91 prospective vendors received notification of the Employee Benefits Broker/Consultant RFP. Four proposals were received at the RFP opening on April 13, 2021. The four vendors that responded to the RFP were: Foundation Risk Partners dba Acentria Public Risk, McGriff Insurance Services, Inc., Willis Towers Watson Midwest, Inc., and Gallagher Benefit Services, Inc. The four prospective vendors were invited to interview with their representatives on April 30 or May 4, 2021, at prescheduled times. The selection committee ranked submissions on May 4, 2021, after the scheduled interviews had been completed.

The selection committee ranked the prospective vendors as follows:
1. Gallagher Benefit Services, Inc., Orlando, FL
2. Foundation Risk Partners dba Acentria Public Risk, Daytona, FL
3. McGriff Insurance Services, Inc., Orlando, FL
4. Willis Towers Watson Midwest, Inc, Naples, FL

The decision to retain Gallagher Benefit Services, Inc., was based on several factors noted as follows:
- Gallagher is the leader in Public Sector business with 775 public sector clients nationally. In Florida, Gallagher represents 45+ cities and towns, 15+ counties, and 14 school boards. Gallagher has the experience and expertise to support the City's needs.
- Gallagher has expanded their scope of work to include monthly reporting, and quarterly data analytics reporting. Additional data will give the City the needed information to expand our efforts around utilization and cost control.
- The Gallagher team has been expanded, adding an additional senior consultant with 20+ years of experience and a senior client manager.
- The healthcare delivery system is changing due to COVID-19. Gallagher will continue to deliver new innovative solutions to the City as they emerge. Some examples include the expansion of telemedicine, concierge surgery services, and specialty drug programs which will lead to lower costs for the member and our plan.

Additionally, Gallagher provided a credit for ongoing actuarial services that will reduce the current costs for these services annually by $5,000.

Staff recommended that the City Commission authorize the appropriate City Officials to execute the agreement with Gallagher Benefit Services, Inc. to provide Employee Benefits Broker/Consultant services effective June 1, 2021 The annual cost of services is $128,000 and will remain in effect for three years, through June 1, 2024, with two additional one-year renewal options.

The group discussed:

- How the scoring and calculations were done, including the formula and how the local preference points were added in.
- The fact that, even if local preference points were given to Foundation Risk Partners, Gallagher would still have the most points and be the top ranked firm. It was nonetheless unclear that Foundation Risk Partners qualified at this time as a local business.
- Whether adding the local preference points at the end was the best method
- Having a Commissioner sit on the Selection Committee
- The possible consequences of not choosing the 1st rank firm
- Looking at numbers vs. percentages
- Communication with the vendors throughout the process
- No additional information could be accepted after the protest period ended
- Consideration of a shorter period term

Motion: Commissioner Phillip Walker moved to approve the agreement with Gallagher Benefit Services Inc. for a one-year term. Commissioner Chad McLeod seconded.

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Pro Tem Sara McCarley called for the vote and the motion carried unanimously, 6-0.

Recommendation re: Award of Bid No 1076 to Waller Construction, Inc. for ADA Restroom Renovations at the RP Funding Center

On February 15, 2021, the City of Lakeland issued a request for bids for ADA Restroom Renovations at the RP Funding Center located at 701 West Lime Street, Lakeland, FL. The project included ADA upgrades of seven interior restrooms in the RP Funding Center. The work will consist of replacement of plumbing fixtures, partitions, tile and dispensers in the restrooms.

On March 19, 2021, the City Purchasing Department received the following (7) seven bids:

1. Waller Construction Inc., Lakeland, FL	$ 859,490.00
2. DeMaria Building Company, Tampa, FL	$ 886,000.00
3. Semco Construction, Bartow, FL	$ 980,889.00
4. Poli Construction Inc., Orlando, FL	$1,053,927.00
5. E&L Construction Group, Gibsonton, FL	$1,091,033.00
6. RL Burns Inc., Orlando, FL	$1,193,819.10
7. L Cobb Construction Inc., Wauchula, FL	$1,325,475.00

Due to the bids being greater than the available budget, an agreed upon reduced scope with Waller Construction was reached at $677,615.00. This reduced the number of restrooms being upgraded by four and changed the size of tile being used in some locations.

Staff recommended that the City Commission authorize the award of Bid No. 1076 to Waller Construction Inc., for ADA Restroom Renovations at the RP Funding Center and authorize the appropriate City officials to execute the contract in the amount of $677,615.00.

Shawn Sherrouse presented this item to the Commission.

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

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience.

Tony Camarillo explained they were renovating the restrooms used by the public and would be doing ADA improvements as well.

Action: Mayor Pro Tem Sara McCarley called for the vote and the motion carried unanimously, 6-0.

- **Recommendation re: Contract with the Greater Tampa Bay Area Council Inc. Boys Scouts of America Contract for Purchase of State Wetland Mitigation Credits and Corresponding Appropriation to the Lakeland Linder International Airport Fund**

The Airport previously received approvals in February 2021 to proceed with Phase III - Runway 9 Category III Approach Lighting Improvements, the final phase of the upgrading to a Category III Instrument Landing System project.

Included in this project phase was the installation of stanchions required to support the lighting bars for the Approach Lighting System. The placement of the equipment was within an existing wetland and the Airport as such was required to purchase State Wetland Mitigation Credits to offset this encroachment.

To comply with this requirement, the Airport was seeking to enter a contract to purchase 0.32 State Forested Credits from the Greater Tampa Bay Area Council Inc. Boys Scouts of America in the amount of $54,400. LLIA would be required to make payment within thirty days of execution of the contract.

Staff recommended that the City Commission authorize the appropriate City officials to enter the contract with the Greater Tampa Bay Area Council Inc. Boys Scouts of America per the terms outlined above and purchase the available Thirty-Two Hundredths (.32) State Forested credits for $54,400 and remit payment as outlined above.

Staff also recommended that the City Commission authorize an appropriation in the amount of $54,400 in the Airport Capital Fund to be funded from the Airport's Operating Fund Surplus.

Action: The Commission approved this item on the Consent Agenda.

Recommendation re: Award of Request for Qualifications No. 1060 and Approval of Continuing Contract and Agreement for Professional Solid Waste Management and Consulting Services

On February 1, 2021, the City of Lakeland issued a Request for Qualifications (RFQ) for Professional Solid Waste Management Consulting Services with the intent of awarding multiple tasks that can be utilized in developing a comprehensive Solid Waste & Recycling master plan. On March 2, 2021, Purchasing received the following five (5) submittals for the advertised consulting services:

1. Geosyntec Consultants, Orlando, FL
2. Resource Recycling Systems, Ann Arbor, MI
3. Kessler Consulting, Tampa, FL *(chose not to participate in on-site presentations)*
4. A.C.T. Environmental & Infrastructure, Bartow, FL
5. CQA Solutions Ltd, Toledo, OH

City staff reviewed the submitted qualifications; conducted in-person presentations with each firm, and determined Geosyntec Consultants, Inc. and Resource Recycling System to be the most responsive and qualified firms. Subsequently, a Notice of Intent to Award was issued on April 5, 2021.

Staff was seeking approval to enter into a Continuing Contract and Agreement for Professional Solid Waste Management and Consulting Services with both Geosyntec Consultants, Inc. and Resource Recycling Systems. The initial contract term was 3 years with two (2) one-year renewals.

The scope of work included the following:

Solid Waste Management Consulting Services
•Comprehensive solid waste management consulting

- Local, State and Federal regulatory compliance and management
- Program planning and evaluation
- Public meetings and presentations
- Cost-Benefit Analysis
- Information/communications services
- Budgetary, financial and enterprise fund planning, management, and administration

Solid Waste Management Engineering Services
- Comprehensive solid waste management engineering
- Engineering certification of reports, documents and submissions
- Design services and technical support for solid waste management programs
- Engineering reviews and evaluations

Environmental Monitoring and Consulting Services
- Comprehensive environmental consulting
- Groundwater sampling, monitoring, and management
- Surface water sampling, monitoring and management
- Leachate sampling, monitoring and management
- Hydrogeological assessments
- Regulatory reporting and correspondence
- Public meetings and presentations
- Permit compliance consulting

Funding for future projects was provided in the FY21 through FY25 Solid Waste Fund.

Staff recommended that the City Commission authorize the award of Request for Qualifications No. 1060, and authorize the appropriate City officials, on behalf of the City of Lakeland, to execute the Continuing Contract and Agreement for Professional Solid Waste Management and Consulting Services with Geosyntec Consultants, Inc., and Resource Recycling Systems

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

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience. There were no comments from the audience.

The Commission discussed this was part of the solid waste master plan and would help the City be eligible for grants.

Shawn Sherrouse recognized Terry Coney for suggesting the Recycle Hero.

Action: Mayor Pro Tem Sara McCarley called for the vote. The motion carried unanimously.

* **Recommendation re: Task Authorization with Wood Environment & Infrastructure, Inc. for Lake Bonny Stormwater Retrofit Design & Permitting**

A Best Management Practices (BMP) Development Preliminary Implementation Plan was completed for Lake Bonny in November 2017 that evaluated the major pollutant loading sources to Lake Bonny and provided recommendations for BMPs to reduce the pollutant loads to the lake. A pollutant control device (PCD) utilizing baffles to reduce sediment and settle-able solids and biosorption activated media (BAM) to remove soluble nutrient pollutants was identified as an appropriate BMP for outfall BO-070 located near the intersection of US Highway 98 South and North Crystal Lake Drive. This outfall is in the top three outfalls with the highest measured nutrient and sediment loading to Lake Bonny.

The Lakes and Stormwater Division sought a proposal from Wood Environment & Infrastructure, Inc. (Wood), a Professional Lakes and Watershed Management Services firm currently under continuing contract with the City, to complete the design and permitting of the proposed PCD.

The Task Authorization and Scope of Services included the following major elements of the project:

- Survey of the project area in coordination with City survey staff, and review of City GIS for stormwater infrastructure, topographic, and hydrological data.
- Geotechnical investigation, classification and testing of soils to evaluate the geotechnical characteristics of the proposed construction location.
- Hydraulic, hydrologic and water quality modeling to determine pollutant loading and removal capacities and confirm no adverse impacts from the PCD design on local flood hazards.
- Design plans.
- Permitting services.
- Bidding and pre-construction services.

Funding for the Lake Bonny Outfall Stormwater Retrofit Design & Permitting Project, in an amount not-to-exceed $71,381.20 was provided in the FY21 Stormwater Utility CIP.

Staff recommended that the City Commission authorize the appropriate City officials to execute the Task Authorization with Wood for the Lake Bonny Stormwater Retrofit Design & Permitting Project in an amount not-to-exceed $71,381.20.

Action: The Commission approved this item on the Consent Agenda.

Recommendation re: Award of Bid No.1042 to Cobb Site Development Inc.; Approval of Construction Agreement with Cobb Site Development, and Task Authorization with DRMP, Inc. for Construction Engineering and Inspection (CEI) Services for the State Road 572 (Drane Field Road) at Don Emerson Drive Intersection Improvement Project

The State Road 572 (Drane Field Road) at Don Emerson Drive intersection improvement project would construct a single lane roundabout with associated safety enhancements. The project would include road widening, curb and gutter, drainage, pavement markings, signage, lighting, and landscape improvements.

Construction plans were prepared by Patel, Greene and Associates, LLC., and were approved for construction by the Florida Department of Transportation (FDOT).

The City's Purchasing Division advertised for construction bids beginning January 11, 2021, and on February 11, 2021 the following proposals were received:

1. Cobb Site Development Inc.	$2,190,021.11	(Wauchula, FL)
2. Kamminga & Roodvoets, Inc.	$2,234,334.18	(Tampa, FL)
3. Gibbs & Register, Inc.	$2,302,594.05	(Winter Garden, FL)
4. Ajax Paving Industries of FL, LLC	$2,572,090.28	(North Venice, FL)

The City's Public Works staff evaluated the bid responses and determined Cobb Site Development Inc. to be the lowest responsive bidder. FDOT provided concurrence with the City's recommendation and a Notice of Intent to Award was issued by City Purchasing on March 12, 2021, to Cobb Site Development Inc. The protest period ended without any objection.

Construction and Engineering Inspection (CEI) services were required during the construction of the project. Therefore, the City's Public Works Department solicited a proposal from DRMP, Inc., one of the City's Municipal Engineering Continuing Contracts, to provide CEI services for the intersection improvement project. Under the Task Authorization, DRMP, Inc would provide CEI services at the negotiated fee of $254,562.50.

Construction costs associated with this project were budgeted within the Transportation Fund and would be fully reimbursed through a Joint Participation Agreement (JPA) with FDOT in the current fiscal year. The necessary CEI services were also currently budgeted within the Transportation Fund through an internal loan that would be paid through impact fees.

Staff recommended that the City Commission authorize the award of Bid No. 1042 to Cobb Site Development Inc. for the State Road 572 (Drane Field Road) at Don Emerson Drive intersection improvement project, and authorize the appropriate City officials to execute the Construction Agreement in the amount of $2,190,021.11.

Staff also recommended that the City Commission authorize the appropriate City officials to execute the Task Authorization for CEI services with DRMP, Inc. for the State Road 572 (Drane Field Road) at Don Emerson Drive intersection improvement project in the amount of $254,562.50.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Phillip Walker moved to approve the recommendations. Commissioner Chad McLeod seconded.

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience. There were no comments from the audience.

The Commission discussed:
- The time frame – 310 days
- Reimbursed costs - construction costs and CEI services. A red light is cheaper to install, but roundabout is cheaper in the long run. It still operates during outages and storms and it lowers accidents significantly.
- The access on Drane Field Road would be closed for approximately 120 days. They have another access point on Airport Road.

Action: Mayor Pro Tem Sara McCarley called for the vote. The motion carried unanimously.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 21-021; Small Scale Amendment #LUS21-001 to the Future Land Use Map to Change Future Land Use from Mixed Commercial Corridor (MCC) to Residential Medium (RM) on Approximately 8.12 Acres Located East of Lake Parker, North of State Highway 92 East and West of Fairway Avenue

> AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS21-001 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: 2010-2020; CHANGING THE FUTURE LAND USE DESIGNATION ON APPROXIMATELY 8.12 ACRES LOCATED EAST OF LAKE PARKER, NORTH OF STATE HIGHWAY 92 EAST AND WEST OF FAIRWAY AVENUE FROM MIXED COMMERCIAL CORRIDOR (MCC) TO RESIDENTIAL MEDIUM (RM); 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 June 21, 2021.

Proposed 21-022; Change in Zoning from MF-12 (Multi-Family Residential) to PUD (Planned Unit Development) and a change from Suburban Corridor (SCO) to Suburban Neighborhood (SNH) Context District, to Allow up to 199 Single-Family Detached Dwellings and Two Commercial Nodes on Property Located East of Lake Parker, North of State Highway 92 East and West of Fairway Avenue

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM MF-12 (MULTI-FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) ZONING ON APPROXIMATELY 10 ACRES AND APPLICATION OF PUD (PLANNED UNIT DEVELOPMENT) ZONING TO APPROXIMATELY 46.1 ACRES TO ALLOW UP TO 199 SINGLE-FAMILY DETACHED DWELLINGS AND TWO COMMERCIAL NODES ON PROPERTY LOCATED EAST OF LAKE PARKER, NORTH OF STATE HIGHWAY 92 EAST AND WEST OF FAIRWAY AVENUE; CHANGING THE CONTEXT DISTRICT ON APPROXIMATELY 7.75 ACRES OF THE PROPERTY TO SUBURBAN NEIGHBORHOOD (SNH); 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 June 21, 2021.

Proposed 21-023; Small Scale Amendment #LUS20-001 to the Future Land Use Map to Change Future Land Use from Residential Medium (RM) to Community Activity Center (CAC) on Approximately 0.86 Acres Located at 1723 Highway 98 South

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS20-001 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: 2010-2020; CHANGING THE FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.86 ACRES LOCATED AT 1723 HIGHWAY 98 SOUTH FROM RESIDENTIAL MEDIUM (RM) TO COMMUNITY ACTIVITY CENTER (CAC); 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 June 21, 2021.

Proposed 21-024; Change in Zoning from O-1 (Low Impact Office) and RA-3 (Single-Family) to PUD to Allow Limited Commercial and Office Uses on Approximately 1.7 Acres Located at 1723 Highway 98 South

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING CLASSIFICATION TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW LIMITED COMMERCIAL AND OFFICE USES ON APPROXIMATELY 1.7 ACRES LOCATED AT 1723 HIGHWAY 98 SOUTH; 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 June 21, 2021.

Proposed 21-025; Change in Zoning from O-1 (Low Impact Office) to C-1 (Pedestrian Commercial) to Recognize Existing Commercial Uses on 1.16 Acres Located at 3252 Kathleen Road

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR C-1 (PEDESTRIAN COMMERCIAL) ZONING ON APPROXIMATELY 1.16 ACRES LOCATED AT 3252 KATHLEEN 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 June 21, 2021.

Proposed 21-026; Amending Ordinance 5046; Major Modification of an Existing Conditional Use to Allow for a Graduate Level Program with a Maximum Enrollment of 400 Students for Florida Southern College on Property Located at 310 Frank Lloyd Wright Way

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 5046 TO MODIFY AN EXISTING CONDITIONAL USE TO ALLOW FOR A GRADUATE LEVEL PROGRAM WITH A MAXIMUM ENROLLMENT OF 400 STUDENTS FOR FLORIDA SOUTHERN COLLEGE ON PROPERTY LOCATED AT 310 FRANK LLOYD WRIGHT WAY; 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 June 21, 2021.

Proposed 21-027; Approving a Conditional Use to Allow an Adult Daycare and Vocational Training Facility on Property Located at 2710 W. Memorial Boulevard

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW AN ADULT DAYCARE AND VOCATIONAL TRAINING FACILITY ON PROPERTY LOCATED AT 2710 W. MEMORIAL BOULEVARD; 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 June 21, 2021.

Proposed 21-028; Amending Ordinance 4899; as amended, the City's Pole Attachment Ordinance, to Establish Promotional Rates for Wireline Attachments to Expand Internet Access to Unserved and Underserved Areas

AN ORDINANCE OF THE CITY OF LAKELAND, FLORIDA RELATED TO POLE ATTACHMENTS; AMENDING ORDINANCE 4899, AS AMENDED, TO ESTABLISH PROMOTIONAL RATES FOR WIRELINE ATTACHMENTS OF BROADBAND FACILITIES ON CITY POLES CONSISTENT WITH REQUIREMENTS SET FORTH IN STATE LAW; MAKING FINDINGS; 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 June 21, 2021.

Proposed 21-029; Amending Chapter 62, Article II, Division 3, of the City Code, the City of Lakeland Police Officers' Retirement System, to amend Required Distribution Date and Member Contributions

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND AMENDING CHAPTER 62, LAW ENFORCEMENT, ARTICLE II, POLICE OFFICERS' BENEFITS, DIVISION 3, OFTHE CODE OF THE CITY OF LAKELAND, FLORIDA, RELATING TO THE CITY OF LAKELAND POLICE OFFICERS' RETIREMENT SYSTEM,; AMENDING SECTION 62-55, CONTRIBUTIONS; AMENDING SECTION 62-57, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 62-58, PRE-RETIREMENT DEATH; AMENDING SECTION 62-61, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 62-67, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; 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 June 21, 2021.

Resolutions

Resolution 5686: Proposed 21-041; 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 Mike Musick seconded.

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience.

Shawn Sherrouse reported the fees against property at 809 N. Ohio Ave. would be removed. There had been illegal dumping there and the city had never had any issues with this property before.

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

Resolution 5687; Proposed 21-042; Authorizing the Refunding and Defeasance of Certain Hospital Revenue Bonds Previously Issued by the City for the Benefit of Lakeland Regional Health Systems, Inc.

> A RESOLUTION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING THE REFUNDING AND DEFEASANCE OF CERTAIN HOSPITAL REVENUE BONDS PREVIOUSLY ISSUED BY THE CITY FOR THE BENEFIT OF LAKELAND REGIONAL HEALTH SYSTEMS, INC.; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE ESCROW DEPOSIT AGREEMENTS AND APPOINTING THE ESCROW AGENT THERETO; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience.

Commissioner Stephanie Madden asked if the bond workshop coming up was in general or was it specific.

Mike Brossart - the upcoming workshop would be during the budget cycle. They would discuss the items coming up soon. If there was time, he would be glad to discuss bonds in general and explain more fully.

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

Miscellaneous Reports

*** Memo re: Task Authorization with Wood Environment & Infrastructure for Design, Bidding and Construction Management Services for Maintenance Dredging Project at the City's Treatment Wetlands**

This was a proposed Task Authorization with Wood Environment & Infrastructure (Wood) for professional services to assist the Water Utilities Department with maintenance dredging of the City's treatment wetlands.

The City's artificial wetlands consist of approximately 1,200 wetland acres divided into a series of seven cells used for polishing the effluent sent from the Glendale and Northside Wastewater Treatment Plants. Polished effluent from the wetlands is either sent to TECO's Polk Power Station for further reuse or discharged to waters of the state. Flow from one cell to the next and the final discharge to downstream waters is maintained through ten control structures. Two control structures are in need of maintenance dredging of accumulated sediments in the cells around the structures in order to maintain their function. These structures haven't been dredged since the Wetland was built in 1986.

Pursuant to the Task Authorization, Wood would provide survey, sediment analysis and design services, develop a bid package, and perform construction management services for the project. All services pursuant to this Task Authorization would be performed in accordance with the terms and conditions set forth in the Continuing Contract for Professional Municipal Engineering Services between the City and Wood previously approved by the City Commission on September 6, 2016. The total not-to-exceed cost associated with this Task Authorization was $111,150.00. This project had been approved and budgeted for in Water Utilities' FY 2021 budget.

Staff recommended that the City Commission approve the Task Authorization with Wood Environment & Infrastructure and authorize the appropriate City officials to execute the Task Authorization on behalf of the City.

Action: The Commission approved this item on the Consent Agenda.

Memo re: Engineering Services Agreement with Hazen and Sawyer, Inc. for Glendale Water Reclamation Facility Effluent Pumping Improvements

This was a proposed Engineering Services Agreement with Hazen and Sawyer, Inc. (Hazen) to perform professional services associated with pumping facility improvements at the Glendale Water Reclamation Facility (WRF).

The Glendale WRF currently had two pumping facilities to manage and transport reuse water - the main effluent pump station and the wetlands pump station. The main effluent pump station sends reuse water to McIntosh Power Plant for use in its cooling towers. The wetlands pump station sends excess reuse water and water returned from McIntosh south to Seven Wetlands. The wetlands pump station had reached the end of its useful life, having begun service in 1987. Spare parts were not readily available, and Water Utilities had resorted to non-traditional methods to secure replacement parts. The main effluent pump station was also reaching the end of its useful life, having begun service in 1982.

Additionally, the Florida Department of Environmental Protection (FDEP) required treated effluent to be disinfected, which required a certain contact time with the disinfectant. Currently, this was being accomplished in the pipeline. This method presented a tremendous lack of control, which typically resulted in over or under chlorinating and had led to non-compliance issues. A conceptual study was previously performed which determined that one (1) combined pump station with modern controls, more efficient variable frequency drives, appropriately sized with multiple pumps and two outlets, should replace the two existing stations, along with adding a chlorine contact chamber.

City staff had negotiated the Agreement and Scope of Services with Hazen and Sawyer. The work had been divided into two phases: (1) preliminary engineering to assist with obtaining a State Revolving Loan (SRL) for the design of the project, for a lump sum fee of $70,475; and (2) final design, permitting and bidding services in the lump sum amount of $1,106,541. Phase 1 would be funded by the Water Utilities Department and had been included in the FY2021 budget. After approval of a design loan from the FDEP through the SRL program, a change order to authorize the use of this loan for the Phase 2 scope of work would be processed.

Staff recommended that the City Commission approve the Engineering Services Agreement with Hazen and Sawyer, Inc. for services related to the Glendale WRF Pumping Improvements and that the appropriate City officials be authorized to execute the Agreement.

Palmer Davis read the short title.

Motion: Commissioner Chad McLeod moved to approve the recommendation. Commissioner Phillip Walker seconded.

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Pro Tem Sara McCarley called for the vote. The motion carried unanimously.

FINANCE DIRECTOR

* Appropriation and Increase in Estimated Revenues – Wastewater SRF Fund

The English Oaks project began during FY2006 in response to the planned development in the City's southwest area. The project was put on hold following the economic downturn of 2009. In 2018, it was determined that this project needed to finally be completed to support the renewed growth in the area. Three sections had been completed and another section was in the final stages and would be completed this summer.

Two sections remain and have been approved to be funded by a low interest Clean Water State Revolving Loan. The amount of the loan is $2,146,259 and a resolution was approved by the City Commission on May 17, 2021 to enter into the loan agreement.

Therefore, staff requested that the City Commission authorize an appropriation and increase in estimated revenues in the Wastewater SRF Fund of $2,146,259 for construction of this project beginning in the summer of FY 2021.

Action: The Commission approved this item on the Consent Agenda.

UTILITY

Resolutions

Resolution 5688; Proposed 21-043; Establishing Fuel Charge Effective July 1, 2021

> A RESOLUTION RELATING TO THE ELECTRIC UTILITY; MAKING FINDINGS; ESTABLISHING THE FUEL CHARGE FOR ALL CUSTOMER CLASSES FOR METERS READ ON OR AFTER JULY 1, 2021; AMENDING TIME OF DAY FUEL CHARGE FOR APPLICABLE RATE CLASSES; REPEALING RESOLUTION 5660; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Stephanie Madden moved to approve the resolution. Commissioner Bill Read seconded.

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience. There were no comments.

Action: Upon roll call vote Commissioners Phillip Walker, Mike Musick, Stephanie Madden, Bill Read, Chad McLeod, and Mayor Pro Tem Sara McCarley voted aye. Ayes-six. Nays-zero. The motion carried unanimously, 6-0.

Miscellaneous

Memo re: Agreement with Siemens Energy, Inc. for McIntosh Unit 5 Steam Turbine Bearing Modifications

This was a proposed Agreement with Siemens Energy, Inc. (Siemens) for McIntosh Unit 5 steam turbine bearing modifications. Siemens recently issued an Urgent Technical Advisory describing a steam turbine equipment failure that occurred with the same model as McIntosh Unit 5. This steam turbine failure resulted from a last stage blade failure causing a catastrophic loss of the turbine in a manner which resulted in several large parts being forcibly ejected from the turbine generator. While no injuries occurred, Siemens determined that the turbine and generator bearings were not strong enough to restrict shaft movement when the rotor became unbalanced after blade liberation. As such, Siemens had developed improvements for the steam turbine and associated generator bearings that improve bearing retention and overall structural integrity. Implementation of these modifications are critical to the safety of Lakeland Electric's personnel and equipment.

The City's Purchasing Department had approved Siemens, the original equipment manufacturer, as the sole source supplier for these safety modifications. Upon approval by the City Commission, Siemens would perform the work during Unit 5's Fall outage scheduled for November 6th through December 3rd, 2021. The services provided by Siemens would include disassembly and reassembly of the unit, installation of new component parts, replacement of a bearing and post-outage vibration/balancing support. The services would be governed by the pricing and terms set forth in Siemens proposal 21-0010, as well as the terms and conditions contained in the City's existing Long-Term Maintenance Agreement with Siemens dated May 5, 2010. The total cost of the work was $1,248,916 and was included in Lakeland Electric's FY22 budget, subject to the City Commission's approval of the budget.

Staff recommended that the City Commission approve the Agreement with Siemens for McIntosh Unit 5's steam turbine bearing modifications and authorize the appropriate City officials to execute all corresponding documents with Siemens for the services.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Chad McLeod moved to approve the recommendation. Commissioner Phillip Walker seconded.

Mayor Pro Tem Sara McCarley asked for comments from the Commission and the audience. There were no comments from the audience.

The Commission discussed the warranty, which was complicated.

Action: Mayor Pro Tem Sara McCarley called for the vote. The motion carried unanimously.

AUDIENCE

Jennifer Aguilar submitted a petition related to traffic issues in the neighborhoods surrounding Lakeland Christian School. She also presented a video of the traffic in these neighborhoods. (Forest Park St, S. Webster Ave, and W. Queens St.) The roads surrounding LCS were congested in the morning and afternoon, when children from the neighborhood are walking to their public school. The cars park on the sidewalks, making them unusable. It was dangerous for the residents of the neighborhood.

Carol Hunt - about the traffic issue on these streets. She had contacted LCS and LPD for years. She does not want Webster Ave. closed. There were ways to make this traffic flow. Yes, it would inconvenience some parents. LCS had outgrown its location.

Marco Aguilar - traffic concerns near LCS. Traffic was exceeding capacity. His kids go to LCS and his children cannot walk to school. They were asking for help.

Lisa Mathison had lived on Queen St. for 20 years. It is dangerous to even back out of your driveway. The cars do not slow down.

Gary Pearson lived on the next street over from Webster. LCS was small when he moved there. They cannot use the sidewalks near the school now. The cars are parked on the sidewalk. He asked the Commission to listen to people's concerns.

Commissioner Bill Read asked if the video they showed was on Webster. Yes, it was.

Shawn Sherrouse updated the Commission. Staff was very familiar with the situation. There was no silver bullet fix the problem.

Commissioner Chad McLeod - on the solution of no entry, would there be a local traffic entry. Yes.

Matt Green - CFO of Lakeland Christian School. They have worked to try to be a good neighbor. They must move traffic during the morning and afternoon. They need to continue to work for the best.

Mayor Pro Tem Sara McCarley asked if there was some type of education, they could do with your school students. What could they do from their end to change driver's habits?

Commissioner Phillip Walker understands the frustration from the neighborhood. They worked through similar issues at Lincoln Academy.

Commissioner Mike Musick noted his family moved to Queens St. specifically, for LCS. His dad taught there for 40 years. He rode his bike to work. His mother still lives on Queens.

Commissioner Chad McLeod asked if there had been any recent meetings with staff, the school and neighborhood. Not with neighborhood.

Mayor Pro Tem Sara McCarley asked the city manager to arrange a meeting with all the groups involved.

Commissioner Stephanie Madden added, to involve the students in the conversation, allow them to participate.

Michael Seville asked the list of who served on the Airport Advisory Board. The City Clerk's office would supply him with that information after the meeting.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Phillip Walker - Jim Dehne retired. He always called Jim when he saw a violation. This morning Brian Rewis took care of a situation. Please find another like Jim.

Commissioner Mike Musick thanked staff. He was just getting started. He appreciated the Aguilars being here. It is tough. He commits to being involved and will do his best.

Commissioner Stephanie Madden thanked Mr. Coney for being present. She also noted that a public hearing regarding the airport and Amazon had occurred and some citizens had vocalized concerns about the impact of Amazon's potential expansion.

Palmer Davis noted that the City's lease with Amazon imposed a contractual obligation upon the City to cooperate with Amazon on the expansion. A referendum cannot negate a contractual obligation.

Commissioner Chad McLeod commended the Communications Dept. and Jonathan Rodriguez for the launch of the new Spanish version of Access Lakeland.

Mayor Pro Tem Sara McCarley

- Communications invited her to the Citizen's Academy. Encouraged people to sign up. This gives you information to learn about all the different departments of the city.
- She got to meet with summer interns at the Citrus Connection.
- There is a link on the city's website related to the road diet. there is a video the public should go watch. She thanked Communications for that video.
- Sorry she missed the Buffalo Soldiers event last Saturday.
- The Commission is bound by the Sunshine Laws. That is why the Commission hashes things out at the meetings. It must be done in the public.

CALL FOR ADJOURNMENT – 12:15 P.M.

Sara McCarley, Mayor Pro Tem

Deborah M. Cason

Deborah M. Cason, Deputy City Clerk

CITY OF LAKELAND, FLORIDA
INCORPORATED
JAN. 1, 1885