

LAKELAND CITY COMMISSION**Regular Session
September 16, 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. Assistant City Manager Rob Hernandez, City Attorney Palmer Davis, Finance Director Mike Brossart, and City Clerk Kelly Koos were present.

CALL TO ORDER - 9:00 A.M.**CITY CLERK GIVES OATH OF OFFICE - Youth Council Members****PRESENTATIONS**

Lakeland's Citizen Vision: Engagement & Implementation (Laura Rodriguez, Lakeland Vision Executive Director)

Age-Friendly Communities Award (Amy Matovina, AARP Program Specialist)

PROCLAMATIONS

Drive Electric Day Lakeland
Exalt Jesus March Day
Florida's Missing Children Day
National Recovery Month

COMMITTEE REPORTS AND RELATED ITEMS**Real Estate & Transportation Committee 09/13/24**

Commissioner Mike Musick presented this report to the Commission. The Commission voted on each recommendation individually.

Purchase Agreement for 801-819 and 825 N. Florida Avenue and 810, 814, 826 and 0 N. Tennessee Avenue

Motion: Commissioner Bill Read moved to approve the purchase 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 Agreements for Properties Located at the Northwest Corner of the Intersection of N. Massachusetts Avenue and US 98 North

Motion: Commissioner Bill Read moved to approve the purchase agreements. 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.

Lease Agreement with Double M Aviation, LLC

Motion: Commissioner Sara Roberts McCarley moved to approve the agreement. 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 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 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 MINUTES (with any amendments)

* City Commission 08/19/24 – 09/03/24

* Utility Committee 08/30/24

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

REQUEST TO APPEAR FROM THE GENERAL PUBLIC – None

EQUALIZATION HEARINGS

Recess/convene: The City 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 lot cleaning/clearing or demolition assessment, this is the time to address the Commission.

Demolition of Buildings

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 6049; Proposed 24-033; Proposed Text Amendment LDC24-001 to the Land Development Code to Allow Ground Floor Residential Uses within Existing Non-Residential Buildings in C-6 and C-7 Zoning Districts, Define Restaurant and Retail Uses and Allow within Certain Zoning Districts, and Revise Definitions Pertaining to Outdoor Storage (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-001 TO ARTICLE 2 (USE STANDARDS), SECTION 2.3 (PERMITTED USES) AND SECTION 2.6 (MASTER USE LIST) OF THE LAND

DEVELOPMENT CODE TO ALLOW GROUND FLOOR RESIDENTIAL USES WITHIN EXISTING NONRESIDENTIAL BUILDINGS IN C-6 AND C-7 ZONING DISTRICTS, DEFINE RESTAURANT AND RETAIL USES SUCH AS “GHOST KITCHENS” AND “DARK STORES” AND ALLOW WITHIN CERTAIN ZONING DISTRICTS, REVISE DEFINITIONS PERTAINING TO THE OUTDOOR STORAGE OF BOATS, MOTOR HOMES, TRAILERS AND OTHER EQUIPMENT, ADD A NEW USE SPECIFIC TO THE OUTDOOR STORAGE OF MEDIUM-DUTY AND HEAVY DUTY TRUCKS, SEMI-TRAILERS, MULTI-TRAILERS, CONSTRUCTION EQUIPMENT, TOOLS AND VEHICLES, AND AMEND THE ZONING DISTRICTS IN WHICH SUCH USES ARE PERMITTED BY RIGHT AND THROUGH A CONDITIONAL USE; MAKING FINDINGS; 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 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 6050; Proposed 24-034; Proposed Text Amendment LDC24-002 to the Land Development Code to Revise the Development Standards for Residential Uses in Urban Neighborhood Context Districts, Define the Minimum Front Yard Setback for Infill Properties Located within Established Residential Neighborhoods and Define the Frontage Buildout as a Percentage of the Overall Width of the Principal Structures (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-002 TO ARTICLE 3 (URBAN FORM STANDARDS), SECTION 3.5 (EXCEPTIONS TO URBAN FORM STANDARDS) OF THE LAND DEVELOPMENT CODE TO REVISE THE DEVELOPMENT STANDARDS FOR SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL USES TO REDUCE THE MAXIMUM LOT COVERAGE FROM 55% TO 45% IN URBAN NEIGHBORHOOD CONTEXT SUB-DISTRICTS, DEFINE THE MINIMUM FRONT YARD SETBACK FOR INFILL PROPERTIES LOCATED WITHIN ESTABLISHED RESIDENTIAL NEIGHBORHOODS, AND DEFINE THE FRONTAGE BUILDOUT AS A PERCENTAGE OF THE OVERALL WIDTH OF THE PRINCIPAL STRUCTURE; MAKING FINDINGS; 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 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 6051; Proposed 24-035; Proposed Text Amendment LDC24-003 to the Land Development Code to Establish a Footprint for Accessory Structures on Single-Family or Two-Family Residential Lots, Prohibit the Installation of Secondary Electric Meters on Accessory Structures, Define Accessory Structures with Greater than 1,000 sq. ft. of Floor Area as Principal Structures and Provide Clarification Regarding Zoning Compliance for Certain Accessory Structures which do not Require a Building Permit (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-003 TO ARTICLE 4 (GENERAL SITE DEVELOPMENT STANDARDS), SECTION 4.3 (ACCESSORY STRUCTURES) OF THE LAND DEVELOPMENT CODE TO ESTABLISH A MAXIMUM FLOOR AREAS AND TOTAL CUMULATIVE FOOTPRINT FOR ACCESSORY STRUCTURES ON SINGLE-FAMILY OR TWO-FAMILY RESIDENTIAL LOTS OR PARCELS, PROHIBIT THE INSTALLATION OF SECONDARY ELECTRIC METERS ON ACCESSORY STRUCTURES WHEN LOCATED ON PROPERTIES ZONED FOR SINGLE-FAMILY OR TWO-FAMILY RESIDENTIAL USES, DEFINE ACCESSORY STRUCTURES WITH GREATER THAN 1,000 SQUARE FOOT OF FLOOR AREA AS PRINCIPAL STRUCTURES WHEN LOCATED ON A LOT OR PARCEL ZONED FOR OFFICE, COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL USES, AND PROVIDE CLARIFICATION REGARDING ZONING COMPLIANCE FOR CERTAIN ACCESSORY STRUCTURES WHICH DO NOT REQUIRE A BUILDING PERMIT; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

- The reason for limiting a second meter.
- The City wanted to prevent an accessory building from becoming another dwelling unit.
- A homeowner could add additional power to an accessory building, they could add a separate account.

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

Ordinance 6052; Proposed 24-036; Proposed Text Amendment LDC24-004 to the Land Development Code to Establish Permitting Requirements for New and Existing Fences and Walls (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-004 TO ARTICLE 4 (GENERAL SITE DEVELOPMENT STANDARDS), SECTION 4.4 (FENCES AND WALLS) AND ARTICLE 12 (ADMINISTRATION AND ENFORCEMENT) OF THE LAND DEVELOPMENT CODE TO ESTABLISH PERMITTING REQUIREMENTS FOR FENCES, SPECIFY THE THRESHOLD FOR WHEN REPAIR OR REPLACEMENT OF AN EXISTING FENCE WILL REQUIRE A PERMIT, SPECIFY HOW MUCH OF A NONCONFORMING FENCE OR WALL MAY BE REPAIRED OR REPLACED BEFORE THE FENCE OR WALL MUST BE BROUGHT INTO COMPLIANCE, REQUIRE FENCING MATERIALS WHICH HAVE BOTH A FINISHED AND UNFINISHED SIDE TO ORIENT THE FINISHED SIDE OUTWARDS WHEN ADJACENT OR DIRECTLY VISIBLE FROM STREETS OR ALLEYS, ADDRESS THE PLACEMENT OF CERTAIN MATERIALS ON FENCING, REVISE AN ILLUSTRATION WHICH ADDRESSES THE HEIGHTS OF FENCES AND WALLS WITHIN THE VISIBILITY TRIANGLE AT UNSIGNALIZED INTERSECTIONS, AND ALLOW FOR THE ADMINISTRATIVE APPROVAL OF PRIVACY FENCES UP TO EIGHT FEET IN HEIGHT SUBJECT TO THE WRITTEN CONSENT OF ADJACENT PROPERTY OWNERS WHEN LOCATED IN REAR YARDS AND NOT VISIBLE FROM ADJACENT STREETS OR ALLEYS; MAKING FINDINGS; 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 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 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 6053; Proposed 24-037; Proposed Text Amendment LDC24-005 to the Land Development Code to Apply the Tree Preservation Requirements to Unplatted Parcels of Land which are Zoned for Single-Family or Two-Family Residential Uses of Greater than One Acre, Adopt a New list of Qualified Plantings and Incorporate Certain Florida-Friendly Landscaping Requirements for Irrigation Systems (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-005 TO ARTICLE 4 (GENERAL SITE DEVELOPMENT STANDARDS), SECTION 4.5 (LANDSCAPING, TREES AND BUFFERING) OF THE LAND DEVELOPMENT CODE TO APPLY THE TREE PRESERVATION REQUIREMENTS TO UNPLATTED PARCELS OF LAND WHICH ARE ZONED FOR SINGLE-FAMILY OR TWO-FAMILY RESIDENTIAL USES AND GREATER THAN ONE ACRE IN AREA, ADOPT A NEW LIST OF QUALIFIED TREE, PALM, SHRUB, GROUNDCOVER AND FLOWER PLANTINGS, AND INCORPORATE CERTAIN FLORIDA-FRIENDLY LANDSCAPING REQUIREMENTS FOR IRRIGATION SYSTEMS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short 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.

Chuck Barmby acknowledged Brittany Thornton of Water Utilities and Stacy Smith of PR&C, who have been a huge resource on this ordinance. He gave a presentation on the amendment.

The Commission discussed:

- What prompted Lakeland to act now? The desire for more efficient water usage and better handling of resources.

- Reduced water consumption for irrigation.

Danette Lockwood asked if the City was limiting what citizens can plant? Some HOAs have tried to enforce the Florida Friendly landscaping. It has already happened in her community through the HOA. She was concerned that people do not know they have the right to say no this this.

The ordinance only related to new development where irrigation and landscaping is required. It does not apply to existing single-family homes. The ordinance does not address individual landscaping for single family homes. This is for new development and public areas.

The Commission discussed:

- Circumventing these issues if they come up.
- No one from the City will be going out and telling citizens they have planted the wrong material at their home. If folks are approached, they can contact Community and Economic Development. The main goal is to reduce water consumption for large scale development landscaping.
- The text on our agenda applies to unplatted land for single family home development. This will be the framework for what the developer is building before they sell the home. The City backs away after that.
- This will apply to new development of one acre or more.
- Minimum maintenance standards for landscaping and enforcement challenges. Maintenance requirements depended on when the site plan was approved and what rules were in place at that time.
- This ordinance applies to the irrigation and what developers are drawing out of the aquifer. This gives standards for developers selling new homes. It sets boundaries before the homes are built and sold. People who live in an HOA make that choice. This is what the city required for new development to be permitted.
- Everything is geared toward lowering water consumption. A lot of irrigation is based on well water but that still draws water out of the aquifer.
- Citizens who run into difficulty may reach out to Community and Economic Development or Parks, Recreation, and Cultural Arts
- The goal is to lower water consumption.
- This is about finding ways to incentivize plant material and irrigation systems that draw less water.
- The ordinance language today specifically exempts single family and two-family dwellings. Every homeowner can rest easy that they can plant what they choose. The overriding policy behind this is to adopt the Florida Water Star program. This is an intermediate step to that effort. This compliments the work of the PRWC addressing the generational need for water. The City's landscape requirements already include dozens of acceptable plant species for landscape development. This is simply updating that list.
- Staff has worked close with the Polk County Builders Association (PCBA), which has advocated for consistency amongst the local governments in Polk County.

- Site plans are approved, and inspection follows at completion. No further enforcement occurs on landscaping unless there are complaints. CED did not have staff for increasing inspections of landscaping. When the City sees landscaping that has died or is neglected, staff first must determine under what regulations the development was approved, unless they are engaging in investments that trigger additional site plan reviews.
- A large-scale development was three or more lots.

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

Ordinance 6054; Proposed 24-038; Proposed Text Amendment LDC24-006 to the Land Development Code to Revise the Payment in Lieu of Construction Where a Sidewalk Network Does Not Exist on Local Streets and Where a Sidewalk Would Not be Feasible Due to Site Constraints (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-006 TO ARTICLE 4 (GENERAL SITE DEVELOPMENT STANDARDS), SECTION 4.7 (PEDESTRIAN, BICYCLE AND TRANSIT FACILITIES) OF THE LAND DEVELOPMENT CODE TO REVISE THE PAYMENT IN LIEU OF CONSTRUCTION REQUIREMENT WHERE A SIDEWALK NETWORK DOES NOT EXIST ON LOCAL STREETS AND WHERE A SIDEWALK WOULD NOT BE FEASIBLE DUE TO SITE CONSTRAINTS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Bill Read moved to approve the ordinance. Commissioner 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 Bill Read, Stephanie Madden, Sara Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously. Commissioner Chad McLeod was absent at that time.

Ordinance 6055; Proposed 24-039; Proposed Text Amendment LDC24-007 to the Land Development Code to Remove Development Standards Pertaining to

Electric Vehicle Charging Facilities, Remove Application Requirements for a Business Tax Receipt for Food Trucks and Provide Clarification Regarding the Documentation of Property Owner Authorization and Access to Permanent Restroom Facilities (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-007 TO ARTICLE 5 (STANDARDS FOR SPECIFIC USES), SECTION 5.9 (ELECTRIC VEHICLE CHARGING FACILITIES) AND SECTION 5.24 (FOOD TRUCKS) OF THE LAND DEVELOPMENT CODE TO REMOVE DEVELOPMENT STANDARDS PERTAINING TO ELECTRIC VEHICLE CHARGING FACILITIES, REMOVE APPLICATION REQUIREMENTS FOR A BUSINESS TAX RECEIPT FOR FOOD TRUCKS AND PROVIDE CLAIRIFICATION REGARDING THE DOCUMENTATION OF PROPERTY OWNER AUTHORIZATION AND ACCESS TO PERMANENT RESTROOM FACILITIES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

Chuck Barmby gave a brief update. These are a result of action by the legislature. The State preempts municipalities from regulating EV charging stations. There will still be review by the electric utility. The State preempts municipalities from regulating food trucks or requiring a business tax license. That now falls to the State of Florida.

The Commission discussed:

- What the City was permitted to weigh in on in this type of development. The electric utility would only be able to weigh in on the ability to provide capacity for a charging station at that location.
- The EV charging stations and food truck regulations were added to the same amendment as an administrative efficiency. They were both generated because of action from the legislature.

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

Ordinance 6056; Proposed 24-040; Proposed Text Amendment LDC24-008 to the Land Development Code to Adopt Changes Mandated by the Florida Department of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA) Pertaining to the National Flood Insurance Program (NFIP) (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-008 TO ARTICLE 6 (NATURAL RESOURCE PROTECTION STANDARDS), SECTION 6.1 (GENERAL) AND SECTION 6.3 (GREEN SWAMP AREA OF CRITICAL STATE CONCERN) OF THE LAND DEVELOPMENT CODE TO ADOPT CHANGES MANDATED BY THE FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM) AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PERTAINING TO THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP); MAKING FINDINGS; 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 Mike Musick seconded.

Flood Plan Administrator Cole Edwards explained this incorporated the new standard requirements of the Federal and State agencies. They changed the benchmark requirements for different Community Rating System (CRS) categories. The City's current language did not address the minimum standard for Class 8. Lakeland is a Class 7. Without applying the new language, Lakeland's rating could drop two levels. FEMA and ISO based the rating on the city's policies. The better the rating the better the discount for flood insurance. There is a 5% discount for each class level. Lakeland is a Class 7. Adopting the language will maintain Lakeland's rating.

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

Commissioner Bill Read expressed concern that this could reclassify land as far as development. The property owner may find out they cannot build based on the new language.

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 6057; Proposed 24-041; Proposed Text Amendment LDC24-009 to the Land Development Code to Require a Signed and Sealed Analysis Prepared by a

Professional Traffic Engineer and Additional Safety Analyses that will be Required for Major Traffic Studies (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-009 TO ARTICLE 10 (CONCURRENCY STANDARDS) OF THE LAND DEVELOPMENT CODE TO REQUIRE A SIGNED AND SEALED ANALYSIS PERPARED BY A REGISTERED TRAFFIC ENGINEER AND ADDITIONAL SAFETY ANALYSES THAT WILL BE REQUIRED FOR MAJOR TRAFFIC STUDIES; MAKING FINDINGS; 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 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 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 6058; Proposed 24-042; Proposed Text Amendment LDC24-010 to the Land Development Code to Clarify Terminology and Correct Scrivener's Errors Throughout, Provide Clear Terminology and Organizational Clarity, Consistent with Historic Preservation Policies, Standards, and Design Guidelines, Add Review Criteria for the Relocation of Historic Buildings, and Add Formal Procedures for Processing Appeals of Decisions of the Historic Preservation Board and the Design Review Committee (1st Rdg. 09-03-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC24-010 TO ARTICLE 11 (HISTORIC PRESERVATION STANDARDS) OF THE LAND DEVELOPMENT CODE TO CLARIFY TERMINOLOGY AND CORRECT SCRIVENER'S ERRORS THROUGHOUT THE ARTICLE, ADD DEFINITIONS FOR CERTIFICATE OF REVIEW, DESIGN REVIEW COMMITTEE, HISTORIC PRESERVATION BOARD, AND RELOCATION, REDUCE THE TOTAL NUMBER OF MEMBERS ON THE HISTORIC PRESERVATION BOARD FROM 13 TO 9, CLAIRFY MEMBERSHIP COMPOSITION ALONG WITH A REQUIREMENT THAT MEMBERS MUST BE CITY RESIDENTS, CLAIRFY THE ROLE AND PURPOSE OF THE DESIGN REVIEW COMMITTEE, REVISE THE DEFINITION OF HISTORIC DISTRICT TO

INCLUDE ASPECTS OF HISTORIC INTEGRITY, REVISE TERMINOLOGY PERTAINING TO THE NOMINATION OF LOCAL HISTORIC LANDMARKS, ADD REVIEW CRITERIA FOR THE RELOCATION OF HISTORIC BUILDINGS, AND ADD FORMAL PROCEDURES FOR PROCESSING APPEALS OF DECISIONS OF THE HISTORIC PRESERVATION BOARD AND THE DESIGN REVIEW COMMITTEE; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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 from the audience. The Commission discussed:

- The reduction in the number of board members. This clarified that only 9 members were required. Having the range was confusing.
- Affirmative Maintenance provision. Reasonable maintenance on the historic structure was required. The owner could not do demolition by neglect. This section would encourage continued maintenance of the buildings.
- Identifying contributing structures and owners. Surveys were occurring throughout the historic district. Outside the historic district, it would fall to the owner to identify the structure as historical. They would have to make application. This will address historic buildings in the historic districts that have been identified as a contributing structure.

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 6059; Proposed 24-047; Small Scale Amendment #LUS24-009 to the Future Land Use Map to Change Future Land Use from Conservation (C) to Regional Activity Center (RAC) on Approximately 5.71 Acres, from Conservation (C) to Residential Medium (RM) on Approximately 3.22 Acres, from Regional Activity Center (RAC) to Residential Medium (RM) on Approximately 0.57 Acres, from Residential Medium (RM) to Conservation (C) on Approximately 16.30 Acres, and from Residential Medium (RM) to Regional Activity Center (RAC) on Approximately 10.50 Acres Generally Located South of S. Parkway Frontage Road and East of Harden Boulevard (1st Rdg. 09-03-24)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS24- 009 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030, CHANGING THE FUTURE LAND USE DESIGNATION FROM CONSERVATION (C) TO REGIONAL ACTIVITY CENTER (RAC) ON

APPROXIMATELY 5.71 ACRES, FROM CONSERVATION (C) TO RESIDENTIAL MEDIUM (RM) ON APPROXIMATELY 3.22 ACRES, FROM REGIONAL ACTIVITY CENTER (RAC) TO RESIDENTIAL MEDIUM (RM) ON APPROXIMATELY 0.57 ACRES, FROM RESIDENTIAL MEDIUM (RM) TO CONSERVATION (C) ON APPROXIMATELY 16.30 ACRES, AND FROM RESIDENTIAL MEDIUM (RM) TO REGIONAL ACTIVITY CENTER (RAC) ON APPROXIMATELY 10.50 ACRES GENERALLY LOCATED SOUTH OF S. PARKWAY FRONTAGE ROAD AND EAST OF HARDEN BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

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

David Horsting lives off Old Hwy 37. He was concerned about subdivisions across the street from Resurrection Catholic Church. There has been a significant increase in traffic because of construction on Pipkin Rd. Congestion on Harden is going to increase traffic on 37. He was there to ask what the city can do to mitigate traffic congestion around Resurrection Catholic Church and the schools.

Chuck Barmby explained that this is a transmittal for land use, he can go ahead and present on this. In 2003, the Harden Blvd CRA was formed. The hospital plan on the agenda today did not generate additional traffic than what was already planned for in 2003. The project already has entitled concurrency. Nothing was identified that would be needed on Old Hwy 37. The incidents were not tied to development activity.

Tess Schwartz addressed received a request for a traffic count for Old Hwy 37. They do not do traffic counts over the summer but will be doing one soon. They will monitor volume and speeds.

Commissioner Sara Roberts McCarley said she received many emails about that area. She asked about the traffic study in 2018. Did the approval in 2018 include growth that has occurred? How did staff plan those numbers?

Chuck Barmby explained there was an extensive traffic analysis that covered the area. There was a series of intersection improvements required as part of that study. For Lakeside Village to move forward, the developer must find a way to mitigate impacts. The City worked with the developer to add a turn lane at Harden Blvd. In today's concurrency rules, the project is only required to mitigate their own impacts. Staff did the best they could to consider background development. The 2018 traffic study was a total refresh and required the additional proportionate share payments.

Commissioner Sara Roberts McCarley did not believe the study was able to contemplate the growth Lakeland has experienced. These are long term decisions made as a best guess. When these were approved in 2018, there was no way we could have anticipated the growth we are experiencing now. It is incumbent upon us to look at these situations and make it clear to the public that these are long term decisions. Sometimes a purchase of property like this is contingent upon commission approval.

Chuck Barmby stated one of the reasons for this exhibit is to show what has happened since 2018. With the development the City has seen, staff is taking traffic studies and building growth rate and requiring additional dollars for improvements based on development agreements. Staff was working with FDOT on the Dranefield intersection. It will be Lakeland's first multilane round-about. There continued to be movement on Wabash Extension which will push traffic west.

Commissioner Stephanie Madden: Two important things today were 1) concerns of neighbors and traffic study and 2) the 2 businesses Lockheed and Auto Owners are now probably using Old Hwy 37 but after building out they will have a different access that will lighten the load on Old Hwy 37. 3) Wabash - they have been frustrated about lack of funding. Hopefully a large hospital will move Wabash up in priority. She wanted Mr. Horsting to know that the Commission heard his concerns and was taking steps to look at the situation and bring some relief.

Mr. Horsting recommended the City look at the back log to get too Old Hwy 37. Frontage Rd itself was key. That will be congested with a large hospital. Getting in and out of neighborhoods during school hours is challenging before the development.

Commissioner Chad McLeod wanted to see what was currently allowed compared to what the changes would bring. We already have development that has been approved with similar traffic counts.

Mayor Bill Mutz: None of us would have anticipated online shopping which has provided relief. The Parkway is heavily used now too.

Commissioner Chad McLeod asked about what was allowed today versus what was approved. This is not undeveloped land with no zoning entitlements.

Chuck Barmby: Today a 550,000 sq. ft shopping center with 180 apartments and 100 single family homes and additional office use could be allowed without coming before the commission. In this proposal over 1/2 the retail was reduced. It would be converted to hospital and medical office uses. We would end up with more single family and multifamily homes. The trips would be the same. It is a difference of timing for traffic. The uses generate traffic at different times.

Chuck Barmby reviewed other infrastructure projects. The Waring Rd/Dranefield Intersection Round-About goes to construction on Wednesday, and the \$60 Million

widening of Pipkin Rd is wrapping up. There is a total of \$1.4 Billion worth of highway projects in the City of Lakeland; Dranefield/Waring Rd, widening of 33 including reconstruction of Exit 38, reconstruction of Memorial Blvd., improvements on US Hwy 98.

Commissioner Guy LaLonde asked when this was completed. Chuck Barmby explained the DRI update was completed in 2017. The trip generation was from this year.

Danette Lockwood stated this is a 10-story hospital, 250-unit apartment complex and a helipad. This is an already crowded community. There is already an encroachment from Point Gard apartments. There is already constant noise from plane traffic. There are already apartments being built on the other side of Harden Blvd. The Commission had a contract with the residents before corporate entities. Residents are already concerned about traffic, which is becoming impossible.

Tim Campbell came forward representing the applicant. Michael Lawson was also present and his project engineer Matt Lyons. The Commission's discussion is about how the City deals with infrastructure. The contract was put in place in 1987. There is another hurdle that only occurs in large development. The Drummond Co. has followed all the rules set by the State and the City. He read 2 provisions from the development order. We already have entitlements for significant development. We are not changing those entitlements. If they do not add trips to the network, they can change the use such as office to retail. Your staff knows when trips are already approved, and they consider that as they recommend development. In 5.1(b) of the development order, the Oakbridge DRI meets concurrency. The Harden Blvd CRA was created to implement required transportation improvements. The CRA created \$25 Million to mitigate traffic impacts. Drummond contributed \$100,000 to the Wabash design work. They waived impact fee credits. They paid an additional proportionate share of \$112,000. The South Wabash Extension is on Drummond Property that they agreed to dedicate as Right-of-Way for the Wabash Extension along their western boundary. They agreed to dedicate a stormwater mitigation Right-of-Way for the West Beacon corridor. They agreed to provide a \$745,000 letter of credit to ensure the CRA could meet its bond debt payments. Drummond is not creating new uses or new impacts. Because this is a reallocation it is allowed under the development agreement. This is infill development which creates less impact than development remotely. He requested commission approval of this land use, the DRI amendment, and zoning. This is not the final step. They will have to coordinate with FDOT, Polk County, the Turnpike Authority, and the City. They realized the importance of the internal boulevard to move traffic without going through the Harden Blvd/Parkway Frontage intersection.

Commissioner Bill Read appreciated the conversation today.

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

Commissioner Chad McLeod left the meeting for the day at 12:19 p.m.

Mayor Bill Mutz took an agenda item out of order. He directed the Commission attention to:

Miscellaneous**Annual Red Light Camera Program Report for July 1, 2023 through June 30, 2024**

This was a summary report on the use of “traffic infraction detectors” (red light cameras) at red light intersections located within the jurisdictional limits of the City of Lakeland for the period of July 1, 2023 through June 30, 2024. In 2024, the Florida Legislature proposed legislation, amending Florida Statute §316.0083, the Mark Wandall Traffic Safety Program, which governs the administration of the City of Lakeland’s Red-Light Camera Program. The law was approved by Governor Ron DeSantis on May 31, 2024 and went into effect on July 1, 2024.

The statute now requires, in relevant part, that counties or cities that operate red light cameras annually report the results of all red-light cameras within that agency’s jurisdiction to its governing body at a regular or special called meeting, with the ability of the public to comment on the report. Pursuant to Florida Statute §316.0083, the summary report must contain specified information relating to the number of violations issued, contested, upheld, dismissed, and paid, as well as the number of Uniform Traffic Citations issued. The statute also requires the report to specify how the funds collected by the City were distributed and in what amounts.

The summary report was prepared by the Lakeland Police Department to comply with the new statutory requirements set forth in Florida Statute §316.0083, which will be submitted to the Florida Department of Highway Safety and Motor Vehicles on or before October 1, 2024.

Captain Kimball gave the presentation. She reviewed the citation breakdown. The citation amount was \$158; \$70 went to the State of Florida, \$10 went to local trauma units, \$3 went to the Miami Project to Cure Paralysis, and \$75 goes to the City of Lakeland. No funds are allocated to the Lakeland Police Department.

Commissioner Guy LaLonde pointed out some of the funds go to Miami and do not stay local.

Commissioner Mike Musick thought it was important to note that no funds are allocated to the Lakeland Police Department.

Mayor Bill Mutz: The purpose is to minimize accidents and not have to hire the additional officers it would take to enforce and cover the additional accidents that could occur.

Sgt. Mumbauer pointed out the purpose of the program was to change driver behavior. They work with the Vision Zero Foundation. They have a 3 person RLC team. Each violation that comes through is reviewed by a member of the Lakeland Police Department. The team had a 44% approval rating. Not every violation the camera submits gets a ticket. The City had 19 cameras in 12 intersections. The highest violation intersection was Park Street and Florida Avenue.

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

Traffic Operations Manager Tess Schwartz explained there was a reduction in angle crashes after the cameras were installed. The intersection of Kathleen/George Jenkins has had a reduction in angle crashes.

Commissioner Mike Musick wanted to continue the conversation about other locations for additional cameras. Sgt. Mumbauer believed they had a workshop planned to discuss that with the Commission on November 15, 2024.

Action: Commissioner Sara Roberts McCarley moved to accept the annual report. Commissioner Stephanie Madden seconded, and the motion carried unanimously, 6-0.

Mayor Bill Mutz directed the Commission's attention back to Public Hearings, Ordinance (Second Reading).

Ordinance 6060; Proposed 24-048; Amending Ordinance 3440, as amended, Major Modification of PUD Zoning to Allow for the Development of a 400-bed Hospital, 200,000 sq. ft. of Medical Office Uses, 204,000 sq. ft. of retail commercial uses, and 250 multi-family dwelling units on Approximately 218 Acres; Change to Context District from Suburban Corridor (SCO) and Suburban Neighborhood (SNH) to Suburban Special Purpose (SSP) on Approximately 98.21 Acres Generally Located South of S. Parkway Frontage Road and East of Harden Boulevard (1st Rdg. 09-03-24)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 3440, AS AMENDED, TO PROVIDE FOR A MODIFICATION TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW FOR THE DEVELOPMENT OF A 400-BED HOSPITAL, 200,000 SQUARE FEET OF MEDICAL OFFICE USES, 204,000 SQUARE FEET OF RETAIL COMMERCIAL USES, AND 250 MULTI-FAMILY DWELLING UNITS ON APPROXIMATELY 218 ACRES GENERALLY LOCATED SOUTH OF S. PARKWAY FRONTAGE ROAD AND EAST OF HARDEN BOULEVARD; CHANGING THE CONTEXT SUB-DISTRICT ON APPROXIMATELY 98.21 ACRES OF SAID PROPERTY TO SUBURBAN SPECIAL PURPOSE (SSP); 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 Guy LaLonde seconded.

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

Chuck Barmby clarified that the previous action the Commission took was the approval of the small-scale land use amendment. This ordinance was the zoning action.

Commissioner Bill Read requested more details.

Chuck Barmby gave a presentation on the project. The applicant's attorney was here to answer questions.

Mayor Bill Mutz asked for comments from the commission.

Commissioner Bill Read asked why the City had not received the property yet for the Beaker Rd work around. Chuck Barmby explained those conversations are underway right now.

Tim Campbell explained there were legal description issues. The parties were working to resolve the issues. He acknowledged Drummond was obligated to provide the Right-of-Way and they were not using it to negotiate anything.

Commissioner Bill Read asked if the airport had comments on the height of the hospital. Chuck Barmby said at this point, the airport has read the initial layout. They have not expressed any significant concerns. There will need to be additional FAA review of the helipad.

Commissioner Stephanie Madden asked Tim Campbell how they determined the number of acres for conservation. Tim Campbell explained it was delineated based upon the site features. There had been discussions about using it for passive recreation. The area is not developable as you move south.

Commissioner Bill Read: Traffic is always an issue. Who will pay for interior improvements? Chuck Barmby explained that will be privately funded.

Commissioner Bill Read asked about the intersection at Beaker and Harden. Chuck Barmby explained the City will play a role in some of that funding. That is something we know will have to contribute some dollars.

Commissioner Bill Read asked about the exit from the Parkway down to the Harden Blvd intersection. How many lanes were there? Chuck Barmby believed there were 4 lanes. That was built wider than needed in anticipation of a future north/south route. That is no longer being pursued.

Commissioner Bill Read asked about the other section. Chuck Barmby stated it is not expected to be signalized. Commissioner Bill Read thought they will need to consider a signal.

Mayor Bill Mutz was very appreciative of the healthcare service Advent can provide.

Michael Lawson: The Commission was justified in asking their questions. Advent Health was proud and happy to be coming to Lakeland. Lakeland 's staff has been phenomenal.

Mayor Bill Mutz: The concern about density is real. The appropriateness of the location is ideal.

Commissioner Sara Roberts McCarley: Please do not take my dissent as being against Advent Heath and their services.

Michael Lawson hoped to start civil engineering on the emergency department. He hoped they would open in 2026 or 2027. They did not have dates for the tower designs.

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

Ordinance 6061; Proposed 24-049; Establishing Lakeland Electric Rate Classifications, Rates and Fees; Miscellaneous Revisions (1st Rdg. 09-03-24)

AN ORDINANCE RELATING TO THE ELECTRIC UTILITY; PROVIDING FOR AVAILABILITY OF SERVICE AND CONDITIONS THEREOF; ESTABLISHING RATE CLASSIFICATIONS; REMOVING DETERMINATION OF BILLING DEMAND CHARGES FOR CERTAIN RATE CLASSES; ESTABLISHING RATES FOR ELECTRIC SERVICE BY THE CITY OF LAKELAND; ESTABLISHING A SURCHARGE FOR CUSTOMERS RECEIVING SERVICE OUTSIDE THE CORPORATE LIMITS OF THE CITY OF LAKELAND; ESTABLISHING GENERAL PROVISIONS; ESTABLISHING A METHODOLOGY TO IMPOSE A FUEL CHARGE; PROVIDING RATES AND GENERAL PROVISIONS FOR PRIVATE AREA LIGHTING; PROVIDING FOR AN ENVIRONMENTAL COMPLIANCE COST CHARGE; MODIFYING CUSTOMER PARTICIPATION IN THE SOLAR HOT WATER PROGRAM; PROVIDING GENERAL PROVISIONS OF MEDICALLY ESSENTIAL SERVICE FOR RESIDENTIAL CUSTOMERS;

ESTABLISHING A DEMAND CHARGE FOR EXISTING CUSTOMERS WITH SOLAR SYSTEMS AFTER JANUARY 1, 2025; PROVIDING AN ECONOMIC DEVELOPMENT RIDER FOR QUALIFIED CUSTOMERS; PROVIDING RATES FOR MISCELLANEOUS FEES AND CHARGES; ESTABLISHING A RATE INCREASE SUFFICIENT TO SUSTAIN A FINANCIALLY SELF-SUPPORTING ELECTRIC UTILITY; REPEALING ORDINANCE 5994; PROVIDING DEFINITIONS; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Mike Musick moved to approve the ordinance. Commissioner Guy LaLonde 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, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously. Commissioner Chad McLeod was absent.

Ordinances (First Reading)

Proposed 24-030; Voluntary Annexation of Approximately 10.82 Acres Located North of Interstate 4, South of N. State Road 33, and East of Epicenter Boulevard (Cont. 09-03-24)

AN ORDINANCE RELATING TO THE VOLUNTARY ANNEXATION OF PROPERTY; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKELAND, FLORIDA 10.82 ACRES OF PROPERTY LOCATED NORTH OF INTERSTATE 4, SOUTH OF N. STATE ROAD 33 AND EAST OF EPICENTER BOULEVARD; FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title. He asked the Mayor to take public comment. This ordinance will return with proposed 24-045.

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

Proposed 24-045; Large Scale Amendment #LUL24-003 to the Future Land Use Map to Apply Business Park (BP) Land Use on Approximately 10.82 Acres Located

**North of Interstate 4, South of N. State Road 33, and East of Epicenter Boulevard
(Cont. 09-03-24)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR LARGE SCALE AMENDMENT #LUL24- 003 TO THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; PROVIDING FOR THE APPLICATION OF A FUTURE LAND USE DESIGNATION OF BUSINESS PARK (BP) ON APPROXIMATELY 10.82 ACRES LOCATED NORTH OF INTERSTATE 4, SOUTH OF N. STATE ROAD 33, AND EAST OF EPICENTER BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Mike Musick moved to transmit the ordinance to the Department of Commerce. Commissioner Guy LaLonde 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, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously. Commissioner Chad McLeod was absent.

Resolutions

Resolution 5937; Proposed 24-061; Authorizing Heatherpoint Drive Roadway Improvements and Levy of Non-Ad Valorem Assessment to Recoup Improvement Costs (Cont. 09-03-24)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE MAKING OF LOCAL IMPROVEMENTS; ADOPTING FINDINGS OF FACT; AUTHORIZING CERTAIN ROADWAY IMPROVEMENTS TO HEATHERPOINT DRIVE NORTH OF AUDUBON OAKS CIRCLE IN LAKELAND, FLORIDA; APPROPRIATING A NOT-TOEXCEED AMOUNT FOR THE IMPROVEMENTS AND PROVIDING FOR THE LEVY OF A NON-AD VALOREM ASSESSMENT AGAINST EACH LOT ABUTTING HEATHERPOINT DRIVE IN ORDER TO RECOUP THE COSTS OF SAID ROADWAY IMPROVEMENTS; PROVIDING A SCHEDULE AND TERMS FOR THE PAYMENT OF SAID ASSESSMENTS; PROVIDING FOR THE COLLECTION OF SAID ASSESSMENTS UTILIZING THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS, AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES, OR OTHER LEGALLY

AVAILABLE COLLECTION METHODS; PROVIDING FOR SEVERABILITY;
PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Guy LaLonde 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 Roberts McCarley, Stephanie Madden, Bill Read, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously. Commissioner Chad McLeod was absent.

Resolution 5938; Proposed 24-063; Demolition of Buildings

A RESOLUTION PROVIDING FOR THE ASSESSMENT OF A LIEN AGAINST PROPERTIES FOR EXPENSES INCURRED IN THE REMOVAL OF DILAPIDATED AND HAZARDOUS BUILDINGS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Resolution 5939; Proposed 24-064; Establishing Water System Rates, Impact Fees and Charges for FY's 2024-25, 2025-26 and 2026-27

A RESOLUTION RELATING TO THE CITY OF LAKELAND WATER SYSTEM; MAKING FINDINGS; ADOPTING A UNIFORM SCHEDULE OF MONTHLY WATER SERVICE CHARGES; PROVIDING FOR WATER IMPACT FEES; ESTABLISHING MISCELLANEOUS CHARGES; PROVIDING A DETERMINATION THAT REVENUES WILL BE SUFFICIENT TO OPERATE A FINANCIALLY SELF-SUPPORTING WATER UTILITY; REPEALING

RESOLUTION 5706; 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 Bill Read, Stephanie Madden, Sara Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously. Commissioner Chad McLeod was absent.

Resolution 5940; Proposed 24-065; Establishing Wastewater System Rates, Impact Fees and Charges for FY's 2024-25, 2025-26 and 2026-27

A RESOLUTION RELATING TO THE CITY OF LAKELAND WASTEWATER SYSTEM; MAKING FINDINGS; ADOPTING A UNIFORM SCHEDULE OF MONTHLY WASTEWATER SERVICE CHARGES; PROVIDING FOR SURCHARGES FOR ABNORMAL STRENGTH WASTES OF COMMERCIAL/INDUSTRIAL USERS; PROVIDING FOR WASTEWATER IMPACT FEES; ESTABLISHING MISCELLANEOUS CHARGES; MAKING A DETERMINATION THAT REVENUES WILL BE SUFFICIENT TO OPERATE A FINANCIALLY SELF-SUPPORTING WASTEWATER UTILITY; REPEALING RESOLUTION 5707; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Sara Roberts 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 Bill Read, Stephanie Madden, Sara Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously. Commissioner Chad McLeod was absent.

Resolution 5941; Proposed 24-066; Amending the Oakbridge Development of Regional Impact (DRI) Development Order

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA AMENDING RESOLUTION NO. 5447, AS AMENDED, RELATING TO THE 2018 AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE OAKBRIDGE DEVELOPMENT OF REGIONAL IMPACT ("DRI"); RECOGNIZING AND APPROVING A RE-ALLOCATION OF LAND USES WITHIN THE 218-ACRE SOUTH VILLAGE PORTION OF THE DRI TO REFLECT THE FUTURE LAND USE DESIGNATIONS AND PUD ZONING CHANGES APPROVED BY THE CITY COMMISSION WITH RESPECT TO SAID PORTION OF THE DRI, AS WELL AS DE-MINIMUS MODIFICATIONS TO OTHER PORTIONS OF THE DRI; ADOPTING FINDINGS OF FACT; PROVIDING FOR RECORDING; FINDING CONSISTENCY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title. He explained this resolution simply recognized what the Commission did earlier in the meeting.

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

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

Chuck Barmby showed the map. This was the modified version of Map H. The change addressed the modifications made to the DRI since 2018. The conservation area is the southernmost portion of the property.

Commissioner Bill Read was happy to see someone use the land.

Action: Upon roll call vote Commissioners Guy LaLonde, Mike Musick, Stephanie Madden, Bill Read, and Mayor Bill Mutz voted aye. Commissioner Sara Roberts McCarley voted nay. Ayes-five. Nays-one. The motion carried. Commissioner Chad McLeod was absent.

Resolution 5942; Proposed 24-067; Amending the City of Lakeland 457(b) Plan to Allow Roth Conversions of Accounts

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO THE CITY OF LAKE LAND 457(B) PLAN; PROVIDING FOR ROTH CONVERSION OF ACCOUNTS; MAKING FINDINGS; 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 Bill Read, Stephanie Madden, Sara Roberts McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously. Commissioner Chad McLeod was absent.

COMMUNITY REDEVELOPMENT AGENCY

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

Renewal of Insurance for Lakeland Community Redevelopment Agency Property, General Liability/Professional Liability and Cyber Liability

The City, on behalf of the LCRA, is completing the annual renewal process for the above referenced insurance policies for FY 2025 assisted by our current Broker of Record, Arthur J. Gallagher Risk Management Services.

Florida Municipal Insurance Trust (FMIT) has been the LCRA property and liability insurance carrier since 2019. FMIT remains the best option for this package of coverages as the standard insurance marketplace does not have carriers able to provide coverage or rates that are competitive with the offerings provided by FMIT. The quotations for noted coverages from October 1, 2024, through September 30, 2025, are as follows:

Property coverage under this policy only covers property with structures on it. Total insured value has increased this year due to an asset survey being completed as required. Property insurance rates have stabilized going into FY 2024/ FY 2025 and the rate increase on this year's renewal has been limited to 1%.

General Liability covers all the LCRA owned property locations. The rate increase on this year's renewal is 3%.

Cyber Liability is now a required coverage for General Liability policy holders. Three years ago, Cyber coverage was wrapped into the General Liability and was split in 2021 to provide separation of premium for each coverage. The rate increase on this year's renewal is 5%.

Staff recommended the City Commission, as the governing body of the LCRA, approve renewing the LCRA Property, General Liability/Professional Liability and Cyber Liability

Policy through Florida Municipal Insurance Trust at a premium total of \$74,442 with an October 1, 2024, effective date.

Palmer Davis presented this item to the CRA.

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

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

CITY MANAGER

Task Authorization with AtkinsRealis USA, Inc. for the Design, Permitting, and Construction Phase Services for the Double M Aviation Hangar Facility at Lakeland Linder International Airport

Staff seeks approval to enter a Task Authorization with AtkinsRealis USA, Inc. (Atkins) according to the terms and conditions of the City's Continuing Contract for Professional Municipal Engineering Services pursuant to Request for Qualifications (RFQ) No. 1189 from qualified firms under the guidelines set forth in the Consultants Competitive Negotiations Act (CCNA).

The proposed Task Authorization for the Double M Aviation Hangar Facility project for the Design, Permitting, and Construction Phase Services for building an approximately 16,500 square foot aircraft maintenance facility which includes the following: a 12,000 square foot Hangar, 3,000 square foot Office, 1,500 square feet of Storage Space, an associated Aircraft Apron, Vehicle Parking Lot, and security elements with both landside and airside connections to the hangar. The building will be a pre-engineered metal building system that includes all engineering components (structural, architectural, mechanical, electrical, plumbing, and fire protection.)

The total cost of this Task Authorization is \$368,679.00. The City will select a general contractor to construct the facility according to the terms and conditions of the City's Construction Trade Professionals for Continuing Contract pursuant to Request for Qualifications 2024-RFQ-289. The total project cost will not exceed \$3.7 million. Funding for this project is included in the City of Lakeland, Florida Revenue Note, Series 2024 (AMT) that was approved by City Commission on September 3, 2024.

Prior to work commencing, and upon City Commission approval, Double M Aviation will enter into a lease agreement with the City for a 20-year term with two additional ten-year renewal options.

Staff recommended the City Commission approve this Task Authorization with Atkins in the amount of \$368,679.00 to complete the Design, Permitting, and Construction Phase Services for the Double M Aviation Hangar Facility project at Lakeland Linder International Airport and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Assistant City Manager Rob Hernandez presented this item to the Commission.

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

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

- Kris Hallstrand, Airport Director, hoped to have the project built by July.
- The tenant will perform aircraft maintenance on smaller aircraft.
- They are a sub tenant to one of LLIA's other tenants.

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

Task Authorization with AtkinsRealis USA, Inc. for the Design, Permitting, and Construction Phase Services for the Avelo Terminal Area Offices at Lakeland Linder International Airport

On December 18, 2023, the City Commission approved an Airline Operating Agreement, Airline Facilities Construction and Lease Agreement, and an Air Carrier Incentive Program Agreement with Avelo Airlines, Inc. (Avelo) to commence commercial passenger service at Lakeland Linder International Airport (LLIA). To date, Avelo has announced plans to offer 16 arrivals/departures per week to eight destinations from LLIA including Atlanta, Boston/Manchester, Charlotte/Concord, Hartford, New Haven, Philadelphia/Wilmington, Rochester, and San Juan.

As required by the Airline Facilities Construction and Lease Agreement, Avelo has provided written notice of their need for their temporary exclusive use facilities which includes, a Maintenance Storage Facility, Maintenance Office, and Operations Office, as further defined in Section 2.2 of the Agreement. To fulfill its obligations under this agreement, Staff requests approval to enter a Task Authorization with AtkinsRealis USA, Inc. (Atkins) according to the terms and conditions of the City's Continuing Contract for Professional Municipal Engineering Services pursuant to Request for Qualifications (RFQ) No. 1189 from qualified firms under the guidelines set forth in the Consultants Competitive Negotiations Act (CCNA).

The proposed Task Authorization for the Avelo Terminal Area Offices project for the Design, Permitting, and Construction Phase Services. Staff intends to design and construct the facility using a two-phase approach consisting of two design and construction packages.

Package 1 will include an airline office, maintenance office, maintenance building, employee parking lot, ground service equipment ramp area, and associated site/civil improvements to accommodate all buildings. The airline and maintenance office buildings will be prefabricated modular buildings while the maintenance building will be a Pre- Engineered Metal Building.

Package 2 elements are still being confirmed between the airport and Avelo but is expected to include a new temporary hold room, covered walkways, an enclosed connection to the existing terminal, and site preparation for a future second hold room. The costs for Package 2 including design, permitting, and construction phase services are not included in this Task Authorization. However, siting of these elements will be included in Package 1 to ensure there are no future conflicts between the new facilities. Preliminary graphics showing Package 1 and Package 2 are shown in Exhibit A and Exhibit B, respectively and are available in the agenda packet.

The total cost of this Task Authorization is \$159,610.00. The City will select a general contractor to construct the facility according to the terms and conditions of the City's Request for Qualifications 2024-RFQ-289 Construction Trade Professionals for Continuing Contract, which closes on September 17, 2024. Funding for this project is included in the City of Lakeland, Florida Revenue Note, Series 2024 (AMT) that was approved by City Commission on September 3, 2024.

Under the terms of the Airline Facilities Construction and Lease Agreement, Avelo would pay a monthly lease rate for the exclusive use facilities based on the number of average quarterly enplanements. However, currently, Avelo is operating under their Air Carrier Incentive Program Agreement which waives all fees for the first two years of their operation.

Staff recommended the City Commission approve this Task Authorization with AtkinsRealis USA, Inc in the amount of \$159,610.00 to complete the Design, Permitting, and Construction Phase Services for the Avelo Terminal Area Offices project at LLIA and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Rob Hernandez presented this item to the Commission.

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

Change Order No. 2 to Garney Company for Western Gravity Trunk Sewer Replacement Phase 2 - Design-Build Services

The City of Lakeland initially entered to Phase 1 – Route Analysis in November 2022 and subsequently entered Phase 2 - Design-Build Services Agreement in June 2023 to design and build a new Western Gravity Trunk Sewer Line to replace the existing one. As the design progressed and construction-related issues were identified, it became more apparent that the chosen route posed significant safety and budget challenges requiring the team to consider alternatives. This change resulted in the route being revised from crossing Harden Boulevard at Forest Park Street in front of Lakeland Christian School to crossing Harden Boulevard just south of West Beacon Road. Additionally, a major wastewater pump station was added, and a new force main was incorporated to reduce the depth of the originally planned gravity main east of Harden Boulevard.

The route change requires additional survey work, permitting and design for the force main and new pump station. The new pump station will also be designed and permitted in accordance with the City of Lakeland's land development codes to include landscaping, access, setbacks and stormwater requirements. The updated route is expected to decrease the construction cost by \$7.9M. All work will be performed in accordance with terms and conditions contained in the original agreement and is included in the City's FY 2024 and FY 2025 Wastewater Renewal and Replacement Capital Improvement Plan.

Staff recommended the City Commission approve and authorize City Officials to execute Change Order No. 2 with Garney Company in the amount of \$1,052,143.35.

Rob Hernandez presented this item to the Commission.

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

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

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

Approval of Ranking of Firms for Request for Qualifications No. 2024-RFQ-277 and Authorization to Negotiate Professional Services Agreement for the Design Phase of State Road 37 (South Florida Avenue) from Ariana Street to Lime Street

Financial Project Identification Number (FPID) 444627-2: State Road 37 (South Florida Avenue) from Ariana Street to Lime Street will remove the traffic separators on this state road and establish a three-lane typical section with 11-foot-wide travel lanes, an 11-foot-wide two-way left turn lane, type F curb and gutter, and 11.5 -foot-wide sidewalks along each side of the roadway. The project will also replace the existing signal systems, replace the existing drainage infrastructure, upgrade corridor lighting, address several ADA issues, and introduce hardscaping and landscaping features into the corridor.

The City has agreed to fund and manage the design phase for this Florida Department of Transportation (FDOT) project to reduce total project costs and expedite the construction of the improvements. The City continues to work with FDOT regarding the remaining funding needs for the project while targeting construction in its fiscal year 2027. A Memorandum of Understanding (MOU) which identifies funding obligations for construction will be presented to the City Commission for consideration concurrently with the professional services agreement for design in the future.

The City's Purchasing Division advertised the design Request for Qualifications in August 2024, which was transmitted to over 1,200 registered vendors in Florida. A total of five responses were received and evaluated by a Section Committee consisting of staff members with experience in roadway design, plans production, FDOT procedures, and management of major roadway projects.

The Selection Committee members evaluated each proposal based upon 12 measures including the firm's understanding and approach to the design scope of services, the firm's relevant project experience/performance, and the firm's proposed project staffing plan. Special emphasis was placed on each firm's approach to temporary traffic control during construction, especially access to adjacent businesses, and the firm's approach to utility coordination services.

The Selection Committee convened on September 4, 2024, to rank the engineering firms. The final rankings are:

1. Patel Greene & Associates, LLC (Bartow, FL)
2. HNTB Corporation (Bartow, FL)
3. Rummel, Klepper & Kahl, LLP (RK&K) (Lakeland, FL)
4. DRMP, Inc. (Lakeland, FL)
5. Ayres Associates Inc. (Tampa, FL)

Purchasing issued a Notice of Intent to Award on September 6, 2024. No bid protests were received.

Staff recommended the City Commission approve the ranking of the firms and authorize the appropriate City staff to begin negotiations with the first ranked firm above for the design phase of the State Road 37(South Florida Avenue) from Ariana Street to Lime Street project. Should negotiations fail with the first ranked firm, staff will move on to the next highest ranked firm and so on.

Rob Hernandez presented this item to the Commission.

Motion: Commissioner Sara Roberts 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.

Renewal of Insurance for Property and Boiler Machinery, Excess Workers' Compensation, Inland Marine/Electronic Data Processing, Contractor's Equipment, Crime, Surety Bond for City Treasurer, Excess Liability Coverage, and Cyber Liability

The City is finalizing the annual renewal process for the above referenced policies for FY 2025 with the assistance of our current Broker of Record, Arthur J. Gallagher Risk Management Services. The variety of quotations for noted coverages are as follows for the period from October 1, 2024, through September 30, 2025.

Property and Boiler Machinery: The program currently provides risk coverage for City property and boiler machinery and is separated into two programs. The municipal program with Florida Municipal Insurance Trust (FMIT) has a total insured value of \$648,422,692 and a decrease in rate of 33%, as a result we will experience a decreased premium of \$1,915,750.

The separate utility program has a total insured value of \$1,103,408,139, which is a 3% increase over current year in value and was quoted across all utility markets. As a result, we will experience an increased premium of not to exceed \$3,902,357, which is a 14% increase over the expiring premium.

The current utility renewal premium is being presented as "not to exceed" while our Broker, A.J. Gallagher, continues to negotiate with underwriters to improve pricing and drive the lowest possible premiums.

Excess Workers' Compensation: The city self-insures its Workers' Compensation program with a retention limit of \$350,000. The incumbent, FMIT has offered a competitive renewal with an estimated increase in payroll of 14% and applied a 22.48% rate decrease due to the improvement in experience modification factor (MOD). The combination of these factors leads to an overall premium decrease of \$68,133. FMIT is offering the FY 2025 renewal for an annual premium of \$526,759.

Inland Marine/Electronic Data Processing: Hartford Insurance Company remains the carrier for this coverage as they were the most competitive respondent. They provide

coverage for leased or owned golf carts, mowers, electronic data processing equipment and a wheel loader. For this year's renewal, the total premium in FY 2025 is \$76,930, an increase of \$8,107 as compared to FY 2024, representing the most competitive respondent. Therefore, the rate increased by 6% and the overall premium increased by 12%.

Inland Marine Contractors Equipment: Markel American Insurance Company, the most competitive respondent, was selected to provide the physical damage coverage for various equipment, which ranges from, Gradalls Street Sweepers, and vacuum trucks. For this year's renewal, the total insured values increased by 19% and the rate increased by 2%. The total premium in FY 2025 is \$63,729, an increase of \$11,131 (21%) as compared to FY 2024.

Crime/Surety Bond for City Treasurer: Florida Municipal Insurance Trust has reviewed and quoted on these programs and has offered the same coverage on this renewal. The annual premium for this coverage is \$4,263.

Excess Liability: The City is self-insured for Auto, General, Law Enforcement, Public Officials and Employment Practices Liability. The current policy has a \$5,000,000 per occurrence limit for each type of coverage and a \$500,000 self-insured retention (SIR) for a total premium of \$496,508. This is a \$64,237 or 14.9% increase in premium over FY 2024. Munich remains the most competitive standalone carrier for this line of coverage.

Cyber Liability: Chubb Insurance Company is providing a renewal quote for this coverage, which is inclusive of network security and privacy liability, data breach fraud, and internet media liability. Chubb was able to offer a renewal quote this year continuing our coverage limit of \$1,000,000, and a policy retention of \$250,000. The FY 2025 premium for this renewal program is \$65,000, a \$1,326 decrease as compared to FY 2024.

Staff recommended that the City Commission approve renewing the Utility property/boiler machinery quota share coverage, which utilizes AIG, Munich Re, Swiss Re, AEGIS and Lloyd's of London, and the Municipal property, excess Workers' Compensation, Crime Policy, and Surety Bond for the City Treasurer through the Florida Municipal Insurance Trust, the Inland Marine/Electronic Data Processing coverage through Hartford, Contractors Equipment through Markel, Cyber Policy through Chubb, Excess Liability through Munich Re, as most advantageous to the City, all of which have an October 1, 2024, effective date.

Motion: Commissioner Sara Roberts McCarley moved to approve the recommendation. Commissioner Guy LaLonde seconded.

Mayor Pro Tem Stephanie Madden asked for comments from the Commission and the audience. There were no comments.

Action: Mayor Pro Tem Stephanie Madden called for the vote and the motion carried unanimously, 4-0. Mayor Bill Mutz and Commissioners Mike Musick and Chad McLeod were absent.

*** Recommendation re: Approval of Purchase Order to Compuquip for Annual Renewal of Firewall Support and Maintenance**

The City of Lakeland received a renewal proposal from Compuquip for software maintenance of our firewalls. This renewal will entitle the City to vendor support, including access to software updates, patches, and technical assistance, ensuring that our network security remains robust and up to date.

Firewalls are a critical component of the City's cybersecurity infrastructure, protecting sensitive data and maintaining the integrity of our network operations. The renewal will continue to provide the necessary support and updates to safeguard against emerging threats and vulnerabilities.

The City's Purchasing Division has approved the renewal of the firewall support and maintenance under existing General Services Agreement contract GS-35F-0511T as a piggyback. The funding has been proposed as part of the FY25 DoIT operational budget.

Staff recommended the City Commission authorize the issuance of a Purchase Order to Compuquip in the amount of \$76,419.60 for the procurement of 12 months of Firewall Support and Maintenance.

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

*** Recommendation re: Approval of Purchase Order to Carahsoft for MuleSoft Licensing**

The City of Lakeland received a one-year term proposal from Carahsoft for MuleSoft licensing. The MuleSoft product is a cloud hosted integration platform. It will replace Oracle SOA Suite as the City's enterprise integration platform. This license will entitle the City to a cloud hosted platform for development of the City's integrations between other products with enough capacity to replace the existing platform and allow for expected growth.

Carahsoft was selected through Request for Proposal No. 2024-RFP-258 for Cloud Based Enterprise Integration Software. The City received responses from five (5) firms and upon evaluation by City staff, Carahsoft was selected as the firm that was most responsive and within the budget requirements.

Carahsoft will also be contracted to limit the yearly increase on renewals to no more than 5% for the first four years. The total cost for the first year is \$88,946.97 and will be funded from the Information Technology, Lakeland Electric and Water FY2024 budgets.

Staff recommended the City Commission approve and authorize City Officials to execute a purchase order with Carahsoft in the amount of \$88,946.97.

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

Verbal Report: Purchase of a Pierce Enforcer Fire Pumper

Staff requested to purchase the pumper from TEN-8 Fire and Safety, LLC based on Sourcewell contract 11302103c in the amount of \$874,902. Funding is available in FY2025 Capital Improvement Plan, specifically from the Public Improvement Fund.

Staff was asking for approval verbally because the City was notified if they did not act before October 1, 2024, there will be a price increase. Today was the last meeting before October 1, 2024. Approval today will lock in the price. There is a 35-month to 38-month production lead time.

Motion: Commissioner Bill Read moved to approve the recommendation. Commissioner Sara Roberts 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 required deposit. Chief Williams explained the Fire Department always prepaid when they ordered a fire truck.
- Trucks have a life span of 17 years, 15 as a primary response vehicle, 2 as a back-up.
- LFD saved \$109,912 by prepaying upfront for all fire trucks. This was a 10% reduction.
- This was a replacement, not a new truck.
- The monies are available in FY24 to place the order.
- Ordering now moves Lakeland up in the production line.

Action: Mayor Bill Mutz called for the vote and the motion carried unanimously, 6-0.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 24-046; Application of I-2 (Medium Industrial) Zoning and Suburban Special Purpose (SSP) Context District Designation on Approximately 10.82 Acres

Located North of Interstate 4, South of N. State Road 33, and East of Epicenter Boulevard (Cont. 09-03-24)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR I-2 (MEDIUM INDUSTRIAL) ZONING AND SUBURBAN SPECIAL PURPOSE (SSP) CONTEXT DISTRICT DESIGNATION ON APPROXIMATELY 10.82 ACRES LOCATED NORTH OF INTERSTATE 4, SOUTH OF N. STATE ROAD 33, AND EAST OF EPICENTER BOULEVARD; 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 when the corresponding ordinance 24-045 is returned from the State Department of Commerce.

Miscellaneous

*** Agreement for Annual Services for Fiber Optic Cable construction, Maintenance and Emergency Repairs**

The City's Purchasing Department recently issued Request for Proposal (RFP) for 2024-ITB-273 for the procurement of Annual Services For Fiber Optic Cable Construction, Maintenance and Emergency Repairs. A total of four (4) companies responded to the City's RFP. The companies listed below are in the order in which they were ranked according to unit pricing.

1. **Gulf Coast Custom Cable, Inc. Seffner, FL**
2. **KCI Construction Services, LLC Tampa, FL**
3. HP Communications, Inc. Corona, CA
4. The Fishel Company Plant City, FL

Following evaluation of the proposals by City staff, Gulf Coast Custom Cable, Inc. and KCI Construction Services, LLC were chosen as primary and backup contractors, respectively, to provide services in accordance with the Specifications set forth in the RFP. By entering into contracts for Annual Services for Fiber Optic Cable Construction, Maintenance and Emergency Repairs with these companies, the City will be able to utilize and benefit from a broad scope of construction services by obtaining any and all labor, supervision, materials, and equipment necessary to install overhead fiber on the City's power poles or in underground duct banks within Lakeland Electric's service territory that will encompass new construction, relocations/adjustments, emergency and scheduled repairs and general maintenance of existing City fiber optic facilities.

Gulf Coast Custom Cable, Inc. and KCI Construction Services, LLC will provide Annual Services for Fiber Optic Cable Construction, Maintenance and Emergency Repairs in accordance with the Specifications set forth in the City's RFP. The initial term of the

Agreement is for a period of three (3) years, effective October 1, 2024, upon City Commission approval, and contains two (2) additional one (1) year renewal options upon mutual written agreement of the parties. The Agreement is a zero-dollar contract with all work performed on an as-needed basis under separately issued Purchase Orders requiring appropriate City approval.

Staff recommended that the City Commission approve agreements with Gulf Coast Custom Cable, Inc. and KCI Construction Services, LLC and authorize the appropriate City staff to execute all corresponding documents.

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

*** Participation and Reimbursement Agreement with Arrowrock IV Hamilton Road LLC for Water Utilities System Extension**

This Participation and Reimbursement Agreement with Arrowrock IV Hamilton Road LLC (the "Developer") was for the design, construction, and dedication of a water utility system extension (an 8-inch water main) in connection with a new commercial development located at 4141 Hamilton Road, Lakeland, Florida.

To address the existing dead-end 8-inch water main on Anchucha Drive and to create a looped system that minimizes service disruptions during emergency maintenance, Water Utilities has determined that it would be beneficial to extend the water system while the development is under construction.

Pursuant to the Agreement, the City will reimburse the Developer for the necessary construction costs associated with extending the existing 8-inch water main approximately 360 feet westward, connecting it to the proposed 12-inch water main along Hamilton Road, which is being constructed as part of this development. The Developer's Engineer of Record obtained three competitive bids detailing the cost of the water main extension, and the City will reimburse the Developer based on the lowest bid.

Upon completion of the improvements, and after inspection, testing, and certification by the Project's Engineer, along with approval from Water Utilities and the Florida Department of Environmental Protection, the City will assume ownership and responsibility for the permanent maintenance and operation of the extended facilities. Arrowrock IV Hamilton Road LLC will provide a standard one-year warranty from the date of dedication for all systems transferred to the City.

The total, not-to-exceed cost for this reimbursement agreement is \$132,135.00, which is included in the Water Utilities FY2024 budget.

Staff recommended that the City Commission approve and authorize the appropriate City officials to execute the Participation and Reimbursement Agreement with Arrowrock IV Hamilton Road LLC, along with any other documents necessary to finalize this project.

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

FINANCE DIRECTOR

Appropriation and Increase in Estimated Revenues - Wastewater Renewal & Replacement Fund

Lakeland Water Utilities executed a Utility Work by Highway Contractor Agreement (UWHCA) with FDOT District 1 through Resolution 5821 executed by the City Commission on June 5, 2023. The UWHCA is for water utility relocations to mitigate conflicts with FDOT construction on their roadway improvement project FPID 430185 along SR 33 between Old Combee Rd and north of Tomkow Rd.

Per the terms of the agreement, the City was required to pay FDOT funds for construction at the end of the design phase, prior to bidding of the project by FDOT. The funds provided were based on estimates from the Consultant that the City hired for engineering services on this project and costs were based on the most recent FDOT historical records for each required work item. After FDOT had received bids for the project and selected their most responsive bidder, the bid for water and wastewater utility relocations was significantly higher than the estimates, leaving a deficit of \$1,111,303.

Staff requested that the City Commission authorize an appropriation and increase in estimated revenues in the amount of \$347,515 in the Wastewater R&R Fund from the Unappropriated Surplus of the Wastewater Utilities Fund and \$763,788 in the Water R&R Fund from the Unappropriated Surplus of the Water Utilities Fund.

Finance Director Mike Brossart 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.

UTILITY

Resolutions

Resolution 5943; Proposed 24-068; Establishing Fuel Charge Effective October 1, 2024

A RESOLUTION RELATING TO THE ELECTRIC UTILITY; MAKING FINDINGS; ESTABLISHING THE FUEL CHARGE FOR ALL CUSTOMER CLASSES FOR METERS READ ON OR AFTER OCTOBER 1, 2024; AMENDING TIME OF DAY FUEL CHARGE FOR APPLICABLE RATE CLASSES; REPEALING RESOLUTION 5910; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Stephanie Madden 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 Guy LaLonde, Mike Musick, Sara Roberts McCarley, Stephanie Madden, Bill Read, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously. Commissioner Chad McLeod was absent.

Resolution 5944; Proposed 24-069; Establishing the Environmental Compliance Cost Charge (Rate Schedule BA-3) for FY 2024-25

A RESOLUTION RELATING TO THE ELECTRIC UTILITY; ESTABLISHING THE ENVIRONMENTAL COMPLIANCE COST CHARGE FOR ALL CUSTOMER CLASSES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2024; REPEALING RESOLUTION 5855; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

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

Miscellaneous

*** Amendment No. 2 to Enterprise Services Agreement with Kubra Data Transfer Ltd.**

This was proposed Amendment No. 2 to the Enterprise Services Agreement with Kubra Data Transfer (Kubra). On November 20, 2023, the City Commission approved a five (5) year Enterprise Services Agreement with Kubra for Lakeland Electric's billing and payment systems. Kubra's services include printing nearly 1.8 million utility bills and managing \$300 million dollars in payments annually. Services pursuant to this Agreement also include management of Lakeland Electric's website, including its electronic billing options, as well as processing all electronic payments. In November 2023, the City approved Amendment No. 1 to the Enterprise Services Agreement with Kubra, which eliminated kiosk services and their associated costs as of January 2024.

To meet Lakeland Electric's changing business needs, this Amendment No. 2 to the Enterprise Services Agreement will add the Customer Experience Transformation (CXT) Dashboard to the tools available from Kubra. The CXT Dashboard will bring together data from Lakeland Electric's Interactive Voice Response, billing & payment services, and Customer Information System under a single reporting tool to enable Customer Service to better understand and predict customer needs, as well as track time necessary to complete customer actions. The CXT Dashboard will give Lakeland Electric the ability to enhance self-service tools and improve the overall customer experience.

The total cost for the first year of the CXT Dashboard service is \$50,000, which is included in Lakeland Electric's FY-24 budget. The cost for the remaining four (4) year term of the Enterprise Services Agreement is \$200,000, which will be subject to budget approval by the City Commission in subsequent budget years.

Staff recommended that the City Commission approve this Amendment No. 2 to the Enterprise Services Agreement with Kubra 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.

Master Services Agreement with RCC Global, LLC to Implement Oracle Meter Solution Cloud Service

This is a proposed Master Services Agreement with RCC Global, LLC (RCC) to implement Oracle Utilities Meter Solution Cloud Service (MSCS). The MSCS is necessary for producing customer billing and customer web portal data, engineering analyses, forecasting, and planning data. An upgrade is necessary to replace the City's obsolete Meter Data Management (MDM) version 1.6 since Oracle has stopped producing software updates for it. Implementing the MSCS will preserve historical data access and is the most cost-effective option for accessing current data. The MSCS will

also provide advanced data analysis tools and automate meter maintenance processes that are not available in the current MDM.

Accordingly, on June 5, 2024, the City's Purchasing Department issued Request for Proposal 2024-RFP-265 (RFP) seeking qualified vendors to provide Oracle Energy and Water Meter Solution Cloud Service Implementation. The City received responses from the five (5) firms listed below.

1. Abjayon, Inc. Fremont, CA
2. RCC Global, LLC Atlanta, GA
3. Singareddy Information Technologies, Inc. Lawrenceville, GA
4. Triniti Consulting, LLC Atlanta, GA
5. 4i Apps Solutions, LLC Germantown, MD

Upon evaluation of the proposals by City staff, RCC was selected as the most responsive, responsible firm able to best meet the requirements set forth in the City's RFP. The initial term of the Master Services Agreement will be effective September 16, 2024 and continue for a period of two (2) years, subject to City Commission approval. All services will be performed pursuant to the terms and conditions set forth in the City's RFP, the Master Services Agreement and Statement of Work. The cost of implementation for the MSCS is \$1,049,993, which is included in Lakeland Electric's FY24 budget.

Staff recommended that the City Commission approve this Master Services Agreement with RCC to implement the MSCS and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

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

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

*** Agreement with Tyndale Enterprises, Inc. for Annual Uniform Purchases for Lakeland Electric Energy Delivery Operations**

This is a proposed Agreement with Tyndale Enterprises, Inc. (Tyndale) for annual uniform purchases for Lakeland Electric's Energy Delivery Operations. Lakeland Electric provides various uniform specifications for its Energy Delivery Operations employees based on their job function. Each year Energy Delivery Operations employees are granted an allowance to use for the purchase of needed uniform items. For FY25, the

uniform allowance is \$1,000 for all union employees and a lesser amount for non-union employees which includes supervisors and managers. The uniform allowance varies based on job function and whether protective clothing is required.

On June 26, 2024, the City's Purchasing Department issued Invitation to Bid No. 2024-ITB-269 seeking qualified vendors to supply uniforms for Lakeland Electric's Energy Delivery Operations. The City received responses from the four (4) companies listed below:

Wayne Enterprises, Inc – Houston, TX
Tyndale Enterprises, Inc. – Pipersville, PA
Global Trading, Inc. – Miami, FL
Tri-Sport, LLC – Winter Park

Upon evaluation by City staff, Tyndale was selected as the most responsive, responsible bidder capable of meeting the City's Bid Specifications. Although the quote from Wayne Enterprises, Inc. was lower for some items, it did not provide samples as required in the City's Bid and the deviations from the specifications included in the Bid were deemed to be unacceptable quality. Global Trading, Inc. provided pricing on less than 20% of the required items and was determined to be non-responsive. Tri-Sport, LLC failed to provide required references of recent business equal in size, scope, magnitude and complexity. In addition, Tri-Sport did not provide any pricing and was disqualified. Accordingly, Tyndale was determined to be the lowest price bidder that best met the City's Bid Specifications.

The term of this Agreement, effective October 1, 2024, will be for a period of three (3) years subject to City Commission approval. Pricing will be held firm for the first year of the Agreement and will increase no more than 5% in any subsequent year. The City reserves the right to terminate the Agreement for any reason during the initial term of the Agreement upon thirty (30) days prior written notice to Tyndale. The Agreement also includes two (2) additional one (1) year renewal options upon mutual written consent of the parties.

Tyndale will perform all services pursuant to the terms and conditions set forth in the Agreement as well as the City Bid Specifications and Tyndale's Bid response dated July 31, 2024. The cost of the first year of the Agreement is \$110,000, which is included in Lakeland Electric's FY25 budget. The total estimated cost for the initial three (3) year term of the Agreement is \$347,000. Any renewal terms will be subject to budget approval by the City Commission in subsequent budget years.

Staff recommended that the City Commission approve this Agreement with Tyndale for annual uniform purchases for Lakeland Electric's Energy Delivery Operations 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.

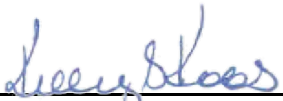
AUDIENCE

Kevin Kayden showed a video about Lakeland Electric Rebates.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Mike Musick announced an event coming to Bonnett Springs Park. This is a fundraiser for the park and the first ticketed event in the park. Central Florida Food Fest October 19, 2024. Tickets available on their website.

CALL FOR ADJOURNMENT – 1:45 P.M.



Kelly S. Koos, City Clerk

