

LAKELAND CITY COMMISSION

Regular Session August 7, 2023

The Lakeland City Commission met in Regular Session in the Lakeland Electric conference rooms 1A and 1B. Mayor Bill Mutz and Commissioners Bill Read, Stephanie Madden, Sara McCarley, and Samuel Simmons were present. Commissioners Chad McLeod and Mike Musick were absent. City Manager Shawn Sherrouse, City Attorney Palmer Davis, Finance Director Mike Brossart, and City Clerk Kelly Koos were present.

CALL TO ORDER - 9:00 A.M.

PRESENTATIONS

Downtown Update (Julie Townsend, Executive Director of the Lakeland Downtown Development Authority)

Beautification Awards (Bill Koen)

- Residential: Judith and James Bond - 2703 Cleveland Heights Blvd
- Commercial: Suncoast Community Health Centers - 1729 Lakeland Hills Blvd

COMMITTEE REPORTS AND RELATED ITEMS

Real Estate & Transportation Committee 08/04/23

Commissioner Bill Read presented this report to the Commission.

1. Land Lease Agreement with CMTG Real Estate Enterprises, Inc.

This proposed Land Lease Agreement is with CMTG Real Estate Enterprises, Inc. CMTG, a real estate group business, sought to lease approximately 0.91 of an acre of property located on the northwest side of the Airport to construct a 12,000 square foot hangar for its aircraft.

The proposed Lease term is for a period of thirty (30) years commencing August 7, 2023, subject to City Commission approval. The Lease also contains two (2) additional ten (10) year renewal options upon mutual written agreement of the parties. Pursuant to the Lease, the rent commencement date shall be the earlier of twelve (12) months from August 7, 2023, or upon issuance of the Certificate of Occupancy for the hangar construction project. Monthly base rent for the initial twelve (12) month term will be \$1,322.28 or \$15,867.36 per year, excluding applicable taxes. The monthly base rent amount is consistent with other land leases in that area of the Airport based on appraisals that have been done within the last year.

Base rent for the first ten (10) years was subject to an increase at the expiration of each one (1) year period the Lease is in effect in an amount calculated by the annual percentage change in the Consumer Price Index (CPI), with the maximum annual increase of such change capped at 8%. Thereafter, for every tenth (10) year of the remaining term and any subsequent renewals, the base rent shall be adjusted in accordance with the annual CPI or 10% of an appraisal of the unimproved land conducted by a certified Member of the Appraisal Institute, whichever is greater. Such base rent shall then become the new base rent for all future CPI adjustments for the applicable Lease term.

Staff recommended that the City Commission approve the terms of the Lease Agreement with CMTG and authorize the appropriate City officials to finalize and execute all corresponding documents consistent with the specified terms set forth in the Lease.

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

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

- Ownership of the hangar at the end of the lease. If the hangar remains at the end of the lease, it will belong to the City.

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

2. Sale of City-Owned Property Located at 1031 Texas Avenue

Frances Hadley has submitted a request to purchase a single parcel of City-owned property located at 1031 Texas Avenue. The applicant, through Hadley's Real Estate, LLC, owns several parcels on the same block as the subject property, including the parcel immediately to the east of the subject property, and would like to purchase 1031 Texas Avenue so that it may be incorporated with the other parcels that she owns to develop a private school. The school will serve students in kindergarten through 5th grade. This 0.06- acre undeveloped parcel has been owned by the City of Lakeland since 1997 and has a current assessed value of \$4,095.00 according to the Polk County Property Appraiser.

Consistent with the City's policy regarding the sale of City-owned property, upon the applicant submitting a written request expressing interest in the property, City staff communicated with all potentially affected public and private utilities and internal City Departments to ensure that they did not have an interest in the retaining of the property. No objections to the sale of the property were received. Additionally, the property was evaluated and determined unsuitable for the Affordable Housing Land Bank Program.

City staff established the minimum acceptable bid for the property, which is equal to 120% of the assessed value as depicted in the table below. Since the property is located

within a CRA district (Midtown), a 30-day Notice of Disposition was advertised in The Ledger on June 5, 2023. Once the advertising period concluded, Ms. Hadley was the only bidder, offering \$4,914.00. This amount meets the minimum acceptable bid.

Site Address	PCPA Assessed Value	Minimum Bid (120%)	Actual Bid
1031 Texas Avenue	\$4,095.00	\$4,914.00	\$4,914.00

Staff recommended that the City Commission approve the sale of 1031 Texas Avenue to Frances Hadley for a purchase price of \$4,914.00 and authorize the appropriate City officials to execute all instruments necessary to finalize the transaction.

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

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

- The adjacent parcel – The school exists to the east and this parcel will help with traffic circulation for pick-up/drop-off.
- The City does not advertise vacant lots for sale. In this case the adjacent property owner approached the City.
- The City has the Affordable Housing Land Bank Program. Those lots are posted on the website. That program is specific to the scattered lots that are appropriate for single family dwellings. The City was now in round 2 of the infill lot program. This specific lot was not buildable and was ruled out of the infill lot program.
- Ms. Hadley will need additional zoning in the form of a Conditional Use to use this lot for the school.

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

APPROVAL OF CONSENT AGENDA

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

Motion: Commissioner Sara McCarley moved to approve the Consent Agenda. Commissioner Samuel Simmons 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)

- * Minutes – City Commission July 14-17
- * Minutes – Commission Budget Workshop July 28

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None**EQUALIZATION HEARINGS**

Recess/Convene: The 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.

Lots Cleaning and Clearing

Motion: Commissioner Samuel Simmons moved to approve the assessments. Commissioner Stephanie Madden seconded.

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

- The lien is imposed after the first mowing. The City does not mow until the property owner is unresponsive to letters to maintain the property.
- The City places unpaid liens on the property tax bill. The City has a high collection rate by putting it on the tax bill. If the taxes are unpaid, an investor may buy the tax certificate.

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

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

PUBLIC HEARINGS**Ordinances (Second Reading)**

Ordinance 5993; Proposed 23-027; Approving the Annexation of Lands within the Boundaries of the Lakeland Area Mass Transit District (1st Rdg. 07-17-23)

AN ORDINANCE RELATING TO THE LAKELAND AREA MASS TRANSIT DISTRICT; MAKING FINDINGS; APPROVING THE INCLUSION OF CERTAIN LANDS LOCATED WITHIN THE CITY OF LAKELAND WITHIN THE BOUNDARIES OF THE LAKELAND AREA MASS TRANSIT DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Sara McCarley moved to approve the ordinance. Commissioner Samuel Simmons seconded.

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

Action: Upon roll call vote Commissioners Samuel Simmons, Sara McCarley, Stephanie Madden, Bill Read, Mayor Bill Mutz voted aye. Ayes-five. Nays-zero. The motion carried unanimously.

Ordinance 5994; Proposed 23-028; Establishing Lakeland Electric Rate Classifications, Rates and Fees; Miscellaneous Revisions (1st Rdg. 07-17-23)

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 5975; PROVIDING DEFINITIONS; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Bill Read 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.

Upon roll call vote Commissioners Bill Read, Stephanie Madden, Sara McCarley, Samuel Simmons, and Mayor Bill Mutz voted aye. Ayes – five. Nays – zero. The motion carried unanimously.

Resolutions

Resolution 5832; Proposed 23-037; Lots Cleaning and Clearing

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

Palmer Davis read the title.

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

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

- If owners do not maintain their property, code enforcement will identify the property and will charge an administrative cost for repetitive violations.

Action: Upon roll call vote Commissioners Samuel Simmons, Sara McCarley, Stephanie Madden, Bill Read, Mayor Bill Mutz voted aye. Ayes-five. Nays-zero. The motion carried unanimously.

CITY MANAGER

Recommendation re: Award of RFP No. 2023-RFP-048 for Basic Life Insurance and AD&D, Supplemental Life Insurance and AD&D, and Retiree Survivor Benefit Coverage to Unum Life Insurance Company of America

Unum Life Insurance Company of America (Unum) is the City's current carrier for Basic Life Insurance and Accidental Death and Dismemberment (AD&D), Supplemental Life Insurance and AD&D, and Retiree Survivor Benefit Coverage. The current contract began January 1, 2020, and ends on December 31, 2023.

On May 5, 2023, the City released Request for Proposal (RFP) No. 2023-RFP-048 for Basic Life Insurance and AD&D, Supplemental Life Insurance and AD&D, and Retiree Survivor Benefit Coverage. Five vendors downloaded the proposal, none were local, and two companies submitted responses to the proposed RFP: United Healthcare Insurance Co. (UHC) and Unum. The selection committee, comprised of representatives from the Employees' Association Board, City of Lakeland Retiree Association, Payroll, DoIT, labor unions, and Risk Management, determined Unum was the most responsive responsible respondent to the RFP.

Benefits provided under basic life insurance for all full-time regular active employees include up to one time their annual salary not to exceed \$50,000 (City paid), voluntary Supplemental Life Insurance options and dependent life coverage options (employee paid). For retirees, basic life (retiree paid), and Pension Survivor Benefit equal to one time a retiree's annual pension salary not to exceed \$150,000 (City paid).

Unum and UHC rates per \$1,000 of coverage are very close in comparison. Unum's overall cost is favorable to the City, employees, and retirees. The selection committee identified Unum's 175 years in the life insurance business and their flexibility in working with death certificates and payees to assist the grieving family as factors for their recommendation.

	Current	Paid By	Unum	UHC
Coverage/Group	Rate per 1,000	Employee or Employer	Rate per 1,000	Rate per 1,000
Basic Life	0.15	Employer	0.185	0.175
Basic AD&D	0.03	Employer	0.03	0.02
Group 1/Class 1				
Supp Life (EE)	0.21	Employee	0.235	0.24
Supp AD&D (EE)	0.03	Employee	0.03	0.03
Group 1/Class 1				
Supp SP/CH Life (\$15k/\$7k)	1.2	Employee	1.2	1.21
Group 1/Class 1				
Basic Life (Retiree)	2.46	Retiree	5.55	5.60
Basic AD&D (Retiree)	0.03	Retiree	0.03	0.03
Group 3/Class 3				
Pension Plan (Survivor Benefit)	1.91	Employer	1.91	1.95
AD&D			0.00	0.02
Group 2/Class 2				

Staff recommends award of RFP No. 2023-RFP-048 for Basic Life Insurance and AD&D, Supplemental Life Insurance and AD&D, and Retiree Survivor Benefit Coverage to Unum effective January 1, 2024, through December 31, 2025, with a two-year rate guarantee, and three additional optional one-year renewals.

Shawn Sherrouse presented this item to the Commission.

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

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

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

CITY ATTORNEY

Ordinances (First Reading)

Proposed 22-029; Approving a Conditional Use to Allow for Off-Street Parking as a Principal Use on Property Located at 411 E. Orange Street

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR OFF-STREET PARKING AS A PRINCIPAL USE ON PROPERTY LOCATED AT 411 E. ORANGE STREET; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on August 21, 2023.

Proposed 23-029; Approving a Conditional Use to Allow a 103-Foot-Tall Personal Wireless Services Facility (Cell Tower) on Approximately 0.11 Acres Located South of Parkway Frontage Road South and West of Beaker Boulevard

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW A 103-FOOTTALL PERSONAL WIRELESS SERVICES FACILITY (CELL TOWER) ON APPROXIMATELY 0.11 ACRES LOCATED SOUTH OF PARKWAY FRONTAGE ROAD SOUTH AND WEST OF BEAKER BOULEVARD; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on August 21, 2023.

Proposed 23-030; Change in Zoning from RA-4 (Single-Family Residential) to O-1 (Low Impact Office) on Approximately 0.88 Acres Located South of East Lane, East of Morrell Drive and North of Parkview Place (301-309 East Lane)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM RA-4 (SINGLEFAMILY RESIDENTIAL) TO O-1 (LOW IMPACT OFFICE) ON APPROXIMATELY 0.88 ACRES LOCATED SOUTH OF EAST LANE, EAST OF MORRELL DRIVE AND NORTH OF PARKVIEW PLACE (301-319 EAST LANE); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on August 21, 2023.

Proposed 23-031; Amending Ordinance 3432, as Amended; Major Modification of PUD (Planned Unit Development) Zoning to Allow for the Development of a New Two-Story, 8,000 Square Foot Office Building on Property Located at 1301 Grasslands Boulevard

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 3432, AS AMENDED, TO PROVIDE FOR A MAJOR MODIFICATION TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW FOR THE DEVELOPMENT OF A NEW TWO-STORY, 8,000 SQUARE FOOT OFFICE BUILDING ON PROPERTY LOCATED AT 1301 GRASSLANDS 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 on August 21, 2023.

Proposed 23-032; Amending the City of Lakeland Police Officers' Pension Plan Ordinance

AN ORDINANCE OF THE CITY OF LAKELAND AMENDING CHAPTER 62, LAW ENFORCEMENT, ARTICLE II, POLICE OFFICERS' BENEFITS, DIVISION 3, CITY OF LAKELAND POLICE OFFICERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF LAKELAND; AMENDING SECTION 62-51, DEFINITIONS; AMENDING SECTION 62-54, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 62-58, PRE-RETIREMENT DEATH; AMENDING SECTION 62-61, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 62-67, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 62-77, MILITARY SERVICE PRIOR TO EMPLOYMENT; AMENDING SECTION 62-78, PRIOR POLICE SERVICE; AMENDING SECTION 62-79, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 62-82.1, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS, FLORIDA STATUTES CHAPTER 185 SHARE ACCOUNTS; PROVIDING FOR

CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS;
REPEALING ALL ORDINANCES IN CONF OVIDING AND EFFECTIVE DATE.

Palmer Davis read the title.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on August 21, 2023.

Proposed 23-033; Repealing and Replacing Chapter 14 - Aviation, of the Lakeland City Code

AN ORDINANCE RELATING TO AVIATION; REPEALING AND REPLACING CHAPTER 14 – AVIATION, OF THE CODE OF THE CITY OF LAKE LAND, FLORIDA IN ITS ENTIRETY; PROVIDING FOR AND INCLUDING NEW ARTICLES AND SECTIONS; MAKING FINDINGS; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on August 21, 2023.

Miscellaneous Reports

Memo re: Agreement with H2 Design for Exhibit Design, Fabrication & Installation Services for the Lakeland History and Culture Center

This proposed Agreement with H2 Design was for exhibit design, fabrication and installation services for the Lakeland History and Culture Center (LHCC) in the Lakeland Public Library located at 100 Lake Morton Drive. This exhibit will serve as the second since the space was created and opened to the public in September of 2022.

Accordingly, the City's Purchasing Department issued Request for Qualifications 2023-RFQ-027 (RFQ) on April 7, 2023, seeking qualified firms to provide exhibit design, fabrication, and installation services for the LHCC. Three (3) firms responded to the RFQ. Selection committee members, comprised of City staff and one former City Commissioner, ranked the firms.

1. H2 Design Middleboro, MA
2. Creative Arts Unlimited, Inc. Pinellas Park, FL
3. FractaVisual Designs Rancho Cucamonga, CA

Upon evaluation by the Selection Committee, H2 Design was selected as the most responsive responsible firm capable of providing the services in accordance with the RFQ and that best meets the needs of the City.

The initial term of the Agreement, effective upon City Commission approval, shall continue through August 20, 2024, which is the scheduled completion of services. Upon mutual written agreement of the parties the Agreement may be extended for one (1) additional six-month (6) month period. Pursuant to the Agreement, H2 Design's services will total \$100,000.00, which will be funded by the LHCC Exhibits and Displays' line item in the Library's Capital Improvement Project budget for FY23. Any additional funding that may be needed can be requested from the LHCC GiveWell account.

Staff recommended that the City Commission approve the Agreement with H2 Design for the LHCC's exhibit design, fabrication and installation services and authorize the appropriate City Officials to execute all corresponding documents associated with the Agreement.

Ramona Sirianni presented this item to the Commission.

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

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

City Librarian Lisa Lilyquist gave a brief presentation. Lakeland was part of the Florida Association of Libraries and Museums where they find vendors and Purchasing has a network of providers too. The next exhibit will highlight Lakeland's citrus industry.

LuAnn Mims explained the anticipated citrus industry exhibits. For decades Lakeland billed itself as the World Citrus Center. The exhibit will show how the City came to that conclusion. The exhibit is changed every other year to capture Lakeland's history and maintain the public's interest.

Kevin Cook explained they were in the beginning stages of adopting some of the current display for the City Hall lobby.

The Commission discussed:

- Supporting the City Hall lobby idea and maybe other locations in the future.
- Installing the coffee shop had transformed the area, especially with the expansion of the Polk Museum of Art.
- Utilizing the Arboretum app to direct citizens to exhibits.
- Videoing the current exhibit for public viewing. Videos could be on display at various functions.
- Lakeland was one of the last cities in Polk County to have their own history museum.

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

Memo re: Purchase of Annual Gaseous Chlorine Supply for the Water Utilities Department

This proposed agreement with Allied Universal Corporation (Allied Universal) was for purchase of the annual supply of gaseous chlorine for the City's Water Utilities Department. Gaseous chlorine is utilized in the TB Williams Water Treatment Plant, CW Combee Water Treatment Plant, Northside Wastewater Treatment Plant and Glendale Wastewater Treatment Plant for disinfection of potable water and treated wastewater as required by FDEP and EPA.

Allied was selected in 2022 pursuant to Invitation to Bid 2256 as the lowest responsive, responsible bidder to meet the Water Department's gaseous chlorine needs. The Bid provided for the option of four (4) one-year renewals upon mutual consent of the parties. Under the proposal, Allied Universal will supply gaseous chlorine to the City for FY24 at the rate of \$1,993.76 per ton, which is the same rate charged to the City in FY23. The total estimated annual usage of gaseous chlorine for all four treatment facilities for FY24 is 715 tons of gaseous chlorine (usage varies depending on water demand and wastewater flow). Based on estimated usage of 715 tons of gaseous chlorine, the total estimated cost to the City for FY24 is \$1,425,538.40.

Staff recommended that the City Commission approve the proposal with Allied Universal Corporation for the annual supply of gaseous chlorine for the City's water and wastewater treatment facilities and authorize the appropriate City officials to execute all necessary documents to finalize the purchase.

Alex Landback presented this item to the Commission.

Motion: Commissioner Sara McCarley moved to approve the recommendation. Commissioner Samuel Simmons seconded.

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

- This was a required chemical by FDEP code. Reverse osmosis did not work for disinfection.
- Se7en Wetlands blue water.
- The term of the contract was good. The study on alternatives was not complete yet.

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

FINANCE DIRECTOR – None

UTILITY

Ordinances – None

Resolutions – None

Miscellaneous

Memo re: Agreement with Cornet Technology, Inc. for Computer Hardware Purchase to Upgrade Lakeland Electric's Energy Management Systems Infrastructure

This proposed Agreement with Cornet Technology, Inc. (Cornet) was for the purchase of computer hardware to upgrade Lakeland Electric's Energy Management Systems infrastructure. Lakeland Electric's existing Energy Management Supervisory Control and Data Acquisition (SCADA) Systems infrastructure, which is thirty-five (35) years old, requires new hardware for communications to Lakeland Electric's electric substations to maintain overall reliability of the SCADA system. This infrastructure is the primary system to monitor Transmission and Distribution power.

The City's Purchasing Department has approved Cornet, the designer and manufacturer of this specialized hardware, as a sole source supplier for this purchase. Upon City Commission approval, a Purchase Order will be issued, with implementation projected to occur in May 2024. The purchase will be governed by the terms and conditions set forth in the City's Purchase Order, as well as Cornet's Proposal dated July 26, 2023. The total cost of the hardware is \$231,136.00, which is included in Lakeland Electric's FY23 budget.

Staff recommended that the City Commission approve this Agreement with Cornet for the purchase of computer hardware to upgrade Lakeland Electric's Energy Management Systems infrastructure and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the Commission.

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

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

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

Memo re: Agreement with Powerserve Technologies, Inc. for Electrical System Protective Relay Panels for the McIntosh Reciprocating Engine Project

This proposed Agreement with Powerserve Technologies, Inc. (Powerserve) was for the supply of electrical system protective relay panels for the McIntosh Reciprocating Engine (RICE) Project. These four (4) protective relay panels are for the transmission line between the McIntosh RICE Plant and the Tenoroc Substation and the Generator Step

Up Transformer. The relay panels will provide power protection and metering for the six (6) RICE engines, two (2) Station Service Transformers, the Generator Step Up Transformer, the Emergency Diesel Generator, and the Backup Transformer.

On June 9, 2023, the City's Purchasing Department issued Invitation to Bid No. 2023-ITB-058 seeking qualified contractors to design, procure material, fabricate, and deliver the electrical system protective relay panels for the RICE Project. The City received responses from the three (3) contractors listed below.

Contractor	Location	Bid Price
Powerserve Technologies, Inc.	Jupiter, FL	\$156,000.00
HVA P&C, Inc.	Indianapolis, IN	\$166,784.00
MP Protective Technologies, Inc.	Orlando, FL	\$226,392.49

Upon evaluation by City staff and the City's consulting engineer, Sargent & Lundy, LLC, Powerserve was selected as the most responsive, responsible bidder capable of providing the four (4) relay panels at the lowest price.

Upon approval by the City Commission, the equipment is scheduled to be delivered in January 2024, which will then be installed by Rayco Industrial, the above ground contractor for the RICE Project that was previously selected by the City Commission pursuant to a separate bid. Powerserve will perform all services pursuant to the terms and conditions set forth in the City's Bid Specification and I dated June 27, 2023. The total cost of the work is \$156,000.00, which is included in Lakeland Electric's budget for the RICE Project previously approved by the City Commission and funded through the City's Energy System Revenue Bond.

Staff recommended that the City Commission approve this Agreement with Powerserve for the purchase of four (4) electrical system protective relay panels and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the Commission.

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

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

- Pricing included all 4 relay panels.
- There were no other panel needs.
- Generators: the backup generator was onsite.

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

AUDIENCE

A group of citizens (Everette Evans, Millie Pagan, Linda DeCowie, Shawn Jordan, McKayla Coffee, Jonathan Allegatto, Gary Haberil, Katheryn Evans, Jarius Haydence, and Jonathan Friedt) came forward to speak against a planned charity fundraiser scheduled to be held in a City facility. The fundraiser was a drag queen show scheduled to occur in the City building leased to ART/ifact Studios.

Mayor Bill Mutz responded. The City does not have the prerogative to do things outside the state and federal laws. We recognize all citizens rights that exist legally. The group's comments need to be directed to the state level. The law the Florida legislature passed did not hold up in court.

Palmer Davis explained the event is scheduled for ART/ifact. There was a distinction between a City sponsored event and a City permitted event. The City has more control over a sponsored event. We cannot deny a permit based on content of speech. There has been a temporary injunction issued against the state law. The property at 820 Massachusetts Avenue is a City owned property. However, it has been leased and while that lease is in place, the CRA does not have the ability to control events that occur within the confines of the law.

Commissioner Bill Read suggested they go to the State Attorney to see if there is anything he can do. He understood there may be a protest, but the appeal should not be directed to the City.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Samuel Simmons:

- Agreed with the mayor that the City had to abide by law. He thanked God for the option to share our opinions publicly.

Commissioner Sara McCarley:

- There is a separation of church and state for a reason. This Commission must be equitable to all the citizens that they serve. She still must serve people who do not agree with her.
- Metro Planning Organization Advisory Council - She attended MPO Statewide Advising conference. They highlight best practices. She recognized one from Jacksonville which focused on resource development and smart technology. Smart North Florida is an organization that focuses on regional collaboration, data coordination, and smart technology. She got a lot out of hearing about those programs. They also discussed Cyber Security Florida.
- She cut a ribbon at Lake Morton Place on Thursday evening. This is a public art installation funded through private donation. It is a decorative concrete slab of the Lake Morton Neighborhood. It has chess pieces and QR codes to direct folks

to all the public art throughout Lakeland. It was nice to see communities work together to create something that everyone can enjoy.

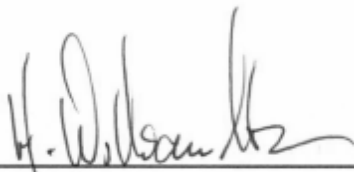
Commissioner Stephanie Madden:

- Speaking to the citizens who came today, she wanted them to know that they were heard and had a chance to express their voice. She encouraged them to go to the next level. That is what our nation is about. We advocate for what we believe.
- She encouraged citizens interested in solar to watch the Utility Committee meeting from Friday. It provided a lot of good information.

Commissioner Bill Read:

- Appreciated going after Sara and Stephanie. They are well spoken.
- Last Monday night was National Night Out. It was a joy to visit with citizens. They did a good job with their events.

CALL FOR ADJOURNMENT - 11:18 a.m.



H. William Mutz, Mayor



Kelly Koos, City Clerk

