LAKELAND CITY COMMISSION

October 18, 2021

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

CALL TO ORDER - 9:00 A.M.

PRESENTATIONS

Collaborating, Engaging, Delivering (Brian Rewis, Interim Community & Economic Development Director)

PROCLAMATIONS

Rett Syndrome Awareness Month
Florida City Government Week
Not a Lab Rat Day
SWAT (Students Working Against Tobacco)
World Polio Day

COMMITTEE REPORTS AND RELATED ITEMS

Municipal Boards & Committees 10/15/21

Commissioner Stephanie Madden presented this report to the Commission.

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

Motion: Commissioner Stephanie Madden 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 Minutes 10/01/2021 – 10/04/2021
* Utility Committee Minutes 10/01/2021

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 5897; Proposed 21-030; Repealing Previous Ordinances Related to Employees Exempted from Civil Service (1st Rdg. 10-04-21)

> AN ORDINANCE RELATING TO CIVIL SERVICE; REPEALING CERTAIN ORDINANCES EXEMPTING OFFICERS AND EMPLOYEES FROM THE CIVIL SERVICE SYSTEM IN ORDER TO PROVIDE FOR THE CONSOLIDATION OF ALL SUCH EXEMPTIONS BY RESOLUTION; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker 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 Phillip Walker, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Ordinance 5898; Proposed 21-043; Changes to the Land Development Code (LDC); Article 4 (General Site Development Standards) to Adopt Development Standards for Clothing Collection/Donation Bins, Allow Shipping Containers as Accessory Structures for Certain Commercial Uses and Expand the Parking Exempt Area within Downtown Lakeland (1st Rdg. 10-04-21)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 4 OF THE LAND DEVELOPMENT CODE TO ADOPT DEVELOPMENT STANDARDS FOR COLLECTION/DONATION BINS, ALLOW FOR THE USE OF SHIPPING CONTAINERS AS ACCESSORY STRUCTURES FOR CERTAIN COMMERCIAL USES, AND EXPAND THE PARKING EXEMPT AREA WITHIN DOWNTOWN LAKELAND; 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 Stephanie Madden seconded.

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

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

Ordinance 5899; Proposed 21-044; Changes to the Land Development Code (LDC); Article 9 (Subdivision Standards) and Article 13 (Nonconformities) to Address Subdivision Review and Platting Requirements, Adopt Standards for Splitting Lots and Parcels and Allow for the Development of Nonconforming Lots Under Certain Conditions (1st Rdg. 10-04-21)

AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 9 AND ARTICLE 13 OF THE LAND DEVELOPMENT CODE TO ADDRESS SUBDIVISION REVIEW AND PLATTING REQUIREMENTS, ADOPT STANDARDS FOR SPLITTING LOTS AND PARCELS, AND ALLOW FOR THE DEVELOPMENT OF NONCONFORMING LOTS UNDER CERTAIN CONDITIONS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

Teresa Maio explained this item.

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

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

Ordinance 5900; Proposed 21-045; Changes to the Land Development Code (LDC); Article 2 (Use Standards) and Article 5 (Standards for Specific Uses) to Adopt Development Standards allowing for the Use of Shipping Containers as Dwelling Units in Mobile Home (MH) Zoning Districts and as Accessory Structures for Certain Commercial Uses, Amend Standards for Home-Based Businesses; Clarify Parking Standards for Boats, Trailers and RV's on Residential Property and to Revise Development Standards Related to Personal Wireless Services (PWS) Facilities in Limited Development (LD) Zoning Districts (1st Rdg. 10-04-21)

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 2 AND ARTICLE 5 OF THE LAND DEVELOPMENT CODE TO ADOPT DEVELOPMENT STANDARDS ALLOWING FOR THE USE OF SHIPPING CONTAINERS AS DWELLING UNITS IN MOBILE HOME (MH) AND MULTI-FAMILY (MF) ZONING DISTRICTS AND AS ACCESSORY STRUCTURES FOR CERTAIN COMMERCIAL USES; AMENDING STANDARDS FOR HOME-BASED BUSINESS IN RESPONSE TO RECENT LEGISLATIVE CHANGES; CLARIFYING PARKING STANDARDS FOR BOATS, TRAILERS AND RV'S ON RESIDENTIAL PROPERTY; REVISING STANDARDS PERTAINING TO PERSONAL WIRELESS SERVICE FACILITIES IN LIMITED DEVELOPMENT (LD) ZONING DISTRICTS; 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 Bill Read seconded.

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

Commissioner Bill Read asked if the shipping containers had to be on wheels? *No they do not.*

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

Ordinance 5901; Proposed 21-046; Changes to the Land Development Code (LDC); Article 5 (Standards for Specific Uses) to Allow a Smaller Development Site Area, Smaller Lot Sizes and Greater Density for New Mobile Home Parks as a Conditional Use; to Allow for the Use of Shipping Containers as Dwelling Units in New and Existing Mobile Home Parks as a Conditional Use; to Allow for the Use of Tiny Homes in Recreational Vehicle Parks and Spaces Designated for Recreational Vehicles in Existing Mobile Home Parks (1st Rdg. 10-04-21)

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 5 OF THE LAND DEVELOPMENT CODE TO REVISE DEVELOPMENT STANDARDS FOR NEW MOBILE HOME PARKS TO ALLOW SMALLER DEVELOPMENT SITE AREAS, SMALLER LOT SIZES AND GREATER DENSITY AS A CONDITIONAL USE, ALLOW FOR THE USE OF SHIPPING CONTAINERS AS DWELLING UNITS IN NEW AND EXISTING MOBILE HOME PARKS AS A CONDITIONAL USE, AND ALLOW FOR THE USE OF TINY HOMES IN RECREATIONAL VEHICLE PARKS AND SPACES DESIGNATED FOR RECREATIONAL VEHICLES IN EXISTING MOBILE HOME PARKS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker 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.

Commissioner Sara McCarley clarified for the pubic that this would broaden the inventory for mobile homes.

Commissioner Phillip Walker noted this was local government making a local decision.

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

Ordinance 5902; Proposed 21-047; Changes to the Land Development Code (LDC); Article 3 (Urban Form Standards) to Amend Design Standards for Attached Garages on Single-Family and Two-Family Dwellings (1st Rdg. 10-04-21)

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 3 OF THE LAND DEVELOPMENT CODE TO AMEND DESIGN STANDARDS FOR ATTACHED GARAGES ON SINGLE-FAMILY AND TWO-

FAMILY DWELLINGS; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Sara McCarley 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 Phillip Walker, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

Ordinance 5903; Proposed 21-048; Changes to the Land Development Code (LDC); Article 10 (Concurrency Standards) to Provide Clarification Regarding the Concurrency Determination Process and to Adopt Review Requirements for Major Traffic Studies (1st Rdg. 10-04-21)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 10 OF THE LAND DEVELOPMENT CODE TO PROVIDE CLARIFICATION REGARDING THE CONCURRENCY DETERMINATION PROCESS AND ADOPT REVIEW REQUIREMENTS FOR MAJOR TRAFFIC STUDIES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker 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.

Teresa Maio explained this outlines things clearly for the developers. It consolidates the process.

Commissioner Stephanie would like to see traffic modeling software so the public could see.

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

Ordinance 5904; Proposed 21-049; Approving a Conditional Use to Allow the Demolition and Reconstruction of a Secondary School for Grades Six through Eight on Property Located at 2815 Eden Parkway (1st Rdg. 10-04-21)

> AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE DEMOLITION AND RECONSTRUCTION OF A SECONDARY SCHOOL FOR GRADES SIX THROUGH EIGHT ON PROPERTY LOCATED AT 2815 EDEN PARKWAY; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Sara McCarley 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 Phillip Walker, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Ayes-seven. Nays-zero. The motion carried unanimously.

COMMUNITY REDEVELPMENT AGENCY

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

Mortgage Forgiveness for Parker Street Ministries - 719 N. Massachusetts Avenue

The Lakeland Community Redevelopment Agency (CRA) purchased 719 N. Massachusetts Ave. from the South-Central District Florida United Methodist Conference in May of 2010 for $500,000. The Property appraised for $995,000.00 in February 2010 and consists of 1.45 acres located in Midtown at the corner of Massachusetts Avenue and Parker Street.

The CRA purchased the Property subject to a continuing lease agreement and purchase option held by Parker Street Ministries (PSM). The CRA assumed the 5-year lease with PSM at a monthly rate of $2,500, which was paid between July 2010 and February 2012. PSM then elected to exercise the purchase option after investing over $1.1 million in capital improvements to the Property. The cost of improvements and the total amount of rent payments made to the CRA were credited towards the purchase price, with the remaining amount held in a 10-year, interest-free balloon mortgage note. The remaining balance of the note, $147,580.00, is due in full on February 22, 2022.

PSM is a 501(c)(3) non-profit organization that has made significant contributions to the community through a variety of programmatic offerings, including:

- 1,204 hours of academic enrichment offered each child per year;
- 19,000 Healthy Snack/Meals served in 2020;
- 41 high school students completed financial course and opened bank accounts;
- 61 residents volunteering in programs.

In June of 2021, Tim Mitchell, PSM Executive Director, requested a meeting with CRA staff to discuss the Mortgage Note. PSM and CRA staff agreed to seek gradual forgiveness of the mortgage from the CRA.

During the September CRA Advisory Board meeting, staff presented a recommendation of extending the due date on the Mortgage to 2032, and approval of forgiveness of the mortgage note at the rate of 10% per year over the next 10 years, provided PSM continued its charitable work in the Parker Street neighborhood. After discussion, the CRA Advisory Board unanimously recommended immediate forgiveness of the remaining balance and satisfaction of the Mortgage.

Alis Drumgo presented this item to the Commission.

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

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

The Commission discussed:

- Setting a precedence for mortgage forgiveness
- Parker Street Ministries had contributed to the community for 25 years
- The CRA did not hold any notes like this one
- PSM had given the ministry that was needed
- PSM was engrained in the neighborhood

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

Approval of Developer and Authority to Negotiate a Development Agreement with Onicx Group for the Redevelopment of the Oak Street Parking Lot

The Lakeland Community Redevelopment Agency (CRA) owns a 1.49-acre City block located north of E. Oak Street, east of N. Tennessee Avenue, south of E. Peachtree Street and west of N. Kentucky Avenue, currently being utilized as a paved parking lot containing 150 parking spaces and commonly referred to as the "Oak Street Parking Lot."

In December 2018, the CRA was approached by a private developer with interest in developing the site as a "dense urban multifamily residential project with potential of incorporating some mixed-use elements." In response to the interest, a request for qualifications (RFQ) was issued and a selection committee chose Catalyst Asset Management (Catalyst) as the most qualified respondent with which to negotiate a development agreement. After a year of negotiations, in September of 2020 Catalyst withdrew its proposal.

In response to more recent interest in the site, CRA staff issued Request for Proposal (RFP) #1258 in July of 2021. New proposals were received from True Investors Development and Onicx Group. A selection committee consisting of a City Commissioner, LDDA staff, a member of the CRA Advisory Board, City staff and a private citizen, convened on September 30, 2021 to evaluate the two submittals, and the Committee agreed unanimously to recommend negotiations with the respondents in the order of the rankings, with Onicx Group ranked first and True Investors second.

Onicx Group proposes a development with the following features (see conceptual site plan shown below):

• A 6-story precast concrete parking garage with a 5-story wood-frame residential multifamily development on the perimeter;
• 3,000 sq. ft. of retail space at street level consisting of a sidewalk café on the corner of Oak Street and Kentucky Avenue;
• 153 multifamily units, with 10% of those offered for affordable housing;
• 400 total parking spaces in the garage, with 150 spaces being offered for lease to the City for public parking. Access to parking would be from Peachtree Street.

Onicx proposes the following financial terms and conditions:

• A purchase price for the property of $1,080,000;
• A tax increment financing (TIF) agreement providing for 90% abatement of taxes for years 1-5 and 70% for years 6-10;
• Full impact fee credits for all City and County impact fees, including water and sewer;
• The City will enter into a 25-year lease for 150 parking spaces at a rate of $75 per month, per space, with a 5% escalation every 5 years.

The proposal lays out a timeline of having a development agreement executed by March 31, 2022, design and permitting completed by September 30, 2022, and all construction completed and the project finalized by March 31, 2024.

Staff recommended that the City Commission, acting as the Community Redevelopment Agency for the City, approve the Selection Committee's recommendation to begin negotiations of a Disposition and Development Agreement with Onicx Group, which would be brought back to the Commission for final approval. Some of the above terms may change based upon the negotiations of the parties. Staff further recommended that, if

CRA and City staff are unable to negotiate a mutually-acceptable Agreement with Onicx Group by April 1, 2022, then staff may begin negotiations with the second-ranked firm of True Investors.

Motion: Commissioner Chad McLeod moved to approve the recommendation. Commission Sara McCarley seconded.

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

Commissioner Bill Read asked what they considered affordable housing. *120% AMI.* He also asked about the impact fees. *They would negotiate those.*

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

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

CITY MANAGER

Recommendation re: Lakeland Police Department Mobile Command Vehicle

The Lakeland Police Department (LPD) was requesting to purchase a Mobile Command Vehicle to be used during city events and emergency operations. Currently, the LPD possessed a 31-year old antiquated Blue Bird bus purchased decades ago. Originally used as a Book Mobile Bus, that was modified as a stop-gap command vehicle about 15 years ago. This vehicle was never programed into the replacement fund due to its condition and has reached a point where it is not practical to keep it as part of the fleet.

Given the number of significant city events (Christmas Parade, Sun n Fun, July 4th, etc.) and emergency operations that the LPD coordinates annually having a mobile command vehicle would enable them to allow the Incident Command Team a centralized location to oversee the operations. These events take place all over the city limits (Downtown, Airport, Tigertown, Lake Morton, etc.) so having a mobile vehicle was a necessity. The Command Post was a highly important component of a successful critical incident in the field, as it served as the central point of intelligence gathering, staff planning, and command/control of the overall operation at hand. A clearly defined Command Post is in keeping with the best practices of the Law Enforcement profession and in line with the national model of the Incident Command System deployed by both Police and Fire at major scenes and events.

Staff recommended the purchase of a command vehicle through Faber Specialty Vehicles using OMNIA Partners contract pricing for $289,979. This quote was based on the specifications the LPD provided to meet their operational and budgetary requirements. The City's Purchasing Department had approved the purchase of the vehicle from Farber Specialty Vehicles as a cooperative purchase pursuant to OMINA Partners Public Sector

Contract #128867. OMNIA Partners Public Sector served as a municipal contracting agency that enabled cities and other governmental agencies to cooperatively procure equipment, products and services in order to receive volume pricing discounts. The funding for this vehicle would be derived from the Federal – Law Enforcement Trust Funds.

Staff recommended that the City Commission authorize the appropriate City officials to execute the appropriate documents to acquire a mobile command vehicle from Faber Specialty Vehicles for $289,979 under OMNIA Partners contract for use by the LPD.

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

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

Commissioner Bill Read would like to see how much money was brought in from arrests.

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

CITY ATTORNEY

Ordinance (First Reading) – None

Resolutions

Resolution 5721; Proposed 21-50; Excepting Certain Employees from Civil Service, Repealing Resolutions 4109 and 4192; as Amended

> A RESOLUTION OF THE CITY COMMISSION PURSUANT TO SECTION 10 OF DIVISION II OF THE CHARTER OF THE CITY OF LAKELAND RELATING TO CIVIL SERVICE; CONSOLIDATING THE LIST OF EMPLOYEE POSITIONS EXCEPTED FROM THE CITY'S CIVIL SERVICE SYSTEM; EXCEPTING THE POSITION OF EMERGENCY MANAGER FROM CIVIL SERVICE AND INCLUDING THE POSITION OF MANAGEMENT ANALYST WITHIN THE CIVIL SERVICE SYSTEM; REPEALING VARIOUS RESOLUTIONS OTHERWISE CONSOLIDATED HEREIN; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker 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 Phillip Walker, Mike Musick, Stephanie Madden, Chad McLeod, Bill Read, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously. Commissioner Sara McCarley was absent during the vote.

Resolution 5722; Proposed 21-077; Vacating a Public Utility and Drainage Easement Located at 2428 Hollingsworth Hill Avenue

> A RESOLUTION RELATING TO PUBLIC UTILITY EASEMENTS; MAKING FINDINGS; VACATING AN EXISTING 7.5-FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LOCATED AT 2428 HOLLINGSWORTH HILL AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Chad McLeod moved to approve the resolution. Commissioner Stephanie Madden seconded.

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

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

Resolution 5723; Proposed 21-078; Adopting Fire Safety Fees for Plans Review, Permits and Inspections

> A RESOLUTION RELATING TO FIRE SAFETY; MAKING FINDINGS; ADOPTING FEES FOR FIRE SAFETY PLANS REVIEW, INSPECTIONS AND PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Stephanie Madden moved to approve the resolution. Commissioner Phillip Walker seconded.

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

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

Resolution 5724; Proposed 21-079; Designating the Pension Board of the City of Lakeland Employees' Pension Plan as Plan Administrator of the City's Retiree Health Savings Plan

A RESOLUTION RELATING TO THE CITY OF LAKELAND, FLORIDA RETIREE HEALTH SAVINGS PLAN (THE "PLAN"); APPOINTING THE PENSION BOARD OF THE CITY OF LAKELAND EMPLOYEES' PENSION PLAN TO SERVE AS THE PLAN ADMINISTRATOR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Phillip Walker moved to approve the resolution. Commissioner Sara McCarley seconded.

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

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

Miscellaneous Reports

* **Memo re: 5:01 P.M. Hearing Waiver**

During the month of November, the Community & Economic Development Department would be presenting the Commission with a Text Amendment to the Lakeland Comprehensive Plan which would require at least one hearing after 5:00 p.m.

Staff requested that the Commission waive the statutory requirement that at least one of the hearings on these matters be held after 5:00 p.m.

Action: The Commission approved this on the Consent Agenda.

Memo re: Continuing Contract for Fence Repairs, Replacements and Installations

This was a proposed Continuing Contract to provide qualified and experienced contractors for the repair, replacement and installation of City owned fences. The City had numerous facilities enclosed by various types of fencing to protect critical equipment such as electric substations. Accordingly, in an effort to reduce the time needed for critical fence repairs, the City issued Invitation to Bid #1271 to solicit bids from qualified contractors for the purpose of entering into a continuing contract for fence repair, replacement and new fence installations. A total of two (2) firms responded to the City's bid.

Pursuant to the City's bid, qualified and experienced fencing contractors would provide all labor, supervision, equipment, tools, materials and supplies on an as-needed basis to service the fencing needs of Lakeland Electric, as well as other City departments/divisions. The bids were evaluated based on criteria that included pricing, utility experience, City experience and routine and emergency response times.

After review of the proposals and the above-specified criteria, the following two (2) firms listed below are recommended for approval.

Company Name	**Location**
Williams Fence Co.	Lakeland, FL
RJR Contractor, LLC.	Winter Haven, FL

Included with this approval request was a copy of the City's standard Continuing Contract for fence repairs, replacements and installations that the City would enter into with the above-specified firms once approved by the City Commission. The Continuing Contract was a zero-dollar agreement in which all work would be performed pursuant to individual Task Authorizations requiring appropriate City approval based on the dollar value of services provided. The initial term of the Contract shall be for a period of two (2) years, with a retroactive effective date of October 1, 2021, upon approval by the City Commission, and continue through September 18, 2023. The Continuing Contract contains two (2) additional one (1) year renewal options upon mutual written agreement of the parties.

Staff recommended that the City Commission approve the above firms and authorize the appropriate City officials to negotiate and enter into Continuing Contracts for fence repairs, replacements and Installations.

Action: The Commission approved this on the Consent Agenda.

Memo re: Task Authorization with Kamminga & Roodvoets, Inc. for Construction Services for the English Oaks Force Main Phase III – Section 3 (Caribbean Drive) Project

This was a proposed Construction Task Authorization with Kamminga & Roodvoets, Inc. for construction services for the English Oaks Force Main Phase III – Section 3 (Caribbean Drive) project. This section of the English Oaks project would replace two 10-inch lines with one 20-inch line. In conjunction with changes at the Southwest Pump Station approved by the City Commission on September 20th, this redirection of flow would increase local capacity and allow for maintenance on segments of the line between S. Florida Ave and the Cleveland Heights Golf Course that had previously been challenging.

Water Utilities pre-qualified seven (7) contractors to participate in bidding for the six (6) sections of the English Oaks Force Main Project. The intention was to award a construction task authorization to the winning bidder for each respective Section. Each

Section undergoes the standard process of bidding through the City's Purchasing Department. COL Purchasing issued Invitation to Bid No. 1252 to procure the services of one of these prequalified and experienced contractors to perform the work for Section 3.

The following two (2) responses were received:

Company	**Location**	**Evaluated Cost**
Kamminga & Roodvoets, Inc.	Tampa, FL	$ 995,939.00
Killebrew, Inc	Lakeland, FL	$1,831,815.00

City staff, as well as Chastain-Skillman, Inc., evaluated the bids and determined that Kamminga & Roodvoets was the lowest responsive, responsible bidder. Accordingly, a Notice of Intent to Award was sent out on October 8, 2021.

Kamminga & Roodvoets would perform all construction services for the total sum of $995,939.00 and in accordance with the terms and conditions of the original prequalification agreement (RFQ 7363) and this bid (ITB1252). The work was expected to start as soon as possible and be completed in late 2022. The total cost of the project had been included in Water Utilities' FY2022 budget through a loan agreement with the Florida Department of Environmental Protection State Revolving Fund.

Staff recommended that the City Commission approve and authorize the appropriate City officials to execute the Construction Task Authorization with Kamminga & Roodvoets, Inc. for the English Oaks Phase III – Section 3 Force Main Project.

Palmer Davis presented this item to the Commission.

Motion: Commissioner Sara McCarley moved to approve the recommendation. Commissioner Phillip Walker 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. The motion carried unanimously.

Memo re: Construction Task Authorization with Kamminga & Roodvoets, Inc. for Construction Services for the Skyview Drive Force Main Upgrades

This was a proposed Construction Task Authorization with Kamminga & Roodvoets, Inc. for construction services for Skyview Drive force main upgrades. The Skyview area experiences significant inflow and infiltration into the sewer system. The work under this Task Authorization would involve the installation of a new 10" force main from Reynolds Road to Five Iron Drive to reroute flow away from an existing loaded gravity system, and the replacement of an existing 3" line that is severely undersized with a 6" force main from Lunar Circle to Dolphin Drive. Both of these line replacements would make their respective segments more appropriately-sized based upon actual conditions and help to prevent overflows during extreme rain events.

Water Utilities pre-qualified seven (7) contractors to participate in bidding for various large projects. The intention was to award a construction task authorization to the winning bidder for each respective project. Each project undergoes the standard process of bidding through the City's Purchasing Department. COL Purchasing issued Invitation to Bid (ITB) No. 1224 to procure the services of one of these prequalified and experienced contractors to perform the work for this force main upgrade project. The following three (3) responses were received:

Company	Location	Evaluated Cost
Kamminga & Roodvoets, Inc	Tampa, FL	$1,009,650.00
T B Landmark Construction, Inc	Jacksonville, FL	$1,123,000.00
Killebrew, Inc.	Lakeland, FL	$1,264,950.00

City staff, as well as Chastain-Skillman, Inc., evaluated the bids and determined that Kamminga and Roodvoets was the lowest responsive, responsible bidder. Accordingly, a Notice of Intent to Award was sent out on September 16, 2021.

Kamminga & Roodvoets would perform all construction services for the total sum of $1,009,650.00 and in accordance with the terms and conditions of the original agreement established with Request for Qualifications (RFQ) 7363 and this bid (ITB #1224). The work was expected to start as soon as possible and to be completed in late 2022. The total cost of the project had been included in Water Utilities' FY2022 budget.

Staff recommended that the City Commission approve and authorize the appropriate City officials to execute the Construction Task Authorization with Kamminga & Roodvoets, Inc. for the Skyview Drive force main upgrades described herein.

Palmer Davis presented this item to the Commission.

Motion: Commissioner Phillip Walker 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.

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

Memo re: Approval of Standard Continuing Contract for Planning, Design and Development Services and Authority to Negotiate Continuing Contracts with Short Listed Firms

In accordance with the Consultant's Competitive Negotiation Act (CCNA), the City's Purchasing Department recently issued Request for Qualification (RFQ) #1259A, requesting qualifications from qualified firms to provide planning, design and development services to the City pursuant to a continuing contract. A total of twelve (12) firms responded to the City's RFQ. A Selection Committee comprised of representatives of the Community Redevelopment Agency and the Community Development and Public Works Departments evaluated the firms based on the following criteria:

- Submittal of required documents
- Capability and adequacy of professional personnel
- Experience and past performance
- Willingness and ability to meet time and budget requirements
- Location
- Status as minority business enterprise
- Volume of workload

After review of the proposals and the various areas of expertise offered by the different firms, the Selection Committee recommended that the City enter into continuing contracts with all twelve (12) of the responding firms, as listed below:

Firm	**Location**
S&ME, Inc.	Orlando, FL
Ayres Associates, Inc.	Tampa, FL
GAI Consultants	Orlando, FL
Kimley-Horn and Associates, Inc.	Lakeland, FL
Tindale-Oliver & Associates Inc dba Tindale Oliver	Tampa, FL
Straughn Trout Architects LLC	Lakeland, FL
Dix.Hite Partners	Longwood, FL
Furr Wegman & Banks Architects PA	Lakeland, FL
CMHM Architects, Inc.	Lakeland, FL
The Apiary	Lakeland, FL
Colliers Inc dba Maser Consulting	Tampa, FL
Marlon Lynn Architect PA	Lakeland, FL

Included in this approval request was a copy of the City's standard continuing contract for planning, design and development services that the City will enter into with the above-specified firms once approved by the City Commission. By entering into a continuing contract with these firms, the City would be able to utilize and benefit from a broad scope of planning, design and development services. The continuing contract was a zero-dollar Agreement, under which all work would be performed pursuant to separately-issued Task Authorizations requiring appropriate City approval based on the dollar value of services provided. The initial term of the Agreement was for a period of three (3) years, with two (2) additional one (1)-year renewal options upon mutual written agreement of the parties.

Staff recommended that the City Commission approve the above list of firms and authorize the appropriate City officials to negotiate and enter into continuing contracts with each firm for planning, design and development services.

Palmer Davis presented this item to the Commission.

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

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

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

FINANCE DIRECTOR

UTILITY

Miscellaneous

Memo re: Amendment No. 1 to Website Applications and Design Services Agreement with Apogee Interactive, Inc.

This was a proposed Amendment No.1 to the Website Applications and Design Services Agreement with Apogee Interactive, Inc. (Apogee). The Services Agreement, approved by the City Commission in December 2015, was for an initial term of five (5) years, beginning December 10, 2015 and terminating on December 10, 2020. Thereafter, the Agreement provided for automatic renewals for successive twelve (12) month periods unless otherwise terminated thirty (30) days prior to expiration of any renewal term.

The original Services Agreement was for Lakeland Electric Energy Management's toolset and web redesign. The purpose of the toolset and web redesign project was to provide Lakeland Electric customers with an assortment of web-based energy management tools that take advantage of its smart grid data and provide a revised website with updated design and improved navigation. This Amendment No.1 seeks to utilize Lakeland Electric's existing web site Toolset programming to further educate and engage customers by focusing on the areas of electric vehicles and demand rates, both of which were expected to have a substantive future. Pursuant to Amendment No.1 Apogee would provide the following services:

- Implement enhanced energy advisor services to Lakeland Electric's website "Save Money/Energy" Toolset area
- Design and Implement a special purpose calculator for electric vehicles
- Design and Implement a Demand Rate Toolset

Upon City Commission approval, Apogee would begin work on the above-specified services on November 1, 2021. Completion of the work by Apogee was anticipated to occur in October 2022. Apogee would perform all services pursuant to the terms and conditions set forth in the original Services Agreement and this Amendment No. 1. Except as set forth in Amendment No. 1, all other terms and conditions shall remain in full force and effect. The total cost of the work was estimated at $88,000 and was included in Lakeland Electric's FY22 budget.

Staff recommended that the City Commission approve this Amendment No. 1 to the Website Applications and Design Services Agreement with Apogee and authorize the appropriate City officials to execute any corresponding documents.

Ramona Sirianni presented this item to the Commission.

Motion: Commissioner Sara McCarley moved to approve the recommendation. Commissioner Phillip Walker seconded.

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

Dave Kus explained the electric vehicles price comparisons; what it charges at home vs out.

Commissioner Phillip Walker noted there was a map that showed the electric charging stations.

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

* **Memo re: Task Authorization with TJR Technical Services, Inc. for McIntosh Unit 5 Heat Recovery Steam Generator Consulting and Technical Services**

This was a Task Authorization with TJR Technical Services, Inc. (TJR) for consulting and technical services for McIntosh Unit 5's Heat Recovery Steam Generator (HRSG) during Lakeland Electric's 2021 scheduled Fall outage. TJR would provide technical oversight and consultation related to the sectional replacement of the HRSG (boiler) roof. In addition, TJR would perform a crawl-through inspection of the HRSG, turbine exhaust and steam drums, as well as oversee and advise on the coordination of the general boiler outage activities scheduled for the outage. Specifically, TJR would provide services related to the cleaning of finned tubes, headers, insulation, gas deflection baffles, turbine exhaust joints and expansion joints. Following completion of the repair services, TJR would review how the HRSG operates by conducting an evaluation of pressures, temperatures and flue gas flows.

Upon approval by the City Commission, TJR was scheduled to commence work on or around November 1, 2021 and complete services on or around December 3, 2021. All services pursuant to this Task Authorization would be performed in accordance with the terms and conditions contained in the City's Continuing Contract for Boiler and Plant Outage Engineering Consulting Services with TJR approved by the City Commission on October 1, 2019 and TJR's proposal for Unit #5 HRSG Consulting and Technical Direction dated September 29, 2021. All reimbursable expenses shall be paid in accordance with the City's Consultant Expense Reimbursement Policy. The total not-to-exceed cost of services pursuant to this Task Authorization was estimated to be $100,000 and was included in Lakeland Electric's FY2022 budget.

Staff recommended that the City Commission approve this Task Authorization with TJR for McIntosh Unit 5 HRSG Consulting and Technical Services during Lakeland Electric's 2021 scheduled Fall outage and authorize the appropriate City officials to execute all corresponding documents.

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

Memo re: Agreement with Schneider Electric Smart Grid Solutions, LLC for Upgrade of Graphical Work Order Electronic Distribution Design Application

This was a proposed Agreement with Schneider Electric Smart Grid Solutions, LLC (Schneider) for an upgrade of the Graphical Work Order Electronic Distribution Design application and the dependent Maximo interface including the corresponding Graphical Information System (GIS) platform. Lakeland Electric's current Graphical Work Order Electric Distribution Design software package (Designer) was a critical tool that staff engineers and technicians use on a daily basis to design and maintain Lakeland Electric's transmission, distribution and lighting system. Lakeland Electric's Transmission and Distribution construction crews pick materials and construct the City's electric infrastructure in accordance with Maximo work orders that are generated in Designer by Energy Delivery's engineers and technicians.

Schneider's Designer version 10.6.1 was fully integrated with and fully dependent on the current version of Environmental Systems Research Institute (ESRI) client-server online geographical information system (ArcGIS). Designer also interfaces bi-directionally with Maximo. This current 10.6.1 version of Designer and ArcGIS would be de-supported by Schneider at the end of 2023. Operating unsupported versions past this date exposes the City to security and operational concerns.

Accordingly, the City's Purchasing Department had approved Schneider, the original system provider, as the sole source supplier for this work. Pursuant to this Agreement, Schneider would provide a scope of work that included: (1) upgrading ArcGIS and its extension, ArcFM, version 10.6.1 to version 10.8.1 for continued support; (2) upgrading of Schneider's Designer version 10.6.1 to version XI to interface with ArcGIS version 10.8.1; and (3) updating and rewriting the Designer-Maximo interface to ensure compatibility among the three (3) applications of ArcGIS, Designer and Maximo. Additionally, Schneider would also provide all necessary training, user and factory acceptance testing and support. Below is a summary of the work and associated costs.

Scope of Work Cost	
ArcFM 10.8.1 Upgrade	$ 126,183
Designer XI Implementation	$ 567,150
Maximo/DXI Integration	$ 316,216
TOTAL	**$1,009,549**

Upon approval by the City Commission, Schneider would begin project planning with an anticipated project kickoff to occur in October 2021. The project was estimated to take eighteen (18) months with acceptance testing and training to be completed in March 2023. The work would be governed in accordance with terms and conditions contained in the Agreement. The total cost of the work was $1,009,549 and was included in Lakeland Electric's FY22 budget and FY23 budget, subject to the City Commission's approval of the budget.

Staff recommended that the City Commission approve this Agreement with Schneider for an upgrade of the Graphical Work Order Electronic Distribution Design application and authorize the appropriate City officials to execute all corresponding documents associated with the purchase.

Ramona Sirianni presented this item to the Commission.

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

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

Commissioner Mike Musick asked if part of this was from FY22 and part from FY23. He asked if this was the first upgrade. *This gets a minor upgrade every 2 years. This was a major change.*

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

Memo re: Agreement with Eaton Corporation for Low Voltage Motor Controls at Larsen Power Plant

This was a proposed Agreement with Eaton Corporation (Eaton) to purchase new low voltage motor controls at the Larsen Power Plant. These low voltage motor controls were essential to the operation of Larsen Unit 8. Installed in the mid 1960's, these motor controls were in need of replacement, particularly due to recent failures which have caused Larsen Unit 8 to become unavailable for service. Accordingly, to ensure the continued reliability of Larsen Unit 8, it was necessary to upgrade this equipment to employ new technology.

The City's Purchasing Department had approved Eaton as the sole source supplier for these low voltage motor controls. Upon approval by the City Commission, a purchase order would be issued to Eaton. Eaton would then deliver the motor controls before Lakeland Electric's scheduled Spring outage for Larsen Unit 8 beginning on March 27, 2022. The motor controls, which would be installed by a third-party contractor during the Spring outage, would be bid out by the City at a later date. The purchase of the motor controls would be governed by the terms and conditions set forth in Eaton's proposal dated October 7, 2021. The total cost of the work was $208,709.23 and was included in Lakeland Electric's FY22 budget.

Staff recommended that the City Commission approve this Agreement with Eaton for low voltage motor controls for the Larsen Power Plant and authorize the appropriate City officials to execute all corresponding documents with Eaton for the purchase.

Ramona Sirianni presented this item to the Commission.

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

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

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

AUDIENCE

Jonathan Friedt - Murder was illegal for everything except abortion. He felt the city could eliminate them. He was asking the commission and the public to help.

Katie Burns spoke against abortion.

Mildred Pagan spoke against abortion.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Stephanie Madden:

- Abortion was a very emotional issue for her. Not sure what the legal options were. She thanked those that came
- Lakeland being rich with nonprofits, nonprofit support was needed in the affordable housing area.
- Leadership Lakeland approached her about what to focus on. Innovation was her choice. LE would present this on Thursday.
- Tomorrow at 7 am they will do the swan roundup.

Commissioner Phillip Walker:

- Gang Task Force. Only 28 incidents this past year.
- Refuse to Lose. need to keep that initiative going, keep projects going to keep those numbers down.
- Upcoming Hispanic Festival this weekend.
- Cannot wait to see the new Cultural center scheduled for March.

Commissioner Mike Musick:

November 2 is election day. After the election we find that only 20% of the public vote. If you get out and vote you've done all you can.

Commissioner Sara McCarley echoed Commissioner Musick's comments. She thanked him for using half of his time at a forum defending her work. This was a nonpartisan election. They try to be as nonpartisan as possible. They support one another.

Commissioner Bill Read - we are the city of lakes. The extreme southwest corner of Lake Parker was turning into a marsh. He would like to see if they could do something about it.

Commissioner Chad McLeod noted that at last week's TPO meeting, there was a project for 98 N from N Socrum Loop Rd. to Pasco County. Was there a way to say they were concerned about some of the local projects?

CALL FOR ADJOURNMENT – 11:38 a.m.

H. William Mutz

H. William Mutz, Mayor

CITY OF LAKELAND, FLORIDA
INCORPORATED
JAN. 1, 1885

Deborah M. Cason

Deborah M. Cason, Deputy City Clerk