LAKELAND CITY COMMISSION

Regular Session
September 5, 2023

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 Samuel Simmons were present. City Manager Shawn Sherrouse, City Attorney Palmer Davis, Finance Director Mike Brossart, and Deputy City Clerk Heather Bradman were present.

CALL TO ORDER - 9:00 A.M.

PROCLAMATIONS

Boy 1st Class Bert Hunter Lane, USCG Remembrance Day

PRESENTATIONS

United Community Needs Assessment (Callie Neslund, President/CEO GiveWell Community Foundation, and Christina Criser Jackson, President/CEO United Way of Central Florida)

Beautification Award (Bill Koen)

- Residential: Evangeline & Barney Killinger - 917 E Walnut Street
- Commercial: Mid Florida Credit Union-Training Center - 1551 E Gary Road

Check Presentation for Coleman Bush-Building eSports Center - (MIDFLORIDA Credit Union)

Police High School Academy

Shawn Sherrouse recognized Police Chief Sammy Taylor and Adrian Rodriguez who came from the High School Police Academy in 2019. Officer Rodriguez was a member of the second class. When he graduated from high school, he served as Public Safety aide because he was not old enough to serve as a police officer. That helped him in the culture, and he is the first graduate from that program. This is one of the examples of fishing in a different pond that maybe other agencies are not doing. There were three more officers coming who are now PSAs.

Officer Rodriguez stated this was a great opportunity. He always wanted to be Police Officer. Every step of the way in the academy confirmed this belief. He cannot wait to serve the City.

The Commission discussed:

- The difference between the high school police academy and the Explorers Program is that the Explorers meet each month at the Training Center. The Highschool Police Academy was a one-week program.
- The program is occasionally expanded to include Polk County residents. Enrollment is between 20-25. The next class will be June/July 2024. There have been plenty of applicants.

COMMITTEE REPORTS AND RELATED ITEMS

Municipal Boards & Committees 09/01/23

Palmer Davis explained the Committee had unfinished business from Friday. The Youth Council Resolution calls for 15 members and each commissioner nominate two nominees and then a third so there is an odd number. Each Commissioner then announced their nominees.

Simmons - Tristan Williams and Ka'Kaylan Williams
Musick - Emily Frankenberger, and Ian Goines
McCarley - Hailey and Hannah Hitchcock
Mutz - Temaria Murphy, Elija Vazquez, and Sarai Roque
Madden - Nysa Williamson, and Abigail Jennings
Read - Serenity Smith and Shamera Jones
McLeod - Colton Pierce and Ben Madden

Palmer Davis explained that the resolution called for Municipal Boards Committee make the recommendation to the full Commission. Commissioner Stephanie Madden will recuse herself from this vote.

Action: Commissioner Bill Read moved to recommend the appointments to the Commission. Commissioner Mike Musick seconded, and the motion carried unanimously.

Motion: Commissioner Chad McLeod moved to approve the appointments. 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 6-0 with Commissioner Stephanie Madden abstaining.

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 McCarley moved to approve the Consent Agenda. Commissioner Chad McLeod seconded.

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

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

APPROVAL OF MINUTES (with any amendments)

* City Commission Minutes – Aug. 18-21, 2023

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

EQUALIZATION HEARINGS

Recess/Convene: The 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 Mike Musick moved to approve the assessments. 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.

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

PUBLIC HEARINGS

Ordinances (Second Reading) – None

Resolutions

Resolution 5840; Proposed 23-038; Adopting the City of Lakeland Wastewater System Improvements Facilities Plan Update and State Revolving Fund Capital Financing Plan

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM; ADOPTING THE CITY OF LAKELAND WASTEWATER SYSTEM IMPROVEMENTS FACILITIES PLAN UPDATE DATED JULY 2023; ADOPTING THE CITY OF LAKELAND STATE REVOLVING FUND CAPITAL FINANCING PLAN; AUTHORIZING SUBMISSION OF THE PLANS TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; DESIGNATING THE CITY OF LAKELAND'S AUTHORIZED REPRESENTATIVE; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

Water Utilities Director David Bayhan gave some introductory remarks on the history of the Western Trunk Project. The pipeline was built in the 1950s and rehabilitated in the 1980s. It was a 36" pipeline of non-reinforced concrete pipe (NRCP). It was slip lined in the late 1980s with a smaller pipe which lowered capacity to 30". That slip line is now failing. The line has had overflows. It is failing because of growth and Inflow and Infiltration (I&I). Groundwater was seeping into the line. There were five private systems that connected to this line.

When a development wants to connect, staff looks for solutions. Twin Lakes III will connect to the Western Trunk. Staff recommended rerouting a force main to the Eastern Trunk. That would allow Twin Lakes III to connect.

The Western Trunk project was estimated at $52 Million. ARPA Funds and Impact Fees will not cover the costs completely. The current route was through existing neighborhoods and mobile home parks. Construction will be challenging. The Facilities Plan will evaluate the best option.

Mark Brewer from Brewer & Associates gave a presentation to explain the purpose of the public hearing which was to explain the project and provide an opportunity for the public to participate in evaluating project alternatives as well as discuss adoption of the

City of Lakeland's Western Trunk Gravity Sewer Replacement Facilities Update. Four alternatives were considered. The consultant recommended Alternative 1, construction of a new gravity trunk line to replace the existing line.

The Commission discussed:

- Imminent Domain: Staff preferred other methods. The proposed route was the most cost effective.
- Easements: Water Utilities builds within easements and Right-of-Way. They are sometimes surprised to discover pipes outside of easements.
- Developers should know capacity is available. They should reach out to the City early in the process.
- Pipeline size: Staff must plan pipe size to accommodate the request with a little extra space but still be able to meet the scouring velocities in the pipeline. A 36" pipeline can handle the flows but 52" was still within the velocity range.
- Lifetime expectancy was 75-100 years.
- Lining the pipeline in the 1980s was the best technology at the time. The City still does slip lining, but technology has improved.

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

Shawn Sherrouse stated that the City had not turned anyone away and has used various methods to provide service. There are other options for ways to overcome obstacles. These conversations go back to before ARPA. It is important to get developers to City ASAP so they can start problem solving. The project should be finished by the end of 2026.

Resolution 5841; Proposed 23-046; Lots Cleaning and Clearing

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

Palmer Davis read the short title.

Motion: Commissioner Bill Read moved to approve the resolution. 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 Samuel Simmons, Mike Musick, Stephanie Madden, Bill Read, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-

six. Nays-zero. The motion carried unanimously. Commissioner McCarley was absent.

Resolution 5842; Proposed 23-047; Authorizing the Execution of a Grant Agreement with the Federal Aviation Administration to Receive Federal Funding for an Aircraft Rescue & Fire Fighting Vehicle at Lakeland Linder International Airport

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING EXECUTION OF AN AIRPORT IMPROVEMENT PROGRAM GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION TO RECEIVE FEDERAL FUNDING FOR AN AIRCRAFT RESCUE & FIREFIGHTING VEHICLE AT LAKELAND LINDER INTERNATIONAL AIRPORT; ADOPTING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

COMMUNITY REDEVELOPMENT AGENCY - None

CITY MANAGER

Recommendation re: Task Authorization with Geosyntec Consultants, Inc. for Professional Design and Permitting Services for a Solid Waste Transfer Station

Solid Waste Manager Gene Ginn gave a presentation, a copy of which is on file in the agenda packet.

The Public Works Department – Solid Waste Division solicited RFQ No. 2023-RFQ-031 and received proposals from three qualified firms. Geosyntec was selected by the committee as the most qualified firm and a cost proposal was requested. The proposal was received from Geosyntec and reviewed by Public Works to be comprehensive and complete meeting the requirements of the RFQ.

The overall goal of this task authorization is to prepare the design and permit documents required for the construction of a new transfer station and container maintenance facility to be located at a 16.5-acre parcel on N. Combee Road.

The scope of services will include:

- Task 1 – Existing conditions surveys: topographic, boundary and ecological.
- Task 2 – Hydrogeological and Geotechnical investigation
- Task 3 – Design of the Transfer Station; both for site development and building
- design.
- Task 4 – Facility permitting support.

Staff recommended that the City Commission authorize the appropriate City officials to execute the Task Authorization with Geosyntec Consultants, Inc. for Professional Design and Permitting Services for the Solid Waste Transfer Station in an amount not to exceed $593,981.00. This item is budgeted for in the Solid Waste Fund.

Shawn Sherrouse presented this item to the Commission.

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

- The consultant projected the capacity the City would need for 20 years
- Tampa and Clearwater are other locations that have transfer stations
- The design permitting phase would take about 1 year, construction would take about 2 years. They might have doors open by 2026-2027

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

Recommendation re: Ratification of Collective Bargaining Agreement with the Utility Workers Union of America Local 604 representing Bargaining Unit employees in Lakeland Electric

The Utility Workers Union of America (UWUA) was elected as the exclusive bargaining agent by Lakeland Electric unit employees on June 6, 2007. The Lakeland Electric bargaining unit includes 63 classifications and approximately 169 employees. The most recent Collective Bargaining Agreement (CBA) for Lakeland Electric expired on September 30, 2023.

Negotiations for successor CBA for the Lakeland Electric bargaining units commenced in June of 2023.

Negotiation teams for the City and the UWUA have reached agreement on proposed terms and conditions for a successor 3-year Lakeland Electric Unit CBA, which has been ratified by the respective unit employees on August 28, 2023. With the ratification of the agreements by represented Bargaining Unit employees, the CBA now awaits formal consideration from the Lakeland City Commission. The following provides a summary of the recently agreed upon major economic terms and conditions of each of the CBA.

Lakeland Electric Bargaining Unit:

Article 45 Wages

2023-2024 Fiscal Year

- 3% ATB and
- 7% Wage Adjustment
- 2.5% Merit Increase for Eligible Employees

2024-2025 Fiscal Year

- 1.5% ATB or ATB approved by City Commission for General Employees, whichever is greater
- 2.5% Merit Increase for Eligible Employees

2025-2026 Fiscal Year

- 1% ATB or ATB approved by City Commission for General Employees, whichever is greater
- 2.5% Merit Increase for Eligible Employees

Article 28 MCO's

- Creation of new MCO Classifications and wage progression on achieving CCO board qualification

Article 33 Meal Allowance

- Increase from $13.75 to $15.75 (has not been adjusted in six years)

Article 35 Safety

- Increased money for safety shoes from $165 to $190; increased money for climbing boots from $215 to $240

- Increase uniform allowance to $1000/year for fire retardant uniforms; $750 for non-fire-retardant uniforms

Term of Agreement: From date of ratification through September 30, 2026 (an overall (3) three- year agreement).

Other: All other articles that were tentatively agreed upon have been incorporated into the final CBA.

Staff recommended that the City Commission ratify the proposed Collective Bargaining Agreement to reflect the above noted amendments and authorize the appropriate City officials to execute the associated documents between the City of Lakeland and the Utility Workers Union of America Local 604 representing Bargaining Unit employees in Lakeland Electric.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Bill Read moved to approve the recommendations. 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.

Recommendation re: Ratification of Collective Bargaining Agreement with the Utility Workers Union of America Local 604 representing Bargaining Unit Employees in Lakeland Water Utilities

The Utility Workers Union of America (UWUA) was elected as the exclusive bargaining agent by Lakeland Water Utilities unit employees in November 2010. The Lakeland Water Utilities bargaining unit includes roughly 36 classifications and approximately 152 employees. The most recent Collective Bargaining Agreement (CBA) expires on September 30, 2023.

Negotiations for the successor CBA for the Lakeland Water Utilities bargaining units commenced in June of 2023.

Negotiation teams for the City and the UWUA recently reached agreement on proposed terms and conditions for a successor 3-year Water Utilities Unit CBA, which has been ratified by the respective unit employees on August 29, 2023. With the ratification of the agreements by represented Bargaining Unit employees, the CBA now awaits formal consideration from the Lakeland City Commission. The following provides a summary of the recently agreed upon major economic terms and conditions of each of the CBA.

<u>**Lakeland Water Utilities Bargaining Unit:**</u>

Article 45 Wages
<u>2023-2024 Fiscal Year</u>

- 3% ATB and
- 3.5% Wage Adjustment
- 2.5% Merit Increase for Eligible Employees

<u>2024-2025 Fiscal Year</u>

- 1.5% ATB or ATB approved by City Commission for General Employees, whichever is greater
- 2.5% Merit Increase for Eligible Employees

2025-2026 Fiscal Year
- 1% ATB or ATB approved by City Commission for General Employees, whichever is greater
- 2.5% Merit Increase for Eligible Employees

Article 33 Meal Allowance
- Increase from $13.75 to $15.75 (has not been adjusted in six years)

Article 35 Safety Shoes
- Increase reimbursement for safety shoes from $165 to $190

Article 43 Premium Pay
- An increase from the current $1.00 to $2.00 per hour during the defined time period.

Term of Agreement: From date of ratification through September 30, 2026 (an overall (3) three- year agreement).

Other: All other articles that were tentatively agreed upon have been incorporated into the final CBA.

Staff recommended that the City Commission authorize the appropriate City officials to execute the respective proposed Collective Bargaining Agreement with the Utility Workers Union of America Local 604 representing Bargaining Unit employees in Lakeland Water Utilities as described above.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Bill Read moved to approve the recommendations. 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.

CITY ATTORNEY

Miscellaneous Reports

* **Memo re: Approval of Short List and Standard Continuing Contract for Fire Suppression Systems Engineering Services**

In accordance with the Consultant's Competitive Negotiation Act (CCNA), the City's Purchasing Department recently issued Request for Qualifications (RFQ) #040 and formed a committee to select qualified firms to provide Fire Suppression Systems Engineering Services pursuant to a continuing contract. A total of three (3) firms responded to the City's RFQ and are listed below in the order in which they were ranked by the Selection Committee:

1. Hatcher Engineering, Inc.	Plant City, FL
2. SGM Engineering, Inc.	Orlando, FL
3. BCER Engineering	St. Petersburg, FL

The City's Selection Committee was comprised of Facilities Maintenance, Fire, and Building Security staff members. By entering a continuing contract for Fire Suppression Systems Engineering services with these firms, the City will be able to utilize and benefit from a broad scope of Fire Systems Engineering services.

Included with this approval request is a copy of the standard continuing contract for Fire Suppression Systems Engineering Services that the City will enter with the above-listed firms once approved by the City Commission. The initial term of the Agreement is for a period of three (3) years, effective October 1, 2023, upon City Commission approval, with 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 under separately issued Task Authorizations requiring appropriate City approval.

Staff recommended that the City Commission approve the engineering firms short listed above along with the standard continuing contract and authorize the appropriate City staff to execute continuing contracts and all corresponding documents with each of the short-listed firms.

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

Memo re: Local Government Area of Opportunity Development Incentive Program 2023

This is a commitment letter to the Florida Housing Finance Corporation (FHFC) pledging a $460,000 grant to Twin Lakes III, Ltd. for an affordable housing development at 501 Hartsell Avenue, situated west of Hartsell Avenue and south of Lake Beulah Drive.

On July 7, 2023, the FHFC announced a Request for Applications (RFA 2023-201) for Housing Credit Financing for Affordable Housing Developments in Small and Medium Counties. This application favors those partly financed by local governments with a contribution of at least $460,000. On July 26, 2023, the City of Lakeland announced a corresponding Request for Applications (RFA) for the City's 2023 Local Government Area of Opportunity Development Incentive Program. This program allocates $460,000 to a qualified developer seeking to obtain housing credit financing from FHFC.

After the RFA closed on August 9, 2023, Twin Lakes III, Ltd. was the sole applicant. Its project, Twin Lakes Estates – Phase III, involves razing the last existing units of the former Westlake Apartments and constructing 86 new multi-family units. 77 units are designated for households earning 51%-60% of the Area Median Income (AMI), while the rest are reserved for those within the 31%-50% AMI bracket. 74 of the 86 units will have two or more bedrooms. The developer proposed a $500,000 contribution from the City toward its $26,535,243 project budget.

Following a thorough assessment, the City of Lakeland Housing Division and the Affordable Housing Review Committee concluded that the application fulfills the RFA criteria and recommend a $460,000 grant to bolster the FHFC application. Funds for this purpose are available in the Mid-Town CRA's FY'24 budget upon approval by the City Commission. This commitment from the City will be confirmed through the accompanying Local Government Verification of Contribution Loan Form. This grant is contingent upon Twin Lakes III Ltd. securing housing credit financing from the FHFC's RFA 2023-201, after which a final grant agreement will be presented to the City Commission. The deadline for the FHFC application is September 12, 2023.

Staff recommended that the City Commission approve and authorize the appropriate City officials to execute and submit the commitment and any other related documents to the Florida Housing Finance Corporation.

Palmer Davis presented this item to the Commission.

Motion: Commissioner Sam Simmons moved to approve the recommendations. 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.

- **Memo re: Agreement with MIDFLORIDA Credit Union for a Donation to Assist in Funding Equipment for an eSports Center at the Coleman-Bush Building**

This is a proposed Agreement with MIDFLORIDA Credit Union (MIDFLORIDA) for a donation of $74,900 to the City to assist in funding equipment for an eSports Center at the Coleman-Bush Building located at 1104 Martin Luther King Jr. Avenue in Lakeland. The Parks, Recreation and Cultural Arts staff approached MIDFLORIDA about assisting in the sponsorship of PC gaming equipment to be used for STEM and gaming programs in a repurposed room located in the Coleman-Bush Building. That repurposed space will serve as an eSports Center for the City. Renovations for the eSports Center are anticipated to be completed in January 2024.

In consideration of MIDFLORIDA's donation, City staff is requesting approval from the City Commission to name the eSports center the "MIDFLORIDA Credit Union eSports Center". The term of this Agreement will be effective January 1, 2024, subject to approval by the City Commission, and continue for a period of five (5) years. During this five (5) year term MIDFLORIDA will be granted naming rights for the eSports Center in consideration for its $74,900 donation. Upon expiration of the five (5) year term MIDFLORIDA will be given a first right of refusal for future naming rights subject to mutual written agreement of the parties. If MIDFLORIDA fails to exercise its first right of refusal for future naming rights, then the eSports Center will be renamed at the sole discretion of the City.

Staff recommended that the City Commission approve this Agreement with MIDFLORIDA for the donation of $74,900 to assist in funding equipment for the eSports Center, authorize the renaming of the eSports Center to the "MIDFLORIDA Credit Union eSports Center" upon receipt of the donation and authorize the appropriate City officials to approve all corresponding documents for the donation.

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

Memo re: Annual Purchase of Proprietary Polymer Blend for use in Wastewater Treatment for the Water Utilities Department

This is a proposal from KED Group Inc. for the annual purchase of a unique polymer blend used at the wastewater treatment plants. Polymer products are used in wastewater treatment to thicken biosolids, facilitating efficient handling and transportation to disposal fields.

Polymer blends are mixtures of different types of polymers which are combined to create a new material with specific physical properties. These polymer blends are often proprietary, as not all blends offer the same quality or performance. Through comprehensive testing with various polymer blend producers, the City determined that the EK 29 X blend from KED Group yields the most consistent and favorable results for the City's wastewater treatment needs. EK 29 X is a proprietary polymer blend and, therefore, this proposal is for a sole source purchase.

Between both the Glendale and Northside Wastewater Plants, the City uses approximately 368,000 pounds of polymer blends per year. At $1.76/pound, the EK 29 X blend would amount to an annual cost of $647,680.00. This figure is an estimate, and the actual cost may vary slightly based on the amount of polymer blend needed. As a fundamental component of the wastewater treatment process, this expenditure is included in Water Utilities' operating budget each fiscal year.

Staff recommended that the City Commission approve this proposal with KED Group Inc. and authorize the appropriate City officials to execute all necessary documents to finalize the purchase for the polymer blend.

Palmer Davis presented this item to the Commission.

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

* **Memo re: Purchase of Services for Removal, Transport, and Disposal of Calcium Carbonate Materials from Water Treatment Plant Facilities**

This is a proposal from KAG Specialty Products Group, LLC ("KAG Specialty Products"), for the removal, transport, and disposal of calcium carbonate materials from the TB Williams and CW Combee Water Treatment Plants. These facilities produce a partially de-watered calcium carbonate by-product, which is approximately 40% lime solids sludge material and requires regular disposal via large capacity, leak-proof trailers.

KAG Specialty Products, formerly known as Dedicated Transport Service of Delaware, LLC., was selected in 2019 pursuant to Bid No. 9248 to perform these services. The bid provided for the option of five (5) one-year renewals upon mutual consent of the parties. Under the proposal, KAG Specialty Products will remove, transport, and dispose of the materials at a rate of $5.00 per ton for FY24, which is the same rate charged to the City in FY23. Staff estimates 12,000 tons of material will need to be hauled from both water treatment facilities during FY24. Based on this projection, the total estimated cost to the City for FY24 is $60,000.00.

Staff recommended that the City Commission approve the proposal with KAG Specialty Products for the removal of calcium carbonate materials from the City's water treatment plants and authorize the appropriate City officials to execute all necessary documents to finalize the annual renewal of services.

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

* **Memo re: Continuing Contract for Software Engineering Services with Control Southern, Inc. for the Water Utilities Department**

This is a proposed continuing contract with Control Southern, Inc. for software integration, development, and consulting services for Water Utilities' programmable controllers and distributed control systems.

Water Production's control systems at the City's water treatment plants operate on Emerson Automation Solutions' DeltaV control system. Equipment and services for this system can only be provided by Emerson-certified impact partners and Control Southern is the exclusive provider of those services in our region. Accordingly, Control Southern qualifies as a sole-source vendor and the City subsequently negotiated the proposed contract.

The term of the proposed contract is through September 30, 2025, with a mutual option of two (2) one-year renewals. Services will be performed on a task basis as requested by Water Production and will be invoiced according to a fee schedule.

Staff recommended that the City Commission approve and authorize the appropriate City officials to execute the continuing contract with Control Southern, Inc.

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

* **Memo re: Agreement with Pivot Culinary Management, LLC for Emergency Dining Services**

This is a proposed Agreement with Pivot Culinary Management, LLC (Pivot) to provide Emergency Dining Services for City employees and workers/contractors following an emergency event or major disaster. The City's Purchasing Department has determined that Pivot is a qualified vendor capable of providing nutritious meals to City employees and workers/contractors following an emergency event and, as such, is seeking to include Pivot on the City's list of vendors available to provide emergency dining services.

Pivot is the contracted food service vendor for the Detroit Tigers and has an established catering operation set up at the TigerTown facilities year-round. Pivot's location at TigerTown will ensure that emergency workers are fed quality meals in an economical and efficient manner since TigerTown is used as a staging area for emergency operations following natural disasters such as hurricanes.

Upon City Commission approval, Pivot will be added to the City's available vendor list to provide emergency dining services. The term of the Agreement with Pivot will become effective upon approval by the City Commission and continue until otherwise terminated by the parties. The City may terminate the Agreement for convenience at any time upon thirty (30) days' prior written notice to Pivot. All services will be performed in accordance with the terms and conditions contained in the Agreement, as well as the City's Bid for emergency dining services. There are no specified costs associated with this Agreement, as Pivot's services will be utilized on an as-needed basis during emergency operations. Pivot's pricing for providing emergency dining services will be held firm through December 31, 2023. Thereafter, pricing will be subject to an equitable adjustment for each twelve (12) month period provided such price adjustment is mutually agreed to in writing by the parties prior to June 1st of each successive calendar year.

Staff recommended that the City Commission approve this Agreement with Pivot for emergency dining services 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.

FINANCE DIRECTOR

Appropriation and Increase in Estimated Revenues - Fleet Management Vehicle Replacement Fund and Solid Waste Fund

The City is requesting an appropriation for early replacement of one claw truck assigned to Public Works/Solid Waste, and seven pursuit SUVs for the Lakeland Police Department. These vehicles were made available to us by our vendors via recently cancelled orders by other agencies.

By purchasing these vehicles now, the City will recognize a minimum of $100,000 in savings vs next year's estimated cost increases from the manufacturers and avoid substantial production shortfalls if ordered next year. The claw truck is awaiting final assembly and the police SUVs can be delivered within a few weeks.

The following costs associated with replacement of the vehicles are as follows:

- Seven Interceptor Utilities: $57,000 / vehicle for a total of $399,000
  - The $399,000 is available within the Police section of the Vehicle Replacement Fund and requires no additional funding from LPD
- One claw truck: $260,811
  - $190,630 is available within the Solid Waste section of the Vehicle Replacement Fund with the remaining monies requiring an appropriation from the Unappropriated Surplus of Solid Waste in the amount of $70,181
- Total purchase cost for the 8 vehicles is $659,811

Staff requested that the City Commission authorize an appropriation and increase in estimated revenue in the Fleet Management Vehicle Replacement Fund of $589,630 along with an appropriation of $70,181 from the Unappropriated Surplus in the Solid Waste Fund for purchase of one claw truck for Public Works Solid Waste and seven pursuit SUVs for Lakeland Police Department totaling $659,811.

Mike Brossart presented this item to the Commission.

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

UTILITY

Resolutions

Resolution 5843; Proposed 23-048; Establishing Fuel Charge Effective October 1, 2023

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, 2023; AMENDING TIME OF DAY FUEL CHARGE FOR APPLICABLE RATE CLASSES; REPEALING RESOLUTION 5825; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

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

Miscellaneous

Memo re: Agreement with Crossby Systems, Inc. for Combustion Turbine Blanket Insulation System for McIntosh Unit 5

This is a proposed Agreement with Crossby Systems, Inc. (Crossby) for a Combustion Turbine Blanket Insulation System for McIntosh Unit 5. The current insulation system on Unit 5 is five (5) years old and is deteriorating beyond repair. As such, the existing insulation system needs to be replaced. The insulation is necessary to maintain the Unit's efficiency and to prevent temperatures in the compartment from damaging instrumentation, which can potentially cause the Unit to trip. The anticipated useful life of the new insulation system will be between five (5) to eight (8) years depending on how many times it must be removed.

On May 16, 2023, the City's Purchasing Department issued Invitation to Bid No. 2023-ITB-051 seeking qualified vendors to provide a Combustion Turbine Blanket Insulation System for McIntosh Unit 5. The City received responses from the three (3) vendors listed below.

Contractor	Location	Bid Price
Crossby Systems, Inc.	Stoney Creek, Ontario, Canada	$398,500.00
Coverflex Manufacturing, Inc.	Houston, TX	$533,285.00

ARNOLD Group USA, Inc.	Atlanta, GA	$821,977.00

Upon evaluation by City staff, Crossby was selected as the most responsive responsible bidder with the lowest price capable of providing the insulation system. Pursuant to the Agreement, Crosby will design, engineer, fabricate and provide all labor, tools, materials, and equipment for the insulation system. Upon approval by the City Commission, the City will issue a Purchase Order for the Insulation System which will be installed during the Unit 5's Fall 2024 Outage scheduled for October 4th through November 23, 2024. Crossby will perform all services pursuant to the terms and conditions set forth in the City's Bid Specification and Crossby's Bid response dated June 27, 2023. The total cost of the work is $398,500.00, which is included in Lakeland Electric's FY24.

Staff recommended that the City Commission approve this Agreement with Crossby for the purchase and installation of the Combustion Turbine Blanket Insulation System for McIntosh Unit 5 and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Motion: Commissioner Sara McCarley moved to approve the recommendations. 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.

Memo re: Rental Extension Agreements with Williams Scotsman, Inc. for Modular Offices at McIntosh Power Plant

This is a proposed Rental Extension Agreements with Williams Scotsman, Inc. (WillScot) for the continued rental of two (2) modular offices at the McIntosh Power Plant. On April 4, 2022, the City Commission approved an Agreement with WillScot for a one (1) year lease of two (2) triple-wide modular offices to temporarily house Lakeland Electric staff that were in the McIntosh administration offices but were required to relocate due to the demolition of Units 1, 2 and 3.

In June and July 2022, staff moved into the temporary modular offices rented from WillScot. Approximately sixteen (16) staff members are still working in those offices. While some of the staff will relocate to the remodeled Unit 5 third floor office space when completed, the remaining staff will need to be housed in the modular office spaces until the new administration offices at the McIntosh Power Plant are constructed at some point in the future. Accordingly, Lakeland Electric staff is seeking to extend the City's existing Rental Agreement with WillScot.

The term of the Rental Agreements for the two (2) modular offices will be for a period of one (1) year, with retroactive effective dates of June and July 2023 respectively, upon

City Commission approval. The Agreement will be governed by the terms and conditions set forth in the existing Rental Agreements with WillScot, as well as WillScot's rental extension proposals. The total cost for the two (2) modular offices for the one (1) year period is $125,469.52, which is included in Lakeland Electric's FY23 budget.

Staff recommended that the City Commission approve the rental extension with WillScot for the two (2) modular offices at the McIntosh Power Plant and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Motion: Commissioner Sara McCarley moved to approve the recommendations. 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.

AUDIENCE - none

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Chad McLeod asked when the newly appointed Youth Council members would be notified of their appointment. Commissioner Stephanie Madden informed they will be sent a welcome email with more information about the schedule.

Commissioner Bill Read is looking forward to the budget hearing Thursday night.

Commissioner Mike Musick: Thanked City Manager Shawn Sherrouse who addressed a citizen's report of a sinkhole. He also received another citizen's complaint about a nuisance residence in the area. He would provide the City Manager and City Attorney with the address of the residence.

CALL FOR ADJOURNMENT – 11:42 a.m.

H. William Mutz

H. William Mutz, Mayor

Heather L. Bradman

Heather Bradman, Deputy City Clerk

CITY OF LAKELAND, FLORIDA
INCORPORATED
JAN. 1, 1885

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME MADDEN STEPHANIE REED	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE YOUTH COUNCIL/CITY COMMISSIONER
MAILING ADDRESS 1819 CHEROKEE TRAIL POLK	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY LAKELAND COUNTY	NAME OF POLITICAL SUBDIVISION: CITY OF LAKELAND
DATE ON WHICH VOTE OCCURRED SEPT. 5, 2023	MY POSITION IS: ☑ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Stephanie Madden, hereby disclose that on September 5th, 20 23:

(a) A measure came or will come before my agency which (check one or more)

___ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, ___;

x inured to the special gain or loss of my relative, Benjamin Madden;

___ inured to the special gain or loss of ___, by whom I am retained; or

___ inured to the special gain or loss of ___, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

My son, Benjamin Madden, is being nominated for the Lakeland Youth Council by Commissioner Chad McLeod, and it requires the vote of the city commission, so I am abstaining because of my conflicting interest.

Stephanie Madden
Lakeland City Commissioner

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Sept. 5, 2023
Date Filed

Stephanie Madden
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.