

LAKELAND CITY COMMISSION**Regular Session
June 3, 2024**

The Lakeland City Commission met in Regular Session in the City Commission Chambers. Mayor Bill Mutz and Commissioners Chad McLeod, Bill Read, Sara Roberts McCarley, Mike Musick, and Guy LaLonde were present. Commissioner Stephanie Madden was absent. 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.**PRESENTATIONS**

Reaching Our Audience (Kevin Cook, Communications Director and Jamin Smith, Digital Content Creator)

Beautification Awards (Bill Koen)

- Residential: Betty and Jimmy Richardson - 4219 Pebble Pointe Dr.
- Commercial: The Peach House - 733 E. Palmetto Street

PROCLAMATIONS

National Garden Week

World Vitiligo Awareness Month

Shawn Sherrouse informed the commission that the City started their summer internship program last week. Two interns are present:

- Maggie Fussell just graduated from Southeastern University with her Master's in the Art of Design Management. She is working with Beth Sherling in Parks, Recreation, and Cultural Arts this summer. She is excited to get started and help any way she can.
- Rory Schroeder attends Benedictine University outside of Chicago. He plays lacrosse and is currently working on his Bachelor's in Communications. He graduated from Lakeland High School. He will be working with Jamin Smith and Kevin Cook in the Communications Department this summer.

COMMITTEE REPORTS AND RELATED ITEMS

Real Estate & Transportation Committee 05/31/24

- Lease Agreement with the Transportation Security Administration

Commissioner Mike Musick presented this report to the Commission.

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

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

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

APPROVAL OF CONSENT AGENDA

All items listed with an asterisk (*) are considered routine by the City Commission and will be enacted by one motion following an opportunity for public comment. There will be no separate discussion of these items unless a City Commissioner or Citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. For items listed with an asterisk (*) under the Community Redevelopment Agency portion of the agenda, the City Commission shall be deemed to be acting in its capacity as the Community Redevelopment Agency of the City of Lakeland when approving the consent agenda.

Motion: Commissioner Sara Roberts McCarley moved to approve the Consent Agenda. Commissioner Mike Musick seconded.

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

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

APPROVAL OF MINUTES (with any amendments)

- * Strategic Planning Retreat Minutes - May 13-14, 2024
- * City Commission Minutes - May 17-20, 2024

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 regarding 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 Bill Read 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, 6-0.

Adjourn/reconvene: The Equalization Board adjourned, and the City Commission reconvened in Regular Session.

PUBLIC HEARINGS

Ordinances (Second Reading) - NONE

Resolutions

Resolution 5909; Proposed 24-034; Lots Cleaning and Clearing

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

Palmer Davis read the title.

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

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

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

COMMUNITY REDEVELOPMENT AGENCY

Lease Termination Agreement with Project Redfish, LLC d/b/a The Yard on Mass

This is a Lease Termination Agreement between the Lakeland Community Redevelopment Agency ("CRA") and Project Redfish, LLC, doing business as The Yard on Mass ("Project Redfish"). The leased property consists of two (2) parcels, totaling 1.18 acres in the Midtown CRA, located at 802 N. Massachusetts Avenue and 306 E. Parker Street.

In 2018, Project Redfish entered into a lease agreement with the CRA to redevelop the property, formerly a used car sales operation, as a food truck park with 2,522 square foot building and open yard concept to accommodate indoor and outdoor entertainment. The CRA likewise made significant investments in the redevelopment and maintenance of the property. Project Redfish opened The Yard on Mass in December 2019. The lease was renewed for 5 years on July 29, 2022, with a current expiration date of November 30, 2027.

Under the Agreement, the CRA and Project Redfish would mutually terminate the lease effective June 30, 2024, and the CRA has agreed to pay Project Redfish a termination fee in the amount of \$250,000. Additional terms include the CRA retaining certain fixtures and improvements at the site and mutual releases resulting from the termination of the Lease.

The proposed Lease Termination Agreement was considered by the CRA Advisory Board at its May 16, 2024 meeting and received a unanimous recommendation of approval. Staff recommended that the City Commission, acting as the Lakeland Community Redevelopment Agency, approve the Lease Termination Agreement and authorize the appropriate CRA officials to execute all documents necessary to finalize the transaction.

Valerie Vaught presented this item to the Commission.

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

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

The Commission discussed:

- The CRA plans to offer this property for lease in the future. They will issue request for proposals, seeking qualified businesses that want to operate the space. Once the review committee sees the proposals, they will begin lease term negotiations.
- Appreciation to Craig Morby and Jennifer and Joel Batts for their investment in this property. There were multiple attempts and strategies to try and make it work. They have laid the foundation for whatever develops in this space in the future.

Craig Morby is humbled by support of the City and the CRA. This was an experiment that did not work out, but they learned a lot from it. Thanks again to the City and everyone who came out to the Yard on Mass, and all their investors who are friends and family.

Jennifer Batts: So many campaign rallies were held at this location during municipal elections. The support they received from the commission and Valerie Vaught throughout the years has been great. They look forward to the area's continued revitalization, next group's success, and what it will bring to Lakeland.

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

CITY MANAGER

Task Authorization with WSP USA Environment & Infrastructure, Inc. for Highland Hills Drainage Improvement Design and Permitting Project

The Public Works Department has identified a need for stormwater drainage improvements within a concrete paved ditch from Westover Street to approximately 120 feet west of Cleveland Heights Boulevard, commonly referred to as Highland Hills Ditch, due to erosion and stabilization issues resulting in increased maintenance needs. WSP USA Environment & Infrastructure, Inc. (WSP), an engineering firm under a Lakes & Watershed Management Services continuing contract, has provided a proposal to evaluate the conditions within the drainage system and identify needed actions to improve stormwater flow and minimize erosion.

The proposed Task Authorization is to develop specific design plans and calculations, permit proposed improvements, and assist bidding and construction support. The major tasks of this project include:

- Reviewing records and databases, including the City's GIS for stormwater infrastructure, topographic, and hydrologic data, and updating existing hydraulic and hydrologic conditions model;
- Completing a topographic survey, geotechnical field assessment of project area, and underground utility coordination;
- Updating existing conditions model to establish estimated flow rates and velocities
- Finalizing drainage improvement concept design;
- Preparing construction design and technical bid specification plans (60%, 90%, and final) and construction cost estimate;
- Project permitting; and,
- Providing bid and construction support as engineer of record.

Funding for this project in the not-to-exceed amount of \$141,577.25 is provided in the Fiscal Year 2024 Stormwater Fund.

Staff recommended the City Commission authorize appropriate City officials to execute the Task Authorization with WSP for the Highland Hills Drainage Improvement Design and Permitting Project in the not-to-exceed amount of \$141,577.25.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Chad McLeod moved to approve the task authorization. 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, 6-0.

***Purchase Order to R2 Unified Technologies for the Purchase of Network Switches and Software Licenses**

The Department of Information Technology received a quote from R2 Unified Technologies, an authorized reseller of Cisco Systems, Inc., products, for the purchase of five (5) network switches and associated software licenses. Network switches serve as the backbone of our IT infrastructure, enabling efficient communication, ensuring data security, supporting essential services, and maintaining network reliability and performance. These additional switches are needed to accommodate additional capacity needs in the police department.

Key elements for the technology include:

- Hardware
- Software
- Maintenance and Support

The total cost of the equipment is \$65,849.42 which is included in the Fiscal Year 2024 "LPD New Technology and Equipment Replacement" account.

The City's Purchasing Division has approved R2 Unified Technologies pursuant to the NASPO ValuePoint Data NVP #AR3227 Participating Addendum for FL #43220000-NASPO-19-ACS contract as a piggyback.

Staff recommended the City Commission authorize the issuance of a Purchase Order to R2 Unified Technologies in the amount of \$65,849.42 for Network Switches and Software Licenses.

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

***Approval of Purchase Order to Databank IMX for Annual Renewal of Hyland/OnBase Application Subscription and Support**

The City of Lakeland received a renewal proposal for Hyland Software OnBase Application Subscription and Support. This will entitle the City to vendor support of the on-premise application as well as a subscription to download fixes and product enhancements.

Hyland OnBase is the enterprise content management platform utilized by all City departments to provide document archival, organization, management, and retention policies in a secured, centralized system. The platform also manages multiple complex workflow and form approval processes used throughout the City.

The City's Purchasing Division has approved the renewal of the maintenance services contract through Databank IMX as a Sole Source vendor.

Staff recommended the City Commission authorize the issuance of a Purchase Order to Databank IMX in the amount of \$85,060.32 for the procurement of 12 months of Hyland OnBase Application Suite Subscription and Support and authorize the appropriate City officials to execute the documents.

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

Task Authorization with HDR Engineering, Inc. for Professional Services in Support of Terminal Parking Lot Improvements at Lakeland Linder International Airport

Lakeland Linder International Airport (LLIA) seeks approval to enter into a Task Authorization with HDR in accordance with the terms and conditions of the City's Continuing Contract for Professional Municipal Engineering Services pursuant to Request for Qualifications (RFQ) No. 1189 from qualified firms under the guidelines set forth in the Consultants Competitive Negotiations Act (CCNA).

The proposed Task Authorization consists of providing design services and permitting coordination for four main items:

1. Improvements to the existing public parking lot, including new canopy(s) for entry and exit ticketing / pay stations.
2. Proposed roadway connection and turf parking lot improvements, including lighting, way finding signs, and sidewalk connection.
3. Improvements to the pedestrian walkway and sidewalk, including solar pedestrian crossing signs, and modifications to meet ADA requirements.
4. Formation of a new gravel employee parking lot to the west of the existing terminal.

The scope of services includes preparation of 60% and 100% design documents and permitting coordination. No bidding or construction administration services will be part of the project.

The total cost of this Task Authorization is \$145,320.00. This project will initially be funded with internal loan proceeds approved by the City Commission on December 18, 2023. LLIA received a Florida Department of Transportation grant in the amount of \$280,000 that was approved by City Commission on January 16, 2024. The grant proceeds will be utilized toward the principal payment on the internal loan.

Staff recommended the City Commission approve this Task Authorization with HDR to provide professional services in support of the Terminal Parking Lot Improvements at LLIA and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Shawn Sherrouse presented this item to the Commission.

Motion: Commissioner Sara Roberts McCarley moved to approve the task authorization. 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, 6-0.

Shawn Sherrouse verbal report:

The Office of Innovation and Strategy, all City departments, and the City has received the Government Finance Officers Association distinguished Budget Award. This indicates the City's commitment to meeting the highest principles of governmental budgeting. Budget documents must be rated proficient in four different categories and in the 15 mandatory criteria within each of those four categories in order to receive the award. With this award, the City also receives special recognition in the performance measurements category. This required the highest scores possible from all reviewers in that criterion. Congratulations to everyone involved in preparing those budget documents.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 24-015; Small Scale Amendment #LUS24-001 to the Future Land Use Map to Change Future Land Use from Business Park (BP) to Residential Medium (RM) on Approximately 4.96 Acres Located Northwest of the Intersection of W. 5th Street and Providence Road

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS24-001 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; CHANGING THE FUTURE LAND USE DESIGNATION ON APPROXIMATELY 4.96 ACRES LOCATED NORTHWEST OF THE INTERSECTION OF W. 5TH STREET AND PROVIDENCE ROAD FROM BUSINESS PARK (BP) TO RESIDENTIAL MEDIUM (RM); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 17, 2024.

Proposed 24-016; Amending Ordinance 5589; Major Modification of PUD Zoning to Allow for the Development of an 87-Unit Single-Family Attached (Townhome) Subdivision on Approximately 9.76 Acres; Change to Context District from Urban Special Purpose (USP) to Urban Neighborhood (UNH) on Approximately 4.96 Acres and a Change in Zoning from RA-3 (Single-Family Residential) to PUD on Approximately 4.80 Acres Located Northwest of the Intersection of W. 5th Street and Providence Road

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 5589, TO PROVIDE FOR A MODIFICATION TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW FOR THE DEVELOPMENT OF AN 87-UNIT SINGLE-FAMILY ATTACHED (TOWNHOME) SUBDIVISION ON APPROXIMATELY 9.76 ACRES LOCATED NORTHWEST OF THE INTERSECTION OF W. 5TH STREET AND PROVIDENCE ROAD; CHANGING THE CONTEXT SUB-DISTRICT ON APPROXIMATELY 4.96 ACRES OF SAID PROPERTY TO URBAN NEIGHBORHOOD (UNH); CHANGING THE ZONING ON APPROXIMATELY 4.80 ACRES OF SAID PROPERTY TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 17, 2024.

Miscellaneous

Agreement with RF Lusa & Sons Sheet Metal, Inc. for Roof Replacement Project at Magnolia Building

This is a proposed Agreement with RF Lusa & Sons Sheet Metal, Inc. for a roof replacement project at the Magnolia Building. On March 14, 2024, the City's Purchasing Department issued Invitation to Bid 2024-ITB-218 (ITB) for the City's Magnolia Building roof replacement project located at 702 East Orange Street. The Magnolia Building's

roof needs replacement due to damage sustained from Hurricane Ian in 2022 that caused leaks in the building, as well as the age of the roof which is over twenty (20) years old.

The roof replacement project will include all labor, material, equipment, supervision and administration. The City's Bid Specifications also contain a manufacturer's warranty that includes the repair/replacement of any asphalt shingles for a period of twenty (20) years. Specifically, the scope of the project will include:

- Removal and disposal of the roof system, including flashings and sheet metal down to the plywood deck
- Providing the underlayment and asphalt shingles
- Replacement of the sheet metal flashings and trim, including gutters and downspouts, with the existing copper gutters and downspouts being salvaged and reused

The following five (5) contractors submitted proposals in response to the City's ITB:

• RF Lusa & Sons Sheet Metal, Inc.	Lakeland, FL	\$93,000.00
• Springer-Peterson Roofing & Sheet Metal, Inc.	Lakeland, FL	\$134,325.00
• Integrity Roofing & Gutters, Inc.	Orlando, FL	Non-Responsive
• Florida Premier Roofing	Orlando, FL	Non-Responsive
• Arry's Roofing Services, Inc.	Tarpon Springs, FL	Non-Responsive

In conjunction with the City's engineering consultant REI Engineers, Inc., City staff evaluated the Bids and selected RF Lusa & Sons Sheet Metal, Inc. as the lowest responsive responsible bidder qualified to perform the roofing services in accordance with the City's ITB and Specifications. There were three (3) bidders that were determined to be non-responsive based on their failure to provide bid bonds (Integrity Roofing & Gutters, Inc. & Arry's Roofing Services, Inc.) and meet the minimum Bid requirements (Florida Premier Roofing).

The term of the Agreement will be effective June 10, 2024, subject to City Commission approval and continue through September 9, 2024. All work will be performed in accordance with the City's ITB and corresponding Specifications.

The City's ITB included a request for bidders to provide alternate pricing to replace shingles with "GAF Camelot II Shingles", which are red shingles consistent with the historic nature of the Magnolia Building's existing roof and have an extra layer of material that provides additional protection from the weather. Accordingly, the City exercised its option to select the more expensive shingle brand which increased RF Lusa & Sons Sheet Metal, Inc.'s bid price to \$102,408.00. Funding for this project is being provided by the City's property insurers through a claim for Hurricane Ian damages, less a total deductible amount of \$70,955.00. The City will also seek reimbursement from FEMA for eligible deductible amounts. As such, the remaining balance of \$31,453.00 will be paid by the City at the completion of the roof project.

Staff recommended that the City Commission approve the Agreement with RF Lusa & Sons Sheet Metal, Inc. for the roof replacement project at the Magnolia Building and authorize the appropriate City officials to execute all corresponding documents on behalf of the City of Lakeland in the amount of \$102,408.00 and authorize an appropriation and increase in estimated revenue of the Hurricane Ian Disaster Fund in the amount of \$102,408.00.

Ramona Sirianni presented this item to the Commission.

There were questions from Friday's Agenda Study that Finance Mike Brossart was prepared to answer.

Mike Brossart explained, when an emergency is recognized by the Florida governor, municipalities can create funds that have no budget. The City's pooled investment monies (available cash) are used to fund those items knowing the City is going to apply for and hopefully receive most, if not all, of those monies back. This was done during the hurricanes in 2004, Hurricane Irma, and Hurricane Ian. The City has incurred about \$5 Million total from Hurricane Ian so far. Around \$2.6 Million of that is the RF Funding Center roof replacement. The remainder is mainly debris. Since the Magnolia Building is part of the general fund, the City will likely identify monies in the public improvement fund for the remainder. This would come from unappropriated surpluses via an appropriation. Everything would be in accordance with the Sunshine Act.

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

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

The Commission discussed:

- When public works orders shingles for a roof project, they usually get an extra square or two and keep that in stock for future repairs. They do the same with ordering extra tile.
- The size of the roof replacement at the Magnolia Building is 8,300 square feet. At the Combee Water Treatment Plant it is 14,000 square feet. At the Lakeland Administration Building it is 1,200 square feet.

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

Agreement with Service Works Commercial Roofing, LLC for Roof Replacement Project at Combee Water Treatment Plant

This is a proposed Agreement with Service Works Commercial Roofing, LLC for a roof replacement project at the Combee Water Treatment Plant. On April 12, 2024, the City's

Purchasing Department issued Invitation to Bid 2024-ITB-219 (ITB) for the City's Combee Water Treatment Plant roof replacement project located at 2450 Old Combee Road. The Combee Water Treatment Plant's roof needs replacement due to damage sustained from Hurricane Ian in 2022 causing leaks in the building, as well as the age of the roof which is over nineteen (19) years old.

The roof replacement project will include all labor, material, equipment, supervision and administration. The City's Bid Specifications also contains a twenty (20) year warranty for all four (4) roofs totaling 14,030 square feet. Specifically, the scope of the project will include:

- Removal and disposal of the roof system, including flashings and sheet metal down to the structural deck
- New insulation
- Attachment of thermoplastic single ply membrane along the flashings and accessories to provide a watertight roof system

The following nine (9) contractors submitted bids in response to the City's ITB:

• Service Works Commercial Roofing, LLC.	Tampa, FL	\$ 271,661.00
• Jenkins Roofing Tampa, Inc.	Plant City, FL	\$ 377,600.00
• Constructomax	Tampa, FL	\$ 380,593.00
• Springer-Peterson Roofing & Sheet Metal, Inc.	Lakeland, FL	\$ 391,893.00
• RF Lusa & Sons Sheet Metal, Inc.	Lakeland, FL	\$ 425,500.00
• Atlantic Roofing II of Vero Beach, Inc.	Vero Beach, FL	\$ 459,680.00
• Advanced Roofing, Inc.	Ft. Lauderdale, FL	\$ 526,919.00
• Allied Roofing, Inc.	Tampa, FL	\$ 601,158.00
• Integrity Roofing & Gutters, Inc.	Orlando, FL	Non-Responsive

In conjunction with the City's engineering consultant REI Engineers, Inc., City staff evaluated the bids and selected Service Works Commercial Roofing, LLC as the lowest responsive responsible bidder qualified to perform the roofing services in accordance with the City's ITB and specifications. Integrity Roofing & Gutters, Inc. was determined to be non-responsive based on its failure to provide a Bid Bond.

The term of the Agreement will be effective June 10, 2024, subject to City Commission approval, and continue through February 21, 2025. All work will be performed in accordance with the City's ITB and corresponding Specifications. The total cost of the work pursuant to this Agreement is \$271,661.00. Funding for this project is being provided by the City's property insurers through a claim for Hurricane Ian damages, less a total deductible amount of \$214,856.00. The City will also seek reimbursement from FEMA for eligible deductible amounts. As such, the remaining balance of \$56,805.00 will be paid by the City at the completion of the roof project.

Staff recommended that the City Commission approve the Agreement with Service Works Commercial Roofing, LLC for the roof replacement project at the Combee Water Treatment Plant and authorize the appropriate City officials to execute all corresponding documents on behalf of the City of Lakeland and authorize an appropriation and increase in estimated revenue of the Hurricane Ian Disaster Fund in the amount of \$271,661.00.

Ramona Sirianni presented this item to the commission.

Motion: Commissioner Sara Roberts McCarley moved to approve the agreement. 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, 6-0.

Agreement with Springer-Peterson Roofing & Sheet Metal, Inc. for Roof Replacement Project at Lakeland Electric Administration Building

This is a proposed Agreement with Springer-Peterson Roofing & Sheet Metal, Inc. for a roof replacement project for the café/plaza deck of the Lakeland Electric Administration Building. On January 26, 2024, the City's Purchasing Department issued Invitation to Bid 2023-ITB-197 (ITB) for a roof replacement project for the café/plaza deck of the Lakeland Electric Administration Building located at 501 E. Lemon Street. The café/plaza deck of Lakeland Electric's Administration Building needs replacement due to constant leaking in the building caused by the age of the roof, which is over thirty (30) years old.

The roof replacement project will include all labor, material, equipment, supervision, administration and a twenty (20) year warranty. Specifically, the scope of the project will include:

- Removal and disposal of the roof system, including flashings and sheet metal down to the concrete deck
- Provide and install roof installation system
- Provide and install a torch applied two-ply modified bitumen protected membrane roof system, along with flashings, trim and accessories
- Provide and install new concrete pavers

The following two (2) contractors submitted bids in response to the City's ITB:

- | | | |
|---|--------------|--------------|
| • Springer-Peterson Roofing & Sheet Metal, Inc. | Lakeland, FL | \$146,979.00 |
| • RF Lusa & Sons Sheet Metal, Inc. | Lakeland, FL | \$250,000.00 |

In conjunction with the City's engineering consultant REI Engineers, Inc., City staff evaluated the bids and selected Springer-Peterson Roofing & Sheet Metal, Inc. as the lowest responsive responsible bidder qualified to perform the roofing services in accordance with the City's ITB and specifications.

The term of the Agreement will be effective June 10, 2024, subject to City Commission approval and continue through November 15, 2024. All work will be performed in accordance with the City's ITB and corresponding Bid Specifications. Funding for this project is being provided by the City's CIP/PIF FY24 Lakeland Electric Roof Improvement Fund.

Staff recommended that the City Commission approve the Agreement with Springer-Peterson Roofing & Sheet Metal, Inc. for the roof replacement of the café/plaza deck of the Lakeland Electric Administration Building and authorize the appropriate City officials to execute all corresponding documents on behalf of the City of Lakeland.

Ramona Sirianni presented this item to the commission.

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

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

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

FINANCE DIRECTOR - None

UTILITY

Ordinances - NONE

Resolutions

Resolution 5010; Proposed 24-035; Establishing Fuel Charge Effective July 1, 2024

A RESOLUTION RELATING TO THE ELECTRIC UTILITY; MAKING FINDINGS; ESTABLISHING THE FUEL CHARGE FOR ALL CUSTOMER CLASSES FOR METERS READ ON OR AFTER JULY 1, 2024; AMENDING TIME OF DAY FUEL CHARGE FOR APPLICABLE RATE CLASSES; REPEALING RESOLUTION 5890; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

The commission discussed:

- The increase translates to approximately \$10 per 1,000 megawatt hours.
- They are confident about maintaining this rate. However, there is a clause that they could come back prior to September if they continue to see any escalations or unexpected changes in those markets.
- The effects of increased supply can be seen in the market now.
- Even with the increase, we are still the lowest utility rate in the state. We continue to operate prudently with fuel rate adjustments.
- The city's rate is 112. Examples of other utility companies in the state include Tallahassee at 115 and FP&L at 121. The remainder of utilities in the state are 130 and above.

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

Miscellaneous

First Amendment to Power Purchase Agreement with Orlando Utilities Commission

This is a proposed First Amendment to the Power Purchase Agreement with Orlando Utilities Commission (OUC). On January 19, 2021, the City Commission approved an Agreement with OUC to provide purchased power for Lakeland Electric following the decommissioning of Unit 3 to meet Lakeland Electric's need for additional capacity and energy from time to time beyond the generation available from Unit 5 and the other Lakeland Units.

In accordance with the Agreement, purchased power from OUC is accounted for through the Florida Municipal Power Pool (FMPP) software and data systems. Lakeland Units continue to be economically dispatched, while the energy purchases are only in the amount necessary and on an as-needed basis. After the fact accounting determines the purchase price of energy through the normal process of the FMPP's Clearing House Pricing (CHP) software, with the energy pricing based on FMPP's hourly energy pricing methodology. By using an FMPP member such as OUC to supply wholesale power, the City only pays for the energy it uses. Moreover, OUC is the only member of the FMPP that has the capability to meet the capacity and transmission needs of Lakeland Electric.

After the City Commission's approval of the First Amendment on April 1, 2024, OUC required modifications to the First Amendment prior to its approval process due to the

potential variability of OUC's ability to provide the required power during the Agreement term. While the previous version of the First Amendment enabled the parties to continue the Agreement on a short-term month-to-month basis beginning on April 30, 2026 upon mutual written agreement of the parties upon 120 days prior written notice, this proposed First Amendment changes the month-to-month commencement date to January 1, 2025, and eliminates the need for mutual written agreement to exercise the month-to-month option by enabling either party to initiate the month-to-month option upon 120 days' prior written notice.

Accordingly, upon approval by the City Commission, the term of the Agreement shall be extended through December 31, 2026. The term of the Agreement may also be extended for periods of one (1) year or more by mutual written agreement of the parties. Additionally, either party may, elect to continue the Agreement on a short-term month-to-month basis commencing January 1, 2025, by providing 120 days' prior written notice. Each party also reserves the right to terminate the Agreement upon 120 days' prior written notice.

This First Amendment enables the City to purchase up to 100 MW of firm capacity, energy and transmission during the summer months of June, July, August and September and up to 50 MW for the remainder of the year during the term of the Agreement. The City is under no obligation to purchase a minimum or maximum amount of energy during the term of the Agreement. The cost of energy purchased by the City will be based on FMPP's CHP pricing methodology, plus five (5) percent.

OUC has agreed to extend the Agreement with no change in the demand rate charged to the City during the two (2) year extension. The total cost for capacity and transmission during the two (2) year extension of the Agreement through December 31, 2026, is \$9,200,000, of which the first year is included in Lakeland Electric's FY25 budget and the second year will be subject to City Commission approval of the budget in FY26. Any renewal terms would also be subject to City Commission approval of the budget in subsequent budget years. Except as otherwise modified in this First Amendment, all other terms and conditions will remain in full force and effect.

Staff recommended that the City Commission approve this First Amendment to the Power Purchase Agreement with OUC and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the commission.

Motion: Commissioner Bill Read moved to approve the agreement. 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, 6-0.

Change Order #3 to Software License and General Consulting Services Agreement with Power Cost, Inc.

This is proposed Change Order #3 to the Perpetual Software License and General Consulting Agreement between Power Cost, Inc. (PCI) and the City of Lakeland, together with the Orlando Utilities Commission (OUC) and the Florida Municipal Power Agency (FMPPA), collectively referred to as the Florida Municipal Power Pool (FMPP). In 2005, the FMPP members jointly purchased GenTrader software from PCI under a Software License and General Consulting Agreement for production cost modeling and economic forecasting of generation resources to meet load requirements. In 2017, the FMPP executed a new five (5) year support services and hosting Agreement for PCI software to be used by the power pool in computing hourly energy transactions and monthly allocations between its members. The existing Agreements for support services and hosting services are set to expire on December 31, 2024.

Upon approval by all FMPP members, this Change Order #3 will extend the Agreement for support and hosting services for the 2017 PCI software for a period of one (1) year through December 31, 2025. The effective date of the Change Order for support services and hosting services will commence January 1, 2025, subject to City Commission approval. The total cost of Change Order #3 is \$256,176.00, which will be split equally by the three (3) pool members. As such, the City's total share of the cost for support and hosting services is \$85,392.00, which is included in Lakeland Electric's FY-24 budget.

Staff recommended that the City Commission approve Change Order #3 with PCI for support and hosting services and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the commission.

Motion: Commissioner Bill Read moved to approve the agreement. 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, 6-0.

AUDIENCE

Kevin Kayden shared a video with the Commission regarding Lakeland Electric's ReEnergize Lakeland Rebate Program. A copy of this video can be seen on Vimeo during this meeting.

Sammy Mizell stated he is the principle participant court case that has evolved into a scandal. This is a Scientology based story that has been going on for 10 years. It is now centered in Lakeland. After sitting in this meeting, he believes it is in his best interest to wait until the next City Commission meeting in two weeks so he can get on the agenda so the commissioners can respond to him. Mayor Bill Mutz informed Mr. Mizell that the audience portion of the agenda is the most appropriate for him to speak. The Commission can respond to him.

Terry Coney, president of the NAACP Lakeland Branch, voiced concerns on the Lakeland Police Department's latest incident. The video of the incident has gone viral and he has received calls about it. He and the community ask for transparency. LPD needs to look into de-escalation training for officers. He requested the bodycam footage so the public could see the complete story, although he understands this may be at the discretion of the city of Chief of Police. Anything that would help the community understand they are safe and not overpoliced. Teenagers can get worked up, but as adults we must be smarter than that.

Mayor Bill Mutz explained the City's goal is to provide time for internal investigation rights to be honored. In time, a statement will be made. Terry Coney's sentiment is shared by everyone. We should do what is right.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Guy LaLonde:

- Last week he spoke with the NAACP at the Memorial Day presentation.
- There was also a Memorial Day presentation at Lakeland Memorial Gardens.
- He attended the Florida Dental Association Mission of Mercy. Over \$2.3 Billion of dental care was provided to 1,850 people. Kudos to the city and RP Funding Center for working with this organization.
- On Thursday, Terry Coney gave him a tour of Washington Park / Rochelle High School. On Saturday he visited the reunion and then went to his own reunion.

Commissioner Sara Roberts McCarley:

- The commission had an opportunity to hear from the Rochelle Alumni Association many times before COVID. It is an exceptional group of individuals who have been successful.
- In a couple weeks she will serve as a volunteer at the Warrior Games over in Orlando. She gets to do this through her presidential leadership scholarship program. Fischer house is one of sponsors and they have houses near VA hospitals around the country.
- The Ridge League of Cities is hosting the June 13, 2024 dinner in Davenport. Technology and academic scholarships will be highlighted that night.

Commissioner Bill Read: School is out for the summer. There are a lot of kids running around. Please be conscious of speeding and general safety. Have a great summer!

Commissioner Chad McLeod: Shoutout to the Parks, Recreation, and Cultural Arts staff involved in summer programing for kids (i.e., swim lessons, Camp Blast, etc.). This is a huge help to parents.

CALL FOR ADJOURNMENT – 11:00 a.m


Heather L. Bradman, Deputy City Clerk

