

LAKELAND CITY COMMISSION**Regular Session
January 16, 2024**

The Lakeland City Commission met in Regular Session in the City Commission Chambers. Mayor Bill Mutz and Commissioners Chad McLeod, Stephanie Madden, Sara McCarley, Mike Musick, and Guy LaLonde were present. Commissioner Bill Read was absent. City Manager Shawn Sherrouse, City Attorney Palmer Davis, Finance Director Mike Brossart, and City Clerk Kelly Koos were present.

CALL TO ORDER - 9:00 A.M.**PRESENTATIONS****Fiscal Year 2023 Investment Overview - Jeff Stearns, City Treasurer**

The Commission discussed Moody's review for the City's credit ranking. Moody wants to make sure the City is doing it right and playing it safe. They are not interested in the rate of return. They are more concerned with debt service. Mike Brossart will provide copies of the presentation. Shawn Sherrouse stated the City of Lakeland could not have a better Finance team.

Heroism Award

Shawn Sherrouse made a special announcement. He recently received a letter from the Fire Chief in Marion County. Mike Williams was recognized for rescuing the driver from a burning car on I-75.

COMMITTEE REPORTS AND RELATED ITEMS**Real Estate & Transportation Committee 01/12/24**

Commissioner Mike Musick presented this report to the Commission. The Commission acted on each item individually.

First Modification of Lease Agreement with JBS Equities, LLC

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

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

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

Lease Agreement with Kingsky Flight Academy, LLC at 3131 Flightline Drive

Motion: Commissioner Stephanie Madden moved to approve the agreement. 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.

Lease Agreement with Kingsky Flight Academy, LLC at 2945 Airside Center Drive

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

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

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

Municipal Boards & Committees 01/12/24

Commissioner Stephanie Madden presented this report to the Commission.

Motion: Commissioner Mike Musick moved to approve the appointments. Commissioner Chad McLeod seconded.

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

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

APPROVAL OF CONSENT AGENDA

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

Motion: Commissioner Chad McLeod moved to approve the Consent Agenda. Commissioner Mike Musick seconded.

Mayor Bill Mutz asked for comments from 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 – Jan. 2, 2023

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC - None

EQUALIZATION HEARINGS

Recess/Convene: The City Commission recessed the Regular Session and convened as the Equalization Board.

Palmer Davis explained the City Charter requires that prior to recording a lien against private property, the City Commission convene as the Equalization Board and grant those property owners the opportunity to object to the recording of the lien or ask any questions they might have. If someone present received a notice to appear before the City Commission re a lot cleaning/clearing or demolition assessment, this is the time to address the Commission.

Demolition of Buildings

Motion: Commissioner Mike Musick moved to approve the assessment. 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 and the City Commission reconvened the Regular Session.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 6020; Proposed 24-001; Proposed Text Amendment CPA23-004 to the Lakeland Comprehensive Plan to Extend Transit Oriented Corridors in the City of Lakeland (1st Rdg. 01-02-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT CPA23-004 TO THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; AMENDING CHAPTER 2 OF THE COMPREHENSIVE PLAN TO REVISE MAP FLU-7, TRANSIT ORIENTED CORRIDORS; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the 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 Guy LaLonde, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Ordinance 6021; Proposed 24-002; Proposed Text Amendment LDC23-002 to the Land Development Code to Expand Transit Oriented Corridors within the City of Lakeland and to Revise the Definition of Transit Oriented Corridors (1st Rdg. 01-02-24)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO ZONING; PROVIDING FOR TEXT AMENDMENT LDC23-002 TO ARTICLE 1 OF THE LAND DEVELOPMENT CODE TO REVISE FIGURE 1.4-1 "TRANSIT ORIENTED CORRIDORS" AND REVISE THE DEFINITION OF "TRANSIT ORIENTED CORRIDORS" IN SECTION 1.6; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the 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 Chad McLeod, Stephanie Madden, Sara McCarley, Mike Musick, Guy LaLonde, and Mayor Bill Mutz voted aye. Ayes – six. Nays – zero. The motion carried unanimously.

Ordinance 6022; Proposed 24-003; Amending Ordinance 4850; Major Modification of PUD (Planned Unit Development) Zoning in Order to Adopt a New Master Plan for the Florida Baptist Children's Home Property Located at 1015 Sikes Boulevard (1st Rdg. 01-02-24)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 4850 TO PROVIDE FOR A MAJOR MODIFICATION OF PUD (PLANNED UNIT DEVELOPMENT) ZONING IN ORDER TO ADOPT A NEW MASTER PLAN FOR THE FLORIDA BAPTIST CHILDREN'S HOME PROPERTY LOCATED AT 1015 SIKES BOULEVARD; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

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

Commissioner Chad McLeod recused himself from this vote. His brother is the director of public relations at One More Child.

Brian Rewis gave a brief presentation. Leon Battle was here to discuss One More Child and their mission in the community.

Mr. Battle explained they started in 1904. One More Child was now serving in 17 countries and 24 states. Lakeland is their international headquarters.

The Commission discussed:

- One More Child's Family First Policy. They will be serving more than double the children once the master plan is complete.
- The capital campaign. One More Child hoped to have the campaign complete by 2030. They were still working to have the master plan approved.
- Dormitories will be converted to homes for foster families.
- It was great to see One More Child be able to make good use of their land bank.

There were no other comments from the audience.

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

Ordinance 6023; Proposed 24-004; Small Scale Amendment #LUS23-002 to the Future Land Use Map to Change Future Land Use from Business Park (BP) to

Residential High (RH) on Approximately 3.9 Acres Located at 3601 N. Florida Avenue (1st Rdg. 01-02-24)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS23- 002 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKE LAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; CHANGING THE FUTURE LAND USE DESIGNATION ON APPROXIMATELY 3.9 ACRES LOCATED AT 3601 N. FLORIDA AVENUE FROM BUSINESS PARK (BP) TO RESIDENTIAL HIGH (RH); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the short title.

Motion: Commissioner Chad McLeod moved to approve the ordinance. Commissioner Mike Musick seconded.

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

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

Ordinance 6024; Proposed 24-005; Change in Zoning from O-3 (Moderate Impact Office) to MF-22 (Multi-Family) and a Change from Urban Special Purpose (USP) to Urban Neighborhood (UNH) on Approximately 3.9 Acres Located at 3601 N. Florida Avenue (1st Rdg. 01-02-24)

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM O-3 (MODERATE IMPACT OFFICE) TO MF-22 (MULTI-FAMILY) ON APPROXIMATELY 3.9 ACRES LOCATED AT 3601 N. FLORIDA AVENUE; CHANGING THE CONTEXT DISTRICT FOR THE PROPERTY FROM URBAN SPECIAL PURPOSE TO URBAN NEIGHBORHOOD; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Mike Musick moved to approve the ordinance. Commissioner Guy LaLonde seconded.

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

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

Resolutions

Resolution 5877; Proposed 24-002; Demolition of Buildings

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

Palmer Davis read the title.

Motion: Commissioner Chad McLeod 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.

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

Resolution 5878; Proposed 24-003; Authorizing the Execution of a Grant Agreement with the Florida Department of Transportation for Financial Project Number 454305-1-94-01 for Terminal Parking/Traffic Enhancements at Lakeland Linder International Airport

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE FUNDING FOR A TERMINAL PARKING AND TRAFFIC ENHANCEMENTS PROJECT AT LAKELAND LINDER INTERNATIONAL AIRPORT; ADOPTING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the 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 Guy LaLonde, Mike Musick, Sara McCarley, Stephanie Madden, Chad McLeod, and Mayor Bill Mutz voted aye. Ayes-six. Nays-zero. The motion carried unanimously.

Resolution 5879; Proposed 24-004; Vacating a 15' Public Utility Easement Located on Property Immediately South of 4950 Drane Field Road

A RESOLUTION RELATING TO PUBLIC UTILITY EASEMENTS; MAKING FINDINGS; VACATING A 15-FOOT PUBLIC UTILITY EASEMENT LOCATED ON PROPERTY IMMEDIATELY SOUTH OF 4950 DRANE FIELD ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

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

Resolution 5880; Proposed 24-005; Appointing a Charter Review Committee to Review the Charter of the City of Lakeland

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA APPOINTING A CHARTER REVIEW COMMITTEE TO REVIEW THE CHARTER OF THE CITY OF LAKE LAND AND RECOMMEND TO THE CITY COMMISSION SUCH REVISIONS OR AMENDMENTS TO THE CHARTER AS IT DEEMS APPROPRIATE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Palmer Davis read the title.

Motion: Commissioner Chad McLeod 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. The Commission asked the City Attorney to read the names and give a brief history of the Charter Review Committee.

Palmer Davis explained the electorate approved charter amendments in 2019 and part of that was to appoint a Charter Review Committee (CRC) in 2024 and every 8 years thereafter. It is the Commission's decision on what recommended changes to place on

the ballot. He then read the names. The members will elect a chair amongst themselves. Hopefully monthly meetings will be sufficient to finish the work.

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

COMMUNITY REDEVELOPMENT AGENCY - None

CITY MANAGER

Recommendation re: Award of Bid No. 2023-ITB-146 to Dixie Signs, Inc. for Fabrication, and Installation of Two New Lakeland Electric Exterior Building Signs

On September 8, 2023, the City issued an Invitation to Bid for the fabrication and installation of two new exterior building signs for the Lakeland Electric building located at 501 E. Lemon Street. These signs will replace the existing signage, which is in poor condition.

This project includes all labor, material, equipment, and supervision for fabricating and installing two new, internally illuminated, Lakeland Electric exterior building signs. Dixie Signs, Inc. will provide demolition and removal of the existing broken signs, site preparation, engineered/design drawings of the new signs; as well as, all corresponding electric connections, permit fees and traffic control measures, such as Maintenance of Traffic plans – if needed.

On October 27, 2023, the City's Purchasing Division received the following two bids:

- | | |
|--|---------------|
| 1. SOS Sign & Lighting Services, South Daytona, FL | \$ 151,461.37 |
| 2. Dixie Signs, Inc., Lakeland, FL | \$ 144,310.00 |

City staff reviewed the bids and schedule of values and confirmed the scope of work complies with project requirements. On December 12, 2023, the Purchasing Division issued a Notice of Intent to Award to Dixie Signs, Inc.

Funding is included in Lakeland Electric's Fiscal Year 2024 Capital Improvement Plan.

Staff recommends the City Commission authorize the award of Bid No. 2023-ITB-146 to Dixie Signs, Inc. for the fabrication and installation of two new Lakeland Electric illuminated exterior building signs and authorize the appropriate City officials to execute the purchase order in the amount of \$ 144,310.00.

Shawn Sherrouse 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.

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

Recommendation re: Award Proposal to KONE Inc., Elevators & Escalators to Modernize Lobby Elevator at Lakeland Police Department

On December 10, 2023, the City of Lakeland received a proposal from KONE Inc. Elevators & Escalators to modernize the lobby elevator at the Lakeland Police Department located at 219 N. Massachusetts Avenue. This elevator refurbishment is needed to replace worn and outdated parts, equipment, and controls as well as to meet current code requirements. The project includes all labor, material, equipment, supervision, and administration to integrate the work outlined in the proposal. The general scope of work for this project includes:

- New stainless steel car doors.
- New elevator control and electrical systems.
- 24/7 Emergency Video Communication to meet code requirements.
- Replacement of hydraulic equipment.
- Installation of additional features including new anti-vibration tank isolation, heavy-duty muffler, new mainline shutoff valve, new signalization, new code compliant signage.

Staff recommends approval of the proposal with KONE Inc. Elevators & Escalators to refurbish the lobby elevator at Lakeland Police Department using OMNIA Partners contract pricing. The City's Purchasing Division has approved KONE Inc. pursuant to OMNIA Partners Public Sector Contract #EV2516. OMNIA Partners Public Sector serves as a municipal contracting agency that enables cities and other governmental agencies to cooperatively procure equipment, products, and services in order to receive volume pricing discounts.

Funding is provided in the Fiscal Year 2024 Public Works Facilities and Maintenance O&M Budget.

Staff recommends the City Commission award this proposal with KONE Inc. to modernize the Lobby Elevator at LPD in the amount of \$134,973.00 and authorize the appropriate City officials to execute all corresponding documents.

Shawn Sherrouse 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 and the motion carried unanimously.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 24-006; Approving a Conditional Use to Allow for the Construction of a Garage Apartment on Property Located at 322 S. Indiana Avenue

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE CONSTRUCTION OF A GARAGE APARTMENT ON PROPERTY LOCATED AT 322 S. INDIANA AVENUE; 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 February 5, 2024.

Miscellaneous Reports

*** Agreement for Post Disaster Document Restoration Services with Interstate Restoration, LLC d/b/a First Onsite Property Restoration**

This was a proposed Agreement with Interstate Restoration, LLC d/b/a First Onsite Property Restoration (First Onsite) for professional and consultation services to facilitate document restoration in the event of a man-made or natural disaster. Document restoration and/or recovery services contemplated under this Agreement include magnetic media (computer disks, audio, and video tapes), optical discs, microforms, film, paper documents, manuscripts, maps, plans, books and photographs.

The City's Purchasing Department approved the procurement of these post disaster document restoration services pursuant to a piggyback agreement that exists between the School District of Osceola County, Florida and First Onsite. In addition, First Onsite can handle all types of restoration processes in accordance with records/document recovery techniques set forth by the State of Florida following a disaster.

This Agreement will be effective on February 1, 2024, subject to approval by the City Commission, and continue for a period of three (3) years unless otherwise terminated in accordance with the Agreement. The Agreement also contains one (1) additional two (2) year renewal options subject to mutual written agreement of the parties. There is no cost associated with this Agreement unless and until the City requires document restoration services. Furthermore, the City is receiving the benefit of discounted pricing which will remain firm during the contract period. The Agreement with First Onsite enables the City to not only meet stringent FEMA standards for reimbursement but protects and preserves valuable City documents in the event of a disaster. This

Agreement will also enable the City to secure priority service at a set price. Upon City Commission approval, First Onsite will meet with City staff to identify vital records and their respective locations to ensure a rapid response should the need arise.

Staff recommended that the City Commission approve this Agreement for post disaster document restoration services with First Onsite and authorize the appropriate City officials to execute all corresponding documents related to the Agreement.

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

*** Memorandum of Understanding with Aerospace Center for Excellence, Inc.
for Site Master Planning**

This was a proposed Memorandum of Understanding (MOU) between the City and the Aerospace Center for Excellence (ACE) regarding the development of a Site Master Plan for the ACE leasehold located on the south side of Lakeland Linder International Airport (Airport). As the Airport continues to develop, it is necessary for ACE to complete a Site Master Planning project to address impacts to its existing facilities. This project will bring together multiple stakeholders including ACE, the City and Polk County (County), to ensure synergy between the Airport's Master Plan and the future of the ACE educational campus, event venues, as well as the future layout of the annual SUN 'n FUN Aerospace Expo.

The total cost for the Site Master Plan is \$450,000.00, the cost of which will be divided equally among ACE, the City, and the County. In accordance with the "Interlocal Agreement for the Marketing of Commercial Air Service into Lakeland and Site Master Planning for Aerospace Center For Excellence approved by the City Commission on December 18, 2023, the County will make a one-time payment in the amount of \$150,000.00 to the City in furtherance of the Site Master Planning project.

Pursuant to this MOU, The City will fund \$150,000.00 for the Site Master Plan, which represents one-third of the total project cost, which the City will pay in three (3) equal annual installments of \$50,000 in fiscal years 2024, 2025, and 2026. The City will then remit the County's one-third share of its payment upon issuance of an invoice from ACE. The City's first \$50,000 payment will be made within ten (10) days of receipt of the County's payment in Fiscal Year 2024. The City Commission previously approved the appropriation of the \$50,000 to be paid from the unappropriated surplus of the Airport Operating Fund on December 18, 2023.

In accordance with the MOU, ACE will be fully responsible for developing the Site Master Plan and shall provide final versions to the City upon completion of the project, as well as contributing its one-third share of \$150,000 in furtherance of developing the Site Master Plan. ACE is also required to indemnify and hold the City harmless from any claims or liability that arise from its negligence or willful misconduct as it relates to its obligations pursuant to the MOU.

Staff recommended that the City Commission approve the MOU with ACE and authorize the appropriate City officials to execute the MOU and all corresponding documents with ACE.

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

*** Approval of a Standard Continuing Contract for Construction Trade Professional Services and Authority to Negotiate Continuing Contracts with Short-Listed Firms**

The City's Purchasing Department recently issued Request for Qualification (RFQ) #139 and formed a committee to select qualified firms to provide Construction Trade Professional Services pursuant to a continuing contract. A total of four (4) firms responded to the City's RFQ and are listed below in the order in which they were ranked by the Selection Committee:

1. Strickland Construction, Inc. Lakeland, FL
2. Peachee Construction, Inc. Lakeland, FL
3. Waller Construction, Inc. Lakeland, FL
4. SEMCO Construction, Inc. Bartow, FL

By entering a continuing contract for Construction Trade Professional Services with these firms, the City will be able to utilize and benefit from a broad scope of construction services such as small-scale new construction, renovations, repairs, additions and general maintenance of existing City facilities. The overall selection criteria submitted by the Selection Committee, which was comprised of the Public Works Assistant Director, Facilities Maintenance Manager and Facilities Maintenance staff, included:

- Company overview and work history
- Capability and adequacy of staff
- Overall experience and past performance
- Willingness and ability to meet time and budget requirements
- Location

Included with this approval request (and in the agenda packet) is a copy of the standard continuing contract for Construction Trade Professional 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 January 16, 2024, 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 construction firms short- listed above and authorize the appropriate City staff to negotiate and enter continuing

contracts with the above-specified firms, as well as execute all corresponding documents.

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

FINANCE DIRECTOR - None

UTILITY

Ordinances – None

Resolutions - None

Miscellaneous

Agreement with Thalle Construction Company, Inc. for Closure of the McIntosh Byproduct Storage Area

This proposed Agreement with Thalle Construction Company, Inc. (Thalle) was for services related to the closure of the Byproduct Storage Area (BSA) at the McIntosh Power Plant. The forty-five (45) acre BSA was constructed in the 1980's as an above ground landfill to receive Coal Combustion Residuals (CCR), which included fly ash, bottom ash, synthetic gypsum, and stabilized flue gas desulfurization from McIntosh Unit 3. In 2015, the Environmental Protection Agency (EPA) published the final CCR Rule establishing minimum criteria for disposal of CCR material in landfills. As such, the BSA is subject to the full closure requirements of the final federal CCR Rule.

In January 2022, the City Commission approved a Task Authorization with Geosyntec Consultants, Inc. to provide the engineering design for the BSA closure. This project will include the installation of a final cover system and certification process in accordance with EPA regulations. The final cover system includes barrier and infiltration control layers, a stormwater runoff collection system, and a passive gas removal system.

Accordingly, on September 13, 2023, the City's Purchasing Department issued Request for Proposal (RFP) 2023-RFP-135 seeking qualified contractors to provide services related to the closure of the McIntosh BSA. The City received responses from the four (4) companies listed below.

- | | |
|-------------------------------------|--------------------|
| • Thalle Construction Company, Inc. | Hillsborough, NC |
| • Saiia Construction Company | Birmingham, AL |
| • COMANCO Environmental Corporation | Plant City, FL |
| • Luna Development Corp. | Ft. Lauderdale, FL |

Upon evaluation by Lakeland Electric staff, Thalle was selected as the most qualified, lowest cost contractor capable of best meeting Lakeland Electric's needs in accordance with the City's RFP. Upon City Commission approval, a Purchase Order will be issued and Thalle will commence mobilization. All work is scheduled to be completed by October 2024. Thalle will perform all services pursuant to the terms and conditions set

forth in the City's RFP and Thalle's RFP response dated October 27, 2023. The total cost of the work, which includes all labor, materials and equipment is \$10,754,409.50, of which the City will pay \$6,452,645.70 for its 60% ownership interest in the BSA, with the remaining amount paid by Orlando Utilities Commission based on its 40% ownership interest. The City's portion of the cost is included in Lakeland Electric's FY24 budget.

Staff recommended that the City Commission approve this Agreement with Thalle for services related to closure of the BSA at the McIntosh Power Plant 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 Mike Musick 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:

- A request for the cost of decommissioning.
- A request for a review of the relationship with OUC.
- The landfill closure is funded through the environmental rate, which was just lowered. The project was within the planned costs. LE still had a partnership with OUC because they still shared in the liability. The closure was a long-term commitment to monitor wells for contamination. OUC is sharing 40% of this cost.
- The value of decommissioning a coal plant is moving away from ongoing problems with fuel.
- OUC does jointly own other parcels at the power plant, where Unit 3 was located.

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

Task Authorization with Geosyntec Consultants, Inc. for Construction Quality Assurance Services for Final Closure of McIntosh Power Plant Byproduct Storage Area

This proposed Task Authorization with Geosyntec Consultants, Inc. (Geosyntec) was to provide construction quality assurance services related to the construction oversight of the final closure of McIntosh Power Plant's Byproduct Storage Area (BSA). The BSA comprised of approximately forty-five (45) acres served as the disposal area for the coal combustion residual material byproduct from operations at the McIntosh Power Plant. The services provided by Geosyntec will support a final deliverable of a Construction Quality Assurance Certification Report for submittal to the Florida Department of Environmental Protection (FDEP) as required by the Florida Administrative Code.

Upon approval by the City Commission, Geosyntec is scheduled to commence work. Pursuant to this Task Authorization, Geosyntec will provide the following services:

- Construction quality assurance testing/monitoring.
- Review and approval of earthwork contractor, geosynthetic manufacturer and installer submittals.
- Compilation of daily field reports, as well as laboratory results and photographic documentation.
- Testing of soil placement, grading and compaction.
- Documentation and monitoring of panel deployment, production seaming and seam testing.
- Observation of stormwater and perforated gas collection piping and gas vents to ensure compliance with project requirements.
- Preparation of a final construction quality assurance report and corresponding certification form for submittal to the FDEP.

The construction for the BSA closure will be performed by a contractor selected by the City pursuant to a separate bid. All services pursuant to this Task Authorization will be performed in accordance with the terms and conditions contained in the City's Continuing Contract for Environmental Consulting Services with Geosyntec dated September 5, 2019 and Geosyntec's proposal dated December 7, 2023. It is anticipated that work pursuant to this Task Authorization will be completed within five (5) months. All reimbursable expenses shall be paid in accordance with the City's Consultant Expense Reimbursement Policy. The total not-to-exceed cost of the services is estimated to be \$313,800 and is included in Lakeland Electric's FY24 budget.

Staff recommended that the City Commission approve this Task Authorization with Geosyntec to provide construction quality assurance services for the final closure of McIntosh Power Plant's BSA 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 Chad McLeod moved to approve the recommendation. Commissioner Sara McCarley seconded.

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

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

Agreement with Siemens Energy, Inc. for McIntosh Unit 5 Spring Outage Work

This proposed Agreement with Siemens, Energy, Inc. (Siemens) was for McIntosh Unit 5 Spring outage work. In the Spring of 2023, McIntosh Unit 5 experienced significant compressor damage resulting in an extended forced outage and replacement of the turbine rotor. As anticipated, a balance move (the proper placement of weights to balance the rotations) was required to ensure that Unit 5 was brought back into

acceptable vibration levels. Since then, vibration levels have increased to the point of requiring correction.

The City's Purchasing Department has approved Siemens, the original equipment manufacturer of Unit 5, as the sole source supplier for this work. This scope of work includes the setup of vibration monitoring equipment, as well as the calculation and execution of another balance move. The anticipated balance move will require welding in the turbine exhaust and exhaust casing.

Upon approval, a Purchase Order will be issued for Siemens to perform the work during the Unit 5 Spring outage scheduled for February 22nd to March 16, 2024. The work will be governed by the City's Long-Term Maintenance Agreement with Siemens dated May 5, 2010, and Siemens Proposal 23-0059 dated December 21, 2023. The total cost of the work is estimated to be \$235,291, including two (2) days for Siemens to perform repairs for exhaust cracking (\$10,309 per day). The total cost for services is included in Lakeland Electric's FY24 budget.

Staff recommended that the City Commission approve this Agreement with Siemens for Unit 5 Spring Outage work and authorize the appropriate City officials to issue a Purchase Order for the work and execute all corresponding documents on behalf of the City.

Ramona Sirianni presented this item to the Commission.

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

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

The Commission discussed the outage timeframe. Was enough time planned?

Miles Dentler explained LE was planning on coming in early. The outage was scheduled for 3 weeks.

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

Agreement with John Mader Enterprises, Inc. d/b/a Mader Electric Motors for Annual Electric Motor Repair at McIntosh, Larsen, and Winston Power Plants

This proposed Agreement with John Mader Enterprises, Inc. d/b/a Mader Electric Motors (Mader) was for annual electric motor repair at the McIntosh, Larsen, and Winston Power Plants. Virtually every critical system for Lakeland Electric's power plants requires both AC and DC electric motors. Maintaining Lakeland Electric's electrical motors in good condition is critical to the utility's success in providing reliable and quality service to its

customers. The primary activities required to maintain these motors entails reconditioning and rewinding.

Accordingly, on November 29, 2023, the City's Purchasing Department issued Invitation to Bid No. 2023-ITB-176 seeking qualified vendors to provide annual electric motor repair. The City received responses from the three (3) vendors listed below.

Contractor	Location	Total Bid Price
John Mader Enterprises, Inc. d/b/a Mader Electric Motors	Ft. Myers, FL	\$1,785,441.00
Flanders Electric Motor Service, LLC	Evansville, IN	\$2,621,201.54
Jay Industrial Repair, Inc.	Jacksonville, FL	\$2,755,519.00

The total bid price provided by the vendors included pricing for reconditioning and rewinding each motor type for Lakeland Electric. However, since all motors do not require such work in any given time frame, the total cost for the work is only based on the anticipated repairs needed.

Upon evaluation by City staff, Mader was selected as the most responsive responsible bidder with the lowest price for the work. Upon approval by the City Commission, the City will issue a Purchase Order to Mader for work to be performed on an as needed basis through September 30, 2026, with an option to renew the Agreement for two (2) additional one (1) year terms upon mutual written consent of the parties. All services will be performed pursuant to the terms and conditions set Specification and John Mader's bid response. All services, which include transportation, materials, labor to inspect, clean, rewind, and general reconditioning of industrial electric motors is anticipated to be completed at Mader's Tampa location. The total estimated cost of the work for the first year of the Agreement is \$150,000 and is included in Lakeland Electric's FY24 budget. The total cost of the initial three (3) year term and any renewal options exercised is estimated to be \$500,000, which will be subject to budget approval by the City Commission in subsequent budget years.

Staff recommended that the City Commission approve this Agreement with Mader for annual electric motor repair at the McIntosh, Larsen and Winston Power Plants 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 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 and the motion carried unanimously.

*** Work Order with ARCOS, LLC for Lakeland Electric Callout Reliability Solution**

This was a proposed Work Order No. 0200 (Work Order) to the Master Service Agreement with ARCOS LLC (ARCOS) for a Callout Reliability Solution, to be utilized by Lakeland Electric. In December 2004, the City Commission approved the Master Service Agreement for the ARCOS resource management system. ARCOS is the Automated Roster Callout System utilized by the City of Lakeland for emergency crew call outs initiated by Lakeland Electric's System Control. The ARCOS system finds, assembles, and tracks repair crews to improve service restoration and emergency response for electric utilities, gas utilities and power generation plants. It also centralizes management control for improved accountability, provides visibility of operations for transparency and creates detailed reports for proof of results.

In accordance with this Work Order, Lakeland Electric will adopt the ARCOS Callout Reliability solution. Specifically, this solution will automate grid performance metrics that are currently produced manually to proactively address grid operational issues. By utilizing this solution, Lakeland Electric can better allocate resources, increase customer satisfaction, and maximize its return on investment in infrastructure maintenance.

This Work Order will have an effective date of January 16, 2024, subject to City Commission approval, and continue through September 30, 2024. The work will be governed by the ARCOS Master Service Agreement and any subsequent amendments and addenda thereto, as well as this Work Order. The total cost of the nine (9) month Work Order is \$110,207, which is included in Lakeland Electric's FY24 budget.

Staff recommended that the City Commission approve this Work Order with ARCOS for a Callout Reliability Solution and authorize the appropriate City officials to execute all corresponding documents on behalf of the City.

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

AUDIENCE - None

MAYOR AND MEMBERS OF THE CITY COMMISSION

Raise for City Manager and City Attorney.

The Commission discussed on Friday 3% ATB and 3% Merit.

Motion: Commissioner Mike Musick moved to approve a 3% ATB and 3% Merit for both positions. Commissioner Chad McLeod seconded.

The Commission discussed:

- Commissioner Chad McLeod asked about the midyear review. The Mayor would set a time for the midyear review.
- Commissioner Stephanie Madden was concerned that some employees did not receive the 3% ATB or 3% merit. She heard that some employees now supervised others who make more and some employees lost the opportunity for overtime. She is going to vote no because of concerns for other employees. She felt the City Manager was doing a great job on the things we talked about but that is for this year forward, not for the previous year. She was not satisfied with all the information and results of the wage study.
- Mayor Bill Mutz thought there was a yeoman's effort to address the concerns over the wage study.
- Commissioner Mike Musick wanted the midyear review in May.

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

Action: Mayor Bill Mutz called for the vote and the motion carried 5-1 with Commissioner Stephanie Madden voting nay.

Excused Consecutive Absences

Mayor Bill Mutz explained he would be away for three consecutive meetings, 2/19, 3/4, and 3/18. According to the charter, he needed Commission approval of the absences.

Motion: Commissioner Sara McCarley moved to excuse the absences. 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 5-1 with Mayor Bill Mutz declaring a conflict.

AUDIENCE

Jeffrey Saenz, Electric System Operator Supervisor, formerly Chief Electric System Operator, for Lakeland Electric came forward with concerns about the pay study. He was questioning his pay study market adjustment. He said he lost \$1500 a month because of the pay study. Supervisors are now supervising subordinates who make more. The electric system supervisory operator will never be filled. He encouraged a meeting to explain the adverse consequences. The mark was missed with the pay study.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Chad McLeod:

Lakeland Day: Who is going? Commissioner Sara McCarley was going. Commissioner McLeod hoped to attend as well. It is an opportunity for us to meet with our state legislatures. Hopefully we will have an update in February.

Commissioner Stephanie Madden gave a Youth Council Update. They participated in the Christmas Parade, toured the Fire Station, and heard from Chief Riley about serving as a fire fighter. They heard from Public Works. Adam Lunn from the Airport spoke to them. At the end of the meeting, we discussed their presentation. That scheduled presentation is an AP exam date. They would like to move to the 2nd meeting in May. They have the month of March off for spring break. They are touring the Police Department in February. They have come up with some fun ideas which she will be vetting.

Commissioner Sara McCarley:

- She would be in Tallahassee with Capital Classroom on January 22, 2024. A couple of Youth Council members will be attending. The program encourages civil engagement.
- Legislative Update: Today starts week 2. The primary task the Legislature is faced with is producing a balanced budget. They cannot leave until a budget is passed. This week is Polk County Days. Shawn Sherrouse will be attending. She planned to attend City of Lakeland days.
- Lakeland/Winter Haven area poverty rating is 14% which is higher than the national average. It is a good reason to be a good neighbor to our fellow cities in Polk County. Lakeland's utility area provides services to 250,000 people. A rising tide lifts all boats.

Commissioner Mike Musick:

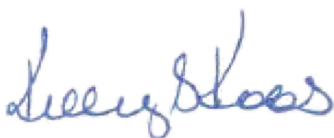
- Commended Chief Williams.
- He appreciated the Commission staying focused for employees who are working to resolve their pay study issues. We always encourage citizens to come and share their challenges so we can work for solutions.

Commissioner Guy LaLonde:

- The City has an amazing crew.
- Encouraged the public to participate in the MLK festivities. Yesterday's Prayer Breakfast was great.

Mayor Bill Mutz the needs we are working to resolve and to see the unity in the effort.

CALL FOR ADJOURNMENT - 11:07



Kelly S. Koos, City Clerk



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

LAST NAME—FIRST NAME—MIDDLE NAME <i>McLeod, Chad</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Lakeland City Commission</i>	
MAILING ADDRESS <i>1538 E. Norton St. Polk</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY <i>Lakeland</i>	COUNTY	NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED <i>1/16/24</i>		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, Chad McLeod, hereby disclose that on January 16, 20 24:

(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, _____;
- ☒ inured to the special gain or loss of my relative, Joe McLeod;
- ☐ 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:

Proposed 24-003 (Resolution)

My brother, Joe McLeod, is the Director of Public Relations for the applicant, Florida Baptist Children's Homes.

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.

Jan. 16, 2024
Date Filed

Chad McLeod
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.

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

LAST NAME—FIRST NAME—MIDDLE NAME MUTZ, HAROLD WILLIAM		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE CITY OF LAKELAND COMMISSION	
MAILING ADDRESS 3901 CHEVERLY DRIVE SEAS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
CITY LAKELAND	COUNTY POLK	NAME OF POLITICAL SUBDIVISION: AT-LARGE	
DATE ON WHICH VOTE OCCURRED 1/15/2024		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.
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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, H. William Morz, hereby disclose that on January 15, 20 24:

(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, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ 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:

I have a continuing desire to serve as City of Lakeland Mayor, however, I will have three consecutive Commission absences due to a trip I am taking with my wife which is a violation of the City Charter for continuing ability to serve in my role without an excused absence pre-determined by the City Commission.

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.

1/22/2024

Date Filed

H. William Morz

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.