

LAKELAND CITY COMMISSION
Regular Session
July 16, 2007

The Lakeland City Commission met in Regular Session in the Commission chambers. Commissioners Glenn Higgins, Dean Boring Jim Verplanck, Gow Fields, Edie Yates and Mayor Fletcher were present. Commissioner Wiggs was out of town. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch and City Clerk Kelly Koos were present.

CALL TO ORDER

Mayor Fletcher called the meeting to order at 9:09 a.m.

INVOCATION

Pearce Ewing of New Bethel African Methodist Episcopal offered the invocation followed by the salute to the flag.

PRESENTATIONS

Finance - Peoplesoft Payroll Update

Greg Finch introduced Sandra Cincotta, HRMS Manager, who made the presentation.

PROCLAMATIONS

Lakeland ThunderBolts Day

APPROVAL OF CONSENT AGENDA

- * City Commission Minutes 6/29/07 – 7/2/07
- * Utility Committee 7/2/07
- * Recommendation re: Kelly Recreation Center Expansion
- * Recommendation re: Lakeland Linder Regional Airport Security Fencing
- * Memo re: Fire Protection Agreement with Polk County
- * Memo re: Interlocal Agreement with Polk County Exempting Core Improvement Areas from Impact Fees
- * Appropriation and Increase in Estimated Revenue – The Lakeland Center
- * Appropriation – Mid-Town Community Redevelopment Area Fund

Action: Commissioner Verplanck moved to approve the Consent Agenda. Commissioner Yates seconded and the motion carried unanimously.

REQUESTS TO APPEAR FROM THE PUBLIC

Sam Simmons re Laptop Matching Grant Program

Sam Simmons, President of Webster Park Neighborhood Association, came forward with his request. He requested the City develop a laptop loan program to allow neighborhood associations to borrow laptops and projectors to make presentations.

Action: The Commission referred Mr. Simmons to the Community Development Department.

APPROVAL OF MINUTES (with any amendments)

*** City Commission 6/29/07-7/2/07**

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

*** Utility Committee 7/2/07**

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

Municipal Boards & Committees

The Lakeland Municipal Board Committee met in the Commission conference room on Friday, July 13, 2007. Commissioners Glenn Higgins and Jim Verplanck (members) and Commissioner Dean Boring (chair) were present. Commissioners Edie Yates, Gow Fields and Mayor Fletcher were present along with administrative staff.

Commissioner Boring called the meeting to order at 9:52 a.m.

Lakeland Housing Authority Board:

Recommendation from Mayor Buddy Fletcher to appoint Dr. Hank Jennings to replace Mike Tucker who resigned from the board in June. Dr. Jennings will fill the remainder of Mr. Tucker's term, which expires April 30, 2009, and will be eligible for another term.

Motion: Commissioner Verplanck moved to recommend the Commission approve the appointment. Commissioner Higgins seconded and Commissioner Boring concurred. The motion carried unanimously.

The meeting adjourned at 9:53 a.m.

Commissioner Boring presented these minutes to the Commission.

Action: the Commission approved the minutes unanimously.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 4870; Proposed 07-068; Vacating a Portion of West Lemon Street (1st Rdg 7/2/07)

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF WEST LEMON STREET LOCATED NORTH OF WEST OLIVE STREET, SOUTH OF THE CSX RAILROAD, NORTHWEST OF ARAPAHOE AVENUE, AND NORTHEAST OF SOUTH GRADY AVENUE, WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Yates seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote, Commissioners Yates, Fields, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Ordinance 4871; Proposed 07-069; Vacating a Portion of Alicia Road (1st Rdg 7/2/07)

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF ALICIA ROAD LOCATED NORTH OF EAST MAIN STREET, SOUTH OF ROSE STREET, AND WEST OF NORTH FERN ROAD, WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Higgins, Boring, Verplanck, Fields, Yates and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Ordinance 4872; Proposed 07-070; Modification of PUD Zoning for Polymer Electrolyte Battery Manufacturing on Property Located at 2700 Interstate Drive (1st Rdg 7/2/07)

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A MODIFICATION OF PUD ZONING ON PROPERTY LOCATED AT 2700 INTERSTATE DRIVE; AMENDING ORDINANCE 3589; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote, Commissioners Yates, Fields, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Ordinance 4873; Proposed 07-072; Modification of Oakbridge PUD to Allow Two Hotels on 9.69 Acres Located at the Southeast Corner of Polk Parkway and Harden Boulevard (1st Rdg 7/2/07)

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A MODIFICATION OF PUD ZONING ON 9.69 ACRES LOCATED AT THE SOUTHEAST CORNER OF POLK PARKWAY AND HARDEN BOULEVARD; AMENDING ORDINANCE 4329; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Boring moved to approve the ordinance. Commissioner Verplanck seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Higgins, Boring, Verplanck, Fields, Yates and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Ordinance 4874; Proposed 07-073; Modification of Oakbridge PUD for Additional Office Space on 8.09 Acres Located South of Polk Parkway, East of Harden Boulevard, and West of Lockheed Martin Corporation (1st Rdg 7/2/07)

AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE 3440, AS AMENDED, OF THE CITY OF LAKE LAND, FLORIDA; PROVIDING FOR MODIFICATION TO PUD ZONING FOR 8.09 ACRES LOCATED SOUTH OF POLK PARKWAY, EAST OF HARDEN BOULEVARD, AND WEST OF LOCKHEED MARTIN CORPORATION; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Boring moved to approve the ordinance. Commissioner Verplanck seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Higgins, Boring, Verplanck, Fields, Yates and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Ordinance 4875; Proposed 07-074; Adopting Pooled Investments Policy (1st Rdg 7/2/07)

AN ORDINANCE RELATING TO INVESTMENT POLICIES; ADOPTING A CITY OF LAKELAND INVESTMENT POLICY FOR CERTAIN LONG TERM FUNDS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote, Commissioners Yates, Fields, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Ordinance 4876; Proposed 07-075; Adopting New Investment Policy for Certain Designated Funds (1st Rdg 7/2/07)

AN ORDINANCE RELATING TO INVESTMENT POLICIES; REPEALING ORDINANCE NOS. 4776 AND 4830; ADOPTING AN AMENDED CITY OF LAKELAND INVESTMENT POLICY; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Higgins, Boring, Verplanck, Fields, Yates and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Ordinance 4877; Proposed 05-066; Large Scale Amendment #LS-05-014 to Future Land Use Map Assigning Use on 2,479 Acres of Land Contained within the Williams Development of Regional Impact (1st Rdg 8/15/05)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-05-014 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 2,479 ACRES LOCATED EAST OF S.R. 33 AND NORTH COMBEE ROAD, SOUTH OF INTERSTATE 4, NORTH OF THE TENOROC FISH MANAGEMENT AREA AND WEST OF THE POLK PARKWAY, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title. He explained that staff added this item over the weekend and Celeste Deardorff would provide some background information.

Celeste Deardorff explained this was the proposed new land use plan for the Williams Development project. The law required the land use be adopted with the new development order. She highlighted the area set aside for the USF campus.

Mayor Fletcher asked for comments and there were none.

Motion: Commissioner Verplanck moved to approve the ordinance. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote, Commissioners Yates, Fields, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Resolutions

Resolution 4622; Proposed 07-042; Amending Resolution 4119 to Provide for a Change to the Williams Development of Regional Impact

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND RELATING TO THE WILLIAMS DEVELOPMENT OF REGIONAL IMPACT; AMENDING RESOLUTION 4119 TO PROVIDE FOR A CHANGE TO THE DEVELOPMENT ORDER AS ESTABLISHED THEREIN; PROVIDING FOR LANDS TO BE ADDED AND DELETED FROM THOSE SUBJECT TO THE DEVELOPMENT ORDER; PROVIDING FOR CHANGES TO FUTURE LAND USES; MAKING FINDINGS; MAKING A FINDING THAT THIS AMENDMENT CONSTITUTES A SUBSTANTIAL DEVIATION FROM THE EXISTING DEVELOPMENT ORDER; DETERMINING THAT THE AMENDMENTS PROVIDED FOR HEREIN ARE CONSISTENT WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Jim Studiale highlighted the changes in the development order. It removed the USF campus. There were some land use changes. The project increased in density because it had more multifamily units. Required the east-west road by 2010. It also committed to greater transit and other items.

Motion: Commissioner Verplanck moved to approve the resolution. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Higgins, Boring, Verplanck, Fields, Yates and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Resolution 4623; Proposed 07-043; Adopting an Amended and Restated Development Order with Conditions for the Oakbridge Development of Regional Impact

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA, ADOPTING A 2007 AMENDED AND RESTATED DEVELOPMENT ORDER WITH CONDITIONS FOR A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS THE OAKBRIDGE DEVELOPMENT OF REGIONAL IMPACT, ON PROPERTY DESCRIBED HEREIN, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 380.06, FLORIDA STATUTES; SETTING FORTH FINDINGS OF FACT, CONCLUSIONS OF LAW, CONDITIONS OF APPROVAL AND APPLICANT'S PROVISIONS FOR PUBLIC FACILITIES; PROVIDING FOR THE EXPIRATION OF THE AMENDED AND RESTATED DEVELOPMENT ORDER; PROVIDING FOR RECORDING; FINDING THE OAKBRIDGE DEVELOPMENT OF REGIONAL IMPACT TO BE IN CONFORMANCE WITH THE COMPREHENSIVE PLAN; PROVIDING FOR LOCAL MONITORING; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Community Development Director Jim Studiale reviewed the changes to this development order.

Motion: Commissioner Verplanck moved to approve the resolution. Commissioner Boring seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote, Commissioners Yates, Fields, Verplanck, Boring, Higgins and Mayor Fletcher voted aye. Ayes: six. Nays: zero. The motion carried unanimously.

Miscellaneous

Memo re: Development Agreement for Property Located North of Interstate 4, South of Griffin Road and East of Kathleen Road (Mall Hill Drive)

This was a proposed Development Agreement with North Lakeland Development, Inc. that relates to property located generally south of Griffin Road, north of Interstate 4 and on both sides of Mall Hill Road. This development represented a significant multi-use project consisting of the following:

1. Office use up to a total of 298,000 feet
2. Light industrial up to 305,000 square feet
3. Commercial (C-2) uses – a maximum of 68,300 feet
4. Multi-family residential use up to 305 dwelling units

This project represented a potential employment center located near housing, transportation facilities, and shopping opportunities.

Florida Statutes 163.3220-163.3243, known as the Florida Local Government Development Agreement Act, allowed local governments to enter into agreements with developers that would provide certain assurances as to the character of the development and the public improvements that the developer will make to support the project, and guarantees approvals for the developer for the period of the agreement. Large projects of this type are typically developed over a number of years and assure that the agreement provided facilitates an orderly development.

Specifically, the agreement committed the developer to the following transportation improvements:

1. Provide a north bound right lane turn lane on Kathleen Road at Mall Hill Road
2. Provide a north bound right turn lane on Mall Hill Road at Griffin
3. Provide an east bound right turn lane on Griffin Road at U.S. 98
4. Install three (3) transit shelters along adjacent public street system
5. Install sidewalk along the Mall Hill Road frontage

The City agreed to commit to a determination of transportation concurrency that was good until February 29, 2012 so long as the developer met certain milestones. The balance of the agreement contained administrative provisions. Staff recommended that the Commission authorize the appropriate City officials to execute this Development Agreement.

Tim McCausland explained this agreement to the Commission. No action was required today. This was the first of two public hearings. He asked for public comment.

Mayor Fletcher asked for comments and there were none.

Action: The Commission did not act on this item. It will return August 6, 2007.

CITY MANAGER

* **Recommendation re: Kelly Recreation Center Expansion**

The Kelly Recreation Center was originally slated for expansion in FY 2007 to accommodate construction of additional area for the weight room, cardio room and two new programming classrooms. The FY 2007 Public Improvement Fund Budget included \$1,125,000 for the project, half of which was supported from District 2 Park Impact Fees. The project was proposed to be deferred until FY 2008, and staff was seeking to commence architectural services in anticipation of bidding the project out for construction in the upcoming year. In accordance with the City of Lakeland Continuing Contract for Architectural Consultant Services, staff proposed retaining Straughn Trout Architects, Lakeland, Florida, under a task authorization to provide for programming, field investigation, schematic and design development, construction documents and bid analysis for the project. The fee for these services was not to exceed \$79,600.

Staff recommended that the City Commission authorize the appropriate City officials to execute a task authorization under the current continuing contract for architectural services, with Straughn Trout Architects for architectural and engineering requirements associated with Kelly Recreation Center Expansion Project for a not-to-exceed fee of \$79,600.

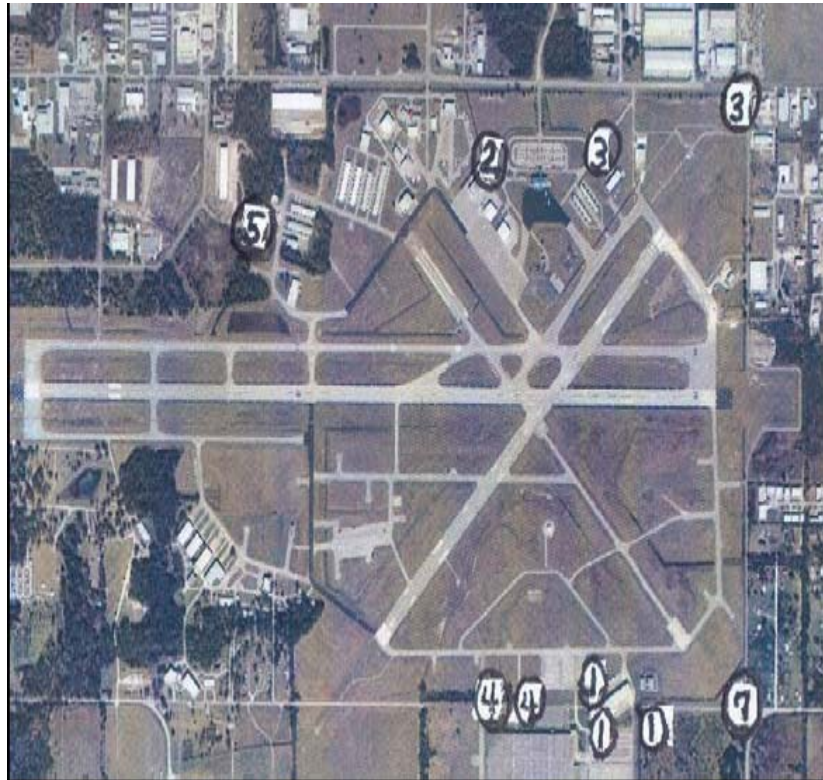
Action: The Commission approved this item on the Consent Agenda.

* **Recommendation re: Lakeland Linder Regional Airport Security Fencing**

Pursuant to revised federal and state security requirements, Lakeland Linder Regional Airport (LLRA) was required to install new security fencing, modify existing fencing and install electronic gate openers and card readers in a variety of locations at the facility. To assist in accomplishing these requirements, staff obtained additional FDOT matching grants on an 80% State, 20% Local basis that when combined with an existing FDOT grant (#407955) would provide \$427,000 for the project. The FDOT grant funds were scheduled to be available in the current fiscal year in the amount of \$128,600, with the remaining \$213,000 to be available in FY2011. The City share of the project totaled \$85,400. The facility's card reader systems and hardware were previously approved, acquired, and installed within the terminal building, main terminal ramp gate, the new ARFF facility, and Air Traffic Control Tower under the existing grant.

The City issued an invitation to bid in February 2007. The Bid requested separate bid amounts with unit price designations for eleven specific items/areas of work. The City received bids from East Coast Fence & Guardrail from Cocoa, FL; Crawford Fence Co., Inc. from Waldo, FL and Smith Fence Company from Clearwater, FL. Staff recommended Smith Fence, Inc. following review by the City Purchasing Department, Airport staff and the Airport Consulting Engineer, Amherst Engineering. Smith Fence's bid consisted of the following unit price designations:

ITEM NUMBER	AMOUNT
Indemnification	\$ 100.00
P-1	\$ 17,454.00
P-2	\$ 3,720.00
P-3	\$ 13,665.77
P-4	\$ 14,053.00
P-5	\$ 11,040.00
P-6	\$ 34,200.00
P-7	\$ 6,000.00
P-8	\$ 72,346.00
P-9	\$ 78,918.00
P-10	\$ 63,150.00
P-11	\$ 45,240.00
Total	\$359,886.77



Airport staff negotiated with Smith Fence under the parameters of the City's bid requirement provisions to identify and designate the completion of items within the bid that were necessary and available funding levels would support. The areas identified for completion with this Fiscal Year include Items 1, 2, 3, 4, 5, 7 and a portion of Item area 8. The resulting fee of \$97,000 represented the total amount remaining within the current FDOT grant funds. The City's corresponding 20% share representing \$19,400 was currently included in the FY2007 LLRA Budget.

Subject to approval by the FDOT, staff recommended that the City Commission authorize the appropriate City officials to execute a purchase order with Smith Fence, Inc. to perform the revised work identified in the bid specifications for the fee of \$97,000.

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

Doug Thomas reminded the Commission of the e-library dedication at 4:30 p.m. on S Florida Av this afternoon.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 07-071; Modification of PUD Zoning to Allow Commercial, Office and Warehouse Uses and to Amend Development Conditions on Property Located North of Interstate 4, South of Griffin Road, and East of Kathleen Road, Repealing Ordinance 4635

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR PUD ZONING ON PROPERTY LOCATED NORTH OF INTERSTATE 4, SOUTH OF GRIFFIN ROAD, AND EAST OF KATHLEEN ROAD; REPEALING ORDINANCE 4635; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on August 6, 2007.

Miscellaneous Reports and Communications

*** Memo Re: Fire Protection Agreement with Polk County**

This was a proposed agreement between the City and Polk County to provide fire service in portions of the unincorporated areas adjacent to the City. The City, through its Fire Department, arranged on an annual basis, an agreement whereby the City accepted a response obligation to incidents located in certain identified areas adjacent to the City limits. As compensation, the County paid 50% of the annual fire assessment to the City. The amount for this fiscal year was \$264,952.00, a decrease from last year of \$19,069.00.

Staff recommended that the Commission authorize the appropriate City officials to execute this Fire Protection Agreement.

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

Memo re: Contract with Hi-Lite Markings, Inc. to Update Airfield Markings and Striping at Lakeland Linder Regional Airport

This was a proposed agreement with Hi-Lite Markings, Inc. to update Airfield markings and striping at the Lakeland Linder Regional Airport as required by the Federal Aviation Administration (FAA). Hi-Lite, whose bid totaled \$117,408.46, was determined the lowest and most responsive bidder to the City's sealed Bid Number 7124. The agreement was structured as a unit price contract. The individual work units were as follows:

BID ITEM	ITEM DESCRIPTION	HI-LITE MARKING, INC.'S UNIT PRICE BID ¹
Base Bid	Runway 9-27	\$101,424.00
Alternate 1	Taxiway F from Runway 9 to Runway 5	\$3,116.90
Alternate 2	Taxiway G from Taxiway A Northwest to Ramp and Taxiway H	\$5,957.60
Alternate 3	South Ramp at Taxiway E	\$1,145.49
Alternate 4	Zipper Road	\$5,764.47
TOTAL		\$117,408.46

Staff recommended that the Commission authorize the appropriate City Officials to execute the proposed contract on behalf of the City.

Tim McCausland presented this item to the Commission.

Action: Commissioner Verplanck moved to approve the recommendation. Commissioner Yates seconded and the motion carried unanimously.

*** Memo re: Interlocal Agreement with Polk County Exempting Core Improvement Areas from Impact Fees**

The County Commission recently consolidated its impact fee ordinances into new Polk County Ordinance 07-018. The new ordinance exempted from County impact fees the construction, alteration or expansion of any structure within a “core improvement area” that was formally recognized and designated by an interlocal agreement between the County and the City. Per the Ordinance, the City must also agree to waive the imposition of City impact fees within the core improvement area, exclusive of water and sewer utility fees, in order to be entitled to the County exemption.

The interlocal agreement has been prepared to satisfy the requirements of the County’s new ordinance. Under the Agreement, the City and the County formally recognize all of the City’s historic districts listed on the National Register of Historic Places (South Lake Morton Historic District, East Lake Morton Historic District, Dixieland Historic District, Beacon Hill Historic District, Lake Hunter Terrace Historic District, Biltmore-Cumberland Historic District and the Munn Park Historic District), as well as the Downtown Community Redevelopment Area, as core improvement areas. In addition, the Agreement provides that all construction, alteration or expansion of any structure within any of these specified areas shall be exempt from both City and County impact fees, with the exception of water and sewer impact fees.

Staff recommended that the Commission authorize the appropriate City officials to execute the Interlocal Agreement.

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

FINANCE DIRECTOR

*** Appropriation and Increase in Estimated Revenue – The Lakeland Center**

The Lakeland Center has experienced a significant increase in activity during the current fiscal year, compared to the level of activity that staff anticipated at the time the FY 2007 Budget was prepared and approved. As a result, staff expected both revenues and expenses to exceed the adopted budget.

Staff anticipated that Lakeland Center revenues would exceed the budget by approximately \$500,000 primarily from expense recovery charges, rental fees and Aramark services. As a result of this increase in activity, staff anticipated that the related expenses would also exceed the original budget by approximately \$410,000. These expenses consist primarily of salaries and electric utility charges.

Staff requested that the City Commission approve a budget amendment to the Lakeland Center Fund consisting of an increase in Estimated Revenues for \$500,000 and additional appropriations to various operating accounts in the aggregate amount of \$410,000.

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

*** Appropriation – Mid-Town Community Redevelopment Area Fund**

The Mid-Town Community Redevelopment Area received a \$1,000,000 loan from the City's Internal Loan Fund in Fiscal Year 2003 to assist in completing the Hope VI Housing Project. The loan proceeds were used to assist in offsetting the cost of infrastructure improvements for the Lake Ridge and Washington Park residential developments. With the benefit of increased property values over the last two years, the Mid-Town CRA Fund was in a position to pay off the outstanding debt in full, which amounted to \$556,061.

The Mid-Town Community Redevelopment Area Fund also received a \$1,300,000 loan from the City's Internal Loan Fund in Fiscal Year 2005. The loan proceeds were used to purchase rental properties within the Parker Street Neighborhood. With the benefit of increased property values over the last two years, the Mid-Town CRA Fund was in a position to pay off the outstanding debt in full, which amounted to \$1,040,817.

Staff requested that the City Commission authorize an appropriation from the Mid-Town Community Redevelopment Area Fund surplus for \$1,596,878 to pay off the two subject internal loans in full.

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

AUDIENCE – None

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Fields asked Doug Thomas what he thought staff response would be to Mr. Simmons' concerns that the City was not treating the various neighborhoods fairly.

Doug Thomas was thinking about their response. If the plan was not to create a laptop program, maybe they could at least review computer purchases in fixed locations.

Mayor Fletcher announced that Commissioner Wiggs was out of town.

Mayor Fletcher recognized Brad Bryant for winning the US Open Seniors. Publix was recognizing him tomorrow at Lone Palm at 11:30 a.m. Publix requested The Ledger send a representative.

Commissioner Higgins brought greetings from Frank Koch. Frank's wife was not in the best of health and he was not able to attend the meetings, as he would like.

James Hardin Peterson Brown appeared before the Commission. He owned commercial properties on Robson Rd when the City annexed the area. He had been unsuccessful in getting an appointment. He wanted his property rezoned as commercial property.

Doug Thomas said he would be glad to meet with Mr. Brown.

CALL FOR ADJOURNMENT – 10:20 a.m.

CITY OF LAKELAND
Agenda Study Session
July 13, 2007

The Lakeland City Commission met in the Agenda Study Session in the Commission conference room. Commissioners Edie Yates, Gow Fields, Dean Boring, Jim Verplanck, Glenn Higgins and Mayor Fletcher were present Commissioner Wiggs was out of town. Deputy City Manager Tony Delgado, City Manager Doug Thomas, Community Development Director Jim Studiale, Finance Director Greg Finch, City Attorney Tim McCausland, Assistant to the City Manager Stanley Hawthorne and City Clerk Kelly Koos were present along with administrative staff and representatives from the media.

Mayor Fletcher called the meeting to order at 8:30 a.m.

Requests to Appear from the Public

Jim Studiale explained that his department had already denied the request by Mr. Simmons.

Lynn Simpkins explained the circumstance by which they provided a laptop to the Lake Hunter Terrace Neighborhood Association in 2002. That neighborhood was conducting leadership-training programs in St Pete and at neighborhood conferences.

Lynn Ann Schindler explained Community Development did not want to fund computer equipment with neighborhood grants because there were issues if the computers were broken or stolen.

Lynn Simpkins explained that there were computers available in northwest Lakeland. If they needed a laptop to make a presentation, there are laptops available.

Tim McCausland covered the Public Hearings and the City Attorney agenda.

Jim Studiale explained Proposed Resolution 07-042 and Proposed Resolution 07-043. Celeste Deardorff distributed a handout relating to 07-043. That information would be added to the resolution in the agenda packet before Monday.

Tim McCausland suggested moving the resolutions to the Public Hearing section of the agenda.

Doug Thomas covered the City Manager agenda. He recommended adding item V-A to consent agenda.

T-Hangar Rent Verbal – Doug Thomas explained individuals might appear Monday to object to a rate increase for T-Hangar rent. He distributed handout, which is on file in the agenda packet.

Transit Shelter Logo Advertising Verbal – Doug Thomas distributed a handout for the new bus shelters. Jim Studiale explained the plan to allow sponsors to place their logos on the shelters.

Trim Notice – If the City wants to have some flexibility in the future, they have to advertise for the trim notice. Doug wanted to make sure the Commission was comfortable with his recommended approach. The City's present millage rate was 3.545 mills. Due to the roll back implications on the statutory component coupled with Lakeland being classified in the 9% category the adjusted rollback millage rate would be 3.014 mills. Lakeland was classified in the 9% category because (in part) of the FY04-05 millage increase for the public safety programs. Without that increase, Lakeland would be in the 5% category. There was some flexibility concerning the implementation and or potential override of any of the rollbacks associated with the statutory program. In order to go back to 3.545 mills would require the unanimous vote of the City Commission. The City could do that and not run the risk of losing the 1/2 cent sales tax revenue. Polk City just did that this week. The City also has the ability to choose a less than full roll back at 3.312 mills. This would require a super majority vote. The City had to meet the trim notice requirements. Traditionally they would advertise the current millage and during the budget process that was the maximum that they could levy. Staff was still addressing where they could make cuts. The increase between the 3.014 and the 3.312 represented a revenue stream of \$1.7 million additional dollars. Doug was not saying that would be the final proposed budget. If the City advertises at the 3.014, there will be no flexibility should they decided that some of the programs to be cut should be retained. He recommended they advertise as high as 3.312. To approve anything over a 3.312 would require a supermajority vote.

The consensus was to advertise the 3.312 millage rate.

Monday 4:30 p.m. E-Library Ribbon Cutting Ceremony.

Greg Finch presented the Finance Director agenda.

The meeting adjourned at 9:52 a.m.

Legislative Wrap-Up Session July 13, 2007

The Lakeland City Commission met in the Agenda Study Session in the Commission conference room. Commissioners Edie Yates, Gow Fields, Dean Boring, Jim Verplanck, Glenn Higgins and Mayor Fletcher were present Commissioner Wiggs was out of town. Deputy City Manager Tony Delgado, City Manager Doug Thomas, Community Development Director Jim Studiale, Finance Director Greg Finch, City Attorney Tim McCausland, Assistant to the City Manager Stanley Hawthorne and City Clerk Kelly Koos were present along with administrative staff and representatives from the media.

Doug Thomas called the meeting to order at 9:53 a.m.

David Shepp distributed and reviewed the 2007 Legislative Wrap-Up report. A copy of this report is on file in the agenda packet.

Jim Verplanck wanted to see Lakeland support a transit surtax (sales tax) that would raise funds for public transportation.

The meeting adjourned at 10:19 a.m.

CITY OF LAKELAND
Public Budget Workshop
July 25, 2007

The Lakeland City Commission met for a Public Budget Workshop in the Commission chambers. Commissioners Dean Boring, Howard Wiggs, Gow Fields, Edie Yates and Mayor Fletcher were present. Commissioners Glenn Higgins and Jim Verplanck were out of town. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch and City Clerk Kelly Koos were present.

Mayor Fletcher called the meeting to order at 7:37 p.m. He asked the audience to come to the podium to speak and print their name and address on the sign-in sheet.

Doug Thomas opened the meeting. Last June the legislature met in a special session and implemented two components of property tax reform. The first component was the statutory element of property tax reform. Greg Finch, our Finance Director, would review that tonight. This meeting was the first of many discussions that local governments would be having over the next several years as Florida grapples with how to best finance local government services and the role of ad valorem property taxes relative to that financial strategy.

The second part of property tax reform was to place before the voters on January 29, 2008, a special constitutional amendment to allow a significant change to the save our homes component by allowing an option referred to as the super exemption component. They were not going to focus on that component tonight. If the constitutional amendment did not pass, he expected the Legislature to take up property tax reform again next year. The Florida Tax Agent and Budget Reform Commission Committee, created by the Constitutional process, had been charged with looking at how budgeting and property tax efforts were administered in the State of Florida. This was an issue the Commission would be holding discussions on over the next several years. These discussions really got to the heart of local control. Local government officials were elected to office to guide the vision and reflect the wishes of the community. The State had traditionally respected local government but local government was under assault with this process. Cities across the state were identifying what makes their communities unique and talking with their taxpayers about what it costs to support those services.

Doug Thomas reviewed agenda for the meeting:

- Review of FY 2008 Strategic Planning Retreat
- Impact of Statutory Property Tax Reform Legislation
- Status of FY 2008 Budget Development
- Available Options

Strategic Planning - January 2007

Doug Thomas reviewed the Strategic Plan from January 2007.

Unfunded Capital Demands

- Parks & Recreation - \$54 million
- Transportation - \$37 million
- Stormwater - \$17 million (Initial Projects)

Strategic Planning - January 2007

- Stormwater - \$17 million
- Parks and Recreation - \$54 million
- Transportation - \$37 million
- Additional Revenue Requirement

Statutory Roll-back Rate Calculation

Greg Finch reviewed the Statutory Roll-back Rate Calculation. The legislature adopted rules that apply to all local governments starting in 2008. They adopted various changes to those rules that would affect the following budget years a little differently. He reviewed the new requirements. The basis for the determination of tax rates going forward was what the State called the statutory roll-back rate. At the start of each budget year, every local government must calculate the tax rate that would give the same amount of tax revenue received in the previous year with an increase only equal to taxes on brand new construction. The intent was that any new revenues resulting from increases in property assessments on existing property be offset by decreases in the government's millage rate. That calculation would not be performed for each parcel individually. It would be performed for the government as a whole. The intent was that the local government would not realize additional revenue purely as a result of property being reassessed at a higher value.

Statutory Roll-back Rate Calculation:

Taxable Value less New Construction less TIF Value equals the Net Taxable Value.
Tax Revenue less the TIF Payments equals the Net Tax Revenue
Net Tax Revenue divided by the Net Taxable Value equals the Roll-back Rate

This calculation would result in a millage rate of 3.2942 mills for Lakeland. That would represent a 7% decrease from the millage rate that is in effect today. The new statute required local governments to adopt the roll-back rate less a reduction factor based on tax revenue growth since 2001. For Lakeland, this represented the roll-back rate less 9% or a millage rate of 2.997 mills.

For fiscal year 2008, by supermajority vote, the local government can increase the tax rate up to the roll-back rate, which would eliminate the 9% reduction. That change could be anywhere from 0% up to the 9%. The City Commission could increase the millage rate up to but no more than the original millage rate, of 3.545%. This would effectively undo the tax reform proposals that were advanced by the legislature. That would require a

unanimous vote by the City Commission. That would give Lakeland another 7.6% increase above the roll-back rate.

For fiscal year 2009, every local government would start out by calculating their roll-back rate. The State would allow an increase based on the percentage of the growth in personal income. Any additional revenues adopted in 2008 would need to be deducted from the new millage rate. The local government could again override that rule with a supermajority vote. The roll-back rate could be increased by up to 10%. By unanimous vote, the roll-back rate could be increased by more than 10%, but still subject to the 10-mill maximum municipal millage rate.

For fiscal year 2010 and beyond local governments would calculate the roll-back rate and add the percentage growth. Increases above that rate from prior years would not require additional approvals. Local governments could add a tax increase up to 10% by a supermajority vote and above 10% by a unanimous vote. They would continue to be subject to the 10-mill maximum municipal millage rate.

Greg Finch reviewed the 2007 Taxpayer Demographics. Lakeland's average Residential Property Tax Bills were \$283.

Greg Finch reviewed the Comparative Property Tax Rates and the Comparative Cost of Government between Lakeland and other cities.

Doug Thomas updated the group on where the FY 2008 Budget stood. He reviewed the Potential Expense Reductions, the Potential Revenue Increases, and the Results of Property Tax Changes. The City was facing a \$2.3 million shortfall.

Doug Thomas offered four different recommendations to cover the short fall:

Option 1: Adopt 2.9977 statutory roll-back millage rate. Transfer LRMC revenues (\$1.7 million) from Public Improvement Fund (PIF) to General Fund (GF). Defer Fire Station #7 and cut approved projects. This would result in a total PIF subsidy to the GF of \$4.2 million.

Option 2: Restore 2007 Tax millage of 3.545 mills. Generates \$2.5 million in additional revenues – net of TIF payments. Would require authorization by unanimous vote for BOTH FY 2008 AND FY 2009 per legislated procedures. Maintains \$1.9 million subsidy from PIF to GF.

Option 3: Adopt Basic Roll-back Rate of 3.2942 mills. Eliminate full 9% statutory millage reduction. Additional Tax Revenue of \$1,500,000. Transfer \$800,000 from LRMC revenue to General Fund. Would require super-majority vote in BOTH 2008 AND 2009. Requires a \$2.7 million subsidy from PIF to GF.

Option 4: Adopt Rate of 3.1295 mills. Limit growth reduction to 5%. Represents impact of 5-year revenue growth excluding 2003 millage rate increase for Public Safety.

Additional Tax Revenue \$850,000. Transfer \$1,450,000 from LRMC revenue to General Fund. Would require super-majority vote in BOTH 2008 AND 2009. Requires a \$3.35 million subsidy from the PIF to the GF.

Doug Thomas summarized the presentation. Staff would have to find \$2.3 million in additional cuts or it would have to come out of city services. He felt they would face these same challenges in 2009 and the future.

Greg Finch explained that he would need an indication from the City Commission as to which millage rate would go out on the preliminary notice to the taxpayers. The Commission could always impose a millage rate lower than the advertised rate.

Mayor Fletcher asked if the Commission approved Option 2 if the City would still have to raise another \$2.3 million. Doug Thomas explained that Option 2 would generate \$2.5 million in revenue.

Doug Thomas discussed other communities considering massive layoffs. Lakeland had been working to avoid that. The current strategy was not to discuss layoffs. The City had attrition from retirements and was choosing not to fill many of those positions. The soft freeze will help to achieve that goal. Lakeland also did not have as high of a reliance on ad valorem revenue.

Commissioner Fields asked how confident staff was in the LRMC lease revenue payment. Greg Finch explained staff based that figure on the amount of revenue received in the current budget year with a conservative estimate of growth.

Commissioner Yates stated that the City had a long-term budget plan that they operate from, looking out 5-10 years. The funds that go into the Capital Improvement Fund from LRMC rental payments are committed to projects. How did Option 1 hurt the projects in the pipeline?

Doug Thomas explained that Option 1 would have an immediate impact. They would defer Fire Station #7 and then find an additional \$300,000 in project cuts from the Public Improvement Funds. Some of those projects will not come back. Fire Station # 7 would serve the airport as well as the community.

Commissioner Yates explained that the point of the question was that it looked simplistic and she wanted to emphasize that taking the money from a different fund would have a long-term impact on capital improvements for the City. Some of those projects have already been postponed.

Mayor Fletcher felt they needed time to think about it. He suggested advertising the same millage and then they could work backwards.

Commissioner Fields thought that was the best thing to do right now. They had not had a chance to hear from the citizens on what they were willing to cut. Once the Commission

knew how the citizens felt, then they would know how to move forward.

Commissioner Wiggs clarified that with all four scenarios the City was looking at cuts.

Greg Finch explained that without tax reform the City would still be looking at cuts because of the fall in Communications Tax and Sales Tax.

Christopher James Call, 1418 W Lake Parker, came forward re the project on West Lake Parker Drive. Doug Thomas explained that was an FDOT project.

Justin Troller of 2274 Honeycomb Lane

These were very difficult decisions. He urged the Commission not to cut anything dealing with public safety including the aviation unit. The benefit of the aviation unit outweighed the cost, as well as the DARE programs. He asked the Commission to work with local legislative delegation to review the Streamline Sales Tax Plan (SSTP), which was uncollected taxes from internet sales in the State of Florida.

Diane Palmer, 1127 Oak Hill St, representing the Neighborhood Association Coalition, stated that the citizens asked for an increase in millage rate for a specific level of service a few years ago. Nothing had changed. She urged the Commission to adopt Option 2, which would leave the millage rate intact. She strongly urged the Commission to consider the quality of life. Leave public safety issues at the forefront. If it goes, it will not return. The quality of life in Lakeland was unique.

Commissioner Wiggs expressed concern that if the Commission generated enough money locally then the State was off the hook in acting responsibly. The State continued to pass down unfunded mandates. Local governments needed to hold the legislature accountable to make changes in Tallahassee.

Lori Robbins, 3460 Aircraft Dr., donated the last 11 years of her life to LPD aviation unit. She thought the aviation unit budget was \$150,000 per year. The helicopter was military surplus and could not be sold. If LPD loses its helicopter, the City would have to rely on Polk County. The citizens would have to wait for a helicopter from Bartow airbase. It would cost \$1.65 per citizen to keep the aviation unit. It would take 15 patrol cars to secure a scene that the helicopter could secure from the air.

Sam Simmons, 1036 W 6th St, President of Webster Park Neighborhood Association, asked which option the administration recommended. Doug Thomas explained that staff recommended Option 2 which would support the maintenance of the current millage rate. That would require a unanimous vote. The Commission said they wanted to hear from the citizens before they made a decision.

Sam Simmons asked if there were future public meetings planned to discuss these issues.

Doug Thomas would prepare the budget and submit it to the Commission on Sept 4. That would be a public hearing.

Sam Simmons requested that the City make available to the citizens a brief explanation on the four scenarios.

Doug Thomas would try to get something together.

Kevin Cook said it would be on the website tomorrow.

David Steele, 213 Riggins St., asked if the Commission was required to have this meeting. They were not. David explained that confirmed his impression. The Commission made the choice to ask for input. He appreciated that fact that the Commission was asking for input. When it comes to local control, the citizens get to see the Commission all the time. The decisions the legislature was making in Tallahassee were ones that local governments should make. He had never seen a city government that was more responsive than this one. Historically you have gotten input and that was what took you to your status quo. He thanked the Commission for the community that they have created and allowed to be created.

Daniel Stetson, Director of Polk Museum of Art, commended the Commission for their leadership. He advocated for Option # 2, which was still a cut. He thanked Commissioner Wiggs for a meeting with the delegation in Bartow. He did not feel that the legislature was really listening. He dared the Commission to be strong and adopt the same rate just as Polk City did. This City has a high quality of life and it was still not an expensive place to live. He spoke in support of the art project. It was recognized nationally and by being in Winter Haven it was helping to bridge the schism between the east and west side of the county.

Lorenzo Robinson, President of the Paul A. Diggs Neighborhood Association, encouraged the Commission not to cut the DARE and PAL programs. He did not want them to cut the programs that helped children. If Lakeland were to maintain the millage, would they take a larger hit later?

Doug Thomas explained that if they maintain the millage rate, the Commission would have to re-approved the rate unanimously again for 2009.

Lorenzo Robinson asked if it would make more sense to take a smaller cut now than a larger cut next year.

Greg Finch explained that if the appropriate level of funding was 3.45, and the City did not set that rate this year, it would be harder to get there in the following years. A large cut now would make things much simpler than taking smaller cuts each year.

Wayne Skinner, resident and DARE coordinator, explained that DARE not only provided prevention programs but also acted as role models and mentors for the children. They

teach gang resistance education and stranger danger. He urged the Commission to not cut the PAL or DARE programs.

David Bunch, resident, thought this was a good exercise. It is good to be sure the City was doing things in the most efficient manner. Lakeland was a well run City. He had not heard concerns about the millage rate.

Commissioner Fields asked if the Commission should meet with the public again before the budget hearings in September.

Commissioner Wiggs thought they should.

Commissioner Fields thought they should have at least one more.

The consensus was to have another meeting.

Commissioner Fields reminded everyone that these were the early stages of a new day. One of the things the City was going to have to be committed to as citizens was to make sure the legislature lived by the new guidelines they have created.

Tim McCausland asked about the millage rate to advertise.

Action: Commissioner Boring moved to advertise the current millage of 3.545 mills. Commissioner Wiggs seconded and the motion carried unanimously.

CALL FOR ADJOURNMENT – 9:36 p.m.