

AGENDA STUDY SESSION
January 16, 2009

The Lakeland City Commission met in the Agenda Study Session in the Commission conference room. Commissioners Howard Wiggs, Gow Fields, Jim Verplanck, Glenn Higgins, Edie Yates, and Mayor Fletcher were present. Commissioner Justin Troller was absent due to giving finals at school. City Manager Doug Thomas, Deputy City Manager Tony Delgado, Assistant City Manager Stanley Hawthorne, Community Development Director Jim Studiale, Assistant Finance Director Mike Brossart, City Attorney Tim McCausland, and Deputy City Clerk Deborah Cason were present along with staff.

Mayor Fletcher called the meeting to order at 8:33 a.m.

Doug Thomas opened the meeting by saying they would take things out of order and would cover proposed Resolution 09-003 first, due the applicants being present.

Doug covered the presentations.

Tim commented on limits for speakers coming before the commission, noting there was not a set policy.

Tim covered public hearings.

Doug covered the city manager's agenda and offered the following verbals:

- Re: Mr. McCreary's traffic concerns on Crawford Street; traffic survey was done in the past, but they would resurvey.
- Addressing the maintenance concerns at the Amtrak station.
- Dedication for Common Ground Park at 3 p.m. today
- Completion of Coleman Bush building – handout of proposed plaque design

Tim covered the ordinances for 1st reading, resolutions, and misc. items and offered the following verbal:

- Workers' comp case relating to the presumption that heart disease or hypertension for police and fire personnel is presumed to be work related (in the line of duty). Medically, there is no known cause for hypertension (high blood pressure). Trying to argue to the court that it is unconstitutional for us to have to prove that it was not job related. It may go to Florida Supreme court.

Mike Brossart covered the Finance items.

The meeting adjourned at 9:36 a.m.

LAKELAND CITY COMMISSION
Regular Session
January 20, 2009

The Lakeland City Commission met in Regular Session in the City Commission chambers. Commissioners Glenn Higgins, Justin Troller, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates, and Mayor Fletcher were present. City Manager Doug Thomas, City Attorney Tim McCausland, Assistant Finance Director Mike Brossart, and Deputy City Clerk Deborah Cason were present.

CALL TO ORDER – 9:02 a.m.

INVOCATION

Pastor Wayne Blackburn of Victory Church offered the Invocation followed by the salute to the flag.

PRESENTATION

PW/Fleet Management – Fuel Reduction Strategies (Rick Lilyquist and Greg James)

PROCLAMATIONS

National Black History Month

COMMITTEE REPORTS AND RELATED ITEMS

MUNICIPAL BOARDS COMMITTEE
January 16, 2009

The Municipal Boards Committee met in the Commission conference room on Friday, January 16, 2009. Commissioner Edie Yates, (chair), and Commissioners Glenn Higgins & Jim Verplanck (members) were present. Commissioners Howard Wiggs, Gow Fields, and Mayor Fletcher were present along with staff.

Commissioner Yates called the meeting to order at 9:36 a.m.

1. Airport Advisory Committee

Recommendation from John DuBose to reappoint **John Burton** to serve an additional three-year term as a Citizen-At-Large representative; term to expire December 31, 2011.

Action: Commissioner Verplanck moved to approve the appointment. Commissioner Higgins seconded and Commissioner Yates concurred.

Recommendation from John DuBose to reappoint **Ken Willaford** to serve an additional three-year term as the Airport Tenant representative; term to expire December 31, 2011.

Action: Commissioner Verplanck moved to approve the appointment. Commissioner Higgins seconded and Commissioner Yates concurred.

The meeting adjourned at 9:37 a.m.

Commissioner Edie Yates, Chair

Commissioner Yates presented this report.

Action: Commissioner Verplanck moved to approve the appointments. The motion carried unanimously.

LAND ACQUISITION & DISPOSITION COMMITTEE **January 16, 2009**

The Land Acquisition & Disposition Committee met in the Commission conference room. Commissioner Glenn Higgins (chair) and Mayor Fletcher (member) were present. Commissioner Troller was absent due to giving final exams at school. Commissioners Edie Yates, Howard Wiggs, Jim Verplanck, and Gow Fields were present. City Manager Doug Thomas, Deputy City Manager Tony Delgado, City Attorney Tim McCausland, Assistant Community Development Director Steve Bissonnette, and Deputy City Clerk Deborah Cason were present, along with staff.

Commissioner Higgins called the meeting to order at 9:38 a.m.

Lake Gibson Southwest Basin Retrofit Project Property Purchase from Carpenter's Home Estates, Inc.

The Public Works Department had been involved for the past two years in the development of a stormwater system retrofit project to improve water quality in Lake Gibson. The plan called for a combination of attenuation ponds, a flow-through marsh, and sedimentation ponds. The Department had been moving forward to acquire property for the project.

This was a proposed contract for the purchase of a 4.98 acre site from Carpenter's Home Estates, Inc. The subject site is adjacent to property the City recently purchased from Without Walls International Church. The Carpenter's Home Estates parcel was identified

as a necessary acquisition for this project. As of April 17, 2008, Stan Reed Appraisal Company valued the property at \$4.00 per square foot, or \$871,500.

The City made its first written offer at the appraised value. After negotiation, the Church had agreed to sell the property without the necessity of condemnation for \$4.09 per square foot, or \$886,500. This was the final parcel required for the project. All other parcels had been previously acquired.

Public Works recommended that the City Commission approve this Contract. The acquisition funds were budgeted as part of the Lake Gibson Southwest Basin Retrofit project funded by the Stormwater Utility Fund. Construction grant funding had been made available through SWFWMD but would not occur until FY10 when construction commenced.

Staff recommended that the Commission authorize the appropriate city officials to execute this agreement.

Action: Mayor Fletcher moved to approve the agreement for purchase. Commissioner Higgins concurred and the motion carried.

Sale of Various City-owned Lots to Lakeland Habitat for Humanity, Inc. pursuant to City's Urban Homestead Program

This was a contract for the sale of four City-owned lots located at 312 W. 9th Street, 323 W. 9th Street, 410 W. 9th Street, and 611 W. 3rd Street to Lakeland Habitat for Humanity, Inc. in conjunction with the City's Urban Homestead Program. Lakeland Habitat had financing and construction plans in place for each property. Upon completion of construction, the lots would be conveyed to families who had participated in Habitat's "sweat equity" program. The proposed families were further described in the letter from Lakeland Habitat.

Under the contract, the lots would be sold for the amounts set forth below. The full purchase price of each lot would be financed through a City housing lien which would be forgiven over 10 years at the rate of 10% per year provided the lot continued to be used as the family's homestead.

Property	House	Purchase Price	Lien Amount
312 W. 9th Street	2 BR / 1 BA	\$16,000	\$16,000
323 W. 9th Street	2 BR / 1 BA	\$16,000	\$16,000
410 W. 9th Street	2 BR / 1 BA	\$16,000	\$16,000
611 W. 3rd Street	2 BR / 1 BA	\$15,000	\$15,000

The typical \$1,000 fee would be waived on these lots due to a previous situation where the City sold Lakeland Habitat three lots on W. Thomas Street that were unbuildable due to the existence of underground pipes. This transaction would allow Lakeland Habitat to

proceed with their building program while the Thomas Street issues were being worked out.

Staff recommended that the Commission authorize the appropriate City officials to execute the necessary instruments to complete this transaction.

Action: Mayor Fletcher moved to approve these agreements. Commissioner Higgins concurred and the motion carried.

English Oaks Phase II - Easement Acquisition from West Lakeland Business Partners

The Southwest Wastewater Capacity Project (English Oaks Phase II) involved the construction of new force mains to provide capacity for the future needs of Southwest Lakeland. It was the City's goal to procure the easements at or near their appraised values. There were surveys and descriptions for permanent and temporary easements needed for proposed force main construction on the tract owned by West Lakeland Business Partners (site located east of Waring Road and south of the Polk Parkway). West Lakeland Business Partners had rejected the appraised value offer, necessitating negotiation of a purchase arrangement. The landowner approved a Purchase and Sale Agreement for \$137,502.00; this agreement being the product of multiple counter-offers and negotiations on terms (schedules, site restoration, landscaping, etc.). While this price does exceed the appraisal target, other options, such as condemnation, are predicted to result in even greater net costs for this acquisition as there were other factors and other interests that could drive the compensation above this negotiated price of \$137,502.00.

The Purchase and Sale Agreement was the result of over a year of negotiations with representatives of West Lakeland Business Partners. During this period several routes over the property were evaluated and the agreement terms were negotiated. In addition to the compensation for the easement, the City agreed to provide for the overlay/stripping the parking area upon completion of construction, to place an existing aerial lighting conductor underground, and to landscape the area with trees that would not interfere with the proposed force main. These additional requirements by West Lakeland Business Partners were deemed reasonable and would be incorporated into the scope of the Southwest Wastewater Capacity Project. The proposed easement on West Lakeland Business Park's property does impact an actively utilized, sensitive, limited area thereby warranting special considerations and unique easement terms. Accordingly, there was an agreement provision that the pipeline work (less the restoration) be completed in 21- days or the Contractor would be assessed liquidated damages of \$1,000 per day. Should the Contractor fail to meet this completion schedule, the Contractor would pay the liquidated damages to West Lakeland Business Partners in accordance with the agreement terms. Additionally, the Contractor must be completely off-site in 56- days, but no liquidated damages had been associated with this schedule requirement.

West Lakeland Business Partners was not represented by an attorney, and there were no legal fees. The original appraisal was \$114,585.00, and during the negotiations a 20%

incentive of \$22,917 was added bringing the total compensation to \$137,502.00. The permanent easement contained 18,591 s. f., and the cost per square foot of this acquisition was \$7.40 per square foot.

Staff recommended that the Commission approve the Purchase and Sale Agreement with West Lakeland Business Partners and authorize the appropriate City Officials to execute this Agreement.

Action: Mayor Fletcher moved to approve this agreement. Commissioner Higgins concurred and the motion carried.

Request by Robert Alexander to Purchase City-owned Property Located at 505 West Magnolia Street

Mr. Robert Alexander had requested to purchase a parcel of land owned by the City of Lakeland. The property was physically located at 505 West Magnolia Street and was identified by parcel number 232813-000000-014050. The property was acquired by the City in 1992 from Lake Wire Properties LTD and was then diminished in size by the Department of Transportation as part of their right-of-way acquisition for the In-Town Bypass. This parcel measured approximately 51' x 75' and consisted of 3,876 square feet. The property was vacant and had a current zoning of MF-22.

Mr. Alexander resided at 505 West Peachtree Street, which was located directly south of the subject property, with only a 12 foot publicly maintained alley separating the two properties. Mr. Alexander had expressed an interest in owning and maintaining the property to enhance the value of his home and the surrounding neighborhood.

The property currently had a taxable assessed value of \$7,171, as provided by the Polk County Property Appraiser. The Florida Department of Transportation had confirmed that the appraised land value was \$2.55 s.f. in 2004 when their acquisition began for the In-Town Bypass. Using this previous appraisal, the appraised value of this property would be approximately \$9,883.80.

Action: Mayor Fletcher moved to approve the sale of this property at the most recent appraised value. The sale would go through the proper bid process. Commissioner Higgins concurred and the motion carried.

Purchase of 411 Modest Street for Future Park Purposes from Florida State Association of the Church of God, Inc.

For several years the Parks and Recreation staff had been in discussions with the officers of the Florida State Association of the Church of God, Inc. for the purchase of two parcels of land on Modest Street which had combined dimensions of approximately 290'x 142'. The property was adjacent to the Simpson Recreation Facility and may be used for future expansion.

An appraisal completed in January 2008 by Levie D. Smith & Associates, Inc. valued the property at \$62,250.00. This was a proposed Contract for Sale and Purchase at the appraised value. Under the Contract the City agreed to purchase the property subject to City of Lakeland special assessment liens and code enforcement board liens which totaled \$1,080.00 and to pay all closing costs.

Staff recommended that the Commission authorize the appropriate City officials to execute the Purchase and Sale Agreement.

Action: Mayor Fletcher moved to approve this agreement. Commissioner Higgins concurred and the motion carried.

The meeting adjourned at 9:52 a.m.

Commissioner Glenn Higgins, Chair

Action: Commissioner Higgins presented this report and moved to approve the recommendations. The motion carried unanimously.

CONSENT AGENDA

All items listed with an asterisk (*) were considered routine by the City Commission and were enacted by one motion. There was no separate discussion of these items unless a City Commissioner or Citizen so requested, in which event the item was removed from the consent agenda and considered in its normal sequence.

- * City Commission Minutes 01/05/09
- * Utility Committee Minutes 01/05/09
- * Appropriation and Increase in Estimated Revenues – Stormwater Fund

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

APPROVAL OF MINUTES (with any amendments)

- * City Commission Minutes 01/05/09
- * Utility Committee Minutes 01/05/09

REQUESTS TO APPEAR FROM THE PUBLIC

Carol Castagnero

Mrs. Castagnero distributed a handout containing thirteen concerns she discussed with the Commission. That handout is on file in the City Clerk's office.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 5076; Proposed 09-001; Conditional Use for a New Building for Church Accessory Uses to be Located on the Campus of Resurrection Catholic Church, 3720 Old Highway 37 (1st Reading 1/5/09)

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A NEW BUILDING FOR CHURCH ACCESSORY USES TO BE LOCATED ON THE CAMPUS OF RESURRECTION CATHOLIC CHURCH, 3720 OLD HIGHWAY 37; REPEALING ORDINANCES 3445, 3640 AND 4018; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: Seven. Nays: Zero. The motion carried unanimously

Ordinance 5077; Proposed 09-002; Conditional Use for a Daycare Center at 1205 North Lincoln Avenue (1st Reading 1/5/09)

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A DAYCARE CENTER AT 1205 NORTH LINCOLN AVENUE; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Ayes: Seven. Nays: Zero. The motion carried unanimously.

Ordinance 5078; Proposed 09-003; Establishing PUD Zoning for Office and Commercial Uses on 13.3 Acres Located North of Griffin Road, West of Kathleen Road (1st Reading 1/5/09)

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR PUD ZONING FOR OFFICE AND COMMERCIAL USES ON 13.3 ACRES LOCATED NORTH OF GRIFFIN ROAD, WEST OF KATHLEEN ROAD; 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 Higgins seconded.

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: Seven. Nays: Zero. The motion carried unanimously

Ordinance 5079; Proposed 09-004; Amending Ordinance 4957; Making Effective Date Concurrent with Companion Large Scale Amendment (1st Reading 1/5/09)

AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE 4957; CHANGING THE EFFECTIVE DATE; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Higgins, Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Ayes: Seven. Nays: Zero. The motion carried unanimously.

EQUALIZATION HEARINGS – NONE

COMMUNITY REDEVELOPMENT AGENCY – NONE

CITY MANAGER

Recommendation re: Change Order North Florida Avenue Stormwater Improvement Project Basin C

This was a change order to the City of Lakeland contract with Kamminga & Roodvoets, Inc. in the amount of \$154,644.27 for the N. Florida Avenue Drainage Improvements Project Basin C. The change order and additional funding was necessary to allow installation of a reinforced concrete pipe system to serve as the drainage conveyance in lieu of constructing an open ditch, as originally recommended by the design consultant Keith & Schnars, P.A.

During construction of the outfall ditch, Kamminga & Roodvoets discovered that the consultant significantly underestimated the quantity of the riprap ditch lining in the original bid document. Piping the remaining portion of the ditch would be more economical (resulting in an estimated \$175,000 savings vs. riprap), provide greater site aesthetics, better erosion protection, and minimize future maintenance expenses.

The project was funded through the FEMA Hazard Mitigation Grant Program and the City of Lakeland Stormwater Utility Fund.

Staff recommended that the City Commission authorize the appropriate City officials to execute the change order with Kamminga & Roodvoets, Inc. in the amount of \$154,644.27 to modify construction of the ditch drainage conveyance system for the N. Florida Avenue Drainage Improvement Project Basin C.

Doug Thomas presented this item to the Commission.

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

Recommendation re: Lake Hollingsworth Westside Stormwater Treatment Project

On December 15, 2008, the City received sealed bids for the construction contract to retrofit the stormwater conveyance system on the Westside of Lake Hollingsworth. The project included installation of ten baffle box stormwater treatment structures to intercept 13 stormwater pipes on the Western edge of the lake. The project would remove stormwater sediments and debris from the 217-acre watershed that currently received no treatment before discharging directly into Lake Hollingsworth.

Moduss, Inc. the City of Lakeland's contracted engineering and construction management firm, administered the bid process and received a total of nine bids. The bids ranged from \$519,297.50 to \$805,043.90, which averaged within the \$708,841 engineer's evaluation of probable construction costs for the project.

City staff and Moduss, Inc. had concurred that Cathcart Contracting Company represented the most responsive bid at \$519,297.90 which fully met the criteria and requirements of the project specifications. Subsequently, the City issued a Notice of Intent to Award and would administer execution upon approval by the City Commission. The City's Stormwater Utility and a matching cooperative funding grant from the Southwest Florida Water Management District would fully fund the project. Staff anticipated project completion within 180 calendar days from commencement.

Staff recommended that the City Commission authorize the appropriate City officials to execute the construction contract with Cathcart Contracting Company in the amount of \$519,297.90 for construction of the Lake Hollingsworth Westside Treatment Project.

Doug Thomas presented this item to the Commission.

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

CITY ATTORNEY

Ordinances (First Reading)

Proposed 09-005; Amending Article I of Chapter 86 of the Code of the City of Lakeland Relating to Lot Cleaning and Clearing

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO LOT CLEANING AND CLEARING; AMENDING SECTIONS 86-2, 86-8 AND 86-9 OF ARTICLE I OF CHAPTER 86 OF THE CODE OF THE CITY OF LAKE LAND, FLORIDA; PROVIDING FOR A CHANGE IN THE TITLE OF SECTION 86-2; PROVIDING FOR NOTICE OF ASSESSMENTS TO BE SERVED BY U.S. MAIL; PROVIDING FOR THE PERFECTION OF LOT CLEARING SPECIAL ASSESSMENT LIENS; 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 2, 2009.

Proposed 09-006; Amending Ordinance 3841 Relating to the Historic Preservation Board/Design Review Committee

AN ORDINANCE RELATING TO HISTORIC PRESERVATION; AMENDING ORDINANCE 3841; ESTABLISHING CRITERIA FOR APPOINTING ALTERNATES ON THE DESIGN REVIEW COMMITTEE; MAKING FINDINGS; 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 2, 2009.

Resolutions

Resolution 4737; Proposed 09-003; Recommending that Colorado Box Beef Corporation be Approved as a Qualified Applicant in the Target Industry Tax Refund Program

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA FINDING THAT COLORADO BOXED BEEF CORPORATION BE APPROVED AS A QUALIFIED APPLICANT PURSUANT TO SECTION 288.106, FLORIDA STATUTES; PROVIDING AN APPROPRIATION OF \$16,000 PAYABLE OVER FOUR YEARS AS LOCAL PARTICIPATION IN THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM; REQUIRING CONDITIONS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

Action: Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Ayes: Seven. Nays: Zero. The motion carried unanimously

Miscellaneous Reports and Communications

Memo Re: Task Authorization with Black & Veatch Inc. for Evaluation of Water and Wastewater Disinfection Methods

This was a Task Authorization with Black & Veatch for the Evaluation of the Disinfection Options at both water and wastewater treatment facilities. All four existing treatment plants (T.B. Williams and Combee Water Plants plus the Glendale and Northside Wastewater Plants) use gaseous chlorine as a disinfectant. Existing chlorination facilities at three locations did not meet required standards for containment and neutralization of a chlorine gas leak; the improvements represented a significant capital improvement cost. The City selected Black and Veatch to evaluate disinfection options for the existing water and wastewater treatment facilities and provide recommendations as to the most cost-effective disinfecting method for each location.

Lakeland had utilized chlorine gas disinfection for decades and had not experienced a significant chlorine incident during this time. In addition to its effectiveness as a disinfectant, chlorine gas was the lowest-cost disinfecting method from a materials cost perspective. Such benefits account for the current use of chlorine gas at the treatment plants. Regulatory requirements relating to handling of chlorine gas, security issues and

public safety all necessitated the upgrading of the chlorination systems if the City was to continue using this disinfecting chemical. Black and Veatch would perform a comprehensive analysis of disinfecting options for each location, considering both initial capital costs as well as ongoing operating costs. A life-cycle cost analysis for a 10-year period was proposed to determine which solution was truly the most economical solution.

Under the Task Authorization, Black & Veatch would perform the following services:

- Evaluate current disinfection practices in light of safety, and current, and potential future regulations.
- Discuss and rank alternate disinfecting methods currently used within the water and wastewater industry that would be germane to the disinfection needs of the City of Lakeland Water Utilities Department.
- Provide a detailed analysis of the top three options including cost considerations.
- Make specific recommendations for each City of Lakeland Water and Wastewater Treatment Plant.
- The final report provided would include and evaluation of capital and monthly operating cost of the recommended systems.

The requested fee for this Task Authorization was \$50,000. Funding was budgeted in both the Water and the Wastewater Funds to proceed. Staff recommended that the Commission authorize the appropriate City officials to execute the Task Authorization.

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: Task Authorization with Black & Veatch, Inc. for the Northeast Well Field Hydraulic Evaluation, Well Pump Relocations and Well Field Modifications

This was a Task Authorization with Black & Veatch for the Northeast Well Field Hydraulic Evaluation, Well Pump Relocation and Well Field Modifications for the Water Utilities Department. These services provided for the activation of existing Well Number One requiring a revised hydraulic analysis for a three-million gallon per day pumping rate, an updated pump sizing analysis, well pump number one control specifications, and other technical services to activate Well Number One. This work was necessary to comply with the conditions of the City's existing Water Use Permit; particularly the ability to fully rotate demands across all five existing permitted wells at the Northeast Well Field serving the Combee Water Treatment Plant (WTP).

During the construction of the Combee WTP and the Northeast Well Field, it became evident that the Southwest Florida Water Management District (SWFWMD) would not allow the originally approved 8 million gallons per day of withdrawal from the Northeast Well Field. This situation led to the transfer of the equipment from Well Number One to the Combee Well at the water plant site, using this equipment to conduct the aquifer

performance tests on the Combee Well. The other wells (2-5) were used to supply 4 million gallons per day to the Combee Water Plant, with Well Number One being developed but not equipped. Lakeland's Water Use Permit required all five wells to be used in rotation, necessitating the relocation of the equipment from the Combee Well to Well Number One. With the Combee Well being permitted at 3 million gallons per day and the Northeast Well Field wells being permitted at 4 million gallons per day, the existing pump at the Combee Well must be relocated rather than used-in-place. Updated pump sizing for the current permitted withdrawal (4 million gallons per day) would be performed to optimize the pumping efficiency. Under the proposed Task Authorization, Black & Veatch would perform the following services:

- Evaluate system hydraulics at the Northeast Well Field.
- An evaluation of various methods to hydraulically meet permitted pumping (4 MGD) from the Northeast Well Field.
- Prepare construction drawings to reintegrate the omitted well into the Northeast Well Field system, including the pump relocation, piping modifications, and electrical, flow monitoring and control considerations.
- Prepare a criteria package to negotiate the work with the original plant contractor Wharton-Smith, Inc.
- Provide permitting, inspection, and start-up services.
- Provide as-built records.

The requested fee for this Task Authorization was \$48,700. Funding was budgeted in the Water Fund to proceed. Staff recommended that the Commission authorize the appropriate City officials to execute the Task Authorization.

Tim McCausland presented this item to the Commission.

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

FINANCE DIRECTOR

***Appropriation and Increase in Estimated Revenues – Stormwater Fund**

Grant funding for the Lake Gibson Retrofit and Hollingsworth Westside projects was projected during the City's FY 2009 Budget preparation to be \$55,000 for each project. Subsequently, the approved Southwest Florida Water Management District (SWFWMD) budget yielded an increased contribution of \$132,632 for each of the projects, resulting in \$265,264 of additional revenue to be realized.

The Lake Gibson SW Basin Retrofit project was previously funded by SWFWMD for \$750,000. The additional funding brings the total SWFWMD commitment to \$937,632. SWFWMD had previously funded the Lake Hollingsworth Westside Project for \$186,216. The additional funding brings the total SWFWMD commitment to \$373,848. As noted, the adopted FY 2009 Budget for the Stormwater Fund reflects grant revenues for these two

projects at \$55,000 each. This would require an increase in Estimated Revenues and a corresponding increase in Appropriations in the amount of \$265,264, split equally between the Lake Gibson Retrofit and Hollingsworth Westside Projects within the Stormwater Fund.

Action: This item was approved on the consent agenda.

Appropriation – Public Improvement Fund

In accordance with the City of Lakeland acquisition of property located at 411 Modest Street from the Florida State Association of the Church of God, Inc, an appropriation from the FY 2009 District 1 Impact Fee Fund of \$28,183.95 was required to supplement the \$35,000 budgeted in the FY 2009 Public Improvement Project Fund. The property had been earmarked for many years for the potential future expansion of the Simpson Park Recreation Facility.

The total purchase price was \$62,250 with special assessment and code enforcement board liens totaling \$1080.00. The appropriation would take into the account the repayment of the lien amounts and all closing cost associated with the transaction.

Action: Commissioner Verplanck moved to approve the appropriation. Commissioner Higgins seconded and the motion carried unanimously.

AUDIENCE – NONE

Doug Thomas commented on the dedication of Common Ground Park and wanted to publicly acknowledge Bill Tinsley and the work done to create the park. It was under the leadership and supervision of Bill that the park was completed.

Bill admitted it was hard to take credit. The project was a public/private one. He hoped it would become a national trend. A city from Ohio was coming to look at it. They were building one and hoped to mirror this one.

There would be opportunities for volunteers to help with the maintenance of the park.

Commissioner Verplanck noted there were Rotary Clubs that were going to help with funds to maintain the park.

MAYOR AND MEMBERS OF THE COMMISSION

Commissioner Yates felt the Commission needed to recognize city employees in public for years of service and going above and beyond. Commissioner Higgins echoed that.

Commissioner Troller thanked LPD for assisting in a recent incident in Lakeland that had been in the newspaper.

CALL FOR ADJOURNMENT – 10:20 a.m.

**LAKELAND CITY COMMISSION
2009 CITY COMMISSION RETREAT
January 22-23, 2009**

January 22, 2009

The Lakeland City Commission met for their Annual Retreat at The Lakeland Center, Lake Hollingsworth Room. Commissioners Justin Troller, Jim Verplanck, Glenn Higgins, Edie Yates, Howard Wiggs, Gow Fields, and Mayor Fletcher were present. Facilitators Chris Fabian and Jon Johnson were present. City Manager Doug Thomas, City Attorney Tim McCausland, and City Clerk Kelly Koos, were present along with all department directors, assistant directors, and senior staff. Representatives of the media and business community were also present.

Doug Thomas called the meeting to order at 11:39 a.m.

Doug Thomas introduced elected officials including the City Commission and Representative Kelly Stargel. He gave the opening remarks:

- Strategic Overview of the Times
- Major Issues Facing the City, State and Nation
- Agenda Preview
- Introduction of the Presenters and Facilitators

He reviewed the Rules of the Road and requested that everyone hold their questions until the end of each presentation. The Retreat has specifically built in a process to engage the audience during the Symptoms, Causes, and Treatment section of today's agenda. The audience was encouraged to jot down notes, comments, etc. which they could raise at that time.

Doug Thomas introduced the facilitators Jon Johnson and Chris Fabian, Jefferson County, CO employees.

Health Before Wellness

Chris and Jon gave their presentation on Health Before Wellness.

- Overview of Prioritization Model and Process
- Making the Connection Between City of Lakeland's Progress and the Prioritization Model
- Fiscal Health
 - Spend within Our Means
 - Establish and Maintain Reserves
 - Understand Variances (Budget vs. Actual)
 - Be Transparent About the "True Cost of Doing Business"
 - Incorporate Economic Analysis and Long-Term Planning into Decision-Making
- Symptoms/Causes Exercise

Symptoms/Causes of Lakeland Today

What are the symptoms affecting the fiscal health of the City of Lakeland. The symptoms could be good signs too.

Refocusing on private/public partnerships

Establishing and maintaining reserves

Revenues are restricted/declining by the economy and the legislature.

We are growing (population and development) but our revenues are not

Two certain revenue sources are the utility and the hospital lease

Private sector steps forward in areas when the city cannot. Those partnerships are the future for other organizations too.

There is a disconnect between having to cut the budget and what the citizens expect the city to provide. It may be time to think of citizens as partners rather than customers.

It is difficult when your fees reflect the true cost of doing business and the cities you are compared to do not. It is important to show the public what contributes to that fee. There are so many variances between cities it may be better to track trends within your city.

Emerging Community Issues

Steve Bissonnette and Kevin Cook gave this presentation.

The Commission recessed at 1:42 p.m. and reconvened at 1:56 p.m.

Lakeland Vision

Shannon Lanier gave a presentation on Lakeland Vision. She reviewed the priorities ranked by the community.

Rank	Votes	Strategy	Topic	Subtopic
1	48	Build alliances to strengthen public and private funding for the arts (e.g., City of Lakeland, Chamber of Commerce, and Community Foundation of Greater Lakeland).	Arts, Activities, and Entertainment	Arts and Culture
2	48	Promote legislative action to call for a comprehensive (statewide) rail plan that promotes passenger service in cities and diverts freight rail away from populated areas.	Downtown and Neighborhoods	Downtown
3	43	Partner with USF Polytechnic to leverage the new campus for economic development and high wage job creation.	Education	Higher and Continuing Education
4	35	Encourage high-density development in downtown Lakeland to position it as the vibrant urban hub of the community where people live, work, and play.	Growth and Infrastructure	Growth Management

5	34	Work with local, state, and federal elected officials to enhance school funding.	Education	Funding and Community Support
6	29	Develop and communicate incentives and revise development codes to encourage a variety of housing options, including downtown residences and mixed-use developments.	Downtown and Neighborhoods	Character of Development
7	27	Establish appropriate zoning, funding, and incentives to create a supportive arts environment in Lakeland for all ages.	Arts, Activities, and Entertainment	Arts and Culture
8	26	Establish incentives to encourage small businesses to occupy vacant space.	Economy	Retail and Small Business
9	26	Encourage regional rail service connecting Lakeland to Tampa and Orlando and, if possible, points beyond.	Transportation	Public Transit
10	25	Develop a comprehensive, citywide recycling program to include schools, businesses, and public spaces.	Environment	Recycling

Discussion

Staff used the visioning process in place of the stakeholder interviews. These citizens' comments showed that Lakeland was on the right track

Commissioner Troller was hesitant with funding for Lakeland Vision and now he stands corrected. He complimented Shannon for doing a good job.

Lakeland Economic Development Update

Steve Scruggs gave updates on

- Business Park
- High Skill High Wage Success stories
- Austin City Visit

The Commission recessed at 3:07 p.m. and reconvened at 3:21 p.m.

Greg Finch called the meeting to order and gave the Financial Forecast

Financial Keys to 2010 Non-property tax revenues were likely to decline for 2010. Property tax assessments were likely to DROP for 2010 (could be offset by a roll-forward of the tax rate) General Fund Revenues were above 10% - reserves could absorb tax revenue decline for 2009

Discussion on what was keeping Lakeland from do all they want to do

- Declining revenues/resources

- Need technology enhancements
- Unfunded mandates
- Increased service expectations - citizens do not understand the cost of government. The gap could exist because the City had been successful in meeting needs even when it was not budgeted. The citizens may think the City had money tucked away.

How do we improve communications?

- Transparency
- Inclusiveness
- Leadership Lakeland Program
- Citizens Academy

Overview of Lakeland Strategic Operating Plan and Prep for Day 2

Doug Thomas closed out the day by asking the Commission to consider the City's Vision, Mission, Values, Goals, and Outcomes. On Day 2, they would discuss the application of the Prioritization Model for City Services based on a refined review of the City's Goals and Outcomes. On Day 2, the Commission would clearly define what each Outcome meant and then complete the Valuation of Strategic Goals exercise.

The meeting adjourned for the day at 4:51 p.m.

2009 CITY COMMISSION RETREAT Day 2

January 23, 2009

The Lakeland City Commission met for their Annual Retreat at The Lakeland Center, Lake Hollingsworth Room. Commissioners Justin Troller, Jim Verplanck, Glenn Higgins, Edie Yates Howard Wiggs, Gow Fields, and Mayor Fletcher were present. Facilitators Chris Fabian and Jon Johnson were present. City Manager Doug Thomas, City Attorney Tim McCausland, and City Clerk Kelly Koos were present along with all department directors, assistant directors, and senior staff. Representatives of the media and business community were also present.

Doug Thomas called the meeting to order at 8:15 a.m. He asked for any other "take aways" that they did not discuss yesterday.

Commissioner Fields thought the city needed to deal with a low level of understanding of city's authority

Commissioner Verplanck thought that dishonest acts of other government personnel locally and throughout the country hurt all government entities. People think all government officials are dishonest and that hurt Lakeland's abilities.

Doug Thomas introduced the facilitators

The reason they like this process was because the traditional way of making cuts affected every program. This new method would help allocate resources in line with the Strategic Operating Plan.

City Services Video – Doug Thomas played a video for the group that new employees watch at orientation. The video depicted the different services provided by the city.

Getting Your Priorities Straight

Across the board budget cuts did not allow for prioritization. Jefferson County had to find a way to set priorities. They needed a way to reduce costs and have a way to make decisions on what to do when more money became available. States all across the country were beginning to consider prioritization rather than across the board budget cuts. Chris and Jon were here to share their idea that achieves prioritization.

Fiscal Wellness is the definition of prioritization.

Key Objectives of Prioritization:

Evaluate the services provided, one versus another.

Better understand services in the context of the cause-and-effect relationship they have on the organization's priorities.

Provide a higher degree of understanding among decision-makers as they engage in a process to rank services based on priorities.

Articulate to people in the organization and to the public how the City values services, how the City invests in priorities, and how the City divests itself of lower-priority services.

The Challenge with Results

Lakeland has already done a lot of the work; it just has to link it to the budget. Lakeland had everything they needed; now they just needed to go through the definitions and make sure services match the Strategic Operating Plan.

Valuing the Results of Government (How it worked in Jefferson County)

Once they had the right definitions (Outcomes), the Commission valued the outcomes. This established a weighting factor that would allow for prioritization of services. This exercise could be repeated each time a new board was seated. This allowed elected officials to influence programs on behalf of their constituency.

Value Programs Based on Evidence of their Influence on Results

Each department went thru and identified all the programs they offered. They then rated each program on how they influenced the results. They also linked the programs to

mandates, user fees, and demand for service in addition to the results. Grants fell within user fees.

Countywide Program Prioritization

They took those scorecards and came up with a top to bottom ranking list. The resource allocation decisions had to be made at the organization level. Each department must set their goals to be in line with the organizations goals and long-term planning. The list was broken into four quartiles. Then it was time resource allocation. Quartile 1 programs would be the programs that received the most funding. Looking at the funding for the different quartiles allowed for reasonable cuts during difficult times. They then assigned budgets to departments and based cuts or increases on the quartile programs. The departments then built their budgets. It also inspired them to make sure their programs were in line with the organization's goals.

The city of Lakeland already has their goals established. Today the Commission was going to get clear definitions of the goals to move forward with the process. Today the Commission was going to clearly define each goal and then rank them. Staff would later run each service through the scorecard.

The Commission recessed at 9:50 a.m. and reconvened at 9:59 a.m.

Tony Delgado called meeting to order.

Growth Management

Tony Delgado introduced the panel members.

Steve Scruggs, Executive Director of Lakeland Economic Development Council

Scott Coulombe, Executive Director of Polk County Builders Association

Carl Bleiler, Chairman of Neighborhood Association Coalition

Kathleen Munson, President of Lakeland Area Chamber of Commerce

Fred Murphy, Assistant Superintendent of Polk County Schools

Larry Helton, Planning Director of Polk County Schools

Patricia Steed, Executive Director of Central Florida Regional Planning Council

Jim Studiale, Community Development Director

Alan Shaffer, LE Assistant General Manager

Roger Boatner, Police Chief

Mike Mohler, Fire Chief

Greg Boettcher, Director of Water Utilities

Greg James, Assistant Director of Public Works

The panel needed to determine if these were the correct outcomes for this goal. The panel would submit ideas of what Growth Management meant. They would then group similar ideas and decide if the city needed to change the outcomes. The group listed their ideas and then they gathered and reviewed the ideas and grouped them into categories. The categories listed were:

- Transit/Mobility Issues
- Infrastructure
- Proper Planning
- Fiscal Responsibility
- Quality Development
- Safe and Attractive Neighborhoods

Quality of Life

Tony Delgado introduced the panel members and the panel began writing their ideas that make up Quality of Life.

Daniel Stetson, Executive Director of Polk Museum of Art
 Mark Jackson, Polk County Sports & Marketing
 Shannon Lanier, Executive Director of Lakeland Vision
 Colleen Burton, Executive Director of Polk Vision
 Anne Furr, Director of Lakeland Downtown Development Authority
 Lynne Simpkins, Sr. Planner, Neighborhood Planning Division
 Don Brown, President of National Association for the Advancement of Colored People
 Brad Parrish, VP Enrollment Management of Florida Southern College
 Captain Ed Lee of The Salvation Army
 Bill Tinsley, Director of Parks & Recreation
 Debbie Henson, Deputy Chief of Police
 Rick Lilyquist, Director of Public Works
 Mike LaPan, Director of The Lakeland Center
 Gary Ballard, Assistant Fire Chief
 John DuBose, Director of Lakeland Linder Regional Airport

The Quality of Life Panel Sorted Ideas into Categories. Those were Quality Public Spaces, Arts and Recreation, Superior Municipal Services, Support Education, Mobility, Public Safety, Health/Wellness, Engaged Citizenry, and Partnerships.

Quality of Life Review of Categories

Engaged citizens falls under Quality of Life and Communication.

Homelessness fell under health/wellness.

The group discussed separating arts from quality public spaces and recreation and decided to separate Cultural Arts and Recreation. The Refined Outcomes were:

- Quality Public Spaces
- Cultural Arts
- Recreation
- Engaged Citizenry
- Health/Wellness
- Support Education
- Superior Municipal Services

- Partnerships
- Mobility
- Public Safety

The group discussed mobility. Should mobility be its own goal? Transit would be a key component of that. Should mobility/transit be an outcome under most of the other goals? It is important to remember the voiceless as we plan for the future. Economic Prosperity should be part of the Partnership Outcome.

Governance Overview

The Governance Panel included:

Charles Thompson, Administrative Services Director of Lakeland Police
 Karen Lukhaub, Risk Management Director
 Jim Stanfield, Lakeland Electric Director
 Terry Brigman, Information Technology Director
 Steve Bissonnette, Assistant Director of Community Development
 George Brooks, Human Resources Director
 Greg Finch, Finance Director
 Tim McCausland, City Attorney
 Rick Lilyquist, Public Works Director

This goal would apply to internal departments that serve departments that deliver the services. Jefferson Co. decided that those departments should be identified and prioritized in another format. They also serve the elected officials. The governance panel then began to list ideas of what would make a governance goal.

The group broke for lunch at 12:13 p.m. and reconvened at 1:09 p.m.

Governance Review of Categories

Does this sufficiently capture the Fiscal Management Goal? The Fiscal Management Goal deals with external programs. This would not be the same. Should the outcome Superior Municipal Services be under Governance rather than Quality of Life? That outcome would apply to programs serving the outside rather than internal. The categories were:

- Benchmarking/Best Practices
- Decision Making
- Enriched Organization Workforce
- Informed and Engaged Employees
- Safeguarding Assets and Resources
- Stewardship of Municipal Human Resources
- Pension Management

Economic Opportunity

The Economic Opportunity Panel included:

Tamara Sakagawa, CRA Manager

Steve Scruggs, Lakeland Economic Development Council Executive Director

Dr. Marshall Goodman, VP/CEO of USF Polytechnic

Anu Saxena, Chairman of the Board of the Lakeland Area Chamber of Commerce

Tommy Hamrick, Civil Service Director

Jim Pennington, Assistant Director of Lakeland Electric

Steve Bissonnette, Assistant Director of Community Development

John DuBose, Lakeland Linder Regional Airport Director

The panel began writing down their ideas that define that goal. The Enriched Organization Workforce outcome will be moved to the Governance Goal.

The Economic Opportunity Panel Sorted Ideas into Categories:

- Enriched Community Workforce
- Generationally Diverse Environment
- USF Polytechnic
- Sustainable Business Environment
- Incubator - Spur the Economy
- Downtown Focus
- Collaboration Partnerships
- Tourism

Fiscal Management Goal

The Fiscal Management Panel included:

Deborah Garringer, Crowe Horwath

Ralph Allen of Allen & Company

Mike Brossart, Assistant Finance Director

John Zuercher, Internal Auditor

Jennifer Kerr, Retirement Services Director

Jim Stanfield, Director of Lakeland Electric

The Fiscal Management Panel submitted ideas and sorted them into the following categories:

- Optimal Management of Existing Financial Resources
- Develop New Financial Resources
- Managing Costs/Productivity (including long-term pension obligations)
- Prioritization of Resources

The Commission recessed at 3:09 p.m. and reconvened at 3:20 p.m.

Communications

The Communications Panel included:

Jerome Ferson, Publisher of The Ledger

Chuck Welch, Lakeland Local

Bart Ross, TMR Agency

Kevin Cook, Director of Communications

David Kus, Lakeland Electric Assistant General Manager of Customer Service

Terry Brigman, Director of Information Technology

Bill LePere, Assistant Chief of Police

The Communications Panel submitted ideas for this goal and sorted them into the following categories:

- Use Emerging Media
- Informed and Engaged Community
- Media Partnerships
- Message Content

It was important to remember that not everyone has access to emerging technologies.

City Commission Valuation of Lakeland's Goals

The Commission worked to assign their 100 points to the five goals.

Doug Thomas announced the results:

Growth Management	18
Quality of Life	25
Economic Development	23
Fiscal Management	17
Communication	16

Summarize Next Steps

Connect Core Services to Goals/Outcomes: Core services are sub activities provided to meet the City's Mission and Goals. Later staff will rate their core services against the goals and come up with a list of services by quartile.

Commissioner Yates looked forward to seeing how this process rolls out and gain perspective on how we spend our dollars and how we should spend our dollars. She commended everyone for their work on this retreat.

Doug Thomas thanked Chris and Jon for working with the City of Lakeland. He thanked staff that worked on the retreat. He thanked the external stakeholders for participating in the process. He also recognized the Performance Excellence Team for pulling the retreat together.

The retreat adjourned at 4:52 p.m.

Ralph L. Fletcher, Mayor

Kelly S. Koos, CMC, City Clerk