

LAKELAND CITY COMMISSION
Regular Session
May 19, 2008

The Lakeland City Commission met in the Commission chambers. Commissioners Justin Troller, Jim Verplanck, Howard Wiggs, Gow Fields, and Edie Yates, and Mayor Fletcher were present. Commissioner Glenn Higgins was out of town. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch, and Administrative Assistant Chris Chadwell were present.

CALL TO ORDER - 9 a.m.

INVOCATION

Reverend David Drain of First Presbyterian Church offered the invocation followed by the salute to the flag.

PRESENTATIONS

Building a Vibrant Future through Transportation Enhancements (Rick Lilyquist & Mike Whigham)

Presidents Roundtable Police & Fire Awards

Public Safety Officer of the Year

- Officer Michael Cardin

Honorable Mention

- Sergeant Chad Mumbauer

Firefighter of the Year

- Firefighter Bill Mulvaney

Honorable Mention

- Firefighter Matthew Burns
- Lt. Michael Williams

Paint Your Heart Out (Tim Spivey) – Postponed. Mr. Spivey was unable to attend meeting.

PROCLAMATIONS

Public Works Week
Buddy Poppy Days
Cleveland Court Day
Youth for Peace

APPROVAL OF MINUTES (with any amendments)

- * **City Commission 05/02/08 – 05/05/08**

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

- * **Utility Committee 05/05/08**

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

APPROVAL OF CONSENT AGENDA

- * City Commission 05/02/08 – 05/05/08
- * Utility Committee 05/05/08
- * Memo re: Acquisition of Property Located at 817 North Scott Avenue by Lakeland Habitat for Humanity, Inc. through the City's Urban Homesteading Program
- * Appropriation and Increase in Estimated Revenues – Community Development and Housing Funds

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC**Ken Eddy re the City of Lakeland and Electrical Repair Business – No Action**

The purpose of Mr. Eddy's request was to express his concerns about Lakeland Electric getting into private business. Mr. Eddy perceives Lakeland Electric's participation in Progress Energy's HomeWIRE program as competition with private industry.

John Adkinson, Lakeland Electric's Manager of Customer Service, explained that Lakeland Electric recently partnered with Progress Energy to offer our customers HomeWIRE Service. HomeWIRE assists customers in fixing common household electrical problems involving inside wiring, outlets, wall lighting switches, lighting dimmers, fuses, breakers, and the building-mounted meter housing on your home.

Action: The Commission did not act on this item.

Mayor Fletcher arrived at 9:47 AM.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 4970; Proposed 08-034; Amending Ordinance 4899; Providing for the Elimination of the Initial Application Fee for some Pole Attachments (1st Rdg 5/5/08)

AN ORDINANCE RELATED TO POLE ATTACHMENTS; AMENDING ORDINANCE 4899; PROVIDING FOR THE ELIMINATION OF THE INITIAL APPLICATION FEE FOR APPLICANTS WITHOUT A VALID WRITTEN POLE ATTACHMENT OR LEASE AGREEMENT; MAKING FINDINGS; 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, Wiggs, Verplanck, Troller, and Mayor Fletcher voted aye. Ayes: six. Nays: Zero. The motion carried unanimously

Ordinance 4971; Proposed 08-035; Amending Ordinance 3404; Relating to the Affordable Housing Advisory Committee (1st Rdg 5/5/08)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA APPROVING AN AMENDMENT TO ORDINANCE 3404 REGARDING THE AFFORDABLE HOUSING ADVISORY COMMITTEE AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; MAKING FINDINGS; 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 Troller, Verplanck, Wiggs, Fields, and Mayor Fletcher voted aye. Ayes: six. Nays: Zero. The motion carried unanimously

Ordinance 4972; Proposed 08-036; Establishing Zoning on Approximately 33.4 Acres Located at 2125 Edgewood Drive South (1st Rdg 5/5/08)

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING ON 33.4 ACRES LOCATED AT 2125 EDGEWOOD DRIVE SOUTH WITHIN THE CITY OF LAKE LAND, PURSUANT TO THE "ZONING CODE OF

THE CITY OF LAKELAND, 1993"; MAKING FINDINGS; 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 Yates seconded.

Mayor Fletcher asked for comments and there were none.

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

Resolutions - NONE

EQUALIZATION HEARINGS – None

COMMUNITY REDEVELOPMENT AGENCY - None

CITY MANAGER

Recommendation re Task Authorization with AmHerst Consulting, Inc. for Airport Master Plan Update

The Federal Aviation Authority (FAA) recommended that each Airport update and review its Master Plan every five years. The Lakeland Linder Regional Airport Master Plan was completed in 2003 and was within the five-year window. Airport staff and URS as the engineering consulting firm performed the Current Master Plan work. As an integral part of the process, there were two supporting advisory committees consisting of a Technical Advisory Committee and a Stakeholders Committee. The committees consisted of representatives from Sun 'n Fun, FDOT, the City Manager's office, Community Development planning personnel and a City Commissioner. The previous Master Plan project cost \$145,000, with the FAA participating at a 90% level of \$125,000. The City share totaled \$17,375 with the FDOT funding the balance.

Airport staff anticipated a mid-FY2009 FAA grant to update the existing Master Plan. However, if the City could provide a project schedule and contractual engineering agreement by May 20, 2008, the FAA would approve a tentative FY2008 grant allocation to update the Lakeland Linder Regional Airport Master Plan and related Airport Layout Plan (ALP). Airport staff recommended that the Commission authorize the appropriate personnel to enter into a task authorization under the City of Lakeland continuing Contract for Aviation Engineering Consulting with AmHerst Consulting, Inc. to administer the update requirements.

As with the previous Master Plan update projects, the scope of services would include but not be limited to the identification of the following elements:

- Optimize the economic aspects of the airport;
- Incorporate the interests of the public and government agencies;
- Reflect comprehensive land use (both on and off airport property) including surface access;
- Aerial photogrammetry and rectified aerial photos;
- Addressing the need for increased utilization of the airport by corporate business owners and operators;
- Associated noise issues.

In addition, to meet a new FAA requirement to provide financial feasibility as part of the process, the scope would also include:

- Future revenue potential for proposed capital improvements;
- Development of an implementation plan for proposed improvements identifying anticipated funding sources.

Total project cost of the Master Plan Update was estimated at \$200,000 with the FAA share at 95% or \$190,000 with the FDOT and City shares at 2 ½% each or \$5,000 respectively. The City share would be funded from the Airport's FY 2008 budget.

Subject to approval by the FAA and FDOT, staff recommended that the City Commission authorize the appropriate City officials to enter a task authorization agreement with AmHerst Consulting, Inc. to undertake the Airport Master Plan update in the amount not to exceed \$200,000.

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) - NONE

Resolutions

Resolution 4693; Proposed 08-031; Amendment to Resolution 3550; Providing Criteria for the Affordable Housing Advisory Committee

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA AMENDING RESOLUTION 3550 REGARDING THE AFFORDABLE HOUSING ADVISORY COMMITTEE AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND CHAPTER 67-37, FLORIDA

ADMINISTRATIVE CODE; REPEALING RESOLUTION 4682; MAKING FINDINGS; 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, Wiggs, Verplanck, Troller, and Mayor Fletcher voted aye. Ayes: six. Nays: Zero. The motion carried unanimously

Miscellaneous Reports and Communications

- * **Memo re: Acquisition of Property Located at 817 North Scott Avenue by Lakeland Habitat for Humanity , Inc. Through the City's Urban Homesteading Program**

This was a contract for the sale of a City-owned lot 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 the property. Upon completion of construction, the lot would be conveyed to a family who had participated in Habitat's "sweat equity" program. The house would be one story, 3 bedrooms, 1½ baths, with 1,296 square feet. Under the contract, the lot would be sold for \$15,000. The full purchase price of the lot would be financed through a City housing lien which would be forgiven over 5 years at the rate of 20% per year provided the lot continues to be used as the family's homestead. The typical \$1,000 fee would be waived on this lot due to a previous situation where the City sold Lakeland Habitat three lots on West 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 are being worked out.

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

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

Memo re: Third Amendment to Site Agreement at Bryant Stadium – Diamond Towers LLC

This was a proposed amendment to the Site Agreement between the City and SprintCom, which was assigned to Diamond Towers LLC, to add an additional 2,000 square feet area, and the light pole within that area, to the leased areas and facilities contained in the original agreement and subsequent amendments. In consideration of this amendment, the City would receive an upfront payment of \$25,000.00 and an increase in the rent from

\$1,250.00 per month to \$1,500.00 per month. The total leased area was approximately 3236 square feet.

Staff recommended that the Commission authorize the appropriate City Officials to execute the proposed amendment 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: Agreement with RouteSmart Technologies, Inc. for Routing Software

This was a License Agreement with RouteSmart Technologies, Inc. for routing software to assist Lakeland Electric and the Solid Waste Division in establishing the most efficient routes for their meter readers and Solid Waste trucks. RouteSmart provided detailed software that analyzed numerous factors, including distances, speed limits, turning directions, whether a route was worked by vehicle or foot, and the feasibility of reading remote or difficult to access meters by remote devices, with the objective of establishing the most efficient service routes. The software also balanced routes so that each work crew handled approximately the same amount of work, thereby eliminating the need to add additional resources when a reallocation of existing resources was feasible. Under the Agreement, the City would purchase a software license for both Lakeland Electric and Solid Waste. The total contract price for both licenses, training and consulting services was \$123,200.

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

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 – Community Development and Housing Funds**

The State of Florida has awarded an additional \$162,574 to the City's Housing Division in conjunction with the State Housing Initiatives Partnership (SHIP). The division would like to allocate this additional funding as follows:

Housing Rehabilitation: \$ 46,317
Home Purchase Assistance: \$100,000
Administration: \$ 16,257

Staff recommended that the City Commission authorize an appropriation and an offsetting increase in estimated revenues within the SHIP program amount of \$162,574.

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

AUDIENCE

Enter the name of anyone that comes forward to speak. Include a brief summary of their comments, especially if they were requesting a specific action. Note whether the Commission took action or not. This could include referring the person to a staff member.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Wiggs reminded everyone to have a safe Memorial Day Holiday.

Recess/reconvene: The City Commission recessed at 9:57 AM. The Commission reconvened at 1:58 PM.

The Lakeland City Commission reconvened in the Commission chambers. Commissioners Justin Troller, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates, and Mayor Fletcher were present. Commissioner Glenn Higgins was out of town. City Manager Doug Thomas, City Attorney Tim McCausland, Assistant Finance Director Mike Brossart and Administrative Assistant Stephanie White were present.

UTILITY - CONSIDERED AFTER 1PM UTILITY COMMITTEE MEETING

Memo re: Approval of Task Authorization #2 to Agreement with Stanley Consultants, Inc. for Coal Handling Modifications

This was a previously approved contract with Stanley Consultants for the design of a modification to the existing coal-handling infrastructure at McIntosh Unit #3. In January, the City Commission approved this comprehensive contract to analyze the existing coal handling operations and to make recommendations to improve efficiencies in a number of related activities. Emphasis included activities related to blending, truck delivery, coal yard capacity, and loading. That contract contemplated an initial task as described above and an opportunity to review and evaluate the results. Staff completed that review and was prepared to move forward with the final design and bidding of the modifications that the report suggested.

The contract included a number of tasks that the consultant performed pursuant to the initial approval. Staff requested authorization to proceed to a second phase, which was to perform the engineering to evaluate the integrated operation of all the equipment in the process, final drawings for proposed modifications, assist in the assembly of bid documents and in the evaluation of the bidders. Stanley Consultants, Inc. would perform this work for a not-to-exceed price of \$607,949.00.

Staff recommended that the Commission authorize the appropriate City Officials to execute the proposed task authorization 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: Contract with Thermo Environmental Instruments for NOx Analyzers

In accordance with the City Commission's prior direction, Lakeland Electric (LE) was proceeding with the design and construction of a Selective Catalytic Reduction (SCR) system for McIntosh Unit 3 to reduce its nitrogen oxide (NOx) emissions and comply with the Clean Air Interstate Rule (CAIR). To date, the City had entered into approximately thirteen (13) different contracts to purchase and/or install equipment, foundations, structural steel, or ductwork necessary to construct the SCR; more will be forthcoming. The purpose of Invitation to Bid (ITB) No. 8029 was to obtain bids from qualified companies to furnish four (4) nitrogen oxide (NOx) analyzers for the Unit 3 SCR. The purpose of the NOx analyzers was to measure the NOx concentration that was in the flue gas. The objective of the SCR project was to remove NOx from the flue gas; therefore, NOx analyzers were installed directly ahead of and after the SCR. LE would use this information to control the SCR.

Four (4) firms responded to the ITB and Thermo Environmental Instruments, Inc. submitted the second lowest cost bid. Horiba Instruments, Inc submitted the lowest bid. The City did not select Horiba because Horiba had no proven experience with its equipment in an SCR application. Thermo Environmental Instruments had proven experience and Lakeland Electric had direct experience using Thermo Environmental's analyzers at the McIntosh plant. The total contract price was \$230,219.99.

Staff recommended that the Commission authorize the appropriate City officials to enter into contract with Thermo Environmental Instruments, Inc. to furnish NOx analyzers for the SCR project for McIntosh Unit No. 3.

Tim McCausland presented this time to the Commission.

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

CALL FOR ADJOURNMENT – 2:13 PM

LAKELAND CITY COMMISSION
Agenda Study Session
May 16, 2008

The Lakeland City Commission met for the Agenda Study Session in the Commission conference room. Mayor Fletcher, Commissioners Edie Yates, Howard Wiggs, Gow Fields, and Jim Verplanck were present. Mayor Pro Tem Higgins and Commissioner Troller were absent. Deputy City Manager Tony Delgado, City Manager Doug Thomas, Community Development Director Jim Studiale, Assistant Finance Director Mike Brossart, City Attorney Tim McCausland, Lakeland Electric General Manager Jim Stanfield, and Administrative Assistant Chris Chadwell were present along with staff.

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

Tim McCausland introduced Ramona Sirianni, the City of Lakeland's new Assistant City Attorney.

Doug Thomas covered the Presentations and Proclamations.

Commissioner Verplanck proposed to discuss the sale of 817 N. Scott Avenue to Lakeland Habitat for Humanity, Inc. pursuant to City's Urban Homestead Program during the general Commission meeting, in lieu of having a Land Acquisition Committee meeting. Mayor Fletcher agreed. Since the terms of the sale were identical to the items approved during the May 5, 2008, Commission meeting, the Commission placed the item on consent.

Doug Thomas covered the request to appear from the general public. Mr. Ken Eddy of Ken Eddy Electric wants to discuss Lakeland Electric's HomeWire program.

Tim McCausland covered the Public Hearings and offered the following verbal:

1. The Court approved the taking of the property for the Waring Road extension.

Doug Thomas covered the City Manager agenda and offered the following verbal:

1. He will forward via email the TBO.com article, "House Leaders Still Considering CSX Special session."

Tim McCausland covered the City Attorney agenda

Mike Brossart covered the Finance agenda.

Tim McCausland covered the Utility agenda.

The Agenda Study Session adjourned at 9:04 a.m.