

Agenda Study Session August 14, 2009

The Lakeland City Commission met for the Agenda Study Session in the Commission conference room. Commissioners Howard Wiggs, Gow Fields, Justin Troller, Glenn Higgins, Edie Yates and Mayor Pro Tem Jim Verplanck were present. Mayor Fletcher came in towards the end of the meeting. City Manager Doug Thomas, Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, Finance Director Greg Finch, Assistant City Attorney Palmer Davis, Assistant City Manager Stanley Hawthorne, and Deputy City Clerk Deborah Cason were present.

Mayor Pro Tem Verplanck called the meeting to order at 8:34 a.m.

Doug Thomas opened with the preliminaries.

As a result of the July extended billing cycle at Lakeland Electric, there had been requests for credit from 43 different accounts. Those credits totaled \$84.21. There were 1000+ payment agreements made. The Commission discussed how to respond to continued customer concerns.

Carol Castagnero requested to be put on the agenda under requests to appear from the public. She had listed the same topics as she had for several meetings. Doug was looking for clarity related to putting things on the agenda.

Commissioner Verplanck noted Ms. Castagnero had already discussed those things with them. If she wanted to continue to discuss the same topics she should be at the end of the meeting under the audience portion.

Palmer Davis covered the public hearings.

Doug Thomas covered the city manager agenda.

Verbals:

1. Waiting for final transcripts and recommendation from the Special Master in regards to UWA.
2. Lakeland will be a "Whistle Stop" location re: high speed rail on Tuesday, August 18, 2009 at 11:30 a.m. at city hall.
3. Two of the five employees in Building Inspection that had been laid off were hired back to fill other positions. One moved out of state and the other two are still waiting.

Palmer Davis covered the City Attorney agenda.

Greg Finch covered the Finance Director agenda.

Palmer briefed the Commission on the items to be discussed at Monday's Utility Committee meeting.

One item was a salary and benefits study for non union LE employees.

Jim Stanfield clarified it was not a compensation study; it was a market study.

Doug noted the City of Lakeland would have to replace people that were retiring. The city would need to know the market and compare that to what the city was doing. The electric industry was different than other markets. They had had trouble hiring in the past due to not being able to meet the market compensation.

The meeting adjourned at 9:46 a.m.

LAKELAND CITY COMMISSION
Regular Session
August 17, 2009

The Lakeland City Commission met in Regular Session in the Commission Chambers. Commissioners Glenn Higgins, Justin Troller, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates, and Mayor Fletcher were present. City Manager Doug Thomas, Assistant City Attorney Palmer Davis, Assistant Finance Director Mike Brossart, and City Clerk Kelly Koos were present.

CALL TO ORDER – 9:02 a.m.

INVOCATION

Pastor Keith Conley of Harvest Assembly of God offered the invocation followed by the salute to the flag.

PRESENTATIONS

Parks & Recreation – Lakeland’s Urban Forest (Bill Tinsley, Parks & Recreation Director and Brian Dick, Assistant Parks Superintendent)

COMMITTEE REPORTS AND RELATED ITEMS

Municipal Boards Committee Minutes 08/14/09

The Municipal Boards Committee met in the Commission conference room. Commissioners Edie Yates (chair), Glenn Higgins & Jim Verplanck (members) were present. Commissioners Justin Troller and Mayor Fletcher were present. Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, Assistant City Attorney Palmer Davis, Assistant City Manager Stanley Hawthorne, and Deputy City Clerk Deborah Cason were present along with staff and the media.

Commissioner Yates called the meeting to order at 9:47a.m.

1. Dixieland Community Redevelopment Area (CRA) Advisory Board

Recommendation from Tamara Sakagawa to appoint **Kristine Robertson** and **Sean Malott** to fill seats recently vacated by Stuart Artman and Karen Seggerman. If appointed, they would both serve a three-year term, which would begin August 17, 2009 and expire August 17, 2012.

Action: Commissioner Verplanck moved to accept the recommendations. Commissioner Higgins seconded. Commissioner Yates concurred and the motion carried unanimously.

The meeting adjourned at 9:49 a.m.

Edie L. Yates, Chair

Commissioner Yates presented this report.

Action: The Commission approved the appointments unanimously.

Kevin Cook displayed photos and introduced the new board members.

Land Acquisition and Disposition Committee 08/14/09

The Land Acquisition & Disposition Committee met in the Commission conference room. Commissioner Justin Troller & Mayor Fletcher (members) and Commissioner Glenn Higgins (chair) were present. Commissioners Edie Yates and Jim Verplanck were present. Deputy City Manager Tony Delgado, Assistant City Attorney Palmer Davis, Assistant City Manager Stanley Hawthorne, and Deputy City Clerk Deborah Cason were present along with staff and the media.

Commissioner Higgins called this meeting to order at 9:50 a.m.

Contract for Sale and Purchase – Without Walls International Church, Inc.

This was a proposed Contract for Sale and Purchase with Without Walls International Church, Inc. for the Carpenters Way Improvements project. In 2007, the City initiated a study to evaluate improvements within the northern section of the City limits. The purpose of the study was to identify potential improvements to the existing east-west roadway network in an effort to improve mobility between US 98 and Lakeland Hills Boulevard/Socrum Loop Road, with an emphasis on opening Carpenters Way to public access from east of Corporate Avenue to Wedgewood Estates Boulevard.

DRMP, Inc. published their final Preliminary Engineering Report in July 2008. The Report recommended opening Carpenters Way and extending Crevasse Street, near Union Drive, to Lakeland Park Drive. These recommendations would be implemented in two (2) phases. The Public Works Engineering Division commenced preparing roadway construction plans in June 2008. An approved SWFWMD permit had been applied for and approved. The roadway construction plans were complete and bid documents were being prepared. Staff continued to negotiate utility facility relocation plans. The right of way required for this project was identified in December 2008. The project would require approximately 3.69 acres. The sole owner was Without Walls International Church, Inc. (Without Walls). The City made an initial offer to Without Walls in the amount of \$645,750. Without Walls rejected that offer. The City then engaged Reed Appraisal Company to prepare an opinion of value for this property.

In mid-June, the City received a counter-offer from Without Walls in the amount of \$1,500,000. Based on information received from Reed indicating that the value of the right of way would range between \$1,175,000 and \$2,050,000, the City countered Without Walls' offer in the amount of \$900,000. In mid-July, Without Walls offered to settle for \$900,000 plus \$20,000 for legal fees and costs. Public Works was recommending that the City Commission approve this Contract for Sale and Purchase in the amount of \$920,000 and authorize the City Manager to execute the agreement on behalf of the City. The acquisition funds to purchase this property were budgeted as part of the Carpenters Way Improvements project funded by the Transportation Fund.

Action: Mayor Fletcher moved to accept the recommendation. Commissioner Higgins seconded and the motion carried 2 to 1. Commissioner Troller voted no.

The meeting adjourned at 10:02 a.m.

Glenn E. Higgins, Chair

Commissioner Higgins presented this report.

Commissioner Troller explained that he voted against the motion on Friday. He wanted to show his support for the project. He voted nay in error on Friday.

Action: The Commission approved this item unanimously.

Memo re: Contract for Sale and Purchase – Without Walls International Church, Inc.

Action: The Commission approved this agreement unanimously as outlined in the Land Acquisition Disposition Committee Report.

APPROVAL OF 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 7/31/09-8/06/09
- * Utility Committee Minutes 8/03/09
- * Appropriation and Increase in Estimated Revenues – Department of Information Technology Fund
- * Memo re: Approval for Boiler/Outage Consultants Short List and Agreement

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 7/31/09 – 8/06/09

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

*Utility Committee 8/03/09

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

REQUESTS TO APPEAR FROM THE GENERAL PUBLIC

James Goetz re Lakeland Electric

James Goetz came forward re Lakeland Electric. As explained at the last meeting, LE made a mistake on the billing. If customers called in, LE would reduce their rates to the normal tier. He called in and they said they did not know anything about it and hung up on him. People were frustrated. He wanted to make sure it never happened again.

Doug Thomas explained LE's response to the situation. He asked customer service for snap shot on this issue:

- Forty-three accounts had consumption tier credits. Those 43 accounts resulted in a total credit of \$84.
- There were individuals that were eligible for payment arrangements if their bill covered 35 days or more. 1129 individuals requested that arrangement.

LE will continue watch for other ways to resolve the issue.

A notice of the situation would go out with the September electric bills. The lead-time on the bill stuffers prohibited it from happening sooner. Doug asked James to forward any names of other affected citizens that needed assistance. LE did not do an automatic credit because the assumptions required would not apply to every customer. The best way to prevent this from happening again was with Smart Metering but that was an expensive alternative. LE's goal was to bill every 28 – 32 days. Not all 35-day bills moved up to the next tier. LE would not bill any customer for more that 365 days in one year.

Commissioner Troller wanted the Commission to extend the late deadline until the end of September. He planned to discuss it at the Utility Committee meeting.

Doug Thomas' recommendation was to wait until the end of August and then make a decision.

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 5114; Proposed 09-040; Annexation of 6.23 Acres Located at 4002, 4040 and 4102 Waring Road (1st Rdg 8-3-09)

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKE LAND, FLORIDA, THAT CERTAIN 6.23 ACRES LOCATED AT 4002, 4040, AND 4102 WARING ROAD; FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Palmer Davis 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 5115; Proposed 09-041; Small Scale Amendment #SS-09-012 to Future Land Use Map Assigning Use to 6.23 Acres Located at 4002, 4040 and 4102 Waring Road (1st Rdg 8-3-09)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A SMALL SCALE AMENDMENT #SS-09-012 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP FOR 6.23 ACRES LOCATED AT 4002, 4040 AND 4102 WARING ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKE LAND COMPREHENSIVE PLAN: 2000-2010; PROVIDING AN EFFECTIVE DATE.

Palmer Davis 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 5116; Proposed 09-042; Amending Ordinance 4177; Amending the Conditions for PUD Zoning and to Include 6.23 Acres Located at 4002, 4040, and 4102 Waring Road (1st Rdg 8-3-09)

AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE 4177 TO REVISE THE PLANNED UNIT DEVELOPMENT (PUD) ZONING TO INCLUDE 6.23 ACRES LOCATED AT 4002, 4040 AND 4102 WARING ROAD; PROVIDING CONDITIONS RELATED TO ACCESS AND WARING ROAD IMPROVEMENTS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Palmer Davis 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 5117; Proposed 09-043; Amending Ordinance 4842; Providing for a Local Distribution Charge for Extra Large Demand Customers and Facilities Charges (1st Rdg 8-3-09)

Palmer Davis 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 5118; Proposed 09-044; Repealing Sections 54-26 – 54-33 of the Lakeland City Code Regarding Impounded and Abandoned Property (1st Rdg 8-3-09)

AN ORDINANCE RELATING TO THE PROCEDURE FOR THE DISPOSITION OF IMPOUNDED AND ABANDONED PROPERTY; REPEALING SECTIONS 54-26 – 54-33 OF THE CODE OF THE CITY OF LAKE LAND, FLORIDA; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE

Palmer Davis 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

Resolutions

Resolution 4774; Proposed 09-040; Amending Resolution 4683; Authorizing the Submission of the Amended Local Housing Assistance Plan

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) LOCAL HOUSING ASSISTANCE PLAN; PROVIDING A STRATEGY FOR THE FLORIDA HOMEBUYER OPPORTUNITY PROGRAM; AMENDING RESOLUTION 4683; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE AMENDED LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Palmer Davis 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 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: Henley Field Grandstand Repairs & Structural Restoration and Construction Inspection Services Task Authorization

On July 13, 2009, the City received ten bids for the construction inspection services related to the Henley Field grandstand repairs and structural restoration project. NWHL Engineering, Inc. the City's engineering consultant on the restoration and repair project prepared the plans for the project. The project will consist of structural concrete repairs to the grandstands, roof replacement, bathroom repairs, and grandstand coatings.

Based on final evaluation by City staff and concurrence with NWHL Engineering, Inc. review findings, the low bid from RestoCon Corporation of Tampa, Florida, represented the most qualified respondent, and fully met the requirements of the project specifications. Subsequently, the City issued a Notice of Intent to Award to RestoCon Corporation.

Staff recommended the Commission award the bid to RestoCon in the amount of \$231,488.00. The contract term was 120 calendar days from commencement. Staff anticipated that the project work would begin in September 2009 and be completed by January 2010. Additionally, the Public Works Department also recommended awarding NWHL Engineering, Inc. the construction inspection services contract to oversee the restoration and repair work to be performed. The proposed fee under the task authorization with NWHL was \$36,250.00. Funding for both the construction services and construction inspection services were included within the current Fiscal Year Public Improvement Fund Capital Improvement Projects accounts.

Staff recommended that the City Commission authorize the appropriate City officials to execute the Henley Field Grandstand Repairs and Structural Restoration Project contract with RestoCon Corporation for the fee of \$231,488.00. Additionally, staff recommended that in conjunction with the construction contract, the Commission authorize a task authorization for construction inspection services with NWHL Engineering, Inc. for the not-to-exceed amount of \$36,250.00.

Doug Thomas presented this item to the Commission.

Action: Commissioner Verplanck moved to approve the recommendation. Commissioner Higgins seconded and the motion carried 6-0. Commissioner Wiggs was absent at that time.

Recommendation re: Property Acquisition and Disposition Through the Neighborhood Stabilization Program

In October 2008, the City Commission approved submission of a substantial amendment to the City of Lakeland's Action Plan and Projected Use of Funds to receive \$2,005,781 with which to acquire, rehabilitate, and resell foreclosed and/or abandoned properties as part of the Neighborhood Stabilization Program (NSP). Initially, the Neighborhood Services Division envisioned a model whereby a public or private nonprofit with a track record of successful affordable housing development would own NSP-acquired properties.

However, continued discussion among staff in Neighborhood Services, Community Development, and the City Attorney's Office has transpired into recommending a program design in which the City holds title to NSP-acquired properties from rehabilitation or redevelopment through to the eventual sale. This recommendation was based primarily on the due diligence required by City staff prior to acquiring such properties regardless of the grantee named on the instrument, which transferred title from the bank/lender/mortgagee.

All costs associated with due diligence, negotiation, and closing were eligible expenditures under the NSP. However, the NSP requirements regarding purchase and sale price, and a fast-approaching deadline to commit and expend the funds (September 1, 2010), made it essential that the City be able to act quickly in negotiating, contracting for, acquiring, and disposing of NSP-eligible properties as opposed to the traditional Land Acquisition and Disposition Committee process. Ideally, a small team or Task Force comprised of City staff with experience in real estate development and redevelopment, and/or housing would be able to effectively evaluate potential NSP acquisitions, negotiate with realtors or mortgagee-owners, and successfully close the anticipated 40 NSP transactions. Accordingly, staff proposed a Task Force to include the following individuals: Pam Shultz (Legal Assistant), Brian Rewis (Neighborhood Services Manager), Steve Bissonette (Assistant Community Development Director), Annie Gibson (Housing Programs Coordinator) and Ramona Sirianni (Assistant City Attorney). The Task Force would regularly update the City Commission on acquisitions, redevelopment activity, and sales of rehabilitated residences in conjunction with the NSP.

Accordingly, staff recommended that the City Commission authorize the formation of an "NSP Task Force," with membership as noted above, with the collective authority to evaluate, negotiate, purchase, rehabilitate/redevelop, and sell properties through the Neighborhood Stabilization Program.

Brian Rewis explained that there would be 25-30 homes affected initially. Staff would have to file quarterly reports with the Federal Government and would copy the Commission on those reports.

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

Recommendation re: FAA Grant for Airport

Doug Thomas presented this item to the Commission. This was a grant from FAA in the amount of \$162,137.00 (Federal share). The local cost would be \$43,713.00. This grant would cover the cost to replace a 35-year-old street sweeper at Lakeland Linder Regional Airport. The Airport acquired the unit through federal surplus and had maintenance issues. FAA was looking for acceptance of the grant by August 31, 2009. This was the final meeting before that deadline.

Doug recommended the Commission authorize staff to proceed with the grant, federal share of \$162,137.00 and local cost of \$43,713.00. There was sufficient funding in the airport budget to cover the local cost.

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

High Speed Rail

Doug Thomas announced that Tuesday at 11:45 a.m. at Lakeland City Hall there would be a Whistle Stop relating to High Speed Rail in the Commission Chambers. This would be a public event in hopes of raising awareness of Florida's potential for High Speed Rail.

CITY ATTORNEY

Ordinances (First Reading)

Proposed 09-045; Amending Ordinance 4842; Providing for Time of Use Fuel Pricing for Various Rate Classes

AN ORDINANCE RELATING TO THE ELECTRIC UTILITY; AMENDING ORDINANCE 4842; PROVIDING FOR TIME OF USE FUEL PRICING AND ELECTRIC RATES; 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 September 8, 2009.

Proposed 09-046; Reinstating Ordinance 3975 Related to Water Meter Tampering to Correct Scrivener's Error

AN ORDINANCE RELATING TO WATER UTILITIES; PROHIBITING TAMPERING AND WATER THEFT; REINSTATING ORDINANCE 3975 OF THE CITY OF LAKELAND, FLORIDA TO CORRECT A SCRIVENER'S ERROR; 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 September 8, 2009.

Proposed 09-047; Repealing Ordinance 5102 Which Adopted Amendment to the Future Land Use Map #SS-09-008 for Property Located at 3255 Kathleen Road

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; REPEALING ORDINANCE 5102 WHICH ADOPTED SMALL SCALE AMENDMENT #SS-09-008 TO THE FUTURE LAND USE MAP FOR PROPERTY

LOCATED AT 3255 KATHLEEN ROAD; 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 September 8, 2009.

Proposed 09-048; Repealing Ordinance 5103 Which Adopted Zoning Designation for Property Located at 3255 Kathleen Road

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; REPEALING ORDINANCE 5103 WHICH ADOPTED THE ZONING DESIGNATION FOR PROPERTY LOCATED AT 3255 KATHLEEN ROAD; 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 September 8, 2009.

Resolutions

Resolution 4775; Proposed 09-041; Relating to Eminent Domain Proceedings for the North Lakeland Regional Stormwater Improvement Project

A RESOLUTION RELATED TO EMINENT DOMAIN; CERTIFYING THE AUTHORITY OF GREGORY D. JAMES, ASSISTANT DIRECTOR OF PUBLIC WORKS, RELATING TO ACTIVE EMINENT DOMAIN PROCEEDINGS FOR THE NORTH LAKELAND REGIONAL STORMWATER IMPROVEMENT PROJECT, MAKING FINDINGS, PROVIDING AN EFFECTIVE DATE

Palmer Davis 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

FINANCE DIRECTOR

***Appropriation and Increase in Estimated Revenues – Department of Information Technology Fund**

The Department of Information Technology (DoIT) requested permission to purchase a System Service Analyzer, which staff would use to repair radios and other fix-end

equipment used within the City's 800Mhz radio system. This unit would replace a piece of equipment that was 20 years old and was no longer repairable. The new Service Analyzer would be capable of servicing the newer technologies used in today's FCC and Homeland Securities endorsed P25 compatible radio systems.

The total cost for the unit was \$35,390. Nextel agreed to contribute \$23,310 toward the purchase price, and the DoIT would fund the balance of \$12,080 by transferring funds available in other operating accounts.

Staff requested that the City Commission authorize an appropriation of \$35,390 within the Department of Information Technology Fund to accommodate the purchase of a System Service Analyzer and to increase estimated revenues in the amount of \$23,310.

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

AUDIENCE

Commissioner Wiggs commented that the condition of Carol's property is excellent at this time. He understood her frustration. The City had cited her neighbors for the condition of their property.

Carol Castagnero and William Kerth

Carol Castagnero brought William Kerth with her. She asked Kevin Cook to place her letter to the Commission on the large screen. She then reviewed her letter, a copy of which is on file in the City Clerk's Office.

William Kerth came forward and explained the difficulties he encountered since he moved to Florida. He had a citation against him, issued by the Lakeland Police Department. He was looking for assistance in resolving that fine so he could move from Polk County. The Commission assigned the issue to the City Manager.

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Wiggs explained that he attended the FLC Conference and there was significant legislation in Tallahassee. He requested a legislative committee within the next few weeks to discuss some strategies.

Commissioner Troller explained that an employee in Communications was going through a family tragedy. He asked everyone to keep her in their prayers.

Commissioner Higgins thanked the Commission and staff for the upcoming east/west connector in north Lakeland. That would be a great thing for the citizens.

Recess/reconvene: The Commission recessed at 10:47 a.m. until after the Utility Committee meeting. The Commission reconvened at 1:40 p.m.

The Lakeland City Commission reconvened in Regular Session in the Commission Chambers. Commissioners Glenn Higgins, Justin Troller, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates, and Mayor Fletcher were present. City Manager Doug Thomas, Assistant City Attorney Palmer Davis, Assistant Finance Director Mike Brossart, and City Clerk Kelly Koos were present.

UTILITY

***Memo re: Approval for Boiler/Outage Consultants Short List and Agreement**

The City of Lakeland recently published a Request for Quotes (RFQ) for qualified firms to enter into a continuing contract for boiler engineering and consulting services. By entering into a continuing contract for boiler and plant outage engineering/consulting services with these firms, the City will be able to utilize and benefit from a broad scope of boiler and plant outage engineering/consulting services. A total of four firms responded and after further evaluation by a review committee comprised of City of Lakeland staff members, the following three firms have been short-listed as follows:

1. Stone & Webster (Shaw)
2. TJR Technical Services
3. Black & Veatch

The criteria used for evaluation was as follows:

- Response to Public Announcement
- Project Experience
- Bidder Qualifications
- Design Team
- Team Experience
- Past Performance with City
- Location where work will be performed

Included with this approval request was a copy of the standard continuing agreement for Boiler and Plant Outage engineering/consulting services that the City will enter into with the above firms, once approved by the Commission. The initial term of said contract was a three (3) year term with options for two (2) one (1) year renewals by mutual agreement. Lakeland Electric staff was requesting blanket approval of this standard continuing agreement for Boiler and Plant Outage Engineering/Consulting services with any of the above firms in substantially the form attached.

Staff recommended that the Commission authorize the appropriate City officials to enter into a continuing contract with each of these firms.

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

Memo re: Consultant Agreement with Towers Perrin, Forster & Crosby, Inc. for Development of a Salary and Benefit Market Study for Specified Non-Union Lakeland Electric Positions

This was a proposed Consultant Agreement with Towers Perrin, Forster & Crosby, Inc. to conduct a market study to provide Lakeland Electric with credible market data as the utility competes to attract and retain talent. The study would encompass approximately 84 non-union positions unique to Lakeland Electric's operations and would serve as a resource in the development of At-Risk employee strategies.

Pursuant to City Request for Proposal (RFP) #9170, a review committee comprised of four members of Lakeland Electric's senior staff reviewed the eight proposals. The top three consulting firms then participated in phone interviews. Towers Perrin was selected as the highest ranked proposal based on an evaluation of staff experience, familiarity of the issues to be addressed, experience with utility salaries/benefits and understanding of the scope of work.

The term of this Amendment would commence upon approval by the City Commission and continue until all services were completed in accordance with the Agreement's schedule, with a total cost of \$40,000, plus expenses in accordance with the City's consultant reimbursement policy. A compilation of this information was necessary to provide Lakeland Electric with the data required for planning and budgeting for a sustainable workforce.

Staff recommended that the Commission authorize the appropriate City officials to execute this Consultant Agreement to conduct a market study for Lakeland Electric with Towers Perrin.

Palmer Davis presented this item to the Commission.

Action: Commissioner Verplanck moved to approve the recommendation. Commissioner Yates seconded and the motion carried 6-1 with Commissioner Troller voting nay.

Recommendation re: Extending the Temporary Directive Through September 2009 for Re-Calculating Bills Effected by July 2009's Extended Billing Cycle

Temporary Directive

As an outcome of the meeting of Lakeland Electric Customer Service leadership, the following is provided as direction. The immediately following bullets are to become a part of the original directive (below), and serve as complete direction for addressing the current issues related to the recent extended days of service billing.

- There will be no adjustments for consumption.
- Remove late events for all bills \geq 35 days. (Vickie, will handle this task systematically)
- Enter a payment arrangement for every customer that has been affected as is requested.

- Revenue Management will make contact with social service agencies that serve the elderly to provide explanation and assistance in a proactive manner.
- The email below remains in effect, with this section as an addendum.
- Please direct employees to inquire through normal channels when inquiring about the impact to their bills..

PLEASE REMEMBER THAT THIS IS NOT INTENDED TO BECOME A PERMANENT POLICY. BUT AN EQUITABLE RESPONSE TO THIS SPECIFIC CIRCUMSTANCE.

We are aware of the fact that some of our customer have received bills that were based upon reads of more than 35 days. Beginning today, the C/S management team is implementing the following plan to address customers that fit specific criteria. Through the 31st of August 2009, if a customer receives a bill whereby the days of service exceeds 34 days, the following applies:

- Late fees will be credited (for the current billing period only), if past due date presents problem for payment.
- Payment arrangement is authorized (even if there has been a payment arrangement in the previous 90 day period).
- If there has not been a payment arrangement in the immediately preceding 90 day period, remove the NOPA alert after entering the payment arrangement (if the payment arrangement is entered solely because of the extended days of service, the customer should remain eligible for a future payment arrangement within the 90 day window).

Remember, this temporary measure is an exception to the rule, with no intent of becoming a permanent procedure or practice. This directive expires on August 31, 2009.

The Utility Committee recommended extending this directive until the end of September.

Action: The Commission approved this recommendation unanimously.

CALL FOR ADJOURNMENT – 1:41 p.m.

LAKELAND CITY COMMISSION
Budget Workshop
August 24, 2009

The Lakeland Commission met for a public budget workshop in the Commission chambers. Commissioners Glenn Higgins, Justin Troller, Jim Verplanck, Gow Fields, Edie Yates, and Mayor Fletcher were present. Commissioner Howard Wiggs was absent. 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 6 p.m.

Doug Thomas gave the presentation, a copy of which is on file in the City Clerk's Office. He provided an update on the processes the city was moving thru to balance the budget.

The City dealing with higher citizen expectations, property tax challenges, economic declines, unfunded mandates and fiscal uncertainty. Staff needed to better connect the value & associated costs of municipal services to citizens.

Doug explained how the City prioritized and defined core services.

Greg Finch explained the development of the General Fund Budget based on the following assumptions:

- Look forward three years thru 2012
- No increase in Property Tax Revenues
- Limited growth in sales tax revenues
- 2% annual growth in utility dividend revenues
- Pension Plan cost increases – 10% over three years
- No annual across the board or merit pay increases
- 12% annual increase in health insurance costs
- Limited or no growth in non-payroll operating costs

Staff expected that by 2012 the reserve would be 5.9%, which was below the 7% goal. Greg then went on to explain how staff arrived at the proposed millage rate of 3.6538

Doug Thomas reviewed the Budget Policies and the cuts that the City would make to meet the budget target.

Mayor Fletcher asked for comments from the audience.

Allen Sale came forward concerning the airport. The tenants felt they should pay what it cost to maintain the hangars or the fair market value. Some costs associated with airport were being pushed upon the tenants. He asked the Commission put off the hangar rent increase for 6 months. In looking for new airport manager, he asked the

Commission to consider where the airport is now and where they want it to go and hire a director accordingly. Does the City want an airport like Sanford (commercial) or like Oshkosh (general)?

Ron Garl thanked the Commission & staff for their work on budget. He would like the Commission to hold T-Hangar rents for 12 months. He said fuel was cheaper at other airports. It was not reasonable to expect a successful commercial airport in Lakeland because of Tampa and Orlando.

Frank Pageris said Zephyrhills had hangars for \$250. Bartow had hangars for \$285. Lakeland was at \$300 and trying to go up. He thought the Airport should require a non-refundable deposit to be on the waiting list for hangars. People were talking about leaving hangars because of rent rate.

Doug Thomas responded on the future direction of the airport. The City had an airport master plan. Staff would be reviewing that tomorrow at the Airport Advisory Board Meeting. The update of the plan was under way. Staff would announce the schedule at the Airport Advisory meeting.

Commissioner Verplanck thought the cultural assistance fund was a favorable consideration for the RLC money.

Doug Thomas said he would put his presentation on website.

The meeting adjourned at 7:41 p.m.