

**LAKELAND CITY COMMISSION**  
**Regular Session**  
**October 16, 2006**

The Lakeland City Commission met in Regular Session on Monday, October 16, 2006 in the City Commission Chambers. Commissioners Glenn Higgins, Dean Boring, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates and Mayor Fletcher were present. City Manager Doug Thomas, City Attorney Tim McCausland, Finance Director Greg Finch, City Clerk Kelly Koos were present.

**CALL TO ORDER**

Mayor Fletcher called the meeting to order at 9:03 a.m.

**INVOCATION**

Reverend Sharon Davis of Trinity United Methodist offered the invocation followed by the salute to the flag.

**PRESENTATIONS**

**Parks & Recreation – Lake Mirror Update (Bill Tinsley & Pam Page)**

Bill Tinsley recognized Kaleidoscope and the Detroit Tigers. He then introduced the presentation and brought the Commission up to date on the project thus far. Pam Paige reviewed the remaining designs.

**PROCLAMATIONS**

**Lakeland Housing Authority Youth Services Red Ribbon Week.**

**Sonny Smith - Foresters Race for Kids Day**

**CONSENT AGENDA**

- \* City Commission Minutes 9/29/06-10/2/06
- \* Utility Committee 10/2/06
- \* Municipal Boards & Committees 10/2/06
- \* Recommendation re Schedule of Adoption of CDBG and HOME Programs for 2006
- \* Memo re: Lakeland Health Department Lease Amendment with Polk County – 3241 Lakeland Hills Boulevard
- \* Memo re: Task Authorization with Gulf Coast Property for Lake Hollingsworth Westside Stormwater Strands Project
- \* Memo re: Task Authorization with Envisors for Southwest District Alternative Irrigation Water Utility Feasibility Study

- \* Memo re: Task Authorization with CH2M Hill for Water Quality Sampling for Lake Parker and Mixing Zone Update
- \* Memo re: Consulting Contract with Radif Masud for Information Technology Support Services
- \* Memo re: Supplemental Lease Agreement – Federal Building/124 South Tennessee Avenue

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 9/29/06-10/2/06**

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

\* **Utility Committee 10/2/06**

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

\* **Municipal Boards & Committees 10/2/06**

The Municipal Boards Committee met in the Commission conference room. Members Commissioner Glenn Higgins, Commissioner Jim Verplanck and Chairman Commissioner Dean Boring were present. Assistant Community Development Director Steve Bissonnette and administrative personnel were also present.

Commissioner Boring called the meeting to order at 10:29 a.m.

**Dixieland Community Redevelopment Area Advisory Board**

1. Reappoint Ben Mundy and Nis Nissen whose respective terms expire October 30, 2006. Their new terms would be for three years ending October 30, 2009.
2. Recommendation from Tamara Sakagawa to appoint Cindy Green who is a Dixieland Neighborhood Representative. Her term would be for three years ending October 1, 2009. She is replacing Mary Smith who can no longer participate.

Recommendation: Commissioner Verplanck moved to recommend the appointments to the City Commission. Commissioner Higgins seconded. Commissioner Boring concurred and the motion carried.

**Midtown Community Redevelopment Area Advisory Board**

1. Reappoint Bill Mutz and Carole Philipson whose respective terms expire October 30, 2006. Their new terms would be for three years and they would cycle off the Board on October 30, 2009.

**Recommendation:** Commissioner Verplanck moved to recommend the appointments to the City Commission. Commissioner Higgins seconded. Commissioner Boring concurred and the motion carried.

### **Code Enforcement Board**

1. Recommendation from Steve Bissonnette and Brian Rewis to appoint Ellis Hirsch to the regular member position vacated by Gene Roberts whose term on the Board expires October 31, 2006. Mr. Hirsch's term would be for three years, expiring on October 31, 2009.

**Recommendation:** Commissioner Verplanck moved to recommend the appointment to the City Commission. Commissioner Higgins seconded. Commissioner Boring concurred and the motion carried.

2. Recommendation from Steve Bissonnette and Brian Rewis to appoint Charles Bell as an alternate to the Board replacing Ellis Hirsch.

**Recommendation:** Commissioner Verplanck moved to recommend the appointment to the City Commission. Commissioner Higgins seconded. Commissioner Boring concurred and the motion carried.

The meeting adjourned at 10:31 a.m.

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

### **Transportation-Airport Committee 10/13/06**

The Transportation - Airport Committee met on Friday, October 13, 2006 in the City Commission Conference Room. Members Glenn Higgins and Chairman Jim Verplanck were present. City Attorney Tim McCausland, Mayor Fletcher, Deputy City Manager Tony Delgado, Jason Willey from Community Development and Steven Harris from the City Clerk's office were present.

Commissioner Verplanck called the meeting to order at 8:16 am

1. **Request to vacate a portion of a public right-of-way located south of Hunter Street, north of E. Patterson Street, east of S. New York Avenue and west of S. Florida Avenue**

Nis Nissen requested the vacation of a portion of public right-of-way located south of Hunter Street, north of E. Patterson Street, east of S. New York Avenue and west of S. Florida Avenue. More specifically, the right-of-way to be vacated, otherwise know as a portion of Hunter Lane, lay between lots 4 through 7 and 17 through 21 of Dixieland PB 1 PG 67 BLK B.

The applicant owned all of the properties adjacent to the subject portion of right-of-way. This request would accommodate the reconfiguration of the existing parking area, adjacent to the alley, which served the Dixieland Mini Mall located at 1035 S. Florida Avenue. As part of this request, the applicant agreed to dedicate the existing paved portion of private roadway located on the western most side of Lot 7 to the City. This portion of existing paved roadway would become a public right-of-way designed to accommodate vehicular traffic to and from the remaining portion of Hunter Lane. The eastern most portion of Hunter Lane, comprised of approximately 1,878 square feet, would be closed. Public access to and from Hunter Lane would be slightly diverted to the paved portion of Lot 7, thus circumventing the existing Dixieland Mini Mall parking allowing traffic to enter and exit Hunter Lane directly from Hunter Street. Access to Hunter Lane from S. New York will remain intact and unchanged. The various City and private utilities reviewed this request and had no objections to the vacation. However, Lakeland's Water Utilities Department did maintain an 8-inch sewer line within the subject right-of-way and required a utility easement over the entire area.

Staff recommended that the City vacate the requested 1,878 sq.ft. right-of-way in exchange for the donation of approximately 1,885 sq.ft. of right-of-way, subject to the reservation of a public utility easement over the entire area.

**Recommendation:** Commissioner Higgins moved to recommend the Commission approve request and Commissioner Verplanck concurred.

The meeting adjourned at 8:19 a.m.

Commissioner Verplanck presented these minutes to the Commission.

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

## **EQUALIZATION HEARINGS**

**Recess:** Commissioner Wiggs moved to recess as the City Commission and convene as the Equalization Board. Commissioner Verplanck seconded and the motion carried unanimously.

### **Demolition of Buildings**

Tim McCausland presented the demolition assessments.

**Motion:** Commissioner Wiggs moved to approve the demolition assessments. Commissioner Verplanck seconded.

Mayor Fletcher asked for any comments and there were none.

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

**Reconvene:** Commissioner Wiggs moved to adjourn as the Equalization Board and reconvene as the City Commission in Regular Session. Commissioner Verplanck seconded and the motion carried unanimously.

## **PUBLIC HEARINGS**

### **Ordinances (Second Reading)**

**Ordinance 4794; Proposed 06-066; Large Scale Amendment #LS-06-010 to Future Land Use Map Assigning Use on Approximately 170 Acres Located South of Interstate 4, West of the Polk Parkway**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-06-010 TO THE FUTURE LAND USE MAP FOR 170 ACRES LOCATED SOUTH OF INTERSTATE 4, WEST OF THE POLK PARKWAY, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4795; Proposed 06-067; Text Amendment #T-06-012 to the Intergovernmental Coordination Element of the Lakeland Comprehensive Plan Relating to an Interlocal Agreement for Utility Service Areas**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-06-012 TO THE INTERGOVERNMENTAL COORDINATION ELEMENT TO THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 RELATING TO AN INTERLOCAL AGREEMENT FOR UTILITY SERVICE AREAS;

MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4796; Proposed 06-068; Text Amendment #T-06-013 to the Future Land Use Element of the Lakeland Comprehensive Plan Updating Illustration II-18 - Major Factors of Development**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-06-013 OF THE LAKELAND COMPREHENSIVE PLAN 2000-2010, AS ADOPTED BY ORDINANCE 4140, UPDATING ILLUSTRATION II-18 WITHIN THE FUTURE LAND USE ELEMENT; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4797; Proposed 06-076; Vacating a Portion of Lee Avenue**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF LEE AVENUE LOCATED SOUTH OF GRIFFIN ROAD, EAST OF PROVIDENCE ROAD, AND WEST OF NORTH ROAD 98, WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4798; Proposed 06-077; Vacating a Portion of Lake Horney Drive**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF LAKE HORNEY DRIVE LOCATED EAST OF LAKE HORNEY AND NORTH OF CLEARVIEW AVENUE, WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4799; Proposed 06-078; Conditional Use for Senior Center in an Existing Building on Property Located South of Palmetto Street, West of Rushing Avenue, and East of College Avenue**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A SENIOR CENTER IN AN EXISTING BUILDING LOCATED SOUTH OF PALMETTO STREET, WEST OF RUSHING AVENUE AND EAST OF COLLEGE AVENUE (801, 803, 805, AND 807 EAST PALMETTO STREET); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4800; Proposed 06-079; Establishing PUD Zoning for 56 Acres Located East and South of North Road 33, South of Lakeland Harbor Mobile Home Park**

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING OF 56 ACRES WITHIN THE CITY OF LAKE LAND LOCATED EAST AND SOUTH OF NORTH ROAD 33, SOUTH OF LAKE LAND HARBOR MOBILE HOME PARK, PURSUANT TO THE "ZONING CODE OF THE CITY OF LAKE LAND, 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 Boring seconded.

Mayor Fletcher asked for comments and the were none.

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

**Ordinance 4801; Proposed 06-080; Change in Zoning on 7.63 Acres Located East of Donovan Road, North of Wildcat Run**

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING ON 7.63 ACRES WITHIN THE CITY OF LAKE LAND LOCATED EAST OF DONOVAN ROAD, NORTH OF WILDCAT RUN, PURSUANT TO THE "ZONING CODE OF THE CITY OF LAKE LAND, 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 Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4802; Proposed 06-081; Small Scale Amendment #SS-06-017 to Future Land Use Map Assigning Use on 2.6 Acres Located West of Lake Parker Avenue, South of East Lemon Street, and East of Bartow Road**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A SMALL SCALE AMENDMENT #SS-06-017 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP FOR 2.6 ACRES LOCATED WEST OF LAKE PARKER AVENUE, SOUTH OF EAST LEMON STREET, AND EAST OF BARTOW ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN: 2000-2010; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4803; Proposed 06-082; Establishing PUD Zoning on 3.6 Acres Located West of Lake Parker, South of East Lemon Street and East of Bartow Road**

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING OF 3.6 ACRES WITHIN THE CITY OF LAKELAND LOCATED WEST OF LAKE PARKER AVENUE, SOUTH OF EAST LEMON STREET, AND EAST OF BARTOW ROAD, 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 Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4804; Proposed 06-083; Annexation of 2.13 Acres Located at the Northwest Corner of Knight Station Road and Kathleen Road (3120 Kathleen Road)**

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKE LAND, FLORIDA, THAT CERTAIN 2.13 ACRES LOCATED AT THE NORTHWEST CORNER OF KNIGHT STATION ROAD AND KATHLEEN ROAD (3120 KATHLEEN ROAD); FINDING COMPLIANCE WITH CHAPTER 171, FLORIDA STATUTES; MAKING FINDINGS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4805; Proposed 06-084; Small Scale Amendment #SS-06-011 to Future Land Use Map Assigning Use on 2.13 Acres Located at the Northwest Corner of Knight Station Road and Kathleen Road (3120 Kathleen Road)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A SMALL SCALE AMENDMENT #SS-06-011 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP FOR 2.13 ACRES LOCATED AT THE NORTHWEST CORNER OF KNIGHT STATION ROAD AND KATHLEEN ROAD (3120 KATHLEEN ROAD), ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKE LAND COMPREHENSIVE PLAN: 2000-2010; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4806; Proposed 06-085; Establishing PUD Zoning on 2.13 Acres Located at the Northwest Corner of Knight Station Road and Kathleen Road (3120 Kathleen Road)**

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING OF 2.13 ACRES WITHIN THE CITY OF LAKE LAND LOCATED AT THE NORTHWEST CORNER OF KNIGHT STATION ROAD AND KATHLEEN ROAD (3120 KATHLEEN ROAD), PURSUANT TO THE "ZONING CODE OF THE CITY OF LAKE LAND, 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 Boring seconded.

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4807; Proposed 06-086; Text Amendment #T-06-018 to Update the 5-Year Capital Improvements Plan and Associated Text in the Lakeland Comprehensive Plan**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-06-018 OF THE LAKE LAND COMPREHENSIVE PLAN 2000-2010, AS ADOPTED BY ORDINANCE 4140, UPDATING THE 5 YEAR CAPITAL IMPROVEMENTS PLAN AND ASSOCIATED TEXT IN THE CAPITAL IMPROVEMENTS ELEMENT; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

## **CITY MANAGER**

### **\* Recommendation re Schedule of Adoption of CDBG and HOME Programs for 2006**

The City was required on an annual basis to prepare a One Year Action Plan and Projected Use of Funds for the CDBG and HOME Programs. The following was the suggested public meetings and hearings schedule for the Action Plan 2006-2007 program year:

Monday, January 22, 2007 Public meeting to obtain citizen input on the One Year Action Plan and Projected Use of Funds ("Action Plan") Larry R. Jackson Branch Library at 7:00 p.m.

Monday, February 5, 2007 Regular meeting of the Citizens Advisory Committee. Obtain input from CAC members and the public on the Action Plan. City Hall, 3rd Floor, City Commission Conference Room, at 6:00 p.m.

Monday, March 5, 2007 Public hearing before the City Commission on the Action Plan. City Hall, Commission Chambers, at time of regular City Commission meeting.

Monday, April 2, 2007 Public hearing before the City Commission to finalize the Action Plan. City Hall, Commission Chambers, at time of regular City Commission meeting.

Friday, April 13, 2007 Action Plan due at HUD area office in Jacksonville.

Staff recommended that the Commission adopt the proposed schedule.

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

## **Miscellaneous Reports and Communications**

Executive Summary: Utility Committee Meeting 10/2/06

## **CITY ATTORNEY**

### **Resolutions**

**Resolution 4564; Proposed 06-070; Authorizing the City Manager to Apply for a Community Investment Grant with Polk County for Construction of Common Ground Inclusive Playground at Edgewood Park**

A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO APPLY FOR A COMMUNITY INVESTMENT GRANT WITH POLK COUNTY FOR CONSTRUCTION OF COMMON GROUND INCLUSIVE PLAYGROUND TO BE LOCATED IN EDGEWOOD PARK, 1000 EAST EDGEWOOD DRIVE; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Fields seconded.

Mayor Fletcher asked for comments and there were none.

**Action:** Upon roll call vote Commissioners Yates, Fields, Wiggs, Verplanck, Higgins and Mayor Fletcher voted aye. Commissioner Boring was absent at that time. Ayes: six. Nays: zero. The motion carried.

**Resolution 4565; Proposed 06-071; Authorizing the City Manager to Apply for Community Investment Grant with Polk County for Construction of a Public Art Project in Partnership with Polk Museum of Art at Overlook Park**

A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO APPLY FOR A COMMUNITY INVESTMENT GRANT WITH POLK COUNTY FOR CONSTRUCTION OF A PUBLIC ART PROJECT IN PARTNERSHIP WITH THE POLK MUSEUM OF ART IN MAIN STREET OVERLOOK PARK, 102 SOUTH MASSACHUSETTS AVENUE, LAKELAND, FLORIDA; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Yates seconded.

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4566; Proposed 06-072; Authorizing Mayor to Execute all Documents Necessary to Consummate Sale of 184.68 Acres of City-Owned Property Located at Northwest Quadrant of Drane Field Road and CSX Railroad to D. R. Horton, Inc.**

A RESOLUTION OF THE CITY OF LAKELAND, FLORIDA, AUTHORIZING CITY OFFICIALS TO EXECUTE ALL DOCUMENTS NECESSARY TO CONSUMMATE THE SALE OF 184.68± ACRES OF CITY-OWNED PROPERTY LOCATED AT

THE NORTHWEST QUADRANT OF DRANE FIELD ROAD AND CSX RAILROAD;  
MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

DR Horton was committed to be diligent to do this deal and negotiate with the school board for a school site. They requested an additional 90 days. Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the resolution. Commissioner Yates seconded.

Mayor Fletcher asked for comments.

Howard Wiggs asked if they were granting the 90-day extension.

Tim McCausland replied yes but this resolution just authorized the mayor to sign the documents. Staff had already extended the contract 90 days at the Commission's direction.

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

**Resolution 4567; Proposed 06-073; Terminating a Restrictive Covenant for Property Located at Northwest Quadrant of Drane Field Road and CSX Railroad**

A RESOLUTION RELATING TO REAL PROPERTY OWNED BY THE CITY OF LAKELAND; TERMINATING A RESTRICTIVE COVENANT; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Resolution 4568; Proposed 06-074; Vacating a Portion of Hunter Lane**

A RESOLUTION RELATING TO PUBLIC RIGHT-OF-WAY; DECLARING INTENTION TO ADOPT AN ORDINANCE VACATING A PORTION OF HUNTER LANE, LOCATED SOUTH OF HUNTER STREET, NORTH OF EAST PATTERSON STREET, EAST OF SOUTH NEW YORK AVENUE AND WEST OF

SOUTH FLORIDA AVENUE, WITHIN THE CITY OF LAKELAND; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Resolution 4569; Proposed 06-075; Authorizing a Natural Gas Commodity Swap with J. Aron & Company**

A RESOLUTION RELATING TO LAKELAND ELECTRIC; AUTHORIZING THE CITY TO ENTER INTO A NATURAL GAS COMMODITY SWAP, WITHIN SPECIFIED PARAMETERS SET FORTH HEREIN; AUTHORIZING THE CITY TO ENTER INTO A CONTINUING AGREEMENT FOR STANDBY LETTERS OF CREDIT TO BE POSTED IN CONNECTION WITH SUCH SWAP; DESIGNATING THE COUNTERPARTY TO SUCH SWAP AND THE PROVIDER OF SUCH LETTER OF CREDIT AS THIRD PARTY BENEFICIARIES UNDER THE BOND ORDINANCE; PROVIDING CERTAIN DETAILS WITH RESPECT THERETO; PROVIDING AN EFFECTIVE DATE.

Tim McCausland explained this was item was under discussion. Amendments were made to the Resolution on Friday. It referred to a Nymex form letter of credit that was not attached on the web. He had hard copies available at the hearing. He then read the short title.

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

Mayor Fletcher asked for comments.

Commissioner Boring asked if this item had been to the Utility Committee yet.

Tim explained this was replacing the position on the Nymex exchange.

Commissioner Boring asked they mention it at the Utility Committee.

Commissioner Wiggs asked how this would help the utility.

Greg Finch said this would move the City's financial hedges from one broker to another. By moving this to a swap document with J. Aron, the City would avoid the restrictive

collateral requirement. The threshold would be \$25 million, above which they would use the letter of credit.

The Commission wanted to vote after the Utility Committee.

### **Miscellaneous Reports and Communications**

#### **Memo re: Agreement with Siemens Power Generation, Inc. for Low NOx Burners and Overfire Air System**

This was a proposed agreement with Siemens Power Generation, Inc. to supply low NOx burners and an overfire air system for the contract price of \$3,015,100.00. The Clean Air Interstate Rule (CAIR) required that Lakeland Electric (LE) reduce McIntosh Unit 3 NOx emissions from 0.45 lb/mmBTU to 0.13 lb/mmBTU by January 1, 2009 and then further reduce NOx emissions to 0.10 lb/mmBTU by January 1, 2015. Failure to comply would force LE to become a "net consumer" of NOx credits at an estimated annual cost of \$4.5 million per year or be in violation of federal law (CAIR) and state (FDEP) regulations. LE was taking a two-phased approach regarding NOx emissions compliance:

Phase 1: Install low NOx burners and over-fire air system on the Unit 3 boiler in 2007 to reduce NOx emissions to approximately 0.30 lb/mmBTU. This would result in future savings of ammonia over the remaining service life of the unit and limit what LE had to do in Phase 2 described below; estimated annual savings range of \$700k to \$1.2M per year depending on the price of ammonia. LE's objective was to purchase and install all Phase 1 equipment in the Spring 2007 outage for Unit 3. The estimated cost of this project was \$7.49 million (\$4.49 million City share).

Phase 2: Design and install a selective catalytic reduction (SCR) system for Unit 3 at an estimated cost of \$50 to 80 million. The SCR could be smaller due to the NOx reduction gained in Phase 1.

As part of Phase 1, the City issued Invitation to Bid (ITB) No. 6276 to purchase the low NOx burners, the overfire air system and the necessary design and testing services. Installation of the equipment was not included and LE would handle that by a separate contract in the future.

LE opened and evaluated bids on October 3, 2006. Staff recommended Siemens Power Generating, Inc. Siemens offered a fully responsive bid that substantially complied with the specification requirements and guaranteed a NOx emissions rate of 0.30 lb/mmBTU backed by a liquidated damages payment structure. Siemens committed to deliver all necessary equipment in time for installation during the Unit 3 outage in April 2007, which was also backed by liquidated damages for late delivery.

The contract price is broken down as follows:

Low NOx Burners & Overfire Air Equipment	\$2,436,723	Firm Price
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Engineering & Project Mgt	\$273,762	Firm Price
On-site Field Engineering for installation & Op. training	\$92,197	Allowance
Post-Outage Tuning & Performance Testing	<u>\$212,418</u>	Allowance
Contract Value	\$3,015,100	

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

Tim McCausland presented this item to the Commission. Michael Craig had been negotiating this contract over the last several weeks. All the outstanding issues have been resolved. It was up to the Commission whether they would vote this morning or after the Utility Committee.

Michael Craig updated the Commission on this item. He reviewed the changes.

Commissioner Boring thought voting on this before the Utility Committee could vote was not honoring the Utility Committee.

The Commission agreed to not vote until after the Utility Committee voted.

**\* Memo re: Lakeland Health Department Lease Amendment with Polk County - 3241 Lakeland Hills Boulevard**

This was a proposed amendment to the existing lease with Polk County for the Lakeland Health Department site located at 3241 Lakeland Hills Boulevard. The lease was effective on January 15, 1991 for a term of fifty years. The State did not permit Counties to enter into leases beyond thirty years according to Florida Statute. This lease amendment reduced the lease term from fifty years to thirty years with the lease ending on October 31, 2020. All other terms remained the same.

Staff recommended that the appropriate Commission authorize the appropriate city officials to execute this Amendment to Lease Agreement.

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

**\* Memo re: Task Authorization with Gulf Coast Property for Lake Hollingsworth Westside Stormwater Strands Project**

This was a Task Authorization with Gulf Coast Property Acquisition, Inc., one of the right-of-way acquisition firms under continuing contract with the City, for acquisition services related to the Lake Hollingsworth Westside Stormwater Treatment Strands Project. Staff conceptually presented this project to the City Commission in 2004. The project entailed the construction of seven linear wetland strands along the lakeshore. The strands would be approximately 30' wide and would be vegetated with wetland plants. The strands

would intercept stormwater runoff from thirteen existing outfall pipes that currently discharge untreated stormwater into Lake Hollingsworth.

Under the attached Task Authorization, Gulf Coast would perform acquisition-related services, including appraisal, title and closing work, to acquire fee simple title or drainage easements on the eight privately owned parcels within the footprint of the project. Gulf Coast's not-to-exceed fee under the Task Authorization was \$127,855.00. The estimated completion date was July 2007. Funds were available in the Stormwater Utility Fund.

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

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

\* **Memo re: Task Authorization with Envisors for Southwest District Alternative Irrigation Water Utility Feasibility Study**

This was a Task Authorization with Envisors for a study of the feasibility of partnering with Polk County to provide reuse irrigation water to new development in the southwest Lakeland area. Water had become an increasingly scarce resource and SWFWMD had imposed limitations on the City's ability to draw from new sources. One common method of dealing with such a problem was to conserve potable water by utilizing reclaimed water for irrigation purposes. Unfortunately, the City cannot commit its own reclaimed water supply at this time. The City's supplies were too distant from the high growth areas, the water did not meet the stringent standards for public access reuse and the available supply was committed to the present and planned generation facilities of Lakeland Electric. The County, on the other hand, currently had a surplus of reclaimed water. Their surpluses caused them permitting problems as they tried to find ways to dispose of it.

Under the Task Authorization, Envisors would evaluate the business case for utilizing the surplus reclaimed water presently generated by the County for irrigation in the southwest growth area of Lakeland. Envisors would analyze the potential customer base for reclaimed water, the physical improvements necessary to deliver the water and the costs associated therewith. Envisors' not-to-exceed fee under the Task Authorization was \$43,565.00, with an anticipated completion date of January 2007.

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

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

\* **Memo re: Task Authorization with CH2M Hill for Water Quality Sampling for Lake Parker and Mixing Zone Update**

This was a proposed task authorization with CH2M Hill for \$48,232.00 to conduct water quality sampling and update mixing zone information on Lake Parker. The Florida Department of Environmental Protection (DEP) requested additional data for Lake Parker

in connection with the renewal of the City's NPDES permit and request for a mixing zone variance for the McIntosh Power Plant Unit #1. Unit #1 used Lake Parker water for cooling. CH2M Hill would conduct the project, which included collection, submission and approval of the necessary reports used to support renewal of the NPDES permit and the variance.

Staff recommended that the Commission authorize the appropriate City Officials to execute the task authorization on behalf of the City.

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

\* **Memo re: Consulting Contract with Radif Masud for Information Technology Support Services**

This was a proposed consulting contract with Radif Masud that will allow Mr. Masud to assist in the Outage Management System-MAXIMO-UMS Integration Project in the Energy Delivery Business Operations Division of Lakeland Electric. Mr. Masud was a former employee who maintained an excellent record of performance and reliability as a professional consultant through his post-employment dealings with the City. The City would compensate Mr. Masud for his services at a rate of \$75.00 per hour with limited use of Consultant's services up to a not to exceed price of \$50,625.00, inclusive of expenses, for the term of the contract. The contract may be terminated by the City with ten (10) days notice.

If approved, Mr. Masud would:

- Assist in the development of the Outage Management System software.
- Assist in the integration of MAXIMO and UMS.
- Assist in application enhancements and re-write of any VJP estimating software.
- Assist in trouble shooting and correcting Sunshine One Solution.
- Assist in trouble shooting and correcting Mobile WMS.
- Assist in the development/enhancement of the COL Messaging System
- Assist in the development of requirements for MAXIMO implementations.
- Assist in implementation of MAXIMO in City departments.
- Assist in the development/enhancement in Maxcust Component
- Assist in the identification/design and creation of standard reports.
- Assist in the development of training documentation.
- Assist in the development/modification of any PL/SQL Code
- Assist in any application development/enhancement as determined by the City of Lakeland

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

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

\* **Memo re: Supplemental Lease Agreement – Federal Building / 124 South Tennessee Avenue**

This was a proposed amendment to the existing lease with the General Services Administration for space in what was referred to as the Federal Building on the corner of Lemon Street and Tennessee Avenue. The City accepted title to the property in 2005 with a lease to the Internal Revenue Service and the Department of Agriculture. Those agencies were relocating, but their new space was not yet available and they requested an extension through November 30, 2007. Rent for the renewal period would be \$98,721.48, or \$10.46 per square foot of usable space. All other terms remained the same.

Staff recommended that the Commission authorize the appropriate city officials to execute this Supplemental Lease Agreement.

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

**MAYOR & MEMBERS OF THE CITY COMMISSION**

Commissioner Fields asked for a separate section for items that must go to the Utility Committee first. The Commission and staff agreed. This would also allow the Utility Committee to review items on Friday.

**Recess/Reconvene:** The Commission recessed at 10:12 a.m. and reconvened at 1:51 p.m.

The Lakeland City Commission reconvened in Regular Session on Monday, October 16, 2006 in the City Commission Chambers. Commissioners Glenn Higgins, Dean Boring, Jim Verplanck, Gow Fields, Edie Yates and Mayor Fletcher were present. Commissioner Wiggs was absent. City Manager Doug Thomas, Assistant City Attorney Michael Craig, Finance Director Greg Finch, City Clerk Kelly Koos were present.

**Commissioner Boring moved to reconvene as the Commission. Commissioner Yates seconded and the motion unanimously.**

**Resolution 4569; Proposed 06-075; Authorizing a Natural Gas Commodity Swap with J. Aron & Company**

A RESOLUTION RELATING TO LAKELAND ELECTRIC; AUTHORIZING THE CITY TO ENTER INTO A NATURAL GAS COMMODITY SWAP, WITHIN SPECIFIED PARAMETERS SET FORTH HEREIN; AUTHORIZING THE CITY TO ENTER INTO A CONTINUING AGREEMENT FOR STANDBY LETTERS OF CREDIT TO BE POSTED IN CONNECTION WITH SUCH SWAP; DESIGNATING THE COUNTERPARTY TO SUCH SWAP AND THE PROVIDER OF SUCH LETTER OF CREDIT AS THIRD PARTY BENEFICIARIES UNDER THE BOND

ORDINANCE; PROVIDING CERTAIN DETAILS WITH RESPECT THERETO;  
PROVIDING AN EFFECTIVE DATE.

Michael Craig read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Memo re: Agreement with Siemens Power Generation, Inc. for Low NOx Burners and Overfire Air System**

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

**CALL FOR ADJOURNMENT – 1:53 p.m.**

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Ralph L. Fletcher, Mayor

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Kelly S. Koos, CMC, City Clerk

**AGENDA STUDY SESSION**  
**October 13, 2006**

The Lakeland City Commission met in the Agenda Study Session on Friday, October 13, 2006 in the Commission conference room. Commissioners Edie Yates, Glenn Higgins, Jim Verplanck, Howard Wiggs, and Mayor Fletcher were present. Commissioners Gow Fields and Dean Boring and City Manager Doug Thomas were absent. Deputy City Manager Tony Delgado, Assistant Community Development Director Steve Bissonnette, Finance Director Greg Finch, City Attorney Tim McCausland, and City Clerk Staff Steven Harris were present.

Mayor Fletcher called the meeting to order at 8:31 a.m.

Tony Delgado covered the presentations and proclamations.

Tim McCausland covered the Public Hearings. Tim McCausland addressed the possible change to proposed 06-066 dealing with the effective date subject to the approval of the master plan.

Deputy City Manager introduced the two verbals:

The first verbal was regarding the Lakeland Police Department pursuit of stolen vehicle, which caused a fatal crash. Chief Roger Boatner put together a handout of the review board's finding and handed it out for the Commission to review. The Board levied the pursuit as valid.

The second verbal was presented by Parks & Recreation Director Bill Tinsley regarding the opening of a new seafood restaurant at Cleveland Heights Golf Course. Mayor Fletcher asked if it was feasible and cost efficient to outsource this project. The Restaurant will be in operation from 2p to 9p on weekdays and open later on weekends.

Tim McCausland addressed the reading of first Ordinances and Resolutions:

The Commission discussed proposed 06-072 regarding the sale of property to D. R. Horton Inc and the School Board located at Northwest Quadrant of Drane Field Rd. and CSX Railroad. Tim McCausland and Michael Craig requested a 90-day extension for the closing of the property. There was discussion of whether the extension should be free, with interest, or with a deposit. Commissioner Wiggs expressed his concern for weather the City proposed the contract correctly. It was determined that a 90 day extension would be given at no fee.

The meeting adjourned at 9:51 a.m.

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Ralph L. Fletcher, Mayor

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Steven D. Harris for Kelly Koos, City Clerk

### **WASTEWATER LOCAL LIMITS WORKSHOP October 16, 2006**

The Lakeland City Commission met for a Wastewater workshop in the Commission conference room. Commissioners Howard Wiggs, Gow Fields, Dean Boring, Jim Verplanck, Glenn Higgins and Mayor Fletcher were present. City Manager Doug Thomas, Water Utilities Director Chuck Garing, Assistant City Attorney Palmer Davis and administrative staff were present.

Mayor Fletcher called the meeting to order at 10:30 a.m.

Chuck Garing explained that today they would discuss local limits. Local limits would keep the City from repeating the capacity problems that exist today.

Rick Ruede, Industrial Pretreatment Coordinator, made the presentation. A copy of his presentation is on file in the agenda packet.

#### **Definitions:**

**BOD** – Biochemical Oxygen Demand

**MAHL** – Maximum Allowable Headworks Loading

**NPDES** – National Pollution discharge Elimination System

**FDEP** – Florida Department of Environmental Protection

#### **Regulatory Requirements**

- FDEP required a wastewater facility to do a MAHL analysis for any conventional pollutant that was >50% of the wastewater facilities' design capacity.
- FDEP required the control authority (City of Lakeland) to implement the EPA Guidance Manual.
- EPA Guidance Manual on the Development of Local Limits stated that any wastewater facility that operated at 80% of any NPDES permitted

conventional pollutant for three months of the calendar year shall calculate a MAHL and establish local limits for those pollutants so loaded.

### **Capacity Issue Addressed**

FDEP wrote concerning Lakeland wastewater:

“The Department is concerned that although the facility has the ability to treat the hydraulic load, it may not be able to handle the organic load as flow increases. Please provide an update on the City’s plan to address this matter.”

### **Glendale Water Reclamation Facility Average BOD Loading and Daily Flow**

Last winter, Wastewater met 100% of design load at Glendale.

### **Northside Water Reclamation Facility Average BOD Loading and Daily Flow**

There were seasonal changes in which the load would go above the 50%. The last capacity analysis was five or six years ago. Wastewater staff knew they were reaching capacity and were planning.

### **BOD LOCAL LIMITS**

- Actual limitation for BOD could be greatly affected by the West Lakeland Waste Load Reduction Facility
- Regardless of whether or not the Reduction Facility is built, or
- Regardless of the calculated value, BOD Local Limits must be developed and adopted by the City

### **BOD Local Limits Timeline**

- September 2006 – meeting with City Manager – Completed
- October 2006 – Meeting with City Commission
- October through December 2006 – meetings with industrial customers
- January 2007 – Meet with Commission regarding industrial reaction and Commission approval to proceed

### **Local Limits Timeline**

- January – May 2007 – Draft of Local Limits sent to FDEP for tentative approval with revisions to Chapter 102
- June 2007 – Present draft to Commission for approval
- July – November 2007 – Submit final Local Limits to FDEP for formal approval process
- Local Limits effective January 2008 with enforcement commencing upon West Lakeland Waste Load Reduction Facility completion in 2009
- Glendale and Northside NPDES Permit Renewals will be done in May 2009
- Local Limit re-evaluation within 180 days after FDEP Permit Issuance

## QUESTIONS/COMMENTS

Commissioner Verplanck asked about the negotiations with Publix.

Doug Thomas hoped to have an agreement at the next meeting. By putting the pretreatment plant on near the Publix site, the City buys system wide capacity for other users.

Commissioner Fields asked what would happen if the City did not comply.

FDEP would place the City under consent. The City would have to go to all customers and demand they reduce their loading. Customers would then have to construct their own pretreatment facilities. Failure to comply would result in a moratorium on development.

Doug Thomas, the simple solution would be to impose local limits. However, the City building this pretreatment plant would be more efficient and economical than pushing the problem back to the individual customers.

Mayor Fletcher asked if redirecting the flow to the northside plant was an option.

Chuck Garing replied no. It would cost to redirect and that would just move the problem to the northside. By building the west Lakeland plant, the City could re-rate Glendale and have more capacity for the future. Building the plant was the lowest cost solution, would eliminate some of the odor problems in the collection system and allow new customers with high BOD processes.

The City would still need local limits with the west Lakeland plant. They would buy capacity by re-rating Glendale after building the west Lakeland plant. The expansion of Glendale could not take place until the City knew what the permitted water capacity would be from SWFWMD.

The City asked Publix to stand behind 50-60% of the debt on the new treatment plant since they were the primary reason for building the plant in that part of the City. The City was treating the plant as a system wide effort and were willing to only ask Publix to stand behind only 1/2 of the debt. The new plant could cost between 13-15 million. If Publix had to build their plant, it would be less than the City because the City had to allow for additional capacity.

Three options on table:

- reduce their co-sign to 50%
- build plant & finance for 10 years rather than 20
- build plant & Publix gets all capacity and the City pays the debt service

Commissioner Wiggs asked if the City had discussed how much they were going to grow. The City faced overload capacity regularly.

In the past, the Commission wanted to grow the City to the 100,000-population level. That will happen with in-fill housing. The issue was not the size of growth but the quality of growth. Lakeland needed to work to be a smart city.

Steve Scruggs explained they were already turning away industry that did not improve our community.

Rick Ruede explained Purada and their need for pretreatment. Purada was paying surcharges now.

Aqua Clean was a water treatment plant that brought in contaminated water in from allow over the State.

The meeting adjourned at 11:44 p.m.

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Ralph L. Fletcher, Mayor

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Kelly S. Koos, CMC, City Clerk