

LAKELAND CITY COMMISSION
Regular Session
June 2, 2008

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

CALL TO ORDER – 9 a.m.

INVOCATION

Pastor Dennis Waymire of Faith Wesleyan offered the invocation followed by the salute to the flag.

PRESENTATIONS

Community Development – Multi-Modal Transportation (Jim Studiale & Chuck Barmby)

Beautification Awards:

Commercial: 169 Lake Morton Drive ~ Lake Morton Community Church

Residential: 3127 Grasslands Drive ~ Thomas Goodnight

Brian Dick came forward to make the presentations. He requested nominations from the public for beautification awards and announced a garden lecture at the library at 6:30 p.m.

Employee Service Awards

10 Years

Sealey III, Edward E

05-04-1998

Police

Vaughn, Eric

05-04-1998

Information Technology

20 Years

Baucom, Bennie B

05-17-1988

Electric Utilities

Cavins, John L

05-09-1988

Water Utilities

Musser, Mark D

05-31-1988

Electric Utilities

Padgett, Robert A

05-23-1988

Electric Utilities

Skinner, Billy W

05-26-1988

Police

Tarpley, Faye A

05-16-1988

Electric Utilities

25 Years

Wieck, Annette R

05-02-1983

Mayor Fletcher and Doug Thomas presented these awards.

PROCLAMATIONS

Code Enforcement Officer Appreciation Week

National Nursing Assistants' Week

EQUALIZATION HEARINGS – 9:30 AM

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

Lots Cleaning and Clearing

Tim McCausland presented these assessments to the Equalization Board. A copy of the Assessment Roll is attached to these minutes.

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

Mayor Fletcher asked for comments and there were none.

Action: The motion carried unanimously.

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

APPROVAL OF MINUTES (with any amendments)

- * **City Commission 05/16/08 – 05/19/08**

Action: The Commission approved these minutes on the Consent Agenda.

- * **Utility Committee 05/19/08**

Action: The Commission approved these minutes on the Consent Agenda.

Municipal Boards & Committees 05/30/08

The Municipal Boards Committee met Friday, May 30, 2008 at 9:00 a.m. in the City Commission Conference Room. Commissioners Glenn Higgins and Jim Verplanck (members) were present. Commissioner Edie Yates (chair) was

present. Commissioner Justin Troller, Deputy City Manager Tony Delgado, City Attorney Tim McCausland, and City Clerk Kelly Koos were present.

Code Enforcement Board:

Recommendation from Brian Rewis to appoint Stephen McConn to a position vacated by Ken Campbell. Mr. McConn will serve a three-year term, which will expire on May 31, 2011.

Recommendation from Brian Rewis to reappoint Girard Etheridge for a second three-year term, which will expire on May 31, 2011.

Recommendation: Commissioner Verplanck moved to approve the appointments. Commissioner Higgins seconded and Commissioner Yates concurred.

Zoning Board of Adjustment and Appeals:

Recommendation from Steve Bissonnette to reappoint David Stille for a second three-year term, which will expire on May 31, 2011.

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

MidTown Community Redevelopment Agency:

Recommendation from Tamara Sakagawa to appoint Jeffrey Williams to fill a position vacated by Pastor Jesse McNeal. Mr. Williams will begin his three-year term effective May 30, 2008.

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

Housing Authority Board

Recommendation from Herb Hernandez to reappoint Carrie Oldham for a second four-year term, which will expire April 30, 2012.

Recommendation: Commissioner Verplanck moved to approve the appointment subject to Mayor Fletcher's approval. Commissioner Higgins seconded and Commissioner Yates concurred.

Nuisance Abatement Board

Recommendation from Chief Roger Boatner to reappoint John Quirk for an additional term, which will expire on May 31, 2011.

Recommendation from Chief Roger Boatner to appoint Lionel "Leo" Auger to fill position vacated by Michael Dunn. Mr. Auger's three-year term will begin May 30, 2008.

Recommendation: Commissioner Verplanck moved to approve the appointments. Commissioner Higgins seconded and Commissioner Yates concurred.

Affordable Housing Advisory Committee

Recommendation from Anne Gibson to appoint Diretta Wilcox to fill the essential services personnel position. Miss Wilcox will serve a three-year term, which will expire on May 31, 2011.

Recommendation from Anne Gibson to appoint Mary Jeanne Lykes to fill the real estate position vacated by James Gray whose term expired on April 30, 2008. Miss Lykes will serve a three-year term, which will expire on May 31, 2011. She is currently a member of the Citizens Advisory Committee (CAC) and will fulfill the role of AHAC member and liaison to the CAC.

Recommendation: Commissioner Verplanck moved to approve the appointments. Commissioner Higgins seconded and Commissioner Yates concurred.

The meeting adjourned at 9:14 a.m.

Action: Commissioner Yates presented these minutes to the Commission and the Commission approved them unanimously.

APPROVAL OF CONSENT AGENDA

- * City Commission 05/16/08 – 05/19/08
- * Utility Committee 05/19/08
- * Memo re: P-Card Agreement with Polk County and Bank of America

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

REQUESTS TO APPEAR FROM THE PUBLIC

PUBLIC HEARINGS

Ordinances (Second Reading)

Ordinance 4973; Proposed 08-028; Text Amendment #T-08-008 to the Future Land Use Element of the Lakeland Comprehensive Plan (1st Rdg 4/21/08)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-08-008 TO THE FUTURE LAND USE ELEMENT OF THE LAKELAND

COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO UPDATE NARRATIVE, ADD AN ILLUSTRATION, UPDATE AND ADJUST ACTIVITY CENTER CRITERIA, AND UPDATE CONCURRENCY MANAGEMENT SYSTEM DESCRIPTION; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

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 4974; Proposed 08-029; Text Amendment #T-08-009 to Amend the Recreation and Open Space Element of the Lakeland Comprehensive Plan to Correct Certain Text References to Illustrations throughout the Element (1st Rdg 4/21/08)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-08-009 TO THE RECREATION AND OPEN SPACE ELEMENT AND THE CAPITAL IMPROVEMENTS ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO CORRECT REFERENCES TO THE ILLUSTRATIONS; 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 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 4975; Proposed 08-030; Text Amendment #T-08-010 to Update the Comprehensive Plan by Creating a Listing of All Text Amendments to the Plan (1st Rdg 4/21/08)

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-08-009 TO THE RECREATION AND OPEN SPACE ELEMENT AND THE CAPITAL IMPROVEMENTS ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO CORRECT REFERENCES TO THE ILLUSTRATIONS; 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 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.

COMMUNITY REDEVELOPMENT AGENCY - None

CITY MANAGER

Recommendation re: Polk County Bonus Incentive (PCBI) for Firmenich Phase I Project

The original Firmenich project (Project Eastwood) that was once a \$150 million project had been scaled back to an initial first phase project involving the relocation of their existing Safety Harbor operation to Lakeland. The project would involve an addition to the Firmenich facility (located off Kidron) resulting in approximately 82 new jobs with an average salary over \$60,500 and approximately \$20 million of investment for Lakeland (which included some existing equipment that would be moved to the Lakeland facility). Additional phases of future investment and growth would likely follow, but as of yet were undefined.

Although the original and much larger project was not currently in play, the relocation of the Firmenich Safety Harbor operation and expansion of their Lakeland operation remained eligible for participation in the Polk County Bonus Incentive (PCBI) Program. The City had previously offered to participate in the PCBI Program at 50% consistent with the program guidelines, and both the LEDC and City Management recommend that Lakeland participate in the local incentive program in response to Firmenich's Phase I project. Although

Lakeland's budgets would likely be tight over the next several years, staff believed participation in this program was both consistent with the City's High Skills Initiative goals and could ultimately lead to Firmenich pursuing their much larger build out project in the future. Polk County recently approved their 50% match in the program on April 23, 2008.

The Firmenich project involved salaries at 150% of the Polk County Average Wage level. That level currently paid \$3,000 per job under the PCBI, with \$1,500 provided by the County and \$1,500 provided by the City. At 82 new jobs x \$3,000 per job, the total PCBI value was \$246,000 to be equally split between the County and City (\$123,000 each). The incentive was to be used in support of training, with local funding to be provided to the company after the jobs have been created and following payment of their annual ad valorem taxes. If the ad valorem taxes in the initial year did not cover the respective local government's PCBI payment, the remaining incentive dollars would be rolled into future tax years until the total amount was covered. In other words, the local government never pays out more than the company's ad valorem taxes paid in a given year, until sufficient funds were ultimately collected to cover the PCBI payment.

Although the FY 2009 millage level has not yet been established, it will likely take two years at today's millage level to cover the City's share in the program, similar to that we have previously provided other companies under the State's Qualified Tax Incentive (QTI) program. Lakeland's participation in the PCBI would also be contingent that Lakeland not participate in a QTI program for the company, which would traditionally be paid out over a four-year period.

Staff recommended that the City of Lakeland participate in the Polk County Bonus Incentive Program for the Firmenich Phase I project in the amount of \$123,000 consistent with the program guidelines.

Doug Thomas presented this item to the Commission.

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

CITY ATTORNEY

Ordinances (First Reading)

Proposed 08-037; Amending Ordinance 2979, As Amended, Regarding Parks and Recreation Impact Fees

AN ORDINANCE RELATING TO IMPACT FEES; AMENDING ORDINANCE 2979, AS AMENDED; AMENDING SECTION 5(C) TO PROVIDE FOR A REVISED IMPACT FEE SCHEDULE FOR PARKS AND RECREATION FACILITIES IN ACCORDANCE WITH THE INDEXING

PROCEDURE PROVIDED THEREIN; ADOPTING THE CITY OF LAKELAND 2008 IMPACT FEE INDEXING STUDY - PARKS AND RECREATION, FIRE PROTECTION, AND LAW ENFORCEMENT DATED MAY 27, 2008; 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 June 16, 2008

Proposed 08-038; Amending Ordinance 2980, As Amended, Regarding Fire Impact Fees

AN ORDINANCE RELATING TO IMPACT FEES; AMENDING ORDINANCE 2980, AS AMENDED; AMENDING SECTION 5(C) TO PROVIDE FOR A REVISED IMPACT FEE SCHEDULE FOR FIRE PROTECTION FACILITIES IN ACCORDANCE WITH THE INDEXING PROCEDURE PROVIDED THEREIN; ADOPTING THE CITY OF LAKELAND 2008 IMPACT FEE INDEXING STUDY - PARKS AND RECREATION, FIRE PROTECTION, AND LAW ENFORCEMENT DATED MAY 27, 2008; 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 June 16, 2008

Proposed 08-039; Amending Ordinance 2981, As Amended, Regarding Law Enforcement Impact Fees

AN ORDINANCE RELATING TO IMPACT FEES; AMENDING ORDINANCE 2981, AS AMENDED; AMENDING SECTION 5(C) TO PROVIDE FOR A REVISED IMPACT FEE SCHEDULE FOR LAW ENFORCEMENT FACILITIES IN ACCORDANCE WITH THE INDEXING PROCEDURE PROVIDED THEREIN; ADOPTING THE CITY OF LAKELAND 2008 IMPACT FEE INDEXING STUDY – PARKS AND RECREATION, FIRE PROTECTION, AND LAW ENFORCEMENT DATED MAY 27, 2008; 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 June 16, 2008

Proposed 08-040; Conditional Use for a 95 Bed Assisted Living Facility and a 120 Unit Independent Living Facility for the Elderly on Property Located at 4141 Lakeland Hills Boulevard

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A 95 BED ASSISTED LIVING FACILITY AND A 120 UNIT INDEPENDENT LIVING FACILITY FOR THE ELDERLY ON PROPERTY LOCATED AT 4141 LAKELAND HILLS BOULEVARD; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 16, 2008

Proposed 08-041; Conditional Use for a Church and Day Care Center in Existing Structures Located at 2120 and 2128 South Crystal Lake Drive

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A CHURCH AND DAY CARE CENTER IN EXISTING STRUCTURES ON PROPERTY LOCATED AT 2120 AND 2128 SOUTH CRYSTAL LAKE DRIVE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 16, 2008

Proposed 08-042; Conditional Use for a Day Care Center and Consolidation of Existing Conditional Uses on an Existing Church Campus Located South of Lynncrest Road, North of Sylvester Road, and West of Bartow Road (2025 U.S. Highway 98 South)

AN ORDINANCE RELATING TO ZONING; REPEALING ORDINANCES 4279, 4430 AND 4778; APPROVING A CONDITIONAL USE FOR A DAY CARE CENTER AND CONSOLIDATION OF EXISTING CONDITIONAL USES ON AN EXISTING CHURCH CAMPUS LOCATED AT 2025 U.S. HIGHWAY 98 SOUTH; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 16, 2008

Proposed 08-043; Conditional Use for a Parking Lot to Serve the McDonald's Restaurant at 2835 South Florida Avenue

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A PARKING LOT TO SERVE THE McDONALD'S RESTAURANT LOCATED AT 2835 SOUTH FLORIDA AVENUE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 16, 2008

Proposed 08-044; Conditional Use for Off-Street Parking on Property Located at the Southeast Corner of Lincoln Avenue and Pear Street (726/730 Pear Street)

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR OFF-STREET PARKING AT THE SOUTHEAST CORNER OF LINCOLN AVENUE AND PEAR STREET (726/730 PEAR STREET); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 16, 2008

Proposed 08-045; Amending Sections 1-14 and 30-152 of the Code of the City of Lakeland re Unfair Campaign Practices

AN ORDINANCE RELATING TO ELECTIONS; AFFIRMING THE CITY OF LAKELAND'S POLICY IN SUPPORT OF NON PARTISAN CAMPAIGNS FOR ELECTIVE CITY OFFICE; AMENDING SECTION 1-14 TO EXCEPT UNFAIR CAMPAIGN PRACTICES FROM MUNICIPAL CODE VIOLATIONS; AMENDING SECTION 30-152 OF THE CODE OF THE CITY OF LAKELAND TO REMOVE THE PENALTY PROVISION; 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 June 16, 2008

Proposed 08-046; Including Certain Lands within the Boundaries of the Lakeland Area Mass Transit District

AN ORDINANCE RELATING TO THE LAKELAND AREA MASS TRANSIT DISTRICT; MAKING FINDINGS; APPROVING THE INCLUSION OF CERTAIN LANDS LOCATED WITHIN THE CITY OF LAKELAND WITHIN THE BOUNDARIES OF THE LAKELAND AREA MASS TRANSIT DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 16, 2008

Proposed 08-047; Amending Ordinance 4919; Correcting Scrivener's Error in the Florida Southern College Special Public Interest Zoning Classification

AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE 4919 OF THE CITY OF LAKELAND, FLORIDA; CORRECTING A SCRIVENER'S ERROR IN THE SPECIAL PUBLIC INTEREST ZONING DISTRICT CLASSIFICATION FOR FLORIDA SOUTHERN COLLEGE; 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 June 16, 2008

Resolutions

Resolution 4694; Proposed 08-033; Lots Cleaning and Clearing

A RESOLUTION RELATING TO ASSESSMENTS; DETERMINING THE NECESSITY FOR HAVING CLEANED AND CLEARED CERTAIN PROPERTY WITHIN THE CITY OF LAKELAND; PROVIDING FOR THE ASSESSMENT OF LIENS AGAINST SUCH PROPERTY FOR EXPENSES INCURRED IN THE CLEANING AND CLEARING THEREOF; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

Miscellaneous Reports and Communications

Memo re: Construction Authorization with Killibrew, Inc. for English Oaks Pipeline Contract

This was a Construction Authorization with Killibrew, Inc. for the English Oaks Wastewater Accommodations Project's first pipeline contract. The City received four bids on May 15, 2008 with Killibrew, Inc. submitting the lowest responsible bid proposal of \$1,812,595.85. The completion date for this contract was January 2009. The bid tabulation is as follows:

Prequalified Contractor Bid

Killibrew, Inc.
Lakeland, FL
\$1,812,595.85

Kamminga & Roodvoets, Inc.
Grand Rapids, MI
\$2,002,347.00

Garney Companies, Inc.
Kansas City, MO
\$2,007,608.00

John Reynolds & Sons, Inc.
Mission Woods, KS
\$2,213,742.00

Westra Construction Corp.
Palmetto, FL
No Bid

The First Contract consisted of approximately 14,070-linear feet of pipeline distributed from the Air Park Pump Station located on Air Park Drive to the termination at the Booster Pump Station on Drane Field Road. All property rights have been procured with the exception of two easements which staff was working on closing.

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

Tim McCausland presented this item to the Commission.

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

* **Memo re: P-Card Agreement with Polk County and Bank of America**

This was an Interlocal Agreement with Polk County providing for the City's joinder in the County's Purchasing Card Agreement with Bank of America. City personnel utilize purchasing cards to make low dollar purchases in an efficient manner. The City's current P-Card program was with SunTrust but the database that the system works from was no longer technically supported by SunTrust. The County issued an RFP in October of 2007 for P-Card providers to service both the County and members of the Mid-Florida Chapter of the National Institute of Governmental Purchasing, which included the County's constitutional officers as well as the City of Lakeland. Only Bank of America responded.

Under the Agreement, the City would elect to join the County's Purchasing Card Agreement with Bank of America. Rebates based upon timely payments would be paid to the County and redistributed by the County to participating entities, including the City. The minimum rebate under the program was 1% of total dollar volume, with rebate percentages based on a sliding scale correlated to total purchase volume.

Staff recommended that the Commission authorize the appropriate City officials to execute the Interlocal Agreement as well as any other documentation necessary to implement the program.

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

FINANCE DIRECTOR

Revision to Appropriation and Estimated Revenue – FY2008 Annual Budget

The City of Lakeland was experiencing a decline in a variety of revenues collected by the various operations of City government, attributable to the general economic decline as experienced elsewhere in Florida and across the country.

As a consequence, all departments of the City were tasked with reducing their operating budgets for FY 2008 by a targeted 5% across-the-board.

The following represented the adjustments to the budgets within the various funds of the City of Lakeland for FY 2008, resulting from declines in revenues and the reduction in spending recommended by each of the department heads of the City.

Staff requested that the City Commission approve adjustments to the FY 2008 budget as detailed below:

	Current FY '08 Budget	Proposed FY'08 Budget
General Fund Revenues		
Taxes:		
Property Taxes	18,686,678	18,494,708
Communication Taxes	6,400,000	5,750,000
Sales Taxes	5,725,000	5,100,000
Utility Taxes	8,866,492	8,840,000
Franchise Taxes	321,360	310,000
Licenses & Permits		
Business Licenses	1,679,790	1,521,642
Building Permits	2,497,668	1,909,220
Intergovernmental Revenues		
State Shared Revenues	2,631,000	2,456,000
Federal Grants	28,782	22,170
State Grants	410,233	504,763
Local Grants	610,934	610,934
Shared Revenues from Other Local Units	1,110,393	1,110,393
Payments from Other Local Units	17,000	17,000
Charges for Services:		
General Government	269,667	158,489
Public Safety	950,576	842,448
Cemetery Fees	264,600	234,692
Other Physical Environment	266,910	146,776
Transportation	6,782	9,673
Culture-Recreation	1,797,432	1,819,751
Fines & Forfeits:		
Court Cases	620,005	545,005
Library Fines	40,000	41,719
Violation of Local Ordinances	210,000	900,000
Other Fines & Forfeits	1,500	9,389
Miscellaneous Revenue:		
Interest Earnings	952,281	1,259,979
Rents & Royalties	136,589	143,551
Sales of Fixed Assets	319,552	324,228
Other	411,101	469,581
Contributions From Other Funds:		
Lakeland Electric Utilities	24,000,000	23,400,000
Public Improvement Fund	3,100,000	3,650,000
All Other Contributions	8,199,073	8,199,073
Surplus-Prior years	3,685,338	461,439
	94,216,736	89,262,624

	Current FY '08 Budget	Proposed FY'08 Budget
General Fund Expenses		
Human Resources	940,629	856,045
General Administrative	2,089,354	1,974,212
Planning & Community Development	6,013,069	5,564,781
Finance Department	1,575,150	1,496,121
Fire	12,804,136	12,511,384
Police	33,976,649	31,597,412
Public Works Department	6,476,038	5,988,636
Parks and Recreation Department	17,666,236	16,837,527
Non-Departmental:		
Insurance	1,873,845	1,873,845
Other General Governmental Services	2,893,718	2,902,663
Personal Services	440,884	244,875
Cultural Agencies	210,758	210,758
Leases	43,578	43,578
Social Agencies	194,909	194,909
Other	20,800	20,800
Contributions to Other Funds	2,738,087	2,686,182
Utility Services	4,258,896	4,258,896
	94,216,736	89,262,624
Public Improvement Fund Revenues		
Fire Protection Fees	261,543	261,543
Intergovernmental Revenue	3,546,615	4,234,555
Annual Lease Payment from LRMC	10,085,000	10,924,230
Impact Fees	2,667,420	2,137,234
Miscellaneous Revenue	2,952,267	4,833,127
Transfers from Other Funds	350,000	100,000
Surplus-Prior Years	7,232,335	5,086,449
	27,095,180	27,577,138
Public Improvement Fund Expenses		
Capital Projects & Maintenance Projects	18,579,775	18,217,836
Debt Service	3,246,726	3,265,622
Contributions to Other Funds	5,268,680	6,093,680
	27,095,181	27,577,138
Lakeland Electric Revenues		
Charges for Services	403,984,551	396,084,551
Miscellaneous Revenue	3,153,300	3,853,300
Surplus-Prior Years	71,236	3,221,236
	407,209,087	403,159,087

	Current FY '08 Budget	Proposed FY'08 Budget
Lakeland Electric Expenses		
Operation of Plants and System	303,980,149	301,680,149
Debt Service	42,661,938	44,761,938
Contributions to:		
Capital Outlay - Renewal and Replacement	36,267,000	33,017,000
Emergency Repair Fund	300,000	300,000
General Fund	24,000,000	23,400,000
	407,209,087	403,159,087
Wastewater Fund Revenues		
Wastewater Charges	20,084,174	19,372,568
Miscellaneous	135,094	185,417
Surplus-Prior Years	(342,479)	(354,127)
	19,876,789	19,203,859
Wastewater Fund Expenses		
Operation of Wastewater System	13,395,133	13,016,591
Contribution to Other Funds	1,965,102	1,965,102
Debt Service	1,977,314	1,977,314
Capital Outlay	2,539,240	2,244,851
	19,876,789	19,203,858
Water Fund Revenues		
Charges for Services	24,105,666	21,736,000
Intergovernmental Revenue	333,500	333,500
Miscellaneous	371,360	404,986
Surplus-Prior Years	159,644	1,809,252
	24,970,170	24,283,738
Water Fund Expenses		
Operation of Water System	13,403,526	12,717,094
Contribution to Other Funds	3,902,143	3,902,143
Debt Service	4,364,501	4,364,501
Capital Outlay	3,300,000	3,300,000
	24,970,170	24,283,738
Solid Waste Fund Revenues		
Refuse Collection Charges	13,832,889	13,724,663
Miscellaneous Revenue	90,352	80,823
Surplus-Prior Years	(59,683)	1,519
	13,863,558	13,807,006

	Current FY '08 Budget	Proposed FY'08 Budget
Solid Waste Fund Expenses		
Operation of Solid Waste System	12,048,185	11,991,633
Capital Outlay and Maintenance Projects	360,848	360,848
Debt Service	139,805	139,805
Contribution to Other Funds	1,314,720	1,314,720
	13,863,558	13,807,006
Stormwater Fund Revenues		
Charges for Services	3,315,596	3,316,606
Intergovernmental Revenue	3,481,417	3,481,417
Miscellaneous Revenue	100,830	100,830
Surplus Prior Years	2,918,864	2,883,168
	9,816,707	9,782,021
Stormwater Fund Expenses		
Operation of Stormwater Utility	512,342	477,656
Capital Projects & Maintenance Projects	9,304,365	9,304,365
	9,816,707	9,782,021
Parking System Revenues		
Parking System Charges	552,503	520,993
Fines & Forfeitures	68,000	72,000
Miscellaneous	18,878	25,115
Contribution From Other Funds	578,380	578,380
Surplus-Prior Years	79,730	62,595
	1,297,491	1,259,083
Parking System Expenses		
Operation of Parking System	727,923	674,468
Debt Service	88,933	88,933
Capital Outlay and Maintenance Projects	479,900	494,947
Contribution to Other Funds	735	735
	1,297,491	1,259,083
Lakeland Center Fund Revenues		
Charges for Services	5,210,947	5,220,727
Intergovernmental Revenue	499,780	499,780
Miscellaneous	79,193	79,193
Contribution From Other Funds	3,155,969	3,430,969
Surplus-Prior Years	(92,131)	(82,610)
	8,853,758	9,148,059

	Current FY '08 Budget	Proposed FY'08 Budget
Lakeland Center Fund Expenses		
Operation of Lakeland Center	6,976,007	7,270,308
Capital Outlay and Maintenance Projects	510,690	510,690
Debt Service	1,367,061	1,367,061
	8,853,758	9,148,059
Cleveland Heights Golf Course Fund Revenues		
Charges for Services	2,717,350	2,575,992
Miscellaneous	94,474	50,300
Contribution From Other Funds	50,000	350,000
Surplus-Prior Years	272,448	(178,497)
	3,134,272	2,797,795
Cleveland Heights Golf Course Fund Expenses		
Operation of Golf Course	2,658,256	2,485,414
Capital Outlay and Maintenance Projects	171,537	7,902
Debt Service	304,479	304,479
	3,134,272	2,797,795
Lakeland Linder Regional Airport Revenues		
Airport Fees, Services & Charges	3,736,783	3,418,291
Federal Operating Grants	536,556	560,000
Federal & State Capital Grants	1,239,813	839,813
Miscellaneous Revenue	125,779	155,296
Surplus - Prior Years	1,602,381	2,027,311
	7,241,312	7,000,711
Lakeland Linder Regional Airport Expenses		
Operation of Lakeland Linder Regional Airport	2,890,962	2,785,728
Operation of Airside Center	570,108	616,027
Maintenance Projects	553,862	570,664
Capital Outlay	1,836,558	1,675,202
Debt Service	1,389,822	1,353,090
	7,241,312	7,000,711
Fleet Management Fund Revenues		
State Shared Revenues	148,000	148,000
Intergovernmental Services	11,468,071	12,037,352
Miscellaneous Revenue	1,118,010	1,118,010
Contributions from Other Funds	518,981	518,981
Surplus Prior Years	1,130,124	372,239
	14,383,186	14,402,582

	Current FY '08 Budget	Proposed FY'08 Budget
Fleet Management Fund Expenses		
Operation of Motor Pool	8,147,616	8,659,652
Capital Outlay	6,235,570	5,742,930
	14,383,186	14,402,582
 Purchasing and Stores Fund Revenues		
Intergovernmental Services	1,809,790	1,603,149
Charges for Services	1,106,394	1,046,476
Miscellaneous Revenue	42,348	43,463
Surplus-Prior Years	17,809	121,996
	2,976,341	2,815,084
 Purchasing and Stores Fund Expenses		
Operation of Purchasing and Stores	2,969,441	2,808,089
Capital Outlay	6,900	6,995
	2,976,341	2,815,084
 Facilities & Maintenance Fund Revenues		
Intergovernmental Services	4,082,633	3,923,410
Miscellaneous Revenue	21,305	21,305
Surplus-Prior Years	(231)	(46,403)
	4,103,707	3,898,312
 Facilities & Maintenance Fund Expenses		
Operation of Facilities Maintenance	3,717,898	3,544,277
Capital Outlay	313,809	282,035
Contributions to Other Funds	72,000	72,000
	4,103,707	3,898,312
 Department of Information Technology Revenues		
Intergovernmental Services	10,548,852	10,021,409
Miscellaneous Revenue	365,634	422,004
Contribution from Other Funds	875,479	875,479
Surplus-Prior Years	3,043,533	2,904,286
	14,833,498	14,223,178
 Department of Information Technology Expenses		
Operation of Information Technology	10,979,557	10,661,950
Capital Outlay	3,203,462	2,910,749
Debt Service	650,479	650,479
	14,833,498	14,223,178

Doug Thomas gave a presentation on how the budget adjustment would affect each department. A copy of his presentation is on file in the Clerk's Office.

Motion: Commissioner Higgins moved to approve the budget adjustments. Commissioner Yates seconded.

Mayor Fletcher asked for comments.

The group discussed surplus funds and the level of service at the fire station.

Commissioner Troller moved to amend the motion to maintain the level of service at fire station 1 out of the unappropriated surplus. There was no second.

Action: Mayor Fletcher called for the vote and the motion carried six to one with Commissioner Troller voting nay.

AUDIENCE - None

MAYOR AND MEMBERS OF THE CITY COMMISSION

Commissioner Troller expressed concern about issues in the budget. He thanked the department heads for attending the discussion today.

The Commission recessed at 12:22 p.m.

UTILITY - CONSIDERED AFTER 1PM UTILITY COMMITTEE MEETING

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

Mayor Fletcher called the meeting to order at 2:12 p.m.

Memo re: Agreement with SPE-Amerex for the Supply of a Sorbent Injection System for SCR Reactor

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 fourteen (14) different contracts to purchase and install equipment, foundations, structural steel, and ductwork necessary to construct the SCR; more would be forthcoming. The purpose of the SCR project was to remove NOx from the flue gas before it was emitted into the atmosphere through the Unit 3 stack. The SCR was effective at

eliminating NO_x but a secondary chemical reaction also occurred that caused some of the sulfur dioxide (SO₂) present to further oxidize, thereby increasing the amount of sulfur trioxide (SO₃) that was present in the flue gas. Therefore, it was necessary to manage the resulting increased SO₃ concentration so that there was no net increase in SO₃ emissions. One way to do that was to inject a dry "sorbent" into the flue gas stream after the SCR reactor. The SO₃ mist would "bond" with the dry sorbent, which in turn would be removed from the flue gas stream with the fly ash by the existing electrostatic precipitator (ESP). The resulting amount of sorbent that was to be removed was inconsequential in relation to the amount of fly ash removed and there should be no adverse impact to fly ash marketability.

The purpose of Invitation to Bid (ITB) No. 8084 was to obtain bids from qualified companies to design and furnish a sorbent injection system for the Unit 3 SCR. The scope of supply for this proposed contract included engineering, equipment supply, system commissioning, and training of City personnel. Installation of the sorbent injection system would be performed by others and was not part of the proposed contract. Four (4) firms responded to the ITB and the corresponding bids were evaluated by the City's Engineer, Sargent & Lundy. SPE-Amerex submitted the lowest cost bid. Sargent & Lundy selected SPE-Amerex as the most responsive bidder. The total contract price was \$1,043,775.

Staff recommended that the Commission authorize the appropriate City officials to enter into the contract with A-3 Acquisition Corporation, Inc. dba SPE-Amerex.

Tim McCausland presented this item to the Commission.

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

Memo re: Agreement with General Electric for the Fabrication of SCR Electrical Building

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 (NO_x) emissions and comply with the Clean Air Interstate Rule (CAIR). To date, the City had entered into approximately fourteen (14) different contracts to purchase and install equipment, foundations, structural steel, and ductwork necessary to construct the SCR; more would be forthcoming. The purpose of Invitation to Bid (ITB) No. 8080 was to obtain bids from qualified companies to design and furnish a pre-manufactured building with motor control centers and space allocated for other equipment that would control the operation of the SCR. The scope of supply for the proposed contract included engineering, manufacturing, equipment supply, and delivery of the building and equipment. Installation of the Electric Building would be performed by others and was not part of the proposed contract. Two (2) firms responded to the ITB and the City's

Engineer, Sargent & Lundy, evaluated the corresponding bids. General Electric submitted the lowest cost bid and Sargent & Lundy selected them as the most responsive bidder. The total contract price was \$292,385.

Staff recommended that the Commission authorize the appropriate City officials to enter into the contract with General Electric.

Tim McCausland presented this item to the Commission.

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

CALL FOR ADJOURNMENT – 2:14 p.m.

LAKELAND CITY COMMISSION
Agenda Study Session
May 30, 2008

The Lakeland City Commission met for the Agenda Study Session in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Justin Troller, Jim Verplanck, Glenn Higgins, and Mayor Fletcher were present. City Manager Doug Thomas, Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, Finance Director Greg Finch, City Attorney Tim McCausland, and City Clerk Kelly Koos were present.

Mayor Fletcher called the meeting to order at 9:32 a.m.

Doug Thomas covered the preliminaries.

Tim McCausland covered the Public Hearings.

Doug Thomas presented the City Manager agenda. Firmenich Phase I Project did not involve the sale of City property but it did involve the relocation of their Safety Harbor Operation. It would mean 82 jobs to the community. Doug asked Steve Scruggs, Executive Director of the Lakeland Economic Development Committee, to explain the Polk County Bonus Incentive Program.

Steve Scruggs explained the program to the Commission. It had been in place for about one year. The dollars per job would be based on the wages. The County would pay 50% of the incentive and Lakeland would pay 50%, \$123,000 each. That was not cash up front. The company had to do a few things first. It could be 1 to 2 years before Lakeland would have to make the payment.

Richard Slowik of Firmenich was also present. He updated the Commission on his company. Firmenich was the 2nd or 3rd largest global producer of aromas or perfumes. They supply the companies that produce the products. Their headquarters were based in Switzerland. They have been in business for over 100 years. Their global revenue was \$2.3 - \$2.7 million. Construction would take approximately 18 months. Equipment should start arriving in autumn. Firmenich would offer transfers to their Safety Harbor employees but more than half of the new jobs would be filled by citizens from the Lakeland area.

Tim McCausland covered the Ordinances for First Reading.

Commissioner Fields asked to discuss CSX, as he needed to leave. He met with Senator Dockery and Representative Ross this week to discuss where to go on CSX. They think the next step should be a passenger rail summit here in Lakeland. They would invite all members of the legislature and stakeholders along the I-4 corridor to talk about the issues that would impact the provision of passenger rail service across the entire I-4 corridor. The primary entities that would be presenting in and answering questions would be Florida Department of Transportation (FDOT), CSX, and Amtrak. They wanted to make sure the

Lakeland City Commission was on-board. They were looking at July 8 for the date. If the City did not get something else to reframe the discussion, it was not going to change. The consensus was to move forward with the summit.

Tim McCausland covered the Resolution and the Miscellaneous Reports & Communication.

Doug Thomas covered the budget adjustment which was item A under the Finance Director. These issues were not brought on by property tax reform but rather by the lagging economy.

Commissioner Higgins asked about traffic signals. Could the signals be set to flashing at night to allow drivers to save on fuel by not idling at intersections where there is no oncoming traffic? Doug will look into the issue.

The meeting adjourned at 10:29 a.m.

Impact Fee Workshop June 2, 2008

The Lakeland City Commission met for the Impact Fee Workshop in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Justin Troller, Jim Verplanck, Glenn Higgins, and Mayor Fletcher were present. Deputy City Manager Tony Delgado, City Manager Doug Thomas, City Attorney Tim McCausland, and City Clerk Kelly Koos were present. Elisabeth Schuck of Tindale-Oliver and Scott Coulombe of the Polk County Builders Association (PCBA) were present along with the media.

Mayor Fletcher called the meeting to order at 7:34 a.m.

Doug Thomas introduced the workshop. Staff presented the initial results on May 2 and the Commission wanted additional information as to where the rates were comparatively. They also wanted to look at a 10-year average on the value of land.

Jim Studiale, Community Development Director, gave the presentation. A copy of which is on file in the Clerk's Office.

Discussion

What index amount should be adopted? The study recommended:

- Fire – 4.7%
- Law – 4.4%
- Parks – 9.5%

Impact fees do not drive the market. Impact fees do not slow the building of houses. The market would return and if the City did not index this year, they would have to do even more next year.

The City received a grant from the County's MSTU for Common Ground. It was \$100,000 and it was project related.

Scott Coulombe of PCBA supported the idea of indexing. History showed it was too shocking allowing long periods to go by without an adjustment. It would not slow business down but it would be perceived negatively. Polk County was in a better position than other counties. They were okay with 4.9% across the board. They thought the public perception would be negative. PCBA wanted the City to hold off indexing this year.

The money collected from impact fees were used for capital facilities. Law Enforcement Impact fees would be used for guns, vests, buildings etc. Fire Impact Fees would be used for equipment or future fire stations. Park Impact Fees would be spent in the district in which they were collected.

The group discussed the index fee and the percentage of park funding it provided. In the past, the Commission decided not to pass an MSTU or millage increase for parks. They decided to increase impact fees. The group discussed the psychological affects of increasing the fee right now. Mayor Fletcher and Commissioner Higgins wanted to increase it next year, not this year. The group discussed how they could delay this year.

Jim Studiale encouraged the City to index even if it was only 1%.

Doug Thomas reminded the Commission that the City did not collect the full amount recommended by the initial study.

The Commission took an unofficial vote to index and the issue failed. They continued to discuss funding and the need to begin indexing the impact fees.

Tim McCausland explained that if the Commission was inclined not to index, that was fine. If the Commission thought they might do some level of indexing, they should leave the ordinance as it was for the first reading. They could always reduce the amount at the public hearing.

The workshop adjourned at 8:42 a.m.