

**LAKELAND CITY COMMISSION**  
**Regular Session**  
**September 2, 2008**

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

**CALL TO ORDER - 9 a.m.**

**INVOCATION**

Pastor Buddy of Edgewood Baptist Church offered the invocation followed by the salute to the flag.

**PRESENTATIONS**

**The Lakeland Center – 2008/2009 Entertainment Series (Mike LaPan & Scott Sloman)**

**FRDAP Check Presentation for Cypress Youth Complex (Senator Dockery and Representative Ross)**

Bill Tinsley introduced the FRDAP Grant. Senator Dockery and Representative Ross presented a check for \$135,610.84 for the Cypress Sports Complex.

**EQUALIZATION HEARINGS**

**Recess/convene:** 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 the assessments to the Equalization Board, a copy of which is included at the end of these minutes.

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

Mayor Fletcher asked for comments and there were none.

**Action:** Mayor Fletcher called for the vote and the motion carried unanimously.

## Demolition of Buildings

Tim McCausland presented the assessments to the Equalization Board, a copy of which is included at the end of these minutes.

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

Mayor Fletcher asked for comments and there were none.

**Action:** Mayor Fletcher called for the vote and the motion carried unanimously.

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

## Beautification Awards

- **Commercial:** 502 N. Massachusetts Avenue – Miller Construction Management, Inc.
- **Residential:** 324 Easton Drive – Wilson Residence

Frankie Martin presented these awards.

## Employee Suggestion Award

Public Works Director Rick Lilyquist gave a presentation on the employee suggestion. The award related to the Florida Southern College crosswalk on Ingraham. The existing flashing crosswalks needed to be replaced, as they were no longer functioning properly. The challenge was to install crosswalks that activated automatically and were not dependent upon the walker pressing a button. The initial design involved a pressure pad device similar to those at traffic signals. The pad, mounted in the crosswalk, would activate the lights when the pedestrian walked into the area. That was cost prohibited. The Traffic Operations Technicians got involved and came up with a different method to activate the flashing crosswalks. Their plan was to use a photo electric eye with a reflector and a relay to activate the crosswalk automatically. This system would work with solar power. Local suppliers supplied each part. All the parts were available off the shelf and easily maintained. The initial design would have been \$16,000 for the installation of the pressure pads. The cost of the entire alternative project was less than \$1,000. Traffic Operations installed the alternative design and it is working flawlessly.

Mayor Fletcher presented the award to the following employees:

Traffic Signal Foreman – Wade Anderson

Traffic Signal Technician – Martin Shears

Traffic Signal Technician – Daryl Goolsby

Traffic Signal Technician – Clayton Scharber (not present)

### **Employee Service Awards**

#### 10 Years

Cornett, Teresa C	08-16-1998	Airport
Davis, M Jeannine	08-02-1998	Parks & Recreation
Joseph, Deidra M	08-10-1998	Finance
Long, William H	08-10-1998	Police
Pultz, Bonnie L	08-17-1998	Lakeland Electric
York, Betty J	08-16-1998	Lakeland Electric

#### 20 Years

Borg, Michael V	08-08-1988	Water Utilities
Gonsalves, Tracey L	08-08-1988	Lakeland Electric
Gray III, Ruffin A	08-15-1988	Water Utilities
Moody, Richard M	08-02-1988	Lakeland Electric
Perkins, Stephen D	08-23-1988	Lakeland Electric
Ramirez, Julio C	08-08-1988	Lakeland Electric

#### 35 Years

Heistand, Charles L	08-06-1973	Public Works
Shipley, Jerry K	08-06-1973	Parks & Recreation

Mayor Fletcher and City Manager Doug Thomas presented these awards.

### **PROCLAMATIONS -**

#### **Literacy Month**

#### **Prostate Cancer Awareness Month**

#### **APPROVAL OF MINUTES (with any amendments)**

- \* City Commission Minutes 08/15/08 – 08/18/08

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

- \* Utility Committee Minutes 08/18/08

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

#### **Municipal Boards & Committees 08/29/08**

The Municipal Boards Committee met in the Commission conference room. Commissioners Jim Verplanck and Glenn Higgins (members) and Commissioner

Edie Yates (chair) were present. Commissioners Howard Wiggs, Gow Fields, and Mayor Fletcher were present. Commissioner Justin Troller was present via speakerphone. Deputy City Manager Tony Delgado, City Manager Doug Thomas, City Attorney Tim McCausland, and City Clerk Kelly Koos were present.

Commissioner Edie Yates called the meeting to order at 10:02 a.m.

#### Historic Preservation Board

*Recommendation from Jim Studiale to reappoint Michael Tamney for a second three- year term, which will expire August 31, 2011.*

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

#### Nuisance Abatement Board

*Recommendation from Chief Roger Boatner to reappoint Arthur "Duke" Chadwell for a second three-year term which will expire August 31, 2011.*

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

Tim McCausland announced to the Committee that they would be bringing recommendations for the newly formed Civil Service Board. The Employees elected Carlton Benton, John Gibson, and Wayne Hanneken. Tim asked the Commission to begin thinking of some possible appointments. He would be recommending Rick Miller.

The Committee adjourned at 10:04 a.m.

Commissioner Yates presented these minutes to the Commission.

**Action:** The Commission approved these appointments unanimously.

#### **Finance Committee 08/29/08**

The Finance Committee met in the Commission conference room 10:04 a.m. Commissioners Howard Wiggs and Edie Yates (members) and Commissioner Gow Fields (chair) were present. Commissioners Glenn Higgins, Jim Verplanck, and Mayor Fletcher were present. Commissioner Justin Troller was present via speakerphone. Deputy City Manager Tony Delgado, City Manager Doug Thomas, City Clerk Kelly Koos, Investment Manager Jeff Stearns, and Assistant Finance Director Mike Brossart were present.

Commissioner Fields called the meeting to order at 10:04 a.m.

Jeff Stearns gave the presentation, a copy of which is on file in the City Clerk's Office.

Jeff reviewed the Investment Policy and the proposed changes.

Proposed changes:

- Clarify importance of liquidity of investments
- Consolidate and clarify investment categories (no new categories)
- Allow 25% of portfolio to be in 5 to 10 year maturities
- Increase municipal limit to provide for continuing auction rate bond purchases

**Recommendation:** Commissioner Wiggs moved to approve the proposed changes to the Investment Policy. Commissioner Yates seconded and Commissioner Fields concurred.

Jeff Stearns gave the annual report on the derivatives.

Doug Thomas asked Jeff to update the Commission on the SBA.

The City still had \$23 million in the State SBA pool. That money remained frozen. The City pulled out funds at every opportunity. The State had not released all the funds.

The Committee adjourned at 10:27 a.m.

Commissioner Fields presented these minutes to the Commission.

**Action:** The Commission approved the recommendation unanimously.

### **APPROVAL OF CONSENT AGENDA**

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

- \* City Commission 08/15/08 – 08/18/08
- \* Utility Committee 08/18/08
- \* Memo re: Modification to Publix Lease at Lakeland Airside Center
- \* Memo re: Approval of Shortlist for Consulting Services for Power Plant Turbines and Generators and Approval of Standard Continuing Contract and Agreement
- \* ~~Memo re: Approval of Shortlist For Engineering or Architectural Services for Design of New Administration and Maintenance Facilities at McIntosh Power Plant~~

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

Commissioner Troller requested to remove from the Consent Agenda item X-C relating to the shortlist for engineering or architectural services for McIntosh.

## **REQUESTS TO APPEAR FROM THE GENERAL PUBLIC**

### **Rose Regins re Black Heritage Festival**

Ms. Regins was an event coordinator. She will be coordinating an inaugural black heritage festival in the City of Lakeland. She requested the Commission's endorsement of the Black Heritage Festival.

The Commission did not act on this item.

## **PUBLIC HEARINGS**

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

#### **Proposed 08-063; Amendment to Police Officers' Defined Benefit Retirement Fund (1<sup>st</sup> Rdg 8/4/08, Contd 8/18/08)**

AN ORDINANCE OF THE CITY OF LAKE LAND AMENDING AND RESTATING CHAPTER 2, ADMINISTRATION, ARTICLE V, EMPLOYEE BENEFITS, DIVISION 2, CITY OF LAKE LAND POLICE OFFICERS' DEFINED BENEFIT RETIREMENT SYSTEM; ADDING SECTIONS 62-51 THROUGH 62-81 INCLUSIVE OF THE CODE OF ORDINANCES OF THE CITY OF LAKE LAND; PROVIDING FOR DEFINITIONS; PROVIDING FOR MEMBERSHIP; PROVIDING FOR A BOARD OF TRUSTEES; PROVIDING FOR FINANCES AND FUND MANAGEMENT; PROVIDING FOR CONTRIBUTIONS; PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR PRE-RETIREMENT DEATH BENEFITS; PROVIDING FOR DISABILITY BENEFITS; PROVIDING FOR VESTING OF BENEFITS; PROVIDING OPTIONAL FORMS OF BENEFITS; PROVIDING FOR BENEFICIARIES; PROVIDING CLAIMS PROCEDURES; PROVIDING FOR REPORTS TO THE DIVISION OF RETIREMENT; PROVIDING FOR A ROSTER OF RETIREES; PROVIDING FOR A MAXIMUM PENSION LIMITATION; PROVIDING FOR DISTRIBUTION OF BENEFITS; PROVIDING MISCELLANEOUS PROVISIONS; PROVIDING FOR REPEAL OR TERMINATION OF THE SYSTEM; PROVIDING FOR DOMESTIC RELATIONS ORDERS AND EXEMPTION FROM EXECUTION AND NON-ASSIGNABILITY; PROVIDING FOR PENSION VALIDITY; PROVIDING FOR FORFEITURE OF PENSION UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CONVICTION AND FORFEITURE, FALSE, MISLEADING OR FRAUDULENT STATEMENTS; PROVIDING FOR

INDEMNIFICATION AND DEFENSE OF CLAIMS; PROVIDING FOR DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; PROVIDING FOR PURCHASE OF CREDIT FOR MILITARY SERVICE PRIOR TO EMPLOYMENT; PROVIDING FOR THE PURCHASE OF CREDITED SERVICE FOR ABSENCES PURSUANT TO THE FAMILY AND MEDICAL LEAVE ACT; PROVIDING FOR THE PURCHASE OF CREDITED SERVICE FOR PRIOR POLICE SERVICE; PROVIDING FOR A DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR RE-EMPLOYMENT AFTER RETIREMENT; PROVIDING FOR AN ACTUARIAL GAIN SHARING ACCOUNT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AND EFFECTIVE DATE.

Tim McCausland requested the Commission continue this public hearing to September 15, 2008.

**Action:** Commissioner Verplanck moved to continue the public hearing until September 15, 2008. Commissioner Yates seconded and the motion carried unanimously.

**Ordinance 5006; Proposed 08-069; Annexation of Approximately 48 Acres Located at the Intersection of Kathleen Road and Jim Galloway Road (1<sup>st</sup> Rdg 8/18/08)**

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKELAND, FLORIDA, THAT CERTAIN 48 ACRES LOCATED AT THE INTERSECTION OF KATHLEEN ROAD AND JIM GALLOWAY 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 Yates 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 5007; Proposed 08-072; Annexation of Approximately 302 Acres Located at the Southeast Corner of County Line Road and Swindell Road (1<sup>st</sup> Rdg 8/18/08)**

AN ORDINANCE RELATING TO ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKE LAND, FLORIDA, THAT CERTAIN 302 ACRES LOCATED AT THE SOUTHEAST CORNER OF COUNTY LINE ROAD AND SWINDELL 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 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 5008; Proposed 08-078; Annexation of Approximately 20 Acres Located at the Southeast Corner of Airport Road and Old Tampa Highway (1<sup>st</sup> Rdg 8/18/08)**

AN ORDINANCE RELATING TO VOLUNTARY ANNEXATION; INCLUDING WITHIN THE TERRITORIAL LIMITS OF THE CITY OF LAKE LAND, FLORIDA, THAT CERTAIN 20 ACRES LOCATED ON THE SOUTHEAST CORNER OF AIRPORT ROAD AND OLD TAMPA HIGHWAY; 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 Higgins seconded.

Mayor Fletcher asked for comments and there were none.

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

## Resolutions

### **Resolution 4708; Proposed 08-047; Providing for Collection of Lot Cleaning and Clearing and Demolition Special Assessments Utilizing Tax Bill Collection Method**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA ELECTING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES, FOR COLLECTING UNPAID NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED BY THE CITY COMMISSION; ADOPTING FINDINGS OF FACT; ADOPTING A NON-AD VALOREM ASSESSMENT ROLL; AUTHORIZING THE CITY ATTORNEY TO CERTIFY THE ASSESSMENT ROLL TO THE TAX COLLECTOR; 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, Troller, Verplanck, Wiggs, Fields, Yates, and Mayor Fletcher voted aye. Ayes: seven. Nays: Zero. The motion carried unanimously.

### **Resolution 4709; Proposed 08-048; Providing for Collection of Orangewood Community Subdivision Special Assessments Utilizing Tax Bill Collection Method**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO ASSESSMENTS; ADOPTING FINDINGS OF FACT; PROVIDING FOR THE LEVY OF A SPECIAL ASSESSMENT AGAINST EACH BENEFITED PARCEL WITHIN THE ORANGEWOOD COMMUNITY SUBDIVISION TO PAY FOR INFRASTRUCTURE IMPROVEMENTS; PROVIDING A SCHEDULE AND TERMS FOR THE REPAYMENT OF SAID ASSESSMENT; ADOPTING A NON-AD VALOREM ASSESSMENT ROLL; ELECTING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS AS AUTHORIZED UNDER SECTION 197.3632, FLORIDA STATUTES, FOR COLLECTING THE ASSESSMENT; AUTHORIZING THE CITY ATTORNEY TO CERTIFY THE ASSESSMENT ROLL TO THE TAX COLLECTOR; PROVIDING FOR SEVERABILITY; 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

### **Memo re: Development Agreement for Property Located on State Road 33 Within the Bridgewater Development of Regional Impact**

This was a Development Agreement with the developers of the Bridgewater DRI provided for concurrency vesting for certain proposed uses. The developers and proposed uses are as follows:

*Bridgewater Lakeland Developers, LLC (Villages at Bridgewater)*

- 470 single-family residential units
- 300 multi-family residential units
- 10,000 square feet of retail

*I-433 Venture, LLC (Interstate 4/SR 33 Interchange, north of First Park)*

- 75,500 square feet of retail
- 50,000 square feet of highway commercial

*Long Lake Venture, LLC (adjacent to Landings at Long Lake)*

- 372 multi-family units

Based upon a traffic study, certain off-site mitigation measures were necessary to meet concurrency requirements for these uses. The mitigation measures included:

- Widening SR 33 to four-lanes from just west of the Old Combee/Melody Lane intersection to a point just east of the Old Combee/Deeson Pointe intersection;
- Adding a second northbound left-turn lane on Old Combee Road at the SR 33/Deeson Pointe Boulevard intersection;
- Modifying the southbound approach to the Old Combee Road/Melody Lane intersection to allow left-turns from the lane currently designated for only through and right-turn movements; and
- Contributing \$125,179 towards the cost to signalize the SR 33/Interstate 4 interchange (Exit 38) if the intersection met the warrants and/or the City obtained the remaining balance to complete the project.

Under the Development Agreement, in exchange for constructing and/or financing the above transportation improvements, the City would grant the developers transportation concurrency vesting for the listed uses and impact fee credits equaling the costs of the improvements. The total estimated cost of the improvements was \$1,825,179.

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

Tim McCausland presented this item to the Commission. No action was required today except to hold a public hearing. The final public hearing would be September 15, 2008.

Mayor Fletcher asked for comments.

Lemel Phillips Sr. asked if the widening could begin closer to the city limits and carry all the way out to the interstate. He wanted it to include Old Combee Rd. Chuck Barmby, Transportation Planner, explained they did plan to expand the road to the interstate as funding becomes available. It would probably be a 10-year project.

Frank Butler, resident of Spanish Oaks was concerned about the speed limit along 33. He felt there should be a turn lane at the entrance to Spanish Oaks. Chuck Barmby, Transportation Planner, responded. The current plans did not extend to the Spanish Oaks development. They were working with the State to obtain dollars for turn lane improvements. The City was limiting additional driveways in that area.

## **COMMUNITY REDEVELOPMENT AGENCY - None**

### **CITY MANAGER**

#### **Recommendation re Renovation of the Coleman-Bush Building**

The City received seventeen (17) bids on August 11, 2008 for the construction and remodeling work associated with the Coleman-Bush Building Renovation Project. The proposed renovation project would provide for the enhancement of the existing recreation facilities including modifications to incorporate expanded restroom facilities, construction of additional rooms for dance and community groups, renovation of office space to accommodate the Neighborhood Services Division (Code Enforcement & Housing) and facility recreation administration offices. The local architectural firm of Swilley Curtis Mundy Hunnicutt Associates Architects, Inc. prepared the plans for the project and the firm assisted in the evaluation of the bids.

The lowest bid was from Construct Two Group, Inc., Orlando Florida, for \$1,195,380. The second lowest bid was from Bradanna, Inc. Naples, Florida at

\$1,219,000. Based on the evaluation of the bids received, City staff concurred with the Project Architect, that Construct Two Group, Inc. represented the most qualified bidder and fully met the requirements of the project specifications. Subsequently, the City issued a Notice of Intent to Award to the firm. The contract term was 210 calendar days, with work commencing on September 8, 2008 pending City Commission approval. The projected completion date was April 6, 2009. The City notified all affected groups and leaseholders of the project schedule and alternative plans were in place to in response to the construction/remodeling activity. Funding for the project totaling \$2,000,000 was originally incorporated in the Fiscal Year 2008 Public Improvement Budget with a portion of the funding coming from the district impact fees (\$400,000). However, with design and modification delays staff anticipated that the project would not commence until the 2009 Fiscal Year and moved the dollars forward. With the anticipated start now falling in FY 2008, an accompanying appropriation of \$1,165,000 from the Public Improvement Fund would be necessary to supplement the current project start date. Total project cost including contingency was substantially below the anticipated \$2,000,000 original estimates.

Staff recommended that the City Commission authorize an appropriation of \$1,165,000 in the Public Improvement Fund and the appropriate City officials to final the bid award to Construct Two Group, Inc. and execute the contract in the amount of \$1,195,380 to commence the renovation of the Coleman-Bush Building.

Doug Thomas presented this item to the Commission.

Commissioner Troller asked about funding and the citizens' request for an additional restroom. Staff was able to include the restroom.

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

### **Recommendation re Traffic Coating Repairs to Orange and Main Street Parking Garages**

The City received ten (10) bids on July 29, 2008 for the traffic coating maintenance repairs to the Main Street and Orange Street Garages. The structural engineering firm of NHWL Engineering, Inc. prepared the traffic coating specifications and assisted staff in the evaluation of the bids. The lowest bid received in the amount of \$286,180 was from Schnell Contractors, Inc. of Tampa, Florida with Intron Tech, Inc. of Sarasota.

Based on the evaluation of the bids, City staff concurred with the Project Engineer and recommended that Schnell Construction, Inc. represented the most qualified low bidder to meet the requirements of the project specifications. In addition to the top deck coating system at both garages (base bid: \$286,180), an additional alternate bid was negotiated to repair existing and installation of new upper deck

floor drains at a cost of \$16,825. Subsequently, the City issued a notice of Intent to Award to Schnell Construction, Inc. Staff appropriated project funding in the amount of \$303,005 in the FY 2008 Public Improvement Fund. The contract term was 105 calendar days. Anticipated commencement of work, pending City Commission approval, was September 2008 with a projected completion in January 2009.

Staff recommended that the City Commission authorize the appropriate City officials to award the traffic coating and floor drain improvements bid for the Main Street and Orange Street Garages to Schnell Construction, Inc. in the amount of \$303,005 and execute the associated contracts.

Doug Thomas presented this item to the Commission.

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

**Recommendation re Claims Administration for City of Lakeland Self-Insured Automobile, General Liability, and Workers' Compensation Funds; Workers' Compensation Medical and Prescription Drug Provider Networks**

In May 2008, the City forwarded a Request for Proposal (RFP) to 18 potential providers, regarding the provision of claims administration services for the City's self-insured General/Automobile Liability and Workers' Compensation Funds, as well as Workers' Compensation Medical and Prescription Drug Provider Networks.

On June 24, 2008, the City received seven proposals from AmTrust North American, Employers Mutual, Inc., Johns Eastern Company, Preferred Government Claims Solutions, Unisource Administrators, York Claims Service, and the incumbent, Summit Claims Management.

The proposals were evaluated on several items including cost, service, stability, and references, with Summit Claims Management and Employers Mutual, Inc. selected as the proposed finalists. On July 29, 2008, a Review Committee, comprised of staff from the City of Lakeland's Risk Management Department, and the City's Consultant, Waters Risk Management, interviewed the finalists. Also in attendance were the City's Assistant Purchasing Manager, and Assistant City Manager.

Employers Mutual, Inc. offered a broader public entity clientele and experience; however, upon completion of their review, it was determined that the incumbent, Summit Claims Management, provided the best overall proposal.

Summit Claims Management's estimated annual fee for service for the first year was \$157,550 with a 5% annual increase for the second and third year. This fee

was inclusive of the cost to provide two on-site adjusters, which should assist in lower claims costs due to quicker response times, better coordination of claims investigation, and enhanced communications with the Risk Management staff. The Summit proposal also represented the lowest estimated cost proposal even taking into account the future year increases. Summit's proposed new fee schedule would become effective October 1, 2008, and represented an overall price increase of 17.3% when compared to their existing contract for the same services.

Staff recommended that the City Commission authorize the appropriate City Officials to execute an agreement with Summit Claims Management to provide claims administration services and Workers' Compensation Medical and Prescription Drug Provider Networks with an effective contract date of October 1, 2008.

Doug Thomas presented this item to the Commission.

Commissioner Troller asked about employees' awareness of possible liability using a city vehicle for personal business.

Doug Thomas will look into the matter.

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

## **CITY ATTORNEY**

### **Ordinances (First Reading)**

#### **Proposed 08-082; Vacating a Portion of Public Right-of-Way Located North of West Peachtree Street, South of West Magnolia Street, East of North Lincoln Avenue and West of North Ohio Avenue**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED NORTH OF WEST PEACHTREE STREET, SOUTH OF WEST MAGNOLIA STREET, EAST OF NORTH LINCOLN AVENUE AND WEST OF NORTH OHIO AVENUE, WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 15, 2008.

**Proposed 08-083; Vacating the Remaining Portion of Hermosa Drive Located Just East of North Florida Avenue, North of Glenwood Drive and South of I-4**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A 15,180 SQUARE FOOT PORTION OF HERMOSA DRIVE LOCATED EAST OF NORTH FLORIDA AVENUE, NORTH OF GLENWOOD DRIVE AND SOUTH OF I-4, WITHIN THE CITY OF LAKE LAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 15, 2008.

**Proposed 08-084; Amendment to Ordinance 4936, Revising Time of Payment for Wastewater Impact Charges**

AN ORDINANCE RELATING TO WASTEWATER IMPACT FEES; AMENDING ORDINANCE 4936, AS AMENDED; REVISING TIME OF PAYMENT FOR WASTEWATER IMPACT CHARGES; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 15, 2008.

**Proposed 08-085; Amendment to Ordinance 4937, Revising Time of Payment for Water System Capacity Fee**

AN ORDINANCE RELATING TO WATER SYSTEM CAPACITY CHARGES; AMENDING ORDINANCE 2620, AS AMENDED; REVISING TIME OF PAYMENT FOR WATER SYSTEM CAPACITY FEES; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 15, 2008.

**Proposed 08-086; Adopting New Investment Policy for Certain Designated Funds**

AN ORDINANCE RELATING TO INVESTMENT POLICIES; REPEALING ORDINANCE NO. 4876; ADOPTING AN AMENDED CITY OF LAKE LAND INVESTMENT POLICY; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 15, 2008.

**Proposed 08-089; Amending Ordinance 4118; Establishing Revised Stormwater Utility Fee Schedule**

AN ORDINANCE RELATING TO STORMWATER MANAGEMENT; AMENDING ORDINANCE 4118; TO PROVIDE FOR AN AMENDED FEE SCHEDULE; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 15, 2008.

**Proposed 08-090; Providing Rates for Water Service**

AN ORDINANCE RELATING TO THE WATER UTILITY; PROVIDING RATES FOR WATER SERVICE BY THE CITY OF LAKE LAND; AMENDING ORDINANCE 2620, AS AMENDED, OF THE CITY OF LAKE LAND, FLORIDA; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on September 15, 2008.

**Resolutions**

**Resolution 4710; Proposed 08-049; Lots Cleaning and Clearing**

A RESOLUTION RELATING TO ASSESSMENTS; DETERMINING THE NECESSITY FOR HAVING CLEANED AND CLEARED CERTAIN PROPERTY WITHIN THE CITY OF LAKE LAND; 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.

Nikia Jones came forward concerning Job # 08-0198.

The Commission decided to remove that job from the assessment roll to allow time for Ms. Jones to meet with Brian Rewis.

**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.

#### **Resolution 4711; Proposed 08-050; Demolition of Buildings**

A RESOLUTION PROVIDING FOR THE ASSESSMENT OF A LIEN AGAINST PROPERTY FOR EXPENSE INCURRED IN THE REMOVAL OF DILAPIDATED AND HAZARDOUS BUILDINGS; MAKING FINDINGS; 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 Fields, Wiggs, Verplanck, Troller, Higgins, and Mayor Fletcher voted aye. Commissioner Yates was absent at that time. Ayes: six. Nays: Zero. The motion carried unanimously

#### **Resolution 4712; Proposed 08-051; Repealing Resolution 4692, Establishing Fees for Delinquent Accounts**

A RESOLUTION RELATING TO DELINQUENT ACCOUNTS; REPEALING RESOLUTION 4692; ESTABLISHING A CHARGE FOR DELINQUENT MISCELLANEOUS RECEIVABLE BILLINGS GENERATED BY 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 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.

**Resolution 4713; Proposed 08-052; Authorizing Eminent Domain Proceedings – Interstate 4 at Mount Olive Road and Lake Luther Road**

A RESOLUTION RELATING TO EMINENT DOMAIN: AUTHORIZING EMINENT DOMAIN PROCEEDINGS TO ACQUIRE CERTAIN INTERESTS IN PARTICULAR REAL PROPERTY GENERALLY LOCATED ADJACENT TO INTERSTATE 4 FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING ELECTRIC UTILITIES AND RELATED FACILITIES; AUTHORIZING CONDEMNATION OF THE PROPERTY DESCRIBED HEREIN; AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS; MAKING FINDINGS; 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: Contract with Roads and Runways Striping Service, Inc. for Taxiway and Runway Striping at Airport**

This was the proposed Agreement between the City and Roads and Runways Striping Service, Inc. for taxiway/runway paint markings that comply with Federal Aviation Administration (FAA) standards for airport markings. Following a competitive bid process, pursuant to the City of Lakeland's Invitation to Bid No. 8179, Roads and Runways Striping Service, Inc. was determined to be the most responsive bidder. Upon approval by the City Commission, Roads and Runways Striping Service, Inc. shall commence work within fourteen (14) days of receiving its Notice to Proceed from the City and complete the project in accordance with the terms of the Contract. The total contract price during this term was \$66,927.75, which could be broken down as follows:

RWY 5-23 Grant Project:

- FAA Grant Share = \$23,845.00
- City Share = \$1,255.00
- Total RWY 5-23 = \$25,100.00

Other Airfield Markings:

- \$41,827.75

Total Contract Amount:

- \$66,927.75

As specified above, unspent RWY 5-23 grant dollars would fund a portion of this project and would pay for the FAA requirements, while the Airport would pay the remaining costs from this fiscal year's pavement maintenance and runway painting accounts. No new or additional City/Airport funding, other than funds, which have already been budgeted, was needed. This project was consistent with FAA mandates governing airport markings and would ensure continued operational safety of all runways and taxiways at the Airport.

Staff recommended that the Commission authorize the appropriate City officials to execute this Agreement for taxiway/runway markings.

Tim McCausland presented this item to the Commission.

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

\* **Memo re: Modification to Publix Lease at Lakeland Airside Center**

This was the First Modification of the Lease Agreement between the City of Lakeland and Publix Supermarkets, dated October 1, 2007, relating to Phase II at Lakeland Airside Center. Phase II, consisting of 18,000 additional square feet, was originally scheduled for occupancy by October 1, 2009. Presently LE training personnel occupy the space. Both parties have agreed that having the space by that date was no longer necessary and recommended rescheduling the occupancy date to October 1, 2010. Likewise, the parties agreed to extend the required parking improvements date. All other terms related to ad-valorem pass-through, utilities and maintenance remain the same.

Staff recommended that the Commission authorize the appropriate City officials to execute this First Modification to Lease Agreement.

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

**FINANCE DIRECTOR - None**

**AUDIENCE**

Andy Crossfield, 5451 Kingsfield Dr., came forward concerning Lakeland Electric. LE rates use to be the cheapest around. He read in the paper that LE has now turned a profit. LE was a non-profit entity. He wondered why LE was not considering reducing the rates. He requested an audit with the results published.

Doug Thomas explained that the concept of non-profit was not anticipated that the utility would not make a profit. Running a utility was capital intensive and the profit was added back to capital investments.

Mr. Crossfield thought the City would be better off to sell the utility. He was concerned because he could not vote for the Commission.

Doug Thomas explained the Utility Committee had seats to represent customers that do not live inside the City limits. The public had greater access to the Commission than they would the board of an Investor Owned Utility, even if they are not city residents.

Mr. Crossfield asked the Commission to consider selling the utility.

### **MAYOR AND MEMBERS OF THE CITY COMMISSION - None**

Recess/reconvene: The Commission recessed at 11:29 a.m. and reconvened at 2:08 p.m.

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

### **UTILITY - CONSIDERED AFTER 1PM UTILITY COMMITTEE MEETING**

- \* **Memo re: Approval of Shortlist for Consulting Services for Power Plant Turbines and Generators and Approval of Standard Continuing Contract and Agreement**

This was a proposed short list of engineering firms to provide consulting services for power plant turbines and generators. The City issued a request for qualifications to which seven (7) firms replied. Those seven firms were:

HPI, LLC  
Leading Edge Turbine Tech  
Harris Group  
Reinhart & Associates  
Mechanical Dynamics & Analysis, Inc  
Turbine Diagnostic Services  
ProEnergy Services LLC

A selection committee used standard criteria such as past performance, professional ability, workloads, experience, etc. for evaluating the firms. Based on these evaluations, the committee short-listed the following firms in ranked

order and recommended for a continuing contract. The three firms are listed below:

1. Mechanical Dynamics & Analysis, Inc.
2. ProEnergy Services LLC
3. Reinhart & Associates

The initial term of the contract was three (3) years with an option of two (2) one-year renewals.

Staff recommended that the Commission approve the short list and give permission to begin negotiations of three continuing contracts to fulfill the scope of the services in the request for qualifications, and authorize the appropriate City Officials to execute the proposed Continuing Contracts on behalf of the City when finalized.

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

**Memo re: Approval of Participation Agreement with Florida Transmission Capability Determination Group**

This was a draft Agreement providing for the participation of Lakeland Electric with other regional utilities in the Florida Transmission Capability Determination Group ("FTCDG"). New reliability standards promulgated by the Federal Energy Regulatory Commission ("FERC") required electric utilities to maintain and share data relating to potential transmission capacity. Participants under the Agreement would agree to purchase specific software and maintain and publish transmission capacity data in a uniform format.

The potential participants in the Agreement included the larger electric utilities in the region. The estimated cost of participation per utility was \$10,000 to join and a monthly operational cost of between \$850 and \$1,125. Actual costs would be determined by the number of participants but were anticipated to go down as more participants join.

Staff recommended that the City Commission authorize Lakeland Electric's General Manager to execute the final Agreement and any associated software and service agreements necessary to implement the program following final review by the City Attorney's Office.

Tim McCausland presented this item to the Commission.

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

**Memo re: Approval of Shortlist For Engineering or Architectural Services for Design of New Administration and Maintenance Facilities at McIntosh Power Plant**

In 2007, Lakeland Electric Energy Production commissioned a study with Sargent and Lundy to examine the McIntosh Power Plant facilities with the intent to develop a cost-effective plan for a new administrative facility. The study evaluated renovation and reuse of existing facilities with consideration given to current and expected future staffing levels. Additionally, functional deficiencies in other McIntosh facilities such as maintenance and warehousing were identified. In March of 2008, applying CCNA guidelines, Lakeland requested statements of interest and qualifications from engineering or architectural firms to design both new plant administration and maintenance facilities. The general scope of the RFQ set forth permitting, construction management, site preparation, underground utilities, and site drainage modifications utilizing the data and conclusions of the Sargent and Lundy study. A total of 14 firms responded to the RFQ. Those firms are shown below:

BRPH Companies, Inc.  
C & S Engineers, Inc  
The Austin Company  
Design Styles, Inc.  
Wallis Murphy Boyington/Stanley Consultants, Inc.  
Cole Engineering & Const (Robert)  
Straughn Trout Architects  
Dow Howell Gilmore Assoc, Inc.  
Bentley Architects & Engineers, Inc.  
The Scott Partnership Arch, Inc.  
Furr & Wegman Architects, PA  
The Evans Group  
Architects Design Group, Inc.  
Swilley Curtis Mundy Assoc.

The selection committee evaluated the needs for the two buildings separately using standard criteria for evaluating the firms (i.e., past performance, professional ability, workloads, location, etc.), but with respect to the maintenance building, also wanted to give consideration for companies with power plant experience since the design project required expertise in dealing with buildings in power plants that cannot have a disruption in activities.

The Committee invited the top four listed to do a presentation on the project and following further evaluation from each presentation, the review committee would like to place the top four (4) firms in the following ranking for both the Administration Building and the Maintenance Building:

1. Wallis Murphy Boyington/Stanley Consultants (Lakeland)

2. BRPH Companies, Inc.(Melbourne)
3. The Austin Company (Tampa)
4. Straughn Trout Architects (Lakeland)

Staff recommended that the Commission approve the short list be and give permission to begin negotiations with the companies in the ranked order.

Tim McCausland presented this item to the Commission.

**Action:** Commissioner Verplanck moved to approve the recommendation. Commissioner Higgins seconded and the motion carried 4-1 with Commissioner Troller voting nay.

**CALL FOR ADJOURNMENT – 2:09 p.m.**

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Ralph L. Fletcher, Mayor

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Kelly S. Koos, CMC  
City Clerk

**LAKELAND CITY COMMISSION**  
**Agenda Study Session**  
**August 29, 2008**

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

Mayor Fletcher called the meeting to order at 8:34 a.m.

Doug Thomas covered the preliminaries.

Tim McCausland covered the public hearings. He asked the commission continue the public hearing for 08-063 until September 17, 2008. Palmer Davis covered the Bridgewater Development agreement. Donna Feldman offered some comments on the agreement. It provided transportation concurrency but there were other requirements under the DRI.

Tim McCausland covered the Equalization Board.

Doug Thomas covered the City Manager agenda.

Justin Troller called in from Denver for the meeting at 8:53 a.m.

Tim McCausland covered the City Attorney agenda and offered the following verbal:

CSX:

Staff attended the August 13, 2008 Regional Planning Council (RPC). Staff hired outside council to assist in participating at the hearing on the CSX DRI ILC project. David Theriaque was an experienced land use attorney. Jim Studiale gave a good presentation before the RPC. One member of the RPC (Commissioner Wiggs) made a motion to delay the application until after the study was finished and it failed for lack of a second. The DRI was approved and sent back to the City of Winter Haven. The Lakeland was now ready to move into Phase II on this issue. Winter Haven would now take the RPC recommendation and incorporate it into a development order. That would require two public hearings. The public would have an opportunity to comment at those hearings. Those hearings would be quasi-judicial and there were greater opportunities to protect the rights of all parties impacted. Lakeland had an opportunity to participate in the hearings before the City of Winter Haven. He asked for commission direction as whether or not they thought it was worth the effort and resources to participate in those hearings. The issues Lakeland would raise had some legal standing and provided an opportunity to appeal. Appearing before the City of Winter Haven would allow an opportunity to establish standing.

The Commission discussed the pros and cons of fighting the ILC. Tim McCausland proposed the Commission authorize him to move forward for the hearings before the City of Winter Haven and he would come back for additional direction beyond those hearings.

The consensus was to appear before the City of Winter Haven.

Commissioner Justin Troller brought up the issue of closing the parks for the Labor Day holiday.

Doug Thomas explained that the Commission approved the closing of parks for holidays and one day a week to meet budget in FY 07-08. He was concerned that revisiting these cuts would give the community the impression that the City really did not need to make the cuts originally. Only the larger regional parks would be closed. There were other parks throughout the City that would remain open that citizens could use.

The Agenda Study Session adjourned at 10:02 a.m.

### **City Manager/City Attorney Review September 2, 2008**

The Commission met for the City Manager and City Attorney's reviews in the Commission conference rooms. Commissioners Howard Wiggs, Gow Fields, Justin Troller, Jim Verplanck, Glenn Higgins, and Mayor Fletcher were present. Commissioner Edie Yates was absent due to family matters. City Manager Doug Thomas, City Attorney Tim McCausland, City Clerk Kelly Koos, and Dr. Larry Ross were present.

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

Dr. Ross began by summarizing the City Manager's review.

Summary: Excellent overall performance in a year when budgetary and other ongoing issues have created unique leadership challenges. Overall average score of 4.46 indicating performance "more than meets performance expectations."

Dr. Ross asked for additional comments and there were none. He then moved on to the City Attorney Review.

Dr. Ross summarized the City Attorney's review.

Summary: Excellent overall performance in a year when tax reform created and introduced multiple new legal challenges. Overall average score of 4.39 indicating performance "more than meets performance expectations."

Dr. Ross asked for additional comments.

Commissioner Troller commented his scores seemed to stick out from everyone else. He felt a 3 meant the person was doing his job. He did not realize that 4 meant the employee was meeting expectations.

Dr. Ross explained that when they began conducting reviews, the Commission at that time emphasized they expected the city manager and city attorney to perform above average, above a level 3.

The Commission discussed the manager and attorney's performance and their response to prior reviews.

The Commission adjourned at 12:10 p.m.

**LAKELAND CITY COMMISSION  
First Public Budget Hearing  
September 3, 2008**

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

**CALL TO ORDER**

Mayor Fletcher called the meeting to order at 6:02 p.m.

**INVOCATION**

Mayor Fletcher offered the invocation followed by the salute to the flag.

**PUBLIC HEARING**

**Presentation of Proposed FY2009 Annual City Budget**

Doug Thomas gave the presentation on the proposed budget, a copy of which is on file in the City Clerk's Office. He reviewed the cuts the City initiated to meet budget for FY07-08. He then presented the following five strategies:

**Strategies To Close General Fund Budget Gap**

1. Identify and Implement Cost and Service Reductions
2. Financial Contributions to Cultural Assistance Programs & Community Support Service Organizations
3. Increased Public Improvement Fund (PIF) Transfer to General Fund
4. Elimination of General Fund Cross Subsidy to Storm Water Fund
5. Recommended Millage Rate

**Ordinances (First Reading)**

Tim McCausland explained that as part of the budget adoption process the Commission had to establish the millage rate as 3.4031 and adopt the general budget. Those were in ordinance form. He would read the short titles and then suggested the Commission give a motion and second to get the items on the floor for discussion.

**Proposed 08-087; Ad Valorem Millage Rate for 2008-2009 Fiscal Year**

AN ORDINANCE RELATING TO AD VALOREM TAXATION; ESTABLISHING  
THE MILLAGE RATE FOR THE CITY OF LAKELAND, FLORIDA, FOR THE

FISCAL YEAR COMMENCING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR THE LEVY OF AD VALOREM TAXES; FINDING THE MILLAGE RATE EQUALS THE ROLLED BACK RATE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Proposed 08-088; Appropriations; Budget for 2008-2009 Fiscal Year**

AN ORDINANCE RELATING TO APPROPRIATIONS; PROVIDING FOR THE APPROPRIATION OF MONIES FOR THE CITY OF LAKE LAND, FLORIDA, FOR VARIOUS PURPOSES FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Higgins moved to approve both ordinances on first reading. Commissioner Verplanck seconded.

Jeannette Estes appeared on behalf of PAL asked for clarification that the plan for now was to continue to fund the second police position for the next 6 months. A civilian or a volunteer police officer would fill the second position. Doug Thomas explained it was still fluid. He did want to consider a civilian and look at other resources to maintain the sworn officer presence. He hoped to hold the meeting with Chief Boatner and PAL representatives during that 6-month period. The notice of that meeting would come from the Police Department.

Troy McCain, Employee Association President, read his letter into the record, requesting that all employees be treated equally. A copy of this letter is on file in the City Clerk's Office.

Commissioner Fields asked if the PAL transition plan would include the handling of the number of hours worked by the PAL staff. His understanding was that the current hours were not sustainable.

Commissioner Fields asked since the PBA had declined the re-opener, what was the dollar impact? How much wider did that gap become? Greg Finch responded \$359,000 was the difference between a 4% payroll increase and a 7% payroll increases within the PBA .

Commissioner Troller asked about Performance Excellence and the \$181,000 budgeted. Was there a need for that unit? Doug Thomas responded there was no more critical need than now for strategic planning and rapid process improvement.

Commissioner Troller asked what the \$20,800 under Other included.

Greg Finch replied that was a portion of the utility bill for the Department of Citrus on Memorial Bl.

Commissioner Troller asked if since the collective bargaining units had declined the re-opener, if the administration would recommend eliminating positions in police and fire.

Doug Thomas responded that he would have a hard time recommending cuts in departments that had already sustained cuts so yes.

In response to a question from Commissioner Troller, Greg Finch replied that the City could not approve a millage rate higher than the rate they advertised. To finance the additional payroll costs within the BPA the City would have to raise the millage another 10th of a mil, to a total of 3.5 mills. 3.4031 mills is the maximum that was advertised.

Cultural stakeholders had suggested alternatives to the funding proposal outlined during the presentation. Doug Thomas had scheduled meetings with cultural groups and there were some good thoughts generating there.

Commissioner Fields asked what the impact would be if IAFF declined to renegotiate. It would be \$154,000.

Commissioner Wiggs thanked LFD. He had an employee that had a fire and lost everything. He thanked LFD for their professionalism. He felt it unfair to criticize the police department for trusting what they thought was a good agreement. When the groups agreed on the contract, it was something they both thought was good. If the city received a windfall of money, they would not consider reopening the contract to give the police department more money. It was important that they not become divided. He thought the \$1.7 million for cultural arts should not be raided. That was like a trust fund.

Doug Thomas had started to draft the letter to appoint the task force on the retiree cost of living issue.

Commissioner Verplanck spoke with Senator Dockery and the State planned to look at further property tax reductions. Their constituents were saying that was the only thing that would turn the economy around.

Commissioner Yates stated everyone was here because of their interest in the City and the programs provided. She encouraged everyone to be involved in the political progress. Our legislators only heard from those who think property taxes were too high. Contact your legislators so they will know that there are some cities that are not charging too much and really need the money to pay for their police, fire, and parks.

Mayor Fletcher thanked everyone for coming out and supporting the City.

Doug Thomas stated these were challenging times the City was facing. The proposals before the City Commission had been hard decisions. It was not easy to go to the unions

and explain what had happened since they signed those agreements. In the strategy he put forward, he tried to say that everyone was in this together. His intent was not to drive a wedge between different employee groups but to present a balanced approach and still present a balance budget.

**Proposed 08-087; Ad Valorem Millage Rate for 2008-2009 Fiscal Year**

**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. The ordinance was approved on first reading.

**Proposed 08-088; Appropriations; Budget for 2008-2009 Fiscal Year**

**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. The ordinance was approved on first reading.

**CALL FOR ADJOURNMENT – 7:41 p.m.**