

**REGULAR SESSION**  
**May 15, 2006**

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

**CALL TO ORDER**

Mayor Fletcher called the meeting to order at 9:01 a.m.

**INVOCATION**

Captain Edward Lee of The Salvation Army offered the invocation followed by the salute to the flag.

**PRESENTATIONS**

**Public Works - Upgrade To City Computerized Traffic Signal System**

**Proclamation - National Public Works Week**

Mayor Fletcher presented the proclamation to Rick Lilyquist and staff. Rick introduced Gail Cherryhomes and Jim Nixon from Public Works.

**Above and Beyond Award**

Doug Thomas asked Bill Tinsley, Parks & Recreation Director, to make this presentation.

Bill Tinsley recognized Don Nixon and their ability to move traffic through downtown.

Bill Tinsley called David Woodard, Colleen Collins, Lewis Murphy and Mike Marotz to the front of the chamber. This team performed CPR on a citizen that collapsed at Kelly Recreation. The EMT and hospital staff credited them with saving the woman's life.

**Presidents' Roundtable Awards**

Doug Thomas called the following employees forward. The local service clubs in Lakeland gave the awards. He and Mayor Fletcher made the presentation.

**Firefighter Of The Year**

Driver Engineer John Lisk

**Honorable Mention**

Lieutenant John Almskog  
Driver Engineer Tim Spivey

**Honorable Mention as a Team**

Lieutenant Blake Monroe  
Driver Engineer Dan Taylor  
Firefighter Bryan Gilliam

**Honorable Mention as a Team**

Driver Engineer Fred Stewart  
Firefighter Neil Warnock

**Police Officer of the Year**

Sgt Mike Ivancevich

**Honorable Mention Police Office of the Year**

Patti Phillips  
Ted Sealey

**LPD K-9 Trials Awards**

First Place Team Overall	Lakeland Pd K-9 Unit
First Place Individual Overall (tied)	Officer Ted Sealey and K-9 Bodo
Third Place Agility (Individual)	Officer Ted Sealey and K-9 Bodo
(NOTE: Officer Sealey and his partner finished within the top five in every event.)	
Fourth Place Obedience	Officer Leanne Bennett and K-9 Keito
Eighth Place Overall	Officer Jose Bosque and K-9 Kye
Twelfth Place Overall	Officer Ryan Back and K-9 Neo

The Fred Wheeler Award was also awarded to Officer Sealey and K-9 Bodo for having top combined score in Search Work and Apprehension.

**CONSENT AGENDA**

- City Commission Minutes 4/28/06 - 5/1/06
- Utility Committee Minutes 5/1/06
- Memo re: Task Authorization with Case Engineering, Inc. for Limestone Fines Handling at McIntosh Power Plant Unit #3
- Memo re: Agreement with Online Utility Exchange for Customer Credit Reporting Services
- Appropriation and Increase in Estimated Revenues - General Fund

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

## **Municipal Boards Committee**

The Municipal Boards Committee met in the Commission conference room. Commissioners Glenn Higgins and Jim Verplanck (members) and Commissioner Dean Boring (chairman) were present. Commissioners Edie Yates, Howard Wiggs and Mayor Fletcher were present. City Manager Doug Thomas, Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, City Attorney Tim McCausland, and City Clerk Kelly Koos were present.

Commissioner Boring called the meeting to order at 9:58 a.m.

### Lakeland Housing Authority Board:

Herb Hernandez recommended re-appointing William Parry to the board. His new term would expire April 30, 2010.

**Recommendation:** Commissioner Verplanck moved to recommend the Commission re-appoint William Parry. Commissioner Higgins seconded and Commissioner Boring concurred.

Mayor Fletcher asked if he was supposed to make that appointment.

Commissioner Wiggs explained the Mayor makes appointments to the Housing Authority Board and the Municipal Board Committee concurs. No action was required on this item.

### Historic Preservation Board

Jim Studiale recommended the Committee appoint J. Kyle Vreeland and L. Burl Wilson, Jr. to fill two vacancies on the board.

- J. Kyle Vreeland was an architect and developer who would replace Tim Cox and whose term would expire May 31, 2009.
- L. Burl Wilson, Jr. was replacing Roger Haar who resigned in January 2006. He would fill the remainder of Haar's term, which expires June 30, 2007 and would be eligible for one more term.

Commissioner Verplanck confirmed that Mr. Wilson would actually be eligible to serve two additional terms as he would serve less than 18 months of Mr. Haar's term.

**Recommendation:** Commissioner Verplanck moved to recommend the Commission appoint J. Kyle Vreeland and L. Burl Wilson, Jr. to the Historic Preservation Board. Commissioner Higgins seconded and Commissioner Boring

concluded.

#### Firemen Pension Trust - Board of Trustees

The Firemen Pension Board recommended the Commission appoint Oak Duke to fill a vacancy.

**Recommendation:** Commissioner Verplanck moved to recommend the Commission appoint Oak Duke to the Firemen Pension Trust - Board of Trustees. Commissioner Higgins seconded and Commissioner Boring concurred.

#### Planning & Zoning Board

Jim Studiale updated the Commission about upcoming vacancies on the Planning & Zoning Board. Margaret Parry requested to resign. Jimmy Downy Jr. vacated his seat due to excessive absences. Jim Studiale recommended re-appointing Allen Sale and Sam Sheets. He also recommended appointing Cindy Petterson to replace Margaret Parry.

**Recommendation:** Commissioner Verplanck moved to recommend the Commission re-appoint Allen Sale and Sam Sheets and appoint Cindy Petterson to replace Margaret Parry on the Planning & Zoning Board. Commissioner Higgins seconded and Commissioner Boring concurred.

The meeting adjourned at 10:05 a.m.

Commissioner Boring presented these minutes to the Commission.

**Action:** Commissioner Boring moved to approve the recommended appointments and the motion carried unanimously.

### **REQUESTS TO APPEAR FROM THE GENERAL PUBLIC – none**

### **PUBLIC HEARINGS**

**Ordinance 4752; Proposed ordinance 06-017; Amending Ordinance 3829, As Amended, Modifying PUD Zoning on 29.31 Acres Located West of Airport Road, South of Carillon Boulevard**

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A MODIFICATION TO PUD ZONING ON 29.31 ACRES LOCATED WEST OF AIRPORT ROAD, SOUTH OF CARILLON BOULEVARD; AMENDING ORDINANCE 3829, AS AMENDED; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

Bruce Kistler made a brief presentation on this ordinance. Staff and the Planning & Zoning Board recommended approval of this project.

Mayor Fletcher asked for comments from the audience.

Jack Brandon came forward to represent the applicant, Carillon Lakes. The applicant had a number of meetings with the residents. He requested the Commission make a land use decision today and not delay the ordinance any further.

Frank Kotomski, 3381 Waterloo Way

Tim Zeek distributed a handout to the Commission. Mr. Kotomski was a member of the Concerned Citizen Task Force. His group was against the modification. Mr. Kotomski supplied a copy of a petition with signatures of residents in opposition to the development of Tract A. Approximately 60% were opposed to the development.

Tim Zeek purchased new home in Carillon Lakes two years ago. He wanted the Commission to deny the zoning petition.

Wes Cummins, 3344 Songbird Lane Lot 31 Phase I Carillon Development. Mr. He was against the development.

Robert Reed, 3288 Bellflower Way, was concerned about traffic. He served on the Facilities and Grounds Committee since their inception. He was concerned with the development's planned entry and exit in relation to the Carillon Lakes entrance.

Jerry Moates, 3930 Westwood Circle, was against the development. He was concerned about the students catching the school bus at the entrance to the development.

Jim Austin, 3404 Westwood Circle, was against the development. He was told Tract A would not be developed.

Jack Brandon's Rebuttal

Mr. Brandon stated again that the applicant had met with the residents several times. He explained that all the wetlands were in a conservation easement and that property would not be developed. The applicant had plans for an improved bus stop and shelter for the students.

Commission Discussion

The price range of the town homes in the new development would be approximately \$185 - \$250,000.

The residents were consistently stating that they were told Tract A would not be developed.

Jack Brandon explained the developer reserved these parcels for future development on the plat. They always planned to develop the parcels.

Art Erikson said they talked with residents about the front parcel in different meetings.

Bruce Kistler explained that zoning is a matter of public record as well as the plat. The PUD dealt with the bus shelter. The applicant was responsible for providing a bus shelter with a bicycle rack in coordination with the School Board.

The roads in Carillon Lakes were private. The students had to outside the gate to catch the bus. The intersection of Carillon Rd and Airport Rd was a potential signal location.

Tim Zeek was concerned why staff would advocate the position of a developer over the residents.

Shirley Morris was concerned about emergency services access to the community with the additional traffic.

Bob Reed requested additional time to meet with the developer to work out these concerns.

Jim Studiale apologized to the Commission and the audience for such a difficult hearing.

It was unusual to have a development where both parties were so far apart. He did not feel they could overcome the issues, which were based on things that occurred in the past. Although the issue of misrepresentation was a real issue, it was not a zoning issue. The townhouse community was more compatible than a shopping center. There did not appear to be a resolution to these issues. Staff stood behind their zoning recommendation.

Commissioner Fields asked if all the assertions made by the residents were true, did the City of Lakeland have authority to act on those?

Tim McCausland explained that the City was bound to consider only the zoning issues. There may be misrepresentations but they would cause private actions between those parties. The City would not consider those in their decision.

Commissioner Boring was concerned about public safety and traffic. Would this development be safe?

Jim Studiale was comfortable the traffic would be safe.

Edie Yates was concerned that the residents thought these town homes would be a negative development.

Jim Studiale explained the condominiums in Carillon Lakes were around \$200,000. This new development would be comparable. The townhouses would cause less traffic than commercial. The development would bring improvement to the entry road to Carillon Lakes.

Art Erikson expected the town homes to be of similar quality to the homes existing in Carillon Lakes.

Commissioner Wiggs said there did not appear to be much progress between the two parties. Do you think there would be additional compromise?

Art Erikson thought they had made progress. He struggled with accusation that he appointed the committee. He was working to meet the needs of the community was not delaying this process any further. He thought future negotiations should continue with the homeowners association.

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

Mayor Fletcher asked for additional comments and there were none.

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

**Ordinance 4753; Proposed ordinance 06-024; Large Scale Amendment #LS-06-001 to Future Land Use Map Assigning Use on Approximately 60.7 Acres Located North of the Polk Parkway and North Frontage Road, East of Airport Road and West of the CSX Railroad**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-06-001 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 60.7 ACRES LOCATED NORTH OF THE POLK PARKWAY AND NORTH FRONTAGE ROAD, EAST OF AIRPORT ROAD AND WEST OF THE CSX RAILROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4754; Proposed 06-025; Modification to PUD Zoning for Laurel Highlands Located North of the Polk Parkway and East of Airport Road**

AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE 4655 OF THE CITY OF LAKELAND, FLORIDA; PROVIDING FOR MODIFICATION TO PUD ZONING FOR PROPERTY LOCATED NORTH OF THE POLK PARKWAY AND EAST OF AIRPORT ROAD; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4755; Proposed 06-026; Text Amendment #T-06-002 to the Lakeland Comprehensive Plan Updating Transportation Element**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-06-002 WHICH UPDATES POLICY 4A OF THE TRANSPORTATION ELEMENT TO THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4756; Proposed 06-029; Vacating a Portion of a Utility Easement Located at 2277 Crystal Grove Lane**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF A UTILITY EASEMENT LOCATED AT 2277 CRYSTAL GROVE LANE, LOCATED WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4757; Proposed 06-030; Vacating the Platted North/South Alley Located Between Gilmore Avenue and North Stella Avenue, North of East Memorial Boulevard and South of East 1st Street**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING THE PLATTED NORTH/SOUTH ALLEY LOCATED BETWEEN GILMORE AVENUE AND NORTH STELLA AVENUE, NORTH OF EAST MEMORIAL BOULEVARD AND SOUTH OF EAST 1<sup>ST</sup> STREET, LOCATED WITHIN THE CITY OF LAKELAND; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Proposed 06-031; Change in Zoning on 8.49 Acres Located South of Griffin Road, East of Kalt Drive and West of North Florida Avenue**

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING ON 8.49 ACRES WITHIN THE CITY OF LAKE LAND LOCATED SOUTH OF GRIFFIN ROAD, EAST OF KALT DRIVE AND WEST OF NORTH FLORIDA AVENUE, PURSUANT TO THE "ZONING CODE OF THE CITY OF LAKE LAND, 1993"; MAKING FINDINGS; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title and explained that the applicant requested a 30-day continuance.

**Action:** Commissioner Higgins moved to continue the hearing until June 19, 2006. Commissioner Verplanck seconded and upon roll call vote Commissioners Higgins, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Commissioner Boring was absent at that time. Ayes: six. Nays: zero. The motion carried.

**Ordinance 4758; Proposed 06-032; Conditional Use for a Bank with Drive-Through Tellers and Off-Street Parking at 3340 South Florida Avenue**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A BANK WITH DRIVE-THROUGH TELLERS AND OFF-STREET PARKING AT 3340 SOUTH FLORIDA AVENUE; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments.

Commissioner Verplanck asked about the cross access agreement.

Jim Studiale explained the applicant was making progress in the direction of gaining a cross access agreement.

Commissioner Higgins asked if it was unusual to ask an applicant to coordinate with the State on a median.

Jim Studiale explained it was not unusual because it was a State road and DOT was the authority on the road.

Bruce Kistler explained that the applicant must establish either a cross access agreement or a median in the roadway.

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

**Ordinance 4759; Proposed 06-033; Amendments to Existing 401a Plan to Provide for Alternate Vesting Schedule**

AN ORDINANCE RELATING TO THE DEFINED CONTRIBUTION PLAN OF CITY OF LAKELAND, FLORIDA, MODIFYING THE PLAN ELIGIBILITY AND VESTING SCHEDULE; MAKING FINDINGS; PROVIDING FOR AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4760; Proposed 06-034; Amending Sections 21 and 23 of the City of Lakeland Charter Relating to Employees' Pension and Retirement System; Providing Deferred Retirement Option Program Benefits for Firefighters**

AN ORDINANCE RELATING TO THE CITY OF LAKELAND EMPLOYEES' PENSION AND RETIREMENT SYSTEM; AMENDING SECTIONS 21 AND 23 OF ARTICLE II OF DIVISION II OF THE CHARTER OF THE CITY OF LAKELAND, FLORIDA; DEFINING JOINT PENSIONER; PROVIDING DEFERRED RETIREMENT OPTION PROGRAM (DROP) BENEFITS FOR FIREFIGHTERS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

### **EQUALIZATION HEARINGS – none**

### **COMMUNITY REDEVELOPMENT AGENCY – none**

### **CITY MANAGER**

#### **Recommendation re: City Hall Renovation/First Floor North Architectural Services Proposal**

City Staff from the Community Development, Public Works and City Managers Offices had been working with the Architectural firm of Swilley Curtis Mundy Hunnicutt Associates Architects, Inc. (SCMH) over the past several months developing a conceptual floor plan layout for the first floor/north wing of City Hall to accommodate a new development review and permit center. The redesign and renovation of the north wing to accommodate the review and permit center had been initiated to provide a comprehensive permit and review facility that could expedite customer services in a more efficient and timely manner. Staff discussed many of these necessary changes to the department to assist area developers and development permit applicants with City Commission during annual retreats and workshop sessions. Staff submitted a proposal for architectural services to complete necessary construction bid documents for consideration and approval.

Staff proposed to completely redesign the entire north portion of the first floor/north wing of City Hall, comprising approximately 9,000 square feet, to accommodate new staff and more readily facilitate the various functions the Development Review and Building Permits staff performed. The scope of service of the proposal included: design work, including mechanical and electrical, traditional bidding services and construction administration. Construction documents were to be completed no later than August 31, 2006, to allow demolition work to begin in early November. Commencement of construction activities was scheduled on or around January 2, 2007 with a projected completion date of June 1, 2007. The total cost for design, bidding and construction administration services as outlined by SCMh was \$44,300.

The estimated total project cost, including demolition of walls, flooring and ceilings, reworking of existing mechanical system, replacement of light fixtures,

power systems, data and communication networks, construction of new walls and partitions, flooring, ceiling fixtures, millwork/cabinets and other necessary working areas, along with normal estimated contingency estimates, was currently estimated at \$535,000. Staff would establish funding for the construction phase of the project in the Fiscal Year 2007 Budget with contributions generated through current and future Building Inspection Fees where applicable.

Staff recommended that the City Commission authorize the appropriate City officials to execute the proposed architectural services proposal with Swilley Curtis Mundy Hunnicutt Associates Architects, Inc. for the completion of construction bid documents for the renovation of the first floor/north wing of City Hall for the fee of \$44,300.

Doug Thomas presented this item to the Commission.

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

### **Recommendation re: Demolition of Concrete and Asphalt at Lakeland Linder Regional Airport Hangers**

In accordance with the funding obtained through the Florida Department of Transportation (FDOT) Hurricane Grant for repair and rehabilitation of airport facilities following the 2004 Hurricane Season, Lakeland Linder Regional Airport (LLRA) staff negotiated a change order with Invision Construction Inc. of Lakeland to undertake the demolition and removal of concrete and asphalt associated with the former hangers located on the east side of the main terminal. These hangers sustained severe damage during the 2004 hurricanes and following removal, would allow for future build out of the area for tenant options.

Invision Construction would provide all labor, materials and equipment required to demolish and transfer debris onsite. The scope of the work would include:

1. Reinstall silt fencing around the site
2. Mill asphalt to the lime rock base layer and transfer to onsite designated location
3. Demolish and transfer concrete to onsite designated location
4. Rough grade the final elevation to match existing conditions

The lump sum, not-to-exceed price for the work outlined in the change order was \$44,900. Funding for the project was currently in the Fiscal Year 2006 LLRA Budget including assistance from the FDOT Hurricane Grant, which would provide 80% of the project cost.

Staff recommended that the City Commission authorize the appropriate City Officials to execute the change order with Invision Construction, Inc. to demolish and remove concrete and asphalt associated with the former damaged hangers

located on the east side of the main terminal at the Lakeland Linder Regional Airport for the not-to-exceed fee of \$44,900, of which 80% will be funded through the FDOT Hurricane Grant Program.

Doug Thomas presented this item to the Commission.

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

### **Recommendation re: Lake Mirror Park Plan**

In accordance with the ongoing design and construction of the Lake Mirror Park Project, the City of Lakeland proposed a task authorization under the Continuing Contract for Park Design Services with Glatting Jackson Kercher Anglin Lopez Rinehart, Inc. (Glatting Jackson). The task authorization was for design and completion of necessary contract documents for the remaining elements required for the completion of the Lake Mirror Park Master plan.

The scope of services included design, planning, construction documents and cost estimates for the following elements:

- Main Street Overlook Park, including specialty plaza area, architectural fountain and/or pool;
- Cedar Street/Main Street Gateway sidewalk improvements, landscaping and utility improvements;
- A pedestrian connection from the Iowa Street Parking Garage to Lake Mirror Park
- Lake Mirror Park Wayfinding (sign) package, including graphic and logo design, directional signs, regulatory signs and interpretive signs.

The task authorization associated with the proposed work was scheduled for completion by October 2006. All phases of the projects outlined in the proposed scope of work along with the park elements currently in construction document production (i.e. the Long Green, The Mirrors and North Promenade), would be bid as one construction project with commencement of construction activity following completion of the Main Street Realignment roadway project. The not-to-exceed fee for the task authorization was \$210,000 with funding currently available in the Fiscal Year 2006 Lake Mirror Park/Main Street Realignment Project Budget.

Staff recommended that the City Commission authorize the appropriate City Officials to execute the proposed task authorization with Glatting Jackson under the current City of Lakeland Continuing Contract to design and generate construction documents for the Lake Mirror Park Project elements described for the not-to-exceed fee of \$210,000.

Doug Thomas presented this item.

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

## **Miscellaneous Reports and Communications**

### **1. Executive Summary – Utility Committee Meeting**

Doug Thomas gave an oral report of the Utility Committee Meeting of May 1, 2006. He asked the Commission to recess today until after the Utility Committee to consider the fuel adjustment charge.

### **2. Out-of-State Travel:**

**a. April 30 – May 5, 2006:** Lakeland Electric employee (Peggy Welch) traveling to Atlanta, GA to attend Intermediate Load Research Course.

Registration	\$ 1,200.00
Air Fare	420.90
Hotel	856.45
Car Rental	0.00
Meals	104.00
Miscellaneous	<u>0.00</u>
Total	\$ 2,581.35

**b. May 10 – 12, 2006:** Water Utility employees (Chuck Garing & Tom Mattiacci) traveling to Dothan, AL to attend meeting regarding West Lakeland Load Reduction Facility.

Registration	\$ 0.00
Air Fare	344.59
Hotel	0.00
Car Rental	0.00
Meals	148.00
Miscellaneous	<u>271.61</u>
Total	\$ 764.20

**c. May 10 – 13, 2006:** Lakeland Center employee (Lori Chapman-Powell) traveling to Louisville, KY to attend National Coalition of Black Meeting Planners.

Registration	\$ 895.00
Air Fare	226.19
Hotel	479.58
Car Rental	0.00
Meals	100.00
Miscellaneous	<u>100.00</u>
Total	\$ 1,800.77

**d. May 21 - 24, 2006:** Lakeland Electric employees (Jim Howard, Randy Dotson, Jamal Muhieddine & Harry Suryo) traveling to Dallas TX to attend IEEE Transmission & Distribution Conference and Exposition.

Registration	\$ 720.00
Air Fare	1,986.80
Hotel	960.00
Car Rental	0.00
Meals	148.00
Miscellaneous	<u>0.00</u>
Total	\$ 3,814.80

**e. June 23 – July 1, 2006:** Civil Service employee (Stephanie Hinson) traveling to Las Vegas, NV to attend International Personnel Management Association Assessment Council

Registration	\$ 320.00
Air Fare	376.09
Hotel	327.00
Car Rental	0.00
Meals	155.00
Miscellaneous	<u>18.00</u>
Total	\$ 1,196.09

**f. July 24 - 28, 2006:** Lakeland Police employee (Gregory Policastro) traveling to Charleston, SC to attend SPI Re-Training Conference

Registration	\$ 225.00
Air Fare	0.00
Hotel	495.00
Car Rental	0.00
Meals	100.00
Miscellaneous	<u>0.00</u>
Total	\$ 820.00

**g. September 16 – 21, 2006:** Lakeland Electric employee (Betsy Levingston) traveling to Minneapolis, MN to attend APPA Business & Financial Conference and Committee Meetings

Registration	\$ 835.00
Air Fare	250.00
Hotel	685.00
Car Rental	0.00
Meals	155.00
Miscellaneous	<u>0.00</u>

Total \$ 1,925.00

### **3. Home Purchase Assistance Program Update**

In September 2005, the City Commission approved an increase in purchase price limits for the City's home purchase assistance. At that time, the Commission increased the limit to \$189,682. By Resolution 4470, the Commission also approved automatic increases to the purchase price limits based on the Florida Housing Finance Corporation's (FHFC) published limits. The Commission requested Housing staff first give notification to the Commission of such change.

This memo was to inform the Commission of the most recent increase in purchase price limits as established and published by the FHFC. The new purchase price limit for Lakeland was \$204,432. The Housing Division shall begin using the new purchase price limit on June 1, 2006.

### **4. Mid-Year Table of Organization Changes**

Please find below a listing of Mid-Year FY 2006 Table of Organization (TO) adjustments involving a variety of issues that have arisen since the development of the Annual Budget last summer. As you will see, some of the adjustments are necessitated due to evolving market conditions that pose challenges to retaining staff in the core service area of Building Inspection, while the balance of adjustments are associated with internal administrative issues.

#### **Building Inspection:**

In recognition of the highly competitive job market for Building Inspection Professionals the City needed to address current compensation levels for several positions within the Building Inspection Division. These changes were largely necessitated due to the newly evolving "Private Inspection" companies hiring away veteran professionals from both Polk County and the City of Lakeland. Subsequently, Polk County instituted across-the-board raises of approximately 10% for all positions on April 1, 2006, with an additional 10% to 18% increase for multi-trade inspectors effective on October 1 for the new fiscal year. Not surprisingly, these positions were very attractive to our most experienced employees.

Lakeland lost three of our most qualified building professionals and faced the loss of all the multi-trade or fully certified inspectors and plans examiners if they did not adjust pay grades consistent with the Polk County increases. Winter Haven recently matched the Polk County pay rates and begun to pay for each additional certification beyond Building Inspector (mechanical, electrical, plumbing, one and two-family residential).

Accordingly, the City Manager was implementing a series of compensation increases within the Building Inspection Department in order to maintain the viability of and continue to meet growing work demands. The effects of these changes were mid-year pay increases of 5% for 4 Permit Clerks and 10% for 9 Building Inspectors, 3 Plans Examiners and the Deputy Building Official. An additional 5% increase was

recommended for 3 to 4 positions that have, or will soon possess “one and two family inspector certification.” The adjustment introduced classifications for both Building Inspectors (I and II) and Plans Examiners (I and II) based on state certifications in multiple trades. The industry was now being driven by these state mandated qualifications and compensation levels were aligned accordingly. Although the adjustments did not fully address external compensation comparability, staff recommended that the Commission authorize an immediate adjustment to retain our current employees, recognizing that additional adjustments may be in order following the completion of the Classification & Compensation Study. Fortunately, growth in building permit fee revenues was sufficient to fund these adjustments.

### **City Treasurer:**

The City Treasurer’s office currently had authorization for 6 full-time and 5 part-time Office Associate I employees (that function as Cashiers) in addition to 6 “back-office” personnel (including the Treasurer). The back office functions included supervision, operating the processing/posting machine (reads bills, encodes cancelled checks, prepares the electronic file for posting payments), balance the daily deposits, open and process mail payments, reconcile electronic payments, maintain various databases including mortgage loans issued through the City’s affordable housing program and parking tickets, tracking abandoned property (uncashed checks), printing payroll and vendor checks, and handle wire transfers.

As a result of the closing of the Northside Branch, approximately half of that customer traffic was now using the downtown walk-up and drive-thru facilities with the balance utilizing mail and/or electronic payment methods. Staff was working with Customer Service to consider the cost/benefit of combining the roles of some of the Cashier positions and Customer Service Representatives in an effort to address the traffic issues associated with walk-up customers, with any related recommendations projected within the next 90 days.

In light of the above, the back-office staff was challenged with the associated functions, which accompanied the increased number of customers who were utilizing mail and electronic means of bill payment. The Division was operating with two vacancies out of five part-time Cashier positions and staff had concluded that the heaviest workload demands were now more in the back-office functions versus the Cashier customer contract. The City Manager was converting the two existing part-time Cashier vacancies to one full-time Account Clerk I position. The part-time positions were budgeted at Pay Grade 10, Step 3 for 30 hours per week totaling \$30,835 annually (including limited benefits) for both positions. A full-time Account Clerk I (Pay Grade 12, Step 1) would cost \$29,174 (including benefits); thereby the restructuring was cost-neutral.

### **Community Development:**

Jason Willey, Planner (Pay Grade 22, Step 8) had in effect, served as the City’s lead position in the development of the Enterprise Zone (EZ) application and subsequent administration of the new economic development program following its approval by the Office of Tourism, Trade and Economic Development around the first of the year. In

light of the increased responsibilities associated with the new EZ program, coupled with his continued responsibilities related to annexations, ROW vacation requests and other miscellaneous planning functions, the City Manager was creating a new position entitled Economic Development Coordinator at Pay Grade 27, Step 4. The new position would be responsible for the coordination of complex planning projects, development activities and special projects as well as report writing, data analysis, research, presentation of projects and in the development of local and state offered economic development policies and procedures. There were sufficient funds available in the FY 2006 Community Development budget to support the reclassification of the position.

**Non-Unionized Police & Fire Positions:**

As was previously done following the ratification of the 3-year collective bargaining agreements with the Police Benevolent Association (PBA) representing Police Officers, Sergeants and Lieutenants, it was necessary to implement increased compensation in the Police Department Senior Administrative ranks (Captains, Assistant Chiefs of Police, Administrative Services Director and Chief of Police) to prevent salary compression issues as unionized Lieutenant positions received the final implementation of the new 15 step pay plan which increased top compensation by an additional 5% on February 1, 2006. Accordingly, the classifications of the subject Senior Administrative positions would be increased a total of 5% effective February 1, 2006 to maintain internal departmental salary spreads.

In a similar fashion, the City recently executed inaugural collective bargaining agreements with various firefighter positions represented by the International Association of Firefighters (IAFF) effective May 1, 2006. The Fire Department had a variety of non-unionized positions including the Fire Chief, Assistant Fire Chief, Battalion Chief, Battalion Chief Paramedic, Fire Marshall, Fire Equipment Supervisor, Fire Equipment Mechanic, EMS Supervisor Paramedic, Fire & Life Safety Educator, Fire Safety Inspector, Fire Training Officer paramedic and Public Education Officer which would likewise be eligible for Pay Grade adjustments to prevent salary compression and internal inequities following a position by position review by the Employee Relations Department. Such adjustments/reclassifications would also be effective May 1, 2006 following the results of the position reviews. Staff intended that the Classification & Compensation Study, which was nearing completion, would minimize the likelihood of such adjustments in subsequent years, pending the outcome of future collective bargaining agreements with both the PBA and the IAFF.

**FY06 Mid-Year Table of Organization Adjustments**

<b>Department</b>	<b>Current Title / Paygrade</b>	<b>Proposed Title / Paygrade</b>
Community Development	Deputy Building Official 28	Deputy Building Official 30
(Effective May 15, 2006)	Plans Examiner I 25	Plans Examiner I 28
	Plans Examiner II 25	Plans Examiner II 29
	Building Inspector I 24	Building Inspector I 26
	Building Inspector II 24	Building Inspector II 27
	Office Associate II 16	Permit Clerk 17
	Planner 22	Economic Dev. Coordinator 27
Finance	Office Associate I (2 PT) 10	Account Clerk I (1FT) 12
(Effective May 15, 2006)		
Fire	Fire Chief *	Fire Chief TBD
(Effective May 1, 2006)	Assistant Fire Chief 33	Assistant Fire Chief TBD
	Fire Marshal 32	Fire Marshal TBD
	Battalion Chief Paramedic 31	Battalion Chief Paramedic TBD
	Battalion Chief 30	Battalion Chief TBD
	EMS Supv. Paramedic 27	EMS Supervisor Paramedic TBD
	Fire Equipment Supervisor 24	Fire Equipment Supervisor TBD
	Fire Equipment Mechanic 21	Fire Equipment Mechanic TBD
	Fire Training Ofc Paramedic 29	Fire Training Officer Paramedic TBD
	Fire Safety Inspector 26	Fire Safety Inspector TBD
	Public Education Officer 26	Public Education Officer TBD
	Fire and Life Safety Educator 12	Fire and Life Safety Educator TBD

Police	Chief of Police 39	Chief of Police 40
(Effective Feb 1, 2006)	Assistant Chief of Police 36	Assistant Chief of Police 37
	Administrative Svcs Director 35	Administrative Svcs Director 36
	Police Captain 34	Police Captain 35

## CITY ATTORNEY

### Ordinances (First Reading)

#### **Proposed ordinance 06-035; Vacating a portion of Plum Street East of Lakeshore Drive Between East Parker Street and East Memorial Boulevard**

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING A PORTION OF PLUM STREET LOCATED EAST OF LAKESHORE DRIVE, BETWEEN EAST PARKER STREET AND EAST MEMORIAL BOULEVARD, LOCATED 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 June 5, 2006.

### Resolutions

#### **Resolution 4529; Proposed Resolution 06-034; 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 Boring seconded.

Mayor Pro Tem Wiggs asked for comments and there were none.

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

**Resolution 4530; Proposed 06-035; Resolution Exempting Employees Subject to Certain Collective Bargaining Agreements from Civil Service**

A RESOLUTION RELATING TO CIVIL SERVICE; EXEMPTING THOSE EMPLOYEES COVERED BY CERTAIN COLLECTIVE BARGAINING AGREEMENTS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Pro Tem Wiggs asked for comments and there were none.

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

**Miscellaneous Reports and Communications**

**\*Memo re: Task Authorization with Case Engineering, Inc. for Limestone Fines Handling at McIntosh Power Plant Unit # 3**

This was a proposed task authorization with Case Engineering, Inc. for fine limestone handling. Case would perform the work on the task authorization on a time and material basis in a not-to-exceed amount of \$26,000 in accordance with the rates set forth in the continuing contract with the City. All reimbursable expenses would comply with the City's Consultant Expense Reimbursement Policy.

As background, the McIntosh Power Plant Unit #3 used hard, washed, one-inch limestone that was transformed into slurry and used in the scrubber at the plant for SO<sub>2</sub> removal. The current supplier, Rinker Materials, has depleted their supply of this product. LE staff checked with other suppliers and found they are also completely out of this type of product. Transporting limestone from out of state would be cost prohibitive. Several local suppliers had limestone fines, which are readily available. However, the limestone handling facilities at McIntosh are not presently capable of handling this type of limestone. Case Engineering would prepare a study looking at the most economical ways of utilizing this product. Additionally, LE Staff believed using this limestone material would decrease the operating costs of Unit 3's Flue Gas Desulfurization (FGD) system due to the relative cost of this limestone product in comparison to the product used in the past.

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

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

**\*Memo re: Agreement with Online Utility Exchange for Customer Credit Reporting Services**

This Subscriber Service Agreement with Online Information Services, Inc. was for the provision of credit information services related to prospective City utility customers. Online was under contract with the City to provide collection services related to delinquent accounts. Under this agreement, Online would expand the services it provided the City to include information on new residential and commercial customers, access to national credit reporting repositories, credit scoring services, fraud detection services and information pertaining to a prospective customer's payment history with other utilities. Pricing under the Agreement was \$2.25 per inquiry, with no monthly fee. The services provided by Online would assist the City in the identification of customers who pose a credit risk and who will need to post a deposit to establish services with the City.

Staff recommended that the Commission authorize the appropriate City officials to execute the Subscriber Service Agreement with Online Information Services, Inc.

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

**Memo Re: Interlocal Agreement with Polk County Increasing Funding for Fort Fraser Trail**

This Interlocal Agreement with Polk County provided additional construction funding to complete the Fort Fraser Trail as originally designed. Due to funding shortfalls, the City removed several planned amenities from the project, including the PCC/USF Trailhead, restroom facilities at the Highland City Trailhead and landscaping. In addition, construction of the trail south of the Bartow Ford dealership was delayed.

The County had additional funding available for \$1,596,844 to facilitate completion of the Trail as originally designed. The County would make this funding available to the City and the City would enter into a change order with the construction contractor on the project, Gibbs & Register, to complete the project in accordance with the original plans.

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

Tim McCausland presented this item to the Commission.

**Action:** Commissioner Verplanck moved to approve the recommendation. Commissioner Boring seconded and the motion carried six to zero. Mayor Fletcher was absent at that time.

**FINANCE DIRECTOR**

**\*Appropriation and Increase in Estimated Revenues – General Fund**

The Lakeland Police Department would like to purchase two vehicles for the Police Athletic League (PAL) program. This purchase consisted of a 25-passenger bus and a 16-passenger van. The PAL program currently had two vans that were 14 years old, each with an excess of 150,000 miles. One van was used for transporting children and the other did not have seats, and could therefore only be used for transporting equipment. The PAL program transported around 30 to 40 participants per day during the school year and had over 1,000 children participating annually. Transportation was a major component of the PAL program. The total cost of the proposed vans was \$98,708, with the Police Athletic League contributing \$26,000 towards the costs. The remaining \$72,708 would be funded from the Law Enforcement Trust Fund and the General Fund unappropriated surplus.

Staff recommended that the City Commission approve the necessary budget adjustments required for this purchase, which would consist of an appropriation in the amount of \$98,708, an Increase in Estimated Revenues in the amount of \$26,000, and utilization of unappropriated surplus in the amount of \$43,808 from the Law Enforcement Trust Fund and \$28,900 from the unappropriated surplus of the General Fund.

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

### **Audience**

#### **Charlie, Deal**

Charlie Deal, former Fire Chief, came forward to bring the Commission's attention to a publication. He had written a book on the history of the fire department entitled Ashes from the Past.

#### **Planning & Zoning Board**

Jim Studiale brought up the vacancy on the Planning & Zoning Board. Titania Lamb had expressed an interest in serving.

**Action:** Commissioner Fields moved to appoint Titania Lamb to the Planning & Zoning Board. Commissioner Verplanck seconded and the motion carried six to zero. Mayor Fletcher was absent at that time.

### **MAYOR AND MEMBERS OF THE CITY COMMISSION – none**

**Recess:** The Commission recessed at 11:57 a.m.

**Reconvene:** The Commission reconvened at 1:48 p.m.

The Lakeland City Commission reconvened in Regular Session in the Commission chambers. Commissioners Glenn Higgins, Dean Boring, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates and Mayor Fletcher were present. City Manager Doug Thomas,

City Attorney Tim McCausland, Finance Director Greg Finch and City Clerk Kelly Koos were present.

**Resolution 4531; Proposed resolution 06-036 Establishing Fuel Charge Effective June 1, 2006**

A RESOLUTION RELATING TO THE ELECTRIC UTILITY; ESTABLISHING THE FUEL CHARGE FOR ALL CUSTOMER CLASSES, COMMENCING JUNE 1, 2006 AND THEREAFTER; MAKING FINDINGS; REPEALING RESOLUTION 4503; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Appropriation and Increase in Estimated Revenues - Lakeland Electric**

With the rising cost of natural gas and other fuel sources, the amount appropriated in the FY 2006 fuel budget for Lakeland Electric will be insufficient to cover that cost for the remainder of the fiscal year.

The fuel budget was \$195,916,000. Staff anticipated that the actual cost of fuel for FY 2006 would be \$225,488,000, resulting in a total budget shortfall in the fuel and purchased power accounts of \$29,572,000. This shortfall was the result of the impact of Hurricanes Rita and Katrina on fuel prices, in particular natural gas, and resulting higher than budgeted sales volumes to FMPA. The average FMPA fuel cost per Mwh for the year was originally budgeted at \$58.39, with the current forecasted fuel cost estimated at \$88.68 per kWh. The original budget projected sales of approximately 580,000 Mwh to FMPA, with sales now forecasted at 665,500 Mwh for the fiscal year.

The increase in fuel costs attributed to retail sales was fully offset from additional fuel recovery revenues, equal to approximately \$4,457,000 for the fiscal year. The increase in fuel costs resulting from the higher volume of sales to FMPA was partially offset by the fuel rate paid for FMPA under the terms of that contract, equating to approximately \$3,336,000.

The increase in fuel costs resulting from rises in fuel prices on sales to FMPA were not offset by system revenues, which represented an increase in estimated FMPA

losses for the year of \$21,779,000. This additional loss would require an offsetting decrease in the transfer to the Reserve for Future Expansion.

In addition, short-term interest rates have risen during the year to a level that exceeds the amount included in the current year budget. Interest rates during FY 2005 averaged 2.65% on the City's \$90 million in variable rate debt. The current forecast for FY 2006 estimates an average interest rate of approximately 3.96%. The net result was a forecasted budget shortfall of \$1,991,000 in the interest expense accounts.

Other mid-year increases to FY 2006 appropriations and revenues include:

- \$1.2 million increase in capacity revenues associated with an unbudgeted joint capacity sale to Seminole Electric Cooperative with the FMPP;
- Reduced O&M expenses of (\$1.4) million associated with increased purchased power forecasted to serve the FMPA contract;
- \$500,000 estimated increase in bad debt expense as the result of higher than budget retail fuel rates during FY 2006;
- A net \$100,000 projected increase in Administrative and General expenses associated with a \$50,000 increase in building maintenance,
- \$200,000 for Integrated Resource Plan (IRP) consulting expenses, \$250,000 for base rate analysis consulting expenses, and a (\$400,000) estimated reduction in property insurance premiums;
- A \$752,000 increase in non-operating income associated with an estimated \$307,000 increase in interest income as the result of higher than budgeted interest rates and a \$445,000 gain recognized on the sale of land associated with the Northside Office sale.

Staff requested that the City Commission authorize the following budget adjustments to the Lakeland Electric Fund for FY 2006:

- Increase the appropriation to the fuel and purchased power accounts in the amount of \$29,572,000;
- Increase estimated revenue from retail fuel cost recovery in the amount of \$4,457,000;
- Increase estimated revenue from sales to FMPA of \$3,336,000;
- Increase estimated revenue from sales to Seminole Electric Cooperative of \$1,200,000;
- Decrease the appropriation for various operating expenses by \$800,000;
- Increase the estimated revenue from investment income by \$752,000;
- Increase the appropriation to the interest expense accounts in the amount of \$1,991,000;
- Decrease the appropriated transfer to the Reserve for Expansion Fund in the amount of \$3,714,291.

The net impact is a reduction in Unappropriated Surplus of \$17,203,709.

Greg Finch asked for formal vote on the appropriation as presented to the Utility Committee.

**Action:** Commissioner Fields moved to approve the appropriations and increase in estimated revenues. Commissioner Yates seconded and upon roll call vote Commissioners Higgins, Boring, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

**AUDIENCE – none**

**CALL FOR ADJOURNMENT – 1:50 p.m.**

**AGENDA STUDY SESSION**  
**May 12, 2006**

The Lakeland City Commission met for the Agenda Study Session in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Dean Boring, 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 8:36 a.m.

Doug Thomas covered the Presentations and Proclamation.

Tim McCausland covered the Public Hearings. The circumstances on Proposed Ordinance 06-017 had not changed.

Jim Studiale and Celeste Deardorff covered Proposed Ordinance 06-024 and Proposed Ordinance 06-025. Celeste covered Proposed Ordinance 06-026. Howard Wiggs commended Celeste on her work in explaining the changes to the Williams DRI to the TPO.

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

**June 30<sup>th</sup> Agenda Study Session:** He asked the Commission if they would have a quorum for Monday, July 3, 2006. The Commission discussed moving the meeting to Wednesday. They decided to move the agenda study session from June 30 to July 3, at 7:30 a.m.

**Agenda revisions:** He added the mid-year LE budget adjustments to the agenda. Staff would present those to the Utility Committee and ask the Commission to reconvene afterwards. Greg Finch would add this item under the Finance Director's agenda.

**Fuel Adjustment:** Tim McCausland would add a resolution for the fuel adjustment to the City Attorney agenda. The new rate would be effective June 1.

**Easement policy:** Doug asked for clarity in the easement/right-of-way policy. He planned to bring a revised policy back for Commission approval. He was seeking direction from the Commission on how to revise the policy.

Jim Studiale updated the Commission on the Mixon dock. Mr. Mixon planned to revise his permit request.

Tim McCausland covered the City Attorney agenda. He added VI-B-3 for a fuel adjustment. The Commission agreed to add item VI-C-3 to the Consent Agenda.

Greg Finch covered the Finance Director agenda.

Dean Boring updated the Commission on a transportation meeting he had attended for the Mayor. He will distribute information for the next meeting on Monday.

The Agenda Study Session adjourned at 9:48 a.m.

**CITIZEN E-MAIL SERVICE REQUEST MANAGEMENT SOFTWARE WORKSHOP  
May 12, 2006**

The Lakeland City Commission met for the Citizen E-Mail workshop in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Dean Boring, Jim Verplanck, Glenn Higgins, and Mayor Fletcher were present along with administrative staff.

Doug Thomas called the meeting to order at 10:05 a.m.

Steve Long, Director of Information Technology, gave the presentation. He began by showing examples of other municipalities' websites. He then demonstrated the City's system.

The Commission discussed when and how they should be notified of issues coming through the website.

Doug Thomas announced that he received an inquiry from the School Board. They were asking cities and Polk County to appoint a voting school board member to their Planning Boards. They also requested to receive notice on developments. Staff would work through the issue and update the Commission later.

The workshop adjourned at 10:34 a.m.