

**LAKELAND CITY COMMISSION**  
**Agenda Study Session**  
**May 15, 2009**

The Lakeland City Commission met in the Agenda Study Session in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Glenn Higgins and Mayor Pro Tem Jim Verplanck were present. Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, City Attorney Tim McCausland, Assistant City Manager Stanley Hawthorne and City Clerk Kelly Koos were present.

Mayor Pro Tem Jim Verplanck called the meeting to order at 8:31 a.m.

Tony Delgado announced that Mayor Fletcher and Commissioner Troller were absent for today's meetings but would be present on Monday.

Mayor Pro Tem Jim Verplanck said they might be adding another proclamation. Chris Chadwell will follow up.

Tony Delgado covered the Requests to Appear from the Public.

Tim McCausland covered the public hearings.

Tony Delgado covered the City Manager agenda. He covered the Fox 13 program in Munn Park and offered the following verbals:

- Sidewalk on Park View Dr. - Staff will defer the project for now.
- 10th Judicial Circuit Court Drug Court and Polk County Mental Health Court – They request funding of \$10,000 for each. The City has agreed to provide each \$5,000.
- Budget Prioritization – Staff was waiting for some commissioners to respond with their feedback on the core services prioritization. Tony suggested the Commissioners simply identify the items they think should be exempted or discussed.

Commissioner Fields thought there should be a common way for the commissioners to weigh in. Maybe there should add an additional column entitled citizen expectations. The Commission could then add a weight. If the majority rated a core service high that was in quadrant 4 then that would be a red flag to staff. That would provide a consistent way for the Commission to weigh in on core services they feel might fall into the wrong quadrant.

Commissioner Yates reminded everyone this was not a true priority list and the commission needed to review quadrant 4 to see if there are services that should move up or that the City should drop. The Commission needed to be judicious with the high scores.

Commissioner Wiggs felt the uniformity would help the Commission explain to the constituents that they had considered their concerns.

Rick Lilyquist announced a public workshop on May 28 at 7 p.m. at the USF/PCC Campus in Lakeland concerning the SR 33 East-West Connector. It would be an alternative workshop associated with the project development phase. The notices were going out today.

Rick Lilyquist also updated the Commission that Public Works had dispatched the street sweepers and drainage crews in response to the substantial rainfall last night and isolated flooding.

Tony Delgado announced parade of neighborhoods tour. The bus leaves at 9:30 a.m.

Tim McCausland covered the City Attorney agenda.

The group discussed the red light cameras. Some of the cameras were installed and the public relations campaign was underway.

Tim McCausland explained the police pension ordinance has been delayed. The actuary would have to prepare an actuarial statement and submit it to the State. The ordinance should come back in two weeks.

Tim McCausland covered the Utility Committee. He met with Karen McKnight for a briefing on the Utility Committee. She is excited to serve.

Greg Finch covered the Finance agenda.

Jim Studiale brought up the port-a-lets at Sandpiper. The residents wanted them removed. He was working with golf course management to resolve the issue.

The Agenda Study session adjourned at 9:10 a.m.

### **Draft Comprehensive Plan Evaluation Report May 15, 2009**

The Lakeland City Commission met for the Draft Comprehensive Plan Evaluation Report. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Glenn Higgins and Mayor Pro Tem Jim Verplanck were present. Deputy City Manager Tony Delgado, Community Development Director Jim Studiale, City Attorney Tim McCausland, Assistant City Manager Stanley Hawthorne, City Clerk Kelly Koos, Celeste Deardorff, and members of the Planning and Zoning Board were present.

Mayor Pro Tem Jim Verplanck called the meeting to order at 9:19 a.m.

Celeste Deardorff recognized the P&Z members. This comes up every seven years. She recognized Rick Perez, Senior Planner, who has done a lot of work on this Evaluation and Appraisal Report (EAR). Nancy Michel, Connie Rossman, and Chuck Barmby also have been doing a lot of work on the report.

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

#### Next Steps for Draft EAR

- P&Z Board June
- City Commission July Resolution (send to DCA/review agencies for comments)
- Adoption by City Commission in September
- Once found sufficient, begin work on plan update/EAR based amendments.

Mayor Pro Tem Jim Verplanck recognized the staff that worked on this project again. Celeste Deardorff and the Lakeland Comp Plan was the model for the program for the State.

The group discussed possible redevelopment in south Lakeland and the need for shade trees.

The meeting adjourned at 10:13 a.m.

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James S. Verplanck, Mayor Pro Tem

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Kelly S. Koos, CMC, City Clerk

**LAKELAND CITY COMMISSION**  
**Regular Session**  
**May 18, 2009**

The Lakeland City Commission met in the Commission Chambers. Commissioners Gow Fields, Howard Wiggs, Jim Verplanck, Justin Troller, Glenn Higgins and Mayor Fletcher were present. Commissioner Edie Yates was out of town. 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 a.m.

**INVOCATION**

Pastor Tim Sizemore of The Lakeland Fellowship offered the invocation followed by the salute to the flag.

**PRESENTATIONS**

Ambassador Tom Shaw, Lakeland Sister Cities, Inc. - Introduction of Portmore, Jamaica Guests

Public Works Lakes & Stormwater Community Outreach and Education Program

**PROCLAMATIONS**

National Public Works Week

Buddy Poppy Week

**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 requests, in which event the item was removed from the consent agenda and considered in its normal sequence.

- \* City Commission Minutes 05/01/09-05/04/09
- \* Utility Committee Minutes 05/04/09
- \* Memo re: Task Authorization with Cardno TBE for Collection County Line Road and I-4 Interchange
- \* Memo re: Task Authorization with Post, Buckley, Schuh & Jernigan, Inc. for Preparation of Design-Request for Proposal and Project Support Services – SR 33 East-West Road

- \* Appropriation and Increase in Estimated Revenue – Fleet Management Depreciation Reserve
- \* Memo re: Agreement with Global enterprise Managers, Inc. to Provide Software and Services for Documenting Utility Processes

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

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

- \* City Commission 05/01/09 – 05/04 09
- \* Utility Committee 05/04/09

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

#### **Carol Castagnero re Code Enforcement, Fuel Contracts, and Fuel Adjustments**

Ms. Castagnero distributed and reviewed a handout, a copy of which is on file in the City Clerk's Office.

### **PUBLIC HEARINGS**

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

**Ordinance 5089; Proposed 09-011; Large Scale Amendment #LS-09-002 to Future Land Use Map Assigning Use to 24.2 Acres Located North of Drane Field Road and South of Carillon Boulevard, West of Airport Road (1st Rdg 4/20/09)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-09-002 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 24.2 ACRES LOCATED NORTH OF DRANE FIELD ROAD AND SOUTH OF CARILLON BOULEVARD, WEST OF AIRPORT ROAD, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

**Motion:** Commissioner Verplanck moved to approve the ordinance. Commissioner 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. Ayes: six. Nays: Zero. The motion carried unanimously

**Ordinance 5090; Proposed 09-014; Large Scale Amendment #LS-09-004 to Future Land Use Map Assigning Use to 228.9 Acres Located Southeast of SR 33, West of East Lake Parker Drive and North of Lake Parker (1st Rdg 4/20/09)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR A LARGE SCALE AMENDMENT #LS-09-004 TO THE FUTURE LAND USE MAP FOR APPROXIMATELY 228.9 ACRES LOCATED SOUTHEAST OF S.R. 33, WEST OF EAST LAKE PARKER DRIVE AND NORTH OF LAKE PARKER, ATTACHED TO ORDINANCE 4140, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN 2000-2010; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 5091; Proposed 09-021; Text Amendment #T-09-006 to the Future Land Use Element of the Lakeland Comprehensive Plan to Update the Business Park Category (1st Rdg 4/20/09)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-09-006 TO THE FUTURE LAND USE ELEMENT OF THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO UPDATE THE BUSINESS PARK CATEGORY; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 5092; Proposed 09-025; Text Amendment #T-09-010 to the Transportation Element of the Lakeland Comprehensive Plan to Update the Element for Purposes of Functional Classification and Pathways Planning (1st Rdg 5/4/09)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-09-010 TO THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO UPDATE THE TRANSPORTATION ELEMENT FOR PURPOSES OF FUNCTIONAL CLASSIFICATION AND PATHWAYS PLANNING; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 5093; Proposed 09-026; Text Amendment #T-09-011 to the Future Land Use Element of the Lakeland Comprehensive Plan to Add Policies Regarding the Significant Role of Employment Based Land Uses in Lakeland (1st Rdg 5/4/09)**

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR TEXT AMENDMENT #T-09-011 TO THE LAKELAND COMPREHENSIVE PLAN 2000-2010 AS ADOPTED BY ORDINANCE 4140 TO ADD POLICIES TO THE FUTURE LAND USE ELEMENT REGARDING THE SIGNIFICANT ROLE OF EMPLOYMENT BASED LAND USES IN LAKELAND; MAKING A DETERMINATION THAT THIS ACTION IS EXEMPT FROM REVIEW BY THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 5094; Proposed 09-027; Removing Certain Parcels of Real Property from the Bridgewater Development of Regional Impact (1st Rdg 5/4/09)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO LAND USE; TERMINATING SOLELY WITH RESPECT TO CERTAIN PARCELS OF REAL PROPERTY, ORDINANCE NO. 4193, AS AMENDED BY ORDINANCE NO. 4831, WHICH ADOPTED A DEVELOPMENT ORDER WITH CONDITIONS FOR A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS BRIDGEWATER; MAKING A DETERMINATION THAT THE PUBLIC'S INTEREST HAS BEEN ADEQUATELY PROTECTED; MAKING FINDINGS; 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, and Mayor Fletcher voted aye. Ayes: six. Nays: Zero. The motion carried unanimously.

**Proposed 09-028; Small Scale Amendment #SS-09-007 to Future Land Use Map Assigning Land Use to 1.16 Acres Located at the Southwest Corner of Kathleen Road and Prine Road (3240, 3250, 3252 and 3260 Kathleen Road) (1st Rdg 5/4/09)**

Tim McCausland requested the Commission continue this public hearing to June 15, 2009.

**Action:** Commissioner Verplanck moved to continue the public hearing until June 15, 2009. Commissioner Higgins seconded and the motion carried unanimously.

**Proposed 09-030; Small Scale Amendment #SS-09-008 to Future Land Use Map Assigning Land Use to 1.53 Acres Located at 3225 Kathleen Road (1st Rdg 5/4/09)**

Tim McCausland requested the Commission continue this public hearing to June 15, 2009.

**Action:** Commissioner Verplanck moved to continue the public hearing until June 15, 2009. Commissioner Higgins seconded and the motion carried unanimously.

**EQUALIZATION HEARING – None**

**COMMUNITY REDEVELOPMENT AGENCY – None**

**CITY MANAGER – None**

**CITY ATTORNEY**

**Ordinances (First Reading)**

**Proposed 09-032; Amending Ordinance 5041, Red Light Camera Ordinance, to Increase Time Period for Issuing Notices of Violation and to Impose Responsibility on Lessees of Rental Cars**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO TRAFFIC ENFORCEMENT; EXTENDING TIME PERIOD FOR ISSUING NOTICES OF VIOLATION; PROVIDING PROCEDURE FOR ISSUING NOTICES OF VIOLATION TO LESSEES OF RENTAL CARS IN LIEU OF RENTAL CAR COMPANIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The foregoing is the title of an ordinance read for the first time by short title only. The Commission will hold the second reading and public hearing on June 1, 2009.

**Resolutions**

**Resolution 4759; Proposed 09-025; Providing a Procedure for Transfer of Assets from the Lakeland Employee Pension to the Police Officers' Retirement System**

A RESOLUTION OF THE CITY OF LAKE LAND EMPLOYEE PENSION PLAN; PROVIDING A PROCEDURE FOR THE TRANSFER OF ASSETS TO THE AMENDED AND RESTATED POLICE OFFICERS RETIREMENT SYSTEM; AUTHORIZING THE RETIREMENT SERVICES DIRECTOR TO TAKE ALL NECESSARY ADMINISTRATIVE ACTION; 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. Ayes: six. Nays: Zero. The motion carried unanimously

### **Miscellaneous Reports and Communications**

- \* **Memo re: Task Authorization with Cardno TBE for Collection and Analysis of Traffic Data and Preparation of Report – County Line Road and I-4 Interchange**

The City entered into an agreement with the State of Florida Office of Tourism, Trade, and Economic Development (OTTED) in January of 2009, in the amount of \$1,052,700, for the design and construction of signalization for the eastbound and westbound ramps of Interstate 4 at County Line Road. This was a proposed Task Authorization with CardnoTBE, Inc. (CTBE) for the collection and analysis of traffic data and the preparation of technical memorandum and report on same. A scope of services for the design of the improvements would be developed from the technical memorandum and report.

The City Manager recommended that the Commission authorize him to execute Task Authorization TBE-09-06, in the amount of \$31,182, on behalf of the City of Lakeland. He further recommended that the Commission approve an appropriation of the grant funds in the amount of \$1,052,700.

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

- \* **Memo re: Task Authorization with Post, Buckley, Schuh & Jernigan, Inc. for Preparation of Design-Build Request for Proposal and Project Support Services – SR 33 East-West Road**

This proposed Task Authorization with Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) was for preparation of road design-build request for proposal (RFP) and project support services for SR 33 East-West Road (SR 33 to USF-Polytechnic and Pace Road). The SR 33 East-West Road would provide a critical connection to the future campus of USF Polytechnic by helping to ensure adequate emergency response times, provision of essential public services/utilities and access to public transportation (local bus service). The East-West Road would further enhance access to USF Polytechnic's campus for related future student, resident and employee populations, as well as enhancing access for employee and resident populations in the Williams DRI

and adjoining business/research park developments. As such, this roadway represented a link to many future job opportunities for metro Lakeland and Polk County.

An initial hurdle to overcome in the overall project approval process and release of the federal funding was the review and approval by the Federal Highway Administration (FHWA) of the Project Development and Environmental (PD&E) study. A tentative public hearing date of August 18, 2009 had been established to present the PD&E study findings and recommendations, to be followed by FHWA review on September 1, 2009. Advertisement of the request for proposals for design-build services to construct the road project would then need to occur by November 1, 2009.

In order to meet this aggressive project schedule, City staff requested and received an advanced appropriation of \$50,000 to cover staff time and the estimated fee for the design criteria professional proposal from the Transportation Impact Fee Fund, which was approved by the City Commission on April 20, 2009. This appropriation allowed staff to move forward with soliciting a proposal from PBS&J, one of the Municipal Engineering firms currently under continuing contract with the City, so the request for proposal could be in final form and ready to advertise for bid on or before November 1, 2009.

Approval of Task Authorization PBS&J 09-01, in the amount of \$30,609.74, would authorize PBS&J to serve as the City's design criteria professional in the preparation of the design criteria package that would furnish sufficient information to permit road design-build firms to respond to the City's request for proposal on the future SR 33 East-West Road. Staff recommended that the Commission authorize the appropriate City officials to execute this Task Authorization.

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

## **FINANCE DIRECTOR**

### **\* Appropriation and Increase in Estimated Revenue – Fleet Management Depreciation Reserve**

In February, a 2008 Crown Victoria Police vehicle (Unit 09 78010) was involved in an accident and was considered a total loss. This unit was originally scheduled for replacement with an Impala in FY 2014. The replacement vehicle would cost \$30,367. Because the original unit was approximately one year old, there was only \$5,865 accumulated in the reserve for that replacement. Accordingly, additional funding of \$24,502 would be required to replace the unit. The City was self-insured for risks associated with equipment managed by the Fleet Management Department. Accordingly, the funding shortfall must be paid by the City's Uninsured Loss Reserve. The FY 2010 General Fund Budget would need to include a line item to reimburse that reserve fund for payment of this claim.

Staff requested that the City Commission approve an appropriation from Fleet Management's Vehicle Replacement Fund in the amount of \$30,367 to finance this replacement and an Increase in Estimated Revenue representing the required contribution of \$24,502 from the Uninsured Loss Reserve.

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

## **AUDIENCE - None**

### **MAYOR AND MEMBERS OF THE CITY COMMISSION**

Commissioner Fields clarified that the Utility Committee meeting was at 1 p.m.

Commissioner Verplanck complimented Celeste Deardorff on the workshop Friday. She did a very good job on the Comprehensive Plan.

He complimented Lynn Simpkins and Lynn Schindler for their work on the neighborhood tour. There have been a lot of improvements in the neighborhoods. The enforcement of the housing code had improved our neighborhoods.

The Gladys Leggett neighborhood has the remains of a county district barn. The building was abandoned and the City should encourage the county to clear the property. Celeste Deardorff thought the barn belonged to the School Board. Staff would make contact on that issue.

Commissioner Higgins - The Neighborhood Tour was outstanding.

Doug Thomas thanked Kevin Cook and the Communications Department for Fox 13's Fox On Your Block Program. They were in Munn Park on Friday May 15th. Kevin did an outstanding job on that program.

Doug Thomas pointed out that many of Ms. Castegnero's complaints were in direct conflict with how citizens contact code enforcement for compliance in their neighborhoods. Commissioner Verplanck pointed out that some neighbors complain that code enforcement was not doing enough. Commissioner Fields clarified that she was not the only person who had gone to a neighbor about code issues and the neighbor was unresponsive. It was important for neighbors to be able to then turn to Code Enforcement.

## **UTILITY COMMITTEE**

- \* **Memo re: Agreement with Global Enterprise Manager, Inc. to Provide Software and Services for Documenting Utility Processes**

This was a proposed Agreement between the City and Global Enterprise Managers, Inc. to provide software and services for the purpose of documenting utility processes

with compatible Visio work flow charts, while capturing training resources related to those processes in a centralized and accessible system. This Agreement was scheduled to commence on May 18, 2009 upon approval by the City Commission and would continue annually upon renewal. The total expenses associated with this Agreement would be \$55,000 for the first year, which encompassed the enterprise software system, learning project training exercises and relevant upgrades. Following the initial contract term, an annual maintenance and user support fee of 18%, or \$6,480, would be required. Use of this software and accompanying services would enable Lakeland Electric to further develop a sustainable utility workforce through an ongoing process of technology knowledge capture.

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

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

**CALL FOR ADJOURNMENT – 10:15 a.m.**

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Ralph L. Fletcher, Mayor

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Kelly S. Koos, CMC, City Clerk