

**LAKELAND CITY COMMISSION  
REGULAR SESSION  
February 19, 2007**

The Lakeland City Commission met on Monday, February 19, 2007 in the City Commission chambers. Commissioners Glenn Higgins, Dean Boring, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates and Mayor Fletcher were present. City Manager Doug Thomas, City Attorney Tim McCausland, Assistant Finance Director Mike Brossart, and City Clerk Kelly Koos were present.

**CALL TO ORDER**

Mayor Fletcher called the meeting to order at 9:05 a.m.

**INVOCATION**

Commissioner Howard Wiggs offered the invocation followed by the salute to the flag.

**PRESENTATIONS**

**Risk Management – Reverse Auctions: A Best Value Procurement Methodology**

Karen Lukhaub introduced Mark Raiford who gave the presentation.

Mayor Fletcher called Carol Hoffman forward to recognize her work on the Sister Cities 9th Annual Mayors Golf Tournament. Lakeland Sister Cities meets on the 3rd Monday of every month here at city hall. February 2, 2008 will be the 10th Annual Mayors Golf Tournament.

**PROCLAMATIONS**

**Purchasing Month**

- Mark Raiford came forward to accept the presentation.

**Black History Month** – Commissioner Fields accepted this presentation.

**APPROVAL OF CONSENT AGENDA**

- \* City Commission Minutes 02/02/07 – 02/05/07
- \* Utility Committee Minutes 02/05/07
- \* Appropriation – Purchasing and Stores Fund
- \* Increase in Appropriation and Estimated Revenue – Fleet Management Depreciation Reserve
- \* Memo re: Task Authorization with TJR Technical Services, Inc. for Unit 3 Boiler Annual Outage – 2097 Inspection, Consulting and Technical Direction Services

- \* Memo re: Task Authorization with Sargent & Lundy for Energy Supply Personnel Deployment Analysis

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 02/02/07 – 02/05/07**

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

- \* **Utility Committee 02/05/07**

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

### **Land Acquisition & Disposition Committee 02/16/07**

The Land Acquisition & Disposition Committee met Friday, February 16, 2007 in the City Commission Conference Room. Commissioner Higgins (Chair) and Mayor Fletcher (Member) was present. Commissioner Boring was unable to attend. Administrative staff was also present.

Commissioner Higgins called the meeting to order at 8:16 a.m.

The purpose of this meeting is to discuss the proposed acquisition of a 4.67-acre tract along the south side of Carpenter's Way, east of US 98 in conjunction with the Lake Gibson stormwater outfall project.

The proposed Purchase Agreement was for 4.676 acres of vacant land located on Carpenters Way, ¼ mile east of U.S. Highway 98 and owned by Carl Hall. Environmental Consulting & Technology, Inc. (ECT) prepared a watershed management plan and perform conceptual engineering tasks for a stormwater management system retrofit project for Lake Gibson. The most effective Best Management Practice (BMP) was a combination of attenuation ponds, a flow through marsh and a sedimentation pond. The Hall parcel had been identified as a necessary acquisition for implementation of this project. The subject parcel was listed with R&J Real Estate for \$525,000; was zoned Planned Unit Development (PUD) for a 48-bed assisted care living facility (ACLF) and had a future land use designation of Residential High (RH). The City engaged Durrance & Associates, P.A. to prepare an appraisal of this property. The estimated market value of the property as of August 25, 2006 was \$425,000. After much negotiation, Public Works recommended that the City purchase the property for \$475,000 plus closing costs, which were estimated to be \$6,800.

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

Tim McCausland and Greg James reviewed the recommendation.

**Recommendation:** Mayor Fletcher moved to recommend the Commission approve the purchase. Commissioner Higgins concurred and the motion carried.

The meeting adjourned at 8:26 a.m.

Commissioner Higgins presented these minutes to the Commission.

**Action:** Commissioner Higgins moved to approve the minutes. Commissioner Verplanck seconded and the motion carried 6-0. Commissioner Boring was absent at that time.

## **PUBLIC HEARINGS**

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

**Ordinance 4831; Proposed 07-009; Amending Ordinance 4193; Providing for Revisions to Previously Approved Development of Regional Impact for Bridgewater (1st Rdg 2/5/07)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA, AMENDING ORDINANCE NO. 4193, WHICH ADOPTED A DEVELOPMENT ORDER WITH CONDITIONS FOR A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS BRIDGE WATER, ON PROPERTY DESCRIBED THEREIN, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 380.06, FLORIDA STATUTES; SETTING FORTH FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS OF APPROVAL; PROVIDING FOR REVISED PHASING AND ASSOCIATED DATES; PROVIDING FOR REVISIONS TO MAP H; PROVIDING FOR REDUCTION IN CERTAIN ENTITLEMENTS; PROVIDING FOR CLARIFICATIONS TO, AND IMPLEMENTATION OF CERTAIN TRANSPORTATION PROVISIONS OF THE ADOPTED DEVELOPMENT ORDER; 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, Boring, Verplanck, Wiggs, Fields, Yates and Mayor Fletcher voted aye. Ayes: seven. Nays: zero. The motion carried unanimously.

**Ordinance 4832; Proposed 07-010; Establishing PUD Zoning on 453 Acres Located South of West Pipkin Road and North of Ewell Road, West of Busy Bee Lane (1st Rdg 2/5/07)**

AN ORDINANCE RELATING TO ZONING; CHANGING THE CLASSIFICATION OR ZONING OF 453 ACRES WITHIN THE CITY OF LAKE LAND LOCATED SOUTH OF WEST PIPKIN ROAD AND NORTH OF EWELL ROAD, WEST OF BUSY BEE LANE, PURSUANT TO THE "ZONING CODE OF THE CITY OF LAKE LAND, 1993"; MAKING FINDINGS; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4833; Proposed 07-011; Amending Ordinance 4746; Modifying PUD Zoning on 26.71 Acres Located in the Northwest Quadrant of Grasslands (formerly 17th Hole Villas, now Castle Pines) (1st Rdg 2/5/07)**

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A MODIFICATION OF PUD ZONING ON 26.71 ACRES LOCATED IN THE NORTHWEST QUADRANT OF GRASSLANDS (FORMERLY 17<sup>TH</sup> HOLE VILLAS, NOW CASTLE PINES); AMENDING ORDINANCE 4746; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4834; Proposed 07-012; Amending Ordinance 3830, As Amended, Modifying PUD Zoning for a 4,300 Square Foot Office Expansion Located at 1301 Grasslands Boulevard (1st Rdg 2/5/07)**

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A MODIFICATION TO PUD ZONING FOR A 4,300 SQUARE FOOT OFFICE EXPANSION LOCATED AT 1301 GRASSLANDS BOULEVARD; AMENDING ORDINANCE 3830, AS AMENDED; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments and there were none.

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

**Ordinance 4835; Proposed 07-013; Conditional Use for Parking and Stormwater Retention to Serve the Conversion of Existing Structure from Residential to Office at 515 East Valencia Street (1st Rdg 2/5/07)**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR PARKING AND STORMWATER RETENTION TO SERVE THE CONVERSION OF AN EXISTING STRUCTURE FROM RESIDENTIAL TO OFFICE AT 515 EAST VALENCIA STREET; PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

Tim McCausland read the short title.

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

Mayor Fletcher asked for comments.

Michelle Lambert came forward to discuss the difficulty she had encountered on this project. She requested a variance for an existing building on that site. She felt that the change in use of the building would not increase the traffic. She wanted the Commission to look at the engineering department. She felt employees there had not returned her calls.

Jim Studiale came forward on behalf of the City. The recommendation was more favorable for Ms. Lambert than originally submitted. The concept was that if the applicant asks for a new entitlement, they must meet a new minimum standard. The issue was not trip generation. The issue was that the road was substandard and the applicant had to meet the minimum standard. Ms. Lambert would have to widen the road in front of her business to 20 feet. The compromise was that she can pay a lump sum up front and Public Works will do the work when they pave the road in the near future.

**Action:** Commissioner Verplanck withdrew his motion to approve the ordinance.

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

Mayor Fletcher asked for any further comments and there were none.

Commissioner Boring asked Doug Thomas to look into Ms. Lambert's comments about Public Works Engineering's slow response.

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

**Ordinance 4836; Proposed 07-014; Conditional Use for a Concrete Products Manufacturing Plant on 5.5 Acres Located South of US 92 West, West of Edwards Avenue (255 Edwards Avenue) (1st Rdg 2/5/07)**

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE FOR A CONCRETE PRODUCTS MANUFACTURING PLANT ON 5.5 ACRES LOCATED SOUTH OF US 92 WEST, WEST OF EDWARDS AVENUE (255 EDWARDS 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 Boring seconded.

Mayor Fletcher asked for comments.

Commissioner Fields had concerns about the need for additional trees. He wanted a good buffer for the neighborhood.

The group discussed the buffer and the requirements.

Mayor Fletcher called for other comments and the vote.

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

## **CITY MANAGER**

### **Recommendation re: Jackson Park Renovation Construction**

Kempton & Associates Landscape Architects recently completed the customary bid process to secure a construction firm to undertake the renovation of Jackson Park. The scope of the project consisted of the construction of the playground, picnic shelters, walking paths, historic markers, entrance piers, fencing, landscaping and related park irrigation system. In addition to the park amenities, staff requested to move an appropriation of \$70,000 originally budgeted for Fiscal Year 2008 to the current fiscal year to allow for the construction of the Coleman-Bush Building parking lot. The construction of the parking lot in conjunction with the Jackson Park Renovation Project would allow for economy of scale for site costs, balancing of earthwork and assist in the prevention of additional disturbance to the park after it has been completed).

Ten qualified firms furnished bids for the project with the most responsive bidder identified as Rodda Construction of Lakeland, Florida for \$450,840. The second most responsive bidder was Strickland Construction, also of Lakeland, at a fee of \$460,500. Funding for the project was available in the Fiscal Year 2007 Public Improvement Fund, with \$200,000 of the overall construction cost being offset by a State FRDAP Grant.

Staff recommended that the City Commission authorize the appropriate City officials to execute the agreement with Rodda Construction for \$450,840 to undertake the Jackson Park Renovation and adjacent Coleman-Bush Parking Lot Project. Additionally, staff recommended that the City Commission approve the appropriation of \$70,000 from the FY2008 Public Improvement Budget to the FY2007 Public Improvement Budget to provide funding for the parking lot component of the project.

Doug Thomas presented this item to the Commission.

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

## **CITY ATTORNEY**

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

**Proposed 07-015; Amending Lakeland City Code Section 78-9 Regarding Street Solicitation for Contributions**

AN ORDINANCE RELATING TO SOLICITATION, PEDDLERS; AMENDING CHAPTER 78 OF THE CODE OF THE CITY OF LAKE LAND, FLORIDA; PROHIBITING THE PRESENCE OF PEOPLE STANDING ON STREETS REGARDLESS OF PURPOSE; 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 March 5, 2007.

Commissioner Wiggs wanted some overture to the County to get them to align their rules with the City's rules. It is very dangerous when children and adults are in the intersection or the portion of the intersection that is in the County. Perhaps the staff could initiate a conversation with the County and get them to adopt similar rules.

**Proposed 07-016; Amending Lakeland City Code Chapter 102 Regarding Wastewater Impact Fees**

AN ORDINANCE RELATING TO WASTEWATER IMPACT FEES; AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF LAKE LAND, FLORIDA; PROVIDING FOR CLARIFICATION IN DETERMINING IMPACT 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 March 5, 2007.

**Proposed 07-017; Amending Ordinance 2620 Regarding Water System Capacity Fees**

AN ORDINANCE RELATING TO WATER SYSTEM CAPACITY CHARGES; MAKING FINDINGS; AMENDING SECTION 2 (B) (1) OF ORDINANCE 2620, PROVIDING CLARIFICATION IN DETERMINING WATER SYSTEM CAPACITY 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 March 5, 2007.

**Resolutions**

**Resolution 4592; Proposed 07-012; Urging Legislature to Adopt Regulations Allowing**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA RELATING TO TRAFFIC SAFETY; URGING THE STATE LEGISLATURE TO AUTHORIZE THE USE OF AUTOMATED PHOTO ENFORCEMENT SYSTEMS BY LOCAL GOVERNMENTS AS A MEANS OF

DETECTING VIOLATIONS OF RED LIGHT TRAFFIC SIGNALS; 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, Higgins and Mayor Fletcher voted aye. Commissioner Boring was absent at that time. Ayes: six. Nays: zero. The motion carried unanimously.

### **Miscellaneous Reports and Communications**

#### **Memo re: Property Purchase Agreement with Carl Hall - Lake Gibson Southwest Drainage Basin Project**

This was a proposed Purchase Agreement for Property in Fee Simple for 4.676 acres of vacant land located on Carpenters Way, ¼ mile east of U.S. Highway 98 and owned by Carl Hall. Environmental Consulting & Technology, Inc. (ECT) prepared a watershed management plan and performed conceptual engineering tasks for a stormwater management system retrofit project for Lake Gibson. The most effective Best Management Practice (BMP) was a combination of attenuation ponds, a flow through marsh and a sedimentation pond. The Hall parcel has been identified as a necessary acquisition for implementation of this project. The subject parcel was listed with R&J Real Estate for \$525,000, zoned Planned Unit Development (PUD) for a 48-bed assisted care living facility (ACLF) and had a future land use designation of Residential High (RH). The City engaged Durrance & Associates, P.A. to prepare an appraisal of this property. The estimated market value of the property as of August 25, 2006 was \$425,000. After much negotiation, Public Works recommended that the City purchase the property for \$475,000 plus closing costs, which staff estimated to be \$6,800.

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

Tim McCausland presented this item to the Commission.

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

#### **Memo re: Land Lease Agreement with Hilton Garden Inn at Lakeland Linder Regional Airport**

This proposed Long Term Ground Lease was the culmination of negotiations between the City staff and Beechwood Lakeland Hotel, LLC to construct a Hilton Garden Inn Hotel on a parcel north of the terminal at Lakeland Linder Regional Airport. The City Commission had been involved in numerous discussions to resolve the critical elements of the business arrangement for this project. Material provisions of the Ground Lease were as follows:

1. Tenant. The tenant would be Beechwood Lakeland Hotel, LLC, which was a project specific entity owned and controlled by Beechwood Development LLC. Thomas D. Arnot and Darryl M. Hansen were the principals in both companies. These gentlemen, through several other companies, owned a controlling interest in five (5) Hilton Garden Inn Hotels in other parts of the country with another five (5) in predevelopment phases. The operational hotels had been in business for some time and were successful.

2. Facility. The Facility would consist of 105 business-class hotel rooms with a restaurant, lounge, and banquet & meeting hall for 300-350 people, an outdoor pool and an observation deck. Total project cost was approximately \$12,000,000.

3. Ground Lease. A long-term ground lease was proposed for approximately 3.9 acres north of the terminal and west of Don Emerson Drive. Stormwater retention would be on adjacent property not included in the site.

4. Term. The parties had negotiated a proposed term of 35 years with two (2) five (5) year options. Both five (5) year options would be at the discretion of the tenant on the same terms and conditions.

5. Rent. Annual rent would be determined as follows:

(a) Beginning Base Rent: Rent during the startup period (Yr 1-5) would be \$50,000 annually payable monthly.

(b) Base Rent: Rent during the balance of the Initial Term (Yr 6-35) would be the greater of 2.77% of Gross Revenue or 8% of the Appraised Land Value as determined by the Polk County Property Appraiser.

(c) Renewal terms: Rent during any renewal terms would be the greater of 3% of Gross Revenue or 8% of the Appraised Land Value as determined by the Polk County Property Appraiser.

6. Operating Standards. As a Hilton Garden franchisee, the development group must enter into a franchise agreement with the Hilton Corporation. The franchise agreement has rigorous quality standards, periodic inspections and remedies for failure to meet those standards. The Lease incorporated those standards and required the tenant to maintain that franchise agreement, or a similar one, from a comparable market group for the term of the Lease.

7. Continuous Operation. The Lease required that the tenant, his successors or assigns, operate the property as a hotel facility in accordance with the terms of the

Lease. Regardless of any transfer or assignment of the leasehold interest, that operational requirement would continue.

8. Impact Fees of over \$600,000 were payable by the developer and property taxes would be passed through.

The remaining terms and conditions of the Lease were typical of other airport leases. Staff recommended that the Commission authorize the appropriate city officials to execute this agreement.

Tim McCausland presented this item to the Commission.

John Wendel was present representing the developer.

**Motion:** Commissioner Boring moved to approve the project pending FAA approval. **Commissioner Higgins seconded.**

Mayor Fletcher thought other hotels should have a chance to make an offer first. He did not think the City was getting the amount they could be getting. He thought it was a good project but a bad contract.

Commissioner Yates was pleased that the proposal was going forward and that the developer was willing to establish a floor in the contract. She was also please that it was a contract that would be easy to verify.

John Wendel thanked the Commission.

**AUDIENCE - None**

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

Edie Yates thanked staff for their negotiations on the Hilton Garden Inn project.

Howard Wiggs announced the Senior Games begin Saturday February 24, 2007.

**Recess/Reconvene:** The Commission recessed at 10:57 a.m. until after the Utility Committee meeting. The Commission reconvened at 1:55 p.m.

The Lakeland City Commission reconvened on Monday, February 19, 2007 in the City Commission chambers. Commissioners Glenn Higgins, Jim Verplanck, Howard Wiggs, Gow Fields, Edie Yates and Mayor Fletcher were present. Commissioner Boring was absent. City Manager Doug Thomas, City Attorney Tim McCausland, Assistant Finance Director Mike Brossart, and City Clerk Kelly Koos were present.

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

**Memo re: Agreement with Epic Constructors, Inc. for Installation of Low NOx Burners and Outage Services**

This was a proposed agreement with Epic Constructors, Inc. (Epic) for \$2,239,000.00 for installation of Low NOx Burners and Outage Services during the April 2007 outage of McIntosh Unit #3. The proposed agreement was the next step in the City's strategy for complying with the Clean Air Interstate Rule (CAIR) which dictated that McIntosh Unit #3 reduce its NOx emissions from 0.45 lb/mmBTU to 0.13 lb/mmBTU by January 1, 2009 and then further reduce NOx emissions to 0.10 lb/mmBTU by January 1, 2015. The City previously contracted with Siemens Power Group to furnish low NOx burners and an over-fired air system for the Unit #3 boiler that would reduce its NOx emissions to an expected value of 0.30 lb/mmBTU. Installation of the equipment was not included in the agreement with Siemens. The City issued Invitation to Bid Number 7026 requesting bids from qualified contractors to install the equipment provided by Siemens and to accomplish routine boiler maintenance work during the outage, to wit: provide scaffolding, replace boiler tubes, repair or replace damaged refractory material, miscellaneous other repairs or replacements required during a typical outage. The City received four (4) bids and evaluated ranging in price from \$2,239,000 to \$6,050,863. Epic Constructors, Inc., who has worked for the City on a number of other outages, submitted the lowest bid (\$2,239,000) that complied with the specification requirements and committed to completing all work in accordance with the requirements set forth in the proposed agreement.

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

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

\* **Memo re: Task Authorization with TJR Technical Services, Inc. for Unit 3 Boiler Annual Outage - 2007 Inspection, Consulting and Technical Direction Services**

This was a proposed Task Authorization with TJR Technical Services, Inc. in the not-to-exceed amount of \$68,000.00, including expenses. TJR would provide these services in accordance with the current Continuing Contract and Agreement for Boiler and Plant Outage Engineering Consulting Services between Lakeland and TJR Technical Services, Inc. The City would pay all reimbursable expenses in compliance with the City's Consultant Expense Reimbursement Policy.

During the upcoming April 2007 outage, TJR would perform the following services with the assistance of the Lakeland Electric Outage Coordinator:

- Review work procedures and provide technical direction to Epic Constructors on the installation, inspection, and repair of waterwall tube panels, penthouse, furnace water wall pad welds, and furnace openings.

- Perform inspections and reporting on furnace, duct, air pre-heater, and convection pass.
- Review and assist with the repairs to primary superheater elements.
- Provide a detailed final report to include action items identifying future repair requirements.

Unit No. 3 was scheduled to come off line on April 13, 2007 and return to service on May 20, 2007. TJR would be at the plant site for forty-five (45) days. Their services would commence the week of April 9, 2007 during the Pre-Outage set-up/planning stage of the scheduled outage and they would remain at the plant site until May 27, 2007 to compile all reporting and to review the Unit operation after start-up.

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

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

\* **Memo re: Task Authorization with Sargent & Lundy for Energy Supply Personnel Deployment Analysis**

This was a proposed task authorization with Sargent & Lundy for Energy Supply Personnel Deployment Analysis, in an amount not-to-exceed \$30,000.00, including expenses. In January 2005, Sargent & Lundy submitted a proposal for a study to consolidate staff currently housed in several different offices, shops and labs located within the power plant generating units. The intent was to organize work groups to maximize efficiency. This proposal was not accepted. On January 26, 2007, the City requested Sargent & Lundy to update their previous proposal.

If accepted, Sargent & Lundy would evaluate Lakeland Electric's power plant facilities and work groups to develop a cost effective plan for housing staff. The study would consider renovation and reuse of existing facilities, the construction of a new facility, and will consider current and anticipated future staffing levels. At the conclusion of the assignment, Sargent & Lundy would furnish a report suitable for presentation to city officials. The report will include the following elements:

- Study objectives
- Study methodology
- Description of current facilities
- Identification of current and future staff needs
- Description of staff interaction
- Identification of alternatives including sketches
- Indicative cost estimates
- Implementation schedules and recommendations

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

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

**CALL FOR ADJOURNMENT – 1:56 p.m.**

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Ralph L. Fletcher, Mayor

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Kelly S. Koos, CMC, City Clerk

**AGENDA STUDY SESSION**  
**February 16, 2007**

The Lakeland City Commission met in the Agenda Study Session on Friday, February 16, 2007 in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Dean Boring, Jim Verplanck, Glenn Higgins, and Mayor Fletcher were present. Deputy City Manager Tony Delgado, City Manager Doug Thomas, Community Development Director Jim Studiale, Assistant Finance Director Mike Brossart, City Attorney Tim McCausland, Assistant to the City Manager Stanley Hawthorne and City Clerk Kelly Koos were present along with administrative staff.

Mayor Fletcher called the meeting to order at 8:27 a.m.

Doug Thomas covered the Presentations and Proclamations.

Tim McCausland covered the Public Hearings.

Proposed Ordinance 07-013 - Bruce Kistler explained the improvements for Valencia Street. The problem was the road needed widening and the applicant did not want to bear that expense alone. The development required a wider road.

Proposed Ordinance 07-014 - The City wanted the access to come off Edwards Av. The applicant would have to improve Edwards Av. They were requiring a 50 ft buffer of existing trees. The City would like a view-blocking fence too.

Doug Thomas covered the City Manager Agenda. He distributed a handout for the Jackson Park Renovation Construction Project.

Tim McCausland covered the Ordinances for First Reading.

Proposed Ordinance 07-015 - Judge Spoto determined that Lakeland's ordinance prohibiting solicitation in the street was unconstitutional. Tim tried to eliminate any potential for a content base ruling. The Police Department felt it was important to keep pedestrians out of the medians.

Tim McCausland offered the following verbals:

- \* Election season was starting and he was assuming the Commission would open the same number of polling locations as last year.
- \* The decision out of First District Court of Appeals was to uphold the trial courts ruling against the City of Gainesville. The Property Appraiser had assessed taxes against a cell tower because a private user was on the cell tower and on some property surrounding their power plant because Gainesville did not own the timber rights. The next ruling would come from the State Supreme Court.

Mike Brossart covered the Finance Director agenda.

The meeting adjourned at 9:47 a.m.

### **Update to Comprehensive Lakes Management Plan Workshop February 16, 2007**

The Lakeland City Commission met in the Lakes Workshop on Friday, February 16, 2007 in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Dean Boring, Jim Verplanck, Glenn Higgins, and Mayor Fletcher were present. Deputy City Manager Tony Delgado, City Manager Doug Thomas, Community Development Director Jim Studiale, Assistant Finance Director Mike Brossart, City Attorney Tim McCausland, Assistant to the City Manager Stanley Hawthorne and City Clerk Kelly Koos were present along with administrative staff.

Mayor Fletcher called the meeting to order at 9:47 a.m.

Rick Lilyquist introduced Gene Medley from BCI Engineers & Scientists.

Gene gave the presentation, a copy of which is on file in the agenda packet.

### **RED LIGHT PHOTO ENFORCEMENT February 16, 2007**

The Lakeland City Commission met in the Red Light Photo Enforcement Workshop on Friday, February 16, 2007 in the Commission conference room. Commissioners Edie Yates, Howard Wiggs, Gow Fields, Dean Boring, Jim Verplanck, Glenn Higgins, and Mayor Fletcher were present. Deputy City Manager Tony Delgado, City Manager Doug Thomas, Community Development Director Jim Studiale, Assistant Finance Director Mike Brossart, City Attorney Tim McCausland, Assistant to the City Manager Stanley Hawthorne and City Clerk Kelly Koos were present along with administrative staff.

Doug Thomas called the meeting to order at 10:47 a.m.

Police Chief Roger Boatner introduced the presentation. This was an enforcement issue. There were alternative methods that Lakeland has not yet used. They were hitting hard on enforcement and education.

Lt. Mike Link gave the presentation. He reviewed:

- \* Top 10 Signalized Intersections for traffic crashes

- \* Actual Violations
- \* Current Enforcement Methods
- \* Photo Enforcement in the United States
- \* Photo Enforcement in Florida
- \* Redflex Traffic Systems
- \* System Basics
- \* FDOT Non-Intrusive Options
- \* video examples
- \* Effectiveness
- \* City Ordinance vs. UTC
- \* Revenue example
- \* Statistical Data provided by Redflex

## Discussion

The length of time that the equipment was at one location would be based on the number of violations and how long it took to decrease those violations.

There were some bills in Tallahassee to make this a viable option for all cities. The City could not use this type system to issue citations now. Redflex was just one vendor that offered this service. The City would have to go out to bid before selecting a vendor.

The meeting adjourned at 11:38 a.m.

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Ralph L. Fletcher, Mayor

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Kelly S. Koos, CMC, City Clerk