



AGENDA
BRADENTON CITY COUNCIL
July 16, 2008
8:30 a.m.

1. INVOCATION AND PLEDGE ALLEGIANCE:

Father Julio Rivero, Sacred Heart Church

2. PROCLAMATION:

CHILDREN'S SUMMIT DAY

3. PRESENTATION:

CITY CLERK'S DEPARTMENT

Service Award and Retirement of **Gloria Powell**, Auditorium Manager

BRADENTON POLICE DEPARTMENT

Officer of the Month – Master Patrol Officer **Kenneth B. Magown, Jr.**

4. ADMINISTERING THE OATH:

5. CITIZEN COMMENTS:

6. COUNCIL REPORTS:

7. CONSENT AGENDA:

- a) Approval of Minutes of June 25, 2008.
- b) Resolution 08-57: Appointing Marc Feldman and Curtis Hamlin to the Affordable Housing Advisory Committee.
- c) Amendment to SWFWMD Wares Creek Bridge Replacements Agreement (L200).
- d) Verizon Wireless Lease Agreement.

8. BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS:

- a) **SECOND READING OF PROPOSED ORDINANCE 2893** **PUBLIC HEARING**
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING PART 1, CHARTER AND RELATED LAWS, SUBPART B, RELATED LAWS, ARTICLE IV, POLICE OFFICERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA; AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.
- b) **RV.08.0023 WARD 4 NEIGHBORHOOD 1.01 RS** **PUBLIC HEARING**
Request of Jamie Ebling, Esquire, agent for B&G Uptown, LLC, owner, for right-of-way vacation of 8th Street West from the south side of 3rd Avenue West, south approximately 159 feet. (Zoned C-1/UCBD)

RESOLUTION NO. 08-54

A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, RIGHT-OF-WAY VACATION OF 8TH STREET WEST FROM THE SOUTH SIDE OF 3RD AVENUE WEST, SOUTH APPROXIMATELY 159 FEET, AND LEGALLY DESCRIBED.

- c) **CP.08.0024 AMENDMENTS TO EAR BASED COMPREHENSIVE PLAN/TC**
Request of the City of Bradenton for approval of Resolution No. 08-55 for transmittal of the EAR based text and map amendments to the City of Bradenton Comprehensive Plan to the Department of Community Affairs for an Objections, Recommendations, and Comments Report

RESOLUTION NO. 08-55

PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED (LARGE SCALE) AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN; MAKING CERTAIN FINDINGS OF FACT; AUTHORIZING TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT **APPLICATION CP.08.0024, CITY OF BRADENTON,** AMENDING THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, RECREATION AND OPEN SPACE ELEMENT, HOUSING ELEMENT, HISTORIC PRESERVATION ELEMENT AND PROPOSED NEW DESIGN ELEMENT; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

9. NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL:

Tim Polk

2008 CDBG Substantial Amendment to the Consolidated Plan and Annual Action Plan Project adoption of:

RESOLUTION 08-56

PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA ADOPTING THE CITY OF BRADENTON'S COMMUNITY DEVELOPMENT 2008 SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN AND ANNUAL ACTION PLAN PROJECTS.

Staci Cross

2008 City of Bradenton Emergency Management Plan

10. BUSINESS BY APPOINTMENT:

SU.05.0017 COMMUNITY COALITION FOR HOMELESSNESS

Request of Fawley Bryant Architects, Inc. for landscaping and parking amendment to the Special Use for Community Coalition for Homelessness, 701 17th Avenue West.

11. DEPARTMENT HEADS:

**RULES OF PROCEDURE FOR AGENDA AND PUBLIC
APPEARANCES BEFORE CITY COUNCIL**

PLEASE PLACE CELL PHONES ON SILENT MODE

PRIOR TO COUNCIL MEETING: Agenda will be prepared and available to the public by 5:00 p.m. of the Friday preceding the Council meeting. Appointments on the agenda, all items from Department Heads, and all other interested parties must be submitted before 5:00 p.m. on the Thursday preceding the Council meeting. Anyone wishing to be placed on the agenda must contact Beverly Rhodes, CMC Deputy City Clerk at City Hall, by phone 941-932-9445, email: bev.rhodes@cityofbradenton.com or fax 941-932-9547 giving their name, business name (if applicable), whether they are resident taxpayers of the City and must state their business. Appearances before Council will be scheduled per the Mayor or Council person in charge of the meeting. NOTE: The Mayor may ask a city department to look into the issue prior to the meeting to see if the issue can be resolved. If the Mayor or Councilperson in charge of the meeting feels the request is justified, they will instruct the City Clerk as to how much time to allow on the agenda. Be advised that, in accordance with the American With Disabilities Act, persons needing a reasonable accommodation to participate in this proceeding should contact the City Clerk & Treasurer of the City of Bradenton at 101 Old Main Street, Bradenton, Florida 34205, telephone (941) 932-9445, not later than seven (7) days prior to the proceeding.

AT COUNCIL MEETING: If a person (or agent) wishes to address the City Council, they shall first complete a comment card available at the back of the Chamber. To discuss items listed on the agenda, the *Public Hearing Comment* (green) card should be completed. *(Please circle "In Favor" or "Opposed" on the card as you will be summoned by that category.)* To discuss non-agenda items, the *Citizen Comment* (yellow) card should be completed. *(Please state topic you would like to comment on.)* Submit the card to the Deputy City Clerk, who will then forward it to the Mayor. At the appropriate portion of the meeting, under *Citizen Comment* or at the time of the *Public Hearing* the Mayor will call your name to come forward. After being recognized by the Mayor, the person should come to the podium and, for the public record, state their name, address, whether they are a resident taxpayer of the City of Bradenton, and whether they are in favor of or against the item they wish to address. In the case of an agent, they shall identify themselves, then identify their clients by name, their clients' address, whether their clients are resident taxpayers of the City of Bradenton, and whether their clients are in favor of or against the topic they wish to address. They should then proceed to state their position or present their information. Appearance on all items will be limited to three (3) minutes unless the Mayor rules otherwise. (Note: If handouts are being distributed please provide a minimum of ten (10) copies to the City Clerk. If you wish to display a drawing or rendering contact the Deputy City Clerk prior to the meeting.) Any submissions commented on, photographs, letters, renderings, etc. will be kept by the City Clerk for the record.

PURSUANT TO FLORIDA STATUTE 286.0105: If a person decides to appeal any decision made by the board, council, agency, or commission at this meeting, such person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

PLEDGE OF PUBLIC CONDUCT: We, the Mayor, City Council and Employees of the City of Bradenton agree to: * Establish a process to promote positive interaction among ourselves and the citizens of Bradenton in a positive and non-threatening environment. * Encourage visible, involved and active participation among all.* Promote improved communication through active listening, providing feedback and honest expression of ideas. * Utilize consensus for decision making. * We realized that though we may disagree, we will be respectful of each other. * We will direct all comments to the issues and will avoid personal attacks.