



**AGENDA**  
**BRADENTON CITY COUNCIL**  
**September 9, 2009**  
**8:30 a.m.**

**1. INVOCATION AND PLEDGE ALLEGIANCE:**

Invocation led by Pastor Shirley Baucom, Kingdom Life Christian Church.

**2. PROCLAMATION:**

TRIBUTE TO HEROES DAY PROCLAMATION – September 11, 2009

LIVESTRONG DAY PROCLAMATION – October 2, 2009

**3. PRESENTATION:**

**4. ADMINISTERING THE OATH:**

**5. CITIZEN COMMENTS:**

**6. CONSENT AGENDA:**

- a) Minutes of August 12, 2009.
- b) Resolution 09-51–SHIP reconstruction contract, 917 21<sup>st</sup> Street E.
- c) Resolution 09-61 – SHIP 2009 Annual Report.
- d) Resolution 09-62 – High-Speed Passenger Rail Project Proposal.
- e) Resolution 09-63 - FRDAP Grant Application 17<sup>th</sup> Avenue Park with memorandum.
- f) Resolution 09-64 – FRDAP Grant Application Glazier Gates Park with memorandum.
- g) 2009 JAG Awards – Recovery Act and Annual Allocation.
- h) HINI Medical Process.
- i) Public Event – Tribute to Heroes, Friday, September 11, 2009.
- j) Public Event – Taste of Manatee, Saturday & Sunday, November 7-8, 2009.
- k) Public Event – Downtown Bradenton Craft Festival, Saturday & Sunday, February 13 & 14, 2010.
- l) Public Event -Addendum to previously approved Mainly Art, Saturday, October 17, 2009.
- m) Request Street Parking Reservation Permit.
- n) Budget Adjustments.
- o) Resolution 09 – 65 – Eastside Wastewater Transmission System Improvements.

**7. BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS:**

- a) **SECOND of THREE READINGS for PROPOSED ORDINANCE NO. 2907**  
**PUBLIC HEARING**

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN (LARGE SCALE DEVELOPMENT ACTIVITY AMENDMENT CP.08.0024) EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS TO THE COMPREHENSIVE PLAN, INCLUDING THE DESIGN ELEMENT, FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, COASTAL MANAGEMENT ELEMENT, HOUSING ELEMENT, PUBLIC FACILITIES ELEMENT, RECREATION AND OPEN SPACE ELEMENT, HISTORIC PRESERVATION ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, AND CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

b) **SECOND READING of PROPOSED ORDINANCE NO. 2908 PUBLIC HEARING FOR ADOPTION**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA, BY REDUCING THE NUMBER OF FALSE ALARMS RESPONDED TO BY POLICE OR FIRE DEPARTMENTS FOR WHICH A FEE IS CHARGED FROM THE FOURTH SUCH FALSE ALARM TO A SECOND FALSE ALARM; PROVIDING AN EFFECTIVE DATE.

c) **SECOND READING of PROPOSED ORDINANCE NO. 2909 PUBLIC HEARING FOR ADOPTION**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, REPEALING ORDINANCE NO. 2830 PREVIOUSLY ADOPTED JUNE 14, 2006, WHICH ORDINANCE NO. 2830 ESTABLISHED THE TIDEWATER PRESERVE COMMUNITY DEVELOPMENT DISTRICT; REPEALING THE ESTABLISHMENT OF SUCH DISTRICT; PROVIDING AN EFFECTIVE DATE.

d) **AP.08.0002 PUBLIC HEARING CONTINUED FROM MAY 13, 2009**

Request of William C. Robinson, Jr., agent for Melton H. Little and Scott B. Kallins, owners, to appeal the decision of the Architectural Review Board rendered on May 8, 2008 with regard to the demolition of the building known as The Bradenton Tabernacle, located at 725 Manatee Avenue West, Bradenton, Florida. (zoned C-1/UCBD).

e) **SU.09.0066 WARD 2 NEIGHBORHOOD 11.03 RS PUBLIC HEARING**

Request of Aldi Florida LLC, owner, for a Special Use to construct a single story grocery store on the property located at 4705 Cortez Road (zoned C3).

f) **SU.09.0067 WARD 5 NEIGHBORHOOD 7.03 RS PUBLIC HEARING**

Request of Sherod Haliburton, agent for Central Community Redevelopment Agency, owner, for Special Use approval of a day care center located at 530 Martin Luther King Avenue East (zoned R2A/R1D).

g) **SU.08.0059 PUBLIC HEARING CONTINUED FROM JULY 15, 2009**

Request of William Robinson of Blalock Walters Held & Johnson, agent for Episcopal Day Private School, owner, for a Special Use to allow a drive-thru restaurant for the property located at 3816 Manatee Ave. West (zoned C-3).

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

Tim Polk

- a) Securing of structure at 309 10th Street West and recovery of costs – Volker Reiss

9. **BUSINESS BY APPOINTMENT:**

10. **COUNCIL REPORTS:**

11. **DEPARTMENT HEAD REPORTS:**

**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 Tuesday preceding the Council meeting. Anyone wishing to be placed on the agenda must contact Beverly Chapin, CMC Deputy City Clerk at City Hall, by phone 941-932-9445, email: [bev.chapin@cityofbradenton.com](mailto:bev.chapin@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 Americans 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.