

**CITY COUNCIL MEETING
December 12, 2007**

APPROVED BY
January 9, 2008
CITY COUNCIL

The City of Bradenton City Council met in regular session in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida on December 12, 2007 at 8:30 a.m.

Present: Mayor Wayne Poston; Vice Mayor and Councilman Ward I Gene Gallo; Councilwoman Ward II Marianne Barnebey; Councilman Ward III Patrick Roff; Councilman Ward IV Bemis Smith and Councilman Ward V James T. Golden.

City Officials: Carl Callahan, City Clerk and Treasurer; John Cumming, Public Works Director; William Lisch, City Attorney; Mark Souders, Fire Chief; Michael Radzilowski, Police Chief; Tim Polk, Department of Planning and Community Development Director; and Carolyn Moore, Human Resources Director. Staci Cross, Information Technology Director was excused from the meeting.

Press: The Herald.

The meeting was called to order by Mayor Poston.
Ecumenical invocation was led by Councilman Golden, City Chaplain.
Pledge of Allegiance was led by Mayor Poston.

St. Stephen's Episcopal Day School Christmas Carolers sang Christmas carols.

PRESENTATIONS

BRADENTON POLICE DEPARTMENT

Major Lewis recognized **Officer Yolanda Torres** as Officer of the Month for December.

Mayor Poston presented service plaques to **Ms. Shirley Edwards** and **Master Patrol Officer Scott Fritz** in recognition of their twenty years of faithful service.

GREAT WEST YEAR END REPORT

Kelly Swanmann, Account Manager for Great West Insurance, gave a brief report of the 2006-2007 Year-end Healthcare Summary which reflected that the city had realized a savings of 19% in insurance rates for a total of \$3,769,774 over the past four years.

Mr. Callahan administered the oath to any individuals who wished to speak on any non-agenda items and during the public hearings.

CITIZEN COMMENTS

No one came forward.

COUNCIL REPORTS

Vice Mayor/Councilman Gene Gallo, Ward I: Stated that a citizen had contacted him regarding a late fee of 10% on a water bill. He stated he had looked into the matter and found that this fee schedule had been set around 1972. He stated he would contact the person to advise her of his findings and noted that this fee in today's standards was not extravagant.

Councilwoman Marianne Barnebey, Ward II: Reported that the Manatee County Library Foundation would be hosting **Chris Bohjalian**, a noted author and speaker, at the 2008 Author Luncheon on Wednesday, March 19, 2008 at the Bradenton Municipal Auditorium. She stated that funds raised from this event would help support library programs which were in jeopardy due to drastic tax cuts.

Councilwoman Barnebey reported that the 2007 Winter Wonderland festivities would begin Thursday, December 13 with the Arthritis Foundation's Jingle Bell Run and after race street party, followed by the lighted Boat Parade, Friday night December 14 and culminating on Saturday evening December 15, with the Family Fun Street Festival from 5:00 p.m. to 10:00 p.m.

Councilman Patrick Roff, Ward III: Reported that Bishop Frank Dwayne would be celebrating mass at Sacred Heart Catholic Church on December 23, 2007.

Councilman Bemis Smith, Ward IV: Sadly reported that Virginia Bailey, a dedicated resident of Old Manatee Village had recently passed away.

Councilman James Golden, Ward V: As Fire Commissioner, Councilman Golden reported that in the Month of November there had been 93 fire calls with 273 medical calls.

Councilman Golden congratulated the Fire Department for again passing the annual compliance requirements for fire department accreditation.

Mayor Wayne Poston: Reported that the new stadium lights had been installed and were operational at McKechnie Field Stadium. The addition of these lights would now allow for night games and various events.

CONSENT AGENDA

- a) Approval of Minutes of November 7, 2007.
- b) Approval of Minutes of November 14, 2007.
- c) Approval of Minutes of November 28, 2007.
- d) Resolution 07-57 } Appointment of **Gilbert "Doug" Jones** to Housing Authority Board.
- e) Resolution 07-60 } Re-appointment of **Debra Cooper** and **William Robinson** to the Downtown Development Authority Board.
- f) MA.07.0019 WARD 3 NEIGHBORHOOD 1.01 RS - Request of WilsonMiller, agent for Old City Hall Associates, owner, for a one-year Extension of Time for property located at 500 15th Street West. (Zoned PDP)
- g) MB.07.0018 WARD 1 NEIGHBORHOOD 4.07 RS - Request of ZNS Engineering, L.C., agent for LagoInvest, owner, for a one-year Extension of Time for property located at 1401 Village Green Parkway. (Zoned PDP)
- h) A public event request by the Arthritis Foundation to hold their annual Jingle Bell Run on Thursday, December 13, 2007 on Old Main Street.
- i) A public event request by Florida Fundraiser to hold the Bradenton Beer Festival on Saturday, February 2, 2008 on Old Main Street to raise money for the Brain & Spinal Cord Injury program.
- j) A public event request by Church World Services, to hold the Crop Walk on Sunday, February 24, 2008 in Rossi Park to raise awareness & money for hunger locally & globally.
- k) A public event request by Saint Stephens Episcopal School, to hold the Falcon 5K Run on Saturday, February 23, 2008 on 1st Avenue West from 37th Street West east one mile, to raise funds for the athletic club's non-profit projects.
- l) A public event request by Manatee Players, Inc. to hold a presentation of the play *Life is a Dream* on March 7, 2008 in English and March 8, 2008 in Spanish at the Rossi Park outdoor amphitheatre to attract new audiences to the park, serve our Latino population and to raise awareness of the new Manatee Players Performing Arts Center.

MOTION TO APPROVE THE CONSENT AGENDA and remove for discussion items g, h & i was made by Vice Mayor and Councilman Gallo, seconded by Councilman Golden and carried 5-0 for approval.

Discussion that the request MB.07.0018 had been for a three-year extension, but the city's policy allowed only a one-year extension but council could overrule.

MOTION TO APPROVE item (g) MB.07.0018 for a one-year extension was made by Vice Mayor and Councilman Gallo seconded by Councilwoman Barnebey and carried 5-0 for approval.

Discussion that the Arthritis Foundation's original application for the Jingle Bell Run did not specify that a live band would be present and did not reflect the complete closing of Old Main Street.

Lee Lewis, Arthritis Foundation gave an update of the request for a live band, extra road closure on Old Main Street up to Manatee Avenue and the need for more security. She displayed a newer site plan showing the full street closure and the band placement, similar to a Get Down Downtown event.

MOTION TO APPROVE item (h) the Jingle Bell Run with the updated application requests as presented was made by Councilwoman Barnebey seconded by Vice Mayor and Councilman Gallo and carried 4-0 for approval. Councilman Smith was absent from the Chamber.

MOTION TO APPROVE item (i) the Bradenton Beer Festival was made by Councilman Roff seconded by Councilwoman Barnebey and carried 4-1 for approval with Councilman Golden in opposition. Councilman Golden was in opposition due to his religious beliefs.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

RV.07.0019 WARD 4 NEIGHBORHOOD 7.02A RS

Request of Russell Tilton, agent for Geezers Parachute Inc., owner, for approval of Right-of-Way Vacation for part of an alley for property located at 2105 Manatee Avenue East. (Zoned C-3)

RESOLUTION 07- 50

PUBLIC HEARING

A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, "VACATION OF PUBLIC RIGHT-OF-WAY" OF A 20' WIDE PLATTED ALLEY LOCATED AT 2105 MANATEE AVENUE EAST AND LEGALLY DESCRIBED.

The public hearing was continued from the November 14, 2007 council meeting. Those in favor of the request please come forward.

Russ Tilton agent for the owner, gave a brief overview of the vacation request of the 20 foot right-of-way between 21st Street and 22nd Street East. He stated along with his request, Public Works had requested to provide a utility easement in place of the 20 foot right-of-way.

Those in opposition of the request please come forward, hearing none the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report with the staff and Planning Commission recommendation for approval with one stipulation that an 18-foot easement be granted back to the city.

MOTION TO APPROVE RV.07.0019 Resolution 07-50 with the recommendation made by the Planning and Community Development staff and Planning Commission with one stipulation was made by Councilman Smith, seconded by Councilman Roff and carried 5-0 for approval.

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**CP.07.0022 WARD 1 NEIGHBORHOOD 12.02 RS**

Request of Mark P. Barnebey, Esq., agent for C&L Patrick, owner, for a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from County Retail Office Residential (ROR), Residential-6 to City Commercial for property located at 5300 Manatee Avenue West.

**SECOND READING OF PROPOSED ORDINANCE 2881**

**PUBLIC HEARING**

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 5300 MANATEE AVENUE WEST, BRADENTON, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP (SMALL SCALE DEVELOPMENT ACTIVITY AMENDMENT CP.07.0022) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY ROR AND RESIDENTIAL-6 TO CITY COMMERCIAL PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**LU.07.0040 WARD 1 NEIGHBORHOOD 12.02 RS**

Request of Mark P. Barnebey, Esq., agent for C&L Patrick,, owner, to change the Land Use Atlas designation from County General Commercial (GC), Residential Single Family (RSF)- 4.5 to City C-2 for property located at 5300 Manatee Avenue West.

**SECOND READING OF PROPOSED ORDINANCE 2882**

**PUBLIC HEARING**

AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A LAND USE ATLAS AMENDMENT TO CHANGE THE DESIGNATION FROM COUNTY GC, RSF-4.5 TO CITY C-2 FOR PROPERTY LOCATED AT 5300 MANATEE AVENUE WEST AND LEGALLY DESCRIBED.

The public hearing was opened; those in favor of the request please come forward.

**Scott Rudacille** attorney with the law firm of Kirk Pinkerton, P.A. gave an overview of the proposed amendment to change the zoning designation of property that had been annexed into the city on September 26, 2007.

Those in opposition of the request please come forward, no one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report with the staff and Planning Commission recommendation for approval.

Discussion: Moving the parking to the rear of the building.

Councilwoman Barnebey stated that she had a continuing conflict of interest and would excuse herself from voting as her husband was an attorney with the law firm of Kirk Pinkerton.

**MOTION TO APPROVE Ordinance 2881, CP.07.0022 was made by Vice Mayor and Councilman Gallo, seconded by Councilman Roff and carried 4-0 for approval.** (Councilwoman Barnebey abstained from voting.)

**MOTION TO APPROVE Ordinance 2882, LU.07.0040 was made by Vice Mayor and Councilman Gallo, seconded by Councilman Roff and carried 4-0 for approval.** (Councilwoman Barnebey abstained from voting.)

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PR.07.0035 WARD 4 NEIGHBORHOOD 20.04 RS

PUBLIC HEARING

Request of Craig Ward of Gulf Coast Survey, agent for Property Investment LLC, owner, for approval of a Planned Development Project (PDP) for a 100 unit riverfront residential development with a community clubhouse and pool for property located at 3700 SR 64 East. (Zoned PDP)

The public hearing was opened; those in favor of the request please come forward.

Don Bingham, 73 River Isles and Secretary of the River Isles Association stated that the association was not taking a position on the development but that they had a very good relationship with the Back Bay Preserve developers and that the project as presented was the best use of the property. He stated he personally would recommend that the project be approved.

Those in opposition of the request please come forward, hearing none the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report with the staff and Planning Commission recommendation for approval with ten (10) stipulations as follows:

1. If any species listed in Rule 39-27.003 through 39.27-005 of the Florida Administrative Code are observed frequenting the site for nesting or breeding purposes, appropriate mitigation and/or protection measures would be taken, with immediate notification provided to the PCD.

2. The architectural design and features of the proposed buildings shall be consistent with the conceptual rendering submitted and identified as City of Bradenton Exhibit F, or otherwise approved by the Planning and Community Development Director prior to construction.
3. All structures would have a 4-sided design subject to approval of the Planning and Community Development Director.
4. Provide sidewalks to the entrance gate and as determined to be necessary on State Road 64 for resident access to the neighborhood commercial component on the north side (Carlton Arms Plaza).
5. Concerns of Public Works and Fire Department regarding trash pick-up and cul-de-sac widths, respectively, would be addressed on the site improvement construction plans.
6. During site and building construction adequate noise attenuation would be provided by the developer for the protection of adjacent residential properties to the east.
7. Any deviation from the approved requirements, as determined by the Planning and Community Development Director, may require a PDP amendment.
8. Prior to final PDP approval, provide a landscape plan indicating understory, hedge and groundcover plantings along the State Road 64 property line.
9. Prior to final PDP approval, the developer must formalize the Hurricane Evacuation analysis into a workable evacuation plan. The submitted hurricane evacuation plan shall be provided to each dwelling unit occupant, and incorporated by reference into the Homeowners Association documents.
10. The Final PDP must address all stipulations and other staff/Development Review Committee (DRC) recommendations and concerns included in this report as determined by the Planning and Community Development Director.

Discussion: The need for sidewalks along State Road 64.

MOTION TO APPROVE PR.07.0035 with the Planning and Community Development and Planning Commission recommendation with ten (10) stipulations was made by Councilman Smith seconded by Councilman Golden and carried 5-0 for approval.

CA.07.0016

Request of Craig Ward, Gulf Coast Survey, agent for Bradenton Property Investment, LLC, for Architectural Design approval of Back Bay Preserve, located at 3700 East State Road 64, Bradenton, Florida. (Zoned PDP)

Tim Polk stated that the Architectural Review Board recommended approval with two (2) stipulations as follows:

1. Staff concerns are fully addressed. (Which has been completed.)
2. The building height of two buildings nearest to the existing River Isles be reduced by one level each, making the southernmost building two (2) stories, and the building directly north of it three (3) stories. Therefore, the other existing three (3) story buildings would in turn be raised to four (4) stories to preserve the unit count of 100 units for the development.

MOTION TO APPROVE CA.07.0016 with the recommendations made by the Architectural Review Board with two stipulations was made by Councilman Smith seconded by Councilman Golden and carried 5-0 for approval.

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**SU.07.0045 WARD 4 NEIGHBORHOOD 7.02B RS**

**PUBLIC HEARING**

Request of Ken McKeithen, Sun Bay Properties Inc., agent, for John M. Hutson, owner, for Special Use approval for a dry cleaning plant for property located at 2402 Manatee Avenue East in the Sun Bay Shopping Plaza. (Zoned C-3)

The public hearing was opened; those in favor of the request please come forward.

**John Hutson**, applicant and owner gave a brief overview of the request for a dry cleaning store and plant within an existing shopping plaza.

Those in opposition of the request please come forward, no one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report with staff and the Planning Commission recommendation for approval with two (2) stipulations as follows:

1. All equipment installation and set up within the subject storefront would be done by licensed contractors.
2. Applicants must comply with all State Regulatory Departments' regulations pertaining to Dry Cleaning Establishments.

Councilman Smith (for the record) asked Chief Souders to confirm that hazardous materials were covered under state statutes.

Chief Souders stated there were specific state compliance guidelines that had to be met or a dry cleaner establishment would not be able to operate.

**MOTION TO APPROVE SU.07.0045 with the recommendation made by the Planning and Community Development staff and Planning Commission with two (2) stipulations was made by Councilman Smith seconded by Councilman Golden and carried 5-0 for approval.**

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SU.07.0046 WARD 5 NEIGHBORHOOD 1.03/1.04 RS PUBLIC HEARING

Request of Professional Engineering & Design, agent, for Kevin Rich, d/b/a Burke's Auto Body, owner, for Special Use approval for an automotive repair facility for property located at 2011 9th Street West. (Zoned C-3)

The public hearing was opened; those in favor of the request please come forward.

Joyce Poltzma, Professional Engineering & Design gave a brief overview of the request for the automotive sales and repair facility and related establishment which would include paint-spray booths. She stated the property previously had an auto sales, repair and related designation, and would be suitable for this type of re-use.

Those in opposition of the request please come forward, no one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report with the staff and Planning Commission recommendation for approval with three (3) stipulations as follows:

1. Outside storage of automotive parts was prohibited.
2. Provide an opaque buffer on the east side, by additional landscape materials such as hedges and vines, or slats in the chain link.
3. No work would be performed outside the perimeter of the building and carport.

MOTION TO APPROVE SU.07.0046 with the recommendations made by the Planning and Community Development staff and Planning Commission was made by Councilman Golden seconded by Councilman Roff and carried 5-0 for approval.

SU.07.0047 WARD 5 NEIGHBORHOOD 1.03/1.04 RS PUBLIC HEARING

Request of Johnny C. & Daphney S. Barnes, owners, for Special Use approval to operate an activity center for property located at 626 9th Avenue West. (Zoned C-1/UCBD)

The public hearing was opened; those in favor of the request please come forward.

Johnny Barnes gave an overview of the request for an activity center.

Councilman Golden stated that there was a conflict of interest as his wife Mildred Moten-Golden was Mr. Barnes' insurance agent therefore he would abstain from voting.

Those in opposition of the request please come forward, no one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report with the staff and Planning Commission recommendation for approval with two (2) stipulations as follows:

1. Hours of operation were 10:00 a.m. to 10:00 p.m. Monday through Saturday, closed on Sunday.
2. Exterior and interior video cameras would be installed and property maintained.

MOTION TO APPROVE SU.07.0047 with the recommendation made by the Planning and Community Development staff and Planning Commission with two (2) stipulations was made by Councilwoman Barnebey seconded by Councilman Smith and carried 4-0 for approval. Councilman Golden abstained from voting.

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**MA.07.0018 WARD 1 NEIGHBORHOOD 4.07 RS PUBLIC HEARING**

Request of ZNS Engineering, agent for Promenade Associates, owner, for approval of a Planned Development Major Amendment application for an out parcel addition for a restaurant for property located at 6701 Manatee Avenue West in the Promenade Shopping Center. (Zoned PDP)

The public hearing was opened; those in favor of the request please come forward.

**Tom McCollum**, ZNS Engineering gave an overview of the request to allow the developer to build a 4,695 square foot restaurant in the out parcel in the northeast corner of the Northwest Promenade Shopping Center.

Those in opposition of the request please come forward, no one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff recommendation with the Planning Commission recommendation with four (4) stipulations as follows:

1. All comments received by Public Works and the Fire Department representatives identified in this report would be addressed with the Site Improvement permit.
2. Any dead or missing landscape materials would be replaced with Florida Grade 1 materials of a comparable size.
3. Trees intended for removal would be relocated on site or replaced.
4. All trees within closed proximity of the proposed construction area would be properly barricaded.

**MOTION TO APPROVE MA.07.0018 with the recommendations made by the Planning and Community Development staff and Planning Commission with four (4) stipulations was made by Vice Mayor and Councilman Gallo seconded by Councilwoman Barnebey and carried 5-0 for approval.**

**NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL**

Carl Callahan

**RESOLUTION 07-61**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, ESTABLISHING A MILEAGE REIMBURSEMENT RATE FOR CITY OF BRADENTON EMPLOYEES USING PERSONAL VEHICLES TO TRAVEL ON CITY BUSINESS; PROVIDING AN EFFECTIVE DATE.

Discussion: IRS mileage rate change from 48.5 cents to 50.5 cents per mile effective January 1, 2008.

**MOTION TO APPROVE Resolution 07-61 was made by Councilwoman Barnebey seconded by Vice Mayor and Councilman Gallo and carried 5-0 for approval.**

John Cumming

**ASR BID RECOMMENDATIONS**

**Claude Tankersley**, Public Works Assistant Director referred to the revised memorandum dated December 11, 2007 which gave information for the ASR-Dissolved Oxygen Removal Pilot Study. He stated the City of Bradenton was setting the standard for Florida and the nation.

Mr. Tankersley requested approval with the recommendation made for the lowest bidder awarded to:

1. Hydropro, Inc. in the amount of \$467,600 for equipment.
2. WPC Industrial Contractors, Inc. in the amount of \$84,250 for installation.

For a total of \$656,850, under the budget of \$700,000.

Discussion: The benefits being a pilot program and the ASR process.

**MOTION TO APPROVE the bid recommendations of Hydropro for Equipment and WPC Industrial Contractors, Inc. for Installation was made by Councilwoman Barnebey seconded by Councilman Roff and carried 5-0 for approval.**

Tim Polk

**RESOLUTION 07-58**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, APPROVING THE 2008 UTILITY ALLOWANCE FOR SECTION 8 HOUSING CHOICE VOUCHER PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE UTILITY ALLOWANCES; PROVIDING AN EFFECTIVE DATE.

Tim Polk stated that adoption of the resolution would allow participants in the Section 8 program to be placed in the Utility Voucher Program.

**MOTION TO APPROVE Resolution 07-58 was made by Councilman Smith seconded by Councilwoman Barnebey and carried 4-0 for approval.** (Vice Mayor and Councilman Gallo was absent from the Chamber.)

**RESOLUTION 07-59**

**PUBLIC HEARING**

A RESOLUTION ON THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA ADOPTING THE CITY OF BRADENTON'S COMMUNITY DEVELOPMENT 2006-2007 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER).

Mr. Callahan read the public notice that the City of Bradenton had prepared its Consolidated Annual performance Evaluation Report (CAPER) for the Community Development Block Grant Program for the October 1, 2006-September 30, 2007 fiscal year.

The public hearing was opened to anyone wishing to make any comments.

No one came forward the public hearing was closed.

**MOTION TO APPROVE Resolution 07-59 was made by Councilman Smith seconded by Councilman Golden and carried 5-0 for approval.**

Carolyn Moore

## **2007 United Way Campaign**

Reported that the city employees had raised over \$5000 for United Way with over 33 raffle prizes awarded.

Mrs. Moore reported that the employees provided Christmas gifts for over 130 foster children this year.

## DEPARTMENT HEADS

**Carl Callahan:** Reported that the Judicial Center was nearing completion. He stated that Manatee County had requested to amend the contract with Balfour Beatty between Manatee County and Downtown Development Authority (DDA) to include the streetscape on the east side of 10<sup>th</sup> Street.

**MOTION TO FORFEIT Council's rights to veto \$73,857 for streetscape on the eastside of 10<sup>th</sup> Street across from the new Judicial Center was made by Councilman Golden seconded by Councilwoman Barnebey and carried 5-0 for approval.**

Mayor Poston reminded everyone that due to the New Year's holiday, rather than holding the Oath of Office on the first Tuesday of January (per the city charter) it would be held Wednesday, January 2, 2008. Mayor Poston stated that immediately following the oath of office ceremony, the Council/Department Head workshop would be held in the training room of the Bradenton Police Department.

**Chief Souders:** Reported the annual Fire Department Christmas Party for Children's Haven would be held December 20, 2007.

**Staci Cross:** Excused absence.

**Chief Radzilowski:** Announced that the Bradenton Police Volunteers had compiled a cookbook which was being sold for \$10.00 a book with proceeds going to assist volunteer work.

**John Cumming:** Stated due to change orders which had exceeded the contingency allowance he was bringing forth two change order requests.

REQUEST TO WRITE two change orders to Caldwell Tank 1) To change the foundation design for the water tower tank as there was a slight shift in location due to layers of clay under the tank at a cost of \$110,995. 2) To upgrade a monitoring control system at a cost of \$86,175.

**MOTION TO APPROVE THE REQUEST for two change orders to Caldwell Tank 1) To change the foundation design for the water tower tank as there was a slight shift in location due to layers of clay under the tank at a cost of \$110,995. 2) To upgrade a monitoring control system at a cost of \$86,175 was made by Councilman Golden seconded by Councilman Roff and carried 4-0 for approval. Vice Mayor and Councilman Gallo was absent from the chamber.**

Claude Tankersley distributed to council for its approval a letter dated December 11, 2007 addressed to Southwest Florida Water Management District regarding the current drought situation.

John Cumming gave an overview of the current drought situation and the recommendations made to follow shortage measures to enhance the present six (6) conservation measures as follows:

1. Continue water meter replacement programs to further reduce unbilled water usage (losses are currently less than 1.4%, far below average).
2. Encourage a large reclaimed user to increase usage thereby offsetting use of potable water from Manatee County. Opportunity is approximately 300,000 gallons per day.
3. Reduce water line flushing to minimum acceptable for health issues.
4. Delay new public landscape installations unless reclaimed water is used for irrigation.
5. Step up public education relating to conservation, continue to assist residents with unusually high consumption and continue with toilet water saver program.

6. (To consider) with Council approval add further water rate conservation incentives (i.e. increased rate for over 6,000 gallons/month usage.)

With five (5) long-range plans to provide alternative or added water source capacities as follows:

1. Continue the current ASR development program, including the Pilot Program aimed at reducing arsenic formation in storage zone.
2. Continue, as quickly as practical, development of the off-stream reservoir. Capacity – 750 million gallons.
3. Continue to cooperate with Regional authorities as relates to interconnects and sharing of water.
4. Continue with study of programs to provide reclaimed water to Palmetto and Manatee County.
5. Investigate extension of the City's reclaimed water system that will provide potable water usage offsets.

Mr. Cumming asked the council to consider a higher rate for water usage over 6000 gallons.

In conclusion Mr. Cumming stated he would add the word "To Consider" to conservation measure #6, and then send the letter to Mr. Ross Morton, Regulation Director Sarasota Regulation Department for Southwest Florida Water Management District.

**Tim Polk:** Nothing to report.

**Bill Lisch:** Nothing to report.

**Carolyn Moore:** Nothing to report.

Everyone expressed good wishes to Councilman James T. Golden for his success in future endeavors and thanked him for his service to the citizens and the community of the City of Bradenton.

Councilman Golden thanked everyone for their help and friendship over the past eight years that he had served as Councilman for Ward V.

Archie Waugh of MGA-TV announced to all Brighthouse customers that the Government Access channel had moved from Channel 20 to Channel 622. He stated there would now be a rental fee for a digital box at a cost of \$1.00 a month to access Channel 622.

He invited everyone to come Friday from 9:00 a.m. to 2:00 p.m. to the Commission Chamber to record a holiday greeting to be played on MGA-TV during the holiday season.

#### **ADJOURNMENT**

There being no further business, Mayor Poston adjourned the meeting at 11:15 a.m.

NOTE: This is not a verbatim record. An audio CD or DVD recording of the meeting is available for a fee upon request.