



**REVISED \***

**AGENDA  
BRADENTON CITY COUNCIL  
April 13, 2011  
8:30 a.m.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE:**

Invocation led by Pastor Tom Winter, Elwood Park Baptist Church

**2. PROCLAMATION:**

2011 Commuter Services Day – April 13, 2011  
2011 National Osteopathic Medicine Week – April 17-23, 2011  
2011 National Arbor Day – April 29, 2011  
\* 2011 Child Abuse Prevention Month – April, 2011

**3. PRESENTATION:**

**4. ADMINISTERING THE OATH:**

**5. CITIZEN COMMENTS:**

**6. CONSENT AGENDA:**

- a) Minutes of March 23, 2011.
- b) **Resolution 11-20** Adoption of CDBG Substantial Amendment.
- c) **MB.11.0050** Request for a one-year extension of time for Magnolia Lakes, 415 48<sup>th</sup> Street Court East.
- d) **Resolution 11-21** Appointing **Patrick Gallagher** to the Tree & Land Preservation Board.
- e) **2011 National Arbor Day** Project request for Woodbury Tree funds to address four medians on 3<sup>rd</sup> Street West between 6<sup>th</sup> Avenue West and 3<sup>rd</sup> Avenue West in a re-design project for 2011 National Arbor Day in partnership with the Tree & Land Preservation Board, Keep Manatee Beautiful, and Manatee River Garden Club.
- f) Public Event request Sexual Assault Awareness Day, Wednesday, April 20, 2011.
- g) Public Event request Children's Egg Hunt, Saturday, April 23, 2011.
- h) Public Event request Cinco de Mayo, Thursday, May 5, 2011.
- i) Public Event request Music Fest 2011, Saturday, May 14, 2011.
- j) Public Event request Party on the Plaza, Saturday, May 21, 2011.
- k) Public Event request July 4<sup>th</sup> Celebration, Monday, July 4, 2011.
- l) Public Event request Downtown Hanukah Celebration, Monday, December 12, 2011.
- m) Execution of CBIR Grant LP6777 Amendment 1 for an agreement to reallocate funding from dredging to property acquisition./SK

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

- a) **SECOND READING OF PROPOSED ORDINANCE 2929/TC 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 ACTIVITY CP.10.0029) PROVIDING FOR TEXT AMENDMENTS RE-ESTABLISHING THE LEVEL OF SERVICE STANDARDS FOR SCHOOLS IN THE PUBLIC SCHOOLS FACILITY AND CAPITAL IMPROVEMENTS ELEMENTS, PROVIDING FOR CONSISTANCY WITH THE STATE COMPREHENSIVE PLAN; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- b) **SECOND READING OF PROPOSED ORDINANCE 2930/RS PUBLIC HEARING**  
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR ADOPTION OF A FORM-BASED CODE LAND USE REGULATIONS (FBC); PROVIDING FOR TRANSECT DESIGNATIONS; PROVIDING FOR ARTICLES FOR IMPLEMENTATION, INCLUDING GENERAL PROVISIONS, NEW COMMUNITY SCALE PLANS, INFILL COMMUNITY SCALE PLANS, BUILDING SCALE PLANS AND URBAN STANDARDS, ARCHITECTURAL STANDARDS, THOROUGHFARE STANDARDS, LANDSCAPE STANDARDS, LIGHTING STANDARDS, LIGHT IMPRINT STORMWATER MANAGEMENT, SUSTAINABILITY, PUBLIC ART, DEFINITIONS AND APPENDICES; PROVIDING FOR REPEAL OF PROVISIONS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- c) **SU.11.0085 WARD 3 NEIGHBORHOOD 1.01 RS PUBLIC HEARING**  
Request of James Miller, agent for John Delesline, owner, to relocate lounge across the street from 425 Old Main Street to 424 Old Main Street, zoned UC.
- d) **AB.11.0017 WARD 3 NEIGHBORHOOD 1.01 RS PUBLIC HEARING**  
Request of James Miller, agent for John Delesline, owner, to transfer the existing 4-COP License (beer, wine and liquor consumption on premises) from 425 Old Main Street to 424 Old Main Street, zoned UC.
- e) **SU.11.0087 WARD 4 NEIGHBORHOOD 7.03 RS PUBLIC HEARING**  
Request of Ella Powell, agent for Kenneth Weber, owner, for special use approval to operate a day care center at 202 3<sup>rd</sup> Avenue East, zoned UCBD.

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

Carl Callahan

- \* a) **FIRST READING OF ORDINANCE 2931**  
AN ORDINANCE GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE CITY OF BRADENTON, AND PROVIDING FOR AN EFFECTIVE DATE.
- \* b) Budget Adjustment over \$10,000

**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.