



**REVISED
AGENDA
BRADENTON CITY
COUNCIL
December 14, 2005
8:30 A.M.**

1. INVOCATION AND PLEDGE:

- a) Invocation led by Councilman Golden
- b) St. Stephens Carolers

2. PROCLAMATION:

- a) You Drink & Drive. You lose. Weeks

3. PRESENTATION:

- a) Public Works Recognitions
- b) Bradenton Police Department Awards
- c) Bradenton Fire Department – Councilman Gene Gallo
- d) Staci Cross - Utility Billing and Human Resources Web Demonstration
- e) Evaluation Appraisal Report “EAR”

4. ADMINISTERING THE OATH:

5. CITIZEN COMMENTS:

6. COUNCIL REPORTS:

7. CONSENT AGENDA:

- a) Approval of Minutes for November 16, 2005.
- b) Approval of Minutes for November 30, 2005.

c) **RESOLUTION 05-75**

PUBLIC HEARING

A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERLOCAL AGREEMENT AMONG THE CITY OF BRADENTON, FLORIDA, THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, ST. JOHNS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY AND THE ST. PETERSBURG HEALTH FACILITIES AUTHORITY PURSUANT TO WHICH THE ST. ORANGE COUNTY HEALTH FACILITIES AUTHORITY IS BENEFIT OF PRESBYTERIAN RETIREMENT COMMUNITIES, INC. AND CORPORATIONS AFFILIATED WITH IT; GRANTING HOST COMMUNITY APPROVAL PURSUANT TO THE INTERNAL REVENUE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

- d) Central Community Redevelopment Agency Properties Acquisitions

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

a) **AX 05.0007 WARD 4 NEIGHBORHOOD**

PUBLIC HEARING

Request of Marcus Helmuth, White Oak Development, Inc, Agent for, Johnny Rice, Steven Rice & Tonya Rice owners for an annexation of 20.38 acres located at 5050 1st Ave E (Zoned County A1)

PROPOSED ORDINANCE NO 2781

SECOND READING AND PUBLIC HEARING

AN ORDINANCE ANNEXING TO THE CITY OF BRADENTON, FLORIDA, CERTAIN LAND CONTIGUOUS THERETO, LOCATED AT APPROXIMATELY 5050 1st AVENUE EAST AND LEGALLY DESCRIBED.

b) **LU.05.0018 RS**

Request of City of Bradenton for text amendments to the Land Use Regulations (LUR's) regarding Alcoholic Beverages within a Residential PDP.

SECOND READING OF PROPOSED ORDINANCE 2798

PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF BRADENTON LAND USE AND DEVELOPMENT REGULATIONS TO ADD NEW LANGUAGE REGARDING APPLICATION FOR ALCOHOLIC BEVERAGE SALES WITHIN A RESIDENTIAL PDP AND THEIR REGULATION; PROVIDING FOR REPEAL OF PROVISIONS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

c) **LU-05-0012 WARD 4 NEIGHBORHOOD 20.03 MM**

Request of Cedarwood Development, agent for Southern Hospitality Associates, LLC., owners, to change the Zoning Atlas Designation from County A-1 to City PDP for the property located at 5055 3rd Avenue East.

SECOND READING OF PROPOSED ORDINANCE 2805

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 A-1 TO CITY PDP OR OTHER APPROPRIATE ZONE FOR THE PROPERTY LOCATED AT 5055 3RD AVENUE EAST AND LEGALLY DESCRIBED.

d) **LUR-AA-04-03 WARD 1 RS**

Request of Matt Campo, agent for Burcaw & Associates to change the Zoning Atlas Designation from County General Commercial to City Commercial for the property located at 7208 Manatee Avenue West.

SECOND READING OF PROPOSED ORDINANCE 2807

PUBLIC HEARING

AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A ZONING ATLAS AMENDMENT TO CHANGE THE ZONING DESIGNATION FROM COUNTY GENERAL COMMERCIAL TO CITY COMMERCIAL-2 FOR THE PROPERTY LOCATED AT 7208 MANATEE AVENUE WEST AND LEGALLY DESCRIBED.

e) **LU-05-0007 WARD 4 NEIGHBORHOOD 20.03 MM**

Request of White Oak Development Inc., owner/agent, to change the Zoning Atlas Designation from County A-1 to City PDP for the property located at 101 48th Street Court Northeast.

SECOND READING OF PROPOSED ORDINANCE 2809

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 A-1 TO CITY PDP OR OTHER APPROPRIATE ZONE FOR THE PROPERTY LOCATED AT 101 48TH STREET COURT NE AND LEGALLY DESCRIBED.

f) **CP.05.0011 WARD 1 NEIGHBORHOOD 12.04A ZONED PDW-CH RS**

Request of Clifford L. Walters, Esq., agent for Paradise Pointe, LLC., owners, for a Small Scale Comprehensive Plan Amendment changing the Future Land Use Designation from Res-3 to Commercial for the property located at 12320 Manatee Avenue W.

SECOND READING OF PROPOSED ORDINANCE 2811

PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 12320 MANATEE AVENUE WEST, BRADENTON, FLORIDA, 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.05.0011) CHANGING THE FUTURE LAND USE DESIGNATION FROM RESIDENTIAL 3 TO COMMERCIAL; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

g) **LU.05.0019 WARD 1 NEIGHBORHOOD 12.04A ZONED PDW-CH RS**

Request of Clifford L. Walters, Esq., agent for Paradise Pointe, LLC., owners, to change the Zoning Atlas Designation from County PDW-CH to City PDP for the property located at 12320 Manatee Avenue W.

SECOND READING OF PROPOSED ORDINANCES 2812

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 PHW-CH TO CITY PDP FOR THE PROPERTY LOCATED AT 12320 MANATEE AVENUE WEST AND LEGALLY DESCRIBED.

h) **PR.05.0019 WARD 1 NEIGHBORHOOD 12.04A RS**

PUBLIC HEARING

Request of Clifford L. Walters, Esq., agent for Paradise Pointe, LLC., owner, for commercial Preliminary Planned Development Project located at 12300 and 12320 Manatee Avenue West. (Zoned PDW-CH)

i) **SU.05.0016 WARD 5 NEIGHBORHOOD 1.03/1.04 RS**

PUBLIC HEARING

Request of Thomas P. Jones, owner, and Jim Stewart, agent, for vehicle storage at 705 17th Avenue W. (Zoned C3)

j) **PR.05.0018 WARD 3 NEIGHBORHOOD 1.01 RS**

PUBLIC HEARING

Request of WilsonMiller, Inc., agent for Old City Hall Associates, owner, for Planned Development Project approval for proposed 106 condominiums and 80,000 square feet of office/retail space located at 500 15th Street W/701 9th Street W. (Zoned C-1)

k) **SU.05.0017 WARD 5 NEIGHBORHOOD 1.03/1.04 MM**

PUBLIC HEARING

Request of Community Coalition on Homelessness Corp. and Our Daily Bread, agents, for Harry Bakker, owner, for social services, health clinic and food service located at 701 17th Avenue West. (Zoned C3)

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

Carl Callahan

- a) Utility Deposits
- b) Parking Garage road closure

John Cumming

- a) Solid Waste Rate Proposal

Tim Polk

- a) PUBLIC HEARING - Consolidated Annual Performance Evaluation Report (CAPER)
- b) Revisions to 2004-05 SHIP Annual Report.

10. BUSINESS BY APPOINTMENT:

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 for 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 the City Clerk's Office at City Hall, 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 to last five (5) minutes. If more time is needed, the Mayor or Council person in charge of the Ward involved should be contacted. If they feel 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, he shall first request recognition by the Mayor. After being recognized, he should approach the City Clerk, giving his name and address and stating whether he is a resident taxpayer of the City of Bradenton (in the case of an agent, he shall then identify his clients by name, give their address and whether they are resident taxpayers of Bradenton) and identify the agenda item with which he is concerned, state whether he is in favor of or against the item and then proceed to state his position or present his information. A maximum of five (5) minutes will be allowed unless the Mayor rules otherwise. If it appears the matter about which the person wishes to speak is not on the agenda, he shall clearly state the emergency circumstances justifying Council consideration at this time, and the Council shall determine whether he shall be permitted to proceed. (Note: If handouts are being distributed please provide a minimum of ten (10) copies.)

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.