



AGENDA
BRADENTON CITY COUNCIL
July 19, 2006
8:30 a.m.

1. INVOCATION AND PLEDGE:

Invocation led by Reverend Paul Scheele, Congregational United Church of Christ

2. PROCLAMATION:

- a) Children's Summit Day
- b) Stop on Red Week

3. PRESENTATION:

- a) Public Works Employee Recognitions
- b) Human Resources:
 - 1. 2006-07 Employee Health Insurance Plan
 - 2. Pride Awards
- c) Information Technology – LaserFiche System Demonstration
- d) Sarasota Bay Estuary Program State of the Bay Report 2006

4. ADMINISTERING THE OATH:

5. CITIZEN COMMENTS:

6. COUNCIL REPORTS:

7. CONSENT AGENDA:

- a) Approval of the Minutes for June 28, 2006.

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

- a) **LU.05.0020 WARD 4 NEIGHBORHOOD 7.03 C**
Request of Wilson Miller, agent for Riviera Southshore, owner, for Land Use Atlas Amendment from R-1B, C-1A, PDP to PDP for property located at 1203 Manatee Avenue East.

FIRST READING OF PROPOSED ORDINANCE NO. 2842

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 R-1B, C-1A, C-1, PDP TO PDP FOR THE PROPERTY LOCATED AT 1203 MANATEE AVENUE EAST AND LEGALLY DESCRIBED.

b) **FIRST READING OF ORDINANCE NO. 2843**

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING AND RESTATING PART 1, CHARTER AND RELATED LAWS, SUBPART B, RELATED LAWS, ARTICLE III, FIREFIGHTERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA; PROVIDING FOR DEFINITIONS; PROVIDING FOR MEMBERSHIP; PROVIDING FOR A BOARD OF TRUSTEES; PROVIDING FOR FINANCES AND FUND MANAGEMENT; PROVIDING FOR CONTRIBUTIONS; PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR PRE-RETIREMENT DEATH BENEFITS; PROVIDING FOR DISABILITY BENEFITS; PROVIDING FOR VESTING OF BENEFITS; PROVIDING OPTIONAL FORMS OF BENEFITS; PROVIDING FOR BENEFICIARIES; PROVIDING CLAIMS PROCEDURES; PROVIDING FOR REPORTS TO THE DIVISION OF RETIREMENT; PROVIDING FOR A ROSTER OF RETIREES; PROVIDING FOR A MAXIMUM PENSION LIMITATION; PROVIDING FOR DISTRIBUTION OF BENEFITS; PROVIDING MISCELLANEOUS PROVISIONS; PROVIDING FOR REPEAL OR TERMINATION OF THE SYSTEM; PROVIDING FOR DOMESTIC RELATIONS ORDERS, RETIREE DIRECTED PAYMENTS, EXEMPTION FROM EXECUTION AND NON-ASSIGNABILITY; PROVIDING FOR PENSION VALIDITY; PROVIDING FOR FORFEITURE OF PENSION UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CONVICTION AND FORFEITURE; FALSE, MISLEADING OR FRAUDULENT STATEMENTS; PROVIDING FOR INDEMNIFICATION AND DEFENSE OF CLAIMS; PROVIDING FOR PURCHASE OF CREDIT FOR MILITARY SERVICE PRIOR TO EMPLOYMENT; PROVIDING FOR DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS AND ELIMINATION OF MANDATORY DISTRIBUTIONS; PROVIDING FOR PURCHASE OF CREDITED SERVICE FOR FAMILY AND MEDICAL LEAVE TIME; PROVIDING FOR PURCHASE OF CREDITED SERVICE FOR PRIOR FIRE SERVICE; PROVIDING FOR REEMPLOYMENT AFTER RETIREMENT; PROVIDING FOR A DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

c) **LU.06.0028 WARD 3 NEIGHBORHOOD 6.01 MM/RS**

Request of Gregg Guinta, agent for Bradenton Properties, LLC, owner, for Land Use Atlas Amendment from R-1C to Professional for property located at 512 25th Street West.

PROPOSED ORDINANCE NO. 2841 SECOND READING/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 R-1C TO PROFESSIONAL FOR THE PROPERTY LOCATED AT 512 25TH STREET WEST AND LEGALLY DESCRIBED.

d) **LU.06.0029 WARD 5 NEIGHBORHOOD 7.02B MM**

Request of Central Community Redevelopment Agency, agent for the City of Bradenton, owner, for Land Use Atlas Amendment from R-2A and R-1D to PDP for property located at 908 6th Street Court East, 614 10th Avenue East and 619 11th Avenue East.

PROPOSED ORDINANCE NO. 2838 SECOND READING/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 R-2A, R-1D TO C-1A FOR THE PROPERTY LOCATED AT 908 6TH STREET COURT EAST, 614 10TH AVENUE EAST AND 619 11TH AVENUE EAST AND LEGALLY DESCRIBED.

- e) **CP.06.0016 CITY OF BRADENTON** **PUBLIC HEARING**
Request of City of Bradenton for Large Scale Comprehensive Plan Amendment for text changes to the Coastal Management Conservation Element, Recreation and Open Space Element, and Historic Preservation Element.

RESOLUTION 06-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED (LARGE SCALE) COMPREHENSIVE PLAN AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN; MAKING CERTAIN FINDINGS OF FACT; AUTHORIZING TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT **APPLICATION CP.06.0016 CITY OF BRADENTON**, FOR TEXT CHANGES TO THE COASTAL MANAGEMENT CONSERVATION ELEMENT, RECREATION AND OPEN SPACE ELEMENT AND HISTORIC PRESERVATION ELEMENT; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- f) **RV. 06.0011 WARD 5 NEIGHBORHOOD 1.03/1.04 RS** **PUBLIC HEARING**
Request of Fred Munn, agent for Rodney Lawrence, owner, for the approval of a right-of-way vacation at 1009 16th Avenue West (Zoned R-3B/VAOD)

RESOLUTION 06-46

A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, "VACATION OF PUBLIC RIGHT-OF-WAY" AND LEGALLY DESCRIBED.

- g) **RESOLUTION 06-51** **PUBLIC HEARING**
A RESOLUTION AUTHORIZING THE CITY OF BRADENTON TO USE THE UNIFORM AD VALOREM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR THE RIVER YACHT AND RACQUET CLUB.

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

Carl Callahan

- a) Occupational License – Rick’s Shuttle Service
- b) **RESOLUTION NO. 06-45** **PUBLIC HEARING**
A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA, INCREASING ITS WATER AND SEWER SERVICE IMPACT FEES; PROVIDING AN EFFECTIVE DATE.
- c) Request by Tom Orehowsky to hold the Manatee High Cross Country 5k/1 mile race to benefit the Manatee High School Cross Country Program on Monday, September 4, 2006 with a street closer on 33rd Avenue Drive West from 51st Street West to G.T. Bray Baseball Complex from 7:45 a.m. to 8:15 a.m.
- d) Request by Nancy McCarty with Manatee Glens to hold a “Walk for Life” 5k/walk to benefit Suicide Awareness and Prevention on Saturday, September 16, 2006. The walk will start in Palmetto at Sutton Park go southbound on the outside lane over the Green Bridge around Bradenton City Hall to return for the finish at Sutton Park.
- e) Request by Andy Miner with the Bradenton Downtown Progress to hold three separate events: (1) Pep Rally for the Buccaneers on Saturday, September 9, 2006. (2) A Block Party during Palmetto Bike Week, Friday, October 6, 2006 and (3) Downtown Hoops II to be held on Saturday, October 21, 2006.

Tim Polk

a) **PUBLIC HEARING**

Proposed Statement of Housing and Community Development Objectives and Projected Use of Funds and One-Year Action Plan and Projected Use of Funds for Fiscal Year 2006-07.

RESOLUTION NO. 06 - 48

A RESOLUTION AUTHORIZING FILING AND EXECUTION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND APPLICATION BY MAYOR FOR FISCAL YEAR 2006-2007; PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 06- 49

A RESOLUTION CONTINUING 2006 ENVIRONMENTAL ASSESSMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; FINDING OF VALIDITY OF FONSI PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 06 -50

A RESOLUTION ADOPTING CITY OF BRADENTON, FLORIDA CONSOLIDATED PLAN/ONE YEAR ACTION PLAN AND PROJECTED USE OF FUNDS FOR 2006-2007 PROVIDING AN EFFECTIVE DATE.

- b) **PUBLIC NOTICE** is hereby given for the proposed Housing & Community Development Housing Choice Voucher Program Annual PHA (Public Housing Agency) Plan for fiscal year beginning October 1, 2006 to consider for adoption at the October 11, 2006 Council meeting.

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 three (3) 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.