



AGENDA
BRADENTON CITY COUNCIL
January 13, 2010
8:30 a.m.

1. INVOCATION AND PLEDGE ALLEGIANCE:

Invocation led by Pastor Dale Schlafer, President/Center for World Awakening & Renewal.

2. PROCLAMATION:

Florida Arbor Day Proclamation

3. PRESENTATION:

4. ADMINISTERING THE OATH:

5. CITIZEN COMMENTS:

6. CONSENT AGENDA:

- a) Minutes of December 9, 2009, Special Meetings of December 30, 2009, January 5, 2010 and January 6, 2010.
- b) PAETEC and NEW EDGE Contracts – new voice & data providers.
- c) SPRINGCM Contract – new document management provider.
- d) Microsoft Enterprise Agreement contract – software licensing.
- e) Recreational Trails Program Award for Norma Lloyd Park.
- f) Resolution 10-02 – Reappointing Deborah Coupland-Porter, Abraham Epstein and Mary Runnells to the Tree & Land Preservation Board.
- g) Resolution 10-03 – Reappointing the Grievance Board.
- h) Public Event – Downtown Bradenton Old Main Street, Pirates Pep Rally, Thursday, February 25, 2010.
- i) Public Event – Celebrate Freedom, Sunday, July 4, 2010, Rossi Park Amphitheater.

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

- a) **FIRST READING OF ORDINANCE NO. 2910 TW**
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING PART 1, CHARTER AND RELATED LAWS, SUBPART B, RELATED LAWS, ARTICLE III, FIREFIIGHTERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 4, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 5, CONTRIBUTIONS; AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 7, PRE-RETIREMENT DEATH; AMENDING SECTION 8, DISABILITY; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 15, MAXIMUM PENSION; AMENDING SECTION 16, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 17, MISCELLANEOUS PROVISIONS; AMENDING SECTION 18, REPEAL OR TERMINATION OF SYSTEM; AMENDING SECTION 19, DOMESTIC RELATIONS ORDERS, RETIREE DIRECTED PAYMENTS, EXEMPTION FROM EXECUTION, NON-ASSIGNABILITY; AMENDING SECTION 21, FORFEITURE OF PENSION; AMENDING SECTION 25, DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; AMENDING SECTION 27, PRIOR FIRE SERVICE; AMENDING SECTION 29, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

- b) **FIRST READING OF ORDINANCE NO. 2911 RS** **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 EAR BASED AMENDMENTS, ADOPTED NOVEMBER 18, 2009, PROVIDING FOR TEXT AMENDMENTS RE-ESTABLISHING THE LEVEL OF SERVICE STANDARDS FOR ROADWAYS IN THE TRANSPORTATION AND CAPITAL IMPROVEMENTS ELEMENTS, PROVIDING FOR CONSISTANCY WITH THE STATE COMPREHENSIVE PLAN; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

- c) **FIRST READING OF ORDINANCE NO. 2912**
 AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING THAT ORDINANCE TITLE "THE CITY OF BRADENTON TRAFFIC LIGHT SAFETY ACT" AS SET FORTH IN CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA, INCREASING TIME FOR NOTICES AND TIME FOR APPEALS FROM TWENTY-ONE TO THIRTY-ONE DAYS; PROVIDING FOR A SPECIAL MASTER TO HEAR APPEALS IN LIEU OF CODE ENFORCEMENT BOARD; PROVIDING FOR TRANSFER OF NOTICE OF INFRACTIONS FROM OWNER TO DRIVER OF MOTOR VEHICLE; PROVIDING AN EFFECTIVE DATE.

- d) **RESOLUTION 10-04**
 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, PROHIBITING RIGHT TURNS ON RED LIGHT FOR SOUTH BOUND TRAFFIC ON 10TH STREET WEST AT MANATEE AVENUE WEST (STATE ROAD 64); PROVIDING AN EFFECTIVE DATE.

- e) COMPREHENSIVE PLAN AMENDMENT APPLICATION PUBLIC NOTICE

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

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 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.