



AGENDA
BRADENTON CITY COUNCIL
8:30 a.m. Wednesday, Feb. 8, 2012
City Hall Council Chambers, 101 Old Main St.

1. INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation led by Chaplain Paul Scheele of Water's Edge Community.

2. PROCLAMATION:

Engineers Week Feb. 19-26.

3. PRESENTATION:

Alan Zirkelbach, Zirkelbach Construction, on progress of bus transfer station and courthouse construction.

4. ADMINISTERING THE OATH:

5. CITIZEN COMMENTS:

6. CONSENT AGENDA:

- a) Minutes from Jan. 25, 2012.
- b) EECBG Award Amendment.
- c) Street closure: Public art dedication in Village of the Arts on March 2.

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

SU.11.0093 WARD 5 NEIGHBORHOOD 7.03 BMW PUBLIC HEARING

Request of Luis Tabares, agent for Harry Bakker, owner, for special use approval for a used car sales lot to be located at 704 Manatee Avenue East (zoned T5).

LU.11.0049 ORDINANCE 2935 FIRST READING

Request of the City of Bradenton to textually amend the Form-Based Code as pertaining to signage standards, fence standards, and marina facilities.

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENTS TO THE CITY OF BRADENTON FORM-BASED CODE TO INCLUDE MINOR TEXT AMENDMENTS PERTAINING TO SIGNAGE STANDARDS, FENCE STANDARDS, MARINA FACILITY REQUIREMENTS; PROVIDING FOR REPEAL OF PROVISIONS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2937 FIRST READING

An ordinance prohibiting the possession of open glass bottles in public right of way.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER VI, ALCOHOLIC BEVERAGES, SECTION 6-4 BY ADDING THERETO A PROVISION PROHIBITING THE POSSESSION OF OPEN GLASS BOTTLE UPON ANY PUBLIC RIGHT OF WAY OR PUBLIC PARKING LOT; PROVIDING FOR EXCEPTIONS FOR COLLECTING AND RECYCLING SUCH CONTAINERS; PROVIDING AN EFFECTIVE DATE.

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

Claude Tankersley

a) RESOLUTION 12-02

Award construction contract for 9th Avenue Ware's Creek bridge to Woodruff & Sons.

Carl Callahan

a) Interlocal agreement between the City and Manatee County for purposes of funding capital improvements at McKechnie Field.

b) RESOLUTION 12-03

Bond resolution to fund improvements at McKechnie Field.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA (THE "CITY") AUTHORIZING THE ISSUANCE BY THE CITY OF A NOT EXCEEDING \$8,500,00 CAPITAL IMPROVEMENT REVENUE BOND, SERIES 2012, TO PROVIDE FUNDS TO FINANCE CERTAIN CAPITAL IMPROVEMENTS TO THE CITY'S SPORTS COMPLEX KNOWN AS MCKECHNIE FIELD AND PAY ALL OR A PORTION OF THE COSTS ASSOCIATED WITH THE ISSUANCE OF SUCH BOND; ACCEPTIGN THE PROPOSAL OF BANK OF AMERICA, N.A. TO PURCHASE SUCH BOND PURSUANT TO A NEGOTIATED PRIVATE PLACEMENT; AUTHORIZING THE EXECUTION AND DELIVERY AND THE SUBSTANTIAL FOR OF A LOAN

AGREEMENT BETWEEN THE CITY AND BANK OF AMERICA, N.A.; AUTHORIZING THE REPAYMENT OF SUCH BOND FROM CERTAIN PLEDGED REVENUES, AS FURTHER DESCRIBED HERIN AND IN THE LOAN AGREEMENT; RATIFYING CERTAIN ACTIONS TAKEN PRIOR TO THE DATE HEREOF BY REPRESENTATIVES OF THE CITY INCLUDING, WITHOUT LIMITATION, WITH RESPECT TO ACCEPTING THE PROPOSAL FROM BANK OF AMERICA, N.A.; DELEGATING CERTAIN AUTHORITY TO THE MAYOR, MAYOR PRO-TEM, CITY MANAGER, CITY CLERK, CITY ATTORNEY, BOND COUNSEL, OTHER OFFICERS OR REPRESENTATIVES OF THE CITY, IN CONNECTION WITH THE ISSUANCE OF THE BOND; PROVIDING FOR REPEAL OF INCOCONSISTEN PROVISION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

c) Capital Improvement Revenue Bond agreement between the City and Bank of America.

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 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 p.m. on the Tuesday preceding the council meeting. Anyone wishing to be placed on the agenda must contact Tim McCann, public information officer, by phone 941-932-9497, email tim.mccann@cityofbradenton.com or fax 941-932-9547 and provide their name, business name (if applicable), whether they are resident taxpayers of the City and their intended business before council. 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 council person 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 St., 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 chambers. 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 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 City 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.