

**PALMETTO CITY COMMISSION
AND
COMMUNITY REDEVELOPMENT AGENCY
June 1, 2009 - 7:00 PM**

*PLEDGE OF PUBLIC CONDUCT
We may disagree, but we will be respectful to one another.
We will direct all comments to issues.
We will avoid personal attacks.*

516 8th Avenue West
Palmetto, Florida 34221

(941) 723-4570
<http://www.palmettofl.org>

Shirley Groover Bryant, Mayor

Commission Members

**Brian Williams, Vice Mayor, Commissioner, Ward 3
Alan Zirkelbach, Commissioner-at-Large 1
Tamara Cornwell, Commissioner-at-Large 2
Mary Lancaster, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2**

Anyone wishing to speak before the City Commission or the CRA Board must sign in and be sworn-in prior to the meeting, stating name, address and topic to be addressed. All comments will be limited to two minutes.

Invocation, followed by the Pledge of Allegiance.

Proclamation: Hurricane Awareness Month

Swearing-in of all persons intending to address City Commission or the CRA Board.

Public Comment (non-agenda items): Comments will be limited to two minutes.

CITY COMMISSION MEETING ORDER OF BUSINESS

1. CITY COMMISSION AGENDA APPROVAL

Action Request: Motion to approve the June 1, 2009 7:00 p.m. agenda.

2. CITY COMMISSION CONSENT AGENDA

A) Minutes: May 18, 2009

(TAB 1)

B) Kirk Pinkerton Legal Billing

(TAB 2)

C) Special Function Permit: Festival of Colors

(TAB 3)

Action Request: Motion to approve the June 1, 2009 Consent Agenda.

3. PUBLIC HEARING: ORDINANCE NO. 09-993 (M. Barnebey) (TAB 4)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, VACATING 15TH AVENUE DRIVE WEST RIGHT-OF-WAY BETWEEN THE NORTH RIGHT-OF-WAY LINE FOR 10TH STREET WEST AND THE SOUTH RIGHT-OF-WAY LINE FOR 12TH STREET WEST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Reopen the public hearing continued from May 18, 2009. Close the public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 09-993 vacating 15th Ave. Dr. W. between 10th St. W. and 12th St. W., as provided for in Ordinance No. 09-993.

4. PUBLIC HEARING: ORDINANCE NO. 09-994 (M. Barnebey) (TAB 5)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, VACATING THE 9TH AVENUE WEST RIGHT-OF-WAY FROM THE SOUTHERN RIGHT-OF-WAY LINE OF 9TH STREET WEST TO A LINE 153 FEET SOUTH OF THE 9TH STREET WEST RIGHT-OF-WAY LINE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Reopen the public hearing continued from May 18, 2009. Close the public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 09-994 vacating a portion of 9th Ave. W. between 9th St. W. and 8th St. W., as provided for in Ordinance No. 09-994.

5. PURCHASE AGREEMENT BETWEEN THE CITY, SCHOOL BOARD OF MANATEE COUNTY, JUST FOR GIRLS AND BOYS AND GIRLS CLUBS (M. Barnebey) (TAB 6)
Proposed Agreement provides for the sale and transfer of City property at the intersection of 10th Street West and 17th Avenue West consisting of approximately 11.93 acres.

Action Request: Motion to:

- 1. Declare the 11.94 acres of City owned land as identified in the attached Agreement, at the intersection of 10th Street West and 17th Avenue West, as surplus property.**
- 2. Approve and authorize the Mayor to execute the Agreement of Purchase and Sale Between the City of Palmetto, Boys and Girls Club, Just For Girls and the School Board of Manatee County in a form substantially consistent with the attached Agreement.**
- 3. Authorize the Mayor to execute documents related to, or necessary, pursuant to the terms of this Agreement for purchase and sale.**

6. NON-EXCLUSIVE TEMPORARY ACCESS, CONSTRUCTION & STAGING EASEMENT TO THE SCHOOL BOARD OF MANATEE COUNTY (M. Barnebey) (TAB 7)

Easement to allow the placement of a construction trailer and staging area on the proposed Palmetto Elementary School site to prepare for construction, upon closing of the property.

Action Request: **Motion to approve and authorize the Mayor to execute the Non-Exclusive Temporary Access, Construction and Staging Easement to be granted to the School Board of Manatee County in substantially the form attached hereto.**

7. FY2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) (TAB 8)
(T. Lukowiak)

Action Request: **Motion to authorize application for the FY2009 Edward Byrne Memorial Justice Assistance Grant in an amount not to exceed \$28,253.**

8. RESOLUTION NO. 09-24 (J. Freeman) (TAB 9)

Liability claim for a trip and fall incident at the Fishing Pier.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009, AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: **Motion to adopt Resolution No. 09-24.**

9. RESOLUTION NO. 09-25 (J. Freeman) (TAB 10)

FEMA reimbursement for Tropical Storm Fay.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009, AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: **Motion to adopt Resolution No. 09-25.**

10. RESOLUTION NO. 09-26 (A. Tusing) (TAB 11)

Approval to increase the budget for the wastewater treatment plant upgrade, due to required field adjustments in the design of the project piping for the installation of the RAS pump; project approved in the FY08 CIP.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 08-32, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2008-2009, AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: **Motion to adopt Resolution No. 09-26.**

11. CELL PHONE POLICY (J. Freeman) (TAB 12)
Recommendation to approve a new Cell Phone Policy and switch cell phone coverage to Verizon.

Action Request: Motion to revoke Cell Phone Policy 04-03, approve Cell Phone Policy 09-05 and authorize staff to switch to Verizon as the cell phone provider of choice for City cell phone service.

Recess the City Commission meeting to open the June 1, 2009 CRA Board meeting.

Reconvene the June 1, 2009 City Commission meeting.

12. DEPARTMENT HEADS' COMMENTS

13. MAYOR'S REPORT

14. COMMISSIONERS' COMMENTS

15. PUBLIC COMMENTS FOR CITY COMMISSION

Anyone wishing to speak before the City Commission must complete the Speakers Card, stating name, address, and topic to be addressed and be sworn in prior to the meeting. All comments will be limited to two minutes.

16. ADJOURNMENT

If any person desires to appeal any decision of the City Commission, the CRA, or of any other Board of the City, that person will 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 (Fla. Stat. §286.0105).

The City of Palmetto does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status or handicapped status in employment or in the provision of services. Handicapped individuals may receive special accommodation in services on one working day's notice (Fla. Stat. §286.011(6)). Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act should contact the City Clerk by telephone at 941-723-4570, fax 941-723-4576 or e-mail jfreeman@palmettofl.org or dponder@palmettofl.org.

POSTED: MAY 30, 2009