

**PALMETTO CITY COMMISSION  
DECEMBER 7, 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.*

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516 8th Avenue West  
Palmetto, Florida 34221  
<http://www.palmettofl.org>

(941) 723-4570

**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**

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*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.*

Moment of Silence, followed by the Pledge of Allegiance.

PRESENTATION: Certificate of Achievement for Excellence in Financial Reporting

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.

**1. CITY COMMISSION AGENDA APPROVAL**

**Action Request: Motion to approve the December 7, 2009 7:00 PM Agenda.**

**2. CITY COMMISSION CONSENT AGENDA**

A) Minutes: October 26 and November 16, 2009	(TAB 1)
B) November Check Register	(TAB 2)
C) Manatee River Fair Association, Inc. License Agreement (fair booth rental)	(TAB 3)
D) Kirk Pinkerton Special Litigation	(TAB 4)
E) Special Function Permit: Hoffner Private Holiday Party	(TAB 5)

**Action Request: Motion to approve the December 7, 2009 Consent Agenda.**

3. PUBLIC HEARING: ORDINANCE NO. 09-1001 (J. Freeman) (TAB 6)  
AN ORDINANCE OF THE CITY OF PALMETTO AMENDING CHAPTER 29, ARTICLE VII, SECTION 29-207 OF THE CITY CODE OF ORDINANCES, PERTAINING TO THE CITY STORMWATER MANAGEMENT SYSTEM; PROVIDING CLARIFICATION OF FEE AND RESPONSIBILITY FOR STORMWATER MANAGEMENT SERVICE AND RELATED CHANGES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Open public hearing continued from November 16, 2009. Close public hearing after public comment.**

**Action Request: Motion to adopt Ordinance No. 09-1001.**

4. PUBLIC HEARING: ORDINANCE 09-1002 (J. Freeman) (TAB 7)  
AN ORDINANCE OF THE CITY OF PALMETTO AMENDING CHAPTER 22, PERSONNEL, ARTICLE IV, GENERAL EMPLOYEES' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF PALMETTO; AMENDING SECTION 22-82, MEMBERSHIP; AMENDING SECTION 22-84, FINANCES AND FUND MANAGEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

**Open public hearing. Close public hearing after public comment.**

**Action Request: Motion to adopt Ordinance No. 09-1002.**

5. PUBLIC HEARING: APPROVE SALE OF PROPERTY AT 924 5TH STREET WEST, PALMETTO BY THE PALMETTO COMMUNITY REDEVELOPMENT AGENCY AT LESS THAN FAIR MARKET VALUE (M. Barnebey) (TAB 8)

**Open public hearing. Close public hearing after public comment.**

**Action Request: Motion to approve the sale of property at 924 5th Street, West, Palmetto, by the Palmetto Community Redevelopment Agency at less than fair market value, but not less than \$100,000.**

6. RESOLUTION NO. 09-50 (J. Freeman) (TAB 9)  
FY2010 budget resolution to record a grant award from FDOT to resurface 10th St. W. from 14th Ave. W. to 8th Ave. W.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 09-38, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2009-2010, AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Resolution No. 09-50.**

7. APPROVAL: ZNS ENGINEERING WORK ASSIGNMENT #2 (A. Tusing) (TAB 10)  
Construction engineering and inspection services for the resurfacing at 10th St. W. from 8th Ave. W. to 14th Ave. W.

**Action Request: Motion to approve and authorize the Mayor to execute ZNS Engineering, LC Work Assignment #2 for COP Job #09-597, in an amount not to exceed \$4,000.**

8. RESOLUTION NO. 09-51 (J. Freeman) (TAB 11)  
FY2010 budget resolution to record a grant award from FDOT for intersection improvements at 10th St. W. and 14th Ave. W.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 09-38, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2009-2010, AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Resolution No. 09-51.**

9. RESOLUTION NO. 09-52 (A. Tusing) (TAB 12)  
Resolution No. 09-52 is an FDOT resolution wherein the City agrees to maintain Haben Blvd. after FDOT resurfaces the roadway.

**Action Request: Motion to adopt Resolution No. 09-52 which authorizes the Mayor to execute the FDOT Transportation Post Project Maintenance Agreement, FPID #426727 2 52/62 01.**

10. RESOLUTION NO. 09-53 (J. Burton) (TAB 13)  
FY2010 budget resolution to fund the CRA two part time positions and the 6-month extension of the CRA Administrator's contract.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 09-38, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2009-2010, AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Resolution No. 09-53.**

11. RESOLUTION NO. 09-54 (J. Freeman) (TAB 14)  
FY2010 budget resolution to record the increased revenue from FDOT Traffic Signal Maintenance Agreement.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 09-38, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2009-2010, AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Resolution No. 09-54 and authorize the Mayor to execute the FDOT Traffic Signal Maintenance and Compensation Agreement, Amendment #1, Contract No. AM979.**

12. RESOLUTION NO. 09-55 (Mayor Bryant) (TAB 15)  
A RESOLUTION OF THE CITY OF PALMETTO SUPPORTING THE TAMPA BAY REGIONAL PLANNING COUNCIL AS HOSTS OF THE 2012 NATIONAL ASSOCIATION OF REGIONAL COUNCILS ANNUAL CONFERENCE.

**Action Request: Motion to adopt Resolution No. 09-55.**

13. RESOLUTION NO. 09-56 (G. Lowe) (TAB 16)  
FY2010 budget resolution to fund the purchase of children's crime prevention materials.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 09-38, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2009-2010, AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Resolution No. 09-56.**

14. RESOLUTION NO. 09-57 (J. Freeman) (TAB 17)  
FY2010 budget resolution to properly record the sponsorship of Movie in the Park by Bright House Networks.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 09-38, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2009-2010, AND PROVIDING FOR AN EFFECTIVE DATE.

**Action Request: Motion to adopt Resolution No. 09-57 and authorize the Mayor to execute the Letter of Agreement with Bright House Networks.**

*Recess the City Commission meeting to open the CRA Board meeting.*

*Reconvene the City Commission meeting.*

15. APPROVAL: CRA PART TIME OFFICE ASSISTANT (J. Burton)  
If approved by the CRA Board, City Commission must approve the posting of the CRA Part-time Office Assistant position.

**Action Request: Motion to approve the posting of a CRA part time office assistant position at Grade 103, with an entry level hourly wage of \$11.9304.**

16. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)

17. DEPARTMENT HEADS' COMMENTS

18. MAYOR'S REPORT

19. COMMISSIONERS' COMMENTS

20. 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.

21. 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. §286.26) 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: DECEMBER 3, 2009