

**PALMETTO CITY COMMISSION
DECEMBER 21, 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
<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**

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.

RECOGNITION OF ACHIEVEMENT: Cheryl Miller, Sr. Accounting Analyst and
Matt Misco, Accountant
Award of status of Certified Government Finance Officer

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 21, 2009 7:00 PM Agenda.

2. CITY COMMISSION CONSENT AGENDA

A) Minutes: December 7, 2009

(TAB 1)

Action Request: Motion to approve the December 21, 2009 Consent Agenda.

3. SPILL PREVENTION, CONTROL AND COUNTERMEASURES PLAN (A. Tusing) (TAB 2)

Jones Edmunds & Associates Work Assignment #10 for the development of a Spill Prevention, Control and Countermeasures Plan for the city's fuel storage tanks, as required by the Environmental Protection Agency Code of Federal Regulations (CFR), Part 112.

Action Request: Motion to approve and authorize the Mayor to execute Jones Edmunds & Associates, Inc. Work Assignment #10, in an amount not to exceed \$6,400, COP Job #09-610.

4. CRA STRATEGIC PLANNING SPECIALIST (J. Burton) (TAB 3)
Approval of correction in hourly pay rate from \$11.70 to \$15.0427 per hour at Grade 103P, Step 8

Action Request: Motion to approve correction of the Strategic Planning Specialist hourly wage to \$15.0427, Grade 103P, Step 8.

5. FORECLOSURE OF CITY LIEN AT 98 US 41 NORTH (M. Barnebey) (TAB 4)
Foreclosure of a Code Enforcement lien filed July, 2008.

Action Request: Motion to authorize the filing of a lawsuit to foreclose on the City's lien recorded against property located at 98 US 41 North.

6. FORECLOSURE OF CITY LIENS AT 4009 11th ST. CT. W. & 4111 10th ST. W. (M. Barnebey) (TAB 5)
Foreclosure of Code Enforcement liens filed March, April and May, 2008.

Action Request: Motion to authorize the filing of a lawsuit to foreclose on the City's liens recorded against properties located at 4009 11th St. Ct. W. and 4111 10th St. W.

7. KIMLEY HORN LETTER OF AGREEMENT (A. Tusing) (TAB 6)
Agreement to complete engineering and obtain permits for the FRDAP Grant Estuary Park project.

Action Request: Motion to approve and authorize the Mayor to execute the Kimley Horn and Associates, Inc. Letter of Agreement for the Estuary Preserve FRDAP Project A08113, in an amount not to exceed \$20,200.

8. REAPPOINTMENT OF CITY ATTORNEY (Mayor Bryant) (TAB 7)
Reappointment of the firm of Kirk Pinkerton, PA as City Attorney.

Action Request: Motion to approve and authorize the Mayor to execute the Letter of Engagement reappointing the firm of Kirk Pinkerton as City Attorney, for a term ending March 15, 2011, at a general representation fee not to exceed \$17,667 per month.

9. 1st READ & ADVERTISING APPROVAL: ORDINANCE 2010-02 (Carried forward from 4:00 meeting)

AN ORDINANCE OF THE CITY OF PALMETTO AUTHORIZING THE MAYOR, PURSUANT TO THE CITY'S RISK MANAGEMENT AND INSURANCE PROGRAM, TO SETTLE CERTAIN CLAIMS MADE AGAINST THE CITY OF PALMETTO; PROVIDING FOR THE AUTHORITY OF THE MAYOR TO AUTHORIZE THE ISSUANCE OF SETTLEMENT CHECKS; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

Action Request: Motion to approve Ordinance No. 2010-02 for advertising and schedule a public hearing January 4, 2010.

10. 2010-2014 CAPITAL IMPROVEMENT PROGRAM (Carried forward from 4:00 meeting)

Action Request: Motion to approve the 2010-2014 Capital Improvement Program.

11. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)

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. §286.26) 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 17, 2009