

**PALMETTO CITY COMMISSION
JANUARY 4, 2010 - 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.

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 January 4, 2009 7:00 PM Agenda.

2. CITY COMMISSION CONSENT AGENDA

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| A) Minutes: December 21, 2009 | (TAB 1) |
| B) Kirk Pinkerton Special Litigation | (TAB 2) |
| C) Special Function Permit: Palmetto Riverside B&B | (TAB 3) |
| D) Postage Meter Lease Acceptance (Public Works) | (TAB 4) |
| E) Pyrotecnico Contract Renewal (Fireworks display) | (TAB 5) |

Action Request: Motion to approve the January 4, 2010 Consent Agenda.

3. PUBLIC HEARING: ORDINANCE 2010-02 (M. Barnebey) (TAB 6)
AN ORDINANCE OF THE CITY OF PALMETTO AUTHORIZING THE CITY CLERK, 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 CITY CLERK TO AUTHORIZE THE ISSUANCE OF SETTLEMENT CHECKS; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

Open public hearing. Close public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 2010-02.

4. 2010-2014 CAPITAL IMPROVEMENT PROGRAM (A. Tusing) (TAB 7)
Consideration of the topic tabled at the December 21, 2009 meeting.

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

5. REGATTA POINTE SUBLEASE SECOND AMENDMENT AND CONSENTS (M. Barnebey)
Carried forward from 4:00 meeting)

Action Request: Motion to approve and authorize the Mayor to sign the Second Amendment to Agreement of Sublease between the City of Palmetto and VanDerNoord Partners and the Consents to Sublease for VanDerNoord Partners, a Florida general partnership, and Regatta Pointe Investments, LLC, a Florida limited liability company.

6. APPROVAL OF DEMOLITION: 505 11th St. Dr. W. (B. Strollo) (TAB 8)
Request to approve the demolition of property located at 505 11th St. Dr. W. that was condemned on June 24, 2009.

Action Request: Motion to approve the demolition of a structure located at 505 11th St. Dr. W. and to lien the property for all costs incurred.

7. RESOLUTION NO. 2010-01 (Chief Lowe) (TAB 9)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, RATIFYING AND APPROVING THE FUNDING AGREEMENT BETWEEN MANATEE COUNTY AND THE CITY OF PALMETTO PERTAINING TO THE CITY OF PALMETTO LAW ENFORCEMENT VEHICLE PROJECT.

Action Request: Motion to adopt Resolution No. 2010-01.

8. RESOLUTION NO. 2010-02 (J. Freeman) (TAB 10)
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. 2010-02.

9. BID AWARD: 10TH STREET & 14TH AVENUE PROJECT (A. Tusing) (TAB 11)
Reconsideration of prior award of bid to Superior Asphalt and award of bid to Woodruff & Sons, Inc. for the 10th Street and 14th Avenue project.

Action Request: Motion to reconsider the award of the prior award to Superior Asphalt due to the change in the scope of the project and approve and authorize the Mayor to execute a Construction Agreement with Woodruff and Sons, Inc., in accordance with the terms and conditions of the bid package, in an amount not to exceed \$481,640.17, COP Job Nos. 09-597 and 07-576.

10. ELECTION OF VICE MAYOR

Recess the Commission meeting to open the January 4, 2010 CRA Board meeting.

Reconvene the Commission meeting.

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 30, 2009