

**PALMETTO CITY COMMISSION
AND
SPECIAL CRA BOARD MEETING
JUNE 21, 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

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

Shirley Groover Bryant, Mayor

Commission Members

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

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: Government Finance Officers Association's
Distinguished Budget Presentation Award

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 June 21, 2010 7:00 PM Agenda.

2. CITY COMMISSION CONSENT AGENDA

A) Minutes: June 7, 2010
B) Legal billings-Kirk Pinkerton

(TAB 1)
(TAB 2)

Action Request: Motion to approve the June 21, 2010 Consent Agenda.

3. CITIZENS TASK FORCE RECOMMENDATION (J. Freeman)

The Citizens Task Force comprised of two City residents and one City staff member will make a recommendation regarding application for a Ward 1 Phase 2 Community Development Block Grant (CDBG).

Action Request: Motion to accept the recommendation from the Citizens Task Force regarding the Ward 1 Phase 2 CDBG grant application.

4. CDBG 2009 FAIR HOUSING WORKSHOP (J. Freeman) (TAB 3)

Clark Communities, Inc. (CCI) and the City will conduct a Fair Housing workshop for the realtors and property owners. The workshop will provide education regarding the Fair Housing Act and citizen's rights pertaining to the Fair Housing Act.

MOTION: Motion to accept the Fair Housing statement as read.

5. 2ND PUBLIC HEARING FOR THE CDBG GRANT

Commission will accept public comment regarding the City's application for a CDBG grant up to \$750,000. If awarded, the grant will assist the City in funding the Ward I Phase II infrastructure improvement project.

Open the public hearing. Close the public hearing after public comment.

6. RESOLUTION NO. 2010-16 (J. Freeman) (TAB 4)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO AUTHORIZING MAYOR SHIRLEY GROOVER BRYANT TO APPLY TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR APPROVAL OF THE CITY OF PALMETTO'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)-NEIGHBORHOOD REVITALIZATION CATEGORY FFY 2009/2010 APPLICATION, ADOPTING THE PALMETTO COMPREHENSIVE PLAN AS THE CITY'S COMMUNITY DEVELOPMENT PLAN, AND PROVIDING AN EFFECTIVE DATE.

Action Request: Motion to adopt Resolution No. 2010-16.

7. 1ST READ AND ADVERTISING APPROVAL: ORDINANCE NO. 2010-09 (J. Freeman) (TAB 5)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, CREATING A FAIR HOUSING ORDINANCE TO BE CODIFIED IN THE PALMETTO CODE OF ORDINANCES AS THE "FAIR HOUSING CODE;" PROVIDING FOR A DECLARATION OF POLICY TO PROHIBIT DISCRIMINATION IN HOUSING ON THE BASIS OF RACE, COLOR, ANCESTRY, NATIONAL ORIGIN, RELIGION, SEX, MARITAL STATUS, FAMILIAL STATUS, HANDICAP OR AGE; PROVIDING DEFINITIONS; DESIGNATING AS UNLAWFUL CERTAIN DISCRIMINATORY PRACTICES IN THE SALE OR RENTAL OF HOUSING, AS WELL AS IN ADVERTISING IN CONNECTION THEREWITH, IN THE FINANCING OF HOUSING, AND IN BROKERAGE SERVICES RELATED TO EXCEPTIONS; PROVIDING FOR AN ADMINISTRATOR TO BE DESIGNATED AND PRESCRIBING THE GENERAL POWERS AND DUTIES OF SUCH ADMINISTRATOR, PRESCRIBING ACTION UPON A DETERMINATION OF PROBABLE CAUSE, AND AUTHORIZING THE PROMULGATION OF FORMS AND REGULATIONS; MAKING PROVISIONS FOR THE FILING OF COMPLAINTS AND RESPONSES THERETO, AND THE PROCESSING THEREOF BY THE ADMINISTRATOR; PROVIDING FOR ADDITIONAL REMEDIES; PROVIDING FOR PROHIBITING UNTRUTHFUL COMPLAINTS OR FALSE TESTIMONY; PROVIDING FOR PENALTIES FOR VIOLATION OF SUCH CODE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Action Request: Motion to approve Ordinance No. 2010-09 for advertising and schedule a public hearing July 19, 2010.

8. CODE ENFORCEMENT FINE REDUCTION – 1525 17TH ST. W. (J. Freeman) (TAB 6)
On May 17, 2010 Commission deferred action on this Code Enforcement fine reduction request.

Action Request: To be determined by Commission.

9. PUBLIC HEARING: EMERGENCY ORDINANCE NO. 2010-08 (M. Barnebey) (TAB 7)
AN EMERGENCY ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, DECLARING A MORATORIUM AS TO THE FILING AND/OR RECEIVING OF ANY PETITION OR ANY APPLICATION FOR THE ESTABLISHMENT OF PAIN MANAGEMENT CLINICS AS DEFINED HEREIN; PROVIDING THAT SUSPENSION OF ANY SUCH ZONING, PERMITTING AND LICENSING PROVIDING THAT SAID MORATORIUM SHALL BE IN EFFECT FOR A PERIOD OF ONE (1) YEAR OR SHALL TERMINATE ON THE EFFECTIVE DATE OF THE CITY'S ADOPTION OF LAND USE AND DEVELOPMENT REGULATIONS TO REGULATE PAIN MANAGEMENT CLINICS; PROVIDING FOR LEGISLATIVE FINDINGS, INTENT AND PURPOSE; PROVIDING FOR A DEFINITION OF PAIN MANAGEMENT CLINIC; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Open public hearing. Close public hearing after public comment.

Action Request: Motion to find that an emergency exists and adopt Ordinance No. 2010-08.

10. PRESENTATION: DOWNTOWN MOBILITY STUDY FINAL REPORT (TAB 8)
Renaissance Planning Group will give a presentation on the Executive Summary of the Downtown Mobility Study.

11. AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR SCHOOL FACILITY PLANNING (M. Barnebey and A. Tusing) (TAB 9)
This Agreement includes revisions primarily intended to ensure unnecessary school construction does not occur for phantom students and to address recent Legislative changes.

Action Request: Motion to approve and authorize the Mayor to execute the Amended and Restated Interlocal Agreement for School Facility Planning.

12. APPROVAL: ECo CONSULTANTS INCORPORATED CONTRACT (A. Tusing) (TAB 10)
Contract to provide continuing mitigation maintenance and monitoring services.

Action Request: Motion to approve and authorize the Mayor to execute the Eco Consultants Incorporated contract for one year from approval date, in an amount not to exceed \$11,950.

13 APPROVAL: FDOT AGREEMENT (A. Tusing) (TAB 11)
Agreement with the Florida Department of Transportation (FDOT) for the City to provide a conduit system for the installation and maintenance of fiber optics for an Advanced Traffic Management System.

Action Request: Motion to approve and authorize the Mayor to execute the Agreement Between The City of Palmetto And Florida Department of Transportation, FPID #426635-1-52-01, COP Job #04-418

14. FLORIDA LEAGUE OF CITIES (J. Freeman) (TAB 12)
Nomination of a Voting Delegate for the Annual Business Session during the Florida League of Cities Annual Conference.

Action Request: Motion to nominate of Voting Delegate.

15. APPOINTMENT TO METROPOLITAN PLANNING ORGANIZATION (MPO) (Mayor Bryant)

Action Request: Motion to approve the appointment of Mickey Hopkins to the MPO Citizens Advisory Committee for a term ending July 1, 2013.

16. RESOLUTION NO. 2010-17 (J. Freeman) (TAB 13)
Budget resolution to purchase a master meter from water impact fees, for installation at Holy Cross.

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. 2010-17.

17. RESOLUTION NO. 2010-18 (J. Freeman) (TAB 14)
Budget resolution to correctly allocate expense and revenue from the Submerged Land Lease with Regatta Pointe Marina.

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. 2010-18.

18. 1ST READ AND ADVERTISING APPROVAL: ORDINANCE NO. 2010-07 (M. Barnebey) (TAB 15)
AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING THE PALMETTO CODE OF ORDINANCES; PROVIDING FOR AMENDMENT OF THE TIMES ALLOWED FOR THE SELLING OF ALCOHOLIC BEVERAGES WITHIN THE CITY LIMITS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to approve Ordinance No. 2010-07 for advertising and schedule a public hearing for July 19, 2010.

19 1ST READ AND ADVERTISING APPROVAL: ORDINANCE NO. 2010-10 (M. Barnebey) (TAB 16)
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING SUBMISSION OF AN AMENDMENT OF THE CITY CHARTER TO THE VOTERS AT THE NOVEMBER, 2010 GENERAL ELECTION FOR AN AMENDED AND RESTATED CITY CHARTER; PROVIDING FOR THE CREATION AND POWERS OF THE CITY; PROVIDING FOR SECTIONS RELATING TO HEADINGS, DEFINITIONS, THE FORM OF GOVERNMENT, BOUNDARIES, WARDS, LEGISLATIVE POWERS, COMMISSIONERS, COMMISSIONER QUALIFICATIONS AND OFFICE HOLDING, PROVIDING FOR A VICE MAYOR, COMMISSION MEETINGS, REQUIREMENTS FOR A QUORUM AND NEED FOR A MAJORITY VOTE, COMMISSIONER VACANCIES AND REPLACEMENT, PRESIDING OFFICER, ORDINANCES, AND VETOES; PROVIDING FOR THE EXECUTIVE BRANCH, THE MAYOR, APPOINTED OFFICERS, MAYOR QUALIFICATIONS, AND VACANCY AND REPLACEMENT OF THE MAYOR; PROVIDING FOR ELECTIONS, TERMS OF OFFICE AND THE OATH OF OFFICE, RECALL OF ELECTED OFFICIALS, AMENDMENT AND REFERENDUM OF THE CHARTER, EFFECT ON EXISTING RIGHTS AND ORDINANCES, INTERPRETATIONS OF THE CHARTER, CHARTER REVIEW, AND THE EFFECTIVE DATE OF THIS CHARTER; PROVIDING FOR APPROVAL OF A BALLOT QUESTION; PROVIDING FOR APPROVAL OF BALLOT QUESTION TITLE; PROVIDING FOR PUBLICATION; PROVIDING FOR COORDINATION WITH SUPERVISOR OF ELECTIONS; PROVIDING FOR ELECTION DATE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to approve Ordinance No. 2010-10 for advertising and schedule a public hearing July 19, 2010.

20. RFP RECOMMENDATION FOR ENGINEERING SERVICES (A. Tusing) (TAB 17)

MOTION: Motion to accept the recommendation from the RFP Selection Committee of Lombardo, Foley, Kolarik as City Engineer, Wade Trim, PBS & J, Jones Edmunds as additional engineers and authorize staff to begin contract negotiations with each firm for continuing engineering services.

Recess the City Commission meeting to open the June 21, 2010 Special CRA Board meeting.

Reconvene the City Commission meeting.

21. JOB DESCRIPTION APPROVAL (J. Freeman) (TAB 18)
Approval of the CRA Administrator job description.

Action Request: Motion to approve the CRA Administrator job description and authorize advertisement of the position.

22. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)

23. DEPARTMENT HEADS' COMMENTS

24. MAYOR'S REPORT

25. COMMISSIONERS' COMMENTS

26. 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.

27. 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: JUNE 17, 2010