

**TAB 1**

**DRAFT**  
**CITY COMMISSION WORKSHOP MEETING**  
**September 27, 2010**  
**4:30 PM**

Elected Officials Present:

Shirley Groover Bryant, Mayor  
Tamara Cornwell, Vice Mayor, Commissioner-at-Large 2 (entered at 4:40 pm)  
Alan Zirkelbach, Commissioner-at-Large 1  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2 (entered at 5:20 p.m.)  
Brian Williams, Commissioner, Ward 3 (entered 5:45 pm)

Elected Officials Absent:

Scott Rudacille, Chief Assistant City Attorney  
Jim Freeman, City Clerk  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 4:30 p.m.

The agenda was amended to move item #2 to the beginning of the agenda.

1. PROPOSED ORDINANCE NO. 2010-16

Mr. Freeman explained that the proposed ordinance will require mortgage holders of property entering the foreclosure process to register the property with the City. The registration will create a system to contact the mortgage holder to establish responsibility for maintenance of the property. In the event the property is in foreclosure but still owner-occupied, Code Enforcement will initiate proceedings against the owner.

Commission approved of the ordinance, but asked staff to reconsider the filing fee, and to develop language that will place the burden on a mortgage holder to prove that they are not permitted to enter the property for maintenance purposes. Staff will also develop universal signage that must be posted on property under the care of a maintenance company.

Staff will also explore with the Property Appraiser's Office and the Clerk of the Court the possibility of receiving reports that will establish a data base of existing foreclosures and a listing of filed lis pendens.

2. CCI COMMUNITY TAX CREDITS

Debra Golden-Gestner, Capital Philanthropy Group, presented material on the Florida Community Contribution Tax Credit, a program that is written for Enterprise Zones. The program allows cities, counties and non-profits within an Enterprise Zone to solicit or accept money, property, goods and/or services and in return the company making the contribution can receive back a tax credit or cash. She explained how the program works and gave specific examples of how the program has assisted cities and non-profits in the surrounding area. She identified items within the City's budget that can benefit from the program.

Ms. Golden-Gestner suggested that the City and the CRA should each make application to the program, which would typically cost \$50,000, at the time both applications are accepted. The City would have to adopt a resolution acknowledging that all projects under the program would meet the City's Comprehensive Plan. Ms. Golden-Gestner committed to make both applications for a total cost of \$25,000, payable when the applications are accepted.

Additional information regarding the program will be brought back to the next workshop.

Meeting adjourned at 6:10 p.m.

Minutes approved:

James R. Freeman, City Clerk


**CITY OF PALMETTO  
CITY COMMISSION MEETING  
September 27, 2010  
7:00 PM**

Elected Officials Present:

Shirley Groover Bryant, Mayor  
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

Staff Present:

Mark Barnebey, City Attorney  
Jim Freeman, City Clerk  
Allen Tusing, Public Works director  
Rick Wells, Chief of Police  
Diane Ponder, Deputy Clerk-Administration

 Mayor Bryant called the meeting to order at 7:03 p.m. followed by An Invocation and the Pledge of Allegiance.

Swearing-in of all persons intending to address City Commission.

Public Comment (non-agenda items): None

 1. CITY COMMISSION AGENDA APPROVAL

**MOTION: Commissioner Varnadore moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve the September 27, 2010 7:00 PM Agenda.**

Mayor Bryant introduced Jason Harper, participant in the Leadership Manatee program.

 2. CITY COMMISSION CONSENT AGENDA

- A) Minutes: September 13, 2010 Workshop and Commission
- B) Manatee River Fair Association License Agreement for Exhibitors & Concessionaires
- C) Kirk Pinkerton Legal Billing
- D) Special Function Permit: PHS Homecoming Parade  
1<sup>st</sup> Baptist Church Fall Festival
- E) Noise Exception Permit: 2<sup>nd</sup> Bi-Annual Palmetto Blues Fest

A typographical error was noted in the Workshop and Commission minutes. The Commission minutes were corrected to reflect that on item #5, Commissioner Cornwell abstained from the vote, not Commissioner Varnadore.

**MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded to approve the September 27, 2010 Consent Agenda, with amendments as stated.**

Commissioner Varnadore removed the Noise Exception Permit. She requested that there be a caveat to the permit that the music level will be reduced if calls are received after 10:00 pm. Mr. Williams also stated it would be beneficial if the music speakers face north.

**Commissioner Zirkelbach amended his motion to include the caveat. Commissioner Williams seconded and the motion on the floor carried 5-0.**

 3. PUBLIC HEARING – TENTATIVE MILLAGE RATE AND TENTATIVE FISCAL YEAR 2011 BUDGET

Mayor Bryant opened the public hearing to discuss the final millage rate and final FY 2011 budget.

- The Fiscal Year 2011 operating millage is 4.6662 mills, which is less than the rolled back rate of 5.3916 mills by 8.82%.
- Overall ad valorem revenues have declined as a result of decreases in property values throughout the City.
- The proposed final budget for the General Fund is \$9,500,523 and the City-wide budget including CRA is \$26,450,785.

Mayor Bryant invited public comment. After none, Mayor Bryant closed the public hearing.

A) RESOLUTION NO. 2010-28 (read in its entirety)

A RESOLUTION OF THE CITY OF PALMETTO OF MANATEE COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF PALMETTO FOR FISCAL YEAR 2011; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Zirkelbach moved, Commissioner Varnadore seconded and motion carried 5-0 to adopt Resolution No. 2010-28.**

B) RESOLUTION NO. 2010-29 (read in its entirety)

A RESOLUTION OF THE CITY OF PALMETTO OF MANATEE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2011; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Williams moved, Commissioner Zirkelbach seconded and motion carried 5-0 to adopt Resolution No. 2010-29.**

 4. LAND CONTRACTS RELATED TO THE BALL FIELDS AND 23<sup>RD</sup> STREET REALIGNMENT

Special Counsel Michael Hankin informed Commission that since the last meeting, the issue of reimbursement to Manatee Fruit Company for construction of 10<sup>th</sup> Avenue has been resolved. The agreement has been amended to reflect that the City will be obligated to reimburse Manatee Fruit Company for the construction of 10<sup>th</sup> Avenue to the extent they are not eligible for transportation impact fee credits and to the extent the funds are allocated and available in the City's budget. Amending language has also been added requiring that Manatee County maintain the ball fields at the same level as all other fields in the county.

Mr. Hankin briefly described the responsibilities of each party involved in the agreements:

Manatee Fruit Company:	Provide the land for the projects
Manatee County:	Maintain the ball fields, subject to budget available
City of Palmetto:	Construction of the 23 <sup>rd</sup> St. realignment and vacation of existing 23 <sup>rd</sup> St., surveys, appraisals, title work, impact fee credits, Comp Plan amendments, attorney fees

Attorney Barnebey informed Commission the School Board approved both agreements during their meeting this evening.

Attorney Barnebey stated that the approval or disapproval of the agreements, as written today, will not violate the resolution that was adopted several years ago. The project as it exists today is much broader than was anticipated.

**MOTION:** Commissioner Cornwell moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Dedication Agreement Between Manatee Fruit Company, Inc. and City of Palmetto.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Agreement Regarding the Transfer of Lands and Construction and Operation of Park Facilities Among Manatee Fruit Company, Inc., Manatee County, the City of Palmetto, and the School Board of Manatee County.

Manatee County will consider the agreement on October 7, 2010.



**5. APPOINTMENT: POLICE PENSION BOARD OF TRUSTEES**

City Commission appointment to the Police Officers' Pension Plan Board of Trustees and ratification of the Board of Trustees' election of the 5<sup>th</sup> Trustee.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to ratify the election of Michael J. Fuller as the 5<sup>th</sup> Trustee of the Police Officers' Pension Plan Board of Trustees, for a term ending January, 2012.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 5-0 to appoint Larry Denyes as a Trustee of the Police Officers' Pension Plan Board of Trustees, for a term ending January, 2012.



**6. CONTRACT APPROVAL: COVERALL CLEANING CONCEPTS (J. Freeman) (TAB 9)**

Approval of the final one-year renewal of the City Hall and Public Works Department contract for janitorial services, with prices remaining the same as last year. Mr. Freeman stated that the correct contract with the change to item #7 regarding automatic renewal has been received.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Coverall North America, Inc. d/b/a Coverall Health-Based Cleaning System contracts for City Hall in an amount not to exceed \$6,780 and for Public Works in an amount not to exceed \$7,860, each for a term ending November 1, 2011.

Discussion: The correct version will be executed and placed in City files.



**7. CONTRACT APPROVAL: LEX'S AUTOMOTIVE & 4 WHEEL DRIVE REPAIR, INC.**

Approval of a one-year contract for the maintenance and repair services for the Police Department fleet. Chief Wells informed Commission that Lex's Automotive was the only responder to the request for quotes; listing their prices at the same level as last year.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Agreement for Automobile Maintenance and Repair Services with Lex's Automotive & 4 Wheel Drive Repair, Inc. for a period ending September 30, 2011 in an amount not to exceed \$45,000.



**8. APPROVAL: ONE TIME PAYMENT IN LIEU OF SALARY INCREASE**

A proposed one time payment to eligible employees in lieu of salary increase. Mrs. Simpson stated that the total cost of the payment would increase by \$18,000. The initial understanding regarding the proper way to reflect the payment on employees' W2's was incorrect, necessitating the increase in the total cost. Projected surplus will still support the additional expense.

**MOTION:** Commissioner Williams moved, Commissioner Zirkelbach seconded and motion carried 5-0 to approve a one-time payment in lieu of a salary increase to eligible employees as of September 30, 2010 in the net amount of \$1,000 for full time employees, \$500 for part time employees and \$100 for crossing guards, not to exceed \$153,828 and to be funded by projected surpluses in Fiscal Year 2010.



9. RESOLUTION NO. 2010-27

Budget amendment from the CRA transferring \$1,527,765 for the Ward I Phase II project. A \$750,000 CDBG Grant will contribute to the funding of the project. Mr. Freeman confirmed that the \$750,000 grant will be used solely for the project.

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.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to adopt Resolution No. 2010-27.



10. RESOLUTION NO. 2010-30

A RESOLUTION OF THE CITY OF PALMETTO, FLORIDA OPPOSING THE PROPOSAL BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO ENACT NEW NUMERIC NUTRIENT WATER QUALITY STANDARDS TO BE APPLICABLE FOR ALL LAKES, STREAMS AND OTHER FLOWING CLASS III WATERS LOCATED IN AND ADJACENT TO THE STATE OF FLORIDA AS AN AMENDMENT TO 40 CFR PART 131.43 AND THE CLEAN WATER ACT, SECTION 303(c); PROVIDING FOR REPEALER; PROVIDING AN EFFECTIVE DATE.

**MOTION:** Commissioner Lancaster moved, Commissioner Cornwell seconded and motion carried 5-0 to adopt Resolution No. 2010-30.



11. CDBG CONTACT AWARD-WARD I PHASE II

Mr. Freeman stated that \$60,000 of the \$750,000 grant is administrative fees; therefore, Resolution No. 2010-27 needs to be corrected to show the amount of the transfer as \$1,587,765.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to reconsider Resolution No. 2010-27.

**MOTION:** Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to Adopt Resolution No. 2010-27, changing the number in sections 1, 2 and 3 from \$1,527,765 to \$1,587,765.

Mr. Freeman discussed the DCA award letter and the next steps the City must undertake before the project can begin. Mrs. Simpson acknowledged that a single audit will have to be performed for FY2010, and she is negotiating the fee with the City's auditor.

**MOTION:** Commissioner Cornwell moved, Commissioner Williams seconded and motion carried 5-0 to accept, approve and authorize the Mayor to sign the 2009 Small Cities Community Development contract 11DB-L4-08-51-02 in the amount of \$750,000.



12. POLICE DEPARTMENT COMPUTER AIDED DISPATCH (CAD) UPGRADE

Mr. Freeman outlined the reasons why staff is recommending that the proposal from USA Software be considered a sole source purchase, including the fact that USA Software was the only vendor found that

**MOTION:** Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to approve and accept the sole source proposal from USA software in the amount of \$100,003.45 to purchase the CAD system upgrades and authorize the Mayor to sign the applicable documents, as required.

Commissioner Zirkelbach departed the meeting.

13. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)

Mr. Tusing commented on the approval of the contracts for the project. They will now be submitted to the County Commission for approval.

Debra Gestner discussed the next steps in the CDBG and Road Trust Fund grant applications for the project.

14. DEPARTMENT HEADS' COMMENTS

Mr. Woodard reported on the Haben Blvd. roundabout. It is hoped the bid will go out in the near future.

Mr. Freeman

Thanked Commission for the one time payment.

The \$250,000 EECBG Grant contract will come before Commission on October 4, 2010.

Reported receipt of notification of approval on the \$250,000 Florida Clean Air Energy Grant. The Florida Climate Commission was scheduled to approve the staff recommendation today.

Staff is working to publish a request for quote for administrative services for both grants. Glenn Clover, the grants writer, has moved and advised he will not be able to participate in the request.

Chief Wells

Commended Officer Chad Oyler for his an arrest in the 12<sup>th</sup> St. Dr. W homicide. Discussing the mapping that is being used by the department and the movement of personnel to areas identified by the mapping, he reported an arrest in the vehicle break-ins that have been occurring in the Palmetto Mobile Home Park. The Commission asked that Chief Well express their appreciation to his department.

Attorney Barnebey

Discussed the topics on which his department is working. Mayor Bryant commended all the attorneys involved in the 23<sup>rd</sup> Street and ball field projects.

15. MAYOR'S REPORT

Reported SWFWMD has given final approval on the Splash Park.

Thanked Veolia for the supply of water for Commission.

Staff is updating the Hurricane Emergency Plan for City. Mr. Koper will bring Mr. Marble to a meeting to talk about Commission's role in the event of emergency

16. COMMISSIONERS' COMMENTS

Mrs. Lancaster

Reported on the Children's Summit.

Reported that school buses are going through Palmetto Trailer Park.


16. COMMISSIONERS' COMMENTS

 Mrs. Lancaster

Reported on the Children's Summit.

Reported that school buses are going through Palmetto Trailer Park.


She reported on an issue that has been brought forward regarding her residency. She reported she has delivered papers regarding the topic to the City Attorney. She stated that if the paperwork delivered to City Hall has been distributed to Commission, she did not receive a copy. She stated she is a legal resident of the City.

 Attorney Barnebey stated he had not planned to bring the item forward. As requested by the Mayor, he will look at the documents. One line in the mortgage stated the primary residence of the mortgage holder would be in Duval County; the property is in Gadsen County. Mayor Bryant stated the documents were not copied to City Commission, she requested Attorney Barnebey look into the issue to see if there was any obligation on the City's part.

 Ms. Cornwell

Applauded everyone involved in budget this year. She stated being proactive in grant applications and watching expenses enabled the one time payment for the employees.


Thanked Commissioner Lancaster for attending the Children's Summit.

 Ms. Varnadore

Offered congratulations to the Police Department for a job well done.

Commented on the construction at McDonalds, referring to site's non-conforming sign. Mr. Tusing stated his understanding of the project is that it will not replace 51% of the existing structure; therefore, the signage can remain as non-conforming. McDonalds is not doing the entire project proposed several years ago, they are only removing the playground and front façade.

Requested that the letter the Commission made a motion to send to the County Commission regarding constructions costs related to the ball fields be executed.

 Mr. Williams

Commended staff for their joint efforts on the budget.

Opined that the Police Department's success goes along with departmental coordination. It is apparent everyone is working together.

The one time payment to employees is very necessary in light of the fact no raises have been given in the last three years.

Debra Gestner requested that Commissioners contact her with any questions regarding the tax credit program. She anticipates the draft application to get the City approved for the program will be brought back to the next workshop.

Meeting adjourned at 8:50 p.m.

Minutes approved:

James R. Freeman  
City Clerk



**DRAFT**  
**CITY COMMISSION WORKSHOP MEETING**  
**October 4, 2010**  
**4:30 PM**

Elected Officials Present:

Shirley Groover Bryant, Mayor  
Tamara Cornwell, Vice Mayor, Commissioner-at-Large 2 (entered at 4:40 p.m.)  
Alan Zirkelbach, Commissioner-at-Large 1  
Mary Lancaster, Commissioner, Ward 1  
Tambra Varnadore, Commissioner, Ward 2  
Brian Williams, Commissioner, Ward 3

Staff Present:

Mark Barnebey, City Attorney  
Jim Freeman, City Clerk  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 4:31 p.m., followed by a Moment of Silence and the Pledge of Allegiance.

Item #2 was moved to be considered first on the agenda.

2. DISCUSSION: AGRICULTURAL MUSEUM

In 1997 the City executed a 50-year lease, with the opportunity for renewal for an additional 50 years. In 2007 an Interlocal Agreement between the City, Palmetto Historical Commission, Manatee Ag Museum and Manatee County Clerk of the Circuit Court was executed. Questions were raised during the budget discussion regarding the City's payment of utilities. Mayor Bryant pointed to the area of the Interlocal Agreement that states it supersedes the agreement executed in 1997. Attorney Barnebey opined the Interlocal Agreement clearly states that the City is responsible for the utilities until 2017. The topic will not be considered again until the agreement's renewal date.

1. FLORIDA COMMUNITY CONTRIBUTION TAX CREDIT PROGRAM

Debra Gestner, Capital Philanthropy Group, informed the Mayor she would not be able to attend the meeting, but will be present at the meeting scheduled for Thursday to discuss the ball field project. She will make herself available on Thursday to meet individually with the Commissioners to discuss the grant application.

Regarding the Florida Community Contribution Tax Credit Program, Mayor Bryant suggested that the City should base any payment for writing the application on the percentage of return the City would receive. Other concerns were raised regarding how the renewal requirements.

Mayor Bryant encouraged the Commissioners to contact Ms. Gestner to further discuss the benefits the City could derive from participating in the program.

Mr. Freeman stated that Commission had given authorization to execute the \$250,000 EECB grant contract awarded by the Florida Clean Air Energy Commission. The agency has acknowledged receipt of the executed contract and has advised the City to implement the items under the grant. This grant will fund wastewater treatment plant upgrades, IT equipment, an energy study and lighting at City Hall.

Palmetto City Commission  
Workshop Meeting  
October 4, 2010  
Page 2 of 2

He also informed Commission that the second Florida Clean Air Grant the City had applied for was also approved for \$287,000. It is anticipated the contract will be presented to City Commission in the near future, and funding will begin in the early part of next year. This grant will fund new HVAC units city wide and the electric car and charging station at City Hall.

The ball fields are scheduled to go to County Commission on Thursday. Should approval happen, there will be one month due diligence period. The grant application can be submitted as soon as the contracts are signed.

Training on the Commissioners laptops will be scheduled. Staff will research the possibility of software that will allow Commissioners the ability to make notes on the agenda materials. It was suggested that staff should explore the possibility of attaching the netbooks into the existing monitors.

The car allowance for the Mayor will be discussed at the next workshop. Attorney Barnebey was asked to provide an opinion on the matter and to develop an amount that is adequate to cover actual mileage and personal vehicle use. It was consensus of Commission to grant the allowance.

Mayor Bryant will contact the Imagine Charter School regarding the bus that is traversing through the Palmetto Mobile Home Park.

Meeting adjourned at 5:20 p.m.

Minutes approved:

James R. Freeman  
City Clerk

**PALMETTO CITY COMMISSION**  
**October 4, 2010**  
**7:00 PM**

Elected Officials Present

Shirley Groover Bryant, Mayor  
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

Staff Present:

Mark Barnebey, City Attorney  
Jim Freeman, City Clerk  
Allen Tusing, Public Works Director  
Rick Wells, Chief of Police  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the meeting to order at 7:00 p.m., followed by a Moment of Silence and the Pledge of Allegiance.

Proclamation: National Domestic Violence Month

Accepting: Deni Stolze, Shelter Advocate  
Laurel Lynch, Executive Director/CEO  
Hope Family Services

DeSoto Young Marines

Accepting: Tony Rosado, Unit Commander, DeSoto Young Marines  
Cpl. Devin Bloome

Swearing-in of all persons intending to address City Commission.

Public Comment (non-agenda items): None

1. CITY COMMISSION AGENDA APPROVAL

Item 2C, Special Function Permit for Palmetto Art Center, was added to the Consent Agenda.

**MOTION: Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried to approve the October 4, 2010 7:00 p.m. agenda with the addition of item 2C.**

2. CITY COMMISSION CONSENT AGENDA

- A) Minutes: September 20, 2010 Workshop
- B) Noise Exception Permit: Palmetto Art Center
- C) Special Function Permit: Palmetto Art Center

**MOTION: Commissioner Zirkelbach moved, Commissioner Cornwell seconded and motion carried 5-0 to approve the October 4, 2010 Consent Agenda.**

3. RESOLUTION NO. 2010-31

The resolution will adjust revenues and expenses for the year-end closing.

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.

**MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 5-0 to adopt Resolution No. 2010-31.**

**4. ACCEPTANCE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)**

A) The JAG Grant is a non-matching grant that will fund the purchase of software and its installation for current Palmetto Police radios, to ensure continued communication between the department and Manatee County Sheriff's Office.

**MOTION: Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to accept the Department of Justice FY10 Edward Byrne Memorial Justice Assistance Grant in the amount of \$27,600 and authorize the Mayor to execute the grant agreement.**

**B) RESOLUTION NO. 2010-32**

Resolution 2010-32 will establish the budget for the JAG Grant.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING RESOLUTION NO. 2010-29, WHICH RESOLUTION ADOPTED THE BUDGET FOR FISCAL YEAR 2010-2011, AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: Commissioner Lancaster moved, Commissioner Zirkelbach seconded and motion carried 5-0 to adopt Resolution No. 2010-32.**

**5. INTERLOCAL AGREEMENT FOR CONSTRUCTION OF 17<sup>TH</sup> STREET WEST CONDUIT SYSTEM**

An agreement with the School Board of Manatee County to jointly fund, design and construct an underground fiber optic network along 17<sup>th</sup> St. W. from Business 41 to Public Works. In 2005 the City entered an agreement to sell two parts of the existing fiber optic conduit to the School Board. The joint venture will relocate the conduit system as part of the 17<sup>th</sup> Street project.

**MOTION: Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Interlocal Agreement with the School Board of Manatee County for Construction of 17<sup>th</sup> Street West Conduit System, in an amount not to exceed \$21,429.92 for the City's portion of the project.**

**6. VEOLIA WATER CONTRACT EXTENSION**

Extension of the Veolia Water contract for the operation, maintenance and management services for the wastewater facility for an additional two year period. Attorney Barnebey informed Commission that Veolia has signed off on the agreement.

**MOTION: Commissioner Zirkelbach moved, Commissioner Williams seconded and motion carried 5-0 to approve and authorize the Mayor to execute the Extension of Agreement for Operations, Maintenance and Management Services for the City of Palmetto Wastewater Facility and Lift Station for a term ending December 31, 2012.**

**7. AWARD OF BID FOR WARD I PHASE II PROJECT**

Award of bid to Gator Grading and Paving, LLC for the Ward I Phase II project. Bids from seven contractors were received, ranging from \$2,277,764.50 to \$4,669,735.26. Mr. Tusing recommended awarding the bid to the lowest responsive bidder. A contract will be brought back to Commission for approval.

**MOTION: Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to award the Ward I Phase II bid to Gator Grading and Paving, LLC in the amount of \$2,277,764.50 and authorize preparation of the contract documents.**

Mayor Bryant recessed the City Commission meeting at 7:23 p.m. to open the October 4, 2010 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 7:26 p.m.

awarding the bid to the lowest responsive bidder. A contract will brought back to Commission for approval.

**MOTION: Commissioner Zirkelbach moved, Commissioner Lancaster seconded and motion carried 5-0 to award the Ward I Phase II bid to Gator Grading and Paving, LLC in the amount of \$2,277,764.50 and authorize preparation of the contract documents.**

Mayor Bryant recessed the City Commission meeting at 7:23 p.m. to open the October 4, 2010 CRA Board meeting.

Mayor Bryant reconvened the City Commission meeting at 7:26 p.m.

8. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)

Reported the committee will be meeting to review the final two contractors. The meeting with the County regarding the documents will be Thursday morning. Attorney Barnebey informed Commission the School Board and Mr. Preston have executed the agreements. Mr. Tusing stated the recommendation will be available by the next meeting. He stressed that no notice to proceed will be issued until after funding has been secured for the project and until the property has been acquired. Mayor Bryant stated Commissioners will be asked to use all available contacts to gather letters of support for the project.

9. DEPARTMENT HEADS' COMMENTS

Mr. Barnebey – No report.

Mr. Tusing – No report.

Mr. Freeman – No report.

Chief Wells

Reported the Police Department has opened a resource center at Oakridge Apartments in a duplex that was donated. CRA has assisted in the endeavor, and people are in place providing services for the community.

10. MAYOR'S REPORT

Reported she will continue to update Commission between meetings by email and asked that they not reply.

11. COMMISSIONERS' COMMENTS

Mrs. Lancaster

Reported that the pool came up again during the Enterprise Zone meeting.

Ms. Varnadore

Inquired if all railroad crossings have gates, because of the duration the train whistle is blown. Mr. Tusing confirmed all crossing are gated, but the train engineer is required to blow the whistle numerous times to make sure everyone is aware the train is approaching a crossing.

Meeting adjourned at 7:35 p.m.

Minutes approved:

James R. Freeman  
City Clerk