

**CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE**

AGENDA

August 16, 2010

7:00 P.M.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. Great Brooksvillian Selection

Review and selection of nominations for the 2010 award nominees as recommended by the Screening Committee.

Presentation: City Clerk and Screening Committee Chair

Attachments: Memo from City Clerk dated 08/04/10, Recommendations of the Screening Committee will be distributed to Council at the meeting

D. CITIZENS INPUT

E. CONSENT AGENDA

1. Advisory Board Appointments

Consideration of appointments for vacancies to the Cemetery Advisory Committee, Brooksville Housing Authority and Planning and Zoning Commission.

2. Water Meter Reading Equipment

Authorization to purchase meter reading equipment for an amount not-to-exceed \$15,430.

3. Donation of Surplus Equipment

Consideration of request to donate surplus equipment.

4. Conflict Waiver

Consideration of waiver of conflict regarding Gary Quilling.

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Memo from City Clerk dated 08/05/10, Applications; 2) Memo from Interim Director of Public Works and Director of Finance dated 07/28/10, Quote, Letter of Authorization to Piggy-back off Hernando County Bid, Contract; 3) Memo from Fire Chief dated 08/16/10, Picture, Request; 4) Memo from City Attorney dated 08/09/10

F. PUBLIC HEARINGS

- Entry of Proof of Publication into the Record

1. **Ordinance No. 812 – Cemetery Annexation**

Consideration of voluntary annexation of 51.50 acres ±, located north of Olmes Road and south of Mondon Hill Road between Champion Drive and Jasmine Drive.
[First Reading 08/02/10]

Presentation: Director of Community Development
Recommendation: Approval of **Second Reading** of Ordinance No. 812 upon roll call vote
Attachments: Memo from Director of Community Development dated 08/03/10, Area Map, Proposed Ordinance with Property Map, Petition

G. REGULAR AGENDA

1. **Ordinance No. 813 – Brooksville Cemetery Annexation**

Consideration of voluntary annexation of 7.04 acres ±, located north of Olmes Road and east of Champion Drive.

Presentation: Director of Community Development
Recommendation: Approval of **First Reading** of Ordinance No. 813 upon roll call vote and schedule second reading for 09/20/10
Attachments: Memo from Director of Community Development dated 08/03/10, Proposed Ordinance, Map, Petition

2. **Resolution No. 2010-13 to Florida Department of Transportation (FDOT) – Annual Veteran’s Appreciation Parade Route**

Consideration of approval of Resolution supporting the Annual Veteran’s Appreciation Parade route and closing of State Road 50/Jefferson Street and U.S. Highway 41/Broad Street.

Presentation: Interim Director of Public Works
Recommendation: Motion to Approve Resolution No. 2010-13
Attachments: Memo from Interim Director of Public Works dated 08/04/10, Proposed Resolution, Map of Parade Route

3. **Sewer Rehabilitation Project Change Orders 4-7**

Consideration of change orders for adjustment of quantities and time extensions.

Presentation: Interim Director of Public Works
Recommendation: Approval of Contract Adjustments
Attachments: Memo from Interim Director of Public Works dated 08/02/10, Memo from Cardno TBE dated 07/30/10, Change Orders 4, 5, 6 and 7, Project Summary Sheet

4. **Hernando County Fair Association**

Discussion of Attorney General Opinion and process to move forward.

Presentation: City Attorney and Director of Community Development
Recommendation: Direction to Staff
Attachments: Memo from City Attorney dated 07/19/10, Attorney General Opinion

5. **Foreclosure of Liens**

Consideration of Foreclosure of Liens for unpaid property maintenance costs for properties located at 606 Harar Avenue and 409 Cook Avenue.

Presentation: City Attorney
Recommendation: Approval or Direction to Staff
Attachments: Memo from City Attorney dated 08/09/10

H. **CITIZENS INPUT**

I. **ITEMS BY COUNCIL**

J. **ADJOURNMENT**

CORRESPONDENCE TO NOTE

Meeting agendas and supporting documentation are available from the City Clerk's office, and on line at www.cityofbrooksville.us. Persons with disabilities needing assistance to participate in any proceedings should contact the City Clerk's office 48 hours in advance of the meeting at 352/540-3810.

Any person desiring to appeal any decision with respect to any matter considered at this meeting, may need a record of the proceedings including the testimony and evidence upon which the appeal is to be based, and therefore must make arrangements for a court reporter to ensure that a verbatim record of the proceedings is made.

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City of Brooksville

MEMORANDUM

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager

From: Janice L. Peters, CMC, City Clerk

Subject: Great Brooksvillian Selection

Date: August 4, 2010

Nominations for the 2010 "Great Brooksvillian of the Year" closed on June 25, 2010. Eight nominations were received – Helga Curtis; Sarah F. Davis; Wayne D. Johnson, Dorothy Mason; Joseph M. Mason, Jr.; Bill McCollum; Daniel Merritt, Sr., and Dan Patrick.

Pursuant to Official Policy No. 3-2008, the Screening Committee met to review the nominations to make sure the applicants met the selection criteria and to make their recommendations to City Council. Their recommendations will be presented to Council at the meeting.

The official award ceremony will be conducted during the 2010 Founder's Week Celebration, October 11-16, 2010, and is currently scheduled to be held in conjunction with the Fall City Hall Art Reception on Thursday, October 14, 2010.

SB Financial Impact

As long as the event is held in conjunction with the above referenced Art Reception, the financial impact is nominal (basically the cost of the award plaques and invitations/mailings budgeted at approximately \$200.00).

Legal Impact

Process pursuant to provisions of Official Policy No. 3-2008.

Recommendation

Council selection of the 2010 "Great Brooksvillian of the Year".



Memorandum

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager

From: Janice L. Peters, CMC, City Clerk

Subject: Advisory Board Positions

Date: August 5, 2010

The following advisory board positions are subject to appointment due to expiring terms and resignations. The vacancies were posted on the City's website as well as to the media.

As a result, the following applications are being submitted to City Council for consideration of appointment as follows:

- a) Brooksville Housing Authority
One (1) position to fill an expired 4-year term of office through June 30, 2014.

James V. Brooks, Jr. Current Member Reapplying
- b) Cemetery Advisory Committee
One (1) position to fill an unexpired term of office through December 31, 2011.
This vacancy is due to the resignation of a member.

Kathleen Anne Hudak City Resident and Cemetery Volunteer
- c) Planning & Zoning Commission
One (1) Alternate position to fill an unexpired 4-year term of office through December 31, 2013

Robert Battista City Resident and New Applicant

JB Financial Impact

None.

JL Legal Impact

Council has the authority pursuant to per Sec. 2-261 of the City's Code of Ordinances to appoint any advisory board composed of persons who shall be deemed qualified to act in an advisory capacity. Official Policy 4-2008, adopted by the City Council, sets forth the procedure for creation, appointments, reappointments, replacements, and removal from office for advisory board members.

Recommendation

Staff recommends appointment of members to the positions indicated.

BROOKSVILLE HOUSING AUTHORITY

The Brooksville Housing Authority Board is appointed by the Mayor of the City of Brooksville with approval of City Council, as set forth in F.S. 421.05. The Authority consists of seven voting members. All reasonable efforts will be made to seek applications from residents within the housing complex to serve on this board, striving to appoint two resident members* if possible. This commission is a decision-making public body, responsible for setting policy, guidelines and budgets for total management, operation and maintenance of the Housing Authority properties pursuant to Chapter 421, Florida Statutes, and any state and federal laws, rules and regulations applicable to the operation of a housing project via public funding sources. The terms of office are for 4-year terms.

(Resolution No. 256 adopted January 29, 1968 and Resolution No. 91-10 increasing number of members. Note: Res. #2003-06 adopted 5/5/03 rescinded provisions for alternate members).

The following list represents the members of the Brooksville Housing Authority Board. Their addresses and phone numbers are as follows:

Brian L. Adair, 15542 Eastwood Trail, Brooksville, FL 34604; 799-3892 (Home), 796-0300(Work); E-mail: brianadair@bellsouth.net. Appointed December 17, 2007, to an unexpired 4-year term of office through May 31, 2011.

James V. Brooks, Jr., 6400 Quarterhorse Ln., Brooksville, FL 34604; 796-5017 (home), 585-2928 (wk); E-mail: brooks@nextconnect.net. Appointed August 20, 2007, to a 3-year term of office expiring on June 30, 2010.

Clifford E. Manuel, Jr., VICE-CHAIRMAN 966 Candlelight Blvd., Brooksville, FL 34601; 799-3303 (home), 796-9423 (wk); E-mail: cliff@coastal-engineering.com. Re-appointed July 6, 2009, to a 4-year term of office expiring on June 30, 2013.

Gary E. Schraut, 702 S. Broad St., Brooksville, FL 34601; 799-3000 (Work); E-mail: gary@schraut.com. Re-appointed June 16, 2008 to a 4-year term of office expiring June 30, 2012.

Francine S. Ward, 508 Underwood Ave., Brooksville, FL 34601; 754-1087 (Home), 796-1425(Work); E-mail: ward@mfc.us.com. Appointed December 17, 2007, to an unexpired 4-year term of office through May 31, 2011.

Yvette D. Taylor*, 814 Continental Drive, Brooksville, FL 34601; 397-3697 (home), 544-4983 (wk), 238-9059 (cell); E-mail: ytaylor1970@yahoo.com. Appointed August 20, 2007, to a four year term of office expiring June 30, 2011.

Randy Woodruff, CHAIRMAN, 801 S. Broad St., Brooksville, FL 34601; 799-8514 (Home), 796-3224 (Work); E-mail: randy@wwnccpa.com. Appointed December 17, 2007, to an unexpired 4-year term of office through May 31, 2011.

Brooksville Housing Authority Ex-officio & Support Staff - 800 Continental Dr., Brooksville, FL 34601 796-6547.

Tommy L. Brooks, Executive Director; email tlbrooks@tampabay.rr.com

Alice Beatty, BHA Office Secretary, abeatty1@tampabay.rr.com

Nicki Braz, BHA Property Manager, nbraz@tampabay.rr.com

City of Brooksville Application
for City Advisory Board/
Committee Appointment

Revised
3/7/08
Confirmed all
info same with
Mr. Brooks 7/6/10
KHA

PLEASE TYPE OR PRINT

FULL NAME: Mr./Mrs./Miss/Ms. James V. Brooks Jr

ADDRESS: 6400 Quarterhorse Ln
Brooksville FL 34604

PHONE NO: Home (352) 796-5017 Work (352) 585-2928

E-MAIL ADDRESS: brooks @ next connect.net

RESIDENT OF THE CITY OF BROOKSVILLE: Yes _____ No

REGISTERED VOTER: Yes No _____ VOTER ID #: 104387873

PRESENT EMPLOYER: Owner Brooks Tree & Land Service

EMPLOYER'S ADDRESS: 6400 Quarterhorse Ln Brooksville FL 34604

EDUCATION: Hennardo
PHCC
HCC

(Use back of form for additional information)

EXPERIENCE (DETAILED) RELEVANT TO BOARD/COMMITTEE POSITION: _____
(Please do not substitute "many boards" for experience.)

Past Pres Hennardo County Housing Authority
Past Pres Hennardo County Fair Board, Chair of City
Parks and Rec Board, Pres Del Oaks Homeowner Board

(Use back of form for additional information)

REFERENCES (3 MINIMUM) (NAME AND PHONE NUMBER): _____

Laine Brayko 352-584-7413 -
Daniel Revennagh 352-796-4550 - Alan Gorman 352-584-3890

Applicants must be registered voters in the State and preferably residents of the City of Brooksville. However, applicants for the Personnel Board, Planning and Zoning Board, the Firefighter's Pension Trust Fund Board of Trustees and the Police Officer's Pension Trust Fund Board of Trustees must be residents of the City of Brooksville. Specific qualifications may apply to certain advisory board positions.

WHICH BOARD/COMMITTEE ARE YOU APPLYING FOR? (Please check the position you are interested in filling.)

Beautification Board: 3-year terms; 7 members

Brooksville Cemetery Advisory Committee: 4 year terms; 7 members with one member being a Council Member.

Brooksville Housing Authority: 4-year terms; 7 members
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]

CDBG Citizen's Advisory Task Force: No terms; 5 members;
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]

Firefighters Pension Trust Fund Board of Trustees: 2-year terms; 5 members (2 city residents, 2 City firefighters, and 1 person chosen by balance of members)
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]

Parks & Recreation Advisory Board: 4 year terms; 7 members.

Personnel Board: 3-year terms; 7 members (3 laypersons who must be City residents and 4 City employees)

Planning & Zoning Commission : 4-year terms; 5 members.
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)] (Must be City Residents)

Police Officer's Pension Trust Fund Board of Trustees: 2-year terms; 5 members (2 City police officers, 2 city residents and 1 person chosen by balance of members)
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]

Other Committees or Boards


Signature of Applicant

NOTE: Return completed form to:

City Clerk
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041
(352) 544-5407

(Revised February 2, 2006)

CEMETERY ADVISORY COMMITTEE

The Brooksville Cemetery Advisory Committee was created by City Council on March 16, 1992 by adoption of Resolution No. 92-13 and members appointed thereto on April 20, 1992 for initial staggered terms of office as indicated in the Resolution. All subsequent terms of office upon expiration will be for four years, all expiring in December of their respective term, as amended by Policy No. 4-2008 adopted by City Council 10/6/2008. Council further directed that subsequent appointments of replacement Committee Members shall be City residents or have a documented tie to the Brooksville Cemetery. This advisory committee is responsible to make recommendations on improving the present services being offered and future needs of the cemetery, including activities or improvements that would enhance the attractiveness and aesthetic beauty of the cemetery.

The following is a list of the members of the Brooksville Cemetery Advisory Committee, their terms of office, addresses and phone numbers:

Luther E. Cason, CHAIRMAN, 830 School Street, Brooksville, FL 34601; 796-7033 (Work) or 754-6008 (Home). Reappointed on 4/3/06 to a four year term. Mr. Cason's term of office expires on December 31, 2010.

Charles "Pat" Brewer, VICE CHAIRMAN 631 Erin Way, Brooksville, FL 34601 279-5703 (cell phone) or 796-9012 (home). Reappointed on 12/21/09 to four year term due to Board Member Mountain's term expiration. Mr. Brewer's term of office expires December 31, 2013.

Clarke (Doug) Davis, 630 E. Martin Luther King, Jr., Blvd., Brooksville, FL 34601; 796-1027 (work or home). Reappointed on 12/21/09 to a four year term. Mr. Davis' term of office expires on December 31, 2013.

~~**Jay Arthur Thompson**, 508 Oakhill Ct., Brooksville, FL 34601; (Home) 754-8593 or (Work) 799-5232; E-mail: jthomp8@tampabay.rr.com. Appointed on 5/21/07 to a four year term due to the resignation of Thelma Ann Dawson. Mr. Thompson's term of office expires on December 31, 2011. **Resigned 5/5/10**~~

Jan Knowles, 26287 Soult Road, Brooksville, FL 34601, 796-4811 (home), 796-9646 (work); Email: janknowles@earthlink.net . Appointed to an unexpired four year term on November 7, 2005 (term was previously held by George Rodriguez who was removed from the Board by Council on 10/03/05). Ms. Knowles' term of office expires on December 31, 2010.

Jamielove Miller, 4065 Majestic Oak Lane, Brooksville, FL 34602, 754-7223 (home), Email: jamienoodles@aol.com. Appointed on 12/21/09 to a four year term. Ms. Miller's term of office expires on December 31, 2013.

Richard E. Lewis, City Council Liaison - Voting Member, 201 Howell Ave.; 540-3810 (work) reappointed on 12/21/09.

Ex-officio & Support Staff

Mike Walker, Parks & Recreation Director, 540-3830; mwalker@ci.brooksville.fl.us

Audrey Williams, Parks and Recreation Admin. Asst., **Recording Secretary**; 540-3830 8am-4pm; awilliams@ci.brooksville.fl.us



CITY OF BROOKSVILLE

Application for Volunteer Board Positions

201 Howell Avenue
Brooksville, Florida 34601-2041
Telephone: (352) 540-3810
Facsimile: (352) 544-5424
Web: www.cityofbrooksville.us

New Application Re-application

- Beautification Board (4 year terms – 7 members)
- Brooksville Housing Authority (4 year terms – 7 members)
- CDBG Citizen's Advisory Task Force (4 year terms – 5 members & 1 alternate)
- Cemetery Advisory Committee (4 year terms – 7 members – city residency or documented tie to Cemetery)
- EZDA Advisory Board (4 year terms – 11 members)
- Firefighters Pension Trust Fund Board of Trustees* (2 year terms – 5 members)
- Parks & Recreation Advisory Board (4 year terms – 7 members & 2 alternates)
- Planning & Zoning Commission* (4 year terms – 5 members & 2 alternates)
- Police Officers Pension Trust Fund Board of Trustees* (2 year terms – 5 members)
- Other _____

Name: HUDAK KATHLEEN Anne
(Last) (First) (Middle)

Address: 123 South BROOKSVILLE Ave.
BROOKSVILLE, FL 34601

Mailing Address (if different): N/A

Business Address: N/A

Occupation: Volunteer Volunteer at Brooksville Cemetery

Business Phone: N/A Home Phone: (352) 277-3287

Email address: SILVERGAEL@aol.com

Do you reside within the City limits? Yes No

Are you a Registered Voter in Hernando County? Yes No Voter ID # 10038469

Please rank your board preference(s):
1. Cemetery Advisory Committee
2. _____
3. _____

* These positions require City Residency and that a Financial Disclosure Statement be filed with the Supervisor of Elections Office within 30 days of appointment and then subsequently on a yearly basis

Have you ever served on a volunteer board or in a volunteer capacity with the City of Brooksville before? Yes No If yes, please indicate name of board and dates of service: _____

Why would you like to serve on this board? I have been a volunteer at Brooksville Cemetery for (9) years and have worked with (3) sextons. I have experienced the development of the cemetery and have a deep desire to be a part of its future growth.

What special skills would you bring to this position? During Founder's Week and at the request of the Girl Scout Council I present the historic tours of the cemetery and have done so for (9) years. I have a documented tie to the cemetery that goes farther back than any city employee at the cemetery.

List fields of work experience: ① Past Director of Human Resources / Production Trust Corp. - Federal Agency Regulating Banks
② State of Florida Board of Medicine - legal department
③ Private Investigator (Intern) licensed by the State of Florida
④ Genealogist - preserving the dignity and history of all families

List any licenses and/or degrees (location & year): Boca Raton, Florida
State of Florida - Private Investigator (Intern)
License # 9500090 1995 - 2/6/1999

Local References (Please list three (3)):

1. Rich Howard / Sexton, Brooksville Cemetery
2. Frazier Mountain
3. Bonny and Alan Watrous / Proud Pelican

Would you have a problem with the meeting dates and times for the board/agency?

Yes No

If yes, please explain: _____

Signed: Kathleen A. Hudak Date: July 12, 2010

SCHEDULE OF BOARD MEETINGS

[Note - Balance of Boards meet quarterly or as needed]

BEAUTIFICATION BOARD	2 nd TUES of each MONTH - 5:30 PM in Council Chambers
BROOKSVILLE HOUSING AUTHORITY	3 rd TUES of each MONTH - 6:00 PM in Council Chambers
PLANNING & ZONING COMMISSION	2 nd WED of each MONTH - 6:30 PM in Council Chambers

PLANNING & ZONING COMMISSION

The Planning & Zoning Commission consists of five (5) voting members and two (2) alternate members who must be City residents. The alternate members would vote in the absence of a full time member. This commission serves as a quasi-judicial decision-making public body to approve final decisions on certain petitions for special exceptions or interpretations and serve in an advisory capacity to make recommendations to City Council on zoning/re-zoning petitions, annexation petitions, comprehensive plan amendments, preliminary/final plats, and vacation of right of way petitions and other land use and zoning issues and decisions within the City of Brooksville as prescribed by City Code or Florida Statutes. Pursuant to Ordinance #562 adopted May 20, 1996, City Council may choose to hear appeals of any Planning and Zoning Commission decisions. The terms of office are for four (4) years and members must be City residents. The terms shall all expire in December of their respective term, as amended by Policy No. 4-2008 adopted by City Council 10/6/2008. The following is a list of the members of the Planning & Zoning Commission, their terms of office, addresses and phone numbers:

George H. Rodriguez, 110 S. Brooksville Avenue; 796-2415 (work) or 796-6857 (home). Reappointed March 6, 2006 to a four year term, which expires December 31, 2010.

John A. Wanat, VICE-CHAIRMAN*, 501 Underwood Avenue, 796-7063 (home); 650-7091 (cell); E-Mail: jawanat@firstam.com. Reappointed January 8, 2007, to a four year term, which expires December 31, 2011.

Elmer D. Korbus, CHAIRMAN*, 415 Hillside Court; 796-2980 (home); 584-6700 (cell). Reappointed January 8, 2007, to a four year term, which expires December 31, 2011.

Louise O. Taylor, P.O. Box 372 - 34605; 345-8573 (home). Reappointed on January 8, 2007 to a four year term, which expires December 31, 2011.

Anthony D. Pedonesi, 609 E. Fort Dade Avenue; 796-0600 (home); 397-5283 (work); Email: designerplus@msn.com. Appointed 12/21/09 to a four year term, which expires December 31, 2013. (Replaced E.E. "Ernie" Wever, Jr.)

 **Shannon R. Dempsey, ALTERNATE**, 451 Rogers Avenue; 200-9228 (Home); E-mail: sdempsey@tampabay.rr.com. Reappointed December 21, 2009, to a four year term, which expires December 31, 2013. (Resigned as of 7/14/10)

Ronald H. Lawson, ALTERNATE, 15 Crosby Street; 799-0513 (home); 596-4000 x3130 (work); Email: rlawson@wrec.net or mrron154@yahoo.com. Appointed 12/21/09 to an unexpired four year term of office through December 31, 2011.

Ex-Officio & Support Staff

Thomas S. Hogan, Jr., Esquire, City Attorney, P.O. Box 485, Brooksville, FL 34605; (352) 799-8423 office and fax (352) 799-8294 (also receives packet), Email: cityattorney@ci.brooksville.fl.us

Bill Geiger, Community Development Director/City Liaison (Non-Voting) to the Board; 540-3850 (work), Email: bgeiger@ci.brooksville.fl.us.

Patricia Jobe, Secretary to the Board; 540-3850 (work); Email: pjobe@ci.brooksville.fl.us

Amber K. Wheeler, Non-voting School Board Representative, Planning & Growth Management Coordinator, Hernando County School Board, 8050 Mobley Rd., 797-7096.

Duties modified by Ordinance #562-A adopted March 3, 1997, consolidating duties of Planning and Zoning Board and Zoning Adjustment and Appeals Board, as well as being renamed to "Commission".

**Current Chair & Vice-Chair elected at the 1/13/10 meeting of the board.*



CITY OF BROOKSVILLE

Application for Volunteer Board Positions

201 Howell Avenue
Brooksville, Florida 34601-2041
Telephone: (352) 540-3810
Facsimile: (352) 544-5424
Web: www.cityofbrooksville.us

RECEIVED JUL 10 2010

New Application Re-application

- Beautification Board (4 year terms – 7 members)
- Brooksville Housing Authority (4 year terms – 7 members)
- CDBG Citizen's Advisory Task Force (4 year terms – 5 members & 1 alternate)
- Cemetery Advisory Committee (4 year terms – 7 members – city residency or documented tie to Cemetery)
- EZDA Advisory Board (4 year terms – 11 members)
- Firefighters Pension Trust Fund Board of Trustees* (2 year terms – 5 members)
- Parks & Recreation Advisory Board (4 year terms – 7 members & 2 alternates)
- Planning & Zoning Commission* (4 year terms – 5 members & 2 alternates)
- Police Officers Pension Trust Fund Board of Trustees* (2 year terms – 5 members)
- Other _____

Name: BATTISTA, Robert Barrington
(Last) (First) (Middle)

Address: _____
436 Howell Ave Brooksville FL 34601

Mailing Address (if different): same

Business Address: N/A

Occupation: Retired

Business Phone: N/A Home Phone: 352/796-8840

Email address: N/A

Do you reside within the City limits? Yes No

Are you a Registered Voter in Hernando County? Yes No Voter ID # 104451017

Please rank your board preference(s):
1. Planning & Zoning Commission
2. _____
3. _____

* These positions require City Residency and that a Financial Disclosure Statement be filed with the Supervisor of Elections Office within 30 days of appointment and then subsequently on a yearly basis.

Have you ever served on a volunteer board or in a volunteer capacity with the City of Brooksville before? Yes No If yes, please indicate name of board and dates of service: _____

Why would you like to serve on this board? I have lived in Brooksville for the past twenty one years and would like to become more involved in our community.

What special skills would you bring to this position? My 20+ years as a local government attorney

List fields of work experience: ① Pilot/USAF ② Local Government Attorney

List any licenses and/or degrees (location & year): _____

BA Virginia Military Institute 1965
MA UNIV OF ARKANSAS 1974
JD UNIV OF FLORIDA 1988

Local References (Please list three (3)):

1. Joe Johnston III 540-3810
2. Bill Geise 540-3817
3. Elmer Kobus 796-2980

Would you have a problem with the meeting dates and times for the board/agency?

Yes No

If yes, please explain: _____

Signed: _____

Date: _____

7/29/10

SCHEDULE OF BOARD MEETINGS

[Note - Balance of Boards meet quarterly or as needed]

BEAUTIFICATION BOARD	2 nd TUES of each MONTH - 5:30 PM in Council Chambers
BROOKSVILLE HOUSING AUTHORITY	3 rd TUES of each MONTH - 6:00 PM in Council Chambers
PLANNING & ZONING COMMISSION	2 nd WED of each MONTH - 6:30 PM in Council Chambers

**CITY OF BROOKSVILLE
MEMORANDUM**

To: The Honorable Mayor and City Council Members

Via: L. Jennene Norman-Vacha, City Manager

From: Richard W. Radacky, (Director of Public Works)

Steve Baumgartner, Director of Finance

Re: Water Meter Reading Equipment

Date: July 28, 2010

BACKGROUND:

The Customer Service Division of the Finance Department is using three (3) hand-held meter readers and equipment which are outdated and in need of replacement. The meter readers were purchased in 1999. The hand-held meter readers are approaching 12 years old and should be replaced every 5 to 6 years due to changes in technology and normal wear.

A meeting was held with representatives of the Public Works and Finance Departments attending to explore the type and number of meter reading equipment needed. Staff attending were Richard Radacky and Will Smith of Public Works, Jim Delach and Mary Cason of Finance. Hernando County's Innovative Technology Director, Peggy Beyer, also attended as they supply technology support to the City and are familiar with Neptune's meter readers.

It was determined that:

- The hand-held meter readers should be replaced as soon as possible as the equipment has far exceeded its normal usage.
- The meters should be replaced with Neptune meter readers as the City has been purchasing Neptune water meters and equipment since 1998. Staff has received outstanding service from Sunstate.
- Purchase should be from Sunstate Meter and Supply, Inc., Newberry, Florida. Sunstate is the franchised sole-source supplier of Neptune equipment for Florida.
- Sunstate is close to Brooksville in case service is needed.
- The Hernando County Water and Sewer District currently uses Neptune hand-helds. If our equipment should fail, we could use one of their hand-helds in an emergency.

Sunstate has agreed to offer purchase of the meter reader and associated equipment by piggybacking off a Hernando County contract. The meter reader best suited and sized for the City are as follows:

2 CE5320BMeter Reader	(\$ 3,980 each)	\$ 7,960
2 Charging Cradle with Power Adapter	(\$ 485 each)	970
Mobile Software Module	(\$ 4,000)	4,000
Software Onsite Training (2 Days)	(\$ 2,500)	<u>2,500</u>
		\$15,430

Attached is an email from Matt Perry, Purchasing Agent, Hernando County Commissioners, authorizing the City to piggyback from their request for proposals.

Also attached is a copy of a letter from Jeff Kimbrough, Sales Representative, Sunstate Meter and Supply, Inc., offering the Hernando County contract price for the equipment.

 **BUDGET IMPACT:**

There are adequate reserve monies in the Water and Sewer Fund to purchase these meter reading devices. Finance recommends a 09/10 budget amendment in the amount of \$15,430 in General ledger Account # 401-000-166-19037 (Water and Sewer Machinery and Equipment). If City Council approves purchase, staff expects delivery and payment prior to September 30, 2010, which requires the said budget amendment.

 **LEGAL REVIEW:**

The City Council has home rule authority (Article VII (2), Florida Constitution/Section 166.011, Florida Statutes) to consider matters of fiscal and intergovernmental benefit. Pursuant to Section 5.04 of the City Charter, competitive bidding is required except to the extent Council authorizes otherwise by ordinance. Pursuant to Section 2-304 (a) (1) and (2) of the Code of Ordinances, the amount of expenditure for which the City may obligate itself without competitive bidding by the City is increased provided: (1) the City Manager recommends to the City Council that a specific purchase be made by piggybacking on an award by another governmental entity's competitive bidding process provides substantially equivalent guarantees of fairness and competitiveness to those of the City.

Pursuant to Subsection 274.05, Florida Statutes, titled Surplus Property, the City Council has the authority and discretion to classify as surplus any of its property that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function. In addition, within the reasonable exercise of its discretion and having consideration for the best interests of the City, the value and condition of property classified as surplus, and the probability of such property being desired by a prospective bidder in the event of surplus, the City Council may offer surplus property to other governmental units in the County for sale or donation.

STAFF RECOMMENDATION:

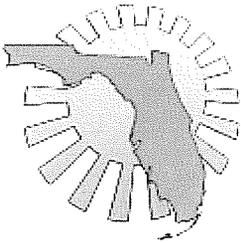
It is recommended that the City Council approve the purchase of two (2) Neptune Hand-held Meter Readers, two (2) Charging Cradles with Power Adapters, Mobile Software Module, and Software Onsite Training, for a total cost of \$15,430. Also, staff recommends approval of 09/10 Budget Amendment as outlined in the Budget Impact section above. Further, that the existing hand-held meters and meter reading equipment be declared surplus and sold at the next County/City/School Board Public Auction.

Richard Radacky

From: jjkimbro@cs.com
Sent: Wednesday, July 28, 2010 3:38 PM
To: Richard Radacky
Subject: Fwd: Sunstate Meter & Supply: Quote #2131
Attachments: sunstate-logo.png

-----Original Message-----

From: Jeff Kimbrough <kimbrough.jeff@gmail.com>
To: Mike Mobbs <mike@sunstatemeter.com>
Sent: Wed, Jul 28, 2010 3:37 pm
Subject: Sunstate Meter & Supply: Quote #2131



Sunstate Meter & Supply, Inc.

14001 West Newberry Road
Newberry, FL 32669

Jeff Kimbrough -- Sales Representative

Voice: (352) 516-9791
Nextel: 162*36*6734

Email: jjkimbro@cs.com
Fax: (352) 735-3603

Account 100120
Quotation 2131
May 19th, 2010
William Smith
City of Brooksville
201 Howell Ave.
Brooksville, Fl. 34601-2041
3525445465

Re: NEPTUNE HANDHELD METER READING SYSTEM UPGRADE

Listed below are the prices that you have requested:

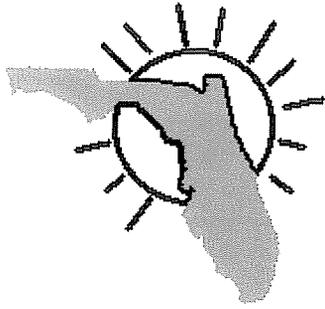
Part #	Description	Qty	Price	Ext
12674-001	ARB N_Sight Mobile System Training	1	\$2,500.00	\$2,500.00
12661-100	ARB N_Sight Mobile System Software	1	\$4,000.00	\$4,000.00
12638-000	Neptune, DAP Ethernet Cradle Complete W/Power Adapter	2	\$485.00	\$970.00
12935-100	CE5320B Handheld Device Complete W/2650i Receiver	2	\$3,980.00	\$7,960.00
				Total \$15,430.00

Prices per piggyback of Hernando County contract #06-051.

We appreciate your continued interest in our products. If you have any questions, or if I can be of any further assistance please do not hesitate to give me a call.

Freight Allowed

Jeff Kimbrough
Sunstate Meter & Supply, Inc.



Sunstate Meter and Supply, Inc.

14001 W. Newberry Road
Newberry, FL 32669-2710

Jeff Kimbrough – Sales Representative

Voice: 352 516-9791
Nextel Direct: 162*36*6734

Email: jjkimbro@cs.com
Fax: 352 735-3603

May 18, 2010

Mr. William Smith
Utilities Director
City of Brooksville
600 S. Brooksville Ave.
Brooksville, Fl. 34601

**RE: PIGGYBACK OF CITY OF HERNANDO COUNTY CONTRACT #06-051
SUPPLY, DELIVERY OF RADIO READ METERS AND ASSOCIATED
EQUIPMENT/SOFTWARE**

Dear Mr. Smith,

Per your request, Sunstate Meter & Supply, Inc. has contacted Neptune Technology Group, Inc. and we are both in agreement to allow the City of Brooksville to piggyback the above referenced water meter contract. This contract was recently renewed and will be extended through 3/26/2012.

I have included for your review the price sheets and a copy of the executed contract. I will be glad to provide you with any further contract documentation that you may require. You may also contact Hernando County directly if desired. The contract specialist for this contract is:

Mr. J. Matt Perry
Purchasing Agent – Purchasing and Contracts Department
Hernando County Board of County Commissioners
20 North Main St. – Room 265
Brooksville, Fl. 34601-2828
Phone: 352-754-4020
Fax: 352-754-4199
Email: Jenningsp@co.hernando.fl.us

If you have any questions or concerns, please do not hesitate to give me a call. We appreciate the past water meter business that we have received from the City of Brooksville and look forward to continuing our work with you in regard to your water meter needs.

Best regards,

Jeff Kimbrough

Sales Representative
Sunstate Meter and Supply, Inc.
Enclosures

Sunstate Meter & Supply, Inc.
14001 W. Newberry Road, Newberry, FL 32669

Phone: 352.332.7106

Fax: 352.332.5604

"Florida's Leading Distributor of Automated Meter Reading Systems"

March 12, 2010

Mr. J. Matt Perry
Purchasing Agent
Purchasing and Contracts Department
Hernando County Board of County Commissioners
20 North Main Street – Room 265
Brooksville, Fl. 34601-2828

**RE: TWO YEAR EXTENSION – CONTRACT NO. 06-051
SUPPLY, DELIVERY OF RADIO READ METERS AND ASSOCIATED
EQUIPMENT/SOFTWARE**

Dear Mr. Perry,

Per Section 2 of the above referenced contract, Sunstate Meter & Supply, Inc. would like to proceed with the first two-year extension term prescribed in this contract. This renewal term will begin on March 27, 2010 and will be valid until March 26, 2012.

We are pleased to announce that we will not seek any price increases on the existing meters and registers on this contract. The existing prices will remain the same. Per the request of the Utilities Department, we have also added the additional meters and new products that have been introduced by Neptune since the inception of this contract.

We certainly appreciate our continued relationship with Hernando County and look forward to meeting your water metering needs for many years to come. If I can be of any further assistance do not hesitate to contact me.

Respectfully submitted,
Al Ellenburg
President
Sunstate Meter and Supply, Inc.

Attachments

CC: Jeff Kimbrough
Sales Representative

ATTACHMENT "A"

Neptune Meters with R900i Registers:

<u>Description</u>	<u>Unit Price</u>
Neptune, R900i Integrated Pit Ecoder With MIU Only – Any Size or Model	\$144.50
5/8"x3/4" T10 Meter W/Pl. Bottom Complete With R900i Pit Ecoder/MIU	\$163.00
3/4"x3/4" T10 Meter W/Brz. Bottom Complete With R900i Pit Ecoder/MIU	\$193.94
1" T10 Meter W/Brz. Bottom Complete With R900i Pit Ecoder/MIU	\$208.75
1 1/2" T10 Meter Complete With R900i Pit Ecoder/MIU	\$312.83
2" T10 Meter Complete With R900i Pit Ecoder/MIU	\$384.50
1 1/2" HP Turbine Meter Complete With R900i Pit Ecoder/MIU	\$439.88
2" HP Turbine Meter Complete With R900i Pit Ecoder/MIU	\$467.44
3" HP Turbine Meter Complete With R900i Pit Ecoder/MIU	\$770.35
4" HP Turbine Meter Complete With R900i Pit Ecoder/MIU	\$943.22
6" HP Turbine Meter Complete With R900i Pit Ecoder/MIU	\$1,978.39
8" HP Turbine Meter Complete With R900i Pit Ecoder/MIU	\$2,600.79
2" Tru-Flo Compound Meter Complete With R900i Pit Ecoder/MIU'S	\$1,321.11
3" Tru-Flo Compound Meter Complete With R900i Pit Ecoder/MIU'S	\$1,563.70
4" Tru-Flo Compound Meter Complete With R900i Pit Ecoder/MIU'S	\$2,103.31
6" Tru-Flo Compound Meter Complete With R900i Pit Ecoder/MIU'S	\$3,003.78
6"x8" Tru-Flo Compound Meter Complete With R900i Pit Ecoder/MIU'S	\$4,661.96
Neptune, 3" Bronze Flanged Meter Strainer	\$491.04
Neptune, 4" Bronze Flanged Meter Strainer	\$587.17
Neptune, 6" Bronze Flanged Meter Strainer	\$998.60
Neptune, 8" Bronze Flanged Meter Strainer	\$1,777.78
4"x1" HP Protectus III Fire Service Compound Meter Complete With R900i Pit Ecoder/MIU'S	\$4,661.96
6"x1 1/2" HP Protectus III Fire Service Compound Meter Complete With R900i Pit Ecoder/MIU'S	\$6,875.95
8"x2" HP Protectus III Fire Service Compound Meter Complete With R900i Pit Ecoder/MIU'S	\$9,098.16
10"x2" HP Protectus III Fire Service Compound Meter Complete With R900i Pit Ecoder/MIU'S	\$11,908.34
3" Fire Hydrant Meter Complete With Connections & Direct Read Register	\$725.00
Replacement Standard Integrated Antenna Assembly Kit	\$8.00
Replacement Short "Stubby" Integrated Antenna Assembly Kit	\$8.00
Optional Short Length Extended Range Antenna	\$19.80
Optional Long Length Extended Range Antenna	\$27.90
R900 Pit MIU Only W/6' Cable	\$100.00
Reclaimed Markings And Color (add to any meter/register)	\$2.50



**CONSENT AGENDA ITEM
MEMORANDUM**

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager

From: Timothy A. Mossgrove, Fire Chief

Subject: Donation of Scheduled Surplus Equipment

Date: August 16, 2010

General Summary / Background:

Through contacts at the International Speedway Corporation (ISC), for which I am a part-time employee, a request was made by one of ISC's track safety supervisors at the Talladega Superspeedway for a pair of used amkus hydraulic hose reels made by the Hanna Corporation. The reels are used to outfit fire and safety response vehicles. The City has two used reels which were purchased several years ago from Ten-8 fire equipment in Brandon Florida for \$200.00. I advised the ISC track supervisor that the City had a pair of used hose reels that may meet the ISC's needs (Attachment 1). Following ISC's inspection of the reels, it was determined that the reels were the type needed by the ISC and a written request (Attachment 2) for the reels was requested.

The reels were purchased several years ago with the intent to install / mount them on one of the City's quick response vehicles, specifically vehicle 211. In 2008, vehicle 211 was sold as part of a trade-in for the new squad vehicle, Vehicle 292. Earlier this year Vehicle 292 was put in service and the hydraulic hose off the used Hanna reels were installed on the reels that came with the Vehicle 292. Not having a need for these used reels on another response vehicle they are currently stored at the department, have no value in their current condition and are scheduled to be declared surplus. The equipment/reels would need to be internally rebuilt to be able to use them with any fire vehicle and the fire department does not have a need for them at this time.

Budget Impact: There is no budget impact of this donation since the equipment is out of service.

Legal Review: Pursuant to Fla. Stat. §274.05 Surplus Property, the City Council has the authority and discretion to classify surplus any of its property that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function. In addition, within the reasonable exercise of its discretion and having consideration for the best interest of the City, the value and condition of property classified as surplus, and the probability of such

property's being desired by a prospective bidder in the event of surplus, the City Council may offer surplus property to other governmental units in the county for sale or donation.

Staff Recommendation:

After receiving the above request and confirming the out of service equipment we have will meet the needs of the request, staff is recommending council declare this equipment surplus and donating the reels to ISC.

Ec: Jan Peters, City Clerk

Attachment 1



Attachment 2

Copy of E mail sent 6/10/2010

I am Randy Ballard, Supervisor for the Extrication Trucks at the Talladega Superspeedway Emergency Services. Tim Mossgrove is one of our Crew Chiefs at Talladega. Tim has stated that his fire department has a set of old Amkus hose reels that are not being used. Tim asked if we could use them at Talladega. Our team uses Amkus so this equipment would help us to perform our duties in a more efficient and safe manner. This equipment would be used on a tool truck that would respond in the event that a driver would need to be extricated. If this equipment is available, we can use it and we would be grateful to have it. If you have any questions please feel free to call me at any time. Again we thank you for your time and cooperation regarding this matter.

RANDY BALLARD

cell 256-591-5521

home 256-892-2026

e-mail: rescuets@yahoo.com



**CONSENT
AGENDA ITEM
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL

**VIA: T. JENNENE NORMAN-VACHA
CITY MANAGER**

**FROM: JENNIFER C. REY, ESQ.
THE HOGAN LAW FIRM, LLC
AS CITY ATTORNEY**

**SUBJECT: CONFLICT WAIVER - GARY QUILLING; HERNANDO COUNTY
SHERIFF**

DATE: AUGUST 9, 2010

GENERAL SUMMARY: In its capacity as City Attorney the Firm has represented the City with regard to public records matters involving Gary Quilling, a convicted criminal defendant. The Firm has also been retained by the Hernando County Sheriff's Office to represent it with respect to the same matter. In compliance with Rule 4-1.7 of the Rules of Professional Conduct of the Florida Bar, the City and the Sheriff's Office are being advised of a possible conflict of interest with respect to that certain case styled *The State of Florida v. Gary C. Quilling*, Case No. 200-CF-900, *Gary C. Quilling v. Boyce Tincher, Chief of Police and State Attorney, Pete Magrino*, Case No. 2004-CA-381, and *Gary C. Quilling v. Hernando County Sheriff's Office and Brooksville Police Department*, Case No. 2010-CA-1941. A conflict waiver form is attached for Council's review; the form has already been executed by the Hernando County Sheriff's Office.

BUDGET IMPACT/BUDGET AMENDMENT: None.

LEGAL REVIEW: Pursuant to Rule 4-1.7 of the Rules of Professional Conduct of the Florida Bar, a conflict of waiver is required in order for the Firm to proceed.

RECOMMENDATION: The City Attorney seeks the City Council's approval of the attached conflict waiver.

ATTACHMENTS: Conflict Waiver



We mean business™

WAIVER OF CONFLICT OF INTEREST

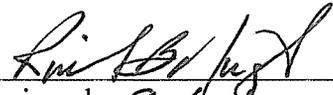
THE HOGAN LAW FIRM LLC is retained as counsel for Hernando County Sheriff's Office ("HCSO") HCSO and the City of Brooksville ("City"). HCSO and the City have a common and mutual dispute in matters raised by one **GARY C. QUILLING**. In particular, the parties are involved in that certain cases styled **THE STATE OF FLORIDA v. GARY C. QUILLING, CASE NO.: 2002-CF-900, GARY C. QUILLING, v. BOYCE TINCHER, CHIEF OF POLICE and STATE ATTORNEY, PETER MAGRINO, CASE NO.: 2004-CA-381, and GARY C. QUILLING v. HERNANDO COUNTY SHERIFF'S OFFICE and BROOKSVILLE POLICE DEPARTMENT, CASE NO.: 2010-CA-1941.**

In compliance with Rule 4-1.7 of the Rules of Professional Conduct of the Florida Bar, HCSO and the City have been advised that although there is no conflict of interest at this time, there is the potential for a future conflict of interest. This potential for a future conflict of interest has been explained fully to both parties and both parties agree that the Firm will be able to provide competent and diligent representation to each party until such time as a conflict of interest arises. Both parties desire that the Firm proceed in its representation of the City and HCSO in the above styled case or any other legal matter raised by the Defendant regardless of a potential conflict of interest, and the parties understand that if litigation arises between the parties, the Firm will not represent either party.

Therefore, the City and HCSO hereby release THE HOGAN LAW FIRM, LLC, its members, managers, attorneys, employees, agents, legal representatives, directors, and assigns, from any liability regarding a possible conflict of interest arising out of the Firm's joint representation of the parties with regard to the matter noted herein.

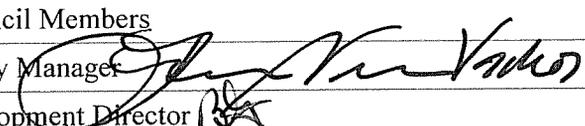
HERNANDO COUNTY SHERIFF'S OFFICE

THE CITY OF BROOKSVILLE

By: 
Date signed: 8-6-10

By: _____
Its: _____
Date signed: _____

MEMORANDUM

To:	Honorable Mayor & City Council Members
Via:	T. Jennene Norman-Vacha, City Manager 
From:	Bill Geiger, Community Development Director 
Subject:	AX2010-03; Voluntary annexation of 51.50 acres ± of the Brooksville Cemetery Properties.
Petitioner:	City of Brooksville
Location:	North of Olmes Road, South of Mondon Hill Road between Champion Drive and Jasmine Drive
Date:	August 3, 2010

SUMMARY OF REQUEST - GENERAL INFORMATION

The subject property consisting of 51.50 acres ±, is located north of Olmes Road and south of Mondon Hill Road between Champion Drive and Jasmine Drive. The City as the petitioner is requesting, through the voluntary annexation process outlined in Chapter 171.044, Florida Statutes, for this property to be annexed into the City of Brooksville.

CURRENT LAND USE/ZONING

The subject property has a County land use designation of Residential on the Future Land Use Map of the Hernando County Comprehensive Plan. The property is currently zoned Agricultural in Hernando County.

STAFF FINDINGS

The City is seeking to have the subject property annexed into the City of Brooksville. The petition appears to meet all of the requirements of Section 171.044, Florida Statutes, for voluntary annexation into the City of Brooksville. If the annexation is approved, then the City's Comprehensive Plan Future Land Use Element will need to be amended to reflect the incorporation, and an appropriate land use designation will need to be assigned. This property has historically been used as a cemetery and will continue as such.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

The only action being considered by the City at this time is the request for annexation of this property into the City.

BUDGET NOTE

SB

The costs associated with processing this petition (i.e., certified mailing, staff time, attorney fees, etc.) are being absorbed within the City's current budget.

LEGAL NOTE

JK

The City Council has the authority under Section 171.044, F.S. to annex land into its corporate boundary.

PLANNING & ZONING COMMISSION/STAFF RECOMMENDATION

At their July 14, 2010 meeting, the Planning & Zoning Commission concurred with the staff recommendation to find that the lands associated with Petition No. AX2010-03 are in compliance with Chapter 171.044, Florida Statutes, for being integrated into the incorporated area of the City of Brooksville through the voluntary annexation petition process, and recommend that City Council approve the annexation of the 51.50 acre ± tract of land.

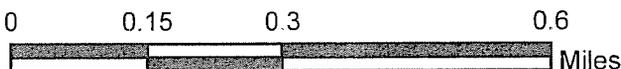
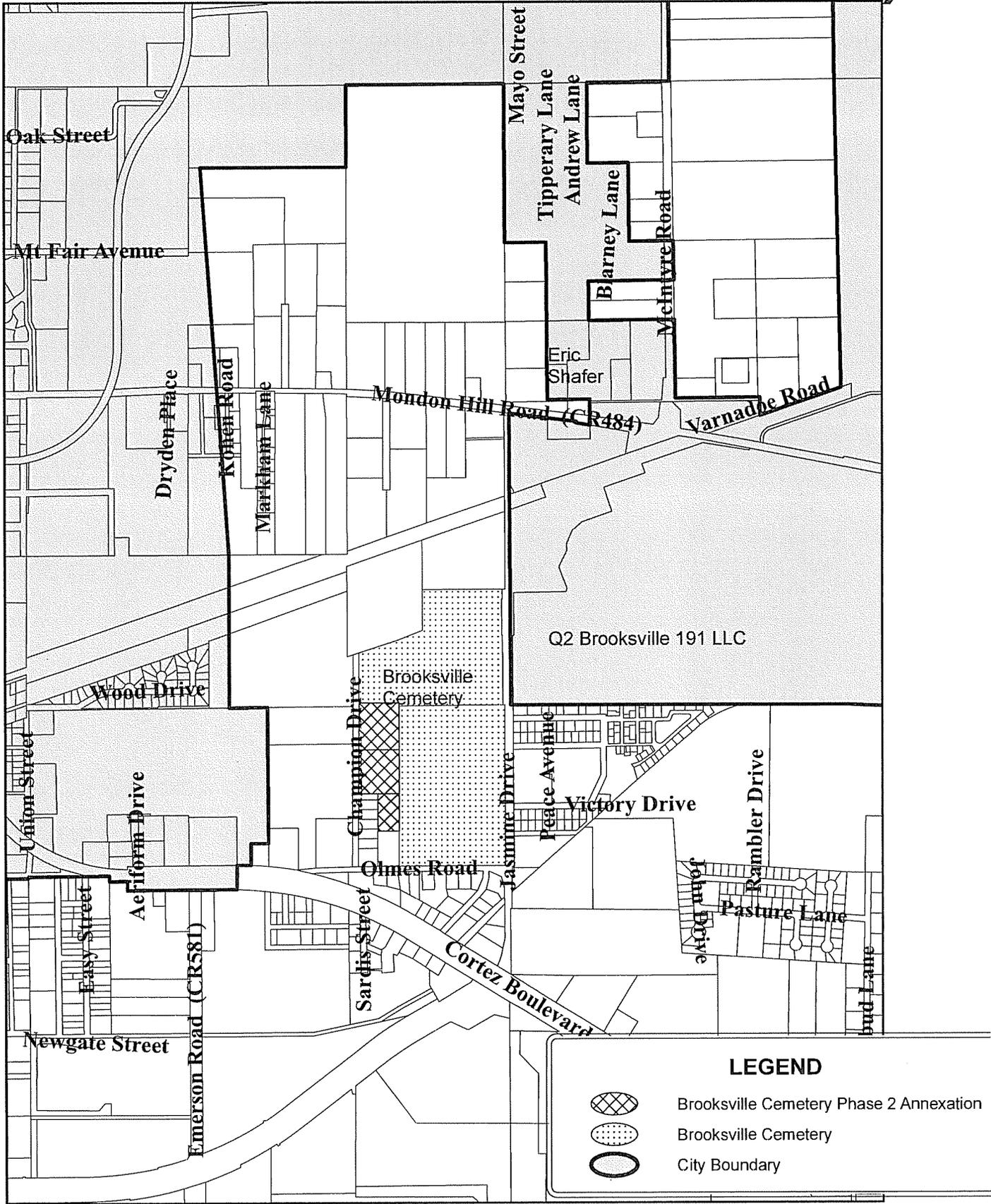
CITY COUNCIL ACTION

City Council approved the first reading of Ordinance No. 812 to annex the Brooksville Cemetery property at the August 2, 2010 meeting. The second and final reading of Ordinance No. 812 is being advertised and scheduled to take place on August 16, 2010 at 7:00 p.m. in the City Council chambers.

- Enclosures:**
- 1) Annexation Petition
 - 2) Annexation Ordinance No. 812
 - 3) Location Map



Brooksville Cemetery Annexation
 Petition - July 2010
 Ord. No. 812 - EXHIBIT "A"



LEGEND

-  Brooksville Cemetery Phase 2 Annexation
-  Brooksville Cemetery
-  City Boundary

*Base map information provided by the Hernando County Property Appraiser's office.
 Map created by the Brooksville Community Development Department
 Disclaimer: This map is intended for planning purposes only, and should not be used to determine the precise location of any feature shown thereon.
 F:\Esri\ArcMap Projects\Cemetery Annexation 2010.mxd

ORDINANCE NO. 812

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, AUTHORIZING THE VOLUNTARY ANNEXATION OF REAL PROPERTY, PARCEL'S ID NO. R23 422 19 0000 0480 0000 AND R26 422 19 0000 0050 0000, A PORTION OF THE BROOKSVILLE CEMETERY, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF BROOKSVILLE, FLORIDA, PURSUANT TO SECTION 171.044, FLORIDA STATUTES; PROVIDING A LEGAL DESCRIPTION OF THE PROPERTY SUBJECT TO THE VOLUNTARY ANNEXATION; PROVIDING FOR PUBLICATION; PROVIDING FOR FILINGS WITH THE APPROPRIATE GOVERNMENTAL AGENCIES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Brooksville owns five individual parcels of land which are contiguous to one another and which are collectively and more commonly known as the "Brooksville Cemetery"; and,

WHEREAS, the City operates, manages and maintains the Brooksville Cemetery and desires to annex the Brooksville Cemetery into the City of Brooksville; and,

WHEREAS, the City of Brooksville owns a parcel of real property (the "Property") in the Brooksville Cemetery which is located in an unincorporated area of Hernando County, and is contiguous to the corporate limits of the City of Brooksville, Florida (the "City"), and which is reasonably compact, and the City desires to annex that certain Property into the City of Brooksville, Florida; and,

WHEREAS, the Property, which is more particularly described by the legal description herein, can be succinctly identified as Parcel ID No. R23 422 19 0000 0480 0000 and R26 422 19 0000 0050 0000; and,

WHEREAS, a petition has been filed pursuant to Chapter 171, Florida Statutes, particularly Section 171.044, to request the integration, annexation, and incorporation of that certain Property into the City; and,

WHEREAS, said petition and supporting documentation has been reviewed to satisfy each and every requirement of Section 171.044, Florida Statutes, and, the area to be annexed meets the criteria in Chapter 171, Florida Statutes; and,

WHEREAS, the City has determined its service delivery systems can accommodate the annexation of that certain Property without adversely impacting other property within the City or the residents of the City; and,

WHEREAS, this Ordinance to voluntarily annex the said Property, and to redefine the boundary lines of the City to include said Property, has been adopted after notice of the annexation being published and after being heard at a public hearing at which time any and all parties in interest and all others had an opportunity to be heard in a quasi-judicial proceeding; and,

WHEREAS, the City Planning and Zoning Commission recommended at its July 14, 2010 meeting that the City Council annex the referenced Property; and,

WHEREAS, the City Council of the City of Brooksville, Florida has reviewed the petition to annex certain Property into the City and hereby declares same to be sufficient under the terms and requirements of the City of Brooksville Charter, the City of Brooksville Code of Ordinances and Chapter 171, Florida Statutes.

NOW THEREFORE, be it ordained by the City Council of the City of Brooksville, Florida, as follows:

SECTION 1. INCORPORATION OF RECITALS. The above recitals are incorporated herein and made a part hereof.

SECTION 2. PURPOSE. The purpose of this Ordinance is to voluntary annex Property owned by the City into the City of Brooksville, Florida, pursuant to the Petition for Voluntary Annexation submitted by the petitioner and owner of said Property, the City of Brooksville, as authorized by section 171.044, Florida Statutes.

SECTION 3. AUTHORITY. The City Council is authorized to take this action pursuant to Section 1.02 of the City Charter of the City of Brooksville, as well as Section 171.044, Florida Statutes.

SECTION 4. SUFFICIENCY OF PETITION. That the City accepted and deemed sufficient the petition for the Property located in Hernando County, Florida, more specifically described herein, to voluntarily annex the Property into the corporate limits of the City.

SECTION 5. LEGAL DESCRIPTION OF ANNEXED AREA. That certain Property, as is depicted on Exhibit "A" which is attached hereto and incorporated herein by reference, and is more particularly described in this section, is hereby voluntarily annexed into the corporate limits of the City of Brooksville, Florida.

SECTION 6. CONDITIONS OR LIMITATIONS OF ANNEXATIONS. The Property described herein is annexed subject to the following condition(s):

- A. Annexation shall include the integration of all of the public right-of-way lying directly adjacent to the annexed Property.

SECTION 7. BOUNDARY MODIFICATIONS. All City of Brooksville boundary maps, charter and ordinance provisions pertaining to boundaries, codes and regulations shall be automatically hereby amended so as to conform to the boundary revision described herein. The boundary lines of the City shall thereupon automatically be redefined as to include supplementary the land described and incorporated into this ordinance.

SECTION 8. PUBLICATION. That prior to final reading and passage of this ordinance, appropriate notice was published once a week for two (2) consecutive weeks in a newspaper of general circulation within the City and that a copy of said notice was provided by certified mail to the chief administrative officer of Hernando County, Florida.

SECTION 9. OFFICIAL FILING OF ORDINANCE. That within seven (7) days after adoption, a certified copy of this Ordinance shall be forwarded and filed with the Clerk of the Circuit Court of Hernando County, Florida, and served upon the Chairman of the Board of County Commissioners of Hernando County, Florida; the Property Appraiser of Hernando County, Florida and the Department of State, Secretary of State, State of Florida; and such other entities which require notice of annexations.

SECTION 10. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 11. CONFLICTS AND REPEALER. This Ordinance shall be cumulate of all provisions of the ordinances of the City of Brooksville, Florida, except where provisions of this Ordinance are in direct conflict with the provisions of such ordinance, which event all ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 12. AMENDMENT TO THE CODE. The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Code of Ordinances of the City of Brooksville, Florida* and the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections 10, 11, and 12, shall not be codified.

SECTION 13. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption.

CITY OF BROOKSVILLE, FLORIDA

Attest: _____
Janice Peters, City Clerk, CMC

By: _____
Lara Bradburn, Mayor

NOTICE to the County Administrator of the Hernando County Board of County Commissioners was sent via certified mail on the 6th day of August, 2010.

NOTICE was mailed to affected parties (if any) via United States Certified Mail on the _____ day of _____, 2010.

PASSED on First Reading August 2, 2010

NOTICE Published on August 6 & August 13, 2010

PASSED on Second & Final Reading _____

APPROVED AS TO FORM FOR THE RELIANCE OF THE
CITY OF BROOKSVILLE ONLY:

VOTE OF COUNCIL:

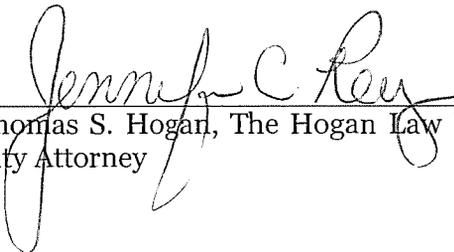
Bernardini _____

Bradburn _____

Burnett _____

Johnston _____

Lewis _____



Thomas S. Hogan, The Hogan Law Firm, LLC,
City Attorney

EXHIBIT "A"
Legal Description

PARCEL 1 & 2

PARCEL ID NO. R23 422 19 0000 0480 0000 AND PARCEL ID NO. R26 422 19 0000 0050 0000

BROOKSVILLE CEMETERY as recorded in Plat Book 3, Page 29, Public Records of Hernando County, Florida.

AND

BROOKSVILLE CEMETERY as recorded in Plat Book 3, Page 61, Public Records of Hernando County, Florida.

AND

MASTER PARCEL

Beginning at a point on east line of Section 26, Township 22 south, Range 19 East 909 feet east of NW corner of the Brooksville Cemetery, thence run West following north line of said Brooksville Cemetery, 909 feet to the NW corner of said Cemetery, thence North 975.5 feet, thence East 909 feet, thence South on section line on east side of Sections 23 and 26, 975.5 feet to point of beginning; LESS right-of-way for existing public road along east side of said parcel; being a part of SE ¼ of SE ¼ of Section 23 and a part of NE ¼ of NE ¼ of Section 26, in township 22 South, Range 19 East.

PARCEL NO. 1

The South 243.875 feet of the above described master parcel.

PARCEL NO. 2

The North 243.875 feet of the South 487.75 feet of the above described master parcel.

PARCEL NO. 3

The South 243.875 feet of the North 487.75 feet of the above described master parcel.

PARCEL NO. 4

The North 243.875 feet of the above described master parcel herein described together with all other portions described in the master parcel not heretofore conveyed by Warranty Deed.

ALSO

A tract of land described as follows: Commencing at the SW corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23, Township 22 South, Range 19 East, and running North $89^{\circ} 26' 33''$ East, a distance of 75.00 feet, thence North $00^{\circ} 04' 49''$ West a distance of 25.80 feet to the north right of way line of Paul Street for a point of beginning; from the point of beginning thus described continue North $00^{\circ} 04' 49''$ West a distance of 409.33 feet, thence North $72^{\circ} 21' 04''$ East a distance of 363.24 feet, thence South $0^{\circ} 20' 27''$ East a distance of 516.30 feet to the north right of way line of Paul Street, thence South $89^{\circ} 29' 03''$ West, along the north right of way line of Paul Street a distance of 337.79 feet to the point of beginning; being in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 23, Township 22 South, Range 19 East.

ALSO

A tract of land described as follows: Commencing at the SE corner of Section 23, Township 22 South, Range 19 East, run South $89^{\circ} 26' 33''$ West a distance of 25.00 feet, thence North $00^{\circ} 19' 25''$ West a distance of 463.67 feet for a point of beginning; from the point of beginning thus described continue North $00^{\circ} 19' 25''$ West a distance of 493.33 feet, thence South $89^{\circ} 40' 35''$ West a distance of 673.00 feet, thence South $00^{\circ} 19' 25''$ East a distance of 494.54 feet, thence North $89^{\circ} 34' 38''$ East a distance of 673.02 feet to the Point of Beginning; being in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23, Township 22 South, Range 19 East.

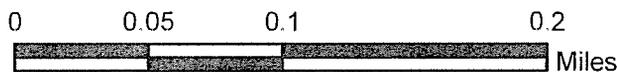
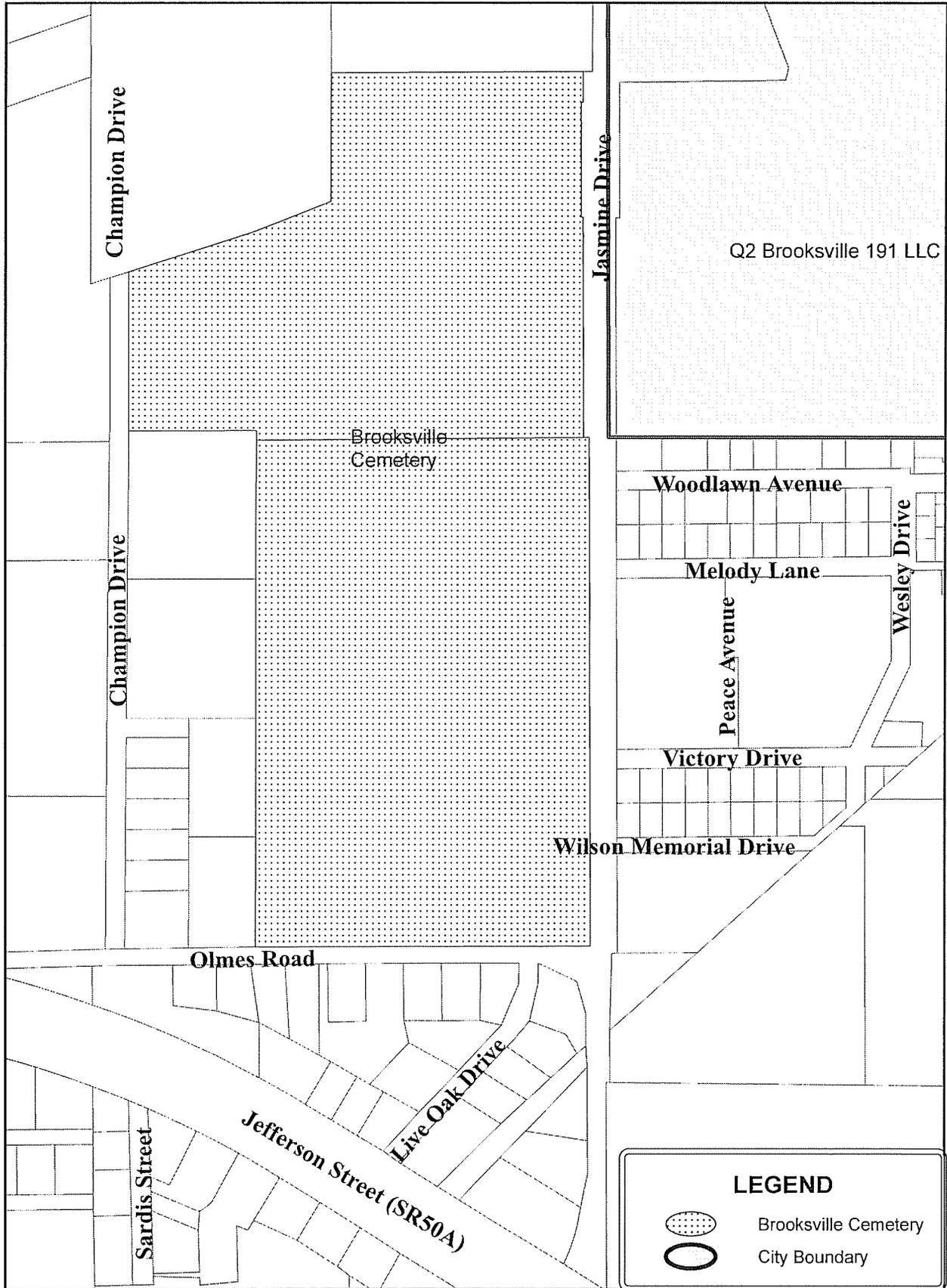
ALSO

A tract of land described as follows: Commencing at the SE corner of Section 23, Township 22 South, Range 19 East, run South $89^{\circ} 26' 33''$ West a distance of 25.00 feet, thence North $00^{\circ} 19' 25''$ West a distance of 463.67 feet for the point of beginning, from the point of beginning thus described run South $89^{\circ} 34' 38''$ West a distance of 673.02 feet, thence South $00^{\circ} 19' 25''$ East a distance of 123.43 feet, thence North $89^{\circ} 47' 37''$ East a distance of 687.00 feet, thence North $00^{\circ} 19' 25''$ West a distance of 125.55 feet to the point of beginning; being in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, Township 22 South, Range 19 East. Together with any other portions of parcel # R23 422 19 0000 0480 0000 not described nor conveyed by deed.

SUBJECT TO Restrictions, easements and right of way permits of record.



**Brooksville Cemetery Annexation
Petition - July 2010
Ord. No. 812 - EXHIBIT "A"**



LEGEND

 Brooksville Cemetery

 City Boundary

*Base map information provided by the Hernando County Property Appraiser's office.
Map created by the Brooksville Community Development Department
Disclaimer: This map is intended for planning purposes only, and should not be used to determine the precise location of any feature shown thereon.
F:\Esri\ArcMap Projects\Cemetery Annexation 2010.mxd

CITY OF BROOKSVILLE ANNEXATION PETITION

APPLICATION TO ANNEX REAL PROPERTY INTO THE CITY OF BROOKSVILLE

DATE June 23, 2010 FILE # AX2010-03

Please print or type all information.

PROPERTY OWNER

Name : City of Brooksville

Address: 201 Howell Avenue

City: Brooksville State: Florida Zip: 34601-2041

Telephone Nos: (352) 540-3810 Fax No: (352) 544-5429

APPLICANT(S): City of Brooksville

Mailing Address: Same as Property Owner

Daytime Telephone: _____

REPRESENTATIVE: Bill Geiger

Mailing Address: Same as Property Owner

Daytime Telephone: _____

LEGAL DESCRIPTION: Section 23 Township 22 Range 19 E

Insert or attach a copy of the total legal description. Also email a copy to the Community Development Department: pjobe@ci.brooksville.fl.us or bgeiger@ci.brooksville.fl.us

Size of Area Covered by Application: 51.50 Acres +- (Brooksville Cemetery Properties)

Highway & Street Boundaries: South side of the Old CSX Railroad Tracks, South of Mondon Hill Road) between Champion Drive and Jasmine Drive.

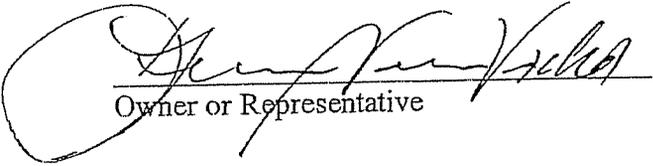
OWNER OR AGENT AFFIDAVIT

**CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA**

I, T. Jennene Norman-Vacha, City Manager, being duly sworn, hereby depose and say that the City of Brooksville is the owner of the herein described property to-wit:

(Insert Legal Description Below)

SEE EXHIBIT "A"


Owner or Representative

F:\BLDG-BRD\P&Z\Forms\Owner Aff.doc
Revised 10/13/08 PJ

*Owner or Agent Affidavit
Community Development Department*

APPOINTMENT OF AGENT

**CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA**

City of Brooksville, as the owner(s) in fee simple of the below described real property hereby appoint T. Jennene Norman-Vacha, City Manager as my (our) agent to file required petitions, sign required documents, make representations as to issues of fact and to appear, as may be necessary, before the appropriate City of Brooksville authority. My agent shall also have the authority to commit myself as owner to the necessary future performance conditions as may be directed by the appropriate City authority as a condition of granting my petition.

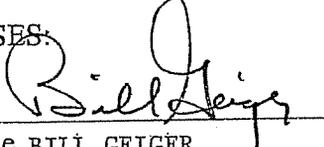
(Insert Legal Description Below)

SEE ATTACHED EXHIBIT "A"

Dated: July 7 2010

Signed in the presence of:

WITNESSES:

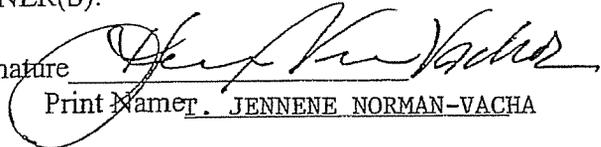
Signature 
Print Name BILL GEIGER

Signature 
Print Name PATRICIA J. LOBE

Signature _____
Print Name _____

Signature _____
Print Name _____

LANDOWNER(S):

Signature 
Print Name JENNENE NORMAN-VACHA

Signature _____
Print Name _____

ACKNOWLEDGMENT

This petition is filed pursuant to Section 171.044, Florida Statutes, for the purpose of voluntarily annexing the land described above into the City of Brooksville. This land is situated in the State of Florida, County of Hernando, and is contiguous to the present city boundary and is reasonable compact.

I, T. Jennene Norman-Vacha, City Manager, do hereby state and affirm that all answers to the questions in this application and all sketches and data attached to and made part of this application are honest and true to the best of my knowledge and belief. I further state and affirm that this petition contains the signatures of all the owners of the property proposed to be annexed.

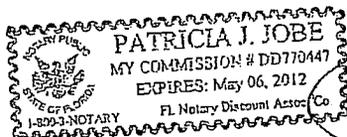
T. Jennene Norman-Vacha
Signature (Owner/Representative)

Owner Signature(s)

Owner Signature(s)

STATE OF FLORIDA
COUNTY OF Hernando

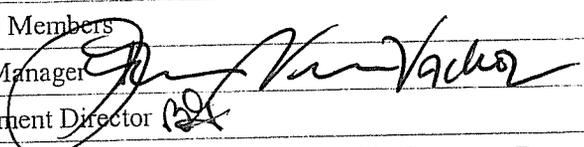
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th
DAY OF July, 2010 BY THE ABOVE PERSON(S) T. Jennene Norman-Vacha
WHO IS PERSONALLY KNOWN TO
~~ME OR WHO HAS PRODUCED~~ _____ AS IDENTIFICATION
AND WHO ~~(DID)~~ (DID NOT) TAKE AN OATH.



NOTARY SEAL

Patricia J. Jobe
SIGNATURE OF NOTARY

MEMORANDUM

To:	Honorable Mayor & City Council Members
Via:	T. Jennene Norman-Vacha, City Manager 
From:	Bill Geiger, Community Development Director 
Subject:	AX2010-04; Voluntary annexation of 7.04 acres ± of the Brooksville Cemetery Properties.
Petitioner:	City of Brooksville
Location:	North of Olmes Road; East side of Champion Drive
Date:	August 3, 2010

SUMMARY OF REQUEST - GENERAL INFORMATION

The subject property consisting of 7.04 acres ±, is located north of Olmes Road and east of Champion Drive. The City as the petitioner is requesting, through the voluntary annexation process outlined in Section 171.044, Florida Statutes, for this property to be annexed into the City of Brooksville.

CURRENT LAND USE/ZONING

The subject property has a County land use designation of Residential on the Future Land Use Map of the Hernando County Comprehensive Plan. The property is currently zoned Residential in Hernando County.

STAFF FINDINGS

The City is seeking to have the subject property annexed into the City of Brooksville. The petition meets all of the requirements of Section 171.044, Florida Statutes, for voluntary annexation into the City of Brooksville. If the annexation is approved, then the City's Comprehensive Plan Future Land Use Element will need to be amended to reflect the incorporation, and an appropriate land use designation will need to be assigned. This property has historically been used as a cemetery and will continue as such.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

The only action being considered by the City at this time is the request for annexation of this property into the City.

BUDGET NOTE

 The costs associated with processing this petition (i.e., certified mailing, staff time, attorney fees, etc.) are being absorbed within the City's current budget.

LEGAL NOTE

 The City Council has the authority under Section 171.044, F.S. to annex land into its corporate boundary.

PLANNING & ZONING COMMISSION/STAFF RECOMMENDATION

At their July 14, 2010 meeting, the Planning & Zoning Commission concurred with the staff recommendation to find that (following the annexation of land associated with Petition No. AX2010-03) the lands associated with Petition No. AX2010-04 are in compliance with Section 171.044, Florida Statutes, for being integrated into the incorporated area of the City of Brooksville through the voluntary annexation petition process, and recommend that City Council approve the annexation of the 7.04 acre ± tract of land.

- Enclosures:**
- 1) Annexation Petition
 - 2) Proposed Annexation Ordinance
 - 3) Location Map

ORDINANCE NO. 813

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, AUTHORIZING THE VOLUNTARY ANNEXATION OF REAL PROPERTY, PARCEL ID NOS. R26 122 19 0140 0010 0080; R26 122 19 0140 0030 0010; and R26 122 19 0140 0020 0010, A PORTION OF THE BROOKSVILLE CEMETERY, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF BROOKSVILLE, FLORIDA, PURSUANT TO SECTION 171.044, FLORIDA STATUTES; PROVIDING A LEGAL DESCRIPTION OF THE PROPERTY SUBJECT TO THE VOLUNTARY ANNEXATION; PROVIDING FOR PUBLICATION; PROVIDING FOR FILINGS WITH THE APPROPRIATE GOVERNMENTAL AGENCIES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Brooksville owns five individual parcels of land which are contiguous to one another and which are collectively and more commonly known as the “Brooksville Cemetery”; and,

WHEREAS, the City operates, manages and maintains the Brooksville Cemetery and desires to annex the Brooksville Cemetery into the City of Brooksville; and,

WHEREAS, the City of Brooksville owns a parcel of real property (the “Property”) in the Brooksville Cemetery which is located in an unincorporated area of Hernando County, and is contiguous to the corporate limits of the City of Brooksville, Florida (the “City”), and which is reasonably compact, and the City desires to annex that certain Property into the City of Brooksville, Florida; and,

WHEREAS, the Property, which is more particularly described by the legal descriptions herein, can be succinctly identified as Parcel ID Nos. R26 122 19 0140 0010 0080; R26 122 19 0140 0300 0010; and R26 122 19 0140 0020 0010 and,

WHEREAS, a petition has been filed pursuant to Chapter 171, Florida Statutes, particularly Section 171.044, to request the integration, annexation, and incorporation of that certain Property into the City; and,

WHEREAS, said petition and supporting documentation has been reviewed to satisfy each and every requirement of Section 171.044, Florida Statutes, and, the area to be annexed meets the criteria in Chapter 171, Florida Statutes; and,

WHEREAS, the City has determined its service delivery systems can accommodate the annexation of that certain Property without adversely impacting other property within the City or the residents of the City; and,

WHEREAS, this Ordinance to voluntarily annex the said Property, and to redefine the boundary lines of the City to include said Property, has been adopted after notice of the annexation being published and after being heard at a public hearing at which time any and all parties in interest and all others had an opportunity to be heard in a quasi-judicial proceeding; and,

WHEREAS, the City Planning and Zoning Commission recommended at its July 14, 2010 meeting that the City Council annex the referenced Property; and,

WHEREAS, the City Council of the City of Brooksville, Florida has reviewed the petition to annex certain Property into the City and hereby declares same to be sufficient under the terms and requirements of the City of Brooksville Charter, the City of Brooksville Code of Ordinances and Chapter 171, Florida Statutes.

NOW THEREFORE, be it ordained by the City Council of the City of Brooksville, Florida, as follows:

SECTION 1. INCORPORATION OF RECITALS. The above recitals are incorporated herein and made a part hereof.

SECTION 2. PURPOSE. The purpose of this Ordinance is to voluntary annex Property owned by the City into the City of Brooksville, Florida, pursuant to the Petition for Voluntary Annexation submitted by the petitioner and owner of said Property, the City of Brooksville, as authorized by section 171.044, Florida Statutes.

SECTION 3. AUTHORITY. The City Council is authorized to take this action pursuant to Section 1.02 of the City Charter of the City of Brooksville, as well as Section 171.044, Florida Statutes.

SECTION 4. SUFFICIENCY OF PETITION. That the City accepted and deemed sufficient the petition for the Property located in Hernando County, Florida, more specifically described herein, to voluntarily annex the Property into the corporate limits of the City.

SECTION 5. LEGAL DESCRIPTION OF ANNEXED AREA. That certain Property, as is depicted on Exhibit "A" which is attached hereto and incorporated herein by reference, and is more particularly described in this section, is hereby voluntarily annexed into the corporate limits of the City of Brooksville, Florida.

SECTION 6. CONDITIONS OR LIMITATIONS OF ANNEXATIONS. The Property described herein is annexed subject to the following condition(s): Annexation shall include the integration of all of the public right-of-way lying directly adjacent to the annexed Property.

SECTION 7. BOUNDARY MODIFICATIONS. All City of Brooksville boundary maps, charter and ordinance provisions pertaining to boundaries, codes and regulations shall be automatically hereby amended so as to conform to the boundary revision described herein. The boundary lines of the City shall thereupon automatically be redefined as to include supplementary the land described and incorporated into this ordinance.

SECTION 8. PUBLICATION. That prior to final reading and passage of this ordinance, appropriate notice was published once a week for two (2) consecutive weeks in a newspaper of general circulation within the City and that a copy of said notice was provided by certified mail to the chief administrative officer of Hernando County, Florida.

SECTION 9. OFFICIAL FILING OF ORDINANCE. That within seven (7) days after adoption, a certified copy of this Ordinance shall be forwarded and filed with the Clerk of the Circuit Court of Hernando County, Florida, and served upon the Chairman of the Board of County Commissioners of Hernando County, Florida; the Property Appraiser of Hernando County, Florida and the Department of State, Secretary of State, State of Florida; and such other entities which require notice of annexations.

SECTION 10. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of

competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 11. CONFLICTS AND REPEALER. This Ordinance shall be cumulative of all provisions of the ordinances of the City of Brooksville, Florida, except where provisions of this Ordinance are in direct conflict with the provisions of such ordinance, which event all ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 12. AMENDMENT TO THE CODE. The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Code of Ordinances of the City of Brooksville, Florida* and the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections 10, 11, and 12, shall not be codified.

SECTION 13. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption.

CITY OF BROOKSVILLE, FLORIDA

Attest: _____
Janice Peters, CMC, City Clerk,

By: _____
Lara Bradburn, Mayor

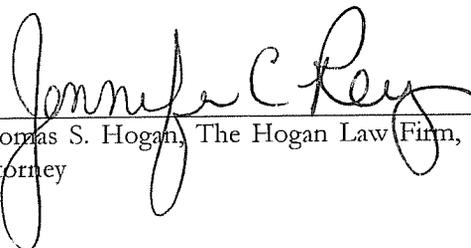
NOTICE to the County Administrator of the Hernando County Board of County Commissioners was sent via certified mail on the _____ day of _____, 2010.

NOTICE was mailed to affected parties (if any) via United States Certified Mail on the _____ day of _____, 2010.

PASSED on First Reading _____
NOTICE Published on _____
PASSED on Second & Final Reading _____

Approved as to form for the reliance of the City of Brooksville only:

VOTE OF COUNCIL:
Bernardini _____
Bradburn _____
Burnett _____
Johnston _____
Lewis _____



Thomas S. Hogan, The Hogan Law Firm, LLC, City Attorney

EXHIBIT "A"
Legal Description

PARCEL 3 - PARCEL ID NO. R26 122 19 0140 0010 0080

Lots 8 and 9, and the North 100.00 feet of Lot 10, Block 1 of CHICOCHATTA PARK, UNIT NO. 2, as per plat thereof recorded in plat book 6, page 50, public records of Hernando County, Florida; (Parcel Key Number: 00011873)

AND

PARCEL 4 - PARCEL ID NO. R26 122 19 0140 0020 0010

Lots 1 through 8, Block 2 of CHICOCHATTA PARK, UNIT NO 2, as per plat thereof recorded in plat book 6, page 50, public records of Hernando County, Florida; (Parcel Key Number 00011891)

AND

PARCEL 5 - PARCEL ID NO. R26 122 19 0140 0030 0010

Lots 1 through 8, Block 3 of CHICOCHATTA PARK, UNIT NO. 2, as per plat thereof recorded in plat book 6, page 50, public records of Hernando County, Florida; (Parcel Key Number 00011908)

SUBJECT TO Restrictions, easements and right of way permits of record.

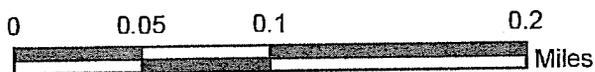
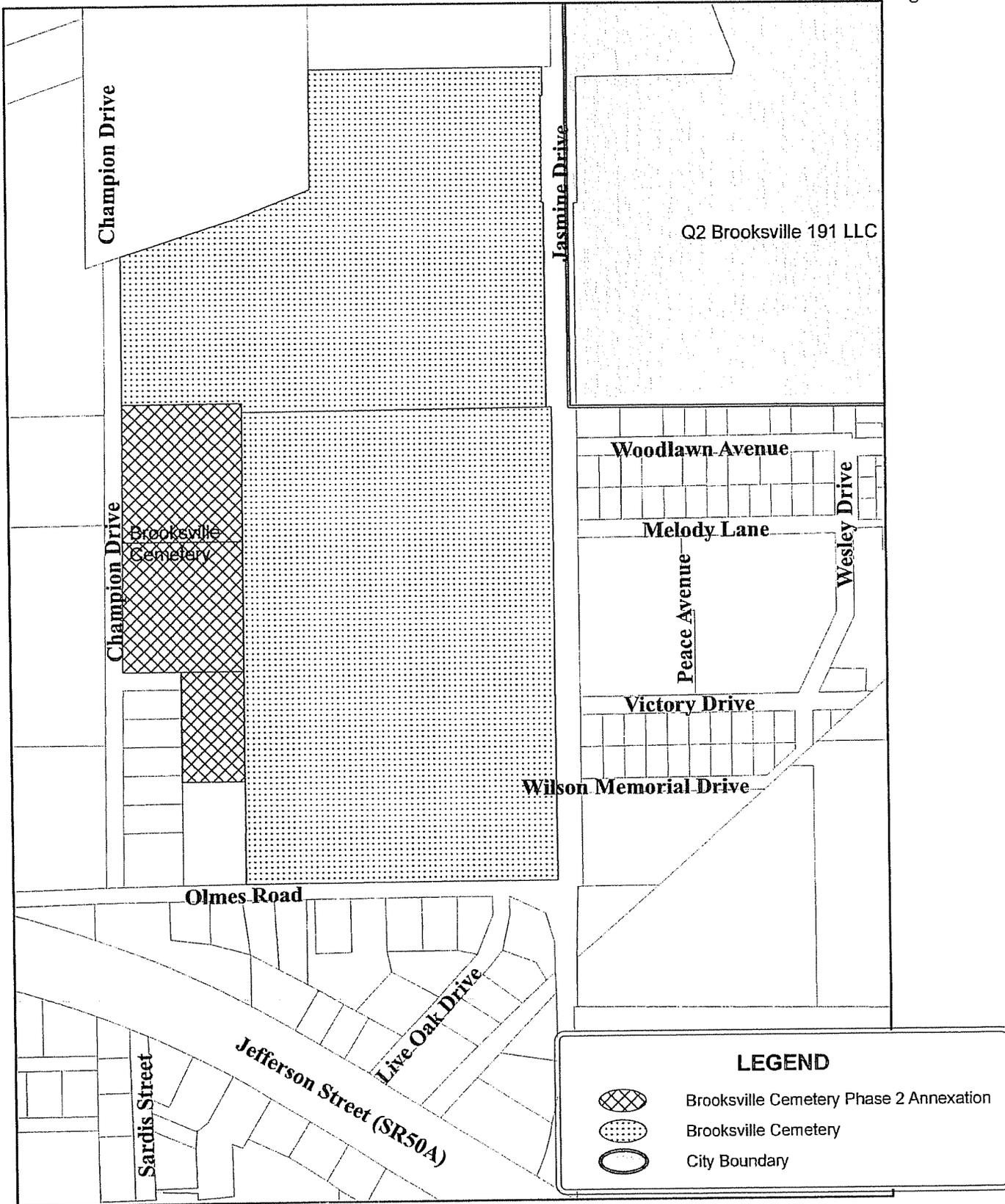
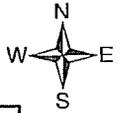
AND

The following road rights-of-way located and situate in CHICOCHATTA PARK, Unit No. 2, as per plat book 6, page 50, public records of Hernando County, Florida, described more particularly as follows, to-wit:

All that portion of Paul Street and Park Street lying east of the easterly right of way line of Champion Drive and all that portion of Pearl Street lying east of the northwest corner of Lot 8, Block 1, Unit No. 2, Chichochatta Park subdivision. Recorded in OR Book 322, page 485, Public Records of Hernando County, Florida.



Brooksville Cemetery Annexation
 Petition - July 2010
 Ord. No. 813 - EXHIBIT "A"



*Base map information provided by the Hernando County Property Appraiser's office.
 Map created by the Brooksville Community Development Department
 Disclaimer: This map is intended for planning purposes only, and should not be used to determine the precise location of any feature shown thereon.
 f:\Esri\ArcMap Projects\Cemetery Annexation 2010.mxd

**CITY OF BROOKSVILLE
ANNEXATION PETITION**

APPLICATION TO ANNEX REAL PROPERTY INTO THE CITY OF BROOKSVILLE

DATE June 23, 2010 FILE # AX2010-04

Please print or type all information.

PROPERTY OWNER

Name : City of Brooksville

Address: 201 Howell Avenue

City: Brooksville State: Florida Zip: 34601-2041

Telephone Nos: (352) 540-3810 Fax No: (352) 544-5429

APPLICANT(S): City of Brooksville

Mailing Address: Same as Property Owner

Daytime Telephone: _____

REPRESENTATIVE: Bill Geiger

Mailing Address: Same as Property Owner

Daytime Telephone: _____

LEGAL DESCRIPTION: Section 23 Township 22 Range 19 E

Insert or attach a copy of the total legal description. Also email a copy to the Community Development Department: pjobe@ci.brooksville.fl.us or bgeiger@ci.brooksville.fl.us

Size of Area Covered by Application: 7.04 Acres +- (Brooksville Cemetery Properties)

Highway & Street Boundaries: North of Olmes Road between Champion Drive and Jasmine Drive.

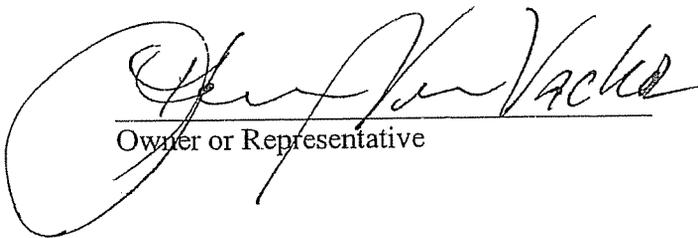
OWNER OR AGENT AFFIDAVIT

**CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA**

I, T. Jennene Norman-Vacha, City Manager, being duly sworn, hereby depose and say that the City of Brooksville is the owner of the herein described property to-wit:

(Insert Legal Description Below)

SEE EXHIBIT "A"



Owner or Representative

F:\BLDG-BRD\P&Z\Forms\Owner Aff.doc
Revised 10/13/08 PJ

***Owner or Agent Affidavit
Community Development Department***

APPOINTMENT OF AGENT

**CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA**

City of Brooksville, as the owner(s) in fee simple of the below described real property hereby appoint T. Jennene Norman-Vacha, City Manager as my (our) agent to file required petitions, sign required documents, make representations as to issues of fact and to appear, as may be necessary, before the appropriate City of Brooksville authority. My agent shall also have the authority to commit myself as owner to the necessary future performance conditions as may be directed by the appropriate City authority as a condition of granting my petition.

(Insert Legal Description Below)

SEE ATTACHED EXHIBIT "A"

Dated: July 7, 2010

Signed in the presence of:

WITNESSES:

LANDOWNER(S):

Signature *Bill Geiger*
Print Name BILL GEIGER

Signature *Jennene Norman-Vacha*
Print Name JENNENE NORMAN-VACHA

Signature *Patricia J. Jobe*
Print Name PATRICIA J. JOBE

Signature _____
Print Name _____

Signature _____
Print Name _____

Signature _____
Print Name _____

ACKNOWLEDGMENT

This petition is filed pursuant to Section 171.044, Florida Statutes, for the purpose of voluntarily annexing the land described above into the City of Brooksville. This land is situated in the State of Florida, County of Hernando, and is contiguous to the present city boundary and is reasonable compact.

I, T. Jennene Norman-Vacha, City Manager, do hereby state and affirm that all answers to the questions in this application and all sketches and data attached to and made part of this application are honest and true to the best of my knowledge and belief. I further state and affirm that this petition contains the signatures of all the owners of the property proposed to be annexed.

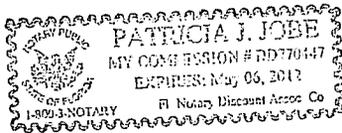

Signature (Owner/Representative)

Owner Signature(s)

Owner Signature(s)

STATE OF FLORIDA
COUNTY OF Hernando

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th
DAY OF July, 2010 BY THE ABOVE PERSON(S) T. Jennene Norman-Vacha
~~ME OR WHO HAS PRODUCED~~ _____ WHO IS PERSONALLY KNOWN TO
AS IDENTIFICATION
AND WHO (~~IS~~) (DID NOT) TAKE AN OATH.



NOTARY SEAL


SIGNATURE OF NOTARY

CITY OF BROOKSVILLE
MEMORANDUM

To: The Honorable Mayor and City Council Members

Thru: Jennene Norman-Vacha, City Manager

From: Richard W. Radacky, Director of Public Works

Date August 4, 2010

Re: **Veteran's Appreciation Parade**

Background:

The City has received a request from Mrs. Anna Liisa Covell for a Veteran's Appreciation Parade on November 13, 2010, from 10:00 a.m. to 11:00 a.m. to honor military veterans. The event will require street closures. The parade route will be as follows:

BEGIN POINT – From the City Hall parking lot adjacent to Ft. Dade Avenue turn east to Howell/Main Street, turn south, cross Jefferson and Broad Streets to liberty Street, turn east, to Magnolia Street, turn north, cross Broad and Jefferson Streets to Ft. Dade Avenue, turn west to City Hall parking lot – **END POINT**

Attached is Resolution No. 2010-13 and a Temporary Street Closure Application, which are required for submission to the Florida Department of Transportation (FDOT) for temporary street closures of state roads.

Budget Impact:

There are no budget impact associated with the closing of state roads.

Legal Review:

Pursuant to Section 74-1 (b) and Section 74-165 (a) of the City's Code of Ordinances, the City Council may authorize street closures and right-of-way use for public events.

Staff Recommendation:

Staff recommends approval of Resolution No. 2010-13 and authorization for staff to sign the FDOT Application for their approval

RESOLUTION NO 2010-13

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA SUPPORTING A REQUEST TO CLOSE JEFFERSON STREET AND BROAD STREET BETWEEN ORANGE STREET AND MAGNOLIA AVENUE IN DOWNTOWN BROOKSVILLE ON SATURDAY, NOVEMBER 13, 2010; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City desires to promote businesses in and to bring visitors to the downtown area; and,

WHEREAS, the City desires to support the Annual Veteran's Appreciation Parade that brings visitors to the City and to the downtown area and to promote commerce in the downtown area; and,

WHEREAS, pursuant to the City of Brooksville Code of Ordinances, Section 74-1(b) and Section 74-165(a), the City Council may close streets for downtown events.

WHEREAS, the sponsoring organization for the parade has been approved for a right-of-way closure and use permit contingent upon submission of an appropriate certificate of liability insurance to indemnify the City in an amount appropriate for the event at least 30 days prior to the event.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, that:

SECTION 1. STREET CLOSURES. The City Council recognizes the closure of the following Brooksville roadway segments to street traffic is necessary for public safety during the downtown event; and the City Council authorizes the following closures from 8:30 a.m. to 3:00 p.m. on the date of the parade:

- BEGIN POINT Main Street, from Ft. Dade Avenue to Liberty Street
- Liberty Street, from Main to Magnolia Avenue
- Magnolia, from Liberty to Fort Dade
- Fort Dade, from Magnolia to Main
- South Brooksville Avenue, from Ft. Dade to Liberty END POINT

SECTION 2. CONFLICT. Any prior resolution or policy of the City inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

SECTION 3. SEVERABILITY. If any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications, and to this end, the provisions of this resolution are hereby declared severable.

SECTION 4. EFFECTIVE DATE. This resolution shall take effect immediately upon adoption by the City Council.

ADOPTED this 16th day of August, 2010.

CITY OF BROOKSVILLE

ATTEST: _____
Janice L. Peters, City Clerk

By: _____
Lara Bradburn, Mayor

APPROVED AS TO FORM FOR THE RELIANCE OF THE CITY OF BROOKSVILLE ONLY:

VOTE OF CITY COUNCIL

- Bernardini _____
- Bradburn _____
- Burnett _____
- Johnston _____
- Lewis _____

Thomas S. Hogan, Jr., The Hogan Law Firm,
City Attorney



CITY OF BROOKSVILLE
MEMORANDUM

To: The Honorable Mayor and City Council Members

Via: ~~T~~ Jennene Norman-Vacha, City Manager

From: Richard W. Radacky, Director of Public Works

Re: **Change Orders 4 – 7 and Contract Amendment**

Date: August 2, 2010

Background:

The City of Brooksville was awarded \$ 2,409,827 in loan and grant funds for rehabilitation of the City's sewer system. Contracts have been awarded to four (4) contractors specializing in different aspects of sewer system rehabilitation.

Construction contracts to the four (4) contractors total \$ 2,189,706. Cardno/TBE was contracted for project management and engineering in the amount of \$ 145,310. This left a contingency of \$ 74,811. Exhibit I is a Project Summary.

Bid quantities were originally estimated by City staff and quantities were adjusted based on video and onsite inspections. Construction costs to the City are based upon actual work performed for unit prices in the bids. Each contractor's contract has a "not to exceed" amount and a contract completion date.

A total of 12 City service areas were identified for rehabilitation. Rehabilitation is approximately 85 percent complete for the 12 service areas. Completion of all work to the 12 service areas is anticipated for September.

The contractor for clearing, cleaning and videotaping lines, Reynolds Inliner, has completed work in the original 12 service areas and, in addition, has completed work for 90 percent of the remaining sewer lines in the City.

Reynolds has identified approximately 7,000 lineal feet (LF) of additional defective sewer main (outside of the original service areas) for which lining has already begun. It is estimated that with the 7,000 LF of additional lining, only 75 percent of the available funding will be used upon project completion. This leaves at least \$ 250,900 remaining in their budget when all work is complete.

A subcontractor to Reynolds, Paintings and Coatings, will begin manhole restoration in September. Reynolds will need a time extension of approximately three (3) months; until December 1, 2010, to complete all work.

LMK Pipe Renewal's work is lateral pipeline videoing, cleaning and lining. It is estimated that at least \$ 147,850 will remain in their budget at project completion. They will need a time extension of approximately three (3) months; until December 1, 2010, to complete all work.

W. Clyde Daniels Construction, Inc., is the contractor for open-cut line repair, installing manholes and cleanouts, and road restoration. It is estimated that Daniels will have at least \$132,192 in their budget at project completion. They will need a time extension of approximately three (3) months; until December 1, 2010, to complete all work.

Upon project completion, it is estimated that Reynolds, LMK and Daniels will have at least \$530,942 in their budget at project completion. These funds are available for additional sewer rehabilitation beyond the initial 12 service areas upon approval of change orders.

American Infrastructure Technologies Corporation is the contractor providing sewer main pipe lining and quality control videoing. They are the main "work horse" on this project. They will not have funds remaining in their budget at project completion.

In order to get the most work possible with the funding available, staff and Cardno/TBE recommends adjusting the contractors' contract amounts. Alan Schaffer of Cardno/TBE has monitored the videotaping by Reynolds Inliner and included the work needed in the attached change orders. Without these the City will not be able to utilize the full grant and forfeit remaining funds back to the State. Mr. Schaffer has identified approximately 11,000 LF of additional lining and other rehabilitation. The additional 11,000 LF pipe lining, with the 7,000 LF in progress, will represent approximately 65 percent additional rehabilitation work without additional funding. (The additional lining quantities are primarily due to overestimated bid quantities and careful selection of rehabilitation processes).

Staff has been extremely pleased with the work effort and quality of Alan Schaffer of Cardno/TBE. His project management skills and grant knowledge are superb. Cardno/TBE's fee is \$145,310 for project management and engineering. It is proposed that an additional \$70,000 be approved for completion. These funds are available in the Contingency Fund mentioned in Paragraph I. This will leave \$4,811 remaining in Contingency.

In addition to the adjustments in contractors budgets, it would be prudent to extend the contract completion date for all contractors to December 1, 2010. The contract completion date for Cardno/TBE should be extended until December 31, 2010, to allow adequate time for final administrative closeout of the grant and submission of required reports.

The proposed Change Orders attached are for time extensions and adjustments to contract amounts without exceeding the grant and loan funds. The grant and loan funds will decrease the expenditures required by the City to correct infiltration and inflow problems throughout the City at a later date.

Budget Impact:

SB The additional work would reduce the long-term operating budgets by reducing infiltration/inflow. The continued work will have a positive impact to keep water and sewer rates at the lowest rate. As the grant and loan is through the State, the City received a favorable interest rate 2.43 percent. The grant is a forgiveness loan. Approval is recommended.

Legal Review:

JK The City Council has home-rule authority (Art. VIII, (2), Fla. Constitution and Section 166.011, Fla. Statutes) to consider matters of fiscal and intergovernmental benefit. Pursuant to Section 2.IV of the City's Purchasing Policy and the terms of the Bid Documents and Contract, the Council may authorize adjustments of quantities and approve time extensions for projects that were awarded following a competitive bid process in order to expend grant and loan funds for the sewer rehabilitation project.

Staff Recommendation:

Staff recommends that the City Council take the following action to approve Change Order 4 through 7 attached and authorize the Mayor to sign the Change Orders on behalf of the Council:

1. A contract reduction to Reynolds Inliner, LLC, in the amount of \$250,900 (Change Order 4).
2. A contract reduction to LMK Pipe Renewal, LLC, in the amount of \$147,850 (Change Order 5).
3. A contract reduction to W. Clyde Daniels Construction, Inc., in the amount of \$132,192 (Change Order 6).
4. A contract increase to American Infrastructure Technologies Corporation, in the amount of \$530,942. (Change Order 7).
5. Extend the contract completion date for Reynolds Inliner, LLC; LMK Pipe Renewal, LLC; W. Clyde Daniels Construction, Inc.; and American Infrastructure Technologies Corporation to December 1, 2010. (Change Order 4 through 7).

Furthermore, approve a contract increase to Cardno/TBE, in the amount of \$70,000 and extend the contract completion date to December 31, 2010.



MEMORANDUM

TO: Richard Radacky, Public Works Director
FROM: Alan Schaffer, Project Manager
DATE: July 30, 2010
RE: Sanitary Sewer System Rehabilitation Phase 3 – Contract Amendments

Background:

The City's Sewer System Rehabilitation was awarded to four (4) contractors who specialize in different aspects of the system rehabilitation. Contract bid quantities were originally estimated by City staff prior to the site investigations scoped within this project and actual quantities were adjusted as the findings dictate. Each Contractor's project effort is dependent on the performance and scope of the others. Construction costs to the City are based upon actual work performed per unit prices set forth in the bid proposal. Each Contractor's contract has a "not to exceed" dollar amount and individual contract completion schedule.

The project is currently estimated at eighty five percent (85%) complete for the rehabilitation efforts scoped within the twelve (12) plans issued at bid. An estimated 7,000 lineal feet (LF) of additional defective sewer main has been identified for which rehabilitation efforts have already commenced. It is estimated that with the 7,000 LF of additional lining only seventy five percent (75%) of the available funding will be utilized at the completion of the project as it currently stands.

In an effort to get the most work possible under the available grant and funding Cardno TBE recommends that the City amended the Contractors agreements and issue additional time extensions as well as adjusting the "not to exceed" dollar amounts where they can be used with the most impact to the sewer system. As a result of the proposed Change Orders/ Amendments, the project will not exceed the overall funding limits set forth and will allow approximately 11,000 LF additional lining and rehabilitation work to be performed by reallocating the City's funds to other contracts within the project. This additional 11,000 LF along with the 7,000LF already commenced will represent a total increase of approximately 65% additional rehabilitation work without additional funding. The additional lining quantities are primarily due to overestimated bid quantities and careful selection of rehabilitation processes. Without these Change Orders/ Amendments the City may not be able to utilize the full Grant and may forfeit some loan forgiveness. In addition to amendments to the Contractor's agreements Cardno TBE has included a proposed amendment to our agreement to continue services throughout the proposed additional work.

Financial Impact:

The proposed Change Orders/ Amendments are for time extensions and adjustments to Contract amounts without exceeding the approved funding limits. The expenditures for the Cardno TBE additional service can be paid through available contingency dollars without exceeding the approved funding limits. These funds will decrease the expenditures required by the City to correct infiltration and inflow problems throughout the City.

Change Order

No. 4

Date of Issuance: _____ Effective Date: _____

Project: Sewer Rehabilitation	Owner: City of Brooksville	Owner's Contract No.: UD2009-09, WW270200
Contract: Sanitary sewer system evaluation & manhole rehabilitation using sole source IET manhole coating system		Date of Contract: September 29, 2009
Contractor: Reynolds Inliner, LLC		Engineer's Project No.: 00316-001.05

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Amend current contract's final completion date and reduce the "not to exceed" contract price

Attachments (list documents supporting change):

Memorandum from Cardno TBE, dated 7/30/10, entitled: Sanitary Sewer System Rehabilitation Phase 3 – Contract Amendments

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:	
Original Contract Price: \$ <u>450,900</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>200 or 6/10/10</u>	
[Increase] [Decrease] from previously approved Change Orders: \$ <u>160,000</u>	[Increase] [Decrease] from previously approved Change Orders: Substantial completion (days): <u>N/A</u> Ready for final payment (days): <u>83</u>	
Contract Price prior to this Change Order: \$ <u>610,900</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>283 or 9/1/10</u>	
[Increase] [Decrease] of this Change Order: \$ <u>-250,900</u>	[Increase] [Decrease] of this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>91</u>	
Contract Price incorporating this Change Order: \$ <u>360,000</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>374 or 12/1/10</u>	
RECOMMENDED: By: _____ Engineer (Authorized Signature) Date: _____	ACCEPTED: By: _____ Owner (Authorized Signature) Date: _____	ACCEPTED: By: _____ Contractor (Authorized Signature) Date: _____
Approved by Funding Agency (if applicable): _____	Date: _____	

Change Order

No. 5

Date of Issuance: _____ Effective Date: _____

Project: Sewer Rehabilitation Ph.3	Owner: City of Brooksville	Owner's Contract No.: UD2009-09, WW270200
Contract: Sectional and lateral lining with "T-liner" or prior approved equal.	Date of Contract: September 29, 2009	
Contractor: LMK Pipe Renewal, LLC	Engineer's Project No.: 00316-001.05	

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Amend current contract's final completion date and reduce the "not to exceed" contract price

Attachments (list documents supporting change):

Memorandum from Cardno TBE, dated 7/30/10, entitled: Sanitary Sewer System Rehabilitation Phase 3 – Contract Amendments

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$ <u>397,850</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>240 or 8/4/10</u>
[Increase] [Decrease] from previously approved Change Orders \$ <u>0.00</u>	Increase] [Decrease] from previously approved Change Orders Substantial completion (days): <u>N/A</u> Ready for final payment (days): <u>0</u>
Contract Price prior to this Change Order: \$ <u>397,850</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>240 or 8/4/10</u>
[Increase] [Decrease] of this Change Order: \$ <u>-147,850</u>	[Increase] [Decrease] of this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>119</u>
Contract Price incorporating this Change Order: \$ <u>250,000</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>359 or 12/1/10</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____
Approved by Funding Agency (if applicable): _____		Date: _____

Change Order

No. 6

Date of Issuance: _____ Effective Date: _____

Project: Sewer Rehabilitation Ph.3	Owner: City of Brooksville	Owner's Contract No.: UD2009-09 WW27022
Contract: Excavated Point Repairs and Manhole Repairs		Date of Contract: September 29, 2009
Contractor: W. Clyde Daniels Construction, Inc.		Engineer's Project No.: 00316-001.05

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Amend current contract's final completion date and reduce the "not to exceed" contract price

Attachments (list documents supporting change):

Memorandum from Cardno TBE, dated 7/30/10, entitled: Sanitary Sewer System Rehabilitation Phase 3 – Contract Amendments

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$ <u>316,880</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>240 days or 9/1/10</u>
[Increase] [Decrease] from previously approved Change Orders: \$ <u>15,312</u>	[Increase] [Decrease] from previously approved Change Orders Substantial completion (days): <u>N/A</u> Ready for final payment (days): <u>0 Calendar days</u>
Contract Price prior to this Change Order: \$ <u>332,192</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>240 or 9/1/10</u>
[Increase] [Decrease] of this Change Order: \$ <u>-132,192</u>	[Increase] [Decrease] of this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>91 days</u>
Contract Price incorporating this Change Order: \$ <u>200,000</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>331 or 12/1/10</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____
Approved by Funding Agency (if applicable): _____		Date: _____

Change Order

No. 7

Date of Issuance: _____ Effective Date: _____

Project: Sewer Rehabilitation Ph.3	Owner: City of Brooksville	Owner's Contract No.: UD2009-09, WW270200
Contract: CIP Mainline Pipe Lining		Date of Contract: September 29, 2009
Contractor: American Infrastructure Technologies Corporation		Engineer's Project No.: 00316-001.05

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Amend current contract's final completion date and reduce the "not to exceed" contract price

Attachments (list documents supporting change):

Memorandum from Cardno TBE, dated 7/30/10, entitled: Sanitary Sewer System Rehabilitation Phase 3 – Contract Amendments

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$ <u>848,764</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>180 or 8/7/10</u>
[Increase] [Decrease] from previously approved Change Orders: \$ <u>0.00</u>	[Increase] [Decrease] from previously approved Change Orders: Substantial completion (days): <u>N/A</u> Ready for final payment (days): <u>0</u>
Contract Price prior to this Change Order: \$ <u>848,764</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>180 or 8/7/10</u>
[Increase] [Decrease] of this Change Order: \$ <u>530,941</u>	[Increase] [Decrease] of this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>116 days</u>
Contract Price incorporating this Change Order: \$ <u>1,379,705</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>296 or 12/1/10</u>

RECOMMENDED: By: _____ Engineer (Authorized Signature)	ACCEPTED: By: _____ Owner (Authorized Signature)	ACCEPTED: By: _____ Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____
Approved by Funding Agency (if applicable): _____		Date: _____



AGENDA ITEM
MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL

VIA: T. JENNENE NORMAN-VACHA 
CITY MANAGER

FROM: JENNIFER C. REY, ESQ. 
THE HOGAN LAW FIRM, LLC
AS CITY ATTORNEY

SUBJECT: HERNANDO COUNTY FAIR ASSOCIATION – NORTH AMERICAN
MIDWAY ENTERTAINMENT, LLC (NAME) AGREEMENT

DATE: JULY 19, 2010

GENERAL SUMMARY:

At its regular meeting on June 15, 2009, the City Council was presented with an issue regarding the Fair Association and its entry into a long-term lease with North American Midway Entertainment, LLC. The City Council discussed the following courses of action: (1) deny the Fair Association's request to allow the uses associated with the NAME agreement on the basis that there is no specific statutory presumption that the activities of the Fair Association need not comply with the local land use/zoning requirements; or (2) grant the Fair Association's request to allow the uses associated with the NAME agreement on the basis that pursuant to Fla. Stat. §616.09 "fair associations shall be recognized by the state as equal in dignity to the Florida State Fair and as fully recognized as the Florida State Fair" and as such would have all the same authority as the State Fair which is granted broad powers of authority under Fla. Stat. §616.256 to "make and enter into all contracts or agreements as the authority may determine which are necessary or incidental to the performance of its duties or the execution of its powers under this part." And, pursuant to Fla. Stat. §616.08, which sets forth additional powers of the local fair association to include, "generally to do, perform, and carry out all matters, acts, and business usual or proper in connection with fairs and expositions." As a point of note, "usual and proper" is not defined in the Statute.

The City Council agreed to allow the Fair Association to proceed under the authority of Fla. Stat. §616 for up to 12-months for the sole purpose of entering into the lease with NAME for a one-year period, subject to certain conditions including: (1) the Council reserved any and all rights it had to enforce its Land Development Code, (2) the Fair Association waived any right to allege

eligibility for grandfathering of the uses of the property based on the Council's action, (3) the Fair Association was to work with City staff to review available zoning options and to take steps to apply for the proper zoning designation for the various contemplated uses of the Fair property to include addressing issues such as permitted uses, events, use of RV Hookup Sites and buffering/landscaping requirements, (4) the Fair Association was to communicate and meet with those citizens who have filed complaints with the City regarding the use of the Fairgrounds, and several other requirements.

On or about July 1, 2009, the Firm corresponded with John Fenn Foster, counsel for the Fair Association, with regard to the City Council's direction regarding the NAME lease and related activities. A final correspondence was issued to Mr. Foster on August 5, 2009 confirming the directions of the City Council and providing a list of follow-up action items for the Fair Association. In that correspondence, the Fair Association was advised to work with City staff to address the proper zoning of the Fairgrounds property.

On or about March 1, 2010, the Firm submitted a request for a formal legal opinion from the Florida Attorney General. The Attorney General's Office sought input from the Fair Association who then responded with a letter dated April 20, 2010. The Fair Association's letter to the Attorney General took the position that a formal opinion was not necessary as the Fair does not dispute that it must comply with the City's land development code. On or about May 20, 2010, the Firm corresponded with the Attorney General's Office reaffirming its request for a formal opinion. So, a formal Attorney General Opinion was still pending.

The City Manager provided an update report to City Council at the March 2010 Council meetings, which included correspondence from the Fair Association as well as input from staff concerning the status of the NAME lease and Fair Association activity through the year. It was noted that Fair Association staff have met with City staff on several occasions and direction was provided to the Fair Association staff on zoning options that they could pursue to address and resolve the issues related to their use of the property under their current Agricultural zoning designation. It is understood that the Fair Association has initiated filling out the zoning application paperwork, but said application had not, as of that date, been submitted to the City.

The one-year time frame granted to the Fair Association would have expired as of June 15, 2010. However, at its regular meeting on June 7, 2010, the City Council agreed to authorize a ninety (90) day extension through September 13, 2010. Since that time, the City has received a response to its request for an Attorney General Opinion, a copy of which has been previously provided to the City.

This matter is now being brought back to the City Council for further direction prior to the expiration of the 90 day extension.

BUDGET IMPACT/BUDGET AMENDMENT:

None.

LEGAL REVIEW:

There are legal arguments in support for and against the City giving its approval for the proposed uses associated with the one-year agreement between the Fair Association and NAME. Briefly stated, the City can either (a) deny the Fair Association's request to allow the uses associated with the one-year agreement on the basis that there is no specific statutory presumption that the activities of the Fair Association need not comply with local land use/zoning requirements; or (b) grant the Fair Association's request to allow the uses associated with the one-year agreement on the basis that pursuant to Fla. Stat. §616.09 "fair associations shall be recognized by the state as equal in dignity to the Florida State Fair and as fully recognized as the Florida State Fair" and as such would have all the same authority as the State Fair which is granted broad powers of authority under Fla. Stat. §616.256 to "make and enter into all contracts or agreements as the authority may determine which are necessary or incidental to the performance of its duties or the execution of its powers under this part." In addition, Fla. Stat. §616.08 sets forth additional powers of the local fair association to include, "generally to do, perform, and carry out all matters, acts, and business usual or proper in connection with fairs and expositions." As a point of note "usual and proper" is not defined in the Statute. The response to the City's request for an Attorney General Opinion concludes that, "the land use and zoning ordinances of the City of Brooksville are applicable to real property located within the city and occupied and operated by a county fair authority."

STAFF RECOMMENDATION:

Staff seeks direction from the Council as to how the Council desires to proceed in the matter.

ATTACHMENTS:

Attorney General Opinion



STATE OF FLORIDA

BILL McCOLLUM
ATTORNEY GENERAL

July 13, 2010

10-28

Ms. Jennifer C. Rey
The Hogan Law Firm
Post Office Box 485
Brooksville, Florida 34605

Dear Ms. Rey:

On behalf of the City of Brooksville, you have submitted a request for my opinion on substantially the following question:

Are the land use and zoning ordinances of the City of Brooksville applicable to real property located within the city and occupied and operated by a county fair authority?

In sum:

The land use and zoning ordinances of the City of Brooksville are applicable to real property located within the city and occupied and operated by a county fair authority.

According to your letter, the Hernando County Fair Association occupies a parcel of land within the corporate limits of the City of Brooksville and operates the fair at that location. The city questions whether local land use and zoning ordinances apply to the fair association in light of the state statutory regulations provided in Chapter 616, Florida Statutes.

Section 2(b), Article VIII of the Florida Constitution provides, in part that:

Municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law.



The Florida Supreme Court has stated that this constitutional provision "expressly grants to every municipality in this state authority to conduct municipal government, perform municipal functions, and render municipal services."¹ The Court stated, in *State v. City of Sunrise*, that the only limitation on the power of municipalities under this constitutional section is that such power must be exercised for a valid municipal purpose. As determined by the Court, "[l]egislative statutes are relevant only to determine limitations of authority" and municipalities need no further authorization from the Legislature to conduct municipal government.²

Pursuant to section 166.021(1), Florida Statutes, municipalities are granted "the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law." Subsection (3) of the statute prescribes limitations on the subjects that municipal legislation may address:

The Legislature recognizes that pursuant to the grant of power set forth in s. 2(b), Art. VIII of the State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state Legislature may act, except:

- (a) The subjects of annexation, merger, and exercise of extraterritorial power, which require general or special law pursuant to s. 2(c), Art. VIII of the State Constitution;
- (b) Any subject expressly prohibited by the constitution;
- (c) Any subject expressly preempted to state or county government by the constitution or by general law; and
- (d) Any subject preempted to a county pursuant to a county charter adopted under the authority of ss. 1(g), 3, and 6(e), Art. VIII of the State Constitution.

The relationship between local and state legislation was specifically discussed by the Florida Supreme Court in *City of Miami Beach v. Rocio Corporation*:

The principle that a municipal ordinance is inferior to state law remains undisturbed. Although legislation may be concurrent, enacted by both state and local governments in areas not preempted by the state, concurrent legislation enacted by municipalities may not conflict with state law. If conflict arises, state law prevails. An ordinance which supplements a statute's restriction of rights may coexist with that statute, whereas an ordinance which countermands rights provided by statute must fail.³

Generally, a municipality has civil and criminal jurisdiction over property within its corporate boundaries and may regulate and restrict certain activities reasonably calculated to protect the public health, safety, and welfare.⁴ Zoning and land use regulations come within the scope of this jurisdiction.

Section 616.01, Florida Statutes, authorizes the creation of a not-for-profit association within a county for the purpose of conducting and operating public fairs or expositions. A "[p]ublic fair or exposition" is defined as

a fair or exposition not for profit for the purpose of the benefit and development of the educational, agricultural, horticultural, livestock, charitable, historical, civic, cultural, scientific, and other resources of the state, any county or counties of the state, or any municipality or other community of any county of the state.⁵

Each fair association has the power to

hold, conduct, and operate public fairs and expositions annually and for such purpose to buy, lease, acquire, and occupy lands, erect buildings and improvements of all kinds thereon, and . . . to charge and receive compensation for admission to those fairs and expositions, for the sale or renting of space for exhibitions, and for other privileges; . . . to promote the progress of the geographical area it represents and serves and stimulate public interest in the advantages and development of that area by providing facilities for agricultural and industrial exhibitions, public gatherings, cultural activities, and other functions which the association determines will enhance the educational, physical, economic, and cultural interests of the public; and generally to do, perform, and carry out all matters, acts, and business usual or proper in connection with public fairs and expositions; but this enumeration of particular powers shall not be in derogation of or limit any special provisions of the charter of the association inserted for the regulation of its business, and the conduct of its affairs of creating, defining, limiting, and regulating the powers of the association or its officers or members⁶

Moreover, section 616.11, Florida Statutes, authorizes associations to enter into contracts, leases, or agreements with any municipality or county for the donation or use and occupation by any association of land owned, leased, or held by such municipality or county. Counties and municipalities are authorized to make contributions of money

or property to associations to be used for fair or exhibition purposes. Such appropriations were held to be constitutional as serving a proper purpose in *Barnett Nat. Bank v. Thursby*, an early Florida Supreme Court case.⁷

This office has, in previous opinions, concluded that fair associations are subject to local regulations requiring the payment of permit fees imposed pursuant to a municipal ordinance. In Attorney General Opinion 86-54, the Commissioner of Agriculture asked whether a fair association, incorporated under the provisions of Chapter 616, Florida Statutes, and operating under a permit granted by the Department of Agriculture and Consumer Services, was subject to a local ordinance requiring a permit and payment of a fee for conducting outdoor shows or assemblages in temporary structures. The ordinance required that the permit be procured from the city building inspection department. As a prerequisite to the issuance of the permit, the city police, fire, and building inspection departments and, where sanitary facilities were provided, the county health department were required to inspect the premises. The city zoning and traffic engineering departments were also required to review the permit application to ensure compliance with provisions of the city code.

As that opinion notes, municipal ordinances are inferior and subordinate to state law. Thus, an ordinance may not conflict with any controlling provision of a state statute. If any doubt exists as to the degree of power attempted to be exercised which may affect the operation of a state statute, the doubt must be resolved in favor of the statute and against the ordinance.⁸

Chapter 616, Florida Statutes, generally regulates public fairs and expositions held in this state.⁹ However, nothing in Chapter 616, Florida Statutes, exempts fair associations from the reach of local zoning or land use ordinances or otherwise preempts land use regulation to the state under these circumstances. The Legislature clearly expressed its intent to exempt local fairs' associations from certain local regulation when it intended to do so. The applicability of local land use regulations and other local code provisions appears to be reflected in section 616.11, Florida Statutes, which authorizes fair associations to "enter into any contract, lease, or agreement with any municipality or county . . . for . . . the use and occupation by the association of any land owned, leased, or held by the county or municipality . . . on such terms as the county or municipality . . . may authorize[.]"

Therefore, in the absence of any state statute exempting fair associations from local land use regulations or preempting this area of legislation to the state, it is my opinion that the land use and zoning ordinances of the City of Brooksville are applicable

Ms. Jennifer C. Rey
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to real property located within the city and occupied and operated by a county fair authority.

Sincerely,



Bill McCollum
Attorney General

BM/tgh

¹ *State v. City of Sunrise*, 354 So. 2d 1206, 1209 (Fla. 1978).

² *Supra* at 1209. See also *City of Miami Beach v. Forte Towers, Inc.*, 305 So. 2d 764 (Fla. 1974).

³ *City of Miami Beach v. Rocio Corporation*, 404 So. 2d 1066, 1070 (Fla. 3d DCA 1981), *petition for review denied*, 408 So. 2d 1092 (Fla. 1981).

⁴ See 64 C.J.S. *Municipal Corporations* s. 1816; *Carter v. Town of Palm Beach*, 237 So. 2d 130 (Fla. 1970); Ops. Att'y Gen. Fla. 90-37 (1990), 85-47 (1985), 79-71 (1979), 77-139 (1977), and 60-139 (1960).

⁵ Section 616.001(10), Fla. Stat.

⁶ Section 616.08, Fla. Stat.

⁷ 150 So. 252 (Fla. 1933). *Accord* Op. Att'y Gen. Fla. 69-118 (1969). See also Op. Att'y Gen. Fla. 77-25 (1977).

⁸ See *City of Miami Beach v. Rocio Corp.*, 404 So. 2d 1066 (Fla. 3d DCA 1981), *petition for review denied*, 408 So. 2d 1092 (Fla. 1981); *Rinzler v. Carson*, 262 So. 2d 661 (Fla. 1972); Ops. Att'y Gen. Fla. 87-21 (1987), 86-54 (1986), and 79-71 (1979).

⁹ See, e.g., Part II, Ch. 616, Fla. Stat. (trade and safety standards for operation of public fairs and expositions); ss. 616.15 (permit from Department of Agriculture and Consumer Services required); 616.17 (display of minimum exhibits); and 616.12(1), Fla. Stat. (licenses upon certain shows required). *And* see s. 616.01, Fla. Stat., providing for the formation of a not-for-profit association for the purpose of conducting and operating public fairs or expositions for the benefit and development of the educational, agricultural, horticultural, livestock, and other resources of the state or county or counties of this state.

Ms. Jennifer C. Rey
Page Six

RE: MUNICIPALITIES – FAIR ASSOCIATIONS – ZONING – LAND
USE – applicability of local land use and zoning regulations to fair
associations. Ch. 616, Fla. Stat.



**AGENDA ITEM
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL

**VIA: T. JENNENE NORMAN-VACHA
CITY MANAGER**

**FROM: MATTHEW A. FOREMAN, ESQ.
THE HOGAN LAW FIRM, LLC
AS CITY ATTORNEY**

SUBJECT: CODE ENFORCEMENT LIEN FORECLOSURES

DATE: AUGUST 9, 2010

GENERAL SUMMARY: The City currently has two liens which are eligible for foreclosure as neither property has a homestead exemption:

Parcel #: R26 122 19001000000030; Key #: 00010375; Lots 3 and 4 Addis Ababa Subdivision; Commonly known as 606 Harar Avenue. Code Enforcement opened a case regarding this property in August of 2008 due to a complaint from a neighbor regarding a violation of Section 38-92(a) of the City of Brooksville Code. A notice of violation was sent to the owner on August 14, 2008 by certified mail and the return receipt was signed for by the owner. On September 15, 2008, the property was inspected again and was not in compliance, so it was posted. On September 24, 2008, the property was again inspected and was still not in compliance, so the file was sent over for clean up by the city contractor. On October 10, 2008, a certified letter/invoice was sent to the owner for the cleanup by the city contractor and thirty days was given to make payment. A receipt for the letter was signed for by the owner. On November 10, 2008, payment was still not received, so a Notice of Hearing was sent via certified mail to the owner and the receipt came back signed. The hearing date was later cancelled and a new Notice of Hearing was sent on December 11, 2008, for a hearing on January 20, 2009. A notice was left by the postal service, but the letter was never picked up and the receipt was never returned. On December 22, 2008, the property was posted with a Notice of Hearing for January 20, 2009. The property was eventually brought up for hearing due to grass and weed growth in excess of eighteen inches, a violation of Section 38-92(a) of the City of Brooksville Code on January 20, 2009. The Special Master held that the property was not in compliance at the January 20, 2009, hearing and an Order Imposing Lien was signed on April 15, 2009, by the Special Master. The Public Sanitary Nuisance Abatement Special Assessment Lien was recorded in the public records of Hernando County, Florida on May 29, 2009 in the amount of \$395.75. Pursuant to Section 162.10 of the Florida Statutes, no lien provided under the Local Government Code Enforcement Boards Act shall continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded, unless within that time an action is commenced in a court of competent jurisdiction. If the City chooses not to foreclose the lien, it will remain in effect as set forth in Section 162.10.

Parcel #: R2722219345000000020; Key #: 00149930; Saxon Heights Unit 2, Lot 2; Commonly known as 409 Cook Avenue. Code Enforcement opened a case regarding this property in June of

2008 due to a violation of City Code Section 38-92 of the City of Brooksville Code. On June 23, 2008, a Notice of Violation was sent certified mail to the owner of the property. On August 6, 2008, the property was posted as it was still not in compliance. On August 15, 2008, the file was sent to the city contractor for clean up. On September 9, 2008, a letter/invoice was sent to the owner by certified mail and the receipt was signed and returned. After thirty days, no payment was made by the owner, so on October 14, 2008, a Notice of Hearing was sent certified mail and a return receipt was signed and returned. The property was eventually brought up for hearing due to grass and weed growth in excess of eighteen inches, a violation of Section 38-92(a) of the City of Brooksville Code on October 28, 2008. The Special Master held that the property was not in compliance at the October 28, 2008, hearing and an Order Imposing Lien was signed on October 28, 2008, by the Special Master. A Public Sanitary Nuisance Abatement Special Assessment Lien was recorded in the public records of Hernando County, Florida on May 29, 2009 in the amount of \$415.93. Pursuant to Section 162.10 of the Florida Statutes, no lien provided under the Local Government Code Enforcement Boards Act shall continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded, unless within that time an action is commenced in a court of competent jurisdiction. If the City chooses not to foreclose the lien, it will remain in effect as set forth in Section 162.10

BUDGET NOTE: The costs associated with these types of lien foreclosures, not including attorneys' fees, are as follows: \$395.00 for filing fees on properties of \$50,000.00 or less or \$900.00 for properties valued between \$50,001.00 and \$250,000.00. Additionally, fees of \$10.00 per summons, \$10.00 per lis pendens and \$50.00 for service of process generally apply. Attorneys' fees are dependent on a variety of factors including, but not limited to: whether the case is settled quickly, whether the property will be brought up for judicial sale, motions filed by the opposing parties and how far the litigation process progresses, and thus are impossible to predict.

LEGAL NOTE: Pursuant to Sec. 38-95 of the City's Code, "If the special assessment lien is not paid within one year, the city attorney may commence foreclosure proceedings to foreclose upon the special assessment lien." Furthermore, the City may proceed with Foreclosure of the Code Enforcement liens in accordance with Chapter 162 of the Florida Statutes and may collect its fees and costs upon successful prosecution of the code enforcement lien foreclosure case. The City may also Petition the Circuit Court for Injunctive Relief, a Writ of Execution and/or a Money Judgment under Chapter 162. The City may proceed with foreclosure of the Public Sanitary Nuisance Abatement Special Assessment Liens under Chapter 173 of the Florida Statutes and may collect its fees and costs upon successful prosecution of the special assessment lien foreclosure case.

RECOMMENDATION: The City Attorney seeks direction from the City Council as to whether or not it desires to proceed with foreclosure proceedings on the special assessment liens described above. In the event Council decides not to proceed with foreclosure proceedings, there should be a future date set and calendared for the matter to be brought before council prior to the statutory lien expiration date.

ATTACHMENTS: Code Enforcement file documentation for 606 Harar Avenue
Code Enforcement file documentation for 409 Cook Avenue



January 26, 2010

VIA CERTIFIED MAIL # 7008 1830 0002 7339 5569

Cynthia Y Williams
2249 Lema Dr.
Spring Hill, FL. 34609-3720

Dear Ms. Williams

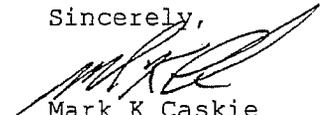
You were previously notified of an excessive weed growth and grass violation on your property located at **Harar Ave, Addis Ababa Lots 3 & 4**, via certified mail. A copy of that Notice of Violation is attached hereto for your convenience. Despite receiving this notice on 10/05/09, you failed or refused to resolve the violation.

Due to this failure or refusal to comply with the Notice of Violation, the City deemed it necessary to remedy the problem in the interest of the health, safety and welfare of its citizens. Pursuant to Section 38 of the City of Brooksville Code of Ordinances, attached is Certification of Expenses No. 09-9106 in the amount of \$191.08 for services performed on your property which were necessary to rectify the aforementioned violation(s). The work was accomplished by T.L. Chapman Lawn Service and Landscaping on 1/11/10.

As further stated in Section 38 of said Code of Ordinances you are hereby notified that payment must be made within thirty (30) days from the date of this notice. If you fail or refuse to remit the aforementioned amount, the City of Brooksville will be forced to record a lien against your property in the amount of **\$191.08** plus **\$.36.00** to cover the costs of recording, for a total of **\$227.08**.

If you have any questions, or wish to discuss this matter further, please feel free to contact this office.

Sincerely,


Mark K Caskie
Code Enforcement Officer

Attachments: Notice of Public Code Violation 30 September, 2009

cc: T. Jennene Norman-Vacha, City Manager
Thomas Hogan Jr. Esq, The Hogan Law Firm, City Attorney
Stephen Baumgartner, Director of Finance

CERTIFICATION OF EXPENSES

09-9106

Date: January 26, 2010

Subject Property: Harar Ave, Addis Ababa Lots 3 & 4, Brooksville, FL.

Property Owner: Cynthia Y. Williams

Description of Expenses:

Nuisance Administrative Surcharge.....\$ 25.00

Site Inspections
4 @ \$20.00 per inspection.....\$ 80.00

T.L. Chapman Lawn Service & Landscaping.....\$ 75.00

Postage Fees
2 @ \$ 5.54.....\$ 11.08

Total Amount of Expenses.....\$ 191.08

If recorded, recording fees in the amount of \$36.00 will be assessed,
bringing the total lien to.....\$ 227.08

Please Note: Any mail containing your payment must be postmarked
no later than February 26, 2010, in order to avoid recording fees
being assessed.

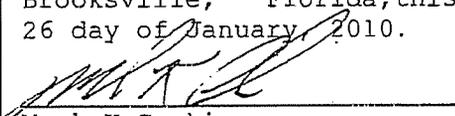
PLEASE MAKE CHECK PAYABLE TO:

CITY OF BROOKSVILLE
201 Howell Avenue
Brooksville, Fl. 34601

Attn: Mark K Caskie

CERTIFICATION

I certify this to be a true
and correct copy of the
record in my office.
WITNESSETH my and official
seal of the City of
Brooksville, Florida, this
26 day of January, 2010.


Mark K Caskie
Code Enforcement Officer



City Of Brooksville

Community Development Department
William "Bill" Geiger, Director

NOTICE OF PUBLIC CODE VIOLATIONS

Date: 30 September 2009

Case #: 20099106

Certified Mail # 7008 1140 0000 9739 7675

Cynthia Y Williams
2249 Lema Dr.
Spring Hill, FL 34609-3720

Our records indicate that you are the owner(s) of the following property in the City of Brooksville, Florida:

HARAR Ave (ADDIS ABABA Lots 3 & 4) (Key# 10375)
Brooksville, Fl. 34601

An inspection of this property discloses that a Public Code Violation exists thereon so as to constitute a violation of Section 38-92 of City of Brooksville Code of Ordinances.

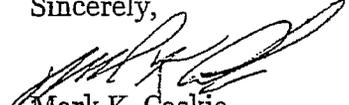
Grass and Weed Growth in excess of 18", Property Must be Mowed and Maintained

You are hereby notified that unless the condition above described is remedied as required by this article within thirty (30) days of the mailing of this letter, the City will abate this condition and the cost of the work, including advertising costs, a Nuisance Administrative Surcharge of Twenty-Five Dollars (\$25.00), Inspection Fee of Twenty Dollars (\$20.00) per site visit, and other expenses, will be imposed as a Special Assessment Lien upon the property.

Furthermore, please be advised that the City of Brooksville has the right to foreclose on properties upon which a lien has been placed and not paid within one (1) year.

Your Cooperation is greatly appreciated, and if you should have any questions regarding this matter, please contact City Code Enforcement by calling 352-540-3810.

Sincerely,

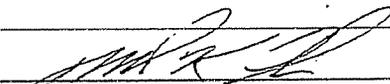


Mark K. Caskie
Code Enforcement Officer

CITY OF BROOKSVILLE
CODE ENFORCEMENT
REQUEST FOR QUOTE

The owner of the property Cynthia Y. Williams located at Addis Ababa Lots 3&4, Harar Ave. has been notified of a violation of Section 38-92 of the City of Brooksville Code, and as of this date, the violation has not been corrected. Please initiate the proceedings to correct the violation by:

- Mow
- Removing debris and mow
- Other

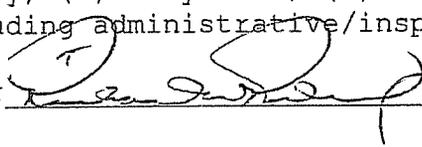


 Mark K Caskie
 Code Enforcement Officer

December 1, 2009

 Date

VENDOR QUOTATIONS				
NO.	VENDOR=S NAME	TOTAL PRICE	DATE PROMISED	REMARKS
1.	<u>Terry Chapman</u>	<u>\$75.00</u>	<u>1/11/10</u>	<u>Completed</u>
2.				
3.				

() Work to be done by, () City Crew; above vendor, number _____.
 Estimated cost (excluding administrative/inspection) \$ 75.00.
 Public Works Director  Date 11-19-10

() Approval to proceed:
 City Manager _____ Date _____

Work Completed _____ Total Price _____

**CITY OF BROOKSVILLE
CODE ENFORCEMENT OFFICE
REQUEST FOR CLEAN-UP**

TO: DEPT OF PUBLIC WORKS

PROPERTY OWNER Cynthia Y Williams

MAILING ADDRESS 2249 Lema Dr.

Spring Hill, FL. 34609-3720

VIOLATION Grass and Weed Growth in Excess of 18"

DATE December 1, 2009

PROPERTY ADDRESS OR DESCRIPTION 606 Harar Ave

(Key #10375)(ADDIS ABABA Lots 3&4) (Left of 602 Harar Ave)

CERTIFIED MAIL SENT September 30, 2009

LETTER OR CARD RETURNED November 2, 2009

NOTICE POSTED ON PROPERTY November 12, 2009

REQUEST PUBLIC WORKS TO HAVE THIS VIOLATION

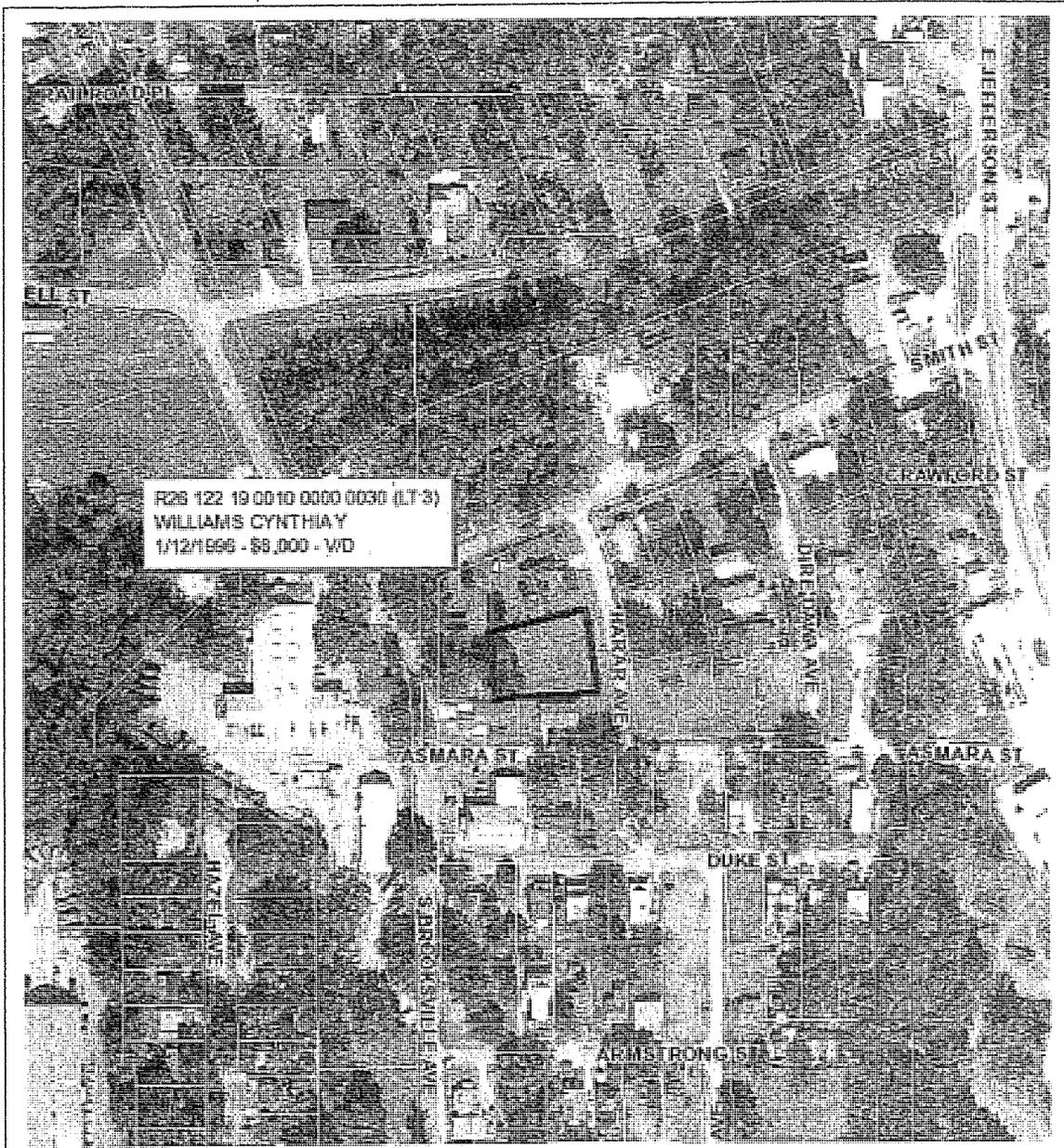
CORRECTED December 1, 2009



**Mark K Caskie
Code Enforcement Officer**

December 1, 2009

Date



Hernando County Property Appraiser Alvin R. Mazourek CFA - Brooksville, Florida - 352-754-4190		0 0.01 0.02 0.03 mi	
PARCEL: R26 122 19 0010 0000 0030 KEY: 00010375			
ADDIS ABABA LOTS 3 & 4			
Name: WILLIAMS CYNTHIA Y	LandVal	\$9,082.00	
Site:	BldgVal	\$0.00	
Mail: 2249 LEMA DR	JustVal	\$9,082.00	
Mail: SPRING HILL FL 34609-3720	Assd	\$9,082.00	
Sales 1/12/1996 \$6,000.00 V(D)	Exmpt	\$0.00	
Info 2/1/1990 \$6,000.00 I(D)	Taxable	\$9,082.00	
Info 1/1/1980 \$0.00 ()			
Levy: WIBRES	Map: 85B2	GIS: Class: Quality: TPPCnt: 0	

This information was derived from data which was compiled by the Hernando County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the market value, ownership, or zoning of the property. Zoning information should be obtained from the Hernando County Development Department. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes.

CAMA Updated: 11/27/2009 | GIS Updated: 11/27/2009 | © Copyright 2003 All Rights Reserved - Hernando County Property Appraiser

City of Brooksville

201 Howell Ave
 Brooksville, FL 34601
 (352) 540-3810 Ext

Document No.

Inv-10-2092

Control No. 6,466

**** Approval in Process ****

Vendor:CHA1011	Ship-to Address
TL Chapman Enterprises Inc PO Box 1531 Brooksville, FL 34605 Phone - / Fax -	600 S Brooksville Ave. Brooksville, FL 34601 (352) 540-3860 Ext

Document Information	Other Information
Document Date <u>01/13/2010</u> Required Date <u>01/23/2010</u> Prepared By <u>Miriam Rivera</u> Workflow ID <u>019 Invoice</u> Status <u>Submitted to DPW Director</u> Description <u>Code Enforcement/ 606 Harar Ave/ Cleanup</u>	Invoice No. <u>See attachment</u>

Comments: Invoice attached

Qty	Unit Type	Qty Rec'd	Received Date	M/P Account Information	Item Number	Line Description	Unit Price	Total
1.00	EA	0.00		53400 001 019 541	code enforce/cleanup	Code Enforcement/ 606 Harar Ave./ Cleanup	75.00	\$75.00
Total -								<u>\$75.00</u>

Approval Information		
Miriam Rivera	Submitted for Approval	1/13/2010 3:01:36PM

The Purchase Order Authorizes the purchase of the items or services in the quantities and the amounts specified above by the purchaser identified above on the presentation of proper identification at time of purchase

The Purchase Order/Invoice number must appear on billing invoices, packages Billing of the purchase must be submitted to the address shown above

The City of Brooksville is exempt from payment of State sales tax under Exemption #85-8012740085C-2

T. L. Chapman
Lawn Service and Landscaping
P. O. Box 1531
Brooksville, Florida 34605
352-279-8493

CHA 1011

January 13, 2010

City of Brooksville
600 South Brooksville Ave.
Brooksville, Florida 34601

Code Enforcement

606 Harrar Ave

Code Enforcement Clean-up

\$75.00

Thank you,

mu 1-13-10

4

2009028657
LORINDA 2657/191



LIENOR: CITY OF BROOKSVILLE

OFFICIAL RECORDS
BK: 2657 PG: 191

LIENEE: Williams, Cynthia

PUBLIC SANITARY NUISANCE ABATEMENT SPECIAL ASSESSMENT LIEN

This Public Sanitary Nuisance Abatement Special Assessment Lien is executed and levied this 29th day of May, 2009, by the City of Brooksville, a municipal corporation of the State of Florida, in accordance with the provisions of Section 38-95 of the Code of the City of Brooksville, Florida, and as amended hereafter, and by the authority vested thereby.

WHEREAS, the City of Brooksville has determined that a public sanitary nuisance as defined by the City of Brooksville Code of Ordinances, Section 38-92, and as amended hereafter, existed on the hereinafter described property; and,

WHEREAS, the City of Brooksville caused said public sanitary nuisance to be abated at the City's direction at a cost of Three Hundred Ninety-Five Dollars and Seventy Five Cents (\$395.75) as evidenced on Final Certification of Expenses [Attachment A hereto]; and,

WHEREAS, the City of Brooksville Code Section 38-95 provides for the creation and establishment of a lien in the amount of such expenditure against the property specially benefitted which said land has been determined as having been specially benefitted.

WITNESSETH:

For and in consideration of the expenditures by the City of Brooksville from its governmental funds heretofore made to benefit the hereinafter described property, there is hereby created, established and levied by operation of law a lien upon the following described real property located and situated in the City of Brooksville, Hernando County, Florida, to wit:

Key #:	00010375
Legal Description:	Lots 3 and 4 Addls Ababa Subdivision ORB1048Pg 1890
Street Address:	606 Harar Avenue, Brooksville, Florida, 34601
Owner:	Cynthia Williams
Owner's Address:	2249 Lema Drive, Spring Hill, FL 34609

Said lien may be foreclosed by the City of Brooksville at any time according to procedure set out in the Florida Statutes for the foreclosure of mortgages.

Pursuant to the provisions of Section 38-95.a, and as amended hereafter, the costs enumerated herein shall be payable with interest at a rate of ten (10%) percent per annum from the date of such final certification until paid.

IN WITNESS WHEREOF, the City of Brooksville has caused this lien to be executed and created pursuant to and by operation of law on the day and year first above written.

CITY OF BROOKSVILLE

By: Joe Bernardini
Joe Bernardini, Mayor

ATTEST: Janice L. Peters
Janice L. Peters, City Clerk, CMC

R

APPROVED AS TO LEGAL FORM AND
CONTENT FOR THE RELIANCE OF
THE CITY OF BROOKSVILLE ONLY:

PREPARED BY AND
RETURN TO: CITY OF BROOKSVILLE
201 HOWELL AVENUE
BROOKSVILLE, FL 34601

Thomas S. Hogan, Jr.
Thomas S. Hogan, Jr., City Attorney

05/29/2009 1:04PM # Pages 4
Filed & Recorded in Official Records of
HERNANDO COUNTY CLERK OF COURT
KAREN NICOLAI

CERTIFICATION OF EXPENSES
08-06

Date: April 16, 2009

Subject Property: 606 Harar Avenue - Brooksville, Florida

Property Owner: Mrs. Cynthia Williams

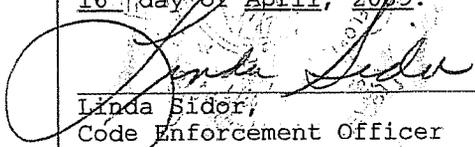
Description of Expenses:

Nuisance Administrative Surcharge.....	\$ 25.00
Site Inspections	
4 @ \$20.00 per inspection.....	\$ 80.00
T.L. Chapman Lawn Service and Landscaping.....	\$ 75.00
Postage Fees	
3 @ \$ 5.32.....	\$ 15.96
Hearing Officers fee for ½ hour.....	\$ 89.29
City Attorneys fee for ½ hour.....	\$100.00
Recording fees four (4) pages.....	\$ 36.00
 Total Amount of Expenses.....	 \$421.25

City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

CERTIFICATION

I certify this to be a true and correct copy of the record in my office. WITNESSETH my and official seal of the City of Brooksville, Florida, this 16 day of April, 2009.


Linda Sider,
Code Enforcement Officer

CODE ENFORCEMENT SPECIAL MASTER
CASE NO.: 2008-8108

City of Brooksville,
Petitioner,

OFFICIAL RECORDS
BK: 2657 PG: 193

v.

Cynthia Williams,
Respondent.

_____ /

ORDER IMPOSING PENALTY/LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Special Master (hereinafter referred to as "MASTER") on 01/20/09, after due notice to Respondent, at which time the Master heard testimony, received evidence, and issued its Findings of Facts and Conclusions of Law and thereupon issued its oral Order which was reduced to writing and furnished to Respondent.

Accordingly, it having been brought to the Special Master's attention that Respondent has not complied with prior notice, it is hereby:

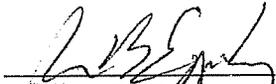
ORDERED that Respondent pay to the City of Brooksville, 201 Howell Avenue, Brooksville, Florida 34601, costs in the amount of \$201.14 in reference to property located at 606 Harar Street, Brooksville, Florida described as:

Key #00010375 Parcel #: R26 122 19 0010 0000 0030; Lots 3 and 4 Addls Ababa Subdivision, ORB 1048 page 1890

A certified copy of this ORDER will be recorded and shall constitute a lien for all the accrued fines and costs against the above described property, and any other real or personal property that the violator owns in Hernando County where recorded pursuant to Section 162.09 of the Florida Statutes.

DONE AND ORDERED this 15 day of April, 2009 at
Brooksville, Hernando County, Florida.

CODE ENFORCEMENT



William B. Eppley
Special Master

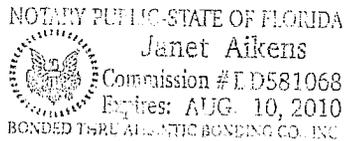
This certificate is attached to a two page document dealing with/entitled Order Imposing Penalty/Lien and dated April 15, 2009.

STATE OF FLORIDA
COUNTY OF HERNANDO

PERSONALLY appeared before me, the undersigned authority, William B. Eppley, well known to me and known by me to be the Code Enforcement Special Master, and acknowledged before me that he executed the foregoing instrument on behalf of City of Brooksville Code Enforcement, as its true act and deed, and that he was duly authorized to do so.

WITNESS my hand and official seal this dated: April 15, 2009

Janet Aikens
Notary Public
My Commission Expires:



Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the above document will be furnished to Cynthia Williams, ADDRESS via U.S. Postal Service, this 16 day of April, 2009.

Sandra Sedor

CERTIFICATION OF EXPENSES

08-06

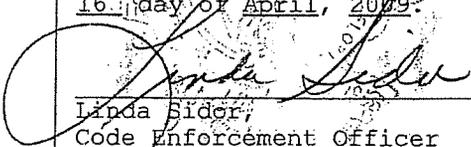
Date: April 16, 2009
Subject Property: 606 Harar Avenue - Brooksville, Florida
Property Owner: Mrs. Cynthia Williams

Description of Expenses:

Nuisance Administrative Surcharge.....\$ 25.00
Site Inspections
4 @ \$20.00 per inspection.....\$ 80.00
T.L. Chapman Lawn Service and Landscaping.....\$ 75.00
Postage Fees
3 @ \$ 5.32.....\$ 15.96
Hearing Officers fee for ½ hour.....\$ 89.29
City Attorneys fee for ½ hour.....\$100.00
Recording fees four (4) pages.....\$ 36.00

Total Amount of Expenses.....\$421.25

City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

CERTIFICATION
I certify this to be a true and correct copy of the record in my office. WITNESSETH my official seal of the City of Brooksville, Florida, this 16 day of April, 2009.

Linda Sider,
Code Enforcement Officer

CITY OF BROOKSVILLE SPECIAL MASTER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Respondent: Cynthia Williams

File No.: 2008-8108

This cause was presented for public hearing before the City of Brooksville Special Master, Hernando County, Florida, on January 20, 1009, after due notice to the Respondent. The Special Master having heard testimony under oath, received evidence, and heard argument of counsel (if any), thereupon issues its Findings of Fact, Conclusions of Law, and Order as follows:

I. FINDINGS OF FACT:

- A. The Respondent owns real property located at 606 Harar Street, Brooksville, Florida, also known as parcel Key # 00010375;
- B. The Respondent was sent a Notice of Hearing by certified mail, stating a hearing would be held before the City of Brooksville Special Master to determine whether the Respondent was violating Section 38-92 of the City of Brooksville Code;
- C. Photographs of the violations taken were submitted into the record;
- D. Neither the Respondent nor her representative were present;
- E. Linda Sidor, Code Enforcement Officer, testified the property does not have homestead exemption. Ms. Sidor testified the code case began on August 13, 2008. Ms. Sidor also testified that she has had no contact with Respondent regarding the code violations, and Respondent did not correct the code violations;
- F. Ms. Sidor testified that as of her last visit to the property, the property was in compliance due to the City of Brooksville correcting the violations.
- G. Ms. Sidor testified that the City of Brooksville expended a total of \$75.00 to correct the code violations.

II. CONCLUSIONS OF LAW:

- A. 38-92. Prohibited conditions
 - (a) The excessive accumulation of weed growth or grass, excluding seed pods, to a height in excess of 18 inches high, or an accumulation of rubbish, trash, debris or manmade materials upon any lot, tract or parcel of land where such growth or accumulation increases the conditions leading to a haven or breeding place for snakes, rats, rodents or other vermin of like or similar character, or creates a breeding place for mosquitos, creates a fire hazard to adjacent properties or adversely affects or impairs the economic welfare of adjacent properties or creates a hazard at road intersections or rights-of-way within the city is declared a public code violation and is prohibited. A dead, decaying or living tree that poses an actual threat of damage to permitted buildings on adjacent

properties is declared to be a public code violation. Public code violations shall be unlawful in any area of the city meeting the following criteria:

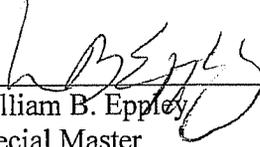
- (1) Commercial, industrial or residential zoning district.
- (2) A parcel or tract of land, except parcels or tracts zoned agricultural, lying adjacent to the boundary of any improved property, and within 100 feet of the property.
- (b) Agricultural properties are exempt from this article with the exception of trash and debris.

III. ORDER:

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that:

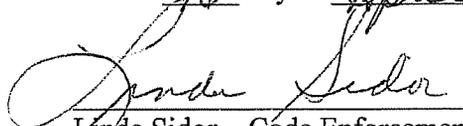
- A. That the Respondent is declared to be in noncompliance of City of Brooksville Code and shall be ordered to pay staff costs in the amount of \$201.14, due immediately;
- B. That the City of Brooksville shall hereby be empowered to file any liens or other means to collect payment of monies expended to correct the violation and bring the property into compliance.
- C. In addition to any fines, the Respondent shall be responsible for any additional inspection costs, collection costs, administrative costs, legal fees, attorney's fees, recording costs and all other costs associated with the collection of this Order.

DONE AND ORDERED this 15 day of April, 2009, in Brooksville, Hernando County, Florida.



William B. Eppley
Special Master

I hereby certify that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law, and Order will be furnished by U.S. Mail to the respondent on this 16 day of April, 2009.



Linda Sidor – Code Enforcement Officer

CASE (3)

Leave Message

Linda's

688-2861

CASE #20088108
Cynthia Williams
606 Harar Avenue

THIS PROPERTY DOESN'T USUALLY GET MOWED UNTIL WE SEND A NOTICE OF VIOLATION. A PROBLEM SINCE 2002

- #1 August 13, 2008 Complaint from neighbor at 602 Harar Avenue.
- #2 August 14, 2008 Notice of violation sent certified mail to correct within 30 days.
Receipt returned signed by owner.
September 15, 2008 After 30 days I inspected the property, no compliance.
- #3 September 15, 2008 I posted the property and at City Hall giving 10 days.
September 24, 2008 After 10 days I inspected the property, no compliance.
- #4 September 24, 2008 I sent file over for Clean up by City contractor.
- #5 October 10, 2008 I sent certified letter/invoice to owner for clean up. They had 30 days to send in payment. Receipt was "signed" by owner.
November 10, 2008 We did not received payment.
- #6 November 10, 2008 Notice of Hearing sent certified mail to owner. Receipt came back "signed". DECEMBER HEARING DATE WAS CANCELLED
- #7 December 11, 2008 Notice of Hearing sent certified mail for new hearing date January 20, 2009.
Notice left by postal service, letter was never picked up or receipt returned.
- #8 December 22, 2008 I posted the property for Hearing January 20, 2009.

Reason for Hearing:

Approval for City to place lien on property for services rendered by the city to bring into compliance.

Not Homestead

1/2 hr	100.00	Hearing officer
1/2 hr	89.28	attorney fee
Total	189.28	
plus	201.14	Clean up
	<u>390.42</u>	

Then I called by Hearing officer 201.14 plus another cert mail.

Total due by 390.42 with lawyer fee & hearing off.

MAY 13, 2009

#(1)

Case # 20088108
Linda

CITY OF BROOKSVILLE

CITIZEN COMPLAINT/REQUEST

Date Received: 8-13-08 () Walk in () Phone () Mail

Complainant Name: Neighbor

Address: 602 Harar Ave

Phone Number:

Location of Complaint: 606 Harar Avenue - Cynthia Wellborn's

Nature of Complaint: Lot is overgrown again. Please have it mowed.

Complaint taken by: Linda Follow up date 8-14-08

Complaint forwarded to: Dept:

Explanation of Resolution of Complaint:

Complainant Contacted:

() Yes () In Person () Phone () Mail

() No Please explain briefly:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cynthia Williams
2249 Lena Dr
Spring Hill, FL
34609

2. Article Number
 (Transfer from service label)

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) *Cynthia Williams* C. Date of Delivery *8/22*

D. Is delivery address different from item 1? Yes
 No
 If YES, enter delivery address below:

3. Service Type Express Mail
 Certified Mail Return Receipt for Merchandise
 Registered C.O.D.
 Insured Mail

4. Restricted Delivery? (Extra Fee) Yes

7007 1490 0004 4457 7906

102595-02-M-1540

Domestic Return Receipt

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
 (Domestic Mail Only. No Insurance Coverage Provided)
 For delivery information, visit our website at www.usps.com

OFFICIAL USE

7007 1490 0004 4457 7906

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
 8/24/08

Sent To

Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4

C. Williams
2249 Lena Dr
SH 34609

PS Form 3800, August 2005

See Reverse for Instructions

#(2)
City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

CODE ENFORCEMENT OFFICE

NOTICE OF PUBLIC CODE VIOLATIONS

Date: August 14, 2008

Case #: 20088108

Certified Mail # 70071490000444577906

Ms. Cynthia Williams
2249 Lema Drive
Spring Hill, Fl. 34609

Our records indicate that you are the owner(s) of the following property in the City of Brooksville, Florida:

606 Harar Avenue – Brooksville, Fl.

An inspection of this property discloses that a Public Code Violation exists thereon so as to constitute a violation of Section 38-92 of City of Brooksville Ordinance #580.

Lots 3 & 4 Overgrown, snakes and complaints

You are hereby notified that unless the condition above described is remedied as required by this ordinance within thirty (30) days upon receipt of this letter, the City will abate this condition * and the cost of the work, including advertising costs, a Nuisance Administrative Surcharge of Twenty-Five Dollars (\$25.00), Inspection Fee of Twenty Dollars (\$20.00) per site visit, and other expenses, will be imposed as a Special Assessment Lien upon the property.

Furthermore, please be advised that the City of Brooksville has the right to foreclose on properties upon which a lien has been placed and not paid within one (1) year.

Your Cooperation is greatly appreciated, and if you should have any questions regarding this matter, please contact City Code Enforcement by calling 352 544-5400x102.

Sincerely,



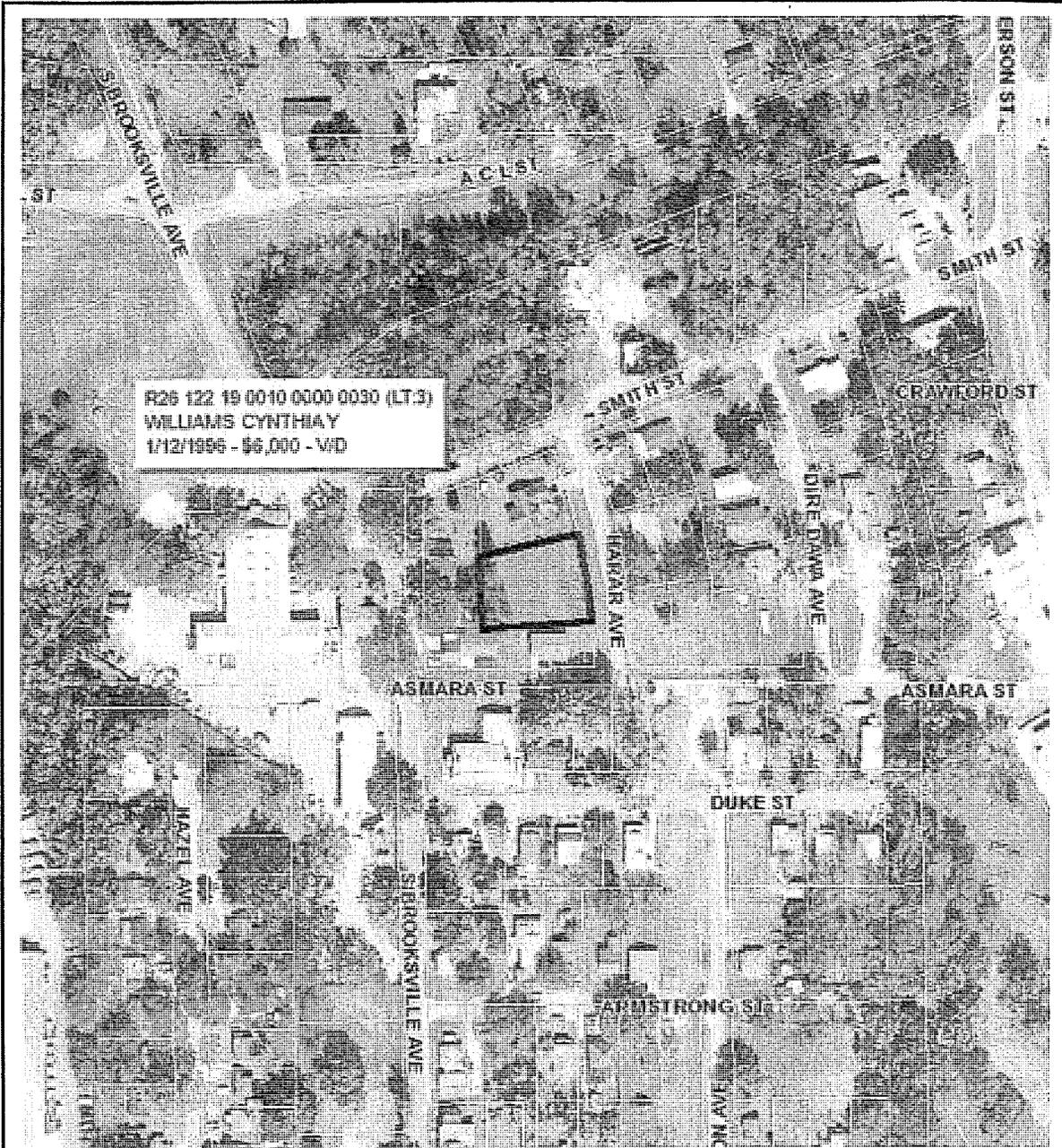
Linda Sidor

Code Enforcement Officer

*Note: The City contracts for this service on an annual basis, copy of contract may be viewed from the City Clerk's Office, 201 Howell Avenue – Brooksville -352 544-5407.

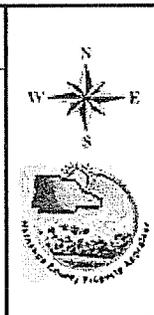
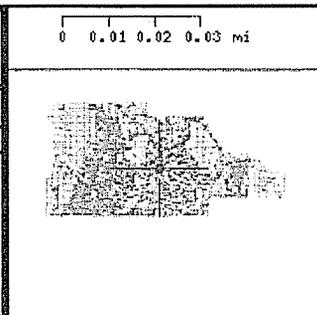
20088108

06



R26 122 19 0010 0000 0030 (LT.3)
 WILLIAMS CYNTHIA Y
 1/12/1996 - \$6,000 - VID

Hernando County Property Appraiser	
Alvin R. Mazourek CFA - Brooksville, Florida - 352-754-4190	
PARCEL: R26 122 19 0010 0000 0030 KEY: 00010375	
ADDIS ABABA LOTS 3 & 4	
Name: WILLIAMS CYNTHIA Y	LandVal \$9,224.00
Site: 606 HARAR AVE	BldgVal \$0.00
2249 LEMA DR	JustVal \$9,224.00
Mail: SPRING HILL FL 34609-3720	Assd \$9,224.00
Sales 1/12/1996 \$6,000.00 V (D)	Exmpt \$0.00
Info 2/1/1990 \$6,000.00 I (D)	Taxable \$9,224.00
1/1/1980 \$0.00 ()	



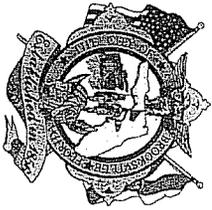
This information was derived from data which was compiled by the Hernando County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the market value, ownership, or zoning of the property. Zoning information should be obtained from the Hernando County Development Department. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes.

Data Updated: 8/8/2008 | GIS Map Updated: 8/8/2008 | © Copyright 2003 All Rights Reserved - Hernando County Property Appraiser

#3

PUBLIC NOTICE

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

September 15, 2008

NOTICE OF PUBLIC CODE VIOLATION

Name of Owner(s): *Lynthea Williams*
Address: *2349 Fern Drive*
Date: *Spring Hill, Fl. 34609*

All records indicate that you are the owner(s) of the following property in the City of Brooksville, Florida:

606 HAARN Avenue
BROOKSVILLE, FL 34601

An inspection of this property discloses that a Public Code Violation exists thereon so as to constitute a violation of City of Brooksville Ordinance 580.

OVER growth GRASS/weeds
lots 3+4

You are hereby notified that unless the condition above described is remedied as required by this ordinance within Ten (10) days upon Posting of this Property, the City will abate this condition and the cost of work, including advertising cost, a Nuisance Administrative Surcharge of twenty-five Dollars (\$25.00), Inspection Fee of Twenty Dollars (\$20.00) per site visit, and other expenses will be imposed as Special Assessment Lien upon the property.

Furthermore, please be advised that the City of Brooksville has the right to foreclose on properties upon which a lien has been placed and not paid with one (1) year.

Your cooperation is greatly appreciated, and if you should have any questions regarding this matter, please contact the Code Enforcement Office by calling (352) 754-6800.

CITY OF BROOKSVILLE
201 HOWELL AVENUE
BROOKSVILLE, FLORIDA
34601

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
CITY OF BROOKSVILLE

1. I, Linda Sidor am a duly authorized Code Enforcement Officer for the City of Brooksville, Florida.
2. I have posted the property located at: 606 HARAR Avenue on the 15 day of September 2008.

Linda Sidor
PRINT NAME
AFFIANT

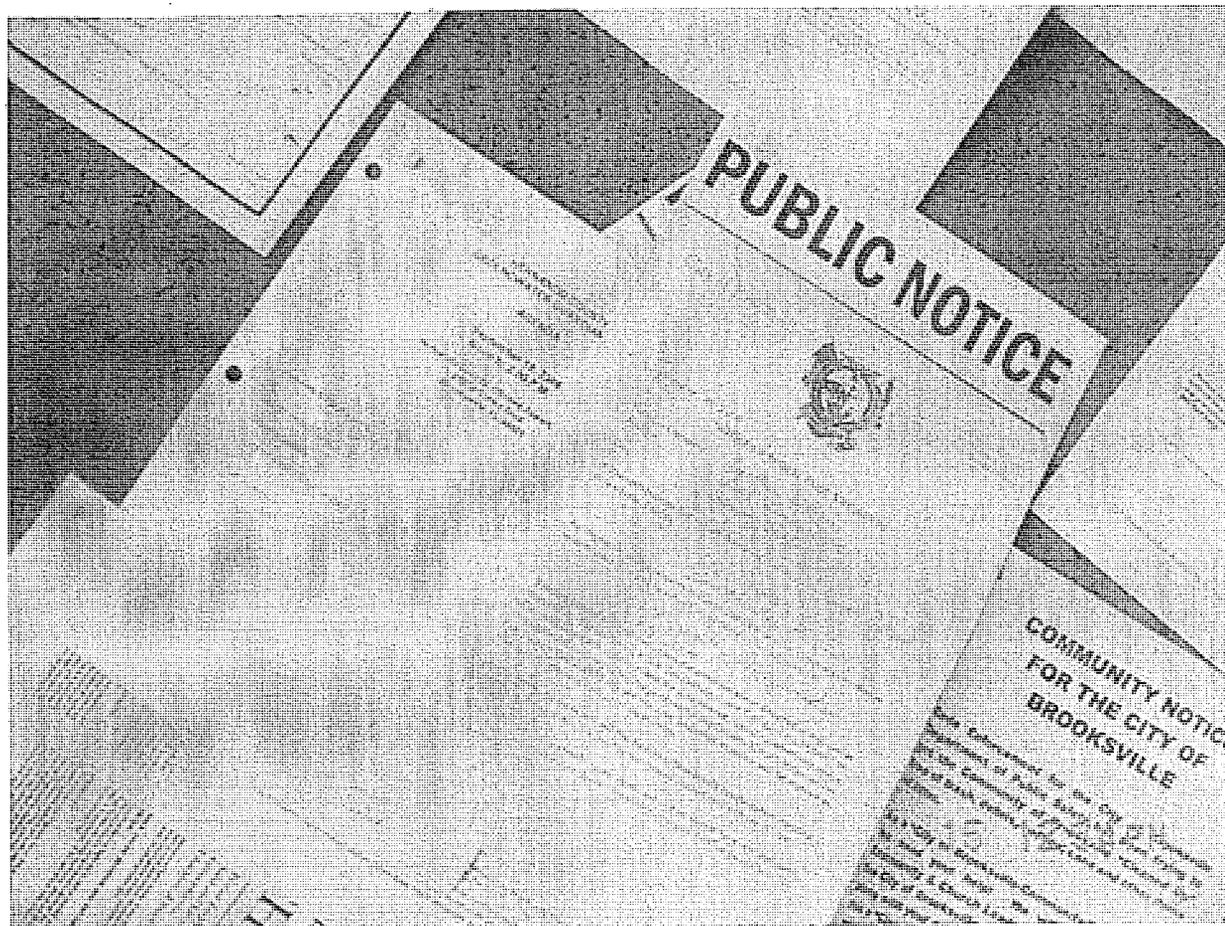
Sworn to and subscribed to before me on this 15 day of September 2008 BY Linda Sidor (AFFIANT), who is personally known to me, and did not take an Oath.

Kim Harsin
NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Kim J. Harsin
Commission # DD417148
Expires: APR. 11, 2009
Bonded Thru Atlantic Bonding Co., Inc.



Bob Haran
9/15/08



Carl Herar
9/15/08



Bob Harse
9/15/08

#4

CITY OF BROOKSVILLE
CODE ENFORCEMENT
REQUEST FOR QUOTE

The owner of the property Cynthia Williams
located at 606 HARAR Ave - VACANT has been notified of a
violation of Section 38-92 of the City of Brooksville Code, and as
of this date, the violation has not been corrected. Please initiate the
proceedings to correct the violation by:

Please have Lot mowed, POSTED Property on Sept 15,
They have NOT complied.

[Signature]
Code Enforcement Officer

September 24, 2008
Date

VENDOR QUOTATIONS				
NO.	VENDOR'S NAME	TOTAL PRICE	DATE PROMISED	REMARKS
1.	Terry Chapman	75.00		
2.				
3.				

() Work to be done by, () City Crew; above vendor, number _____
 Estimated cost (excluding administrative/inspection) \$ 75.00
 Public Works Director [Signature] Date 10/10/08

Work Completed _____ Total Price _____

**T. L. Chapman
Lawn Service and Landscaping
P.O. Box 1531
Brooksville, Florida 34605
352-279-8493**

October 8, 2008

City of Brooksville
600 South Brooksville Ave.
Brooksville, Florida 34601

Code Enforcement

Lot clean up 606 Harar Ave

\$ 75.00

Thank you,

TY OF BROOKSVILLE

Payee TL Chapman Enterprises Inc
 Vendor ID CHA1011

Account #:

LS.

43633
 10/16/2008

Invoice	Description	Discount	Amount
100608CE 10-6-08	Mowing/501 Howell/Code Enforcement	\$0.00	\$75.00
100808CE 10-8-08	Mowing/606 Harar/Code Enforcement	\$0.00	\$75.00
Total :		\$0.00	\$150.00

Utility Mowing

HOUSE CHECK P7059N-1 RAPIDFORMS INC. 301 GROVE ROAD, THOROFARE, N.J. 08086-9499 CALL TOLL FREE 800-257-8354; FAX 1-800-451-8113 COMPATIBLE ENVELOPE CHENV 0597 Ref No: G 22011199



CITY OF BROOKSVILLE
 201 HOWELL AVENUE
 BROOKSVILLE, FL 34601
 (352) 544-5400

SUNTRUST
 63-134/631

****One Hundred Fifty and 00/100 Dollars

DATE 10/16/2008 AMOUNT \$150.00

DISBURSEMENT ACCOUNT

PAY TO THE ORDER OF:
 TL Chapman Enterprises Inc
 PO Box 1531
 Brooksville, FL 34605

COPY AUTHORIZED SIGNATURE MP

⑈043633⑈ ⑆063102152⑆0134005548601⑈

CITY OF BROOKSVILLE

Payee TL Chapman Enterprises Inc
 Vendor ID CHA1011

Account #:

43633
 10/16/2008

Invoice	Description	Discount	Amount
100608CE 10-6-08	Mowing/501 Howell/Code Enforcement	\$0.00	\$75.00
100808CE 10-8-08	Mowing/606 Harar/Code Enforcement	\$0.00	\$75.00
Total :		\$0.00	\$150.00

COPY

Utility Mowing

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>[Signature]</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p style="font-size: 1.2em; margin-left: 40px;"><i>Cynthia Williams</i></p> <p style="margin-left: 40px;"><i>2249 Lema Drive</i></p> <p style="margin-left: 40px;"><i>Spring Hill, FL</i></p> <p style="margin-left: 80px;"><i>34609</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service)</p> <p style="text-align: center; font-size: 1.2em;">7008 1140 0000 9736 3519</p>		

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service[™]

CERTIFIED MAIL[™] RECEIPT

(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark here <i>10/10/08</i>
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To *Cynthia Williams*

Street, Apt. No., or PO Box No. *2249 Lema Dr*

City, State, ZIP+4 *SH 34609*

PS Form 3800, August 2006 See Reverse for Instructions

7008 1140 0000 9736 3519

5
City of Brooksville

(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

October 10, 2008



VIA CERTIFIED MAIL # 7008114000097363519

Cynthia Williams
2249 Lema Drive
Spring Hill, Fl. 34609

Dear Ms. Williams

You were previously notified of an excessive weed growth and grass violation on your property located at 606 Harar Avenue - Lots 3 & 4 via certified mail. A copy of that Notice of Violation is attached hereto for your convenience. Despite receiving this notice on August 22, 2008 you failed or refused to remediate the violation.

Due to this failure or refusal to comply with the Notice of Violation, the City deemed it necessary to remediate the problem in the interest of the health, safety and welfare of its citizens. Pursuant to Section 38 of the City of Brooksville Code of Ordinances, attached is Certification of Expenses No. 08-06 in the amount of \$190.64 for services performed on your property which were necessary to rectify the aforementioned violation(s). The work was accomplished by T.L. Chapman Lawn Service and Landscaping on October 8, 2008.

As further stated in Section 38 of said Code of Ordinances you are hereby notified that payment must be made within thirty (30) days from the date of this notice. If you fail or refuse to remit the aforementioned amount, the City of Brooksville will be forced to request a Mandatory Hearing before the City's Code Enforcement Hearing Officer.

If you have any questions, or wish to discuss this matter further, please feel free to contact this office.

Sincerely,

Linda Sidor
Code Enforcement Officer

Attachments

cc: T. Jennene Norman-Vacha, City Manager
George Angeliadis, City Attorney
Stephen Baumgartner, Director of Finance

CERTIFICATION OF EXPENSES
08-06

Date: October 10, 2008

Subject Property: 606 Harar Avenue - Brooksville

Property Owner: Cynthia Williams

Description of Expenses:

Nuisance Administrative Surcharge.....\$ 25.00

Site Inspections
4 @ \$20.00 per inspection.....\$ 80.00

T.L. Chapman Lawn Service & Landscaping.....\$ 75.00

Postage Fees
2 @ \$ 5.32.....\$ 10.64

Total Amount of Expenses.....\$ 190.64

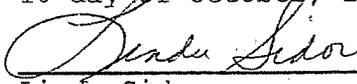
If recorded, recording fees in the amount of \$10.50 will be assessed, bringing the total lien to.....\$ 201.14

Please Note: Any mail containing your payment must be postmarked no later than (November 10, 2008), in order to avoid recording fees being assessed.

PLEASE MAKE CHECK PAYABLE TO:

CITY OF BROOKSVILLE
201 Howell Avenue
Brooksville, Fl. 34601

Attn: Linda Sidor

<p>CERTIFICATION</p> <p>I certify this to be a true and correct copy of the record in my office. WITNESSETH my and official seal of the City of Brooksville, Florida, this 10 day of October, 2008.</p> <p> Linda Sidor Code Enforcement Officer</p>

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here <i>11/13/08</i>
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

7007 1490 0004 4457 8729

Sent To: *Cynthia Williams*

Street, Apt. No., or PO Box No.: *2249 Lema Dr*

City, State, ZIP+4: *S.H. 34609*

PS Form 3811, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to:</p> <p style="font-size: 1.2em; margin-left: 20px;"><i>Cynthia Williams</i> <i>2249 Lema Drive</i> <i>Spring Hill, FL</i> <i>34609</i></p>	<p>A. Signature</p> <p><i>Margaret J. Ryan</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>Margaret J. Ryan</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center; font-size: 1.2em;">7007 1490 0004 4457 8729</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

#6

**CITY OF BROOKSVILLE
HERNANDO COUNTY, FLORIDA**

CODE ENFORCEMENT HEARING

CITY OF BROOKSVILLE, FLORIDA

Petitioner,

**CASE NO. CEH 20088108
606 Harar Avenue
Brooksville, Fl. 34601**

-vs-

**CYNTHIA WILLIAMS
2249 LEMA DRIVE
SPRING HILL, FL. 34609**

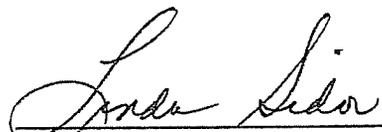
*Hearing
Cancelled
due to hearing
officer*

NOTICE OF HEARING

Pursuant to City of Brooksville Code, you are called upon to take notice that a public hearing will be conducted upon the Affidavit of Violation, attached to this Notice, **on the November 25, 2008, at 3:00 p.m., in the City Council Chamber, Brooksville, City Hall, 201 Howell Avenue, Brooksville, Florida.**

Please see that attached Statement of Hearing procedures and Penalties that may be imposed at the hearing. If the charge is for a repeat violation, penalties may be imposed of up to **\$500.00** per day for each day the violation has continued past the date of the Code Enforcement Officer's Notice of Violation.

Please govern yourself accordingly.



CODE ENFORCEMENT OFFICER
Linda Sidor
Date: November 13, 2008

City of Brooksville

#1

**CITY OF BROOKSVILLE
HERNAND COUNTY, FLORIDA**

CODE ENFORCEMENT HEARING



(352) 544-5400 (Phone)

(352) 544-5424 (Fax)

(352) 544-5420 (TDD)

CITY OF BROOKSVILLE, FLORIDA

Petitioner,

CASE NO. CEH 20088108

606 Harar Avenue

Brooksville, Fl. 34601

-vs-

**CYNTHIA WILLIAMS
2249 LEMA DRIVE
SPRING HILL, FL. 34609**

NOTICE OF HEARING

Pursuant to City of Brooksville Code, you are called upon to take notice that a public hearing will be conducted upon the Affidavit of Violation, attached to this Notice, **on the January 20, 2008, at 3:00 p.m., in the City Council Chamber, Brooksville, City Hall, 201 Howell Avenue, Brooksville, Florida.**

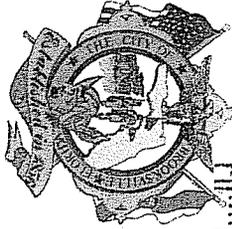
Please see that attached Statement of Hearing procedures and Penalties that may be imposed at the hearing. If the charge is for a repeat violation, penalties may be imposed of up to **\$500.00** per day for each day the violation has continued past the date of the Code Enforcement Officer's Notice of Violation.

Please govern yourself accordingly.

CODE ENFORCEMENT OFFICER

Linda Sidor

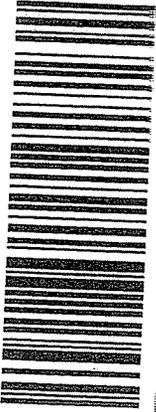
Date: December 11, 2008



City of Brooksville

201 Howell Avenue
Brooksville, FL 34601-2041

CERTIFIED MAIL

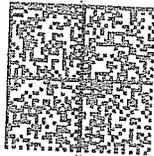


7000 0520 0016 1779 9101

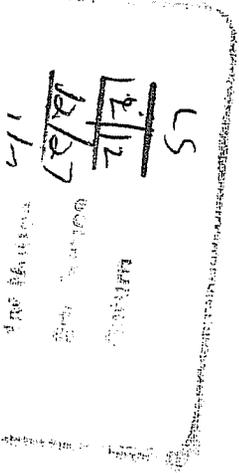
Ms. Cynthia Williams
2249 Lema Drive
Spring Hill, FL 34609

34601@2041

0223450992



UNITED STATES POSTAGE
PITNEY BOWES
02 1P
0004400324
\$005.320
DEC 11 2008
MAILED FROM ZIP CODE 34601



NIXIE

337 4E 1

07 01/13/09

RETURN TO SENDER
UNCLASIFIED
UNABLE TO FORWARD

BC: 34601204101

*2374-05110-13-18



I certify that a true copy of the foregoing has been served upon the Respondent by:

Certified Mail; () **Personal Service;** () **Brooksville Police Dept.;** ()

Dated this 11 th Day of December, 2008

Certified Mail # 7000 0520 0016 1779 9101
Server

7000 0520 0016 1779 9101

US Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance coverage provided)

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
12/11/08

Recipient's Name (Please Print Clearly) (To be completed by mailer)
Matthew Williams

Street, Apt. No., or P.O. Box No.
2249 Lena Dr

City, State, ZIP+4
SH 34609

PS Form 3800, February 2008 See Back for Instructions



[Home](#) | [Help](#)

[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: **7000 0520 0016 1779 9101**
Status: **Notice Left**

We attempted to deliver your item at 1:49 PM on December 27, 2008 in SPRING HILL, FL 34609 and a notice was left. It can be redelivered or picked up at the Post Office. If the item is unclaimed, it will be returned to the sender. Information, if available, is updated every evening. Please check again later.

[Additional Details >](#)

[Return to USPS.com Home >](#)

Track & Confirm

Enter Label/Receipt Number.

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

[Site Map](#)

[Contact Us](#)

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[Gov't Services](#)

[Jobs](#)

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[National & Premier Accounts](#)

Copyright© 1999-2007 USPS. All Rights Reserved.

No FEAR Act EEO Data

FOIA



#8 PUBLIC NOTICE

CITY OF BROOKSVILLE
HERNANDO COUNTY, FLORIDA

CODE ENFORCEMENT HEARING

CITY OF BROOKSVILLE, FLORIDA

Petitioner,

*-vs- Cynthia Williams
2249 Anna Drive
Spring Hill, FL 34609*

CASE NO. CEH 20081108
Address of violation
*606 Manor Ave
Brooksville, FL 34601*

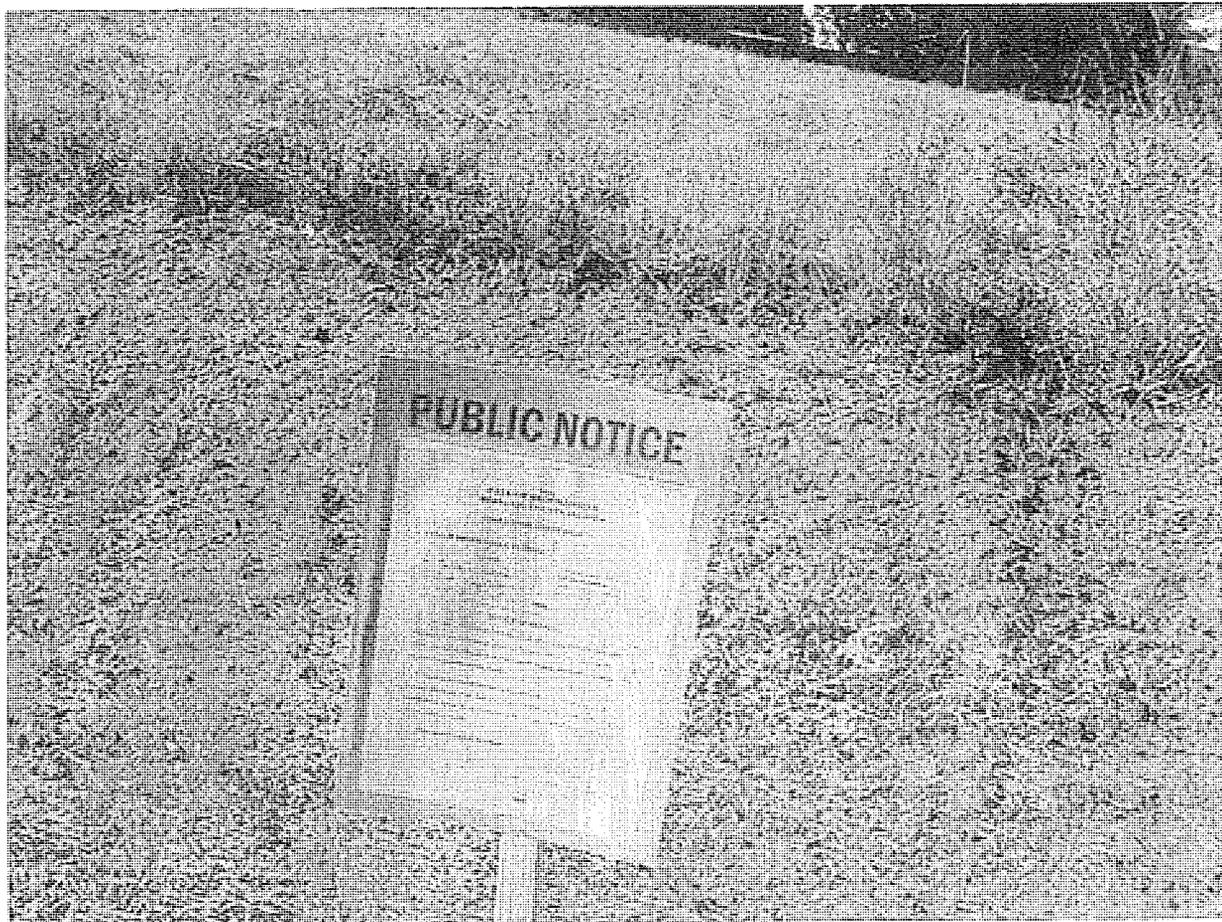
NOTICE OF HEARING

Pursuant to City of Brooksville Code, you are called upon to take notice that a public hearing will be conducted upon the Affidavit of Violation, attached to this Notice, on the January 20, 2008, at 3:00 p.m., in the City Council Chamber, Brooksville, City Hall, 201 Howell Avenue, Brooksville, Florida.

Please see that attached Statement of Hearing procedures and Penalties that may be imposed at the hearing. If the change is for a repeat violation, penalties may be imposed of up to \$500.00 per day for each day the violation has continued past the date of the Code Enforcement Officer's Notice of Violation.

Please govern yourself accordingly.


CODE ENFORCEMENT OFFICER
Linda Sidor
Date: Dec. 22, 2008 NEXT PAGE...



606 Harar
Posted for Hearing
12/22/08

CITY OF BROOKSVILLE

201 HOWELL AVENUE
BROOKSVILLE, FLORIDA
34601

AFFIDAVIT OF POSTING NOTICE

**STATE OF FLORIDA
CITY OF BROOKSVILLE**

1. I, Linda Sidor am a duly authorized Code Enforcement Officer for the City of Brooksville, Florida.
2. I have posted the property located at: 606 Haral Avenue on the 22 day of December 2008.

Linda Sidor
PRINT NAME
AFFIANT

Sworn to and subscribed to before me on this 22 day of December 2008 BY Linda Sidor (AFFIANT), who is personally known to me, and did not take an Oath.

Kim J. Harsin
NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Kim J. Harsin
Commission # DD417148
Expires: APR. 11, 2009
Bonded Thru Atlantic Bonding Co., Inc.

Hearsey Notice

I certify that a true copy of the foregoing has been served upon the Respondent by:

Certified Mail; (X) *Personal Service;* (✓) *Brooksville Police Dept.;* ()

Dated this *22* Day of *Dec*, 2008

Linda Sidor

Server

POSTED on Property
606 Harar Ave

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: <p style="font-size: 1.2em; margin-left: 20px;">Cynthia Williams 2249 Lema Drive Spring Hill, FL 34609</p>	B. Received by (Printed Name) <p style="font-size: 1.2em; margin-left: 20px;">Liz Stan</p>	C. Date of Delivery <p style="font-size: 1.2em; margin-left: 20px;">4/22/08</p>
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7008 1140 0000 9739 7477		

2009028656
LORINDA 2657/186

LT1-2-2009028656-1

LIENOR: CITY OF BROOKSVILLE

OFFICIAL RECORDS
BK: 2657 PG: 186

LT2-2657-186-5

LIENEE: Schamberger, Christie R.

PUBLIC SANITARY NUISANCE ABATEMENT SPECIAL ASSESSMENT LIEN

This Public Sanitary Nuisance Abatement Special Assessment Lien is executed and levied this 29th day of May, 2009, by the City of Brooksville, a municipal corporation of the State of Florida, in accordance with the provisions of Section 38-95 of the Code of the City of Brooksville, Florida, and as amended hereafter, and by the authority vested thereby.

WHEREAS, the City of Brooksville has determined that a public sanitary nuisance as defined by the City of Brooksville Code of Ordinances, Section 38-92, and as amended hereafter, existed on the hereinafter described property; and,

WHEREAS, the City of Brooksville caused said public sanitary nuisance to be abated at the City's direction at a cost of Four Hundred Fifteen Dollars and Ninety-three Cents (\$415.93) as evidenced on Final Certification of Expenses [Attachment A hereto]; and,

WHEREAS, the City of Brooksville Code Section 38-95 provides for the creation and establishment of a lien in the amount of such expenditure against the property specially benefitted which said land has been determined as having been specially benefitted.

WITNESSETH:

For and in consideration of the expenditures by the City of Brooksville from its governmental funds heretofore made to benefit the hereinafter described property, there is hereby created, established and levied by operation of law a lien upon the following described real property located and situated in the City of Brooksville, Hernando County, Florida, to wit:

Key #: 00149930
Legal Description: Saxon Heights Unit 2 Lot 2
Street Address: 409 Cook Avenue, Brooksville, FL 34601
Owner: Christie R. Schamberger
Owner's Address: 16088 Lecanto St., Brooksville, FL 34604

Said lien may be foreclosed by the City of Brooksville at any time according to procedure set out in the Florida Statutes for the foreclosure of mortgages.

Pursuant to the provisions of Section 38-95.a, and as amended hereafter, the costs enumerated herein shall be payable with interest at a rate of ten (10%) percent per annum from the date of such final certification until paid.

IN WITNESS WHEREOF, the City of Brooksville has caused this lien to be executed and created pursuant to and by operation of law on the day and year first above written.

ATTEST: Janice L. Peters
Janice L. Peters, City Clerk, CMC

CITY OF BROOKSVILLE
By: Joe Bernardini
Joe Bernardini, Mayor

APPROVED AS TO LEGAL FORM AND
CONTENT FOR THE RELIANCE OF
THE CITY OF BROOKSVILLE ONLY:

PREPARED BY AND CITY OF BROOKSVILLE
RETURN TO: 201 HOWELL AVENUE
BROOKSVILLE, FL 34601

R

Thomas S. Hogan, Jr.
Thomas S. Hogan, Jr., City Attorney

OFFICIAL RECORDS
BK: 2657 PG: 187

CERTIFICATION OF EXPENSES
08-05

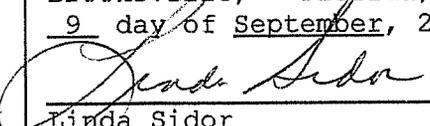
Date: September 9, 2008
Subject Property: 409 Cook Avenue, Brooksville, F. 34601
Key# 00149930
Property Owner: Christie R. Schamberger

Description of Expenses:

Nuisance Administrative Surcharge.....\$ 25.00
Site Inspections
4 @ \$20.00 per inspection.....\$ 80.00
T.L. Chapman Lawn Service & Landscaping.....\$ 75.00
Postage Fees
2 @ \$ 5.32.....\$ 10.64
Hearing Officers fee for ½ hour.....\$ 89.29
City Attorneys fee for ½ hour.....\$100.00
Recording fees four (4) pages.....\$ 36.00
Total Amount of Expenses.....\$415.93

CITY OF BROOKSVILLE
201 Howell Avenue
Brooksville, Fl. 34601

Attn: Linda Sidor

CERTIFICATION
I certify this to be a true
and correct copy of the
record in my office.
WITNESSETH my and official
seal of the City of
Brooksville, Florida, this
9 day of September, 2008.


Linda Sidor
Code Enforcement Officer

CERTIFICATION OF EXPENSES
08-05

Date: September 9, 2008

Subject Property: 409 Cook Avenue, Brooksville, F. 34601

Key# 00149930

Property Owner: Christie R. Schamberger

Description of Expenses:

Nuisance Administrative Surcharge.....	\$ 25.00
Site Inspections 4 @ \$20.00 per inspection.....	\$ 80.00
T.L. Chapman Lawn Service & Landscaping.....	\$ 75.00
Postage Fees 2 @ \$ 5.32.....	\$ 10.64
Total Amount of Expenses.....	\$ <u>190.64</u>

If recorded, recording fees in the amount of \$36.00 will be assessed, bringing the total lien to.....\$ 226.64

Please Note: Any mail containing your payment must be postmarked no later than (put date 30 days), in order to avoid recording fees being assessed.

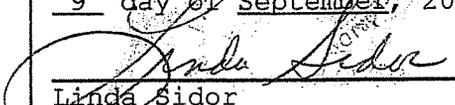
PLEASE MAKE CHECK PAYABLE TO:

CITY OF BROOKSVILLE
201 Howell Avenue
Brooksville, Fl. 34601

Attn: Linda Sidor

CERTIFICATION

I certify this to be a true and correct copy of the record in my office. WITNESSETH my official seal of the City of Brooksville, Florida, this 9 day of September, 2008.


Linda Sidor
Code Enforcement Officer

**CODE ENFORCEMENT SPECIAL MASTER
CASE NO.: 20086110**

City of Brooksville,
Petitioner,

OFFICIAL RECORDS
BK: 2657 PG: 189

v.

Christie Schamberger,
Respondent.

ORDER IMPOSING PENALTY/LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Special Master (hereinafter referred to as "MASTER") on 10/28/08, after due notice to Respondent, at which time the Master heard testimony, received evidence, and issued its Findings of Facts and Conclusions of Law and thereupon issued its oral Order which was reduced to writing and furnished to Respondent.

Accordingly, it having been brought to the Special Master's attention that Respondent has not complied with prior notice, it is hereby:

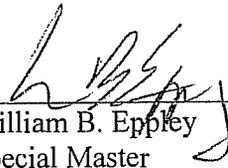
ORDERED that Respondent pay to the City of Brooksville, 201 Howell Avenue, Brooksville, Florida 34601, costs in the amount of \$201.04 in reference to property located at 409 Cook Avenue, Brooksville, Florida described as:

Parcel-R27 222 19 3450 0000 0020; Key-00149930; Saxon Heights Unit 2 Lot 2

A certified copy of this ORDER will be recorded and shall constitute a lien for all the accrued fines and costs against the above described property, and any other real or personal property that the violator owns in Hernando County where recorded pursuant to Section 162.09 of the Florida Statutes.

DONE AND ORDERED this 28 day of October, 2008 at Brooksville, Hernando County, Florida.

CODE ENFORCEMENT



William B. Eppley
Special Master

This certificate is attached to a two page document dealing with/entitled Order Imposing Penalty/Lien and dated October 28, 2008.

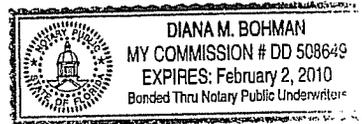
OFFICIAL RECORDS
BK: 2657 PG: 190

STATE OF FLORIDA
COUNTY OF HERNANDO

PERSONALLY appeared before me, the undersigned authority, William B. Eppley, well known to me and known by me to be the Code Enforcement Special Master, and acknowledged before me that he executed the foregoing instrument on behalf of City of Brooksville Code Enforcement, as its true act and deed, and that he was duly authorized to do so.

WITNESS my hand and official seal this dated: November 5, 2008

Diana M. Bohman
Notary Public
My Commission Expires:



Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the above document will be furnished to Christie Schamberger, 16088 Lacanto Street, Brooksville Florida 34604 via U.S. Postal Service, this 17 day of November, 2008.

Hogan Lou Sam

CERTIFICATION OF EXPENSES

08-05

Date: September 9, 2008
Subject Property: 409 Cook Avenue, Brooksville, F. 34601
Key# 00149930
Property Owner: Christie R. Schamberger

Description of Expenses:

Nuisance Administrative Surcharge.....\$ 25.00
Site Inspections
4 @ \$20.00 per inspection.....\$ 80.00
T.L. Chapman Lawn Service & Landscaping.....\$ 75.00
Postage Fees
2 @ \$ 5.32.....\$ 10.64
Total Amount of Expenses.....\$ 190.64

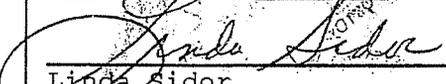
If recorded, recording fees in the amount of \$36.00 will be assessed, bringing the total lien to.....\$ 226.64

Please Note: Any mail containing your payment must be postmarked no later than (put date 30 days), in order to avoid recording fees being assessed.

PLEASE MAKE CHECK PAYABLE TO:

CITY OF BROOKSVILLE
201 Howell Avenue
Brooksville, Fl. 34601

Attn: Linda Sidor

CERTIFICATION
I certify this to be a true and correct copy of the record in my office. WITNESSETH my and official seal of the City of Brooksville, Florida, this 9 day of September, 2008.

Linda Sidor
Code Enforcement Officer

Linda

AGENDA ITEM NO. F-2
1/5/09

**CITY OF BROOKSVILLE
MEMORANDUM**

JAN 05 2009

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager

[Handwritten signature]

From: Bill Geiger, Director of Community Development

[Handwritten initials]

Subject: Public Nuisance Lien Invoice

Date: December 11, 2008

Pursuant to Section 38-95 (a) of the City Code, attached please find a "Certification of Expenses" for the following property, which includes the appropriate \$25 surcharge per incident and recording fees:

Omni National Bank – 473 Forest Avenue - \$201.14

Christie Schamberger – 409 Cook Avenue - \$201.14

To date, this cost has not been received from the property owner.

Should Council so direct, Special Assessment Liens will be recorded in the public records of the Hernando County Clerk of the Circuit Court against the property, which amount shall be payable within thirty (30) days from date of filing or be subject to interest at ten (10%) percent per annum from date of certification.

Furthermore, Section 38-95 (b) of the Code makes provision for foreclosure proceedings to commence if the liens have not been satisfied within one (1) year from recording.

APPROVED BY BROOKSVILLE
CITY COUNCIL
ON 1/5/09 INITIALS *[Signature]*

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Christie Schamberger
16088 Lacanto Street
Brooksville, FL 34604*

2. Article Number
7007 1490 0004 4457 8583

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent
 B. Received by (Printed Name) Addressee
 C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent to *Christie Schamberger*
 Street, Apt. No.: *16088 Lacanto St*
 or PO Box No.:
 City, State, ZIP+4 *Brooksville 34604*

PS Form 3800, August 2005 See Reverse for Instructions

8583 4457 0004 1490 7007

9/9/08
 Paid Here

COUNCIL ACTION

MEETING DATE: January 5, 2009 - REGULAR COUNCIL MEETING

AGENDA ITEM NO.: F-1 THRU F-8

TITLE: CONSENT AGENDA

RECOMMENDATION: MOTION TO APPROVE

DISCUSSION: 1. MINUTES -

2. PUBLIC NUISANCE LIENS -

3. BID AWARD - MISC VALVE & FIRE HYDRANT REPLACEMENT UD2008-08 -
Council Member Pugh commented on the change order and stated there should be more oversight in order to get a complete bit package out.

4. FIRE HYDRANT INTERLOCAL AGREEMENT -

5. UNITED WAY COMMUNITY INVESTMENT GRANT LOSS -
Council Member Pugh indicated the statement that was removed is in conjunction with the City's Code. Director Walker indicated they will consider changing their requirements in the future. Council Member Lewis commented on the grant agreement as well, stating he didn't think they had time this year to make any changes. He urged the City to reapply next year.

6. SURPLUS EQUIPMENT - PD -

7. 2009 PD CAR REPLACEMENT REQUEST -
Mayor Bernardini asked if more efficient patrol cars had been looked at. Chief Turner indicated they used the Michigan State Police study for recommendations.

8. ADDENDUM TO TECHNOLOGY SERVICE AGREEMENT -

Director Pierce explained the need for the change order, pointing out that the bids came in lower than expected and he wanted to use the extra money rather than loose it.

MOTION MADE BY: Council Member Lewis
SECONDED BY: Vice Mayor Bradburn

CARRIED: 5-0
DATE: 01/05/09

DENIED: _____
CITY CLERK'S INITIALS: _____

DIRECTION OF COUNCIL: _____

THE HOGAN LAW FIRM

*We mean business*SM

11031 Spring Hill Drive
Second Floor
Spring Hill, FL 34608

CERTIFIED MAIL



7008 1300 0000 8051 1504

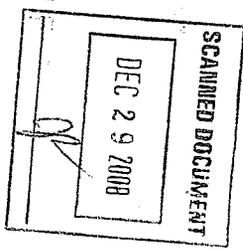
UNITED STATES POSTAGE
02 1P
0004639100 NOV 19 2008
MAILED FROM ZIP CODE 32606
\$005.320
PINEY BOWES

RETURN TO SENDER

RECEIVED

DEC 29 2008

THE HOGAN LAW



Christie Schamberger
16088 Lacanto Street
Brooksville F

MS
11/20
12/12

NIXIE

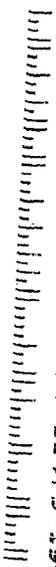
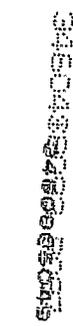
937 SE 1

07 12/26/08

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 34608504991

*3074-01479-19-41



CITY OF BROOKSVILLE SPECIAL MASTER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Respondent: Christie Schamberger
File No.: 20086110

This cause was presented for public hearing before the City of Brooksville Special Master, Hernando County, Florida, on October 28, 2008, after due notice to the Respondent. The Special Master having heard testimony under oath, received evidence, and heard argument of counsel (if any), thereupon issues its Findings of Fact, Conclusions of Law, and Order as follows:

I. FINDINGS OF FACT:

- A. The Respondent owns real property located at 409 Cook Avenue, Brooksville, Florida, also known as parcel Key #00149930;
- B. The Respondent was sent a Notice of Hearing by certified mail, stating a hearing would be held before the City of Brooksville Special Master to determine whether the Respondent was violating Section 38-92 of the City of Brooksville Code;
- C. Photographs of the violations taken were submitted into the record;
- D. Neither the Respondent nor her representative were present;
- E. Linda Sidor, Code Enforcement Officer, testified the property does not have homestead exemption. Ms. Sidor testified the code case began on 06/28/08. Ms. Sidor also testified that she has been in contact with Ms. Schamberger regarding the code violations, but Respondent did not correct the code violations;
- F. Ms. Sidor testified that as of her last visit to the property, the property was in compliance due to the City of Brooksville correcting the violations.
- G. Ms. Sidor testified that the City of Brooksville expended a total of \$201.04 to correct the code violations.

II. CONCLUSIONS OF LAW:

- A. 38-92. Prohibited conditions
 - (a) The excessive accumulation of weed growth or grass, excluding seed pods, to a height in excess of 18 inches high, or an accumulation of rubbish, trash, debris or manmade materials upon any lot, tract or parcel of land where such growth or accumulation increases the conditions leading to a haven or breeding place for snakes, rats, rodents or other vermin of like or similar character, or creates a breeding place for mosquitos, creates a fire hazard to adjacent properties or adversely affects or impairs the economic welfare of adjacent properties or creates a hazard at road intersections or rights-of-way within the city is declared a public code violation and is prohibited. A dead, decaying or living tree that poses an actual threat of damage to permitted buildings on adjacent

properties is declared to be a public code violation. Public code violations shall be unlawful in any area of the city meeting the following criteria:

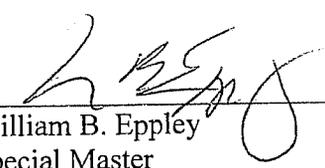
- (1) Commercial, industrial or residential zoning district.
 - (2) A parcel or tract of land, except parcels or tracts zoned agricultural, lying adjacent to the boundary of any improved property, and within 100 feet of the property.
- (b) Agricultural properties are exempt from this article with the exception of trash and debris.

III. ORDER:

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that:

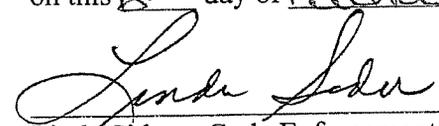
- A. That the Respondent is declared to be in noncompliance of City of Brooksville Code and shall be ordered to pay staff costs in the amount of \$201.04, due immediately;
- B. That the City of Brooksville shall hereby be empowered to file any liens or other means to collect payment of monies expended to correct the violation and bring the property into compliance.
- C. In addition to any fines, the Respondent shall be responsible for any additional inspection costs, collection costs, administrative costs, legal fees, attorney's fees, recording costs and all other costs associated with the collection of this Order.

DONE AND ORDERED this 5th day of November, 2008, in Brooksville, Hernando County, Florida.



William B. Eppley
Special Master

I hereby certify that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law, and Order will be furnished by U.S. Mail to the respondent on this 5th day of November, 2008.



Linda Sidor - Code Enforcement Officer

*I gave to Bill G.
Dec 11, 2008*

CITY OF BROOKSVILLE MEMORANDUM

To: Honorable Mayor and City Council Members
Via: T. Jennene Norman-Vacha, City Manager
From: Bill Geiger, Director of Community Development
Subject: Public Nuisance Lien Invoice
Date: December 11, 2008

Pursuant to Section 38-95 (a) of the City Code, attached please find a "Certification of Expenses" for the following property, which includes the appropriate \$25 surcharge per incident and recording fees:

Omni National Bank – 473 Forest Avenue - \$201.14

Christie Schamberger – 409 Cook Avenue - \$201.14

To date, this cost has not been received from the property owner.

Should Council so direct, Special Assessment Liens will be recorded in the public records of the Hernando County Clerk of the Circuit Court against the property, which amount shall be payable within thirty (30) days from date of filing or be subject to interest at ten (10%) percent per annum from date of certification.

Furthermore, Section 38-95 (b) of the Code makes provision for foreclosure proceedings to commence if the liens have not been satisfied within one (1) year from recording.

CITY OF BROOKSVILLE SPECIAL MASTER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Respondent: Omni National Bank
File No.: 20087103

This cause was presented for public hearing before the City of Brooksville Special Master, Hernando County, Florida, on October 28, 2008, after due notice to the Respondent. The Special Master having heard testimony under oath, received evidence, and heard argument of counsel (if any), thereupon issues its Findings of Fact, Conclusions of Law, and Order as follows:

I. FINDINGS OF FACT:

- A. The Respondent owns real property located at 473 Forest Avenue, Brooksville, Florida, also known as parcel Key #00355163;
- B. The Respondent was sent a Notice of Hearing by certified mail, stating a hearing would be held before the City of Brooksville Special Master to determine whether the Respondent was violating Section 38-92 of the City of Brooksville Code;
- C. Photographs of the violations taken were submitted into the record;
- D. Neither the Respondent nor her representative were present;
- E. Linda Sidor, Code Enforcement Officer, testified the property does not have homestead exemption. Ms. Sidor testified the code case began on 07/08/08. Ms. Sidor also testified that she has had no contact with Respondent regarding the code violations, and Respondent did not correct the code violations;
- F. Ms. Sidor testified that as of her last visit to the property, the property was in compliance due to the City of Brooksville correcting the violations.
- G. Ms. Sidor testified that the City of Brooksville expended a total of \$201.14 to correct the code violations.

II. CONCLUSIONS OF LAW:

- A. 38-92. Prohibited conditions
 - (a) The excessive accumulation of weed growth or grass, excluding seed pods, to a height in excess of 18 inches high, or an accumulation of rubbish, trash, debris or manmade materials upon any lot, tract or parcel of land where such growth or accumulation increases the conditions leading to a haven or breeding place for snakes, rats, rodents or other vermin of like or similar character, or creates a breeding place for mosquitos, creates a fire hazard to adjacent properties or adversely affects or impairs the economic welfare of adjacent properties or creates a hazard at road intersections or rights-of-way within the city is declared a public code violation and is prohibited. A dead, decaying or living tree that poses an actual threat of damage to permitted buildings on adjacent

properties is declared to be a public code violation. Public code violations shall be unlawful in any area of the city meeting the following criteria:

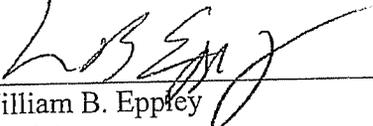
- (1) Commercial, industrial or residential zoning district.
 - (2) A parcel or tract of land, except parcels or tracts zoned agricultural, lying adjacent to the boundary of any improved property, and within 100 feet of the property.
- (b) Agricultural properties are exempt from this article with the exception of trash and debris.

III. ORDER:

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that:

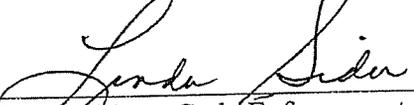
- A. That the Respondent is declared to be in noncompliance of City of Brooksville Code and shall be ordered to pay staff costs in the amount of \$201.14, due immediately;
- B. That the City of Brooksville shall hereby be empowered to file any liens or other means to collect payment of monies expended to correct the violation and bring the property into compliance.
- C. In addition to any fines, the Respondent shall be responsible for any additional inspection costs, collection costs, administrative costs, legal fees, attorney's fees, recording costs and all other costs associated with the collection of this Order.

DONE AND ORDERED this 5th day of November, 2008, in Brooksville, Hernando County, Florida.



William B. Eppley
Special Master

I hereby certify that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law, and Order will be furnished by U.S. Mail to the respondent on this 18th day of November, 2008.



Linda Sidor – Code Enforcement Officer

CITY OF BROOKSVILLE SPECIAL MASTER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Respondent: Christie Schamberger
File No.: 20086110

This cause was presented for public hearing before the City of Brooksville Special Master, Hernando County, Florida, on October 28, 2008, after due notice to the Respondent. The Special Master having heard testimony under oath, received evidence, and heard argument of counsel (if any), thereupon issues its Findings of Fact, Conclusions of Law, and Order as follows:

I. FINDINGS OF FACT:

- A. The Respondent owns real property located at 409 Cook Avenue, Brooksville, Florida, also known as parcel Key #00149930;
- B. The Respondent was sent a Notice of Hearing by certified mail, stating a hearing would be held before the City of Brooksville Special Master to determine whether the Respondent was violating Section 38-92 of the City of Brooksville Code;
- C. Photographs of the violations taken were submitted into the record;
- D. Neither the Respondent nor her representative were present;
- E. Linda Sidor, Code Enforcement Officer, testified the property does not have homestead exemption. Ms. Sidor testified the code case began on 06/28/08. Ms. Sidor also testified that she has been in contact with Ms. Schamberger regarding the code violations, but Respondent did not correct the code violations;
- F. Ms. Sidor testified that as of her last visit to the property, the property was in compliance due to the City of Brooksville correcting the violations.
- G. Ms. Sidor testified that the City of Brooksville expended a total of \$201.04 to correct the code violations.

II. CONCLUSIONS OF LAW:

- A. 38-92. Prohibited conditions
 - (a) The excessive accumulation of weed growth or grass, excluding seed pods, to a height in excess of 18 inches high, or an accumulation of rubbish, trash, debris or manmade materials upon any lot, tract or parcel of land where such growth or accumulation increases the conditions leading to a haven or breeding place for snakes, rats, rodents or other vermin of like or similar character, or creates a breeding place for mosquitos, creates a fire hazard to adjacent properties or adversely affects or impairs the economic welfare of adjacent properties or creates a hazard at road intersections or rights-of-way within the city is declared a public code violation and is prohibited. A dead, decaying or living tree that poses an actual threat of damage to permitted buildings on adjacent

properties is declared to be a public code violation. Public code violations shall be unlawful in any area of the city meeting the following criteria:

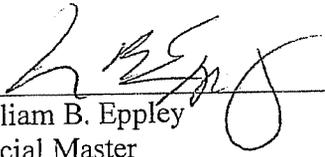
- (1) Commercial, industrial or residential zoning district.
 - (2) A parcel or tract of land, except parcels or tracts zoned agricultural, lying adjacent to the boundary of any improved property, and within 100 feet of the property.
- (b) Agricultural properties are exempt from this article with the exception of trash and debris.

III. ORDER:

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that:

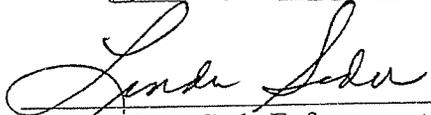
- A. That the Respondent is declared to be in noncompliance of City of Brooksville Code and shall be ordered to pay staff costs in the amount of \$201.04, due immediately;
- B. That the City of Brooksville shall hereby be empowered to file any liens or other means to collect payment of monies expended to correct the violation and bring the property into compliance.
- C. In addition to any fines, the Respondent shall be responsible for any additional inspection costs, collection costs, administrative costs, legal fees, attorney's fees, recording costs and all other costs associated with the collection of this Order.

DONE AND ORDERED this 5th day of November, 2008, in Brooksville, Hernando County, Florida.



William B. Eppley
Special Master

I hereby certify that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law, and Order will be furnished by U.S. Mail to the respondent on this 5th day of November, 2008.



Linda Sidor - Code Enforcement Officer

CODE ENFORCEMENT SPECIAL MASTER
CASE NO.: 20087103

*Attorney of record
sent these
out Nov 18, 2008.
Wait 30 days.
Then send to
Council.*

City of Brooksville,
Petitioner,

v.

Omni National Bank,
Respondent.

ORDER IMPOSING PENALTY/LIEN

THIS CAUSE came on for public hearing before the Code Enforcement Special Master (hereinafter referred to as "MASTER") on 10/28/08, after due notice to Respondent, at which time the Master heard testimony, received evidence, and issued its Findings of Facts and Conclusions of Law and thereupon issued its oral Order which was reduced to writing and furnished to Respondent.

Accordingly, it having been brought to the Special Master's attention that Respondent has not complied with prior notice, it is hereby:

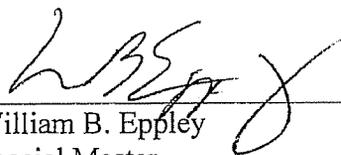
ORDERED that Respondent pay to the City of Brooksville, 201 Howell Avenue, Brooksville, Florida 34601, costs in the amount of \$201.14 in reference to property located at 473 Forest Avenue, Brooksville, Florida described as:

Key #00355163 Parcel #: R22 422 19 0000 0490 0000; W1/2 of Lot 6 in N1/2 of E1/3 of NW1/4, ORB 280 page 40, ORB 1037 page 1686

A certified copy of this ORDER will be recorded and shall constitute a lien for all the accrued fines and costs against the above described property, and any other real or personal property that the violator owns in Hernando County where recorded pursuant to Section 162.09 of the Florida Statutes.

DONE AND ORDERED this 5th day of November, 2008 at Brooksville, Hernando County, Florida.

CODE ENFORCEMENT



William B. Eppley
Special Master

This certificate is attached to a two page document dealing with/entitled Order Imposing Penalty/Lien and dated November 5th, 2008.

STATE OF FLORIDA
COUNTY OF HERNANDO

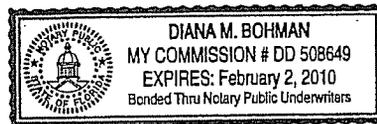
PERSONALLY appeared before me, the undersigned authority, William B. Eppley, well known to me and known by me to be the Code Enforcement Special Master, and acknowledged before me that he executed the foregoing instrument on behalf of City of Brooksville Code Enforcement, as its true act and deed, and that he was duly authorized to do so.

WITNESS my hand and official seal this dated: November 5, 2008

Diana M. Bohman

Notary Public

My Commission Expires:



Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the above document will be furnished to Omni National Bank, 6 Concourse Parkway NE, Suite 2300, Atlanta, Georgia 30328-6185 via U.S. Postal Service, this 8th day of November, 2008.

CITY OF BROOKSVILLE SPECIAL MASTER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Respondent: Christie Schamberger
File No.: 20086110

This cause was presented for public hearing before the City of Brooksville Special Master, Hernando County, Florida, on October 28, 2008, after due notice to the Respondent. The Special Master having heard testimony under oath, received evidence, and heard argument of counsel (if any), thereupon issues its Findings of Fact, Conclusions of Law, and Order as follows:

I. FINDINGS OF FACT:

- A. The Respondent owns real property located at 409 Cook Avenue, Brooksville, Florida, also known as parcel Key #00149930;
- B. The Respondent was sent a Notice of Hearing by certified mail, stating a hearing would be held before the City of Brooksville Special Master to determine whether the Respondent was violating Section 38-92 of the City of Brooksville Code;
- C. Photographs of the violations taken were submitted into the record;
- D. Neither the Respondent nor her representative were present;
- E. Linda Sidor, Code Enforcement Officer, testified the property does not have homestead exemption. Ms. Sidor testified the code case began on 06/28/08. Ms. Sidor also testified that she has been in contact with Ms. Schamberger regarding the code violations, but Respondent did not correct the code violations;
- F. Ms. Sidor testified that as of her last visit to the property, the property was in compliance due to the City of Brooksville correcting the violations.
- G. Ms. Sidor testified that the City of Brooksville expended a total of \$201.04 to correct the code violations.

II. CONCLUSIONS OF LAW:

- A. 38-92. Prohibited conditions
 - (a) The excessive accumulation of weed growth or grass, excluding seed pods, to a height in excess of 18 inches high, or an accumulation of rubbish, trash, debris or manmade materials upon any lot, tract or parcel of land where such growth or accumulation increases the conditions leading to a haven or breeding place for snakes, rats, rodents or other vermin of like or similar character, or creates a breeding place for mosquitos, creates a fire hazard to adjacent properties or adversely affects or impairs the economic welfare of adjacent properties or creates a hazard at road intersections or rights-of-way within the city is declared a public code violation and is prohibited. A dead, decaying or living tree that poses an actual threat of damage to permitted buildings on adjacent

properties is declared to be a public code violation. Public code violations shall be unlawful in any area of the city meeting the following criteria:

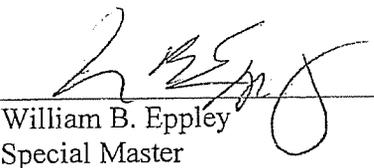
- (1) Commercial, industrial or residential zoning district.
 - (2) A parcel or tract of land, except parcels or tracts zoned agricultural, lying adjacent to the boundary of any improved property, and within 100 feet of the property.
- (b) Agricultural properties are exempt from this article with the exception of trash and debris.

III. ORDER:

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that:

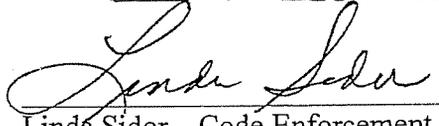
- A. That the Respondent is declared to be in noncompliance of City of Brooksville Code and shall be ordered to pay staff costs in the amount of \$201.04, due immediately;
- B. That the City of Brooksville shall hereby be empowered to file any liens or other means to collect payment of monies expended to correct the violation and bring the property into compliance.
- C. In addition to any fines, the Respondent shall be responsible for any additional inspection costs, collection costs, administrative costs, legal fees, attorney's fees, recording costs and all other costs associated with the collection of this Order.

DONE AND ORDERED this 5th day of November, 2008, in Brooksville, Hernando County, Florida.



William B. Eppley
Special Master

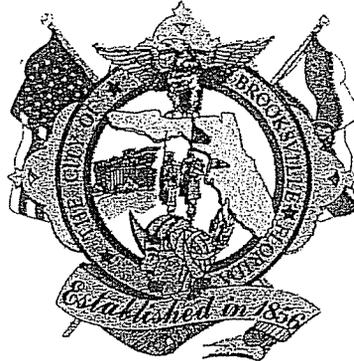
I hereby certify that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law, and Order will be furnished by U.S. Mail to the respondent on this 5th day of November, 2008.



Linda Sidor - Code Enforcement Officer

#4

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

September 9, 2008

VIA CERTIFIED MAIL # 70071490000444578583

Christie R. Schamberger
16088 Lacanto Street
Brooksville, Fl. 34604

Dear Ms. Schamberger:

You were previously notified of an excessive weed growth and grass violation on your property located at 409 Cook Avenue, via certified mail. A copy of that Notice of Violation is attached hereto for your convenience. Despite receiving this notice on June 23, 2008, you failed or refused to remediate the violation.

Due to this failure or refusal to comply with the Notice of Violation, the City deemed it necessary to remediate the problem in the interest of the health, safety and welfare of its citizens. Pursuant to Section 38 of the City of Brooksville Code of Ordinances, attached is Certification of Expenses No. 08-04 in the amount of \$190.64 for services performed on your property which were necessary to rectify the aforementioned violation(s). The work was accomplished by T.L. Chapman Lawn Service and Landscaping on date August 28, 2008.

As further stated in Section 38 of said Code of Ordinances you are hereby notified that payment must be made within thirty (30) days from the date of this notice. If you fail or refuse to remit the aforementioned amount, the City of Brooksville will be forced to record a lien against your property in the amount of \$190.64 plus \$10.50 to cover the costs of recording, for a total of \$201.14.

If you have any questions, or wish to discuss this matter further, please feel free to contact this office.

Sincerely,

Linda Sidor
Code Enforcement Officer

Attachments

cc: T. Jennene Norman-Vacha, City Manager
George Angeliadis, City Attorney
Stephen Baumgartner, Director of Finance

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

FAX COVER SHEET

TO: RESIDENTIAL REAL ESTATE REVIEW

FAX # 801 270-7798 **ATTENTION: BRIDGET**

FROM: CITY OF BROOKSVILLE
CODE ENFORCEMENT
LINDA SIDOR

Pages: 7 plus cover sheet

Please note: If you will be remitting what is owed to the City of Brooksville, please call for total balance due.

CODE ENFORCEMENT OFFICE

NOTICE OF PUBLIC CODE VIOLATIONS

June 23, 2008

Case #: 20086110

Certified Mail # 70071490000444557892

Christie R. Schamberger
16088 Lacanto Street
Brooksville, Florida 34604

Dear Ms. Schamberger:

Our records indicate that you are the owner(s) of the following property in the City of Brooksville, Florida:

409 Cook Avenue – Brooksville, Fl.

An inspection of this property discloses that a Public Code Violation exists thereon so as to constitute a violation of Section 38-92 of City of Brooksville Ordinance #580.

Trash & debris on property. Please see photos.
Overgrowth grass and weeds.

You are hereby notified that unless the condition above described is remedied as required by this ordinance within thirty (30) days upon receipt of this letter, the City will abate this condition * and the cost of the work, including advertising costs, a Nuisance Administrative Surcharge of Twenty-Five Dollars (\$25.00), Inspection Fee of Twenty Dollars (\$20.00) per site visit, and other expenses, will be imposed as a Special Assessment Lien upon the property.

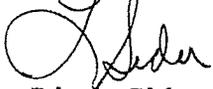
Furthermore, please be advised that the City of Brooksville has the right to

#7
Notice of Violation

foreclose on properties upon which a lien has been placed and not paid within one (1) year.

Your Cooperation is greatly appreciated, and if you should have any questions regarding this matter, please contact City Code Enforcement by calling 352 544-5400x102.

Sincerely,



Linda Sidor

Code Enforcement Officer

*Note: The City contracts for this service on an annual basis, copy of contract may be viewed from the City Clerk's Office, 201 Howell Avenue – Brooksville -352 544-5407.

3.

Notice of Violation

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p>Christie Schamberger 16088 Lavanto St. Brooksville, FL 34604</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <i>Christie Schamberger</i></p>	
<p>2. Article Number (Transfer from service label) 7007 1490 0004 4455 7892</p>		<p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>	
<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>		<p>PS Form 3811, February 2004</p>	

102595-02-M-1540

Domestic Return Receipt

5

(A)

**CITY OF BROOKSVILLE
HERNANDO COUNTY, FLORIDA**

CODE ENFORCEMENT HEARING

CITY OF BROOKSVILLE, FLORIDA

Petitioner,

CASE NO. 20086110

-vs-

**CHRISTIE R. SCHAMBERGER
16088 LACANTO STREET
BROOKSVILLE, FL. 34601**

NOTICE OF HEARING

Pursuant to City of Brooksville Code, you are called upon to take notice that a public hearing will be conducted upon the Affidavit of Violation, attached to this Notice, **on the day of October 28, 2008 at 3:00 p.m., in the City Council Chamber, Brooksville City Hall, 201 Howell Avenue, Brooksville, Florida.**

Please see that attached Statement of Hearing procedures and Penalties that may be imposed at the hearing. If the charge is for a repeat violation, penalties may be imposed of up to **\$500.00** per day for each day the violation has continued past the date of the Code Enforcement Officer's Notice of Violation.

Please govern yourself accordingly.



CODE ENFORCEMENT OFFICER
Linda Sidor

** Sent along with Penalties & Procedures
Notice of Violation*

18

Notice of Hearing
Signed receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Christie R. Schamberger
16088 Loconto Street
Brooksville, FL 34601

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Christie R. Schamberger Agent

B. Received by (Printed Name) Addressee

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from service label)

7008 1140 0000 9736 3458

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

①

CITY OF BROOKSVILLE SPECIAL MASTER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Respondent: Christie Schamberger
File No.: 20086110

This cause was presented for public hearing before the City of Brooksville Special Master, Hernando County, Florida, on October 28, 2008, after due notice to the Respondent. The Special Master having heard testimony under oath, received evidence, and heard argument of counsel (if any), thereupon issues its Findings of Fact, Conclusions of Law, and Order as follows:

I. FINDINGS OF FACT:

- A. The Respondent owns real property located at 409 Cook Avenue, Brooksville, Florida, also known as parcel Key #00149930;
- B. The Respondent was sent a Notice of Hearing by certified mail, stating a hearing would be held before the City of Brooksville Special Master to determine whether the Respondent was violating Section 38-92 of the City of Brooksville Code;
- C. Photographs of the violations taken were submitted into the record;
- D. Neither the Respondent nor her representative were present;
- E. Linda Sidor, Code Enforcement Officer, testified the property does not have homestead exemption. Ms. Sidor testified the code case began on 06/28/08. Ms. Sidor also testified that she has been in contact with Ms. Schamberger regarding the code violations, but Respondent did not correct the code violations;
- F. Ms. Sidor testified that as of her last visit to the property, the property was in compliance due to the City of Brooksville correcting the violations.
- G. Ms. Sidor testified that the City of Brooksville expended a total of \$201.04 to correct the code violations.

II. CONCLUSIONS OF LAW:

- A. 38-92. Prohibited conditions
 - (a) The excessive accumulation of weed growth or grass, excluding seed pods, to a height in excess of 18 inches high, or an accumulation of rubbish, trash, debris or manmade materials upon any lot, tract or parcel of land where such growth or accumulation increases the conditions leading to a haven or breeding place for snakes, rats, rodents or other vermin of like or similar character, or creates a breeding place for mosquitos, creates a fire hazard to adjacent properties or adversely affects or impairs the economic welfare of adjacent properties or creates a hazard at road intersections or rights-of-way within the city is declared a public code violation and is prohibited. A dead, decaying or living tree that poses an actual threat of damage to permitted buildings on adjacent

②

properties is declared to be a public code violation. Public code violations shall be unlawful in any area of the city meeting the following criteria:

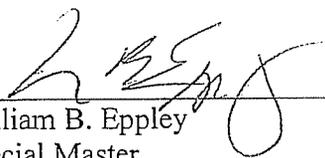
- (1) Commercial, industrial or residential zoning district.
 - (2) A parcel or tract of land, except parcels or tracts zoned agricultural, lying adjacent to the boundary of any improved property, and within 100 feet of the property.
- (b) Agricultural properties are exempt from this article with the exception of trash and debris.

III. ORDER:

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that:

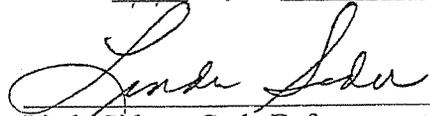
- A. That the Respondent is declared to be in noncompliance of City of Brooksville Code and shall be ordered to pay staff costs in the amount of \$201.04, due immediately;
- B. That the City of Brooksville shall hereby be empowered to file any liens or other means to collect payment of monies expended to correct the violation and bring the property into compliance.
- C. In addition to any fines, the Respondent shall be responsible for any additional inspection costs, collection costs, administrative costs, legal fees, attorney's fees, recording costs and all other costs associated with the collection of this Order.

DONE AND ORDERED this 28 day of October, 2008, in Brooksville, Hernando County, Florida.



 William B. Eppley
 Special Master

I hereby certify that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law, and Order will be furnished by U.S. Mail to the respondent on this 17 day of November, 2008. *by Hogan Law Firm*



 Linda Sidor – Code Enforcement Officer

HP Officejet 7210
Personal Printer/Fax/Copier/Scanner

Log for
City of Brooksville
3525445433
Dec 05 2008 4:15PM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Dec 5	4:13PM	Fax Sent	818012707798	1:56	8	OK

*Att: Budget
Residential Real Estate
Review
FAX 1801-270-7798*

CITY OF BROOKSVILLE SPECIAL MASTER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Respondent: Christie Schamberger
File No.: 20086110

This cause was presented for public hearing before the City of Brooksville Special Master, Hernando County, Florida, on October 28, 2008, after due notice to the Respondent. The Special Master having heard testimony under oath, received evidence, and heard argument of counsel (if any), thereupon issues its Findings of Fact, Conclusions of Law, and Order as follows:

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- A. The Respondent owns real property located at 409 Cook Avenue, Brooksville, Florida, also known as parcel Key #00149930;
- B. The Respondent was sent a Notice of Hearing by certified mail, stating a hearing would be held before the City of Brooksville Special Master to determine whether the Respondent was violating Section 38-92 of the City of Brooksville Code;
- C. Photographs of the violations taken were submitted into the record;
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- E. Linda Sidor, Code Enforcement Officer, testified the property does not have homestead exemption. Ms. Sidor testified the code case began on 06/28/08. Ms. Sidor also testified that she has been in contact with Ms. Schamberger regarding the code violations, but Respondent did not correct the code violations;
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II. CONCLUSIONS OF LAW:

- A. 38-92. Prohibited conditions
 - (a) The excessive accumulation of weed growth or grass, excluding seed pods, to a height in excess of 18 inches high, or an accumulation of rubbish, trash, debris or manmade materials upon any lot, tract or parcel of land where such growth or accumulation increases the conditions leading to a haven or breeding place for snakes, rats, rodents or other vermin of like or similar character, or creates a breeding place for mosquitos, creates a fire hazard to adjacent properties or adversely affects or impairs the economic welfare of adjacent properties or creates a hazard at road intersections or rights-of-way within the city is declared a public code violation and is prohibited. A dead, decaying or living tree that poses an actual threat of damage to permitted buildings on adjacent

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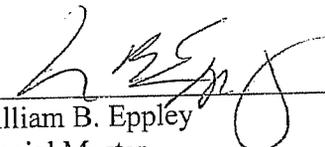
- (1) Commercial, industrial or residential zoning district.
 - (2) A parcel or tract of land, except parcels or tracts zoned agricultural, lying adjacent to the boundary of any improved property, and within 100 feet of the property.
- (b) Agricultural properties are exempt from this article with the exception of trash and debris.

III. ORDER:

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that:

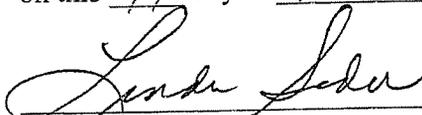
- A. That the Respondent is declared to be in noncompliance of City of Brooksville Code and shall be ordered to pay staff costs in the amount of \$201.04, due immediately;
- B. That the City of Brooksville shall hereby be empowered to file any liens or other means to collect payment of monies expended to correct the violation and bring the property into compliance.
- C. In addition to any fines, the Respondent shall be responsible for any additional inspection costs, collection costs, administrative costs, legal fees, attorney's fees, recording costs and all other costs associated with the collection of this Order.

DONE AND ORDERED this 28 day of October, 2008, in Brooksville, Hernando County, Florida.



William B. Eppley
Special Master

I hereby certify that a true and correct copy of the above and foregoing Findings of Fact, Conclusions of Law, and Order will be furnished by U.S. Mail to the respondent on this 17 day of November, 2008. *by Hogan Law Firm*



Linda Sidor – Code Enforcement Officer

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>Marta Schamberger</i>	
1. Article Addressed to: <i>Christie Schamberger 16088 Lacanto St. Brooksville, FL 34604</i>	B. Received by (Printed Name)	C. Date of Delivery <i>6/23/08</i>
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, February 2004	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
Domestic Return Receipt	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7007 1490 0004 4455 7892		

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here
6/23/08

Sent To	<i>Christie Schamberger</i>
Street, Apt. No., or PO Box No.	<i>16088 Lacanto St</i>
City, State, ZIP+4	<i>Brooksville 34604</i>

PS Form 3800, August 2005 See Reverse for Instructions

7007 1490 0004 4455 7892

July 23, 2008
Christie called
said House was
in foreclosure.
* Not listed w/ TRS
collector or
property appraiser
#1

CODE ENFORCEMENT OFFICE

NOTICE OF PUBLIC CODE VIOLATIONS

June 23, 2008

Case #: 20086110

Certified Mail # 70071490000444557892

Christie R. Schamberger
16088 Lacanto Street
Brooksville, Florida 34604

Dear Ms. Schamberger:

Our records indicate that you are the owner(s) of the following property in the City of Brooksville, Florida:

409 Cook Avenue – Brooksville, Fl.

An inspection of this property discloses that a Public Code Violation exists thereon so as to constitute a violation of Section 38-92 of City of Brooksville Ordinance #580.

Trash & debris on property. Please see photos.
Overgrowth grass and weeds.

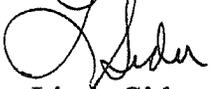
You are hereby notified that unless the condition above described is remedied as required by this ordinance within thirty (30) days upon receipt of this letter, the City will abate this condition * and the cost of the work, including advertising costs, a Nuisance Administrative Surcharge of Twenty-Five Dollars (\$25.00), Inspection Fee of Twenty Dollars (\$20.00) per site visit, and other expenses, will be imposed as a Special Assessment Lien upon the property.

Furthermore, please be advised that the City of Brooksville has the right to

foreclose on properties upon which a lien has been placed and not paid within one (1) year.

Your Cooperation is greatly appreciated, and if you should have any questions regarding this matter, please contact City Code Enforcement by calling 352 544-5400x102.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linda Sidor', written in a cursive style.

Linda Sidor

Code Enforcement Officer

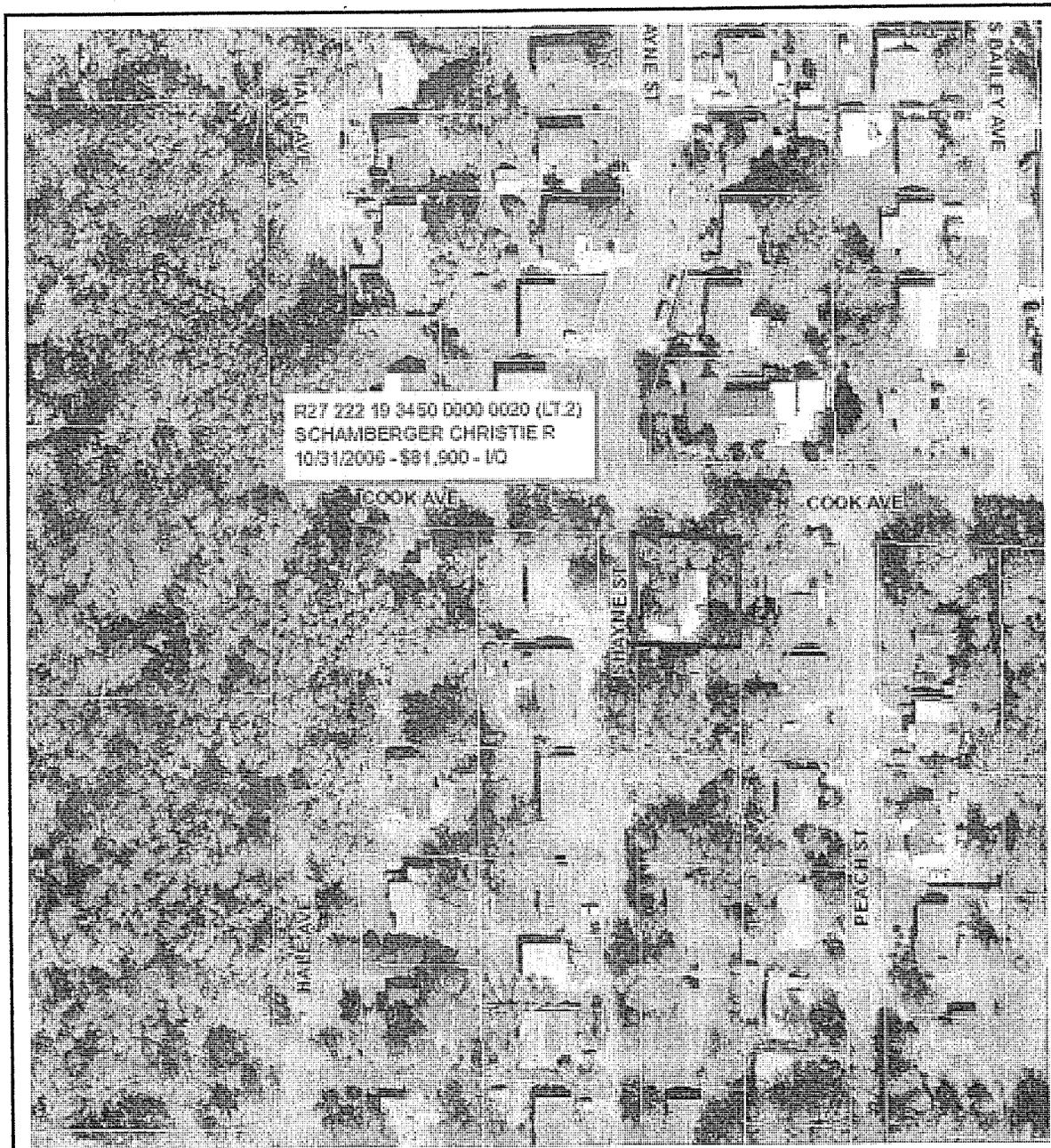
*Note: The City contracts for this service on an annual basis, copy of contract may be viewed from the City Clerk's Office, 201 Howell Avenue – Brooksville -352 544-5407.



23 10:44

overgrowth +
Debris

(Debris was removed)



Hernando County Property Appraiser Alvin R. Mazourek CFA - Brooksville, Florida - 352-754-4190		0 0.01 0.02 0.03 mi	
PARCEL: R27 222 19 3450 0000 0020 KEY: 00149930			
SAXON HEIGHTS UNIT 2 LOT 2			
Name: SCHAMBERGER CHRISTIE R	LandVal	\$8,454.00	
Site: 409 COOK AVE	BldgVal	\$37,654.00	
Mail: 16088 LACANTO ST BROOKVILLE FL 34604-8093	JustVal	\$47,296.00	
	Assd	\$47,296.00	
Sales 10/31/2006 \$81,900.001 (Q)	Exmpt	\$25,000.00	
Info 10/8/2004 \$30,000.001 (Q)	Taxable	\$22,296.00	
1/18/2002 \$15,500.001 (D)			

This information was derived from data which was compiled by the Hernando County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the market value, ownership, or zoning of the property. Zoning information should be obtained from the Hernando County Development Department. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes.
 Data Updated: 6/20/2008 | GIS Map Updated: 6/20/2008 | © Copyright 2003 All Rights Reserved - Hernando County Property Appraiser

City of Brooksville



#2
(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

AFFIDAVIT OF POSTING NOTICE

**STATE OF FLORIDA
CITY OF BROOKSVILLE**

1. I, Linda Sidor am a duly authorized Code Enforcement Officer for the City of Brooksville, Florida.
2. I have posted the property located at: 409 Cook Avenue
on the 6 day of August 2008. Key # 149930

Linda Sidor
PRINT NAME
AFFIANT

Sworn to and subscribed to before me on this 6 day of August 2008 BY Linda Sidor (AFFIANT), who is personally known to me, and did not take an Oath.

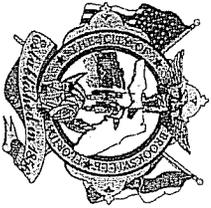
Kim J. Harsin
NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Kim J. Harsin
Commission # DD417148
Expires: APR. 11, 2009
Bonded Thru Atlantic Bonding Co., Inc.

PUBLIC NOTICE

** at City Hall
and on site.*

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

NOTICE OF PUBLIC CODE VIOLATION

Name of Owner(s):

Chuckie F. Solonbauer

Address:

Date: *Aug 6, 2008*

All records indicate that you are the owner(s) of the following property in the City of Brooksville, Florida:

*409 Cook Ave
Brooksville, FL 34601*

An inspection of this property discloses that a Public Code Violation exists thereon so as to constitute a violation of City of Brooksville Ordinance 580.

Overgrowth grass weeds

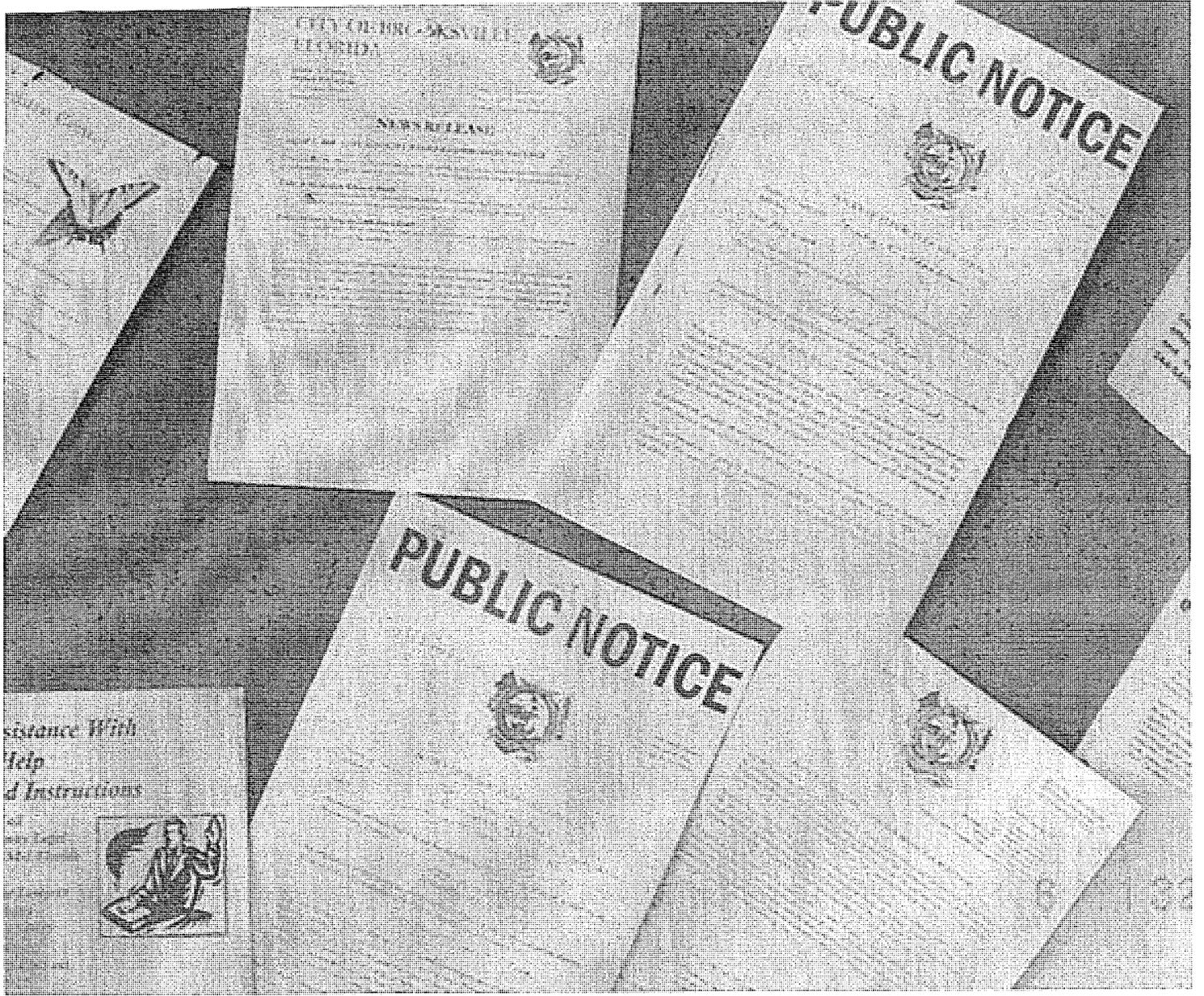
You are hereby notified that unless the condition above described is remedied as required by this ordinance within Ten (10) days upon Posting of this Property, the City will abate this condition and the cost of work, including advertising cost, a Nuisance Administrative Surcharge of twenty-five Dollars (\$25.00), Inspection Fee of Twenty Dollars(\$20.00) per site visit, and other expenses will be imposed as Special Assessment Lien upon the property.

Furthermore, please be advised that the City of Brooksville has the right to foreclose on properties upon which a lien has been placed and not paid with one (1) year.

Your cooperation is greatly appreciated, and if you should have any questions regarding this matter, please contact the Code Enforcement Office by calling (352) 754-6800.



409 Cook Ave
Posted at Site
Aug 6, 2008

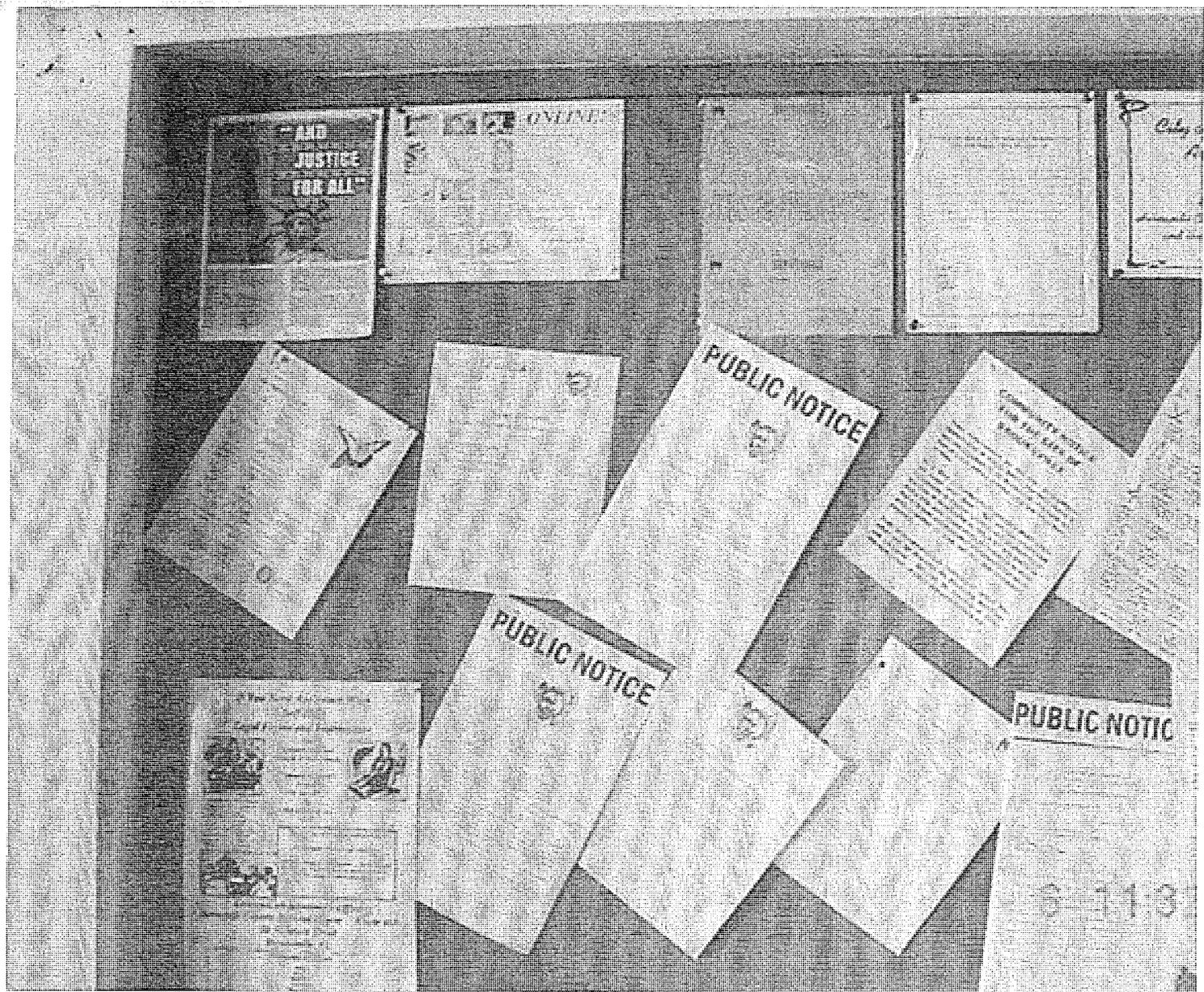


Posted at C.H.
Aug 6, 2008



409 Cook Ave

POSTED at SITE
Aug 6, 2008



3

Allison 8/15/08
OK to clean-up
now

**CITY OF BROOKSVILLE
CODE ENFORCEMENT OFFICE
REQUEST FOR CLEAN-UP**

Sador
Called Terry to cut
8/20/08. AE

TO: DEPT OF PUBLIC WORKS

PROPERTY OWNER Christie R. Schamberger

MAILING ADDRESS 16088 LACANTO Street
Brooksville, FL 34604

VIOLATION Overgrowth Front + Rear

DATE June 23, 2008

PROPERTY ADDRESS OR DESCRIPTION 409 Cook Ave
(corner of Shayne St.) Key # 00149930

CERTIFIED MAIL SENT June 23, 2008

LETTER OR CARD RETURNED Yes - signed

NOTICE POSTED ON PROPERTY Aug 6, 2008

REQUEST PUBLIC WORKS TO HAVE THIS VIOLATION

CORRECT ✓

Sador Sador
CODE ENFORCEMENT OFFICER

August 15, 2008
DATE

**T. L. Chapman
Lawn Service and Landscaping
P.O. Box 1531
Brooksville, Florida 34605
352-279-8493**

September 4, 2008

City of Brooksville
600 South Brooksville Ave.
Brooksville, Florida 34601

Code Enforcement clean up

August 28, 2008

409 Cook Ave.

\$ 75.00

Thank you,

*gone Exam
Ch by 9/8/08
SS*

REQUEST FOR CHECK

PAYABLE TO:

TERRY CHAPMAN

P.O. BOX 1531

BROOKSVILLE, FL

34605

C0152

COMMENTS:

SEE DESCRIPTIONS BELOW

REQUESTED BY: MRIVE

SPECIAL INSTRUCTIONS: _____

DATE REQUESTED: 9/5/2008

CHECK NUMBER: _____

VENDOR NUMBER: C0152

CHARGE ACCOUNTS AS FOLLOWS:

ACCOUNT	DESCRIPTION	INVOICE #	AMOUNT
00101954153400	CODE ENFORCEMENT/409 COOK AV	SEE ATTACH	75.00
00101954153400	CODE ENFORCEMENT/473 FOREST	SEE ATTACH	75.00
TOTAL			\$150.00

CHECK APPROVALS

DEPARTMENT HEAD:

Amosy Pierce

FINANCE DIR: _____

DATE

9/05/08

**CITY OF BROOKSVILLE
CODE ENFORCEMENT
REQUEST FOR QUOTE**

RECEIVED
AUG 06 2008
BY: *[Signature]*

The owner of the property Christie R. Schamberger located at 409 Cook Ave has been notified of a violation of Section 38-92 of the City of Brooksville Code, and as of this date, the violation has not been corrected. Please initiate the proceedings to correct the violation by:

Estimate cost to Mow Front + Rear - Posted property Aug 6, 2008 - will let you know in 10 days to correct.
Linda Sedor Code Enforcement Officer Aug 6, 2008 Date

VENDOR QUOTATIONS				
NO.	VENDOR'S NAME	TOTAL PRICE	DATE PROMISED	REMARKS
1.	Terry Chapman	\$75.00	8/28/08	
2.				
3.				

() Work to be done by, () City Crew; () Above vendor, number _____
 Estimated cost (excluding administrative/inspection) \$ 75.00
 Public Works Director Anthony Pierrel Date 9/05/08

Work Completed _____ Total Price _____

CITY OF BROOKSVILLE

Payee TL Chapman Enterprises Inc
Vendor ID CHA1011

Account #:

43388
09/11/2008

Invoice	Description	Discount	Amount
08/05/2008	Mowing Services/Dr #19/PO #07-697	\$0.00	\$835.00
082808CE 9-4-08	Code Enforcement/473 Forest	\$0.00	\$75.00
083008CE 9-4-08	Code Enforcement/409 Cook Ave	\$0.00	\$75.00

Utility Mowing

Total : \$0.00 \$985.00



CITY OF BROOKSVILLE
201 HOWELL AVENUE
BROOKSVILLE, FL 34601
(352) 544-5400



43388

***Nine Hundred Eighty Five and 00/100 Dollars

DATE AMOUNT
09/11/2008 \$985.00

PAY
TO THE
ORDER
OF:

TL Chapman Enterprises Inc
PO Box 1531
Brooksville, FL 34605

DISBURSEMENT ACCOUNT

COPY
AUTHORIZED SIGNATURE

Security features. Details on back.

⑈043388⑈ ⑆063102152⑆0134005548601⑈

CITY OF BROOKSVILLE

Payee TL Chapman Enterprises Inc
Vendor ID CHA1011

Account #:

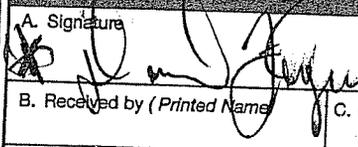
43388
09/11/2008

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082808CE 9-4-08	Code Enforcement/473 Forest	\$0.00	\$75.00
083008CE 9-4-08	Code Enforcement/409 Cook Ave	\$0.00	\$75.00

COPY

Utility Mowing

Total : \$0.00 \$985.00

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>
<p>1. Article Addressed to:</p> <p><i>Christie Schamberger</i> <i>16088 Lacanto Street</i> <i>Brooksville, FL 34604</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service receipt)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p style="text-align: center;">7007 1490 0004 4457 8583</p>	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

9/1/08

Sent To *Christie Schamberger*

Street, Apt. No. or PO Box No. *16088 Lacanto St*

City, State, ZIP+4 *Brooksville 34604*

PS Form 3800, August 2006 See Reverse for Instructions

7007 1490 0004 4457 8583

#4

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

September 9, 2008

VIA CERTIFIED MAIL # 70071490000444578583

Christie R. Schamberger
16088 Lacanto Street
Brooksville, Fl. 34604

Dear Ms. Schamberger:

You were previously notified of an excessive weed growth and grass violation on your property located at 409 Cook Avenue, via certified mail. A copy of that Notice of Violation is attached hereto for your convenience. Despite receiving this notice on June 23, 2008, you failed or refused to remediate the violation.

Due to this failure or refusal to comply with the Notice of Violation, the City deemed it necessary to remediate the problem in the interest of the health, safety and welfare of its citizens. Pursuant to Section 38 of the City of Brooksville Code of Ordinances, attached is Certification of Expenses No. 08-04 in the amount of \$190.64 for services performed on your property which were necessary to rectify the aforementioned violation(s). The work was accomplished by T.L. Chapman Lawn Service and Landscaping on date August 28, 2008.

As further stated in Section 38 of said Code of Ordinances you are hereby notified that payment must be made within thirty (30) days from the date of this notice. If you fail or refuse to remit the aforementioned amount, the City of Brooksville will be forced to record a lien against your property in the amount of \$190.64 plus \$10.50 to cover the costs of recording, for a total of \$201.14.

If you have any questions, or wish to discuss this matter further, please feel free to contact this office.

Sincerely,

Linda Sidor
Code Enforcement Officer

Attachments

cc: T. Jennene Norman-Vacha, City Manager
George Angeliadis, City Attorney
Stephen Baumgartner, Director of Finance

CERTIFICATION OF EXPENSES

08-05

Date: September 9, 2008
Subject Property: 409 Cook Avenue, Brooksville, F. 34601
Key# 00149930
Property Owner: Christie R. Schamberger

Description of Expenses:

Nuisance Administrative Surcharge.....\$ 25.00
Site Inspections
4 @ \$20.00 per inspection.....\$ 80.00
T.L. Chapman Lawn Service & Landscaping.....\$ 75.00
Postage Fees
2 @ \$ 5.32.....\$ 10.64
Total Amount of Expenses.....\$ 190.64

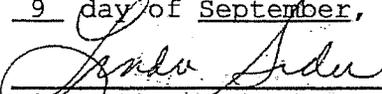
If recorded, recording fees in the amount of \$10.50 will be assessed, bringing the total lien to.....\$ 201.14

Please Note: Any mail containing your payment must be postmarked no later than (put date 30 days), in order to avoid recording fees being assessed.

PLEASE MAKE CHECK PAYABLE TO:

CITY OF BROOKSVILLE
201 Howell Avenue
Brooksville, Fl. 34601

Attn: Linda Sidor

CERTIFICATION
I certify this to be a true and correct copy of the record in my office. WITNESSETH my and official seal of the City of Brooksville, Florida, this 9 day of September, 2008.

Linda Sidor
Code Enforcement Officer

7008 1140 0000 9736 3458

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
MSR
9/24/08

Sent To *Christie R. Schambeyer*
 Street, Apt. No. or PO Box No. *16088 Locanto St*
 City, State, ZIP+4 *Brooksville FL 34601*

CITY OF BROOKSVILLE

201 HOWELL AVENUE
BROOKSVILLE, FLORIDA
34601

AFFIDAVIT OF POSTING NOTICE

**STATE OF FLORIDA
CITY OF BROOKSVILLE**

1. I, Linda Sidor am a duly authorized Code Enforcement Officer for the City of Brooksville, Florida.
2. I have posted the property located at: 409 Cook Avenue on the 14 day of October 2008.

Linda Sidor
PRINT NAME
AFFIANT

Sworn to and subscribed to before me on this 14 day of October 2008 BY Linda Sidor (AFFIANT), who is personally known to me, and did not take an Oath.

Kim J. Harsin
NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Kim J. Harsin
Commission # DD417148
Expires: APR. 11, 2009
Bonded Thru Atlantic Bonding Co., Inc.

PUBLIC NOTICE

*Posted Property &
C. H. Oct 14/08*

CITY OF BROOKSVILLE
HERNANDO COUNTY, FLORIDA

CODE ENFORCEMENT HEARING

CITY OF BROOKSVILLE, FLORIDA

Petitioner,

CASE NO. 20086110
402 Cook Avenue

-vs-

CHRISTIE R. SCHAMBERGER
16088 LACANTO STREET
BROOKSVILLE, FL. 34601

NOTICE OF HEARING

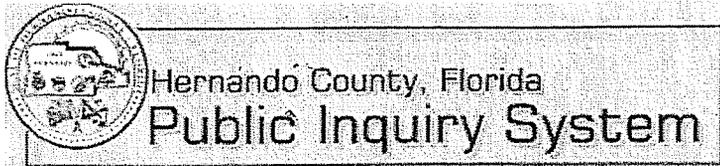
Pursuant to City of Brooksville Code, you are called upon to take notice that a public hearing will be conducted upon the Affidavit of Violation, attached to this Notice, on the day of October 28, 2008 at 3:00 p.m., in the City Council Chamber, Brooksville City Hall, 201 Howell Avenue, Brooksville, Florida.

Please see that attached Statement of Hearing procedures and Penalties that may be imposed at the hearing. If the charge is for a repeat violation, penalties may be imposed of up to \$500.00 per day for each day the violation has continued past the date of the Code Enforcement Officer's Notice of Violation.

Please govern yourself accordingly.

Linda Sidor
CODE ENFORCEMENT OFFICER
Linda Sidor

** Deal along with Penalties & Howevers
Taken by Director*



STATUS
 NO STATUS FOUND

TAX YEAR 2007

PROPERTY VIEW

TODAY'S DATE 09/24/2008

- PRO
- SEAI
- SAL
- SALI
- SEARC
- SU
- INFC

KEY

PARCEL R27 222 19 3450 0000 0020

OWNER
01 SCHAMBERGER CHRISTIE R

LOCATION
00409 COOK AVE

ADDRESS
16088 LACANTO ST
BROOKSVILLE, FL

DESCRIPTION
SAXON HEIGHTS UNIT 2
LOT 2

- NAVI
- NEX1
- PREV
- NEX1
- PREV

PROPERTY INFORMATION (CERTIFIED FOR ROLL YEAR 2007)

ZONING	CITY	DESC	CITY OF BROOKSVILLE	ZONE ID	CITY
LEVY	CRBRES	COASTAL/BROOKSVILLE			
AREA	3430	SAXONS 3430,3450, 1560-61,2680		<input type="button" value="GIS MAP"/>	
USE					
MILLAGE		22.0040			
MARKET					
PCA1	1	CONVENTIONAL		PCA2	1 RESIDENTIAL
PCA3	1	1 UNIT		PCA4	0 SUBS REC/UNR
LAND	8454	CLASS	0	SQFT	1392 ACRES
JUST	47296	ASSESSED	47296	EXEMPT	25000 TAXABLE
					0.00 22296
EXEMPTIONS		HXN			

To calculate the estimated taxes for next year (If the Property is sold this calendar year):

Enter property value for calculation: Estimated Taxes are APPROXIMATELY: *

* Taxes are Calculated without exemptions or Save Our Homes Protection based on the value entered above, using current millage and current special assessments.

***** SCROLL DOWN FOR ADDITIONAL INFORMATION *****



409 COOK
POSTED FOR HEARING
OCT 14, 2008

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent</p> <p>X <i>Mertie Schamberger</i> <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p><i>Christie R. Schamberger</i> <i>16088 Loconto Street</i> <i>Brooksville, FL</i> <i>34601</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes</p> <p>If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Article Number (Transfer from service label)</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
	<p>7008 1140 0000 9736 3458</p>	

#5

**CITY OF BROOKSVILLE
HERNANDO COUNTY, FLORIDA**

CODE ENFORCEMENT HEARING

CITY OF BROOKSVILLE, FLORIDA

Petitioner,

CASE NO. 20086110

-vs-

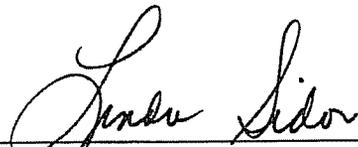
**CHRISTIE R. SCHAMBERGER
16088 LACANTO STREET
BROOKSVILLE, FL. 34601**

NOTICE OF HEARING

Pursuant to City of Brooksville Code, you are called upon to take notice that a public hearing will be conducted upon the Affidavit of Violation, attached to this Notice, **on the day of October 28, 2008 at 3:00 p.m., in the City Council Chamber, Brooksville City Hall, 201 Howell Avenue, Brooksville, Florida.**

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Please govern yourself accordingly.



CODE ENFORCEMENT OFFICER
Linda Sidor

** Sent along with Penalties & Procedures
Notice of Violation*

CASE # 20086110
CHRISTIE SCHAMBERGER
409 COOK AVENUE
BROOKSVILLE

*Hearings officer OK
Lien OK
7/20/14*

VIOLATION: OVERGROWTH

#1

June 23, 2008 Notice of violation sent certified mail.

Return receipt signed and returned

30 days no compliance

#2

August 6, 2008 I posted the property for 10 days, no compliance

#3

August 15, 2008 Sent over for clean up by City contractor

#4

September 9, 2008 sent Letter and Invoice certified mail to owner for clean up.

Return receipt signed and returned.

30 days no remittance by the owner.

#5

October 14 Sent "Notice of Hearing" certified mail

Return receipt signed and returned.

Reason for Hearing: Approval for City to proceed with lien on property.

Owner doesn't live in house she was threatened by neighbor, she is afraid to go back. However, no reason to put lien on property.



July 23, 2008
Christie called
said house was
in foreclosure.
* Not listed w/ TAA
collector or
property appraiser.

CODE ENFORCEMENT OFFICE

NOTICE OF PUBLIC CODE VIOLATIONS

June 23, 2008

Case #: 20086110

Certified Mail # 70071490000444557892

Christie R. Schamberger
16088 Lacanto Street
Brooksville, Florida 34604

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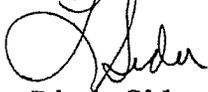
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Sincerely,



Linda Sidor
Code Enforcement Officer

*Note: The City contracts for this service on an annual basis, copy of contract may be viewed from the City Clerk's Office, 201 Howell Avenue – Brooksville -352 544-5407.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.Print your name and address on the reverse so that we can return the card to you.Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature <input checked="" type="checkbox"/> <i>Mertie Schamberger</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee B. Received by (Printed Name) C. Date of Delivery
1. Article Addressed to: <i>Christie Schamberger 16088 Lacanto St. Brooksville, FL 34604</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <i>7007 1490 0004 4455 7892</i>



overgrowth +
Debris

(Debris was removed)

#2

PUBLIC NOTICE

* at City Hall
and on site.

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

NOTICE OF PUBLIC CODE VIOLATION

Name of Owner(s): *Christie R. Schamberger*
Address: _____

Date: *Aug 6, 2008*

All records indicate that you are the owner(s) of the following property in the City of Brooksville, Florida:

*409 Cook Ave
Brooksville, FL 34601*

An inspection of this property discloses that a Public Code Violation exists thereon so as to constitute a violation of City of Brooksville Ordinance 580.

Overgrowth grass + weeds

You are hereby notified that unless the condition above described is remedied as required by this ordinance within Ten (10) days upon Posting of this Property, the City will abate this condition and the cost of work, including advertising cost, a Nuisance Administrative Surcharge of twenty-five Dollars (\$25.00), Inspection Fee of Twenty Dollars (\$20.00) per site visit, and other expenses will be imposed as Special Assessment Lien upon the property.

Furthermore, please be advised that the City of Brooksville has the right to foreclose

#2

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

AFFIDAVIT OF POSTING NOTICE

**STATE OF FLORIDA
CITY OF BROOKSVILLE**

- I, Linda Sidor am a duly authorized Code Enforcement Officer for the City of Brooksville, Florida.
- I have posted the property located at: 409 Cook Avenue
on the 6 day of August 2008. Key # 149930

Linda Sidor
PRINT NAME
AFFIANT

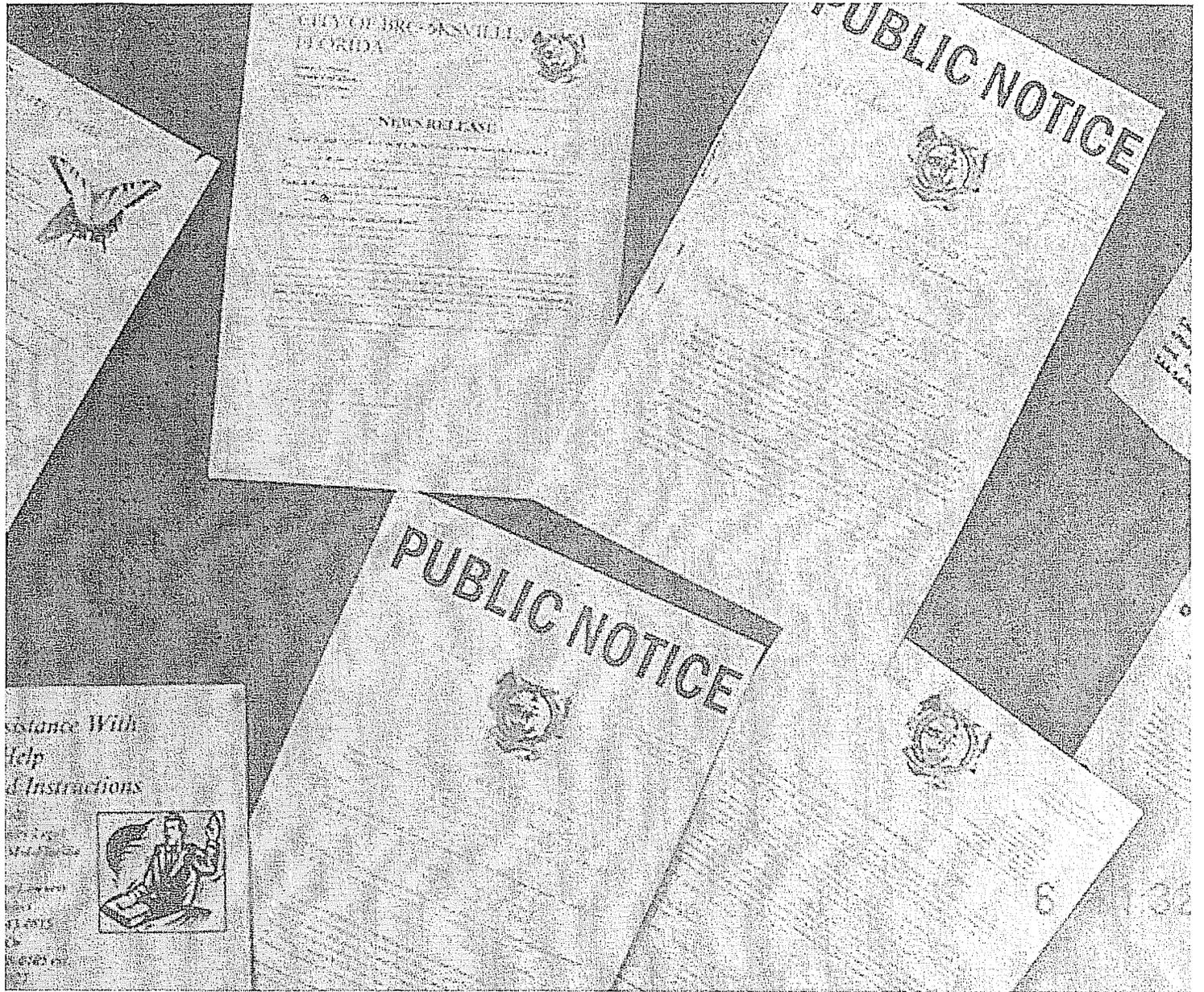
Sworn to and subscribed to before me on this 6 day of August 2008 BY Linda Sidor (AFFIANT), who is personally known to me, and did not take an Oath.

Kim J. Harsin
NOTARY PUBLIC

NOTARY PUBLIC-STATE OF FLORIDA
Kim J. Harsin
Commission # DD417148
Expires: APR. 11, 2009
Bonded Thru Atlantic Bonding Co., Inc.



409 COOK AVE
POSTED AT SITE
AUG 6, 2008



Posted at C.H.
Aug 6, 2008

#3

Allison 8/15/08
OK to clean-up
now

CITY OF BROOKSVILLE
CODE ENFORCEMENT OFFICE
REQUEST FOR CLEAN-UP

Sedor
Called Terry to cut
8/20/08. AE

TO: DEPT OF PUBLIC WORKS

PROPERTY OWNER Christie R. Schamberger

MAILING ADDRESS 16088 LACANTO Street
Brooksville, FL 34604

VIOLATION Overgrowth Front + Rear

DATE June 23, 2008

PROPERTY ADDRESS OR DESCRIPTION 409 Cook Ave
(corner of Shayne St.) Key # 00149930

CERTIFIED MAIL SENT June 23, 2008

LETTER OR CARD RETURNED yes - signed

NOTICE POSTED ON PROPERTY Aug 6, 2008

REQUEST PUBLIC WORKS TO HAVE THIS VIOLATION

CORRECT ✓

Linda Sedor
CODE ENFORCEMENT OFFICER

August 15, 2008
DATE

**T. L. Chapman
Lawn Service and Landscaping
P.O. Box 1531
Brooksville, Florida 34605
352-279-8493**

September 4, 2008

City of Brooksville
600 South Brooksville Ave.
Brooksville, Florida 34601

Code Enforcement clean up

August 28, 2008

409 Cook Ave.

\$ 75.00

Thank you,

#4

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

September 9, 2008

VIA CERTIFIED MAIL # 70071490000444578583

Christie R. Schamberger
16088 Lacanto Street
Brooksville, Fl. 34604

Dear Ms. Schamberger:

You were previously notified of an excessive weed growth and grass violation on your property located at 409 Cook Avenue, via certified mail. A copy of that Notice of Violation is attached hereto for your convenience. Despite receiving this notice on June 23, 2008, you failed or refused to remediate the violation.

Due to this failure or refusal to comply with the Notice of Violation, the City deemed it necessary to remediate the problem in the interest of the health, safety and welfare of its citizens. Pursuant to Section 38 of the City of Brooksville Code of Ordinances, attached is Certification of Expenses No. 08-04 in the amount of \$190.64 for services performed on your property which were necessary to rectify the aforementioned violation(s). The work was accomplished by T.L. Chapman Lawn Service and Landscaping on date August 28, 2008.

As further stated in Section 38 of said Code of Ordinances you are hereby notified that payment must be made within thirty (30) days from the date of this notice. If you fail or refuse to remit the aforementioned amount, the City of Brooksville will be forced to record a lien against your property in the amount of \$190.64 plus \$10.50 to cover the costs of recording, for a total of \$201.14.

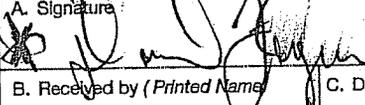
If you have any questions, please feel free to contact me.

Sincerely,

Linda Sidor
Code Enforcement Officer

Attachments

cc: T. Jennene Norman-V
George Angeliadis,
Stephen Baumgartner

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature:  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name): _____ C. Date of Delivery: _____</p>
<p>1. Article Addressed to: <i>Christie Schamberger</i> <i>16088 Lacanto Street</i> <i>Brooksville, FL 34604</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: _____</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

2. Article Number 7007 1490 0004 4457 8583

(Transfer from service receipt)

201 Howel

CERTIFICATION OF EXPENSES

08-05

Date: September 9, 2008
Subject Property: 409 Cook Avenue, Brooksville, F. 34601
Key# 00149930
Property Owner: Christie R. Schamberger

Description of Expenses:

Nuisance Administrative Surcharge.....\$ 25.00
Site Inspections
4 @ \$20.00 per inspection.....\$ 80.00
T.L. Chapman Lawn Service & Landscaping.....\$ 75.00
Postage Fees
2 @ \$ 5.32.....\$ 10.64
Total Amount of Expenses.....\$ 190.64

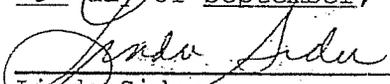
If recorded, recording fees in the amount of \$10.50 will be assessed, bringing the total lien to.....\$ 201.14

Please Note: Any mail containing your payment must be postmarked no later than (put date 30 days), in order to avoid recording fees being assessed.

PLEASE MAKE CHECK PAYABLE TO:

CITY OF BROOKSVILLE
201 Howell Avenue
Brooksville, Fl. 34601

Attn: Linda Sidor

CERTIFICATION
I certify this to be a true and correct copy of the record in my office. WITNESSETH my and official seal of the City of Brooksville, Florida, this 9 day of September, 2008.

Linda Sidor
Code Enforcement Officer

#5

**CITY OF BROOKSVILLE
HERNANDO COUNTY, FLORIDA**

CODE ENFORCEMENT HEARING

CITY OF BROOKSVILLE, FLORIDA

Petitioner,

CASE NO. 20086110

-vs-

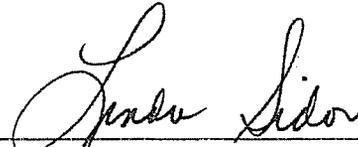
**CHRISTIE R. SCHAMBERGER
16088 LACANTO STREET
BROOKSVILLE, FL. 34601**

NOTICE OF HEARING

Pursuant to City of Brooksville Code, you are called upon to take notice that a public hearing will be conducted upon the Affidavit of Violation, attached to this Notice, **on the day of October 28, 2008 at 3:00 p.m., in the City Council Chamber, Brooksville City Hall, 201 Howell Avenue, Brooksville, Florida.**

Please see that attached Statement of Hearing procedures and Penalties that may be imposed at the hearing. If the charge is for a repeat violation, penalties may be imposed of up to **\$500.00** per day for each day the violation has continued past the date of the Code Enforcement Officer's Notice of Violation.

Please govern yourself accordingly.



CODE ENFORCEMENT OFFICER
Linda Sidor

** Sent along with Penalties & Procedures
Notice of Violation*

SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Christie R. Schamberger
16088 Doernte Street
Brooksville, FL
34601*

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
X Christie R. Schamberger
- B. Received by (Printed Name) Addressee
Christie R. Schamberger
- C. Date of Delivery

- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

- 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number *7008 1140 0000 9736 3458*
(Transfer from service label)
PS Form 3811, February 2004 Domestic Return Receipt 102595-02/M-1540

CORRESPONDENCE-TO-NOTE
REGULAR COUNCIL MEETING – August 16, 2010

1. TYPE: Letter
 DATE: July 6, 2010
 RECEIVED FROM: Florida League of Cities
 ADDRESSED TO: T. Jennene Norman-Vacha, City Manager
 SUBJECT: Florida Municipal Achievement Awards Program

2. TYPE: Letter
 DATE: July 7, 2010
 RECEIVED FROM: Butler America
 ADDRESSED TO: Lara Bradburn, Mayor
 SUBJECT: Warn Notice to Florida Dislocated Worker Unit

3. TYPE: Letter
 DATE: July 14, 2010
 RECEIVED FROM: Sun Fiberglass Products, Inc.
 ADDRESSED TO: City Council
 SUBJECT: Fire District Proposal

4. TYPE: Letter
 DATE: July 19, 2010
 RECEIVED FROM: The Hogan Law Firm
 ADDRESSED TO: Sandra Nicholson (cc)
 SUBJECT: Hernando County Fair Association

5. TYPE: Letter
 DATE: July 19, 2010
 RECEIVED FROM: Brighthouse Networks
 ADDRESSED TO: T. Jennene Norman-Vacha, City Manager
 SUBJECT: Channel Line-up Changes

6. TYPE: Letter
 DATE: July 23, 2010
 RECEIVED FROM: Florida Department of Community Affairs
 ADDRESSED TO: Lara Bradburn, Mayor
 SUBJECT: City of Brooksville Comprehensive Plan Amendment Review

7. TYPE: Letter
 DATE: July 28, 2010
 RECEIVED FROM: Bethlehem Progressive Baptist Church
 ADDRESSED TO: Lara Bradburn, Mayor
 SUBJECT: Proposed Non-valorem Assessment for Fire & Rescue

8. TYPE: Letter
 DATE: July 30, 2010
 RECEIVED FROM: U.S. Department of homeland Security, FEMA Region IV
 ADDRESSED TO: T. Jennene Norman-Vacha, City Manager
 SUBJECT: Preliminary DFIRM Community Coordination Meeting for Hernando
 County, FL and Incorporated Areas

9. TYPE: Letter
 DATE: July 30, 2010
 RECEIVED FROM: Brighthouse Networks
 ADDRESSED TO: T. Jennene Norman-Vacha, City Manager
 SUBJECT: Digital Video Delivery Technology
10. TYPE: Letter
 DATE: August 4, 2010
 RECEIVED FROM: Lowe's
 ADDRESSED TO: Brooksville City Council
 SUBJECT: N.A.M.E.
11. TYPE: Letter
 DATE: August 4, 2010
 RECEIVED FROM: Day Metal Products, LLC
 ADDRESSED TO: Brooksville City Council
 SUBJECT: N.A.M.E.
12. TYPE: Letter
 DATE: August 5, 2010
 RECEIVED FROM: Empire Truck Parts
 ADDRESSED TO: To Whom it May Concern
 SUBJECT: N.A.M.E.
13. TYPE: Letter
 DATE: August 9, 2010
 RECEIVED FROM: Sensys America, Inc.
 ADDRESSED TO: City Council
 SUBJECT: Red Light Camera Program



07-09-10 P05:02 IN

301 South Bronough Street • Suite 300 • P.O. Box 1757 • Tallahassee, FL 32302-1757 • (850) 222-9684 • Fax (850) 222-3806 • www.flcities.com

July 6, 2010

Jennene Norman-Vacha
City Manager
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

Dear Ms. Norman-Vacha:

Thank you for your nomination in the Florida League of Cities *Florida Municipal Achievement* awards program.

The number and quality of nominations we received is a testament to the extraordinary municipal programs provided by Florida's great cities. We regret to inform you that your nomination for "Green Initiatives: Reduce, Reuse and Recycle" was not selected as a winner in the Environmental Stewardship category. However, we hope you will not be discouraged as the program was very competitive.

Your program will be featured in a "best practices" publication that will be distributed at the League's upcoming Annual Conference and will be included in the September/October issue of *Quality Cities*. This way, Florida cities can share ideas and model innovative programs like yours.

We would like to remind you that this is an annual League program and thus encourage you to reapply next year. Again, thank you for your nomination, and we commend your city for its commitment to excellence.

Sincerely,

John Marks, President
Mayor, Tallahassee

CTN
8.16.10
JMW



2 Trap Falls Road
Suite 204
Shelton, CT 06484
Tel 770.289.3020
Fax 586.685.9774

July 7, 2010

Sent VIA US MAIL AND FACSIMILE
Fax: 352-544-5424

Ms. Lara Bradburn
Mayor – City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

Dear Mayor Bradburn:

Re: Warn Notice to Florida Dislocated Worker Unit

Please be advised that Butler received an email today from AT&T, terminating its contract with Butler America, LLC. ("Butler") to provide fleet maintenance services, termination to be effective August 29, 2010. This email clarified a July 2, 2010 notice from AT&T correcting the contract reference. Accordingly, this is to inform you that Butler will conduct layoffs of its fleet maintenance operations supporting AT&T at the following addresses within the state of Florida:

5100 STYER ST
ORLANDO, FL 32809

1001 ST. JOHN'S BLUFF
JACKSONVILLE, FL 32225

450 NORTH GOLDENROD
ORLANDO, FL 32807

2200 OLD MIDDLEBURG R
JACKSONVILLE, FL 32210

520 KERRY DR
ORLANDO, FL 32808

660 STATE RD 207
ST. AUGUSTINE, FL 32084

132 COMMERCE WAY
SANFORD, FL 32771

3501 NW 10TH TERRACE
OAKLAND PARK, FL 33309

**19386 FT DADE AVENUE
BROOKSVILLE, FL 34601-2411**

2101 W 64TH STREET
HIALEAH, FL 33016

9010 NW 39TH AVENUE
GAINESVILLE, FL 32606

3402 ENTERPRISE ROAD
FT. PIERCE, FL 34982

6915 PINE FOREST ROAD
PENSACOLA, FL 32526

7747 ELLIS ROAD
MELBOURNE, FL 32904

1861 MASON AVENUE
DAYTONA BEACH, FL 32117

329 NW DIXIE HWY
STUART, FL 34994

1500 HERBERT STREET
PORT ORANGE, FL 32119

3600 AVIATION BLVD
VERO BEACH, FL 32960

CTN
8.16.10
AW

July 14, 2010



FIBERGLASS PRODUCTS, INC.



City of Brooksville
City Council
201 Howell Ave
Brooksville, FL 34601

RE: Fire District proposal

Dear Members of the City Council,

Sun Fiberglass Products located on Martin Luther King Jr. Blvd, would like to pose our objection to the proposed increase in the Fire District Non Ad Valorem rates for our business. The main product our company produces is swimming pools. The hard hit times in the local area have made it very difficult for Sun Fiberglass to maintain the 18 jobs we have here in Brooksville. The local marketplace has been very tight and we have sold just 2 swimming pools in Hernando County this year.

The burden of the property taxes would be another increase that would place a hardship on our business as the insurance, costs of regulations, and other fixed costs have made it more difficult to make ends meet with little to no local sales to support our business.

We understand the difficulties with your local budgets however; just placing a fee on the businesses isn't enough. The city should consider sub-contracting the county for fire services or increasing costs for actual emergency calls to homes and businesses.

Thank you for your attention with our objection

Sincerely,

Curtis J. Prystupa
President/Owner

CTN
8-16-10
GJV



*We mean business*SM

July 19, 2010

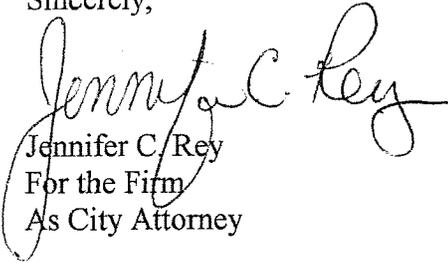
Sandra Nicholson
10143 Scott William Trail
Brooksville, Florida 34601

Re: Hernando County Fair Association

Sandy,

In follow up to our telephone call from a week or so ago, please note we are now in receipt of the Attorney General's Opinion in response to the City's question. A copy is attached for the Fair Association's records.

Sincerely,



Jennifer C. Rey
For the Firm
As City Attorney

JCR/kks

cc: T. Jennene Norman-Vacha, City Manager ✓

Enclosure

CTN
8-16-10
JAV

1004 U.S. Highway 92 West
Auburndale, FL 33823

tel 863.965.7733
fax 863.288.2299

07-19-10 11:17 IN



July 19, 2010

VIA FEDERAL EXPRESS

Ms. Jennene Norman-Vacha
City Manager
City of Brooksville
201 Howell Avenue
Brooksville, 34601

Dear Ms. Norman-Vacha,

We are pleased to announce the following changes to our channel line-up.

Effective August 19, 2010, Bright House Networks will change the frequency it uses to deliver the following digital channels:

WFLA SD

- Channel 7 (Hillsborough County)
- Channel 8 (Pinellas, Manatee, Hernando, Pasco, Citrus, and Polk Counties)

WTSP SD

- Channel 9 (Pasco County)
- Channel 10 (S. Pinellas, Manatee, Hernando, Citrus, Polk, and Hillsborough Counties)
- Channel 12 (N. Pinellas County)

Only customers with a digital-ready television (and a QAM tuner) and without a digital set-top box are affected by this change. Those customers will need to rescan their television set to continue to view these channels. These channels will, however, remain on the same channel location and continue to be on the same tier of service for these customers.

Bright House Networks continues to be at the forefront of bringing new technology, additional programming and excellent customer service to the Tampa Bay area community.

For more information about rescanning, customers should refer to the TV's original owner's manual or <http://www.tampabay.brighthouse.com/rescan>. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Drew Gillan".

Drew Gillan
Manager of Public Relations

CTN
8-16-10
JW



07-26-10 P12:32 IN

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

July 23, 2010

The Honorable Lara Bradburn
Mayor, City of Brooksville
201 Howell Avenue
Brooksville, Florida 34601

Dear Mayor Bradburn:

The Department has completed its review of the City of Brooksville Comprehensive Plan Amendment DCA Number 10-CIE1 adopted by Ordinance Number 790, on May 17, 2010 and has determined it meets the requirements of Chapter 163, Part II, Florida Statutes (F.S.). The Department is issuing a Notice of Intent to find the comprehensive plan amendment in compliance. The Notice of Intent has been sent to the **Hernando Today** for publication on July 25, 2010.

The Department's Notice of Intent to find a plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the amendment is filed. Any affected person may file a petition with the agency within 21 days after the publication of the notice of intent pursuant to Section 163.3184(9), F.S. No development orders, or permits for a development, dependent on the amendment may be issued or commence before the plan amendment takes effect. Please be advised that Section 163.3184(8)(c)2, F.S., requires a local government that has an internet site to post a copy of the Department's Notice of Intent on the site within 5 days after receipt of the mailed copy of the agency's Notice of Intent.

Please note a copy of the adopted City of Brooksville Comprehensive Plan Amendment and the Notice of Intent must be available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Brooksville City Hall, 201 Howell Avenue, Brooksville, Florida 34601.

CTM
C: Bill Geiger
8-16-10
ML



Bethlehem Progressive Baptist Church

P.O. Box 1292
661 South Brooksville Avenue
Brooksville, Florida 34605

Rev. Cecill A. Hubbert, Pastor
Phone: Church 352-796-4470
Residence 813-873-0020

Sis. Hattie H. Redding
Church Clerk
352-796-9748

Ministries

- Sunday School
- Prayer Meeting & Bible Study
- Mission
- Benevolent Board
- Education
- Pastor's Aid
- Tutoring

July 28, 2010

Ms. Lara Bradburn, Mayor
Brooksville City Council
201 N. Howell Ave.
Brooksville, Florida 34601

Dear Ms. Bradburn,

This letter comes to notify the Brooksville City Council of the objection by Bethlehem Progressive Baptist Church to the proposed non-valorem assessment for fire and rescue.

As a church we have also experienced significant increases in our basic costs to maintain the place of worship as well as providing spiritual care and guidance to the congregation and the community at-large.

The non-profit status we have does not exclude us from the realities of the economy.

Will this assessment be placed on the November ballot for voters to decide for or against?

If this assessment is put in place when will the assessment become payable?

It is very important that as a viable community that we all work together for the up-building of the city.

Sincerely,

Rev. C. A. Hubbert
Rev. C.A. Hubbert, Pastor

*CTN
8-16-10
JHW*

U.S. Department of Homeland Security
FEMA Region IV
3003 Chamblee Tucker Road
Atlanta, GA 30341



FEMA

08-02110A10:25 RCVD

July 30, 2010

Ms. Jennene Norman-Vacha
City of Brooksville – City Manager
201 Howell Ave.
Brooksville, FL 34601

Subject: Preliminary DFIRM Community Coordination Meeting for Hernando County, FL and Incorporate Areas.

Dear Ms. Norman-Vacha:

A meeting to discuss the preliminary countywide Flood Insurance Study (FIS) for your Community is scheduled for August 11, 2010 from 11:00 – 12:30 p.m. The meeting will be held at Brookville City Council Chamber, 201 Howell Avenue, Brooksville, Florida. Representatives from Southwest Florida Water Management District, FEMA Region IV, and Cardno TBE will be present and conduct the meeting. All incorporated communities within Hernando County are invited to attend this important meeting. Copies of the preliminary Flood Insurance Rate Maps (FIRM) and associated FIS text were sent to the communities previously July 7, 2010.

The preliminary study will be subject to a 90-day review and appeal/protest period, which will begin approximately one month after this meeting. If any appeals/protests are received during that time, FEMA will review and resolve them prior to initiating the subsequent 180 day-Community compliance period. Therefore, it will take at least nine months, from the beginning of the 90-day review period to the end of the compliance period, before the preliminary FIRM/FIS becomes effective for lending and insurance purposes. The appeal/protests process will be discussed at the meeting.

The revised FIS is considered an update to the currently effective FIS. This revised study, when it becomes effective, may result in increases and/or decreases to the regulatory flood elevations and/or width of the floodplain boundaries, depending upon the identified flooding conditions. It will be the basis for your Community's continued application and enforcement of all local floodplain management regulations required in conjunction with the participating criteria of the National Flood Insurance Program (NFIP). Revisions to your existing floodplain management ordinance may be necessary to incorporate changes. In addition, when the new flood study and maps become effective the Community's ordinance must reference the effective date of the new study and associated maps.

CTN
8.16.10
MIV

1004 U.S. Highway 92 West
Auburndale, FL 33823

tel 863.965.7733
fax 863.288.2299



July 30, 2010

Ms. Jennene Norman-Vacha
City Manager
City of Brooksville
201 Howell Avenue
Brooksville, 34601

Dear Ms. Norman-Vacha,

Bright House Networks has launched a new digital video delivery technology known as Switched Digital Video (SDV). SDV is a robust bandwidth management system that makes it possible to offer more digital video programming services than before including new HD channels. Please be advised that Bright House Networks is adding two new services on the SDV system.

Beginning on or after August 30, 2010, the following new channels will be delivered on the SDV system:

- Bright House Sports Network HD Channel 1147
- TEAM HD Digital Sports Package Channel 1814

These services will not be available on uni-directional retail devices on the date noted above. If you want to subscribe to these services, you will need a digital set-top box or similar bi-directional (two-way) equipment from Bright House Networks. Customers may continue to use their uni-directional retail device and CableCARD to receive video programming other than the programming delivered on the SDV system.

You should also know that from time to time our agreements with cable channels and television stations come up for renewal. While we do not anticipate any loss or disruption of service, regulations require us to notify you of the possibility of losing programming. Please be advised, therefore, that our agreements with IndiePlex, RetroPlex, Encore, Encore Action, Encore Drama, Encore Love, Encore Mystery, Encore WAM, Lifetime, Encore Westerns, E!, Style, Starz, Starz Cinema, Starz Comedy, Starz Edge, Starz in Black, Starz Kids & Family, Zee TV, TruTV, Weather Channel, BBC America, EWTN, CR1 Russia, TV Japan, Antena 3, and Filipino Channel remain in effect on a month to month basis; but we may have to cease carriage in all formats if our authority to continue is withheld. As well, our agreements with ABC Family, Disney, Disney SVOD, Disney XD, Playhouse Disney, ESPN, ESPN Classic, ESPN Deportes, ESPN News, ESPNU, ESPN2, ESPN Game Plan and Soap Net expire on September 1, 2010, and we may have to cease carriage in all formats if our authority to continue is withheld. We are working diligently at this time to come to acceptable and fair terms with all of these channels.

For more information on Bright House Networks programming, please call 1-866-976-EASY or visit our website at brighthouse.com.

Sincerely,

Drew Gillan
Manager of Public Relations

CTN
8-16-10
MIV



7117 Broad St
Brooksville, FL 34601
Phone: 352-754-6320 ext. 800
Fax: 352-754-6324
darrell.s.brown@store.lowes.com

August 4, 2010[^]

Darrell Brown
Store Manager

To: Brooksville City Council
Brooksville, FL



7117 Broad Street
Brooksville, FL 34601
Phone: 352-754-6320
Fax: 352-754-6321

From: Lowe's of Brooksville 1827
Darrell Brown – Store Manager
Al Canales – Operations Manager
7117 Broad Street
Brooksville, FL 34601

Al Canales
Operations Manager

To whom it may concern;

It has been brought to our attention that the Brooksville City Council has made a decision concerning the North American Midway which has caused them to consider leaving Hernando County. We have been doing business with North American Midway since our store opened in 2005 and they have generated a substantial amount of revenue not only for Lowe's but for the City of Brooksville. We feel their business is a vital part of our community and hope the City Council will reconsider their decision and encourage North American Midway to continue doing business with the people of Hernando County.

Thank you for your consideration in matter.

Regards

Darrell Brown – Store Manager
Al Canales – Operations Manager
(352) 754-6320

Cc: Hernando County Fair Association

CTN
8-16-10
AW

Day Metal Products, LLC

Custom Sheet Metal Fabrication

P.O. Box 176
Brooksville, FL 34605
Phone (352) 799-9258
Fax (352) 799-8912

August 4, 2010

Brooksville City Council
201 Howell Ave.
Brooksville, FL 34601

Reference: City Council Meeting / North American Midway

Dear City Council Members,

We have just heard news of a Brooksville City Council Meeting taking place Thursday, August 5, 2010 involving the denial of allowing North American Midway's return to the City of Brooksville and residing at the Hernando County Fair Grounds. This is very disturbing news considering North American Midway has been a repeat customer of ours and for many other local businesses. They have brought seasonal revenue to Brooksville's local companies that are trying to survive during these very difficult economic times. Isn't this similar to the seasonal stay of RV's at the Hernando County Airport? Doesn't this help generate revenue for the city as well? While here in Brooksville, NAM repair, maintenance and upgrade their equipment. During their stay, their employees purchase goods and use local services. Over their time in Brooksville, our business dealings have always been professional and friendly. By not allowing NAM to utilize the Hernando County Fairgrounds will force them to another city which will gladly accept and appreciate the generated revenue during their stay. Please, if not in favor of North American Midway's stay, reconsider on behalf of the small and local businesses in Brooksville.

Thank you for your time and consideration,

Deanna Gardner / Member
Day Metal Products, LLC

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Jennene

Empire Truck Parts 922 Ponce Deleon Blvd Brooksville , Fl.34601

To Whom It May Concern:

I have a small business located in the city of Brooksville, hernando county fl.34601.

It has come to my attention that one of our better customers (Mid America MidwayShows) has been informed that they are no longer welcome in our community by our community leaders, witch is perplexing in my opinion.

The Mid America shows Are one of the business community's best friends, I do not say this because they spend all of there budget at my store but because the owners of mid America midway share all of there spending equally among all of the local businesses from the hardware store to the auto parts, restaurants and it is a welcome income for all of us I would assume.

It would be a great tragedy to not have there participation and revenues in our community.

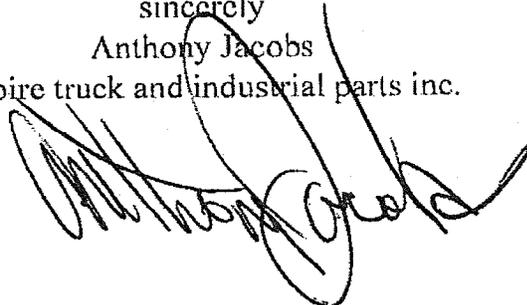
We have had a pretty hard time over the last three years making ends meet in business and I know that goes for all the small businesses and with the removal of one more good customer would be at least a tragedy.

I do not understand the reasoning behind this type of request that someone should be barred from our community with out cause is beyond me. I hope that our community leaders will look carefully at the overall impact it will have on the local economy and will make the right decision at that time.

sincerely

Anthony Jacobs

Empire truck and industrial parts inc.



*CTN
8-16-10*

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[Signature]



SENSYS AMERICA, INC

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Via Electronic Mail

August 9, 2010

Honorable Lara Bradburn, Mayor (lbradburn@cityofbrooksville.us)
Honorable Richard Lewis, Vice Mayor (rlewis@cityofbrooksville.us)
Mr. Joe Johnston, Council Member (jjohnston@cityofbrooksville.us)
Mr. Frankie Burnett, Council Member (fburnett@cityofbrooksville.us)
Mr. Joe Bernardini, Council Member (jbernardini@cityofbrooksville.us)
City of Brooksville, Florida
201 Howell Avenue
Brooksville, FL 34601-2041

Dear Mayor Bradburn, Vice Mayor Lewis and Member of the Brooksville City Council:

I attended the most recent City of Brooksville Council meeting held on August 2, 2010. I attended the meeting as a representative of Sensys America, Inc. ("Sensys") for the purpose of addressing any City Council concerns regarding a proposed contract for automated red light enforcement in the City. I did this in good faith based on the Regular Agenda, Item 3 noticed for the August 2, 2010 meeting. Candidly, I was dismayed that the Council, *without any public notice of any kind*, elected to reconsider an issue that had previously been decided by a majority vote. Such an act is contrary to basic notions of fundamental fairness and due process. Indeed, the Council's action is particularly ironic inasmuch as the outcry from the stacked gallery seemed particularly offended at purported "due process" flaws in photo enforcement programs generally.

On behalf of Sensys, I respectfully request that the City of Brooksville vacate the action taken on August 2, 2010 with respect to the proposed red light camera program and schedule a rehearing of such matter upon proper notice where we, the Brooksville police and citizens of Brooksville (both for *and* against) may be heard on the matter of photo red light enforcement. I make this request not only because I believe that the procedure that resulted in the Council's action was fundamentally flawed, but also because the information presented by speakers in opposition to photo enforcement was either false or misleading. Specifically:

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CTN 8-16-10
copy: HF: Steve Baumgardner