

REGULAR CITY COUNCIL AGENDA - MAY 7,2007

2. National Police Week Proclamation

Recognition of National Police Week May 13-19, 2007.

Presentation: Mayor
Attachments: Proclamation

E. PUBLIC HEARING

- * 1. Notice of Appeal of P&Z Commission Decision - Garden Homes Zoning
Consideration of Appeal of Planning & Zoning Commission March 14, 2007, decision concerning the Petition for a special exception use for a residential P.D.P. for property located on the south side of Dr. MLK, Jr., Boulevard and west of Hale Avenue.
[Continued from April 16, 2007 Meeting]

Presentation: Petitioner/Appellant
Recommendation: Approval or Denial of Appeal of P&Z Commission Decision
Action: Motion to approve
Attachments: City Code Sec. 137-43; Memo from Community Development Director dated 04/27/07; Notices of Appeal dated 03/15/07 and 03/19/07; Draft Minutes of P&Z Board's 03/14/07 Meeting

F. REGULAR AGENDA

1. Ordinance No. 744 - Annexation of Lowman Property
Consideration of annexation of 7 acres+ located on the east side of the proposed North/South Connector Road (Governors Blvd.) and south of Imogene Lane.

Presentation: Community Development Director
Recommendation: Approval of Ordinance as recommended by Staff and P&Z Commission on first reading upon roll call vote and schedule second and final reading for 05/21/07
Action: Motion to approve
Attachments: Memo from Community Development Director dated 04/18/07; Proposed Ordinance and Map; Annexation Petition

2. Resolution No. 2007-08 - DeMaria/Bell Litigation Waiver
Consideration of Resolution authorizing the City Attorney to waive any further proceedings under Florida Statutes, Chapter 164, with regard to litigation in the DeMaria & Bell Annexations.

Presentation: City Attorney
Recommendation: Approval of Resolution as recommended upon roll call vote.
Action: Motion to approve
Attachments: Proposed Resolution

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3. **Policy 3-2007 - Construction Project Policy**

Consideration of a policy for controlling a variety of problems and issues related to construction in general, including new subdivisions.

Presentation: Director of Public Works
Recommendation: Approval of Policy
Action: Motion to approve
Attachments: Memo from Director of Public Works dated 04/26/07; Proposed Policy

4. **Utility Service Agreement - Disbrow Builders, Inc.**

Consideration of approval of agreement subject to City Attorney's final review and comments.

Presentation: Director of Public Works
Recommendation: Approval of Agreement
Action: Motion to approve
Attachments: Memo from Director of Public Works dated 04/25/07; Proposed Utility Service Agreement

5. **Juneteenth Celebration - Russell Park**

Consideration of waiving certain fees for the event scheduled for June 13-17, 2007 at Russell Park as follows: a) Park Facility Use Agreement fees in the amount of \$850 (\$300 security deposit and insurance would still be required, but deposit would be subject to refund) and b) dumpster fees and water/sewer fees in the amount of \$4,212.56 for a total fee waiver of \$5,063.16.

Note: This does not include fees for various other services or assistance requested by the event organizers

Presentation: Event Organizer
Recommendation: Waiver of fees and/or direction to staff
Action: Motion to approve
Attachments: Memos from Interim City Manager dated 04/30/07, Parks & Recreation Director dated 04/27/07 and Director of Public Works dated 04/26/07

6. **Annual Tri-Party Meeting**

Consideration of request to hold annual tri-party meeting on July 31, 2007, 3:00 p.m. in the School Board Chambers pursuant to the Public School Facilities Planning & School Concurrency Implementation Interlocal Agreement.

Presentation: Director of Administration
Recommendation: Approval of meeting
Action: Motion to approve
Attachments: Memo from Director of Administration dated 04/27/07

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7. **Baker Settlement Agreement**

Acceptance of Memorandum Agreement between the City and Ronnie D. Baker.

Presentation: Interim City Manager
Recommendation: Approval of Agreement
Action: Motion to approve
Attachments: Memo from Interim City Manager dated 04/30/07; Proposed Agreement

8. **Potential City Manager Agreement**

Consideration of negotiated Employment Agreement with new City Manager.

[Note: Contingent upon finalization of negotiations following Candidate Selection at 05/01/07 Special Meeting]

Presentation: City Attorney
Recommendation: Approval of Agreement or direction to staff
Action: Motion to approve
Attachments: Will be subsequently delivered pending completion of negotiations

G. **ITEMS BY COUNCIL**

Richard E. Lewis, Council Member

1. **City Attorney Contract Termination**

Consideration of termination of City Attorney La Croix's contract with the City of Brooksville.

Presentation: Council Member Lewis
Recommendation: Memo from Council Member Lewis dated 04/20/07 & Attorney's Employment Agreement; City Attorney Response Memo dated 04/26/07 together with Tincher Settlement Agreement & Draft Amendment to Employment Contract

H. **CITIZEN INPUT**

I. **ADJOURNMENT**

CORRESPONDENCE TO NOTE

Meeting agendas and supporting documentation are available from the City Clerk's office, and online at www.ci.brooksville.fl.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 352/544-5407.

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

MINUTES

APRIL 2, 2007

7:00 P.M.

Brooksville City Council met in regular session with Mayor David Pugh, Vice Mayor Frankie Burnett, Council Members Joe Bernardini, Lara Bradburn and Richard E. Lewis. Also present were David LaCroix, City Attorney; Steve Baumgartner Interim City Manager; Karen M. Phillips, City Clerk/Director of Administration; Jim Delach, Acting Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Emory Pierce, Director of Public Works; Fire Captain Stan Mettinger, Brooksville Fire Dept. and Frank Ross, Interim Police Chief, Brooksville Police Dept. Members of the Hernando Today, Hernando Times and Brooksville Belle were also present.

The meeting was called to order by Mayor Pugh followed by the invocation and pledge.

Mayor Pugh advised that the citizen who requested to address Council before the agenda because of a disability last meeting was present and requesting to address Council at this time. Council consensus was to allow it.

Richard Killingsworth indicated he was compelled to attend at the request of a Council Member, a City employee and others concerning the internal investigation into the incidents involving the Police Department, Human Resources and Tina Nichols. He indicated that, although he had information concerning the investigation, he was not consulted. He reviewed the incidents that had evolved after being contacted by Tina Nichols and commented on the results of the investigation and the spreading of alleged rumors by Council Members.

He requested that Chief Tincher be reinstated and allowed to go on medical leave, appoint the second in command as Chief, return the Finance Director to his financial duties and the handling of the Human Resource duties and allow the City Attorney to replace himself in the time period he has requested. Mayor Pugh advised that Mr. Killingsworth's time was up, at which time he thanked Council for allowing him to speak.

Mayor Pugh apologized to Council for not stating a time limit at the beginning of Mr. Killingsworth's request.

CONSENT AGENDA

Minutes

Regular Meeting - March 5, 2007

Purchase of Copier for Police Department

Approval of purchase of copier from Lanier in the amount of \$5,265 under State contract. Budget amendment from General Fund reserves will be processed.

VisitFLORIDA Grant Applications (Removed for discussion)

Authorization to apply for grants to reprint City of Brooksville promotional tri-fold color brochures with VisitFLORIDA through the advertising matching grant program and the Cultural Heritage and Nature Tourism Marketing Grant Program, for an estimated total project cost of \$5,200 (Matching funds, of approximately \$2,700, available in General Account #001-009-510-547.00).

Council Member Bradburn requested the VisitFLORIDA Grant be removed for discussion and a separate vote.

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Bernardini for approval of the Consent Agenda with the removal of Item #3 for discussion. Motion carried 5-0.

VisitFLORIDA Grant Applications (Removed from Consent Agenda)

Council Member Bradburn requested City Clerk Phillips review the specifics of the grant and usage, which she did. Council Member Bradburn indicated that there was concern over some of the photos used in the original brochure. City Clerk Phillips asked for Council Member Bradburn's help in picking new photos to be used in printing the new brochures.

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Bradburn for approval. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

2007 Humane Society Pet Expo

Certificate of Appreciation to the City of Brooksville for the Pet Expo held 3/17&18/07 in Tom Varn Park.

Certificates of Appreciation were presented by Ms. Joanne Schoch to Council and Mike Walker for their support of the event.

Vice Mayor Burnett asked that the Mayor acknowledge the Proclamation for the Week of the Young Child at this time. Mayor Pugh advised that it would be added at to the end of presentations.

Hernando County Government Broadcasting

Consideration of agreement with Hernando County for televised coverage of City Council meetings.

Rick Foti inquired of Council questions they might have. City Clerk Phillips reviewed the agreement and advised that the cost would be approximately \$1,380 per quarter for overtime, set up, and tear down.

Council Member Bradburn indicated she had spoken with the County about the matter and found that the total project annual cost was closer to \$3,200 for televising only the Council meeting twice a month. She stated the County offered assistance if the City wanted to purchase its own equipment and to train a City employee to assist in the process, thereby reducing the City's cost to the County.

Mr. Foti indicated the City would only be charged for actual overtime hours for an individual to do the recording and elaborated on the process and equipment.

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Mayor Pugh asked if the equipment the City would need to purchase in the future could be used as a security system. Mr. Foti stated it could not.

Vice Mayor Burnett asked if the request is for doing the project now or to be included in the budget. Mayor Pugh advised the request is to start recording now and to budget for the equipment at a later time.

Mr. Foti informed Council the broadcasting would be tentatively set for Wednesday at 6:00 p.m. and Friday at 9:00 a.m. with the following week broadcasts being Thursday at 9:00 and Saturday at 6:00 p.m. He also advised that there may also be a midnight broadcasting.

Council Member Bradburn asked if money was available and Acting Finance Director Jim Delach indicated it is available in reserves.

Mr. Foti advised that the DVD of the meeting would be considered a public record and kept on file indefinitely.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Burnett for approval of the agreement to commence at the next meeting.

Mayor Pugh asked for public input. There was none.

Motion carried 5-0.

Child Abuse and Neglect Prevention Month

Proclamation designating April as Child Abuse and Neglect Prevention Month.

The Proclamation was read in its entirety by Mayor Pugh and presented to a member of Devereux Kids, who then reviewed the event.

Week of the Young Child

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Burnett to add the Week of the Young Child Proclamation item to the agenda. Motion carried 5-0.

Week of the Young Child representatives addressed Council and invited all to attend the event, which is scheduled for April 14 at the Jerome Brown Community Center from 10:00 a.m. to 2:00 p.m.

Mayor Pugh indicated a Proclamation would be presented on April 14 at the event.

PUBLIC HEARING

Ordinance No. 743 - Parking

Consideration of Ordinance creating appeals procedure for parking citations and authorizing the recording of liens on the vehicle's owners' property for unpaid citations.

City Attorney LaCroix reviewed the two different parts of the ordinance and elaborated on fines and the process of placing liens on property. Discussion followed of the feasibility of using the boot system.

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Vice Mayor Burnett recommended a workshop and instructed the attorney to investigate other options as well as considering a parking garage in the City to deal with the root problem of downtown parking.

Council Member Bradburn indicated she had opposed the ordinance from the start because of all the fees and felt the issues of the boom boxes and parking should be addressed separately. She distributed information on the boot system.

Attorney La Croix agreed to bring back a couple of ordinances regarding the issues and consideration of extending the 72-hour limit for paying the fines.

Council Member Bernardini recommended discussions with the County and Constitutional Officers as well.

Discussion followed of requiring the City employees to park in the back parking lot and changing the current employee parking lot to 90 minute parking for the public.

Howard Jackson did not see a problem moving employees to the back lot but did not want to give up the parking spaces to County employee parking.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Burnett for denial of Ordinance No. 743.

Doug Byers asked where the majority of the parking problems are. Mayor Pugh indicated County employees are the biggest offenders.

Pierre Desjardins elaborated on Clearwater's process and agreed that County employee parking is the biggest problem.

Mayor Pugh requested looking at relocating the employee parking for City employees to the back of the lot and leaving the spaces up front for visitors to the City.

Motion carried 5-0.

REGULAR AGENDA

Resolution No. 2007-07 - Civility

Consideration of Resolution adopting Civility Pledge.

Council Member Bernardini read a letter he had written to Council concerning the civility resolution.

Council Member Lewis elaborated on the resolution, stating that previously this item was in the form of a proclamation in the month of May to coincide with the Florida Bar Association. He stated he supports the idea of civility but would not support the resolution.

Council Member Bradburn indicated she had no problem supporting the resolution.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval of Resolution 2007-07.

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City Clerk Phillips read the resolution in its entirety.

Mayor Pugh asked for public input.

Pierre Desjardins asked for an explanation and purpose of the resolution if it normally comes in May from the Florida Bar Association, to which Mayor Pugh and Council Member Bernardini explained that it is for the benefit of the public and Council.

Council Member Lewis indicated he is not against civility or supporting the issue, only the time and reason it is being brought forward now.

Paul Boston indicated it should be a wake-up call for all and encouraged all to get involved in the election process.

Vice Mayor Burnett asked if the proclamation for the month of May would still be forthcoming. Council Member Bernardini indicated it will most likely still be presented in May from the Florid Bar Association in that May is the month of civility.

Dennis Lamberti felt this to be a duplication of the process.

Motion carried 4-1 upon roll call vote as follows:

Council Member Bradburn	Aye
Council Member Lewis	Nay
Council Member Bernardini	Aye
Vice Mayor Burnett	Aye
Mayor Pugh	Aye

Policy 2-2007 - Sidewalk Construction Policy

Consideration of policy for installation of sidewalks in new subdivisions, pursuant to direction at 02/26/07 workshop.

Director Pierce indicated he and Director Geiger had reviewed the information from the workshop and summarized their findings as stated in the policy. He stated that basically there are two types of roads being constructed by developers under the proposed policy:

1. Public roads that the City will maintain in which sidewalks will be constructed the entire length on both sides of the road within two years to date of the final plat approval, with a bond covering the work in the interval at 125% of an engineer's estimate, approved and accepted by the City prior to final plat approval, with exceptions to be brought back before Council.
2. Private non-City maintained roads in which sidewalks will be constructed the entire length on both sides of the road within five years to date of the final plat approval, or when 80% of the lots have been developed, whichever comes first. Work shall be bonded at 125% of an engineer's estimate, approved and accepted by the City prior to final plat approval, with exceptions to be brought back before Council. Also, sidewalks across common areas will be constructed prior to the issuance of the first certificate of occupancy and prior to the 5th year or 80% deadline, sidewalks will be constructed across each lot prior to the issuance of certificate

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of occupancy for any additional lot development.

Mayor Pugh recommended, for private, non-City maintained roads, changing "sidewalks across common areas will be constructed prior to the issuance of the first certificate of occupancy" to "sidewalks across common areas will be constructed within six months from date of final plat approval". Discussion continued.

Council Member Bradburn asked if a tracking system for bonds had been established. Interim City Manager indicated it is being integrated with and worked on by the City Clerk's office to establish a spread sheet system.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Lewis for approval of Policy 2-2007, as amended.

Mayor Pugh asked for public input.

Nick Nicholson of Nicholson Engineering indicated the best way to do it is to construct sidewalks at the same time as roads whenever possible.

Tom Mountain, Coastal Engineering, indicated that sometimes construction does not even begin until after final plat approval and recommended six months from time construction begins for the phase of construction being approved. Discussion followed in which Mayor Pugh recommended the City have a final sign off of developments.

Director Pierce agreed to bring back a policy of final acceptance in accordance with the County's policy.

Motions were withdrawn pending policy of final acceptance.

Policy No. 2-2001 - Revised Speed Hump Policy

Consideration of revised policy on the Neighborhood Traffic Management Program, pursuant to direction at 02/27/06 workshop.

Director Pierce reviewed the policy indicating he had amended the policy per Council direction to include the following:

1. A petition must be received from the majority of the households/addresses along a particular street.
2. Staff will then notify Council and the actual property owners of the parcels. The City may also notify other residents and property owners on adjoining streets and a detailed report of the items proposed, with cost estimates, will be presented to Council for approval prior to making any changes or construction.
3. It shall be City policy that speed humps will only be installed if average daily traffic is less than 1500 vehicles per day, the 85th percentile speed is more than 10 mph over the posted speed limit, the posted speed limit is 25 mph or less, street grade/slope is less than 10% and/or other overriding drainage or site distance problems do not exist, and the proposed street is identified by emergency personnel as not being a direct thoroughfare to access other areas for emergency calls.

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A brief discussion followed in which the recommendation was to delete the original policy and renumber the current one. Mayor Pugh recommended postcard ballots be taken out.

Motion:

Motion made by Council Member Bernardini and seconded by Vice Mayor Burnett for deletion of Policy No. 2-2001 and approval of proposed policy as amended.

Mayor Pugh asked for public input; there was none.

Motion Carried 5-0.

Southern Pines Condominium Block 1 Replat

Consideration of approval for a replat of Southern Pines Condominium Block 1.

Director Geiger reviewed the replat request for realignment of Clinton Blvd. as it extends to the western side of the property, stating that the P&Z Commission concurred with staff recommendations for approval subject to minor corrections to be reflected on the signature copy as per the City's surveyor, authorize the Chairman to sign the replat document and recommend City Council approve the same.

Discussion followed which included the effect on the five current residents, who were notified by certified mail, which Director Geiger advised that initially there would be none.

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval of replat.

Mayor Pugh asked for public input; there was none.

Motion Carried 5-0.

BERT Renovations

Consideration of renovations to BERT using \$25,000 in Fund 124 (Storm Readiness Fund) for supplies.

Interim City Manager Baumgartner asked Council opinion of proceeding with the renovations budgeted in the 06/07 budget and the mission of BERT according to Council opinion.

Chief Mossgrove reviewed the sale of the previous BERT unit and the purchase of the current unit, as well as plans for renovations.

Vice Mayor Burnett recommended using as much as is available to make the renovations.

Council Member Bradburn elaborated on the fact that there is a BERT team that does not make decisions or have input on the refurbishing of the unit. She recommended reviewing the whole process. Discussion continued.

Vice Mayor Burnett recommended a workshop to review the plans.

Chief Mossgrove stressed the urgency of getting the unit done by Hurricane season. Council consensus was to defer to a workshop.

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2007 Hurricane Expo at Weeki Wachee

Consideration of request from Hernando County Emergency Management Office for use of specific equipment for the annual Hurricane Expo 06/02/07 - 9:00 a.m. to 2:00 p.m. at Weeki Wachee Springs.

- a) Fire Truck Detail
Consideration of usage of the Ladder Truck.
- b) Police Department Patrol Unit & BERT Unit
Consideration of usage of the Suburban (DARE Vehicle) and BERT (Comfort Station).

Chief Mossgrove reviewed the request. Discussion followed as to coverage for the City during the time of the absence of the fire truck and the additional man-hours needed to staff the event.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for denial of item a) and approval of item b).

Mayor Pugh asked for public input.

Kojack Burnett commented that the Ladder Truck should be allowed to go.

Motion Carried 5-0.

23rd Annual Hernando County Arts, Crafts and Music Festival

Consideration of request from Hernando County Fine Arts Council (FAC) for use of BERT Comfort Station for the annual Art Festival at Tom Varn Park on May 5 and 6.

Chief Mossgrove reviewed the request.

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Burnett for approval.

Mayor Pugh asked for public input. In response to Kojack Burnett's question as to why this issue was so expeditiously approved in comparison to the previous item, Mayor Pugh advised that this motion was to approve use of the BERT Comfort Station only

Motion Carried 5-0.

Acquisition of Utility Easement along Wiscon Road from Hernando Co.

Consideration of acquiring subject easement for \$5,300

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Lewis for approval.

City Attorney La Croix advised that the property was not owned by Sea Gate Holdings, LLC, who executed the easement, but by Sea Gate Land Holdings, Inc. and requested approval of acceptance from same. He indicated a corrected copy is forthcoming, which will be recorded, and confirmed that the survey is correct.

Motion Carried 5-0.

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City Attorney LaCroix Resignation/Request for Contract Amendment

- a) Consideration of resignation of City Attorney effective September 30, 2007.
- b) Approval of his City-paid medical insurance effective May 31, 2007 with an amendment to his contract for an increase in salary equal to the cost the City paid for his medical insurance effective June 1, 2007.

City Attorney La Croix stated that Council action is only necessary for item (b).

Council Member Lewis indicated that the option to receive payment in lieu of medical insurance is not allowed for regular employees and he does not support the issue. City Attorney La Croix indicated that he a contracted employee rather than a City employee.

Motion:

Motion was made by Council Member Bernardini and seconded by Vice Mayor Burnett for approval. Motion Carried 4-1 with Council Member Lewis voting in opposition.

Notice of Appeal of P&Z Commission Decision - Garden Homes Zoning

Consideration of setting a public hearing to hear an appeal at a special meeting pursuant to City Code.

Mayor Pugh clarified that, according to Director Geiger, the only thing being considered is whether or not to hear the appeals, which City Attorney La Croix stated are quasi-judicial.

City Clerk Phillips advised that a Notice of Public Hearing would need to be publicized. Director Geiger added that all adjoining property owners had been notified prior to the P&Z Commission meeting. Council Member Bradburn requested notification of the Public Hearing, if approved, be sent to property owners again as well, which Director Geiger agreed to.

Motion:

Motion was made by Council Member Bernardini and seconded by Vice Mayor Burnett for approval, scheduled for April 16 at 6:00 p.m. Motion Carried 5-0.

Notice of Appeal of P&Z Commission Decision - Variance for Property located at 602 Ellington Street

Consideration of setting a public hearing to hear an appeal at a special meeting pursuant to City Code.

Vice Mayor Burnett advised that, being the appellant, he would need to abstain from voting and submitted form 8B [Attachment A].

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bernardini for approval, scheduled for April 16 meeting at 6:00 p.m. Motion Carried 4-0 with Vice Mayor Burnett abstaining from voting.

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ITEMS BY COUNCIL

Council Member Bradburn

Workshop Schedule

Council Member Bradburn indicated she will be occupied on April 11 and going to the League Advanced Institute on April 20 and 21.

Flatlanders

She reminded all that the Flatlanders Race will be on April 7.

City Clerk Phillips indicated that if anyone would like to volunteer to aid the Rotary Club as a Marshall for the race it would be beneficial and to contact her.

Steve Baumgartner, Interim City Manager

Interim Police Chief

Interim City Manager Baumgartner introduced Frank Ross as the Interim Police Chief and briefly reviewed his background.

Billing Company

He advised that the utility bills from the new billing company, SouthWest Direct, are out and looked good. They are being mailed out of Ft. Myers.

Vice Mayor Burnett

Attorney Leaving

Vice Mayor Burnett advised Council to consider criteria needed and advertise for the position of City Attorney, with the intent of bringing in a new City Attorney 30-45 days prior to the end of City Attorney La Croix's contract.

City Clerk Phillips

Video Taping of Council Meetings

City Clerk Phillips reminded all that since the taping will commence at the next meeting to identify themselves and speak clearly, providing details during presentations.

Mayor Pugh

Brooksville Housing Authority Workshop

Mayor Pugh advised that there will be a Joint Brooksville Housing Authority Workshop at 7:00 p.m. in Council chambers on April 9, after their regular Brooksville Housing Authority meeting at 5:30 p.m.

Labor Attorney Workshop

He indicated Reynolds Allen had submitted a list of dates available to him for Council's consideration of a workshop. Council consensus was for May 14 at 6:00 p.m.

City Manager Search Workshop

He also referenced the April 4, 6:00 p.m. workshop to review the City Manager applications.

Council Member Bradburn invited the public to submit written comments to be considered by Wednesday.

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CITIZEN INPUT

Howard Jackson

BERT Bus

He indicated he has conceptual drawings for the BERT renovations. Council Member Bradburn requested them for the workshop.

Paul Neuhann

Recommendations for City Manager

Mr. Neuhann submitted a letter of recommendation for the top three candidates for City Manager as recommended for consideration by the self-appointed committee of Gail Samples, Anna Liisa Covell, Ernie Wever and himself. He briefly reviewed the three, in the order of their recommendation, which were Lester Baird, Thomas Christie and James Gallagher. He urged others to review the applications as well and submit recommendations to Council, noting that they had used a scoring system, which he agreed to supply to Council.

Vice Mayor Burnett noted that although the committee had done a good job, he did not see representation of all of Brooksville and referenced the fact that Council had voted to each assign a citizen to a committee to review the applications and voted to withdraw that motion at the next meeting.

Mayor Pugh advised that although their recommendations would be taken into consideration, no more merit will be given them than any others.

Gail Samples

City Manager Recommendations

Ms. Samples advised she was insulted by the remarks made by the Mayor and Vice Mayor in that, as citizens, they had paid for copies of the applications and met as a group to review and make recommendations. She referenced Council Member Bradburn's request for input from citizens and apologized if anyone was offended. She felt their time was wasted.

Pierre Desjardins

Mr. Desjardins read a statement to Council criticizing their actions, indicating that they tainted the image of the Police Department and the public servants of our City, created an environment of fear, taken away people's initiative and caused a disruption of service delivery systems to the constituents that have elected them to office. He commended the City employees for their resolve for having to work in the environment created.

Mary Evelyn Reed

Allegations of Misconduct

She stressed the need to be considerate of one another and do the right thing. She felt the allegations toward Chief Tincher were unsubstantiated and that Council has a vendetta against certain people and are using their positions to carry them out. She indicated she does not see the new direction the City is going in to be the right direction in that accusations have upset families and homes unnecessarily. She stressed that she, as well as a lot of people in the City, are not happy with the actions of Council.

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Paul Boston

He elaborated on the actions of Council and felt that one-third of the citizens of Brooksville are not being represented nor asked for input on issues in the City. He also elaborated on the responsibilities of being in charge of a department, noting that changes are hard but are needed and unfortunately people will be hurt.

Juneteenth

Mr. Boston noted his appreciation for Mike Walker and his concern for the event, indicating he would hopefully have an update for the April 16 meeting and a presentation for the May 7 agenda.

Brooksville Housing Authority

He elaborated on the problems at the Brooksville Housing Authority and the history of South Brooksville, recommending someone contact the Brooksville Housing Redevelopment organization.

Historic Brooksville Brochures

He asked City Clerk Phillips about the photo in the brochure people had found offensive, which she alluded to being the photo of the Confederate Soldiers. A brief discussion ensued.

Council Member Bradburn thanked Mr. Boston for coming forward concerning the Housing Authority and Steve Baumgartner for taking such quick action in getting the City's Building Official and Mr. Singer, as well as Chief Mossgrove involved in the issue.

ADJOURNMENT

The meeting adjourned at 10:30 p.m.



City Clerk

Attest: _____
Mayor

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"ATTACHMENT A"

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME BURNETT, FRANKIE	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE BROOKSVILLE CITY COUNCIL
MAILING ADDRESS 201 HOWELL AVENUE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY BROOKSVILLE	COUNTY HERNANDO
DATE ON WHICH VOTE OCCURRED APRIL 2, 2007	NAME OF POLITICAL SUBDIVISION: CITY OF BROOKSVILLE
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative, or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

REGULAR CITY COUNCIL AGENDA - APRIL 2, 2007

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency
 - The form must be read publicly at the next meeting after the form is filed
- IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING
- You must disclose orally the nature of your conflict in the measure before participating
 - You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Frankie Burnett, hereby disclose that on April 2, 2007

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained, or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

4-2-07
Date Filed

Frankie Burnett
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

**CITY OF BROOKSVILLE
CITY COUNCIL WORKSHOP MINUTES
COUNCIL CHAMBERS
201 HOWELL AVENUE**

April 4, 2007

6:00 P.M.

Brooksville City Council met in regular session with Mayor David Pugh, Vice Mayor Frankie Burnett, Council Members Joe Bernardini, Lara Bradburn and Richard E. Lewis. Also present were Steve Baumgartner Interim City Manager; Karen M. Phillips, City Clerk/Director of Administration;; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Fire Chief Tim Mossgrove, Brooksville Fire Dept.; and Frank Ross, Interim Police Chief, Brooksville Police Dept. Members of the Hernando Today and Hernando Times were also present.

The meeting was called to order by Mayor Pugh followed by the invocation and pledge.

CITY MANAGER APPLICATION REVIEW

Review of the top ten qualified applicants for City Manager.

Acting Human Resource Director Bosack advised that Gallagher, Hayes and Randall withdrew and were replaced with Hartman and Quigley. She also stated that Christie took another job and Britt and Hartman did not submit a final application. She also stated for clarification for the record that the applicants were placed in alphabetical order.

Mayor Pugh indicated they would review the applications and set procedure. Britt and Hartman were eliminated. He advised that because some had dropped out and others added to the list he was reluctant to make a top 3 decision. He stated he would like to wait until the next Council meeting to make a decision.

Council Members Bradburn and Bernardini indicated they were ready to proceed with the narrowing of the finalists. It was noted that some candidates were also candidates for other positions and that the background checks and interviewing processes were still to come, which take time.

Council Member Lewis felt that contact should not be made to applicants from individual Council Members concerning the position.

Discussion followed as to how many to narrow the interview process down to and criteria. Vice Mayor Burnett recommended three and others supported all six. Council Member Bradburn recommended eliminating two that she was not interested in hiring.

General consensus was to interview three and to schedule a special meeting at 6:00 p.m. on Monday, April 9 before the BHA meeting to narrow it down to three.

Set procedure/process for interview/selection.

Council Member Lewis recommended after the interviews to rank the candidates by giving 3 points to the first choice, 2 points to the second choice and 1 to the third choice etc., with City Clerk Phillips to supply the voting ballot at the meeting. The person with the highest number of votes would be the top choice of Council. Mayor Pugh indicated he was familiar with that process and agreed.

COUNCIL WORKSHOP MINUTES - APRIL 4, 2007

Interim City Manager Baumgartner recommended Human Resources check the list tomorrow to make sure all are still on board.

Consensus was to numerically vote and submit to City Clerk Phillips on Monday with the top three being decided at the meeting on Monday the 9th with City Clerk Phillips and the Human Resources Director tallying.

Once the top three are chosen they will be called alphabetically for an interview.

Interim Police Chief Ross offered some suggestions, which included having a social dinner, having a panel of employees interview the applicants, holding a public reception or having the applicants submit presentations. He agreed to submit a list of suggestions by Monday.

It was decided that on Monday the Interim City Manager, City Clerk, Interim Human Resources Director and Interim Police Chief would meet to finalize suggestions for the interviewing process

ADJOURNMENT

The meeting adjourned at 7:25 p.m.



City Clerk

Mayor

G:\WP_WORK\ClerkOffice\MINUTES\2007\04-04-07 Workshop Minutes.wpd



CITY OF BROOKSVILLE

TO:

(X) Mayor David Pugh
(X) Vice Mayor Frankie Burnett
(X) Council Member Joe Bernardini
(X) Council Member Lara Bradburn
(X) Council Member Richard E. Lewis

ACTION:

() As Requested
() For Your Information
(X) Appropriate Action
() Review and Return
() Review and Route

FROM:

Steve Baumgartner *slw*

DATE: April 19, 2007

SUBJECT: Appointment of Margaret Bosack as City's Public Risk Management Alternate Board Member

Per the attached request from Public Risk Management of Florida, I am requesting council approval to appoint our Acting Human Resources Director, Margaret Bosack, as the City's Alternate Board Member of PRM. This action would insure City representation in the event I could not attend a meeting.

Mrs. Bosack has been efficiently filling the role of Acting Human Resources Director since February 13th of this year. She was hired in 2000 and has always worked in the Human Resources Department. She has also been the recording secretary for the Police Pension Trust Fund Board for several years.

Julie Sherraden

From: "Steve Baumgartner" <sbaumgartner@ci.brooksville.fl.us>
To: "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>
Cc: "Janice Peters" <jpeters@ci.brooksville.fl.us>; "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Sent: Wednesday, April 18, 2007 5:38 PM
Subject: Fw: Margaret Bosack - Alternate Board Member

Julie--

We need to do memorandum to appoint Margaret as Alternative Board Member for PRM for next Council meeting. It can be on consent.

Steve

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

From: Susan Baron
To: sbaumgartner@ci.brooksville.fl.us
Sent: Wednesday, April 18, 2007 2:56 PM
Subject: Margaret Bosack - Alternate Board Member

Steve, please fax us a letter officially appointing Margaret as the Alternate Board Member for the City of Brooksville as soon as possible. We want to make sure she is able to vote at the Board Meeting if you are not able to be there.

Thanks,
Susan

Susan Baron

Claims/Admin. Asst
Public Risk Management of FL
3434 Hancock Bridge Pkwy, Suite 203
Fort Myers, FL 33903
Toll-free 800-367-1705
Phone 239-656-4666
Fax 239-656-1066
sbaron@prm-fl.com



CITY OF BROOKSVILLE

TO:

ACTION:

- Director of Adm/City Clerk
- Director of Comm. Development
- Director of Finance
- Director of Parks & Recreation
- Director of Public Works
- Fire Chief
- Acting Human Resources Director
- Police Chief
- Other

- As Requested
- For Your Information
- Appropriate Action
- Draft Reply for My Signature
- Reply for Your Signature
- Recommendation
- Other

FROM: Steve Baumgartner *SB*
Interim City Manager

DATE: April 19, 2007

SUBJECT: Appointment to Public Risk Management Board

Public Risk Management has notified us that it would be prudent to appoint you Alternate Board Member for the City of Brooksville as soon as possible, to insure that you will be able to vote at the Board Meetings if I am unable to attend.

This action will be on the regular May 7, 2007, Council Meeting Agenda, for approval.

City of Brooksville



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

May 7, 2007

Mr. Dwayne Kile, District Design Engineer
Florida Department of Transportation
District VII, MS 7-800
11201 N. McKinley Drive
Tampa, FL 33612

Re: US 41 Bicycle Lane - Signing and Marking Request

Dear Mr. Kile:

As you are aware, the City of Brooksville, the Hernando County MPOs Bicycle and Pedestrian Advisory Committee (BPAC) and the West Central Florida CTST have requested that FDOT sign and mark the bicycle lanes along US 41. These un-designated lanes currently exist from SR 700 south to the entrance of the Hernando County Fairgrounds.

Based on previous conversations, FDOT has requested that the MPO or the City "justify" the need for signing and marking these bicycle facilities. For purposes of clarification, should we also "justify" the need for the existing pedestrian facilities, and if so, what standard is to be applied.

By standard, we mean the AASHTO Guide for the Development of Bicycle Facilities, 3rd Edition, which states that, "a bike lane should be painted with standard pavement symbols to inform bicyclists and motorists of the presence of the bike lane." Or is there some other "standard" to which we should adhere to in order to justify the signing and marking of this facility.

Additionally, as pointed out in the "Statewide Bicycle Facilities Study" completed for FDOT in October 2005, a more concentrated effort should be made for allowing bikeway facilities in regional and local projects. The study went on to say that local governments, along with FDOT and other transportation partners, should address on-road bikeway needs in urban areas as a high priority.

If the FDOT fully subscribes to the goal of providing multi-modal facilities, and directs that MPOs and other agencies do the same,

it would appear to be a simple request that an existing multi-modal facility be signed and marked, in accordance with standard procedures. It would appear to be a simple request that such a facility be signed and marked for safety reasons to alert motorists to the presence of cyclists and to provide cyclists with a designated lane for travel purposes. It would appear to be a simple request, please enlighten us as to why it is not.

Thank you for your cooperation and coordination in this matter.

Sincerely,

David Pugh, Mayor
City of Brooksville

cc: Lee Royal, FDOT, Gov. Liaison Adm.
Carin Watkins, FDOT, Gov. Liaison
Bill Geiger, City of Brooksville
Charles Mixson, Hernando County Engineer
Dennis Dix, MPO Coordinator

City of Brooksville



(352) 544-5400 (Phone)

(352) 544-5424 (Fax)

(352) 544-5420 (TDD)

May 7, 2007

Carin Watkins, Gov. Liaison
FDOT MS 7-350
11201 N. McKinley Dr.
Tampa, FL 33612

Re: Broad Street (US 41) - Bicycle Lanes Signing and Marking

Dear Ms. Watkins:

In the continued effort to encourage FDOT to sign and mark the existing, but un-designated bicycle lanes on Broad Street (US 41) from the County Fairgrounds, north to SR 700, the Brooksville City Council formally requests that FDOT sign and mark this facility along the aforementioned section of US 41.

The need for signing and marking the un-designated bicycle lanes in this corridor has been well documented over the years by the cyclists and pedestrians that use this corridor on a daily basis. Very often, cyclists will either ride along the sidewalk (creating conflicts with pedestrians and motorists) or ride the wrong way in the bicycle lane (creating conflicts for motorists, as well as other cyclists). This type of mode conflict appears to have gone largely unnoticed by FDOT. Signing and marking the bike lanes will help to reduce these conflicts and make the corridor safer for all users.

Although the automobiles, pedestrians and transit modes are well accommodated in the corridor, it is maintained that the obvious missing element is the signing and marking of the bicycle lanes. This is consistent with the Departments's commitment to the City of Brooksville's original design request for this facility.

This request is also consistent with the adopted Bicycle Element of the LRTP, that has been reviewed and accepted by FDOT as part of the County's LRTP update. Contained in this element is the proposed connection between the Good Neighbor Trail and the Suncoast Trail, of which the US 41 corridor is a major component. It would seem counter-productive to not promote a connection between these two projects which represent a significant public investment made by both FDOT and the Turnpike Enterprise.

This request has been made by the City of Brooksville before, along with the Hernando County BPAC, and the West Central Florida CTST. All these entities feel that signing and marking the existing bicycle lanes along Broad Street (US 41) will serve to encourage bicycle use along the facility, as well as alert motorists to the potential presence of cyclists. At this point, one has to ask, considering the huge investment in existing, and planned roadway and bicycle/pedestrian improvements that are part of the network, why FDOT would not protect its multi-modal infrastructure to its state roads. To this end, I am requesting that US 41 be District Sevens' first "designated" bicycle facility in Hernando County.

Sincerely,

David Pugh, Mayor
City of Brooksville

cc: Lee Royal, Government Liaison, FDOT
Michele Greene, Government Liaison, FDOT
Dwayne Kile, District Design, FDOT
Ron Pianta, Planning Department
Dennis Dix, MPO Coordinator
Hernando County BPAC
West Central Florida CTST



CITY OF BROOKSVILLE



TO:

(X) Mayor David Pugh Jr.
(X) Vice Mayor Frankie Burnett
(X) Council Member Joe Bernardini
(X) Council Member Lara Bradburn
(X) Council Member Richard Lewis

ACTION:

() As you requested
() For your information
(X) Appropriate action
() Review and return
() Review & route

FROM: Brian S. Brijbag
Redevelopment Coordinator

DATE: April 3, 2007

VIA: Stephen J. Baumgartner
Interim City Manager

SUBJECT: Harcourt Syms, CEO of the Florida Fine Art Museum Corp., has requested a letter of support from our City Council. Mr. Syms proposes to establish a classical fine arts museum on property located within the city of Brooksville.

Please find attached a draft letter prepared by myself and a copy of a proposed letter of support submitted by Mr. Syms.

This project would be an ideal addition to our community and I would recommend the council offers its support.

Brian S. Brijbag
Redevelopment Coordinator

City of Brooksville



(352) 544-5400 (Phone)

(352) 544-5424 (Fax)

(352) 544-5420 (TDD)

April 3, 2007

Mr. Harcourt Syms, CEO
Florida Fine Art Museum Corp.
1707 Winners Circle, Tarpon Springs, FL

Re: Proposed site at 911 Candlelight Blvd, 34601

The City of Brooksville, and its elected City Council, support your vision for a dynamic and accessible art museum that connects culture and people. The support also extends to the purpose statement of the Florida Fine Art Museum Corp., which is “to establish a museum and educational facility for Classical Fine Arts.”

In support, we seek to partner with your non-profit organization to encourage expedient completion of any issues pertaining to local government. In areas relating to matters with the city, we pledge to assist the museum to proceed quickly. We would also support efforts to seek out grants in partnership with your non-profit corporation that would allow you to sustain and grow as a cultural destination within the city.

As a Florida non-profit corporation, Florida Fine Arts Museum Corp. retains and enjoys all the benefits of its established corporate structure. The City will encourage your corporation to fully take advantage of those benefits.

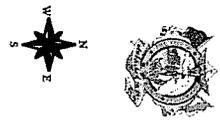
The City also has no current or long-term plans for the prospective property that would require the action of eminent domain. We would not support any effort to do your corporation undue harm.

We are excited about the possibilities that having your facility in our city would present and we are committed to seeing cultural opportunities in our city. Please do not hesitate to contact us with any questions and thank you for all the hard work you have put into this project.

Mayor David Pugh Jr.



911 Candlelight Boulevard





Candlelight blvd 911.shp

 911 Candlelight Boulevard

0.2 0 0.2 Miles

Prepared by: The City of Brooksville Community Development Department
 Base map provided by: The Hernando County Property Appraiser
 Date of Revision: February 21, 2007
 c:\esr\projects\911 Candlelight Blvd.apr

Florida Fine Art Museum Corporation

A FLORIDA STATE NON-PROFIT ORGANIZATION

MUSEUM PROPOSAL

FOR FINE ART, ANTIQUES, ANTIQUITIES, ETC



Harcourt Syms and family have formed a FLORIDA STATE "NOT FOR PROFIT" CORPORATION (501C3) pending to raise and hold funds for the purpose of purchasing, renovating or constructing a building suitable for the purpose of a classical fine art museum. We invite collectors, investors, dealers, professionals and other seriously interested persons to join with us. This corporation constitutes a foundation to own and control the building and provide housing, security and insurance for several private collections valued at more than \$200 million. Additional items or collections welcome.

Community Purpose & Accreditation. The museum is offered as a public educational non profit facility, including exhibitions of local artists and loan collections, periodically, as space permits. Harcourt Syms, after a recent tour & meeting with Smithsonian (Washington, D.C.) personnel, was offered a membership by the American Association of Museums, He accepted.

Educational. Programs for all levels, student/adults. Seminars on identification and value, purchasing, care, restoration, investing, history, etc. will be offered. Guided tours of museums and buying trips- major American and European cities are proposed.

Harcourt Syms, founder, director, has a respected & enviable history as a Fine Art & Antiques dealer, appraiser, auctioneer, educator since 1958. Family involvement goes back 120 years in England and Canada. He was founder & president for 10 years of Canada's largest historical society, and museum curator. Listed in worlds prestigious 'International Who's Who in Art and Antiques', Cambridge, England since 1972.

Collections Presently Offered

- Furniture---- English Tudor, French & Italian Renaissance, Louis XV, XVI Oriental, Austrian, Dutch, Spanish C-1470 - 1820 (over 100 items)
- Fine Art-- English, Dutch, French masters -- C-1600 - 1900 (over 150) Old master etchings Rembrandt, Durer, Van Ostade etc. (70) Icons etc.
- Art Glass-- French cameo (90) Tiffany, Steuben, Boston etc. (Over 400)
- European Pewter- English, German etc. (Over 70 pc) C-1500-1700
- Porcelains-- Dresden, Meisen, Sevres, Coburg, Dux, etc. (Over 50pc) Oriental
- Bronzes----- French, English, Dutch, German, Oriental (80 pc)
Also-- China, Clocks (90), Weapons, Religious Art, etc.

Additions Welcome-- Gallery space will be available for Greek, Roman, Oriental, antiques, antiquities.

ASSISTANCE NEEDED

- Supporters-- Fundraisers, trustees, donations, patrons.
- Building-- 8000 - 20,000 sq. Ft. Masonry- preferably old or historical- Reasonable cost.
- Open arms-- We accept! Any good building-- or ????
Tax Write-off(501C3)
A Philanthropists Opportunity.

Contact for further information:
Florida Fine Art Museum Corporation
1707 Winners Circle
Tarpon Springs, FL 34689

Harbourt Syms
President - C.E.O

Evenings till 11 pm

Phone (727) 934-3932

Photographs on following pages represent approx. 5% of the present collections.

WEEKEND

diversions

TIMES SE LA NT CT

FOR MID- AND NORTH-PINELLAS COUNTY

PAINTINGS:

Tarpon Springs antique collector and appraiser Harcourt Syms owns this John H.F. Bacon painting, *The Return*, which depicts a soldier returning home from the Boer War.



Photo photo — BOB BARKER, PHOTOFEST

FURNITURE:

This highchair dates to the 1890s. It's at Savoy Antiques in Clearwater.



Photo photo — BOB BARKER, PHOTOFEST

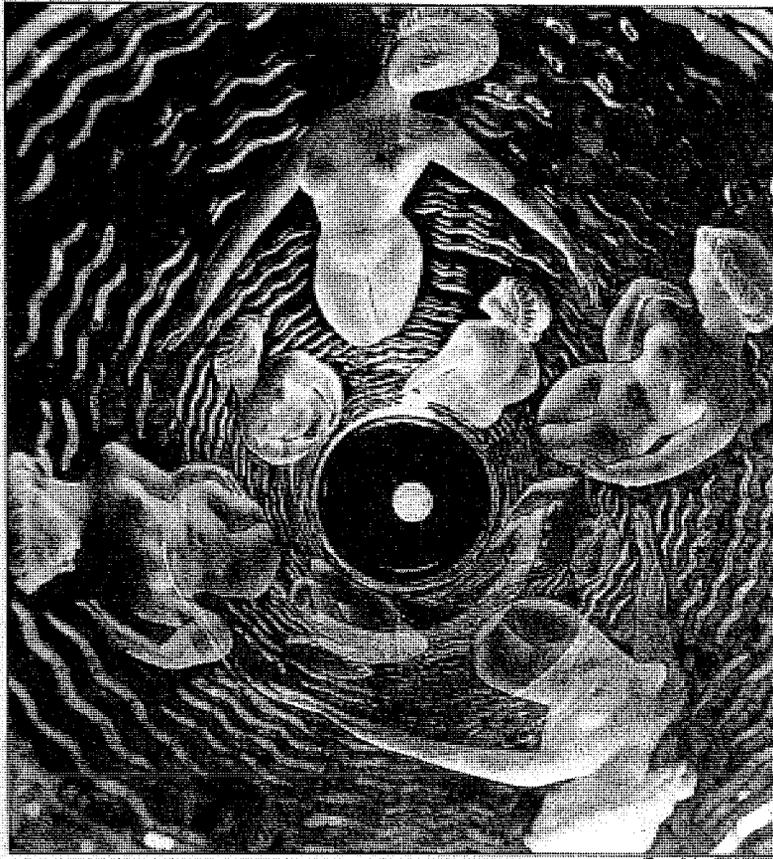


Photo photo — BOB BARKER, PHOTOFEST

A STUDY IN CRYSTAL: This is the inside of a Lalique crystal vase at Savoy Antiques.

By MARIE RHODES
Times Staff Writer

If the old saying is true — that a thing of beauty is a joy forever — then it might explain the appeal of antiques and collectibles.

"They bring back memories of childhood," said Tim Goble of Savoy Antique Mall in Clearwater. "People will look at something and say, 'My mom has this,' or 'I wish I'd kept this.'"

It seems there are a lot of valuables lurking in the storerooms and living rooms of Pinellas County. North Pinellas has a wealth of antique stores, estate sales and auctions with a trove of rare and valuable items.

"It's a buyer's paradise here," said Harcourt Syms, a world-renowned antique appraiser and collector based in Tarpon Springs. "A lot of people come from up north. ... People don't know the value of what they're selling."

Syms, whose own collection rivals those of world-class museums, said north Pinellas is a good place to find old pewter, pottery, paintings and period furniture.

But with hundreds of categories of antiques, vintage items and collectibles, where does the beginner start?

Serious collectors and appraisers say it's best to focus your attention on one or two categories and learn everything you can about them: read books, talk with serious collectors and dealers, familiarize yourself with the hallmarks of individual pieces and artists. Rare is the person who is knowledgeable in all areas of collecting. "Anyone who tells you they know all about antiques doesn't," said Goble. "You're always learning."

Here are a few categories of antiques and collectibles, and what to look for:

Glass — A large category. Popular art glass collectibles include cameo glass (layered and carved) and satin glass (dipped in acid for a smooth finish). Also popular is the once lowly depression glass. A good guidebook will help you identify patterns, markings and prices.

Furniture — Syms tells of factories in Europe that buy old farmhouses just for the wood, which they use to

The Beauty of Age

FIRST IN A TWO-PART SERIES

fashion reproduction furniture that is difficult to distinguish from the real thing. Look for machine-made milling marks, new fastenings and hardware, the age of the joints and the condition of the wood. If wood has been stripped and refinished, or if original glass panels or hardware have been replaced, its value is diminished.

China and porcelain — Look for the artist's signature or marking. A good book will help you tell originals from reproductions. Chips and cracks in china can diminish the value of a piece, but unscrupulous dealers may make invisible repairs and pass it off as mint condition. How to tell: repaired sections will sound different from the rest of the piece when gently tapped with a fingernail.

Paintings — These are difficult to authenticate without expert help. Cracks in paint and varnish follow a pattern. First lateral cracks occur, then diagonal, says Harcourt Syms. He said he can tell how old a painting is by rolling a single thread of the canvas in his fingers: the older it is, the quicker the thread shreds.

In next week's Diversions page, we'll look at bronze, pewter, Oriental items, and how to invest in antiques and collectibles.

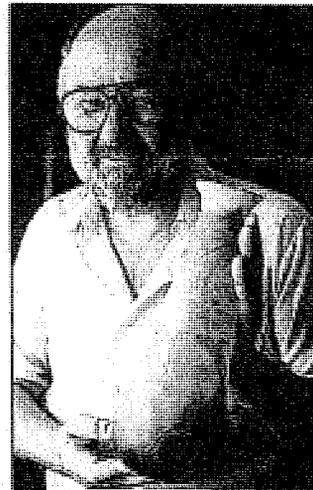


Photo photo — BOB BARKER, PHOTOFEST

GLASS: Antique expert Harcourt Syms holds a cameo glass by Galle.

BOOKS TO READ

Here are some popular antiques guides for the beginner:

■ *The Current Antique Furniture Style & Price Guide*, edited by George Grotz Doubleday.

■ *Hovels' Antiques & Collectibles Price List* by Ralph and Terry Kovel. Crown Publishers Inc.

■ *Schroeder's Antiques Price Guide*, edited by Sharon and Bob Huxford. Collector Books.

**NOT-FOR-PROFIT CORPORATION
UNIFORM BUSINESS REPORT (UBR)**

FILED
May 01, 2006 8:00 a
Secretary of State

05-01-2006 90412 042 ****70.00

DOCUMENT # *N96000005758*

1. Entity Name
FLORIDA FINE ART MUSEUM CORPORATION



DO NOT WRITE IN THIS SPACE

2. Principal Place of Business
1707 Winners Circle
Suite, Apt. #, etc.

3. Mailing Address
1707 Winners Circle
Suite, Apt. #, etc.

40076333

DO NOT WRITE IN THIS SPACE

City & State
Tarpon Springs FL

City & State
Tarpon Springs FL

Zip
34689

Country
USA

Zip
34689

Country
USA

4. FEI Number
59-3434479

5. Certificate of Status Desired **\$8.75 Additional Fee Required**

DO NOT WRITE IN THIS SPACE

7. Name and Address of Current Registered Agent

Name *HARCOURT SYMS*

Street Address (P.O. Box Number is Not Acceptable)
1707 Winners Circle

City *Tarpon Springs* State *FL* Zip Code *34689*

8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the state of Florida. I am familiar with, and am the obligations of registered agent.

SIGNATURE *[Signature]* *Harcourt Syms DP (SAME)*

(NOTE: Registered Agent signature required when translating)

DATE *April 26, 2006*

FEE IS \$81.25
Initial or Amended UBR

9. Election Campaign Financing Trust Fund Contribution. **\$5.00** May Be Added to Fees

Make Check Payable to Florida Department of State

10. OFFICERS AND DIRECTORS			
TITLE <i>D.P. DT.</i>	NAME <i>SYMS HARCOURT</i>	TITLE	
STREET ADDRESS <i>1707 Winners Circle</i>	CITY-ST-ZIP <i>TARPOON SPRINGS FL 34689</i>	STREET ADDRESS	
TITLE <i>DVS.</i>	NAME <i>GRAF KEVIN</i>	TITLE	
STREET ADDRESS <i>6705 Lassen Ave</i>	CITY-ST-ZIP <i>NEW PORT RICHEY FL. 34655</i>	STREET ADDRESS	
TITLE <i>D.</i>	NAME <i>TRINQUE ART</i>	TITLE	
STREET ADDRESS <i>5493 Valley Spring Dr.</i>	CITY-ST-ZIP <i>Brooksville FL. 34601</i>	STREET ADDRESS	
TITLE	NAME	TITLE	
STREET ADDRESS	CITY-ST-ZIP	STREET ADDRESS	
TITLE	NAME	TITLE	
STREET ADDRESS	CITY-ST-ZIP	STREET ADDRESS	
TITLE	NAME	TITLE	
STREET ADDRESS	CITY-ST-ZIP	STREET ADDRESS	

DO NOT WRITE IN THIS SPACE

12. I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Section 119.07(3)(i), Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears in Block 10 or on attachment with an address with all other like empowered.

[Signature] *HARCOURT SYMS* *(727)*

PROCLAMATION

WHEREAS, tourism is the No. 1 industry in the State of Florida, adding \$3.7 billion in state revenues annually; and

WHEREAS, Florida is the second highest state in the nation in tourism expenditures; and

WHEREAS, more than 83 million domestic and international visitors annually generate \$62 billion in tourism spending; and

WHEREAS, tourism-related tax revenues are primary sources of state and local government funding to help build roads, support schools, pay for health care and other vital programs; and

WHEREAS, the tourism industry provides more than 948,000 jobs for Florida residents, which leads to a low unemployment rate and improved quality of life for all Floridians; and

WHEREAS, awareness of the tourism industry's integral role in the economic success of Florida will encourage a consistent increase in visitors to the state; and

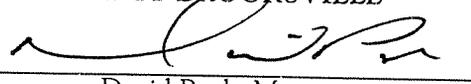
NOW, THEREFORE, ON BEHALF OF THE CITY COUNCIL FOR THE CITY OF BROOKSVILLE, FLORIDA, I, DAVID PUGH, MAYOR, do hereby proclaim the week of May 12-20, 2007 as

"NATIONAL TOURISM WEEK"

FURTHER, we encourage all the citizens of the City of Brooksville to visit and enjoy the events, commemorations and festivities.

IN WITNESS WHEREOF, we have hereunto set our hand and caused the seal of the City of Brooksville to be affixed this 7th day of May, 2007.

CITY OF BROOKSVILLE



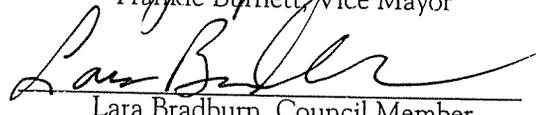
David Pugh, Mayor



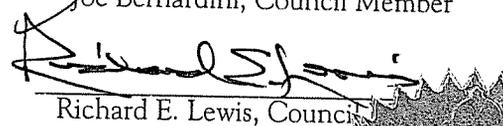
Frankie Burnett, Vice Mayor



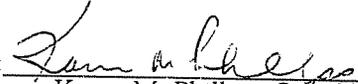
Joe Bernardini, Council Member



Lara Bradburn, Council Member



Richard E. Lewis, Council Member

ATTEST: 
Karen M. Phillips, City Clerk



PROCLAMATION

WHEREAS, THE CONGRESS OF THE UNITED STATES ENACTED A LAW, OVER FORTY-FIVE YEARS AGO, DESIGNATING MAY 15TH AS POLICE MEMORIAL DAY; AND

WHEREAS, LAW ENFORCEMENT OFFICERS ARE TRAINED AND DEDICATED PUBLIC SERVANTS WHO HAVE DEVOTED THEMSELVES TO THE PROTECTION OF ALL MEMBERS OF OUR SOCIETY; AND

WHEREAS, POLICE OFFICERS HAVE LOST THEIR LIVES IN THE LINE OF DUTY AND ROUTINELY ARE IN LIFE-THREATENING SITUATIONS; AND

WHEREAS, IN HONOR OF OUR COUNTRY'S POLICE OFFICERS, THE UNITED STATES CONGRESS HAS DEDICATED THE WEEK OF MAY 13-19, 2007, AS NATIONAL POLICE WEEK; AND

WHEREAS, THE CITIZENS OF BROOKSVILLE WISH TO REMEMBER THE SUPREME SACRIFICES MADE BY THOSE FALLEN IN THE LINE OF DUTY; AND

WHEREAS, WE SALUTE THE LAW ENFORCEMENT OFFICIALS OF BROOKSVILLE FOR DEDICATING THEIR LIVES TO THE DEFENSE AND PROTECTION OF THE RIGHTS OF OUR CITIZENS;

NOW, THEREFORE, ON BEHALF OF CITY COUNCIL, FOR THE CITY OF BROOKSVILLE, FLORIDA, I, DAVID PUGH, MAYOR, DO HEREBY PROCLAIM THE WEEK OF MAY 13 - 19, 2007 AS

NATIONAL POLICE WEEK

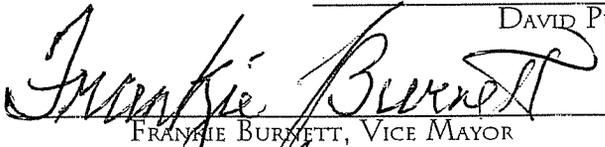
IN THE CITY OF BROOKSVILLE AND ENCOURAGE ALL CITIZENS TO JOIN IN THIS TRIBUTE.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HAND AND CAUSED THE SEAL OF THE CITY OF BROOKSVILLE TO BE AFFIXED THIS 7TH DAY OF MAY 2007.

CITY OF BROOKSVILLE



DAVID PUGH, MAYOR



FRANKIE BURNETT, VICE MAYOR



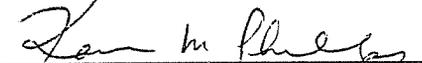
JOE BERNARDINI, COUNCIL MEMBER



LARA BRADBURN, COUNCIL MEMBER



RICHARD E. LEWIS, COUNCIL MEMBER

ATTEST: 
KAREN M. PHILLIPS, CITY CLERK



M E M O R A N D U M

To: Honorable Mayor & City Council Members
Via: Steve Baumgartner, Acting City Manager
From: Bill Geiger, Community Development Director *BJG*
Subject: Appeal hearing for SE2007-01 - A Special Exception Use request for a proposed Residential Planned Development Project on a 2.82 ± acre site.
Appellant/ Petitioner: Jorge Lopez for Garden Homes, LLC (Represented by Derrill McAteer, Esq., and Nicholson Engineering Associates, Inc.)
Location: South side of Dr. MLK, Jr., Boulevard and west of Hale Avenue
Date: April 27, 2007

HISTORY:

The appellant/petitioner is requesting Special Exception Use approval for a Residential Planned Development Project on a 4.88 acre ± site. The property is located on the southwest corner of Dr. M. L. King, Jr., Boulevard and Hale Avenue. This petition was continued from the January 10, 2007 Planning and Zoning Commission meeting to the February 14, 2007 meeting, and subsequently was continued to the March 14, 2007 meeting. The continuations were requested to allow the petitioner time to meet with the neighboring property owners to work out concerns regarding building height, density, and consideration of a privacy fence. The petitioner indicated that the site plan was modified to address the concerns expressed by the adjoining residents in meeting with them twice prior to the Commission meeting held on March 14, 2007. The petitioner originally requested the special exception to enable the owner to build two 4-story, 18-unit residential buildings. The petitioner reduced the 4-story buildings to 3-story buildings, containing 18-units each, and revised the site plan to include an 8-foot masonry wall to be constructed along the east and west property lines of the development. In conjunction with the modifications, the buildings and parking area were redesigned in the site layout. The petitioner requested a reduction of the natural buffer along the west property line to 45' to accommodate the parking being displaced due to the reduction of the building height. Additionally, the petitioner provided for a 3,910 square foot clubhouse and pool to be included with the site to provide for onsite recreational use of its residents.

At their meeting on March 14, 2007, the Planning and Zoning Commission, after reviewing evidence and testimony, voted 2-1 to deny the (special exception use) request, citing that they felt the proposed density was too high and the number of units too many (to be compatible with) this area.

The petitioner appealed and the City Council set and held a public hearing to consider the appeal on April 16, 2007, at 6:00 p.m. At that meeting, the City Council took action to continue the public hearing to the May 7, 2007, City Council meeting at 7:00 p.m. in the Council chambers. In continuing the public hearing, City Council directed staff to coordinate with the petitioner in developing performance conditions to address the concerns discussed at the April 16th hearing.

City staff met with the petitioner's representative on April 19, 2007. The following issues were discussed and/or requested from the appellant at that meeting:

1. Wall/Fence buffer around property perimeter. *The appellant agreed to place an 8-foot high masonry wall on the west property line, and a 6-foot high decorative vinyl- paneled opaque white fence along the north, south and east boundaries of the area currently proposed for development (see concept plan dated 4/26/07 for clarification). The masonry wall enclosing the west boundary will be constructed in a serpentine manner within a 15'-wide area from the project boundary so as to maximize foliage and tree preservation as well as provide for improved noise attenuation.*
2. Access to Hale Avenue. *The appellant agreed to provide access to Hale Avenue and will include it in the revised plan for the project.*
3. Specifications for the natural buffer on western side of property. *The appellant agreed to provide 50' as opposed to their earlier request to reduce the buffer to 45'. To accomplish this, the appellant agreed to provide angled parking on the west side of the parking area, and further agreed to plant additional foliage to effect a minimum opacity rating of 80%. This planted material is in addition to preserving the existing natural area.*
4. The appellant was requested to provide a F.F. elevation (at least approximate). Using the approximate F.F. elevation, the appellant was asked to provide cross-section drawings that show the proposed building height (3-story at 48' maximum) in conjunction with the height of the natural buffer/8' wall (along the western side of the property), and the average elevation of neighboring property (buildings). The appellant was asked to provide one cross-section elevation looking at the properties from the north, and one looking at the properties from the south. *The appellant indicated that they should be able to provide the drawings in time for distribution in the Council packets. If not, they will be distributed prior to the Council meeting, when available.*
5. Asked the appellant to provide more information on the proposed residential development (36-units; retail condos @ \$200,000±?; # of models and type, i.e. 3BR-2BA, etc.). *The appellant provided additional information on the 4/26/07 site plan that includes a breakdown on the number of three-bedroom units being 12 and two-bedroom units being 24.*
6. Advised the appellant to clarify the full site development and project area boundaries being proposed in their drawings. *Appellant clarified on 4/26/07 drawing.*
7. Advised the appellant to evaluate and provide for accel/decel lane requirements based on existing grades on Dr. M.L. King, Jr. Blvd. *The appellant agreed to provide accel/decel lanes for the project if a traffic analysis indicates that they are necessary. The developer will provide a traffic analysis for this purpose. Staff advised the appellant's representatives that even if a traffic analysis indicates that the lanes are not required, the City may still compel their installation in order to improve safety factors for ingress and egress to the development.*
8. Advised the appellant to display the sidewalks adjacent to the north and east project perimeter on their conceptual plan. *The appellant is showing the sidewalks on the 4/26/07 plan.*

RECOMMENDATION: Staff have incorporated the agreed upon provisions mentioned hereto into the following recommendation for City Council consideration (includes the prior recommendation

Page 3

Garden Homes, LLC

SE - Residential PDP Petition

May 7, 2007

provided to the Planning & Zoning Commission, modified in a strikeout/underline format so that changes may be easily identified):

Conditionally approve the Special Exception Use for a Residential PDP for Petition #SE2007-01, consistent with the "Hale Avenue Multifamily Site Plan" prepared by Nicholson Engineering Associates Inc., with a receipt date of 04/26/07, subject to the following conditions and stipulations:

1. The phased and/or final development plan(s) for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 9.5, City Code). Additionally, the developer is required to maintain a natural buffer of at least 50' along the western boundary of this property. Additional foliage is required to effect a minimum opacity rating of 80%. This planted material is in addition to preserving the existing natural area.
2. The developer shall incorporate and provide appropriate pedestrian amenities with this development including sidewalks (along M.L. King Boulevard and Hale Avenue). Applicable facilities constructed are required to be ADA accessible.
3. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District. The proposed stormwater plan associated with this project must comply with all applicable federal, state and local standards.
4. Comprehensive site development plans shall be submitted. Said plans are subject to approval by the City Department's of Public Works and Community Development prior to the issuance of a building/construction permit.
5. The developer will be required to successfully negotiate a utility service agreement with the City prior to permitting.
6. This special exception use approval is conditioned with a three-year time period. If phasing and development plans are not submitted and construction contracts are not let within this time, this approval will be considered null and void.
7. The developer will be required to provide a site lighting plan to ensure that the lights do not disturb the neighboring residents adjacent to this project.
8. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is ~~encouraged~~ required to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a the proposed development ~~should~~ shall be resolved prior to the submittal of any construction plans.
9. The following specific performance standards are required for this project:
 - a. Three story/18-unit maximum per building
 - b. 40-foot minimum structure setback from M.L. King Boulevard
 - c. 140-foot minimum structure setback from western property line

- d. 50-foot minimum natural buffer required along the western boundary of the property
 - e. 25-foot minimum structure setback from the southern boundary of the property
 - f. 190-foot structure (building) setback from Hale Avenue
 - g. 15-foot minimum building separation
 - h. An 8-foot high masonry wall will be constructed on the west property line, and a 6' decorative vinyl-paneled opaque white fence will be constructed along the north, south and east boundaries of the area currently proposed for development near the western and eastern residential portions of the property. The masonry wall enclosing the west boundary will be constructed in a serpentine manner within a 15'-wide +/- area from the project boundary so as to maximize foliage and tree preservation as well as provide for improved noise attenuation.
10. Unless specifically addressed to the contrary herein, City ordinance regulations which apply with regard to zoning district classification shall apply to the residential portions of this PDP as if it were zoned R3.
 11. 36 residential units are the maximum number approved for this phase project area.
 12. The residential community entrances may incorporate appropriate signage, consistent with community standards and subject to approval by the City Manager or the City Manager's designee.
 13. The developer is required to obtain all required approvals to provide access to Hale Avenue. Additionally, to address traffic safety concerns, the developer shall provide a traffic analysis to determine the need for accel/decel lanes along Dr. M.L. King, Jr. Blvd. Due to topography and site distances in the vicinity of the proposed access to the property, the City may still compel the developer to install the accel/decel lanes in order to improve safety factors for ingress and egress to the development.

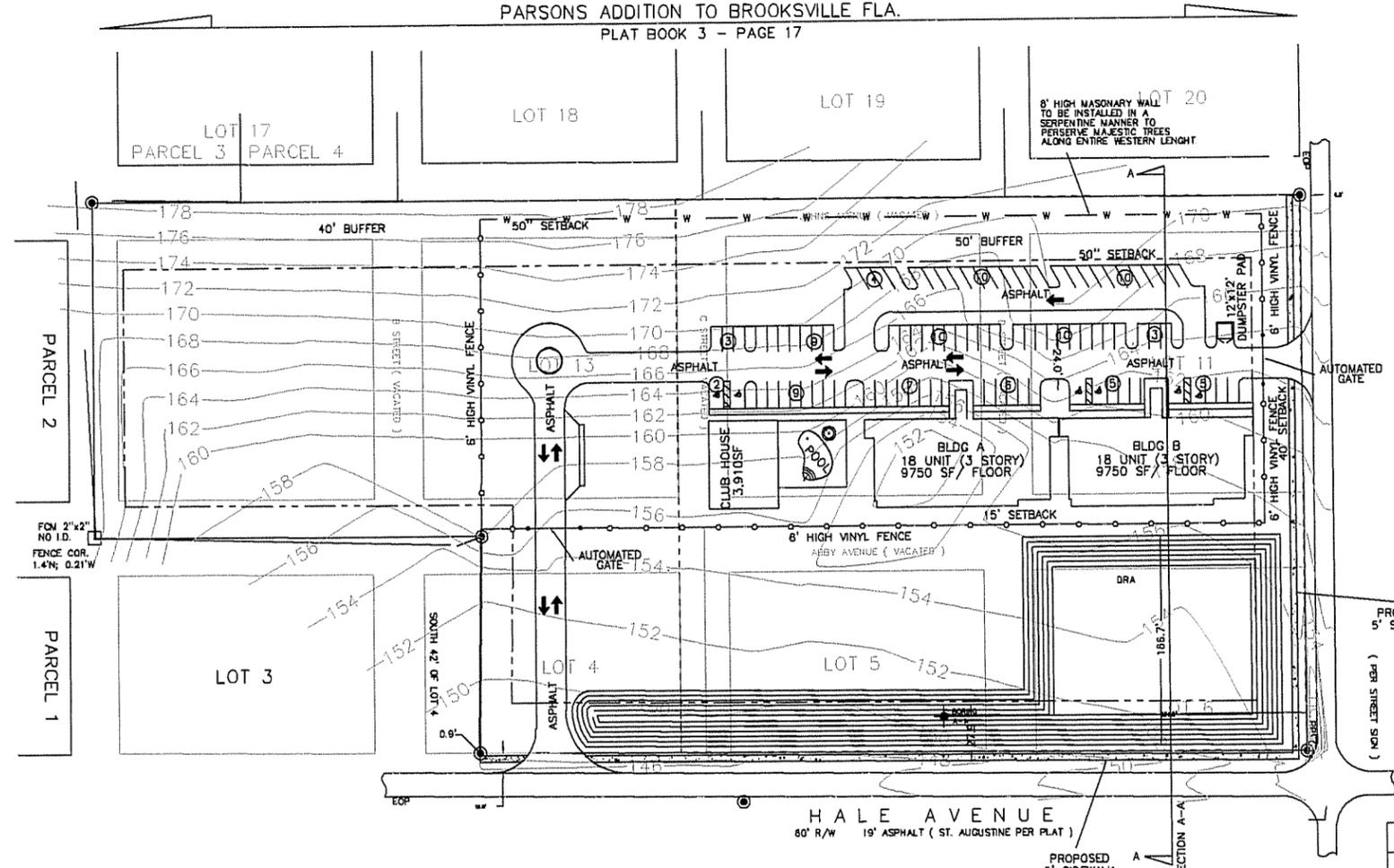
NOTE: The Special Exception Use process is a land use determination which does not constitute a permit for either construction on or use of the property. These actions are not considered a Certificate of Concurrence. Prior to use of or construction on the property, the petitioner must receive approval from the appropriate City, County and/or other governmental agencies that may have regulatory authority over the proposed development.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any City land use ordinances. Homeowner associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

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.

- Enclosures: (1) Site Plan - Dated 04/26/07
(2) Appeal & Special Exception Use Petition paperwork

PARSONS ADDITION TO BROOKSVILLE FLA.
PLAT BOOK 3 - PAGE 17



WEST MARTIN LUTHER KING JR. BOULEVARD
40' R/W 22' ASPHALT (E STREET PER PLAT)

HALE AVENUE
80' R/W 19' ASPHALT (ST. AUGUSTINE PER PLAT)

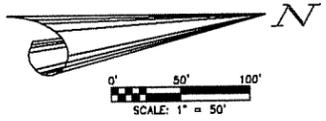
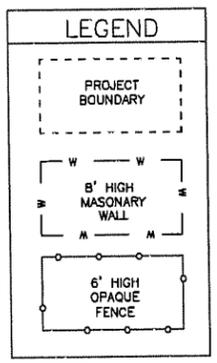
ZONED: PDP(MF)
CITY ZONING SPECIAL
EXCEPTION REQUESTED

REVISIONS	
DATE	DESCRIPTION
10/20/06	SWFWMD COMMENTS

LEGEND	
	Power Pole & Overhead Line
	Handicap Parking
	Centerline
	Soil Boring
	Right-of-Way Line
	Light Pole
	Property Line
	Existing
	Drive Line (Shoulder, Right, Left, Storm, Etc.)
	Curb (Type 'T')
	Fence
	Surface Runoff
	Fire Hydrant (FH)
	Business (BC)
	Traffic Pole
	Invasive Landscaping (Planting on 3 Miles)
	1/4 Mile Boundary
	Right Boundary
	Proposed Grade
	Curb Stop
	Required Setback
	Parking Space Count
	Proposed Pavement Elevations
	6' High Fence
	High Water Use Zone

SITE DATA	
LOT AREA	6.63 AC (ALL PARCELS)
MAXIMUM HEIGHT	46'
MAXIMUM STORY	3
PARKING DIMENSIONS (60'):	6'W x 18.5'L W/ 26' ASLE
HANDICAP PARKING DIMENSIONS:	12'Wx18.5'L W/ 5'Wx18.5'L ACCESS STRIP
REQUIRED PARKING:	
1.5 SPACES PER 3 BR UNIT (24 UNITS) = 36 SPACES	
2.0 SPACES PER 3 BR UNIT (18 UNITS) = 36 SPACES	
1 SPACE PER MANAGER (1) = 1 SPACE	
TOTAL	51 SPACES
REGULAR	48 PARKED
HANDICAP	3 PARKED

CONDOMINIUM UNITS:
BUILDING PROPOSED = 2
EACH BUILDING:
3 BEDROOM UNITS = 6
2 BEDROOM UNITS = 12
TOTAL # OF UNITS/BLDG = 18
TOTAL NUMBER OF UNITS = 36



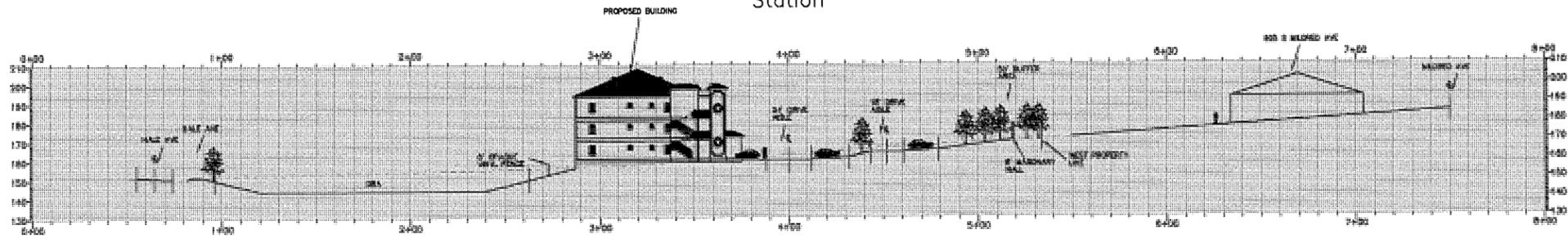
NICHOLSON ENGINEERING ASSOCIATES, INC.
Structural Engineering & Commercial Site Design & Subdivision & Utility Plans
Nicholson W. Nicholson, P.E.
P.O. Box 12183 Brooksville, FL 34620
7465 Home Lake RD Brooksville, FL 34601
Phone: (352) 796-2175 FAX: (352) 796-1167
www.nicholson-engineering.com info@nicholson-engineering.com
1. License No. 37942

HALE AVENUE MULTIFAMILY SPECIAL EXCEPTION

File Name: HaleAve.SP
Drawn By: MITG
Job No.: 05-09-01
Date: 04/26/07
Scale: 1" = 50'
Sheet: C-1

This drawing is not valid without the signature and original raised seal of a Florida Licensed Engineer. This drawing is the property of Nicholson Engineering Associates, Inc. It is the intent of the Engineer to provide all of the information and data necessary for the construction of the project. The Engineer shall not be held liable for any errors, omissions, discrepancies, and deficiencies in any way, shape, form, or content of this drawing.

Elevation



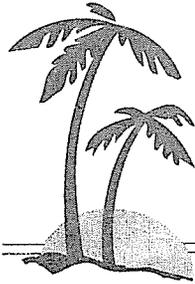
Elevation

SECTION A-A

Station

Station

HALE AVENUE MULTIFAMILY SPECIAL EXCEPTION GENERALIZED CROSS SECTION		NICHOLSON ENGINEERING ASSOCIATES, INC. <small>Structural Engineering & Consulting in Civil, Mechanical, Electrical, & Utility Matters</small>	
This drawing is not valid without the signature and original raised seal of a Florida Licensed Engineer. It is the intent of this drawing to be used for the purpose of a Special Exception. The user of this drawing shall be responsible for the immediate attention of the Registered Professional whose name & seal appears on this drawing.		Nicholas W. Nicholson, P.E. President Florida License No. 37864 www.nicholson-engineering.com	
		P.O. Box 12352 Brookville, FL 34609 7967 Home Lake Rd Brookville, FL 34601 Phone: 352-796-2175 FAX: 352-794-1461 Certificate of Authorization Number 7535 www.nicholson-engineering.com	
File Name:	Hale Ave. SE		
Drawn By:	MMG		
Job No.:	05-09-01		
Date:	07/26/07		
Scale:	1" = 30'		
Sheet:	C-2		



NICHOLSON ENGINEERING ASSOCIATES, INC.

P.O. Box 12230 ~ Brooksville, FL 34603 • 7468 Horse Lake Rd.

Phone: 352-799-0170 • Fax: 352-754-9167

www.nicholson-engineering.com

March 15, 2007

City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

Attention: City Clerk

Re: SE2007-01 -Jorge Lopez for Garden Homes
Letter of Appeal

To Whom It May Concern:

Regarding the above referenced project which was turned down by the City of Brooksville's Planning & Zoning Board on 3-14-07, please note that by receipt of this letter, we are appealing their decision.

We believe the reason for this appeal is obvious. Mr. William Geiger and staff recommended approval of this project. There was no expert testimony from anyone for a reason to deny the project. Mr. Korbus made the motion to deny the project because he thought there were too many units. This is obviously not a reason to turn down this project. This property is already zoned for multi-family which allows anywhere from eight (8) to eighteen units to be placed on the property. The thirty six (36) units that we had requested are actually less than eight (8) units per acre. This is below the minimum of the City of Brooksville's stated allowance. It is our feeling that Mr. Korbus was incorrect in his statement and had no legal authority to make the motion to deny.

Therefore, we respectfully request that the appeal be heard and the project be approved as is legally required.

Sincerely,

Nicholas W. Nicholson, P.E.
President

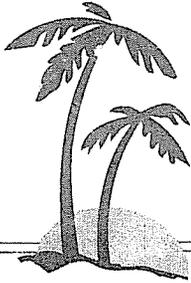
NWN:sad
File No. 05-09-01

HAND DELIVERED AND RECEIVED BY:

Per [unclear] ✓
Bill ✓
Dennis ✓
L. O. ✓

3/16/07 [initials]

4/2/07 [unclear]
R. C. T. V.



NICHOLSON ENGINEERING ASSOCIATES, INC.

P.O. Box 12230 ~ Brooksville, FL 34603 • 7468 Horse Lake Rd.

Phone: 352-799-0170 • Fax: 352-754-9167

www.nicholson-engineering.com

March 19, 2007

03-21-07 P02:11 IN

Brooksville City Council
201 Howell Avenue
Brooksville, FL 34601

To: Mr. David Pugh, Mayor
Mr. Frankie Burnett, Vice Mayor
Mr. Joe Bernardini
Ms. Lara Bradburn
Mr. Richard Lewis

Re: Hale Avenue Project-SE-2007-01

Currently we are requesting an appeal on the above referenced project that was recently turned down by the Planning & Zoning Board. I think it is important to note that of the 15 adjacent property owners on the above referenced project, only four properties are in the city. The rest of these properties are in the county.

We have included a copy of the APO for your reference.

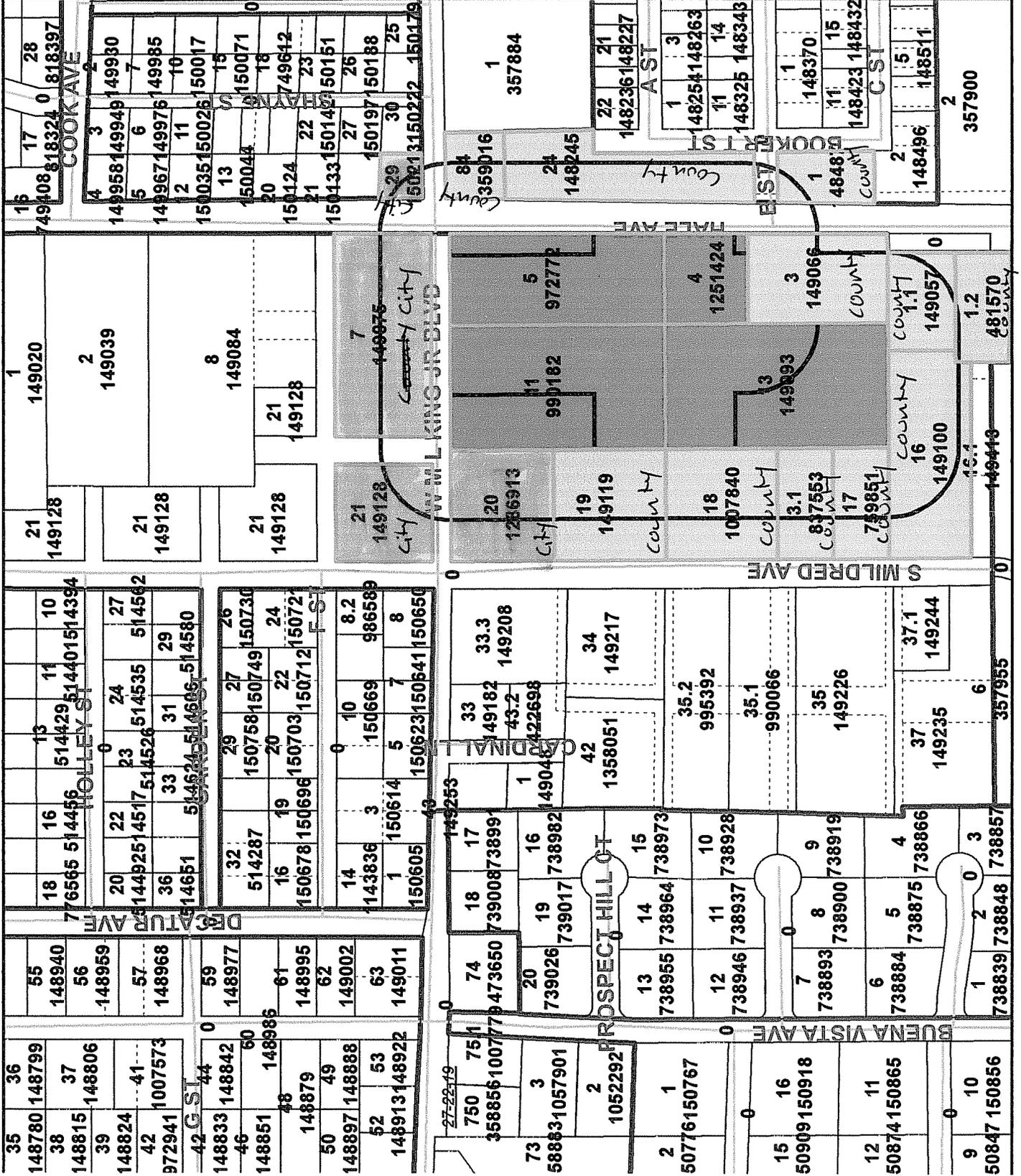
Sincerely,

Nicholas W. Nicholson, P.E.
President

NWN:sad
File No. 05-09-01

*Special meeting 4/16/07
LBN*

NICHOLSON11-21-05

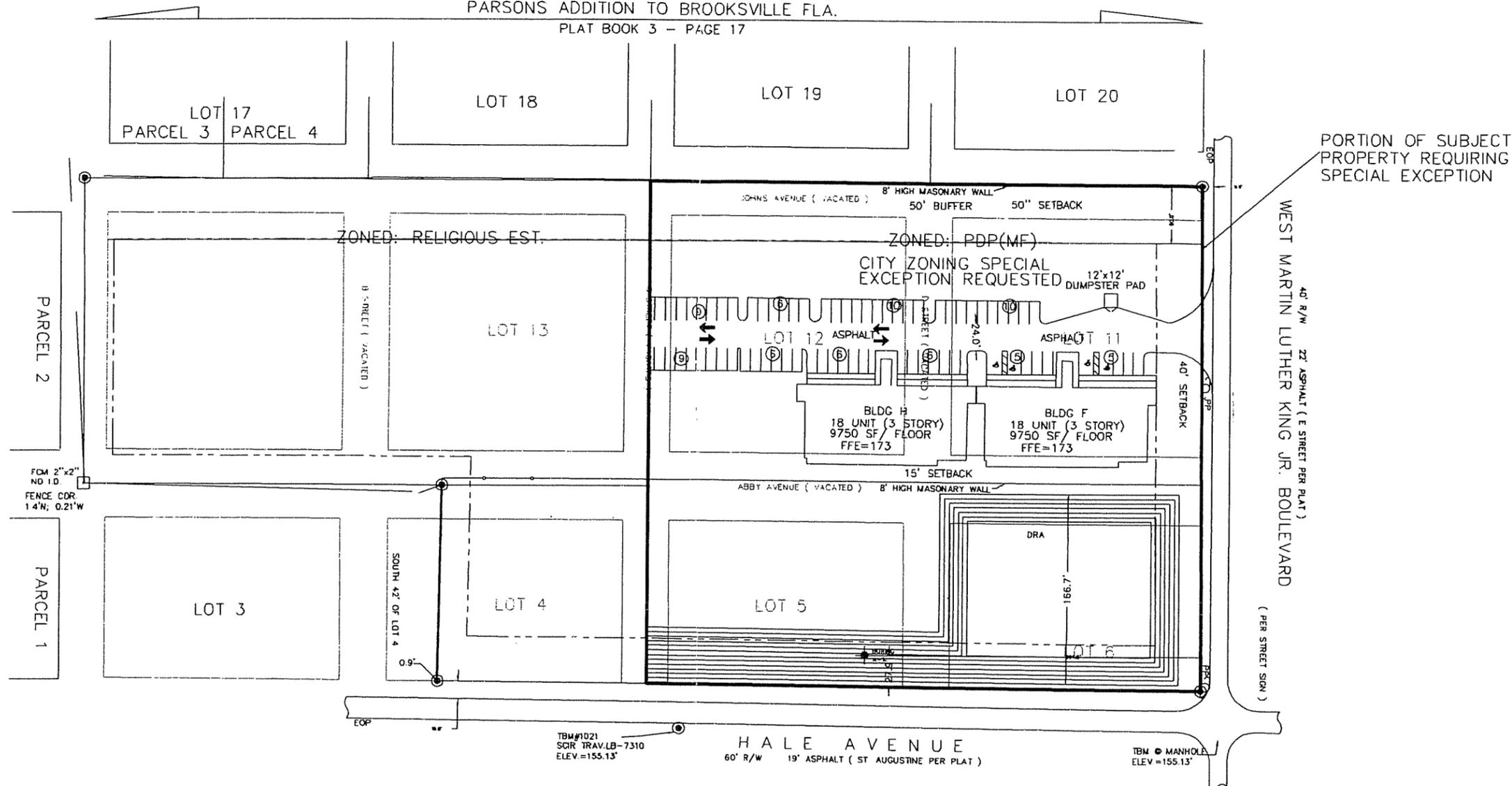


Not To Scale

- 150' BUFFER
- SUBJECT PARCEL
- PARCELS WITHIN 150'

Alvin R. Mazourek, CFA
 This map was prepared by this office to be used as an aid in land parcel location and identification only. All land locations, right-of-way widths, acreages, and utility locations are subject to field survey or other appropriate verification.
 Map reflects parcels, and boundaries as they existed 11-21-05

PARSONS ADDITION TO BROOKSVILLE FLA.
PLAT BOOK 3 - PAGE 17



FCM 2" x 2"
NO I.D.
FENCE CDR
1.4'N; 0.21'W

PARCEL 1

PARCEL 2

PORTION OF SUBJECT
PROPERTY REQUIRING
SPECIAL EXCEPTION

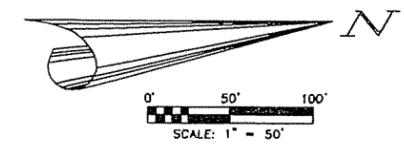
WEST MARTIN LUTHER KING JR. BOULEVARD
40' R/W 22' ASPHALT (E STREET PER PLAT)
(PER STREET SIGN)

HALE AVENUE
60' R/W 19' ASPHALT (ST AUGUSTINE PER PLAT)
TBM #1021 SCR TRAV. LB - 7310 ELEV = 155.13'
TBM @ MANHOLE ELEV = 155.13'

REVISIONS	
DATE	DESCRIPTION
10/20/06	SWFWMD COMMENTS

LEGEND	
	Power Pole & Overhead Line
	Handicap Parking
	Centerline
	Soil Boring
	Right-of-Way Line
	Light Pole
	Property Line
	Existing
	Break Line (Shower, Drain, Sinks, Bats, Sub-Drains)
	Curb (Type 1)
	Fences
	Surface Relief
	Fire Hydrant (FH)
	Stormwater (STC)
	Traffic Flow
	Internal Landscaping (Parking on 3 sides)
	36" Striped @ 15' Intervals 8' Residential Buffer
	SCS Soil Boundary & No.
	Beam Boundary
	Proposed Grade
	Curb Stop
	Required Setback
	Parking Space Count
	Proposed Pavement (New/Asph)
	Salt Fences
	High Water Use Zone

SITE DATA	
LOT AREA	8.63 AC (ALL PARCELS)
MAXIMUM HEIGHT	48'
MAXIMUM STORY	3
PARKING DIMENSIONS (90°):	DW = 18.5' W/ 26' AISLE
HANDICAP PARKING DIMENSIONS:	12'x18.5' W/ 5'x18.5' ACCESS STRIP
REQUIRED PARKING:	1.5 SPACES PER DWELLING UNIT (36 UNITS) = 54 SPACES 1 SPACE PER MANAGER (1) = 1 SPACE
PROVIDED PARKING:	TOTAL 55 SPACES REGULAR 52 PAVED HANDICAP 3 PAVED
	TOTAL 72 SPACES REGULAR 68 PAVED HANDICAP 4 PAVED



HALE AVENUE MULTIFAMILY
SITE PLAN

File Name: HalcAveRezone
Drawn By: MHG
Job No.: 07-09-01
Date: 02/03/06
Scale: 1" = 50'
Sheet: C-1

NICHOLSON ENGINEERING ASSOCIATES, INC.
Structural Engineering • Commercial Site Design • Subdivisions • Utility • Flood
Nicholas W. Nicholson, P.E.
President
F.O. Box 12220 Brooksville, FL 34601
7468 Home Lake RD Brooksville, FL 34601
Phone: (352) 799-0170 FAX: (352) 791-9167
Licenses: Professional Engineer License No. 77662
Professional Engineer License No. 7493
www.nicholson-engineering.com
info@nicholson-engineering.com

This drawing is not valid without the signature and original raised seal of a Florida Licensed Engineer. This drawing is not valid apart from the complete set of related drawings, addendums, specifications, reports, and revisions. It is the intent of the Engineer of Record to hold paramount the safety, health and welfare of the public. It is the ethical and moral responsibility of the Registered Professional whose name & seal appears on this drawing as they may find to the immediate attention of the Registered Professional whose name & seal appears on this drawing.

CITY OF BROOKSVILLE
OFFICIAL POLICY
9-97

APPEAL PROCEEDINGS

This meeting procedure is to be used whenever an appeal is brought before the City Council pursuant to City Ordinance No. 562.

Procedure:

1. The Chairperson will call the meeting to order.
2. Notice of publication will be read into the record.
3. Representatives of the parties will be sworn in by the City Attorney.
4. Staff presentation. (4 minutes)
5. Council questions of staff.
6. Appellant presentation. (5 minutes)
7. Council questions of appellant.
8. Staff rebuttal. (1 minute)
9. Additional questions of staff/appellant.
10. Council discussions.
11. Council motion, second, vote.

General

1. Additional time may be allotted to the staff/appellant so long as the time available is fairly apportioned. Time made available under this section will be printed on the Council Agenda and would supersede the standard times listed on the foregoing procedure.

2. These Rules have been promulgated as self-imposed guidelines upon the City Council in the conduct of City business. The inadvertent failure of the Council to comply with the specific requirements of these Rules shall in no way affect the validity of any action taken by the Council, unless otherwise provided by the statutory law of the State of Florida. In keeping with this intent, the Council hereby waives any inadvertent procedural irregularities which may result from the Council's failure to comply with the specific requirements of these rules prior to taking official action.

APPROVED BY CITY MANAGER: s/Richard E. Anderson
Richard E. Anderson

11/17/97
Date

ADOPTED BY CITY COUNCIL: November 17, 1997

APPEALS OF COMMISSION DECISION

Sec. 137-43. Additional duties of planning and zoning commission.

1. (a) Generally. The commission shall have the following additional powers and duties:

(1) To hear and decide appeals where it is alleged there is an error in an order or determination made by the administrative official in the enforcement of the land use/zoning regulations of the city.

(2) To hear and decide special exception petitions to the land use/zoning regulations of the city.

(3) To hear and decide petitions seeking variances from the land use/zoning regulations of the city. No such variance will be granted unless the facts presented show that a literal interpretation and enforcement of the regulations would result in an unnecessary hardship to the petitioner. No variance will be granted for a condition which was caused by the petitioner.

(b) Decision of the commission. In the exercise of its powers and duties, the commission shall have all of the powers of the administrative official. The concurring vote of a majority of the commission shall be required to approve a variance or special exception request. Written confirmation of the decision of the commission shall be mailed to the applicant within two business days of the hearing on such decision.

(c) Appeals. Appeal of a decision of the administrative official may be taken to the commission by any person affected by such decision. Any appeal must be taken within 21 calendar days from the date the decision is rendered by the administrative official. Written notice of the appeal shall be delivered to the administrative official or his authorized representative. The administrative official will publish in a newspaper of local circulation (as defined in F.S. ch. 50) a notice of hearing at least seven calendar days prior to the hearing. The cost of such publication will be paid by the petitioner. The hearing before the commission shall be conducted pursuant to the rules and procedures established for such proceedings by the city council.

(d) Appeals of a commission decision. Anyone may appeal a decision of the commission to the city council. In order to appeal a decision, the petitioner must deliver a notice of appeal to the city clerk within ten calendar days of the date of the commission's decision. The notice of appeal must specify the decision being appealed and the specific reasons for the appeal. The notice of appeal shall be placed as an item on the next available regular agenda of the city council. No discussion of the merits of the appeal will be permitted; the mayor will request a vote of the council to determine if it wishes to hear the appeal. If a majority of the council votes to hear the appeal, a hearing at a special meeting of the city council will be scheduled within 21 days of the vote by the council. The city clerk will publish in a newspaper of local circulation (as defined in F.S. ch. 50) a notice of hearing at least three calendar days prior to the hearing. The cost of such publication will be paid by the petitioner. The hearing before the commission shall be conducted pursuant to the rules and procedures established for such proceedings by the city council.

(e) Stay of proceedings. An appeal to the commission of a decision of the administrative official or an appeal to the city council of a decision of the commission shall cause all matters relating to the appeal to be stayed until the conclusion of the appeal process. However, after receipt of the notice of appeal, the stay may be lifted by the administrative official if, in his opinion, the facts in the notice of appeal would cause imminent peril to life or property.

(Code 1988, pt. III, subpt. B, § 53)

City of Brooksville



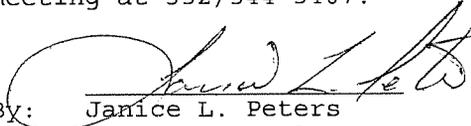
(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the City Council of the City of Brooksville, Florida, will hold a public hearing on April 16, 2007 at 6:00 p.m., in the City Council Chambers, 201 Howell Ave. (located at the corner of Howell Ave. and Ft. Dade Ave.) for the appeal of Planning and Zoning Commission Decisions (Jorge Lopez for Garden Homes). The transcript and documents in its entirety may be inspected at the office of the City Clerk during regular workings hours.

All persons wishing to be heard, please take notice and govern yourselves accordingly. You are further advised that if a person decides to appeal any decision with respect to any matter considered at these proceedings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office 48 hours in advance of the meeting at 352/544-5407.

By: 
Janice L. Peters
Deputy City Clerk

G:\WP_WORK\ClerkOffice\nOTICES\APPEAL NOTICE OF HEARING - Garden Homes.wpd

Richard C. Hernan
1607 Oak Arbor Lane
Valrico, FL 33594-7204

Kathryn L. Rodgers
841 S. Mildred Ave
Brooksville, FL 34601

Cherry B. Stettin
905 S Mildred Ave
Brooksville, FL 34601

BGIV, Inc.
5514 Park Blvd
Pinellas Park, FL 33781-3326

Marianne H. Bennett
2018 Pennbrook Rd
Brooksville, FL 34601

Andor & Loreta Jean Dejony
P. O. Box 10676
Brooksville, FL 34603-0676

Brooksville Housing Authority
800 Continental Dr
Brooksville, FL 34601

Robert A. Buckner
11 N. Main Street
Brooksville, FL 34601

Ruth H. Reeder
987 S. Mildred Ave
Brooksville, FL 34601

Dexter Waddy
Deanna Fields
4065 Dristol Ave
Spring Hill, FL 34609-2428

Barbara E. Berke
P. O. Box 1492
Brooksville, FL 34601

Charles D. & Brigitte Lamberti
1003 S. Mildred Ave
Brooksville, FL 34601

Philip J. & Barbara Mylrea
969 Hale Ave
Brooksville, FL 34601

John F. & Marilyn Mason
921 S. Mildred Ave
Brooksville, FL 34601

Nicholson Engineering Assoc., Inc.
P. O. Box 12230
Brooksville, FL 34601

Owner: Jorge Lopez for Garden Homes, LLC
7711 SW 20th Street
Miami, FL 33155

COUNCIL ACTION

MEETING DATE: 4/2

AGENDA ITEM NO.: F-10 Garden Home Appeal
TITLE: _____

RECOMMENDATION: _____

PRESENTED BY: only addressing but hearing or deny

DISCUSSION: noted
LB - noting alleged property down at CCB cont
4/10 at board

MOTION MADE BY: JB appeal 4/10 at CCB

SECONDED BY: LB

CARRIED: Y-O DENIED: _____

DATE: _____ CITY CLERK'S INITIALS: KMP

DRAFT

CITY OF BROOKSVILLE
PLANNING AND ZONING COMMISSION MEETING
Regular Meeting

March 14, 2007

6:30 P.M.

Attendees: Vice Chairman John Wanat, Elmer Korbus, and Ernie Weaver. Also attending were Bill Geiger, Community Development Director, David LaCroix, City Attorney, and Patricia Jobe, Planning & Zoning Coordinator/ Recording Secretary. ABSENT: Chairman George Rodriguez, Louise Taylor, Charles Miller, and Don Varn.

The meeting was called to order at 6:30 p.m. by George Rodriguez, followed by the invocation and pledge of allegiance.

APPROVAL OF MINUTES

Motion was made by Commissioner Wever, seconded by Commissioner Korbus, to approve the minutes of February 14, 2007, as written.

** SE2007-01 - JORGE LOPEZ FOR GARDEN HOMES, LLC - PRESENTED BY NICHOLSON ENGINEERING ASSOCIATES, INC.

Petition for a Special Exception Usage for a Residential Planned Development Project - Continued from January 10, 2007.

The City Attorney explained that this is a quasi-judicial proceeding and that the public hearing was continued from the previous meeting. At that meeting, Mr. Nicholson had been sworn in and accepted by a consensus of the Commission as an expert witness in civil engineering and land use planning, and Director Geiger had also been sworn in and accepted by a consensus of the Commission as an expert witness in land use planning, development, and zoning. In addition, six persons had come forward at the previous public hearing and asked to be sworn in as intervening parties on this petition: Dennis Lamberti, Cherry Stettin, John Mason, Barbara Burke, Ruth Reeder, and Bill Bailey. Another person then stepped forward, Loretta Dejonny, and requested that she be added as a party intervenor because she, too, was a concerned nearby resident of the subject area. The City Attorney then explained that the public hearing was still open and encouraged anyone new who wished to come forward in any capacity to speak on this subject to now come forward. Also, all those who had been sworn in at the previous public hearing were still under oath for the continuation of this hearing.

Director Geiger then explained that the intent of the continuation of the previous meeting and public hearing was to allow the petitioner and his representative, Nick Nicholson, to meet with neighboring property owners to go over their concerns so that they could try and address those concerns and possibly bring back a revised plan. He directed the Commission's attention to the revised conceptual plan for the project that had been given to them in their packet and requested that the staff report be entered into the record in its entirety, as follows:

The petitioner is requesting Special Exception Use approval for a Residential Planned Development Project on a 4.88 acre \pm site. The property is located on the south side of Dr. MLK, Jr., Boulevard and west of Hale Avenue.

STAFF FINDINGS:

CURRENT LAND USE/ZONING

The subject property (Where the residential structures are being planned) is currently zoned as a Planned Development Project (PDP). The eastern portion of the same site is zoned C2. The property has a Comprehensive Plan Future Land Use (FLU) designation for Multifamily/Mobile Home and Commercial Uses respectively.

FACTUAL INFORMATION:

1. The western portion of the subject property is currently zoned as a PDP

- with FLU designations for multifamily/mobile homes and the eastern portion of the site is zoned C2 with a FLU designation for commercial uses.
- 2. The total subject property is approximately 4.88 ± acres in size.
- 3. The site is currently undeveloped.
- 4. The developer is proposing to construct two buildings with eighteen residential units each on the PDP (western) portion of the site.
- 5. The proposed residential structures are four stories in height with an internal parking area.
- 6. Access to the site is proposed via Dr. MLK, Jr. Boulevard. A secondary access is proposed for connection to Hale Avenue with the completion of future phases of this project.
- 7. Development of this property for the proposed use is consistent with the City Comprehensive Plan.
- 8. The subject property is not located within any wellhead protection areas.
- 9. The developer will be required to negotiate a utility service agreement with the City of Brooksville to facilitate the provisions for and determine the availability of water and sewer services to the property.
- 10. In addition to water and sewer services, the property will be served by City police, fire and sanitation collection services.

STAFF DISCUSSION & FINDINGS OF FACT:

The petitioner is proposing a 36-unit residential project. The petition has been reviewed for compliance with applicable standards and comments are as follows:

- 1. Table 2 of the City's PDP Land Area and Dimension Regulations requires a 10-foot minimum landscape separation strip along all property lines and streets serving the project. The code also provides latitude for the Commission to consider a requirement for the project to be permanently screened from adjoining and contiguous property by a wall, fence, evergreen hedge and/or other approved enclosures, as deemed applicable and appropriate. The detailed development plan for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 9.5, City Code). This portion of the City code encourages the preservation of existing trees on the site and it is recommended that the developer give due consideration to this in the design and final plan layout. Given the height of the proposed buildings and the proximity of this project to existing SFR development on Mildred Avenue, the Commission may consider requiring that a specified natural buffer of at least 80' be maintained along the western boundary of this property.
- 2. Per Table 2 of the City's Planned Development Project regulations, the following square footage amounts represent the "maximums/minimums" permitted for the acreage involved with this PDP:
 - a. Maximum gross floor area permissible = 63,771.84 sq.ft.
 - b. Min. open space req'd (incl. roads & parking) = 159,429.6 sq.ft.
(3.66 acres)
 - c. Min. open space required, less roads & parking = 102,034.94 sq.ft.
(2.34 acres)
 - d. Min. recreation space that must be provided = 9,565.78 sq. ft.
(.22 acres)
- e. Minimum number of parking spaces required = ** 72 parking spaces
** May vary depending upon the size of unit.

The petitioner will need to submit information related to total gross floor area, square footage of roads and parking, and square footage of the balance of open space and recreation space proposed for the site prior to construction plan submittal. This information will be used to determine if this project is in compliance with land use and intensity standards established by the City for Planned Development Projects.

- 3. Traffic - The developer proposes to utilize Dr. MLK, Jr., Boulevard as the primary access. A secondary access is proposed for connection to Hale

- Avenue upon completion of the final phasing of this project (to be brought back to the commission for consideration at a later date).
4. It is recommended that the developer incorporate and provide appropriate pedestrian amenities with this development including sidewalks. Facilities constructed are required to be ADA accessible.
 5. Drainage - This project will be required to be designed to meet all applicable standards specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual*, latest edition, as published by the Southwest Florida Water Management District.
 6. Infrastructure & Services - The developer will be required to negotiate a utility service agreement with the City of Brooksville for water and sewer services. Connection to City water and sewer service will be required. Service availability and requirements include the following:
 - Potable water service is available via a 12-inch force main on the west side of Hale Avenue.
 - There is currently an 8" sewer line located on the east side of Hale Avenue and on the North side of Dr. MLK, Jr., Boulevard.
 - Fire hydrants must be installed and spaced to meet all applicable fire code (NFPA) standards.
 - Water lines on-site will be private and must be sized to provide adequate fire flow as per AWWA Manual M31.
 - Sanitation dumpster solid waste collection services will be provided by the City.
 - Transportation - According to the ITE Trip Generation Manual (6th edition - Use Code #'s 223/222), this project will generate approximately 16 PM Peak Hour Trips (.44 x 36 units) and 151_± total daily trips (weekday/4.2 multiplier).
 7. City Concurrency Standards - The City requires concurrency review and analysis at the time when a development order/permit application is submitted. Concurrency review and adherence is not required in consideration of a land use or zoning action, as is the case for this petition. It may be noted that in reviewing the potential impacts associated with this proposal, it does not appear that any adopted level-of-service standards would be breached if permits were applied for at this time. The developer will be required to provide a "Statement of Impact - Concurrency Application" with each phase of development for this project that will be reviewed to ensure that level-of-service standards are being maintained within their adopted levels.
 8. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is encouraged to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a proposed development should be resolved prior to the submittal of construction plans.
 9. Parking - The Developer will be required to provide 1.5 parking spaces per dwelling unit for 1 or 2 bedrooms units, and 2 parking spaces per dwelling unit for units with 3 or more bedrooms.
 10. The following specific performance standards should be considered for this project:
 - Four story/18-unit maximum per building
 - 40-foot minimum structure setback from M.L. King Boulevard
 - 140-foot minimum structure setback from western property line
 - 80-foot minimum natural buffer required along the western boundary of the property
 - 25-foot minimum structure setback from the southern boundary of the property
 - 190-foot structure (building) setback from Hale Avenue
 - 15-foot minimum building separation

11. Unless specifically addressed to the contrary herein, City ordinance regulations which apply with regard to zoning district classification shall apply to residential areas within this PDP as if they are zoned R3.
11. 36 Residential units are the maximum number requested for this project at this time.

When development plans are submitted for permitting on each phase of this project, they will be reviewed and analyzed for impact to roads, utilities, drainage, the environment and compliance with all other applicable land use criteria and will be subject to meeting all federal, state and local agency permitting requirements.

NOTE: The Special Exception Use process is a land use determination which does not constitute a permit for either construction on or use of the property. These actions are not considered a Certificate of Concurrence. Prior to use of or construction on the property, the petitioner must receive approval from the appropriate City, County and/or other governmental agencies that have regulatory authority over the proposed development.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any City land use ordinances. Homeowner associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

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.

STAFF RECOMMENDATION:

Conditionally approve the Special Exception Use Residential PDP, subject to the following conditions and stipulations:

1. The phased and/or final development plan(s) for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 9.5, City Code). Additionally, the developer is required to maintain a natural buffer of at least 80' along the western boundary of this property.
2. The developer shall incorporate and provide appropriate pedestrian amenities with this development including sidewalks (along M.L. King Boulevard and Hale Avenue). Applicable facilities constructed are required to be ADA accessible.
3. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District. The proposed stormwater plan associated with this project must comply with all applicable federal, state and local standards.
4. Comprehensive site development plans shall be submitted. Said plans are subject to approval by the City Department's of Public Works and Community Development prior to the issuance of a building/construction permit.
5. The developer will be required to successfully negotiate a utility service agreement with the City prior to permitting.
6. This special exception use approval is conditioned with a three-year time period. If phasing and development plans are not submitted and construction contracts are not let within this time, this approval will be considered null and void.
7. The developer will be required to provide site lighting plan to ensure that the lights do not disturb the neighboring residents adjacent to this project.

8. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is encouraged to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a proposed development should be resolved prior to the submittal of any construction plans.
9. The following specific performance standards are required for this project:
 - Four story/18-unit maximum per building
 - 40-foot minimum structure setback from M.L. King Boulevard
 - 140-foot minimum structure setback from western property line
 - 80-foot minimum natural buffer required along the western boundary of the property
 - 25-foot minimum structure setback from the southern boundary of the property
 - 190-foot structure (building) setback from Hale Avenue
 - 15-foot minimum building separation
10. Unless specifically addressed to the contrary herein, City ordinance regulations which apply with regard to zoning district classification shall apply to this PDP as if it were zoned R3.
11. 36 Residential units are the maximum number approved for this phase.
12. The residential community entrances may incorporate appropriate signage, consistent with community standards and subject to approval by the City Manager or the City Manager's designee.

Director Geiger then directed the Commission's attention to the addendum that had been given to them this evening and stated that staff had received the addendum via e-mail just the day before. He explained that the addendum proposes a different site plan and has one additional request associated with it that was different from the plan that had been included in their agenda packet for this meeting. Essentially, the major changes the applicant is proposing are: 1) The development will have the same number of units but the buildings have been reduced to three-story instead of the four-story. (In the original plan, the first story had been exclusively for parking, but in the revised plan the parking has been taken out from under the building and has been moved out into the site, which is taking up additional open space on the site.) 2) The new petition also asks for a reduction from the 80-foot natural buffer in the original plan to a 45' buffer along the western property line because they now have to provide additional parking space out on the site. 3) The new addendum also requests the addition of a clubhouse and pool to the site plan. Director Geiger said there were a few additional minor changes that had been made, i.e., building reference numbers, but nothing else substantial.

In response to a question by Vice-Chairman Wanat regarding the 50' buffer mentioned in staff's performance condition number one, Director Geiger clarified that distance was the applicant's revised request previous to the addendum received yesterday requesting a 45' buffer. He said staff's performance conditions still specified a minimum 140' structure setback from the western property line, even though the applicant actually requested the building setback be set at less than that, to ensure that the three-story buildings didn't end up any closer than that for whatever reason.

In response to a question by Commissioner Wever regarding where the proposed connection to Hale Avenue would be, Mr. Nicholson replied that it would be at the corner of Hale Avenue and MLK Jr. Blvd. Director Geiger clarified that was where the property was located, but the actual connection was not being proposed at this time because the petitioner anticipates coming back later on with a proposal for a second phase that will provide the connection to Hale Avenue, but this first phase would only have one connection point which would be to MLK Jr. Blvd.

He said that considering this, the Commission could only look at what was being proposed with this petition and they really couldn't contemplate what kind of changes might happen between now and any future phases.

Mr. Nicholson said it was mentioned that a connection to MLK Jr. Blvd. may not even be desirable because of the traffic, and he said it would be fine with his client that once we have the ability to connect to Hale Avenue that they would close the MLK Jr. Blvd. access, if that is what they would like to do. Director Geiger stated that from a planning point of view, two points of connection are actually better than one.

In response to a question by Commissioner Korbis, Director Geiger replied that the future connection point would be somewhere on Hale Avenue. Commissioner Korbis said he just wanted to make sure there would be an exit onto Hale Ave. because without it, if there was an accident in that area, emergency response vehicles couldn't get in and out.

The City Attorney interjected that this application needed to be considered by itself because whether anyone in the future came in with a second phase for this project, or not because of the real estate market, the current proposal might stand alone. Director Geiger agreed and added that the property could even be transferred to another owner and the Commission could be faced with another development proposal. The important thing the Commission might consider with the current development proposal is that this property provide for anticipated future connectivity to the property to the south.

In response to another question by Commissioner Korbis, Director Geiger confirmed that 36 units is the maximum number that could go on the property.

Mr. Nicholson stated that his staff had met twice with the surrounding concerned property owners since the last public hearing. He said that the first time they met they reviewed their original site plan with four-story buildings that the property owners did not like, so they told the property owners they would redesign the project with two-story buildings with the parking on the outside, which would have drastically reduced the buffer areas. However, his client was unwilling to go to two stories, but he felt three stories would be fine, with outdoor parking on the site. So Mr. Nicholson explained he redesigned the project for a third time and met again with the property owners, showing them the 3-story buildings with the outside parking. One of their major concerns with the third plan was the 8-foot privacy wall that they had agreed to build along the west & east property lines, and they wanted the wall built all the way down the side of the vacant property. Mr. Nicholson explained to them that really couldn't be done economically and it would have to be done as part of another project but that the 8-foot wall included in the current plan would adequately protect them from the impacts of their project. He felt the meetings with the property owners went very well, that the property owners had a lot of good comments, and he felt that they had addressed all of their major concerns.

In response to another question by Commissioner Korbis regarding what the elevation difference of the property is between the west property line and where the front of the proposed buildings will be because he was trying to visualize what the adjacent residents will see when they look out their windows at the new three-story buildings, Mr. Nicholson replied that the existing trees are extremely tall on that side of the property and these structures would be extremely difficult to see from those neighboring properties because of the proposed 45-foot natural vegetative buffer; they do not plan to disturb any of the existing trees.

Mr. Lamberti, nearby property owner, came forward and said that the first meeting with concerned property owners that Mr. Nicholson had mentioned had been scheduled for January 26, 2007, after the initial P&Z meeting on this item on January 10. He explained that he as well as the other affected property owners

expressed their concerns at that meeting, but he didn't feel the new plan at all addressed their concerns regarding height or density, and it was also lacking the wall the applicant had promised that the residents had requested to prevent thugs, thieves, and crooks from coming over the project's back property line into their properties. Mr. Lamberti said the client hadn't shown up at that meeting and was not even present at tonight's meeting, so he requested that the Commission postpone this item until the client was present to answer questions.

John Mason came forward and reiterated what he had stated at the previous public hearing, that he strongly felt the proposed density of the project was too much for the size of the property and that kids would definitely overflow into the surrounding neighborhood onto their properties from the project.

Loretta Dejenev, resident of the area, came forward and stated that she was worried about the impact the increased traffic would have on already busy Hale Avenue, that the roads in the area were not wide enough to accommodate the increased traffic, and she also wanted to know who would maintain those roads because part of them were in the County.

In response to a question by Vice-Chair Wanat, Director Geiger explained that the traffic generation formula for the project for this type of use, based on the number of units, would generate approximately 16 p.m. peak hour vehicle trips (with 36 units, not everybody is driving on the road at the same time). Of these trips, approximately 9 of those would be entering back into the project, and 7 would be exiting, based on the similar uses as projected.

Ms. Dejenev was still concerned about the impact to Hale Avenue, and Vice-Chair Wanat clarified that there would not be an entrance onto Hale Avenue from the proposed project at this point, the entrance is from MLK Jr. Blvd. Ms. Dejenev explained that she had been told at the second meeting with Mr. Nicholson that they were going to let the traffic from the project flow out onto Hale Avenue. Vice-Chair Wanat clarified that would only happen if the project were to expand or if a phase two came in for development. Ms. Dejenev stated that she was still concerned because when she tried to get into her driveway the other night at 7:15 p.m., she'd had to wait for 17 cars to pass before she could pull into her driveway.

Director Geiger clarified that both MLK Jr. and Hale Ave. are local streets, and as such they would both be under the responsibility of the local government to maintain them. In response to a question by Vice-Chair Wanat, Director Geiger replied that the responsibility for maintenance of a portion of MLK Jr. Blvd. that had been a State Road was still under the County; it used to be considered a State Road and then it was turned over to the County some years ago. However, it is something that we will probably be addressing soon when the City renegotiates an interlocal agreement related to gas tax distribution.

Cherry Stettin, adjacent property owner and resident of Lot 20, located right on MLK Jr. Blvd. at the intersection of Mildred Ave., who had spoken at the previous public hearing, came forward and expressed concern that the traffic volume on MLK Jr. Blvd. was already very high, and she felt it would be increased to a dangerous level with the increased volume from the proposed development. She also felt the 8-foot wall that the developer had agreed to put in was inadequate because it would only be around phase one; what about the impact to them from any additional development that occurred in the future? She further thought that the amount of fencing the applicant had agreed to install was inadequate because the buffer was decreasing with each subsequent redesign of the plan (i.e., originally 80 feet, decreased to 50 feet, and now down to a 45-foot buffer), and she felt the inadequate amount of fencing was short-sighted and that adequate provisions needed to be made now with the future in mind.

Bill Bailey, nearby property owner who had also spoken at the previous public hearing, came forward and supported providing an additional access off of Hale

Avenue because he felt it would substantially help the traffic flow. Regarding traffic on MLK Jr. Blvd., he was very concerned that the roadway was inadequate to support heavy construction trucks, much less the increased traffic volume. He also felt the high density of the project was inconsistent with the reasons he moved into Brooksville. He explained that he had sought out his single family residential land on the dead-end of a quiet street and had built a single family residence to live in, stay here, and retire and live out the rest of his life here; however, if this development goes in as proposed, he didn't think he would stay here as he had previously planned. He strongly felt the proposed plan is inconsistent with the surrounding area and that there are plenty of other areas where such a high density development could be built. Also, based on his perspective from working for the fire department for many years, he strongly felt that the emergency infrastructure of the area would not be capable of supporting the high density of the proposed development. Also, with the parking now being placed all around the property outside of the buildings, he felt that would impede the emergency vehicles from being able to get in and provide emergency services in a quick and efficient manner.

Ruth Reeder, owner of property directly adjacent to the proposed development, felt the proposed high density development would be very inappropriate for the existing very low density neighborhood. She did not want a development that had the high density of, for example, the Bronx area of New York, to be built in her neighborhood consisting of one- or two-acre lots with single family homes on them. She questioned if this could be considered "spot zoning."

Commissioner Korbus asked that if the current proposal was for apartments, and there is going to be children living there, when the school buses go out there and stop at the entrance to the development, what is the sight distance from the proposed driveway to the top of the hill? Specifically, is there enough room for drivers to stop when they see the lights of the stopped bus after they come up over the top of the hill. Director Geiger responded that where it is located on the site plan right now, there is approximately a distance of 250 feet from the top of the hill to where the buses will stop at the entrance to the development.

Mr. Nicholson again came forward and stated that this issue has come up before, and he and his client had already told Director Geiger that they would agree to adhere to any codes for sight distance requirements for that driveway. Further, if they needed to do modifications to MLK Jr. Blvd. to meet the sight distance requirements, they had agreed to do so at their expense (i.e., they would look at options such as lowering the hill by cutting it down, by putting in a deceleration lane, or whatever would be necessary to meet the sight distance requirements because they obviously didn't want anything to happen to any children).

Mr. Nicholson asked the Commission to explain to the people who had expressed their opposition to this project that the property had already been zoned by the City a long time ago to allow multi-family residential development, and all they were doing is trying to get approval for a master plan layout which meets zoning requirements that are already in place.

In response to a question by Commissioner Korbus whether the owner would be willing to reduce the number of units on the property, Mr. Nicholson explained that they have already reduced the number of units and the owner was not amenable to reducing it any further. Director Geiger clarified that multi-family is the land use that was approved for the subject property many years ago, and under the City's comprehensive plan designation, multi-family ranges anywhere from 8 units all the way up through 18 units, and single family can also be placed in multi-family designations. But, as far as the zoning of the property is concerned, it is actually zoned as a project, and any planned development project has to go through a special exception use approval process, which is what we are doing now, where it always comes back to the City to either this Board if it's a special exception, or to the City Council if it's an actual zoning, to make the

determination on what is appropriate for that area as far as what densities, setbacks, and/or with what kind of special conditions or performance standards might be placed with giving approval to a project in this area. In this case, a petitioner is asking for what they would like to do and the Board can either approve it conditionally or approve it with modifications.

Mr. Nicholson clarified that the current zoning standards would allow them to develop the property with a density of from 8 to 18 units per acre, and they were only asking to develop it with the lowest units per acre. In addition, they were developing the property with buffers that are very large, and he didn't see how it could be economically feasible to have less than 9 units per acre on this property. The development was intentionally being geared toward workforce housing (i.e., affordable), and if the number of units were decreased any further, it would no longer be economically feasible for teachers, firemen, policemen, etc., to have an affordable place to live. Lastly, he said the proposed development would be visually aesthetic and would be a great improvement to the neighborhood, and they obviously wanted to make it a showcase and make it look good because the client wanted to do another project next door later on.

Director Geiger clarified that the proposed development was actually only going to be 7.38 units per acre, which was even less than minimum of 8 that was allowed, if they were looking at the total acreage of what is in the City. Mr. Nicholson clarified that they were not proposing the commercial component to it at this point, and the only thing they were doing was presenting their request for the density consideration. Vice-Chair Wanat clarified that the DRA is included in the acreage.

Mr. Nicholson reiterated that they were looking at a traffic increase of only 16 peak hour trips, which is not a lot of traffic.

In response to a question by Commissioner Korbus regarding where the closest apartment complex is located that is comparable to the proposed development, other than the City housing one across the street, Director Geiger responded that there are 3-story condominium projects that are currently under construction right now, but there aren't any other existing comparable projects in Brooksville.

Mr. Nicholson explained that as land values increase, the building heights are going up to offset the expense. He said that the one positive thing is that there is more open space when a building is built taller instead of spread out on a property. He then addressed the concern regarding inadequate infrastructure, and he explained that they were aware they would have to improve the existing infrastructures to meet all the City's requirements.

Director Geiger stated that from a concurrency point of view, before the issuance of a construction permit or development order for this project, they would be required to comply with concurrency requirements, which addresses level of service issues in regards to the infrastructure concerns (i.e., roads, water, sewer, and several other categories).

Vice-Chair Wanat asked about the property owners' concern over the wall that they said had been removed from the plans for the site of the future development, and Mr. Nicholson replied that they had never removed the wall. He explained that the wall for the currently proposed development will stop right there at the property line, and on the future site plans that they have, they had agreed to construct the 8-foot wall in the future, but he had told them it would not be economically feasible to construct that wall now. Of course they want to protect the adjacent property owners, and if they bring in another phase on that future development site, the 8-foot wall that is on the current development site will be continued onto that adjacent piece of property. If they are worried about containing the children, they would agree to fence it, but to build a wall right now would be very expensive. If the Board wanted the developer to fence the

entire property, they would agree to put up a 6-foot chain link fence along the southern property boundary to connect the two block walls, even though his client owns both properties. But they would be agreeable to doing that if the Commission wanted to make that a stipulation, to protect the adjacent property owners from the children leaving the property.

Mr. Bailey again came forward and wanted clarification whether these were going to be apartments because he was under the impression they were going to be condominiums. Mr. Nicholson clarified that the units will be for sale and apologized for talking about rent earlier. The units will not be government-subsidized in any way. He explained that they are trying to keep the sale price of the units at less than \$200,000; however, that was directly contingent upon how many improvements they would be required to make to MLK Jr. Blvd. and the cost of improvements to any other infrastructure elements.

Barbara Burke came forward and indicated that she was confused because at the first public hearing they had been told they were going to have a wall. Then the concerned property owners met with Nicholson Engineering and the proposed project went from four stories down to two stories after that first meeting. The property owners then went back for a second meeting and were told the project was redesigned again to three stories. However, before all this, when they came to the first public hearing, it was going to be condominiums that Mr. Nicholson said would be \$200,000 per unit. At that time, somebody asked when the project would start, and Mr. Nicholson replied not until all the units were sold. But at their second meeting at his office, they asked him again when construction would start on the project, he said it would start as soon as possible. She asked how they could be selling the units already if they haven't even seen a final plan or picture of the proposed project yet; in addition, she said that Mr. Nicholson had informed them that the architect had died so they had to get new drawings. She didn't see how they could build something if they didn't even have a firm concept of what they planned to build.

Vice-Chairman Wanat replied that they were only talking about a conceptual plan at this point. The developer didn't have to submit actual drawings until later on down the road.

Ms. Burke asked how the developer could tell them something different every time they turned around, and Commissioner Korbus clarified that what the developer is proposing right now is that there will be 36 living units on the property, but there are no further specifics right now regarding how many will be 3-bedrooms or how many will be 2-bedrooms, etc. All the Commission needs to look at right now is the 36 units.

Ms. Burke asked what about the wall the developer had promised to build to protect them and said that he hadn't told them when they met that it would be built with each phase. She explained that where they plan to stop the wall now with the first phase is where the pool and clubhouse are. Vice-Chair Wanat reiterated that Mr. Nicholson had just agreed to put in a chain link fence connecting the two walls.

Regarding what the property owners directly adjacent to the new development will see from their backyards, Ms. Burke said that she is upset because all she will see is the tall buildings of the new development because her property is of a pretty high elevation. Right now from the deck in her backyard, she can see all the way across the wooded property to the sheds on the other side of Hale Avenue, a view which she feels is better than looking at buildings.

Commissioner Korbus asked Mr. Nicholson if when he had met with the concerned property owners group at his office whether he had shown them any kind of conceptual plan, and Mr. Nicholson replied that they don't have any at this point in time. He explained that right now the only drawings they have are from the architect who died, which are the ones with the parking underneath the buildings,

so plans are going to have to be completely redone. Mr. Nicholson went on to explain that it may sound like a conflict, but the developer will try to pre-sell the condos because it's the best plan financially, and construction will start as soon as possible, so it's not really a conflict.

MOTION:

Motion was made by Commissioner Korbus, seconded by Commissioner Wever, to DENY this variance request because they felt the proposed density was too high for the area. Motion carried 2-1, with Vice-Chairman Wanat in opposition.

Director Geiger explained that the applicant could appeal the Commission's decision to the City Council by filing a petition with the City Clerk's office within the next 10 days. It would then be put on the City Council's agenda for either their next regularly scheduled meeting of April 2, 2007, or one very soon thereafter, and the City Council will determine whether or not to entertain the petition for an appeal and will set a date for hearing the appeal if they decide to do so.

****VR2007-03 - AMIN NATHANI-PRESENTED BY NICHOLSON ENGINEERING ASSOCIATES, INC.**

Petition request to reduce the minimum setbacks and to maintain status for a non-conforming structure.

The City Attorney explained that this is a quasi-judicial proceeding and asked anyone who would like to be recognized as an intervening party to the proceeding or who would like to be sworn as an expert witness to come forward.

The Commission swore in and accepted by consensus Mr. Amin Nathani, the petitioner, and again accepted by consensus Mr. Nick Nicholson as an expert in civil engineering and land use planning and Director Geiger as an expert in land use planning, development, and zoning.

Director Geiger requested that the staff report be entered into the record in its entirety, as follows:

SUMMARY OF REQUEST - GENERAL INFORMATION:

This property is located at 717 S. Broad Street (U.S. Highway 41). The petitioner is requesting a variance from the City's minimum front-yard setbacks for new structures on the site. The petitioner also wishes to maintain an existing, non-conforming structure on the site. A variance petition for this property requesting relief from setback and parking standards was considered at the January 10, 2007, Planning and Zoning Commission meeting. The Commission denied that petition and encouraged the petitioner to rework the configuration of the site and reapply with a plan that more closely conforms to the City's adopted setback and parking requirements. At this time, the petitioner has submitted this new petition and site plan requesting relief from the City's minimum front-yard setbacks. Specifically, the petitioner is requesting the following:

1. The petitioner wants to build a new 2,200 square foot building and replace/relocate gasoline pumps, canopy and car wash. A variance is requested from the City's Land Use/Zoning Regulations, Schedule F "Dimensions and Area Regulations for Nonresidential Districts," regarding minimum front-yard building setbacks. The City Code requires a 75-foot front yard building setback from the US 41 rights-of-way. The petitioner is requesting a reduction to a 50-foot front yard structure setback for the new 2,200 square foot building, a 25-foot front yard setback to the gasoline dispensing island canopy and a 35-foot yard setback to the pumps. The petitioner is proposing an 18-foot wide cross property access aisle at the rear of the property. Although 24-feet of pavement width would be the normal minimum for a frontage road, the 18-foot width may be accepted in a redevelopment circumstance to facilitate cross-access through the property.

MEMORANDUM

To: Planning & Zoning Commission Members
From: Patricia J. Jobe, Planning & Zoning Coordinator 
Via: Bill Geiger, Community Development Director 
Subject: SE2007-01 - Requesting Special Exception Use approval for a proposed Residential Planned Development Project on a 2.82 ± acre site.
Petitioner: Jorge Lopez for Garden Homes, LLC (Represented by Nicholson Engineering Associates, Inc.)
Location: South side of Dr. MLK, Jr., Boulevard and west of Hale Avenue
Date: March 14, 2007

The petitioner is requesting Special Exception Use approval for a Residential Planned Development Project on a 4.88 acre ± site. The property is located on the southwest corner of Dr. M. L. King, Jr., Boulevard and Hale Avenue. This petition was continued from the January 10, 2007 Planning and Zoning Commission meeting to the February 14, 2007, and subsequently was continued to the March 14, 2007 meeting. The continuations were requested to allow the petitioner time to meet with the neighboring property owners to work out their concerns regarding building height, density, and consideration of a privacy fence. The petitioner originally requested the special exception to enable him to build two 4-story, 18-unit residential buildings. The petitioner has reduced the 4-story buildings to 3-story buildings, containing 18-units each, and has revised the site plan to include an 8-foot masonry wall to be constructed around the development. In conjunction with the modifications, the the buildings and parking area were redesigned in the site layout.

STAFF FINDINGS:

CURRENT LAND USE/ZONING

The subject property (where the residential structures are being planned) is currently zoned as a Planned Development Project (PDP). The eastern portion of the same site is zoned C2. The property has a Comprehensive Plan Future Land Use (FLU) designation for Multifamily/Mobile Home and Commercial Uses respectively.

FACTUAL INFORMATION

1. The western portion of the subject property is currently zoned as a PDP with FLU designations for multifamily/mobile homes and the eastern portion of the site is zoned C2 with a FLU designation for commercial uses.
2. The total subject property is approximately 4.88 ± acres in size.
3. The site is currently undeveloped.
4. The developer is proposing to construct two buildings with eighteen residential units each (36 units total) on the PDP (western) portion of the site (equivalent to 7.38 units per acre).
5. The proposed residential structures are ~~four~~ three stories in height with an internal parking area.
6. Access to the site is proposed via Dr. MLK, Jr. Boulevard. A secondary access is proposed for connection to Hale Avenue with the completion of future phases of this project.
7. Development of this property for the proposed use is consistent with the City Comprehensive

Plan.

8. The subject property is not located within any wellhead protection areas.
9. The developer will be required to negotiate a utility service agreement with the City of Brooksville to facilitate the provisions for and determine the availability of water and sewer services to the property.
10. In addition to water and sewer services, the property will be served by City police, fire and sanitation collection services.

STAFF DISCUSSION & FINDINGS OF FACT

The petitioner is proposing a 36-unit residential project. The petition has been reviewed for compliance with applicable standards and comments are as follows:

1. Table 2 of the City's PDP Land Area and Dimension Regulations requires a 10-foot minimum landscape separation strip along all property lines and streets serving the project. The code also provides latitude for the Commission to consider a requirement for the project to be permanently screened from adjoining and contiguous property by a wall, fence, evergreen hedge and/or other approved enclosures, as deemed applicable and appropriate. The detailed development plan for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 9.5, City Code). This portion of the City code encourages the preservation of existing trees on the site and it is recommended that the developer give due consideration to this in the design and final plan layout. Given the height of the proposed buildings and the proximity of this project to existing SFR development on Mildred Avenue, the Commission may consider requiring that a specified natural buffer of at least 50' be maintained along the western boundary of this property.
2. Per Table 2 of the City's Planned Development Project regulations, the following square footage amounts represent the "maximums/minimums" permitted for the acreage involved with this PDP:
 - a. Maximum gross floor area permissible = 63,771.84 square feet
 - b. Min. open space required (includes roads & parking) = 159,429.6 sq. ft. (3.66 acres)
 - c. Min. open space required, less roads & parking = 102,034.94 sq. ft. (2.34 acres)
 - d. Min. recreation space that must be provided = 9,565.78 sq. ft. (.22 acres)
 - e. Minimum number of parking spaces required = ** 72 parking spaces** May vary depending upon the size of unit.

The petitioner will need to submit information related to total gross floor area, square footage of roads and parking, and square footage of the balance of open space and recreation space proposed for the site prior to construction plan submittal. This information will be used to determine if this project is in compliance with land use and intensity standards established by the City for Planned Development Projects.

3. Traffic - The developer proposes to utilize Dr. M. L. King, Jr., Boulevard as the primary access. A secondary access is proposed for connection to Hale Avenue upon completion of the final phasing of this project (to be brought back to the commission for consideration at

- a later date).
4. It is recommended that the developer incorporate and provide appropriate pedestrian amenities with this development including sidewalks. Facilities constructed are required to be ADA accessible.
 5. Drainage - This project will be required to be designed to meet all applicable standards specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual*, latest edition, as published by the Southwest Florida Water Management District.
 6. Infrastructure & Services - The developer will be required to negotiate a utility service agreement with the City of Brooksville for water and sewer services. Connection to City water and sewer service will be required. Service availability and requirements include the following:
 - Potable water service is available via a 12-inch force main on the west side of Hale Avenue.
 - There is currently an 8" sewer line located on the east side of Hale Avenue and on the North side of Dr. M. L. King, Jr., Boulevard.
 - Fire hydrants must be installed and spaced to meet all applicable fire code (NFPA) standards.
 - Water lines on-site will be private and must be sized to provide adequate fire flow as per AWWA Manual M31.
 - Sanitation dumpster solid waste collection services will be provided by the City.
 - Transportation - According to the ITE Trip Generation Manual (6th edition - Use Code #'s 223/222), this project will generate approximately 16 PM Peak Hour Trips (.44 x 36 units) and 151± total daily trips (weekday/4.2 multiplier).
 7. City Concurrency Standards - The City requires concurrency review and analysis at the time when a development order/permit application is submitted. Concurrency review and adherence is not required in consideration of a land use or zoning action, as is the case for this petition. It may be noted that in reviewing the potential impacts associated with this proposal, it does not appear that any adopted level-of-service standards would be breached if permits were applied for at this time. The developer will be required to provide a "Statement of Impact - Concurrency Application" with each phase of development for this project that will be reviewed to ensure that level-of-service standards are being maintained within their adopted levels.
 8. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is encouraged to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a proposed development should be resolved prior to the submittal of construction plans. Based on the planned number of residential units, approximately 12 students would be generated.
 9. Parking - The Developer will be required to provide 1.5 parking spaces per dwelling unit for 1 or 2 bedrooms units, and 2 parking spaces per dwelling unit for units with 3 or more bedrooms.
 10. The following specific performance standards may be considered for this project:

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Garden Homes, LLC

SE - Residential PDP Petition

March 14, 2007

- Four Three story/18-unit maximum per building
 - 40-foot minimum structure setback from M.L. King Boulevard
 - 140-foot minimum structure setback from western property line
 - 80 50-foot minimum natural buffer required along the western boundary of the property
 - 25-foot minimum structure setback from the southern boundary of the property
 - 190-foot structure (building) setback from Hale Avenue
 - 15-foot minimum building separation
 - 8-foot masonry wall
11. Unless specifically addressed to the contrary herein, City ordinance regulations which apply with regard to zoning district classification shall apply to residential areas within this PDP as if they are zoned R3.
 12. 36 Residential units are the maximum number requested for this project at this time.

When development plans are submitted for permitting on each phase of this project, they will be reviewed and analyzed for impact to roads, utilities, drainage, the environment and compliance with all other applicable land use criteria and will be subject to meeting all federal, state and local agency permitting requirements.

NOTE: The Special Exception Use process is a land use determination which does not constitute a permit for either construction on or use of the property. These actions are not considered a Certificate of Concurrence. Prior to use of or construction on the property, the petitioner must receive approval from the appropriate City, County and/or other governmental agencies that may have regulatory authority over the proposed development.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any City land use ordinances. Homeowner associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

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.

STAFF RECOMMENDATION

Conditionally approve the Special Exception Use for a Residential PDP, consistent with the "Hale Avenue Multifamily Site Plan" prepared by Nicholson Engineering Associates Inc., dated 02/03/06, subject to the following conditions and stipulations:

1. The phased and/or final development plan(s) for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 9.5, City Code). Additionally, the developer is required to maintain a natural buffer of at least

- 8 50' along the western boundary of this property.
2. The developer shall incorporate and provide appropriate pedestrian amenities with this development including sidewalks (along M.L. King Boulevard and Hale Avenue). Applicable facilities constructed are required to be ADA accessible.
 3. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District. The proposed stormwater plan associated with this project must comply with all applicable federal, state and local standards.
 4. Comprehensive site development plans shall be submitted. Said plans are subject to approval by the City Department's of Public Works and Community Development prior to the issuance of a building/construction permit.
 5. The developer will be required to successfully negotiate a utility service agreement with the City prior to permitting.
 6. This special exception use approval is conditioned with a three-year time period. If phasing and development plans are not submitted and construction contracts are not let within this time, this approval will be considered null and void.
 7. The developer will be required to provide a site lighting plan to ensure that the lights do not disturb the neighboring residents adjacent to this project.
 8. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is encouraged to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a proposed development should be resolved prior to the submittal of any construction plans.
 9. The following specific performance standards are required for this project:
 - a. ~~Four~~ Three story/18-unit maximum per building
 - b. 40-foot minimum structure setback from M.L. King Boulevard
 - c. 140-foot minimum structure setback from western property line
 - d. ~~80~~ 50-foot minimum natural buffer required along the western boundary of the property
 - e. 25-foot minimum structure setback from the southern boundary of the property
 - f. 190-foot structure (building) setback from Hale Avenue
 - g. 15-foot minimum building separation
 - h. An 8-foot masonry wall will be constructed near the western and eastern residential portions of the property
 10. Unless specifically addressed to the contrary herein, City ordinance regulations which apply with regard to zoning district classification shall apply to the residential portions of this PDP as if it were zoned R3.
 11. 36 residential units are the maximum number approved for this phase.
 12. The residential community entrances may incorporate appropriate signage, consistent with

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community standards and subject to approval by the City Manager or the City Manager's designee.

Enclosures: (1) Special Exception Use Petition
(2) Letter from Nicholson Engineering Assoc., Inc. (dated Feb. 2, 2007)
(3) Site Plan - Revised
(4) Vicinity Map

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PETITION FOR SPECIAL EXCEPTION USAGE

TO THE CITY OF BROOKSVILLE, FLORIDA PLANNING & ZONING COMMISSION

The undersigned Petitioner/Property Owner hereby submits this Petition for a Special Exception Usage at the following described property, to wit: (insert typewritten legal description)

All of Lots 5 & 6, 11, and 12, together with the following contiguous roads, "C" Street, "D" Street, the E 1/2 of John's Avenue and the west half of Abbey Avenue, all in Parson's addition to Brooksville, as per plat thereof, as recorded in Plat Book 3, Page 17, Public Records of Hernando County, Florida.

Subject Property Street Address: SW Corner of Hale Avenue and
Martin Luther King Jr. Blvd.

PETITIONER IS SPECIFICALLY REQUESTING SPECIAL EXCEPTION USAGE FOR THE FOLLOWING:

36 Multifamily units, and a 10,500 square foot building,*
Commercial. This is part of a combined project with the parcels to the south. We are in the process of annexing Lot 4, Lot 13, Lot 14, into the City.

* Note: The commercial building will be constructed after the adjacent property is rezoned.

Property future land use is: PDP (MF) & C2
Current land use is: Vacant
Property is zoned: PDP (MF) & C2

Petitioner requests that said Special Exception Usage be permitted so that the Owner may utilize the above said property to its highest and best use.

It is in the opinion of the Petitioner that the granting of a Special Exception Use of said property will not be materially detrimental to the Public Welfare, nor to the persons or properties located in the immediate area.

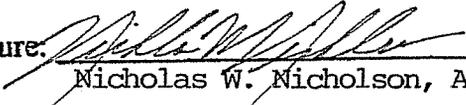
Wherefore, the Petitioner requests that the City of Brooksville, Florida, Planning and Zoning Commission convene to hear and take jurisdiction over the subject matter of this petition.

Petitioner's Name: Jorge Lopez for Garden Homes, LLC

Street Address: 3400 Coral Way Suite 600

City/State/Zip: Miami, FL 33145

Daytime Phone: 305-608-9180

Signature: 

Nicholas W. Nicholson, Agent

APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Jorge Lopez, the owner(s) in fee simple of the below described real property hereby appoint Nicholson Engineering 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.

All of Lots 5 & 6, ^(Insert Legal Description Below) 11, and 12, together with the following contiguous roads, "C" Street, "D" Street, the E 1/2 of John's Avenue and the west half of Abbey Avenue, all in Parson's addition to Brooksville, as per plat thereof, as recorded in Plat Book 3, Page 17, Pub. Records of Hernando County, FL.

Dated: 9-25-06

Signed in the presence of:

WITNESSES:

Signature [Signature]
Print Name Jolyn Bermood

Signature [Signature]
Print Name Tatiana Bermood

Signature [Signature]
Print Name Claudia Bermood

Signature [Signature]
Print Name Valanessa Mc La Cour

LANDOWNER(S):

Signature [Signature]
Print Name Jorge Lopez

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OWNER OR AGENT AFFIDAVIT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Jorge Lopez, being duly sworn, hereby depose and say
Jorge Lopez for Garden Homes is the owner of the herein described property to-wit:

(Insert Legal Description Below)

All of Lots 5 & 6, 11, and 12, together with the following
contiguous roads, "C Street, "D" Street, the E 1/2 of John's
Avenue and the west half of Abbey Avenue, all in Parson's
addition to Brooksville, as per plat thereof, as recorded in Plat
Book 3, Page 17, Public Records of Hernando County, FL

ACKNOWLEDGMENT

All information submitted within this Petition is in all respects true and correct to the best of my knowledge and belief.

Witness Signature: [Signature]

Owner/Agent Signature: Jorge Lopez

STATE OF FLORIDA
COUNTY OF DADE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9
DAY OF 25 APRIL BY THE ABOVE PERSON(S) Jorge Lopez
WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED
FIA D/L AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN
OATH.

[Signature]
SIGNATURE OF NOTARY

Olga Betancourt
PRINTED NAME OF NOTARY



Prepared by and return to:
Stephen Daniel Hayman, Esq.
Attorney at Law
Rhoton & Hayman, P.A.
412 E. Madison Street, Suite 1111
Tampa, FL 33602
813-226-3138
File Number: 05-60
Will Call No.:

Doc# 2005073706
Hernando County, Florida
08/24/2005 9:53AM
KAREN NICOLAI, Clerk

RECORDING FEES \$ 27.00
DEED DOC STAMP \$ 2,000.00
08/24/2005 Deputy Clk

R

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Warranty Deed

This Warranty Deed made this 15th day of August, 2005 between LLE Southwest Properties, LLC, a Florida Limited Liability Company whose post office address is 10613 Hatteras Drive, Tampa, FL 33615, grantor, and Garden Homes LLC, a Florida Limited Liability Company whose post office address is 3400 Coral Way 600, Miami, FL 33145, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Hernando County, Florida to-wit:

Parcel 1:

Lots 13 and 14, together with vacated contiguous streets described as South 1/2 of "C" Street, all of "B" Street, N 1/2 of "A" Street, E 1/2 of John's Avenue, West 1/2 of Abbey Avenue, all in Parsons Addition to the City of Brooksville, as per plat thereof, as recorded in Plat Book 3, Page 17, Public Records of Hernando County, Florida.

Parcel 2:

Lot 4, less the South 42 feet thereof, all of Lots 5 and 6, 11 and 12, together with the following contiguous roads, "C" Street, "D" Street, the E 1/2 of John's Avenue and the W 1/2 of Abbey Avenue and the East 1/2 of Abbey Avenue, all in Parsons Addition to the Town of Brooksville, as per plat thereof, as recorded in Plat Book 3, Page 17, Public Records of Hernando County, Florida.

Parcel Identification Numbers: R27/222/19/3010/0000/0130 and R27/222/19/3010/0000/0050 and R27/222/19/3010/0000/0110 and R27/222/19/3010/0000/0040.

Subject to taxes for 2005 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said

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land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2004.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

LLE Southwest Properties, LLC, a Florida Limited Liability Company

By: [Signature]
Emmanuel I. Mekowulu, Managing Member

[Signature]
Witness Name: Stephen Hayman

[Signature]
Witness Name: Anne Marie Hayman

By: [Signature] M.D.
Leo C. Egbujiobi, Managing Member

[Signature]
Witness Name: Ann Spanton

[Signature]
Witness Name: Roxanne Murwin

By: [Signature]
Louis Okonkwo, Managing Member

[Signature]
Witness Name: Stephen Hayman

[Signature]
Witness Name: Anne Marie Hayman

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 15th day of August, 2005 by Emmanuel I. Mekowulu, Managing Member of LLE Southwest Properties, LLC, a Florida Limited Liability Company, on behalf of said firm. He/she is personally known or has produced a driver's license as identification.

[Notary Seal]



Stephen D. Hayman
MY COMMISSION # DD093599 EXPIRES
March 17, 2006
BONDED THROUGH TROY FAIR INSURANCE INC.

Notary Public

Printed Name: Stephen Hayman

My Commission Expires:

3-17-06

Initials _____

State of Wisconsin
County of Rock

The foregoing instrument was acknowledged before me this 12th day of August, 2005 by Leo C. Egbujiobi, Managing Member of LLE Southwest Properties, LLC, a Florida Limited Liability Company, who is personally known or has produced a driver's license as identification.

Shannon Pearson
Notary Public

Printed Name: Shannon Pearson

My Commission Expires: 6-29-08

[Notary Seal]

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 15th day of August, 2005 by Louis Okonkwo, Managing Member of LLE Southwest Properties, LLC, a Florida Limited Liability Company, who is personally known or has produced a driver's license as identification.

Stephen D. Hayman
Notary Public

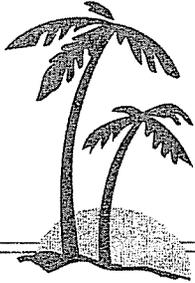
Printed Name: Stephen Hayman

My Commission Expires: 3-17-06

[Notary Seal]

 Stephen D. Hayman
MY COMMISSION # DD073597 EXPIRES
March 17, 2006
BONDED THRU TROY FARM INSURANCE, INC.

Initials Em Lo LS



NICHOLSON ENGINEERING ASSOCIATES, INC.

P.O. Box 12230 ~ Brooksville, FL 34603 • 7468 Horse Lake Rd.

Phone: 352-799-0170 • Fax: 352-754-9167

www.nicholson-engineering.com

February 2, 2007

City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

Re: Revised Cover Letter for Special Exception
For Lopez Property on Hale Avenue

To Whom It May Concern:

We are requesting a special exception for the portion of the Lopez property that is located in the City of Brooksville. The special exception would allow the owner to develop the property based on the current zoning. This project has been postponed from the January Planning & Zoning to the March Planning & Zoning meeting.

Proposed on the subject property are two multifamily buildings. The multifamily buildings would have 18 units each for a total of 36 residential units.

Proposed setbacks are 50' west, 40' north, 15' east and 0' south. A 50' buffer will remain to the west in a natural condition. Also, an 8' block wall will be constructed on the west and east property lines. Traffic generation will be approximately 36 peak hour trips.

The special exception would allow the developer to "get started" with building the portion of the project that is already zoned property.

Thank you for your consideration.

Sincerely,

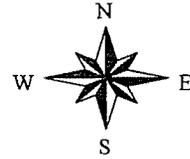
Nicholas W. Nicholson, P.E. 37862
President, Cert. of Authorization No. 7455

Received: 2-5-07

NWN:sad
Enclosures-Revised Site Plan/11 x 17 Plan



SE2007-01
Garden Homes, LLC
Dr. MLK, Jr., Boulevard
March 14, 2007



Legend

-  Garden homes special exception.shp
-  City Boundary (12/05/2005)

Prepared by
City of Brooksville
Community Development Department
March 14, 2007

MEMORANDUM

To: Honorable Mayor & City Council Members
Via: Steve Baumgartner, Acting City Manager
From: Bill Geiger, Community Development Director (BGA)
Subject: AX2007-02 - Voluntary annexation of 7.00 acres ±.
Petitioner: Sim L. Lowman, Jr. & Traci L. Lowman
Location: The property is located on the east side of the proposed North/South Connector Road (Governor Blvd) and south of Imogene Lane - See attached drawing
Date: April 18, 2007 ORD. NO. 744

The subject property is 7.00 acres ± located on the east side of the proposed North/South Connector Road (Governors Blvd) and south of Imogene Lane. Legal descriptions by metes and bounds are given in full in the petition packet. The petitioner is requesting, through the voluntary annexation process outlined in Chapter 171 Florida Statutes, for their 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 petitioner 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 voluntarily annexing 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 that is suitable to the property and consistent with the proposed use as approved by the City. Any development/use proposed prior to the City adopting said Comprehensive Plan Amendment must be consistent with the County's land use and zoning regulations.

It may be noted that future development of this property will be analyzed for impact to roads, utilities, drainage, public services, the environment and all other applicable land use criteria, and will be subject to meeting all federal, state and local agency permitting requirements. Comprehensive Plan Amendment and zoning petitions/applications will be coordinated (if applicable) with the Hernando County School Board and Hernando County Planning Department to solicit input pursuant to and consistent with existing interlocal agreements.

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 petitioner's request for annexation of their property into the City.

RECOMMENDATION

The Planning & Zoning Commission concurred with the staff recommendation to find that the annexation of land associated with Petition No. AX2007-02 is in compliance with Chapter 171, 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 7.00 ± acre tract of land, subject to the following conditions:

1. If development occurs on this parcel prior to the City adopting a Comprehensive Plan Amendment assigning a land use designation to this property, and zoning the property consistent with the land use designation, then said development would be required to comply with Hernando County land use and zoning regulations and be consistent with City of Brooksville performance standards.
2. Annexation shall include the integration of all public rights-of-way (as applicable) lying directly adjacent to the annexed property.

- Enclosures:**
- 1) Annexation Petition
 - 2) Petitioner's Letter (dated March 1, 2007)
 - 3) Proposed Annexation Ordinance

ORDINANCE NO. 744

**AN ORDINANCE ANNEXING CERTAIN REAL
PROPERTY INTO THE CITY OF
BROOKSVILLE, FLORIDA; PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, a petition from Sim L. & Traci L. Lowman has been filed with the City of Brooksville pursuant to Chapter 171, Florida Statutes, particularly Section 171.044, requesting the integration, annexation, and incorporation of certain real properties into the City of Brooksville, Florida, as shown on Exhibit "A", which is hereby incorporated herein by this reference, legally described as:

North 610.50 feet of the Southeast 1/4 of the Northeast 1/4 of Section 33, Township 22 South, Range 19 East, Hernando County, Florida Less the North 280.50 feet of the West 932.00 feet and less the South 330.00 feet of the West 330.00 feet thereof.

And

The South 330.0 feet of the West 330.0 feet of the North 610.5 feet of the SE 1/4 of the NE 1/4 (Fractional), Section 33, Township 22 South, Range 19 East, Hernando County, Florida. Together with an easement for ingress and egress and utilities over and across the north 15 feet of the SE 1/4 of the NE 1/4, West of the East right of way line of Young Street and the West 15 feet of the North 280.5 feet of the SE 1/4 of the NE 1/4 of said Section 33, Township 22 South, Range 19 east, Hernando County, Florida.

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

WHEREAS, the City Manager has determined the City's service delivery systems can accommodate the annexation of this parcel without adversely impacting other property within the City or the residents of the City, and;

WHEREAS, the City of Brooksville Planning and Zoning Commission recommended at its April 11, 2007 meeting that the City Council annex the referenced property, and;

WHEREAS, the City Council of the City of Brooksville, Florida, has reviewed the petition and the individual signatures thereto, to integrate certain territory into the City of Brooksville and hereby declares same to be sufficient under the terms and requirements of City Code and Chapter 171, Florida Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AS FOLLOWS:

1. The above recitals are incorporated herein and made a part hereof.
2. The property described hereto is hereby annexed by the City of Brooksville, subject to the conditions set forth as follows:
 - a. Annexation shall include the integration of all of the public right-of-way lying directly adjacent to the annexed property.
 - b. If development occurs on this parcel prior to the City adopting a Comprehensive Plan Amendment assigning a land use designation to this property, and zoning the property consistent with the land use designation, then said development would be required to comply with Hernando County land use and zoning regulations and be consistent with City of Brooksville performance standards.

3. Upon its effective date, this ordinance shall become and be made a part of the Official Code of Ordinances of the City of Brooksville and the sections of this ordinance may be renumbered to accomplish such intent.
4. Should this Ordinance contain provisions herein that are in conflict with any laws, rules, or regulations of higher authority, or be declared null and/or void of constitutional authority by courts of competent jurisdiction, such provisions so declared shall stand severed herewith and in which case all remaining provisions of this Ordinance not so declared, shall stand and continue in effect and shall take effect upon passage and will remain in force until superseded, supplemented, amended, repealed or otherwise altered.
5. 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 with the boundary revision described herein. The boundary lines of the City of Brooksville shall thereupon automatically be redefined so as to include supplementary the land described and incorporated into this ordinance.
6. This ordinance shall become effective immediately upon its adoption.

CITY OF BROOKSVILLE

Attest: _____
 Karen M. Phillips
 City Clerk

By: _____
 David Pugh
 Mayor

PASSED on First Reading _____

PASSED on Second & Final Reading _____

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

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



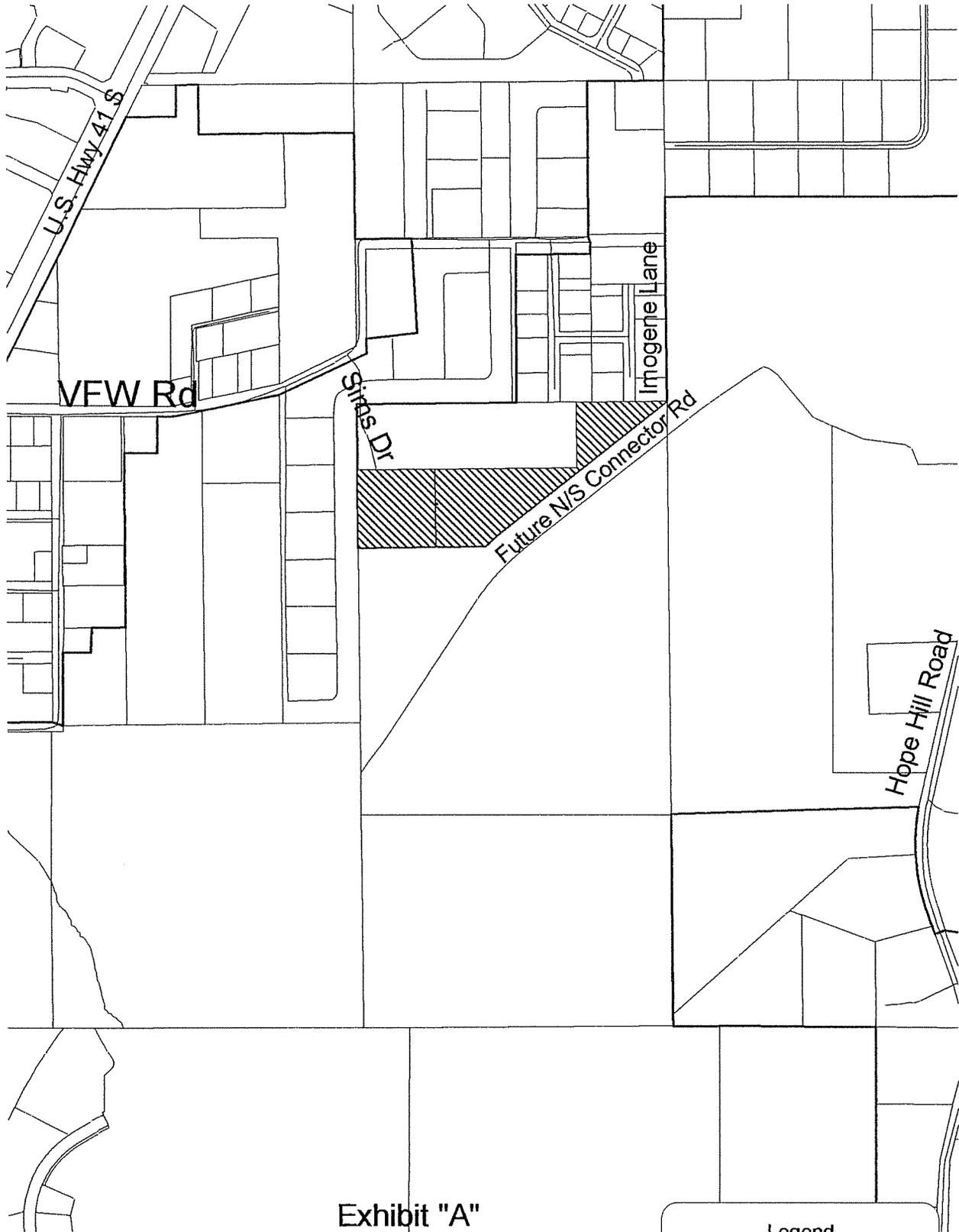
 David La Croix, City Attorney



Annexation Petition

Sim L. & Traci L. Lowman

7.00 Acres +/-



Prepared by
City of Brooksville
Community Development Department
04/11/2007

Exhibit "A"
Annexation
Ordinance No. 744

Legend	
	Lowman.shp
	City Boundary as of August 14, 2006

CITY OF BROOKSVILLE ANNEXATION PETITION

APPLICATION TO ANNEX REAL PROPERTY INTO THE CITY OF BROOKSVILLE

DATE 2-28-07 FILE # _____

Please print or type all information.

APPLICANT(S): Sim L. Lowman, Jr.
Tracie L. Lowman

Mailing Address: 7040 Sims Rd.
Brooksville, FL 34601

Daytime Telephone: 352/754-9847

REPRESENTATIVE: _____

Mailing Address: _____

Daytime Telephone: _____

LEGAL DESCRIPTION: Section 33 Township 22 Range AE

Size of Area Covered by Application: 7 acres 304,920

Highway & Street Boundaries: _____

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, Tracie Lowman + Sim Lowman, 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)
Tracie Lowman
Owner Signature(s)
[Signature]
Owner Signature(s)

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 2nd day of March by the above person(s) Tracie L. Lowman & Sim L. Lowman who is personally known to me or who has produced _____ as identification and who (did) (did not) take an oath.

[Signature]
Notary Public



U:\boldboards\pet_form\ax_petit

OWNER OR AGENT AFFIDAVIT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Tracie Lowman & Sim Lowman being duly sworn, hereby depose and say
~~Tracie Lowman & Sim Lowman~~ as the owner of the herein described property to-wit:

(Insert Legal Description Below)

PARCEL: R33 422 19 0000 0330 0030 1532050

N610.5 FT OF SE1/4 OF NE1/4
LESS N280.5 FT OF W932 FT &
LESS S330 FT OF W330 FT
THEREOF AND LESS A TR 610X776X
113X875 FT MOL AS DES IN
ORB 1931 PG 33

AND

PARCEL: R33 422 19 0000 0330 0020 1301610

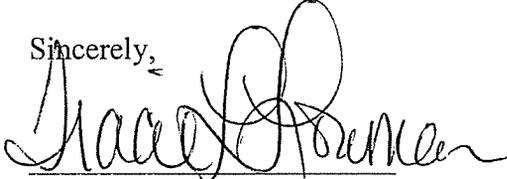
DESCR: S330 FT OF W330 FT OF
N610.5 FT OF SE1/4 OF NE1/4
ORB 1042 PG 83

3-1-07

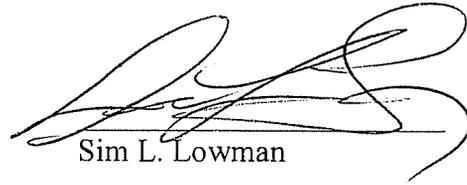
City of Brooksville
Zoning Department

Please accept this letter as explanation for our request for annexation of our property into the City of Brooksville. We request that our property, detailed in the legal descriptions submitted with this application, be annexed into the City limits of Brooksville. This annexation is essential to further development of our property.

Sincerely,



Tracie L. Lowman



Sim L. Lowman

RESOLUTION NO. 2007-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, AUTHORIZING THE CITY ATTORNEY TO WAIVE ANY FURTHER PROCEEDINGS UNDER FLORIDA STATUTES, CHAPTER 164, WITH REGARD TO PARTICULAR LITIGATION.

WHEREAS, the City Council of the City of Brooksville, on November 20, 2006, adopted Ordinances Nos. 724 and 725, annexing certain lands into the City of Brooksville; and

WHEREAS, on or about December 14, 2006, Hernando County filed an action in circuit court, the same being Case No. H-27-CA-2006-1531, challenging the validity of said annexation ordinances; and

WHEREAS, at no time prior to filing said action, and at no time within thirty (30) days after adoption of Ordinances Nos. 724 and 725 did Hernando County initiate the dispute resolution process set out in Florida Statutes, Chapter 164, as required by Florida Statutes, Section 171.081(2); and

WHEREAS, the City filed a motion to dismiss Case No. H-27-CA-2006-1531 because the County failed to comply with the statutory condition precedent set out in Florida Statutes, Section 171.081(2); and

WHEREAS, the court, rather than rule on the City's motion to dismiss, entered its order on February 6, 2007, abating Case No. H-27-CA-2006-1531 until the appropriate procedural options of Florida Statutes, Chapter 164, have been exhausted; and

WHEREAS, the City staff, County staff, City Attorney and County Attorney met on March 19, 2007, to begin the conflict assessment phase, as set out in Florida Statutes, Section 164.1053, and to discuss the issues pertaining to the conflict over the annexations; and

WHEREAS, during said conflict assessment phase, the City staff asked what problems or issues were caused by the annexations, so that the City could propose possible ways of resolving such problems or issues, but the County staff could identify no harm to the County caused by the annexations at issue and no problems with the delivery of County services to any area as a result of the annexations; and

WHEREAS, it was clearly stated by the County Attorney during said conflict assessment phase that the only apparent problem with the annexations was that, in the opinion of the County Attorney, the annexations did not meet the requirements of Florida Statutes, Chapter 171, and that the only way the City could address such concerns would be to repeal the annexation ordinances; and

WHEREAS, the City and County staffs, the City Attorney and the County Attorney agreed that there was nothing that could be resolved between the parties, except for a judicial determination as to whether or not the annexations met the statutory requirements and whether or not the County could maintain a challenge to the annexations because of Florida Statutes, Section 171.081(2), and that continued proceedings under Chapter 164 would be fruitless; and

WHEREAS, the City Council has been advised by the City Attorney that it could waive any further procedures under Florida Statutes, Chapter 164, without abandoning its position that the County failed to timely comply with Florida Statutes, Section 171.081(1).

NOW, THEREFORE, be it RESOLVED by the City Council of the City of Brooksville, Florida, that:

SECTION 1. Each of the statements set out in the foregoing preamble clauses is true and correct.

SECTION 2. The City Attorney is hereby authorized to enter into a stipulation with the County and its attorneys, agreeing to waive any further proceedings pursuant to Florida Statutes, Chapter 164, in regard to Case No. H-27-CA-2006-1531, but preserving the City's right to argue the County's non-compliance with Florida Statutes, Section 171.081(2), as a basis for dismissal of the litigation.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

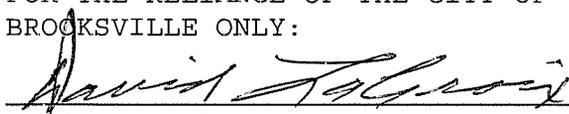
ADOPTED at a regular meeting of the City Council of the City of Brooksville, Florida, this 7th day of May, 2007.

CITY OF BROOKSVILLE

BY: _____
David Pugh
Mayor

ATTEST: _____
Karen M. Phillips, City Clerk

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


David LaCroix, City Attorney

VOTE OF CITY COUNCIL
Bernardini _____
Bradburn _____
Burnett _____
Lewis _____
Pugh _____

CITY OF BROOKSVILLE

MEMORANDUM

To: Steve Baumgartner, City Manager

From: Emory H. Pierce, Director of Public Works
Bill Geiger, Community Development Director

Re: **Construction Project Policy # 3-2007**

Date: April 26, 2007

DISCUSSION

In the past, the City has allowed developers to sell lots in subdivisions after a final plat is approved and the needed infrastructure is bonded. Nothing prohibits a developer from starting road and/or underground utility infrastructure construction any time after conditional/preliminary or final plat approval as long as the developer obtains the necessary regulatory permits and the City approves the clearing/construction plans. The City has also issued building permits when infrastructure was nearing substantial completion. The building permits issued were primarily for common area facilities and “model homes”. One thing done to protect the City from, “liability”, (even though the infrastructure is bonded) was not to accept any impact/connection fees or allow a meter to be installed until the water and sewer lines are accepted by FDEP.

One pressure point for ensuring compliance with City requirements is to withhold the issuance of a “Certificates of Occupancy” (CO). However, if buildings are not constructed, then development completion is contingent on the developer’s time line and any performance conditions that may be associated with the plat approval process. Since construction can start prior to final plat approval, it seems that the trigger date for meeting specific City requirements needs to be the start of construction for infrastructure items such as a road segment, utilities or a building. However, some construction projects such as a strip shopping center, office or apartment complexes may not involve any public infrastructure construction. Therefore, the City will need to use the date of the start of construction or clearing and grubbing, whichever comes first.

NOTE: Clearing is defined as the cutting down, removal, or uprooting of trees with a trunk diameter, measured at breast height (DBH) of four inches or greater. Grubbing is defined as the disturbance (including bringing in fill dirt) of the soil or anything covering the soil.

CITY OF BROOKSVILLE

OFFICIAL POLICY 3-2007

CONSTRUCTION PROJECT POLICY

EROSION & DEBRIS CONTROL

Prior to the issuance of a building permit or start of any clearing, grubbing or construction on any site 1/4-acre or larger, the owner shall submit to the City a Tree and Landscaping mitigation plan consistent with requirements of Section 109, City Code, and related policy. Additionally, the developer must submit a Stormwater Pollution Prevention Plan (SWPP), which shall include the following minimum items:

1. Slope of land and points/areas where runoff will leave the site.
2. Any streams or bodies of water within 300'.
3. Erosion control to be put in place prior to any site clearing or hauling in of fill. This will primarily be silt screen properly dug in and installed.
4. Name of company providing litter and debris control with container size and pickup schedule.

During construction/clearing, the erosion and debris control items will be maintained and kept functional. Areas disturbed by construction, outside of the building footprint are to be seeded and mulched within seven days or protected to the satisfaction of the City with other approved cover.

Prior to the acceptance or approval for use of any public facilities (roads, sidewalks, water and/or sewer lines) adequate cover over disturbed or filled areas shall be established.

To ensure adequate erosion and debris control and the establishment of satisfactory ground cover, the work shall be bonded in the amount of 125% of an engineer's certified cost estimate (provided by the developer and) approved by the City. *(NOTE: References to a "bond" or "bonding" within this document may be supplanted with the provision for the developer to provide certified funds/cash in an equivalent amount to the bond reference, which would be placed on deposit with the City.)* Said funds will be returned in full only if erosion and debris control are adequately maintained and completed to the satisfaction of the City. During the active project, the City may (in its sole discretion) use the bond/funds to correct erosion and debris control deficiencies that are not being addressed by the developer in accordance with this policy. Said bond or deposit shall be in place and accepted by the City prior to the approval of any SWPP.

Minor site clean-up activity and under brushing are allowed without having to obtain a permit as long as environmentally sensitive areas and trees with a DBH of 6" or greater are protected and left undisturbed.

SIDEWALKS

PUBLIC CITY MAINTAINED ROADS

Whenever a new public road is constructed, sidewalks shall be installed on both sides of the entire length of the road within two years from the date of "FINAL PLAT APPROVAL" or "START OF CONSTRUCTION," whichever occurs first. Said work shall be bonded in the amount of 125% of an engineer's certified cost estimate (provided by the developer and) approved by the City. Said bond shall be in place and accepted by the City prior to final plat approval. Exceptions to this must be approved by City Council.

PRIVATE NON-CITY MAINTAINED ROADS

Whenever a new private road is constructed, sidewalks shall be installed on both sides of the entire length of the road within five years from the date of "FINAL PLAT APPROVAL" or "START OF CONSTRUCTION," or when 80% of the lots have developed, whichever comes first. Said work shall be bonded in the amount of 125% of an engineer's certified cost estimate (provided by the developer and) approved by the City. Said bond shall be in place and accepted by the City prior to final plat approval. Exceptions to this must be approved by City Council.

Sidewalks across common areas will be constructed, "WITHIN ONE YEAR OF THE START OF CONSTRUCTION", or, "PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY STRUCTURE ASSOCIATED WITH THE PROJECT," (whichever occurs first). Prior to the fifth year or 80% deadline, sidewalks will be constructed across all lots.

COMMERCIAL CONSTRUCTION

All new commercial construction within the City shall be required to construct sidewalks along all streets abutting the property/parcel for which a building permit is issued. The sidewalks shall be completed prior to the issuance of a Certificate of Occupancy, or within two years of the start of construction, whichever comes first. The City may require that the sidewalks and any other public facilities associated with the project be bonded in the amount of 125% of an engineer's certified cost estimate (provided by the developer and) approved by the City, to ensure completion of construction. Said bond shall be in place and accepted by the City prior to the start of construction. Exceptions to this must be approved by City Council.

PAVING

PUBLIC CITY MAINTAINED ROADS

Whenever a new public road is constructed, as part of a new subdivision, the paving may be done in two lifts, with the second and final lift occurring after most major construction is finished or within one year from the date of installation of the first lift, whichever comes first as determined by the City. The City may require that the paving and any other public facilities associated with the project be bonded in the amount of 125% of an engineer's certified cost estimate (provided by

the developer and) approved by the City, to ensure completion of construction. Said bond shall be in place and accepted by the City prior to the start of construction. Exceptions to this must be approved by City Council.

PRIVATE NON-CITY MAINTAINED ROADS

Whenever a new private road is constructed, as part of a new subdivision, the paving may be done in two lifts, with the second and final lift occurring after most major construction is finished or within two years from the date of installation of the first lift, whichever comes first as determined by the City. The City may require that the paving and any other public facilities associated with the project be bonded in the amount of 125% of an engineer's certified cost estimate (provided by the developer and) approved by the City, to ensure completion of construction. Said bond shall be in place and accepted by the City prior to the start of construction. Exceptions to this must be approved by City Council.

ESTABLISHED BY CITY MANAGER: _____
Steve Baumgartner Date
Interim City Manager

ADOPTED BY CITY COUNCIL: _____
Date

MEMORANDUM

To: Stephen Baumgartner, Interim City Manager
From: Emory Pierce, Director of Public Works
Will Smith, Utilities Superintendent *W. Smith*
Date: April 25th 2007
Subject: Disbrow Builders – Chapman Office Warehouse Complex

I am requesting this item be placed on the next regular meeting agenda for consideration by the City Council.

The subject site is located at the end of Chapman Drive adjacent and west of the nursing home. It is currently inside the City limits.

The owner plans to develop 22 office warehouse units approximately 1400-1500 square feet each.

The developer is requesting an incremental payment plan for the connection fees. This is the same payment plan presented to Council for Sea Gate and Brooksville Medical Complex.

The owner will be installing a larger water line to supply the required fire flows to the site. As provided for by City Code he will receive water connection fee credits for a portion of the off-site water line improvements.

There are no other contributions by the City.

I am recommending the Council approve this agreement subject to the City Attorneys final review and comments.

Utility Service Agreement
between the
City of Brookville
and
Disbrow Builders, Inc.

This UTILITY SERVICE AGREEMENT (herein "AGREEMENT") is made and entered into this ____ day of _____, 2007, between the **CITY OF BROOKSVILLE, FLORIDA**, a municipality incorporated under the laws of the State of Florida, hereinafter referred to as the "CITY" and **DISBROW BUILDERS, INC.**, a Florida company organized under the laws of the State of Florida, hereinafter referred to as the "DEVELOPER". For and in consideration of Ten Dollars (\$10.00) each in hand paid to the other and other valuable consideration, the parties agree as follows:

WHEREAS, the DEVELOPER proposes to develop a 22 unit office warehouse complex of approximately 30,915 s.f., on real property which is described in "Exhibit A", attached hereto, (herein "PROPERTY"). The real property is not presently within the City of Brookville corporate limits. The conceptual development plan is shown in "Exhibit B" attached hereto, (herein "DEVELOPMENT")

WHEREAS, the DEVELOPER is desirous of building said facility;

WHEREAS, the DEVELOPER hereby requests potable water and wastewater service from the CITY subject to the parties entering into an agreement to provide said service for the DEVELOPMENT;

WHEREAS, the CITY enters into this AGREEMENT under the provisions of Chapter 180, of the Florida Statutes. In exercising such provisions as have been stipulated herein above, the CITY agrees to fulfill all of its obligations and responsibilities for protecting the public health, safety, and welfare associated therewith pursuant to law and the Constitution of the State of Florida, and the Comprehensive Land Use Plan of the City of Brooksville, Florida as adopted and approved;

WHEREAS, the CITY has certain ordinances and implementing policies in effect as of the date of this Agreement providing for connection to and service by CITY owned and operated utility systems;

WHEREAS, said ordinances additionally provide for the levying of specific fees, charges and assessments for service to be rendered;

WHEREAS, the CITY is desirous of providing said services for the DEVELOPMENT and DEVELOPER is desirous of receiving such services;

WHEREAS, the parties desire to delineate, make certain and define each of their respective responsibilities and obligations with respect to water and wastewater facilities for the DEVELOPMENT;

IT IS THEREFORE agreed by and between the parties, in consideration of the mutual terms, covenants and conditions herein, the commitments by the DEVELOPER, the commitments by the CITY and other good and valuable considerations, the receipt and sufficiency of which is acknowledged by both the CITY and DEVELOPER, as follows:

1. The WHEREAS recitals herein are true and correct.
2. The following attachments and exhibits which are attached hereto and incorporated into the content of the AGREEMENT by reference:

"Exhibit A" Legal Description

"Exhibit B" Site Plan

"Exhibit C" Wastewater Element

"Exhibit D" Water Element

"Exhibit E" Development Schedule

"Exhibit G" Utility Fee Payment Element

"Exhibit H" Roadway Improvement Element

3. Both parties agree that any correspondence about the AGREEMENT will be considered officially served by a receipt for U.S. Postal Service certified to the following address:

For the DEVELOPER: Disbrow Builders, Inc.
125 Twelve Oaks Lane
Ponte Verdra Beach, Florida 32082

For the CITY: City Clerk
City of Brooksville
201 Howell Avenue
Brooksville, Florida 3460 1

4. The DEVELOPER agrees to obtain all easements or right-of-way use permits required to install and operate all utility improvements installed by the DEVELOPER. The DEVELOPER also agrees to grant the CITY a utility easement, using the CITY'S Grant of Easement form, along with the right of ingress and egress within the DEVELOPMENT for those specific water and wastewater improvements that will be dedicated to the CITY that are not within public right-of-ways or easements. The DEVELOPER agrees to furnish the CITY officially recorded copies of all easements or right-of-way use permits obtained for the DEVELOPMENT.
5. Failure of either party to exercise any right or power given herein, or to insist upon compliance by the other party with its obligations set forth herein, shall not constitute a waiver of either party's rights to demand strict compliance with the terms and provisions of the AGREEMENT.
6. The CITY and DEVELOPER acknowledge that the AGREEMENT provides terms, which constitute the CITY'S response to the DEVELOPER'S request for utility services from the CITY. The availability of such services is based upon and subject to the terms of the AGREEMENT and applicable regulations and regulatory approval by other governmental agencies if and as required
7. The AGREEMENT may not be changed orally. Amendment hereto shall be in writing and signed by the parties.
8. Titles and captions to paragraphs are inserted for convenience only, and in no way define, limit, extend or describe the scope or intent of the AGREEMENT or the paragraphs or provisions herein.
9. Neither party shall declare the other in default of any provisions of the AGREEMENT without giving the other party at least thirty (30) days advance written notice of intention to do so, during which time the other parties shall have the opportunity to remedy the default. The notice shall specify the default with particularity.

10. The terms and provisions of the AGREEMENT shall be a commitment and obligation which shall not only bind the present DEVELOPER of said described real property, but shall be a covenant which shall run with the land and shall bind and be enforceable against the heirs, successors and assigns of the DEVELOPER.
11. The AGREEMENT will be in full force and effect for a term of 50 years, or such longer term as the CITY provides water or wastewater service to the DEVELOPMENT, unless terminated as provided herein.
12. The DEVELOPER shall reimburse the CITY for any costs incurred by the CITY to record the AGREEMENT in the official record books of Hernando County. Connection to the CITY'S Utility System will not be authorized until these recording costs are paid to the CITY.
13. The respective duties and obligations of the parties herein shall be suspended while and so long as performance thereof is prevented or impeded by any cause including and/or similar to the following which is beyond the reasonable control of the party from who the affected performance was due to an act of God, epidemic, landslide, severe weather, lightning, earthquake, fire, explosion, flood, hurricane, tornado, act of public enemy, war blockade, insurrection, riot, civil disturbance, general arrest or restraint by government, individuals or the public.
14. In the event DEVELOPER notifies CITY that services are no longer required by DEVELOPMENT, or the facilities are not operated and maintained by DEVELOPER as required herein service may be discontinued at CITY'S option upon ninety (90) days notice to DEVELOPER.
15. The AGREEMENT and all questions relating to its validity, interpretation, performance and enforcement shall be governed by and construed in accordance with the laws of the State of Florida. The parties further agree that the venue of any legal action concerning this AGREEMENT will be Hernando County, Florida. The prevailing party in any litigation arising out of this AGREEMENT will be entitled to cost and reasonable attorney fees.
16. The AGREEMENT is predicated on the representation by the DEVELOPER that the specific use of the DEVELOPMENT is substantially as stated herein. The CITY may require an amendment to the AGREEMENT or a separate agreement in the event of a change substantive in scope of the DEVELOPMENT.

17. The CITY agrees to provide utility service only for the phases of the DEVELOPMENT as described herein. It is specifically agreed that such commitment shall be contingent on the payment of all fees assessable to this DEVELOPMENT, compliance with all applicable regulations, all required permits being issued, with proof of such issuance being provided to the CITY in the form of an original or certified true copy of such permit documentation which shall be incorporated herewith as a condition precedent, and shall become a part hereof. Water and/or sewer improvements may not be placed in service until the applicable permit closeout certifications have been provided to the CITY in the form of an original or certified true copy of such permit documentation, and final inspection and approval by the CITY.
18. If construction of the off-site facilities has not commenced four years after the execution hereof, or if the construction of the off-site facilities has not been completed within five years, the commitment on the part of the CITY to provide utility services within the provisions contained herein shall expire within sixty (60) days of written notice to DEVELOPER.
19. This commitment is subject to the prompt payment of CITY'S fees for water and wastewater services, according to the rates category and frequency established by the CITY, which may from time to time be adopted or amended.
20. All improvements installed by the DEVELOPER and dedicated to the CITY herein will remain the property of the DEVELOPER until accepted by the CITY in writing. Said improvements shall be maintained by the DEVELOPER until accepted by the CITY. Final acceptance will be given 365 calendar days following construction and final inspection and approval by the CITY. The CITY will perform a final inspection of the installed improvements, 30 days prior to acceptance and will provide the DEVELOPER a written notice of acceptance upon correction of inspection concerns, if any. Any expenses sustained by the CITY prior to final acceptance because of a failure of the improvements installed by the DEVELOPER and the DEVELOPER'S unwillingness or inability to restore service within a four hour period shall be repaid by the DEVELOPER.
21. The DEVELOPER agrees to provide the CITY with one complete copy of the record drawings of all installed improvements, signed and certified by the project engineer, upon completion of the DEVELOPMENT.
22. The DEVELOPER hereby affirms that it has the legal authority to construct the DEVELOPMENT as indicated in the AGREEMENT. The DEVELOPER agrees to protect the CITY from all claims of ownership for rights and privileges granted by the DEVELOPER to the CITY.

23. The DEVELOPER hereby agrees to appoint the CITY or its duly authorized representative as its irrevocable attorney in fact with absolute and specific authority to execute and file any and all such petitions for voluntary annexation of the DEVELOPMENT into the CITY OF BROOKSVILLE. The DEVELOPER on behalf of itself, its heirs, assigns and successors in interest does hereby irrevocably consent to said annexation. This agreement shall remain in full force from date of execution for a period not to exceed 50 years.

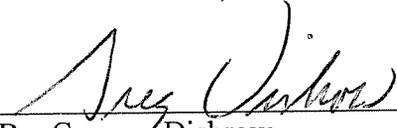
IN WITNESS WHEREOF, the parties hereto have set their hands and seals this _____ day of _____, 2007.

FOR THE DEVELOPER

FOR THE CITY

Disbrow Builders, Inc.

City of Brooksville


By: Gregory Disbrow

By:

STATE of Florida
COUNTY of Sarasota

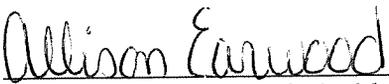
ATTEST:

Karen M. Phillips, CMC, City Clerk

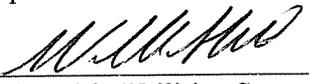
The forgoing instrument was acknowledged before me this 10th day of April, 2007, by Gregory Disbrow, President and Treasurer of Disbrow Builders, Inc., an individual, who is personally known to me or who has produced FL Driver License, as identification and who (DID) (DID NOT) take an oath.

Approved as to form and content for the reliance of the City of Brooksville only.

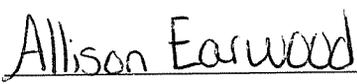
David LaCroix, City Attorney

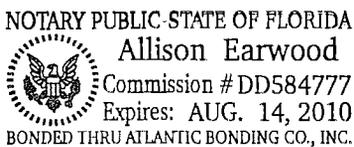

Notary Public, State of Florida

Approved as to technical content and City Requirements

 3/10/7

Will Smith, Utilities Superintendent


Notary Name Printed



"EXHIBIT A"
LEGAL DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA; THENCE GO NORTH 00°03'40" EAST ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 A DISTANCE OF 229.29 FEET TO THE POINT OF BEGINNING; THENCE GO NORTH 89°25'47" EAST A DISTANCE OF 248.05 FEET; THENCE GO NORTH 00°34'13" WEST A DISTANCE OF 445.71 FEET; THENCE GO SOUTH 89°25'47" WEST A DISTANCE OF 243.15 FEET; THENCE GO SOUTH 00°03'40" WEST A DISTANCE OF 445.78 FEET TO THE POINT OF BEGINNING.

**EXHIBIT “C”
WASTEWATER ELEMENT**

1. The DEVELOPER has requested wastewater service from the CITY. The DEVELOPER agrees to provide centralized wastewater service by the installation of wastewater collection lines, transmission lines, force mains and pumping stations and connection to the DEVELOPMENT’s point of connection.
2. The DEVELOPMENT’s point of connection for CITY sewer service will be an existing sanitary manhole in Chapman Drive as shown in “Exhibit B”. The DEVELOPER agrees to have all of said wastewater facilities designed in accordance with the CITY’S construction standards and sized to accommodate all flows from the DEVELOPMENT as planned.
3. The CITY represents and warrants that, provided the DEVELOPER constructs the wastewater improvements described in paragraph 1 above the CITY will have plant and other wastewater facilities capacity to provide wastewater service to the DEVELOPMENT, as contemplated by this Agreement.
4. In addition, the DEVELOPER shall construct at its expense, the on-site wastewater collection lines, pump stations and related appurtenance required by the DEVELOPMENT. Said on-site lines shall be constructed to CITY standards subject to plan review and approval by the CITY and the cost of said lines shall not receive connection (impact) fee credits/offsets. The wastewater collection and transmission lines and appurtenances thereto constructed by the DEVELOPER, in accordance with provisions herein shall remain the property and maintenance responsibility of the DEVELOPER.
5. The parties agree that wastewater facilities installed by the DEVELOPER shall remain the property and maintenance responsibility of the DEVELOPER.
6. The CITY represents and warrants that provided the DEVELOPER constructs the wastewater improvements described above, the CITY will have plant and other wastewater facilities capacity to provide wastewater service to the DEVELOPMENT, as contemplated by this Agreement.
6. The DEVELOPER agrees that all wastewater facilities will be designed and constructed in accordance with CITY Code and CITY standards existing at time of permitting.
7. The DEVELOPER is not receiving construction plan approval by this agreement and agrees to submit construction plans for final review and approval by the CITY prior to the start of any construction of the DEVELOPMENT.

"EXHIBIT D"
WATER ELEMENT

A. DEFINITIONS: For the purpose of this AGREEMENT, unless the context clearly indicates otherwise, the following terms shall have the following meanings.

I. WATER SUPPLY shall mean all off-site potable water lines and attendant facilities used to supply potable water to the DEVELOPMENT.

2. WATER DISTRIBUTION shall mean all on-site potable water lines and attendant facilities that are within the specific physical boundaries or needs of the DEVELOPMENT.

B. WATER SUPPLY

1. The DEVELOPMENT shall be supplied water from the existing capacity of the CITY'S existing wells and water treatment plants.

2. The point of connection for water will be an existing twelve (12) inch water line located in the in the right of way of Broad Street.

3. The DEVELOPER agrees to connect to the existing water line and extend a ten (10) inch water line the within the right-of-way of Chapman Drive as shown in Exhibit B. The costs for the portion of the water line installed within the right-of-way of Chapman Drive minus less 300 feet be considered Off-site Water Facility Construction for purposes of eligibility for impact fee credits or refund under the Connection Fee Payment Element. All water facilities installed in Chapman Drive become the property of the CITY upon final inspection and acceptance by the CITY as provided for herein.

C. WATER DISTRIBUTION: The DEVELOPER, at its own expense, agrees to install all service lines to lots or units, backflow devices and appurtenances, as applicable, sized to be sufficient to provide water service within the DEVELOPMENT in accordance with plans as shall be approved by the CITY. Said facilities will remain the property of the DEVELOPER.

- D. **METERING:** The DEVELOPMENT shall be supplied potable water by the installation of one master meter and reduced pressure backflow devices near the property line. The DEVELOPER agrees to install the meters larger than two (2) inches in accordance with CITY standards. The CITY will install meters two (2) inches and smaller. The backflow devices will remain the property and maintenance responsibility of the DEVELOPER. Meters installed by the DEVELOPER will become the property of the CITY upon acceptance by the CITY as provided herein. The individual units will be sub-metered by the DEVELOPER on an actual basis.
- E. **MAINTENANCE OF INSTALLED FACILITIES:** The parties agree that water facilities installed by the DEVELOPER and identified herein as owned by the DEVELOPER shall remain the property and maintenance responsibility of the DEVELOPER. The DEVELOPER, at its expense agrees to operate and maintain those facilities in good working order and in compliance with all applicable rules and regulations. The perpetual operation and maintenance of said improvements shall be the responsibility of the DEVELOPER and heirs of the PROPERTY.
- F: **DESIGN AND PERMITTING STANDARDS:** The DEVELOPER agrees that all water system design, permitting and construction shall comply with the rules, requirements, recommendation and specifications of the CITY, the American Water Works Association, the Federal and State Department of Environmental Protection, and any other regulatory agencies having jurisdiction, and shall be subject to inspection and final approval by the CITY
- G. **CONSTRUCTION PLAN APPROVAL:** The DEVELOPER is not receiving construction plan approval by this agreement and agrees to submit construction plans for final review and approval by the CITY prior to the start of any construction of the DEVELOPMENT.

"EXHIBIT E"
DEVELOPMENT SCHEDULE

Should the DEVELOPMENT be delayed for more than four (4) years from the date of this agreement or the construction of the off-site water and wastewater pipelines be delay for more than two (2) years, the CITY may withdraw any commitment to provide services in accordance with the provisions of this agreement and applicable City Code in affect at the time.

**“EXHIBIT G”
UTILITY FEE PAYMENT ELEMENT**

A. Connection Fee Assessment:

Connection fees are assessed as Equivalent Residential Units (ERU). An ERU is defined as 250 gallons per day for potable water and 200 gallons per day for wastewater or 24 fixture units per ERU. The current connection fee rate at the time of execution of this AGREEMENT is \$672 for water and \$1728 for wastewater. These rates are subject to change.

The water and sewer connection fees are assessed as follows:

	Flow (gpd)	Total ERUs	Total Fees
<u>Water Connection Fees</u>			
22 Commercial Units	5500	22.0	\$ 14,784.00
 <u>Sewer Connection Fees</u>			
22 Commercial Units	4400	22.0	\$ 38,016.00
<u>Total Connection Fees -</u>			<u>\$ 52,800.00</u>

* Units were assessed the minimum 1 ERU per unit initially. Additional connection fees may be assessed when occupancy is known.

B. Payment of Connection Fees - Incremental Payment:

1. The DEVELOPER hereby agrees to pay the water and wastewater connection fees for the DEVELOPMENT prior to the issuance of each building permit. The amount of the fees shall be the fees at the time of the issuance of the building permit. In the alternative, the DEVELOPER may utilize connection fee credits it received in exchange for off-site water.
2. Within one-hundred-eighty (180) days of execution of this agreement but prior to obtaining any building permit, the DEVELOPER shall pay twenty (20) percent of the total utility fees for the DEVELOPMENT as a down payment.

3. The balance of the water and sewer connection fees shall be paid as building permits are issued so twenty (20) percent of the total water and sewer connection fees remain prepaid. The twenty (20) percent down payment cannot be utilized until the balance of the water and sewer connection fees have been paid.
4. The remaining balance of all water and sewer connection fees become due no later than four years after the execution of this agreement.
5. If the DEVELOPMENT is delayed for more than four (4) years from the date of this agreement, the CITY may withdraw any commitment to provide services in accordance with the provisions of this agreement and applicable City Code in affect at the time.
6. Connection fees may be paid in cash or by credits given for off-site improvements as provided for in this agreement.

B. Connection Fee Credits:

1. For the purpose of establishing water and sewer connection fee credits for applicable off-site water and sewer improvements. Credits will be established when the facility is completed physically and all permits closures are received from the appropriate regulatory agency. Water and sewer connection fees are mutually exclusive and cannot be commingled.
3. The DEVELOPER shall pay customary water or wastewater connection fees for all sanitary sewer or potable water connections within the DEVELOPMENT; at such rates exist at the time building permits are pulled. Provided, however that the DEVELOPER shall receive credits against connection fees related to water for the DEVELOPMENT not to exceed the amount of the cost to the DEVELOPER for off-site water facility construction costs. No credits or offsets shall be given for easements, rights-of-ways or costs for water or wastewater facilities that are internal to the DEVELOPMENT. Said credits shall be calculated on a per equivalent residential unit (ERU) basis, based upon the value of the credit at the time it is created.
4. Connection fee credits may be redeemed on a per ERU basis, regardless of any subsequent increase or decrease in connection fees. The DEVELOPER'S credits shall then be reduced by the number of ERU's the dollar amount of such payment would have represented when the credits were created. In no case shall the credit be greater than the DEVELOPER'S off-site costs. Unused connection fee credits shall expire ten years after established in accordance with this Agreement.

5. On or before each year following the CITY's determination of the number of water connection fee credits, the CITY agrees to account to the DEVELOPER as to the number of connection fee credits held by the DEVELOPER provided the DEVELOPER submits a written request for an accounting to the CITY ninety days in advance.

C. Connection Fee Refunds:

1. The amount of connection fee credits will be determined as of the date the CITY approves the amount of the costs of the DEVELOPER'S off-site water facilities. Both parties agree that no connection fees shall be refunded or credits created until the off-site water facilities are completed and connected to the CITY'S system and all regulatory approvals have been obtained, and the CITY has approved the costs of construction.
2. Connection fee refunds are only available after all connection fees assessable to the DEVELOPMENT have been paid.
3. In order to receive a refund for connection fee credits created by off-site construction as provided for herein refunds must be applied for by the DEVELOPER and the CITY must be given 45 days to validate and process the request by the DEVELOPER.



CITY OF BROOKSVILLE

Memorandum

TO:

(X) Mayor David Pugh
(X) Vice Mayor Frankie Burnett
(X) Council Member Joe Bernardini
(X) Council Member Lara Bradburn
(X) Council Member Richard E. Lewis

ACTION:

() As you requested
() For your information
(X) Appropriate action
() Review and return
() Review & route

FROM: Steve Baumgartner
Interim City Manager

DATE: April 30, 2007

SUBJECT: Juneteenth Committee

Karen Phillips received a Fax from the County Parks Department concerning a request from Paul Boston to appear before the County Commission concerning the Juneteenth Festival. Mr. Boston resigned from the Juneteenth Committee, but has withdrawn his resignation.

On the attached list is a column entitled 'City Request' which was received by Staff through the County, rather than from the Juneteenth Committee.

I called Mr. Boston this A.M. due to the fact Council has not voted on these items. We are having difficulty putting a cost on many of these items for Council's consideration because of lack of specifics. Mr. Boston will provide that information on Wednesday or Thursday, but well after our one-week deadline for Agenda Items. Our Public Works and Parks Department have provided the attached expense information, regarding this event and, at this time, total waived fees total \$5,063.16.

The Festival is scheduled for June 13 through June 17th, 2007, and Council approval is needed, especially for overtime.

JUNETEENTH HISTORICAL FESTIVAL

PHONE 352-3500

JUNE 13TH THROUGH JUNE 17TH 2007 18071 Boca Raton St. Brooksville, Fl. 34604

COMMITTEE MEMBERS

- Chairperson
Paul Dutton
- Treasurer
Steve Zelenak
- Secretary
Suzanne Tauchten
- Program Director
Helun Drijbae
- Business Director
Feanille Burnett
- Activities Director
Paul Douglas
- Muse Director
Carlton Burgess
- Arts & Crafts Coordinator
Jan Lemly
- S.T. Director
Heany Touchton
- Event Coordinator
Peter Rocco
- Asst. Music Director
Marie Snow
- Ceremonial Secretary
Jerry Cowling
- Asst. Vendor Coordinator
Joanna Mumford
- Historical Trail Coordinator
Jennifer Sullivan
- Learn Committee
Carmela DeGado
- Volunteer Coordinator
Joseph Moore
- Food Safety
Martha Mayer
- Event Day
Jerry Cowling
- Ceremonial Coordinator
Robin Rowles
- Shanda Wolfe
- Mitchell
- Richard Howard
- D.R. Coordinator
Kym Williams

Sponsored By

- History Inc
- City of Brooksville
- Hernando County
- Lawrence Kelly Lodge
- Grege Bean Inc
- 1885 Brooksville
- Time Depot & Museum
- Historical Center
- Handbell Club
- Good Neighbor Trail
- Hernando County
- Home Art Council
- Hernando County
- Green Party

Committee

Other Committee Members

- Reese Rocco
- Ron Daniel
- Carl Shute
- Colvin Hill
- Suzanne Arthur
- Carl Strick
- Susan Woods
- Angie Davis
- Wanda M. Began
- Christie Van
- Annmarie Black
- Christina Hamilton
- Debra L. Hines
- Ami. L. Hines
- Laura B. Cook
- Sheryl Sawyer

April 15, 2007

CITY REQUEST

1. USES OF PARK
2. PRISONER CLEAN-UP CREW
3. WAIVER OF ALL FEES
4. HELP FROM THE POLICE DEPT.
5. HELP FROM THE FIRE DEPT.
6. HOOK UP TO THE DPW ELECTRICAL
7. CLEAN-UP OF THE PARK
8. PORTABLE STAGE
9. DUMBEST *DUMSTER*
10. HELP WITH THE SET UP
11. CUT THE GRASS AND BUSHES
12. HELP TO PROMOTE THIS EVENT
13. B.E.R.T. COMFORT STATION
14. FIRE DEPARTMENT DISPLAY
15. P.A. SYSTEM

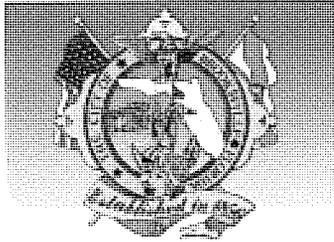
COUNTY REQUEST

1. SOUND EQUIPMENT
2. VIDEO COVERAGE
3. CHAIRS
4. TABLES
5. TENTS
6. PORTAPOTIES
7. TV BROADCAST OF INFORMERCIAL
8. 60 SEC COMMERCIAL
9. POWER GENERATOR
10. SHERIFF SUPPORT
11. COUNTY DISPLAY VEHICLE'S
12. HELP WITH SET UP
13. COMFORT STATION
14. YOUTH CONCERTS
15. SUPPORT FROM THE FINE ART COUNCIL.
16. AREA SPRAYING
17. HELP FROM COOPERATE EXTENSION

Sponsorship

CITY OF BROOKSVILLE PARKS & RECREATION DEPARTMENT

MEMORANDUM



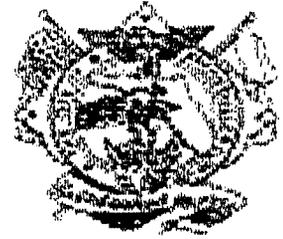
To: Steve Baumgartner, Interim, City Manager
From: Mike Walker, Director Parks & Recreation
CC: Honorable Mayor & City Council Members
Date: April 27, 2007
Re: Request for Fee Waiver / Russell Street Park

As discussed at the April 16, 2007 City Council meeting, J.U.S.T. U.S. Inc. is requesting fees to be waived in the amount of \$850.00 for the use of Russell Street Park on June 13 through 17, 2007 for a Multi-Culture Historical Festival, "Juneteenth Festival".

The deposit of \$300.00 will still be required along with the Not-For-Profit certificate and the certificate of insurance. Attached is the facility use agreement.

/aw

CITY OF BROOKSVILLE PARKS & RECREATION DEPARTMENT FACILITY USE AGREEMENT



Everett Brown Community Center
 Hall
 Conference Room
 Kitchen
 Other Facility Russell Park

Name of applicant (User) J.U.S.T.U.S. INC.

If an organization, name of representative: Paul Boston

Not-for-Profit (attach copy of certificate)
 Government Agency
 Day Co-Sponsored
 Address 16071 Boca Raton St. City: Brooksville State: Fl. Zip: 34604

Contact person: Paul Boston Day Telephone: 352 797-5451 Evening: _____

Alternate contact person: Steve Zeledon Day Telephone: 352 442-1171 Evening: _____

Description of event: Multi-Culture Historical Festival (see Attachment)

Estimated attendance: _____

Attendees will be: Adult Teen Elem. Preschool If youth event, number of supervising adults: 20

Day(s) of event: M - T - W Th - F - Sa - Su Start date of event: June 13th Ending date: June 17th 2007

Time event begins: 8:00 a.m. AM / PM Time event ends: 10:00 p.m. AM / PM

Setup Date: Wednesday June 13th From 8:00 a.m. AM / PM, To 6:00 p.m. AM / PM

Will event be open to the general public? Yes No Admission/Donation/Fee * = No Yes \$ \$ 2.00

Food/Merchandise sales*: = No Yes Describe: Local Vendor, Merchants, Arts and Crafts

Refreshments served: = No Yes Describe: Featuring Southern Style Food And Barbeque

Number of paid security officers (if applicable): _____ Scheduled from _____ AM / PM To _____ AM / PM

RATES & FEES

User Fee: The base user fee for the requested facility is \$ 850.00 ^{N/A} (plus Florida sales tax, if applicable) for the period set forth in this application. If applicable, each additional hour or part thereof, and the cost of additional equipment, supplies and services, will require an additional fee.

Deposit: An initial deposit equal to the Security Deposit is due when the Facility Use Agreement is signed. If the projected rental and fees exceed the basic Security Deposit, such additional amount(s) must be paid not less than 30 (30) days prior to the event. The User is responsible for leaving the facility in a clean and satisfactory condition upon the conclusion of the activity. The deposit will be refunded less any amount due for additional rental charges, damages or other additional services. If actual costs exceed the amount of the Deposit, such additional amounts will be due from User upon notice.

Refunds: (A) 75% of the deposit will be refunded if cancellation by applicant is received thirty (30) or more calendar days before the event date, or (B) 50% if cancelled less than thirty (30) calendar days and the facility is subsequently rented for the same day/time period to another user, 25% if not re-rented.

CC: C Hall 4-26-07

USE SURRENDERED LEASE

- 1 Use areas include utilities and waste removal. Damages are the responsibility of User, regardless of wear and tear accepted, as well as the cost of any additional special periods or services.
- 2 Alcoholic beverages are prohibited in City Parks except within the Jerome Brown Community Center if a permit for Alcoholic Beverage Distribution/Consumption Permit has been issued by the Parks and Recreation Director or authorized agent. Smoking is prohibited inside facilities. No illegal drugs, gambling or games of chance are allowed anywhere in City Parks. Any violation of the terms of this Agreement could at the City's option result in forfeiture of the deposit, and/or arrest and prosecution.
- 3 No activities are permitted to extend beyond 12:00 a.m. (midnight), unless approved in advance of the activity by the City's Parks and Recreation Director or authorized agent.
- 4 If required by the City, the User shall hire at his/her own expense, law enforcement officers for crowd control at events. Brooksville Police Officers will be utilized when available.
- 5 No admission charges or sale of items will be allowed without prior written permission from the Director of Recreation. If approved, User will be responsible for collection and payment of applicable sales and any other taxes.
- 6 User will be responsible for obtaining all necessary licenses and permits, including Alcoholic Beverage License, and any required Health Department permits, for provision of food.
- 7 Applications are to be submitted a minimum of ten (10) days prior to the requested lease date, unless this requirement is modified by the Parks and Recreation Director or authorized agent. Fees are tentative and this application is subject to review and approval by the Parks and Recreation Department Director. The City reserves the right to cancel, postpone, or reschedule the event due to facility maintenance, inclement weather, public safety requirements or if facility is needed for emergency or other use by the City. The City's liability in such instances will be limited to the amount paid by applicant to use the facility, and open subject to applicant, will serve as a general release of liability. The City's only obligation to the User will be returning User's full deposit.
- 8 User assumes responsibility for any damages to the facility and injury to participants which are the result of the conduct or negligence of User and/or User's agents and guests. Liability and Property Damage Insurance is required for the use of the Jerome Brown Community Center and other designated facilities. A Certificate of Insurance with minimum limits of \$1,000,000/300,000/100,000, or \$300,000 Combined Single Limit, with the City as an Additional Named Insured and Certificate Holder, is to be provided to the City not less than seven (7) calendar days before the event. The City reserves the right to request higher limits to a maximum of \$1,000,000/300,000/100,000 or \$300,000 CSL, depending on the proposed usage.
- 9 The City shall not be responsible for any damage or injury that may happen to the User, its agents, assistants, employees, vendors, guests, exhibitors, or property from any cause whatsoever (including occurrences by third parties) during the period covered by the Agreement. The User for itself, its agents, assistants, and employees, expressly releases the City and agrees to hold the City harmless and to indemnify the City against any claim for loss, damage, injury or other liability arising out of the actions, fault, or negligence of the User, its agents, assistants, or employees, during the term of this Agreement.
- 10 The parties hereto understand that this Agreement will be interpreted pursuant to the laws of the State of Florida and the parties further agree that the venue of any legal action concerning this Agreement will be Hernando County.
- 11 This application, when executed by both parties, becomes a legally enforceable contract and User agrees to comply with all the terms and conditions set forth herein, and to all City Rules and Regulations. The undersigned warrants that if the applicant is not an individual, he/she has the authority to bind applicant.

To the best of my knowledge, all information on this application is correct. I have received, read, understood, and will comply with the provisions of this Facility Lease Agreement, and that this Agreement is not approved until execution by the City.

Name: Paul Boston Signature: Paul Boston Date: April 10th, 2007

Application User

Insurance Required No Yes, Certificate naming City as "Additional Insured" attached No Yes
 Alcoholic Beverage Distribution/Consumption Permit No Yes (Attach copy of signed permit)

Rent Total \$ _____ Other \$ _____ Total Estimated Cost \$ _____ Total Secured Deposit \$ _____

Initial Deposit (minimum 50% of estimated total) \$ _____ Received by _____ Date _____ Balance Due (10 days prior to event) \$ _____

Application Approved By _____ Date _____
 Not valid unless signed by Director of Parks and Recreation or Authorized Agent.

CITY OF BROOKSVILLE
MEMORANDUM

To: Steve Baumgartner, City Manager
From: Emory H. Pierce, Director of Public Works 
Re: **Waiver of Fees for Activities at Russell Street Park**
Date: April 26, 2007

In an effort to facilitate use of this park by the Juneteenth Celebration and others, we are requesting that the payment of the following amounts from the users be waived and the same amounts be transferred to the respective departments from the General Fund.

I. Juneteenth Celebration

Sanitation fees in the amount of \$65.56 for the 6 yd dumpster for three days.

II. Juneteenth and Parks Department

Water Impact Connection Fee	\$1,209.60
Water Hook-up Fee	530.00
Account Deposit	<u>250.00</u>
Total Water	\$1,989.60
Sewer Impact/Connection Fee	\$1,908.00
Sewer Account Deposit	<u>250.00</u>
Total Sewer	\$2,158.00

These fees are what would normally be collected for a small bathroom that is in the process of being acquired for this facility, as part of the Good Neighbor Trail project, in cooperation with the County via an FDOT grant. If approved, the tap and meter for water service can be installed prior to the target date for the Juneteenth Celebration. Water would then be available via a hose bib. The work associated with the sewer connection will not be done until just before the prelab structure for the bathroom arrives which is likely to be after June.

The Parks Department will sign for this water and sewer service and the monthly bill will be absorbed by their budget.



City of Brooksville Florida
Application for Water and/or Sewer Service
 Complete Top Part of Form & Return c/o Water & Sewer Application
 City of Brooksville, 600 S. Brooksville Avenue, Brooksville, Florida 34601
 (352) 544-6466 Voice (352) 644-8470 FAX

Applicant: GOOD NATURE TRAIL - RESTROOMS

Mailing Address: _____

Service Location: 56 RUSSELL ST.

Phone Numbers: (FAX) _____ E-mail _____

Site Information For Initial Installation (Mark all that apply)

Type of Construction & Occupancy Use:	New Construction - <input checked="" type="checkbox"/> yes () no	Number of Water Services -	1
	Existing Structure - () yes <input checked="" type="checkbox"/> no	Size of Water Service (3/4", 1" 1-1/2", 2") -	1"
	Residential - () yes <input checked="" type="checkbox"/> no	Number of Sewer Services -	1
	Inside City Limits - <input checked="" type="checkbox"/> yes () no	Size of Sewer Service (4" or 6") -	4
Meter Type: Manual <input checked="" type="checkbox"/> Radio ()	Irrigation meter - Limited to water and sewer customers -		
Potable: <input checked="" type="checkbox"/> Irrigation: _____	Attach plans of the irrigation system so that the City can verify no additional connection (impact) fees apply.		
Backflow Device(RPZ): Yes <input checked="" type="checkbox"/> No _____			

Signature of Owner/Agent: _____

Date: _____

Sites must be staked at all corners. Flows other than individual single family platted lots must be certified by a Registered Professional Engineer. Approval of this request does not constitute a commitment by the City until all fees are paid, and if applicable, a utility service agreement is completed. Approval of this request does not waive any other applicable rules regulations, City Codes or the necessity to obtain other permits. All fees are subject to the rates in effect at the time of payment.

Do Not Mark Below This Line - City Use Only

Water Service is available without line extensions -	Service Agreement is not required -
Water service is not available without line extensions -	Service Agreement is required -
Sewer Service is available without line extensions -	Unable to process, not enough information -
Sewer Service is not available without line extensions -	Unable to process, site corners were not marked -

Comments: _____

Description	Receipt Number	Amount	Certifications
Water Connection Fee		\$ 1,209.60	Utility Superintendent (Signature & Date) <i>Caroly Pierce</i>
Sewer Connection Fee		\$ 1,908.00	
Water Hookup Fee		\$ 530.00	
Sewer Hookup Fee		\$ 270.00	Finance (Signature & Date)
Account Deposit		\$ 250.00	
Total Utility Fees Due		\$ 4,167.60	WO#

Released For Permitting Official Review: _____

Print name _____ **Signature** _____ **Date** _____ **Phone** _____

g:\FORMS\COU Water & Sewer Application 20May06.123

JUNETEENTH HISTORICAL FESTIVAL

JUNE 13TH THROUGH JUNE 17TH 2007 16071 Boca Raton St. Brooksville, Fl. 34604

PHONE 352-3500

March 14th, 2007

COMMITTEE MEMBERS

- Chairperson
Paul Boston
 - Treasurer
Steve Zefchin
 - Secretary
Suzanne Touchton
 - Program Director
Brian Briffage
 - Business Director
Frankie Burnett
 - Activities Director
Paul Douglas
 - Music Director
Carlton Burgess
 - Vender Coordinator
Joe Lambus
 - Sale Director
Henry Touchton
 - Fair Coordinator
Peter Rosen
 - Ass. Music Director
Marie Snow
 - Clerical Secretary
Jerry Cowling
 - Asst. Vender Coordinator
Joann Mumford
 - Histor. Trail Coordinator
Jennifer Sullivan
 - Latino Committee
Carmelo Delgado
 - Volunteer Coordinator
Joseph Mauer
 - Food Safety
Martha Mauer
 - Literary Fair
Jerry Cowling
 - Carnival Coordinator
Robin Rowles
 - Shaila Blair
- Sponsored By
- Justus Inc
 - City of Brooksville
 - Hernando County
 - Frederick Kelly Lodge
 - Citrus Dean Inc
 - 1885 Brooksville
 - Train Depot & Museum
 - Handshell Bush
 - Good Neighbor Trail
 - Hernando County
 - Fine Art Council
 - Hernando County
 - Green Party
 - Chic-A-Jog

- Other Committee Members
- Sym Williams
 - Rose Ross
 - Ron Daniel
 - Richard Howell

FROM PAUL BOSTON CHAIRPERSON JUNETEENTH COMMITTEE

**ATTENTION:
SUBJECT:**

The Just Us, Inc. Committee is planning a Juneteenth Historical Festival to be held June 14th till the 17th, 2007, at the Russell Street Park in Brooksville, Florida.

The Festival will be a celebration of the 142nd anniversary of the news of emancipation reaching the slaves in Galveston, Texas two and a half years after President Lincoln Emancipation Proclamation.

In addition, each day will be organized to promote a theme: Hispanic American and Flag Day, Teen Health Awareness Day, Historical Day, and Jazz Music and Fathers' Day.

With four days of historical reenactments and a living history trail, we expect a large local and regional crowd attracted by the festive and historical nature of the various events. Song, dance, food, carnival rides, and Hip-Hop, Rock/Pop concert and much more are sure to make this event the first of many, to showcase our beautiful Brooksville community.

Being a non-profit organization we are looking for sponsorship for these parts of the programs. Comfort Tents, Slave Trail Display, Open Air Museum, Television Advertisement, Printed Advertisement, Latino Concert, Teen Concert, Volunteer Costumes, Decoration, Staff Assistance and Miscellanies Cost.

Please give serious consideration to our request. since both you and our community can take pride in being a part of a locally planned, organized, and funded celebration. All process from this event will go toward a Culture Community Center.

The attached cover letter will explain in detail the Juneteenth Historical Festival. For further information contact _____.

Paul Boston
Chairperson
Juneteenth Committee
(352) 797-5451
16071 Boca Raton St.
Brooksville, Florida 34604
E-Mail at legalbrothers@aol.com
And thank you

JUNETEENTH HISTORICAL FESTIVAL

PHONE: 352-3500

JUNE 13TH THROUGH JUNE 17TH 2007 16071 Boca Raton St. Brooksville, Fl. 34604

PROPOSE PROJECT FOR CONSIDERATION OF SPONSORSHIP

- Comfort Tents and Fans:** (see attach flyer) With the high temperature and afternoon rains in Florida, we are hoping encourage visitors to come with comforts tents to lessen the effects of sun.
- Slave Trail Display** (see attach flyer) The Slave trail will take visitor through 10 of the stagers of Slavery to the road to Freedom. Each stage can be sponsor by a different Sponsor.
- Open Air Museum** (see attach flyer) A big part of this event is the displaying of artifacts from the past. We are hoping to have them display in an appropriate manner.
- Television Ad** We are hopeful that 2,000 to 10,000 visitors would want to in order to do this we need to advertise out side of the immediate area.
- Printed Advertisement** Awareness for this type of event is very importance and the printed media Is needed to get support for this cause and the organization of the program.
- Latino Concert** To have a truly multi-culture event we must have a Latino present and so a Latin-American concert would go a long way to enhance the event. This will also give all a chance to celebrate Flag day with all of its Glory.
- Teen Concert** This is an all month event with Teens and young adults that would want a V.J.P. place at the event to go through a health / education screening to qualify.
- Volunteer Costumes** We was looking fro grants funds to have pirated and slaves costumes and staff uniform tee shirts as well as security tee shirts.
- Decoration** The stage and tents and the fairground would need to be decorated as well as the open air museum, ticket booths and the trail.
- Staff Assistance** We recognize that the staff will be giving of their time and talent to help with this venture but that hardships are not disclose. Which can interfere with the plans? So and we are looking for funds and incentives to let the volunteers know that their help is appreciated
- Miscellanies Cost** All events of this type could have hidden cost that is missed or over look and we hope to have the funds to meet all challengers that may arrive.

RESPONSIBILITY

We are asking that all of the funds donated to this event come to the organization as soon as possible. That the work that you wish to donate be done in a timely manor. We ask that all organization, individual and company, give us an idea of the amount of involvement that you would wish. Hands-On, Fund Sponsor or Both. Volunteers should attend meeting and give support and ideas that would help this venture. That you participate in our community events and fund raising effort (when ever possible) and that you promote the nature of the event.

City of Brooksville

MEMORANDUM



To: Honorable Mayor and City Council Members

From: Karen M. Phillips, Director of Administration/City Clerk 

Subject: Joint Meeting with City/School Board/County

Date: April 27, 2007

Pursuant to Section 1.1.2 of the 2006 Revised Interlocal Agreement for Public School Facility Planning and School Concurrency Implementation, the three governmental entities are required to meet annually in joint workshop session to *"provide an opportunity for the representatives to hear reports, discuss policy and reach understandings concerning issues of mutual concern regarding coordination of land use and school facilities planning, population and student growth, development trends, school needs, off-site improvements, joint use opportunities, existing and planned school facilities, school capacities, school concurrency areas, levels of service standards and school concurrency."*

The Superintendent's Office has contacted us to set up a joint workshop meeting on Tuesday, July 31st at 3:00 p.m. in the School Board Chambers. As I understand it, Dr. Wayne Alexander, the new Superintendent, will be on Board for this meeting and they felt that would be a good opportunity to get acquainted with him and give him an opportunity to get up to speed on the issues related to this interlocal.

City Council concurrence of attendance at this meeting is requested.

Additionally for your information, staff from all three agencies have been working on a Public School Facilities Element that will eventually be adopted by the local governments for implementation. A draft of this element should be available for your review within the next month.



AGENDA ITEM NO. F-7
05/07/07

CITY OF BROOKSVILLE

Memorandum

TO:

(X) Mayor David Pugh
(X) Vice Mayor Frankie Burnett
(X) Council Member Joe Bernardini
(X) Council Member Lara Bradburn
(X) Council Member Richard E. Lewis

ACTION:

() As you requested
() For your information
(X) Appropriate action
() Review and return
() Review & route

FROM:

Steve Baumgartner
Interim City Manager

DATE: April 30, 2007

SUBJECT: Acceptance of Ron Baker's Agreement

Attached is the Agreement reached between the City and Ron Baker. We are requesting Council's acceptance of the Agreement.

I believe this Agreement is fair to the City and Mr. Baker and will resolve this situation in a respectful manner.

Thank you.

MEMORANDUM AGREEMENT

Ronnie D. Baker (hereinafter "Baker") and City of Brooksville, Florida (hereinafter "City") enter into the following Memorandum Agreement (hereinafter "Agreement") to resolve all of the disputes between them, whether known or unknown, through and including the date this Agreement is executed by both parties. This Agreement is subject to, and conditioned upon, the approval hereof by the City's City Council.

1. Baker has been employed with the City since January 4, 2001, and currently holds the position of Human Resources Director.

2. Baker voluntarily and irrevocably retires from employment with the City effective with the close of business December 31, 2007. Said retirement is made with no threat of reprisal or promise of benefit from the City or any of its employees, elected officials or representatives.

3. In consideration for the commitments made by Baker in paragraph 4 below, the City agrees:

a. To pay Baker Fourteen Thousand Nine Hundred Thirteen and 31/100 Dollars (\$14,913.31), less statutory and other deductions, if any, authorized by Baker, calculated and paid as follows:

Gross	14,913.31
Withholding	1,193.06
Social Security & Medicare	2,281.74
Net	11,438.51

This will be paid within fourteen (14) days after the conditions of paragraph 13 below are met.

b. To place Baker on unpaid administrative leave until December 31, 2007, except that Baker will be credited with and paid for two (2) days of vacation

each month from May, 2007, to December, 2007, inclusive. Other than this two (2) days per month, Baker shall not accumulate additional vacation or sick leave while on unpaid administrative leave.

- c. To provide Baker with all of the benefits usually paid to an employee in good standing who retires from City employment, including payment for currently accumulated vacation time. Payment for currently accumulated vacation time shall be made within fourteen (14) days after the conditions of paragraph 13 below are met.
- d. Except as specified herein, no employee benefits will be provided to Baker while he is on unpaid administrative leave other than the continuance of his life insurance provided by the City on the same terms as it is currently being provided.
- e. Baker's letter of voluntary retirement shall be placed in his personnel file. Notes, emails or other documents prepared by Investigator James Farley concerning Baker and this Agreement shall not be placed in Baker's personnel file but will be maintained in a separate file in the office of the City Manager.
- f. With the effective date of this Agreement as provided in paragraph 13, the City's investigation by James Farley shall cease.

4. In consideration for the commitments made by the City in paragraph 3.a and b. above,

Baker agrees:

- a. That said retirement shall not be revocable for any reason.
- b. Baker agrees he will not apply for employment with the City in the future and if he does so, the City shall have no obligation to consider his application.

c. Other than as to the express obligations of the City set forth in this Agreement, Baker, for his heirs, estates, personal representatives and assigns, does hereby expressly and unconditionally fully and finally agrees and forever discharges the City, its elected officials, employees, agents, and attorneys (hereinafter referred to in sub-paragraphs (c-i) below collectively as the “City”), in both their official and their individual capacities, from any and all duties, claims, rights, complaints, charges, damages, costs, expenses, compensation, employment, attorney’s fees, debts, demands, actions, obligations, liabilities, and causes of action, of any and every kind, nature, and character whatsoever, whether known or unknown, whether arising out of contract, tort, statute, settlement, equity or otherwise, whether fixed, liquidated, or contingent, which he ever had, now has, or may in the future claim to have had against the City based on any act or omission concerning any matter, cause, or thing occurring before the effective date of this Agreement and up to the time of execution of this Agreement by Baker, including but not limited to, those directly or indirectly arising out of or relating or in any way pertaining to his employment with the City or the cessation thereof, including, but not limited to, claims of discrimination or unlawful conduct arising under the Florida Public Employee Relations Act, the City PPM, the Florida Civil Rights Act, the Fair Labor Standards Act, Florida Statute 448.110, Title VII of the Civil Rights Act, as amended, the Americans with Disabilities Act, the Equal Pay Act, the Age Discrimination in Employment Act, the Employee Retirement Income Security Act, Florida Statute 112.3187-112.3195, the Florida or United States Constitution, or

under any other federal, state or local statute or Act, ordinance, regulation, custom, rule or policy, or any cause of action in common law, including but not limited to actions in contract or tort, including any intentional torts, or any instruments, agreements, or documents entered into by, between, or among the parties; and any and all other claims of whatever nature in law or equity.

- d. Baker agrees and promises that he will not make any critical or derogatory comments in writing, verbally, electronically or otherwise to any person or entity about the City, its elected officials, employees, agents or attorneys, unless required to do so in accordance with applicable law.
- e. Baker waives his rights to file a grievance and an appeal under the City PPM and agrees that he has been provided by the City with all of the statutory, City PPM and constitutional rights of due process to which he was and is entitled.
- f. Baker will fully cooperate with the City in any matter in which he was involved or for which he was responsible during his employment with the City, including but not limited to actual or threatened litigation, employee due process proceedings, grievances or appeals and in so doing will meet with attorneys designated by the City in preparation for such proceedings, including during discovery, and to appear as a witness as and when the City directs. Baker shall be paid \$25.00 per hour for his time spent in engaging in said cooperative activities; further, if Baker moves his principal residence out of Hernando County, he will be paid travel expenses in accordance with the City PPM.
- g. Baker agrees that he will immediately return all equipment owned by the City.

- h. Baker understands and agrees that nothing in this Agreement or otherwise shall prohibit the City, its employees, agents and attorneys from full cooperation with FDLE, or any other entity having jurisdiction over the City; compliance with Florida Statue Chapter 119; or providing information upon request from prospective employers.
- i. Baker agrees that the benefits he has been provided in paragraphs 3(a) are benefits to which he is not entitled as a retiring employee but additional benefits provided in consideration for his commitments made in this Agreement.

6. Baker agrees that neither this Agreement nor any of the documents or records referred to in this Agreement shall be admissible in any proceeding between himself and the City, be it administrative, judicial or otherwise, save for a proceeding involving the enforcement of the commitments made in this Agreement, without the written permission of the City Manager of the City.

7. Baker further agrees that this Agreement is not and will not be construed as an admission that the City or any of its elected officials, employees, agents or attorneys have violated any agreement or any federal state, county, local, municipal ordinance or law, ordinary, policy, custom or regulation of any type, City PPM, including but not limited to those relating to employment generally as well as to those relating to illegal discrimination in employment based upon race, color, sex, religion, national origin, age, marital status, handicap or political affiliation or illegal retaliation.

8. If any provision of this Agreement be determined to be invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected thereby and shall be enforceable to the greatest extent permitted by law.

9. This Agreement shall be construed and governed in accordance with laws of the State of Florida. In the event of legal action between Baker and the City, their successors or assigns, arising out of or in connection with this Agreement, the prevailing party in any such action shall be entitled to receive reasonable attorneys' fees and costs and appellate attorney's fees and costs incurred in connection therewith. The venue of any cause of action, claim or complaint arising out of this Agreement shall be in Hernando County, Florida.

10. Other than as to the express obligations of Baker set forth in this Agreement, the City does hereby expressly and unconditionally fully and finally agree and forever discharges Baker from any and all duties, claims, rights, complaints, charges, damages, costs, expenses, compensation, employment, attorney's fees, debts, demands, actions, obligations, liabilities, and causes of action, of any and every kind, nature, and character whatsoever, whether known or unknown, whether arising out of contract, tort, statute, settlement, equity or otherwise, whether fixed, liquidated, or contingent, which it ever had, now has, or may in the future claim to have had against Baker based on any act or omission concerning any matter, cause, or thing occurring before the effective date of this Agreement and up to the time of approval of this Agreement by the City Council.

11. This Agreement is binding on Baker and his respective heirs, successors and assigns.

12. Baker agrees that the terms and conditions of this Agreement constitute the full and complete understandings, agreements, and commitments of the City and himself, and that there are no oral or written understandings, agreements, promises, or inducements made or offered other than those set forth herein, and that this Agreement supersedes and replaces all prior agreements and understandings.

13. Baker acknowledges that he received this Agreement on April 18, 2007, and has read and understood all of its terms and has consulted with his counsel regarding same and voluntarily agrees thereto.

14. Baker shall have until 5:00 p.m. on April 23, 2007, to execute this Agreement and seven (7) days after he has executed it to revoke same. The payment provided for in paragraph 3(a) above will be made within fourteen (14) days of the last day by which Baker may revoke this Agreement, provided he does not revoke same, or within fourteen (14) days of City Council approval of this Agreement, whichever occurs later.

This Agreement has been reviewed and approved by counsel for Baker.

IN WITNESS WHEREOF, the Parties have voluntarily executed this Agreement consisting of eight (8) pages.

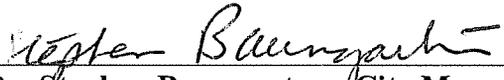
Date: 04-19-07



RONNIE D. BAKER

Witness: 

Date: _____



By: **Stephen Baumgartner, City Manager**

Witness: _____

APPROVED by the Brooksville City Council on May _____, 2007

CITY OF BROOKSVILLE, FLORIDA

By: DAVID PUGH, Mayor

ATTEST:

Karen M. Phillips, City Clerk

(SEAL)

APPROVED:

David Torrey 4/27/07
City Attorney/Date

[Signature] 4/27/07
Attorney for Ronnie D. Baker/Date

City of Brooksville MEMORANDUM



To: Honorable Mayor and City Council Members
From: Richard E. Lewis, Council Member
Subject: City Attorney Contract Termination
Date: April 20, 2007

I feel that the recent actions taken by the City Attorney in not abiding by the terms as agreed to and signed by both parties in the contract agreement in final settlement with Chief Ed Tincher is putting the City of Brooksville in a libelous situation to be sued in court for enforcement of the contract. It is my opinion that the City Attorney's advice to the City to withhold payment of funds agreed to violates the contract.

I want the rest of the Council to know that I am in favor of immediate termination of attorney David LaCroix's contract with the City of Brooksville. I can no longer base any legal decision I make on any legal advice that he gives me as a sitting Council Member. Mr. LaCroix has advised the Council on many previous occasions that there were no Charter violations by his own words. The question in my mind is if there were no charter violations, what is Mr. LaCroix's issue about holding up this check? Why now has this become an issue after the fact that the two day period had expired in which the City had the right to revoke this agreement? My question to the other Council Members is did anyone, including the City Attorney, read this agreement? My next question would be if anyone read it and had a problem understanding it, why didn't they ask for an explanation of it? We have a labor lawyer under retainer at this particular time - why wasn't the labor attorney consulted for clarification and any issue that concerned this contract addressed before it was signed? Or if there were any questions after it was signed, why wasn't it addressed before the period ended to revoke it?

Thank you for your time and consideration.

A handwritten signature in cursive script that reads "Richard E. Lewis".

ATTORNEY [signature]

EMPLOYMENT AGREEMENT
CITY ATTORNEY
CITY OF BROOKSVILLE, FLORIDA

This Agreement made and entered into this 7th day of April, 2003, by and between the City of Brooksville, Florida, a Florida municipal corporation (hereinafter referred to as the CITY), and David La Croix (hereinafter referred to as the ATTORNEY).

WHEREAS, the CITY desires to employ the professional services of the ATTORNEY as the CITY's City Attorney, under and pursuant to the City Charter and Code of Ordinances; and

WHEREAS, it is the desire of the CITY to provide certain compensations and other benefits, establish conditions of employment and provide a positive working environment and relationship between the CITY and ATTORNEY; and

WHEREAS, ATTORNEY desires to accept employment with the CITY;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

SECTION 1. DUTIES

CITY hereby agrees to employ ATTORNEY as City Attorney for the City of Brooksville; to perform the functions and duties of said office as specified in the City Charter and Code of Ordinances; and to perform such other duties and functions as the governing body of the CITY may reasonably assign. The duties of the ATTORNEY shall include:

- a. Non-litigation services, for which the ATTORNEY shall serve under the direct supervision and control of, the CITY's City Council, including the drafting or review of all ordinances, resolutions, contracts, deeds, easements, and other legal documents of the CITY; attendance at all regular and special City Council meetings and special meetings and meetings of other City boards, committees, and agencies when requested; and the provision of legal advice and counsel regarding business of the CITY to City Council members, the City Manager, the City Clerk, and all CITY Department Heads.
- b. Litigation services, both judicial and administrative, when requested by the CITY's City Council or City Manager.
- c. Whenever ATTORNEY has a conflict and is unable to attend a hearing or meeting for which ATTORNEY's attendance is necessary, ATTORNEY shall be responsible for providing competent substitute counsel, at ATTORNEY's expense.
- d. Except as may be specifically provided herein, no provisions of the CITY's personnel policies shall apply to this contract.

PAID
9-100 35380

2hrv MAY-2006

SECTION 2. PRIOR AGREEMENTS

As of its effective date, this Agreement shall supersede any and all prior agreements between the parties. Compensation provided for under this and any prior agreements shall be prorated as of the effective date hereof.

RECEIVED OCT 19 2005

SECTION 3. TERM

This Agreement shall become effective as of May 1, 2003, and shall continue for a period of three years with one-year automatic extensions. This Agreement shall automatically extend for each additional one-year term unless either the CITY or the ATTORNEY notifies the other, at least 90 days prior to the end of any term, of an intention to not further extend the Agreement.

SECTION 4. COMPENSATION

- a. For services provided under Section 1.a., ATTORNEY shall be paid a monthly retainer of \$2,200.00. *AS OF 8-31-04 BECOMES 2755.00 + 2.5% IN OCT 04 (SEPT-04) PER REAL MEMO / 2.5% IN OCT*
- b. The ATTORNEY shall be entitled to the same cost of living increases to his retainer as are provided for regular non-union City employees from time to time.
- c. For litigation services provided under Section 1.b., above, ATTORNEY shall be paid an hourly fee. Said hourly fee shall be \$110 for the first year under this Agreement and shall increase to \$120 on April 15, 2004, and to \$125 on April 15, 2005.
- d. ATTORNEY shall be reimbursed for all costs paid for or on behalf of the CITY, including filing and service fees, long distance telephone and fax charges, postage, photocopying costs, travel costs for travel outside of Hernando County (pursuant to CITY personnel policy), and other direct CITY costs. Reimbursement of travel costs shall be in accordance with the CITY's adopted personnel policies.

SECTION 5. BENEFITS

CITY shall provide to ATTORNEY at CITY's expense, the same insurance coverage as is provided to other non-union CITY employees, and ATTORNEY shall be entitled, at his own expense to add coverage for his spouse where available. No other benefits provided to any other CITY employees shall be provided.

SECTION 6. TERMINATION

- a. ATTORNEY may voluntarily resign his position with CITY and terminate this Agreement, by giving at least 30 days' written notice in advance, unless the parties otherwise agree. The CITY may elect to require ATTORNEY to work during all or any part of such notice period or may require ATTORNEY to leave at any time during the notice period and simply pay ATTORNEY's retainer, benefits, and any hourly fees

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necessarily incurred, for cases in which the ATTORNEY is attorney of record, for the remaining period.

- b. The death or incapacity of ATTORNEY shall terminate this Agreement as of the date of death or incapacity and shall be treated as a voluntary termination.
- c. CITY may terminate this Agreement, for cause, at any time or, without cause, by giving at least 30 days' written notice in advance, unless the parties otherwise agree. The CITY may elect to require ATTORNEY to work during all or any part of such notice period or may require ATTORNEY to leave at any time during the notice period and simply pay ATTORNEY's retainer, benefits, and hourly fees necessarily incurred for the remaining period.

SECTION 7. NOTICES

Notices pursuant to this Agreement shall be given by hand delivery or by deposit in the custody of the United States Postal Service, postage prepaid, and addressed as follows:

CITY: Mayor, City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

ATTORNEY: David La Croix
103 N. Main Street
Brooksville, FL 34601

Parties shall notify one another if there is any change of address.

IN WITNESS WHEREOF, the City of Brooksville has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk, and the ATTORNEY has signed and executed this Agreement.

CITY OF BROOKSVILLE

By: Mary A. Staib
Mary A. Staib, Vice Mayor

ATTEST:

Karen M. Phillips
Karen M. Phillips, CMC, City Clerk

David La Croix
David La Croix

PAID
9-7-05 35380

David La Croix

Attorney

*Land Use Planning
and Zoning
Local Government Law
Appellate Practice*

*Post Office Box 381
Brooksville, FL 34605
Tel. & fax: (352) 382-1373
davidlac@earthlink.net*

MEMORANDUM

TO: City Council Members

FROM: David La Croix, City Attorney

SUBJECT: Response to April 20, 2007 Memorandum of Richard Lewis

DATE: April 26, 2007

I have already explained in detail that I advised the City Manager to not comply with the agreement because it was changed contrary to what we had agreed to, because I missed the changes, and because the agreement is void and unenforceable. I understand that the City is now faced with a frivolous lawsuit trying to enforce a void contract. The alternative, however, was to leave three Council members exposed to an equally frivolous lawsuit claiming they had violated the Charter. I do not believe that lawsuits against individual Council members personally, claiming a violation of the Charter, would be covered and defended by our insurer. The now-filed frivolous lawsuit against the City will at least partially be defended by the City's insurer, because it alleges a fraud claim against me and the City Manager personally. To the extent it is not covered and defended by our insurer, I will do that at no charge to the City.

However, if a majority of Council disagrees with my advice to not comply with the agreement, it could now approve that agreement and authorize the Mayor and Clerk to execute it on behalf of the City. In case Council wishes to do that, I have attached a copy of the agreement in question.

In answer to Mr. Lewis's specific questions:

Mr. LaCroix has advised the Council on many previous occasions that there were no Charter violations by his own words. The question in my mind is if there were no charter violations, what is Mr. LaCroix's issue about holding up this check?

Yes, I have advised you, as has Reynolds Allen, that the

decision of three Council members to place three employees on paid administrative leave did not violate the Charter. However, that doesn't mean that someone cannot sue those Council members claiming that they did violate the Charter. People are entitled to disagree with me and Mr. Allen and other attorneys advising the City. They are, of course, more likely to disagree and to file suit when a City Council member who disagreed with the decision of the majority of Council repeatedly gives his own opinion publicly, contrary to the advice of the City's attorneys, that he thinks three of his fellow Council members did violate the Charter. Then, too, sometimes people file litigation they know won't succeed merely out of spite. Even frivolous lawsuits can sometimes be expensive to defend. So, while I have repeatedly said that I think the decision of three Council members to place the employees on paid administrative leave did not violate the Charter, I also have said that leaving three Council members exposed to litigation on the issue, which can be costly to defend, is not what was discussed and agreed to with Ed Tincher and his attorney and the City should not leave open that possibility.

Why now has this become an issue after the fact that the two day period had expired in which the City had the right to revoke this agreement?

This has become an issue after the two day period because we didn't discover the devious and unethical changes to the contract until after that.

My question to the other Council Members is did anyone, including the City Attorney, read this agreement? My next question would be if anyone read it and had a problem understanding it, why didn't they ask for an explanation of it?

As I have explained previously, there was no question about not understanding the agreement. The issue was that I glanced through the revised agreement quickly, looking for changes from the previous draft that had been agreed to, but I didn't go through it word-for-word. The reason I didn't is because I trusted an attorney I didn't really know well enough to trust, thinking that, if he had made any other changes, he would have pointed them out, as ethical attorneys would. Every attorney I have asked about this since has said he has never had any attorney he was negotiating with make material changes in a redraft without pointing them out, and every attorney I have asked about it has thought that was unethical. If attorneys negotiating contracts and going back and forth with drafts and redrafts had to read through each new redraft word-for-word because they couldn't trust the other attorneys to not make unapproved

changes, they would never have time to do anything else.

We have a labor lawyer under retainer at this particular time - why wasn't the labor attorney consulted for clarification and any issue that concerned this contract addressed before it was signed? Or if there were any questions after it was signed, why wasn't it addressed before the period ended to revoke it?

The labor attorney wasn't consulted about this redraft, because the very first draft we had started with was prepared by the labor lawyer, and we thought we were working from the same provisions originally included, except for the ones we had agreed to change. There were questions after it was signed and we discovered the unauthorized changes, but we discovered them after the revocation period specified.

By the way, I keep referring to a decision of three Council members, but any decision of a majority of Council is a decision of the Council as a whole. The Council decided to place three employees on paid administrative leave and the Council decided to authorize the funding to hire an investigator. Those were decisions of the Council as a whole, even though not all Council members voted in favor.

When I submitted my resignation to you, effective September 30, I felt that it would be beneficial to the City if I stayed on as City Attorney until after you had hired a new City Manager and that new manager had time to get settled in; until some pending litigation was essentially resolved; until the current personnel issues regarding Ed Tincher and Ron Baker were pretty much resolved; and until you had plenty of time to locate a new City Attorney that was acceptable to you. I felt I owed that to the City.

I am still willing to do that. However, I also told you that if any three Council members wanted to end my contract sooner, that would be fine with me. In case you do want to, I have attached a revision to my contract that will terminate my service as of the end of May.

AGREEMENT

Boyce E. Tincher (hereinafter "Tincher") and the City of Brooksville, Florida, a municipal corporation (hereinafter "City") enter into the following Agreement (hereinafter "Agreement"). This Agreement is a final resolution between Tincher and the City of all claims against the City or Tincher in tort, civil, or any other claim in law or equity that Tincher or the City now has on account of or in any way growing out of and all known and unknown, foreseen and unforeseen bodily and personal injuries, property damage and consequences thereof resulting or to result from any incidents, events, or accidents that occurred on or about any date Tincher was employed by the City. In consideration of the mutual covenants set forth herein and other good and valuable consideration, the sufficiency of which is hereby acknowledged, it is hereby stipulated and agreed by and between the undersigned parties as follows:

1. Tincher has been employed with the City since January 19, 1978, and currently holds the position of Chief of Police.
2. Based on medical advice from his doctor, Tincher can not now or in the foreseeable future return to full-time employment in his current position with the City.
3. Tincher voluntarily and irrevocably retires from employment with the City effective the close of business December 31, 2007.
4. Tincher will be placed on unpaid administrative leave from March 24, 2007 to the date of his retirement on December 31, 2007. If Tincher is placed on Family Medical Leave during this period, unpaid administrative leave will cease and then continue after Tincher leaves Family Medical Leave. Tincher will be required to use accumulated sick leave pursuant to the

City's FMLA policy.

5. In consideration for the commitments made by Tincher in paragraph 6 below, the City agrees:

- A. To place Tincher on unpaid administrative leave until the effective date of his retirement as provided in paragraph 4 above. During said leave and during any Family Medical Leave, Tincher shall have no authority to act in any manner on behalf of the City or the City Police Department.
- B. To give Tincher one day of paid vacation on the first Monday of each month that Tincher is on unpaid administrative leave. This will be done to keep Tincher in all applicable retirement systems and the City will continue to make payments for Tincher into all applicable retirement systems. Payment for this vacation day will be made to Tincher up to (14) fourteen days after the first Monday of each month Tincher is on unpaid administrative leave. This payment will be subject to statutory deductions and other deductions as required by law or approved in writing by Tincher.
- C. To pay Tincher twenty-eight thousand dollars (\$28,000.00). This payment specifically excludes and will have no effect on any workers' compensation claim Tincher has or will file. This payment is not for wages lost and should not be construed as wages paid.
- D. To pay any accumulated but unused personal leave up to Tincher's retirement date set forth in paragraph 4 above. This payment will be

subject to statutory deductions and other deductions as required by law or approved in writing by Tincher. This payment will be made to Tincher at the close of business December 31, 2007.

- E. Tincher's letter of voluntary retirement shall be placed in his personnel file. Notes, emails or other documents prepared by James Farley concerning Tincher and this Agreement shall not be placed in Tincher's personnel file but will be maintained in the office of the City Manager. The City Manager will sign a Memorandum (hereafter referred to as the "Memorandum") addressed to the City Council stating that after consideration of all the evidence the City shall not pursue any of the charges made by James Farley and stating how Tincher has been an asset to the City. This Memorandum shall be placed with this Agreement in the City Manager's office. A copy of this Memorandum is attached to this Agreement and shall be prepared by Tincher's attorney. The City Manager will also personally provide a copy of the Memorandum, with Tincher and his attorney present, to reporters for the St. Petersburg Times on or before April 5, 2007. Tincher will be allowed to file with the City written rebuttal to the charges made by James Farley. Such rebuttal, shall be kept in the same file as the Memorandum. In response to any future inquiries to the City, by potential employers or others, regarding Tincher's personnel file, the City will provide copies of the records in the personnel file but no other comments or evaluation.

- F. To continue, up to Tincher's retirement date, the medical and dental and other insurance benefits Tincher presently receives as an employee of the City, provided Tincher pays the same portion of any premiums that he would currently pay while not on Family Medical Leave or unpaid administrative leave.
- G. With the effective date of this Agreement, there will be no further investigation of any actions taken by Tincher as Police Chief.

6. In consideration for the commitments made by the City in paragraph 5 above,

Tincher agrees:

- A. That Tincher will retire on December 31, 2007 and that retirement will not be revocable for any reason.
- B. Tincher waives all rights he has or may have under the Family Medical Leave Act for reinstatement to his former or any other position with the City following the completion of his Family Medical Leave.
- C. Other than as to the express obligations of the City set forth in this Agreement, Tincher, for his heirs, estates, personal representatives and assigns, does hereby expressly and unconditionally fully and finally agree and forever discharges the City from any and all duties, claims, rights, complaints, charges, damages, costs, expenses, compensation, employment, attorney's fees, debts, demands, actions, obligations, liabilities, and any known causes of action, arising out of contract, tort,

statute, settlement, equity or otherwise, whether fixed, liquidated, or contingent, which he now has against the City based on any act or omission concerning any matter, cause, or thing occurring before the effective date of this Agreement and up to the time of execution of this Agreement by Tincher, including but not limited to, those claims against the City arising out of or relating to his employment with the City or cessation thereof, including, but not limited to, claims of discrimination or unlawful conduct arising under the Florida Public Employee Relations Act, the City PPM, the Florida Civil Rights Act, the Fair Labor Standards Act, Florida Statute 448.110, Title VII of the Civil Rights Act, as amended, the American with Disabilities Act, or under any other federal, state or local statute or Act, ordinance, regulation, custom, rule or policy, or any cause of action in common law, including but not limited to actions in contract or tort, including any intentional torts, or any instruments, agreements, or documents entered into by, between, or among the parties; and any and all other claims against the City of whatever nature in law or equity. This Agreement specifically excludes any individuals not named as parties herein. This Agreement excludes and does not effect or bar, in any way, any workers' compensation claim Tincher has filed or will file in the future relating to or for events stemming from his employment with the City.

D. Tincher waives his right to file a grievance and an appeal under the City

PPM and agrees that he has been provided by the City with all of the statutory, City PPM and constitutional rights of due process to which he was and is entitled.

- E. Tincher will fully cooperate with the City in any manner in which he was involved or for which he was responsible during his employment with the City, including but not limited to actual or threatened litigation, employee due process proceedings, grievances or appeals and in so doing will meet with attorney's designated by the City in preparation for such proceedings. Should such cooperation be necessary after the completion of Tincher's Family Medical Leave, Tincher shall be paid \$55.00 per hour by the City within thirty (30) days of the date of the occurrence for his time spent in engaging in said cooperative activities.
- F. Nothing in this Agreement shall prohibit the City, its employees, agents and attorneys from full cooperation with the FDLE, or any other entity having jurisdiction over the City.
- G. Tincher agrees that the benefits he has been provided in Paragraph 5 above are additional benefits provided in consideration for Tincher's commitments made in this Agreement.

7. Tincher and the City both agree that this Agreement shall not be admissible in any proceeding between Tincher and the City, save for a proceeding involving the enforcement of the commitments made in this Agreement without the written permission of the City Manger and Tincher.

8. Tincher and the City agree that this Agreement is not and will not be construed as an admission that the City has violated any agreement or any federal, state, county, local, municipal ordinance or law, or regulation of any type.

9. In any provision of this Agreement is determined to be invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected thereby and shall be enforceable to the greatest extent permitted by law.

10. This Agreement in no way should be viewed as a release of or an estoppel preventing Tincher from filing any claim for workers' compensation. This Agreement specifically excludes any workers' compensation claims.

11. This Agreement shall be construed and governed in accordance with the laws of the State of Florida. In the event of legal action between Tincher and the City, their successors or assigns, arising out of or in connection of this Agreement, the prevailing party in any such action shall be entitled to receive reasonable attorneys' fees and costs and appellate attorney's fees and costs incurred in connection therewith. The venue of any cause of action, claim or complaint arising out of this Agreement shall be Pinellas County, Florida.

12. This Agreement is binding on Tincher and his respective heirs, successors, and assigns.

13. Tincher and the City agree that the terms and conditions of this Agreement constitute the full and complete understating, agreements, and commitments of the City and Tincher, and that there are no oral or written understandings, agreements, promises or inducements made or offered other than those set forth herein, and that this Agreement supersedes and replaces all prior agreements and understandings.

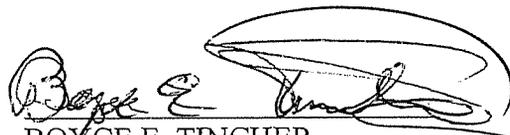
14. Tincher and the City acknowledge they have read and understood all the terms of this Agreement and have consulted with counsel regarding the same and voluntarily agree thereto.

15. The City shall have until 5:00 p.m. on April 3, 2007, to execute this Agreement and (2) days after to revoke same. All payments to Tincher provided in paragraph 5 above, unless expressly stated otherwise in paragraph 5, will be made within (14) days of the last day by which the City may revoke this Agreement, provided they do not revoke the same.

This Agreement has been reviewed by both counsel for the City and counsel for Tincher.

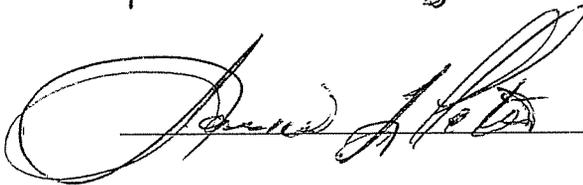
In WITNESS WHEREOF, the Parties have voluntarily executed this Agreement consisting of (9) pages.

Date: 4/15/07


BOYCE E. TINCHER

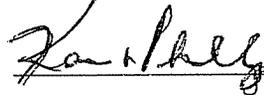
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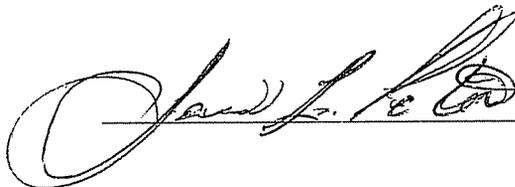




CITY OF BROOKSVILLE, FLORIDA

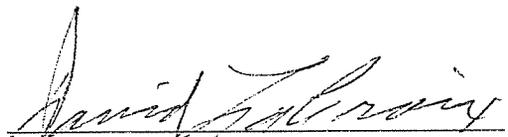
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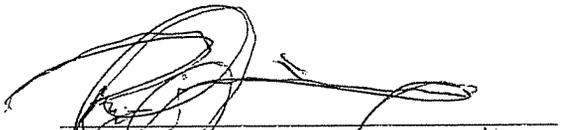



By: STEPHEN BAUMGARTNER, City Manager

APPROVED:


CITY ATTORNEY

4/9/07
DATE


RONALD H. FREEMAN, ESQ.
ATTORNEY for BOYCE E. TINCHER

4/5/07
DATE

**AMENDMENT TO
EMPLOYMENT AGREEMENT
CITY ATTORNEY
CITY OF BROOKSVILLE, FLORIDA**

This Agreement made and entered into this ____ day of May, 2007, by and between the City of Brooksville, Florida, a Florida municipal corporation (hereinafter referred to as the CITY), and David La Croix (hereinafter referred to as the ATTORNEY).

WHEREAS, the CITY has employed the professional services of the ATTORNEY as the CITY's City Attorney, under and pursuant to a contract dated April 7, 2003, which contract was amended on July 17, 2006, and April 2, 2007 (hereinafter, "the Contract"); and

WHEREAS, the CITY and ATTORNEY mutually desire to further amend the Contract as provided herein;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

SECTION 1. AMENDMENT

The Contract is hereby amended as follows:

- A. The Contract shall terminate on May 31, 2007.
- B. After May 31, 2007, ATTORNEY shall continue to represent the CITY only in judicial and administrative litigation in which the ATTORNEY is still the CITY's attorney of record. Such representation shall continue in any such litigation only until new counsel on behalf of the CITY files a notice of appearance.

SECTION 2. CONTINUATION OF AGREEMENT

In all respects except as specifically modified hereby, the Contract shall remain in full force and effect according to the terms thereof.

IN WITNESS WHEREOF, the City of Brooksville has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk, and the ATTORNEY has signed and executed this Agreement.

CITY OF BROOKSVILLE

By: _____
David Pugh, Mayor

ATTEST:

Karen M. Phillips, CMC, City Clerk

David La Croix

CORRESPONDENCE-TO-NOTE

REGULAR COUNCIL MEETING - May 07, 2007

1. TYPE: Letter
DATE: March 7, 2007
RECEIVED FROM: Jon A. Jouben, Hernando County Attorney's Office
ADDRESSED TO: Stephen Baumgartner, Interim City Manager
SUBJECT: Notification that the 3/9/07 Conflict Assessment Meeting between the City/County has been rescheduled to Monday, March 19, 2007.
2. TYPE: Letter
DATE: April 1, 2007
RECEIVED FROM: Andrew Limbrecht
ADDRESSED TO: To Whom It May Concern
SUBJECT: Notification that Cornelius Gallery, Jr. Has been appointed as the new business agent of record for the Church of Christ/Northside.
3. TYPE: Memorandum
DATE: April 2, 2007
SENT BY: Bill Geiger, Community Development Director
ADDRESSED TO: Steve Baumgartner, Interim City Manager
SUBJECT: Request to change full-time employee, Brian Brijbag, to part-time status until a new Redevelopment Coordinator is hired.
4. TYPE: Memorandum
DATE: April 2, 2007
SENT BY: Emory H. Pierce, Director of Public Works and Laureen Busacca, Project Manager
ADDRESSED TO: Steve Baumgartner, Int. City Manager
SUBJECT: Update on Florida Department of Environmental Protection findings at different Brooksville locations.
5. TYPE: Memorandum
DATE: April 2, 2007
SENT BY: Emory H. Pierce, Director of Public Works
ADDRESSED TO: Steve Baumgartner, City Manager
SUBJECT: Updated information regarding NPDES Permit.
6. TYPE: Memorandum
DATE: April 3, 2007
SENT BY: Susan Mae McCrary, Admin. Asst. III
ADDRESSED TO: City Clerk Phillips
SUBJECT: Notification of 2007 elected officers for the Firefighters' Pension Trust Fund Board of Trustees:
Chairman - Timothy A. Mossgrove
Vice-Chairman - Gerald E. Ward
Secretary - Frank R. Phillips

7. TYPE: Letter
DATE: April 3, 2007
RECEIVED FROM: Ahmed Bedier, Executive Director/Council on American-Islamic Relations (CAIR)
ADDRESSED TO: Mayor Pugh
SUBJECT: Offer to send complimentary copy of book entitled, "What Everyone Needs To Know About Islam".
8. TYPE: Email
DATE: April 4, 2007
RECEIVED FROM: Anthony Jones, 'The Grant Institute'
SUBJECT: Details of June 6-8, 2007, Professional Grant Proposal Writing Workshop at the University of Central Florida in Orlando, FL.
9. TYPE: Letter
DATE: April 4, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Mr. Ronnie D. Baker
SUBJECT: Details of hearing scheduled for Mr. Baker.
10. TYPE: Email
DATE: April 4, 2007
RECEIVED FROM: Janice Roy, Childrens' Advocacy Center
ADDRESSED TO: Vice Mayor Burnett (via City Clerk Phillips)
SUBJECT: Correction notice for April CAC Meeting, changed from April 14th to the 12th.
11. TYPE: Email
DATE: April 5, 2007
RECEIVED FROM: Brenda Frazier
ADDRESSED TO: City Clerk Phillips and Roy Gordon.
SUBJECT: Details of May 3, 2007, National Day of Prayer to be held at St. Frances Cabrini Catholic Church, 5030 Mariner Boulevard, Spring Hill, FL at 11:00 a.m.
12. TYPE: Email
DATE: April 6, 2007
RECEIVED FROM: Marc Stevens
ADDRESSED TO: Vice Mayor Burnett
SUBJECT: Request to have the Vice Mayor call Mr. Stevens regarding the proposed parking ticket Ordinance.
13. TYPE: Email
DATE: April 9, 2007
RECEIVED FROM: Eric S. Miller
ADDRESSED TO: Mayor and Council Members
SUBJECT: Negative opinion of recent proposed parking ticket Ordinance, which was not passed.

14. TYPE: Letter
DATE: April 9, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Suburban Propane, L.P.
SUBJECT: Notification of city attorney's legal opinion, regarding resale exemptions on fuel taxes.
15. TYPE: Memorandum
DATE: April 9, 2007
SENT BY: David LaCroix, City Attorney
ADDRESSED TO: City Council Members
SUBJECT: Legal Opinion regarding Council Members meeting with City Manager applicants.
16. TYPE: Email
DATE: April 10, 2007
SENT BY: Steve Baumgartner, Interim City Manager
ADDRESSED TO: City Clerk Phillips (copied to Deputy City Clerk Peters)
SUBJECT: Update on the Police Department's plans to assist the citizens of Southway Estates Villas in making their neighborhood safer.
17. TYPE: Email
DATE: April 10, 2007
SENT BY: Alys Brockway, Water Conservation Coordinator, Hernando County Utilities Department (via Julie Sherraden, Interim Asst. to City Manager)
ADDRESSED TO: Hernando County Authorities
SUBJECT: Notification and details of upcoming April 19, 2007, Groundwater Guardian Workshop.
18. TYPE: Letter
DATE: April 10, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Robert Buck
SUBJECT: Relaying legal opinion regarding Mr. Buck's recent request to refund 8 days of sick leave.
19. TYPE: Email
DATE: April 10, 2007
SENT BY: City Clerk Phillips
ADDRESSED TO: Department Heads and City Attorney
(Copied to Council and Admin. Assistants)
SUBJECT: Updated 'calendar of events' regarding new City Manager Selection Process.
20. TYPE: Letter
DATE: April 10, 2007
RECEIVED FROM: Virginia M. Janssen, Principal Archaeologist/Dynamic Environmental Associates, Inc.
ADDRESSED TO: Mayor Pugh
SUBJECT: Request for City to advise if Verizon's proposed 160 ft. tall monopole tower will adversely affect any historic resources in the Broad Street area that are listed or eligible for listing in the National Register of Historic Places.

21. TYPE: Letter
DATE: April 11, 2007
RECEIVED FROM: Leslie E.L. Pedigo, Environmental Specialist III,
Storage Tank Program, Division of Waste
Management/Florida Department of Environmental
Protection.
ADDRESSED TO: Mayor Pugh
SUBJECT: Groundwater report for the former Springstead Oil Co.
Located at 533 S. Brooksville Avenue, Brooksville, FL.
22. TYPE: Letter
DATE: April 11, 2007
SENT BY: Interim Police Chief Ross
ADDRESSED TO: Sheriff Richard Nugent
SUBJECT: Request for the sheriff's assistance in
auditing/inspecting the police department's evidence and
property room, per protocol.
23. TYPE: Memorandum
DATE: April 11, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: City Department Heads
SUBJECT: Update on new City Manager Selection Process.
24. TYPE: Email
DATE: April 11, 2007
RECEIVED FROM: T. Collins, Innovative Groups, Inc.
ADDRESSED TO: City Clerk Phillips
SUBJECT: Registration information/reminders, regarding upcoming
'Transforming Local Government' June 6-8, 2007 in
Bellevue, WA.
25. TYPE: Letter
DATE: April 11, 2007
RECEIVED FROM: Dianne Jones (for Vernon M. Fuller, Area Director)
USDA Rural Development
ADDRESSED TO: Emory H. Pierce, Public Works Director
SUBJECT: Notification of USDA triennial security inspection of
various City of Brooksville sites, on May 15, 2007, at
10:00 a.m., in compliance with the City's loan agreement
with the USDA.
26. TYPE: Email
DATE: April 11, 2007
RECEIVED FROM: Wilton Rooks, ScenicFlorida
ADDRESSED TO: City Clerk
SUBJECT: April 11, 2007 E-Newsletter
27. TYPE: Letter
DATE: April 13, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: W. Reynolds Allen, Esq.
SUBJECT: Cover letter for Final Agreement between the City and
Boyce E. Tincher.

28. TYPE: Letter
DATE: April 13, 2007
RECEIVED FROM: Kellie Jo Stapleton
ADDRESSED TO: City of Brooksville
SUBJECT: Notification of resignation, effective immediately, from the City's Personnel Board.
29. TYPE: Email
DATE: April 13, 2007
RECEIVED FROM: Heather Lauro, Hernando County Chamber of Commerce
ADDRESSED TO: Councilman Bernardini
SUBJECT: Notification of recent scam targeting Chamber of Commerce members around the nation, regarding selling advertising to companies called 'Premier Map Company' and 'ADS Enterprise'.
30. TYPE: Letter
DATE: April 13, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Paul Nazar
SUBJECT: Advising Mr. Nazar that his recent complaint, about an antiquated pipe on his property, has nothing to do with the city.
31. TYPE: Memorandum
DATE: April 13, 2007
RECEIVED FROM: Linda Reeves, Program Administrator, Office of Information & Recreation Services, Division of Recreation & Parks/Florida Department of Environmental Protection
ADDRESSED TO: Interested Parties
SUBJECT: Details of Land & Water Conservation Fund Program FY 2006-07.
32. TYPE: Letter
DATE: April 13, 2007
RECEIVED FROM: Daryl F. Pokrana, Finance Director/Southwest Florida Water Management District
ADDRESSED TO: Mayor Pugh
SUBJECT: Notification that SWFWMD's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended 9/30/06 is available to download at www.watermatters.org under the 'Business & Finance' page.
33. TYPE: Email
DATE: April 14, 2007
RECEIVED FROM: Anthony Jones, The Grant Institute
SUBJECT: Reminder of upcoming June 6-8, 2007, Professional Grant Proposal Writing Workshop to be held at the University of Central Florida.

34. TYPE: Email
DATE: April 16, 2007
SENT BY: Fire Chief Mossgrove
ADDRESSED TO: Stephen Baumgartner, Interim City Manager
(cc: Rick Hankins, Charlotte Roberts, Thomas Leto and Karen Phillips)
SUBJECT: Notification that the city did not receive substantial damage in the storm which occurred April 15, 2007.
35. TYPE: Letter
DATE: April 16, 2007
RECEIVED FROM: John Charles Thomas, Executive Director/Florida League of Mayors
ADDRESSED TO: Mayor
SUBJECT: Invitation to join the Florida League of Mayors.
36. TYPE: Letter
DATE: April 17, 2007
SENT BY: Jim Delach, CPA, Acting Finance Director
ADDRESSED TO: Ms. Shana L. Bridge, Client Service Manager, Digital Assurance Certification LLC
SUBJECT: Required operating data for City's Water & Sewer Revenue Refunding Bonds, Series 2002, \$6,610,000 dtd. 10/15/02.
37. TYPE: Email
DATE: April 17, 2007
RECEIVED FROM: Senator Paula Dockery
SUBJECT: Information regarding openings on State of Florida boards, panels and councils.
38. TYPE: Letter
DATE: April 17, 2007
RECEIVED FROM: Michael J. Georgini, CCAP, Executive Director/Community Action Partnership/Mid Florida Community Services, Inc.
ADDRESSED TO: City Council Members
SUBJECT: Personal recommendation in favor of City Manager applicant, Jennene Norman-Vacha.
39. TYPE: Email
DATE: April 17, 2007
RECEIVED FROM: Brenda Frazier, Community Relations Coordinator, Hernando County Government
ADDRESSED TO: Various Florida Politicians
SUBJECT: Notification of Resolution recently adopted by the Hernando County Board of County Commissioners opposing Senate Bill 998 and House Bill 529. These Bills pertain to the cable television franchise issue. Email also requests Florida politicians consider the county's concerns accordingly.

40. TYPE: Email
DATE: April 18, 2007
RECEIVED FROM: Barb Lobach (via City Clerk)
ADDRESSED TO: Various Central Florida authorities
SUBJECT: Information regarding May 10, 2007, 2007 Child Protection Mini-Conference in Leesburg, FL.
41. TYPE: Email
DATE: April 18, 2007
RECEIVED FROM: Barb Lobach (via City Clerk)
ADDRESSED TO: Various Central Florida authorities
SUBJECT: Request for ideas regarding the 'pinwheel' program.
42. TYPE: Email
DATE: April 18, 2007
SENT BY: Steve Baumgartner, Interim City Manager
ADDRESSED TO: City Clerk Phillips (cc: Julie Sherraden)
SUBJECT: Update on audit of Police Department Inventory Room.
43. TYPE: Letter
DATE: April 18, 2007
RECEIVED FROM: Becky L. Bortnick, MS, CFEA, Project Geologist for Streamline Environmental
ADDRESSED TO: Mayor Pugh
SUBJECT: Offering services for any petroleum contamination the city may encounter.
44. TYPE: Letter
DATE: April 19, 2007
RECEIVED FROM: Dr. Rev. Pierre Desjardins
ADDRESSED TO: Brooksville City Council
SUBJECT: In appreciation of Council Members.
45. TYPE: Memorandum
DATE: April 20, 2007
SENT BY: David LaCroix, City Attorney
ADDRESSED TO: City Council Members
SUBJECT: Update on settlement agreement with Ed Tincher.
46. TYPE: Email
DATE: April 20, 2007
RECEIVED FROM: Brenda Frazier, Hernando County Community Relations Coordinator
ADDRESSED TO: Central Florida Authorities
SUBJECT: Press Release regarding update on how the smoke from the Georgia wildfires is affecting Hernando County.
47. TYPE: Memorandum
DATE: April 23, 2007
SENT BY: David LaCroix, City Attorney
ADDRESSED TO: Frankie Burnett Vice Mayor
SUBJECT: Information regarding 'dual office-holding limitations', specifically, whether a city council member could also serve as executive director of the Brooksville Housing Authority.

48. TYPE: Email
DATE: April 23, 2007
RECEIVED FROM: Jackson E. Sullivan
ADDRESSED TO: Central Florida Authorities
SUBJECT: Cover for Press Release appointing Senator Nancy Argenziano to the Public Service Commission.
49. TYPE: Email
DATE: April 23, 2007
RECEIVED FROM: Jackson E. Sullivan
ADDRESSED TO: Central Florida Authorities
SUBJECT: Update on Alternative Water Supply Trust Fund
50. TYPE: Email
DATE: April 23, 2007
RECEIVED FROM: Jackson E. Sullivan
ADDRESSED TO: Central Florida Authorities
SUBJECT: Update on Southwest Florida Water Management District's Governing Board Legislation.
51. TYPE: Email
DATE: April 24, 2007
RECEIVED FROM: Brenda Frazier, Hernando County Community Relations Coordinator
ADDRESSED TO: All Network Users
SUBJECT: Notification that the Hernando County Health Department Administration Offices have moved to 15470 Flight Path Drive, Brooksville, FL.
52. TYPE: Email
DATE: April 24, 2007
RECEIVED FROM: Ali Humphreys (via City Clerk Phillips)
ADDRESSED TO: Mike Humphreys
SUBJECT: Reminder of 4/25/07 Hernando Senior Services Network meeting at Evergreen Woods.
53. TYPE: Memorandum
DATE: April 27, 2007
SENT BY: City Clerk Phillips
ADDRESSED TO: Council Members
SUBJECT: Occupational Licenses in City.

Monthly Reports (March 2007 will be included in 5/21/07 CTN)

Miscellaneous Minutes

City of Brooksville Personnel Advisory Board	September 28, 2006 February 27, 2007
Mid Florida Community Services, Inc. Childrens' Advocacy Center of Hernando County Task Force	December 14, 2006
City of Brooksville Planning & Zoning	February 14, 2007 March 14, 2007
Withlacoochee Regional Water Supply Authority Board of Directors Meeting	March 21, 2007
Hernando County Community Anti-Drug Coalition	March 28, 2007

Bulletins/Newsletters/Miscellaneous Publications & Reports

Florida Housing Finance Corporation's 'What's Developing' Newsletter	1 st quarter 2007
Southwest Florida Water Management District's 'Water Matters'	Mar/Apr 2007
YMCA of the Suncoast's 'Words From The Y's'	Spring 2007
Goodwill Industries-Suncoast, Inc.	Spring 2007
Public Risk Management's 'Progress Review Monitor'	April 2007
Innovative Groups' 'IG Newsletter'	April 2007
Hernando Historical Museum Association, Inc.	Apr - Jun 2007
Withlacoochee Regional Water Supply Authority - 4/13 Legislative Update Report	April 13, 2007
Senator Dockery's 'This Week In The Senate'	April 9-13, 2007 April 16-20, 2007
Florida League of Cities, Inc.'s 'Datagram'	April 16, 2007
Suncoast League of Cities Registration Packet (Regarding June 16, 2007, 22 nd Annual Conference in St. Pete, FL.)	April 18, 2007
Florida League of Cities' 'Legislative Alert'	April 24, 2007

Miscellaneous

Proclamations ~
Honoring 'The Week of the Young Child'
(April 22-28, 2007) April 02, 2007
Honoring 'Arbor Day' April 16, 2007
Honoring 'The Timmons' Family Reunion' April 27, 2007

Irrevocable Power of Attorney ~
Fred W./Beth A. Yealy appointing City,
Regarding Parcel ID# R33 222 19 1510 0000 0360. April 04, 2007

Greater Hernando County Chamber of Commerce ~
Details of 5/18/07 'Keys To Success' Series April 03, 2007
Events for Week of April 9-13, 2007 April 09, 2007
March 2007 New Members Roster April 11, 2007
Events for Week of April 16-20, 2007 April 13, 2007
Events for Week of April 23-27, 2007 April 24, 2007

Property Tax Clips ~
April 03, 2007
April 04, 2007
April 09-12 2007
April 16-20 2007
April 23, 2007
April 24, 2007

Precautionary Boil Water Notice ~
Details of boil water notice, effective
10am April 10, 2007, due to maintenance
activities on water system in the area
of Hammock Road/US 98/Yontz Road. April 09, 2007

Hernando County Fair Association ~
Profit & Loss Report March 2007 April 11, 2007

Street Closure ~
4/25/07 Sheriff's Annual Special Olympics
Torch Run from 8:30 - 10:00 a.m. April 11, 2007

Workshop Notification ~
4/26/07 2010 Census Promotional Workshop
to be held at the Withlacoochee Regional
Planning Council in Ocala, FL. April 12, 2007

Grant Documents ~ VisitFlorida Cultural Heritage and Nature Tourism Marketing Grant 2007-08, to update and print 50,000 full color brochures to increase the marketing presence of Brooksville and Hernando County.	April 12,	2007
VisitFlorida Advertising Matching Grant Program	April 18,	2007
Groundwater Guardian Workshop Invitation ~ May 10, 2007, 8:30 to 4:00 at the Sand Hill Scout Reservation, Brooksville, FL.	April 12,	2007
2007 Hurricane Expo ~ Schedule of Events for June 2, 2007, event at Weeki Wachee Springs, FL.	April 13,	2007
Verification of Insurance ~ (Liability Insurance Certificate) From Killingsworth Agency, Inc. Regarding May 5-6, 2007, Fine Arts Council event.	April 13,	2007
Citizens' Financial Report/Hernando County, FL (Fiscal year ended 9/30/06)	April 19,	2007
Press Release ~ Announcing Charles Miller being named as '2007 Volunteer of the Year' at the City's Annual Volunteer Appreciation Reception on April 17, 2007.	April 25,	2007
Invitation ~ May 15, 2007, SunTrust Bank Seminar at Tampa's International Mall.	April 25,	2007
Invitation ~ May 9, 2007, 8am at Eckerd Youth Academy Annual Advisory Committee Breakfast	April 25,	2007

NOTE: Copies of all correspondence on file in office of the City Clerk

G:\WP_WORK\ClerkOffice\Correspondence-to-Note\05-07-07 CTN.wpd

Board of County Commissioners
Hernando County
County Attorney's Office



Garth C. Coller, County Attorney
Kent L. Weissinger, Senior Assistant County Attorney
Geoffrey T. Kirk, Assistant County Attorney
Jon A. Jouben, Assistant County Attorney
Kristie L. Kroslack, Assistant County Attorney
Susan H. Bishop, Legal Administrator

20 N. Main Street, Suite 462
Brooksville, FL 34601
352-754-4001 Fax
352-754-4122

file
Bill &
Dawson
attending

March 7, 2007

Via Certified Mail
Return Receipt Requested

The Hon. Stephen Baumgartner
Interim City Manager
Brooksville City Hall
201 Howell Avenue
Brooksville, FL 34601-2041

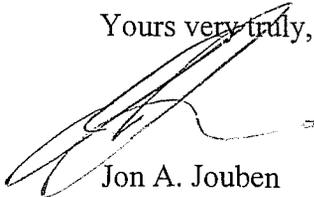
Re: Hernando County v. City of Brooksville
Case No.: H-27-CA-2006-001531-RT
Initiation of ADR Procedures

Dear Mr. Baumgartner:

This letter serves as written notice that the Conflict Assessment Meeting for the above referenced case previously set for Friday, March 9, 2007 at 8:00 a.m., has rescheduled to Monday, March 19, 2007, at 2:00 p.m. The meeting will take place in the conference room of the County Attorney at the address listed above. The new meeting date and time has been confirmed with all participants, with the exception of your own recusal.

The City's anticipated cooperation with this matter is appreciated.

Yours very truly,



Jon A. Jouben

cc: Gary Kuhl

le-2

4/12/07
cmw 5/7/07

4/01/07

To whom it May Concern:

Please be noticed that Cornelius Gallery Jr. has been appointed as the new business agent of record for the Church of Christ at Northside as of February 11 2007.

This action taken by the board of trustees is to replace Allyn Kight, who resigned the position subject to this replacement.

Agent of record
Cornelius J Gallery Jr.
12082 S. Aster Pt.
Floral City, Fl. 34436
(352) 726-8385
(352) 422-8615

Andrew Limbrecht
President board of trustees

Mary

04-11-07 09:00 AM III *deal* *P*

4/13/07
SW

cmw 4/2/07

interoffice
MEMORANDUM

To: Steve Baumgartner, Interim City Manager
From: Bill Geiger, Community Development Director *BJ*
Subject: Converting Employee from Full to Part-Time Status
Date: April 2, 2007

Steve,

As per our conversation last week, I am requesting that the employee status for Brian Brijbag (Employee No. 705) be changed from full-time to part-time status for his employment position as the City's Redevelopment Coordinator (Position No. 20003). Please reference the attached letter from Mr. Brijbag concerning this request.

Mr. Brijbag has accepted an employment position with another entity that will impinge on his ability to continue to work in a full-time capacity with the City. He has expressed a desire to continue working for the City to help keep long-term projects moving. He understands that his part-time employment status would be "at-will," and that when a full time employee is found, his services for the city would be phased out.

Recommendations:

1. Advertise for a full-time individual for the Redevelopment Coordinator position.
2. In the interim, allow Mr. Brijbag to continue to do the Redevelopment Coordinator job as a part-time employee. Continue his salary at its present rate. Full-time benefits would cease as of this date this request is approved.

Mr. Brijbag has been very successful in representing the City for the short period of time in which he's been here. I believe that it will be a great benefit to the City to continue to allow him to serve in a part-time capacity until such time as a replacement can be found and trained for the Redevelopment Coordinator position.

Attachment: Brijbag-to-Geiger letter (March 26, 2007)

pc: Karen M. Phillips, CMC, City Clerk/Dir. of Admin.
file

C:\G Drive\Bgeig\Manager\sb04022007 Brian Brijbag part_time conversion.wpd

head *g*
4/12/07 *5/7/07*
20
04-02-07 P12:10 IN

CITY OF BROOKSVILLE
MEMORANDUM

To: Steve Baumgartner, City Manager

From: Emory H. Pierce, Director of Public Works
Lauren Busacca, Project Manager

Re: **Innocent Victim Petroleum
Storage System Restoration Program**

Date: April 2, 2007

Emory H. Pierce

Over a year ago, with the help of George Foster, President Creative Environmental, we started providing FDEP with background information on the City Public Works Compound. That process included taking soil samples which showed that we have contamination from petroleum on this site, not a serious problem, but still one that needs to be addressed. Copies of previous relevant reports and correspondence are attached. Now that we have the Public Works Compound in this program, at present, the City's only obligation is to pay \$500.00 at some later date when we are notified that site re-remediation will start. This program will probably not cover all costs associated with contamination at this site; only those costs associated with the contamination from some previously removed underground petroleum storage tanks. We must remember that our Public Works compound was previously an electrical co-op maintenance facility which was previously part of a railroad switching yard and there is no telling what could have been dumped or spilled in this area in the past.

Another site the City is working on is at the intersection of US41/Broad and Main (15 S. Broad Street, Patricia's Boutique). During the course of the bulbout construction the contractor came across an abandoned underground petroleum storage tank. At that time City staff removed the tank and as much contaminated soil as possible without undermining the adjacent building or Broad street. We have a drawing dating to the 1950's that shows this site was a gas station. In 2003, George Foster's group produced a Closure Assessment Report, and in 2006 we applied for the Innocent Victim Program. We have not received word from FDEP since our last response to them on Jan. 29, 2007. Copies of relevant documents and correspondence related to this site are also attached.

We have just been notified that a portion of ACL ST. has petroleum contamination, but it appears this site is eligible for this innocent victim program also and we are working on getting it covered by that same program. Copies of relevant materials are attached.

P.C. Read

Unfortunately we can probably expect more of this to occur as FDEP widens its investigation of contaminated sites in the area.

cc: George Foster, Creative Environmental

EHP/ko
G:\W_PERFEMORY\04022007PETROCONTAM.wpd

*4/18/07
GB*

CTW 5/2/07

8

CITY OF BROOKSVILLE
MEMORANDUM

→ To: Steve Baumgartner, City Manager ←

From: Emory H. Pierce, Director of Public Works

Emory H. Pierce

Re: **NPDES Permit**

Date: April 2, 2007

So far the only fee we had to pay was \$100.00 for the initial permit. Now the nice people at FDEP have figured out it is costing them money to monitor compliance and they are going to start charging an annual fee to all permit holders. We will send somebody to the workshop in May so that we can budget accordingly.

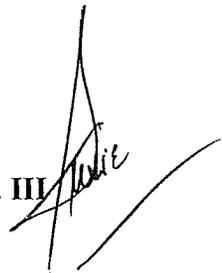
Also attached is a recent letter commenting on our second annual NPDES Permit report and this is what they want to charge us for in the future. As you can see the work associated with permit compliance and reporting is only going to increase.

P. H. ...

*4/26/07 CTN 5/7/07
JP all R*

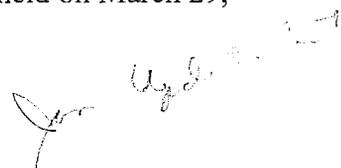
interoffice
MEMORANDUM

TO: KAREN PHILLIPS, CITY CLERK
FROM: SUSAN MAE MCCRARY, ADM. ASST. III
DATE: APRIL 3, 2007
SUBJECT: ELECTION OF OFFICERS



The Firefighters' Pension Trust Fund Board of Trustees, at their meeting held on March 29, 2007, elected the following officers:

Chairman: Timothy A. Mossgrove
Vice-Chairman: Gerald E. Ward
Secretary: Frank R. Phillips



If you need anything further, please contact me.

cc: Scott Christiansen, Attorney

04-03-07 PM 7:25 1P

✓ lead
4/5/07
C. Christiansen 4/7/07



Council on American-Islamic Relations
Tampa Chapter

8056 N. 56th Street, Tampa, FL 33617
Tel 813.514.1414 Fax 813.514.1415 fl.cair.com

4/3/2007

Mayor David Pugh
Brooksville City Council
201 Howell Ave.
Brooksville, FL 34601

“WHAT EVERYONE NEEDS TO KNOW ABOUT ISLAM”

Dear Mayor Pugh:

The Tampa Chapter of the Council on American-Islamic Relations (CAIR-Tampa) is pleased to offer you a **complimentary** copy of a **book** entitled "*What Everyone Needs to Know about Islam*" by John Esposito, who is a professor of Islamic Studies and is the founding Director of Georgetown University's Center for Muslim-Christian Understanding.

Recent polls show that nearly half of Americans expressing lack of knowledge about Islam. Since part of CAIR's mission is to enhance understanding of Islam, we are providing reading materials to public officials and members of the media who have expressed interest in having a dialogue with the American Muslim community.

As an effort towards a positive response to the commonly circulated misinformation locally and nationally about Islam, we are reaching out to influential people in our community, and certainly you are one of them, in order to provide a resource that reflects the true religion of Islam and the perspective of American Muslims.

Prof. Esposito's book does an excellent job of clarifying some of the misperceptions of Islam and answers the most frequently asked questions about the teachings of the Qur'an and the Prophet Muhammad.

We hope that you find it to be educational and that you will use the information found in the book to encourage understanding at this crucial time in American-Islamic relations.

To receive your own complimentary copy of "*What Everyone Needs to Know about Islam*" please use the **enclosed** postage-paid **request card**, email **tampa.books@cairfl.org** with the subject line "Esposito book", fax 813-514-1415 or **call** 813-514-1414 x21.

If you have any questions please do not hesitate to contact me.

Sincerely,


Ahmed Bedier
Executive Director
Tampa Chapter

Handwritten initials: org BT

Handwritten initials: BT

Handwritten text: Coc CRT 5/2/07

Julie Sherraden

From: "Anthony Jones" <info@thegrantinstitute.com>
Sent: Wednesday, April 04, 2007 3:43 AM
Subject: Professional Grant Proposal Writing Workshop (University of Central Florida - June 2007)

The Grant Institute's **Grants 101: Professional Grant Proposal Writing Workshop** will be held at the University of Central Florida, June 6 - 8, 2007. Interested development professionals, researchers, faculty, and graduate students should register as soon as possible, as demand means that seats will fill up quickly. Please forward, post, and distribute this e-mail to your colleagues and listservs.

All participants will receive certification in professional grant writing from the Institute. For more information call (888) 824 - 4424 or visit [The Grant Institute](#) website.

Please find the program description below:

THE GRANT INSTITUTE

GRANTS 101:

Professional Grant Proposal Writing Workshop

to be held at the

University of Central Florida

Orlando, Florida

June 6 - 8, 2007

8:00 AM - 5:00 PM

The Grant Institute's Grants 101 Course is an intensive and detailed introduction to the process, structure, and skill of professional proposal writing. This course is characterized by its ability to act as a thorough overview, introduction, and refresher at the same time. In this course, participants will learn the entire proposal writing process and complete the course with a solid understanding of not only the ideal proposal structure, but a holistic understanding of the essential factors, which determine whether or not a program gets funded. Through the completion of interactive exercises and activities, participants will complement expert lectures by putting proven techniques into practice. This course is designed for both the beginner looking for a thorough introduction and the intermediate looking for a refresher course that will strengthen their grant acquisition skills. This class, simply put, is designed to get results by creating professional grant proposal writers.

Participants will become competent program planning and proposal writing professionals after successful completion of the Grants 101 course. In three active and informative days, students will be exposed to the art of successful grant writing practices, and led on a journey that ends with a masterful grant proposal.

*4/5/07
CAN 3/1/07* *pe: Steve
Karen
Autumn* *FYI* *8/2*
= 4/5/2007

City of Brooksville



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

April 4, 2007

Mr. Ronnie D. Baker
201 Howell Avenue
Brooksville, FL 34601

Re: Formal Due Process Hearing

Dear Mr. Baker:

In my March 15, 2007 Pre-Disciplinary letter to you, you were to advise me in writing on or before 5:00 P.M. on March 29, 2007 whether you desired to have a hearing. Since I have not heard from you, I will proceed to schedule a hearing.

Please refer to Section 9B.03 Alternative Procedure which is enclosed. It explains the procedures that we need to follow. I have set the hearing before me for May 9, 2007. It will be held as follows:

Date: May 9, 2007

Place: Brooksville City Hall Chambers

Time: 2:00 P.M.

Issue: City Manager shall consider the evidence before him and make Findings of Fact and Conclusions of Law concerning disciplinary action against you as outlined in the Pre-Disciplinary Letter dated March 15, 2007.

No later than May 2, 2007 (seven [7] days prior to hearing) you and Bill Geiger are requested to comply with PRM Section 9B.03(C). In addition, at the same time, you are both required to provide each other with a copy of any documents, except rebuttal documents upon which you intend to rely at the hearing. At the same time, you both need to supply me with a copy of whatever you supply each other.

Handwritten notes:
4/9/07
06-00-1000-111
Lead g
CN 5/7/07

J.B.

Julie Sherraden

From: "Frankie Burnett" <fburnett@ci.brooksville.fl.us>
To: "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>
Sent: Thursday, April 05, 2007 10:07 AM
Subject: Fw: Children's Advocacy Center

Karen M. Phillips
Director of Administration/City Clerk
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041
<http://www.ci.brooksville.fl.us>
kphillips@ci.brooksville.fl.us
(352) 544-5407 (Phone)
(352) 544-5424 (Fax)
----- Original Message -----

From: Janice Roy
To: Janice Roy ; Alli Freda ; Annie McPherson ; Barb Lobach ; Barbara Renczkowski ; Beth Lord ; Brad King ; Brian Harrage ; Colleen Talpa ; Cynthia Schuler ; Dan Valley ; Debbie Andrews ; Debbie Thomas ; Debra Pilla ; Delores Sowell ; Dennis Callaghan ; Dina Baswell ; Donna Stucchio ; Doris Banks ; Elizabeth Callaghan ; Evelyn Garza ; Frankie Burnett ; Gerrie Bishop, Esq.
Cc: Francine Ward
Sent: Wednesday, April 04, 2007 11:59 AM
Subject: RE: Children's Advocacy Center

Correction: The CAC Meeting will be Thursday April 12, 2007.

not 4/14/07

Janice Roy

From: Janice Roy
Sent: Wednesday, April 04, 2007 11:28 AM
To: 'Alli Freda'; 'Annie McPherson'; 'Barb Lobach'; 'Barbara Renczkowski'; 'Beth Lord'; 'Brad King'; 'Brian Harrage'; 'Colleen Talpa'; 'Cynthia Schuler'; 'Dan Valley'; 'Debbie Andrews'; 'Debbie Thomas'; 'Debra Pilla'; 'Delores Sowell'; 'Dennis Callaghan'; 'Dina Baswell'; 'Donna Stucchio'; 'Doris Banks'; 'Elizabeth Callaghan'; 'Evelyn Garza'; 'Frankie Burnett'; 'Gerrie Bishop, Esq.'; 'Gloria West-Lawson'; 'Harriet Martin'; 'India Kudla'; 'Irene Rickus'; 'Jean Fox'; 'Jean Rags'; 'Jeff Shealy'; 'Jim Knight'; 'JoAnn Carmen'; 'Jo-Ann Fuller'; 'Joe Berry'; 'John Heyne'; 'Judy Everett'; 'Karen Nicolai'; 'Kathleen Winters'; 'Kay Williams'; 'Kelly Miles'; 'Kimberly G. James'; 'Laurie S. Deitrich'; 'Linda Galloway'; 'Lisa Panzer'; 'Major Alan Arick'; 'Mari Claiborne'; 'Mary Elizabeth Preston'; 'Mary Peavler'; 'Maureen Solomon'; 'Michael Hensley'; 'Michele Stone'; 'Mona Terry'; 'Nicole Klapka'; 'Nicole Quinn'; 'Noreen St. Jean'; 'Pat Lonergan'; 'Peggy Bryant'; 'Scott Smith'; 'Sharon Kulesa-Fye'; 'Shelley Katz'; 'Sheriff Richard Nugent'; 'Stacey Weiner-Varnado'; 'Susan Berg'; 'Susan Harman'; 'Tamera Stewart'; 'Touhy Margaret'; 'Tresa Watson'; 'Vanessa Wolter'; 'Vicki Gates'
Cc: Francine Ward
Subject: Children's Advocacy Center

To all CAC Members,

pe; 'read' POST
ATN 5/1/07 *S*
4/5/2007

*PC Council Member
Item*

Karen Phillips

Dist Head

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: <kphillips@ci.brooksville.fl.us>; <gordonr@hcsb.k12.fl.us>
Sent: Thursday, April 05, 2007 3:21 PM
Subject: National Day of Prayer

Karen and Roy, please pass this along to the City Council and staff and to the School Board and staff:

I have been asked to make sure that you all are invited to attend the **National Day of Prayer** service on Thursday, May 3, 2007, at St. Frances Cabrini Catholic Church, 5030 Mariner Boulevard in Spring Hill. The "Prayer Walk" will begin in the parking lot at 11:00 a.m., and the prayer service will begin at 12:00 noon in the sanctuary and will last about an hour. A press release will follow - just wanted to make sure you saved the date on your calendars. And please pass along to your staff so they may attend if they wish.

*4/9/07
go*

CTU 5/1/07 

Karen Phillips

From: "Marc Stevens" <marcstevens@adventuresinlegalland.com>
To: <fburnett@ci.brooksville.fl.us>
Sent: Friday, April 06, 2007 3:39 PM
Subject: parking ticket ordinance

Hi,

I have left several messages on your voicemail and with the city clerk. I am the host of a radio show called The No State Project and I would like to speak to you about the parking ticket ordinance. Please let me know whether you're interested or not.

Thanks,

Marc Stevens

--

Angie Frank
PC head

g

4/9/07
JS

Con 5/7/07

4/9/2007

Karen Phillips

From: "Eric S. Miller" <eric.miller@pearsoned.com>
To: <dpugh@ci.brooksville.fl.us>; <jbernardini@ci.brooksville.fl.us>; <lbradburn@ci.brooksville.fl.us>; <rlewis@ci.brooksville.fl.us>; <fburnett@ci.brooksville.fl.us>
Sent: Monday, April 09, 2007 1:35 AM
Subject: Ordinance proposal from 2007-03-22 meeting

All,

I cannot believe any community in the United States would support an ordinance (or those who would approve such an ordinance) that could result in an individual's home being taken over unpaid tickets as low as \$5. This is by far the most absurd piece of "legislation" that I have ever heard of. Admittedly, I am not a resident of Brookville so I am unable to cast my opinion in the voting booth, but I can speak with my family's finances; we will not do business with any individual or organization within Brookville if this ordinance is approved. Your community has become the laughing stock of the country since the ordinance was proposed and will continue to do so unless the members of the Council wake up and see the folly of this proposal.

Sincerely,
Eric S. Miller

This email may contain confidential material.
If you were not an intended recipient,
please notify the sender and delete all copies.
We may monitor email to and from our network.

PC: Lead
Lester
del

4/10/07
CM 5/766
4/9/2007

City of Brooksville



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

*Chas
All
Jim D.
Mary C.*

April 9, 2007

Suburban Propane, L.P.
Ms. Tammy Cutrona, Tax Manager
One Suburban Plaza
240 Route 10 West
P O Box 206
Whippany, NJ 07981-0206

Dear Ms. Cutrona:

I have just received an answer back, from our city attorney, regarding your question about fuel tax exceptions. (Please see attached memo)

The 'for resale' exemption only applies to public or private utilities that resell propane purchased from Suburban Propane. Campgrounds, retail stores, and other propane companies are not public or private utilities, therefore, the exemption does not apply.

Our attorney has suggested that, to avoid double taxation on these sales, a commission arrangement may be in your best interest.

Sincerely,

Stephen Baumgartner
Stephen J. Baumgartner,
Interim City Manager

G:\WP_WORK\Jsher\2007 int cm asst corresp\Suburban Propane 4-9-07.wpd

back 4/13/07 js
CR 1 5/7/07 B

*Legal
Opinion*

David La Croix
Attorney

*Land Use Planning
and Zoning
Local Government Law
Appellate Practice*

*Post Office Box 381
Brooksville, FL 34605
Tel. & fax: (352) 382-1373
davidlac@earthlink.net*

MEMORANDUM

TO: City Council Members

FROM: David La Croix, City Attorney

SUBJECT: Interviews with City Manager Applicants

DATE: April 9, 2007

I understand that a question arose as to whether or not Council Members can meet individually and privately with City Manager applicants.

There is no legal prohibition against such meetings. The only limitation would be any that Council itself wanted to adopt. If Council did adopt a policy that applicants not be interviewed individually and privately, that policy would not have the force of law and would only be enforceable by voluntary compliance--unless adopted by ordinance.

PC COUNCIL
STRUB
MARGALIT } FOR
4/11/07
AGENDA
DISCUSSING

4/13/07

Karen Phillips

From: "Steve Baumgartner" <sbaumgartner@ci.brooksville.fl.us>
To: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Cc: "Janice Peters" <jpeters@ci.brooksville.fl.us>
Sent: Tuesday, April 10, 2007 8:38 AM
Subject: Fw: Info for Monthly Report

Not sure if this should be on CTN, but Council needs to know that Brooksville P.D. met with Southway Estates Villas Homeowner's Association. See below

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

From: Frank Ross
To: Stephen Baumgartner
Sent: Monday, April 09, 2007 4:22 PM
Subject: Fw: Info for Monthly Report

Steve: The Mayor had forwarded a complaint to me from Mr. Clark and Mr. Caldwell. Both gentlemen were present at this meeting. We had a large turnout. I had also received complaints from Stuart Dausch about this matter. He too was at the meeting. He was the gentleman going to Council to discuss their issues. We are addressing their concerns. They are 60-70% management type issues. We discussed our role and support.



We will be developing long term strategies to address these issues.

Frank

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

From: Norm Cartwright
To: Brenda Benford ; f ross
Sent: Monday, April 09, 2007 12:50 PM
Subject: Info for Monthly Report

For (next) Monthly Meeting:

On Monday, April 9, 2007 at about 0930 hours, a meeting was held at the community club room at Southway Estates Villas, with the Southway Estates Villas Homeowner's Association. Department participation was at the direction of Chief Ross, with himself, Lieutenant Hankins, Sergeant Cartwright and Detective Messer in attendance. Although it was the board meeting for the Association, the police department was invited to attend and address issues concerning drug activity and suspicious people in the park. The residents expressed concern over the park becoming more susceptible to undesirable types of people over the last while. Chief Ross listened to the complaints and advised members and citizens alike, what the department can do, to assist the neighborhood. It will be a concentrated and continuous effort between law enforcement and residents, to effectively clean up the problems there. Although it won't happen overnight, immediate responses will be done, with long range plans to keep the neighborhood clean and safe, to follow.



Norm

Sergeant Norman L. Cartwright
Brooksville Police Department
(352)754-6800 (Phone)
(352)754-6809 (Fax)
ncartwright@ci.brooksville.fl.us
<http://www.ci.brooksville.fl.us>

fc: kend

*4/10/07
gaw*

cmw

5/7/07

4/10/2007

8

F4I -

Julie Sherraden

(at present time, no City Rep. for this...)

From: "Alys Brockway" <abrockway@co.hernando.fl.us>
To: <tbf@atlantic.net>; <jjsims1960@bellsouth.net>; <secoburn@bellsouth.net>;
 <bbrijbag@ci.brooksville.fl.us>; <bgeiger@ci.brooksville.fl.us>; <epierce@ci.brooksville.fl.us>;
 <jsherraden@ci.brooksville.fl.us>; "Alys Brockway" <ABrockway@co.hernando.fl.us>; "Dawn
 Durham" <DawnD@co.hernando.fl.us>; "Gary Kuhl" <GKuhl@co.hernando.fl.us>; "John Burnett"
 <JohnB@co.hernando.fl.us>; "Kay Adams" <KayA@co.hernando.fl.us>; "Kent Weissinger"
 <KentW@co.hernando.fl.us>; "Larry Jennings" <LarryJ@co.hernando.fl.us>; "Pamela Gaines"
 <PamelaG@co.hernando.fl.us>; "Pamela Hejduk" <PHejduk@co.hernando.fl.us>; "Ricky Leach"
 <RLeach@co.hernando.fl.us>; <weaver_m@hcsb.k12.fl.us>; <gcsigua@mail.ifas.ufl.edu>;
 <JPMorris@rinker.com>; <Charlie.miller@swfwmd.state.fl.us>;
 <Chris.Zajac@swfwmd.state.fl.us>; <Ed.Hobin@swfwmd.state.fl.us>;
 <Gene.Altman@swfwmd.state.fl.us>; <Gregg.Jones@swfwmd.state.fl.us>;
 <Veronica.Craw@swfwmd.state.fl.us>; <jmurph19@tampabay.rr.com>;
 <jadams@tbegroup.com>; <mduncan@wrec.net>
Cc: "Jesse Goodwin" <JesseG@co.hernando.fl.us>; <lou.kavouras@swfwmd.state.fl.us>
Sent: Tuesday, April 10, 2007 9:02 AM
Subject: April 19, 2007--Noon

Hello!

Our next scheduled meeting is April 19, 2007, and is the last meeting prior to our May 10, 2007 Stormwater Workshop. I am thrilled to report that Wes Skiles, Karst Productions will not only be a speaker but will also show his new film, "Waters Journey-Everglades" during the lunch break. Two things I need from all of you--I need to know that (if) you are attending this workshop--and please let me know if you plan to attend this next meeting.

Thanks, Alys

Alys Brockway, Water Conservation Coordinator
 Hernando County Utilities Department
 21030 Cortez Blvd.
 Brooksville, FL 34601
 352-540-4368 Ext. 35139
 Fax: 352-754-4485

pe: 'lead'
SB
KP
DEPT. HEADS *jp*
4/10/07
ETA 5/7/07
 4/10/2007

City of Brooksville

(352) 544-5400 (Phone)

(352) 544-5424 (Fax)

(352) 544-5420 (TDD)



April 10, 2007

Mr. Robert Buck
800 John Gary Grubbs Blvd.
Brooksville FL 34601

Dear Mr. Buck:

I took under advisement your request to refund to you 8 days of medical leave that you requested in our meeting. I consulted City Attorney LaCroix and he recommended I call our Labor Attorney, Reynolds Allen.

Mr. Allen said that the City had no obligation to refund you the 8 days medical leave. You did not work and provided the City with a Doctor's slip. Your sick leave request was honored in good faith by the City.

Training films are being planned by our Human Resource Department through Public Risk management to address workplace issues.

I consider this matter closed.

Thank you,

Stephen J. Baumgartner
Interim City Manager

Lead

4/12/07

CTW 5/7/07

Karen Phillips

From: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
To: "Tim Mossgrove" <tmossgrove@ci.brooksville.fl.us>; "Stephen Baumgartner" <sbaumgartner@ci.brooksville.fl.us>; "Mike Walker" <mwalker@ci.brooksville.fl.us>; "Jim Delach" <jdelach@ci.brooksville.fl.us>; "Emory Pierce" <epierce@ci.brooksville.fl.us>; "Bill Geiger" <bgeiger@ci.brooksville.fl.us>; "Frank Ross" <fross@ci.brooksville.fl.us>; "Margaret Bosack" <mbosack@ci.brooksville.fl.us>; "David LaCroix" <davidlac@earthlink.net>
Cc: "Terri Slaughter" <tslaughter@ci.brooksville.fl.us>; "Susan Mccrary" <smccrary@ci.brooksville.fl.us>; "Pat Jobe" <pjobe@ci.brooksville.fl.us>; "Mary Cason" <mcason@ci.brooksville.fl.us>; "Lindsay Morgan" <lmorgan@ci.brooksville.fl.us>; "Jan Peters" <jpeters@ci.brooksville.fl.us>; "Brenda Benford" <bbenford@ci.brooksville.fl.us>; "Audrey Williams" <parks@ci.brooksville.fl.us>; "Allison Earwood" <aearwood@ci.brooksville.fl.us>; "Kim Harsin" <kharsin@ci.brooksville.fl.us>; "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>; "Richard E Lewis" <rlewis@ci.brooksville.fl.us>; "Lara Bradburn" <laraline@hotmail.com>; "Joe Bernardini" <joegrp1@bellsouth.net>; "Frankie Burnett" <fburnett@ci.brooksville.fl.us>; "David Pugh, Jr." <davidp@civil-tech.com>
Sent: Tuesday, April 10, 2007 5:17 PM
Subject: City Manager Selection Process

We have received confirmation from all three finalists for the City Manager position for Monday, April 30th and Tuesday, May 1st so please note these dates on your calendars.

TENTATIVE CALENDAR OF EVENTS:

There are a number of events scheduled for Monday during the day so please clear your calendars as follows:

- 1 - 1:30 pm - City Manager will meet with candidates to orientate them on the two-day schedule.
- 1:30 - 3:00 pm - Bill Geiger & Emory Pierce will be taking the candidates on a group guided tour of town and applicable spots (to be determined). Mike, please coordinate for use of the bus and driver for this.
- 3:15 - 4:30 pm - Dept. Heads will be meeting with the candidates in some forum yet to be determined.
- 5 - 6 pm - There will be a group Public Forum in the Council Chambers to give the citizens an opportunity to query the candidates. You are of course invited to attend but not required.
- 7:00 - 9:30 pm - Social Dinner with candidates, Council Members and Dept. Heads (and spouses/guest/sign others - location to be determined). Mike is working on arrangements but needs confirmation of your attendance (and your spouse/guest attendance) for a head count.

For Tuesday, the schedule does not really require attendance by you until the evening, but for your information, the following is the tentative schedule of events:

- 8 am - 3 pm - Individual one-on-one interviews. Some of your employees may be participating in the group "City Employee Team" meetings in the afternoon from Noon to 3 pm with the individual candidates but those plans have not been finalized yet. Please talk to Steve or Margaret if you have any suggestions, comments or concerns to offer on the employee selection process.
- 5 - 6:30 pm - Public Reception for the candidates in City Hall (you are invited to attend, if available)
- 7 - 10 pm - Special Council Meeting to individually interview the candidates

If you have any overall questions, comments or concerns, please let me know or contact Steve or Margaret direct.

Karen M. Phillips

PC: Frankie
 REC
 lead
 4/11/07
 JB
 4/10/2007

**DYNAMIC
ENVIRONMENTAL
ASSOCIATES, INC.**

A PROFESSIONAL ENVIRONMENTAL CONSULTING FIRM

By: Certified Mail

April 10, 2007

Mayor David Pugh
201 Howell Avenue
Brooksville, FL 34601-2041

Re: Invitation to Comment
Verizon Wireless Personal Communications LP
Tower Site - Brooksville Christian Church (No. 86841-10)
Brooksville, Hernando County, Florida
DEA No. 20702021

Dear Mayor Pugh:

Verizon Wireless Personal Communications LP has proposed to construct a telecommunications tower in Hernando County, Florida. With this letter, we invite the City of Brooksville to assist us in determining whether this proposed project may affect historic resources that are listed or eligible for listing in the National Register of Historic Places. It is in this context that we are inquiring whether you have any knowledge of historic resources that may be affected by this project and/or whether you wish to comment on this proposed project.

The following Site information is being provided for your use:

Site Name:	Brooksville Christian Church (86841-10)
Address or Location Description:	6197 Broad Street
City, County, State:	Brooksville, Hernando County, Florida
Latitude:	N28-31-11.3
Longitude:	W82-25-01.9
Proposed Structure Height and Type:	160 Foot Tall Monopole Tower
Approximate Ground Elevation:	85.6 Feet

PC: Council
Steve
Bill
Erney
Kasch

As partial fulfillment of our client's responsibility under Section 106, as stipulated in the National Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission, we respectfully request your comments regarding this project's potential to adversely affect historic resources. As the project is proposed for development in the near future, we would appreciate receiving your comments in the ensuing

4/16/07

CRW 5/7/07



Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

April 11, 2007

Major David Pugh
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041

**Re: City of Brooksville Right-of-Way
ACL Street
Brooksville, Hernando County, Florida**

Dear Major Pugh:

The Department has reviewed the Site Assessment Report, dated February 13, 2007, for the Former Springstead Oil located at 533 South Brooksville Avenue, Brooksville (facility ID #27/8508847). During the course of the site assessment, soil and groundwater samples were collected within the City of Brooksville Right-of-Way along ACL Street. The complete site assessment report is available on the Department's OCULUS data base which can be reached at: <http://dwmedms.dep.state.fl.us/Oculus/servlet/login>.

The analytical results of the groundwater samples collected within the City of Brooksville Right-of-Way along ACL Street during the assessment were found to be in excess of state target limits. In particular, benzene was detected at 2.2 ug/l, clearly in excess of the state target limit of 1 ug/l, in monitoring well TW-33; Total Recoverable Petroleum Hydrocarbons were detected at 51,900 and 152,000 ug/l, clearly in excess of the state target limit of 5,000 ug/l, in monitoring wells TW-33 and TW-34, respectively; and arsenic was detected at 19.6 and 146 ug/l, clearly in excess of the state target limit of 10 ug/l, in monitoring wells TW-33 and TW-34, respectively. The location map and sample analysis is attached for your reference.

A Discharge Report Form (a blank copy is attached for your use) should be completed using the discharge discovery date of September 21, 2006. The completed form should be sent to my attention at: Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926.

Additionally, these levels of contamination require that a Site Assessment as defined in Chapter 62-770, F.A.C., be initiated within 30 days and a Site Assessment Report (SAR) must be prepared and submitted within nine months from the date of discovery of the contamination (no later than June 21, 2007). The Department requests that written notification be provided at least three days prior to initiation of the site assessment and

Handwritten notes:
PL: EMERY
STEVE
BILL C
TIM
COUNSELL

Handwritten notes:
NOTE: PER EMERY, HE WILL HANDLE

Handwritten date: Aug 4/13/07

Copy: City Manager
Steve Baumgartner
4/11/07

April 11, 2007

Honorable Sheriff Richard Nugent
Hernando County Sheriff's Office
P.O. Box 10070
Brooksville, Florida 34603-0070

Dear Sheriff Nugent:

I recently assumed the position of Interim Police Chief for the City of Brooksville. The appropriate protocol for a new police chief is the audit and inspection of the department evidence and property room. I am respectfully requesting your assistance in conducting this inventory. Please also provide any recommendations you deem appropriate that would improve the overall efficiency of our property control.

Your cooperation in this matter would be greatly appreciated. Thanking you in advance.

Sincerely yours,



Frank J. Ross
Interim Police Chief

Cc: Lt. Rick Hankins
Evidence Tech Mike Pizzino
File

cc
per 'road'
Karen

04-12-07 10:41 AM

4/16/07
JL
ETU 5/1/07



CITY OF BROOKSVILLE

J.H.S.
CTN
Reading
File
Chiron
CCC
4-12-07

TO:

(X) Director of Adm/City Clerk
(X) Director of Comm. Development
(X) Director of Finance
(X) Director of Parks & Recreation
(X) Director of Public Works
(X) Fire Chief
(X) Human Resources Director
(X) Police Chief
() Other

ACTION:

() As Requested
(X) For Your Information
() Appropriate Action
() Draft Reply for My Signature
() Reply for Your Signature
() Recommendation
() Other

FROM: Stephen J. Baumgartner
Interim City Manager

DATE: April 11, 2007

SUBJ: City Manager Selection Process

In the City Manager Selection Process, a City Employee Team was suggested to be formed to interview the three candidates. Council approved that concept and we need to move forward to make it happen.

I would like the process to work as follows:

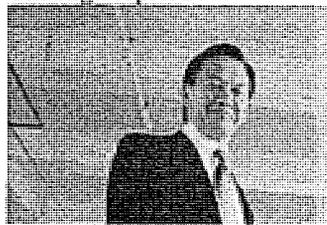
- Department Heads will make a selection of one employee that they supervise to serve on the team. Employee needs to be willing and available to serve. Employee needs to understand that they may not serve because of limited space.
- I will review Department Head selections and reduce team to 4 or 5 employees. I will attempt to make the team representative between General Fund and the Enterprises Funds. General Fund should have a higher representation because of its size.
- Chief Frank Ross will serve as facilitator.
- Questions should be prepared in advance and provided to Chief Ross. Chief Ross may schedule a meeting or communicate with the City Employee Team. Employees will be briefed on question development to insure that inappropriate questions are not asked to the candidates.
- Questions should be asked consistently between all candidates.

CTN 5/17/07

Karen Phillips

From: "Transforming Local Government" <tcollins@ig.org>
To: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Sent: Wednesday, April 11, 2007 3:22 PM
Subject: Community Partnerships; Regular Registration Rates End April 27

*** Join Hundreds Of Public Service Professionals From Across The Country * Regular Registration Rates Good Through April 27***



Learning Tracks
 Leading municipalities from across the country will present on the following topics:
 Elected Leadership
 Citizen Engagement
 Community Partnerships
 Environmental Leadership
 Economic Leadership
 Organizational Transformation
 Home Grown Innovation



June 6-8 in beautiful Bellevue, WA

[About The TLG Conference](#) [About The City of Bellevue, WA](#) [Conference Agenda](#)
[Complimentary Preconference Workshops](#) [Preview Sessions](#)

Community Partnerships Sessions

Healthcare Hurricane: ICS Incident Command Solution – Collaboration

Presented By: Orange County, FL (pop 1,023,023)

Movie Gallery: [Preview Session](#)

Community partnerships occupy center stage in the strategies of healthcare initiatives and the Primary Care Access Network (PCAN) is a best practice that has been recognized nationally for its innovation in leadership through cooperation and collaboration. Targeting an estimated 200,000 uninsured residents, this successful partnership draws on complementary assets of contributing members.

Community Solutions: Conflict Resolution in Action

Presented By: Bellevue, WA (pop. 112,344) and San Luis Obispo, CA (pop. 44,202)

Movie Gallery: [Preview Session](#)

Citizens facing interpersonal and neighborhood conflict often seek help from public officials, such as police and code enforcement, who may not have the time nor the tools to help them. Particularly in diverse communities, such as those with several ethnic groups or a mix of students and permanent residents, these demands proliferate and can drain city resources and lead to dissatisfaction all around. This presentation will highlight mediation programs in San Luis Obispo, California, and Bellevue, Washington, and describe what makes them successful models for dealing with this increasingly difficult civic issue.

Community of Respect

Presented By: Bryan, TX (pop 67,774) and College Station, TX (pop 84,000)

Movie Gallery: [Preview Session](#)

While there are many programs aimed at welcoming international residents, few prepare U.S. communities to successfully interact with our international visitors and residents. A Community of Respect (COR) is a collaboration between five grant partners to create a cross-cultural training program that can be used throughout community.

Collaboration is a Goldmine for the Community

Presented By: Broward County, FL (pop 1,777,638) and Charlotte County, FL (pop 157,536)

Movie Gallery: [Preview Session](#)

PC hand
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 20 4/12/2007



Florida/Virgin Islands
 1729 David Walker Drive
 Tavares, FL 32778

Area 4 Office
 Telephone (352) 742-7005, Ext. 5
 FAX: (352) 343-3858
 TDD: (352) 338-3499
 www.rurdev.usda.gov/fl

April 11, 2007

Mr. Emory H. Pierce, Public Works Director
CITY OF BROOKSVILLE
 201 Howell Avenue
 Brooksville, FL 34601

RE: Triennial Security Inspection

Dear Mr. Pierce:

Your loan agreement with USDA, Rural Development requires that a periodic inspection and compliance review be completed on the facility financed with loan funds. We have scheduled the subject review for your facility on **Tuesday, May 15, 2007 at 10:00 a.m.** The review will be conducted by Ms. Angela Prioleau, Rural Development Specialist. If this date and/or time is not convenient, please advise our office immediately.

The inspection will encompass the facility or property funded with USDA, Rural Development funds. Please have someone available who will be able to accompany Ms. Prioleau on the inspection.

If you have any questions, please call the area office at (352) 742-7005 Ext. 5.

Sincerely,

Vernon M. Fuller
 for **VERNON M. FULLER**
 Area Director

cc: Mr. Richard E. Anderson, City Manager
 201 Howell Avenue
 Brooksville, FL 34601

AP/jlb

NOTE. INSPECTIONS AT
 CITY HALL
 WASTEWATER LOBB RO.
 & FAIRGROUNDS
 FOR ATTACHED
 EMAIL &
 SUPPORT DOCS

PL: STEVE
 MAYOR
 JIM
 EMORY
 MARGARET

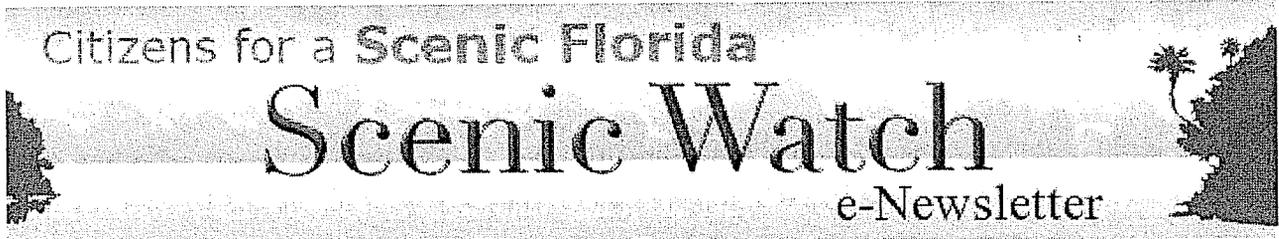
Committed to the future of rural communities

"USDA is an equal opportunity provider, employer and lender."
 To file a complaint of discrimination write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

4/19/07 FOR LMS 5/7/07

Karen Phillips

From: "Wilton Rooks" <sweditor@scenicflorida.org>
To: <cityclerk@ci.brooksville.fl.us>
Sent: Wednesday, April 11, 2007 8:30 PM
Attach: Legislative Q and A 070410c.pdf
Subject: ScenicWatch Alert - April 11, 2007



Scenic Watch is a free bi-monthly publication of Citizens for a Scenic Florida, Inc., dedicated to the preservation, protection and enhancement of Florida's scenic heritage. Individuals, organizations and government agencies are welcome as members. [Join](#) Scenic Florida now to protect our scenic qualities.

This is a special alert to inform you of an important issue now before the Florida Senate. Your urgent attention is appreciated. Thank you for your past support

SCENIC FLORIDA UPDATE: Florida Senate



Wall wraps (like these in New York City) may be "coming soon" to a building near you!

*cc: Council head
Dyke Head*

State Senator Rudy Garcia (R-Hialeah) recently sponsored an amendment to Senate Bill 2804 (a transportation bill) that will change Florida's statutes regulating outdoor advertising with regard to "wall wraps" - billboard type advertising affixed to the sides of buildings.

*4/13/07
80 CW 5/7/07
4/12/2007*

chronof file/fin

KP's

City of Brooksville



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

*Legal
F- Agreement file*

April 13, 2007

W. Reynolds Allen, Esq.
Allen, Norton & Blue, P.A.
324 South Hyde Park Avenue
Hyde Park Plaza, Suite 225
Tampa, FL 33606-4127

Re: Boyce E. Tincher

Dear Mr. Allen:

Attached please find the fully executed, Final Agreement between the City and Boyce E. Tincher.

Sincerely,
Stew

Stephen J. Baumgartner
Interim City Manager

eth 5/7/07 *RP*

Stelle

**Kellie Jo Stapleton
24 Croom Road
Brooksville, FL 34601**

April 13, 2007

City Of Brooksville
201 Howell Avenue
Brooksville, FL 34601

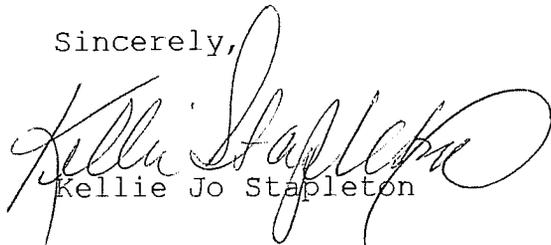
Re: Resignation

To Whom It May Concern:

After several notices to fill the Personnel Board vacancies went unheeded, I volunteered to serve and was appointed by unanimous consent of City Council. I was honored to be given the opportunity to serve the City in which I was born, raised and currently reside.

I am sensitive to the concern expressed recently by several City employees that they are uncomfortable with my position; and while it is my belief that my appointment was not improper, unethical or illegal, it has caused unwanted controversy and therefore would diminish my effectiveness on the Personnel Board. It is for this reason, I am tendering my resignation effective immediately.

Sincerely,


Kellie Jo Stapleton

04-13-07 P12:30 IN

*cc
pe: Karen
an
4/13/07 JP*

ctn 5/7/07

J

Karen Phillips

From: "Hernando County Chamber" <heather@hernandochamber.com>
To: "Joe" <jbernardini@ci.brooksville.fl.us>
Sent: Friday, April 13, 2007 4:08 PM
Subject: Alert- Advertising scam affecting your fellow chamber members!

It has come to our attention from the Florida Association of Chamber Professionals & your fellow Hernando County Chamber members of an advertising scam. Chamber members all around the state of Florida & the United States reported receiving calls from Premier Map Company (also said to be located in Davenport, Iowa) claiming to be selling advertising for a map they are producing with the chamber. The chamber is NOT working with Premier Map Company, and no one at the map company is ever available with called. The company is also named "ADS Enterprise" and is currently cold calling chamber member businesses and fraudulently representing themselves to be in a partnership with your Hernando County Chamber of Commerce as well as other local chambers in an attempt to sell advertising on a map and in a relocation guide as well.

First and foremost your Hernando County Chamber of Commerce is in partnership with Heron Publishing in the selling of the map, the relocation brochure and our directory.

Please if you receive a call from Premier Map Company or ADS Enterprise please notify your local Better Business Bureau and consumer complaint division by calling (727) 535-5522 or (800) 435-7352.

Here are some tips from the Better Business Bureau if you should receive such a call:

1. First if you EVER receive a cold call from anyone stating that they "represent" an affiliate or vendor or program or organization you may be familiar with, and it involves PAYMENT, that you check first on the company that is calling PRIOR to divulging any payment or personal/business information.
2. Business should ask that all advertising propositions be made in writing. Ask for a list of satisfied clients, contact them for feedback, and ask to review copies of their advertisements. See if the business selling the advertisements has a report with the BBB. For national companies, go to: www.bbb.org.
3. Finally, if you feel you have been deceived or misled by an offer, be pro-active and file formal complaints with the BBB as well as your state Attorney General's Office for resolve. (Best method of payment for anything over \$50 is a credit card. That way, you can dispute the charge if there is any misrepresentation or lack of follow up on service or product.
4. If you have fallen victim of this company's misrepresentation and have paid \$549 to join their directory or guide, and the transaction was made via phone, you have the right to the FTC's THREE DAY COOLING OFF PERIOD RULE, which states that you have three (3) days from the time of purchase or agreement to rescind your transaction. The company, by federal law, must comply with this rule.

If you should have any questions please feel free to contact your chamber office at (352) 796-0697 or (352) 686-5097.

Thank you,

Heather Laura

*PC: Frankie
 Red
 Read
 4/16/07
 4/13/2007*

chron of file / Emory

KP

City of Brooksville

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



April 13, 2007

Paul Nazar
3 Pine Street
Brooksville, FL 34601

Re: Clay drainage pipe

Dear Mr. Nazar:

I spoke to our Department of Public Works Director, Emory Pierce, concerning your issue with the large, clay drainage pipe in your yard, at your residence. You are saying you are unable to obtain homeowners insurance due to underground problems.

You feel that it's the City's responsibility to grout the pipe or remove it.

Mr. Pierce stated to me the following:

"We found an old, large, clay drainage pipe that is/was part of a private underground drainage system that ran across his property and some adjacent lots. In order to provide an exit for the ground water that was in the pipe, I had it reconnected to the City storm drain. The old drain pipe is failing, causing depressions diagonally across his side yard. These depressions were occurring before we reconnected the pipe and afterwards, also. There are also other depressions occurring on his property that don't appear to be connected with any old drain pipe. For a while, gravel was hauled to his yard to fill in depressions on his private property. The City Manager and I told Mr. Nazar that we wouldn't continue doing that because we believe the problem is Mr. Nazar's, not the City's."

The City Engineer does not believe that this pipe is the City's responsibility, nor did the previous City Manager. I concur with Mr. Pierce's assessment.

You are welcome to ask Council for an appeal. I appreciated you coming in, but I have to respect the advise and counsel of our City's Professional Engineer.

Thank you,

Stephen J. Baumgartner
Stephen J. Baumgartner
Interim City Manager

G:\WP_WORK\Usher\Misc Letters - Notes To File\04-13-07 Paul Nazar complaint.wpd

cc: Reed

4/16/07
[Signature]

CT 5/21/07



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

SB
Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

04-18-07 P02:01 IN

April 13, 2007

TO: Interested Parties

FROM: Linda Reeves *JRM*
Program Administrator
Office of Information and Recreation Services
Division of Recreation and Parks

SUBJECT: Land and Water Conservation Fund Program
FY 2006-2007 Application Submission Period

The Department of Environmental Protection (DEP) has established an application submission period for the federal Land and Water Conservation Fund Program (LWCF) for Fiscal Year 2006-2007. The LWCF is a matching grant program for the acquisition or development of outdoor recreation areas and facilities. Applications will be available at our website or at the address below on April 18, 2007.

Submission Deadline: June 1, 2007 --- *Applications must be postmarked by June 1, 2007.*

Matching Ratio: 50% Grant / 50% Local Share

Maximum Grant Amount: \$200,000

Total Number of Active Projects Allowed: Two (2)

Total Number of Applications Allowed During Each Submission Cycle: One (1) per applicant

Eligible Applicants: All local governmental entities of the state with legal responsibility for the provision of outdoor recreation sites and facilities for the use and benefit of the public.

Applications May be Requested by One of the Following Methods:

1. **Electronically** – Please email Leylani.Velez@dep.state.fl.us A Microsoft Word application packet will be forwarded in the reply or visit our website at www.dep.state.fl.us/parks/oirs
2. **Write or call** – Write office at the address below or call for an application packet or for additional information:

*Department of Environmental Protection
Division of Recreation and Parks
Office of Information and Recreation Services
3900 Commonwealth Boulevard, Mail Station #585
Tallahassee, Florida 32399-3000
PHONE: (850) 245-2501; SUNCOM: 205-2501
FAX: (850) 245-3038*

"More Protection, Less Process"
www.dep.state.fl.us

CTN 5/1/07

*pc; cc
'lead' 4/19/07
Karen
Emory/Smiley
Bill/mike w*



An Equal Opportunity Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)
SUNCOM 572-6200

Lecanto Service Office
Suite 226
3600 West Sovereign Path
Lecanto, Florida 34461-8070
(352) 527-8131

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)
SUNCOM 531-6900

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)
SUNCOM 578-2070

- Talmadge G. "Jerry" Rice**
Chair, Pasco
- Judith C. Whitehead**
Vice Chair, Hernando
- Neil Combee**
Secretary, Polk
- Jennifer E. Closshey**
Treasurer, Hillsborough
- Thomas G. Dabney**
Sarasota
- Heidi B. McCree**
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- Sallie Parks**
Pinellas
- Todd Pressman**
Pinellas
- Maritza Rovira-Forino**
Hillsborough
- Patsy C. Symons**
DeSoto

- David L. Moore**
Executive Director
- William S. Bilenky**
General Counsel

April 13, 2007

04-16-07 11:55 IN

The Honorable David Pugh
Mayor, City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041

Dear Mayor Pugh:

The Southwest Florida Water Management District is pleased to announce that its Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2006, has been posted to our Website at www.watermatters.org under the *Business & Finance* page and is available for viewing and downloading. This posting is in compliance with sections 373.507 and 373.536(6), Florida Statutes, following adoption by our Governing Board.

Please contact us if you have any questions regarding the report or would prefer a CD or printed copy.

Sincerely,

Daryl F. Pokrana
Finance Director

DFP:spa
D:\MF\2006CAFR\MayorLtrs.spa

PC: head
Steve
Bill
Emory
4/18/07
JD

Julie Sherraden

From: "Anthony Jones" <info@thegrantinstitute.com>
Sent: Saturday, April 14, 2007 2:03 AM
Subject: Professional Grant Proposal Writing Workshop (University of Central Florida - June 2007)

The Grant Institute's **Grants 101: Professional Grant Proposal Writing Workshop** will be held at the University of Central Florida, June 6 - 8, 2007. Interested development professionals, researchers, faculty, and graduate students should register as soon as possible, as demand means that seats will fill up quickly. Please forward, post, and distribute this e-mail to your colleagues and listservs.

All participants will receive certification in professional grant writing from the Institute. For more information call (888) 824 - 4424 or visit [The Grant Institute](#) website.

Please find the program description below:

THE GRANT INSTITUTE
GRANTS 101:
Professional Grant Proposal Writing Workshop
to be held at the
University of Central Florida
Orlando, Florida
June 6 - 8, 2007
8:00 AM - 5:00 PM

The Grant Institute's Grants 101 Course is an intensive and detailed introduction to the process, structure, and skill of professional proposal writing. This course is characterized by its ability to act as a thorough overview, introduction, and refresher at the same time. In this course, participants will learn the entire proposal writing process and complete the course with a solid understanding of not only the ideal proposal structure, but a holistic understanding of the essential factors, which determine whether or not a program gets funded. Through the completion of interactive exercises and activities, participants will complement expert lectures by putting proven techniques into practice. This course is designed for both the beginner looking for a thorough introduction and the intermediate looking for a refresher course that will strengthen their grant acquisition skills. This class, simply put, is designed to get results by creating professional grant proposal writers.

Participants will become competent program planning and proposal writing professionals after successful completion of the Grants 101 course. In three active and informative days, students will be exposed to the art of successful grant writing practices, and led on a journey that ends with a masterful grant proposal.

4/16/07
pe: 'reled'
Karen/Kel
Stull
4/16/2007

Karen Phillips

From: "Tim Mossgrove" <tmossgrove@ci.brooksville.fl.us>
To: "Stephen Baumgartner" <sbaumgartner@ci.brooksville.fl.us>
Cc: "Rick Hankins" <rhankins@ci.brooksville.fl.us>; "Charlotte Roberts" <croberts@ci.brooksville.fl.us>; "Thomas Leto" <TLeto@co.hernando.fl.us>; "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Sent: Monday, April 16, 2007 8:33 AM
Subject: Weekend Report

Steve,
As you are aware over the weekend we had a storm front move through Florida. The City of Brooksville started receiving winds and rain around 0830 hrs and the rain was over within 45 minutes.

When the initial storm front passed I requested Fire and Police units to check for any flooding or wind damage and this was done within 30 minutes. However we continued to receive winds throughout the day resulting in some limbs on the roadway and power with nothing substantial. I spoke with Tom Leto, Emergency Management Director with the county and advised him the City had received no damage to report.

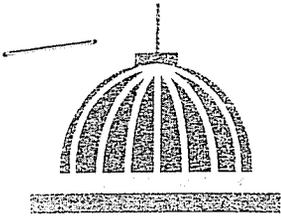
Respectfully,

Timothy Mossgrove, Fire Chief
City of Brooksville Fire Department
Brooksville, Florida 34601
www.ci.brooksville.fl.us
tmossgrove@ci.brooksville.fl.us
352-544-5445 Fax: 352-544-5462

P.C. Lead

*4/16/07 C.R. 5/7/07
E.D.*

B



FLORIDA LEAGUE
OF MAYORS, INC.

April 16, 2007

Dear Mayor:

On behalf of the Florida League of Mayors, I am writing to invite you to become a member. The Florida League of Mayors was established last year to provide a platform and vital services for leaders like you and for you to share knowledge and common experiences with other Mayors throughout our great state.

In its first year of development, the FLM has attracted over 137 members who have participated in outstanding seminars and been engaged in policy issues in Tallahassee and Washington, D.C. Very soon the League will publish a membership directory that will include the names and information of all Mayors who are members of the FLM, and we would like you to be included.

By joining this organization, you will share in the exchange of ideas and experiences addressed by hundreds of Mayors everyday. This organization provides Mayors the ability to explore, in great depth areas of mutual concern. The FLM offers unparalleled training and professional development opportunities, uniquely designed for a very special group, the Florida mayor. Be a part of a powerful voice that's designed to help you further enhance your ability to better serve the public.

Please take the time to review the enclosed membership brochure and find out all that the Florida League of Mayors has to offer. **Become an active member today.**

If you would like to learn more about the Florida League of Mayors, please feel free to contact me at (850) 222-9684 or by e-mail jthomas@flcities.com. Also enclosed is the roster of the Board of Directors. A Mayor from your area can also answer any questions you might have. I look forward to welcoming you as a new member in the very near future.

Sincerely,

John Charles Thomas, Executive Director
Florida League of Mayors

orig: D6
PC: head
J

4/24/07
JD

CM 5/1/07

KP

City of Brooksville



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

April 17, 2007

Ms. Shana L. Bridge
Client Service Manager
Digital Assurance Certification LLC
Suite 390
390 North Orange Avenue
Orlando, Fl 32801-1674

Re: Operating Data required for City of Brooksville, Water &
Sewer Revenue Refunding Bonds, Series 2002, \$6,610,000 dtd.
10/15/2002

Dear Shana:

Enclosed is the information that needs to be filed by 4/30/2007.
Please use this letter as authorization to scan and upload and
transmit the data.

The information provided is:

1. Projected Population Served & Projected Demand.
Capacity Assessment Projected Demand & Residual
Capacity. Updates have been made to the original
Official Statement.
2. City of Brooksville Water & Sewer Rates as of 10/30/03.
3. City of Brooksville Water & Sewer Rates as of 10/30/04.
4. City of Brooksville Water & Sewer Rates as of 10/30/05.
5. City of Brooksville Water & Sewer Rates as of 10/30/06.
6. Residential Water & Sewer Rate Comparison
7. City of Brooksville Ten Largest Users
8. Rate Sheets from Pasco County, Hernando County, and
City of Inverness, Florida

Thank you for all your assistance.

Yours very truly,

Jim Delach, CPA, Acting Finance Director

cc: Stephen J Baumgartner, Interim City Manager, Karen Phillips, CMC & Dir. of
Administration, Bill Geiger, Community Development Dir., Emory Pierce, DPW Dir.

G:\Users\sbaum\My Documents\wordperfect docs\W & S Revenue Refunding Bonds Series 02 required
disclosure due 4 30 05.wpd

Handwritten initials/signature

4/18/07
Handwritten initials/signature

CR 5/7/07

Julie Sherraden

From: "DOCKERY.PAULA.WEB" <DOCKERY.PAULA.WEB@flsenate.gov>
Sent: Tuesday, April 17, 2007 12:43 PM
Attach: Boards and Appointments 05-2007.doc; appoint_questionnaire.pdf
Subject: Gubernatorial Appointments for May

Interested in serving on a State of Florida board, panel, or council? Attached herewith is information regarding vacancies that will be available on several of these boards, panels, and councils within the Governor's Appointment office. Should you find a position of interest, please complete the attached questionnaire and forward to:

**Governor's Appointment Office
LL10 The Capitol
Tallahassee FL 32399-0001
Phone: (850) 488-2183
Fax: (850) 921-0733**

Please also let me know of your interest and application submission. Should you have any questions or require assistance with the application process, please feel free to contact Richard Roy at (863) 413-2900 or roy.richard.s15@flsenate.gov . Thank you for your interest in serving the State of Florida.

Warm Regards,

**Senator Paula Dockery
District 15
101 West Main Street, Suite 110
Lakeland, FL 33815
(863) 413-2900
(863) 413-2902 - Fax**

*pl: 'read'
Steve B -
Karen*

*4/18/07
JD*

@IN 5/7/07

4/17/2007

MID FLORIDA COMMUNITY SERVICES, INC.
Central Office 820 Kennedy Blvd., Brooksville, FL 34601
Mailing Address P.O. Box 896, Brooksville, FL 34605-0896
Telephone (352) 796-1425 Fax (352) 796-9952
www.mfcs.us.com



Hernando County
Senior Services
Community Assistance
820 Kennedy Blvd
Brooksville, FL 34601
(352) 796-1425

Head Start
835 School Street
Brooksville, FL 34601
(352) 754-2464

Transportation
1122 Ponce DeLeon Blvd
Brooksville, FL 34601
Trans Hernando
(352) 799-1510
THE Bus
(352) 754-4444

Children's Advocacy Center
880 Kennedy Blvd.
Brooksville, FL 34601
(352) 754-8809

Lake County
Senior Services
1211 Penn Street
Leesburg, FL 34748
(352) 326-3540

Pasco County
Community Assistance
13853 15th Street
Dade City, FL 33525
(352) 567-0533
8620 Galen Wilson Blvd
Port Richey, FL 34668
(727) 845-7350

Sumter County
100 E. Dade Avenue
Bushnell, FL 33513
Senior Services
(352) 793-6111
Community Assistance
(352) 793-3114

Head Start
805 Hence Street
Wildwood, FL 34785
(352) 748-6677

Volusia County
Head Start
803 S. Woodland Blvd
Deland, FL 32720
(386) 736-1325

Citrus County
Community Assistance
1649 Gulf to Lake Hwy.
Lecanto, FL 34461
(352) 527-3809

CORPORATION
FOR NATIONAL
SERVICE



April 17, 2007

City Council Members
201 Howell Avenue
Brooksville, FL 34601

David

Dear Council Members:

I would like to take this opportunity to recommend Ms. Jennene Norman-Vacha for the position of City Manager, for the City of Brooksville. I have known Jennene for over twenty (20) years, in which nine (9) of those years she has been a Human Resources consultant for my agency, Mid Florida Community Services, Inc. (MFCS).

Jennene's professional qualifications give her a great understanding in all facets of corporate operations.

Jennene's talents are ineffable. She possesses superior communication skills, which enhances her ability to function as a high level leader and administrator.

I respect Jennene, as both a person and professional who will give every effort to ensure quality and efficiency in her work. I personally feel that Jennene will be a definite asset to the City as Manager, bringing continuity and professional leadership to the Council and City staff.

Should you have any questions please feel free to contact me via telephone at (352) 796-1425, or email, mjg@mfcs.us.com

Sincerely,

Michael J. Georgini, CCAP
Executive Director

MJG:GCW

*orig: David P
note: read on rec:
CG*

*PL: Steve
Margaret*

4/20/07

CGW 5/1/07

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: <garcia.rudy.web@flsenate.gov>; <hill.anthony.web@flsenate.gov>;
 <cris.victor.web@flsenate.gov>; <dawson.mandy.web@flsenate.gov>;
 <geller.steven.web@flsenate.gov>; <haridopolos.mike.web@flsenate.gov>;
 <siplin.gary.web@flsenate.gov>; <storms.ronda.web@flsenate.gov>;
 <villalobos.alex.web@flsenate.gov>; <wise.stephen.web@flsenate.gov>;
 <fasano.mike.web@flsenate.gov>; <dockery.paula.web@flsenate.gov>;
 <bennett.mike.web@flsenate.gov>; <robert.schenck@myfloridahouse.gov>;
 <charles.dean@myfloridahouse.gov>
Cc: "Garry Allen" <garrya@co.hernando.fl.us>; "Kent Weissinger" <KentW@co.hernando.fl.us>; "Roy Gordon" <gordonr@hcsb.k12.fl.us>; <kphillips@ci.brooksville.fl.us>; "Rick Foti" <RickF@co.hernando.fl.us>; <Jessica.Lambert@bocc.citrus.fl.us>; <kevin@martin.fl.us>
Sent: Tuesday, April 17, 2007 4:13 PM
Attach: resolution 2007 121.pdf; cable legislation.pdf
Subject: Resolution Opposing SB 998

Attached please find a resolution adopted by the Hernando County Board of County Commissioners today expressing opposition to the proposed Senate Bill 998 and House Bill 529 pertaining to the cable television franchise issue. Also attached is a staff memorandum that accompanied the proposed resolution when considered by the Board. We respectfully your serious consideration of our concerns with respect to this matter during your deliberations on Wednesday during the Senate Community Affairs Committee meeting. I have placed a hard copy of the resolution bearing the signatures of all five County Commissioners in the mail today.

<<resolution 2007 121.pdf>> <<cable legislation.pdf>>

Brenda Frazier

Community Relations Coordinator
 Henando County Government
 20 N. Main Street - Room 460
 Brooksville, FL 34601
 (352) 540-6780
 (352) 754-4477 (fax)
 brendaf@hernandocounty.us

PC: Council
 Steve
 Yon
 Bell

lead

4/19/07
 80

cm 5/7/0

4/18/2007

JB.

Julie Sherraden

From: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
To: "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>
Sent: Wednesday, April 18, 2007 2:11 PM
Attach: Child Protection Mini-Conference.eml
Subject: Fw: Child Protection Mini-Conference

Karen M. Phillips
Director of Administration/City Clerk
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041
<http://www.ci.brooksville.fl.us>
kphillips@ci.brooksville.fl.us
(352) 544-5407 (Phone)
(352) 544-5424 (Fax)

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

From: "Barb Lobach" <lobach_b@firn.edu>
To: "Glenn Parkinson" <gparkinson@yfainc.org>; "Abby Evert" <aevert@cedosp.com>; "Amy Gullotto" <agullotto@career-central.org>; "Annie McPherson" <mcphea@peds.ufl.edu>; "Barbara Lemoine" <lemoine@drumcorp.com>; "Barbara Renczkowski" <renczkowski_b@hcsb.k12.fl.us>; "Barbara Smith" <Smith_b@hcsb.k12.fl.us>; "Barbara Wheeler" <mfhc@tampabay.rr.com>; "Beth Lord" <eklord@yahoo.com>; "Blake Harding" <blake@pasco-hernando.com>; "Brian Harnage" <brian.harnage@kidscentralinc.org>; "Bruce Gimbel" <jministries3@tampabay.rr.com>; "Celestine Herbert" <divinediscipline@yahoo.com>; "Christie Williams" <christiew@co.hernando.fl.us>; "Cliff Fouts" <CBF45@juno.com>; "Colleen Talpa" <ctalpa@devereux.org>; "Connie Porter" <c.porter@phelc.org>; "Crystal Underwood" <Crystal_Underwood@doh.state.fl.us>; "Cynthia Schuler" <cynthia.schuler@kidscentralinc.org>; "David Franklin" <dfranklin@career-central.org>; "David Knight" <dknight@devereux.org>; "Debbie Andrews" <dandrews@tampabay.rr.com>; "Debra Pilla" <DPilla@camelotcare.com>; <Debra>
Sent: Wednesday, April 18, 2007 7:50 AM
Subject: Fw: Child Protection Mini-Conference

>
> ----- Original Message -----
> From: "Lisa Panzer" <lpanzer@devereux.org>
> To: <lobach_b@firn.edu>
> Sent: Monday, April 16, 2007 3:43 PM
> Subject: Fwd: Child Protection Mini-Conference
>
>
>> Barb,

pe: 'read'
ETA 5/17/07
JULIE / CAM
4/18/2007

Julie Sherraden

JB

From: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
To: "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>
Sent: Wednesday, April 18, 2007 2:10 PM
Subject: Fw: notice

please process

Karen M. Phillips
Director of Administration/City Clerk
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041
<http://www.ci.brooksville.fl.us>
kphillips@ci.brooksville.fl.us
(352) 544-5407 (Phone)
(352) 544-5424 (Fax)

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

From: "Barb Lobach" <lobach_b@firm.edu>
To: "Glenn Parkinson" <gparkinson@yfainc.org>; "Abby Evert" <aevent@ccdospc.com>; "Amy Gullotto" <agullotto@career-central.org>; "Annie McPherson" <mcphea@peds.ufl.edu>; "Barbara Lemoine" <lemoine@drumcorp.com>; "Barbara Renczkowski" <renczkowski_b@hcsb.k12.fl.us>; "Barbara Smith" <Smith_b@hcsb.k12.fl.us>; "Barbara Wheeler" <mfhc@tampabay.rr.com>; "Beth Lord" <eklord@yahoo.com>; "Blake Harding" <blake@pasco-hernando.com>; "Brian Harnage" <brian.harnage@kidscentralinc.org>; "Bruce Gimbel" <jministries3@tampabay.rr.com>; "Celestine Herbert" <divinediscipline@yahoo.com>; "Christie Williams" <christiew@co.hernando.fl.us>; "Cliff Fouts" <CBF45@juno.com>; "Colleen Talpa" <ctalpa@devereux.org>; "Connie Porter" <c.porter@phelc.org>; "Crystal Underwood" <Crystal_Underwood@doh.state.fl.us>; "Cynthia Schuler" <cynthia.schuler@kidscentralinc.org>; "David Franklin" <dfranklin@career-central.org>; "David Knight" <dknight@devereux.org>; "Debbie Andrews" <dandrews@tampabay.rr.com>; "Debra Pilla" <DPilla@camelotcare.com>; <Debra>
Sent: Wednesday, April 18, 2007 7:50 AM
Subject: Fw: notice

>
> ----- Original Message -----
> From: "Lisa Panzer" <lpanzer@devereux.org>
> To: <lobach_b@firm.edu>
> Sent: Monday, April 16, 2007 11:45 AM
> Subject: notice
>
>
>> Barb,
>>

*pl: 'rec'd'
ETW 5/1/07*

STREAMLINE ENVIRONMENTAL

519 N. Howard Ave.
Tampa, Florida 33606
Phone (813) 258-5561
Fax (813) 258-4257

Toll Free (877) 398-7860

www.streamlineenv.com

Craig R. Smith, P.G.
President

Lee T. Ford, C.F.E.A
Vice President

R. Scott Nolter, P.G.
Senior Geologist

Everett A. Soresen, P.E.
Professional Engineer

Michael J. Roose
Sr. Environmental Scientist

Becky L. Bortnick, M.S. C.F.E.A
Project Geologist

Jereme H. Willis, C.H.M.M.
Project Manager

Tina L. Madrid
Project Scientist

Kyle T. Zigler
Project Geologist

Specializing in:

- Phase I & II Environmental Site Assessments
- Contamination Assessment & Remediation
- Surface Water, Ground Water, and Soil Studies
- Emergency Response and Cleanup Services
- Waste Management
- Industrial Waste Water & Storm Water Permitting
- Asbestos & Lead Based Paint Investigations
- Tank Closures

April 18, 2007

Major David Pugh
City of Brooksville
201 Howell Avenue
Brooksville, Florida 34601

Dear Major Pugh:

While recently conducting a file review at the Florida Department of Environmental Protection (FDEP), I found correspondence issued by the FDEP indicating that you may need assistance regarding petroleum contamination identified within the City of Brooksville right-of-way along ACL Street. If so, I would like to take this opportunity to introduce my company, Streamline Environmental, Inc.

We are a small, Tampa-based company offering some of the most competitive rates in the area. We maintain an excellent working relationship with the local environmental agencies and can provide numerous references for your review. Should you require environmental services, I hope you will include Streamline in the bidding process. Streamline provides the following services:

- Petroleum Site Assessment and Cleanup
- Site Assessment Reports (SARs)
- Underground Storage Tank Closures and Assessments
- Hazardous Waste Permitting and Consulting
- Waste Audit Reports and Pollution Prevention Project Plans
- RCRA Hazardous Waste Closure Plans and Reports
- Technical Regulatory Negotiations (Permitting, Warning Notice, NOV, Consent Order)
- Phase I and II Environmental Site Assessments
- Stormwater Permitting
- Asbestos and Lead-Based Paint Survey

Streamline has developed a diverse and loyal customer base through uncompromising service and aggressive pricing. Our customers have come to depend on Streamline's straight-forward, solution-oriented approach to their environmental concerns.

Thank you for your time and consideration. Streamline is standing by for all your environmental service needs.

Sincerely,
STREAMLINE ENVIRONMENTAL, INC.

Becky L. Bortnick
Becky L. Bortnick, MS, CFEA
Project Geologist

PC. Emory
Steve
Ball
J
head

4/24/07 *cmw 5/7/07*

Julie Sherraden

From: "Steve Baumgartner" <sbaumgartner@ci.brooksville.fl.us>
To: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Cc: "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>
Sent: Wednesday, April 18, 2007 5:36 PM
Subject: Fw: Evidence and Property Room Inventory

FYI--Sheriff's Office has begun the inventory of the property and inventory room. Council was given a copy of Chief Ross's letter. Here is his confirmation e-mail that the inventory has begun. It would be good if Council knew that this has started.

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

From: Frank Ross
To: Stephen Baumgartner
Cc: Rick Hankins ; Norm Cartwright ; Sergeant M. Maeder ; Jason Brough ; Edward Serrano ; John Messer ; Randal Orman ; Brenda Benford
Sent: Wednesday, April 18, 2007 1:58 PM
Subject: Evidence and Property Room Inventory

Good afternoon Steve:

I recently forwarded you a copy of a letter to Sheriff Nugent asking for his assistance in conducting an inventory of our evidence and property room. This is a routine practice when police administrators are replaced. Staff from the Sheriff's Office arrived today to begin the inventory. This will take several days. I will be making recommendations to you upon completion of the audit.

Please feel free to contact me should you have any concerns with this direction.

Frank

Frank Ross, Chief of Police
Brooksville Police Dept.
352-754-6800 * 352-754-6809 - fax
fross@ci.brooksville.fl.us

pl - cc
etn 5/17/07

4/30/2007

Pierre Desjardins

P.O. Box 1562
Brooksville, FL 34605

04-12-07 10:43 AM

Brooksville City Council

Dear Sir or Madam:

When you chose to run and were elected to public office you chose a noble job, public servant. A job without much praise and a lot of criticism. As you are aware I have been vocal and critical of some of the councils actions.

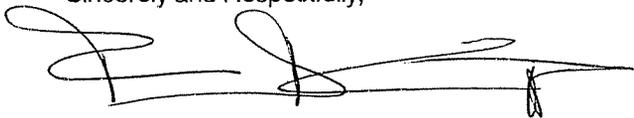
I am one of your supporters but I do not do so blindly or without discourse. When I speak at the council meetings I am not speaking only for myself; I speak on behalf of other city residents and employees who are apprehensive to do so themselves.

I left the Council meeting this week encouraged with what I saw and heard and have expressed these sentiments to those who have asked me to speak for them in the past. I would like to take this opportunity to convey my appreciation for your hard work on behalf of the City of Brooksville and its residents.

I am optimistic, with what I saw this week, that the spirit of cooperation within the council and with the residents openly discussing issues that have the appearance of being unethical or a conflict of interest continues.

If I can ever be of assistance please feel free to call me.

Sincerely and Respectfully,



Dr. Rev. Pierre Desjardins

PC: COUNCIL
DEJ
RECD

B

4/20/07
90
CZ 3/7/07

MEMORANDUM

TO: City Council Members
FROM: David La Croix, City Attorney
SUBJECT: Settlement Agreement with Ed Tincher
DATE: April 20, 2007

The purpose of this memorandum is to bring you up to date on where the City stands in regard to the pending possible employee disciplinary action against Ed Tincher and the settlement agreement signed by the City Manager.

At the end of March, a draft settlement agreement was provided to Ed Tincher and his attorney by the City. Thereafter, Ed, his attorney, the City Manager and I all met in City Hall and discussed and agreed to various changes to the agreement. In particular, one of the issues brought up by Ed and his attorney--and agreed to by the City Manager--was that Ed should be given more of a severance package because he was not only giving up any possible claim or lawsuit against the City, but also waiving any possible claim or lawsuit against City Council members which he still claimed had violated the City Charter in placing him on paid administrative leave. Ed Tincher's attorney offered to make the changes we had agreed to.

On April 3, a revised agreement was sent by Ed's attorney directly to the City Manager, but not to me. Ed Tincher showed up at the City Manager's office and signed the agreement. The City Manager was anxious to bring this matter to a conclusion, so he faxed a copy of the revised agreement to me for a quick review. I reviewed the agreement for the changes we had agreed upon, quickly glanced over the rest of it, which seemed to be what we had previously sent to Ed and his attorney, and told the City Manager it was OK.

Only recently has it come to my attention that Ed's attorney made changes to the agreement in addition to those we discussed,

that those changes were never disclosed to us, and that I missed them in my quick review of the revised document. One of those changes is particularly significant. The release of liability by Ed in the original draft released the City, its elected officials, employees, agents and attorneys. That was changed in the redraft

4/24/07
DL

pc. lead

CW 5/7/07

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: "All_Network_Users" <All_Network_Users@co.hernando.fl.us>; <askerritt@sptimes.com>; <aloder@sptimes.com>; <desk@baynews9.com>; <ferdinand.zogbaum@baynews9.com>; <bvillebelle@tampabay.rr.com>; <cbroadwater@sptimes.com>; <cdocampo@wfla.com>; <kmartin@hernandotoday.com>; <rnlte@hernandotoday.com>; <webb@sptimes.com>; <mkruse@sptimes.com>; <mbates@hernandotoday.com>; <mkonrad@sptimes.com>; <ayee@sptimes.com>; <pday@sptimes.com>; <wholt@hernandotoday.com>; <lmarrero@hernandotoday.com>; <chefchipg@yahoo.com>; <barbara@wwjb.com>; <micki@211tampabay.org>; <511tampabay@traffic.com>; <newstips@wfts.com>; <barbara.ferrara@correctionscorp.com>; <renczkowski_b@hcsb.k12.fl.us>; <barryc@hcsb.k12.f.us>; <barry.goldsmith@noaa.gov>; <desk@baynews9.com>; <beth.kerly@myflorida.com>; <bhite@wfla.com>; <Brenfroe@hernandosheriff.org>; <corr-bcpo@tampabay.rr.com>; <bvillebelle@tampabay.rr.com>; <smccrary@ci.brooksville.fl.us>; <rhankins@ci.brooksville>; <callaghan@doh.state.fl.us>; <DonRichards@ClearChannel.com>; <pat@hernandocha>
Sent: Friday, April 20, 2007 12:12 PM
Subject: Smoke from Wildfires in Georgia

PRESS RELEASE
For Immediate Release
April 20, 2007
12:00 noon

Hernando County Fire Rescue has advised that smoke from the wildfires burning in Georgia is being pushed across the state by the current weather front. Residents who have respiratory ailments should stay indoors and keep windows and doors closed. Some visibility on roadways may be affected, especially during the early morning hours.

A dry cool front is making its way down the state today and bringing with it cooler and drier air. Red Flag warnings are in effect for the Panhandle and most of the western Peninsula due to dry air and gusty northerly winds. High winds today and high dispersion values will add to fire potential and increased fire behavior. The chance for rain is very low over the next 5 days. There is no significant potential for rain anywhere else during the next 14 days.

Stay tuned to your localmedia outlets for further updates and/or possible warnings on the smoke advisories across the state.

###

Brenda Frazier

Community Relations Coordinator
 Henando County Government
 20 N. Main Street - Room 460
 Brooksville, FL 34601
 (352) 540-6780
 (352) 754-4477 (fax)
 brendaf@hernandocounty.us

PC: Read
 Council
 Steve
 Tom
 4/20/07
 (2) 5/1/07

4/24/07
 JD

4/20/2007

David La Croix Attorney

*Land Use Planning
and Zoning
Local Government Law
Appellate Practice*

*Post Office Box 381
Brooksville, FL 34605
Tel. & fax: (352) 382-1373
davidlac@earthlink.net*

MEMORANDUM

TO: Frankie Burnett, Council Member
FROM: David La Croix, City Attorney
SUBJECT: Dual Office-Holding Limitations
DATE: April 23, 2007

You inquired as to whether a City Council Member also serving as executive director of the Brooksville Housing Authority would violate the dual office-holding limitations of the Florida Constitution.

In Attorney General Opinion No. 99-49, the Florida Attorney General opined that Article II, Section 5(a), of the Florida Constitution, which prohibits any person from holding two state, county or municipal offices at the same time, does not apply to special districts. The Attorney General held that a housing authority created under Chapter 421, Florida Statutes, is an independent special district and that Article II, Section 5(a), would not, therefore, prohibit an officer of a city community development district from also holding office as a commissioner of a county housing authority.

I'm not sure that an executive director of a housing authority would be considered an "officer" of the housing authority. Even if that were true, however, a City Council member could also hold that position because the housing authority is an independent special district.

If a City Council member were to be hired by the Brooksville Housing Authority as its executive director, it is my opinion that such Council member should thereafter abstain from voting on appointments of Commissioners to the housing authority. Since the Commissioners set the salary of the authority's executive director, that would be the type of actual or apparent conflict covered by the Florida statute relating to voting conflicts.

XC: Other Council Members

4/24/07
20

cc: Council
CTN 5/17/07
4/23/07

Karen Phillips

From: "Sullivan, Jackson E." <JSullivan@CarltonFields.com>
To: <ckingsley@co.hernando.fl.us>; <jcoleman@cityofbushnellfl.com>; <DOwen@ocalafl.org>; <drussell@co.hernando.fl.us>; <Dennis.Damato@bocc.citrus.fl.us>; <drowden@co.hernando.fl.us>; "Gary Bartell" <gary.bartell@bocc.citrus.fl.us>; <jbernardini@ci.brooksville.fl.us>; "Joyce Valentino" <Joyce.Valentino@bocc.citrus.fl.us>; <KGuinn@ocalafl.org>; "Larry Haag (E-mail)" <lmhaag@tampabay.rr.com>; <Michael.Francis@sumtercountyfl.gov>; <Dick.Hoffman@sumtercountyfl.gov>; <rrocco@co.hernando.fl.us>; <sophie_diazfonseca@yahoo.com>
Cc: <skirk@crystalriverfl.org>; "Adams, Kay Hernando County (Kay Adams)" <kaya@co.hernando.fl.us>; "Alys Brockway" <abrockway@co.hernando.fl.us>; <waterboy1059@yahoo.com>; <brian.armstrong@swfwmd.state.fl.us>; <bruhickle@yahoo.com>; <bday@wrpc.cc>; "Hicks, Henry K. City of Ocala (Henry Hicks)" <HHicks@ocalafl.org>; <jesull@comcast.net>; <keith.mullins@veoliawaterna.com>; <Kevin.Smith@bocc.citrus.fl.us>; <troy.kuphal@marioncountyfl.org>; <Larryj@co.hernando.fl.us>; <phubbell@wraconsultants.com>; <Robbie.Rogers@sumtercountyfl.gov>; <robert.knight@bocc.citrus.fl.us>; <rwells@wraconsultants.com>; "Russell Kreager" <RKreager@cityofinvernessonline.com>; <Terri.Keene@bocc.citrus.fl.us>; <terry@staffconnections.com>; <trey.arnett@thevillages.com>; <wsmith@ci.brooksville.fl.us>
Sent: Monday, April 23, 2007 3:16 PM
Attach: argenziano_psc.pdf
Subject: FW: Attachment - argenziano_psc.pdf

Attached is a press announcement appointing Senator Nancy Argenziano to the PSC.

Jack Sullivan

From: Diane Salz [mailto:info@lobbytools.com]
Sent: Monday, April 23, 2007 3:40 PM
To: disalz@yahoo.com
Subject: Attachment - argenziano_psc.pdf

I've attached a press release in pdf format you may be interested in.

*copy for
P.C. Head*

8

4/24/07

CR 5/7/07

4/24/2007

Karen Phillips

From: "Sullivan, Jackson E." <JSullivan@CarltonFields.com>
To: <ckingsley@co.hernando.fl.us>; <jcoleman@cityofbushnellfl.com>; <DOwen@ocalafl.org>;
 <drussell@co.hernando.fl.us>; <Dennis.Damato@bocc.citrus.fl.us>;
 <drowden@co.hernando.fl.us>; "Gary Bartell" <gary.bartell@bocc.citrus.fl.us>;
 <jbernardini@ci.brooksville.fl.us>; "Joyce Valentino" <Joyce.Valentino@bocc.citrus.fl.us>;
 <KGuinn@ocalafl.org>; "Larry Haag (E-mail)" <lmhaag@tampabay.rr.com>;
 <Michael.Francis@sumtercountyfl.gov>; <Dick.Hoffman@sumtercountyfl.gov>;
 <rrocco@co.hernando.fl.us>; <sophie_diazfonseca@yahoo.com>
Cc: <skirk@crystalriverfl.org>; "Adams, Kay Hernando County (Kay Adams)"
 <kaya@co.hernando.fl.us>; "Alys Brockway" <abrockway@co.hernando.fl.us>;
 <waterboy1059@yahoo.com>; <brian.armstrong@swfwmd.state.fl.us>; <bruhickle@yahoo.com>;
 <bday@wrpc.cc>; "Hicks, Henry K. City of Ocala (Henry Hicks)" <HHicks@ocalafl.org>;
 <jesull@comcast.net>; <keith.mullins@veoliawaterna.com>; <Kevin.Smith@bocc.citrus.fl.us>;
 <troy.kuphal@marioncountyfl.org>; <Larryj@co.hernando.fl.us>;
 <phubbell@wraconsultants.com>; <Robbie.Rogers@sumtercountyfl.gov>;
 <robert.knight@bocc.citrus.fl.us>; <rwells@wraconsultants.com>; "Russell Kreager"
 <RKreager@cityofinvernessonline.com>; <Terri.Keene@bocc.citrus.fl.us>;
 <terry@staffconnections.com>; <trey.arnett@thevillages.com>; <wsmith@ci.brooksville.fl.us>
Sent: Monday, April 23, 2007 5:25 PM
Subject: FW: Alternative Water Supply Trust Fund

See e-mail from Diane below on SB 444 funds. Looks like the alternative water supply monies will not be raided this year for budgetary reasons.

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

From: Diane Salz [mailto:disalz@yahoo.com]
Sent: Monday, April 23, 2007 5:05 PM
To: Sullivan, Jackson E.; Jack Sullivan
Subject: Alternative Water Supply Trust Fund

Jack,

The House Leadership has agreed to restore the Water Protection and Sustainability Trust Fund (SB 444) to its full amount, providing \$60 million for alternative water supply development. Thank you to all our Board Members and staff who discussed this matter with Legislative Delegation members. Please let me know if you have any questions.

Thanks,
 Diane

*Original
 10:10 AM 4/24/07*

*4/24/07
 [Signature]*

4/24/2007

Karen Phillips

From: "Sullivan, Jackson E." <JSullivan@CarltonFields.com>
To: <ckingsley@co.hernando.fl.us>; <jcoleman@cityofbushnellfl.com>; <DOwen@ocalafl.org>; <drussell@co.hernando.fl.us>; <Dennis.Damato@bocc.citrus.fl.us>; <drowden@co.hernando.fl.us>; "Gary Bartell" <gary.bartell@bocc.citrus.fl.us>; <jbernardini@ci.brooksville.fl.us>; "Joyce Valentino" <Joyce.Valentino@bocc.citrus.fl.us>; <KGuinn@ocalafl.org>; "Larry Haag (E-mail)" <lmhaag@tampabay.rr.com>; <Michael.Francis@sumtercountyfl.gov>; <Dick.Hoffman@sumtercountyfl.gov>; <rrocco@co.hernando.fl.us>; <sophie_diazfonseca@yahoo.com>
Cc: <skirk@crystalriverfl.org>; "Adams, Kay Hernando County (Kay Adams)" <kaya@co.hernando.fl.us>; "Alys Brockway" <abrockway@co.hernando.fl.us>; <waterboy1059@yahoo.com>; <brian.armstrong@swfwmd.state.fl.us>; <bruhickle@yahoo.com>; <bday@wrpc.cc>; "Hicks, Henry K. City of Ocala (Henry Hicks)" <HHicks@ocalafl.org>; <jesull@comcast.net>; <keith.mullins@veoliawaterna.com>; <Kevin.Smith@bocc.citrus.fl.us>; <troy.kuphal@marioncountyfl.org>; <Larryj@co.hernando.fl.us>; <phubbell@wraconsultants.com>; <Robbie.Rogers@sumtercountyfl.gov>; <robert.knight@bocc.citrus.fl.us>; <rwells@wraconsultants.com>; "Russell Kreager" <RKreager@cityofinvernessonline.com>; <Terri.Keene@bocc.citrus.fl.us>; <terry@staffconnections.com>; <trey.arnett@thevillages.com>; <wsmith@ci.brooksville.fl.us>
Sent: Monday, April 23, 2007 8:58 AM
Subject: FW: SWFWMD Governing Board Legislation

I thought you might be interested in this e-mail from Diane Salz, our Legislative Consultant.

Jack Sullivan

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

From: Diane Salz [mailto:disalz@yahoo.com]
 Sent: Friday, April 20, 2007 5:14 PM
 To: Sullivan, Jackson E.; Jack Sullivan
 Subject: SWFWMD Governing Board Legislation

Jack,

Legislation to increase the number of Governing Board members passed the House on Thursday and has subsequently been amended and passed the Senate this morning.

The amendment was brought to Senator Alexander by Senators' Argenziano and Baker. Specifically, the amendment further delineates the at-large seats to ensure that the northern counties in the District are represented on the Governing Board. If passed as amended,

- * The at-large seat that is currently appointed from Levy, Marion, Citrus, Sumter, Hernando, and Lake will now only be Levy, Citrus, Sumter and Lake Counties; and
- * The at-large seat that is currently appointed from Levy, Marion, Citrus, Sumter, Hernando, Lake, Sarasota, Hardee, DeSoto, Charlotte, and Highlands will now only be Marion and Hernando Counties.

The amendment also clarifies that these new at-large seats shall be appointed "to a term of office commencing after expiration of the term of the person serving in that seat" and that the new seat created for

*Ang Jo
PC. Lead*

*4/24/07
JD*

*cw 5/7/07
8*

4/24/2007

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: "All_Network_Users" <All_Network_Users@co.hernando.fl.us>
Cc: <ANN-GAYL_ELLIS@doh.state.fl.us>; <kphillips@ci.brooksville.fl.us>;
 <Shirley.Anderson@mail.house.gov>
Sent: Tuesday, April 24, 2007 3:02 PM
Subject: Relocation of Some Health Department Functions

The Health Dept. has requested that I help them spread the word about the relocation of some of their offices to the Airport Industrial Park in order to make room for some additional services being offered at their Main Street location as a result of their designation as the Nature Coast Community Health Center. Please take a minute to read the press release below.

For Immediate Release

April 24, 2007

Contact: Ann-Gayl Ellis, PIO
 352-540-6817

Health Department Announces Administrative Office Relocation

Brooksville- The Hernando County Health Department has moved its Administrative offices from the Brooksville location to 15470 Flight Path Drive, the former Innovative Technology building, in the Airport Industrial Park. Specific departments included in the move are Environmental Health, Vital Statistics (birth and death certificates), Human Resources, Emergency Planning and Health Education. All medical, nutritional and behavioral health services have remained at the Brooksville location, 300 S. Main Street and at the Spring Hill location at 7465 Forest Oaks Boulevard. Dental Services continue to be offered at the Spring Hill location and at R.R. Moton Early Intervention Center in Brooksville.

The relocation of the Administrative offices was necessary to allow for additional services that will be offered through the Nature Coast Community Health Center. Located within the health department, the Nature Coast Community Health Center is a federally funded health center that will provide expanded medical and dental services, prenatal, behavioral, and pharmacy services to Hernando county residents.

For additional information, please call 352-540-6800.

###

Brenda Frazier

Community Relations Coordinator
 Hernando County Government
 20 N. Main Street - Room 460
 Brooksville, FL 34601
 (352) 540-6780
 (352) 754-4477 (fax)

P.C. Frazier
Receptionist
 C.H. ADMIN.
 P.D. EDW. DLW
 CW 5/7/07

4/25/07
[Signature]

4/24/2007

RL

Julie Sherraden

From: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
To: "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>
Sent: Tuesday, April 24, 2007 9:53 AM
Subject: Fw: HSSN reminder

process

Karen M. Phillips
Director of Administration/City Clerk
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041
<http://www.ci.brooksville.fl.us>
kphillips@ci.brooksville.fl.us
(352) 544-5407 (Phone)
(352) 544-5424 (Fax)

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

From: Ali NurseOnCall
To: Mike Humphreys
Sent: Sunday, April 22, 2007 10:45 AM
Subject: HSSN reminder

This Wednesday the 25th
join us for the Hernando Senior Services Network meeting
at Atria Evergreen Woods
12 noon
Bring \$5 for lunch
Bring any special events or deals
Bring a guest
RSVP appreciated
or just show up if all else fails.
I look forward to seeing you there.

Ali

HSSN WEB PAGE <http://www.westcoastfloridahomes.com/HSSNlinks.html>

Ali Humphreys
Home Health Coordinator
Nurse On Call Home HealthCare
Locations throughout Florida.

Office: 352-684-8852
Fax: 352-684-8854
Cell: 352-263-1648

Your Referrals are appreciated.

pc: 'read'
ETN 5/7/07



City of Brooksville

MEMORANDUM



To: Mayor and City Council Members

From: Karen M. Phillips, Director of Administration/City Clerk 

Subject: Occupational Licenses

Date: April 27, 2007

As you may have heard, the County has decided to repeal its' occupational license ordinance and discontinue the licensing of businesses in Hernando County. Apparently they never took the opportunity to review and update their occupational license ordinance following the major legislative changes in the early 1990's and their code is extremely outdated (copy of County staff report and backup attached). The City undertook the extensive review process at that time and created the Equity Study Committee to make recommendations for any modifications to the current business classification and rate structure as provided for in 1993 F.S. Section 205.0535. Ordinance No. 547 was thereby adopted in August 1995 (with subsequent minor modification in April 1997 to repeal the pre- fire & building inspection process), together with Resolution No. 95-13 setting the fee structure (copy of current code and fees attached).

Since January 1997, the City has been in an Interlocal Agreement with the Hernando County Tax Collector to administer the City's Occupational License Program at the same time as she handled the County's Licenses so that the City business owners could do it in a "one-stop" process, which has been working very well. For this service, she received 20% of the fees collected and remitted the remaining 80% to the City.

The current budgeted estimates of revenue to the City from this license code is \$53,500 for City license fees and an additional \$8,200 received as our pro-rata share of the County's license fees, for a total of \$61,700. Staff is of the opinion that repealing this business license code in the City (which has now been renamed as a "Local Business Tax Receipt in Florida Statutes effective January 1, 2007) would be very detrimental to our revenues, especially right now as we are faced with so much uncertainty with the property tax debates in Tallahassee.

The Tax Collector has notified us that she will continue to administer and maintain the City's Occupational License Program for the 2007-08 Fiscal Year in conjunction with our above referenced interlocal even though she will not be issuing licenses for the County.

atn 5/7/07

**CITY OF BROOKSVILLE
PERSONNEL ADVISORY BOARD
COUNCIL CHAMBERS
201 HOWELL AVENUE
MINUTES**

SEPTEMBER 28, 2006

5:30 P.M.

The Personnel Board met with the following members present: Pat Jobe, Chairman, Emory Pierce, Vice-Chairman, Lauren Busacca and Richard E. Lewis. Also present were Ron Baker, Human Resources Director, Council Member Ernie Wever, Richard Anderson, City Manager and Janice Peters, Recording Secretary.

The meeting was called to order at 5:30 p.m. by Chairman Jobe.

ELECTION OF OFFICERS

Chair

Vice Chair

Motion:

Richard E. Lewis motioned to postpone the election of officers until January due to limited amount of people present and the fact that he will be resigning; seconded by Emory Pierce. Motion carried 4-0.

CONSENT AGENDA

Minutes - January 30, 2003
Minutes - October 14, 2003
Minutes - June 26, 2006

Motion:

Motion was made by board member Richard E. Lewis to accept the consent agenda; seconded by board Vice-Chairman Emory Pierce. Motion passed 4-0.

REGULAR AGENDA

Old Business

Section 12.09 - Overtime

- a) Proposed clarification of overtime rules for special risk employees; and
- b) Proposed clarification of employee scheduling during emergencies; and
- c) Excluding vacation as "time worked". (Deferred from 10/14/03 meeting)

Vice-Chairman Emory Pierce made the motion to leave this item as is. Ron Baker noted that personnel rules are specific as to how overtime is paid and explained overtime in relation to holiday pay. Discussion followed.

Lauren Busacca noted that Del Ray Beach and Gainesville pay their employees for overtime during a holiday week. She felt that if a person having to work overtime during a week in which they had sick or vacation they should be paid overtime. She seconded the motion to leave as is. Motion carried 4-0.

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4/17/07
CIN 5/1/07
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**CITY OF BROOKSVILLE
PERSONNEL ADVISORY BOARD
COUNCIL CHAMBERS
201 HOWELL AVENUE
MINUTES**

FEBRUARY 27, 2007

5:30 P.M.

The Personnel Board met with the following members present: Pat Jobe, Chairwoman, Laureen Busacca, Shannon Pettry, and Janice Peters, Recording Secretary.

The meeting was called to order at 5:30 p.m. by Chair Jobe, followed by the pledge.

Chairwoman Jobe informed all present that members Lori Allen and Kellie Jo Stapleton were not in attendance and Sonny Gill was out on sick leave, therefore there was not a quorum present.

Appointment of 7th Member (General Fund Employee)

Since the appointment of the 7th member is only decided by the three employees elected to the board Sonny Gill was telephoned and attended by speaker phone for the choosing of the 7th member.

Motion:

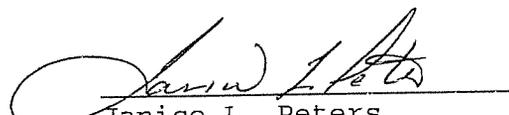
Laureen Busacca moved to nominate John Nicoll as the 7th member; Seconded by Sonny Gill. Motion carried 3-0.

Chairwoman Jobe indicated that, for lack of a quorum needed to address the other issues, the meeting would need to be continued. Consensus was for March 6 at 5:30 pm.

Chairwoman Jobe noted that members who are not able to make the meetings are required to call the Recording Secretary as soon as possible.

ADJOURNMENT

The meeting adjourned at 5:45 p.m.



Janice L. Peters
Recording Secretary

pl. read'
4/17/07
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J

Mid Florida Community Services, Inc.
Children's Advocacy Center of Hernando County
Task Force
Minutes
December 14, 2006

Members Present: Major Alan Arick, HCSO; Mari Claiborne, Visitation Center; Kimberly Davis, BBBS; Judy Everett, SEDNET; Dr. Ferrigno, UF-CPT; Margaret Goodrich, GFWC; Harry Hill, DJJ; Gloria West-Lawson, CAPP Nurturing Program; Barbara Lobach, SEDNET; Annie McPherson, UF-CAPP; Mona McIver, GFWC; Mary Elizabeth Preston, GFWC; Nicole Quinn, Attorney General's Office; Michelle Rio, Dawn Center; Janice Roy, CACHC; Ginny Sigle, CPT Team; Tamera Stewart, HCSO; Francine Ward, Mid Florida Community Services, Inc.; Donna Stucchio, DCF; Jeanne Travaglino, Devereux Kids

WELCOME AND INTRODUCTIONS

Janice Roy opened the meeting at 10:30 a.m. and welcomed everyone. Those in attendance introduced themselves.

REVIEW AND APPROVAL OF MINUTES

After review of the October 12, 2006 minutes, Janice requested a motion to approve. The motion was made and seconded. Minutes were approved.

CAC BUSINESS

Janice reported that CPT clinic days at the CAC are Monday, Tuesday, Thursday, and Friday. Dr. Ferrigno stated that appointments could be scheduled for Wednesdays for acute exams. Jessica is the ARNP that will work from this location. Allie will continue conducting the forensic interviews at the Sheriff's Department until there is space within the CAC.

At this time it appears the CAC may clear close to \$170.00 from the sales of the "Tough Guys for Kids" statewide fundraiser sponsored through the FNCAC.

Janice was pleased to report that the Gainesville conference, "A Community Approach to Child Protection", was excellent and very informative. Of particular interest, was the presentation on therapy. Janice also attended the Leadership Retreat for the FNCAC held in Tampa.

Nicole wanted the group to be aware that therapy can be paid for through Victim's Compensation funding. She provided helpful information to the group on this resource.

Judy announced that the power point has been updated and is available for others to use for community awareness activities. Janice attended the Parent Institute in October and she and Judy spoke to the General Federation of Women's Clubs in November.

The second draft of the protocols for the Multidisciplinary Team will be going out for review and input. Janice thanked everyone for their time and cooperation in getting the protocols developed.

Francine provided an update on the non-member development grant that was awarded from the National Children's Alliance (NCA) for approximately \$39,000 to renovate the portable unit next door, including a deck to attach it to this unit. This will allow "out post" office space

elw 5/17/07

CITY OF BROOKSVILLE
PLANNING AND ZONING COMMISSION MEETING
Regular Meeting

February 14, 2007

6:30 P.M.

ATTENDEES: George Rodriguez, Louise Taylor, John Wanat, Ernie Weaver, and Don Varn. Also attending were Bill Geiger, Community Development Director, David LaCroix, City Attorney, and Patricia Jobe, Planning & Zoning Coordinator/Recording Secretary. Members absent were Elmer Korbus and Charles Miller.

The meeting was called to order at 6:30 p.m. by George Rodriguez, followed by the invocation and pledge of allegiance.

APPROVAL OF MINUTES

Motion was made by Commissioner Wanat, seconded by Commissioner Taylor, to approve the minutes of the January 10, 2007, meeting as written. Motion carried 5-0.

**SE2007-01 - JORGE LOPEZ FOR GARDEN HOMES, LLC - PRESENTED BY NICHOLSON ENGINEERING ASSOCIATES, INC.

Petition for a Special Exception Usage for a Residential Planned Development Project - Continued from January 10, 2007

Motion was made by Commissioner Wanat, seconded by Commissioner Taylor, to continue this item to the next regularly scheduled meeting on March 14, 2007, at 6:30 p.m. Motion carried 5-0.

** PP2007-01 - BROOKSTONE - VALLERY CUSTOM HOMES

Request for Preliminary Plat Approval

The City Attorney explained that this is a quasi-judicial proceeding and asked anyone who would like to be recognized as an intervening party to the proceeding or who would like to be sworn as an expert witness to come forward.

Commissioner Varn removed himself from the Commission and sat in the audience for the public hearing on this item and indicated he wished to be sworn in as an intervening party because his property directly adjoins the subject property and will be directly impacted by this development. The Commission by consensus accepted Mr. Varn as a party intervenor.

Commission accepted by consensus Joseph Quinn, Coastal Engineering Associates, as an expert in land use planning.

Commission accepted Bill Geiger by consensus as an expert witness in land use planning, development, and zoning, and his qualifications are on file in the Community Development Department.

Director Geiger requested that the staff report be entered into the record in its entirety, as follows:

SUMMARY OF REQUEST - GENERAL INFORMATION

The Petitioner is requesting Preliminary Plat Approval for the Brookstone (Vallery Homes Howell Avenue) Site. The subject property is 4.13 acres \pm , and is bounded to the north by Highland Street, to the south by Florida Avenue and to the east by Howell Avenue. Moline Street is the western border of proposed residential lots. Two parcels at the southwest corner of Moline and Highland Streets are being designed to accommodate drainage requirements for the development. The legal description by metes and bounds for the subject parcel is given in full in the petition packet. On December 5, 2005 City Council approved Ordinance No. 709, establishing the property as a Planned Development Project (PDP) with a Special Exception Use for a Residential Planned Development Project (RPDP), subject to the following performance conditions.

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CITY OF BROOKSVILLE
PLANNING AND ZONING COMMISSION MEETING
Regular Meeting

March 14, 2007

6:30 P.M.

Attendees: Vice-Chairman John Wanat, Elmer Korbus, and Ernie Wever. Also attending were Bill Geiger, Community Development Director, David LaCroix, City Attorney, and Patricia Jobe, Planning & Zoning Coordinator/ Recording Secretary. ABSENT: Chairman George Rodriguez, Louise Taylor, Charles Miller, and Don Varn.

The meeting was called to order at 6:30 p.m. by Vice-Chairman Wanat, followed by the invocation and pledge of allegiance.

APPROVAL OF MINUTES

Motion was made by Commissioner Wever, seconded by Commissioner Korbus, to approve the minutes of February 14, 2007, as written.

** SE2007-01 - JORGE LOPEZ FOR GARDEN HOMES, LLC - PRESENTED BY NICHOLSON ENGINEERING ASSOCIATES, INC.

Petition for a Special Exception Usage for a Residential Planned Development Project - Continued from January 10, 2007.

The City Attorney explained that this is a quasi-judicial proceeding and that the public hearing was continued from the previous meeting. At that meeting, Mr. Nicholson had been sworn in and accepted by a consensus of the Commission as an expert witness in civil engineering and land use planning, and Director Geiger had also been sworn in and accepted by a consensus of the Commission as an expert witness in land use planning, development, and zoning. In addition, six persons had come forward at the previous public hearing and asked to be sworn in as intervening parties on this petition: Dennis Lamberti, Cherry Stettin, John Mason, Barbara Burke, Ruth Reeder, and Bill Bailey. Another person then stepped forward, Loretta Dejonny, and requested that she be added as a party intervenor because she, too, was a concerned nearby resident of the subject area. The City Attorney then explained that the public hearing was still open and encouraged anyone new who wished to come forward in any capacity to speak on this subject to now come forward. Also, all those who had been sworn in at the previous public hearing were still under oath for the continuation of this hearing.

Director Geiger then explained that the intent of the continuation of the previous meeting and public hearing was to allow the petitioner and his representative, Nick Nicholson, to meet with neighboring property owners to go over their concerns so that they could try and address those concerns and possibly bring back a revised plan. He directed the Commission's attention to the revised conceptual plan for the project that had been given to them in their packet and requested that the staff report be entered into the record in its entirety, as follows:

The petitioner is requesting Special Exception Use approval for a Residential Planned Development Project on a 4.88 acre \pm site. The property is located on the south side of Dr. MLK, Jr., Boulevard and west of Hale Avenue.

STAFF FINDINGS:

CURRENT LAND USE/ZONING

The subject property (Where the residential structures are being planned) is currently zoned as a Planned Development Project (PDP). The eastern portion of the same site is zoned C2. The property has a Comprehensive Plan Future Land Use (FLU) designation for Multifamily/Mobile Home and Commercial Uses respectively.

FACTUAL INFORMATION:

1. The western portion of the subject property is currently zoned as a PDP with FLU designations for multifamily/mobile homes and the eastern portion of the site is zoned C2 with a FLU designation for commercial uses.
2. The total subject property is approximately 4.88 \pm acres in size.

**WITHLACOOCHEE REGIONAL PLANNING COUNCIL
BOARD OF DIRECTORS MEETING**

DATE: March 15, 2007
TIME: 7:00 P.M.
PLACE: Withlacoochee Regional Planning Council
1241 S. W. 10th Street
Ocala, FL 34474-2798

MEMBERS PRESENT:

Ken Hinkle, Citrus County Municipal Representative
Vicki Phillips, Citrus County Commissioner
Dennis Damato, Citrus County Commissioner
Carl Bertoch, Citrus County Governor's Appointee
Joseph W. Sawyer, Citrus County Governor's Appointee
Linda Powers, Citrus County Governor's Appointee
Joe Johnston, III, Hernando County Governor's Appointee
Steve Holcomb, Levy County Municipal Representative
Danny Stevens, Levy County Commissioner
Eugene Trimpert, Levy County Governor's Appointee
Wilma Loar, Marion County Municipal Representative
Barbara Fitos, Marion County Commissioner
Andy Kesselring, Marion County Commissioner
Roslyn Stephens, Marion County Governor's Appointee
Patricia Gabriel, Marion County Governor's Appointee
Ulysees Gilbert, Marion County Governor's Appointee (Not Sworn in)
Garry Breeden, Sumter County Commissioner
Michael Francis, Sumter County Commissioner
Richard Hoffman, Sumter County Commissioner

MEMBERS ABSENT:

Joyce Valentino, Citrus County Commissioner
John Thrumston, Citrus County Commissioner
David Pugh, Hernando County Municipal Representative
Jeff Stabins, Hernando County Commissioner
Diane Rowden, Hernando County Commissioner
Rose Rocco, Hernando County Commissioner
Chris Kingsley, Hernando County Commissioner
Walter "Buddy" Selph, Hernando County Governor's Appointee
Dave Russell, Hernando County Commissioner
Nancy Bell, Levy County Commissioner
Stan McClain, Marion County Commissioner

*PC. 'ALGOL'
CFN 5/9/07*

**MINUTES – WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY BOARD
OF DIRECTORS MEETING, MARCH 21, 2007**

DATE: March 21, 2007
TIME: 4:30 p.m.
PLACE: City Commission Chambers, City Hall
151 SE Osceola Ave., 2nd Floor,
Ocala, Florida 34471

MEMBERS PRESENT

Joyce Valentino, Citrus County Commissioner
Dennis Damato, Citrus County Commissioner
Richard Hoffman, Sumter County Commissioner
Rose Rocco, Hernando County Commissioner
Mike Francis, Sumter County Commissioner
Dale Swain, Bushnell City Councilman
Sophia Diaz-Fonseca, Inverness City Councilwoman
Kent Guinn, Ocala City Councilman

MEMBERS ABSENT

Gary Bartell, Citrus County Commissioner
Joe Bernardini, Brooksville City Councilman
Diane Rowden, Hernando County Commissioner
David Russell, Hernando County Commissioner
Christopher Kingsley, Hernando County Commissioner
Daniel Owen, Ocala City Councilman

OTHERS PRESENT

Jack Sullivan, Executive Director
Larry Haag, WRWSA Attorney
Barbara Sullivan, Recording Secretary
Henry Hicks, Ocala Utilities
Jimmy Brooks, SWFWMD
Al Grubman, TOO FAR, Citrus County
Jan Grubman, TOO FAR, Citrus County
Pat Francis, Sumter County
Peter Rocco, Hernando County
Matthew Sullivan, Marion County

Agenda Item #1 Call to Order

Chair Joyce Valentino called the meeting to order at 4:31 p.m.

Agenda Item #2 Roll Call

Jack Sullivan, Executive Director, called the roll and a quorum was declared present.

Agenda Item #3 Introductions and Announcements

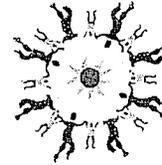
Mr. Sullivan introduced Rose Rocco, new Board member from the Hernando County Commission. Mr. Sullivan also introduced members of the public and welcomed them to the meeting. Mr. Sullivan reminded the Board that there would be a Water

pc - 'read'

LAN 5/7/07

8

Hernando County Community Anti-Drug Coalition
6147 Deltona Blvd., Spring Hill, FL 34606
Phone: 352-596-8000 * Fax: 352-596-8002
info@hernandoantidrug.org



Hernando County Community Anti-Drug Coalition
Meeting Minutes
March 28, 2007

Present: Sandra Marrero (The Harbor), Lisa Hammond (BHERGroup), Harry Hill (DJJ), Tresa Watson (CENAPS), Richard Lewis (City of Brooksville), Richard Forester (DCF), Mary Ann Peavler (BBBS), Jessica Fernandez (DJJ) Dep. Rick Ruiz (HCSO), Dep. Bill Pople (HCSO), Jennifer Dallner (BBBS) Michael Ransaw (Youth Recovery), Alex Meyer (Chill Smart), Karen Gidden (HC Health Dept.), Ricardo Jacquez, (HCSB), John Schlicher (HCSB), Janice Smith (HCSB)

Meeting called to order at 3:40 p.m.

Lisa presented a motion to accept minutes from February meeting. Richard second the motion. Motion carried

YAAPI

Tresa announced Chill Smart is ready to participate in "Week of the young Child" on April 14, 2007. Also, Tresa announced she received referral from Teen Court for youth to attend Chill Smart. Sandra stated Chill Smart continues to meet every other Tuesday at the Harbor. Lisa stated it may be a good time to talk about the location of the meeting. She suggested maybe partnering with another agency, such as the YMCA who already has youth available. Harry questioned whether youth may get scholarship assistance if the meetings were held there. A discussion ensued regarding transportation as a barrier for youth. Harry proposed someone contact Trans-Hernando to see if they could offer bus service to the meetings. Ricardo Jacquez proposed one meeting be held at a place like the YMCA, and another at the Jerome Brown Center, so as to reach youth from Brooksville and Spring Hill. Richard Lewis announced the City of Brooksville has a bus that can facilitate transportation to youth, however, the limitations that the meeting must be in Brooksville. If interested, one could call Mike Walker to schedule transportation.

Youth Speak Out Sessions

Lisa reported having received excellent feedback from the youth. Despite the change in venues, the information being received is consistent. Lisa announced she is looking into a "Lock up your Liquor" campaign. Due to the fact that the two main issues reported are access to alcohol in the homes, or friend's homes, and lack of supervision. Lisa stated the YSO information does give us direction for future projects. Beth asked about the possibility of getting an article in the newspapers about the information. Lisa agreed. Karen mentioned the findings are the same as seen across the state. Therefore, the

WHAT'S Developing

Volume One, First Quarter 2007

www.floridahousing.org

Workforce Housing Program Generates Innovative Housing Solutions

Florida Housing's Board of Directors approved funding for 11 of the 33 applicants that responded to the Community Workforce Housing Innovation Pilot Program (CWHIP) request for proposals (RFP). The 2006 Florida Legislature created the \$50 million CWHIP program as a way to encourage innovative, public-private partnerships that would create affordable workforce housing for police officers, teachers, firefighters, nurses and other essential services personnel. The program also encourages pooling of local resources, local regulatory incentives, including land use strategies and non-traditional sources of local funding.

The 11 applicants approved for CWHIP funding are:

1. Village of Quillen/Indiantown Area/Martin County
2. Merry Place at Pleasant City/West Palm Beach/Palm Beach County
3. Wolf Creek Village/Freepport/Walton County
4. Boulevard of the Arts Residences/City of Sarasota/Sarasota County
5. The Preserve/City of St. Cloud/Osceola County
6. Homes of West Augustine/West Augustine/St. Johns County
7. Verde/City of Orlando/Orange County
8. Ridgeview Subdivision & The Villas at Kenilworth Sebring/Highlands County
9. Westshore Landings One/Tampa/Hillsborough County
10. Midtown Delray/City of Delray Beach/Palm Beach County
11. Hatton Street Houses/City of Sarasota/Sarasota County

Four (4) projects were funded in high cost areas, three (3) in high growth areas and four (4) for innovation.

The Board also approved putting the Preserve at Boynton Beach/Boynton Beach/Palm Beach County on the waiting list for funding. The 2007 Florida Legislature will decide whether to reauthorize the program and provide additional dollars to fund workforce housing around the state. (continued on page 10) >

SAVE DATE 2007 HomeBuyer EXP

Orange County Convention Center • Hall D2, West Concourse • Orlando
www.floridahousing.org/expo

June is National Homeownership Month, and as part of celebrating homeownership, Florida Housing will host a number of events in Orlando, including our 2007 Homebuyer Expo. The expo will be held on Saturday, June 16 from 10:00 a.m. to 5:00 p.m. at the Orange County Convention Center, Hall D2, West Concourse, and includes hundreds of exhibits and booths showcasing resources available to consumers for affordable housing.

Highlights of the expo include free credit reports and credit counseling, workshops and seminars on securing financing, understanding the loan closing process and determining how much you can afford. This is a great opportunity for the general public to find out about local, state and federal affordable housing programs. Registration is free for consumers, and parking is free if you pre-register online. Exhibit booths are also available. Register online at www.floridahousing.org/expo (continued on page 8) >

Florida Housing Unveils First Time Homebuyer "Wizard" Online

Florida Housing has created an online tool that makes understanding the eligibility requirements for the First Time Homebuyer Program much easier. The First Time Homebuyer Wizard provides tailored answers about the program, depending on the geographic area the consumer is interested in, their occupation and other details, including income and sales price limits for each county. Consumers

also have access to information on current interest rates, down payment assistance, and they can map federally-designated targeted areas. Details on participating lenders are available along with links to a mortgage calculator, credit counseling agencies and other resources. The Wizard can be accessed from Florida Housing's homepage at www.floridahousing.org.

Auger Appointed to Advisory Council

The Federal Home Loan Bank of Atlanta recently announced five new appointments to its Affordable Housing Advisory Council, including Florida Housing's Executive Director, Steve Auger. The Federal Home Loan Bank of Atlanta is a financial services organization that provides low-cost financing, community development grants, and other banking services to

more than 1,200 financial institutions in Alabama, Florida, Georgia, Maryland, North Carolina, South Carolina, Virginia, and the District of Columbia. This institution is one of 12 district banks in the Federal Home Loan Bank System, which, since 1990, has contributed more than \$2 billion to affordable housing developments in the United States.



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Clearinghouse Puts Housing Data At Your Finger Tips

Page 3

Florida Housing Partners with MGIC and Genworth To Lower Borrowers' Mortgage Insurance

Page 5

Former Foster Care Youth Have Affordable Place to Call Home

Page 6

Orig. Mayor
Cory Compton
6/25/07

WaterMatters

March-April 2007



Grand Opening Attracts Hundreds



The sun sparkled on the lakes at Colt Creek State Park as dozens of anglers sank their lines while hundreds of other visitors gathered to celebrate the park's grand opening.

Charlie Mack Overstreet (center) told the crowd to "treat this land right."

David Moore, District executive director, presents state Senator Paula Dockery with a print for her dedication to the project.

"It really made me feel good when we came in this morning and saw people fishing and enjoying the park," said Michael Bullock, Florida State Parks Service director. "That's what state parks are all about."

The 5,118-acre park, located within the District's Green Swamp Preserve in Polk County, began as a cooperative effort by the District, Polk County and the Department of Environmental Protection (DEP) to purchase the land from the Overstreet family. The District served as the lead agency in the purchase. District staff negotiated a price of approximately \$53,700,000 for the property. Polk County contributed \$5 million and the District and DEP shared the remaining costs.

"When I first heard of this project, I thought it was a long shot, but everyone worked together to make it happen,"

said Sam Johnson, Polk County commissioner. "We're all here to serve the public and this is a true example of that."

Charlie Mack Overstreet purchased the land with his brother in 1939. At the time, Overstreet was only 16. He later bought out his brother. Since then he and his family have been raising cattle and working the land. Overstreet had the opportunity to sell the property to a developer, but chose to sell it to the state so it would remain preserved.

"This land is sacred to me and shall always be," said Overstreet.

Colt Creek continued on page 10

INSIDE

- 3** Manatee Agricultural Reuse
- 5** Volunteers Recognized
- 6** Students "Dig" Restoration Project
- 10** Employee Profile

B

CTW 5/7/07

50 YEARS YMCA of the Suncoast

Words from the Y

of the Suncoast

YMCA of the Suncoast

Spring 2007

A Half Century
of Service

1957-2007

What's inside...

- ▼ YMCA Kids are HONOR ROLL..... 2
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- ▼ YMCA Summer Camp 3
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- ▼ Member Spotlight..... 6
- ▼ Events and Classes 7
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- ▼ YMCAs Fulfill Their Mission..... 8

YMCA Healthy Kids Day - April 14, 2007 Celebrate Healthy Kids and Families with the YMCA

YMCA Healthy Kids Day is a free, fun-filled day of activities designed to promote healthy kids and families in spirit, mind and body. YMCA Healthy Kids Day community-based events celebrate making fitness fun, and introduce kids to an array of YMCA programs that teach healthy behaviors and healthy ways to play — an essential lesson in learning how to take care of themselves throughout their lifetimes.

health initiative of the YMCA movement that is making healthy living a reality for millions of Americans. By celebrating health and wellness of young people through a variety of fun, physical activities, YMCA Healthy Kids Day encourages kids and their families nationwide to stay active, connected and healthy. The YMCA Healthy Kids Day event is celebrated annually. Activities at all of our local YMCA of the Suncoast Branches will vary and may include games, sports,

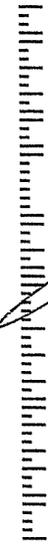
THE HEALTHY KIDS DAY™

We build strong kids, strong families, strong communities.

Healthy Kids Day

event is celebrated annually. Activities at all of our local YMCA of the Suncoast Branches will vary and may include games, sports,

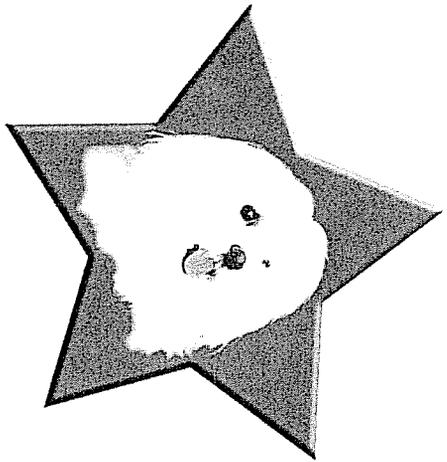
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ORG #1234
THE HONORABLE MARY A. STAIR
CITY OF BROOKSVILLE
201 HOWELL AVE
BROOKSVILLE FL 34601-2042



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Opportunities • Spring 2007 • Page 6

04-12-07 P12:55 IN



Goodwill Dog to Star in Animal Planet Video

Maltese breeders in Tampa were on their way to the animal shelter with a one-eyed pup from their latest litter when caring Goodwill resident Elisa Alicea offered to give him a home.

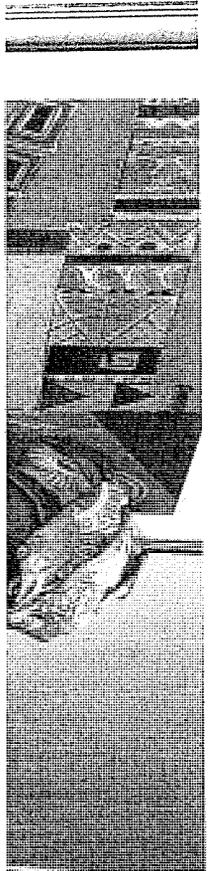
Elsa's grandson named the puppy "Ojito," or "Little Eye" in Spanish, and one year later he is a much-pampered resident of Goodwill's Heritage Oaks apartment building in Palm Harbor, where Elisa has lived since 2003.

Animal Planet producers recently surprised Elisa with a phone call. They were intrigued by Ojito's story, which they heard from his groomer. They plan to use the photogenic dog in a training DVD distributed to animal shelters around the country.

"He doesn't know he only has one eye," says Elisa. "It doesn't slow him down at all." Ojito is right at home in the Goodwill community for seniors, many of whom have disabilities that don't get in their way, either.

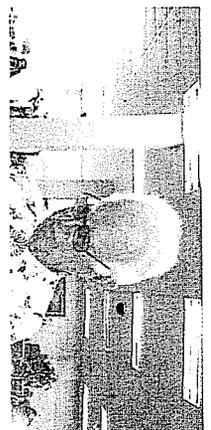


Goodwill's Heritage Oaks resident Elisa Alicea of Palm Harbor and her Maltese, Ojito, were excited to work with Animal Planet photographer Justin Catacchio in March. Ojito was born without a right eye.



Seniors Enjoy Goodwill Shopping Parties

Savvy seniors are finding great



PRM PROGRESS REVIEW MONITOR



Serving Florida Public Entities

QUARTERLY NEWSLETTER PUBLISHED BY PUBLIC RISK MANAGEMENT OF FLORIDA - April 2007

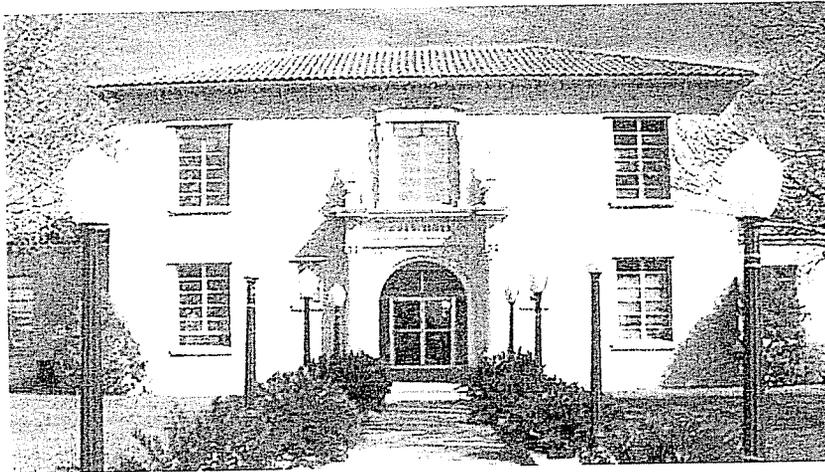
TRIBUTE TO THE CITY OF OKEECHOBEE

With this issue, we salute the City of Okeechobee, a member of Public Risk Management of Florida (PRM) since 1999.

The City of Okeechobee is the County Seat of Okeechobee County, located on the northern shore of Lake Okeechobee, and is the crossroad

from the east coast to the west coast of Florida (SR 70 & SR 710). The City of Okeechobee was incorporated in 1915 and has a current population of approximately 5,500. Okeechobee City Hall was built in 1926 and is still being used for the everyday functions of city business. The City has built a City Hall Park across from City Hall and revitalized the city parks in the downtown areas. In March the City has a speckled perch festival, parade and rodeo and in September has the Labor Day rodeo and parade. During these events the parks have arts, crafts and refreshments for all to enjoy.

The City Council consists of five elected members and appoints the Mayor from one of the Council members. Mayor James E. Kirk also serves as the Alternate Board Member of PRM's Board of Directors. The City Council serves as the legislative and policy makers for the City. The City Administrator is appointed by the City Council and is in charge of the daily operations of the City, which includes Finance, General Services, Building and Zoning, Public Works & Fire and Police Departments. The City Clerk is an elected official



City Hall

and is responsible for the Human Resource Department.

Donna Reynolds, Accounts Clerk/Risk Management has represented the City of Okeechobee on PRM's Board of Directors since 2000. Donna has been employed with the City for eight years and is a native of

Florida. She was born and raised in West Palm Beach and moved to the City of Okeechobee in 1994. Donna is the Accounts Clerk in the Finance Department and the contact for Workers' Compensation and Liability claims, City Safety Program and the Drug Free Workplace Program.

It is with great pride we salute the City of Okeechobee as a valuable member of Public Risk Management of Florida.

ELECTION OF OFFICERS

At the PRM Board of Directors meeting held in Lakeland, Florida, on March 9, 2007, the following Executive Committee Officers were elected.

VICE CHAIRPERSON

Jeff Sutton, Personnel Manager
City of New Port Richey

NORTH REPRESENTATIVE

Jennifer Valdes, Human Resources Officer
City of Gulfport

J Sutton
4/10/07 *J Valdes* CRW 5/2/07

Also in this issue . . .

- On-Site Training Availability
- Law Enforcement Liability Seminar

- Employment Applications
- Hiring Teens for Summer Part-Time Jobs



Government Innovation

Alachua County Reduces Homeless Pet Population

Alachua County, FL (pop. 225,000) is a growing and diverse community located in North Central Florida. The county covers 969 square miles and is home to an estimated 52,000 dogs and 96,000 cats.

Alachua County Animal Services is responsible for protecting the health and safety of the citizens and animals within the county. In calendar years 1999 - 2000, Alachua County's John M. Snyder Animal Shelter received approximately 11,000 companion animals each year. Sadly, approximately 72% of all companion animals entering the shelter were euthanized, with only 22% of un-reclaimed animals adopted by new owners.

Spurred by a desire to end the euthanasia of so many companion animals, a coalition of concerned individuals, professional veterinarians, animal welfare organizations, and the Director of Alachua County Animal Services drafted a comprehensive plan to become a "no kill" community. In September of 2001, the Alachua

County Board of County Commissioners adopted a resolution to achieve the "no kill" objective and directed the Director of Animal Services to implement the comprehensive plan to ensure the success of the No More Homeless Pets in Alachua County Project. The coalition of community organizations, with the support of Alachua County Animal Services, applied to the Maddie's Foundation for a grant to help achieve the objectives. The Maddie's Fund awarded a \$2,800,000 grant to the project.

The grant award provided funding to the non-governmental, community based animal welfare organizations working in concert with the Alachua County Animal Services Division to systematically guarantee homes for all healthy and treatable, unwanted or abandoned animals brought to the shelter. The ten-year project outlined specific milestones and objectives to be achieved and incremented the number of animals

Continued on page 2

Developing Community Partnerships to Track Registered Sex Offenders

In the City of Bryan, TX (pop. 67,000), the city's Geographic Information System (GIS) has created a new application designed to raise public awareness of the approximately 180 registered sex offenders (RSO) who live in Bryan, College Station, and Brazos County, TX.

Thanks to a unique partnership formed by the City of Bryan, the Brazos County Sheriff, the Brazos County Parole Office, and Texas A&M University (TAMU), RSO tracking has been improved to offer greater public awareness and enhanced investigational tools for law enforcement.

When the county Sex Offender Registrar receives

an update on a specific RSO, that information is relayed to the City of Bryan GIS where the updates are quickly made available on the Web. The project came about as a result of a class research project at Texas A&M University using data provided by the City of Bryan. Students mapped where RSOs lived and assessed their proximity to Child Safety Zones.

Realizing the tremendous potential this tool represented for local law enforcement, the City of Bryan GIS facilitated a close relationship with the



Continued on page 3

ig THE INNOVATION GROUPS

Government Innovation pages 1-3

Alachua County Reduces Homeless Pet Population

Developing Community Partnerships to Track Registered Sex Offenders

Two Communities Come Together to Solve Water Problems

New Members page 4

Kannapolis, NC

Promotional pages A-D

TLG '07

TLG Keynote Presenter pages 5

TLG Leadership: Innovation in Action

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SLO Solutions: Community Conflict Resolution in Action

Awards page 8

100 Best Communities for Young People

Special Feature pages 9-10

Skill-based Pay Becomes a Model For Success

IG News & Events pages 11-12

Meet Board Member Robert Denhardt

IG Team Welcomes New Staff Member

IG Salutes Bob Hart for His Dedicated Service

HERNANDO HISTORICAL MUSEUM ASSOCIATION, INC.

601 Museum Court; Brooksville, Florida 34601
 Phone: (352) 799-0129; Fax: (352) 799-4766
 Website: www.hernandoheritagemuseum.com

Vol III, No. 2 -- April, May, June, 2007



WE NEED YOUR HELP!!! WITH THE LEGACY PHOTO ROJECT

By Roger Landers

This is a GREAT project for those who love photographs.

The program is a combined effort between the Historical Commission, The Tampa Library and Consortium, and our county public library and **Our Museum**. The project involves the digitizing of photos, maps and art work. The results will be preservation and cataloguing of our collection for ready access on the internet.

A Special Collections staff member from the University of South Florida will be here the end of April or early May to help us get started. Get in on the ground floor and discover many new and interesting things about our community's history.

**Volunteers are needed now.
 No experience necessary.**

Call John Tucker at 352-796-1017 or Roger Landers at 35 2-796-5420

+++++

Wish List

By: Diana Johnston

In the hope of filling some items on our Wish List, we are letting the membership know of a few things we need:

- Muscle for moving items

- Large plastic storage bins
- Bookcases
- Someone to refinish the floor in the Communications Room during August
- Someone with plumbing knowledge to install new bathroom fixtures

We appreciate whatever you may be able to contribute!

+++++

This editor would like to extend her sincerest apologies for not including Mike Hannigan and Rex Hinkle in the list of the Board of Directors. My error has been corrected and I appreciate having it brought to my attention.

BOARD OF DIRECTORS – February 2007

- President: Ron Daniel
- 1st VP: Debbie Hinkle
- 2nd VP: Virginia Jackson
- Secretary/Curator: Diana Johnston
- Treasurer: Joy Jackson
- Docent Coordinator: Virginia Rusk
- Gift Shop: Maxine Matilainen
- Publicity Chair: Amanda Miller
- Bonnie LeTourneau
- Leah Overstreet
- Chris Mullen
- Mike Hannigan
- Rex Hinkle

NON-BOARD CHAIRS

- Raid Chairman: Jan Knowles
- Corresp. Secretary: Beverly Yocum
- Membership Chair: Diana Johnston

Lead
 4/24/07 cns/7/07

Withlacoochee Regional Water Supply Authority: 4/13 Legislative Update Report
Prepared by Diane R. Salz

Trust Fund Reductions Pass Along Party Lines: The House proposed a number of committee bills that remove funds from specific trust funds and move that money to general revenue. This is in an effort to make up the revenue shortfall anticipated this budget year. These bills were passed this week as part of the House budget package. One bill would remove \$30 million from the Water Protection and Sustainability Trust Fund, currently funded at \$100 million. The reduction is specifically aimed at alternative water supply development assistance, leaving SWFWMD to receive \$7.5 million for FY2008 and beyond instead of \$15 million. Another committee bill would transfer to general revenue two tenths of one percent or \$45.9 million from the Ecosystem Management and Restoration Trust Fund currently used for water quality improvement and water restoration projects. Debate & opposition to bills taking monies out of trust funds ensued & several House members suggested that a sunset provision be included which would in effect decrease the trust funds for at least one year but not permanently. Other House members filed amendments that would have removed funds from other areas of the budget in lieu of these particular trust funds. Nevertheless, the final vote was 72-41 on both of the above-referenced bills. The House budget package, including these bills was immediately certified to the Senate and an amendment is on consideration in the Senate which would remove the trust fund reduction language in these bills. This starts the budget conference process.

Expedited Permitting Bill Passes House Council: HB 1031 sponsored by Rep. Robert Schenck (R – Springhill) would require DEP and the water management districts to adopt programs to expedite the processing of wetland resource and environmental resource permits (ERPs) for economic development projects that have been identified by a local government. Permit applications would be approved or denied within 30 days after receipt of the original application, the last item of timely requested additional material, or the applicant's written request to begin processing the permit application. The Uniform Rules of Procedure (Chapter 120, Florida Statutes) requires that an agency provide at least a 21 day point of entry period for affected persons from the day the agency provides its notice to approve or deny an application. Therefore, a proposed amendment will likely be offered next week to require 30 day approval or denial after receipt of a completed application but also clarifies the requirements in Chapter 120. HB 1031 is in the House Policy and Budget Council and its companion bill SB 1798 sponsored by Senator Mike Fasano (R – New Port Richey) remains in the Senate Community Affairs Committee.

SWFWMD Governing Board Changes Advance: Legislation is moving which would increase the number of governing board members of the Southwest Florida Water Management District from 11 to 13 to add a second representative from Polk County. The legislation would require that, at a minimum, one board member appointed at-large reside in Sarasota or Charlotte counties. The Legislation specifies that of the 5 appointed at-large members, no more than one representative from Sarasota, Charlotte, Levy, Marion, Citrus, Sumter, Hernando, Lake, Hardee, DeSoto or Highlands counties may be on the governing board. Senator J.D. Alexander (R—Lake Wales) is the sponsor of SB 1776 which awaits its second reading before the full Senate Chamber, and Majority Leader Rep. Marty Bowen (R—Winter Haven) is the sponsor of HB 1039, which awaits its first reading by the full House Chamber.

Springs Protection: HB 299 sponsored by Rep. Debbie Boyd (D--High Springs) would create a non-regulatory Florida Springs Stewardship Task Force to collect and inventory data regarding zones of influence and land uses for 33 first magnitude springs; identify best management practices as well as all existing and reasonably expected funding sources; propose a program of outreach and education with emphasis on best management practices; take public input on issues related to springs and report to the Governor & the Legislature by January 31, 2008, at which time the task force would expire. After briefly stalling, HB 299 as amended is now in the Policy & Budget Council, while SB 1486 sponsored by Sen. Steve Oelrich (R--Gainesville) will likely be amended to conform with HB 299 by the Senate Community Affairs Committee on 4/18.

Wetlands Preemption: An amendment was placed on HB 957 sponsored by Rep. Trudi Williams (R – Ft. Myers) which would limit wetlands enforcement & regulation to only the state delegated environmental resource program (ERP) and not allow local governments to apply stricter wetlands protection standards. HB 957 is in the House Policy & Budget Council, while comparable Senate bill SB 2082 will be considered on 4/18 in the Senate Environment & Preservation Committee.

PC: Read
Done
Bill 9
Ammon
4/18/08 CM 5/7/07

Senator Paula Dockery

This Week In The Senate

April 9-13, 2007



Senator Dockery and local Law Enforcement officers visiting the Capitol

Real-Life Solutions - Anti-Murder

We have already seen the first arrest under the Anti-Murder Act, sponsored by Senator Dockery, which passed during the first week of Session. A sexual predator on probation in Jacksonville was arrested for committing a violent felony offense. This offender will now be held without bail until his likelihood of committing future violent crimes is addressed by a judge.

Senate Passes Budget

On Thursday the Senate unanimously passed its budget for FY 2007-08, which focuses on "Building Florida's Future" - an initiative based on purposeful, strategic spending of non-recurring funds on one-time projects. Rather than burdening Florida with additional costs down the road, these projects will bring a tangible return on the investment for Florida taxpayers. Florida's economy this year is experiencing a cooling period. For the first time in decades, current revenue is lower than that of the previous year. While this adds to the challenge of crafting the budget, it is also a tremendous opportunity to evaluate, prioritize, and to invest Florida's resources wisely.

Highlights of the budget for Senate District 15:

- Colt Creek State Park development - \$3 million
- Nursing Education at Florida Southern College - \$500,000
- Brooksville Water System Improvements - \$1 million
- USF Lakeland campus - \$10 million
- Polk City Wastewater Plant - \$1 million

We will now conference with the House of Representatives to form a single, balanced budget. Once both legislative bodies agree on a budget, it will become law upon receiving the Governor's signature.

Senate Unveils Property Tax Proposal

This week the Senate unveiled its proposal for property tax reform, which is the product of numerous hearings all around the state. We recognize that Florida taxpayers' rights include compensation for homestead property subject to eminent domain actions, clear "highest and best use" standard for property assessment, transparency in local government spending, and future improvements to the property tax administrative appeal process. Components of the proposal include:

- Rate rollback to 2005-06 (plus growth in population & income) and frozen for 1 year
- Beginning in 2008, property tax revenues for Cities and Counties will be capped
- Beginning in 2009, property tax revenues will not grow faster than population and income
- \$25,000 tangible personal property tax exemption
- Homestead Plus doubles homestead exemption for first time homebuyers until they reach significant levels of savings under SOH
- Affordable housing will be taxed based on rent collected rather than market value
- "Save Our Homes" portability when homeowners move, taxable value of new home will grow by 10%/year until the SOH benefit is reached

This proposal will now make its way through the Senate committee process, and we will work on reaching an agreement with the House.

Committee Assignments:

Law & Justice Policy & Calendar Committee, Chair
 Military Affairs & Domestic Security, Chair
 Environmental Preservation
 Health Policy
 Transportation
 Education PreK-12 Appropriations
 Rules
 Public Service Commission Oversight

District Office:

101 W. Main St., Suite 110
 Lakeland, FL 33815
 (863) 413-2900
Staff:
 April Mucci
 Laura Arnolds-Patron
 Matt Hinton
 Richard Roy

Capitol Office:

326 Senate Office Building
 404 South Monroe St.
 Tallahassee, FL 32399
 (850) 487-5040
 (888) 263-3672 Fax

Email: dockery.paula.web@flsenate.gov

Handwritten notes:
 PL: [unclear]
 1/12/07
 [unclear]

Senator Paula Dockery

This Week In The Senate

April 16-20, 2007

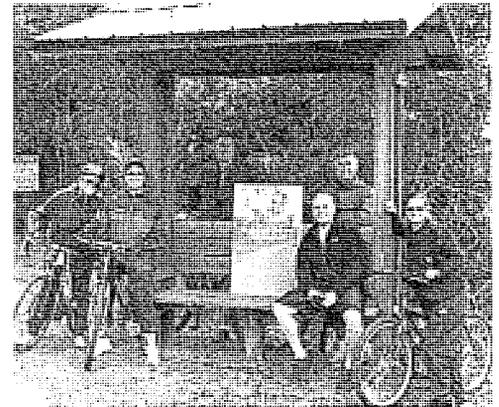
University Building Designations

Senate Bill 1160, which authorizes the naming of university buildings and state facilities, passed the Senate unanimously on Thursday. The legislation provides for the naming of buildings and facilities at UF, UCF, and USF, as well as the Dept. of Education building in Jacksonville, the Florida State Hospital in Chattahoochee, and the Fla Center for Nursing.

Current law requires Legislative approval before naming a state building or other facility for a living person. This bill was originally filed by Senator Dockery to name the following buildings at the University of Florida:

- Mark Bostick Golf Course
- Katie Seashole Pressly Softball Stadium
- Bispham Turfgrass Support Building - IFAS
- L. Gale Lemerand Football Support Facility

The bill will now be sent to the House for a vote, where Rep. Seth McKeel has the companion bill, HB 621.



Sen. Dockery hosted the 9th Annual Legislative Bike Trip on the St. Marks Trail, an opportunity for Legislators to enjoy this wonderful trail maintained by the Dept. of Environmental Preservation

Senator Dockery's Bills on the Move

SB 2052 - Solid Waste

Passed the SENATE on Thurs. by a vote of 37-0
Will now go to the House for a vote

SB 886 - Public records/Building Plans

Passed the SENATE on Wed. by a vote of 40-0
Will now go to the House for a vote

SB 680 - High Growth Capital Outlay Assistance Grant Program

Passed Education Facilities Appr. on Thursday, 7-0
Will now go to the Senate floor for a vote

SB 2520 - Behavioral Health Community Solutions Pilot Program

Passed Children & Families on Thursday, 7-0
Will be heard Monday in Criminal Justice

SB 1174 - Trust in Elections/Paper Trail

Passed Ethics & Elections on Tuesday, 7-0
Will be heard Monday in Judiciary

Legislation by Senator Dockery Increases Strangulation Penalty

This week the Senate unanimously passed legislation by Senator Dockery to strengthen penalties on strangulation and suffocation offenses. Senate Bill 184 creates a new felony battery category, domestic battery by strangulation, which increases the penalty for intentional strangulation and suffocation (currently a misdemeanor).

"Strangulation is a violent crime, one which far too often kills the victim," said Senator Dockery. "Domestic violence cases frequently include strangulation. We must hold offenders accountable for the dangerousness of their crimes."

Strangulation is often an impulsive act used in domestic violence attacks, usually intended to silence a victim or render the victim unconscious for further assault. Medical research indicates that although the brain can survive for up to five minutes without oxygen, brain cells begin to die after as few as 60 seconds. Currently, strangulation is in the same category as offenses such as punching, slapping, or kicking, none of which are seen as lethal actions.

The Florida Coalition Against Domestic Violence has been a strong proponent of this legislation. The bill will now be sent to the House for a vote.

Committee Assignments:

Law & Justice Policy & Calendar Committee, Chair
Military Affairs & Domestic Security, Chair
Environmental Preservation
Health Policy
Transportation
Education PreK-12 Appropriations
Rules
Public Service Commission Oversight

District Office:

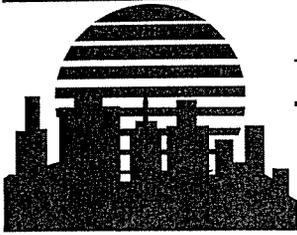
101 W. Main St., Suite 110
Lakeland, FL 33815
(863) 413-2900
Staff:
April Mucci
Laura Arnolds-Palron
Matt Hinton
Richard Roy

Capitol Office:

326 Senate Office Building
404 South Monroe St.
Tallahassee, FL 32399
(850) 487-5040
(888) 263-3672 Fax

Email: dockery.paula.web@flsenate.gov

Handwritten notes:
Dr. 'read'
4/23/07
PIN 5/17/07



DATAGRAM

a publication of the
FLORIDA LEAGUE OF CITIES, INC.

April 16, 2007
Vol. 34, No. 13

P.O. Box 1757 • Tallahassee, FL 32302-1757 • www.flcities.com
(850) 222-9684 • 1-(800) 342-8112 • Suncom 278-5331

PLEASE COPY AND DISTRIBUTE TO ALL APPLICABLE PERSONS:

Mayor _____ All Council members _____ Managers _____ Clerk _____ Attorney _____ Finance Director _____

Successful Citizen Advisory Boards and Committees Workshop

The Florida League of Cities and the Florida Conflict Resolution Consortium will present "Successful Citizen Advisory Boards and Committees," April 27, 2007, from 12:30 p.m. - 4:30 p.m. at the City of Lauderdale Lakes City Hall Complex and again on June 29 in St. Augustine and July 13 in DeFuniak Springs. Participants will learn how to channel conflict into constructive cooperation, solve seemingly impossible problems, save city dollars, build public

and private support, build your political support and utilize citizen volunteer time productively. The Florida Conflict Resolution Consortium and the John Scott Dailey Florida Institute of Government at the University of Central Florida have designed this interactive workshop for elected officials, administrators and other leaders who want their citizen boards and committees to be more productive. Participants will leave with new insights and the materials needed to make a difference. Contact Jan Piland at the League office for registration and other information at (850) 222-9684 or jpiland@flcities.com.

FMIT Fraud Investigations Update

The League's Special Investigation Unit (SIU) announces that a former sanitation worker with the City of Valparaiso pled to charges of workers' compensation fraud and other drug-related charges on March 29, 2007. He was given five years of probation and other drug-related sanctions/treatment. A restitution hearing will be held soon. The worker was suspected of misrepresenting information regarding pre-existing injuries in deposition, recorded statement and to medical providers. Also, a former maintenance worker for the City of Clermont pled to charges of perjury in an official proceeding and grand theft of more than \$20,000. He was given a total of 15 years probation for both counts. He will pay \$78,523.80 in restitution, and he is prohibited from seeking workers' compensation benefits through the League. He was suspected of misrepresenting his physical limitations and prior injuries in deposition, in recorded statement and to medical providers. The Florida Department of Financial Services estimates Florida residents pay an additional \$1,400 in premiums because of fraud. Insurance fraud costs Americans billions of dollars, and is the second costliest white-collar crime, second only to income-tax evasion. If you suspect someone of fraudulent behavior, or are aware of fraudulent activity involving an FMIT or League claim, call the SIU at 1-(888) 447-5877.

Grants and Technical Assistance

Request for Applications for Available Funding

The Florida Department of Education, Division of Workforce Education, announces the availability of instructions and forms for preparing project applications for funding under the Adult Education and Family Literacy Act of 1998 (Public Law 105-220). For due dates, application instructions, forms and funding opportunities conference information, visit www.firn.edu/doe/dwdgrants/grants.htm. Call or e-mail Ken Plummer at 1-(800) 342-9271 or ken.plummer@fldoe.org for more information.

Special Category Grants

The Department of State is soliciting applications for special category grants. These legislative grants are available for major historic preservation and historical museum projects with grant assistance needs ranging from \$50,000 to \$350,000. Grant funding is contingent upon appropriation by the Florida Legislature and will become available after July 1, 2008. Applications will be accepted through May 31, 2007, by 5:00 p.m. Eligible applications will be reviewed by the Florida Historical Commission in a public meeting September 24-27, 2007. To download an application or for more information, visit www.flheritage.com/grants or call (850) 245-6300.

Assistance to Firefighters Grant (AFG) Program

The U.S. Department of Homeland Security announced the start of the FY-2007 application period for the Assistance to Firefighters Grant (AFG) program. More than \$492.3 million will be awarded this year to fire departments and nonaffiliated emergency management organizations across the nation. AFG awards assist first-responder organizations in purchasing response equipment, personal protective equipment and vehicles. This application period ends May 4, 2007. Applications are available online at www.firegrantsupport.com, www.usfa.fema.gov and www.grants.gov. For more information, call 1-(866) 274-0960.

League's Institute for Community Housing Program Seminars

There are three more Florida League of Cities Institute for Community Housing (ICH) Program seminars scheduled.

If you would like to be removed from the Datagram mailing list, please e-mail Erinn Streeeter at estreeeter@flcities.com or fax her at (850) 222-3806

PC: Council
Dept Heads
4/18/07 JSC ctw 5/7/07

2007 Annual Conference

Conference at a Glance

Saturday, June 16, 2007

8:00 a.m. - 9:30 a.m.

Registration/Breakfast

Opening/Welcome Session

Reñe Flowers, President of the Florida League of Cities and Council Member, City of St. Petersburg

“Century Commission Briefing”

Rick Baker, Mayor, City of St. Petersburg
(invited to speak)

9:30 a.m. - 10:15 a.m.

“Hometown Democracy, Both Sides of the Issue”

Tom Pelham, Secretary, Florida Department of Community Affairs

10:15 a.m. -11:30 a.m.

“Are We Hot or Are We Not! The Impact of Global Warming on Local Decisions”

Charles Kibert, Founder and Director of Powell Center for Construction and Environment , University of Florida

11:30 a.m. - 1:00 p.m.

Luncheon and Installation of League Officers, Executive Committee & Board of Directors
Awards Presentation
Governor Charlie Crist (invited to speak)

1:00 p.m. - 2:00 p.m.

“Maximize “YOUR” Leadership”

Ronnie Glotzbach and Kimberly Devlin,
Managing Directors, EdTrek

2:00 p.m. - 2:45 p.m.

John Marks, Mayor, Tallahassee, Speaker

2:45 p.m. - 3:00 p.m.

Refreshment Break

3:00 p.m. - 4:00 p.m.

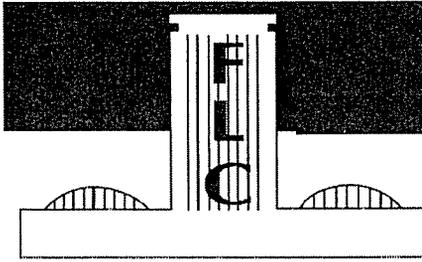
“Legislative Decisions, An Update”

Mike Sittig, Executive Director, Florida League of Cities

4:00 p.m. - 5:30 p.m.

Reception

CW 5/7/07



LEGISLATIVE ALERT

IMMEDIATE ACTION REQUESTED!

HB 45 on Workers' Compensation for First Responders is up in the House Jobs and Entrepreneurship Council tomorrow, Friday morning, April 20 at 9:00 a.m.

Please call your Representatives (s) on this Council and urge them to Oppose this bill

HB 45 (Rep. Sandy Adams) establishes a "mini-workers' compensation system" for first responders, which includes police officers, firefighters, and emergency medical technicians.

This bill will have a minimum \$10 million yearly impact on cities and counties. This estimated fiscal impact does not include any estimated fiscal impact on local governments that self-insure, which includes many cities and counties. A true fiscal impact will be much greater than the estimated \$10 million a year.

In 2003, the Legislature adopted comprehensive workers' compensation reforms applicable to all employees covered under workers' compensation. First responders objected to many of these changes to the workers' compensation system and have attempted to have their own "mini-workers' compensation system" since that time.

In particular the bills will:

- increase **pension disability expenses, adding additional costs to cities and counties**
- lower the burden of proof for first responders to qualify for benefits from occupational diseases and toxic exposures;
- make first responders eligible for medical benefits caused by a mental injury even if no physical injury was present; and
- make first responders eligible for workers' comp benefits for adverse reactions to small pox inoculations.

Cities and counties employ almost all first responders.

The bills single out first responders for special treatment under workers' compensation laws, separate and apart from all other employee classes.

J

*PC Council
Paul
John
Margaret
Frank
Tom*

4/24/07

CV 5/7/07

KP's

PROCLAMATION

WHEREAS, governments, at all levels, are becoming increasingly aware of the importance of providing for the health, safety and welfare of young children; and,
 WHEREAS, we all share responsibility for our children's future; and,
 WHEREAS, the "Week of the Young Child" has been proclaimed as an annual event to focus attention on the needs of young children and their families; and,
 WHEREAS, the Hernando County Interagency Coordinating Council is joining other organizations from across the country including the National Association for the Education of Young Children to build public awareness of the importance of quality early childhood programs in our community.

NOW, THEREFORE, ON BEHALF OF THE CITY COUNCIL FOR THE CITY OF BROOKSVILLE, FLORIDA, I, David Pugh, MAYOR, do hereby proclaim the week of April 22-28, 2007, as

"WEEK OF THE YOUNG CHILD"

Further, the City of Brooksville encourages all citizens to attend a festival on Saturday, April 14, 2007, from 10:00 a.m. to 2:00 p.m. at the Jerome Brown Community Center, 99 Jerome Brown Place, Brooksville. The festival is being organized with young children in mind, and will include a wide variety of activities for the enjoyment of everyone.

IN WITNESS WHEREOF, we have hereunto set our hand and caused to be affixed the seal of the City of Brooksville this 2nd day of April, 2007.

CITY OF BROOKSVILLE

David Pugh, Mayor

Frankie Burnett, Vice Mayor

Joe Bernardini, Council Member

Lara Bradburn, Council Member

Richard E. Lewis, Council Member

ATTEST: ctn
5/1/07
 Karen M. Phillips, City Clerk

10

PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and,

WHEREAS, this holiday, called ARBOR DAY, was first observed with the planting of more than a million trees in Nebraska; and,

WHEREAS, ARBOR DAY is now observed throughout the nation and the world; and,

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and,

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and,

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community; and,

WHEREAS, trees, wherever they are planted, are a source of joy; and,

WHEREAS, the City of Brooksville has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways.

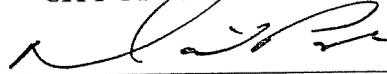
NOW, THEREFORE, I, DAVID PUGH, MAYOR, ON BEHALF OF THE CITY COUNCIL FOR THE CITY OF BROOKSVILLE FLORIDA, do hereby proclaim our support for

ARBOR DAY

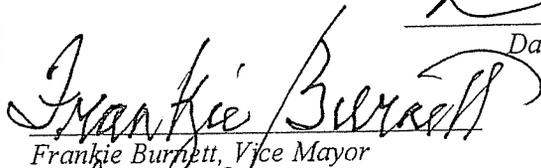
and urge all citizens to celebrate ARBOR DAY and support efforts to protect our trees and woodlands. Further, we urge all citizens to plant trees to gladden the hearts and promote the well being of present and future generations.

IN WITNESS WHEREOF, we have hereunto set our hand and caused the seal of the City of Brooksville to be affixed this 16th day of April, 2007.

CITY OF BROOKSVILLE



David Pugh, Mayor



Frankie Burnett, Vice Mayor



Lara Bradburn, Council Member

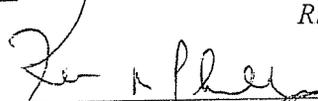


Joe Bernardini, Council Member



Richard E. Lewis, Council Member

ATTEST:



Karen M. Phillips, City Clerk

ctw
5/7/07



PROCLAMATION

WHEREAS, THE TIMMONS' FAMILY REUNION IS SCHEDULED TO BE HELD IN THE CITY OF BROOKSVILLE, FLORIDA ON MEMORIAL DAY WEEKEND AT THE AMERICAN LEGION, POST 99 AND,

WHEREAS, IN ADDITION TO THE RESIDENTS OF BROOKSVILLE WHO ARE MEMBERS OF THESE FAMILIES, THERE WILL BE MANY VISITORS FROM ACROSS THE STATE AND NATION COMING INTO OUR COMMUNITY.

NOW, THEREFORE, I, DAVID PUGH, MAYOR, FOR THE CITY OF BROOKSVILLE, FLORIDA DO HEREBY WELCOME ALL THE MEMBERS OF THE TIMMONS' FAMILY INTO OUR COMMUNITY AS THEY CELEBRATE THEIR 39TH ANNUAL FAMILY REUNION ON MAY 25TH THROUGH 27TH, 2007, AND FURTHER INVITE THEM TO STAY AND VISIT FOR A WHILE.

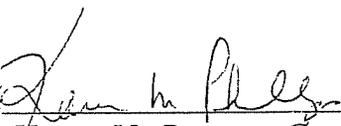
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND CAUSED THE SEAL OF THE CITY OF BROOKSVILLE TO BE AFFIXED THIS 27TH DAY OF APRIL 2007.

CITY OF BROOKSVILLE

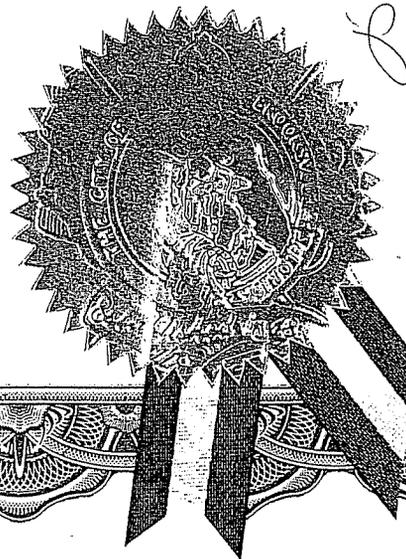


DAVID PUGH, MAYOR

ATTEST:


KAREN M. PHILLIPS, CITY CLERK

clh 5/7/07



OFFICIAL RECORDS
BK: 2424 PG: 1368

IRREVOCABLE POWER OF ATTORNEY

That FRED W. YEALY and BETH A. YEALY, husband and wife have made, constituted and appointed and by these presents do make, constitute and appoint the CITY of BROOKSVILLE or its duly authorized representative thereof as our true and lawful attorney for us in and our name, place and stead to act as our attorney in fact for the purpose of annexing into the CITY of BROOKSVILLE pursuant to Section 171.004, Florida Statutes.

The said property being legally described as follows, to-wit:

LOTS 36, 37, AND 38, BROOKSVILLE ESTATES SOUTH, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 41, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA.

Parcel Identification Number: R33 222 19 1510 0000 0360

We do hereby give and grant to the CITY of BROOKSVILLE this our Irrevocable Power of Attorney to do a voluntary annexation by the City of the above described property at such time as the CITY of BROOKSVILLE shall in its sole discretion petition to annex the above described property into the CITY of BROOKSVILLE. By this act we do irrevocably consent to said annexation and do further ratify and confirm all the acts that our attorney shall do or cause to be done in accord with this grant of authority.

That this Power of Attorney shall remain in force and effect for a period of Forty-nine (49) Years from the date hereof and is binding on the undersigned, its heirs, assigns and successors in interest. It is the intent of the parties herein that this agreement and Power of Attorney shall be recorded in the Official Record Books of Hernando County, Florida and run with the land subject to this agreement as hereinabove set forth.

IN WITNESS HEREOF, we have set our hands and seals this 4th day of April, 2007.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

Witness: Colette M. Kilbourne (LS)

Grantor: [Signature] (LS)

Print Name: Colette M. Kilbourne

Print Name: Fred W. Yealy

Witness: Jo Ann E. Perry (LS)

Grantor: Beth A. Yealy (LS)

Print Name: Jo Ann E. Perry

Print Name: Beth A. Yealy

ACKNOWLEDGEMENT

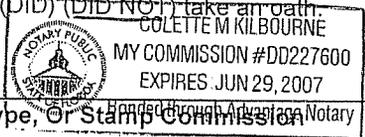
STATE OF Florida, COUNTY OF Hernando

The foregoing instrument was acknowledged before me this 4th day of April, 2007 A.D. by

the above person(s) Fred W. Yealy Beth A. Yealy who is personally known to me or who has produced

_____ as identification and who (DID) (DID NOT) take an oath.

Colette M. Kilbourne
Signature of Notary
Colette M. Kilbourne



Karen Phillips

From: "Hernando County Chamber" <heather@hernandochamber.com>
To: "Karen" <kphillips@ci.brooksville.fl.us>
Sent: Tuesday, April 03, 2007 5:28 PM
Attach: kts attendee May07.pdf
Subject: Keys to Success - Business Development Series

MARK YOUR CALENDAR

The Greater Hernando County Chamber of Commerce

PRESENTS

"Keys to Success"

Business Development Series

Friday, May 18, 2007

Silverthorn Country Club

****Please see the attached flyer for additional information regarding
price, time and course topics.**

**Contact the Chamber of Commerce at 352-796-0697 for tickets
or additional information.**

Pr L.O

4/5/07

*cc 5/07/07
4/4/2007*

8

Greater
Hernando
County
**CHAMBER
OF COMMERCE**
STEP UP TO SUCCESS

Week of April 9 - April 13

When planning your calendar for the week, include these upcoming events.
Please join us and take advantage of these wonderful marketing opportunities!

SPECIAL EVENTS

New Residents Reception

Thursday, April 12th 5:30 pm - 7 pm

Sponsored By: Withlacoochee River Electric Co-Op, Inc.

Venue Sponsor: Weeki Wachee Springs Attraction

UPCOMING EVENTS

Friday, April 13th 12 pm

Networking at Noon

Pickled Parrot

5526 Commercial Way

\$10 pp, \$15 at the door

RSVP to 796-0697, ext. 18 by 4/11

RIBBON CUTTINGS

4/09 Monday, 11:30 am
ADT Security Services, Inc.
Spring Hill Chamber Office
4044 Commercial Way
Spring Hill, FL 34606
Julio Hurtado, 727-505-2858

4/11 Wednesday, 11:30 am
Candy Bouquet #5210
6139 Deltona Blvd.
Spring Hill, FL 34606
Terry Majewski, 596-7522

COMMITTEE MEETINGS

4/09 Monday, 5 pm
Diplomats Meeting
Best Western Weeki Wachee

4/10 Tuesday, 9 am
Alumni Committee Meeting
Spare Time Sports Bar & Eatery

4/11 Wednesday, 7:30 am
Executive Board Meeting
Oliver & Company

4/11 Wednesday, 8 am
Education Committee Meeting
Country Kitchen

4/11 Wednesday, 9 am
Liaison Task Force Meeting
Robert A. Buckner & Assoc.

4/13 Tuesday, 8 am
Honor Student Committee Meeting
Spring Hill Chamber Office

RADIO SHOW

"The Business Edge" Radio Show WWJB 1450 AM

Join us Monday, April 9th, 1:30 - 2 pm

Dennis McKenna will be interviewing

Starr Sports Rehabilitation & Physical Therapy Center/Stacey Garcia

Radio Show Sponsored By: AutoWay Ford, Lincoln-Mercury of Brooksville, Cortez Community Bank,
HealthSouth Rehabilitation Hospital of Spring Hill, and WWJB 1450 Radio

Brooksville Office
101 East Fort Dade Avenue
Brooksville, FL 34601
Phone 796-0697 Fax 796-3704

www.hernandochamber.com

Spring Hill Office
4044 Commercial Way
Spring Hill, FL 34606
Phone 686-5097 Fax 686-4194

4/9/07
PC: Pearl
Dist Head
J
CW 5/7/07

Greater Hernando County Chamber Of Commerce Please Support Your Fellow Chamber Members March 2007 New Members

Banks

Washington Mutual/Gonzalez
4200 Mariner Blvd.
Spring Hill, FL 34609
Phone: (352) 686-1125
Fax: (352) 686-8204
Catalina Gonzalez

Candy

Candy Bouquet #5210
6139 Deltona Blvd.
Spring Hill, FL 34606
Phone: (352) 596-7522
Fax: (352) 596-7523
Terry Majewski

Ceiling & Wall Cleaning Services

Premier Ceiling Cleaning
12292 Ronald St.
Spring Hill, FL 34609
Phone: (352) 688-7707
Alt. Phone: (352) 346-7267
Fax: (352) 688-7724
Sandra Piercy

Churches/Synagogues

Holy Trinity Lutheran Church
1214 Broad St.
Masaryktown, FL 34604
Phone: (352) 796-4066
Pastor David Brockhoff

Contractors -

Commercial/Industrial

**Suncoast Builders of Central
Florida**
3255 Commercial Way
Spring Hill, FL 34606
Phone: (352) 686-7595
Fax: (352) 686-7393
John Seggie

Engineers/Consultants

A Civil Design Group, LLC
12529 Spring Hill Dr
Spring Hill, FL 34609
Phone: (352) 683-9566
Fax: (352) 683-9567
Richard Matassa

Gift Baskets

Carole Anne's Gift Baskets
6061 Frisco Rd.
Brooksville, FL 34602
Phone: (352) 397-4424
Alt. Phone: (877) 603-2532
Fax: (813) 217-9821
Deana Walker

Home Builders

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Florida**
3255 Commercial Way
Spring Hill, FL 34606
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Fax: (352) 686-7393
John Seggie

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14702 Edgemere Dr
Spring Hill, FL 34609
Phone: (352) 293-1312
Fax: (352) 666-8014
Mario Bautista

Pharmacy

Cortez Drugs
12116 Cortez Blvd.
Brooksville, FL 34613
Phone: (352) 592-1320
Fax: (352) 592-1321
Chirag Amin

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Spring Hill, FL 34609
Phone: (352) 684-5392
Fax: (352) 684-5392
Trevor Barlow

Physical Fitness Centers

Candlelite Fitness Center
955 Candlelight Blvd.
Brooksville, FL 34601
Phone: (352) 799-1977
Fax: (352) 799-2252
Sharene Dahmer

Real Estate Sales, General

Exit Success Realty/Goldman
13084 Cortez Blvd.
Brooksville, FL 34613
Phone: (352) 238-8524
Fax: (352) 597-3111
Michael Goldman

Union

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Springhill**
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Spring Hill, FL 34611
Phone: (352) 683-6411
Scott Edmisten

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OTN 5/7/07 R



Week of April 16 - April 20

When planning your calendar for the week, include these upcoming events.
Please join us and take advantage of these wonderful marketing opportunities!

SPECIAL EVENTS

After Hours Mixer

Thursday, April 19th 5:30 pm

Sponsored by: HealthSouth Rehabilitation Hospital of Spring Hill
 12440 Cortez Blvd., Brooksville

UPCOMING EVENTS

33rd Annual Honor Student Banquet

"Cruising To Success"

Thursday, April 26th 6 pm - 9 pm

Palace Grand, 275 Della Ct., Spring Hill

Sponsors RSVP to Patricia at
 796-0697 ext. 18 by April 20, 2007

Leadership Hernando Class Of 2007

Classes Start June 6, 2007

To obtain an application call

Patty at 796-0697, ext. 18

Deadline for applications is
 April 27, 2007

RIBBON CUTTINGS

4/16 Monday, 11:30 am

Somebody's Secret

414 E. Liberty Street

Brooksville, FL 34601

Desirie Wylie, 754-2422



4/18 Wednesday, 11:30 am

Spring Hill Beauty Academy

1486 Pinehurst Drive

Spring Hill, FL 34606

Georgia Sosa-Fong, 727-847-6855

COMMITTEE MEETINGS

4/18 Wednesday, 7:30 am
 Board Of Directors Meeting
 Capital City Bank-Spring Hill

4/18 Wednesday, 1 pm
 Business Assistance Meeting
 Capital City Bank-Spring Hill

4/18 Wednesday, 2 pm
 Building Committee Meeting
 CenterState Bank

4/19 Thursday, 4:30 pm
 Membership Meeting
 Spring Hill Chamber Office

RADIO SHOW

"The Business Edge" Radio Show WWJB 1450 AM

Join us Monday, April 16th, 1:30 - 2 pm

Pat Crowley will be interviewing Carla Looper of Florida Insurance Brokers

along with Pam Baldwin of Southwest Florida Management

on the topic of Keys To Success/Business Assistance Committee

Radio Show Sponsored By: AutoWay Ford, Lincoln-Mercury of Brooksville, Cortez Community Bank,
 HealthSouth Rehabilitation Hospital of Spring Hill, and WWJB 1450 Radio

*f.c. Council Read
 Dist Head*

Brooksville Office
 101 East Fort Dade Avenue
 Brooksville, FL 34601
 Phone 796-0697 Fax 796-3704

www.hernandochamber.com

Spring Hill Office
 4044 Commercial Way
 Spring Hill, FL 34606
 Phone 686-5097 Fax 686-4194

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Greater
Hernando
County
**CHAMBER
OF COMMERCE**
STEP UP TO SUCCESS

Week of April 23 - April 27

When planning your calendar for the week, include these upcoming events.
Please join us and take advantage of these wonderful marketing opportunities!

SPECIAL EVENTS

Breakfast Meeting
Wednesday, April 25th 7:15 am
Sponsored by: Florida Insurance Brokers
Silverthorn Country Club
Members \$12, Non-Members \$15
Speaker: Mark Berry-ARC Nature Coast
Topic: Employing Persons With Disabilities

33rd Annual Honor Student Banquet
"Cruising To Success"
Thursday, April 26th 6 pm - 9 pm
Palace Grand, 275 Della Ct., Spring Hill

UPCOMING EVENTS

Keys To Success
Friday, May 18th 9 am - 12 pm
Silverthorn Country Club
4550 Golf Club Lane
Spring Hill, FL
\$25.00 In Advance, \$35.00 At The Door
To register in advance call Patty at
796-0697, ext. 18

Leadership Hernando Class Of 2007
Classes Start Wednesday, June 6, 2007
To obtain an application call
Patty at 796-0697, ext. 18
Deadline for applications is
April 27, 2007

RIBBON CUTTINGS

4/23 Monday, 11:30 am
Sentry Title, Inc.
19235 Cortez Blvd.
Brooksville, FL 34601
William Crawford, 797-7742

* COB business

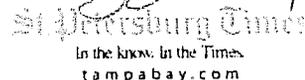
RADIO SHOW

"The Business Edge" Radio Show WWJB 1450 AM
Join us Monday, April 23rd, 1:30 - 2 pm
Dennis McKenna will be interviewing Mike and Pamela Fay of Rainbow International of Hernando County, Inc.
Radio Show Sponsored By: AutoWay Ford, Lincoln-Mercury of Brooksville, Cortez Community Bank,
HealthSouth Rehabilitation Hospital of Spring Hill, and WWJB 1450 Radio

SPECIAL THANKS TO OUR KEYS TO SUCCESS SUPPORTERS:



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Property Tax Clips: April 3, 2007 (Tuesday)

Tuesday's editorial: Less is more City should tighten budget belt Tallahassee Democrat

Unlike most of its local-government counterparts throughout Florida, the city of Tallahassee has comparatively less at stake in the current debate in the Legislature over property taxes.

Property taxes account for just 3.6 percent of Tallahassee's overall budget. The Florida League of Cities says the statewide average among municipal governments is between 17 percent and 25 percent, depending on whether such measures as utilities and other enterprises are also factored in.

But until the property-tax picture becomes more clear, Tallahassee would be wise to do even more than it's currently doing to tighten spending.

Tallahassee Democrat staff writer Julian Pecquet reported Monday that City Hall was freezing 25 positions for now, as city officials wait to see what emerges from the legislative session, which just passed the midway mark.

But unlike Leon County, which in February announced a four-month freeze on some construction, new hires and staff travel, the city's short-term response to possible changes in the property-tax system is considerably more modest.

This can be justified from a strictly fiscal perspective - under one plan, the city estimates it would lose \$2.6 million in revenue versus the county projection of a \$20 million loss.

Tallahassee's overall budget is \$972.4 million versus the county's \$234.8 million, so it's easy to understand why courthouse budget planners are swallowing much harder than those on the other side of Monroe Street at City Hall.

Roughly half of the county's total budget is derived from property-tax revenue. The millage rates of the two governments - 3.7 mills for the city (or \$3.70 per \$1,000 of taxable value) versus 8.49 mills for the county - are a clear indicator of how much less Tallahassee relies on property taxes to finance public services. The key difference: The city owns an electric utility, which funnels money to the city's general revenue fund.

Still, the city could and should do more to tighten its belt, if for no other reason than public perception. As local governments across the state know, they are not only battling state House proposals to radically alter the property-tax system, which indeed is in need of reform, but also struggling against the belief that they are swimming in money and spending like drunken sailors.

Generally, it would be hard to make that case against either Tallahassee or Leon County, given the public's demand for high-quality services and the cost of delivering them. But amid the current fervor, even relatively small expenses for travel by Mayor John Marks to promote the capital city are easy targets for those concerned with wasteful spending.

Certainly prudence is the best course of action for the short term. Even in the longer term, city officials should take a harder look at those expenses that taxpayers, many of whom are concerned with their *own* stressed budgets, are likely to eye as low-hanging fruit.

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Property Tax Clips: April 4, 2007 (Wednesday)

Tax reform might hurt hometowns

Cities brace to provide services with less money

By EILEEN ZAFFIRO and KARI COBHAM
Daytona Beach News-Journal

A year or two from now, you could be bouncing over more potholes, seeing city buildings screaming for repairs and wondering why fewer police cars are on the roads.

If you're living in an apartment or your first house, you're going to be especially perplexed if you see your property taxes climbing even as city services are dwindling.

That's a likely scenario throughout Florida if the deep property tax cuts being threatened in Tallahassee become reality, local government officials warn.

Proposals flying around the Capitol would roll back property tax collections for cities and counties to pre-real estate boom levels -- while expenses remain at current levels. Though it's unclear what, if anything, will happen before the legislative session ends in May, the talk has been enough to compel some cities to scramble for contingency plans should they have to live with less -- a lot less.

"It's a disaster," said state Rep. Joyce Cusack, a Democrat from DeLand who's battling against current tax reform proposals. "It's like a ship full of holes that's sinking fast. There's no universal formula to implement the plan. It doesn't say how to make up the revenue local governments lose. It's a mess."

But some state lawmakers say local government has become bloated on soaring property tax revenues. State Sen. Evelyn Lynn contends the doomsday predictions are exaggerations.

"They have many, many other sources of revenue they could turn to if they needed to," said Lynn, a Republican from Ormond Beach who's sponsoring a bill that limits local government tax increases. "We all have to pull in our budgets in our own homes. People get second jobs."

The steps being taken in two local cities may be indicative of what local governments throughout the state will be facing if the legislative proposals are adopted.

DeLand, for example, is bracing for some tough decisions. All city departments have already cut a hypothetical 11 percent from their 2006-2007 budgets in anticipation of the worst-case tax reform scenario that could leave the city up to \$2 million poorer.

"This isn't nickel-and-dime stuff," said Finance Director Kevin Lewis.

Cuts could mean losing more than 17 jobs, including an officer from the already understaffed Police Department and six firefighter positions, according to a memo from the city. They also foresee eliminating the Little League fall season, charging for fire emergency response to accidents, shutting down a fire station and even closing City Hall one day a week.

"I don't think citizens are aware of the seriousness of what they're discussing" in Tallahassee, said DeLand City Manager Mike Abels.

Kelly McGuire, Ormond Beach's budget director, has a little heartburn over the \$5 million her city could lose.

"It's unheard of. There'll be a huge impact," McGuire said.

Ormond Beach's finance director, Paul Lane, isn't convinced the sky is falling. Not yet, anyway. He thinks the tax cap plans could fizzle, at least for the budget year that begins Oct. 1.

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Property Tax Clips: April 9, 2007 (Monday)

(Note: All weekend stories are captured and compiled with Monday's clips to prevent multiple email messages being sent on the same day.)

Legislature at odds over capping local governments' taxing authority

Daytona Beach News-Journal April 7, 2007

By James Miller

TALLAHASSEE -- The warnings from local governments came quickly: There could be across-the-board layoffs, cuts to public safety and recreation.

The rebuttals weren't far behind.

But if Florida lawmakers, or voters, decide to cap local property taxes, they'll hardly be the first. In fact, they'll join many other states -- and likely hear debate about it for years to come.

"I think it's definitely hard to tell what the impact of these things are," said Nathan Anderson, an assistant professor in the Department of Economics at the University of Illinois at Chicago. "It's difficult to tell what would have happened without the limit."

More than 30 states limit property tax rates, he said. Slightly fewer have revenue limits. Many have both. Idaho, for example, has a 3 percent cap on most non-school district property tax revenue increases, he said. Oregon has similar limitations.

Illinois and Massachusetts have revenue limits for school districts.

Lawmakers in both the Florida House and Senate have proposed annual local tax caps this session.

If it's difficult to assess the impact, that doesn't mean no one will try.

An initial state constitutional proposal from House Republican leaders to roll back and cap local government taxes and cap state revenue quickly drew fire from the Washington, D.C.-based Center on Budget and Policy Priorities.

A report from the center -- dismissed by the House Majority office as a "liberal think tank" -- compared the plan to Colorado's Taxpayer Bill of Rights.

The Colorado initiative, passed by voters in 1992, constitutionally restricted local and state government revenue increases using a growth-plus-inflation formula similar to the Florida proposals.

The center's report said it led to things like drastic cuts in education funding and plummeting access to health insurance for low-income children. The same type of deterioration could be expected in Florida, it said.

The House constitutional plan, which caps but does not roll back schools funding, has since been changed to exclude state revenues and make the local government rollback less stringent. A statutory plan -- one that the Legislature could approve without going to voters -- still includes the original rollback.

Report co-author Karen Lyons said she did not think that changed the basic problem: The cap formula doesn't let governments keep up with real-world costs.

But Chris Atkins, a staff attorney with the Tax Foundation, a nonpartisan tax research group in Washington, D.C., said the argument is about how much voters want government to grow.

In Colorado, only voters could approve exceeding the cap or repeal the plan -- which they did, for five years, in 2005.

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Property Tax Clips: April 10, 2007 (Tuesday)

Crist: Lawmakers may get more time on property taxes

Bill Kaczor

Bradenton Herald Associated Press April 10, 2007

TALLAHASSEE, Fla. - Lawmakers still have plenty of time to reach an agreement on property tax reform with four weeks left in the regular legislative session, but they'll get more if they need it, Gov. Charlie Crist said Monday.

Crist raised the possibility of an extended or special session after signing a new law he called "the point of the spear" in the drive to cut property taxes.

The law would implement a state constitutional amendment voters passed last year to let local governments increase tax exemptions for elderly, low-income homeowners.

Neither legislative chamber has yet voted on comprehensive tax reform legislation and the Senate's majority Republicans have yet to unveil a proposal.

"We have plenty of time to form consensus," Crist said. "But it better drop taxes like a rock."

Crist said wherever he goes citizens have not been shy about telling him "You gotta drop our property taxes - it's killing us."

Senate Finance and Tax Committee Chairman Mike Haridopolos, R-Indian River, said after the ceremony that he expects Senate GOP leaders to roll out their plan by the end of the week.

"It's exactly what we've been talking about - no new taxes," Haridopolos said. "There will be relief across the board and help for those hardest hit by the run-up in taxes."

He agreed with Crist that lawmakers have enough time to agree before the session's scheduled May 4 adjournment.

"We're in the sixth inning," Haridopolos said. "And it's a nine-inning game."

His no-new-taxes comment was in response to plans offered by House Republicans and Senate Democrats.

The House GOP plan includes a proposed state constitutional amendment that would increase sales tax from 6 percent to as much as 8.5 percent in exchange for eliminating property tax on primary homes, known as homesteads.

The first 1 percent would be an automatic tradeoff for abolishing the state's required local school tax. Local governments and voters then would have the option of eliminating other property taxes on homesteads with corresponding sales tax increases.

Senate Democrats have offered a plan to cut taxes for second homes, businesses and other non-homestead property but increase them for primary homeowners, who have received substantial breaks already from the Save Our Homes Amendment voters adopted in 1992.

The increase is designed to close a gap between taxes paid on homestead and non-homestead properties. It is designed to enhance the constitutionality of another proposal that would allow homeowners to take at least part of their Save Our Homes Amendment benefits with them when moving to a new house, a concept known as portability.

Some legal scholars say portability would violate equality guarantees of the U.S. Constitution because it would widen the gap between homestead and non-homestead taxes.

Portability, also supported by Crist, remains on the table in the Senate, Haridopolos said. He said the gap, though, would have to be closed by lowering taxes on non-homestead properties, not raising them for homeowners.

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Property Tax Clips: April 11, 2007 (Wednesday)

Collier leaders criticize tax plan to legislators

By Larry Hannan

Bonita Daily News April 10, 2007 (captured April 11, 2007)

That happened Tuesday evening when Collier County commissioners listened over a speaker phone to state Rep. David Rivera, R-Miami, defend a plan to eliminate property taxes in Florida and replace them with a sales tax.

Rivera was in Tallahassee; Collier commissioners were in their meeting chambers in East Naples.

"We need to pass significant property tax relief," said Rivera, who is a member of the Republican leadership in the House. "We've heard from our friends in the Realtors Association that people are leaving the state."

Unbeknownst to Rivera, when he said the words "friends in the Realtors Association," Collier Commissioners Frank Halas and Fred Coyle looked at each other and shook their heads in disdain.

The two commissioners have been vocal in their criticism of the legislation that Rivera and the House leadership are pushing. They argue the bill caters to the building and development industry, while hurting local government's ability to manage growth.

"The House bill is absolutely scary," Coyle said at one point during the conference call.

The state is trying to take away power from local governments, and the most effective government is at the local level, Coyle argued.

"There is no place where the budget is more transparent than at the local level," he said.

Rivera, and fellow state Reps. Mike Davis, R-Naples, Garrett Richter, R-Naples, and Denise Grimsley, R-Lake Placid, all participated in the conference call from Tallahassee. State Sen. Burt Saunders, R-Naples, also participated.

Grimsley and Rivera both represent portions of Collier County.

Saunders said the Senate later this week would roll out its own proposal to offer property tax relief.

"The Senate bill will be very different from what the House has proposed," Saunders said. "We aren't looking at replacing (property taxes)."

The Senate legislation will increase portability, and assess property taxes based on what type of business is operating at a location, Saunders said.

"If we do the wrong thing we have the possibility of destroying Florida's economy," Saunders said. "So we're going to be really careful."

At some point before the 2007 legislative session ends in May, the House and Senate will have to compromise on their legislation.

Rivera, who is chairman of the powerful Rules Committee and a close friend of House Speaker Marco Rubio, defended the House bill. The county would have enormous flexibility under the House proposal, and all sales tax collected in the county would remain within Collier, Rivera asserted.

Collier now gives more money to the state in sales tax money than it gets back.

Rivera argued that since 1996, property taxes across the state have increased by 150 percent. During the same time period, the population in the state increased by only 25 percent.

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Property Tax Clips: April 12, 2007 (Thursday)

Renters would cash in under proposal

Tenants who live in state year round eligible for rebates if measure passes

By Michael Peltier

Bonita Daily News April 11, 2007

TALLAHASSEE — Renters would receive cash rebates under a House plan unveiled Wednesday that adds another sector to that chamber's property tax reform proposal.

With Senate leaders expected to unveil their proposal today, the House Government Efficiency and Accountability Council on Wednesday approved a measure by Rep. Frank Attkisson, R-Kissimmee, to provide direct cash benefits for tenants who reside in the state year-around.

"We need to make these tax reforms as broad as possible," Attkisson said.

Lawmakers have argued that recent spikes in property taxes have affected rental tenants whose landlords must increase rents to pay for higher property taxes.

Florida homeowners now receive a \$25,000 exemption on the value of their property for tax purposes. In counties that levy a 20 mil property tax, the exemption reduces tax payments by \$500.

Under the House proposal, renters who live in the state year-round would be eligible for cash rebates equal to the value of a \$15,000 exemption. Given the same 20 mil tax rate, a full-time renter would be eligible for a \$300 rebate.

Details of the measure have yet to be worked out, but Attkisson said he envisioned local tax collectors issuing checks to renters who would be required to file paperwork verifying their permanent rental status.

The proposal received a cautious response from Senate members involved in the property tax debate. Sen. Mike Haridopolos, R-Indianapolis, said he had yet to see the measure but would entertain any proposal to reduce taxes.

Acknowledging that any property tax reform package would be forged by a conference committee appointed from both chambers, Haridopolos, chairman of the Senate Finance and Taxation Committee, said everything remains on the table.

The committee is scheduled to discuss the proposal Friday with a full committee vote scheduled for Tuesday.

"What we're trying to do is to take away the spikes out of the recent run up and make sure there is reduction across the board," he said.

The renters' provision is the latest in a series of proposals the House has put forth to address the issue. The chamber has also proposed a 1 cent increase in the state sales tax and a roll back of tax rates to 2004 levels.

Local governments would be allowed to ask voters for an additional 1.5 cent sales tax in exchange for eliminating property taxes on all homestead property.

Meanwhile, Gov. Charlie Crist has said he supports doubling the state's current homestead exemption of \$25,000 and expanding that to commercial and investment property.

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Property Tax Clips: April 16, 2007 (Monday)

(Note: All weekend stories are captured and compiled with Monday's clips to prevent multiple email messages being sent on the same day.)

\$1.5B difference in proposed budgets

By Lloyd Dunkelberger

Gainesville Sun Tallahassee bureau April 14, 2007

The House and Senate on Thursday headed into their budget negotiations with a \$1.5 billion difference in their spending plans and competing philosophies over how to spend more than \$70 billion in state money.

The Senate voted 35-0 for its \$71.8 billion budget bill (SB 2800), while the House voted 112-2 for its \$70.3 billion measure (HB 5001).

The \$1.5 billion difference in the bills reflected a Senate effort to stimulate the state economy through an emphasis on construction projects, ranging from roads to schools to health clinics. The House budget was lower because leaders adopted a more cautious fiscal approach, with an emphasis on saving money to avoid sharp cuts in state programs in the next few years.

Senate Fiscal Policy and Calendar Chair Lisa Carlton, R-Sarasota, said her chamber's budget was based on funding projects in the new budget year in an effort to help state revenues improve in the next few years.

We really wanted to concentrate on spurring the state's economy, she said.

House leaders said they preferred saving more money given the state's uncertain economic future.

We'd love to be able to do that, said House Speaker Marco Rubio, R-West Miami. We're just not sure we can afford it.

One of the biggest differences in spending involved road construction. The Senate boosted its budget by endorsing about \$600 million in extra spending for roads and seaports. It puts the Department of Transportation close to its current budget of \$9.1 billion, as opposed to a House plan where DOT spending would be just over \$8 billion.

Rep. Jack Seiler, D-Wilton Manors, voted for the budget, while urging the House to increase its road budget during the three-week budget negotiation process, which will culminate with a final budget vote on May 4.

This state needs to get these projects going. It spurs economic development, Seiler said. We need more transportation dollars spent.

Due to a \$1 billion decline in anticipated revenue, both the House and Senate budgets fell short of some of Gov. Charlie Crist's spending proposals for the 2007-08 budget year, which begins July 1.

For example, the Senate only set aside \$147.5 million for a merit pay plan for school teachers, although the governor had requested \$295 million. The House provided about \$200 million.

Lawmakers also fell short of the governor's request for \$400 million for the state's Florida Forever land acquisition program. The Senate bill included \$300 million.

Other spending items remain in doubt, including \$20 million for stem cell research and \$32 million to make sure all Florida counties use a paper-ballot voting system. Carlton said those issues are likely to be decided on their own, outside of the budget negotiations.

The House and Senate budgets did include a 5 percent tuition increase for state university and community college students.

Both budgets were generous to the public school system, including a \$1.2 billion boost in spending. It amounts to roughly a \$450 per student increase.

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Property Tax Clips: April 17, 2007 (Tuesday)

The property tax plan(s); House votes tomorrow

Boca Raton News by By John Johnston

"Better than the (Florida) house plan," according to Commissioner Mary McCarty.

McCarty was talking about a new State Senate plan put forth last Thursday that would reduce Florida's property tax bill by about \$11 billion, spread over the next five years.

The new Senate plan has a variety of policy changes and rate cuts, including:

- A roll back of property tax rates to the 2005-2006 level.
- Adjusting the rollback for population growth and inflation.
- Freezing the tax rate at the adjusted rate for one year.

However, in general, the new Senate plan is at philosophical and financial odds with the property tax reduction plan produced by House Republicans in late February. And the most obvious difference is that the House plan gives immediate and larger individual relief, according to House Deputy Majority Leader Rep Adam Hasner, (R-Delray Beach).

"We provide more relief, and we give it sooner," Hasner told the Boca Raton News – some \$25 billion over 5 years, and an 18 percent tax rate decrease in the first year "for all property owners," Hasner said, versus \$11 billion with the new Senate plan, "and over five years."

What's the same about the House and Senate plans is that both exempt the first 25,000 of tangible personal property tax for business; this will take upwards of one million businesses off the tax rolls and reduce the tax bill for the remainder by about \$500 a year. Both plans also deal with modifying the "highest and best use" property appraisal philosophy to one with more weight given to "current use and/or income."

Local Lobbying

The other thing that's obvious is that the new Senate plan reflects county and city lobbying over the last 30 days – lobbying following many local officials crying post-tax-plan poverty, i.e., Palm Beach County Administrator Bob Weisman saying that he expects the county to lose up to \$75 million, depending on which plan is eventually approved. (At the same time, \$75 million is just 1.75 percent of the county's \$4.4 billion budget).

And the county and city lobbying does appear to have had some effect because the new Senate plan is much less painful to local governments. And while it does contain a rollback formula on county and city spending, and a revenue ceiling tied to population growth and inflation -- its also unlike the House plan because it permits a limited "portability" of the Save Our Homes tax benefit, and includes some tax breaks for new home buyers. (Portability is not an issue with the Republican plan because homestead taxes are eliminated).

Under the House plan, property tax rates would be rolled back this year, caps would be placed on the rate of revenue growth of state and local government, property tax increases on non-homestead property would be limited, and perhaps as important as any element here in South Florida, the plan would eliminate all property taxes on homestead properties -- with all of this lost revenue to be replaced primarily by a 2.5 percent hike in the state sales tax, then making it the highest state sales tax rate in the nation -- 8.5 percent, versus California, now highest at 7.5 percent.

The numerical difference between the House (and primarily Republican) plan, and the most recent Senate (and primarily Democrat) plan is really a compromise in direct response to the county and city government lobbying efforts noted earlier -- the counties and cities saying the House Republican plan wants too much and too soon.

Sooner Or Later?

However, it's that fast and soon feature that's most attractive to property owners because it will mean more money saved -- and more money saved sooner.

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Property Tax Clips: April 18, 2007 (Wednesday)

Chambers advance different approaches to property tax relief

By Michael Peltier (Contact) April 17, 2007 (Captured April 18, 2007)

Bonita Daily News TALLAHASSEE — Florida lawmakers spent Tuesday advancing respective property tax plans while several hundred T-shirt-clad voters met outside demanding significant relief.

Gearing for final votes by the end of the week, House and Senate members advanced dramatically different fixes to a common challenge: skyrocketing property tax rates.

House sponsors say their package would save homesteaded and commercial property owners \$35 billion during the next five years. The Senate has offered a more-modest proposal that would save taxpayers about \$12.3 billion during the same period.

The competing proposals will become the grist for negotiations in the weeks ahead as lawmakers try to reach a middle ground.

"Ultimately, our goal is simple," House Speaker Marco Rubio told the crowd of T-shirt-wearing supporters brought to Tallahassee by groups largely supporting the House plan. "We will support a plan — regardless of where it comes from. We will support the plan that cuts taxes the most."

The House plan would ask voters to roll back rates to 2003 levels. After adding back for population growth and inflation, local governments would be prohibited from spending more than inflation and population growth necessitate without unanimous approval by the local county commission.

Voters also would be asked to approve a 1-cent increase in the sales tax, which would further reduce each homesteaded property owner's taxes by 25 percent.

The result, backers say, would reduce property taxes to the average homeowner by \$1,155, or 39 percent, from current levels.

Local voters would be allowed to approve a second sales tax increase of 1.5 cents, which if approved would eliminate property taxes altogether for those with a homestead exemption. Commercial property owners wouldn't benefit from the additional sales tax.

"This seeks to give people a choice," said Rep. Kevin Ambler, R-Tampa. "These are the same people we have the faith in to vote us into office."

Critics say the plan relies too heavily on sales tax revenue, which is considered by most economists to disproportionately affect residents of lesser income. They also criticized the measure for funneling benefits of the higher sales tax to those with a homestead exemption, leaving commercial property owners and renters without significant savings.

"If this goes on the ballot, you are inviting class warfare," said Rep. Ron Saunders, D-Key West.

Meanwhile, the Senate Finance and Tax Committee approved its plan that calls for a more-modest rollback. Under the Senate proposal, taxes would be rolled back to 2005 levels. After adding back growth and inflation, the new rate would save taxpayers about \$1.1 billion during the first year.

Local governments then would be prohibited from raising local taxes faster than the rate of inflation and population growth unless they approve a higher rate by a supermajority vote.

The Senate package expands Save Our Homes benefits by allowing homeowners to take up to \$500,000 in savings with them when they move.

4/19/07
90

CPJ 5/7/07

Property Tax Clips: April 19, 2007 (Thursday)

Frishe unveils House version of property tax reform plan

By LESTER R. DAILEY

BelleAire Bee April 19, 2007 PINELLAS COUNTY – Reacting to a barrage of complaints from their constituents, Florida lawmakers have decided it's time to do something about soaring property taxes.

The two houses of the state legislature have different ideas of what should be done. The Senate wants to double the homestead exemption to \$50,000, roll back the tax rate on homestead property to 2005-06 levels and make the Save Our Homes tax increase cap portable when a homeowner moves.

But in front of an audience of approximately 70 taxpayers at the Largo Public Library on April 14, Rep. Jim Frishe unveiled an even more ambitious plan being considered by the Florida House of Representatives. Frishe represents much of Largo, southwest Clearwater and the Pinellas beaches.

"If it has sand on it, it's my district," he quipped.

But he added that the problem is statewide, not just in his district.

"There's nobody here that doesn't understand that we have a problem with property taxes in the state of Florida today," Frishe said. "If you're going to live the American dream and own your own home, we've got to do something about property taxes."

The House plan, Frishe said, would eliminate all taxes on homestead properties, and roll back the tax rate on non-homestead properties to 2005-06 levels. To make up for the lost revenue, voters would be asked to raise the statewide sales tax from its current 6 percent to 8.5 percent, the theory being that that would shift part of the burden from homeowners to tourists. The higher sales tax is expected to bring in an additional \$6.9 billion a year statewide.

"The cuts that we're looking to make are going to be across the board," Frishe said. "Overall, this could be the largest tax cut in Florida history and a major restructuring of how our taxes are collected."

Coupled with the tax restructuring would be a cap on the amount of revenue local governments could collect and spend. They would only be allowed to increase tax rates to adjust for inflation or population growth or for emergencies if a super-majority of their commissioners approve the increase.

"You spend your money better than we (politicians) do, as a general rule," Frishe said. "It's your money; you earned it."

The reaction of the audience to the House plan was mixed. A financial planner praised the plan, predicting that it will cause an immediate 20 percent jump in the value of homestead real estate and quickly eliminate the glut of unsold houses on the market.

But the owner of a small beach motel complained that the plan puts too much emphasis on homes and doesn't provide relief to small-business owners. Saying that taxes and insurance consume nearly half her \$105,000 annual gross income, she put much of the blame on the practice of taxing commercial properties on their "highest and best use."

Under that practice a 12-unit motel on land with zoning that would allow a 50-room hotel, for example, would be taxed as if it were a 50-room hotel.

"Highest and best use is the dumbest idea that ever came down the pike," Anne Garris, head of the Save the Bayfront organization, said in agreement. "Clearwater Beach has been destroyed by highest and best use."

Frishe agreed that the current tax system has been unfair to the owners of small businesses.

"People who invested in rental real estate instead of stocks and bonds have been penalized terribly," he said. "We've got to do something about that."

The way to make Florida's tax system more equitable, he added, is to get away from property taxes whenever possible. If a person's income declines, he said, the amount of income tax he pays automatically drops accordingly. If a person feels he is paying too much in sales tax, he can curtail his buying. But he has no control over the amount of property tax he pays.

head
4/24/07
CRW 5/7/07

Property Tax Clips: April 20, 2007 (Friday)

Bonita Daily News

Firefighters fear financial outfall of property tax cuts

April 19, 2007 (Captured April 20, 2007) The district has figured out how a "worst-case scenario" — returning the district's property tax rate to the 2001 level of \$1.264 per \$1000 assessed value — would affect district services.

Inside Fire Station No. 3, firefighters handed out red plastic fire hats and stickers to a small group of children who went to the Estero station's open house earlier this week. They explained what firefighters do every day and showed visitors around one of the district's fire trucks.

Outside the fire station, something else was on display that evening. Two signs stuck in the grass in front of the 5-year-old building along Three Oaks Parkway: "Tax reform will close this fire station."

Lt. Felicia Rodriguez said she had put the signs up that morning.

Like other district employees, she is worried that as cutting property taxes has become such a priority this state legislative session in Tallahassee that she doesn't think either lawmakers or taxpayers have thought through what those cuts would mean for local fire districts like Estero.

Lower taxes would mean less money for the district, fewer firefighters, fewer stations, and eventually, she said, residents would notice it would take longer for fire trucks to reach them in an emergency.

Estero's fire district, like many in the area, depends heavily on property taxes for revenue.

Property owners within the district currently pay \$2 per \$1,000 in assessed property value. Homestead exemptions don't apply to some special taxing districts such as Estero Fire Rescue, and in the district's last budget year — the one that ended in fall 2006 — the district received about \$8.7 million in property taxes. It received only a little more \$1 million in other revenue.

Until the House and Senate agree on how to change property tax law, nothing will change for the district.

But it's not too soon to think how those changes could affect the area, district Fire Marshal Tom Siegfried said.

The district has taken the time to figure out how a "worst-case scenario" — returning the district's millage rate to the 2001 level of \$1.264 per \$1000 assessed value — would end up affecting district services.

That sort of change would mean closing two of the district's four fire stations, Siegfried said, as well as laying off 38 employees.

That's the message he spent the early part of the week taking to lawmakers in Tallahassee, along with the district's deputy chief. The fire district paid about \$500 for their travel.

The hope was they'd convince lawmakers that by cutting property taxes, they would be forcing cuts in the level of fire and rescue service they provide.

Other fire districts in the area have their own concerns about what might happen. Both the chief and assistant chief for the San Carlos Park Fire District, for instance, are spending this entire week in Tallahassee.

Siegfried said he didn't manage to meet face to face with any local lawmakers, and from what he heard, it sounds like some kind of property tax cut is going to happen, he said — it's a question of when and how much, not if.

"These are not well thought out plans," he said. "We just want them to know, if you make this decision, this will be the result."

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4/24/07 02/05/07

Property Tax Clips: April 23, 2007 (Monday)

(Note: All weekend stories are captured and compiled with Monday's clips to prevent multiple email messages being sent on the same day.)

Council To Discuss Requests For Salary Increases

By NICOLA M. WHITE The Tampa Tribune

Published: Apr 23, 2007

ZEPHYRHILLS - With lean fiscal times looming, City Manager Steve Spina will make a surprising request to the city council tonight: Boost the salaries of several city employees.

The requests range from awarding a 5 percent raise to a police department records clerk to giving a new title and salary to the parks and recreation supervisor.

The raises would total about \$33,000, but given the city's current fiscal climate, the request seems unusual.

This month, Spina warned the council to be frugal with its spending in case the Legislature rolls back property tax rates and the city has to slash \$1 million from its budget. Major projects have been put on hold.

Spina said he hesitated to ask the council to approve the raises but said he felt compelled. In August, when the city council approved an unprecedented \$700,000 in raises for all city employees, city officials said they would revisit the raises if research showed some employees did not receive enough of a boost.

Three departments - police, public works and utilities - asked Spina for additional raises in light of new duties and competitive salaries being offered by Pasco County. The city utilities department, for example, argued that a wastewater treatment plant trainee's salary should be boosted from \$25,230 to \$29,203.

"I think I was convinced that these [raise requests] warranted at least a review," Spina said.

The council will meet at 6 tonight at Zephyrhills City Hall, 5335 Eighth St.

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feed

Property Tax Clips: April 24, 2007 (Tuesday)

Charlotte Herald 04/24/07

Lawmakers move ahead with tax relief

OUR POSITION: *Florida tax reform is underway and needed. We doubt it will hurt cities and counties.*

The people of Florida are watching. Waiting. Wondering.

Will both the House and Senate in Tallahassee agree on tax reform? Can they create a plan that won't sink county and city budgets like the rock Gov. Charlie Christ keeps talking about?

Will we vote in November for a sales tax hike so we can do away with the Florida property tax?

What will happen to visiting snowbirds? Will lawmakers treat them fairly? Can we expect them to stick around, boosting our winter economy? Or will their homes be put in the hands of real estate salespeople, dragging down home sales?

These are questions that may not be answered for months. House Republicans are elated. Democrats are fuming. They insist the plan will hurt those who live from paycheck to paycheck in rental units.

Can a sales tax hike replace the property tax?.

The National Conference of State Legislators reports sales tax income has been dwindling in most of the 45 sales tax states. Florida, New Jersey and Pennsylvania reported a serious sales tax shortfall this year.

Income from the sales tax was down again in March in many states, according to the New York Research firm, The Liscio Report.

So questions continue as the Legislature tries to appease taxpayers.

Are Florida cities and counties "crying wolf?" Will essential services decline? Will they play the old school board game?.

School boards often warn: "We'll have to eliminate football and basketball unless you give us all our money."

In our view, Sun Coast cities and counties have smart, highly paid administrators and politicians, and will not shut down fire departments and police stations. We doubt they will cut back on public safety so we see few problems ahead.

Cities will continue to sell us water because water and sewer service won't be affected.

It may take longer to get potholes patched. But waiting for street repairs isn't a new problem.

At least some of the better run communities, such as North Port, already require builders to widen major city roads and install their own water and sewer lines at no cost to the taxpayers. North Port even has a developer who says he will create a new I-75 connection.

Garbage collection is already handled by private companies in some communities. Let these businesses send out bills to homeowners as the electric, telephone, and cable companies do. It is done elsewhere.

Why not hire private individuals with riding mowers, rakes and shovels to groom our roadways and city parks?

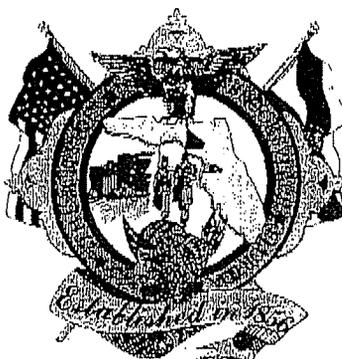
Even with skilled building inspectors, people buying new homes are seeing some contractors pocket their money and shut down leaving buyers to deal with liens and vendors.

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CR 5/7/07

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City of Brooksville



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

Revised

Reply to: Department of Public Works
600 South Brooksville Avenue
Brooksville, Florida 34601-3710
(352) 544-5465 (Phone)
(352) 544-5470 (Fax)

PRECAUTIONARY BOIL WATER NOTICE

DATE: APRIL 9th 2007

TO: CITY OF BROOKSVILLE WATER USERS ON
HAMMOCK RD., AND US98 BETWEEN YONTZ RD &
HAMMOCK RD

PLEASE BE ADVISED, AT 10:00 AM TUESDAY MORNING APRIL 10th, 2007 THE WATER SYSTEM IN YOUR AREA WILL BE SHUT DOWN DUE FOR MAINTENANCE ACTIVITIES FOR A LIMITED PERIOD OF TIME.

WHEN THE WATER IS TURNED BACK ON (APPROXIMATELY 3 PM), AS A PRECAUTION, WE ADVISE THAT ALL WATER USED FOR DRINKING OR COOKING BE BOILED.

A ROLLING BOIL OF ONE MINUTE IS SUFFICIENT. AS AN ALTERNATIVE BOTTLED WATER MAY BE USED.

THE WATER IS OK TO BATHE WITH.

THIS "PRECAUTIONARY BOIL WATER NOTICE" WILL REMAIN IN EFFECT UNTIL A BACTERIOLOGICAL SURVEY SHOWS THAT THE WATER IS SAFE TO DRINK.

YOU WILL BE NOTIFIED BY HAND OUT WHEN THE SYSTEM IS CLEARED FOR NORMAL USE. WE EXPECT THIS TO BE ABOUT 2 to 4 DAYS.

IF YOU HAVE ANY QUESTIONS YOU MAY CONTACT WILL SMITH AT (352) 544-5469.

Handwritten notes:
PC: CC
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POST
4/9/07
5/4/07

Hernando County Fair Assoc
Profit & Loss
 March 2007

JF

Mar 07

Ordinary Income/Expense		
Income		
	Fair Income	19,299.00
	Rental	2,928.30
	Total Income	22,227.30
Expense		
	Cattlemen's	926.55 propane-electric-fire hood
	Insurance Health	909.45
	Advertising General	428.80
	Building and Grounds	8,402.96 drainage \$6,100 electrical \$1,743.89 misc 559.07
	Dues-Membership	400.00
	Fair Expenses	15,781.09 Rodeo \$14,000 t-shirts security\$126.20 tickets/passes\$600.34
	Insurance	-700.00 paper prod\$459.60 adv \$475.00 misc \$1119.95
	Office Supplies	408.89
	Payrolls	5,113.40
	Tools & Equipment Repairs	700.15
	Tools & Equip purchase	17.83
	Utilites	1,618.64
	Vehicle Expenses	264.74
	Total Expense	34,272.50
	Net Ordinary Income	-12,045.20
	Net Income	-12,045.20

Check Register \$85,781.40

Money Market \$100,516.75

vs. 'need'
4/12/07
01/25/07
JD

JD



ORIGINALS

CITY OF BROOKSVILLE APPLICATION FOR TEMPORARY STREET CLOSURE

201 Howell Avenue
(352) 544-5407

INSTRUCTIONS: Complete top portion of form and return to Clerk's Office, 201 Howell Avenue, Brooksville, FL 34601. A broad form type events coverage or other insurance policy acceptable to the City is required to protect the City from any and all claims for injuries, or damages occurring during or resulting from this event in an amount of not less than \$100,000 for each individual and \$300,000 for event. Applicant will be notified of estimated cost; receipt of the deposit and the Certificate of Insurance are required not later than three (3) business days before the event. Certificate Attached - Yes No

Name of Organization HERNANDO CO. SHERIFF'S OFFICE		Event LAW ENFORCEMENT/SPECIAL OLYMPICS TORCH RUN	
Person in Charge MRS. VICKIE PORTER		Address P.O. BOX 10070 BROOKSVILLE, FL	Telephone (352) 754-6830
If Unavailable (Alternate Name) SGT. JIM POWERS		Address SAME AS ABOVE	Telephone 754-6830
Date of Event APRIL 25, 2007	Starting Time 8:30 AM	Ending Time (approx) 10:00 AM	Estimated Number of Participants 40-50

Proposed Route (include Street/Avenue, attach location map)

SEE ATTACHMENT

04-18-07 A08:05 IN

I, the undersigned, assume responsibility for reimbursing the City's cost as estimated below, and all liability for injuries and damages and will hold the City harmless from any claims arising directly or indirectly from the event, including or as a result of City's closure of the street(s) to facilitate the event. If applicant is a corporation, association, or partnership, the undersigned warrants he/she is authorized to execute binding contracts on behalf of the applicant.

Signature

State of Florida

County of **Hernando**

This instrument was acknowledged before me this **11th** day of **April**, 2007, by **JAMES POWERS**, who is personally known to me or who presented **Pl. License** as identification; and who (did) (did not) take an oath.

Margaret Anne Bosack
Signature of Notary Public

MARGARET ANNE BOSACK
MY COMMISSION # DD 047301
EXPIRES: November 21, 2008

[Printed, stamped or stamped name of Notary Public]

11/21/08
[Commission Number of Notary Public]

NOTICE: PERMIT NOT VALID UNLESS APPROVED BY DESIGNATED CITY REPRESENTATIVE.

Total Deposit \$ _____ Received By: _____ Date _____

Police Chief <i>R. C. [Signature]</i>	Date 4/16/07	City Manager <i>S. Bauman</i>	Date 4/18/07
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Distribution: Original to Applicant; Copies to Chief of Police, Director of Public Works, City Manager and City Clerk

A LIST OF STREETS BEING CLOSED WITH DATES AND TIMES WILL BE RELEASED TO THE PRESS NO LESS THAN 5 DAYS PRIOR TO THIS EVENT.

pc: 'lead'
OTN 5/7/07
4/20/07

2010 Census LUCA Promotional Workshop

An accurate and complete census is important to your community. The Local Update of Census Addresses (LUCA) Program gives tribal, state, and local governments an opportunity to review and comment on the list of addresses the U.S. Census Bureau will use to deliver census questionnaires for the 2010 Decennial Census.

We invite you to attend a LUCA Promotional Workshop where you can learn more about LUCA, including:

- The purpose of LUCA
- The three participation options in LUCA
- The LUCA schedule
- Planning for your LUCA review

We urge you to attend this 2-hour workshop for an overview of the LUCA program. The workshop is designed to provide local officials the information they need to evaluate the benefits of LUCA participation for their jurisdictions.

Enclosed is a workshop reservation form that includes the date and location of the workshop in your area. Please complete the form and fax it to our office at least one week prior to the date of the workshop. Our fax number is 404-331-1570.

Attendance at the promotional workshop is not required for participation in the LUCA program. If you are unable to attend a workshop but would like to receive the workshop materials, please contact the Atlanta Regional Office. Information on the program is also posted on our website at the following link:

www.census.gov/2010census/promotional_materials

(Note: Later this year you will receive an invitation to a technical workshop which will provide detailed instructions on LUCA program procedures.)

This program is accessible to persons with disabilities. Requests for sign language interpreters or other auxiliary aids should be directed to the telephone number or e-mail address listed below. TTY callers may use the Federal Relay Service number listed below.

**U.S. Census Bureau
Attention: Geography—LUCA
101 Marietta Street, NW, Suite 3200
Atlanta, GA 30303**

**Phone (Toll Free): 1-866-511-5822
TTY (Hearing Impaired): 1-800-877-8339
Fax: 404-331-1570
e-mail: atlanta.geography@census.gov**

U S C E N S U S B U R E A U

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PC JULIE - RESP + PROCESS
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PO2:38 IM

PC - Counselor
STL:UL
Bill

07/12/07

COB

Historic Brooksville

VISITFLORIDA
Cultural Heritage and Nature Tourism
Marketing Grant
2007-2008

Submitted By

The City of Brooksville, Florida

In Partnership With

Hernando County Tourism Bureau

Karen Phillips, Grant Coordinator
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041
352-544-5407

4/12/07
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VISIT FLORIDA™
Advertising Matching Grant Program

2007-2008 Grant Application Package

This application package contains the following:

- 1. Excerpts from Sections 288.017, Florida Statutes.
- 2. VISIT FLORIDA Grant Program Policy
- 3. 2007-2008 Application.

Application package can also be downloaded from our website at
www.VISITFLORIDA.org

**Applications must be received by 5:00 p.m.
Friday, April 20, 2007**

Incomplete applications and applications received after the application deadline date will be returned to the applicant. Faxed applications will not be considered.

Return the original and five (5) copies to:

**VISIT FLORIDA
ADVERTISING MATCHING GRANT PROGRAM
661 East Jefferson Street, Suite 300
Tallahassee, FL 32301**

If you have any questions, please contact Bennie Strange, bstrange@visitflorida.org or (850) 488-5607, ext. 319

cc: 'read'
4/17/07
amstalon

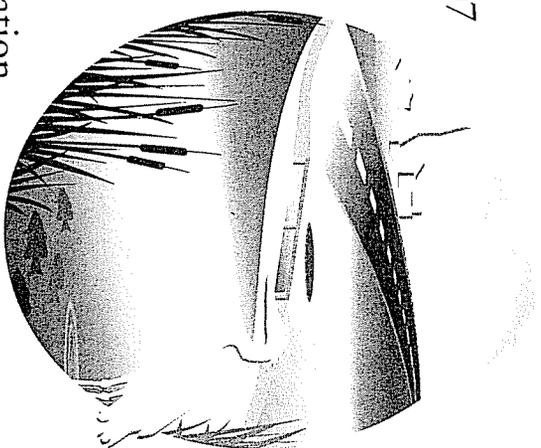
This workshop is intended to inform
the community and policymakers
about stormwater.

DATE

Thursday, May 10, 2007

TIME

8:30 a.m. to 4:00 p.m.



LOCATION

Sand Hill Scout Reservation
11210 Cortez Boulevard
Brooksville, Florida 34613

Please respond by May 1st, 2007

8:30 a.m. to 9:00a.m. Registration

9:00 a.m. Opening Remarks: Tommy Bronson, Hernando
County Groundwater Guardian

“Arriving Curious” Eric Livingston, Department of
Environmental Protection, Tallahassee, FL

What is stormwater? Why is it important?

“Real Solutions in a Real World” Joe King, Architect, River
Forest, Bradenton, FL

Challenging solutions to challenging problems.

“Under our Feet” Harley Means, Florida Geological Survey,
Tallahassee, FL

Follow the flow of stormwater as it travels through the gateway
to the aquifer and emerges from our natural springs.

Lunch (provided)

“Leave Inspired” Wes Skiles, Karst Productions, High Springs, FL
After enjoying lunch, filmmaker, explorer and adventurer, Wes
Skiles, will inspire you to action! What can you do? What role
do you play? Can one person make a difference? You will find
out that you have an important part to play in this cycle. Leave
inspired!

Bonus!!!

The Local Connection: Learn what is happening in your own
areal With information from Hernando County and the
Southwest Florida Water Management District, you arrived
curious and will leave inspired.

HERNANDO COUNTY 2007
**HURRICANE
 EXPO**



**Saturday June 2nd, 2007
 Weeki Wachee Springs**

Schedule of Events

9:00 - 2:00 PM	2007 Hurricane EXPO Displays & Presentations	
9:00 - 2:00 PM	Demonstrations / Hurricane Simulator Withlacoochee River Electric Coop. High Voltage Demonstration WREC Demo Times: 9:00 - 9:45 & 12:00 - 12:45 Hurricane Simulator Times 11:00 -12:00, 12:45 - 1:45	Amphitheater
9:15 - 9:45 AM	Pet Friendly Shelters - Are We Schnauzer Ready? Hernando County Animal Services Explains What to Expect	Banquet Hall
10:00 -10:15 AM	<u>Opening Session & Welcome</u> Robyn Anderson, Mayor, City of Weeki Wachee Jeff Stabins, County Commission Chairman David Pugh, Jr., Mayor, City of Brooksville Richard Nugent, Hernando County Sheriff Gary Kuhl, County Administrator Tom Leto, Emergency Management Director	Amphitheater
10:15 - 10:45 AM	Guest Speaker: Steve Jerve, Chief Meteorologist WFLA Storm Team 8	Amphitheater
11:00 - 11:45 AM	Celebrity Mermaid Performance	Underwater Theater
11:00 - 11:30 AM	Crystal River Nuclear Plant: What If? Progress Energy Presentation on Disaster Plans at CR3	Banquet Hall
11:30 - 12:00PM	Florida Tornadoes - Christmas & Groundhog Day National Weather Service - Tampa Bay	Banquet Hall
12:10- 12:45 PM	Generator Safety Class Hernando County Emergency Management	Spring Overlook
12:10- 12:30 PM	CERT - Neighbor helping Neighbor in disasters Hernando County Emergency Management Staff	Banquet Hall
12:40 -1:20 PM	Hernando County Flood Map Changes Hernando County Engineering - John Burnett	Banquet Hall
1:30- 2:00 PM	Do I Have the Right Insurance? Florida Dept of Financial Services - Division of Consumer Services	Banquet Hall
2:00 - 3:00 PM	Live Musical Performance Special Guest Performer	Amphitheater

Be Hurricane Ready.

Handwritten notes:
 4/13/07
 2:00 5/7/07
 K. Kuhl
 Stern
 J

PC: Mike W

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/13/2007

PRODUCER (352) 796-1451 FAX (352) 799-5986
Killingsworth Agency, Inc.
19259 Cortez Blvd.
P. O. Box 1750
Brooksville, FL 34605-1750

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED **Hernando County Fine Arts Council**
P.O. Box 1998
Brooksville, FL 34605

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Burlington Insurance	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	X	GENERAL LIABILITY	B0603155514	03/12/2006	03/12/2007	EACH OCCURRENCE \$ 1,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ INCLUDED
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY				<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE \$ RETENTION \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				<input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Limits shown are those in effect at policy inception date.
City of Brooksville is named as Additional Insured as respects Arts, Crafts & Music Festival being held May 5 & 6, 2007 (setup day May 4, 2007).

CERTIFICATE HOLDER

CANCELLATION

City of Brooksville
201 N. Howell Avenue
Brooksville, FL 34601

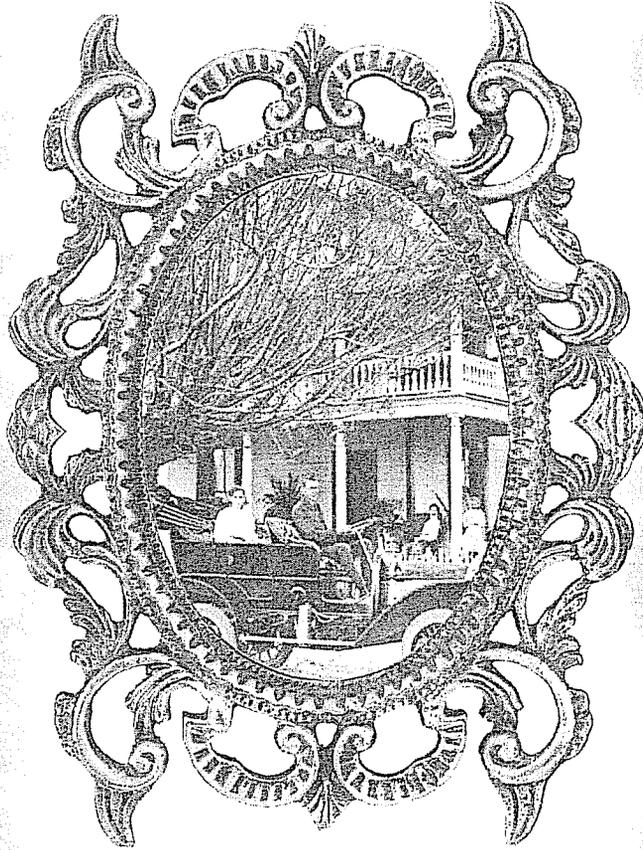
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Danielle Healis/BM

Danielle H. Healis

4/19/07
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C25/7/07
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*Hernando County
Florida*



2006

*Citizens' Financial
Report*

*For the Fiscal Year Ended
September 30, 2006*

NOTE: This report was prepared
by the County Auditor
on 11/15/07

CITY OF BROOKSVILLE, FLORIDA



Karen Phillips

Director of Administration/City Clerk

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PRESS RELEASE

April 25, 2007 - "VOLUNTEER OF THE YEAR"

At its annual Volunteer Appreciation Reception recently held on Tuesday, April 17th, the City of Brooksville honored Charles Miller as their "2007 Volunteer of the Year" for over 28 years of dedication and volunteer service to the City.

Mr. Miller has been an appointed member of the City of Brooksville Planning & Zoning Commission since November 8, 1978. He also served on the Citizen Planning Committee in 1988 through 1991, the main purpose of which was to review and provide public input to the City's Comprehensive Plan of 1988 and updated amendments. He again volunteered in 1990 to serve on the 1990 Charter Review Committee.

In addition to the benefit of his service to this community as a whole through his 35 year career with the Southwest Florida Water Management District, his expertise as a Senior Engineer of the Technical Services Section of SWFWMD provided the City with such a valuable wealth of information, knowledge, expertise and background to enable it to know what to look for and address in the various planning & zoning issues that came before the City through his tenure, such as water management criteria, FDEP rules & regulations, and environmental concerns.

Please join the City of Brooksville in acknowledging the hours of dedication and service to the City and congratulating CHARLES MILLER as its' "2007 Volunteer of the Year"!

At the reception, the City's remaining 190+ volunteers were acknowledged and thanked for their cumulative years of service provided to the City as non-paid staff volunteers, advisory board members, or various public event volunteers.

PC Council 1/2 hour
P+Z Board Member
Bill B

4/26/07
2007

Tuesday, May 15, 2007

Renaissance Hotel
Tampa • At The International Mall

Breakfast 7:30—8:00 A.M.
Program 8:00—9:30 A.M.

Limited seating is available. Please call 813.224.2950
by May 10, 2007 to reserve your space.

Valet Parking Provided

1/31/07

FEATURING:

- Senator Mike Fasano
- Thomas Pennkamp, Senior VP,
SunTrust Banks Florida, Government Relations
- Mark Wilson, Executive Vice President,
Florida Chamber of Commerce
- Marian Johnson, Vice President of Political Strategy,
Florida Chamber of Commerce



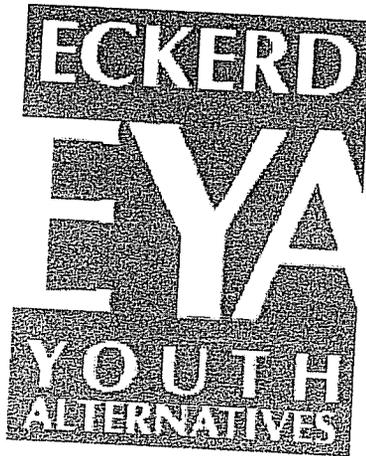
SUNTRUST

Seeing beyond money

07/15/07

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Eckerd Academy of Brooksville
ANNUAL ADVISORY COMMITTEE BREAKFAST
04-23-07 P02:14 IN



As of

May 9, 2007 @ 8:00 a.m.

at Eckerd Academy at

Brooksville

orig. Board
to 6/7/07

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