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

AGENDA

JUNE 18, 2007 **7:00 P.M.**

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. CONSENT AGENDA

1. Minutes

May 1, 2007	Special Meeting - City Manager Interviews
May 7, 2007	Regular Meeting
June 4, 2007	Regular Meeting

2. Cascades at Southern Hills Plantation - Phase 3-A & 3-B Final Plats/Developer Request for Extension of Final Plat Consideration

Consideration of developer's request to continue the Cascades at Southern Hills Plantation, Phases 3-A & 3-B, final plats to the June 16, 2008 Council Meeting at 7:00 p.m. in the City Council Chambers, with the caveat that the developer may initiate the final plat review by City Council sooner than this date.

3. United Way Grant

Consideration of acceptance of annual United Way Grant in the amount of $10,000 to offset personnel costs related to the after school Bus Shuttle Service at JBCC.

4. City Hall and Police Department Wind Retrofit Hurricane Project

Authorization to rebid project, modify contract documents to allow for a 100% cash deposit in lieu of payment and performance bond and return all bid bonds.

5. City Hall Generator Change Order #2

Consideration of change order to extend the City Hall generator installation project for 30 calendar days (through 07/15/07), which will result in a decrease to the contract price of $13,458 (final total cost will be $30,231).

6. Providence Blvd./Whitfield Ave. Bid Award

Award of bid to WDG Construction of Wesley Chapel, FL in the amount of $339,999.99 ($329,999.99 for the project plus $10,0000 for the alternate bid to complete the sidewalks), with funding budgeted in TOP (Transportation Outreach Program), and authorize Mayor to execute contract subject to City Attorney approval.

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to approve

Attachments: 1) Minutes; 2) Memo from Director of Community Development dated 06/08/07; 3) Memo from Parks & Recreation Director dated 06/11/07; 4) Memo from Director of Public Works dated 05/31/07; 5) Memo from Director of Public Works dated 06/07/07; 6) Memo from Director of Public Works & Community Development Director dated 06/11/07, Bid Opening Minutes & Bids.

D. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. Institute for Elected Municipal Officials

Presentation of Certificate of Completion to Council Member Lara Bradburn for recent participation in the Florida Institute of Government's "Advanced Institute for Elected Municipal Officials.

Presentation: Mayor
Attachments: Certificate; Letter from Florida Institute of Government Dated 05/17/07

E. PUBLIC HEARINGS

** **1. Ordinance No. 746 - Crosland, Inc. - Presented by Ruden McClosky and Heidt & Associates**

Request for Rezoning property from County Agricultural Zoning District to Planned Development Project (PDP) with a Special Exception Use for a Residential Planned Development Project and Master Plan Approval.
[First Reading 06/04/07]

Presentation: Director of Community Development
Recommendation: Approval of Ordinance as recommended by Staff and P&Z Commission on final reading upon roll call vote
Action: Motion to Approve
Attachments: Memo from Director of Community Development dated 5/22/07; Proposed Ordinance & Location Map; Petitions; Master Plan; Narrative

F. REGULAR AGENDA

1. Resolution 2007-11 - Stephen J Baumgartner Appreciation

Consideration of resolution in appreciation of Stephen J Baumgartner as Interim City Manager.

Presentation: Mayor
Recommendation: Approval
Action: Motion to Approve
Attachments: Proposed Resolution

2. Interlocal Agreements

Consideration of acceptance of various Interlocal Agreements:
[Carried forward from 06/04/07 Meeting]

a) Gas Tax Interlocal Agreement

Renewal of revised Agreement with Hernando County and the City of Weeki Wachee for an annual term through 09/30/2013 for distribution of local option gas tax funds and maintenance responsibilities for various City roads, traffic signals and other improvements.

b) ELMS Gas Tax Interlocal Agreement

Renewal of Agreement with Hernando County and the City of Weeki Wachee for an annual term through 09/30/2013 for distribution of the ELMS (2nd local option) Gas Tax funds.

Presentation:	Director of Public Works
Recommendation:	Acceptance of individual Interlocal Agreements
Action:	Motion to approve
Attachments:	Memos from Director of Public Works dated 06/11/07; Interlocal Agreements

3. East Fort Dade Avenue Sidewalk Project

Consideration of approval and acknowledgment of City's intent to accept the rights-of-way as described in survey provided by Foresight Surveyors, Inc. (Hernando Park) subsequent to County's construction of the sidewalk (consistent with City and County standards) on the north side of Fort Date Avenue from the intersection of Howell Avenue east to the Chamber of Commercial building.

Presentation:	Director of Community Development
Recommendation:	Acceptance and acknowledgment of intent to accept the rights-of-way as recommended above
Action:	Motion to approve
Attachments:	Memo from Director of Community Development dated 06/18/07

G. ITEMS BY COUNCIL

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.

AGENDA ITEM NO. C-1
6/18/07

CITY OF BROOKSVILLE
SPECIAL CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE

AGENDA

MAY 1, 2007 7:00 P.M.

Brooksville City Council met in regular session with Mayor David Pugh, Vice Mayor Frankie Burnett, and 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; Janice L. Peters, Deputy City Clerk; Jim Delach, Acting Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Emory Pierce, Director of Public Works; Fire Chief Tim Mossgrove, Brooksville Fire Dept. Members of 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.

INTERVIEWS

Finalize Interview Format

A brief discussion of the interview process was explained by City Clerk Phillips. She indicated that the candidates would be interviewed separately alphabetically and each would give a 5-minute presentation followed by questions from council.

Vice Mayor Burnett noted that only one hour per candidate was scheduled and asked for the time limits for each Council Member. Mayor Pugh indicated that each Council Member would be able to ask one question at a time and would rotate in the time frame allotted. He also noted that the results were received from the City employee team. Council Member Bradburn thanked the employee team for their efforts and time.

One Hour Interview per Candidate

Lester B. Baird, Sr.

Mr. Baird thanked Council for considering him for the position and gave a review of his experience, indicating the last 11 years had been spent with Hendry County.

Council Member Bradburn thanked him for his time, indicating that his qualifications are admirable

Council Member Bradburn requested that he elaborate on his vision for the future of the City of Brooksville. He anticipated a lot of growth management would have to be dealt with as well as annexations and other positive improvements. Overall very positive.

Council Member Lewis asked what his ideas and goals would be for his first year in the City. Mr. Baird stated that one of the first things would be to get a grasp and understanding of all the existing projects, meet all the employees and to work with Council to determine what their goals are and set a plan to achieve

that.

Council Member Bernardini, referencing the utility and ad valorem taxes, inquired what he could do to directly reduce the pressure on the City taxpayers. Mr. Baird indicated that one way would be to analyze the staff and their functions to make sure they are being done in the most efficient manner, with reassignments if necessary, as well as to review the growth of revenue sources, such as annexations.

Vice Mayor Burnett asked to what extent contact with citizens and citizens groups is important. Mr. Baird felt that being customer friendly is very important as well as keeping citizens informed and he would encourage citizens to voice their opinions concerning City policies to him and Council as well.

Mayor Pugh questioned how he envisioned contact and interaction with Council as far as relaying critical and non-critical information. Mr. Baird responded that whatever Council considered critical he would expect to communicate individually or in whatever manner Council chooses.

Council Member Bradburn asked how the City should go about improving the City/County relationships and what role he would play. He advised that he would be open, fair and honest and attempt to engage dialogue as frequently as needed and encourage the County to work in conjunction with the City.

Council Member Lewis asked what 2-3 of the most importing things the City needs to undertake to have reasonable control of future development. Mr. Baird advised that the land development code requirements should be reviewed and compared to other counties and cities as well as dealing straightforwardly with the issues of impact fees, infrastructure and the Comp Plan.

Council Member Bernardini wondered how he would measure the efficiency of the public sector employees. He indicated there should be an employee rating tool by which employees are consistently and regularly evaluated, which may require some training on the part of the supervisors. He felt it important for employees to have an understanding of where they fit and their efficiencies as well as where they may need improvement.

Vice Mayor Burnett asked what is important in establishing working relationships with others. Mr. Baird felt honesty and straightforward thinking to be the most important, as well as mutual respect.

Mayor Pugh questioned asked what would be one of his goals to try to sell the City and show it in a positive light in relation to annexations. Mr. Baird felt utilities to be the key element for selling annexation and being responsive to developers as well as having good customer service and policies that promote growth.

Council Member Bradburn asked how he would suggest undertaking downtown revitalization as well as revitalization in general. Mr. Baird advised having a plan which lists deficiencies and prioritizing them, with the next step being to find resources for implementation.

Council Member Lewis requested an example of his management style and an incident in which that style obtained good results. Mr. Baird indicated his style is performance based for himself as well as employees and made reference to grant applications.

Council Member Bernardini asked how he evaluated department heads, to which Mr. Baird responded that he had not directly evaluated department heads but offered different processes of evaluations.

Vice Mayor Burnett, noting the proposed property tax relief, asked how this would be dealt with. Mr. Baird stated that he would have to analyze possible cuts.

Mayor Pugh inquired how he would go about trying to mend fences between the City and County concerning issues of the past with annexations, etc. He would request to meet and have dialogue on specific issues.

Council Member Bradburn, referencing the budget, asked how he would begin to prioritize and plan ahead for a master plan for the City concerning capital improvements and special projects. Mr. Baird indicated would rely on the departments to prioritize and work with the Finance Director to come up with a plan to be presented to Council.

Council Member Lewis asked for his ideas on how to build teamwork among the employees. Mr. Baird indicated he would seek and honor their input.

Council Member Bernardini inquired if any operations were privatized during his tenure. Mr. Baird responded that the bulky waste for trash pickup, after losing the only operator they had, was privatized.

Vice Mayor Burnett asked, looking at the organizational chart, what plan he would have to try to align it with the disparities that exist concerning the citizens of Brooksville. He indicated that after analysis a recruitment program could be instigated to attract citizens to apply.

Council Member Bradburn questioned what strikes him as Brooksville's greatest asset and greatest deficiency. Mr. Baird stated the rolling hills, beautiful foilage and the people are friendly but that the current controversy is the greatest deficiency.

Council Member Lewis wondered how he would encourage new businesses to move into the City of Brooksville. Mr. Baird indicated the enterprise zone has it's benefits and in other areas to streamline staff to reduce bureaucracy.

Council Member Bernardini asked for examples of efficiency improvement in his current job. He indicated parks was overrun with mowing so he transferred some of those duties to maintenance.

Vice Mayor Burnett inquired what his expectations were with respect to compensation. Mr. Baird stated that he would work with the City within the salary range set forth.

Mayor Pugh asked what his biggest asset to the City would be. Mr. Baird felt stability, over a period of time, would be his biggest asset, with a calm approach to issues and felt he is patient with employees.

Council Member Bradburn inquired what his biggest weakness would be. Mr. Baird indicated that it may be the same as his asset, patience with employees.

Council Member Lewis asked for his thoughts on the long term extension of the City's infrastructure. Mr. Baird advised his goal would be to develop and fund a capital improvement program with an organized approach to it.

Council Member Bernardini wondered how privatization could benefit a city, which is not supposed to turn a profit, if that city is being efficiently run. Mr. Baird indicated he is not a big fan of privatization with the key to avoid it being proper management.

Vice Mayor Burnett asked if he felt that it will be important enough to have both a capital outlay plan with 5 and 10 year plan along with a personnel plan with 5 and 10 year plan, as well as a crisis management plan. Mr. Baird stated it is very important to have continued delivery of service at the desired levels and a good emergency management plan.

Council Member Bradburn, referencing growth management, asked for his experience in concurrency and drafting development agreements. He indicated he had no experience in drafting development agreements but a fair amount of growth management experience, which he elaborated on.

Council Member Lewis asked about his relationship working with advisory boards and staff within the City and planning for the future of the City, to which he responded he would be happy to work with the boards.

Vice Mayor Burnett stated that presently the City Manager serves as Personnel Director, as well as having a Human Resources Director in place, and asked how he felt about that. Mr. Baird stated that in most governments the City Manager has the ultimate responsibility but frequently Human Resources is in place to do the day-to-day tasks and felt that the City Manager does not have time to do those tasks and has seldom seen the aspect of having to be the Personnel Director.

Recess

Due to technical difficulties, the meeting adjourned at 7:49 and resumed at 8:03.

Mitchell N. Bobowski

Mr. Bobowski reviewed his working history, indicating he has over 26 years of public management experience and is a member of various organizations.

Council Member Bradburn asked for his opinion about the future of the City of Brooksville. Mr. Bobowski indicated he would hope it would not change much from the charming place to live and do business it already is and felt that with proper budgeting and controlled growth it can be anything it wants to be.

Council Member Lewis inquired about what he sees as the challenges the City of Brooksville will be facing as well as opportunities available. Mr. Bobowski felt that the biggest challenge all cities will face will be whatever comes from the legislature that could have wide and significant impacts on the community. He indicated the City's budget is very good and some of the biggest things to look forward to are development, redevelopment and continual annexation. He recommended tweaking the millage rate to be more competitive with the County's.

Council Member Bernardini, referencing the utility and ad valorem taxes, asked what is something the City Manager can do to directly reduce the pressure on the City taxpayers. Mr. Bobowski advised that the City Manager cannot do anything without the input of Council. He did not feel he knew enough about the City to make any recommendations but if he were appointed City Manager he would spend ample time to make appropriate judgment calls and professional recommendations to Council.

Vice Mayor Burnett wondered to what extent contact with citizens and citizens groups is important. Mr. Bobowski felt them to be a major factor in any community and that cities could not survive without having input from the citizens and business groups.

Mayor Pugh asked what his biggest asset to the City would be, to which he responded his professionalism, passion and commitment to public service.

Council Member Bradburn questioned how he would approach undertaking downtown revitalization. Mr. Bobowski indicated that citizens groups and the business community play a major role in any revitalization program and suggested a workshop for a review of the current revitalization plan to be the place to start.

Council Member Lewis asked what are 2-3 of the most important things the City needs to undertake to have reasonable control of future development. Mr. Bobowski stated that a significant impact would be for Council to adopt a comprehensive development agreement ordinance, which would spell out all the triggers that would lead to the need for a development agreement. He felt the ordinance would go a long way in alleviating potential shortfalls the City may face with respect to legislative decisions on budget cuts while still moving forward with improvement Council would like to see citywide, such as roadway improvements, landscaping improvements, decorative lighting improvements, etc.

Council Member Bernardini inquired how he would measure the efficiency of the public sector employees. Mr. Bobowski indicated that performance evaluations are the way to go. Council Member Bernardini further asked if he used a certain form in the past to evaluate employees, to which Mr. Bobowski answered yes. Council Member Bradburn asked if the form used was first given to the employee to evaluate him/herself. Mr. Bobowski answered no, he evaluates the employee himself.

If selected, Vice Mayor Burnett asked what his first steps would be upon assuming responsibility for the position. Mr. Bobowski advised that his first steps would probably be taken before his first day of employment, which would be to meet with the Interim City Manager and City Attorney to review current issues as well as reviewing the current budget and codes. He would also meet with employees followed, by meetings with other local officials.

Mayor Pugh asked how he would sell the city in a positive light in regards to annexation. Mr. Bobowski stated that it is a great community that does not really have to sell itself, that the community spirit sells the community. He indicated there to be a practicality to annex into a community or not which a lot of times revolves around the money situation.

Council Member Bradburn inquired how he would go about improving the relationship with the County and his role as City Manager. Mr. Bobowski indicated his role would be to make contact with the County Administrator and to work with him in areas that would be mutually beneficial and provide adequate delivery of services.

Council Member Lewis asked him to describe his management style when it has received excellent results. Mr. Bobowski advised that he has a collaborative management style and feels people work better together as a team, but is hands on and wants to be in the loop on what is going on within departments on a day-to-day basis.

Council Member Bernardini questioned if any operations were privatized during his tenure. Mr. Bobowski replied yes, the solid waste operations in the City of Hazel Park. Initially it was cheaper but anytime there is a contract with a vendor it has to be managed and the City would have to followup on missed pickups and in the end felt money was saved considering the age and maintenance of the equipment the City owned at the time. He also indicated vehicle maintenance was privatized as well.

Vice Mayor Burnett asked if Mr. Bobowski felt the City needs some kind of diversity plan in place, and why or why not. Mr. Bobowski indicated he really could not answer that but did not feel it wrong to look at the issue and would be glad to do it.

Mayor Pugh, referring to the issues of annexations, questioned what kind of experience Mr. Bobowski has to handle those issues. When he began working for the City of Seminole in 1999 the population was 9,100 and through annexation the population was doubled to near 19,000. He stated that he is very familiar with Florida Statutes as it relates to annexation; the referendum process and the non-referendum referendum process.

Council Member Bradburn asked, referring to the budget and planning process, how he would plan for short and long term. Mr. Bobowski stated that he is hands on when it comes to the budget and works directly with the Finance Director going over each item line-by-line to tweak it where he can and do some things to enhance the public's knowledge of the budget and maybe encourage the GFOA Certificate of Excellence in Accounting for the City. Basically to be conservative in the approach taken to the public's monies.

Council Member Lewis asked what how he would encourage new businesses to move into the City of Brooksville. Mr. Bobowski stated that one of the things the City has going for it is that there is vacant land here to develop and that growth will come with patience. He cautioned, however, that it is important to measure what the City wants that growth to be. He suggested promoting activities that draw the public into the downtown area.

Council Member Bradburn questioned what Mr. Bobowski had done in his current job to increase efficiency. Mr. Bobowski indicated he ran a pretty lean operation with evaluations every 6 months and enhanced training with more moderate equipment.

Mayor Pugh asked how he would keep Council informed of items coming forward on an emergency and non-emergency basis. Mr. Bobowski advised that the City Manager's job is a 24/7 job wherein he is always available and indicated that he makes sure to meet one-on-one with Council Members weekly to inform them of current issues as well as upcoming ones. He also felt that sharing the information and working through the Council packets and additional requests for information would ultimately lead to shorter Council meetings.

Council Member Lewis asked what he would do to build a teamwork spirit among the employees. He felt indicated that annual picnics were beneficial but mainly having the employees know that he is accessible is a big part.

Recess
A recess was taken and the meeting reconvened at 8:40.

Jennene Norman-Vacha

Mrs. Norman-Vacha gave a presentation of her background, indicating that she is a resident of Hernando County and will be, whether or not she acquires the position.

Council Member Bradburn requested that she describe her vision for the future of the City of Brooksville. Mrs. Norman-Vacha felt the City to be making a lot of progress and growth, which brings more demand for services. She indicated a final vision would come through talking with Council as well as staff to get a better idea of what vision the City has. She felt continuation of the City's revitalization efforts to be part of the big picture as well as looking at mixed-use land regulations that are part of the redevelopment plan to build a quality City.

Council Member Lewis asked her suggestions on how the City can take control of the growth and development on the horizon from annexations and growth around the City. Mrs. Norman-Vacha advised that growth is inevitable and suggested taking a look at what is in the works now and exercising good growth management through working with developers and defining the vision for what kind of growth the City wants to attract.

Council Member Bernardini, referencing the utility and ad valorem taxes, inquired what the City Manager can do to directly reduce the pressure on the City taxpayers. She indicated she had briefly reviewed the budget and felt it to be a balance of framing out the desired future through goal planning, reviewing revenues, expenditures, cutting costs where they can be cut and having a business-like attitude, as well as considering needs versus demands and overall management.

Vice Mayor Burnett asked to what extent she felt contact with citizens and citizens groups is important. Mrs. Norman-Vacha felt it to be critical to the management team, staff and Council Members. She indicated she believes in customer focus because citizens are the City; they make choices to live here and it is critical to be in touch with them, understand what they face and truly listen to their concerns.

Mayor Pugh, in regards to annexations and the strained relationship between the City and the County, inquired how she would go about trying to smooth over the relationship. Mrs. Norman-Vacha stated she feels the relationship between the City and Hernando County is critical and that some of the contention could be the City's approach to doing business. She thought working with the County ahead of time to discuss where we see future growth going from a City perspective would help. She indicated that within the first 30 days a good City Manager would reach out to the County and ask to talk to the County Administrator and discuss cooperative efforts and open lines of communication.

Council Member Bradburn, referring to her tenure with the County and her financial planning experience, asked her to explain the approach she took to budget analysis and planning. Mrs. Norman-Vacha felt that consensus building and looking at needs, weighing them against wants. She stated that it comes down to sharing revenues with departments if needed and talking through what the City is facing as a team, citing Department Heads as being a critical part of making that work as well as processes.

Council Member Lewis requested she describe her style of management and an issue that was successful using that style of management. She indicated that in reading through the budget personnel services is a constantly increasing cost,

which covers salaries as well as

fringe benefits. She relayed that she was able, through loss control and risk management, to help a client with approximately 300 employees hold their costs of premiums increase to zero for the last 3 years and actually reduced the cost this year slightly. She indicated that her management style is to look beneath the surface to find causes instead of just the results.

Council Member Bernardini asked how she would measure the efficiency of the public sector employee. Mrs. Norman-Vacha stated through the review of job descriptions, working with employees to discuss expectations and formulating departmental goals as well as holding people accountable for those goals, which can be individual as well as departmental wide. She also recommended regular reviews of those goals.

Council Member Bradburn, referring to her role as Hernando County's Deputy Administrator, inquired if she had evaluated employees and the method used. She indicated that she performed department head evaluations and that goals and objectives were established with budget and strategic planning where what was hoped to be accomplished was outlined.

Mayor Pugh asked what her biggest asset to the City of Brooksville as City Manager would be. Mrs. Norman-Vacha indicated that would be her 9½ years as a small business owner and a private company as well as over 13 years of public sector experience with a mid-sized government with over 400 employees and 700-800 constitutional officer employees for which benefits were handled through risk management with a $130,000,000 budget. She also referenced that she is a hard worker, good listener and communicator and she is willing to do what it takes to get the job done.

Council Member Bradburn requested she discuss how her experience in economic development would relate to her role as City Manager. She stated that it comes down to trust, respect and communication, which she felt to be economic development and that retention is critical to any sustainable economic development, not just recruitment, but appreciation for the current businesses as well as an understanding that those businesses create jobs. She also pointed out the need to actively pursue the type of economic development desired and figuring out how best to recruit those businesses.

Council Member Lewis asked what were some of the ways she could work with employees to establish and build a teamwork spirit among the employees. Mrs. Norman-Vacha responded that there are many different ways, with the first step being to let the employees know that we are a team and to make them feel valued. She advised that it is said that 80% of people quit their manager, not their job and felt listening and kudos to be important, as well as team-building exercises.

Council Member Bernardini inquired if any areas, during her tenure, had been privatized. She stated that the biggest project to be privatized was the Hernando County Jail but that road projects were regularly privatized and fleet management had also been considered. She indicated that privatization was not good in every situation and that formulating contracts should be done very carefully with service requirements and costs being given extreme consideration.

Mayor Pugh asked how she would sell the City in a positive light in regards to potential annexations. Mrs. Norman-Vacha stated that it comes down to being customer focused and that developing a desirable City that is exciting and offers much to want to be a part of is key.

EVALUATE AND RANK APPLICANTS

City Clerk Phillips reviewed the process.

Mayor Pugh asked for citizen comments with a two minute limit while Council Members ranked the applicants.

Gary Schraut shared with Council that he has been on the Parks and Recreation Board for 17 years and reviewed some of his experiences with the Hernando County Aviation Authority Board and recommended Mrs. Norman-Vacha, having worked with her before.

Pierre DesJardins thanked Council for the opportunity for citizens input and stated that although all seemed qualified he was most impressed with Mitchell Bobowski.

Recess
The meeting adjourned to tally the votes at 9:25 and reconvened at 9:37.

TALLY RANKING RESULTS

Mayor Pugh advised that there was a tie for first place.

City Clerk Phillips stated that the tie was between Jennene Norman-Vacha and Mitch Bobowski with 11 points each and Lester Baird receiving 8 points. She indicated that the tie was to be broken by the highest number of first place votes, which were equal for Jennene Norman-Vacha and Mitch Bobowski, with each receiving 2 first place votes, 2 second place votes and 2 third place votes.

Recess
With the elimination of Mr. Baird, the meeting recessed for the re-vote of the

No. 1 choices.

Upon reconvening, City Clerk Phillips indicated that the final vote was in favor of Mitchell Bobowski by a vote of 13-12.

ANNOUNCE SUCCESSFUL CANDIDATE AND SET NEGOTIATION STRATEGY

City Attorney LaCroix suggested the major items needing to be addressed in the contract to be salary, start date, amount of vacation, car allowance, insurance package, pension, City residence requirement and by when, moving expenses and severance provisions. He suggested that if anyone had strong feelings about any of those issues to voice them now. Otherwise, he would attempt to negotiate a fair contract with Mr. Bobowski tomorrow and run it by the Mayor to be resubmitted to Council for consideration.

Council Member Lewis stated that he would personally like to see the City Manager be a City resident.

City Attorney LaCroix indicated that Mrs. Norman-Vacha should be informed that in the event a successful contract cannot be negotiated with Mr. Bobowski and approved by Council that she would be the second choice for negotiations.

City Attorney LaCroix stated he would get with Mr. Bobowski tomorrow to work on

the contract negotiations, consult with the Mayor and probably could have a draft contract by the Monday, May 7 meeting.

Vice Mayor Burnett suggested Council Members write any concerns down and put them in the Mayor's box for consideration when negotiating the agreement. City Attorney LaCroix stated that to be a violation of the Sunshine Law but they could call him with any concerns.

Mayor Pugh thanked all three applicants for their time.

ADJOURNMENT
The meeting adjourned at 9:50 p.m.

City Clerk

Attest: _____
Mayor

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AGENDA ITEM NO. C-1
6/18/07

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

MINUTES

MAY 7, 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; Janice L. Peters, Deputy City Clerk; 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 Johnston, followed by an invocation and pledge of allegiance.

CONSENT AGENDA

Minutes

April 2, 2007 Regular Meeting
April 4, 2007 City Manager Workshop

Public Risk Management Board Appointment

Consideration of appointment of Margaret Bosack as alternate on the PRM Board replacing Ron Baker.

US 41/Broad Street Bicycle Lane

Consideration of authorization for Mayor to execute letters to forward to Florida Department of Transportation Representatives requesting signing and marking of the bicycle lanes along US 41/Broad Street at the recommendation of the Bicycle & Pedestrian Advisory Committee (BPAC).

Florida Fine Art Museum Corp.

Consideration of authorization for Mayor to execute letter of support to Harcourt Syms, CEO of the proposed Florida Fine Art Museum to be located in the old movie theater complex at Candlelight.

Council Member Bradburn requested Items C-1 & C-4 be pulled to review individually.

Motion:
Motion was made by Council Member Lewis and seconded by Vice Mayor Burnett for the removal of Items C-2 and C-3 for review and separate vote. Motion carried 5-0.

Item C-1 Minutes
Council Member Bradburn indicated that in the minutes of April 2, 2007, page 2 paragraph 4, she stated that the photos and copy needed to be updated but that City Clerk Phillips had brought up the concern over the pictures.
It was also noted that there was a typo to be corrected.

Motion:
Motion was made by Council Member Bernardini and seconded by Vice Mayor Burnett for approval of the minutes as amended (both sets). Motion Carried 5-0.

Item C-4 Florida Fine Art Museum Corp.
Council Member Bradburn indicated that over the past couple of years she, as well as other folks in the area, had met with Mr. Syms on several occasions regarding a project of this type. Mr. Syms is a world renowned expert in many types of artifacts. She felt that this would be an incredible project for the City, culturally speaking, and wholeheartedly encouraged Council to approve this with the understanding that this is not an obligation for funding.

Interim City Manager Baumgartner stated that Council Member Bernardini was concerned about the letter, which Community Development Director Bill Geiger had since revised.

Director Geiger advised that he directed the letter to Interim City Manager Baumgartner and assumed that it would be distributed from there. He indicated that the changes made to the letter were in areas of the letter that talked about partnering and partnership, which were modified to utilize a more universal term of support. He added that Mr. Syms was forwarded a copy of the revised letter and is aware of the changes, noting that his primary purpose in seeking the letter was to ensure that he had the support of the City to do this project within our jurisdiction, and for the benefit of seeking grant funding.

Council Member Bradburn mentioned that Brian Brijbag spent a considerable amount of time on this project and was able to go to a number of financial entities in the City to find potential funding for the project.

Council Member Bernardini asked about the last sentence which stated "the City has no current or long-term plans for the prospective property that would require any action of eminent domain, we would not support any effort to do your corporation undue harm." He didn't see how we could know that something may not come up in the future. Discussion followed as to the broadness of the sentence and it was suggested that it be deleted.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Bradburn for approval of Item C-4, with the revised letter distributed to Council, as amended. Motion carried 5-0.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

National Tourism Week
Recognition of National Tourism Week May 12-20, 2007.

Mayor Pugh read the proclamation in its entirety.

Bobbie Mills, Chairman of the Hernando County Tourist Development Council, and Sue Rupe of the Hernando County Tourism Dept. reviewed the program and the impact on the County and the City. Council Member Bradburn thanked them for their work. Mayor Pugh presented the proclamation.

Mayor Pugh informed Mr. Syms and Ana Trinque, who came in late, that their Consent Agenda item had been approved.

National Police Week Proclamation

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

Mayor Pugh read the proclamation in its entirety. Interim Police Chief Ross thanked Council for the proclamation and recognized the law enforcement officers present which were representatives from the Sheriff's Office, Florida Department of Law Enforcement and Mrs. Cook. He asked Mayor Pugh to present the proclamation to Officer Ed Serrano of the Brooksville Police Department, noting that he had just returned from a tour of duty in Iraq.

PUBLIC HEARING

*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]

City Attorney LaCroix reviewed the continued hearing from the last meeting. Mayor Pugh asked if any new parties were here, City Attorney La Croix indicated that it was not necessary to hear the interveners again.

Attorney Darryl McAteer and Mark Guttman, representing Garden Homes, were present and addressed Council. Attorney McAteer indicated the site plan had been revised based on the comments addressed at the last meeting and that another meeting had been held with the neighbors on Thursday. He proceeded to make a brief statement of law and Comp Plan policies as it applies to this application.

Mark Guttman summarized the changes to the project, stating that the wall is different in that it is a serpentine wall and a tie-in was added at Hale Avenue. Around the other three sides is a 6 foot vinyl fence versus a wall was added for aesthetic purposes. The buffer is now restored to 50 feet due to the angling of the parking area. He also stated that 80% capacity would be maintained on the western side.

Director Geiger entered the entire agenda packet into the record as if it were read (Attachment A) and further reviewed the recommended changes. The elevation portraying the construction was also provided.

Council Member Bernardini asked for an explanation of #13 on page 4 of the staff report. Director Geiger explained that it is a new recommendation which reads:

> "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."

Director Geiger further explained that this means that even if a traffic study comes back and says the accel/decel lanes would not be warranted the City can still require it to improve the safety factors in the area, which the petitioner is aware of and agrees to.

Mayor Pugh asked for public input.

Cherry Stanton, having been previously sworn, stated she still feels the project

does not fit in the area.

Ruth Reeder, having been previously sworn, appreciated the concessions made by the developer but did not agree with the three stories being requested.

Attorney McAteer indicated additional buffer will be added to the project and that the door was opened when the Comp Plan was amended and the property was made a multi-family property.

Council Member Bradburn applauded the changes made by the developer to alleviate lighting and noise, as well as the access point on Hale. She indicated she still felt the density to be high but that the developer did have a point that the Comp Plan had been changed. She advised that she had informed staff of her desire to review areas of the Comp Plan she feels to be inappropriately zoned.

Vice Mayor Burnett asked what the problem was concerning two stories versus three. Attorney McAteer cited cost benefit and less site coverage for the three stories. Vice Mayor Burnett also asked about the wall, which Attorney McAteer elaborated on and indicated would be continued if a second phase were to be approved.

Vice Mayor Burnett, as well as Council Member Bernardini, agreed the Comp Plan needed to be revisited but that the developer had met all the requirements of the current Comp Plan.

Council Member Bernardini asked Fire Chief Mossgrove to elaborate on the department's ability to respond to that development should there be a fire, which he did, indicating he would have no problems. Mayor Pugh asked if a building this size will have a sprinkler system for fire. Chief Mossgrove indicated he had not yet reviewed the site plan and did not know. Vice Mayor Burnett advised that a sprinkler system is required.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for reversal of the P&Z Board denial and approval of the development with the revised conditions.

Council Member Lewis pointed out this project could have been considerably more dense than what was presented. Mayor Pugh agreed.

Motion carried 5-0.

REGULAR AGENDA

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.

Director Geiger reviewed the voluntary annexation request, which will have access to Governor Blvd. He indicated the County has been notified and not responded and that the P&Z Commission concurred with staff recommendation to approve, 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.

Mayor Pugh asked if it is possible to get shading on the City Limits on future exhibits. Director Geiger indicated it would be revised before the final reading.

Council Member Bradburn asked for clarification in that some records are under both names and some under just one name and is it all inclusive. She also asked if there is a contract for sale on the property, to which Mr. Sims answered no.

Council Member Lewis asked City Attorney LaCroix if Council is allowed to ask questions as to whether properties before Council are contracted for sale. City Attorney LaCroix stated that Council can ask any question they like and the petitioner can answer it or not, but that Council's decision can only be based on the statutory criteria.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Bernardini for approval of Ordinance No. 744.

City Clerk Phillips read Ordinance No. 744 by title, as follows:

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

She advised the second and final reading would take place on May 21, 2007, at 7:00 pm.

Mayor Pugh asked for public input; there was none.

Motion carried 5-0 upon roll call vote, as follows:

Council Member Bernardini	AYE
Council Member Bradburn	AYE
Council Member Lewis	AYE
Vice Mayor Burnett	AYE
Mayor Pugh	AYE

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.

City Attorney La Croix reviewed the request for waiver.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval of Resolution No. 2007-08 based on the City Attorney's recommendation.

Mayor Pugh asked for public input; there was none.

City Clerk Phillips read Resolution No. 2007-08 by title, as follows:

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.

Motion carried 5-0 upon roll call vote, as follows:

Council Member Bradburn	AYE
Council Member Lewis	AYE
Council Member Bernardini	AYE
Vice Mayor Burnett	AYE
Mayor Pugh	AYE

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.

NEW CONSTRUCTION

Director Pierce reviewed the policy recommendations as it relates to new construction. He stated that there are issues with new construction, the first being erosion and debris control, particularly on infield projects, which he felt needed to be addressed more clearly. The second was the old issue of sidewalks and paving, which was previously tied to new road construction. He asked Council for direction on the triggers to determine time periods.

Concerning erosion and debris control, Director Pierce recommended any site 1/4 acre or larger would need to submit a stormwater pollution prevention plan to meet NPDES General Construction Permit criteria, which he would review. He also recommended specifications as to the type of debris and litter control, requiring adequate containers and pick-up schedules, the cost of which would require bonding or by certified check to be held by the City until the project is finished.

Council Member Bernardini asked, in reference to the statement, *"Minor site cleanup activity and under brushing are allowed without having to obtain a permit as long as the environmentally sensitive areas and trees with a DBH of 6" or greater are protected and left undisturbed."*, how one would know until after it is done. Director Pierce advised that the sites should be periodically inspected, but advised that the City will be in possession of the petitioners bond, which can be kept if terms are violated.

Director Geiger also reviewed the issue as it relates to tree permitting. Discussion followed.

Mayor Pugh asked if we require an engineer to submit a site plan for homes with fill in excess of 30" and should we. Director Pierce stated we do not but felt we should. Mayor Pugh suggested the issue be reviewed.

SIDEWALKS

Director Pierce indicated the issues to be dealt with are sidewalks on new public roads, sidewalks on private roads and sidewalks on commercial construction projects and the various lengths of time within which the City requires the sidewalk to be constructed.

Public City Maintained Roads
Director Pierce reviewed the policy as it relates to this and requested Council's desired trigger for sidewalk installation, whether it be prior to final plat approval, start of construction or whichever occurs first.

Mayor Pugh asked that 2 years from start of construction be changed to reflect that it will be done prior to final approval. Discussion followed in which Director Geiger advised that the project would be bonded.

Council Member Bradburn asked for an update on the newly created tracking system for bonds. Interim City Manager indicated that they have all been recorded in spreadsheet form for tracking.

Consensus was to change the requirement for installation of sidewalks to 1 year, with "final plat approval" and "whichever occurs first" to be struck out.

Private Non-City Maintained Roads
Director Pierce then reviewed sidewalks in relation privately owned streets. He asked for specific triggers for these projects as well, stating that he needed to add "exceptions to this must be approved by City Council". Mayor Pugh felt all triggers were fine. Director Pierce reviewed that for the second paragraph, "prior to the issuance of the first Certificate of Occupancy for any structure associated with the project," (whichever comes first) would be stricken and "exceptions to this must be approved by City Council" would be added.

Commercial Construction
Director Pierce reviewed the prospective policy for commercial construction. Council Consensus was that the requirements were fine. There was discussion of the 2 year requirement, which Director Pierce felt to be reasonable. No changes were recommended.

PAVING
Director Pierce reviewed the prospective policy relating to paving, which will be allowed to be completed in two lifts. No changes were recommended.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval of Policy No. 3-2007 as amended.

Mayor Pugh asked for public input, there was none.

Motion carried 5-0.

Utility Service Agreement - Disbrow Builders, Inc.

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

Director Pierce reviewed the agreement and asked for Council to add the missing Exhibit H. Attorney Joe Mason advised there to be no objection to the inclusion of Exhibit H.

Regarding these types of agreements, Director Pierce clarified that the developer uses his best judgement concerning impact fees, which are collected according to what is built. Attorney Joe Mason elaborated on the changes to the project as it relates to the number of units affected by the request for larger units. Mayor Pugh asked if impact fees are paid per square footage or per unit. Director Pierce indicated per unit for water and sewer impact fees.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval of the Disbrow Builders, Inc. Utility Service Agreement, with the inclusion of Exhibit H.

Mayor Pugh asked for public input; there was none.

City Attorney LaCroix indicated he had already signed off on the agreement.

Motion carried 5-0.

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

Paul Boston of Just Us, Inc., requested approval of the waivers.

Council Member Bradburn indicated she would not consider approval of waiver of the water and sewer connection fees following the auditing report and the jeopardy it would place on the City's bond covenant and in light of the fact that the final location for the permanent restroom had not been decided. She indicated the dumpster is a minimal fee that the City commonly approves. City Attorney LaCroix stated the water and sewer fees, because the City has bond covenants that say everyone will be charged the same rates, anytime they are waived, that the General Fund would have to cover the waived fees, to be transferred to the appropriate departments.

Interim City Manager Baumgartner advised that there would be a change in the figures because the City would not be required to pay a deposit fee.

Council Member Lewis asked if the water connections for the old mobile homes that used to be there were still available? Director Pierce indicated he is not aware of it as there are no meter boxes there at this time. He recommended water should be installed there anyway but he would prefer to wait until the location of the GNT restrooms were finalized before the water & sewer lines were permanently installed, however, his memo in the packet explained how a tap and meter for water service could be installed prior for the Juneteenth event with water available via a hose bib.

Vice Mayor Burnett inquired if the other parks in the City had running water. Director Walker indicated McKethan Park does not have running water.

Vice Mayor Burnett felt the public should not be charged for water in public parks anyway.

Council Member Bradburn indicated plans and drawings are in the works for bathrooms at the GNT and felt that the project should not be rushed.

Discussion of the requested waivers ensued in which Interim Police Chief Ross indicated no cost will be associated with this project for the Police Dept., since they would only be closing off the street and on-duty officers would be

utilized during their regular patrol duties.

Fire Chief Mossgrove initially concurred that there would be no cost for the Fire Dept., however, following discussion on use of the Comfort Station and a Fire Dept. display, he subsequently advised that a city employee would need to be on hand for this participation for security of the equipment so there would be a cost involved after all. He did not have a cost factor but stated it would depend on whether the station stayed at the event all night or was brought back to the fire station each night.

Council Member Bradburn asked if City staff were used for setup of the stage and cleanup. City Clerk Phillips indicated the stage is delivered by staff but not setup and that the PA System use is normally not allowed for non-City events unless there is a staff representative in attendance to be responsible.

Mr. Boston expressed his disappointment that things are not moving along with participation by the City. Discussion followed on the items indicated as needed by the Committee from the City based on the copy of the document provided to the City by the County and included in the agenda packet.

Council Member Bradburn indicated her chief responsibility is to look after the finances on behalf of the taxpayers, which includes making sure a precedence is not set concerning the sewer and water connection fees and stressed that Council still needs to know specific costs associated with the requests.

Concerning setup and cleanup, Mayor Pugh felt the prison crew could take care of, as well as the cutting of the grass.

Public Works Director Emory Pierce, while stating he had no objections to the Committee having a licensed Electrician to hook up to Public Works electrical, he felt it impractical and suggested they rent generators to provide their own electricity.

Council Member Lewis asked Mr. Boston if the County had agreed to help with any of the items he had listed. Mr. Boston advised that they had agreed to help with many of the items. In reference to his resigning the Committee, he stated that he had attempted to resign because he felt his presence to be a hindrance but the board refused to let him resign. Mayor Pugh, for the record, stated that he did not see Mr. Boston's presence as being a hindrance.

Council Member Lewis suggested that the Committee contact the Heritage Museum to determine if they could attach to a water tap at the Train Station via hoses instead of running water lines. Public Works Director Pierce indicated that he could install a meter and blue pipe to the site with little difficulty and it could be relocated once the GNT bathroom plans are finalized, if necessary.

To keep in line with the City Policy for use of the PA System for outside community events, Vice Mayor Burnett indicated that he would assume responsibility for use of the system since he would be in attendance at the events.

In reference to Item Nos. 13 & 14 for the Comfort Station and Fire Dept. display, Fire Chief Mossgrove indicated the two could be manned by the same employee but he explained it should be stationed by the Department of Public Works Complex so it can be secured and moved if necessary for Department use in an emergency. He advised that salary and benefits for rotation of at least two firefighters would most likely be associated with the event, although he may be able to man it with

Reserve Officers, which would offset additional direct expenses to the City.

A review of the fees being waived followed, with additional clarification of the water and sewer request provided by Director Geiger and Director Pierce.

City Clerk Phillips indicated the event could be posted on the City website and in the Information Kiosks around town once flyers or posters were prepared by the Committee to fulfill the request for help in promoting the event.

Council Member Bernardini elaborated on the project, which he felt was very ambitious for one person, indicating he did not have a problem waiving fees but was not in favor of the City having to install electricity, bathrooms, sewer and water lines.

Following discussion, the amount for fees waived and costs to the City for the items agreed upon came to around $4,000, according to Mayor Pugh, which included the waiver of the cost of two Fire Fighters for the 4 days at the rate of $15 per hour, water fees (temporary taps), dumpsters and the $850 for the use of the park.

On behalf of the organizers of the event, Mr. Boston asked for approval of the waiver of the fees stated.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval of the waiver of fees for the Juneteenth Celebration at the request of Just Us, Inc. and the Juneteenth Committee, with the exception of #6 for electrical hookup.

Mayor Pugh asked for public input.

Gail Samples felt that determination of the costs should have been handled administratively before this was brought to Council and felt it to be insulting to Mr. Boston.

Parks Director Walker, defending staff, stated that they had met with Mr. Boston in early February to begin working on this and were awaiting specific information to put the costs together. It was his understanding that no water or electric were available and would have to be obtained via the train depot site. Staff had never received the specific list from Mr. Boston or the Committee and he understood the Committee needs were actually faxed to the City by the County, not Mr. Boston. Mr. Walker indicated he had been working closely with Mr. Boston.

Motion carried 4-1 with Council Member Bernardini voting in opposition.

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.

City Clerk Phillips indicated the Superintendent's Office contacted the City concerning the meeting to coincide with the new Superintendent.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval of the date of July 31, 2007, for the Annual Tri-Party Meeting. Motion carried 5-0.

Baker Settlement Agreement

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

Interim City Manager Baumgartner reviewed the Agreement which included 3 months pay and funding of his pension until December 31, 2007, with 2 days vacation pay per month.

Council Member Bradburn asked for clarification of page 5 paragraph I, which City Attorney La Croix elaborated on. She further stated, for the record, that on page 2, Item 3-C, she did not approve of the wording "good standing", nor she did she approve of the salary payout amount.

Motion:
Motion was made by Vice Mayor Burnett for approval of the Baker Settlement Agreement, subject to City Attorney LaCroix's review and approval of the language therein, which he stated he had reviewed word for word.

Motion died for lack of a second.

Council Member Lewis indicated that the agreement is subject to pending personnel disciplinary action and he has a problem with Council approving it, which he felt was not needed in that the City Manager has the authority to approve administrative actions.

City Attorney LaCroix stated that this is not a disciplinary action, it is a settlement of the City's claims against Mr. Baker and Mr. Baker's claims (if he has any) against the City and it's officers, employees and Council Members. He stated that nowhere has Council ever delegated to the City Manager the authority to approve agreements settling claims by and against the City. He advised that at this point Council can send it back for renegotiations or go forward with the proposed disciplinary action and wait for the due process hearing.

He went on to explain that the reasoning behind trying to negotiate agreements such as this is that it will cost as much or more for the due process hearing.

For the record, Council Member Lewis stated he did not have a problem with the agreement, he just did not feel it Council's place or responsibility to be involved in issues such as this, according to what the labor attorney had said concerning disciplinary issues.

Interim City Manager Baumgartner indicated that Council would be approving the additional funds out of the budget in the event that the new City Manager hires another Human Resources Director, but that he was looking for approval because he is spending the extra money, not because of pending disciplinary actions.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Bernardini for approval of the Baker Settlement Agreement.

Motion passed 4-1, with Council Member Lewis voting in opposition.

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]

City Attorney LaCroix reviewed the employment agreement, stating it had been essentially agreed upon by Mayor Pugh and Mr. Bobowski and provides for the following:

- A 2-year agreement with a starting salary of $75,000.
- All normal cost of living increases.
- A deferred compensation contribution, either to FRS or to a 401k or other retirement plan of his choice.
- The usual fringe benefits provided other employees.
- The same fees and costs for travel to conferences as provided to Mr. Anderson.
- A City-owned or leased vehicle, or reimbursement under the standard City travel policy for travel expenses for use of his personal vehicle.
- Payment for professional organization memberships.
- Requires that he reside within the City limits during the course of the agreement.
- No outside employment during the course of the agreement, except for non-conflicting teaching, writing or speaking engagements up to 10 hours per week.
- The City can require medical exams, which the City pays for.
- The City to pay any bonds required of Mr. Bobowski.
- Provides for termination by the City at any time with 3/5's vote of Council, and if for just cause of misfeasance, malfeasance or nonfeasance as defined by case law, there will be no severance pay due to Mr. Bobowski. But if the termination is not for cause, he will be entitled to 3 months severance pay.
- Provides Mr. Bobowski can resign with a minimum 30-day written notice in advance.
- If he becomes disabled and cannot perform the job the City can terminate the contract.
- Requires Mr. Bobowski to disclose any real or potential conflicts of interest.
- Payment of moving expenses in the amount of $1200.
- Requires annual reviews of Mr. Bobowski's performance and sets out criteria by which the City Council will review his performance, which includes his management style, intergovernmental relations, communication ability with Council and it's members, community relations, program development and follow through management of the City's assets, management and organizational of City employees and fiscal management, and does provide that, following those reviews, the City may award merit increases not to exceed 5% of base salary.

He indicated the agreement needs, before execution, insertion of a local address for Mr. Bobowski to receive notice, which can be changed by notifying the City of a new address.

<u>Recess</u>
A 5-minute recess was taken to allow Council to review the agreement.

Upon re-adjourning, Vice Mayor Burnett asked, based on the applicant's submission of his application, if a complete check of the information submitted was done, as had been requested to be done prior to the final applicants interviews.

City Attorney LaCroix indicated the FDLE check was done and of the information submitted, one discrepancy was noted and explained by Mr. Bobowski that in Hazel Park the stated last salary of $72,000 was what he made as City Manager, but when he left he was not Council Member and his salary was less than that. There was another question about the termination of his job with the City of Seminole; he stated he left for personal advancement, when in actuality there was a reorganization in which his position was eliminated. He had a choice of applying for new positions that were created but left to seek other employment. Mr.

LaCroix felt that all questions had been answered satisfactorily.
Mayor Pugh advised that the check of information had not taken place prior to the interviews. He stated that initially he made what he thought was the best decision for the City but that over the past weekend he had a lot of concerns and issues, which he discussed with Mr. Bobowski. Since then, he stated that he had received additional information and advised that he cannot support the agreement at this time, but did not want to elaborate.

Council Member Bradburn stated that she was aware of some discrepancies last week and continues to have questions, not to mention the fact that the agreement was not received until 4:50 p.m. today. She did not agree with City Attorney LaCroix that there is a "standard" employment agreement and indicated there to be three discrepancies, not two, in Mr. Bobowski's employment application. It was her understanding that he was Interim City Manager of Hazel Park twice, not City Manager and he did not receive the salary stated, and that his job in Seminole was eliminated.

Mayor Pugh did not feel it to be fair to Mr. Bobowski to voice all the concerns he had at the meeting at that time, preferring to speak to Mr. Bobowski privately to discuss his concerns.

Vice Mayor Burnett requested it be brought to the workshop on Monday for discussion.

Mr. Bobowski thanked Council for the interview process and courtesies shown the applicants. He indicated he and the Mayor had talked and it is apparent that he is not going to enjoy the full support of Council no matter what, therefore he respectfully withdrew from consideration for the position.

Mayor Pugh thanked him for going through the process.

City Attorney LaCroix pointed out the options, which were to try to negotiate an agreement with the second choice, re-advertise, or interview others who applied through another interview process.

Vice Mayor Burnett stated that prior Council discussion was to negotiate with the second applicant and felt that to be what should be done.

Motion:
Motion was made by Council Member Bradburn and seconded by Council Member Bernardini to negotiate with the T. Jennene Norman-Vacha. Motion carried 4-1, with Council Member Lewis voting in opposition.

City Attorney LaCroix recommended meeting with Mrs. Norman-Vacha as soon as possible to bring back an agreement for the next scheduled Council meeting but that if anyone had suggestions for the contract to let him know.

Vice Mayor Burnett recommended going with the agreement offered to Mr. Bobowski as a basis of negotiations.

Council Member Bernardini stated that he had an issue with Section 2, Item B, which City Attorney LaCroix explained that it refers to the 120-day notice period for the agreement to rollover another year. Council Member Bernardini had recommended it be reduced to 60 days for non-renewal of the agreement only, with City notification of 30 days, making it a 90-day notice.

Mayor Pugh asked that the verification of information submitted on the application, which was brought up by Vice Mayor Burnett, be done. Council

concurred.
Vice Mayor Burnett asked for clarification that if the second candidate did not work out Council go to third candidate. Mayor Pugh indicated no, that we would re-advertise and go through the process again, which was the consensus of Council.

ITEMS BY COUNCIL

Richard E. Lewis, Council Member

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

Council Member Lewis cited the recent lawsuits to be the reason for this item. He indicated the response memo from City Attorney La Croix indicated that if Council desired, he would agree to terminate his contract effective May 31, 2007.

Motion:
Motion was made by Council Member Lewis to terminate City Attorney La Croix's contract on May 31, 2006, which died for lack of a second.

Mayor Pugh, citing current lawsuits, indicated he feels confident in City Attorney La Croix's abilities.

City Attorney La Croix reviewed the Tincher lawsuit, saying he is responsible for not catching the changes in the contract and feels confident the City will prevail.

Lara Bradburn, Council Member

City Hall Generator Relocation
Council Member Bradburn felt the front lawn was not the appropriate place for the generator and she does not like the fence idea. She would like to have it moved to the back of the parking lot. Director Pierce indicated it could be moved for approximately $200 per linear foot and reviewed the background on the location and the money saved by placing it there. He distributed a drawing for the recommended brick wall surround for the generator and indicated he will submit further documentation concerning relocation.

Mayor Pugh agreed that the location of the generator was not favorable. City Clerk Phillips elaborated on the issue as well.

Sewer Backup
Council Member Bradburn indicated two families, one being located on North Avenue, have complained of sewer backups in conjunction with the sewer rehabilitation project. Director Pierce will investigate.

David La Croix, City Attorney

Went Property
Attorney La Croix stated that the assessment lien for the Went property is finalized and will be going up for sale in the near future.

Joe Bernardini, Council Member

Generator Location
Council Member Bernardini asked if the noise from the generator will reverberate back into the building. Mayor Pugh stated that there are no windows there and that is the only good thing about that location.

Hernando County Fair
Council Member Bernardini indicated that a large crowd had attended the Demolition Derby and the Fair overall went well with no real problems.

Pending Property Tax Reform
He felt it would be prudent to consider a hiring and purchasing freeze on big items until it is known how much it will cost the city.

Interim City Manager Baumgartner stated he had talked to the Property Appraiser who thought the lateness of the hour may push this to next year. The number received from the state recently reflected a possible drop of $1.3 million in Ad Valorem revenue but would be offset by sales taxes. He recommended being cautious.

Frankie Burnett, Vice Mayor

Generator
Vice Mayor Burnett commented on the testing of generators and power failures. He noted that enclosing them in ventilated areas usually reduces noise.

Karen M. Phillips, City Clerk

Labor Attorney Workshop
City Clerk Phillips indicated the agenda had been distributed and that no attachments were given but the personnel policy will be available should references be made to it.

David Pugh, Mayor

Sidewalk Policy
For clarification, Mayor Pugh stated that Director Pierce will make the necessary changes as discussed and the policy will be distributed.

Additional Homestead Exemption for Senior Citizens
He apologized to Mr. Brayton for not getting back to him concerning additional homestead for senior citizens. Interim City Manager Baumgartner elaborated on the issue, stating the legislature has increased the exemption to $50,000 for senior citizens making $20,000 or less per year and noted the City has neither exemption. He will get an impact analysis for Council.

Tom Varn Park Complaint
Mayor Pugh stated he had a complaint that the kiddie park is deteriorating and asked what can be done to renovate it and recommended that the Parks Dept. contact Lowe's to ask for help in the form of donations. Director Walker indicated there are some issues that cannot be repaired and he will look into the issue. Mayor Pugh stated the wheelchair swing is a concern and asked Director Walker to look into it.

REGULAR CITY COUNCIL AGENDA - MAY 7, 2007

CITIZEN INPUT

David Pugh Sr.
He indicated he had complaints on the playground issue when he was the Parks Director and it is still a safety hazard in that it is not in the safest location.

Pierre Desjardins
He stated that the job of a public servant is a noble one without much praise but a lot of criticism. He indicated Council has a job he definitely would not want but that he respects the job they do. He relayed that he had also received information about Mr. Bobowski that concerned him as well and commented on the issue, thanking Council for the discretion in handling the issue.

Gail Samples

City Manager Issue
She also commented on the City Manager issue and asked them to keep their thoughts on the issues with Mr. Bobowski to themselves. She also advised them to go ahead and proceed with the 2nd applicant.

Mrs. Samples advised Council to keep their tempers to themselves and to try to move forward.

Budget
She agreed with Council Member Bernardini that the City needs to put a freeze on things and slim down the budget.

Sewer Rehab
She indicated that she got flooded during the sewer rehab as well.

ADJOURNMENT
There being no further business, the meeting adjourned at 11:00 p.m.

City Clerk

Attest: _____
Mayor

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ATTACHMENT A

AGENDA ITEM NO. E-1
05/07/07

MEMORANDUM

To: Honorable Mayor & City Council Members

Via: Steve Baumgartner, Acting City Manager

From: Bill Geiger, Community Development Director

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/petitic er is requesting Special Exception Use approval for a Residential Planned Development Projec 4.88 acre ± site. The property is located on the southwest corner of Dr. M. L. King, Jr., Boul Hale Avenue. This petition was continued from the January 10, 2007 Planning and Zoning n meeting to the February 14, 2007 meeting, and subsequently was continued to the Mar meeting. The continuations were requested to allow the petitioner time to meet with the ng property owners to work out concerns regarding building height, density, and consider ivacy fence. The petitioner indicated that the site plan was modified to address the concerns y the adjoining residents in meeting with them twice prior to the Commission meeting held on h 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

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 Concurrency. 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

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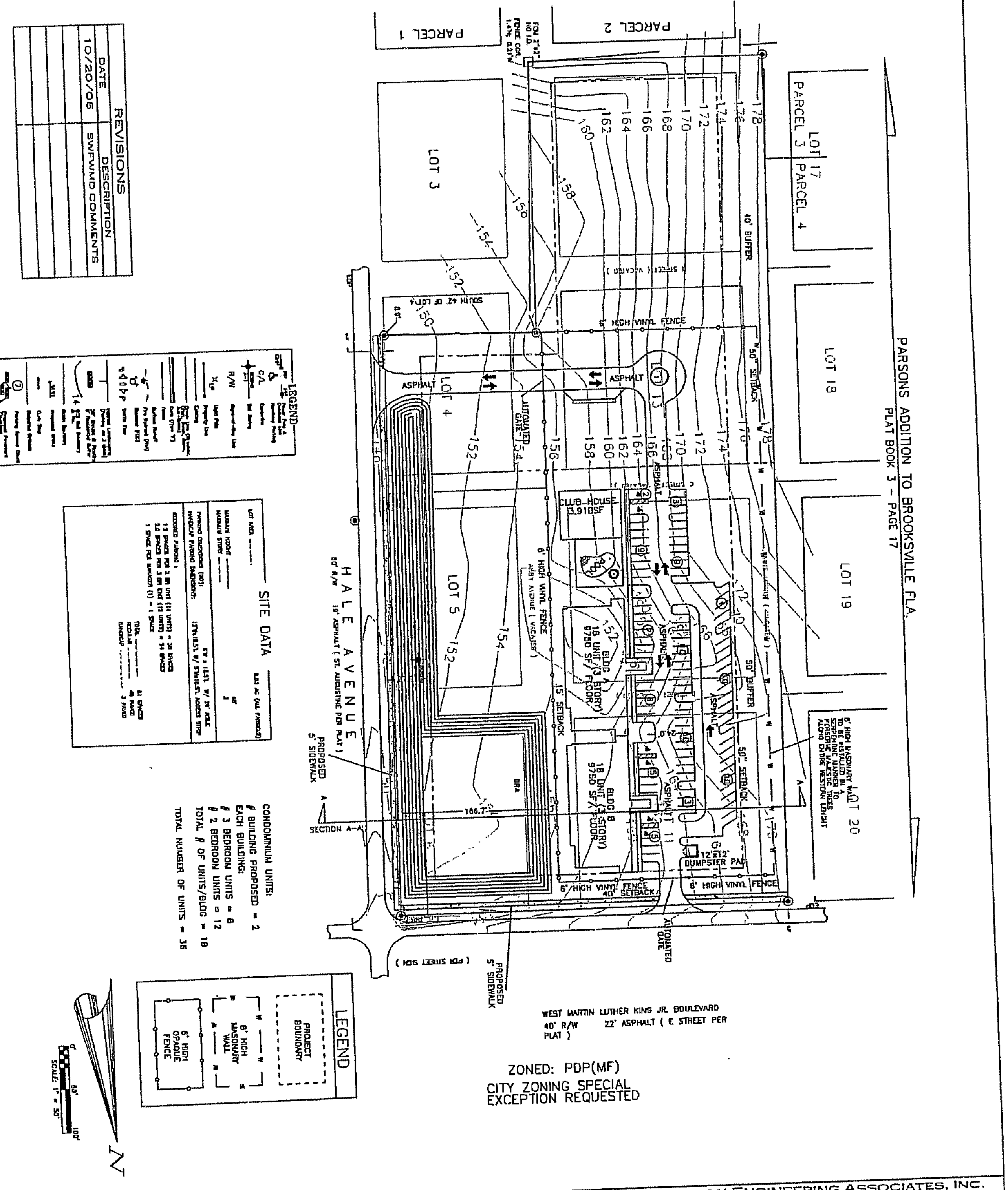


NICHOLSON ENGINEERING ASSOCIATES, INC.

www.nicholson-engineering.com

info@nicholson-engineering.com

HALE AVENUE MULTIFAMILY

SPECIAL EXCEPTION

File Name: HaleAve-SE

Drawn By: MHG

Job No: 05-09-01

Scale: 1"=50'

Sheet: C1

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 any reviewer to bring such errors, omissions, discrepancies, and deficiencies as they may find to the immediate attention of the Registered Professional whose name & seal appears on this drawing.

AGENDA ITEM NO. F-10
4/2/07

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:

3/16/07

4/1/07

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

03-21-07 P02:11 IN

March 19, 2007

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.

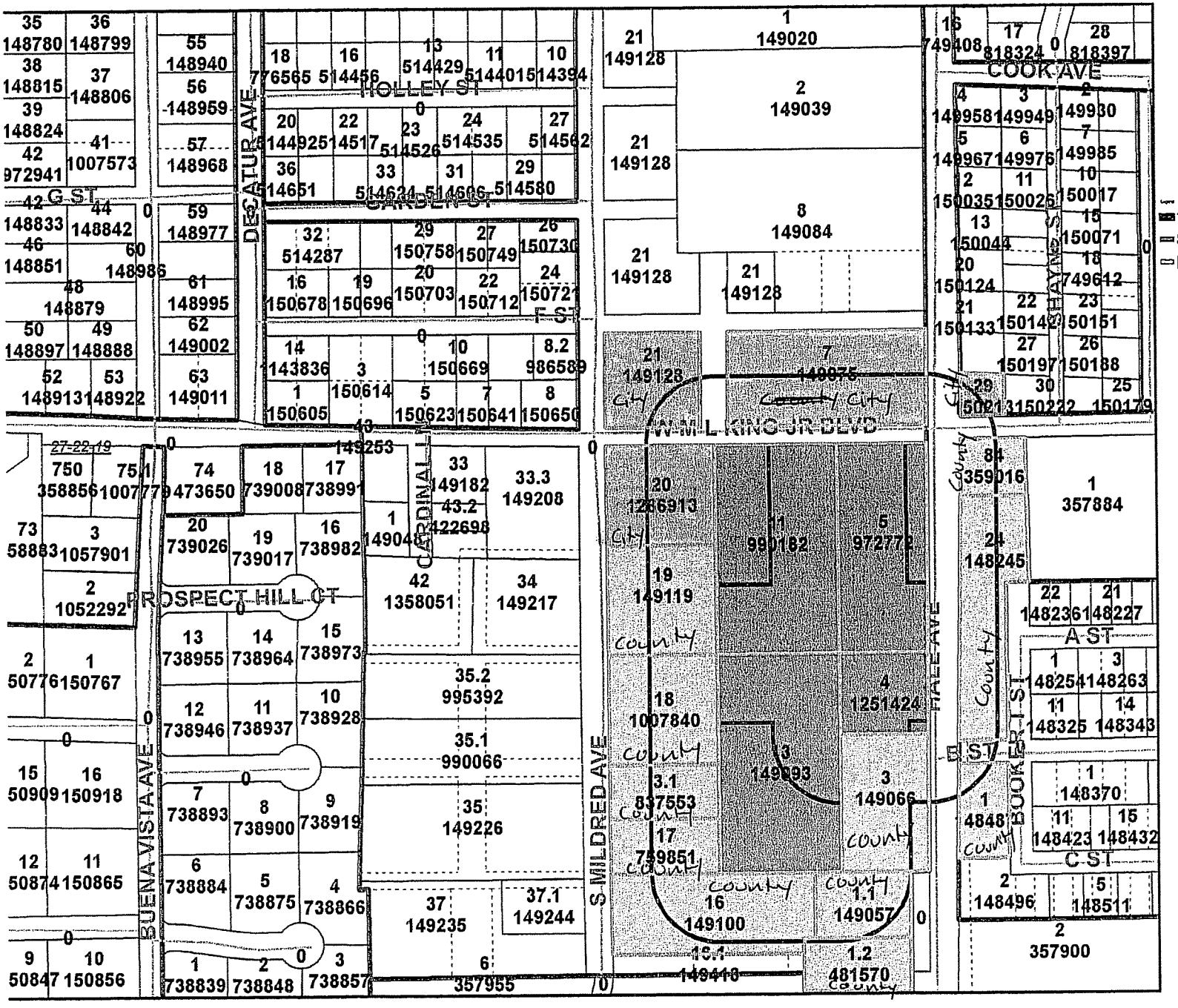
Sincerely,

Nicholas W. Nicholson, P.E.
President

NWN:sad
File No. 05-09-01

Special Meeting 4/16/07
L.B.

NICHOLSON11-21-05



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

AGENDA ITEM NO. C-1
4/16/07
PUBLIC HEARING

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 11/17/97
Richard E. Anderson 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 daysprior 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

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201 Howell Avenue, Brooksville, Florida 34601-2041

Richard C. Herman
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

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

Marianne H. Bennett
2018 Pennbrook Rd
Brooksville, FL 34601

Andor & Loretta 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. & Brigitee 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

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COUNCIL ACTION

MEETING DATE: 4/2

AGENDA ITEM NO.: F-10 Garden Homes Appeal

TITLE:

RECOMMENDATION:

PRESENTED BY: only addressing set hearing or deny

DISCUSSION: need ad

LB - notify adjacent property owners at CoA cost

4/10 at 6 pm

MOTION MADE BY: JB appeal 4/10 at 6 pm

SECONDED BY: LB

CARRIED: 5-0 DENIED:

DATE: CITY CLERK'S INITIALS: KMP

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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 Dejony, 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 ± 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 breeched 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 Concurrency. 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 Korbus, Director Geiger replied that the future connection point would be somewhere on Hale Avenue. Commissioner Korbus 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 Korbus, 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 Korbus 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 Dejoney, 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. Dejoney 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. Dejoney 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. Dejoney 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 ~~80~~ 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 breeched 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:

~~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 Concurrency. 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 a 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:
   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

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

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Rev 09/14/97, 12/09/97

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.

(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, Pub. Records of Hernando County, FL.

Dated: 9-25-06

Signed in the presence of:

WITNESSES:

Signature
Print Name Tolga Betancourt

Signature
Print Name Johan Betancourt

Signature
Print Name Claudia Fernandez

Signature
Print Name Vanessa De La Cruz

LANDOWNER(S):

Signature
Print Name Jorge Lopez

Signature
Print Name

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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: _____

Owner/Agent Signature: _____
Jorge Lopez

STATE OF FLORIDA
COUNTY OF DADE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9 DAY OF 25 2006 BY THE ABOVE PERSON(S) Jorge Lopez WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED FLA D/L AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN OATH.

SIGNATURE OF NOTARY

Olga Betancourt
PRINTED NAME OF NOTARY

OLGA L. BETANCOURT
MY COMMISSION EXPIRES MAY 22, 2010
#DD532523
Bonded through 1st State Insurance
NOTARY PUBLIC, STATE OF FLORIDA

G:\WP_WORK\Bgeig\Planning\old\b\BOARDS\PET_FORM\OWN_AFF.WPD

OFFICIAL RECORDS
BK: 2088 PG: 449

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 9:31AM
KAREN NICOLAI, Clerk

RECORDING FEES $ 27.00
DEED DOC STAMP $ 2,800.00
08/24/2005 Deputy Clk

[Space Above This Line For Recording Data]

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

Initials Sm LO dg

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

Witness Name: Stephen Hayman

Witness Name: Anne Marie Hayman

By: _____
Emmanuel I. Mekowulu, Managing Member

Witness Name: Ann Spanton

Witness Name: Roxanne Murwin

By: _____ MD
Leo C. Egbujiobi, Managing Member

Witness Name: Stephen Hayman

Witness Name: Anne Marie Hayman

By: _____
Louis Okonkwo, Managing Member

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 [X] has produced a driver's license as identification.

[Notary Seal]

Stephen D. Hayman
MY COMMISSION# DD093599 EXPIRES
March 17, 2006
BONDED THRU TROY FAIN 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 [X] has produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name: Shannon Pearson

My Commission Expires: 6-29-08

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 [X] has produced a driver's license as identification.

[Notary Seal]

Stephen D. Hayman
MY COMMISSION # DD073599 EXPIRES
March 17, 2006
BONDED THRU TROY FAIN INSURANCE, INC.

Notary Public

Printed Name: Stephen Hayman

My Commission Expires: 3-17-06

Initials Sm 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

AGENDA ITEM NO. C-1
6/18/07

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

June 4, 2007 7:00 P.M.

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

The meeting was called to order by Mayor Johnston, followed by an invocation and pledge of allegiance.

Mayor Pugh advised that Interim City Manager Baumgartner is out and Director of Community Development Bill Geiger would be filling in as Acting City Manager.

<u>Minutes</u>

April 16, 2007 Appeals Public Hearings
April 16, 2007 Regular Meeting

<u>FDLE Edward Byrne Memorial Justice Assistance Grant (JAG) Program</u>

Consideration of approval to apply for FY2007/2008 funds in the amount of $4,000. The Law Enforcement Trust Fund #109 will be utilized for the 25% grant match.

<u>Utilities Meter Reader Trucks</u>

Consideration of transfer of truck #529 to Parks and truck #528 to replace truck #576 in Utilities; and, truck #576 be declared surplus and authorize City Manager to dispose of accordingly.

<u>Transportation Outreach Program</u>

Authorization of the issuance of a purchase order in the amount of $9,840 to pay Applied Sciences Consulting, Inc. for services rendered in modifying the frontage road plans to address changes necessitated by the City's modification of the project intent, which will be reimbursed through the TOP grant.

<u>Valve and Fire Hydrant Replacement Project</u>

Authorization to go out for bids to replace valves and fire hydrants without the requirement for payment and performance bonds.

<u>DPW Innocent Victim Storage Tank Cleanup</u>

Consideration of designation of Creative Environmental Solutions, Inc. as cleanup contractor for DPW Innocent Victim Storage Tank Cleanup Program, authorizing the Director of Public Works to sign the necessary documents and pay the $500 deductible.

Sludge Hauling Services Agreement - One Year Extension

Consideration of waiver of purchasing policies and extension of agreement with Appalachian Material Services, Inc. for sludge hauling services for one year term through 07/05/08 for an amount not to exceed $63,495.

Mayor Pugh, referencing the Consent Agenda Item #2 on the FDLE Grant, indicated the attached letter states there is a matching 25% but the application states there is no matching funds. City Clerk Phillips indicated there always has been a requirement for matching funds but she will check on it.

Council Member Bernardini asked what is purchased with the grant money. Interim Police Chief was not present at that time to answer the question.

Regarding Consent Agenda Item #3, Council Member Bradburn questioned the purchase of vehicles, specifically extended cab trucks, indicating she would like to see more fuel efficient vehicles. Vice Mayor Burnett suggested reviewing the issue during the budget process. Alternatives were discussed as well as the usage for the vehicles being requested for transfer.

Vice Mayor Burnett requested having fleet vehicle discussion added to the next workshop, but felt that once an allocation for a vehicle is made through the budget process it should not have to come back before Council unless some aspect is changed. Council Member Bradburn felt the budget process to be an evolving process, which needs to be constantly reviewed for spending. Council consensus was to add the subject of fleet vehicles to the next workshop.

Back to Consent Agenda Item #2 and upon the arrival of Chief Ross, Mayor Pugh asked about the matching funds for the FDLE JAG grant program. He indicated the additional 25% was for the DARE program and said the national program does create positive contact with the officer and students in that it discourages kids from using drugs and gives them self-esteem. Discussion of the program followed.

Mayor Pugh asked Director Geiger about the TOPS redesign (Consent Agenda Item #4), inquiring who reviewed the additional redesign. Director Geiger stated it had not been addressed before and that Applied Sciences completed the redesign knowing that they may not be reimbursed for the additional expense incurred.

Mayor Pugh asked if the valve replacement (Consent Agenda Item #5) could be done in-house. Director Pierce indicated it to be an arduous process and it would best be bid out as a contractor would provide line stoppers that would replace the valves without interruption of service.

Mayor Pugh asked about paragraph 6 of Consent Agenda Item #6, concerning the City's liability for sub-contractors if they are not paid. City Attorney LaCroix stated there was no problem with the statement in that it does not apply to public property.

Concerning Consent Agenda Item #3, City Clerk Phillips asked for clarification that the amended memo from Director Pierce dated May 29 would be accepted upon approval, which was noted.

Regarding Consent Agenda Item #7, Vice Mayor Burnett elaborated on extending the contract versus rebidding and recommended rebidding in the future to be fair. City Attorney LaCroix indicated that Council can waive the purchasing policy at any time. Director Pierce felt a better price would not be obtained by rebidding.

Motion:
Motion was made by Council Member Bernardini and seconded by Council Member Bradburn to remove Item 4 for a separate vote. Motion carried 5-0.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval of Consent Agenda items 1, 2, 3 (as amended), 5, 6 and 7.

Motion carried 4-1 with Mayor Pugh voting in opposition because of the transfer of the Police Department truck after one year of service.

Transportation Outreach Program *(Removed from Consent Agenda for separate vote.)*
Authorization of the issuance of a purchase order in the amount of $9,840 to pay Applied Sciences Consulting, Inc. for services rendered in modifying the frontage road plans to address changes necessitated by the City's modification of the project intent, which will be reimbursed through the TOP grant.

Motion:
Motion was made by Council Member Bernardini and seconded by Council Member Bradburn for denial of the payment of $9,840 to Applied Sciences Consulting, Inc.

Mayor Pugh felt Council should have been informed up front of the additional cost. Council Member Bradburn felt there was no choice but to move forward.

Director Geiger indicated that staff did not anticipate the scope of the additional time and work and the consultant did it with the possibility that they would not be reimbursed for the additional cost, but he felt it to be a reimbursable cost. He elaborated on the work involved in the cost and the original estimate, as well as the redesign.

Motion carried 4-1 to deny the reimbursement pending renegotiation, with Council Member Lewis voting in opposition.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Margaret R. Ghiotto Beautification Award - Residential Award
Recognition of improvements to property owned by JM Construction & Remodeling, Inc., located at 249 E. Liberty Street.

The certificate and plaque were presented by Mayor Pugh to John McCloud of JM Construction.

Juneteenth Proclamation

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Bernardini to add the Juneteenth Proclamation to the agenda. Motion carried 5-0.

Mayor Pugh read the Proclamation in its entirety for the Juneteenth Celebration, to be presented by Vice Mayor Burnett at the celebration on June 14, Flag Day.

PUBLIC HEARING

Ordinance No. 745 - Annexation of Gamba Property - Presented by David Post
Consideration of annexation of 2.228 acres± located at 1039 S. Mildred Avenue.
[First reading 05/21/07]

Director Geiger reviewed the request for annexation, stating the P&Z Commission reviewed and recommended its approval to Council with conditions.

Council Member Bradburn asked if there were plans to extend Mildred Avenue in the future, to which Director Geiger responded "not at this time" and elaborated on Hernando County's actions on the issue.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Bradburn for approval of Ordinance No. 745.

Mayor Pugh asked for public input; there was none.

City Clerk Phillips read Ordinance No. 745 by title, as follows:

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

Motion carried 5-0 upon roll call vote, as follows:

Council Member Lewis	AYE
Council Member Bernardini	AYE
Council Member Bradburn	AYE
Vice Mayor Burnett	AYE
Mayor Pugh	AYE

Ordinance No. 747 - Hernando County Board of County Commissioners - Presented by 55 Ponce De Leon, LLC
Request for Rezoning property from R-3 (Multi-Family Residential) to PDP with a Special Exception Use for a Combined Planned Development Project. [First reading 05/21/07]

City Attorney LaCroix advised that this is a quasi-judicial hearing, stating the parties with regard to this application are Hernando County BCC and the City of Brooksville. He asked if there were any other parties wishing to intervene as a party to the application and noted that this is a public hearing and that anyone can speak of the rezoning and approval but if they want their testimony to be under oath they need to stand and be sworn. Mr. Bill Geiger, Director of Community Development, was sworn. Council consensus recognized him as an expert in the field of Land Use Planning & Development and Zoning.

Director Geiger reviewed the specifics of the request and plans for the property, noting that the rezoning is the only request at this time, with other requests to come before Council at a future meeting. He indicated the P&Z Commission concurred with staff recommendations, subject to performance conditions. A brief discussion of the access points followed.

Council Member Bradburn added that the County's portion of the project includes performance conditions and standards to ensure that, should development not occur as planned, the City and County tax payers are protected. She also reviewed that in the City's conditions the issue of transportation and the preservation of the majestic oak trees were addressed.

Motion:
Motion was made by Council Member Bradburn and seconded by Council Member Lewis for approval of Ordinance No. 747.

Mayor Pugh asked for public input; there was none.

City Clerk Phillips read Ordinance No. 747 by title, as follows:

AN ORDINANCE REZONING CERTAIN PROPERTY FROM R-3 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO PLANNED DEVELOPMENT PROJECT (PDP) DISTRICT WITH A SPECIAL EXCEPTION USE FOR A COMBINED PLANNED DEVELOPMENT PROJECT (COMBINED-PDP) FOR CERTAIN REAL PROPERTY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Motion carried 5-0 upon roll call vote, as follows:

Council Member Lewis	AYE
Council Member Bernardini	AYE
Council Member Bradburn	AYE
Vice Mayor Burnett	AYE
Mayor Pugh	AYE

REGULAR AGENDA

Resolution No. 2007-10 - Withlacoochee Regional Water Supply Authority (WRWSA) Grant Application

Consideration of resolution requesting $50,000 matching grant funds from the WRWSA for a $170,000 project to install submersible pump and related piping to connect previously drilled well at Hope Hill. Funds available in CIP #2001-UT03 Hope Hill Replacement in the 2007-08 Fiscal Year Budget.

Director Pierce reviewed the request and the purpose of the grant, elaborating on the extent of the work the grant will be used for, which will eventually replace the well at Lamar.

Vice Mayor Burnett asked about the $50,000 cost if the grant is not approved. Director Pierce explained that the City would foot the whole bill if the reimbursement grant is not approved.

Motion:
Motion was made by Council Member Bernardini and seconded by Vice Mayor Burnett for approval of Resolution No. 2007-10.

Mayor Pugh asked for public input; there was none.

City Clerk Phillips read Resolution No. 2007-10 by title as follows:

A RESOLUTION OF THE CITY COUNCIL OF BROOKSVILLE, FLORIDA, REQUESTING A GRANT FROM THE WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY.

City Clerk Phillips indicated the Resolution number in the packet was incorrect but correct on the agenda and would be corrected on the final Resolution.

Motion carried 5-0 upon roll call vote, as follows:

Council Member Lewis	AYE
Council Member Bernardini	AYE
Council Member Bradburn	AYE
Vice Mayor Burnett	AYE
Mayor Pugh	AYE

Interlocal Agreements

Consideration of acceptance of various Interlocal Agreements:

a) Gas Tax Interlocal Agreement
Renewal of revised Agreement with Hernando County and the City of Weeki Wachee for an annual term through 09/30/2013 for distribution of local option gas tax funds and maintenance responsibilities for various City roads, traffic signals and other improvements.

b) ELMS Gas Tax Interlocal Agreement
Renewal of Agreement with Hernando County and the City of Weeki Wachee for an annual term through 09/30/2013 for distribution of the ELMS (2nd local option) Gas Tax funds.

c) Dr. M L King, Jr. Blvd. Paving Cost Sharing Interlocal Agreement
Interlocal Agreement offer from Hernando County for 50% sharing of costs to resurface Dr. M.L. King Jr. Blvd. from Broad St. East to Main St. for a cost to the City not to exceed $115,000, with funding available in the Multi-Year Capital Fund 308.

Mayor Pugh advised that a request had been received from Council Member Bradburn to remove Items a & b for review by the new City Manager.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Bernardini for removal of Items a & b. Motion carried 5-0.

Director Pierce reviewed Item (c), which was discussed in detail. Council consensus was to send back to have staff review with the possibility of including sidewalks, which Director Pierce advised he might be able to receive grant money through USDA to help with the project.

Director Geiger indicated cost will be more significant for a sidewalk along Dr. M.L. King, Jr. Blvd. because of right-of-ways that would need to be acquired.

Acquisition of Utility Easement(s) from Hernando County along SR 50/Wiscon/Mobley for Future Water & Sewer Improvements

a) Future Utility Easement Parcels
Consideration of requesting Hernando County continue to proceed with setting aside a 20' wide utility easement across parcels H, G & F and across parcels B&C, if possible, for further purchase by the City for an amount not to exceed $45,700, funds available in Utility Reserves.

b) Easement for 20' Easement along Wiscon Rd.
Consideration of offer of easement from Hernando County for $5,300 for strip of land along Wiscon Road slightly West of Mobley Road, funds available in Utility Reserves.

Director Pierce reviewed the prospective easements. He advised it did not make sense to spend $5,300 for the 20' easement without acquiring the additional easements offered by the County, which will be formally offered after County review. Discussion followed of the feasibility of acquiring these easements and the County's plans for widening Wiscon.

Mayor Pugh did not feel it beneficial to the City to spend $50,000 for these easements at this time. Council consensus was to deny acquisition of the easements.

Water & Sewer Line Extension (Phase 3) from SR50 to Wiscon Road (aka Hospital Crossing

Consideration of extension of water and sewer line by HB Industries for a cost not to exceed $129,297.30 with previously approved funding in current budget from account #401-000-196-19049.

Director Pierce reviewed the extension and costs, which he considered to be reasonable, with an added 10% contingency for additional valve and fire hydrant work requested by the hospital. He indicated that impact fee credits would amount to around $60,150.

Motion:
Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval of the reimbursement to HB Industries for a not-to-exceed amount of $129,297.30, per staff recommendation.

Mayor Pugh asked for public input; there was none.

Motion carried 5-0.

New City Attorney Hiring Procedure
Discussion of the process for hiring a new City Attorney

City Attorney LaCroix submitted a revised advertisement for Council consideration and suggested advertising with an August 10 deadline to apply. He recommended advertising in the Florida Bar Journal, Florida League of Cities Data Gram and to mail letters to all Hernando County Attorneys. Discussion followed in which Mayor Pugh stated he would like to see a local attorney apply and Council Member Bradburn recommended the advertisements stress the legal disciplines the City is looking for, such as growth management and land issues.

The following amendments were recommended to the advertisement presented by City Attorney LaCroix:

- Removing the last two paragraphs.
- 2nd Paragraph, line 5, remove "for the attorney who will serve as City attorney" and add "attorney resume". City Attorney LaCroix indicated he added that for the sake of law offices with more than one attorney to specify which attorney would work for the City.
- 2nd Paragraph, line 6, "three main areas of law practiced at this time" changed to "three primary legal disciplines".

Mayor Pugh recommended a brief advertisement referring interested parties to the City website.

Council consensus was to advertise essentials in the Florida Bar Journal, Florida League of Cities Data Gram and to send letters to the Hernando County attorneys with a blurb referring applicants to the City's website for full description of advertisement with an August 10 deadline to apply.

Vice Mayor Burnett recommend Council make inquires personally as well.

ITEMS BY COUNCIL

Council Member Joe Bernardini

Consent Agenda
He recommended Council Members clarify intentions for Consent Agenda items in order to move forward in a timely manner. City Attorney LaCroix indicated there are two different actions, ask for a separate vote or to remove from the Consent Agenda for discussion.

Vice Mayor Burnett recommended Council Members research issues and have their questions answered before the meeting.

Filling Positions/Utility Tax
He emphasized the importance of not filling positions until after the Legislature's actions on the ad valorem tax. He indicated the utility tax was implemented to lower ad valorem taxes but instead was used for other spending. Council Member Bernardini's position is that something will happen with the utility tax. He indicated he is working toward having an efficient government and the issue will be addressed during budgeting.

Mayor Pugh stated that the ad valorem taxes have been lowered and that Interim City Manager Baumgartner had assured him the general fund positions are not being filled, with the exception of one in the MIS Dept., which is needed. He agreed that caution should be used.

Council Member Bradburn agreed that a hiring freeze is in order and Vice Mayor Burnett advised that Council could direct the City Manager to put a freeze on hiring.

Following further discussion, Council consensus was to direct the City Manager to freeze hiring, with the exception of the Director of Human Resources and the Chief of Police positions, which the new City Manager will handle and bring before Council for consideration, along with any critical need positions.

Vice Mayor Frankie Burnett

Hurricane Expo
Vice Mayor Burnett indicated he had attended the Hurricane Expo at Weeki Wachee and reminded all of the seriousness of the issue, encouraging them to have a plan and to evacuate if directed to do so.

Workshops
He reminded Council that they had agreed upon the 2nd Monday of each month for workshops and recommended the Brooksville Housing Authority discussion on the selection of board members, as well as criteria for hiring a new attorney and vehicle purchasing discussions as agenda items for the June 11 workshop.

City Clerk Phillips reminded all that the workshops usually begin at 6:00 p.m.

Vice Mayor Burnett reiterated that the 2nd Tuesday of each month had been set aside for workshops, which was discussed.

Council Member Lara Bradburn

Hernando County Budget Discussions
She advised that the Hernando County Board of County Commissioners would be

having their budget discussions tomorrow in relation to legislative proposals and distributed a copy of House Speaker Marco Rubio's statement summarizing an agreement the House and Senate have made on the issue, which she briefly reviewed.

She also thanked Chief Ross for listening in on the Speaker of the House forum.

North Avenue Sidewalk Survey
Council Member Bradburn requested Director Pierce give an update on this. He indicated all obstructions within 15' will be marked on either side of the right-of-way. She urged Council to consider discussion at the July 31 workshop of sharing the cost with the School Board since they will not be affected by the legislative proposals and to consider less than fee purchases if the need to secure right-of-way arises.

CTN Letter - Realigning of the Sewer
Council Member Bradburn, referencing Director Pierce's memo on CTN, clarified that Interim City Manager Baumgartner directed her to call him in regards to the overflow of sewage at 424 N. Lemon and that Stokes Plumbing had at first said it was definitely not the City's responsibility, but upon further discussion was not sure.

City of Brooksville
Council Member Bradburn informed Council that the City of Brooksville received a $250,000 legislative allotment to improve fireflow for downtown Brooksville, one of the few communities in the state to receive it, and thanked Director Geiger and Director Pierce for making the presentation to the Legislative Delegation and all others who supported the issue, especially Senator Dockery.

Director of Community Development Bill Geiger (Acting as City Manager)

County Budget Meeting
Director Geiger indicated that Larry Jennings, Deputy County Administrator, invited Council to attend their budget meeting and that they are also discussing long-term plans for the judicial space needs of the County, which will precede the discussion on tax reform. He reviewed the two site proposals for the judicial facility and the possibility of a new jail facility.

He suggested a workshop to discuss the direction Council would like to see the issue go in order to provide feedback to the County.

CITIZENS INPUT

Allen Rhodes

Decision on Tax Reform
He advised that he had heard a news story this evening before the meeting that indicated that there had been a decision on tax reform/relief, which involves the opportunity to vote on the January 29, 2008 primary on the Homestead Exemption amount at least doubling the amount, if not more.

Red Cross
He thanked Vice Mayor Burnett for bringing up the issue of the Red Cross and he stated state everyone needs to know where they will go in the case of a tornado or hurricane. He advised that certain assigned shelters are in the County which will be manned by the School department. West Hernando is the only special needs shelter in the County and you have to preregister so that they can be picked up and delivered back home once the storm passes.

Gail Samples

Interlocal Agreements
She asked for an explanation of what the City gets from the gas tax and recommended the new agreements reflect the percentage the City will get. Director Geiger advised that the percentage is based on the economic business research as to population ratios between the City and the County.

Council Motions
She advised that Council should fulfill actions they make motions on; for example parking. She indicated that no signs are up and no ticketing officer is onboard. Referencing the suggestion by Council to move employee parking to the back of the lot to alleviate street parking, she indicated nothing on that has been done either.

FDLE Grant
She further felt the DARE programs and the likes were not valuable and asked if the matching funds were already in the budget. Acting Finance Director Jim Delach indicated Fund 109 will be used for the matching funds.

Utilities Fund Money Transfers
She asked about monies transferred from Utilities to General Fund. Mayor Pugh clarified that the money transferred is to utilize Accounting, Human Resources and utility billing, which comes from their Enterprise Fund.

Kojack Burnett

Utility Bill
He indicated he had not received his water bill yet.

Vice Mayor Burnett asked if on the water bills it could reflect what their respective evacuation route is and to notify customers with special needs shelter and the requirement to sign up in advance. Acting Finance Director Delach to followup.

David Pugh, Sr.

Hiring Freeze
He commented about the Utilities fund and went on to say that, regarding the hiring freeze, he felt the new City Manager's experience in Human Resources would serve the City well. He stated that the City of Brooksville department heads and all employees do a tremendous job and referred to salary studies, recommending an efficiency study for employees to show the citizens what they are getting, which he felt is a lot and they should be commended for that. He also felt that the City Manager should bring positions to be filled before Council.

Jim Oleson Benefit
He advised that there would be a benefit for the family of Jim Oleson on Sat. June 16 at Boyette's Grove, with proceeds to go directly to the family.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:20 p.m.

Kevin Phillips
City Clerk

Attest: _____
Mayor

G:\WP_WORK\ClerkOffice\MINUTES\2007\06-04-07 Regular Meeting.wpd

AGENDA ITEM NO. C-2
6/18/07

CITY OF BROOKSVILLE PARKS & RECREATION DEPARTMENT

MEMORANDUM

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager

From: Mike Walker, Parks & Recreation Director

Date: June 11, 2007

Re: Acceptance of the 2007 United Way Grant Funding

The Parks and Recreation Department would respectfully request the acceptance of the United Way Grant funding that we have been awarded in the amount of $10,000.00. These awarded funds will offset wages for the part time bus driver position at JBCC.
0
This position allows the Brooksville Recreation Department to provide a safe after – school program for the children of Brooksville by going to designated bus stops through out the City and bringing the children to and from JBCC Monday – Thursday.

/aw

PARKS AND RECREATION DEPARTMENT: Jerome Brown Center Division

GL CODES	STAFFING/WAGES	Type of Pay	03/04 Staffing	04/05 Staffing	05/06 Staffing	Adopted 05/06 Budget	Adopted 06/07 Staffing	Adopted 06/07 Budget
001-025-572-51200	Recreation Leader III	H	1.0	2.0	2.0	$51,486	2.0	$58,901
001-025-572-51200	Park Attendant I	H	2.0	1.0	0.0	$0	0.0	$0
	Total full Time		3.0	3.0	2.0	51,486.0	2.0	$58,901
	Part Time							
001-025-572-51200	Bus Driver Part Time	H	0.0	1.0	1.0	$10,000	1.0	$10,000 (1)
	TOTAL		3.0	4.0	3.0	$61,486	3.0	68,901

S = SALARIED H = HOURLY

GL CODES	PERSONNEL SERVICES	03/04 Actual	04/05 Actual	05/06 Budget	Projected 05/06 Budget	Adopted 06/07 Budget
001-025-572-51200	Regular Salaries	29,245	52,528	$55,141	$52,974	$61,049
001-025-572-51400	Overtime	1,228	265	2,000	997	2,000
001-025-572-51601	Vacation Pay	936	1,755	1,983	1,962	2,864
001-025-572-51602	Sick Pay	949	1,582	1,983	3,312	2,267
001-025-572-51603	Holiday Pay	1,098	2,281	2,379	1,992	2,721
001-025-572-52100	FICA	2,441	4,282	5,072	4,685	5,628
001-025-572-52200	Retirement	2,608	4,352	5,192	4,932	6,772
001-025-572-52300	Health Insurance	4,020	5,395	6,531	6,235	7,110
001-025-572-52301	Life Insurance	229	425	383	362	438
001-025-572-52302	Health Reimbursement Account	0	848	900	445	1,000
001-025-572-52400	Worker's Comp Insurance	3,566	1,552	4,745	4,745	6,628
	Total Personnel Service Costs	$46,320	$75,265	$86,309	$82,641	$98,477

(1) Bus driver's wages are funded by a transfer in from Grant Fund 105.

United Way of Hernando County, Inc.

4042 Commercial Way, Spring Hill, FL 34606
(352) 688-2026 • (352) 688-8336 Fax

06-04-07 A11:27 IN

May 29, 2007

Lou Bermudez
Jerome Brown Center
301 Darby Lane
Brooksville FL 34601

RE: Allocation Funding for Fiscal Year 2007-2008

Dear Lou:

Part I of the Allocation process is now complete.

Part II of the Allocation process is the review, acceptance and compliance of

(a) the Annual Agency Agreement; and
(b) the Agency Relations/Allocation Policy and Procedures Manual

The Agency's Chief Professional Officer and the Chief Volunteer Officer must sign and return the *Annual Agency Agreement* to our office no later than July 2, 2007.

Once we have received the executed *Annual Agency Agreement*, acknowledging your acceptance of said agreement and the *Agency Relations/Allocation Policy and Procedures Manual,* Jerome Brown Center will become a Partner Agency for the upcoming fiscal year 2007-2008 with United Way of Hernando County, Inc.

The Agency will receive a total amount of $10,000. Designated funds* will be considered as part of the Agency's allocated funds. This amount will be divided into twelve (12) monthly installments. The Agency will receive an allocation check approximately the 15th of each month starting July 2007. The first allocation check will not be sent until we receive the executed *Annual Agency Agreement.*

* NONE IN 07-08 PER u/w

Should you have any questions, please contact our office.

We look forward to a successful year helping build a strong, caring community and improving the quality of life in Hernando County.

Sincerely,

Kathy Jones

06-04-07A07:45 RCVD

Kathy Jones
Interim Executive Director

UNITED WAY OF HERNANDO COUNTY
ANNUAL AGENCY AFFILIATION AGREEMENT

I. Purpose

It is the mutual objective of the United Way of Hernando County (UWHC) and it's Partners Agencies (Agencies) that proven programs meeting the human service needs of Hernando County have adequate funding. United Way's role in community development is to help focus available resources through an annual community-wide campaign and the leveraging of these resources to provide the tools to partners that help them change lives. This agreement, or an updated version of it, is to be signed annually by both parties before allocations may be released. All funding is contingent upon the availability of funds and the performance of the agency. Nothing in this document is to be construed as a guarantee of funding or its continuation.

II. Joint Responsibilities

A. Be recognized as an organization exempt from federal income tax under IRS Section 501 (c) (3) Internal Revenue Code 1954, as amended, and as a publicly supported organization of the type described in Section 170(b) (1) (A) (vi).
B. Be governed by a local volunteer board of directors that meets at least quarterly, with adequate provision for board rotation.
C. Be registered with the Florida Charitable Solicitations Act.
D. Maintain adequate public liability insurance and appropriate directors and officers insurance.

III. United Way agrees to:

E. Assess health, education, and human service needs; identify problems, and seek solutions; foster cooperation and coordination; and focus efforts on community identified needs.
F. Act as responsible steward on behalf of United Way donors.
G. Recognize and respect the autonomy of the agency, through its governing board, to determine its own policies and to manage its own program.
H. Be responsible for the distribution of funds raised in its campaign.
I. Represent and promote Agencies through collaborative efforts with a focus on United Way funded programs.
J. Honor the intent of the donor to the best of our abilities.
K. Provide campaign training to partner agencies to facilitate their participation in the United Way annual campaign.

IV. Partner Agency (Agency) agrees to:

L. Provide UWHC with an **annual independent unaffiliated financial audit** within 90 days after the close of the Agency's fiscal year.
   - If an agency has total revenues of **$100,000 or less, a compilation from an independent accountant** in lieu of an independent financial audit can be provided.
   - If an Agency has total revenues between **$100,000 and $499,999, a full disclosure review by an Independent Certified Public Accountant** in lieu of an annual independent financial audit can be provided.
   - If an Agency has total revenues greater than **$500,000,** a certified independent financial audit must be provided.
   - Requests to waive these guidelines must be presented in writing to UWHC.

M. Submit quarterly reports and annual applications by the deadline.

N. Regularly attend Agency Executive Director meetings or send a representative. Failure to participate may affect future funding.

O. Participate in annual United Way campaign. Participation includes but is not limited to:
   - **Conduct internal agency campaign**
   - Attend campaign speakers training
   - Representing United Way at annual workplace campaigns
   - Participate in Publix Appreciation Day, Day of Caring, and United Way kick off events and/or other company appreciation events
   - Respecting UWHC fundraising annual campaign season from (September 1 to November 30). Due to scheduling conflicts any workplace presentation must have approval in writing 30 days in advance. Any direct mailings used to promote donor contributions are prohibited during the UWHC campaign season.

P. Report to United Way any material changes in funded programs within **five days of program changes**. For example, if the program is de-funded, discontinued, loses matching funds, stops providing services to Hernando, etc. Any material change to funded programs may result in funding changes by United Way.

Q. Promote its partnership with UWHC in media releases and public relations campaigns where UWHC dollars are a part of the program or services. **United Way logo <u>MUST</u> appear on all Agency communications including websites, community expo exhibits, newsletters and printed materials (letterhead, brochures, flyers, etc.) using approved branding and trademark standards.** If multiple United Ways fund an Agency there must be geographical locator for UWHC, or a non-location specific United Way logo.
R. Immediately notify UWHC regarding any organizational changes including staff, legal or financial matters or changes, which may affect the agency's ability to operate and/or deliver services or may appear in the media.
S. Apprise Community Investment volunteers and UWHC staff of agency board meetings, fundraising events, etc.
T. Identify itself to the community, clients and friends as ***"United Way Partner Agency"***
U. Use no UWHC funds for lobbying activities.
V. Complete the USA Patriot Act Counterterrorism Compliance form.

V. Termination

An Agency's failure to comply with the provisions of this agreement and the Agency Relations Policy and Procedures Manual may result in funding being revoked, terminated, or suspended. Continued failure to comply may result in a loss of good standing for Partner Agency status. Probation and, or termination of Partner Agency status. The Board of Directors of the UWHC shall vote probation and/ or terminations of Agency status. The Agency will be provided with a written notice as to the reason or reasons for the probation or termination. An agency that is terminated may submit an application for recertification when the Agencies reopen for applications.

VI. Liability

To the extent provided by law, the Agency agrees to indemnify and hold harmless the UWHC from liability on account of any injuries, damages, omissions, commissions, actions, causes of actions, claims, suit judgments and damages accruing, including court costs and attorney's fees, as a result of services performed or not performed, or any negligent act by the Agency or funding granted or not granted by the UWHC or any action arising out of the affiliation and/or funding agreement.

VII. Signatures

W. Compliance – Both the UWHC and the Agency agree to operate according to the guidelines and principles established in this Affiliation Agreement and the Agency Relations Policies and Procedures Manual. Each party is required to provide written notice of noncompliance to the other with a reasonable opportunity to cure the noncompliance activity.

X. Signatures – In signing, the persons whose names appear below attest that they are fully authorized to act on behalf of the agency they represent.

Kathy Jones

Interim Executive Director/ CPO ***Date***

United Way of Hernando County

Deanna Kimbrough

President **Date**
Chief Volunteer Officer

UWHC Board of Directors

T. Jennene Norman-Vacha
Print name

X
Executive Director/CPO ***Date***

City of Brooksville, FL
Jerome Brown Community Center
Agency Name (print name)

X
Chair/President **Date**
Chief Volunteer Officer
David Pugh, Mayor
City of Brooksville, FL
Agency Name Board of Directors

The agency Chief Professional Officer and Chief Volunteer Officer must sign and return this form to the UWHC office prior to July 2, 2007. Once this document has arrived in the UWHC office, the first allocation check may be released. This agreement applies to funding year2007-2008.

of Hernando County

USA PATRIOT ACT COUNTERTERRORISM COMPLIANCE

In compliance with the spirit and intent of the USA PATRIOT ACT and other counterterrorism laws, United Way of Hernando County requests that each funded agency ("Organization") certify that it is in compliance with the United Way of Hernando County and the United Way of America's ("UWA") compliance program.

Organization Name:

Check the Appropriate Box to Indicate Your Compliance with Each of the Following:	**Comply**	**Do Not Comply**
This Organization is not on any federal terrorism "watch lists," including the list in Executive Order 13224, the master list of specially designated nationals and blocked persons maintained by the Treasury Department, and the list of Foreign Terrorist Organizations maintained by the State Department	☒	☐
This Organization does not, will not and has not knowingly provided financial, technical, in-kind or other material support or resources* to any individual or entity that is a terrorist or terrorist organization, or that supports or funds terrorism.	☒	☐
This Organization does not, will not and has not knowingly provided or collected funds or provided material support or resources with the intention that such funds or material support or resources be used to carry out acts of terrorism.	☒	☐
This Organization does not, will not and has not knowingly provided financial or material support or resources to any entity that has knowingly concealed the source of funds used to carry out terrorism or to support Foreign Terrorist Organizations.	☒	☐
This Organization does not regrant to organizations, individuals, programs and/or projects outside of the United States of America without compliance with IRS guidelines.	☒	☐
This Organization takes reasonable, affirmative steps to ensure that any funds or resources distributed or processed do not fund terrorism or terrorist organizations.	☒	☐
This Organization takes reasonable steps to certify against fraud with respect to the provisions of financial, technical, in-kind or other material support or resources to terrorists and terrorist organizations.	☒	☐

*In this form, "material support and resources" means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.

I certify on behalf of the Organization listed above that the foregoing is true.

Print Name: David Pugh Title: Mayor

Signature: X Date: _____

AGENDA ITEM NO. C-3
6/18/07

CITY OF BROOKSVILLE
MEMORANDUM

To: Steve Baumgartner, Interim City Manager

From: Emory H. Pierce, Director of Public Works Emory Pierce

Re: Request to Re-Bid City Hall and Police Dept Hurricane Screens

Date: May 31, 2007

Despite a public statement from a representative, at our last Council meeting, that they would do the work for the bid prices, Kane Screens has now declined to accept our offer, to furnish and install the hurricane screens and shutters for City Hall and the Police Dept., at the bid price. I have attached the emails and a letter from Kane.

I recommend modifying our contract documents to allow for a 100% cash deposit in lieu of payment and performance bonds and re-bidding. In order to keep as many bidders as possible in the picture I recommend the return of all previous bid bonds without penalty.

G:\BIDS\2007\City Hall Retrofit\Rebid\CITY OF BROOKSVILLEM E M O R A N D U MTorebidemver.wpd

Laureen Busacca

From: "Tom Hemdal" <TomH@kanescreens.com>
To: "Laureen Busacca" <lbusacca@ci.brooksville.fl.us>
Sent: Tuesday, May 29, 2007 1:29 PM
Subject: RE: 2007_05_29_07_19_45.pdf

Laureen,

I wish I could say yes because this job would fit very nicely for us in a November 2007 timeframe.

We initially submitted our bid 8-31-06 at $138,700. When it came out for re-bid in January we priced this very competitively to win and fill some production voids at $122,878 with the assumption it would be manufactured by 3-31-07 and installed by 4-30-07. The cost of stainless steel has jumped 70% since the beginning of the year with additional increases scheduled for June and July. Right now there is no end in sight and the increases in gas prices don't even compare with the spikes that we are seeing on stainless steel raw material.

To this end unfortunately we are not able to hold our pricing.

Thomas H. Hemdal
Corporate Sales Manager

Kane Screens / Kane Detention / Sterling Dula
515 North Fraley St.
Kane Pa., 16735

800-952-6399, Extension 103
814-837-6230 Fax Number

http://www.kanescreens.com

From: Laureen Busacca [mailto:lbusacca@ci.brooksville.fl.us]
Sent: Tuesday, May 29, 2007 10:39 AM
To: Tom Hemdal
Subject: Re: 2007_05_29_07_19_45.pdf

Tom, If you can hold your prices, we will have no problem delaying the start time until after Oct, 2007. Let me know if we can schedule it then. Laureen

> ----- Original Message -----
> **From:** Tom Hemdal
> **To:** Laureen Busacca
> **Cc:** arniet@comcast.net
> **Sent:** Tuesday, May 29, 2007 8:34 AM
> **Subject:** FW: 2007_05_29_07_19_45.pdf
>
> Laureen,
>
> After reviewing your project with our production, project management and accounting teams we respectfully decline your offer as the secondary bidder to provide Hurricane Storm Security Screens for the City of

Brooksville. I know that Arnie Todd our Florida Representative and myself have worked very hard to make this happen but unfortunately we are unable to proceed. Please see my letter attached for a more detailed explanation and feel free to give me a call.

Thomas H. Hemdal
Corporate Sales Manager

Kane Screens / Kane Detention / Sterling Dula
515 North Fraley St.
Kane Pa., 16735

800-952-6399, Extension 103
814-837-6230 Fax Number

http://www.kanescreens.com

From: Brent OConnell
Sent: Tuesday, May 29, 2007 8:20 AM
To: Tom Hemdal
Subject: 2007_05_29_07_19_45.pdf

Kane Screens

First Name in Security Screens

May 24, 2007

Ms. Laureen Busacca
Construction Project Manager
City of Brooksville Dept. of Public Works
201 Howell Avenue
Brooksville, FL 34601

Laureen,

We were excited as the 2nd low bidder in the opportunity you offered us to provide our Hurricane Screens for the Brooksville City Hall and Police Department. Unfortunately after reviewing this project with our accounting, production and project management teams we are unable to accept your offer. Our recommendation, which is in the best interest for the City of Brooksville is to re-bid this project.

We are reluctant in advising you of this since we pride ourselves as the manufacturer of the finest hurricane and security screens available. Our screens define the standards of quality and meet or exceed all national building codes. And our 75 years experience in product development for the architectural field is highlighted by a reputation for timely delivery.

We bid this project very competitively on January 12th in an attempt to fill our slower February, March, April production months. Since we were not the apparent low bidder this production backlog was filled with other Security Screen and Hurricane Barrier orders. Currently we are into our heavy production mode, which runs from May to October. Our production lead times have been extended and our installation crews are committed for the busy summer months. To this end it makes it virtually impossible for us to meet a 120-day project completion period let alone a 90-day one.

Please feel free to contact me if I can be of any further assistance at 800-952-6399, extension 103.

Sincerely yours,

KANE MANUFACTURING CORPORATION

Thomas H. Hendal
Corporate Sales Manager

A Division of Kane Manufacturing Corporation
515 North Fraley Street, Kane, PA 16735 • Phone: 800.952.6399 • Fax: 814.837.6230

AGENDA ITEM NO. C-4
6/18/07

CITY OF BROOKSVILLE
MEMORANDUM

To: T. Jennene Norman-Vacha, City Manager

From: Emory H. Pierce, Director of Public Works

Re: Change Order No. 2, MCS of Tamp Contract for City Hall Generator Installation

Date: June 7, 2007

We are requesting that council approve a USDA change order (No. 2) to extend the City Hall generator installation project for 30 days. The additional time requested is primarily due to the various issues we had with choosing a location. This same change order will also include the decrease in the contract price of $13,458. This reflects a decrease of $21,644 associated with the move closer to the building and an additional $8,587 for some extra electrical work requested by council previously. Our original contract price with MCS was $43,689. With the decrease and addition the price will be $30,231.

G:\BIDS\2006\RUS gen INSTALLATION LB\060707 co 2 time ext cost decr to council.wpd

FORM APPROVED
OMB NO. 0575-0042

Form RD 1924-7
(Rev. 2-97)

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT AND
FARM SERVICE AGENCY

CONTRACT CHANGE ORDER

ORDER NO. 2

DATE 06-07-2007

STATE Florida

COUNTY Hernando

CONTRACT FOR 230 KW City Hall Generator Installation

OWNER City of Brooksville

To MCS of Tampa, Inc.
(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
1. Price decrease from original bid price	$ 13,458.00	$
2. 30 calendar day time extension Contract termination date to be July, 15,2007		
TOTALS	$ 13,458.00	0.00
NET CHANGE IN CONTRACT PRICE	$ 0.00	0.00

JUSTIFICATION:
City accepts responsibility for time delays associated with agreeing on a permanent location for the generator. The price decreased substantially when we moved the generator closer to the electrical panel room.

The amount of the Contract will be (Decreased) (Increased) By The Sum Of: Thirteen Thousand Four Hundred Fifty Eight Dollars ($ 13,458.00).

The Contract Total Including this and previous Change Orders Will Be: Thirty Thousand Two Hundred Thirty One Dollars ($ 30,231.00).

The Contract Period Provided for Completion Will Be (Increased) (Decreased) (Unchanged) : 30 Days.

This document will become a supplement to the contract and all provisions will apply hereto.

Requested City of Brooksville (Owner) (Date)

Recommended (Owner's Architect/Engineer) (Date)

Accepted MCS of Tampa, Inc. (Contractor) (Date)

Approved by Agency (Name and Title) (Date)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-01042. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of

AGENDA ITEM NO. C-5
6/18/07

CITY OF BROOKSVILLE
MEMORANDUM

To: T. Jennene Norman-Vacha, City Manager

From: Emory H. Pierce, Director of Public Works Emory Pierce

Re: Change Order No. 2, MCS of Tamp Contract for City Hall Generator Installation

Date: June 7, 2007

We are requesting that council approve a USDA change order (No. 2) to extend the City Hall generator installation project for 30 days. The additional time requested is primarily due to the various issues we had with choosing a location. This same change order will also include the decrease in the contract price of $13,458. This reflects a decrease of $21,644 associated with the move closer to the building and an additional $8,587 for some extra electrical work requested by council previously. Our original contract price with MCS was $43,689. With the decrease and addition the price will be $30,231.

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FORM APPROVED
OMB NO. 0575-0042

Form RD 1924-7
(Rev. 2-97)

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT AND
FARM SERVICE AGENCY

CONTRACT CHANGE ORDER

ORDER NO. 2

DATE 06-07-2007

STATE Florida

COUNTY Hernando

CONTRACT FOR 230 KW City Hall Generator Installation

OWNER City of Brooksville

To MCS of Tampa, Inc.
(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
1. Price decrease from original bid price	$ 13,458.00	$
2. 30 calendar day time extension Contract termination date to be July, 15,2007		
TOTALS	$ 13,458.00	0.00
NET CHANGE IN CONTRACT PRICE	$ 0.00	0.00

JUSTIFICATION:
City accepts responsibility for time delays associated with agreeing on a permanent location for the generator. The price decreased substantially when we moved the generator closer to the electrical panel room.

The amount of the Contract will be (Decreased) (Increased) By The Sum Of: Thirteen Thousand Four Hundred Fifty Eight Dollars ($ 13,458.00).

The Contract Total Including this and previous Change Orders Will Be: Thirty Thousand Two Hundred Thirty One Dollars ($ 30,231.00).

The Contract Period Provided for Completion Will Be (Increased) (Decreased) (Unchanged) : 30 Days.

This document will become a supplement to the contract and all provisions will apply hereto.

Requested City of Brooksville (Owner) (Date)

Recommended (Owner's Architect/Engineer) (Date)

Accepted MCS of Tampa, Inc. (Contractor) (Date)

Approved by Agency (Name and Title) (Date)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0042. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

☐ ORIGINAL-BORROWER'S CASE FOLDER
☐ COPY-CONTRACTOR
☐ COPY-BORROWER

Form RD 1924-7 (Rev. 2-97)

POSITION 6

AGENDA ITEM NO. C-6
6/18/07

CITY OF BROOKSVILLE
MEMORANDUM

To: T. Jennene Norman-Vacha, City Manager

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

Re: **Award of Bid for Providence Blvd. And Whitfield Ave.**
Bid No. CD2007-02

Date: June 11, 2007

Two bids were received and opened at City Hall on Friday, June 8, 2007 as follows:

WDG Construction, Inc.	Base Bid	$329,999.99
	ALT #1	10,000.00
	Grand Total	$339.999.99
Croft Contracting, Inc.	Base Bid	$390,055.06
	ALT #1	18,003.00
	Grand Total	$408,058.06

Alternate #1 includes the construction of sidewalks within the project rights-of-way.

Adequate funds are budgeted for this project under the Transportation Outreach Program (TOP). The current unencumbered fund balance of the TOP grant is $641,521.94.

Recommendation: WDG is a large experienced construction company and staff recommends awarding the bid to them for the Base Bid amount and the inclusion of ALT #1 work , for the not-to-exceed grand total amount of $339,999.99, and authorizing the Mayor to execute a contract after all documents have been received and approved by the City Attorney.

EHP/lr

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BID OPENING MINUTES
PROVIDENCE BLVD. & WHITFIELD AVENUE IMPROVEMENT PROJECT
BID NO. UD2007-02

3:00 p.m. June 8, 2007

A Bid Opening was held at approximately 3:00 p.m. on Friday, June 8, 2007, in the City Hall Council Chambers for **PROVIDENCE BLVD. & WHITFIELD AVENUE IMPROVEMENT PROJECT BID NO. UD2007-02**. Karen M. Phillips, City Clerk, Bill Geiger, Community Development Director, Pat Jobe, Planning & Zoning Coordinator, and Julie Sherraden, Recording Secretary were in attendance, along with representatives from WDG Construction Inc. and Croft Contracting.

City Clerk Phillips advised that an Invitation to Bid was published in the May 18, 2007, edition of the Hernando Today with a closing date and time set for 3:00 p.m. on Friday, June 8, 2007.

As a result, 2 sets of bids were received, all properly sealed and notated and all apparently containing the appropriate documents as stipulated in the bid specifications, including notations that they have a drug free program in place. The bids were to include a Bid Certification Form, Bid Bond or Cashiers Check in the amount of 5% of the project, Public Entity Crime Statement, Drug Free Workplace Form, Conflict of Interest Disclosure Statement, Equipment List, Proof of License Certification, five (5) references and one signed original with seven (7) copies.

The following companies submitted bids, which were opened and the results read as follows:

Croft Contracting, Inverness, FL, submitted a base bid in the amount of $390,055.06, with an alternate bid for the sidewalks in the amount of $18,003.00 with completion within 90 calendar days from notice to proceed.

WDG Construction, Wesley Chapel, FL, submitted a base bid in the amount of $329,999.99, with an alternate bid for the sidewalks in the amount of $10,000 with completion within 120 calendar days from notice to proceed.

Community Development Director indicated that staff and the consultants will review the bids in their entirety and present recommendation for approval to City Council on the June 18th, 2007 agenda or later if necessary. The bid opening closed at approximately 3:10 p.m.

Karen M. Phillips, City Clerk

G:\WP_WORK\ClerkOffice\MINUTES\2007\06-08-07 Bid Opening UD2007-02.wpd

WDG Cons.

CITY OF BROOKSVILLE

BID/CERTIFICATION FORM
PROVIDENCE BOULEVARD AND WHITFIELD AVENUE
TOPS GRANT CONTRACT #AM827
BID NO.: CD2007-02

Bidders Certification to THE CITY OF BROOKSVILLE:

1. The undersigned warrants that: (A) this Bid is submitted in response to, and is in compliance with, all terms and conditions applicable thereto as set forth in the Advertisement, General Instructions and Conditions, Special Instructions and Conditions, Bid/Certification Forms and (if any), the Minimum Technical Specifications, Plans, Addendums, Exhibits, Agreement, Bonds and Insurance requirements, each of which has been carefully examined, (B) Bidder or Bidder's representative has made such investigation as is necessary to determine the character and extent of the work and their capability to perform the work, and (C) agrees that if the Bid is accepted by the City, Bidder will provide the necessary labor, materials, machinery, equipment, tools or apparatus, and perform all the work or services required to complete the assignment and/or contract within the time specified according to the requirements of the City as herein and hereinafter set forth, and (D) he/she is authorized to legally execute binding contracts for and on behalf of the Bidder.

2. Please check one:

   ☒ Bidder declares that the only person, persons, company or parties interested in this Bid are named in the Bid.

   ☐ Bidder, or one or more of bidder's officers, principals, or any owner of more than 5% in or of bidder, or members of their immediate families: (A) have a financial interest in another company, project, or property that could benefit financially from this proposed project; and/or (B) another individual or business will be compensated by (or on behalf of bidder) if bidder is selected by the City to bid the requested services. (Attach a detailed explanation for either.)

3. The City reserves the right to accept any or all prices itemized in any combination that best serves the interests of the City

4. Number of calendar day from date of notice to proceed that will be required for the final completion of all work as described herein and as shown on the plans. 120 Calendar days (120 calendar days maximum)

5. Bidder hereby acknowledges receipt of the following addendums:

   1) N/A
   2) N/A
   3) N/A
   4) N/A

6. BID FOR UNIT PRICE CONTRACTS

Project: Providence Blvd and Whitfield Ave. Date 6/8/07 Project No. ID2007-02

Proposal of WDC Construction (hereinafter called "Bidder")

a corporation [ ] ~~partnership~~ [ ] individual [ ] doing business as

2120 Ashley Oaks Circle #102 Wesley Chapel FL 33543

to City of Brooksville, hereafter called "Owner".

The Bidder, in compliance with your invitation for bids for the construction of the Project, having examined the plans and specifications with related documents and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies; and to construct the project in accordance with the Contract Documents, within the time set forth therein, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the Contract Documents, of which this proposal is a part.

BASE PROPOSAL: Bidder proposes and agrees to provide all materials, services or equipment requested for the PROVIDENCE BOULEVARD AND WHITFIELD AVENUE TOPS GRANT CONTRACT #AM827 Total Cumulative Base Bid Sum.

Base Bid

Three Hundred Twenty nine Thousand Nine Hundred Ninety nine Dollars and Ninety Nine Cents ($ 329,999.99)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

Alternate # 1 Add on - Sidewalks

Ten thousand Dollars and Zero Cents ($ 10,000.00)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

CROFT CONT.

CITY OF BROOKSVILLE

BID/CERTIFICATION FORM
PROVIDENCE BOULEVARD AND WHITFIELD AVENUE
TOPS GRANT CONTRACT #AM827
BID NO.: CD2007-02

Bidders Certification to THE CITY OF BROOKSVILLE:

1. The undersigned warrants that: (A) this Bid is submitted in response to, and is in compliance with, all terms and conditions applicable thereto as set forth in the Advertisement, General Instructions and Conditions, Special Instructions and Conditions, Bid/Certification Forms and (if any), the Minimum Technical Specifications, Plans, Addendums, Exhibits, Agreement, Bonds and Insurance requirements, each of which has been carefully examined, (B) Bidder or Bidder's representative has made such investigation as is necessary to determine the character and extent of the work and their capability to perform the work, and (C) agrees that if the Bid is accepted by the City, Bidder will provide the necessary labor, materials, machinery, equipment, tools or apparatus, and perform all the work or services required to complete the assignment and/or contract within the time specified according to the requirements of the City as herein and hereinafter set forth, and (D) he/she is authorized to legally execute binding contracts for and on behalf of the Bidder.

2. Please check one:

   ☒ Bidder declares that the only person, persons, company or parties interested in this Bid are named in the Bid.

   ☐ Bidder, or one or more of bidder's officers, principals, or any owner of more than 5% in or of bidder, or members of their immediate families: (A) have a financial interest in another company, project, or property that could benefit financially from this proposed project; and/or (B) another individual or business will be compensated by (or on behalf of bidder) if bidder is selected by the City to bid the requested services. (Attach a detailed explanation for either.)

3. The City reserves the right to accept any or all prices itemized in any combination that best serves the interests of the City

4. Number of calendar day from date of notice to proceed that will be required for the final completion of all work as described herein and as shown on the plans. 90 Calendar days (120 calendar days maximum)

5. Bidder hereby acknowledges receipt of the following addendums:

   1) _____
   2) _____
   3) _____
   4) _____

6. BID FOR UNIT PRICE CONTRACTS

Project: Providence Blvd and Whitfield Ave. Date 6/8/2007 Project No. CD2007-02

Proposal of CROFT CONTRACTING INC. (hereinafter called "Bidder")

a corporation [X] partnership [ ] individual [ ] doing business as

CROFT CONTRACTING INC.)

to City of Brooksville, hereafter called "Owner".

The Bidder, in compliance with your invitation for bids for the construction of the Project, having examined the plans and specifications with related documents and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies; and to construct the project in accordance with the Contract Documents, within the time set forth therein, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the Contract Documents, of which this proposal is a part.

BASE PROPOSAL: Bidder proposes and agrees to provide all materials, services or equipment requested for the PROVIDENCE BOULEVARD AND WHITFIELD AVENUE TOPS GRANT CONTRACT #AM827 Total Cumulative Base Bid Sum:

Base Bid

THREE HUNDRED NINETY THOUSAND, FIFTY FIVE DOLLARS & 06/100 ($ 390,055.06)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

Alternate # 1 Add on - Sidewalks

EIGHTEEN THOUSAND, THREE DOLLARS AND 00/100 ($ 18,003.00)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

THE JOHN SCOTT DAILEY
FLORIDA INSTITUTE OF GOVERNMENT
AT FLORIDA STATE UNIVERSITY

AGENDA ITEM NO. D-1
6/18/07

May 4, 2007

Council Member Lara Bradburn
City of Brooksville
201 Howell Ave
Brooksville, FL 34601-2041

Dear Council Member Bradburn:

On behalf of the John Scott Dailey Florida Institute of Government and the Florida League of Cities, I am pleased to award this certificate to you for the completion of the Advanced Institute for Elected Municipal Officials held April 20 – 21, 2007 in Altamonte Springs, Florida.

We hope that you found the program challenging and worthwhile. We encourage you to take advantage of other training opportunities through the League and the Institute of Government. In the event you receive public questions about the Advanced Institute I have enclosed a sample press release that might be helpful.

We strongly believe that your attendance at the Advanced Institute is indicative of your continued commitment to improving the quality of municipal government in Florida. If we may be of assistance in the future, please do not hesitate to call upon us.

Sincerely,

Jeff Hendry
Executive Director

enclosure

325 John Knox Road, Building 300 • Tallahassee, FL 32303
Telephone: (850) 487-1870 • Fax: (850) 487-0041 • http://iog.fsu.edu • e-mail: fig@mailer.fsu.edu

Certificate of Completion

2007 Advanced Institute for Elected Municipal Officials

Awarded to

Council Member Lara Bradburn
City of Brooksville

ADVANCED
Institute For
ELECTED
MUNICIPAL
OFFICIALS

Sponsored by
the Florida League of Cities, Inc. and
the John Scott Dailey Florida Institute of Government

Executive Director
Florida League of Cities, Inc.

Executive Director
Florida Institute of Government

AGENDA ITEM NO. E-1
6/18/07

MEMORANDUM

To: Honorable Mayor & City Council Members

Via: Jennene Norman-Vacha, City Manager

From: Bill Geiger, Community Development Director

Subject: RZ2007-02 and SE2007-02- Petitioner is requesting a zoning classification from County Agricultural/Residential to City Planned Development Project (PDP) with a Special Exception Use for a Residential Planned Development Project and Master Plan Approval.

Petitioner: Crosland-Southern Hills Blvd., LLC (Petition presented by Ruden McClosky and Heidt & Associates)

Location: The properties are located east of U.S. Hwy 41 South and on the south side of Southern Hills Boulevard - See attached drawing.

Date: May 22, 2007 ORD. No. 746

SUMMARY OF REQUEST - GENERAL INFORMATION

The subject combined properties are 11.45 acres ± (10.06 acres ± are located within a City Suburban Residential District and 1.39 acres ± are located within a County Residential District). Both parcels are undeveloped, and are located east of U.S. Highway 41 South and on the south side of Southern Hills Boulevard. Legal descriptions by metes and bounds are given in full in the petition packet. The subject properties were annexed into the City on May 28, 2003 via Ordinance No. 633 (10.06 acres ±), and on October 16, 2006 via Ordinance No. 727 (1.39 acres ±).

At this time the property owner is requesting that the City assign a zoning designation of Planned Development Project (PDP) with a special exception use for a Residential Planned Development Project (RPDP) to the subject properties and subsequent approval of the proposed Master Plan.

Proposed development of the 1.39 acres ± parcel is subject to being consistent with County land use and zoning regulations, until such time as a comprehensive plan amendment is completed to establish a City designated land use for this part of the property. On December 13, 2006, the Hernando County Board of County Commissioners (HCBCC) reviewed a report concerning the proposed 1.39 acres ± parcel and its proposed use consistency with the County Comprehensive Plan and Land Development Regulations. The HCBCC determined that the proposed rezoning from Agricultural (County zoning designation) to RPDP (Residential) was not inconsistent with the County Comprehensive Plan, subject to a list of performance conditions. (See attached County reports).

CURRENT LAND USE/ZONING

The subject properties 10.06 acre ± parcel has a City land use designation of Suburban Residential on the City's Future Land Use Map (FLUM) of its Comprehensive Plan, and the 1.39 acres ± parcel has a County land use designation of Residential on the FLUM of the Hernando County Comprehensive Plan. The properties are both currently zoned County Agricultural (AG). The petitioner is requesting that the City assign the subject property with a zoning designation of Planned Development Project (PDP), with a special exception use consideration for a Residential Planned Development Project (R-PDP), and subsequent approval of the proposed Master Plan.

STAFF FINDINGS

As noted, the subject properties have been annexed into the City of Brooksville's jurisdiction. Development of portions of this property is still subject to being consistent with the County's land use and zoning regulations until a Comprehensive Plan Amendment assigning a City land use to certain portions (1.39 acres ±) of the property is approved. As determined by the County, the City's assignment of a PDP zoning designation and a special exception use for a Residential Planned Development Project (RPDP) to the property would not be inconsistent with the County's adopted Hernando County Comprehensive Plan, subject to performance conditions (See County's 12/13/06 report enclosed). Assigning a PDP zoning designation with special exception use approval for a Residential Planned Development Project (RPDP) is also consistent with the City's adopted Comprehensive Plan. The petitioner has provided a preliminary engineering report that appears to accurately portray information pertaining to topography, flood plain, soils and environmental conditions associated with the property.

The petitioner proposes to develop the site with up to 164 residential units in fourteen 3-story buildings (Density = 14.32 units per acre), including conservation, drainage and recreation/open space areas on 11.45 acres ±. The narrative and Master plan addresses topography, flood plain, soils, vegetation, access, and utilities. Additionally, the owner proposes to construct a 6-foot perimeter (fence/wall) structure along the western and northern borders of this site.

The developer is requesting the following minimum building setbacks:

From Southern Hills Boulevard -	35'
From Governor Boulevard -	35'
From South (Rear) property Line -	25'
From East (Side) property line -	25'
Separation between buildings -	20'
Setbacks from internal drive lanes -	10'

The developer is requesting a deviation from the City's Residential Land Area and Land Use Intensity standards for PDP development to allow approximately 23,000 square feet of additional building floor area. The developer indicates that the project would continue to meet all other standards and ratios for livability, open space, recreation and parking. If this deviation is approved as a performance standard, it should be conditional based on the developer demonstrating that all other ratios are met and that the recreation space provided is of high quality and adequate to serve the level of development, as determined and approved by the city manager or the manager's designee.

The developer is proposing two points of access to the property. One access drive will connect to Southern Hills Boulevard. The other access drive will connect to Governor Boulevard (to be constructed in 2008). The completion of construction for this development will need to coincide with the timing of the construction and completion of that portion of Governor Boulevard that will link to

and intersect with Southern Hills Boulevard.

The developer will be required to comply with the City's landscaping, buffers and tree protection regulations. The subject property is not located within any wellhead protection areas.

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 current property owner is required to submit a formal subdivision plat for review and approval in accordance with the City's Land Subdivision Regulations. When development plans are submitted for permitting 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 Zoning/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 Concurrency. Prior to use of or construction on the property, the petitioner must receive approval from the appropriate City 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's 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

At their meeting on May 9, 2007, the Planning and Zoning Commission concurred with staff to recommend that City Council approve an ordinance zoning the property as a Planned Development Project (PDP), with a Special Exception Use (SEU) approval for a Residential Planned Development Project (RPDP), and subsequent master plan approval of the plan labeled as "Southern Hills Apartment Site" Master Plan, developed by Heidt & Associates, Inc., dated 4/12/2007, subject to the following performance conditions:

1. Within two years of the Council's approval of the Residential Planned Development Project (RPDP) zoning and SEU approval, the petitioner/developer will need to initiate the construction or subdivision process (as applicable), providing preliminary plat plans that

address infrastructure needs, and construction plans that reflect the preliminary plat (all being consistent with the requirements of the City's subdivision and/or planned development project regulations). Otherwise, this SEU approval becomes null and void.

2. The petitioner/developer must obtain all permits and meet all applicable land development regulations, for construction or use of the property.
3. The maximum number of residential dwelling units associated with this Zoning/SEU approval is one-hundred-sixty-four (164).
4. The minimum building setbacks for this project are as follows:

From Southern Hills Boulevard -	35'
From Governor Boulevard -	35'
From South (Rear) property Line -	25'
From East (Side) property line -	25'
Separation between buildings -	20'
Setbacks from internal drive lanes -	10'

5. The maximum building height is three stories.
6. A maximum of one access drive to Southern Hills Boulevard and one access drive to Governor Boulevard is approved.
7. 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.
8. This project may exceed the City's building floor area standard by up to 23,000 square feet, provided that the developer demonstrates that all other ratios are met and that the recreation space provided is of high quality and adequate to serve the proposed level of development, as determined and approved by the city manager or the manager's designee.
9. Unless specifically addressed to the contrary by conditions referenced herein, City ordinance regulations which apply with regard to zoning district classification shall apply to this PDP as if it were zoned R3.
10. The petitioner shall provide adequate buffers around the perimeter of the property that are consistent with or exceed City adopted standards and comply with the City's landscaping, buffers and tree protection regulations.
11. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is 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 proposed development shall be resolved prior to the City issuance of a development order for the property.
12. The developer will be required to coordinate with the City Department of Public Works to properly plan for and address drainage and pedestrian improvements around the perimeter of

the site. Public sidewalks are to be installed along the public rights-of-way and design should provide for crosswalks and underground drainage where appropriate.

13. The developer will be required to successfully negotiate a utility service agreement with the City prior to permitting.
14. All utilities serving this project shall be installed underground.
15. 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.
16. Prior to the City issuing a development order for this project, the developer will be required to address and resolve all issues related to impacts of the proposed development on public infrastructure and services. Concurrency deficiencies shall be mitigated with agencies that provide and maintain infrastructure that directly serves the proposed development.

The following performance conditions as specified by Hernando County on December 13, 2006, for the 1.39 acre +/- parcel, are also incorporated into the City's approval of this project:

1. The petitioner must obtain all appropriate permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.
2. The revised 100-year flood plain data shall be used to designate the project master plan. The project design shall limit more intense land uses in close proximity to flood plain and wetlands including high density residential uses.
3. The petitioner shall develop the subject site with a drainage retention area and no other use.

At the May 21, 2007 meeting, City Council concurred with the staff & Planning & Zoning Commission recommendation and approved the first reading of Ordinance No. 746, zoning the property as a Planned Development Project (PDP), with a Special Exception Use (SEU) approval for a Residential Planned Development Project (RPDP), and subsequently approved the master plan labeled as "Southern Hills Apartment Site" Master Plan, developed by Heidt & Associates, Inc., dated 4/12/2007, subject to the recommended performance conditions.

Enclosures:
1) Zoning Amendment Petition
2) Special Exception Use Petition
3) Planned Development Project - Master Plan
4) Narrative
5) BCC Meeting Results (12/13/2006)
6) Zoning Ordinance No. 746 & location exhibit sketch
7) HCSB Staff Comments (5/7/07)

ORDINANCE NO. 746

AN ORDINANCE PROVIDING A ZONING CLASSIFICATION OF PDP (PLANNED DEVELOPMENT PROJECT) WITH A SPECIAL EXCEPTION USE FOR A RESIDENTIAL PLANNED DEVELOPMENT PROJECT (RPDP) FOR CERTAIN REAL PROPERTY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That the following described property in the City of Brooksville, Florida is hereby zoned as Planned Development Project (PDP) with a Special Exception Use for a Residential Planned Development Project (RPDP).

Crosland, Inc. - Parcel Key # 01671694 Legal Description:

A PARCEL OF LAND LYING IN THE SW 1/4 OF SECTION 4, TOWNSHIP 23 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SE CORNER OF THE SW 1/4 OF SAID SECTION 4; THENCE, ALONG THE EAST LINE OF SAID SW 1/4 OF SECTION 4, N 00°17'00" E A DISTANCE OF 1323.04 FEET; THENCE N 89°51'15" W A DISTANCE OF 39.37 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°51'15" W A DISTANCE OF 625.07 FEET; THENCE S 00°16'25" W A DISTANCE OF 196.57 FEET; THENCE FOLLOWING THE NEXT SIXTEEN COURSES ALONG THE CENTERLINE OF A DITCH, N 83°22'50" W A DISTANCE OF 86.21 FEET, N 87°56'31" W A DISTANCE OF 96.54 FEET, N 86°22'59" W A DISTANCE OF 67.04 FEET, AND N 65°17'31" W A DISTANCE OF 91.28 FEET; THENCE N 83°36'09" W A DISTANCE OF 45.20 FEET; THENCE N 85°55'30" W A DISTANCE OF 35.23 FEET; THENCE N 69°52'58" W A DISTANCE OF 6.72 FEET; THENCE N 14°06'37" E A DISTANCE OF 6.49 FEET; THENCE N 19°00'49" E A DISTANCE OF 27.08 FEET; THENCE N 80°11'03" E A DISTANCE OF 15.05 FEET; THENCE N 02°40'58" W A DISTANCE OF 28.14 FEET; THENCE N 78°20'28" W A DISTANCE OF 18.64 FEET; THENCE N 18°10'29" W A DISTANCE OF 24.78 FEET; THENCE N 54°59'06" W A DISTANCE OF 27.68 FEET; THENCE N 43°14'11" W A DISTANCE OF 19.79 FEET; THENCE N 02°37'20" E A DISTANCE OF 11.92 FEET; THENCE N 89°51'15" W A DISTANCE OF 23.98 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF THE NORTH/SOUTH CONNECTOR ROAD; THENCE, ALONG SAID RIGHT OF WAY LINE, N 19°43'30" E A DISTANCE OF 228.36 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 1015.00 FEET AND A DELTA OF 09°09'56"; THENCE, ALONG THE ARC OF SAID CURVE, 162.37 FEET; THENCE N 10°33'34" E A DISTANCE OF 189.57 FEET TO A POINT INTERSECTING THE SOUTH RIGHT OF WAY LINE SOUTHERN HILLS BOULEVARD AND ALSO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 860.00 FEET AND A DELTA OF 06°37'46"; THENCE, ALONG THE ARC OF SAID CURVE AND THE SOUTH RIGHT OF WAY SOUTHERN HILLS BOULEVARD 99.51 FEET; THENCE N 89°55'46" E A DISTANCE OF 41.10 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING A RADIUS OF 640.00 FEET AND A DELTA OF 35°44'38"; THENCE, ALONG THE ARC OF SAID CURVE 399.26 FEET; THENCE S 54°19'36" E A DISTANCE OF 412.05 FEET TO A POINT OF CURVATURE TO THE LEFT HAVING A RADIUS OF 1060.00 FEET AND A DELTA OF 05°43'45"; THENCE, ALONG THE ARC OF SAID CURVE, 105.99 FEET TO A POINT ON THE WESTERLY BOUNDARY OF CASCADES PHASE I; THENCE, ALONG SAID BOUNDARY OF CASCADES PHASE I S 72°47'15" W A DISTANCE OF 5.72 FEET; THENCE S 05°39'10" E A DISTANCE OF 53.89 FEET; THENCE S 01°17'12" E A DISTANCE OF 56.61 FEET; THENCE S 26°19'35" E A DISTANCE OF 28.36 FEET TO THE POINT OF BEGINNING. CONTAINING 11.45 ACRES MORE OR LESS.

Location: East of U.S. Highway 41 South and south side of Southern Hills Boulevard.

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

1. The aforementioned property located within the City of Brooksville, Florida, is hereby assigned a zoning classification of PDP (Planned Development Project) with a Special Exception Use for a Residential Planned Development Project (RPDP) and the zoning map of the City of Brooksville shall be amended accordingly. The Special Exception Use consideration for this Residential Planned Development Project is subject to the following conditions:

   a. Within two years of the Council's approval of the Residential Planned Development Project (RPDP) zoning and SEU approval, the petitioner/developer will need to initiate the construction or subdivision process (as applicable), providing preliminary plat plans that address infrastructure needs, and construction plans that reflect the preliminary plat (all being consistent with the requirements of the City's subdivision and/or planned development project regulations). Otherwise, this SEU approval becomes null and void.
   b. The petitioner/developer must obtain all permits and meet all applicable land development regulations, for construction or use of the property.
   c. The maximum number of residential dwelling units associated with this Zoning/SEU approval is one-hundred-sixty-four (164).
   d. The minimum building setbacks for this project are as follows:

From Southern Hills Boulevard -	35'
From Governor Boulevard -	35'
From South (Rear) property Line -	25'
From East (Side) property line -	25'
Separation between buildings -	20'
Setbacks from internal drive lanes -	10'

   e. The maximum building height is three stories.
   f. A maximum of one access drive to Southern Hills Boulevard and one access drive to Governor Boulevard is approved.
   g. 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.
   h. This project may exceed the City's building floor area standard by up to 23,000 square feet, provided that the developer demonstrates that all other ratios are met and that the recreation space provided is of high quality and adequate to serve the proposed level of development, as determined and approved by the city manager or the manager's designee.
   i. Unless specifically addressed to the contrary by conditions referenced herein, City ordinance regulations which apply with regard to zoning district classification shall apply to this PDP as if it were zoned R3.
   j. The petitioner shall provide adequate buffers around the perimeter of the property that are consistent with or exceed City adopted standards and comply with the City's landscaping, buffers and tree protection regulations.
   k. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is 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 proposed development shall be resolved prior to the City issuance of a development order for the property.

l. The developer will be required to coordinate with the City Department of Public Works to properly plan for and address drainage and pedestrian improvements around the perimeter of the site. Public sidewalks are to be installed along the public rights-of-way and design should provide for crosswalks and underground drainage where appropriate.

m. The developer will be required to successfully negotiate a utility service agreement with the City prior to permitting.

n. All utilities serving this project shall be installed underground.

o. 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.

p. Prior to the City issuing a development order for this project, the developer will be required to address and resolve all issues related to impacts of the proposed development on public infrastructure and services. Concurrency deficiencies shall be mitigated with agencies that provide and maintain infrastructure that directly serves the proposed development.

The following performance conditions as specified by Hernando County on December 13, 2006, for the 1.39 acre +/- parcel, are also incorporated into the City's approval of this project:

q. The petitioner must obtain all appropriate permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.

r. The revised 100-year flood plain data shall be used to designate the project master plan. The project design shall limit more intense land uses in close proximity to flood plain and wetlands including high density residential uses.

s. The petitioner shall develop the subject site with a drainage retention area and no other use.

Section 2. The City Council does hereby find that the proposed zoning of this property with a PDP designation is consistent with the City's Comprehensive Plan and is compatible with existing land uses in this area.

Section 3. This Ordinance and zoning of the property described hereto shall take effect immediately upon its adoption.

CITY OF BROOKSVILLE

Attest: _____
Karen M. Phillips
City Clerk

By: _____
David Pugh
Mayor

PASSED on First Reading May 21, 2007
PUBLIC HEARING NOTICE posted on June 8 & June 15, 2007
PASSED on Second & Final Reading _____

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

David La Croix, City Attorney

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

G:\WP_WORK\ClerkOffice\ORDIN\746 - Crosland.wpd

Crosland, Inc.
Rezoning & Special Exception
May 9, 2007

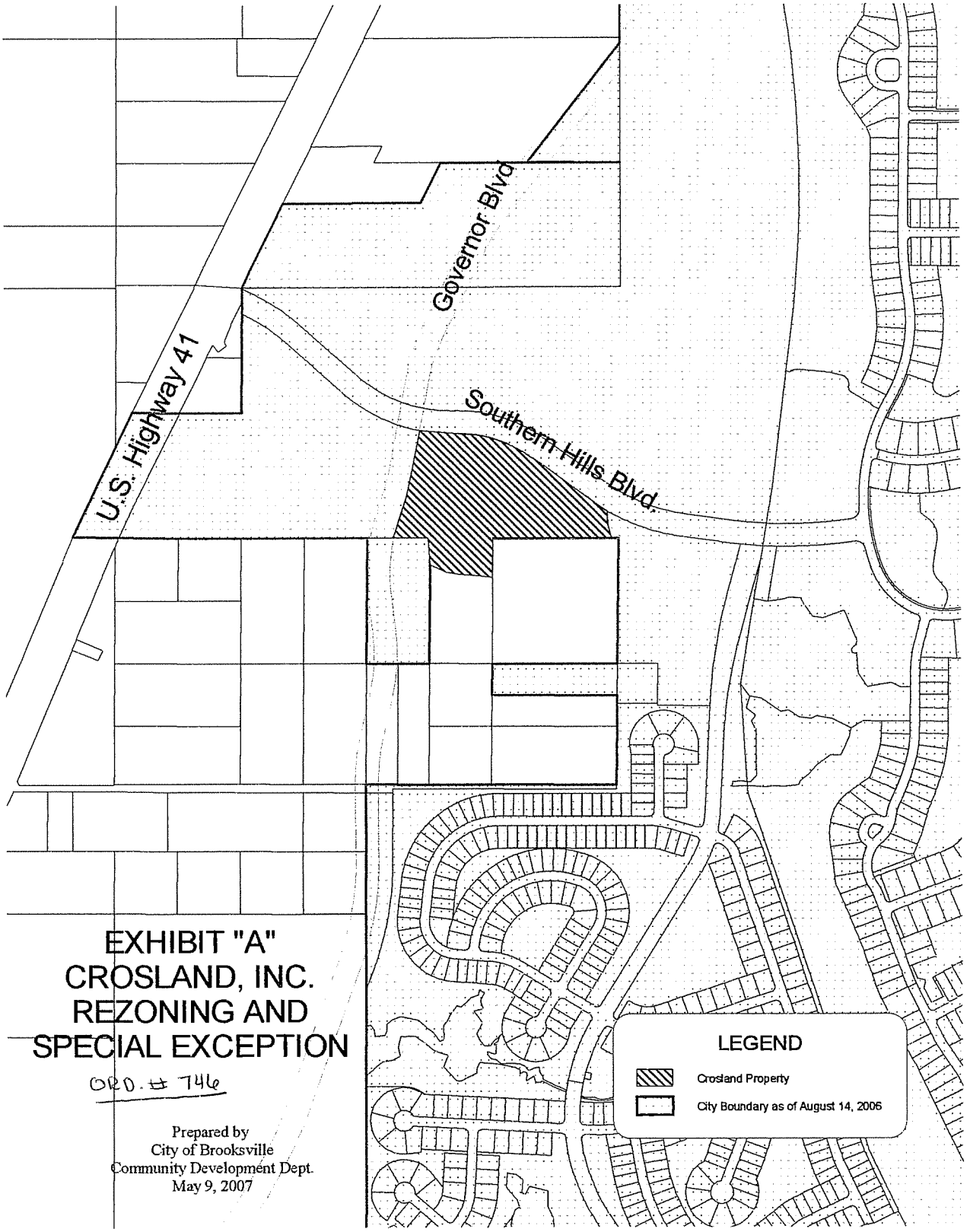


EXHIBIT "A"
CROSLAND, INC.
REZONING AND
SPECIAL EXCEPTION

ORD. # 746

Prepared by
City of Brooksville
Community Development Dept.
May 9, 2007

CITY OF BROOKSVILLE ZONING AMENDMENT PETITION

Date: 11/13/06

Print or Type All Information

Applicant: Crosland, Inc.

Mailing Address: 8875 Hidden River Pkwy., Suite 300
Tampa, Florida 33637
Daytime Telephone: (813) 975-7279

Representative: ~~Coastal Engineering Associates, Inc.~~ See Appointment of Agent

Mailing Address: ~~966 Candlelight Boulevard~~
~~Brooksville, Florida 34601~~
~~Daytime Telephone: 352-796-5~~

Legal Description: Section 04 Township 23 Range 19

See attached survey

Size of Area Covered by Application: approx. 11.45 ac.

Highway & Street Boundaries: Southern Hills Boulevard

Future Land Use Designation: Majority is Suburban Residential (City) and Residential (County)

Current Land Use Designation: subject project site is currently vacant

Zoning Classification Desired: PDP ~~Multi-family~~ RESIDENTIAL 3/8/07

Has a public hearing been held on this property within the last twelve months? Yes, for annexation.

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: (property description is attached herewith)

Subject Property Street Address: Southeast corner of Southern Hills Boulevard and Governor Boulevard

PETITIONER IS SPECIFICALLY REQUESTING SPECIAL EXCEPTION USAGE FOR THE FOLLOWING:

PDP - RESIDENTIAL

Property future land use is: Majority of site is suburban residential (City) and small portion in residential (County)

Current land use is: vacant

Property is zoned: C/PDP (City) and AG (County)

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: Crosland, Inc.

Street Address: 8875 Hidden River Pkwy, Suite 300

City/State/Zip: Tampa, Florida 33637

Daytime Phone: (813) 975-7279

Signature: _____

Phillip Smith, Vice President

APR 1 3 2007

APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Phillip A. Smith, Vice President of Crosland, LLC, the owner(s) in fee simple of the below described real property hereby appoint Marilyn Mullen Healy, Esq. of Ruden McClosky 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.

Property description attached hereto.

Dated: 4/9/07

Signed in the present of:

WITNESSES:

Signature Donna L. Thompson
Print Name Donna L. Thompson

Signature
Print Name John Schilling

LANDOWNER(S):

CROSLAND, LLC,
a North Carolina limited liability company

By:
Print Name PHILIP A. SMITH
Title: VICE PRESIDENT

TPA:505208:1

Community Development

APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Phillip A. Smith, Vice President of Crosland, LLC, the owner(s) in fee simple of the below described real property hereby appoint Brian Malmberg of Heidt & Associates 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.

Property description attached hereto.

Dated: 4/9/07

Signed in the present of:

WITNESSES:

Signature Donna L. Thompson
Print Name Donna L. Thompson

Signature
Print Name John Schilling

LANDOWNER(S):

CROSLAND, LLC,
a North Carolina limited liability company

By:
Print Name PHILLIP A. SMITH
Title: VICE PRESIDENT

AGENT AUTHORIZATION

I, Phillip Smith, Vice President, Crosland, Inc., the applicant for the rezoning/special exception with master plan being submitted, hereby appoint Marilyn Mullen Healy, Esq. of the law firm of Ruden McClosky Smith Schuster & Russell, P.A., 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.

Reference: Parcel Key Nos. 00380590, 00713428 and 00380643

WITNESS:

Signature

John Schilling

Print Name

Signature

Print Name

APPLICANT:

By: _____

Phillip Smith
Vice President

Dated: 1/24/07

COUNTY OF HILLSBOROUGH
STATE OF FLORIDA

The foregoing instrument was executed before me this 24 day of January, 2007 by Phillip Smith, Vice President of Crosland, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced personally known as identification.

Donna L. Thompson

Signature of Notary Public, State of Florida

Donna L. Thompson

Print/type name of Notary Public

Donna L. Thompson
My Commission DD250315
Expires October 22, 2007

TPA:491712:1

AGENT AUTHORIZATION

I, Phillip Smith, Vice President, Crosland, Inc., the applicant for the rezoning/special exception with master plan being submitted, hereby appoint Brian Malmberg of Heidt & Associates, Inc. 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.

Reference: Parcel Key Nos. 00380590, 00713428, and 00380643

WITNESS:

Signature

John Schilling

Print Name

Signature

Print Name

APPLICANT:

By: _____

Phillip Smith
Vice President

Dated: 1/24/07

COUNTY OF HILLSBOROUGH
STATE OF FLORIDA

The foregoing instrument was executed before me this 24 day of January, 2007 by Phillip Smith, Vice President of Crosland, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced personally known as identification.

Donna L. Thompson

Signature of Notary Public, State of Florida

Donna L. Thompson

Print/type name of Notary Public

NOTARY PUBLIC STATE OF FLORIDA

Donna L. Thompson
My Commission DD250315
Expires October 22, 2007

TPA:491713:1

ACKNOWLEDGMENT

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

Witness Signature: _____

Owner/Agent Signature: _____

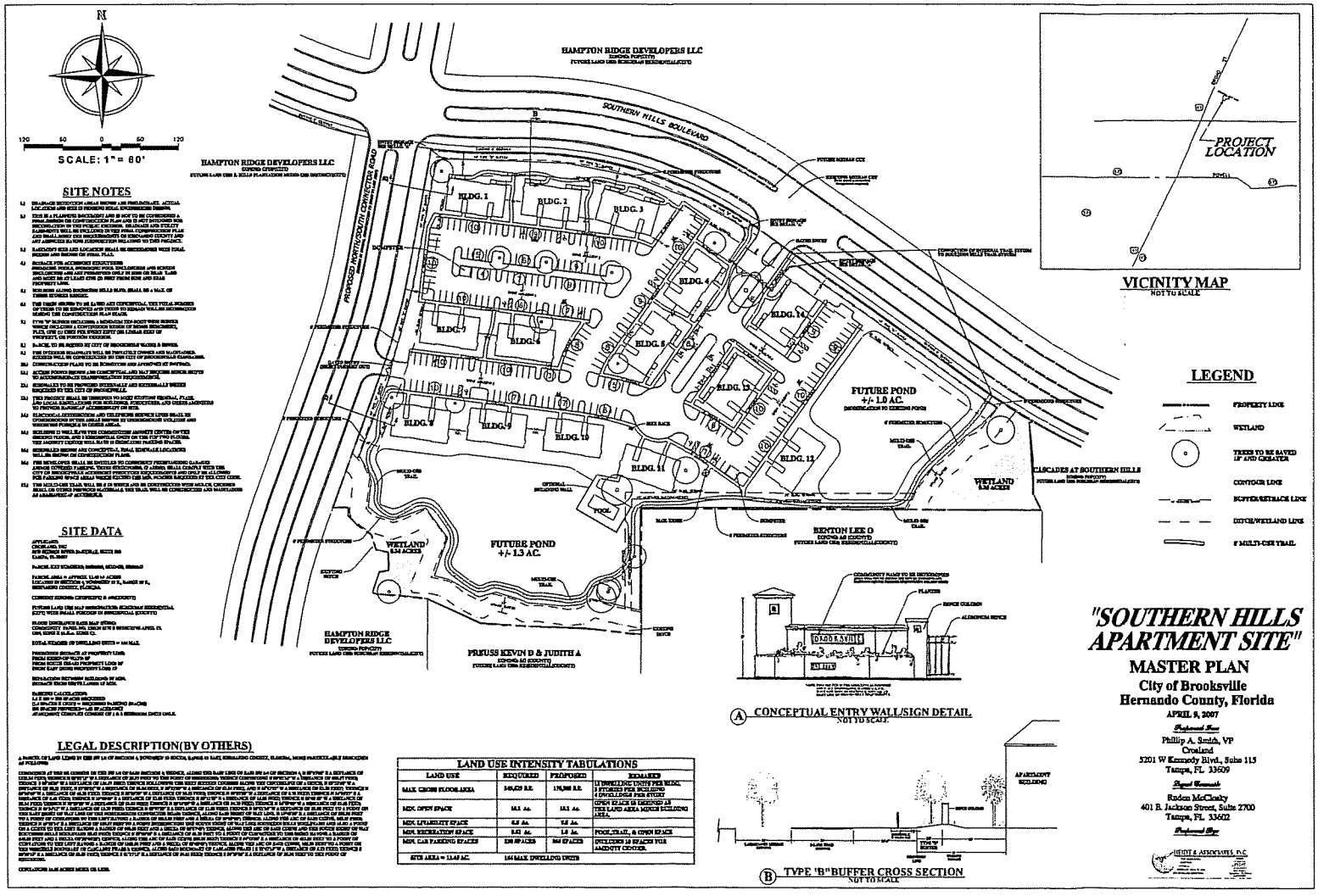
STATE OF FLORIDA
COUNTY OF Hernando

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 15 DAY OF NOVEMBER, 2006 BY THE ABOVE PERSON(S) JOSEPH P. QUINN WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED _____ _____ AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN OATH.

Janet S. Hehn
SIGNATURE OF NOTARY

JANET S. HEHN
PRINTED NAME OF NOTARY

JANET S. HEHN
MY COMMISSION # DD 190454
EXPIRES: March 6, 2007
Bonded Thru Notary Public Underwriters



SITE NOTES

SITE DATA

LEGAL DESCRIPTION (BY OTHERS)

LAND USE INTENSITY TABULATIONS			
LAND USE	REQUIRED	PROPOSED	REMARKS
MAX. GROSS FLOOR AREA	349,629 S.F.	170,000 S.F.	11 DWELLING UNITS PER BLDG. 3 STORIES PER BUILDING 4 DWELLINGS PER STORY
MIN. OPEN SPACE	18.1 Ac.	18.1 Ac.	OPEN SPACE IS DEFINED AS THE LAND AREA MINUS BUILDING AREA.
MIN. LIVABILITY SPACE	6.8 Ac.	6.8 Ac.	
MIN. RECREATION SPACE	8.62 Ac.	1.8 Ac.	POOL/TRAIL, & OPEN SPACE
MIN. CAR PARKING SPACES	230 SPACES	366 SPACES	INCLUDES 10 SPACES FOR AMENITY CENTER.
SITE AREA = 11.49 AC.	164 MAX. DWELLING UNITS		

"SOUTHERN HILLS APARTMENT SITE"

MASTER PLAN

City of Brooksville
Hernando County, Florida

APRIL 9, 2007

Phillip A. Smith, VP
Crosland
5201 W Kennedy Blvd., Suite 115
Tampa, FL 33609

Ruden McClosky
401 E. Jackson Street, Suite 2700
Tampa, FL 33602

P:\Southern Hills Apts\Master Plan\Landplan\REZONING\RZ-MAS.dwg, Model, 5/21/2007 9:19:48 AM, justinp

I. Narrative Description

The Southern Hills Apartment project (Parcel Key Numbers 00380590, 00713428 and 00380643), consisting of approximately 11.45 acres, is located at the southeast corner of Southern Hills Boulevard and Governor Boulevard, in Section 4, Township 23 South, Range 19 East, within the City of Brooksville, Florida. The majority of the property is currently zoned Combined Planned Development Project (City), with a small portion of recently annexed property zoned Agricultural (County). Adjacent zoning surrounding the property, as indicated on the attached plan, includes: CPDP to the north, east and west and AG (County) to the south. The subject site is within an area of Suburban Residential designated lands on the City of Brooksville's Future Land Use Map that was part of the original Hampton Ridge Properties annexation, but outside the Southern Hills Plantation project. These lands were envisioned to contain residential and community-oriented development of various types and sizes, including single-family, multi-family and school uses. As such, the applicant is requesting multi-family (R3) with a special exception for planned development project (PDP). The Applicant is proposing the development of 164 residential dwelling units consisting of three-story apartments buildings with outside parking. Each apartment building will contain twelve (12) one and two bedroom units. The clubhouse building will contain eight (8) one and two bedroom units over top the first floor clubhouse amenity.

The Applicant may exercise the option of making this apartment complex a fully "gated" community. Additionally, the Applicant proposes to construct a 6' perimeter structure along the western and northern borders of the site.

Although not shown on the zoning master plan, the Applicant is requesting the ability to construct freestanding garages and/or covered parking. These structures, if added, shall comply with the City of Brooksville accessory structure requirements and only be allowed for those parking space areas that exceed the minimum required by the City code.

The following is the requested perimeter and building setbacks:

From Southern Hills Boulevard = 35'
From Governor Boulevard = 35'
From South (rear) Property Line = 25'
From East (side) Property Line = 25'
Separation Between Buildings = 20' minimum
Setbacks from Drive Lanes (EOP) = 10' minimum

II. Zoning Master Plan

The following page of this report is an 8 ½" x 11" reduced version of the Zoning Master Plan. Eleven (11) full size copies of the Zoning Master Plan at 1"-60' scale are provided under separate cover.

III. Design/Development Schedule

The Applicant intends to design and permit the entire apartment complex project at one time. The anticipated land development start date for the project will be fall of 2007. It is expected that construction build-out will be complete in 12 to 18 months from the start date.

IV. Preliminary Engineer's Report

A. Topography

The existing topography ranges from elevation 88' to 98'. The property generally slopes from the northeast to the existing ditch located on the southwestern boundary of the site.

B. Floodplain

The property lies within flood zones "C" per FEMA FIRM panel 120110 0175B. The County and SWFWMD are currently in the process of remodeling and recalculating flood stages throughout the County's watersheds. This project is located within the Peck Sink Basin and continues to lie above the 100 year flood stage in the new study.

C. Vegetation

The site is dominated by forested uplands generally consisting of sand pine and turkey oak, with an occasional live oak. The understory is dense and dominated by saw palmetto and wiregrass to the north, transitioning to fetterbush to the south along the creek. The creek (wetland) forms the southern boundary of the site, and flows from east to west. It is incised with a sandy bottom and sparse vegetation within the channel, which is on average 5 feet wide. The sides of the creek, also wetland area, take on a floodplain look with elm and maple trees present. There is little to no ground cover and signs of regular inundation.

An existing stormwater pond is located in the northeast corner of the site. It is an open water feature with a littoral shelf dominated by cattail, and mowed and maintained bahia grass side slopes. With the exception of this pond area, the vegetation throughout the site is native and contains little to no nuisance/exotic vegetation.

D. Drainage

The site drainage scheme will utilize to the fullest extent the existing topography of the site. The stormwater management system will be designed and constructed in accordance with the Southwest Florida Water Management District and the City of Brooksville. The stormwater management system will be designed to handle all onsite flows generated by the required storm events as well as accommodate all existing offsite flow conditions affecting the site.

The proposed method of treatment will be utilization of wet detention ponds with a positive discharge to the adjacent creek located along the

southern property line. The existing stormwater pond located on site will be reconfigured to meet the revised layout. The original design parameters of this pond will be maintained with the reshaping. Final design will include the modeling necessary to provide for an efficient and effective stormwater design.

E. **Soils**

According to the Soil Survey of Hernando County, Florida, the subject parcel includes three separate soil types. The three soil types present include Blichton loamy fine sand, 2 to 5 percent slope, Flemington fine sandy loam, 2 to 5 percent, and Nobleton fine sand, 0 to 5 percent slope.

F. **Wetlands**

The Southwest Florida Water Management District with the previous Environmental Resource Permit approved the wetland lines shown on the Master Plan and utilized for the layout of the project. Every effort has been made to avoid impact to these previously permitted wetland areas and upland buffers.

G. **Access**

The project is proposed as a gated apartment complex. The main entrance off of Southern Hills Boulevard will include an owner's card reader and guest call box. The secondary entrance off of the proposed Governor Boulevard will be utilized for owner's entry and exit only. A right-in, right-out configuration will be designed for this entrance.

H. **Utilities**

Water and sewer service will be provided by the City of Brooksville. The construction plans for the project will be submitted to the City Utilities Department and the Florida Department of Environmental Protection for approval.

The project will include a water connection to the 8-inch water main stub-out provided on Southern Hills Boulevard. The sanitary sewer will connect to the exiting 8-inch stub-out provided along Southern Hills Boulevard. Current and planned improvements to the City's water and sewer plant facilities will provide sufficient capacity to meet the demands of the proposed project at the time of development.

The project site will be master metered and all utilities installed within the boundaries of the site will be owned and maintained by the apartment complex as a private system.

The projected project flows for the proposed development are as follows:

Potable Water @ 250 GPD/Unit * 164 Units = 41,000 GPD.

Sewerage @ 200 GPD/Unit * 164 Units = 32,800 GPD

I. **Amenities**

The Applicant proposes a community recreation center, which is expected to include a clubhouse and swimming pool. Pedestrian connections will also be made to the Southern Hills sidewalk network. These connections will also include and onsite nature trail meandering along the retention ponds. Final design of the recreational facilities will be determined at the construction plan stage.

Landscaping will meet or exceed applicable City codes and ordinances. Please find attached a Tree Preservation/Replacement Plan, which depicts the number of trees required for removal and the proposed mitigation of those trees.

V. Statement of Developer's Intent with Respect to Construction of Improvements Prior to Recording Subdivision Plat or Bonding Instruments

This project is to be constructed as an apartment complex and will be owned by a single entity. Bonding and platting of this project will not be required.

VI. Adequate Access Analysis

Access to the project is proposed from Southern Hills Boulevard and the future Governor Boulevard. The original developers completed a transportation analysis for the entire Southern Hills development, which included 999 residential units. This analysis outlined the required external improvements required for construction. The units proposed for construction in the Southern Hills Apartment complex were included in the original transportation analysis for the entire Southern Hills project.

VII. Deviations Requested

The applicant requests a deviation from the maximum gross square footage component of the City's land use intensity matrix for this project. Analysis of the proposed project indicates that it meets all other components (minimums for open space, livability, recreation and parking) of the land use intensity matrix. The requested deviation of approximately 28,000 square feet is, however, necessary to address the maximum square footage component of the requirement.

STAFF REPORT

Board of County Commissioners: December 13, 2006

APPLICANT: Crosland, LLC **FILE NUMBER:** H-06-120

PURPOSE: To review a report analyzing consistency with the Hernando County Comprehensive Plan of a Multi-family residential zoning designation

GENERAL LOCATION: East side of US Hwy 41, south side of Southern Hills Boulevard

LEGAL DESCRIPTION: A portion of Section 4, Township 23 south, Range 19 east, Hernando County, FL

FILE STATUS: All requirements necessary to conduct the public hearing have been satisfied.

Citizen correspondence received as of the date of this report? Yes ☐ No ☐

STAFF FINDINGS:

Surrounding Zoning	Surrounding Land Uses
North: City of Brooksville	Southern Hills
South: AG	AG
East: AG	AG
West: City of Brooksville	Southern Hills

SUMMARY OF REQUEST

The subject property is an approximately 1.39 acre agriculturally zoned property recently annexed into the City of Brooksville. The petitioner requests to rezone from AG/(Agricultural) to PDP(MF)/Planned Development Project (Multi-Family) for the use of a drainage retention area. The City of Brooksville has not amended their Comprehensive Plan; consequently, rezoning of the property must be reviewed for consistency with the County's Land Development Regulations and adopted Comprehensive Plan. The staff has prepared a report analyzing consistency of the request with the County's land development regulations and adopted Comprehensive Plan. After review by the BCC, the staff will transmit the report to the City of Brooksville for consideration during their rezoning process. The subject property is located on the east side of US 41, south side of Southern Hills Boulevard.

FACTUAL INFORMATION

1. The property is currently zoned AG/(Agricultural).

2. The property comprises approximately 1.37 acres.

3. The site may contain majestic and specimen trees.

5. The subject property has no direct access to any road.

6. The subject property is located within residential land use classifications on the adopted Future Land Use Map.

7. The on-site soil types include Blichton loamy fine sand, Kendrick fine sand, and Nobleton fine sand.

8. The property is located in a flood zones C.

9. The subject property contains no wetlands, WHPAs or SPAs, according to County data resources.

10. The subject property is located in the City of Brooksville's "First Right to Serve Area."

11. The are no adequate public facility available.

12. There are adequate public facilities available to serve limited development on the subject property.

13. The petitioner has requested a no deviation from the County's LDRs.

STAFF DISCUSSION

The petitioner has submitted a master plan requesting approval of approximately 1.37 acres of AG/(Agricultural) use to PDP(MF)/Planned Development Project (Multi-Family). The petitioner has indicated that the subject property will be utilized as a drainage retention area to serve the Southern Hills multi-family project. A natural drainage ditch, associated with a wetland along the banks, forms the southern boundary of the parcel. The petitioner has indicated a 25' vegetated buffer has been provided between the edges of the wetland and the drainage retention area, as indicted on the site plan. A 15' natural vegetated buffer has been provided along the southeast boundary

The subject property was annexed into the City of Brooksville in June of 2005. The property is subject to the County's Land Development Regulations and adopted Comprehensive Plan,

consequently, the County is conducting a review for compliance with our LDRs and the County's adopted Comprehensive Plan.

The subject property contains areas of FEMA 100 year floodplain. The County has received updated flood studies from which updated digital FIRM maps will ultimately be produced. In the intervening time, the flood studies are considered the best available information and the data would be required to be utilized as the base flood determination. The project design shall limit more intense land uses in close proximity to floodplain and wetlands including high density residential and commercial uses. Any land alteration that impacts 100 year floodplain capacity and volume shall be appropriately mitigated. There shall be no net loss of flood storage.

FINDINGS OF FACT

The area is characterized by single family, mobile home and rural residential uses agricultural uses and undeveloped parcels. Residential uses are located to the north and west of the subject property.

The subject property is located within a residential land use classification on the adopted Future Land Use Map. Land uses allowed in the residential land use classification, with appropriate land use approvals, include single family residential densities up to 5.4 units per acre, resort residential, and ancillary uses such as recreation, churches and community centers. The drainage retention area is a permitted use within the County's comprehensive plan.

Policy 1.01H(2) indicates existing and future residential areas are to be protected from encroachment of incompatible uses that are destructive to the character and integrity of the residential environment. The subject property is located adjacent to single family development characterized by half-acre and one-third acre lot sizes. The proposed development of the site as a retention area would be compatible with the surrounding land uses and would serve to buffer the more intense Multi-Family uses.

STAFF RECOMMENDATION:

It is recommended that the Board of County Commissioner's make a determination that the proposed rezoning request from AG/(Agricultural) to PDP(MF)/Planned Development Project (Multi-Family) is consistent with the Adopted Hernando County Comprehensive Plan with performance conditions. Further, it is recommended the BCC forward this report and the following recommended performance conditions to the City of Brooksville:

1. The petitioner must obtain all appropriate permits from Hernando County and meet all applicable land development regulations, for either construction or use of the property, and complete all applicable development review processes.

2. The revised 100 year flood plain data shall be used to designate the project master plan. The project design shall limit more intense land uses in close proximity to floodplain and wetlands including high density residential uses.

3. The petitioner shall develop the subject site with a drainage retention area and no other use.

Chief Planner Jerry Greif advised that the staff had been involved in negotiations on the terms of a Development Agreement for the proposed subdivision.

Attorney Darryl Johnston, representing the applicant, conveyed that the Development Agreement was a Tri-Party Agreement among the County, the City and the developer, with the goal of dealing with transportation, impact fees and drainage issues. He noted that the agreement was close to being finalized. He assured the Board that no final approval would be provided until the Development Agreement was resolved.

Comm. Kingsley asked Planning Director Ronald Pianta if he felt the issues addressed in the recommended performance conditions were being addressed.

Mr. Pianta responded affirmatively, noting that the recommended performance conditions would make the plan consistent with County regulations.
There was no public input.

Motion

Comm. Kingsley moved to approve the staff recommendation; seconded by Comm. Russell and carried 4-0.

Rezonings - City of Brooksville - Rezoning Request Determined Consistent With Comprehensive Plan/Report and Recommended Performance Conditions to be Forwarded to City

Proof of publication of Notice of Public Hearing was noted to consider the petition of Crosland, LLC, (H-06-120) to review a report for consistency with the County's Land Development Regulations (LDRs) and the Comprehensive (Comp) Plan relating to a request to rezone property within the City of Brooksville (City) from Agricultural (AG) to Planned Development Project(Multi-Family) (PDP[MF]).

The subject property was located on the east side of US 41 and the south side of Southern Hills Boulevard.

Pursuant to the Findings of Fact outlined in the staff report, the staff recommended that the Board make a determination that the proposed rezoning request from AG to PDP(MF) was consistent with the Comp Plan with performance conditions. The staff recommended that the Board forward the report and the recommended performance conditions to the City.

Mr. Donald Lacey, Senior Vice President of Coastal Engineering Associates, Inc., representing the applicant, under oath, explained that the property had been acquired to be used as a portion of a drainage retention area.

There was no public input.

Motion

Comm. Kingsley moved to approve the staff recommendation; seconded by Comm. Russell and carried 4-0.

Comprehensive Plan - Amendment - Approval of Request by Florida Crushed Stone Company to Amend Designation of Six Parcels From Industrial, Rural and Residential to Mining

Proof of publication of Notice of Public Hearing was noted to consider the petition of Florida Crushed Stone Company (FCSC) (CPAM-06-05) for a Comprehensive Plan Amendment to amend the designation on six parcels from Industrial, Rural and Residential to Mining.

The subject property was located east of Sunshine Grove Road, west of Ponce de Leon Boulevard (US 98), south and east of CR 491 and north of Fort Dade Avenue, generally described as adjoining the existing FCSC limestone mine.

The Planning Department staff had recommended that the Planning and Zoning (P&Z) Commission consider the draft CPAM and recommend to the Local Planning Agency (LPA)/Board that the CPAM, together with the recommendations in this staff report be transmitted to the Department of Community Affairs (DCA) and the review agencies, with Parcels A, B, C and D being excluded.

On July 10, 2006, the P&Z Commission had conducted a public hearing on the draft CPAM and accepted public comments. At the hearing, the applicant submitted a written request to withdraw Parcel D from the requested CPAM. The P&Z Commission had voted 4-1 to recommend to the LPA/Board that the CPAM be transmitted to DCA and the review agencies as recommended by the staff, except that Parcels B and C should be included in the CPAM with the stipulation that Parcels B and C could be utilized only for storage of overburden.

On August 9, 2006, the Board, sitting as the LPA, considered the requested CPAM, accepted public comments and voted 4-0 to authorize the staff to transmit the proposed CPAM to DCA and review agencies with a request for review, subject to the following conditions: (1) Parcel D was withdrawn by the applicant; (2) Parcels B and C could be utilized only for overburden storage; and (3) The area identified as Parcel A was approved for inclusion in the proposed CPAM transmittal subject to the applicant preparing a Development Agreement or some other suitable mechanism to ensure replacement of the Parcel A Industrial acreage proposed to be changed to Mining with other suitable property controlled by the applicant. In addition, the Development Agreement or other suitable mechanism shall also include provisions for utilizing Parcel A for industrial uses upon completion of the proposed mining activities. The Development Agreement or other suitable mechanism shall be prepared and considered prior to, or concurrently with, consideration of the CPAM for adoption. This condition was not to be

8050 Mobley Road
Brooksville, FL 34601
Phone 352-797-7096
FAX 352-797-7156

Superintendent
Wendy L. Tellone, Ed.D.
Chairperson
Jim Malcolm
Vice Chairperson
John Druzbick
Members
Pat Fagan
Sandra Nicholson
Robert Wiggins

May 7, 2007

Patricia J. Jobe
Planning & Zoning Coordinator
201 Howell Avenue
Brooksville, FL 34601-2041

Dear Ms. Jobe:

I reviewed the proposed rezoning requests that you forwarded to me for the May 9, 2007 P & Z meeting. In reference to **RZ2007-02 and SE2007-02,** the request from Crosland, Inc. to rezone 11.45 Ac and develop 164 residential units in fourteen 3-story buildings, I note that item No. 11 of the Staff Recommendation states that pursuant to the interlocal agreement, the developer is required to coordinate with the Hernando County School District to determine if adequate school capacity exists. To date, I have not been contacted by the developer, therefore, No. 11 has not yet been addressed. For your information, I offer the following comments:

Schools for which students from this development will be zoned:
Elementary (K-5) – Brooksville Elementary School
Middle (6-8) – D.S. Parrott Middle School
High (9-12) – Hernando High School

This rezoning request is expected to have an impact to the District with an increase of an additional 55 students. The above mentioned schools are currently over permanent capacity. An immediate solution to solve the impact of additional students would be adding portable classrooms at an estimated cost of $275,000 and 2.5 teachers at an estimated cost of $125,000. However, the state requires us to build permanent capacity facilities and eliminate portables. I have attached a worksheet developed by the District's Chief Financial Officer showing anticipated revenue and the impact of this development based on the projected 55 additional students. This worksheet shows an estimated impact in excess of school taxes between $490,041 and $497,421.

The request from Michael & Laura Gamba - **AX2007-03,** the request from Hilltop Project – **SE2007-04 & SE 2007-05** and the request from HCBOCC Presented 55 Ponce deLeon, LLC- **RZ2007-03 and SE2007-06** will have no significant impact to the District.

In the past, you submitted information relative to rezoning issues and afforded me the opportunity to submit comment prior to finalizing your Staff Recommendation. If at all possible, until School Concurrency is a reality, I would appreciate continuing that process. Thank you for the opportunity to comment on the effect that these proposed rezoning requests will have on the Hernando County School System.

Sincerely,

Ken Pritz
Executive Director, Facility & Support Operations

Hernando County School Board
Estimated School Revenues Generated from New Development
Development: Crosland, Inc. RZ2007-02 and SE2007-02
May 2007 - City

# Homes	164		
# Anticipated School Children	55		
Weighted Cost Per Student Station	$22,167		
	Estimated Tax Value	Estimated Tax Value	Estimated Tax Value
Estimated Value of Homes in Development	$250,000	$300,000	$325,000
Subtract: Homestead Exemption	($25,000)	($25,000)	($25,000)
Estimated School Taxable Value in Development	$225,000	$275,000	$300,000
If All Homes School Taxable Value	$36,900,000	$45,100,000	$49,200,000

Estimated Local School Taxes Generated from Development

	Actual 2006-06 Millage				
Required Local Effort	5.207	Mills	$192,138	$234,836	$256,184
Discretionary Local Effort	0.760	Mills	$28,044	$34,276	$37,392
Total Operating Millage (1)	5.967	Mills	$220,182	$269,112	$293,576
Local Capital Improvement (2)	2.000	Mills	$73,800	$90,200	$98,400
Voted Debt Service (3)	0.547	Mills	$20,184	$24,670	$26,912
Total Proposed School Millage	8.514	Mills	$314,167	$383,981	$418,889
Proposed Increase in Impact Fees (4)	$4,266		$699,624	$699,624	$699,624

	Available for New Construction	Available for New Construction	Available for New Construction
(1) The Operating Taxes accounted for in School District's General Fund	$0	$0	$0
(2) Local Capital Improvement Taxes are accounted for in the Capital Projects Funds and approximately 30% is used to fund new construction	$22,140	$27,060	$29,520
(3) Voted Millage to retire General Obligation Bonds	$0	$0	$0
(4) Impact Fees are accounted for in Capital Projects Fund	$699,624	$699,624	$699,624
	$721,764	$726,684	$729,144
Impact of Development Based on Projected # of Students	$1,219,185	$1,219,185	$1,219,185
Projected Impact in (Excess) of Projected Local School Taxes	($497,421)	($492,501)	($490,041)

AGENDA ITEM NO. E-5
6/18/07

CITY OF BROOKSVILLE
MEMORANDUM

To: T. Jennene Norman-Vacha, City Manager

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

Re: **Award of Bid for Providence Blvd. And Whitfield Ave.**
Bid No. CD2007-02

Date: June 11, 2007

Two bids were received and opened at City Hall on Friday, June 8, 2007 as follows:

WDG Construction, Inc.	Base Bid	$329,999.99
	ALT #1	10,000.00
	Grand Total	$339.999.99
Croft Contracting, Inc.	Base Bid	$390,055.06
	ALT #1	18,003.00
	Grand Total	$408,058.06

Alternate #1 includes the construction of sidewalks within the project rights-of-way.

Adequate funds are budgeted for this project under the Transportation Outreach Program (TOP). The current unencumbered fund balance of the TOP grant is $641,521.94.

Recommendation: WDG is a large experienced construction company and staff recommends awarding the bid to them for the Base Bid amount and the inclusion of ALT #1 work , for the not-to-exceed grand total amount of $339,999.99, and authorizing the Mayor to execute a contract after all documents have been received and approved by the City Attorney.

EHP/lr

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BID OPENING MINUTES
PROVIDENCE BLVD. & WHITFIELD AVENUE IMPROVEMENT PROJECT
BID NO. UD2007-02

3:00 p.m. June 8, 2007

A Bid Opening was held at approximately 3:00 p.m. on Friday, June 8, 2007, in the City Hall Council Chambers for **PROVIDENCE BLVD. & WHITFIELD AVENUE IMPROVEMENT PROJECT BID NO. UD2007-02.** Karen M. Phillips, City Clerk, Bill Geiger, Community Development Director, Pat Jobe, Planning & Zoning Coordinator, and Julie Sherraden, Recording Secretary were in attendance, along with representatives from WDG Construction Inc. and Croft Contracting.

City Clerk Phillips advised that an Invitation to Bid was published in the May 18, 2007, edition of the Hernando Today with a closing date and time set for 3:00 p.m. on Friday, June 8, 2007.

As a result, 2 sets of bids were received, all properly sealed and notated and all apparently containing the appropriate documents as stipulated in the bid specifications, including notations that they have a drug free program in place. The bids were to include a Bid Certification Form, Bid Bond or Cashiers Check in the amount of 5% of the project, Public Entity Crime Statement, Drug Free Workplace Form, Conflict of Interest Disclosure Statement, Equipment List, Proof of License Certification, five (5) references and one signed original with seven (7) copies.

The following companies submitted bids, which were opened and the results read as follows:

Croft Contracting, Inverness, FL, submitted a base bid in the amount of $390,055.06, with an alternate bid for the sidewalks in the amount of $18,003.00 with completion within 90 calendar days from notice to proceed.

WDG Construction, Wesley Chapel, FL, submitted a base bid in the amount of $329,999.99, with an alternate bid for the sidewalks in the amount of $10,000 with completion within 120 calendar days from notice to proceed.

Community Development Director indicated that staff and the consultants will review the bids in their entirety and present recommendation for approval to City Council on the June 18th, 2007 agenda or later if necessary. The bid opening closed at approximately 3:10 p.m.

Karen M. Phillips, City Clerk

G:\WP_WORK\ClerkOffice\MINUTES\2007\06-08-07 Bid Opening UD2007-02.wpd

WAG CONS.

CITY OF BROOKSVILLE

BID/CERTIFICATION FORM
PROVIDENCE BOULEVARD AND WHITFIELD AVENUE
TOPS GRANT CONTRACT #AM827
BID NO.: CD2007-02

Bidders Certification to THE CITY OF BROOKSVILLE:

1. The undersigned warrants that: (A) this Bid is submitted in response to, and is in compliance with, all terms and conditions applicable thereto as set forth in the Advertisement, General Instructions and Conditions, Special Instructions and Conditions, Bid/Certification Forms and (if any), the Minimum Technical Specifications, Plans, Addendums, Exhibits, Agreement, Bonds and Insurance requirements, each of which has been carefully examined, (B) Bidder or Bidder's representative has made such investigation as is necessary to determine the character and extent of the work and their capability to perform the work, and (C) agrees that if the Bid is accepted by the City, Bidder will provide the necessary labor, materials, machinery, equipment, tools or apparatus, and perform all the work or services required to complete the assignment and/or contract within the time specified according to the requirements of the City as herein and hereinafter set forth, and (D) he/she is authorized to legally execute binding contracts for and on behalf of the Bidder.

2. Please check one:

   ☒ Bidder declares that the only person, persons, company or parties interested in this Bid are named in the Bid.

   ☐ Bidder, or one or more of bidder's officers, principals, or any owner of more than 5% in or of bidder, or members of their immediate families: (A) have a financial interest in another company, project, or property that could benefit financially from this proposed project; and/or (B) another individual or business will be compensated by (or on behalf of bidder) if bidder is selected by the City to bid the requested services. (Attach a detailed explanation for either.)

3. The City reserves the right to accept any or all prices itemized in any combination that best serves the interests of the City

4. Number of calendar day from date of notice to proceed that will be required for the final completion of all work as described herein and as shown on the plans. 120 Calendar days (120 calendar days maximum)

5. Bidder hereby acknowledges receipt of the following addendums:

   1) N/A
   2) N/A
   3) N/A
   4) N/A

6. BID FOR UNIT PRICE CONTRACTS

Project: Providence Blvd and Whitfield Ave. Date 6/8/07 Project No. ID2007-02

Proposal of WDC Construction (hereinafter called "Bidder")

a corporation [ ] ~~partnership~~ [ ] individual [ ] doing business as

2120 Ashley Oaks Cir #102 Wesley Chapel FL 33543

to City of Brooksville, hereafter called "Owner".

The Bidder, in compliance with your invitation for bids for the construction of the Project, having examined the plans and specifications with related documents and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies; and to construct the project in accordance with the Contract Documents, within the time set forth therein, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the Contract Documents, of which this proposal is a part.

BASE PROPOSAL: Bidder proposes and agrees to provide all materials, services or equipment requested for the PROVIDENCE BOULEVARD AND WHITFIELD AVENUE TOPS GRANT CONTRACT #AM827 Total Cumulative Base Bid Sum:

Base Bid

Three Hundred Twenty Nine Thousand Nine Hundred Ninety Nine Dollars and Ninety Nine Cents ($ 329,999.99)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

Alternate # 1 Add on - Sidewalks

Ten Thousand Dollars and Zero Cents ($ 10,000.00)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

CROFT CONT.

CITY OF BROOKSVILLE

BID/CERTIFICATION FORM
PROVIDENCE BOULEVARD AND WHITFIELD AVENUE
TOPS GRANT CONTRACT #AM827
BID NO.: CD2007-02

Bidders Certification to THE CITY OF BROOKSVILLE:

1. The undersigned warrants that: (A) this Bid is submitted in response to, and is in compliance with, all terms and conditions applicable thereto as set forth in the Advertisement, General Instructions and Conditions, Special Instructions and Conditions, Bid/Certification Forms and (if any), the Minimum Technical Specifications, Plans, Addendums, Exhibits, Agreement, Bonds and Insurance requirements, each of which has been carefully examined, (B) Bidder or Bidder's representative has made such investigation as is necessary to determine the character and extent of the work and their capability to perform the work, and (C) agrees that if the Bid is accepted by the City, Bidder will provide the necessary labor, materials, machinery, equipment, tools or apparatus, and perform all the work or services required to complete the assignment and/or contract within the time specified according to the requirements of the City as herein and hereinafter set forth, and (D) he/she is authorized to legally execute binding contracts for and on behalf of the Bidder.

2. Please check one:

   ☒ Bidder declares that the only person, persons, company or parties interested in this Bid are named in the Bid.

   ☐ Bidder, or one or more of bidder's officers, principals, or any owner of more than 5% in or of bidder, or members of their immediate families: (A) have a financial interest in another company, project, or property that could benefit financially from this proposed project; and/or (B) another individual or business will be compensated by (or on behalf of bidder) if bidder is selected by the City to bid the requested services. (Attach a detailed explanation for either.)

3. The City reserves the right to accept any or all prices itemized in any combination that best serves the interests of the City

4. Number of calendar day from date of notice to proceed that will be required for the final completion of all work as described herein and as shown on the plans. 90 Calendar days (120 calendar days maximum)

5. Bidder hereby acknowledges receipt of the following addendums:

   1) _____
   2) _____
   3) _____
   4) _____

6. BID FOR UNIT PRICE CONTRACTS

Project: Providence Blvd and Whitfield Ave. Date 6/8/2007 Project No. CD2007-02

Proposal of CROFT CONTRACTING INC. (hereinafter called "Bidder")

a corporation [X] partnership [ ] individual [ ] doing business as

CROFT CONTRACTING INC.)

to City of Brooksville, hereafter called "Owner".

The Bidder, in compliance with your invitation for bids for the construction of the Project, having examined the plans and specifications with related documents and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies; and to construct the project in accordance with the Contract Documents, within the time set forth therein, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the Contract Documents, of which this proposal is a part.

BASE PROPOSAL: Bidder proposes and agrees to provide all materials, services or equipment requested for the PROVIDENCE BOULEVARD AND WHITFIELD AVENUE TOPS GRANT CONTRACT #AM827 Total Cumulative Base Bid Sum:

Base Bid

THREE HUNDRED NINETY THOUSAND, FIFTY FIVE DOLLARS & 06/100 ($ 390,055.06)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

Alternate # 1 Add on - Sidewalks

EIGHTEEN THOUSAND, THREE DOLLARS AND 00/100 ($ 18,003.00)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

AGENDA ITEM NO. F-1
6/18/07

RESOLUTION NO.2007-11

AN APPRECIATION RESOLUTION ON THE PART OF THE CITY OF BROOKSVILLE CITING STEPHEN J BAUMGARTNER FOR DISTINGUISHED SERVICE AND SELFLESS DEDICATION WHILE SERVING AS INTERIM CITY MANAGER FOR THE CITY OF BROOKSVILLE, FLORIDA.

WHEREAS, STEPHEN J BAUMGARTNER is the Director of Finance for the City of Brooksville; and,

WHEREAS, MR. BAUMGARTNER has faithfully served the City of Brooksville as Interim City Manager for the period of January 23, 2007 through June 6, 2007, providing leadership, expertise, common sense, professionalism, proficiency, diligence and dedication during this recent period of transition.

WHEREAS, throughout this four-and-one-half month period he has worked tirelessly, energetically and in a dignified and compassionate manner to maintain the morale of City personnel and the high quality of conditions under which they work, while serving to protect the City and the citizens it serves from liability under certain arduous circumstances.

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

That this Resolution is adopted to take this opportunity to express the appreciation of the City, its citizens, Council and employees and to extend our heartfelt thanks to **STEPHEN J BAUMGARTNER** for serving as Interim City Manager for the City of Brooksville.

ADOPTED in regular session this ____th day of June, 2007.

CITY OF BROOKSVILLE, FLORIDA

BY:_____
David Pugh, Mayor

ATTEST:_____
Karen M. Phillips, City Clerk

VOTE OF CITY COUNCIL:

Bernardini ____
Bradburn ____
Burnett ____
Lewis ____
Pugh ____

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

_____
David LaCroix, City Attorney

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AGENDA ITEM NO. F-2 (a+b)
6/18/07

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: T. JENNENE NORMAN-VACHA, CITY MANAGER

SUBJECT: INTERLOCAL AGREEMENT FOR DISTRIBUTION OF LOCAL GAS TAX PROCEEDS AND

INTERLOCAL AGREEMENT FOR DISTRIBUTION OF ELMS GAS TAX PROCEEDS

DATE: JUNE 11, 2007

Council, during its June 4th meeting, asked that staff provide further review and information of the attached Interlocal Agreements for distribution of gas tax proceeds, including the Local Option Gas Tax and the ELMS Gas Tax proceeds.

The Interlocal Agreements outline the formulas to be used in distributing locally adopted gas tax proceeds between Hernando County Board of County Commissioners (County) and the City of Brooksville (City). As allowed by the Florida Statutes, the County has adopted the 1st Local Option Gas Tax (Local Option Gas Tax proceeds, currently 6 cents) and the 2nd Local Option Gas Tax (known as the ELMS Gas Tax proceeds, currently 2 cents).

The County is required to notify the Florida Department of Revenue of local option fuel tax impositions and provide them with a certified copy of the interlocal agreement that lists the distribution proportions, by July 1st each year.

Historically, the Interlocal Agreements between the County and the City have been based on a ratio percentage split based of the City's population to the total population of the County. The proposed agreements have set forth the same continued language for distribution. For FY 2006-07, the City's revenue for our portion is approximately $320,896, estimated from a 5% City and a 95% County split distribution.

The City's percentage of distribution could decrease in 2007-2008 based on the recently projected population estimates to approximately 4.66% (7,322 out of 157,006) instead of 5%. Projections of the revenue estimates for the new fiscal year have not yet been issued by the Department of Revenue. See enclosed Memorandum from Stephen Baumgartner, Finance Director for a history of the revenues realized over the last several years.

In accordance with the Florida Statutes, Chapter 336.025, if an Interlocal Agreement is not reached between the County and the City, distribution would fall to the default formula and "be distributed among the county government and eligible municipalities based on the transportation expenditures of each for the immediately preceding 5 fiscal years, as a proportion of the total of such expenditures for the county and all municipalities within the county."

Staff believes that the language within the proposed Interlocal Agreements that provides for distribution of proceeds based on percentage of population is most desirable for the City of Brooksville.

Found within the provisions of the Interlocal Agreement for Distribution of Local Options Gas Tax proceeds the County has agreed to "become the maintenance authority for all traffic signals located on state, county or local roads which would normally be CITY'S responsibility to maintain." The City must continue to pay for the utility costs associated with the operations of the signals. The County further agrees to "assume all maintenance responsibilities including repair or replacement of existing traffic signals or beacons." As compensation to the County for its costs and expenses associated with the maintenance of the City's signals, the agreement provides that the "CITY shall pay COUNTY any Florida Department of Transportation reimbursement compensation received by the CITY for traffic signal maintenance."

According to the Director of Public Works, Emory Pierce (see attached memorandum), the current Florida Department of Transportation (FDOT) reimbursement for traffic signal maintenance amounts to approximately $19,800. The County Department of Public Works has provided information that shows that the costs for FY 2006-07 (to date) are $23,677.03 for the maintenance and repair of the City's traffic signals; and during FY 2005-06, they spent $26,046.52.

RECOMMENDATION: We recommend approval by the Council of both the Interlocal Agreement for Distribution of Local Option Gas Tax proceeds and the Interlocal Agreement for Distribution of ELMS Gas Tax proceeds.

06-11-07 A11:40 IN

CITY OF BROOKSVILLE FINANCE DEPARTMENT

Date: June 11, 2007

To: T. Jennene Norman-Vacha, City Manager

From: Stephen J Baumgartner, Finance Director

RE: Interlocal Gas Agreements

The recommendation by staff to utilize the population estimates has been used previously by the City and County. In my experience, this has been a common method and is fair to both entities. If you do not reach an agreement, a method is imposed (see below to italicize) which I do not believe would be favorable to the City.

The distribution of the local option fuel taxes are discussed in the Local Government Financial Information Handbook, dated March 2006. The Handbook states the following:

The county's proceeds from the 1 to 6 cents and 1 to 5 cents fuel taxes shall be distributed by the DOR according to the distribution factors determined at the local level by interlocal government agreement between the county and municipalities within the county's boundaries. If no interlocal agreement is established, then the distribution shall be based on the transportation expenditures of each local government for the immediately preceding 5 fiscal years, as a proportion of the total of such expenditures for the count and all municipalities within the county.

The history of gas taxes collected on a fiscal year basis are as follows:

2002	$264,343 (Audited)
2003	$264,660 (Audited)
2004	$289,259 (Audited)
2005	$320,733 (Audited)
2006	$314,604 (Audited)
2007	$320,896 (estimate by Florida Department of Revenue)
2008	No estimate available at this date

The City has generally received increases in gas taxes since 2002. There was a $6,129 decrease form 2005 to 2006.

The Revenue estimates for fiscal year ending 9/30/07 are attached. Also, attached are April 07 remittance advices for both interlocal gas taxes. Thank you.

U:sbaum/mydocs/word/memo interlocal gas tax.doc

Local Option Fuel Taxes

Revenue Estimates for the Local Fiscal Year Ending September 30, 2007

	1 to 6 Cents Local Option Fuel Tax Imposed on Motor and Diesel Fuels			1 to 5 Cents Local Option Fuel Tax Imposed on Motor Fuel Only		
Local Government	Motor Fuel Tax Rate	Distribution Percentage	Estimated Distribution	Motor Fuel Tax Rate	Distribution Percentage	Estimated Distribution
HERNANDO BOCC	**$ 0.06**	**95.0000000**	**$ 4,800,985**	**$ 0.02**	**95.0000000**	**$ 1,296,054**
Brooksville		5.0000000	252,683		5.0000000	68,213
Countywide Total		100.0000000	5,053,668		100.0000000	1,364,268

STATE OF FLORID/

DEPARTMENT OF FINANCIAL SERV .S

REMITTANCE ADVICE

JA 4-30-07

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
73-742448001-73401000-00-31013800	730000	RA	C7000019638	7100	04/26/07	0523708

03/07 COLLECTIONS UAS312.400 LOCAL OPT GAS

PAYMENT AMOUNT
$ 18,874.84

DO NOT CASH

AGENCY DOCUMENT NO
VRT9069

CITY OF BROOKSVILLE
201 HOWELL AVE
BROOKSVILLE FL 34601

PLEASE DIRECT QUESTIONS TO: (850) 487-1150, FLORIDA DEPT OF REVENUE - REVENUE ACCOUNTING

VENDORS NOW CAN VIEW PAYMENT INFORMATION AT HTTP://FLAIR.DBF.STATE.FL.US

INVOICE NUMBER	AMOUNT
LOCOPO407	$ 18,874.84

PAID AS

THE PAYMENT HAS BEEN TRANSMITTED ELECTRONICALLY (EFT) TO YOUR FINANCIAL INSTITUTION ACCORDING TO YOUR INSTRUCTIONS.

CITY OF BROOKSVILLE
201 HOWELL AVE
BROOKSVILLE FL 34601

STATE OF FLORIDA
DEPARTMENT OF FINANCIAL SERVICES
REMITTANCE ADVICE

AB 4-30-07

THIS IS NOT A PAYMENT DEVICE

FLAIR ACCOUNT CODE	OLO	SITE	DOCUMENT NUMBER	OBJECT	DATE	PAYMENT NO
73-742448001-73401000-00-31013800	730000	RA	C7000019635	7100	04/26/07	0523415

03/07 COLLECTIONS UAS312.400 NEWLOCALOPTGAS

PAYMENT AMOUNT
$ 5,210.38

DO NOT CASH

AGENCY DOCUMENT NO
VRT9066

CITY OF BROOKSVILLE
201 HOWELL AVE
BROOKSVILLE FL 34601

PLEASE DIRECT QUESTIONS TO: (850) 487-1150, FLORIDA DEPT OF REVENUE - REVENUE ACCOUNTING

VENDORS NOW CAN VIEW PAYMENT INFORMATION AT HTTP://FLAIR.DBF.STATE.FL.US

INVOICE NUMBER	AMOUNT
NEWL00407	$ 5,210.38

POSTED AS

THE PAYMENT HAS BEEN TRANSMITTED ELECTRONICALLY (EFT) TO YOUR FINANCIAL INSTITUTION ACCORDING TO YOUR INSTRUCTIONS.

CITY OF BROOKSVILLE
201 HOWELL AVE
BROOKSVILLE FL 34601

VENDORS NOW CAN VIEW PAYMENT INFORMATION AT HTTP://FLAIR.DBF.STATE.FL.US

his money should be Electronically Transferred to your bank by the State Comptroller's Office per the instructions that you have submitted. A test transfer and minimum of twenty days must be completed for your EFT to be activated. If you have any questions concerning these payments, please call (850) 921-1160.

	Uniform Accounting System Account	312.400	312.400	312.300	335.490	
BP#	Jurisdiction	Local Option	New Local	9th Cent	County	Total EFT
DS110000	ALACHUA COUNTY BOCC	329,251.15	-	114,494.24	102,417.67	546,163.06
DS110003	CITY OF GAINESVILLE	243,923.65	-	-	-	243,923.65
DS110007	TOWN OF MICANOPY	5,682.18	-	-	-	5,682.18
DS360000	HERNANOO COUNTY BOCC	374,350.98	103,339.15	71,422.13	60,910.31	610,022.57
DS360001	CITY OF BROOKSVILLE	18,874.84	5,210.38	0.00	0.00	24,085.22

2007-April Remittances

LOCAL OPTION

0.000000 *

18,874.840000 +
374,350.980000 +
393,225.820000 *

city
county
TOTAL

18,874.84 ÷
393,225.82 =
0.048000 *

city's portion
4.8%

NEW LOCAL

0.000000 *

103,339.150000 +
5,210.380000 +
108,549.530000 *

city
county
TOTAL

5,210.38 ÷
108,549.53 =
0.048000 *

city's portion
4.8%

CITY OF BROOKSVILLE
MEMORANDUM

To: T. Jenenne Norman-Vacha, City Manager

From: Emory H. Pierce, Director of Public Works

Re: **Interlocal Agreement for Distribution of Local Option Gas Tax Proceeds (Gas Tax Agreement)**
and
Interlocal Agreement for Distribution of ELMS Gas tax Proceeds (ELMS Agreement)

Date: June 11, 2007

Both agreements have been in existence previously and are periodically renewed every six years. The Gas Tax Agreement includes a clarification of what streets the County will maintain (paragraph 6), (no change from previous agreements); a clarification of how maintenance costs will be shared for County local roads that are annexed into the City (paragraph 6C), (this is a new item); and a listing of the traffic control devices and signals that the County will maintain (paragraphs 6D & E and Exhibit A), (no change from previous agreement, except Ex. A has been updated). The attached version has been approved by City and County Attorneys except for some very minor typographical errors that have been corrected.

The Environmental Land Management Study (ELMS) Gas Tax Agreement is attached as approved by both City and County Attorneys.

Please note that the statutes allow Cities and Counties to work out any formula they want for the distribution of the proceeds of these two gas tax revenue sources. In our case a distribution based on the percentage that the City's population is to the total County population is the best deal we could get from the County. This amounts to about 5% of the proceeds or about $320,000 that eventually goes into the General Fund budget. The only other alternative would be to fall back on the formula authorized by statue, which is to divide the proceeds according to the percentage of money spent on transportation improvements over the past five years. In that case the City's percentage would be almost zero because we have spent so little.

The money we pay the County for traffic signal maintenance is not gas tax money. It is money we receive from FDOT which we pass on to the County. The exact amount will vary each year, but generally it increases slightly each year. At the present time this reimbursement from FDOT amounts to $19,800. This is not enough for us to do the maintenance ourselves. Back when the City did maintain the signals two people and a lift truck were required.

EHP/ko
G:\FIN-POOL\Accountants\Budget\FY 08\05252007Interlocal Agreementsemmod.wpd

AGENDA ITEM NO. F-2(a)
6/18/07

INTERLOCAL AGREEMENT

THIS IS AN AGREEMENT entered into on this _____ day of June 2007, between **HERNANDO COUNTY, a political subdivision of the State of Florida**, (hereinafter referred to as "the **COUNTY**"), and the **CITY OF BROOKSVILLE, a Florida municipal corporation**, (hereinafter referred to as "the **CITY**"), and the **CITY OF WEEKI WACHEE, a Florida municipal corporation**, (hereinafter referred to as "the **TOWN**") for the purposes of determining **CITY** and **COUNTY'S** responsibilities for maintenance of the various roads and other improvements mentioned herein and for providing for the division and distribution of the proceeds of the local option gasoline tax imposed by **COUNTY** pursuant to § 336.025(1)(a), (1st Local Option Gas Tax), Florida Statutes, and as may be amended from time to time and replacing certain agreements executed and entered in by **COUNTY, CITY,** and **TOWN** on July 2, 2001.

In consideration of the premises and pursuant to the authorizations contained in § 336.025, Florida Statutes, as it may be amended from time to time **COUNTY**, **CITY** and **TOWN** agree that:

1. **CITY** is a municipality located within Hernando County, Florida, and **CITY** represents that it is eligible to receive a portion of the gasoline taxes referred to in § 336.025(1)(a), Florida Statutes, hereinafter referred to as the "Local Option Gasoline Tax."

2. **TOWN** is a municipality located within Hernando County, Florida, and **TOWN** represents that it is eligible to receive a portion of the Local Option Gasoline Tax. **TOWN** hereby agrees that all of its portion of the Local Option Gasoline Tax which it is eligible to receive will be remitted and paid over to **COUNTY** which in turn will be responsible for the maintenance and upkeep of **TOWN'S** roads, but only to the extent that **TOWN'S** gas tax proceeds are sufficient to maintain **TOWN'S** roads.

3. For the fiscal year commencing October 1, 2007, and ending on September 30 of the next following calendar year up to and including September 30, 2013 the gas tax shall be divided and distributed to **COUNTY** and **CITY**. On or about June 1st of each year **CITY's** proportionate share of the gas tax shall be computed and adjusted annually based upon the latest population estimates provided by the University of Florida's Bureau of Economic and Business Research.

4. At least ninety (90) days prior to July 1, 2013, **CITY**, **TOWN**, and **COUNTY** will meet and agree on a new distribution formula to be effective October 1, 2013. Should **CITY**, **TOWN**, and **COUNTY** not be able to reach an agreement by July 1, 2013, until a new agreement is executed the distribution shall be as follows:

a. **TOWN - COUNTY** will continue to receive all of **TOWN'S** gasoline tax revenues for which **TOWN** is eligible and **COUNTY** will maintain and repair **TOWN'S** roads.

b. **CITY** - If **COUNTY** and **CITY** cannot agree on a new distribution formula on or before July 1, 2013, then until such a new agreement is reached and executed the gas tax proceeds shall be distributed according to the provisions of § 336.025(4), Florida Statutes (2000), as it may be amended from time to time.

5. This agreement shall become effective on October 1, 2007, and terminate on September 30, 2013, the distribution formula stated herein shall govern the distribution of the proceeds of the Local Option Gasoline Tax during the term of this agreement. At least ninety (90) days before July 1st of each year any party to this agreement may notify the other parties of its intention to discuss any issues relating to the Interlocal Agreement. The parties in good faith shall meet to discuss any issues relating to this agreement but are not obligated to make any changes to this agreement. In the event that changes in state or federal law invalidates this agreement or makes this agreement impossible or impractical to perform the agreement will terminate on the close of each party's fiscal year. After being approved by the governing boards of the **CITY**, **TOWN**, and **COUNTY**, this agreement shall be filed with the Clerk of the Circuit Court of Hernando County, Florida, and a certified copy shall be sent to the Department of Revenue.

6. In accordance with this agreement **COUNTY** agrees to maintain the pavement of Main Street, Howell, and Fort Dade Avenues within the City limits of Brooksville as they exist now or may exist during the term of this agreement. **COUNTY'S** maintenance of pavement shall only include normal striping, patching, and repaving which shall be in **COUNTY'S** sole discretion to determine when and to what extent these maintenance matters need to be performed. It will be **CITY'S** sole responsibility to maintain and keep in good repair all driveways, utilities, drainage, sidewalks, and provide right-of-way maintenance associated with the above mentioned streets and roads. Nothing in this agreement should be construed as prohibiting **CITY** at its own expense from causing these roads to be repaved or otherwise maintained by **CITY**.

A. **CITY** shall be responsible and liable for issuing any permits for any special activities, events, or parades necessitating the closing of any of the streets or roads mentioned in this agreement. **CITY** shall also bear the complete expense of restoring the pavement including without limitation removing any paint, non-county provided striping or damage to the pavement caused by any person, parade, or event allowed by **CITY** to use the referenced streets or roads whether any permit is issued

or not.

B. The installation, adjustment, utilization, repair, or any non-emergency work in, under, or upon any street or road referenced in this agreement that will in anyway affect or may affect the paved portion of the roadway shall require the issuance of a County permit before such activity is permitted. Notwithstanding the above, regardless of whether a County permit is sought or issued, **COUNTY** shall not be liable or responsible for any damage to the roads or streets referenced herein by the activities of others.

C. It is mutually agreed that whenever **CITY,** during the term of this agreement, annexes any additional parcels of land, **CITY** shall also annex the road rights-of-way directly adjacent to the parcel being annexed. When such local road rights-of-way is bounded on both sides by **CITY** annexed parcels, except for those streets or roads referenced by name stated hereto in Section 6, the **CITY** will assume maintenance for those annexed portions of **COUNTY** local streets or roads. In such situations where the annexed parcels do not incorporate the land on both sides along the entire length of the local road, the cost of maintenance on the subject local road will be shared between the **CITY** and **COUNTY** based on the percentage of the annexed linear footage of the rights-of-way segment with **CITY** incorporated parcels, compared with the total linear footage of the segment to be repaired/maintained. Since the **COUNTY** has the larger road maintenance program it is anticipated that the **COUNTY** would do the subject maintenance and the **CITY** would contribute its prorated share as described hereto. **CITY** shall notify **COUNTY** of the linear footage of the annexed local roads and streets with incorporated areas on both sides and unless **COUNTY** by express written consent agrees to continue to assume responsibility to maintain annexed **COUNTY** local streets or roads it shall be **CITY'S** obligation to do so, as written above.

D. For the term of this agreement, **COUNTY** agrees to become the maintenance authority for all traffic signals located on state, county, or local roads which would normally be **CITY'S** responsibility to maintain, but **CITY** shall pay all utility costs for operation of the signals. For purposes of this agreement maintenance shall include repair and replacement of the signals or the maintenance or replacement of any signals on any roads or streets that would be the responsibility of **CITY** but for this agreement. **CITY** shall maintain adequate casualty and liability insurance on its traffic signals and beacons. Liability insurance shall be a minimum of $1,000,000 with **COUNTY** covered as an additional insured.

E. **COUNTY** further agrees to assume all maintenance responsibilities including repair or

replacement of existing traffic signals or beacons (as identified by the attached list) as it may be amended from time to time on **CITY** roads currently maintained by **CITY** or that would be maintained by **CITY** but for this agreement. **CITY** shall pay all utility costs for operation of any signal or beacon maintained by **COUNTY** on behalf of **CITY**. Should **CITY** desire the installation of additional traffic signals or beacons on **CITY** roads during the term of this agreement, **COUNTY** shall have the discretion to determine whether to install and maintain the requested signals or beacons. **COUNTY** hereby agrees to maintain new signal(s) or beacon(s), after acceptance by **COUNTY**, **CITY** shall pay all costs including but not limited to installation and utility costs of any signal or beacon accepted and approved by **COUNTY**. **CITY** must agree to submit all design plans and specifications to **COUNTY** for written approval. **COUNTY** shall have the right to perform periodic inspections during construction of the signal or beacon to ensure that the installation meets **COUNTY** standards. Upon completion of any new installation, **COUNTY** shall perform a final inspection of the signal or beacon before formally accepting maintenance of the signal or beacon. The entire cost of any new signal or beacon installations on any road, street, or highway within **CITY** limits or installed at the behest of **CITY** during the term of this agreement shall be the sole responsibility of **CITY**. **CITY** shall pay all utility costs for operation and installation of additional signals or beacons.

F. **CITY** or **TOWN** as the case may be shall indemnify and save **COUNTY** harmless as permitted by law from any and all liability loss, damages, expense, causes of action, suits, claims, administrative actions, or judgments arising from injury to persons or property resulting from this agreement. **CITY** or **TOWN** shall at its own cost and expense defend any and all suits or claims which may be brought against **COUNTY** and either alone or in conjunction with others shall satisfy, pay and discharge any and all judgments fines or penalties that may be recorded against **COUNTY** in any such action or actions provided, however, that **COUNTY** shall give **CITY** or **TOWN** written notice and cooperate with **CITY** or **TOWN** in the defense of any such claim or demand.

G. Attached to this agreement and made a part hereof is a list of all traffic signals and beacons incorporated herein as **Exhibit "A"**, which **COUNTY** agrees to be responsible for pursuant to this agreement; any traffic signal or beacon not on the attached list will not be maintained by **COUNTY** and will be the responsibility of **CITY**. This list of traffic signals and beacons may be amended and updated from time to time during the term of this agreement as traffic signals and beacons are added to or deleted from this list.

H. As compensation to **COUNTY** for its costs and expenses associated with maintaining

and repairing signals and beacons **CITY** shall pay **COUNTY** any Florida Department of Transportation reimbursement compensation received by **CITY** for traffic signal maintenance.

7. In all other respects except as contained herein, **CITY** is responsible for maintaining and shall assume all liability for all driveways, utilities, drainage, and any city sidewalks located anywhere within the municipal boundaries of **CITY** as these boundaries exist now or as they may be expanded during the term of this agreement.

8. This agreement may be executed in counterparts and each fully executed counterpart shall be deemed an original instrument.

IN WITNESS WHEREOF, the parties hereto caused the execution hereof by their duly authorized officials on the dates stated above.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

Attest:_____
KAREN NICOLAI
Clerk

By:_____
Jeff Stabins
Chairman

CITY OF BROOKSVILLE

Attest:_____
KAREN PHILLIPS
City Clerk

By:_____
David Pugh
Mayor

CITY OF WEEKI WACHEE

Attest: _____
SARAH TENISON
City Clerk

By:_____
ROBYN (WEISS) ANDERSON
Mayor and City Commissioner

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

By:_____
David La Croix
City Attorney

HP/ko
G:\W_PERF\EMORY\2007\03152007InterlocalGASTAX AgreementFNLEMEDIT.wpd

EXHIBIT "A"

CITY OF BROOKSVILLE
TRAFFIC SIGNALS AND BEACONS

(Revised 5/15/2007)

TRAFFIC SIGNALS/INTERSECTION LOCATIONS

1. SR 50 & Buck Hope Rd. (3 way)
2. SR 50 & SR 45/US 41
3. SR 45/US 41 & South Plaza Entrance
4. SR 45/US 41 & Chatman/MLK Blvd.
5. SR 45/US 41 & SR 700 (3 way)
6. SR 45/US 41 & Brook Plaza
7. SR 45/US 41 & Main St.
8. SR 45/US 41 & SR 50A E. Jefferson
9. Main St./Howell Ave. & Ft. Dade
10. SR 50A & Main St.
11. SR 50A & Mildred (3 way)
12. SR 50 A & SR 700 /Ponce De Leon Blvd.

SIGNAL BEACONS

13. Broad (US 41) at Ft. Dade/Mondon Hill Rd [Overhead Flashing Light Signal]
14. Darby Lane at Tom Varn Park [Two-Post Mount Beacons]
15. Brooksville Avenue [Two-Fire Station Beacons]
16. Stafford Avenue [High Water Indicator Beacon]

EHP/ko
G:\W_PERF\EMORY\03152007Exhibit A (Revised May 15, 2007).wpd

AGENDA ITEM NO. F-2(b)
6/18/07

INTERLOCAL AGREEMENT FOR DISTRIBUTION OF ELMS GAS TAX MONEYS

THIS IS AN AGREEMENT entered into on this 5th day of June 2007, between **HERNANDO COUNTY, a political subdivision of the State of Florida**, (hereinafter referred to as "the **COUNTY**"), and the **CITY OF BROOKSVILLE, a Florida municipal corporation,** (hereinafter referred to as "the **CITY**"), and the **CITY OF WEEKI WACHEE, a Florida municipal corporation,** (hereinafter referred to as " the **TOWN**"), for the purposes of distribution of the proceeds hereinafter referred to as the ("ELMS Gas Tax") or ("2nd Local Option Gas Tax") imposed by **COUNTY** pursuant to § 336.025(1)(b), Florida Statutes (2000), as it may be amended from time to time.

In consideration of the premises herein and pursuant to the authorization contained in §336.025(1)(b)2, Florida Statutes, as it may be amended from time to time **COUNTY, CITY,** and **TOWN** agree that:

1. **CITY** is a municipality located within Hernando County, Florida, and **CITY** represents, that it is eligible to receive a portion of the ELMS (2nd Local Option Gas Tax) Gas Tax.

2. **TOWN** is a municipality located within Hernando County, Florida, and **TOWN** represents that it is eligible to receive a portion of the ELMS (2nd Local Option Gas Tax) Gas Tax. **TOWN** hereby agrees that all of its portion of the ELMS (2nd Local Option Gas Tax) Gas Tax for which it is eligible will be remitted and paid over to **COUNTY** which in turn will use the funds in exactly the same manner and for the same purposes that **COUNTY** may use its own ELMS (2nd Local Option Gas Tax) Gas Tax funds, for **TOWN'S** roads and streets but only to the extent of the amount of moneys collected from **TOWN'S** distribution of ELMS Gas Tax proceeds.

3. For the fiscal year commencing October 1, 2007, and ending on September 30 of the next

following calendar year and for all other fiscal years thereafter, so long as this agreement shall be in effect; the gas tax shall be divided and distributed to **COUNTY** and **CITY**. On or about June 1st of each year **CITY's** proportionate share of the gas tax shall be computed and adjusted annually based upon the latest population estimates provided by the University of Florida's Bureau of Economic and Business Research.

For the purposes of this Interlocal Agreement, **TOWN'S** shares of the gas tax revenues are included in **COUNTY'S** total.

4. This agreement shall become effective on October 01, 2007, or on the date the gas tax authorized to be imposed by § 336.025(1)(b), Florida Statutes, actually becomes effective if such date is different from October 01, 2007. The distribution formula stated herein shall govern the distribution of the proceeds of the ELMS Gas Tax during the term of this agreement. This distribution formula set forth herein shall remain effective as long as **COUNTY** collects the ELMS Gas Tax. This agreement shall be renewed automatically for each succeeding fiscal year up to the termination date of September 30, 2013, at which time a new agreement shall be entered into by the parties.

5. Any party to this agreement, at least ninety (90) days prior to July 01 of any calendar year, shall notify the other parties of its intention to terminate this agreement. This agreement may only be terminated on September 30 of any calendar year at the close of **COUNTY'S** fiscal year.

6. In the event that changes in state or federal law invalidate this agreement or make this agreement impossible or impractical to perform, the agreement will terminate on September 30 of any calendar year immediately following the invalidating event.

7. After being approved by the governing boards of **CITY**, **TOWN**, and **COUNTY**, this agreement shall be filed with the Clerk of Circuit Court of Hernando County, Florida, and a certified copy shall be sent to the Department of Revenue.

8. This agreement repeals those Interlocal Agreements concerning the ELMS (2nd Local Option Gas Tax) gas tax distribution entered into on June 25, 1996 and August 26, 1997, and any other agreement regarding the distribution of the ELMS (2nd Local Option Gas Tax) Gas Tax.

9. This agreement may be executed in counterparts and each fully executed counterpart shall be deemed an original instrument.

IN WITNESS WHEREOF, the party's hereto cause the execution hereof by the duly authorized officials on the date stated above.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

Attest: _____
KAREN NICOLAI
Clerk

By: _____
JEFF STABINS
Chairman

CITY OF BROOKSVILLE

Attest: _____
KAREN PHILLIPS
City Clerk

By: _____
DAVID PUGH, JR.
Mayor

CITY OF WEEKI WACHEE

Attest: _____
SARAH TENISON
City Clerk

By: _____
ROBYN ANDERSON
Mayor

F:\MSWORD\CYNDI\ELMSGASTAX

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY Erica D. Moore 4/20/07
County Attorney's Office

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY [signature]
City Attorney

AGENDA ITEM NO. F-3
6/18/07

M E M O R A N D U M

[redacted]

To: Honorable Mayor & City Council
Via: Jennene Norman-Vacha, City Manager
From: Bill Geiger, Community Development Director BG
Subject: New Sidewalk on E. Fort Dade Avenue
Date: June 18, 2007

A few months ago, staff reported to the Council about this project. City staff were authorized to coordinate with County staff regarding the placement of a sidewalk on the north side of Fort Dade Avenue, extending from the intersection with Howell Avenue east to the Chamber of Commerce building.

County Parks and Recreation Director, Pat Fagan, has indicated that the County will bid the project and pay the costs associated with constructing the sidewalk. The City would oversee the permitting and construction of the project. After the sidewalk is constructed, the County will dedicate the rights-of-way for the same to the City. The City will be responsible for future maintenance and associated liability of the new sidewalk.

This is a win-win project for the City and the County. The sidewalk will provide a connectivity link that will enhance pedestrian safety at this location. The County proposal to bid and pay for the construction of the sidewalk and dedication of the right-of-way is commendable.

At this time, the County has completed a survey of the rights-of-way area to be dedicated to the City in conjunction with this sidewalk, and have asked that the City take action to acknowledge the intent to accept said described area. Essentially, the survey would dedicate a five foot strip 653+ feet along the north side of Fort Dade Avenue (from the Post Office to the corner of Howell Avenue), with it widening into a triangular area at the intersection of Fort Dade Avenue and Howell Avenue for the last 37+ feet. Although the County is only funding the construction of the sidewalk to the Chamber of Commerce building, they are proposing to dedicate to the City the balance of the rights-of-way extending to the US Post office property, in the event that the City may wish to extend the sidewalk to the east in the future. A copy of the survey is attached.

Recommendation:
Approve and acknowledge the City's intent to accept the rights-of-way as legally described in the survey provided by Foresight Surveyors, Inc., labeled as "Hernando Park," subsequent to the County's construction of the sidewalk (consistent with City and County standards) on the north side of Fort Dade Avenue from the intersection of Howell Avenue east to the Chamber of Commerce building.

Unless directed otherwise, staff will continue to coordinate with the County to see this project through to its conclusion.

Enclosures: 1. Hernando Park Survey - Foresight Surveyors, Inc. (Sidewalk Plan)

pc: Pat Fagan, County P & R Director
Al Toler, Senior Project Manager - HC P&R Dept.
Emory Pierce, P.E., Public Works Director
Lew Chandler, Building Official
Karen Phillips, CMC, City Clerk/Director of Administration
file

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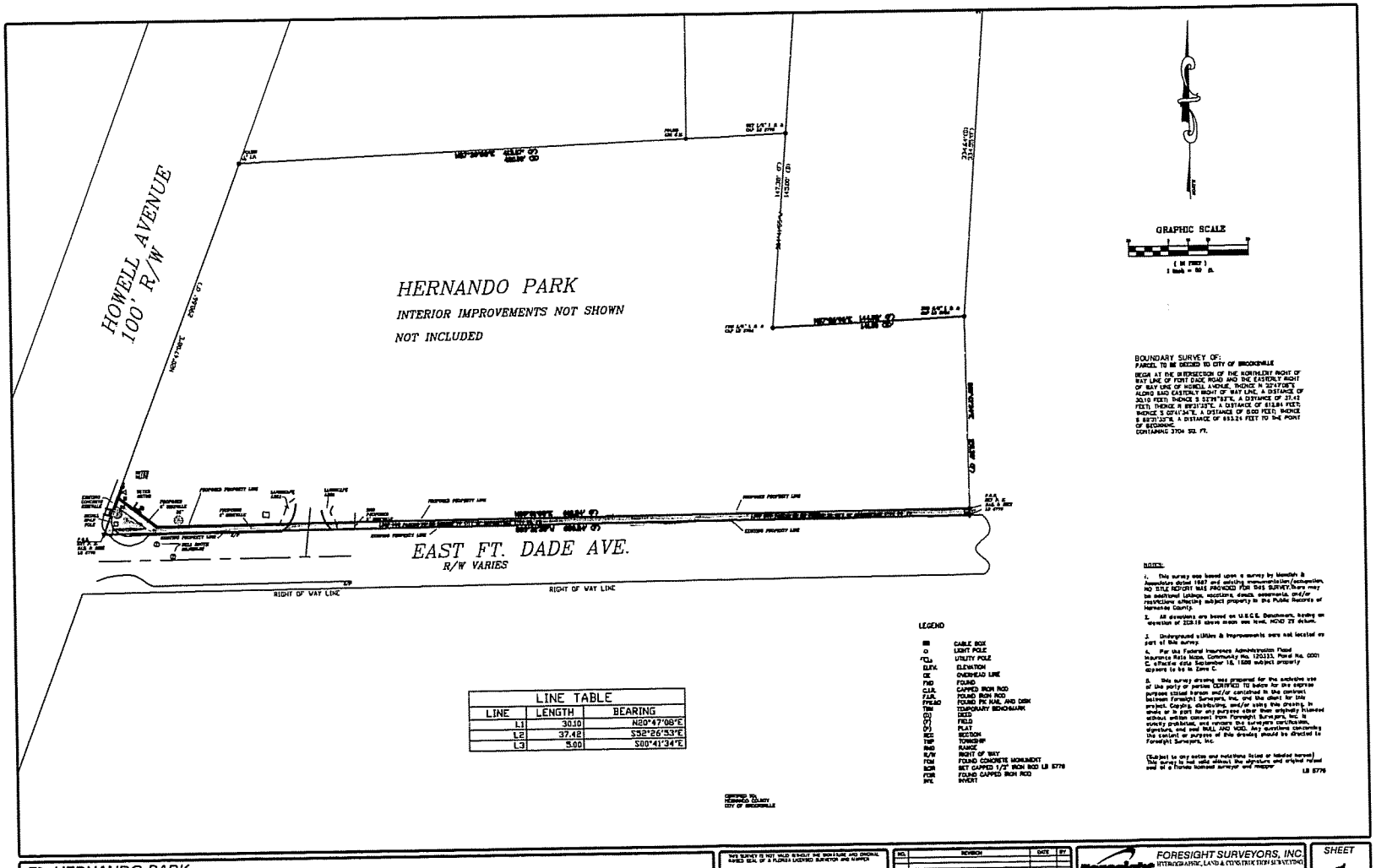


BOUNDARY SURVEY OF:
PARCEL TO BE DEDICED TO CITY OF BROOKSVILLE

BEGIN AT THE INTERSECTION OF THE NORTHLIGHT RIGHT OF WAY LINE OF FORT DADE ROAD AND THE EASTERLY RIGHT OF WAY LINE OF HOWELL AVENUE, THENCE N 00°41'06"E, ALONG AND EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 30.10 FEET; THENCE S 32°26'53"E, A DISTANCE OF 37.42 FEET; THENCE N 89°31'25"E, A DISTANCE OF 612.84 FEET; THENCE S 00°41'34"E, A DISTANCE OF 5.00 FEET; THENCE S 89°31'25"W, A DISTANCE OF 653.24 FEET TO THE POINT OF BEGINNING.
CONTAINS 3704 SQ. FT.

NOTES:

1. This survey was based upon a survey by Hamilton & Associates dated 1987 and existing monumentation/occupation. NO TITLE REPORT WAS PROVIDED FOR THIS SURVEY. There may be additional leases, easements, deeds, easements, and/or restrictions affecting subject property in the Public Records of Hernando County.

2. All elevations are based on U.S.G.S. Benchmark, having an elevation of 228.18 above mean sea level, NGVD 29 datum.

3. Underground utilities & improvements were not located as part of this survey.

4. Per the Federal Insurance Administration Flood Insurance Rate Maps, Community No. 120133, Panel No. 0001 C, effective date September 16, 1980 subject property appears to be in Zone C.

5. This survey drawing was prepared for the exclusive use of the party or parties CERTIFIED TO below for the express purpose stated herein and/or contained in the contract between Foresight Surveyors, Inc. and the client for this project. Copying, distributing, and/or using this drawing, in whole or in part for any purpose other than originally intended without written consent from Foresight Surveyors, Inc. is strictly prohibited, and renders the surveyors certification, signature, and seal NULL AND VOID. Any questions concerning the content or purpose of this drawing should be directed to Foresight Surveyors, Inc.

(Subject to any notes and restrictions listed or labeled hereon)
This survey is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper.

LB 5778

LEGEND

CB	CABLE BOX
LP	LIGHT POLE
PO	UTILITY POLE
ELEV.	ELEVATION
OH	OVERHEAD LINE
FND	FOUND
CIR	CAPPED IRON ROD
FIR	FOUND IRON ROD
FPKD	FOUND PK NAIL AND DISK
TBM	TEMPORARY BENCHMARK
(D)	DEED
(F)	FIELD
(P)	PLAT
SEC	SECTION
TWP	TOWNSHIP
RGE	RANGE
R/W	RIGHT OF WAY
FCM	FOUND CONCRETE MONUMENT
SCIR	SET CAPPED 1/2" IRON ROD LB 5778
FCIR	FOUND CAPPED IRON ROD
INV.	INVERT

LINE TABLE

LINE	LENGTH	BEARING
L1	30.10	N00°47'06"E
L2	37.42	S32°26'53"E
L3	5.00	S00°41'34"E

CERTIFIED TO:
HERNANDO COUNTY
CITY OF BROOKSVILLE

TITLE: HERNANDO PARK
FOR: HERNANDO COUNTY / CITY OF BROOKSVILLE
LOCATED: SECTION 22, TOWNSHIP 22 SOUTH, RANGE 18 EAST

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOHN A. GREGG P.S.M.
FLORIDA CERTIFICATE REGISTRATION NO. 5778

NO.	REVISION	DATE	BY

FORESIGHT SURVEYORS, INC.
HYDROGRAPHIC, LAND & CONSTRUCTION SURVEYING
13318 WEEKS STATION RD. BROOKSVILLE
PH (352) 754-6706 FAX (352) 544-0432
LB 5778

CADD FILE: 30716	FIELD BOOK: JAE	DRAWN BY: JAE	CHECKED BY:
PROJ. NO.: 30716		PG. 136, PG. 43	FIELD DATE: 3/18/07 SCALE: 1"=30'

SHEET 1 OF 1

AGENDA ITEM NO. F-4
6/18/07

MEMORANDUM

To: Honorable Mayor & City Council Members

Via: Jennene Norman-Vacha, City Manager

From: Bill Geiger, Community Development Director

Subject: Cascades at Southern Hills Plantation- Phase 3-A & 3-B Final Plats/Developer Request for Extension of Final Plat Consideration.

Petitioner: Levitt and Sons of Hernando County, LLC

Location: The property is located South of SR 50, East of US 41, West of the CSX Rail Road ROW and North of Powell Road; More specifically, the parcel is located in the Southwest quadrant of the 1,600 acre ± property that was owned by Hampton Ridge Developers, LLC, and annexed into the City on May 28, 2003 (metes & bounds description of the property is on file)

Date: June 8, 2007

The City's Planning & Zoning Commission reviewed and conditionally approved the final plats for Phases 3-A & 3-B of Cascades at Southern Hills Plantation on August 16, 2006. Since that time, the developer has requested that the final plat approval consideration by City Council be continued in order to give them time to work out details related to securing the bonding required prior to the final plats being approved and recorded. The prior latest request to City Council was on March 19, 2007, at which time the Council approved the developer's request to continue the final plat considerations to the June 18, 2007 meeting. At this time, the developer is requesting that the final plat consideration by City Council be continued for a 12-month extension.

The developer cannot transfer individual lots until the final plat is approved by City Council and recorded in the public records of Hernando County. The developer's request to continue consideration of the final plat documents does not create an adverse fiscal impact to City.

RECOMMENDATION: Approve the developer's request to continue the City Council's consideration of the Cascades at Southern Hills Plantation, Phases 3-A & 3-B final plats to the June 16, 2008 City Council meeting at 7:00 P.M. in the City Council chambers, with the caveat that the developer may initiate the final plat review by City Council sooner than this date.

*** Enclosures:**
1) Quinn-to-Geiger extension request letter (June 6, 2007)
2) Cascades at Southern Hills Plantation Phase 3-A Final Plat Title Page
3) Cascades at Southern Hills Plantation Phase 3-B Final Plat Title Page

* Additional supporting documents are on file in the Community Development Department

G:\Bgeig\Development Projects\Cascades\cc06182007 Cascades Ph 3-A_3-B Final Plats.wpd

Coastal engineering associates, inc
Engineering
Planning
Surveying
Environmental
Construction Management

June 6, 2007

Mr. Bill Geiger
City of Brooksville Planning Department
201 Howell Avenue
Brooksville, FL 34601

Re: Levitt and Sons – Cascades at Southern Hills
Phase 3A and 3B Final Plats (CEA 05428)

Dear Bill,

Please accept this as a request to continue the Brooksville City Council's consideration of the Phase 3A and Phase 3B final plat applications for the Cascades at Southern Hills. Our client requires further time prior to approval consideration of the referenced plats due to current market conditions and the need to secure bonding. Given this, we respectfully request a 12-month extension for consideration of the final plat applications for Phases 3A and 3B, currently scheduled for the City Council meeting on June 18, 2007. Should you have any questions, please do not hesitate to contact this office.

Sincerely,

Joseph P. Quinn, AICP
Principal Planner

cc: Dave Ouellette

JUN 06 2007

966 Candlelight Boulevard • Brooksville, Florida 34601
(352) 796-9423 • Fax (352) 799-8359
e-mail: coastal@coastal-engineering.com

AUG - 7 - 48

PLAT BOOK
PAGE

CASCADES AT SOUTHERN HILLS PLANTATION PHASE THREE-A

A SUBDIVISION OF A PORTION OF SECTION 9, TOWNSHIP 23 SOUTH, RANGE 19 EAST
CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA

PTION:

ORIDA
HERNANDO

OWNER OF THE LANDS SHOWN ON THIS PLAT TO BE KNOWN AS "CASCADES AT SOUTHERN HILLS PLANTATION PHASE THREE-A", A PORTION OF SECTION 9, TOWNSHIP 23 SOUTH, RANGE 19 EAST, CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA, HAVE OR TO BE DIVIDED AND SUBDIVIDED AS SHOWN HEREON, SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ACRES, MORE OR LESS.

NO EASEMENT REFERENCE:

TH THIS PLAT OF CASCADES AT SOUTHERN HILLS PLANTATION PHASE THREE-A, THE DECLARANT GRANTS AND RESERVES THE FOLLOWING TRACTS E NAME, WIDTH AND DIMENSIONS OF WHICH ARE DESIGNATED ON THE PLAT FOR THE FOLLOWING USES AND PURPOSES AND

ON THE PLAT AS 10 FOOT UTILITY EASEMENTS ARE HEREBY RESERVED TO THE CASCADES AT SOUTHERN HILLS RESIDENTS' ASSOCIATION, INC. BLIC SERVICE PROVIDERS TO THE SUBDIVISION ON A NON-EXCLUSIVE BASIS FOR THE ABOVE GROUND AND UNDERGROUND INSTALLATION, OPERATION OF SUCH EQUIPMENT AS NECESSARY TO PROVIDE SERVICES TO THE SUBDIVISION. SAID EASEMENT SHALL ALSO BE FOR THE INSTALLATION, INTENANCE OF CABLE TELEVISION SERVICES PROVIDING THAT SUCH ACTIVITY DOES NOT INTERFERE WITH THE FACILITIES AND SERVICES OF VE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION PROVIDER DAMAGES THE FACILITIES OF A PUBLIC UTILITY IT SHALL BE : FOR THE DAMAGES. SUCH UTILITY EASEMENT AREAS SHALL BE MAINTAINED BY EACH LOT OWNER AS PART OF ITS LOT.

V ON THE PLAT AS DRAINAGE EASEMENTS, TOGETHER WITH ANY AND ALL DRAINAGE FACILITIES LOCATED THEREON OR THEREUNDER, IGNATED TO THE SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT (CDD) NON-EXCLUSIVE EASEMENTS FOR THE TENANCE AND REPAIR OF DRAINAGE FACILITIES, TOGETHER WITH THE RIGHT OF PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS TO THE EXTENT SARY TO EXERCISE THE INSTALLATION, MAINTENANCE AND REPAIR RIGHTS AND OBLIGATIONS. THE CDD SHALL BE RESPONSIBLE FOR THE MAINTENANCE L SUCH "DRAINAGE EASEMENT" AREAS AND ALL DRAINAGE FACILITIES LOCATED THEREON AND THEREUNDER.

EWER FACILITIES

R AND SEWER SYSTEM IMPROVEMENTS AND FACILITIES, INCLUDING BUT NOT LIMITED TO WATER OR SEWER LINES OR PIPES, FIRE HYDRANTS NTENANCES, LYING WITHIN OR UPON THE LANDS DEPICTED ON THIS PLAT ARE HEREBY DEDICATED FOR THE PERPETUAL USE ROOKSVILLE. HOWEVER, THE DECLARANT DOES HEREBY RESERVE UNTO ITSELF, ITS HEIRS, SUCCESSORS, ASSIGNS OR LEGAL REPRESENTATIVES, STRUCT, OPERATE AND MAINTAIN ALL WATER AND SEWER SYSTEM IMPROVEMENTS OR FACILITIES AND APPURTENANCES UNTIL SUCH TIME AS THE INTENANCE OF SAID IMPROVEMENTS, FACILITIES AND APPURTENANCES IS ASSUMED BY THE CITY OF BROOKSVILLE AND FURTHER DOES HEREBY LF, ITS HEIRS SUCCESSORS, ASSIGNS OR LEGAL REPRESENTATIVES, THE TITLE TO SAID IMPROVEMENTS IF FOR ANY REASON SUCH DEDICATION VOLUNTARILY OR INVOLUNTARILY VACATED, VOIDED OR INVALIDATED.

D ROAD RIGHTS OF WAY WILL BE CONVEYED BY THE OWNER BY SEPARATE INSTRUMENT TO THE CASCADES AT SOUTHERN HILLS RESIDENTS' THE ROADWAYS AND ROAD RIGHTS OF WAY ARE SUBJECT TO NON-EXCLUSIVE INGRESS/EGRESS EASEMENTS TO THE CITY OF BROOKSVILLE, FLORIDA ERGENCY, FIRE PROTECTION, LAW ENFORCEMENT, WASTE REMOVAL AND OTHER REQUIRED GOVERNMENTAL SERVICES AND TO PUBLIC UTILITY : PURPOSE OF INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTS AND SUCH UNDERGROUND LINES AND EQUIPMENT AS NECESSARY ES TO THE SUBDIVISION. NO ABOVE GROUND EQUIPMENT OR FACILITIES, OTHER THAN STREET LIGHTS, SHALL BE INSTALLED INSIDE THE ROAD HOUT THE CONSENT OF THE DEVELOPER OR ASSOCIATION.

ENTION AND COMMON AREAS

LAT ARE TRACTS IDENTIFIED AS TRACTS "A", "B", "C", "D", "E", "F", "G" AND "H" THAT ARE ESTABLISHED FOR THE RETENTION OF STORMWATER RUNOFF AND E TRACTS ARE HEREBY DEDICATED FOR THE PERPETUAL USE AND MAINTENANCE TO THE CASCADES AT SOUTHERN HILLS RESIDENTS' ASSOCIATION, INC. THE COMMON NON-EXCLUSIVE USE AND BENEFIT OF THE MEMBERS OF THE CASCADES AT SOUTHERN HILLS RESIDENTS' ASSOCIATION INC. SUBJECT TO EASEMENTS AS RE GRANTED AND RESERVED BY THE CASCADES AT SOUTHERN HILLS RESIDENTS' ASSOCIATION, INC. THE COMMON AREA IS FURTHER SUBJECT TO NON-EXCLUSIVE S EASEMENTS THEREON TO THE CITY OF BROOKSVILLE AND PUBLIC UTILITY SERVICES FOR THE PURPOSE OF INGRESS AND EGRESS IN CONNECTION NG EMERGENCY AND OTHER REQUIRED GOVERNMENTAL OR PUBLIC UTILITY SERVICE INCLUDING LAW ENFORCEMENT, FIRE PROTECTION, WASTE REMOVAL, INSTALLATION AND MAINTENANCE AND SUCH OTHER GOVERNMENTAL AND UTILITY USES AND PURPOSES NECESSARY AND INCIDENTAL TO THE FOREGOING.

AREAS

LAT ARE TRACTS IDENTIFIED AS TRACTS "M", "N", "P", "Q", "R" AND "S" THAT CONTAIN WETLAND AND UPLAND AREAS AND ARE HEREBY DEDICATED TO THE COMMUNITY T (CDD). THE CDD SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THESE AREAS. THESE AREAS ARE SUBJECT TO RESTRICTIONS SET FORTH IN THE DECLARATION AND PROTECTIVE COVENANTS FOR CASCADES AT SOUTHERN HILLS AS RECORDED IN OFFICIAL RECORD BOOK 2102, PAGE 1181, PUBLIC RECORDS Y, FLORIDA, AS MAY BE AMENDED AND SUPPLEMENTED AND SHALL BE USED ONLY TO THE EXTENT PERMITTED THEREBY.

AND SEAL AS DEDICATION THIS_____DAY OF_____, 2008.

AND SONS OF HERNANDO COUNTY, LLC

_____
NITT, VICE PRESIDENT

_____ _____
WITNESS WITNESS

NENT:

ORIDA

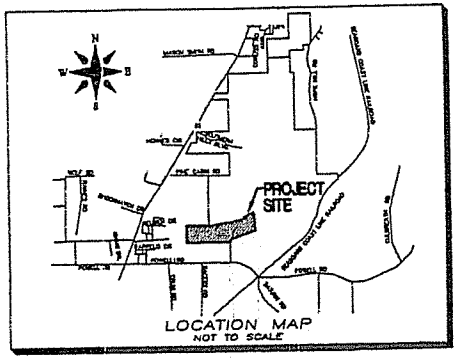
ON THIS _____DAY OF_____, 2008 AD BEFORE ME PERSONALLY APPEARED DANE SCHMITT, VICE PRESIDENT BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND EASEMENT REFERENCE AND SEVERALLY ACKNOWLEDGED DE HIS FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

AND OFFICIAL SEAL AT HERNANDO COUNTY, FLORIDA, THE DAY AND YEAR AFORESAID.

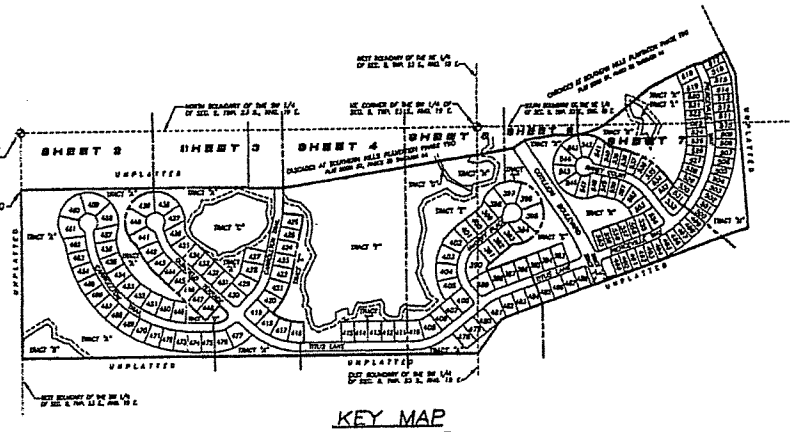
_____
NOTARY PUBLIC

PIRES:

PREPARED BY :
NGINEERING ASSOCIATES, INC.
986 CANDLELIGHT BLVD.
BROOKSVILLE, FLORIDA 34601
ICATE OF AUTHORIZATION NUMBER 7200



LOCATION MAP
NOT TO SCALE



KEY MAP
NOT TO SCALE

JOINDER AND CONSENT TO DEDICATION

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE, LIEN OR OTHER ENCUMBRANCE UPON THE ABOVE DESCRIBED PROPERTY AND THAT THE UNDERSIGNED HEREBY JOINS IN AND CONSENTS TO THE DEDICATION OF THE LANDS DESCRIBED ABOVE BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE, LIEN OR OTHER ENCUMBRANCE WHICH IS RECORDED IN OFFICIAL RECORD BOOK 2101, PAGE 1311, OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA SHALL BE SUBORDINATED TO THE ABOVE DEDICATION.

SIGNED SEALED AND DELIVERED IN THE PRESENCE OF:

_____
KEYBANK, NATIONAL ASSOCIATION
EDWARD M. COCHRAN, VICE PRESIDENT

_____ _____
WITNESS WITNESS

ACKNOWLEDGMENT:

STATE OF FLORIDA
COUNTY OF

I HEREBY CERTIFY ON THIS_____DAY OF_____, 2008 AD BEFORE ME PERSONALLY APPEARED EDWARD M. COCHRAN, VICE PRESIDENT, KEYBANK, NATIONAL ASSOCIATION, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND EASEMENT REFERENCE AND SEVERALLY ACKNOWLEDGED THE EXECUTION TO BE HIS FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND OFFICIAL SEAL AT_____COUNTY, FLORIDA, THE DAY AND YEAR AFORESAID.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES:

RESOLUTION:

WHEREAS, THIS PLAT WAS ON THE _____ DAY OF_____, 2008 SUBMITTED TO THE CITY COUNCIL, BROOKSVILLE, HERNANDO COUNTY, FLORIDA, FOR APPROVAL FOR RECORD AND HAS BEEN APPROVED BY SAID COUNCIL; NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, BROOKSVILLE, HERNANDO COUNTY, FLORIDA THAT SAID PLAT IS HEREBY APPROVED AND SAID PLAT SHALL BE RECORDED IN THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA AND THAT THE DEDICATION OF ALL PUBLIC PLACES AND EASEMENTS SHOWN THEREON AND REFERENCED IN THE "DEDICATION AND EASEMENT REFERENCE" SECTION OF THIS PLAT IS HEREBY ACCEPTED BY SAID COUNCIL FOR THE CITY OF BROOKSVILLE, AND THE PUBLIC GENERALLY, AND SHALL BE BINDING ON ALL PERSONS THEREAFTER.

_____ _____
ATTEST: CLERK MAYOR

ABSTRACTORS CERTIFICATE:

I HEREBY CERTIFY THAT LEWIT AND SONS OF HERNANDO COUNTY, LLC IS THE APPARENT RECORD OWNER OF THE LANDS HEREBY PLATTED AND THAT THERE ARE NO DELINQUENT TAXES ON SUCH LANDS.

_____ _____
RUDEN, McCLOSKY, SMITH, SCHUSTER & RUSSELL, P.A. DATE
BARRY E. SOMERSTEIN, ESQ.
VICE PRESIDENT

CERTIFICATE OF APPROVAL BY BROOKSVILLE PLANNING AND ZONING COMMISSION

THIS IS TO CERTIFY THAT ON_____, 2008, THE BROOKSVILLE PLANNING AND ZONING COMMISSION APPROVED THE ABOVE PLAT OR PLAN.

_____ _____
CHAIRMAN DATE

CERTIFICATE OF APPROVAL BY CITY ATTORNEY:

THIS PLAT HAS BEEN REVIEWED AND APPROVED AS TO LEGAL FORM AND CONTENT.

_____ _____
CITY ATTORNEY DATE

CERTIFICATE OF APPROVAL BY CITY ENGINEER:

THIS PLAT HAS BEEN REVIEWED AND APPROVED.

_____ _____
CITY ENGINEER DATE

CLERK'S CERTIFICATE:

I, KAREN NICOLAI, CLERK OF THE CIRCUIT COURT OF HERNANDO COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD ON THE _____ DAY OF_____, 2008 AD, FILE NO. _____ AND RECORDED IN PLAT BOOK _____, PAGES _____.

_____
CLERK OF CIRCUIT COURT
HERNANDO COUNTY, FLORIDA

CERTIFICATE OF REVIEW BY CITY EMPLOYED/ CONTRACTED PROFESSIONAL SURVEYOR AND MAPPER:

"I, J. ERIC CORRINGHAM, HEREBY CERTIFY THAT I HAVE REVIEWED THIS PLAT FOR CONFORMITY AS TO CHAPTER 177, F.S. AND THAT I AM EMPLOYED BY, OR UNDER CONTRACT TO, THE APPROPRIATE LOCAL GOVERNING BODY AND AM ACTING HERETO AS AN AGENT OF THE CITY. THIS LIMITED CERTIFICATION AS TO FACIAL CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, IS NOT INTENDED TO BE, AND SHOULD NOT BE CONSTRUED AS, A CERTIFICATION OF THE ACCURACY OR QUALITY OF THE SURVEYING/ MAPPING REFLECTED ON THIS PLAT."

_____
J. ERIC CORRINGHAM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NUMBER 5168

SURVEYOR'S CERTIFICATE:

I, MARCUS N. HALL JR., HEREBY CERTIFY THAT I PREPARED THIS PLAT AND THAT IT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS PLATTED AND THAT THIS PLAT COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF PART 1, CHAPTER 177, FLORIDA STATUTES. I FURTHER CERTIFY THAT ALL PERMANENT REFERENCE MONUMENTS (P.R.M.'S) WERE PLACED AS SHOWN HEREON AND THAT PERMANENT CONTROL POINTS (P.C.P.'S) AND INTERIOR LOT CORNER MONUMENTATION WILL BE PLACED WITHIN ONE YEAR, OR AS REQUIRED BY LAW.

_____
MARCUS N. HALL JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NUMBER 6276

N O T I C E

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

CASCADES AT
SOUTHERN HILLS PLANTATION
PHASE THREE-A
SHEET 1 OF 7

AUG - 7

PLAT BOOK
PAGE

CASCADES AT SOUTHERN HILLS PLANTATION PHASE THREE-B

A SUBDIVISION OF A PORTION OF SECTIONS 9 AND 16, TOWNSHIP 23 SOUTH, RANGE 19 EAST
CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA

SCRIPTION:

FLORIDA
OF HERNANDO

SAID OWNER OF THE LANDS SHOWN ON THIS PLAT TO BE KNOWN AS "CASCADES AT SOUTHERN HILLS PLANTATION PHASE THREE-B", OF A PORTION OF SECTIONS 9 AND 16, TOWNSHIP 23 SOUTH, RANGE 19 EAST, CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA, SAID LANDS TO BE DIVIDED AND SUBDIVIDED AS SHOWN HEREON, SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

2.17 ACRES, MORE LESS.

AND EASEMENT REFERENCE:

N WITH THIS PLAT OF CASCADES AT SOUTHERN HILLS PLANTATION PHASE THREE-B, THE DECLARANT GRANTS AND RESERVES THE FOLLOWING TRACTS S THE NAME, WIDTH AND DIVISIONS OF WHICH ARE DESIGNATED ON THE PLAT FOR THE FOLLOWING USES AND PURPOSES ARE:

OWN ON THE PLAT AS 10 FOOT UTILITY EASEMENTS ARE HEREBY RESERVED TO THE CASCADES AT SOUTHERN HILLS RESIDENTS' ASSOCIATION, INC. TO PUBLIC SERVICE PROVIDERS TO THE SUBDIVISION ON A NON-EXCLUSIVE BASIS FOR THE ABOVE GROUND AND UNDERGROUND INSTALLATION, OPERATION NCE OF SUCH EQUIPMENT AS NECESSARY TO PROVIDE SERVICES TO THE SUBDIVISION. SAID EASEMENT SHALL ALSO BE FOR THE INSTALLATION, D MAINTENANCE OF CABLE TELEVISION SERVICES PROVIDING THAT SUCH ACTIVITY DOES NOT INTERFERE WITH THE FACILITIES AND SERVICES OF PHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION PROVIDER DAMAGES THE FACILITIES OF A PUBLIC UTILITY IT SHALL BE SIBLE FOR THE DAMAGES. SUCH UTILITY EASEMENT AREAS SHALL BE MAINTAINED BY EACH LOT OWNER AS PART OF ITS LOT.

HOWN ON THE PLAT AS DRAINAGE EASEMENTS, TOGETHER WITH ANY AND ALL DRAINAGE FACILITIES LOCATED THEREON OR THEREUNDER. DEDICATED TO THE SOUTHERN HILLS PLANTATION II COMMUNITY DEVELOPMENT DISTRICT (CDD) NON-EXCLUSIVE EASEMENTS FOR THE MAINTENANCE AND REPAIR OF DRAINAGE FACILITIES, TOGETHER WITH THE RIGHT OF PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS TO THE EXTENT ECESSARY TO EXERCISE THE INSTALLATION, MAINTENANCE AND REPAIR RIGHTS AND OBLIGATIONS. THE CDD SHALL BE RESPONSIBLE FOR THE MAINTENANCE F ALL SUCH "DRAINAGE EASEMENT" AREAS AND ALL DRAINAGE FACILITIES LOCATED THEREON AND THEREUNDER.

) SEWER FACILITIES
TER AND SEWER SYSTEM IMPROVEMENTS AND FACILITIES, INCLUDING BUT NOT LIMITED TO WATER OR SEWER LINES OR PIPES, FIRE HYDRANTS, LIFT STATION, AS N AS TRACT "D" AND OTHER APPURTENANCES, LYING WITHIN OR UPON THE LANDS DEPICTED ON THIS PLAT ARE HEREBY DEDICATED FOR THE PERPETUAL USE F BROOKSVILLE. HOWEVER, THE DECLARANT DOES HEREBY RESERVE UNTO ITSELF, ITS HEIRS, SUCCESSORS, ASSIGNS OR LEGAL REPRESENTATIVES, CONSTRUCT, OPERATE AND MAINTAIN ALL WATER AND SEWER SYSTEM IMPROVEMENTS OR FACILITIES AND APPURTENANCES UNTIL SUCH TIME AS THE MAINTENANCE OF SAID IMPROVEMENTS, FACILITIES AND APPURTENANCES IS ASSUMED BY THE CITY OF BROOKSVILLE AND FURTHER DOES HEREBY ITSELF, ITS HEIRS SUCCESSORS, ASSIGNS OR LEGAL REPRESENTATIVES, THE TITLE TO SAID IMPROVEMENTS IF FOR ANY REASON SUCH DEDICATION ER VOLUNTARILY OR INVOLUNTARILY VACATED, VOIDED OR INVALIDATED.

AND ROAD RIGHTS OF WAY WILL BE CONVEYED BY THE OWNER BY SEPARATE INSTRUMENT TO THE CASCADES AT SOUTHERN HILLS RESIDENTS' INC. THE ROADWAYS AND ROAD RIGHTS OF WAY ARE SUBJECT TO NON-EXCLUSIVE INGRESS/EGRESS EASEMENTS TO THE CITY OF BROOKSVILLE, FLORIDA EMERGENCY, FIRE PROTECTION, LAW ENFORCEMENT, WASTE REMOVAL AND OTHER REQUIRED GOVERNMENTAL SERVICES AND TO PUBLIC UTILITY THE PURPOSE OF INSTALLATION, OPERATION AND MAINTENANCE OF STREET LIGHTS AND SUCH UNDERGROUND LINES AND EQUIPMENT AS NECESSARY RVICES TO THE SUBDIVISION. NO ABOVE GROUND EQUIPMENT OR FACILITIES, OTHER THAN STREET LIGHTS, SHALL BE INSTALLED INSIDE THE ROAD Y WITHOUT THE CONSENT OF THE DEVELOPER OR ASSOCIATION.

RETENTION AND COMMON AREAS
HIS PLAT ARE TRACTS IDENTIFIED AS TRACTS "A", "B", "C", "D", "E" AND "F" THAT ARE ESTABLISHED FOR THE RETENTION OF STORMWATER RUNOFF AND THESE TRACTS ARE HEREBY DEDICATED FOR THE PERPETUAL USE AND MAINTENANCE TO THE CASCADES AT SOUTHERN HILLS RESIDENTS' ASSOCIATION, INC. THE COMMON THE NON-EXCLUSIVE USE AND BENEFIT OF THE MEMBERS OF THE CASCADES AT SOUTHERN HILLS RESIDENTS' ASSOCIATION INC., SUBJECT TO EASEMENTS AS HE ARE GRANTED AND RESERVED BY THE CASCADES AT SOUTHERN HILLS RESIDENTS' ASSOCIATION, INC. THE COMMON AREA IS FURTHER SUBJECT TO NON-EXCLUSIVE GRESS EASEMENTS THEREON TO THE CITY OF BROOKSVILLE AND PUBLIC UTILITY SERVICES FOR THE PURPOSE OF INGRESS AND EGRESS IN CONNECTION NISHING EMERGENCY AND OTHER REQUIRED GOVERNMENTAL OR PUBLIC UTILITY SERVICE INCLUDING LAW ENFORCEMENT, FIRE PROTECTION, WASTE REMOVAL, LITY INSTALLATION AND MAINTENANCE AND SUCH OTHER GOVERNMENTAL AND UTILITY USES AND PURPOSES NECESSARY AND INCIDENTAL TO THE FOREGOING.

TION AREAS
S PLAT ARE TRACTS IDENTIFIED AS TRACTS "H", "I", "J" AND "K" THAT CONTAIN WETLAND AND UPLAND AREAS AND ARE HEREBY DEDICATED TO THE COMMUNITY STRICT (CDD). THE CDD SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THESE AREAS. THESE AREAS ARE SUBJECT TO RESTRICTIONS SET FORTH IN THE DECLARATION NS AND PROTECTIVE COVENANTS FOR CASCADES AT SOUTHERN HILLS AS RECORDED IN OFFICIAL RECORD BOOK 2100, PAGE 1181, PUBLIC RECORDS OUNTY, FLORIDA, AS MAY BE AMENDED AND SUPPLEMENTED AND SHALL BE USED ONLY TO THE EXTENT PERMITTED THEREBY.

ND AND SEAL AS DEDICATOR THIS_____DAY OF__________, 2006.

ITT AND SONS OF HERNANDO COUNTY, LLC

____
SCHMITT, VICE PRESIDENT

__________ __________
WITNESS WITNESS

DGMENT:

FLORIDA
F

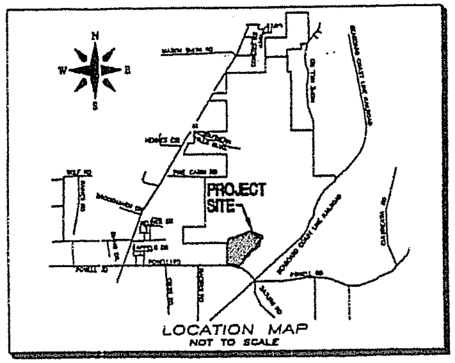
TIFY ON THIS_____DAY OF__________, 2006 AD BEFORE ME PERSONALLY APPEARED DAVE SCHMITT, VICE PRESIDENT TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND EASEMENT REFERENCE AND SEVERALLY ACKNOWLEDGED TO BE HIS FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

ND AND OFFICIAL SEAL AT HERNANDO COUNTY, FLORIDA, THE DAY AND YEAR AFORESAID.

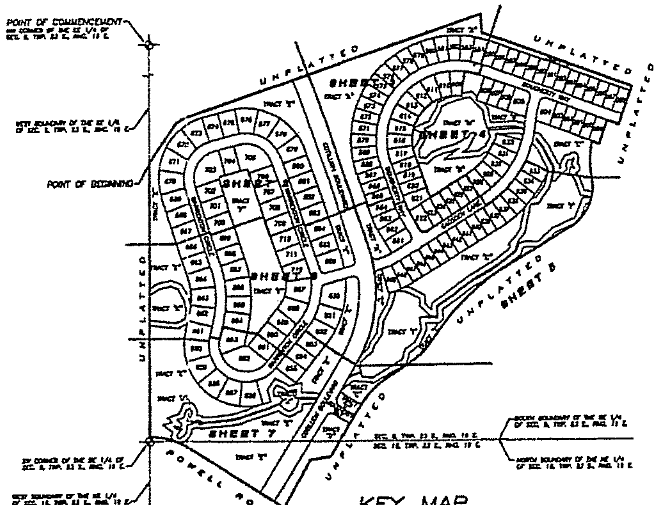
____
NOTARY PUBLIC

EXPIRES:

PREPARED BY :
ENGINEERING ASSOCIATES, INC.
960 CANDLELIGHT BLVD.
BROOKSVILLE, FLORIDA 34601
CERTIFICATE OF AUTHORIZATION NUMBER 7200



LOCATION MAP
NOT TO SCALE



KEY MAP
NOT TO SCALE

JOINDER AND CONSENT TO DEDICATION

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE, LIEN OR OTHER ENCUMBRANCE UPON THE ABOVE DESCRIBED PROPERTY AND THAT THE UNDERSIGNED HEREBY JOINS IN AND CONSENTS TO THE DEDICATION OF THE LANDS DESCRIBED ABOVE BY THE OWNER THEREOF AND AGREES THAT ITS MORTGAGE, LIEN OR OTHER ENCUMBRANCE WHICH IS RECORDED IN OFFICIAL RECORD BOOK 2101, PAGE 1311, OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA SHALL BE SUBORDINATED TO THE ABOVE DEDICATION.

SIGNED SEALED AND DELIVERED IN THE PRESENCE OF:

____
KEYBANK, NATIONAL ASSOCIATION
EDWARD M. COCHRAN, VICE PRESIDENT

__________ __________
WITNESS WITNESS

ACKNOWLEDGMENT:

STATE OF FLORIDA
COUNTY OF

I HEREBY CERTIFY ON THIS_____DAY OF__________, 2006 AD BEFORE ME PERSONALLY APPEARED EDWARD M. COCHRAN, VICE PRESIDENT, KEYBANK, NATIONAL ASSOCIATION, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND EASEMENT REFERENCE AND SEVERALLY ACKNOWLEDGED THE EXECUTION TO BE HIS FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND OFFICIAL SEAL AT__________COUNTY, FLORIDA, THE DAY AND YEAR AFORESAID.

____
NOTARY PUBLIC

MY COMMISSION EXPIRES:

RESOLUTION:

WHEREAS, THIS PLAT WAS ON THE _____ DAY OF __________, 2006 SUBMITTED TO THE CITY COUNCIL, BROOKSVILLE, HERNANDO COUNTY, FLORIDA, FOR APPROVAL FOR RECORD AND HAS BEEN APPROVED BY SAID COUNCIL; NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, BROOKSVILLE, HERNANDO COUNTY, FLORIDA THAT SAID PLAT IS HEREBY APPROVED AND SAID PLAT SHALL BE RECORDED IN THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA AND THAT THE DEDICATION OF ALL PUBLIC PLACES AND EASEMENTS SHOWN THEREON AND REFERENCED IN THE "DEDICATION AND EASEMENT REFERENCE" SECTION OF THIS PLAT IS HEREBY ACCEPTED BY SAID COUNCIL FOR THE CITY OF BROOKSVILLE, AND THE PUBLIC GENERALLY, AND SHALL BE BINDING ON ALL PERSONS THEREAFTER.

__________ __________
ATTEST: CLERK MAYOR

ABSTRACTORS CERTIFICATE:

I HEREBY CERTIFY THAT LEVITT AND SONS OF HERNANDO COUNTY, LLC IS THE APPARENT RECORD OWNER OF THE LANDS HEREBY PLATTED AND THAT THERE ARE NO DELINQUENT TAXES ON SUCH LANDS.

__________ __________
RUDEN, McCLOSKY, SMITH, SCHUSTER & RUSSELL, P.A. DATE
BARRY E. SOMERSTEIN, ESQ.
VICE PRESIDENT

CERTIFICATE OF APPROVAL BY BROOKSVILLE PLANNING AND ZONING COMMISSION

THIS IS TO CERTIFY THAT ON__________, 2006, THE BROOKSVILLE PLANNING AND ZONING COMMISSION APPROVED THE ABOVE PLAT OR PLAN.

__________ __________
CHAIRMAN DATE

CERTIFICATE OF APPROVAL BY CITY ATTORNEY:

THIS PLAT HAS BEEN REVIEWED AND APPROVED AS TO LEGAL FORM AND CONTENT.

__________ __________
CITY ATTORNEY DATE

CERTIFICATE OF APPROVAL BY CITY ENGINEER:

THIS PLAT HAS BEEN REVIEWED AND APPROVED.

__________ __________
CITY ENGINEER DATE

CLERK'S CERTIFICATE:

I, KAREN NICOLAI, CLERK OF THE CIRCUIT COURT OF HERNANDO COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD ON THE _____ DAY OF__________, 2006 AD, FILE NO. _____ AND RECORDED IN PLAT BOOK _____, PAGES _____.

____
CLERK OF CIRCUIT COURT
HERNANDO COUNTY, FLORIDA

CERTIFICATE OF REVIEW BY CITY EMPLOYED/ CONTRACTED PROFESSIONAL SURVEYOR AND MAPPER:

"I, J. ERIC CORRINGHAM, HEREBY CERTIFY THAT I HAVE REVIEWED THIS PLAT FOR CONFORMITY AS TO CHAPTER 177, F.S. AND THAT I AM EMPLOYED BY, OR UNDER CONTRACT TO, THE APPROPRIATE LOCAL GOVERNING BODY AND AM ACTING HERETO AS AN AGENT OF THE CITY. THIS LIMITED CERTIFICATION AS TO FACIAL CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, IS NOT INTENDED TO BE, AND SHOULD NOT BE CONSTRUED AS, A CERTIFICATION OF THE ACCURACY OR QUALITY OF THE SURVEYING/ MAPPING REFLECTED ON THIS PLAT."

____
J. ERIC CORRINGHAM
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NUMBER 5168

SURVEYOR'S CERTIFICATE:

I, MARCUS H. HALL JR., HEREBY CERTIFY THAT I PREPARED THIS PLAT AND THAT IT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS PLATTED AND THAT THIS PLAT COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF PART 1, CHAPTER 177, FLORIDA STATUTES. I FURTHER CERTIFY THAT ALL PERMANENT REFERENCE MONUMENTS (P.R.M.'S) WERE PLACED AS SHOWN HEREON AND THAT PERMANENT CONTROL POINTS (P.C.P.'S) AND INTERIOR LOT CORNER MONUMENTATION WILL BE PLACED WITHIN ONE YEAR, OR AS REQUIRED BY LAW.

____
MARCUS H. HALL JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NUMBER 6278

N O T I C E

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

CASCADES AT
SOUTHERN HILLS PLANTATION
PHASE THREE-B
SHEET 1 OF 7

6/18 agenda also
C-1

Coastal engineering associates inc
Engineering
Planning
Surveying
Environmental
Construction Management

March 1, 2007

Mr. Bill Geiger
City of Brooksville Planning Department
201 Howell Avenue
Brooksville, FL 34601

Re: Levitt and Sons – Cascades at Southern Hills
Phase 3A and 3B Final Plats (CEA 05428)

Dear Bill,

Please accept this as a request to continue the Brooksville City Council's consideration of the Phase 3A and Phase 3B final plat applications for the Cascades at Southern Hills. A previous postponement was granted extending Council's consideration of these items from their December 18, 2006 meeting to their March 19, 2007, meeting. Our client still requires further time to work out details necessary to secure the bonding necessary for approval and recording of the referenced plats. Given this, we respectfully request consideration of the final plat applications for Phases 3A and 3B be rescheduled to the June 18, 2007, City Council meeting. Should you have any questions, do not hesitate to contact this office.

Sincerely,

Joseph P. Quinn, AICP
Principal Planner

cc: Dave Ouellette

966 Candlelight Boulevard • Brooksville, Florida 34601
(352) 796-9423 • Fax (352) 799-8359
e-mail: coastal@coastal-engineering.com

AGENDA ITEM NO. E-5
6/18/07

CITY OF BROOKSVILLE
MEMORANDUM

To: T. Jennene Norman-Vacha, City Manager

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

Re: **Award of Bid for Providence Blvd. And Whitfield Ave.**
Bid No. CD2007-02

Date: June 11, 2007

Two bids were received and opened at City Hall on Friday, June 8, 2007 as follows:

WDG Construction, Inc.	Base Bid	$329,999.99
	ALT #1	10,000.00
	Grand Total	$339.999.99
Croft Contracting, Inc.	Base Bid	$390,055.06
	ALT #1	18,003.00
	Grand Total	$408,058.06

Alternate #1 includes the construction of sidewalks within the project rights-of-way.

Adequate funds are budgeted for this project under the Transportation Outreach Program (TOP). The current unencumbered fund balance of the TOP grant is $641,521.94.

Recommendation: WDG is a large experienced construction company and staff recommends awarding the bid to them for the Base Bid amount and the inclusion of ALT #1 work , for the not-to-exceed grand total amount of $339,999.99, and authorizing the Mayor to execute a contract after all documents have been received and approved by the City Attorney.

EHP/lr

G:\Bgeig\Grants\TOPs2002\061807AwardBidProvidence&Whitfield.wpd

BID OPENING MINUTES
PROVIDENCE BLVD. & WHITFIELD AVENUE IMPROVEMENT PROJECT
BID NO. UD2007-02

3:00 p.m. June 8, 2007

A Bid Opening was held at approximately 3:00 p.m. on Friday, June 8, 2007, in the City Hall Council Chambers for **PROVIDENCE BLVD. & WHITFIELD AVENUE IMPROVEMENT PROJECT BID NO. UD2007-02**. Karen M. Phillips, City Clerk, Bill Geiger, Community Development Director, Pat Jobe, Planning & Zoning Coordinator, and Julie Sherraden, Recording Secretary were in attendance, along with representatives from WDG Construction Inc. and Croft Contracting.

City Clerk Phillips advised that an Invitation to Bid was published in the May 18, 2007, edition of the Hernando Today with a closing date and time set for 3:00 p.m. on Friday, June 8, 2007.

As a result, 2 sets of bids were received, all properly sealed and notated and all apparently containing the appropriate documents as stipulated in the bid specifications, including notations that they have a drug free program in place. The bids were to include a Bid Certification Form, Bid Bond or Cashiers Check in the amount of 5% of the project, Public Entity Crime Statement, Drug Free Workplace Form, Conflict of Interest Disclosure Statement, Equipment List, Proof of License Certification, five (5) references and one signed original with seven (7) copies.

The following companies submitted bids, which were opened and the results read as follows:

Croft Contracting, Inverness, FL, submitted a base bid in the amount of $390,055.06, with an alternate bid for the sidewalks in the amount of $18,003.00 with completion within 90 calendar days from notice to proceed.

WDG Construction, Wesley Chapel, FL, submitted a base bid in the amount of $329,999.99, with an alternate bid for the sidewalks in the amount of $10,000 with completion within 120 calendar days from notice to proceed.

Community Development Director indicated that staff and the consultants will review the bids in their entirety and present recommendation for approval to City Council on the June 18th, 2007 agenda or later if necessary. The bid opening closed at approximately 3:10 p.m.

Karen M. Phillips, City Clerk

G:\WP_WORK\ClerkOffice\MINUTES\2007\06-08-07 Bid Opening UD2007-02.wpd

WDG Cons.

CITY OF BROOKSVILLE

BID/CERTIFICATION FORM
PROVIDENCE BOULEVARD AND WHITFIELD AVENUE
TOPS GRANT CONTRACT #AM827
BID NO.: CD2007-02

Bidders Certification to THE CITY OF BROOKSVILLE:

1. The undersigned warrants that: (A) this Bid is submitted in response to, and is in compliance with, all terms and conditions applicable thereto as set forth in the Advertisement, General Instructions and Conditions, Special Instructions and Conditions, Bid/Certification Forms and (if any), the Minimum Technical Specifications, Plans, Addendums, Exhibits, Agreement, Bonds and Insurance requirements, each of which has been carefully examined, (B) Bidder or Bidder's representative has made such investigation as is necessary to determine the character and extent of the work and their capability to perform the work, and (C) agrees that if the Bid is accepted by the City, Bidder will provide the necessary labor, materials, machinery, equipment, tools or apparatus, and perform all the work or services required to complete the assignment and/or contract within the time specified according to the requirements of the City as herein and hereinafter set forth, and (D) he/she is authorized to legally execute binding contracts for and on behalf of the Bidder.

2. Please check one:

   ☒ Bidder declares that the only person, persons, company or parties interested in this Bid are named in the Bid.

   ☐ Bidder, or one or more of bidder's officers, principals, or any owner of more than 5% in or of bidder, or members of their immediate families: (A) have a financial interest in another company, project, or property that could benefit financially from this proposed project; and/or (B) another individual or business will be compensated by (or on behalf of bidder) if bidder is selected by the City to bid the requested services. (Attach a detailed explanation for either.)

3. The City reserves the right to accept any or all prices itemized in any combination that best serves the interests of the City

4. Number of calendar day from date of notice to proceed that will be required for the final completion of all work as described herein and as shown on the plans. 120 Calendar days (120 calendar days maximum)

5. Bidder hereby acknowledges receipt of the following addendums:

   1) N/A
   2) N/A
   3) N/A
   4) N/A

6. BID FOR UNIT PRICE CONTRACTS

Project: Providence Blvd and Whitfield Ave. Date 6/8/07 Project No. ID2007-02

Proposal of WDL Construction (hereinafter called "Bidder")

a corporation [ ] ~~partnership~~ [ ] individual [ ] doing business as

2120 Ashley Oaks Cir #102 Wesley Chapel, FL 33543

to City of Brooksville, hereafter called "Owner".

The Bidder, in compliance with your invitation for bids for the construction of the Project, having examined the plans and specifications with related documents and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies; and to construct the project in accordance with the Contract Documents, within the time set forth therein, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the Contract Documents, of which this proposal is a part.

BASE PROPOSAL: Bidder proposes and agrees to provide all materials, services or equipment requested for the PROVIDENCE BOULEVARD AND WHITFIELD AVENUE TOPS GRANT CONTRACT #AM827 Total Cumulative Base Bid Sum:

Base Bid

Three Hundred Twenty Nine Thousand Nine Hundred Ninety Nine Dollars and Ninety Nine Cents ($ 329,999.99)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

Alternate # 1 Add on - Sidewalks

Ten Thousand Dollars and Zero Cents ($ 10,000.00)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

CROFT CONT.

CITY OF BROOKSVILLE

BID/CERTIFICATION FORM
PROVIDENCE BOULEVARD AND WHITFIELD AVENUE
TOPS GRANT CONTRACT #AM827
BID NO.: CD2007-02

Bidders Certification to THE CITY OF BROOKSVILLE:

1. The undersigned warrants that: (A) this Bid is submitted in response to, and is in compliance with, all terms and conditions applicable thereto as set forth in the Advertisement, General Instructions and Conditions, Special Instructions and Conditions, Bid/Certification Forms and (if any), the Minimum Technical Specifications, Plans, Addendums, Exhibits, Agreement, Bonds and Insurance requirements, each of which has been carefully examined, (B) Bidder or Bidder's representative has made such investigation as is necessary to determine the character and extent of the work and their capability to perform the work, and (C) agrees that if the Bid is accepted by the City, Bidder will provide the necessary labor, materials, machinery, equipment, tools or apparatus, and perform all the work or services required to complete the assignment and/or contract within the time specified according to the requirements of the City as herein and hereinafter set forth, and (D) he/she is authorized to legally execute binding contracts for and on behalf of the Bidder.

2. Please check one:

   ☒ Bidder declares that the only person, persons, company or parties interested in this Bid are named in the Bid.

   ☐ Bidder, or one or more of bidder's officers, principals, or any owner of more than 5% in or of bidder, or members of their immediate families: (A) have a financial interest in another company, project, or property that could benefit financially from this proposed project; and/or (B) another individual or business will be compensated by (or on behalf of bidder) if bidder is selected by the City to bid the requested services. (Attach a detailed explanation for either.)

3. The City reserves the right to accept any or all prices itemized in any combination that best serves the interests of the City

4. Number of calendar day from date of notice to proceed that will be required for the final completion of all work as described herein and as shown on the plans. 90 Calendar days (120 calendar days maximum)

5. Bidder hereby acknowledges receipt of the following addendums:

   1) _____
   2) _____
   3) _____
   4) _____

6. BID FOR UNIT PRICE CONTRACTS

Project: Providence Blvd and Whitfield Ave. Date 6/8/2007 Project No. CD2007-02

Proposal of CROFT CONTRACTING INC. (hereinafter called "Bidder")

a corporation [X] partnership [ ] individual [ ] doing business as

CROFT CONTRACTING INC.)

to City of Brooksville, hereafter called "Owner".

The Bidder, in compliance with your invitation for bids for the construction of the Project, having examined the plans and specifications with related documents and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies; and to construct the project in accordance with the Contract Documents, within the time set forth therein, and at the prices stated below. These prices are to cover all expenses incurred in performing the work required under the Contract Documents, of which this proposal is a part.

BASE PROPOSAL: Bidder proposes and agrees to provide all materials, services or equipment requested for the PROVIDENCE BOULEVARD AND WHITFIELD AVENUE TOPS GRANT CONTRACT #AM827 Total Cumulative Base Bid Sum:

Base Bid

THREE HUNDRED NINETY THOUSAND, FIFTY FIVE DOLLARS & 06/100 ($ 390,055.06)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

Alternate # 1 Add on - Sidewalks

EIGHTEEN THOUSAND, THREE DOLLARS AND 00/100 ($ 18,003.00)

(Amount shall be shown in both words and figures. In case of discrepancy, the amount shown in words will govern.)

CORRESPONDENCE-TO-NOTE

REGULAR COUNCIL MEETING - June 18, 2007

1. TYPE: Letter
   DATE: April 17, 2007
   RECEIVED FROM: Mike Thomas, Florida Department of Environmental Protection
   ADDRESSED TO: Municipal Officials
   SUBJECT: Cover letter for January 2007 issue of 'Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses' Magazine.

2. TYPE: Note
   DATE: May 1, 2007
   RECEIVED FROM: Esther Johnson
   ADDRESSED TO: Council Member Bernardini
   SUBJECT: In support of 'The Bus'.

3. TYPE: Memorandum
   DATE: May 17, 2007
   RECEIVED FROM: John Marks, President/Florida League of Mayors, Inc.
   ADDRESSED TO: Florida Mayors
   SUBJECT: Property Tax Reform

4. TYPE: Memorandum
   DATE: May 17, 2007
   SENT BY: Police Chief Ross
   ADDRESSED TO: Police Officer Bryan Drinkard
   SUBJECT: Commendation for professional way Officer Drinkard handled a 5/1/07 minor accident involving Walter W. Skrimshire.

5. TYPE: Memorandum
   DATE: May 17, 2007
   SENT BY: Police Chief Ross
   ADDRESSED TO: Police Officers John Cavanna and Scott Williams
   SUBJECT: Commendation for professionalism/good example displayed at the recent Hernando Art Festival, in helping Joyce Sundheim of Lutz, FL.

6. TYPE: Letter
   DATE: May 18, 2007
   RECEIVED FROM: D. Dwayne Kile, P.E., District Design Engineer/Florida Department of Transportation
   ADDRESSED TO: Mayor Pugh
   SUBJECT: Notification that the Department cannot approve marking undesignated bicycle lanes along US 41 in Brooksville at the present time.

7. TYPE: Letter
DATE: May 18, 2007
RECEIVED FROM: D. Dwayne Kile, P.E. District Design Engineer/Florida Department of Transportation
ADDRESSED TO: Jonathan Noll, Chairman/Hernando County BPAC
SUBJECT: Notification that the Department cannot approve the marking of undesignated bicycle lanes along US 41 in Brooksville at the present time.

8. TYPE: Email
DATE: May 21, 2007
RECEIVED FROM: Teralynn Patterson, University of South Florida
SUBJECT: Information regarding upcoming training program, 'The Supervisor's Apprenticeship: Skills for Rising Leaders'.

9. TYPE: Memorandum
DATE: May 21, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Council Member Joe Bernardini
SUBJECT: As requested, a listing of events held at the Jerome Brown Community Center since October 2006 and the number of times fees have been waived.

10. TYPE: Email
DATE: May 22, 2007
RECEIVED FROM: Jim Murray
SUBJECT: Request to contact Governor Crist to voice support of HB433, which will allow homeowners' associations to renew their covenants and by-laws so that they can collect dues and won't become a burden on local governments.

11. TYPE: Letter
DATE: May 22, 2007
RECEIVED FROM: Roxanne Gordon, Local Progress Energy Representative
ADDRESSED TO: City Clerk
SUBJECT: Notification of interruption of service, for repairs, on June 4, 2007, from approximately 10pm to 5am.

12. TYPE: Email
DATE: May 24, 2007
RECEIVED FROM: Senator Paula Dockery (via Steve Baumgartner)
ADDRESSED TO: Hernando County/Brooksville authorities
SUBJECT: Notification that the $250,000 Brooksville Water System Improvement Project has been approved by Governor Crist.

13. TYPE: Memorandum
DATE: May 25, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Mayor and Council
SUBJECT: Notification that Mr. Baumgartner's mother-in-law is gravely ill and he will be traveling to Indiana the week of Memorial Day, should she pass away.

14. TYPE: Memorandum
DATE: May 25, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Mayor and Council
SUBJECT: Projected revenue impact of Constitutional Amendments and other modifications of the Ad Valorem Tax Systems.

15. TYPE: Memorandum
DATE: May 25, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Mayor and Council
SUBJECT: Legislative Property Tax Issues

16. TYPE: Memorandum
DATE: May 25, 2007
SENT BY: Emory H. Pierce, Director of Public Works
ADDRESSED TO: Steve Baumgartner, Interim City Manager
SUBJECT: Update on Sewer Rehabilitation Contract.

17. TYPE: Letter
DATE: May 25, 2007
RECEIVED FROM: Marie Maggette, Chairman of H.S.R.A. (Hillside-Summit Residential Association)
ADDRESSED TO: Mayor (also received by all Council Members)
SUBJECT: Request for Council to intervene in certain board member election issues.

18. TYPE: Memorandum
DATE: May 25, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Mayor and Council Members
SUBJECT: Update on Fire Department deployment for brush fire burning in Homosassa Springs, near the Seven Rivers Hospital.

19. TYPE: Letter
DATE: May 26, 2007
RECEIVED FROM: Allen W. Rhodes, Vice-Chairman/Brooksville Housing Authority Board
ADDRESSED TO: City Clerk Phillips
SUBJECT: Mr. Rhodes' recollection of the 11/17/06 meeting during which he and other members felt that member Paul Boston was in violation of 'Workplace Violence Prevention Policy 522'.

20. TYPE: Email
DATE: May 29, 2007
SENT BY: Frank Ross, Chief of Police
ADDRESSED TO: Stephen Baumgartner, Interim City Manager
SUBJECT: Details of termination of Police Officer Terry Elliott's employment, effective May 29, 2007, at 3:10 p.m.

21. TYPE: Memorandum
DATE: May 29, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Mayor and Council Members
SUBJECT: Details of 2007 City of Brooksville Preliminary Taxable Values in the amount of $517,188,445.

22. TYPE: Email
DATE: May 29, 2007
RECEIVED FROM: Cindy James, Administrative Coordinator/Florida Institute of Government - University of South Florida
ADDRESSED TO: Miscellaneous
SUBJECT: Reminder to register for June 16, 2007, 2007 Suncoast League of Cities' Annual Conference at the Hilton Carillon Park Hotel in St. Petersburg, FL.

23. TYPE: Email
DATE: May 29, 2007
RECEIVED FROM: Richard and Lois DeWitt (via Jesse Goodwin and Kristie Scarangella of Hernando County Utilities)
ADDRESSED TO: Emory Pierce, Public Works Director
SUBJECT: Complimenting Brooksville Public Works Employee, Paul Pruess, for professional way he handled recent water pressure issue at Mr. DeWitt's residence.

24. TYPE: Email
DATE: May 30, 2007
RECEIVED FROM: Alys Brockway, Water Conservation Coordinator/Hernando County Utilities Department
ADDRESSED TO: Miscellaneous
SUBJECT: Notification of June 21, 2007, Groundwater Guardian Committee meeting from noon to 2pm at the Hernando County Utilities Department, 21030 Cortez Blvd., Brooksville, FL.

25. TYPE: Email
DATE: May 30, 2007
SENT BY: City Clerk Phillips
ADDRESSED TO: Paul Boston (cc: Mayor, Council, Interim City Manager, City Attorney, J. Norman-Vacha)
SUBJECT: Information regarding appointment of a resident member to the Brooksville Housing Authority Board.

26. TYPE: Memorandum
DATE: May 31, 2007
SENT BY: David LaCroix, City Attorney
ADDRESSED TO: Council Members, City Manager, City Clerk and Department Heads
SUBJECT: Notification that Mr. LaCroix will be on vacation from June 8-18, 2007, but will be available by cell phone.

27. TYPE: Email
DATE: June 1, 2007
RECEIVED FROM: Katy Singlaub, Chairman, IG/Alliance for Innovation Board.
ADDRESSED TO: Mayor Pugh
SUBJECT: Invitation to participate in an on-line survey.

28. TYPE: Memorandum
DATE: June 1, 2007
SENT BY: Bill Geiger, Acting City Manager/Community Development Director
ADDRESSED TO: Mayor and Council Members
SUBJECT: Update on Audit of Brooksville Police Department Evidence/Property Room.

29. TYPE: Letter (emailed by Teri McMaster, St. Pete Beach, FL City Clerk)
DATE: June 1, 2007
RECEIVED FROM: Ken Pruitt and Marco Rubio
ADDRESSED TO: Senators and Representatives
SUBJECT: Condensed outline of tax relief/reform agreement.

30. TYPE: Email
DATE: June 1, 2007
RECEIVED FROM: Senator Paula Dockery
ADDRESSED TO: Richard Roy
SUBJECT: Information regarding serving on State of Florida boards, panels and councils.

31. TYPE: Email
DATE: June 2, 2007
RECEIVED FROM: Brenda Frazier, Hernando County Community Relations Coordinator
ADDRESSED TO: Miscellaneous
SUBJECT: Notification that the 6/2/07 Hurricane Expo Start Time has been delayed one hour, from 10am to 11am, due to Tropical Storm Barry.

32. TYPE: Email
DATE: June 3, 2007
RECEIVED FROM: Joy Jackson, Hernando County Fairgrounds Manager
ADDRESSED TO: Miscellaneous
SUBJECT: Reminder that the weekend fairground flea markets are commencing, and results of the Annual Membership Meeting.

33. TYPE: Email
DATE: June 4, 2007
SENT BY: City Clerk Phillips
ADDRESSED TO: Julie Sherraden, Interim Asst. to City Manager
SUBJECT: Cover for information from Lisa M. Panzer MSW/Devereux Kids, regarding Grant Opportunities from Office of Juvenile Justice and Delinquency Prevention.

34. TYPE: Letter
DATE: June 5, 2007
SENT BY: Bill Geiger, Acting City Manager
ADDRESSED TO: Richard L. Howell
SUBJECT: Detailed responses in answer to the 5/27/07 email Mr. Howell sent voicing his complaint to the Brooksville City Council regarding the Brooksville Housing Authority Board Election.

35. TYPE: Letter
DATE: June 5, 2007
RECEIVED FROM: Paul Boston and Suzanne Touchton of the 'Juneteenth Historical Festival'.
ADDRESSED TO: Mayor Pugh
SUBJECT: Invitation to attend 6/14/07 opening ceremonies, at Brooksville's Russell Park Railroad Depot.

36. TYPE: Email
DATE: June 5, 2007
RECEIVED FROM: Florida Local Update of Census Addresses ('LUCA')
SUBJECT: Florida Census Workshop location information.

37. TYPE: Email
DATE: June 5, 2007
SENT BY: Pat Jobe, Planning and Zoning Coordinator
ADDRESSED TO: Miscellaneous
SUBJECT: Notification that the new Brooksville 'Starbucks' will be opening 6/9/07 in the Publix Shopping Center on Cortez Boulevard.

38. TYPE: Email
DATE: June 5, 2007
RECEIVED FROM: Heather Lauro, Hernando County Chamber of Commerce
ADDRESSED TO: Frankie Burnett, Vice Mayor
SUBJECT: Notification of 6/8/07 'Searching for the Stars' event at 6pm at the Palace Grand in Spring Hill.

39. TYPE: Email
DATE: June 5, 2007
SENT BY: Laureen Busacca
ADDRESSED TO: City Clerk Phillips
SUBJECT: In support of the 'D.A.R.E.' Program for children, despite negative comments heard at the 6/4/07 council meeting.

40. TYPE: Memorandum
DATE: June 6, 2007
SENT BY: Bill Geiger, Acting City Manager/Community Development Director
ADDRESSED TO: Mayor and Council Members
SUBJECT: Hernando County Court House Site Option Considerations.

Monthly Reports (April 2007)

Community Development
Department of Public Works
Finance Department
Fire Department
Human Resources
Parks & Recreation
Police Department

Miscellaneous Minutes

Police Officers' Pension Trust Fund	January 24,	2007
Brooksville Planning and Zoning	April 11,	2007
Mid-Florida Community Services, Inc.	April 12,	2007
Childrens' Advocacy Center of Hernando County Task Force		

Bulletins/Newsletters/Miscellaneous Publications & Reports

Shimberg's 'Affordable Housing Issues'	February	2007
Florida Department of Revenue's 'Tax Information Publication (TIP) Regarding Hurricane Preparedness Sales Tax Holiday.	April 30,	2007
U. S. Senator Bill Nelson's Updates (2)	May 31,	2007
Florida League of Cities, Inc.'s 'Datagram'	May 31,	2007
Health and Human Services Newsletter	June	2007
Florida Housing Finance Corporation's 2006 Annual Report - 'Living in Florida'	June 4,	2007

Miscellaneous

Florida House of Representatives Press Release regarding upcoming Town Hall meetings in central Florida on June 4th and 6th regarding Tax Reform Post-Session Legislative Review. The Meetings are being held by State Rep. Peter Nehr.	May 14,	2007
City of Brooksville News Release ~ Announcing Interim Police Chief Frank Ross' induction on the 'Wall of Honor', by the Florida Police Chiefs' Association.	May 18,	2007
Facility Use Agreements ~ (Parks Dept.)		
Michael Rosselli - 6/2/07 Diecast Show	Feb 14,	2007
DeWayne Washburn - 5/26/07 party.	May 24,	2007
Hernando County Chamber of Commerce ~		
Press Release - 5/30/07 Tax Reform Public Forum - 5pm, 275 Della Court, Spring Hill, FL. (Palace Grand)	May 29,	2007
Events for week of May 28-June 1, 2007	May 31,	2007
June 2007 Calendar of Events	May 31,	2007
'The Business Edge' Newsletter	June	2007
Events for week of June 4-8, 2007	June 1,	2007

Invitation ~ Brooksville Regional Medical Arts Complex Open House 6/12/07, 4-7pm 17240 Cortez Boulevard, Brooksville, FL.	May 29,	2007
Hernando County Press/News Releases ~		
June 2, 2007, Hurricane Expo	May 18,	2007
Expansion/new facility information regarding Brooksville manufacturer, 'TISSCO LLC'.	May 21,	2007
Hurricane Sales Tax Holiday (June 1 - June 12, 2007)	May 22,	2007
June 5, 2007, Board of County Commissioners' Tax Reform Workshop.	May 29,	2007
June 7, 2007, Live 'Issues & Answers' Program to be broadcast on Channel 19 At 6 p.m. regarding the county budget.	May 29,	2007
Property Tax Updates ~	May 30, May 31, June 4, June 5,	2007 2007 2007 2007
"Notice of Withdrawal Of All Counts Contained In The Complaint" - Case No. 07-003875-CI-20 Boyce E. Tincher Vs. City of Brooksville/Stephen J. Baumgartner/David LaCroix, Defendants.	June 1,	2007

NOTE: Copies of all correspondence on file in office of the City Clerk

G:\WP_WORK\ClerkOffice\Correspondence-to-Note\06-18-07 CTN.wpd

Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

April 17, 2007

05-29-07 P02:02 IN

Dear Municipal Official:

The Florida Department of Environmental Protection (FDEP) is pleased to announce this first printed publication of the *Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses*, dated January 2007.

The FDEP, in cooperation with the Florida Golf Course Superintendents Association, the Golf Course Superintendents Association of America, the United State Golf Association, Professional Golfers' Association of America, Audubon International, the University of Florida, and many others, has produced this manual to promote environmental stewardship in golf course development, design, and operation and to educate all concerned about the principles involved in this effort. The intended audience is diverse, including developers and designers, superintendents and maintenance employees, managers, Greens committees, and golfers. It is also intended to inform the lay community of elected officials, regulators, planners, and environmentally concerned citizens about the effects of golf courses on the community and the environment, the issues involved, and what practices may be employed to enhance benefits and reduce negative environmental impacts.

In our effort to reduce nonpoint sources of pollution in Florida, golf course operators are encouraged to incorporate as many of these practices as reasonably practicable into their daily operation. Most golf courses are already doing some, and many are doing almost all, of the practices discussed. At this time, state laws or rules do not require adherence to this manual. That is, of course, subject to change in the future, and local ordinances may affect some communities.

We have included three copies of the manual in this package. Please pass the additional copies of this manual on to the growth management department and to elected officials. It is our intent to distribute this manual to every golf course in Florida. Our mailing list, however, is estimated to cover only about 70% of Florida golf courses. Additional copies will be available from FDEP in Tallahassee, at FDEP and Water Management District offices and many County Cooperative Extension Service offices.

Thank you for your efforts in maintaining Florida's environment.

Copy to Mike + Bill Dow

Mike Thomas
Nonpoint Source Management Section

PC: Read (Report on file)

6/1/07 [illegible] CTW 6/18/07

From the desk of May 1 2007

MRS. ESTHER JOHNSON

Joe --

I didn't have an address for writing you at the time. You have no idea how pleased I was to see you back. Congrats!

I didn't mean to put you on the spot re The Bus. It's that I have such strong feelings about it, not just for myself! I can walk, too many can't

Always my best,

Esther Johnson

For give this scribbly note.

pc: [illegible]

CTW 6/6/07 6/18/07

FLORIDA LEAGUE
OF MAYORS, INC.

05-21-07 P02:46 IN

To: Florida Mayors

From: President John Marks
Mayor, City of Tallahassee

Date: May 17, 2007

Re: Property Tax Reform

The Florida League of Mayors Board of Directors met on Thursday, May 17, and adopted the attached recommended action steps for cities to implement between now and the beginning of the upcoming special legislative session on property tax reform that will convene June 12-22.

This is a very important time for cities to engage their citizens on the potential impacts that property tax reform and relief proposals will have on the delivery of municipal services.

Because time is of the essence, it is important that these steps be implemented as soon as is practical.

Should you have any questions or require additional information, please contact John Thomas at the League at 800-342-8112 or e-mail: jthomas@flcities.com.

~~Attachment~~

PC: Council
Steve
Jenmini

6/1/07 JB CW 6/18/07

FLORIDA LEAGUE OF MAYORS, INC. • P.O. Box 1757, Tallahassee, FL 32302-1757 • 850.222.9684 • Fax 850.222.3806 • www.flcities.com

BROOKSVILLE POLICE DEPARTMENT

87 Veterans Avenue
Brooksville, Florida 34601

(352) 754-6800
Fax: (352) 754-6809

To: Police Officer Bryan Drinkard
From: Chief Frank J. Ross
Date: May 17, 2007
Subject: Letter of Appreciation

I received a letter dated May 11, 2007 from Walter W. Skrimshire (original attached). The letter was expressing appreciation for your prompt response to his minor accident in the Winn Dixie parking lot on Tuesday, May 1, 2007. He was complimentary of the manner in which you handled his request for police services.

Your response to this complaint reflects positively upon you as a police officer and the entire police department. We are trying very hard to improve our image and your actions here clearly achieves that effort. Thank you for a job well done and for making a "positive difference". A copy of this memorandum will be placed in your personnel file for future consideration.

Cc: Stephen Baumgartner, City Manager
Margaret Bosack, Human Resources
Police Department Supervisors
Bulletin Board

5/31/07 jp

pc: 'read'
JNV
KP

05-25-07 P04:16 IN

CTN 6/18/07

BROOKSVILLE POLICE DEPARTMENT

37 Veterans Avenue
Brooksville, Florida 34601

(352) 754-6800
Fax: (352) 754-6809

To: Police Officers John Cavanna and Scott Williams
From: Chief Frank J. Ross
Subject: Letter of Appreciation
Date: May 17, 2007

I received a personal note dated May 7, 2007 from Joyce Sundheim of Lutz, Florida (original attached). Her thank you note was expressing her appreciation for your assistance at the Hernando Art Festival. It seems you went above and beyond by helping her dismantle her display and further load into her vehicle. She further stated, "They were courteous-they were great!"

Your actions here were commendable and appreciated. The time you took here to assist Ms. Sundheim will be long remembered by her. I am sure others at the festival saw your actions which made a positive impression. We need to go that extra step to help our citizens with all type of needs even though it may not be "police work." Thank you for a job well done. A copy of this memorandum will be placed in your personnel file for future consideration.

Cc: Stephen Baumgartner, City Manager
Margaret Bosack, Human Resources
Police Department Supervisors
Bulletin Board

5/31/07 js
pc: 'read'
JNV
KP
CTN 6/18/07

05-25-07 P04:16 IN

05-22-07 P04:23 IN

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

11201 N. McKinley Drive • Tampa, FL 33612-6456
Phone (813) 975-6000 • 800-226-7220
District Design MS 7-800

STEPHANIE C. KOPELOUSOS
SECRETARY

May 18, 2007

The Honorable Mayor David Pugh
City of Brooksville, Florida
201 Howell Avenue
Brooksville, FL 34601-2041

Re: US 41/ SR 45
Bicycle Lane Signing and Marking

Dear Mayor Pugh:

The Department has received your letter dated May 7, 2007, requesting the marking of the undesignated bicycle lanes along US 41 in Brooksville. At this time, we do not believe the marking of these lanes is appropriate for the following reasons:

1. The Department considers the need for the signing and marking of the undesignated bicycle lanes when connectivity to other bicycle lanes or multimodal facilities are present. At this time, the Department is not aware of any facility connections this segment of US 41 would provide. A review of the 2025 Future Planned Bicycle Facilities shows no connection between US 41 and either the Good Neighbor Trail or the Suncoast Parkway.

2. The Department considers the need for the signing and marking of undesignated bicycle lanes to occur after cyclists are properly utilizing the undesignated facility. At that time, the addition of signing and marking provides an enhanced awareness for the driver as he can correlate seeing the markings with the presence of the bicyclist. Premature incorporation of these traffic devices leads to driver complacency as no validation occurs due to the absence of any bicyclist.

3. In considering signing and marking of bike lanes, the Department looks at traffic volumes and the vehicle type mix. Studies have shown 75% of the bicycle crashes occur late in the day when traffic is at its peak. The high traffic volumes on US 41 in combination with high truck percentages ranging from 14% to 19% would attest to the need for a parallel facility where traffic volumes are lower and overall travel would be safer. The US 41 bicycle lanes should be used to provide only short connections and not as a primary route for destinations.

P.C. Steve
Jeanne
Emory
Lead

6/01/07

RECYCLED PAPER

Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

11201 N. McKinley Drive • Tampa, FL 33612-6456
Phone (813) 975-6000 • 800-226-7220
District Design MS 7-800

STEPHANIE C. KOPELOUSOS
SECRETARY

May 18, 2007

Jonathan Noll, Chair
Hernando County BPAC
20 N. Main Street, Room 262
Brooksville, FL 34601

Re: US 41/ SR 45
Bicycle Lane Signing and Marking

Dear Mr. Noll:

The Department has received your letter dated April 12, 2007, requesting the marking of the undesignated bicycle lanes along US 41 in Brooksville. At this time, we do not believe the marking of these lanes is appropriate for the following reasons:

1. The Department considers the need for the signing and marking of the undesignated bicycle lanes when connectivity to other bicycle lanes or multimodal facilities are present. At this time, the Department is not aware of any facility connections this segment of US 41 would provide. A review of the 2025 Future Planned Bicycle Facilities shows no connection between US 41 and either the Good Neighbor Trail or the Suncoast Parkway.

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3. In considering signing and marking of bike lanes, the Department looks at traffic volumes and the vehicle type mix. Studies have shown 75% of the bicycle crashes occur late in the day when traffic is at its peak. The high traffic volumes on US 41 in combination with high truck percentages ranging from 14% to 19% would attest to the need for a parallel facility where traffic volumes are lower and overall travel would be safer. The US 41 bicycle lanes should be used to provide only short connections and not as a primary route for destinations.

6/01/07

RECYCLED PAPER

6/8/07

City Manager

From: "Patterson, Teralynn" <tpatters@cas.usf.edu>
Sent: Monday, May 21, 2007 1:34 PM
Attach: Supervisor's Apprenticeship - 3 Pages.pdf
Subject: The Supervisor's Apprenticeship - Skills for Rising Leaders

Please join us for an Executive Overview of our exciting new training program - The Supervisor's Apprenticeship: Skills for Rising Leaders being implemented by the Florida Institute of Government at USF.

The John Scott Dailey

Florida Institute of Government

COLLEGE OF ARTS AND SCIENCES
University of South Florida — 4202 East Fowler Avenue, CHE 205 — Tampa, FL 33620
(813) 974-2345 — FAX (813) 974-2819 — SunCom 574-2345
www.cas.usf.edu/iog

ATTENTION:

City and County Decision Makers and Human Resource Directors

Have you been looking for an extremely high quality, dynamic Supervisory Training opportunity for members of your staff? Well, look no further and mark your calendars to attend a special **"Executive Overview"** of the Florida Institute of Government's newest training program - ***The Supervisor's Apprenticeship: Skills for Rising Leaders™***.

This two-hour 'sneak preview" co-hosted with our learning partner, EdTrek, Inc., will be held **Friday, June 15, from 9:00 a.m. to 11:30 a.m. at the Hilton St. Petersburg Carillon Park** 950 Lake Carillon Drive, St. Petersburg, FL 33716. The program is offered free of charge to all city and county decision makers, including those in human resource management and personnel departments.

The Supervisor's Apprenticeship: Skills for Rising Leaders™ is a competency-based program offered to individuals targeted as potential future supervisors as well as current supervisors. Typically, these employees receive minimal opportunities to develop skills in a structured learning environment that supports and incorporates on-the-job application, as the ***Apprenticeship™*** does. The Executive Overview will highlight the 30 hours of program content; explain how the learning process is job-embedded; illustrate its value to public sector agencies; and detail upcoming open-enrollment dates along with opportunities for agencies to sponsor in-house sessions.

If you or a member of your senior staff would like to attend this complimentary event,

pc: Mad
SB
KP
DEPT. HEADS

5/24/07

CTN 6/18/07

5/24/2007

JB
SB
Chron
CCC

CITY OF BROOKSVILLE

Memorandum

TO:

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

ACTION:

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

FROM: Stephen J. Baumgartner
Interim City Manager

DATE: May 21, 2007

SUBJ: JBCC - Number of Events Fees Waived

Pursuant to your request, I have attached a list of events that have been scheduled at the Jerome Brown Community Center since October 2006 to the present, and the number of times fees have been waived for certain events.

If you need anything further, please let me know.

G:\WP_WORK\Crobe\CITY COUNCIL 2007\joe bernardini jbcc waiver req.wpd

Rec'd

6/01/07

CW 6/18/07

Karen Phillips

From: "Jim Murray" <jmurray10@cfl.rr.com>
To: <jmurray10@cfl.rr.com>
Sent: Tuesday, May 22, 2007 2:37 PM
Subject: FW: Homeowners' Association Reinstatement

With the passage of HB433, and the subquent signing by the governor, homeowners' associations, whose covenants and bylaws were inadvertantly extinguished by the Marketable Records Title Act, may renew those covenants and by-laws. See the partial transcript that applies below: It is important to realize that if these associations do not renew their covenants they cannot manditoraly collect dues and these associations may not have the money to maintain their community. The impact is that municipal governments will find themselves fulfilling the obligations of these associations or the community will fall into disrepair. As a responsible government servant it is important that you let your opinion be known on this issue.

Governor Crist will receive this bill on his desk in early June. If he signs it, it will become effective July 1, 2007. Please call Governor Crist's office and voice your support at:

Phone: 850-488-7146
Fax: 850-487-0801

Mailing Address:
Office of the Governor
The Capitol
Tallahassee, FL 32399-0001

1 712.11 Covenant revitalization.--A homeowners'
2 association not otherwise subject to chapter 720 may use the
3 procedures set forth in ss. 720.403-720.407 to revive
4 covenants that have lapsed under the terms of this chapter.

Click here for the complete Bill

http://www.ccfj.net/PB07C902ER.html

5/31/07 CW 6/18/07

5/29/2007

Progress Energy

Progress Energy Florida, Inc.
St. Petersburg, Florida
May 22, 2007

05-30-07 A07:58 IN

CITY OF BROOKSVILLE
201 HOWELL AVE
ATTN: CITY CLERK
BROOKSVILLE FL 34601-2042

RE: Account number 4348887109

Dear CITY OF BROOKSVILLE:

We at Progress Energy Florida are committed to excellence in providing you with safe, reliable power at the best possible rates. We work continuously to ensure that the electrical system that serves our customers is well maintained. Making these improvements sometimes means that we have to briefly interrupt power to our customers.

On June 4, 2007, we will be replacing or repairing underground equipment in the area that serves 1230 S BROAD ST TFLT. Your power may be interrupted from approximately 10:00 PM to 05:00 AM. In case of rain or other inclement weather, we will reschedule this work for another date.

While we try to minimize the inconvenience for our customers, we know there's never a perfect time to be without electricity, even for needed maintenance. The work we are performing in your community is part of our ongoing efforts to serve you better, and will improve power quality and reliability for you and your neighbors.

If you have questions about this procedure, please call 1-352-694-8552.

We value your business and thank you for the opportunity to serve you. Please be assured that Progress Energy remains committed to providing you with outstanding system reliability. Our goal is to continually improve customer satisfaction and we are working hard to earn your trust.

Sincerely,

Roxanne Gordon
Local Progress Energy Representative

PC. Energy
Frank
Tom
Steve / Jennie
Rand

6/1/07 CTU 6/18/

Karen Phillips

From: "Steve Baumgartner" <sbaumgartner@ci.brooksville.fl.us>
To: "Bill Geiger" <bgeiger@ci.brooksville.fl.us>; "Emory Pierce" <epierce@ci.brooksville.fl.us>; "William Smith" <wsmith@ci.brooksville.fl.us>; "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Cc: "Janice Peters" <jpeters@ci.brooksville.fl.us>; "Jim Delach" <jdelach@ci.brooksville.fl.us>; "Autumn Sullivan" <asullivan@ci.brooksville.fl.us>
Sent: Thursday, May 24, 2007 6:00 PM
Subject: Fw: Brooksville Water System Improvement Project

Great news from Senator Dockery!
----- Original Message -----
From: DOCKERY.PAULA.S15
To: lbradburn@ci.brooksville.fl.us ; rlewis@ci.brooksville.fl.us ; jbernardini@ci.brooksville.fl.us ; fburnett@ci.brooksville.fl.us ; dpugh@ci.brooksville.fl.us ; drussell@co.hernando.fl.us ; rrocco@co.hernando.fl.us ; drowden@co.hernando.fl.us ; JStabins@hernandocounty.us ; CKingsley@hernandocounty.us
Cc: sbaumgartner@ci.brooksville.fl.us ; gkuhl@hernandocounty.us
Sent: Thursday, May 24, 2007 4:42 PM
Subject: Brooksville Water System Improvement Project

Brooksville City Council Members and Hernando County Commissioners,
Great news – the funding for the Brooksville Water System Improvement Project survived the Governor's veto pen today! It is a $250,000 appropriation found in line 1859 of the budget. Representative Schenck and I submitted this as a CBIR project on behalf of the City.

Thank you for your support and involvement, please do not hesitate to contact my office if we can be of assistance to you.

Warm regards,
Senator Paula Dockery
District 15

Read

CTN 6/18/07
5/31/07

cc Mace
Dept. Hds
B.L.
Chron
ccc

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

FROM: Stephen J. Baumgartner
Interim City Manager

DATE: May 25, 2007

SUBJ: Personal Issue

My wife was notified early this morning that her mother, Evolyn Floyd is gravely ill. Mrs. Floyd has had Alzheimer's Disease for a number of years. She has been a patient in a nursing home in Shelbyville, Indiana. My wife's brother, who is a physician believes her death is imminent – perhaps within 24 to 48 hours.

In the event that she expires within the time frame given, there are no arrangements for a funeral as yet. We also could have great difficulty getting a flight due to the Memorial Day weekend, and the Indy 500 Race in Indianapolis.

I have notified Bill Geiger of the situation, and he will be in charge if I have to leave. I will keep Council informed.

Thank you.

pc: Department Heads

G:\WP_WORK\Crobe\CITY COUNCIL 2007\SB personal matter.wpd

Read

6/01/07 CW 6/18/07

CC Mail
Dept. Heds
Chron
CCC

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

FROM: Stephen J. Baumgartner
Interim City Manager

DATE: May 25, 2007

SUBJ: Projected revenue impact of Constitutional Amendments and other modifications of the ad valorem tax systems

---

On May 4, 2007 a memorandum was sent to Council discussing the Additional Homestead Exemption for Seniors (copy attached). The Mayor requested the estimated cost to the City if this was implemented.

The Hernando County Property Appraiser's office kindly assisted. Attached is a memorandum dated 5-18-07 from Nick Nikkinen, CFE, Director of Special Projects with revenue impacts.

Nick listed four (4) possible impacts which are:

1) Save Our Seniors
2) Ad Valorem Discount Equivalent to Disability
3) Doubling Homestead from $25,000 to $50,000
4) Exempt $25,000 Tangible Personal Property

On page 6 of the memorandum, Nick lists the summary of the four proposals. The major impact on the City would be the doubling of Homestead. The Property Appraiser's estimate would be $211,049 in 2007.

As the memorandum points out, many proposals to reform the existing property tax system are being debated. The Special Session is scheduled June 12-22, 2007.

Lastly, I spoke to Mr. Nikkinen to assist us with the dynamic situation with property tax reform. They will be running reports for the City, as he does for the County, to assist us in evaluating property tax proposals pending with Tallahassee.

pc: Department Heads

JNV

G:\WP_WORK\Crobe\CITY COUNCIL 2007\proj rev impact of const amdmt.wpd

cc Mail
Dept. Hdo
Chron
CCC

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

FROM: Stephen J. Baumgartner
Interim City Manager

DATE: May 25, 2007

SUBJ: Legislative Property Tax Issues

I attended the Florida Government Finance Officers Association (FGFOA) annual meeting in Orlando, Florida earlier this week.

A major topic of discussion is the Legislative Special Session coming up in June. I attended the Legislative Update conducted by John Wayne Smith, Assistant Director, Legislative & Public Affairs, Florida League of Cities and Sarah Bleakley, Esquire, who represents Florida Association of Counties.

Property tax plans currently under consideration in the Legislature could result in cuts as much as 20% to 30% to cities and counties. At this time, Senate and House are far apart.

Major points from the Legislative Update:

- House Speaker wanted a significant cut in property taxes and alternative revenues to offset.
- Senate wanted least amount of government intervention.
- Senate is against sales tax as alternative because monies may be needed to save Citizens Insurance if Florida is hit with major storms. Senate wants to reserve sales tax increases for Citizens Insurance.
- Sales tax swap is unlikely, which was between swap of increasing sales taxes and reduction in property taxes.
- House felt ambushed by Senate on insurance crisis. Now House is taking lead on property taxes.
- House proposed rollback of millages to point in time. House focused on millages.
- Senate viewed problems happened over series of years, then fix over time. Stop growth in property taxes, but not a drastic rollback.

Read

6/01/07

CITY OF BROOKSVILLE
MEMORANDUM

To: Steve Baumgartner, City Manager

From: Emory H. Pierce, Director of Public Works Emory Pierce

Re: **Sewer Rehab Contract**

Date: May 25, 2007

The final completion date for our contract with Insituform is June 17, 2007. By that time they should have completed lining of all the main sewer lines and the portions of the sewer laterals within the streets/right-of-way called for in the contract and subsequent change order #1. The lining or replacement of about 20 each old, " Orangeburg", sewer laterals on private property will not be completed, but this work, while important to get done is not critical.

Our problem is that to extend the contract, time will have us working in the rainy/hurricane season and this could have the contractor legitimately requesting many more days for rain delay. There could also be some problems with extending the construction contract, that TBE wrote the specifications for, without extending our contract with TBE to match.

If we let the current contracts expire, we will still have $200,000-$300,000 left which we can combine with any additional funding we might get in the near future and do another million dollar plus project or bid out a smaller project that just targets sewer lateral and other very specific repairs. At present the sewer lateral work is being done by subcontractors and we are paying the sub's price plus whatever the contractor, Insituform, has added on. If we do a bid for just lateral and other specific repairs we can probably contract directly with some entity that might otherwise be a sub and possibly get a better price. The sewer lateral work has really two components: that which is within the public R/W and usually under pavement and it is generally cheaper to reline and that which is up on private property, where open cutting is generally cheaper and can be done by local plumbers.

My plan will be to let the current contract expire and rebid the sewer lateral and other specific repair work with City staff providing inspection and construction management services. Another contract with TBE would only be negotiated if additional funding is obtained.

PC: Council
Read
Jennings
Steve/Jim
Bill
ctn 6/18/07

EHP/ko
C:\Documents and Settings\EM\My Documents\05172007Sewer Rehab Contract.wpd

6/01/07

05-25-07 P03:37

H. S. R. A.
800 Continental Drive
Brooksville, Florida 34601

May 25, 2007

City of Brooksville
201 Howell Avenue
Brooksville, Fl. 34601

Dear Mayor Pugh:

As the newly formed Hillside-Summit Residential Association, we are in need of input as well as intervention regarding the matter of the newly elected board members. Should any of the newly elected board members choose to resign within the next thirty to forty-five days, we feel it should be our right as the tenants to say who should replace them.

As Chairman of this organization it is my privilege to forward our suggestion that Mr. Allan Rhodes (whom we feel who has done his best to represent the interest of BHA and the tenants).

H.S.R.A feels that the "Council" should respectfully intervene in the matter of the election of an Interim Director and allow another vote process to take place in which residents will feel free to participate in the process allowing H.S.R.A to participate in a voting process which would allow for balance and equality which in turn leads to partnerships forming a cohesive unit that upholds the rights and responsibilities of all persons concerned within the Department of Housing and Urban Development. I would like to thank you in advance for your immediate attention to this matter.

Sincerely,

Marie Maggette

note: Each C.M. rec'd copy

Marie Maggette
H.S.R.A Chairman

Cc files
BHA Board of Commissioners
Council member L. Bradburn: Member J. Bernardini: Member R. Lewis & Vice Mayor F. Burnett

PC: Jon - BHA assoc contact info

Read
Jennene
CN 6/18/07

6/01/07 DA

cc Mail
SB
Chron
CCC

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

FROM: Stephen J. Baumgartner
Interim City Manager

DATE: May 25, 2007

SUBJ: Citrus County Brush Fire - Brooksville F.D. Deployment

This afternoon Citrus County has requested assistance to Homosassa Springs. There is a 30-acre brush fire on the eastside of SR 19 near Seven Rivers Hospital. There is concern the fire could endanger the hospital.

They are requesting assistance to Homosassa Springs because their fire units are fighting the brush fire. The Chief, Captain, Lieutenant and a firefighter are going with Engine #3 (the America LaFrance Engine) to assist Homosassa Springs.

We are going under our Mutual Aide Agreement and we do not know about reimbursement at this time.

I spoke to Mayor and Vice Mayor and both agreed to the deployment.

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6/1/07 28 4/18/07

05-30-07 P02:08 IN

Allen W. Rhodes

418 Stafford Ave
Brooksville, FL 34601
(352) 442-7124
dustyden@peoplepc.com

May 26, 2007

FROM: ALLEN W. RHODES, VICE-CHAIRMAN
BROOKSVILLE HOUSING AUTHORITY BOARD

TO: KAREN PHILLIPS, CITY CLERK

SUBJECT: DISCIPLINE

ON NOVEMBER 17, 2006 THE BROOKSVILLE HOUSING AUTHORITY BOARD HELD A SPECIAL MEETING FOR THE PURPOSE OF CREATING A PROPOSAL TO THE HERNANDO COUNTY HOUSING AUTHORITY TO HIRE DON SINGER AS AN INTERIM, PART-TIME, TEMPORARY EXECUTIVE DIRECTOR OF THE BROOKSVILLE AUTHORITY.

ATTENDING WERE HELEN FLEMING, CHAIRWOMAN, ALLEN RHODES, VICE-CHAIRMAN, BOARD MEMBERS CARL PILCHER, DONNAMARIE LOPEZ, GERTRUDE MOBLEY, AND PAUL BOSTON. ADDITIONALLY, ATTORNEY CHARLIE LUCKIE, DON SINGER, BILLYE FETROW AND TONY MARRERO FROM HERNANDO TODAY WERE IN ATTENDANCE.

AT APPROXIMATELY 10:30AM AFTER MUCH DISCUSSION, PAUL BOSTON LEFT HIS CHAIR AND STARTED IN THE DIRECTION OF CARL PILCHER IN AN UNFRIENDLY ATTITUDE. BOTH HELEN FLEMING AND ATTORNEY CHARLIE LUCKIE HAD TO TELL MR. BOSTON HE WAS OUT OF ORDER AND TO HAVE A SEAT.

THIS INCIDENT VIOLATES THE FEDERAL, STATE, LOCAL, AND BROOKSVILLE HOUSING AUTHORITY'S POLICIES AND PROCEEDURES ON "WORKPLACE VIOLENCE PREVENTION (BHA POLICY 522)."

FROM THE TIME MR. BOSTON WAS APPOINTED TO THE BROOKSVILLE HOUSING AUTHORITY BOARD HE HAS INTIMIDATED, HARASSED, AND COERCED OTHER BOARD MEMBERS, EACH TIME ESCALATING HIS BEHAVIOR UNTIL THIS INCIDENT.

THIS PAST WEEK MR. BOSTON CAUSED BHA TO LOSE A VITAL CONTRACT WITH AN ELECTRICAL ENGINEERING FIRM. HUD IS REQUIRING AN ELECTRICAL ENGINEER TO BE ON BOARD BEFORE HUD RELEASES CAPITAL FUNDS TO PAY THE ELECTRICAL CONTRACTOR FOR WORK ALREADY DONE AT SUMMIT VILLAS.

Sincerely,

Allen W. Rhodes

6/1/07 JB

cc CM Read CTN 6/1

F

City of Brooksville

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

June 5, 2007

Mr. Richard L. Howell
603 Harar Ave.
Brooksville, FL 34601

Re: Brooksville Housing Authority

Dear Mr. Howell:

In response to your recent email, please be advised that F.S. 421.05(1) stipulates that each Housing Authority shall have at least one commissioner who is a resident of the Housing Authority and not that the position is to be filled by an individual of any specific racial category. The statutes go on to state that if a resident member is not available the existing vacancy shall be filled through the normal appointment procedures. The City has always attempted to identify an individual who is a facility resident who is eligible for consideration of appointment as a member of the Brooksville Housing Authority. However, there were no such volunteers for the latest appointment cycle.

Additionally, we are prohibited from requesting certain racial profiling statistics on our applications and have no way of ascertaining whether the applicants are African American, Caucasian or any other racial orientation unless the applicant is personally known. City Council made their recent decisions for appointment of positions to the Brooksville Housing Authority at the May 21, 2007 meeting based on the applications received or their personal acquaintance with the applicants or past members who were seeking reappointment.

The comments and allegations contained in your letter are your personal opinions and you are certainly entitled to those. Please be assured that it is not Council's intent to violate any statutory or City Code requirements when it comes to appointment of any of our Advisory Board positions.

Sincerely,

Bill Geiger

Bill Geiger
Acting City Manager

pc: City Council Members

6/5/07 pc: 'read' 6/18/07 CTN

Steve Baumgartner

From: "Frank Ross" <fross@ci.brooksville.fl.us>
To: "Stephen Baumgartner" <sbaumgartner@ci.brooksville.fl.us>
Cc: "David La Croix" <david@xtalwind.net>; "Brenda Benford" <bbenford@ci.brooksville.fl.us>; "Randal Orman" <rorman@ci.brooksville.fl.us>; "John Messer" <jmesser@ci.brooksville.fl.us>; "Edward Serrano" <eserrano@ci.brooksville.fl.us>; "Jason Brough" <jbrough@ci.brooksville.fl.us>; "Sergeant M. Maeder" <Dmaeder@ci.brooksville.fl.us>; "Norm Cartwright" <ncartwright@ci.brooksville.fl.us>; "Rick Hankins" <rhankins@ci.brooksville.fl.us>; "Ronnie Gossett" <rgossett@ci.brooksville.fl.us>
Sent: Tuesday, May 29, 2007 3:29 PM
Attach: Notice of pre disciplinary to Officer Terry Elliott.doc; Notice of Disciplinary Action for Officer Terry Elliott.doc
Subject: Disciplinary Action: Re: Police Officer Terry Elliott

Police Officer Terry Elliott was terminated this afternoon at 3:10 p.m. The termination is effective immediately. He has the right to appeal this disciplinary action with a written appeal to your office within 14 days. I am attaching a copy of the "Notice of Potential Disciplinary Action" and a copy of the "Notice of Disciplinary Action" administered today. I have several requests from the media in reference to my decision concerning this matter. I will be releasing a copy of the "Notice of Disciplinary Action". The media made a public records demand for the entire internal investigation.

Chief Ross

Frank Ross, Chief of Police
Brooksville Police Dept.
352-754-6800 * 352-754-6809 - fax
fross@ci.brooksville.fl.us

Pc: Council 5/29/07

cc Mail
D. Heads
Chron
ccc

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

FROM: Stephen J. Baumgartner
Interim City Manager

DATE: May 29, 2007

SUBJ: City of Brooksville Preliminary Taxable Values - 2007

Attached is the preliminary estimate of Taxable Value for the City of Brooksville for 2007. This estimate does not include new construction. A conservative estimate of new construction in the City is $15 million

Our Final Re-certified Taxable Values for 2006 were $482,065,315. The preliminary values for 2007 are $517,188,445. The increase at this time is $35,123,130. This is a 7.286% increase which is very encouraging.

pc: Department Heads

G:\WP_WORK\Crobe\CITY COUNCIL 2007\final taxable value of cob.wpd

CTN 6/18/07

Karen Phillips

From: "James, Cindy" <csjames@cas.usf.edu>
To: "Belleair Beach/Nancy McCollum, City Clerk" <nmccollum@cityofbelleairbeach.com>; "Belleair Bluffs/Chris Arbutine, Mayor" <chris@silverqueen.com>; "Belleair Bluffs/Deborah Sullivan, City Clerk" <dsullivan@belleairbluffs-fl.gov>; "Belleair/Donna Carlen, Town Clerk" <dcarlen@townofbelleair.net>; "Brooksville/David Pugh, Mayor" <dpugh@ci.brooksville.fl.us>; "Brooksville/Karen Phillips, City Clerk" <kphillips@ci.brooksville.fl.us>; "Brookville/Frankie Burnett, Vice Mayor" <fburnett@ci.brooksville.fl.us>; "Dade City/Camille Hernandez, Commissioner" <chernandez@dadecityfl.com>; "Dade City/Eunice Penix, Commissioner" <epenix@dadecityfl.com>; "Dade City/Jim Class, City Clerk" <jclass@dadecityfl.us>; "Dunedin/Bob Hackworth, Mayor" <bhackworth@dunedinfl.net>; "Dunedin/Deborah Kynes,Commissioner" <dkynes@dunedinfl.net>; "Dunedin/Jeri Guegan, City Clerk" <jguegan@dunedinfl.net>; "Gulfport/Bob Worthington, Councilmember" <bworthington@ci.gulfport.fl.us>; "Gulfport/Donna Boyd, Deputy City Clerk" <dboyd@ci.gulfport.fl.us>
Sent: Tuesday, May 29, 2007 10:19 AM
Subject: 2007 Suncoast League of Cities Annual Conference

TIME IS RUNNING OUT!!

Don't forget to register for the

2007 Suncoast League of Cities
Annual Conference
June 16, 2007
at the
Hilton Carillon Park Hotel
St. Petersburg, FL 33716

If you have any questions please call Cindy at 813-974-9627or
Email at csjames@cas.usf.edu

Thank you,

Cindy James
Administrative Coordinator
Florida Institute of Government
University of South Florida
4202 East Fowler Avenue, CHE205
Tampa, FL 33620
(813) 974-9627
Fax (813) 974-2819

6/1/07 JB

CM 6/18/07

FYI: Paul Pruess
→ City Mgr. ←

Allison Earwood

From: "Kristine Scarangella" <kscarangella@co.hernando.fl.us>
To: <epierce@ci.brooksville.fl.us>
Sent: Tuesday, May 29, 2007 8:36 AM
Subject: Fwd: Re: Water Problem

Please see below a compliment that was sent to Hernando County Utilities recognizing a City of Brooksville employee.

Thanks,

Kristie Scarangella
Administrative Secretary
Hernando County Utilities
15400 Wiscon Road
Brooksville, Florida 34601
Telephone (352) 540-4368, ext 35511
Fax (352) 754-4167
kscarangella@co.hernando.fl.us

>>> Jesse Goodwin 5/29/2007 7:25:10 AM >>>
Good morning Mr. Dewitt,

The service technician you compliment works for the city and I for the Hernando County Utilities Department. I will be more than happy to forward your email to the City of Brooksville's Public Works Director, Mr. Emory Pierce. Its certainly nice to hear the residents of Brooksville recognize the efforts of the hard working city employees and take the time too commend those individuals.

Sincerely,

Jesse A. Goodwin
Assistant Director - Water & Sewer Operations
Hernando County Utilities
15400 Wiscon Road
Brooksville, Florida 34601
Telephone (352) 540-4368, ext 35524
Fax (352) 754-4167
jesseg@co.hernando.fl.us

>>> "Richard F. DeWitt" <rdewitt2@tampabay.rr.com> 5/29/2007 2:15 AM >>>
After a week of spastic water supply to my home at 930 Moonlight Lane in Brooksville, it had one last blast of good performance on Saturday morning, May 26, 2007. Then there was no water coming into the house. I called your emergency number and a gentleman named Paul came out to survey the situation. It was quite baffling, but Paul was absolutely knowledgeable and professional throughout an ordeal that went into the next day due to darkness and a pipe that broke during the reinstallation of the water meter. As luck would have it, the problem lies on my side of the meter but it is people like Paul that make Brooksville the special community it is. No complaints, a good exchange of information, and a great positive attitude on his part made me feel I must let his superiors know of this employee. I hope you will give him an atta boy at the very least. Neighbors who stopped while he was working were also

6/5/07 jp pd: 'recd' HR

Julie Sherraden

From: "Alys Brockway" <abrockway@co.hernando.fl.us>
To: <Gilbert.Sigua@ARS.USDA.GOV>; <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>; <lbusacca@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>; "Kent Weissinger" <KentW@co.hernando.fl.us>; "Larry Jennings" <LarryJ@co.hernando.fl.us>; "Pamela Hejduk" <PHejduk@co.hernando.fl.us>; "Ricky Leach" <RLeach@co.hernando.fl.us>; <weaver_m@hcsb.k12.fl.us>; <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>; <rwidmar@tampabay.rr.com>; <jadams@tbegroup.com>; <mduncan@wrec.net>
Cc: "Jesse Goodwin" <JesseG@co.hernando.fl.us>
Sent: Wednesday, May 30, 2007 8:46 AM
Subject: Meeting 6/21/07

Groundwater Guardian Committee,

Our next scheduled meeting is June 21, 2007, Noon to 2:00 P.M. at the Hernando County Utilities Department, 21030 Cortez Blvd. Brooksville, FL 34601.

Please let me know if you plan to attend. I'll forward the agenda in the next "reminder" e-mail. 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

pc: 'read'
SB
JNV
KP

5/30/07 JE
CTN 6/18/07

Karen Phillips

From: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
To: "Paul Boston" <Legalbrothers@aol.com>
Cc: "Frankie Burnett" <fburnett@ci.brooksville.fl.us>; "David Pugh" <dpugh@ci.brooksville.fl.us>; "Lara Bradburn" <lbradburn@ci.brooksville.fl.us>; "Richard E Lewis" <rlewis@ci.brooksville.fl.us>; "Joe Bernardini" <jbernardini@ci.brooksville.fl.us>; "Stephen Baumgartner" <sbaumgartner@ci.brooksville.fl.us>; "David LaCroix" <davidlac@earthlink.net>; "Jennene Norman-Vacha" <tjennene@myhrpartners.com>
Sent: Wednesday, May 30, 2007 5:03 PM
Subject: Brooksville Housing Authority Resident Member

In follow up to our conversation, you may want to review Section 421.05(1) of F.S. (excerpt attached below) regarding the appointment of a resident member to the BHA that we discussed. Let me know if you have any further questions.

421.05 Appointment, qualifications, and tenure of commissioners; hiring of employees.—
(1) When the governing body of a city adopts a resolution as aforesaid, the mayor, with the approval of the governing body, shall promptly appoint no fewer than five persons, and no more than seven persons, as commissioners of the authority created for such city. Three of the commissioners who are first appointed shall be designated to serve for terms of 1, 2, and 3 years respectively; the remaining commissioners shall be designated to serve for terms of 4 years each, from the date of their appointment. Thereafter, each commissioner shall be appointed as aforesaid for a term of office of 4 years, except that a vacancy shall be filled for the unexpired term by an appointment by the mayor with the approval of the governing body within 60 days after such vacancy occurs. Each housing authority created pursuant to this chapter shall have at least one commissioner who shall be a resident who is current in rent in a housing project or a person of low or very low income who resides within the housing authority's jurisdiction and is receiving rent subsidy through a program administered by the authority or public housing agency that has jurisdiction for the same locality served by the housing authority, which commissioner shall be appointed at the time a vacancy exists. In the case of an authority which has no completed project, no tenant-commissioner shall be appointed until 10 percent of the units in the first project of the authority have been occupied. The cessation of a tenant-commissioner's tenancy in a housing project or the cessation of rent subsidy shall remove such tenant-commissioner from office, and another person meeting the qualifications required for the office shall be appointed for the unexpired portion of the term. After all reasonable efforts have been made and documented, if the commissioners find that no housing project resident or rent subsidy recipient is available to serve as a tenant-commissioner, the existing vacancy shall then be filled through the normal appointment procedures set forth in this subsection. However, such normal appointment shall not preclude the requirement to exercise diligence in all succeeding vacancies to attempt to first appoint a tenant-commissioner until at least one tenant-commissioner has been appointed. No commissioner of an authority may be an officer or employee of the city for which the authority is created. A commissioner shall hold office until a successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk, and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner shall receive no compensation for his or her services but shall be entitled to the necessary expenses, including travel expenses, incurred in the discharge of his or her duties. The requirements of this subsection with respect to the number of commissioners of a housing authority apply without regard to the date on which the housing authority was created.
(2) The powers of each authority shall be vested in the commissioners thereof in office from time to time. A majority of the commissioners shall constitute a quorum of the authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the authority upon a vote of a majority of the commissioners present, unless in any case the bylaws of the authority require a larger number. The mayor with the concurrence of the governing body shall designate which of the commissioners appointed shall be the first chair, but when the office of the chair of the authority thereafter becomes vacant, the authority shall select a chair from among its commissioners. An authority shall select from among its commissioners a vice chair; and it may employ a secretary, who shall be the executive director, technical experts, and such other officers, agents, and employees, permanent and temporary, as it may require and shall determine their qualifications, duties, and compensation. For such legal services as it may require, an authority may call upon the chief law officer of the city or may employ its own counsel and legal staff. An authority may delegate to one or more of its agents or employees such powers or duties as it may deem proper.
(3) Notwithstanding the limitation contained in subsection (1) on the number of commissioners of a housing

PC: Council Heard
Lieberman & Rice
5/31/2007

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: City Council Members, City Manager, City Clerk, Department Heads

FROM: David La Croix, City Attorney

SUBJECT: Vacation

DATE: May 31, 2007

I will be out-of-state on vacation from the morning of Friday, June 8, until the morning of Monday, June 18. I will be available by cell phone and will check in with the City Manager regularly.

8

CM 6/1/07 Read

Karen Phillips

From: <ksinglaub@washoecounty.us>
To: <dpugh@ci.brooksville.fl.us>
Sent: Friday, June 01, 2007 7:06 PM
Subject: Invitation to participate: IG/Alliance for Innovation Member Survey

Dear Friend of the Innovation Groups (IG):

As you may be aware, IG is embarking on a great adventure to radically advance the practice of local government by partnering with the International City/County Management and Arizona State University to create the new Alliance for Innovation, which will debut at the Transforming Local Government Conference in Bellevue, Washington June 6-8, 2007.

We wanted to take a moment to check in with you, our friends, supporters, members and users, to make sure we know what you value most about IG, and what you would like to see us focus on in order to serve you even better in our new Alliance. As the Board Chair, I volunteered our organization, Washoe County, to prepare and host this survey as a service to IG members, and it is being sent on behalf of the entire IG Board and staff, so that is why you see the banner from our web survey system.

Would you please take a moment to complete this short (7-8 minute) survey that will let us know your preferences. You will have the opportunity at the end of the survey to see the results instantly, and those results will include your responses and those of all other respondents so far. The survey will only be open for responses between now and next Friday, June 8 at noon Pacific Time, so please respond at your earliest convenience.

Thank you for your commitment to excellence in local government practice.

Katy Singlaub
Chair, IG/Alliance for Innovation Board
Washoe County (NV) Manager

Your Link for this survey: http://www.washoecounty.us/index/surveys.html~survey_dept=&sid=20

Your Invitation Code: 013327a11

To change your cMail Subscription options, go to: www.washoecounty.us/index/cmail.html

pc: Read

6/4/07 JP CTV 6/18/07

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 Lewis

ACTION:

( ) As Requested
(x) For Your Information
( ) Please Route as Indicated
( ) Appropriate Action
( ) Investigate & Report
( ) Review & Comment
( ) Reply for Your Signature

FROM: Bill Geiger
Acting City Manager/Community Development Director

DATE: June 1, 2007

SUBJECT: Audit of Police Department Evidence/Property Room

The above-referenced report is currently being reviewed by appropriate staff, and will provide guidance on administrative and procedural modifications that need to be made concerning this aspect of the police department. FDLE will make a determination as to whether information contained in the audit warrants criminal investigation. A copy of the audit and related correspondence is being provided to you at this time for your information. No action is required from the City Council in this regard.

The email from Chief Ross provides an update on recent history concerning this topic.

Contact me if you have any questions.

pc: Steve Baumgartner, Interim City Manager
file

G:\Bgeig\Manager\pd audit property_evidence room.wpd

Copies sent. 6/1 JP

THE FLORIDA LEGISLATURE

KEN PRUITT
President of the Senate

MARCO RUBIO
Speaker of the House of Representatives

June 1, 2007

Dear Senators and Representatives:

We recognize and appreciate the commitment of the House and Senate to provide meaningful relief to taxpayers and significant reform to the property tax system in Florida. We want to update you on the progress of our negotiations regarding property tax relief and reform.

As you know, our Joint Select Committee on Property Tax Relief and Reform met on May 21, 2007. During that meeting, we discussed several different methodologies for the constitutional portion of the Senate and House tax plan. We also announced an initial agreement on how we would proceed with the discussions. Since that time our lead negotiators and professional staff have spent many hours working together.

With their assistance, we have reached additional agreements regarding the structure for a tax relief and reform plan, and agreements regarding the timing and method for implementing the plan.

Below is a condensed outline of the substantial agreement, followed by a more thorough explanation of the plan:

Immediate Tax Relief and Reform (Statutory)

- Cities and Counties will be required to cut their property taxes. The level of cuts will be based on a formula tied to their past taxing performance;
- A cap on future property taxes will ensure that government cannot grow faster than personal income;
- Local Governments may override the cap and the cuts by an extraordinary vote;
- Every category of property taxpayers will benefit from the mandatory tax cut and cap.

Further Tax Relief and Reform (Constitutional Amendment)

- "Save our Homes" and the homestead exemption are replaced with a new homestead exemption based on the value of the homesteaded property;
- The framework will reflect a "tiered percentage approach" similar to that which was discussed during the May 21 meeting;
- The few property owners who would have greater benefits under the current "Save Our Homes Amendment" will be grandfathered to the greatest extent allowed by law;
- We will preserve all existing constitutional exemptions based on special circumstances (*e.g.*, disabled veterans).

pc: Steve
Jim
Jennene
Bill
'peace'

SENATE SUITE 409, THE CAPITOL, 404 SOUTH MONROE STREET • TALLAHASSEE, FLORIDA 32399-1100 • TELEPHONE (850) 487-5229
HOUSE SUITE 420, THE CAPITOL, 402 SOUTH MONROE STREET • TALLAHASSEE, FLORIDA 32399-1300 • TELEPHONE (850) 488-1450
Legislature's Website: *www.leg.state.fl.us*

6/14/07 JB

CTM 6/18/07

Julie Sherraden

From: "DOCKERY.PAULA.WEB" <DOCKERY.PAULA.WEB@flsenate.gov>
To: "ROY.RICHARD.S15" <ROY.RICHARD.S15@flsenate.gov>
Sent: Friday, June 01, 2007 4:42 PM
Attach: appoint_questionnaire-Gov.pdf; Boards and Appointments 07-2007.doc
Subject: Gubernatorial Appointments for July

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 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,

Paula

Senator Paula Dockery
District 15
101 West Main Street, Suite 110
Lakeland, FL 33815
(863) 413-2900
(863) 413-2902 - Fax

pc: 'read'
JNV
KP

6/4/07 SD

atn 6/18/07

6/4/2007

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: "All_Network_Users" <All_Network_Users@co.hernando.fl.us>; " Callaghan, Elizabeth" <elizabeth_callaghan@doh.state.fl.us>; <511tampabay@traffic.com>; <ann.kelly@coxtampa.com>; <renczkowski_b@hcsb.k12.fl.us>; <barbara.ferrara@correctionscorp.com>; <crowley_b@hcsb.k12.fl.us>; <barry.goldsmith@noaa.gov>; <bhite@wfla.com>; <BRatliffe@wfla.com>; <Brenfroe@hernandosheriff.org>; <corr-bcpo@tampabay.rr.com>; <bvillebelle@tampabay.rr.com>; <CBaxley@hernandosheriff.org>; <cbrennan@chronicleonline.com>; <community@suncoastnews.com>; <ctaylor@springhillfire.com>; <dalbert@hometownamerica.com>; <DanielR@co.hernando.fl.us>; <desk@baynews9.com>; <desk@tampabays10.com>; <desk@wesh.com>; <desk@wkmg.com>; <diten217@foxtv.com>; <djsimon@citrus95radio.com>; <dlblack@hernandosheriff.org>; "Don Ruths" <ruthsd@doacs.state.fl.us>; <don.stewart@correctionscorp.com>; <eholzhauer@wrec.net>; <esf5@fleoc.org>; <ferdinand.zogbaum@baynews9.com>; <fmnews@WUFT.org>; <gguayardo@wfla.com>; <gmcqueen@tampabays10.com>; <gstevenson@median/genera>
Sent: Saturday, June 02, 2007 8:01 AM
Subject: Hurricane Expo Start Time Delayed

Due to weather conditions resulting from Tropical Storm Barry, the Hernando County Hurricane Expo start time will be delayed for one hour. The Expo will open at Weeki Wachee Springs at 10:00 a.m. this morning. Opening ceremonies will begin at 11:00 a.m. The Expo will continue until 3:00 p.m. weather permitting. Call the Public Information Line at 352-754-4111 to hear the latest information about the Expo status.

Brenda Frazier
Community Relations Coordinator
Hernando County Government
20 N. Main Street - Room 460
Brooksville, FL 34601
(352) 540-6780 office
(352) 442-1673 cell
(352) 754-4477 (fax)
brendaf@hernandocounty.us

pc: Kent

6/4/07
C TN C 6/18/07

Julie Sherraden

From: "Fair" <info@hernandocountyfair.com>
To: "Adkins Clara & Jim " <jim69judge@bellsouth.net>; "Betsy Dugan" <badugan@tampabay.rr.com>; "Brian Chytka " <pbchytka@earthlink.net>; "Brooks & Rick Ahrens " <fahrens@yahoo.com>; "Buffie & Ward Jenkins " <jenko2006@yahoo.com>; "Dennis DeHoff " <cddehoff@earthlink.net>; "Don Page " <dpage@cortezcommunitybank.com>; "Donna Peacock" <DonnaP@hernandocounty.us>; "Gail Brooks " <Gailcarverbrooks@aol.com>; "Joann & Joseph Heet " <josephheet@bellsouth.net>; "Nancy Hurst " <nannynanc@bellsouth.net>; "Peggy Gist " <peggygist@hernandocounty.us>; "Sandra & Patrick Jones " <sandpat45@yahoo.com>; "Shari & Richard Klimas " <rklimas730@aol.com>; "Stacy Strickland " <sstrickland@hernandocounty.us>; "Stephanie" <info@aimdirectmedia.com>; "Bill Sims " <leaphire@yahoo.com>; "Cathy DeHoff" <cdehoff@pasco.k12.fl.us>; "Craig Fulmer " <cfulmer@cutlerdb.com>; "Daina Simons " <dsimons64@peoplepc.com>; "Dana Hurst" <haroldsautocente@bellsouth.net>; "Dave Russell " <drussell@co.hernando.fl.us>; "Dave Russell - Board of County Commisioners" <dcox@co.hernando.fl.us.>; "Deidre Fletcher" <htlbrooks@aol.com>; "Jan Knowles " <janknowles@earthlink.net>; "Jeff Johnston " <jmj114@bellsouth.net>; "Joe Bernardini " <joeb433@bellsouth.net>; "Joe Bernardini - Brooksville City Council " <jsherraden@ci.brooksville.fl.us>; "John Mitten " <01657@chick-fil-a.com>; "Judy Mamo" <jmamo@cortezcommunitybank.com>; "Nancy Moores " <nancym@co.hernando.fl.us>; "Richard Nugent " <rnugent@hernandosheriff.org>; "Sandi Nicholson " <snicholson@nicholson-engineering.com>; "Tammy Fincher " <ILOVEILLUSION07@AOL.COM>; "Terry Weaver" <tlweaver@w-t-g-inc.com>; "Tim Hill " <spfdtim7@aol.com>; "Tommy Clark" <BRYANT.CLARK@PGNMAIL.COM>
Sent: Sunday, June 03, 2007 10:00 AM
Subject: Mem newsletter 5.31

Dear HCFA Member:

Welcome to summer in Florida! Temperatures are rising and days are lengthening, which means that it is time to kick off the Flea Market at the Fairgrounds! We will have both inside and outside vendors and everything from food and produce to tools and "re-purposed" items. Space is available by the day, weekend or month, so bring your garage sale here! We hope you all become regular shoppers – hours are from 8:00 a.m. to 2:00 p.m. every Saturday and Sunday. For more information, call the Fairgrounds office during regular office hours.

Our Annual Membership Dinner and Meeting was well attended. We enjoyed a wonderful steak dinner cooked and served by the Jolly Ranchers 4-H Club. We filled several 3-year term directorships and the directors elected a new board. Here is the 2007-08 HCFA Board of Directors and Executive Board:

President	Joe Bernardini	Brooksville City Council
Vice-President	Sandi Nicholson	Hernando County School Board
Treasurer	Judy Mamo	Elected Director
Secretary	Cathy DeHoff	Elected Director – re-elected
Elected Director	Bill Sims	Re-elected
Elected Director	Craig Fulmer	Re-elected
Elected Director	Dana Hurst	Re-elected
Elected Director	Jeff Johnston	Newly elected
Elected Director	Terry Weaver	Newly elected
Elected Director	Tim Hill	
Elected Director	Brian Chytka	
Elected Director	John Mitten	
Elected Director	Daina Simons	
Elected Director	Tammy Fincher	

pc: 'read'
JNV
KP

6/4/07 JB ctn 6/18/07

Julie Sherraden JB.

From: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
To: "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>
Sent: Monday, June 04, 2007 11:16 AM
Attach: FW_ Grant Opportunities from Office of Juvenile Justice and Delinquency Prevention.eml
Subject: Fw: FW: Grant Opportunities from Office of Juvenile Justiceand Delinquency Prevention

****

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@ccdosp.com>; "Amy Gullotto" <agullotto@career-central.org>; "Annie McPherson" <mcphea@peds.ufl.edu>; "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 Wise" <Debra.Wise@kidscentralinc.org>; <D>
Sent: Monday, June 04, 2007 9:16 AM
Subject: Fw: FW: Grant Opportunities from Office of Juvenile Justiceand Delinquency Prevention

>
> ----- Original Message -----
> From: "Lisa Panzer" <lpanzer@devereux.org>
> To: <lobach_b@firn.edu>
> Sent: Thursday, May 31, 2007 10:34 AM
> Subject: Fwd: FW: Grant Opportunities from Office of Juvenile Justiceand
> Delinquency Prevention
>

pl. 'read' JNV > FYI

CTN 6/18/07

JUNETEENTH HISTORICAL FESTIVAL

PHONE: 352 238-3500

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

EXECUTIVE MEMBERS
President
Paul Boston
Treasurer
Steve Zeledon
Secretary
Suzanne Touchton
Program Director
Brian Brojbag
Business Director
Frankie Burnett
Veterans Director
Paul Douglas
Music Director
John St. John
Vendor Coordinator
Joe Lemieux
Robin Rawlins
Shaila Blair
Site Director
Charles Martin
Deputy Touchton
Tent Coordinator
Peter Rocco
Asst. Music Director
Veronica Martin
Marie Snow
Clerical Secretary
Jerry Cowling
Asst. Vendor Coordinator
Joann Munford
History Trail Coordinator
Jennifer Sullivan
Latin Committee
Carmelo Delgado
Volunteer Coordinator
Joseph Maner
Food Safety
Martha Maner
Literary Tent
Jerry Cowling
Marketing
Richard Howell
P.R. Coordinator
Kym Williams
Piano Coordinators
Marie Zeledon
Carmelo Delgado

Sponsored By
Justus Inc
Frederick Kelly Lodge
Green Bean Inc
1885 Brooksville
Train Depot & Museum
Hernando County
Green Party
Chic-Fil-a
Life-South
Lowe's
Publix's

Other Committee Members
Rose Rocco
Ron Daniel
Gail Shade
Gail Shade
Susan Woods

David Pugh
Mayor
201 Howell Ave.
Brooksville, Florida 34601-2041

Dear Mayor Pugh :

The Juneteenth Historical Festival Committee invites you to attend our opening day ceremonies which will begin with a Flag Day commemoration June 14, 2007 at noon at the old railroad depot in Russell Park. Since you have provided us with a great deal of material support in order to help make this celebration a success, we want to acknowledge your help at the opening day. If you feel able to attend, please let us know so that we can put you on the schedule.

Sincerely,

Paul Boston, Chairman(797-5451)

Suzanne Touchton, Secretary(666-7576)

CTJ 4/18/07

City Manager

From: "LUCA" <LUCA@flcensus.gov>
Sent: Tuesday, June 05, 2007 4:59 PM
Attach: TavaresWkshp.pdf
Subject: Florida Local Update of Census Addresses -- WORKSHOP LOCATION CHANGED

FLORIDA
Local Update of Census Addresses

The Florida Local Update of Census Addresses (LUCA) Progra is holding a promotional / planning workshop in Tavares

Fast growing states like Florida add millions of new street addresses between official U.S. Census counts. All of these addresses may not be on the Census Bureau's mas address file which could result in a significant population undercount in the 2010 Census.

The Census Bureau's LUCA program allows local governments to update the Census Bureau's Master Address Files (MAF). LUCA is your local government's best way to ensure that the 2010 Census results accurately represent your community. The data collected in the 2010 Census will be used by the federal, state, and local government for funding, resource planning, and services through the next decade.

The Office of Economic and Demographic Research of the Florida Legislature is work with the U.S. Census Bureau to help inform local governments about the LUCA progr and encourage participation.

The LUCA Promotional / Planning Workshop will be:

WHEN: **Thursday, June 14, 2007 from 1:00 to 3:00 p.m.**

WHERE: **101 East Caroline Street**
TRA Room
Tavares, FL 32778

pc: mad JNY BG KP 6/6/07

Local government officials and their representatives are invited to attend. For additio information on the LUCA program and state technical assistance grants that will be AVAILABLE SOON. VISIT: http://LUCA.FLcensus.gov

cth 6/18/07

Karen Phillips

From: "Patricia Jobe" <pjobe@ci.brooksville.fl.us>
To: "Angie Balderson" <abalderson@ci.brooksville.fl.us>; "Annie Williams" <pdreception@ci.brooksville.fl.us>; "Audrey Williams" <Awilliams@ci.brooksville.fl.us>; "Brenda Benford" <bbenford@ci.brooksville.fl.us>; "Brian Paino" <italianice0428@yahoo.com>; "Emma Bildhauer" <ebildhauer@ci.brooksville.fl.us>; "Lindsay Morgan" <lmorgan@ci.brooksville.fl.us>; "Mary Cason" <mcason@ci.brooksville.fl.us>; "Melissa Locke" <mlocke@ci.brooksville.fl.us>; "Miriam Rivera" <mrivera@ci.brooksville.fl.us>; "Susan McCrary" <smccrary@ci.brooksville.fl.us>; "Wendy Jespersen" <wjespersen@ci.brooksville.fl.us>; "Donna Singer" <DSinger@co.hernando.fl.us>; "Karen Phillips" <kphillips@ci.brooksville.fl.us>; "Charlotte Roberts" <croberts@ci.brooksville.fl.us>; "Kim Harsin" <KHarsin@ci.brooksville.fl.us>; "Margaret Bosack" <mbosack@ci.brooksville.fl.us>
Sent: Tuesday, June 05, 2007 10:06 AM
Subject: STARBUCKS - OPENING

Just to let you know: STARBUCKS WILL BE OPENING THIS WEEKEND IN BROOKSVILLE!!!!!

Publix Shopping Ctr.

Patricia I. Jibe
City of Brooksville
Community Development Department
Planning & Zoning Coordinator
201 Howell Avenue
Brooksville, FL 34601-2041
Phone: (352) 544-5430
Fax: (352) 544-5429
email:pjobe@chi.Brooksville.fl.us

PC. Read

6/6/07 DD CW 6/18/07

Karen Phillips

From: "Hernando County Chamber" <heather@hernandochamber.com>
To: "Frankie" <fburnett@ci.brooksville.fl.us>
Sent: Tuesday, June 05, 2007 2:00 PM
Attach: Registration Form.pdf
Subject: "Searching for the Stars" - Annual Awards Night!

Have you always wanted to have your picture taken with a Movie Star?

Do you want to know how it would feel to be interviewed on the Red Carpet?

Do you want to be witness to some truly "amazing" entertainment?

Then please - do not delay

RSVP to your Chamber of Commerce

For the 15th Annual Awards Night

"Searching for the Stars"

When? Friday, June 8th

Where? Palace Grand

Time: 6:00 p.m.

$45.00 pp (payment must be received prior to event)

Cash Bar

*****DEADLINE TO RESPOND IS: Wednesday, June 6th by 3:00 p.m.*****

Registration form is attached.

Questions???? Contact Carla at 352-796-0697, ext. 15

or email: carla@hernandochamber.com

PC

6/6/07 CR 6/8/07

6/5/2007

Karen Phillips

From: "Laureen Busacca" <lbusacca@ci.brooksville.fl.us>
To: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Cc: "Frank Ross" <fross@ci.brooksville.fl.us>
Sent: Tuesday, June 05, 2007 12:12 PM
Subject: last night's meeting

Karen, I listened to last night's meeting, and at the end, Mrs. Samples spoke against the D.A.R.E. program. I have to disagree w/ her. I do not know the entire program contents, but I can tell you that I feel that the officer's presence and the program in its entirety is beneficial. I have had 3 children go thru B.E. and a fourth starting this August. My first 2 did not have the benefit of the program- or at least I don't recall it. Kate is leaving B.E. for Parrott this year. She was very fond of the officer- she calls him Officer Dare because his name is a little difficult for her. I think that one giant step toward people respecting the police is by exposing them as children to positive police roll models. This officer and his presence are very worthy of our support and I believe the program should definitely be continued. I wish we could clone him and bring him to Parrott. Just thought you should know.
Laureen

Laureen Busacca
Construction Project Manager
City of Brooksville Dept.of Public Works
http://www.ci.brooksville.fl.us
lbusacca@ci.brooksville.fl.us
352-544-5465 Fax: 352-544-5470

BC: file

6/6/07 20

CN 6/8/07

6/5/2007

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 Lewis

ACTION:

( ) As Requested
(x) For Your Information
( ) Please Route as Indicated
( ) Appropriate Action
( ) Investigate & Report
( ) Review & Comment
( ) Reply for Your Signature

FROM: Bill Geiger BG
Acting City Manager/Community Development Director

DATE: June 6, 2007

SUBJECT: Hernando County Court House Site Option Considerations

The County recently provided the attached information to the City regarding optional sites being considered for expanding the County's Judicial operations. Site #1 involves constructing a new court house building and parking garage at the existing Court House/Administration building property. Site #2 would involve the construction of a new facility at the Hernando County Fairgrounds site. County consideration of this location may include discussion of the potential co-location of the County jail facility with the Judicial facility.

This item was discussed at the June 5, 2007 HCBCC meeting. No decisions were made by the BCC other than to acknowledge an intent to discuss the topic further, possibly in a workshop session, at a later date. Council member Bradburn attended the HCBCC meeting and expressed the City's interest in keeping the Judicial facility within the County Seat, as well as the City's interest in participating with providing input at future meetings where this topic is discussed.

Contact me if you have any questions.

pc: Steve Baumgartner, Interim City Manager
file

G:\Bgeig\Manager\HC Court House Site Options.wpd

Read 6/6/07 jp

05-08-07 A10:18 IN

CITY OF BROOKSVILLE
Community Development Department
Monthly Activity Report
April 2007

CATEGORY	This Month April 2007	Fiscal Year to Date 10/01/06 - 4/30/07	This Month Last Year (April 2006)	Last Fiscal Year to Date 10/01/05 -4/30/06
Building/Development Reviews	92	359	37	304
Occupational Licensing Reviews	15	105	9	93
Zoning Research Responses	107	485	53	393
Variances	0	3	0	2
Special Exceptions	1	7	0	1
Re/Zoning Amendments	1	9	0	2
Annexation	1	2	4	8
Conditional Plat	3	5	1	5
Final Plat	0	2	1	6
PDP Master Plan SEU/Zoning	0	6	0	1
Comprehensive Plan Amendments	0	1	1	1

pc: 'read' 6th 6/18/

POLICE OFFICERS' PENSION TRUST FUND
BOARD OF TRUSTEES

Wednesday, January 24, 2007 5:00 P.M.

Police Officers' Pension Trust Fund Board of Trustees met with members Joe Quinn, Vice-Chairman, Randal Orman, Secretary, Charles Price, Member, Bryan Bakardjiev of Bogdahn & Associates, Bonni Jensen, Board Attorney, and Jim Delach, City Liaison. Also present were Margaret Bosack, Recording Secretary, and Kim Harsin, Administrative Assistant. Absent were Jason Brough, Chairman and Jason Matheson, Member.

CALL TO ORDER
Meeting was called to order at 5:09 pm.

APPROVAL OF MINUTES
Motion made to approve November 29, 2006 minutes. Motion carried 3-0.

CORRESPONDENCE TO NOTE
Motion was made to receive & file the correspondence to note.

CONSENT AGENDA

Legal Services Fees - Bonni S. Jensen, Esquire
Approval of fees in the amount of $36.90 to be paid by Salem Trust
Attachment- statement period ending 11/15/06

Legal Services Fees - Bonni S. Jensen, Esquire
Approval of fees in the amount of $1,485.00 to be paid by Salem Trust
Attachment- statement period ending 12/15/06

Investment Monitor Fee - Bogdahn Consulting
Approval of fees in the amount of $1,625.00 to be paid by Salem Trust
Attachments: Statement for period 10/01/06 - 12/31/06

Investment Manager Fee - Dana Investment Advisors, Inc.
Approval of fees in the amount of $3,670.83 to be paid by Salem Trust.
Attachments: Statement for Fourth Quarter 2006

Motion was made to approve the Consent Agenda. Motion carried 3-0.

BOARD ATTORNEY - DISCUSSION ITEMS

Actuary/Consultant Agreements by Foster & Foster

Attorney Jensen informed the Board that she had a follow up to the Pension Protection Act information from the last meeting. The Internal Revenue Service recently issued notice 2007-7 which gives detail about $3,000 exclusion for health insurance and the exclusion for members who stop working in the year that they turn fifty (50) and their ability to take a lump sum distribution without a 10% penalty. The second item is notification that the IRS increased their standard mileage reimbursement rate from 44.5 cents to 48.5 cents. The last item discussed was that she did respond to an audit inquiry letter received from the municipality about the pension enabling the auditors to move forward on the audit.

INVESTMENT MONITOR - DISCUSSION ITEMS

Account Profile

Bryan Bakardjiev of Bogdahn & Associates went through the report with the Board. Mr. Bakardjiev stated Bogdahn is contracting with a third party that takes data from the custodian and puts it into a consistent format. The data gets

PC 'read' 6/18/07 cth

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CITY OF BROOKSVILLE
PLANNING AND ZONING COMMISSION MEETING
Regular Meeting

April 11, 2007

6:30 P.M.

Attendees: George Rodriguez, Elmer Korbus, Louise Taylor, and Don Varn. Also attending were Bill Geiger, Community Development Director, David LaCroix, City Attorney, and Wendy Jespersen, Administrative Assistant/Recording Secretary. ABSENT: John Wanat, Charles Miller, and Ernie Weaver.

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 the March 14, 2007, P&Z Commission meeting as written. Motion carried 5-0.

** RZ2007-02 and SE2007-02 - CROSLAND, INC - PRESENTED BY COASTAL ENGINEERING ASSOCIATES, INC. - *Continued from the March 14, 2007 meeting.*
Request for Rezoning from City and County Agricultural Zoning District to Planned Development Project (PDP) with a Special Exception for a Residential Planned Development Project and Master Plan Approval.

Motion was made by Commissioner Wever, seconded by Commissioner Varn, to continue this item to the next regularly scheduled meeting of the P&Z Commission on May 9, 2007, at 6:30 p.m. Motion carried 5-0.

AX2007-02 - SIM L. & TRACI L. LOWMAN, JR.
Petition for Voluntary Annexation of 7.00 acres ±

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

SUMMARY OF REQUEST - GENERAL INFORMATION:
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

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pc: 'read' 6/18/07 cth

Mid Florida Community Services, Inc.
Children's Advocacy Center of Hernando County
Task Force
Minutes
April 12, 2007

Members Present: Harry Hill, DJJ; Colleen Talpa, Devereux Kids; Margaret Tuohy, CAC volunteer; Barbara Lemoine, The Life Center; Linda Bixby, CAPP Nurturing Program; Mari Claiborne, Fa mily Visitation Center; Judy Everett, SEDNET; Margaret Goodrich, GFWC; Gloria West-Lawson, CAPP Nurturing Program; Barbara Lobach, SEDNET; Mona McIver, GFWC; Karen Striegel, Head Start; Harriet Martin, Healthy Start; Jennifer Dallner, BBBS; Barbara Renczkowski, HCCPTA; Kristy Thomas, The Harbor; Nicole Quinn, Attorney General's Office; Janice Roy, Mid Florida Community Services, Inc. CAC; Francine Ward, Mid Florida Community Services, Inc.; Lisa Panzer, 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 December 12, 2006 minutes, Janice requested a motion to approve. The motion was made and seconded. Minutes were approved.

CAC BUSINESS
Janice reported the "Tough Guys for Kids" fundraiser profit was $154.00. Money will be used to purchase needed items for children who come to the CAC.

Janice reported that Nicole Quinn with the Office of Attorney General provided Victim Services Training at the CAC in January.

Janice and Vanessa (CAC volunteer) attended the Victim Services Practitioner Designation Training. This training is mandatory for VOCA grant recipients.

The Mid Florida Community Services, Inc. CACHC brochure has been completed and copies were provided to those in attendance.

The Task Force was advised the CAC MDT Agreement should get out by this Friday or next Monday for signatures.

In recognition of Child Abuse Prevention Month, Janice will be representing the CAC at the Week of the Young Child Event. The event will be held at the Jerome Brown Community Center this Saturday.

Renovation to the portable continues. Mid Florida Community Services., Inc. CAC staff met with the Hernando County Sheriff's Office staff and CPT staff to discuss plans for the interview room and interviewing equipment. The equipment for the interview room will be supplied by the Sheriff's Office. The interview room and the observation room will be in the same area with the medical exam room. CAC staff and CPT staff will move into the portable that is being renovated. In addition, the renovated portable will have office space for the MDT members and an additional office for counseling and therapy sessions.

PC: 'MCA' 6/18/07 ctw

AFFORDABLE HOUSING

ISSUES

SHIMBERG CENTER FOR AFFORDABLE HOUSING

M.E. Rinker, Sr., School of Building Construction • College of Design, Construction & Planning • PO Box 115703, University of Florida, Gainesville, FL 32611-5703 TEL: (352) 273-1192 • SUNCOM: 622-7697 • FAX: (352) 392-4364

Volume XVII, Number 2 February 2007

Housing Affordability Index in Florida

The affordability of housing is an important issue in Florida and around the nation. Households are concerned about it because affordability affects their ability to become or remain as a homeowner, as well as the size and amenities of the home they are able to purchase. Real estate professionals and other industry participants also are concerned, because the number of households able to afford the purchase of a home is an important determinant of single-family sales activity in their local markets. Housing affordability also has become an important public policy issue, as home ownership is viewed as being an important goal for both individual and societal reasons. Household income, housing prices, and mortgage rates are the primary determinants of housing affordability. For a household considering homeownership, an additional factor is the rate of appreciation in housing prices.

Housing Affordability Index

One measure of housing affordability is the cost of homeownership, commonly conveyed through housing affordability indices. These indices generally indicate that affordability increased substantially towards the end of the last decade, primarily as a result of lower interest rates during that period.

A housing affordability index for an area brings together the price and the income elements that contribute to housing affordability. The most common housing affordability index is that used by the National Association of Realtors® (NAR).

The NAR index measures the ability of the median income household in an area to purchase a median priced house in that area. In addition to the median income and median house price, the index requires the current mortgage interest rate, assumptions about the down payment required to purchase the median priced home, and the maximum percentage of household income that can be spent on housing. An index of 100 indicates the median-income household in the area has sufficient income to purchase a single-family home selling at the median price.[1]

The Shimberg Center calculates affordability indices for all counties in Florida. Our index calculations differ from those of the NAR because we use the

Ic: Bill Read

6/01/07 CM 6/8/07

FLORIDA DEPARTMENT OF REVENUE

T·I·P

Tax Information Publication

TIP 07A01-04
Date Issued:
April 30, 2007

Hurricane Preparedness Sales Tax Holiday

June 1 through June 12, 2007

Florida law provides that no sales tax or discretionary sales surtax (also known as a local option sales tax) will be collected on the sale or purchase of certain items* related to hurricane preparedness for the period beginning 12:01 a.m., Friday, June 1, 2007, and ending at midnight, Tuesday, June 12, 2007.

This sales tax exemption applies to each eligible item, regardless of the number of items sold on the same invoice to a customer. **If the sales price of a qualifying item exceeds the allowable threshold amount (listed below) this tax exemption will not apply and the total purchase price is subject to tax.** The exemption **DOES NOT** apply to the leasing of a qualified item.

The following items are specifically identified as eligible for this special sales tax holiday for hurricane preparedness:

Qualifying items selling for $10 or less:

- Reusable ice or items sold as artificial ice

Qualifying items selling for $20 or less:

- Any portable self-powered light source
- Battery-powered flashlights
- Battery-powered lanterns
- Gas-powered lanterns (including propane, kerosene, lamp oil, or similar fuel)
- Tiki type torches
- Candles

Qualifying items selling for $25 or less:

- Any gas or diesel fuel container (including LP gas and kerosene containers)

Qualifying items selling for $30 or less:

- Batteries, including rechargeable (listed sizes **only**)
  - AAA-cell
  - AA-cell
  - C-cell
  - D-cell
  - 6-volt (excluding automobile and boat batteries)
  - 9-volt (excluding automobile and boat batteries)
- Coolers (food-storage; non-electrical)
- Ice chests (food-storage; non-electrical)

Qualifying items selling for $40 or less:

- Any cell phone charger

Qualifying items selling for $50 or less:

- Tarpaulins (tarps)
- Visqueen, plastic sheeting, plastic drop cloths, and other flexible waterproof sheeting
- Ground anchor systems or kits
- Tie-down kits (items that are advertised or normally sold as a tie-down kit)
- Bungee cords
- Ratchet straps

Qualifying items selling for $60 or less:

- Any cell phone batteries

Qualifying items selling for $75 or less:

- Radios (self-powered or battery-powered)
- Two-way radios (self-powered or battery-powered)
- Weather band radios (self-powered or battery-powered)
- Any carbon monoxide detectors
- Any package consisting of two or more of the previously listed qualifying items.

Qualifying items selling for $200 or less:

- Storm shutter devices (defined as materials and products specifically manufactured, rated, and marketed for the purpose of preventing window damage from storms)

Qualifying items selling for $1,000 or less:

- Portable generators that will be used to provide light, communications, or to preserve perishable food in the event of a power outage.

continued on page 2

Note:
Battery-powered or gas-powered light sources and qualifying portable self-powered radios will qualify for the exemption even though they may have electrical cords.

INSIDE THIS TIP:

Gift certificate/card ..... pg. 2
Exchanges ..... pg. 2
Store credits and refunds/credits ..... pg. 2
Manufacturer's coupons and store coupons ..... pg. 3
Rebates and rain checks ..... pg. 3
Layaways and rentals ..... pg. 3
Mail orders ..... pg. 3
Shipping and handling charges ..... pg. 3
Repairs ..... pg. 3
List of qualifying items and the allowed cost threshold ..... pg. 4

***This special sales tax holiday DOES NOT apply to clothing, books, or school supplies.**

PC: Counsel
Steve/Jennie
Dept Heads
Eng Bull Bds

6/01/07 CTW 4/18/07

U.S. Senator Bill Nelson
FLORIDA

From the Desk of Lisa M. Marshall

WRDA Passes Senate

The Senate passed a Water Resources Development (WRDA) bill on May 16 by a vote of 91-4. House and Senate conferees will now negotiate the differences between each chamber's version of the bill.

The Major Florida projects in the Senate version of the bill appear in the table below. Further detail on other authorizations is at the end of this Outreach Update.

WRDA—Major Florida Projects

Project	Total	Section
IRL	1,365,000,000	1001
Miami Harbor	125,270,000	1001
Picayune Strand	362,260,000	1001
Lido Key Hurricane/Beach	77,000,000	3033
Port Sutton Channel (Tampa)	12,900,000	3034
Miami Dade Water	$6,250,000	Manager's amdt
Hillsborough County	$6,250,000	Manager's amdt
Palm Beach County-Lake Region Water Treatment	7,500,000	Manager's amdt
HH Dike	1,500,000	Manager's amdt

Climate Change Amendment

Senator Nelson cosponsored an amendment to WRDA offered by Senator Kerry which required the Army Corps of Engineers to consider the impact of climate change in designing water

needed to approve it under the rules set for the debate. It was the first time in the 110th Congress that climate change had reached a vote on the Senate floor. Current guidelines for Corps projects were written in 1983, decades before studies were focused on whether human activities were contributing to climate warming.

Budget Agreement

On May 17, the House and Senate voted to adopt the fiscal year 2008 budget resolution. The budget resolution provides up to $50 billion between fiscal years 2007 and 2012 for the reauthorization of State Children's Health Insurance Program (SCHIP) and also contains some important tax relief provisions:

- Permanent marriage penalty tax relief;
- Permanent extension of the refundable child tax credit;
- Permanent extension of the adoption tax credit;
- Permanent extension of the higher child care tax credit;
- Permanent allowance of earned income tax credit for U.S. soldiers' combat pay;
- Permanent extension of the 10 percent income tax bracket; and
- Permanent extension of the current estate tax rate and exemption level ($3.5 million for individuals and $7 million for couples with the top rate being 45%)

In response to pressure from conservative House Democrats, the final budget resolution includes a "trigger" that affects only the House and would set up procedural hurdles to passing certain tax legislation until the administration certifies that a surplus is projected to materialize. The legislation also contains a one-year patch to the Alternative Minimum Tax (AMT).

Opposing Baroody Nomination

On May 17, Senator Nelson and Senator Richard Durbin (D-IL) sent a letter to President Bush requesting withdrawal of the nomination of Michael E. Baroody to chair the Consumer Product Safety Commission (CPSC). In the letter, both Senators noted Mr. Baroody's past work for the National Association of Manufacturers (NAM), a trade association that has long opposed the CPSC's regulatory mission of protecting the public from unsafe consumer products. The letter also notes that

PC - Record
Dept Heads

5/31/07

From the Office of ...

U.S. Senator Bill Nelson

FLORIDA

From the Desk of Lisa M. Marshall

Baroody Withdraws

On May 23, the White House withdrew the nomination of Michael Baroody to serve as Chairman of the Consumer Product Safety Commission. Senator Nelson took a lead role in opposing the nomination by placing the first hold on his confirmation process and writing the White House to request the nomination's withdrawal. Mr. Baroody's nomination was widely criticized by a number of consumer groups and public safety organizations because of his long history as a lobbyist for the manufacturing industry and various ethics issues associated with his nomination.

Nelson Introduces Generator Safety Bill

On May 24, Senator Nelson introduced S. 1510, legislation to help prevent many of the needless deaths that occur each year (often after hurricanes) due to carbon monoxide poisoning caused by portable generators. The legislation would require all new generators to include a sensor that would automatically shut the engine off if toxic levels of carbon monoxide were detected in the area around the generator. In addition, the bill would require the Consumer Product Safety Commission to design new carbon monoxide warning labels for generators, and initiate a comprehensive outreach program to warn the public of the danger associated with the emission of carbon monoxide from portable generators.

Improving Hurricane Tracking

Senator Nelson is cosponsoring the Improved Hurricane Tracking and Forecasting Act of 2007 with Louisiana Senator Mary Landrieu. The bill authorizes NASA and NOAA to begin work on an important next-generation hurricane tracking satellite. NASA's current QuikSCAT satellite is four years beyond its design lifetime and is NOAA's only resource for measuring sea-level winds--information that is essential for hurricane forecasting models.

Nelson Introduces Price Gouging Legislation

On May 24, Senator Nelson introduced S. 1520, legislation that would prohibit gasoline price gouging for a period of 180 days in locations that are declared Presidential disaster areas.

CHIP Reauthorization

Senator Nelson is a cosponsor of S.1224, the Children's Health Insurance Program (CHIP) Reauthorization Act of 2007. This legislation would reauthorize CHIP, a highly successful program that provides health care to low-income children who do not qualify for Medicaid. It would double funding available for the program in an effort to expand eligibility and encourage enrollment.

PC. Read
Dept Heads

5/31/07 JB

CTW 6/18/07

DATAGRAM

a publication of the

FLORIDA LEAGUE OF CITIES, INC.

May 31, 2007
Vol. 34, No. 14

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_____

Legislative Special Session on Property Tax Reform

The Legislature will convene for a legislative special session on property tax reform June 12-22, 2007, in Tallahassee. The League encourages cities to engage the public more in discussing property tax reform and help educate them on the impact some of the property tax proposals would have on services to citizens. The House and Senate Joint Select Committee on Property Tax Relief and Reform will be meeting prior to the special session on Monday, June 4, to discuss proposed legislation. Members of the Joint Committee include Sens. Haridopolos (Chair), Atwater, Carlton, Deutch, Geller, Storms and Webster, and Reps. Cannon (Chair), Altman, Attkisson, Bogdanoff, Brown, Cusack, Flores, L. Garcia, Gelber, Grant, Kravitz, Lopez-Cantera, Murzin, Scionti, Seiler and Weatherford. Contact Allison Payne (*apayne@flcities.com*) at the League for more information.

FLC Property Tax Reform Briefing

The Florida League of Cities has scheduled a briefing with the Board of Directors of the Florida Government Finance Officers Association, the Florida City and County Management Association, and the Florida Municipal Attorneys Association on Monday, June 4, at 10:00 a.m. in the League's Building (Sittig Hall) in Tallahassee.

The Legislative Joint Select Committee on Property Tax Relief and Reform will be meeting Monday afternoon in Tallahassee (see above article), and this will be an important opportunity for cities to learn where the Legislature is heading on property tax reform prior to the legislative special session convening on June 12.

Municipal officials are encouraged to attend the League's briefing. Please RSVP to Allison Payne at the League at 1-(800) 342-8112 or e-mail *apayne@flcities.com*.

Call for Nominations: Municipal Official Lifetime Achievement Award

Nomination forms for the E. Harris Drew Municipal Official Lifetime Achievement Award have been mailed to all cities (addressed to the attention of the city manager or city clerk). If your city has an elected official who has performed in an outstanding manner and has made an unusual and lasting contribution to the improvement of municipal government, and your city wishes to nominate him or her for this award, complete the nomination form and return it to the League by June 15, 2007. All elected municipal officials are eligible for this award, which will be presented during the League's Annual Conference August 16-18, 2007, in Orlando. For additional information, contact Linda Bridges (*lbridges@flcities.com*) at the League office.

Florida League of Cities Annual Conference

The Florida League of Cities Annual Conference announcement will be mailed to League members by June 8, 2007. The conference will be August 16-18, 2007, at the Orlando World Center Marriott. Contact Barbara Solis (*bsolis@flcities.com*) at the League for more information.

2007 Florida Cities of Excellence

The Florida League of Cities is pleased to announce the fourth annual "Florida Cities of Excellence" Award Program. The goal of this program is to focus public attention on the countless good things cities do to improve the quality of life in Florida! Florida Cities of Excellence recognizes and honors outstanding citizens and city leaders, and cities for their excellent, innovative programs that provide our citizens with great public service. Awards will be given in the following 10 categories: Florida City of Excellence Award, City Spirit Award, Mayor of the Year, Council Member of the Year, City Clerk of the Year, City Attorney of the Year, City Manager of the Year, City Finance Official of the Year, City Employee of the Year and City Citizen of the Year.

Nomination forms have been mailed to all cities in Florida and are available online at *www.flcities.com/awards.asp*.

Grants Corner

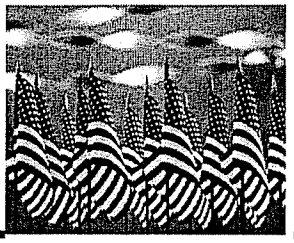
Edward Byrne Memorial Discretionary Grants Program

The U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance has announced that it is seeking applications for funding under the Edward Byrne Memorial Discretionary Grants Program. This program helps local communities improve the capacity of local justice systems and provides for national support efforts including training and technical assistance programs strategically targeted to address local needs. Funds can be used for demonstration, replication, enhancement, training and/or technical assistance programs. The deadline for all applications is 8:00 p.m. on June 25, 2007. Call 1-(866) 859-2687 for more information.

If you would like to be removed from the Datagram mailing list, please e-mail Erinn Streeter at estreeter@flcities.com or fax her at (850) 222-3806.

6/01/07 CTN 6/18/07

Health and Human Services



June 2007

A Publication of the Hernando County Department of Health and Human Services

Health Observances	**1**
Community Events	1-7
Helpful Information	**7-10**
Housing Updates	11
Veterans Services	**12**

Health Observances

Home Safety Month
June 1 – 30, 2007
Home Safety Council
Materials available; (202) 330-4900
Website:
www.homesafetycouncil.org/homesafetymonth

Sun Safety Week
June 3 – 9, 2007
Sun Safety Alliance
Materials available; (703) 837-4202
Website: www.sunsafetyalliance.org

National Men's Health Week
June 11 - 17, 2007
Men's Health Network
Materials available; (888) 636-2636
Website: www.menshealthweek.org

Helen Keller Deaf - Blind Awareness Week
June 24 - 30, 2007
Helen Keller National Center for Development
Materials available; (516) 944-8900 X254
Website: www.hknc.org

National Cancer Survivors Day
June 3, 2007
National Cancer Survivors Day Foundation
Materials available; (615) 794-3006
Website: www.ncsdf.org

Community Events

Big Brothers Big Sisters
Little Moments. Big Magic.™

Fundraiser to Benefit Boys & Girls in Tri-county Area

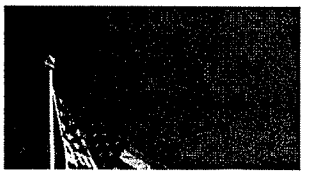
Tickets ON SALE Now!

New Corvette To Be Won By One Lucky Ticket Holder

Steve & Jewel Lamb, owners of Crystal Chevrolet in Homosassa, have donated a new 2007, **victory red Corvette**. The annual Corvette drawing to benefit Big Brothers Big Sisters of Pinellas, Hernando & Citrus Counties and Boys & Girls Clubs of Citrus County. Proceeds go to support their programs.

Only 2,000 tickets are available for a $100 donation each. The official **drawing will take place on July 14** at Crystal Chevrolet. Winner need not be present.

For tickets and/or more information, contact **Lori at (352) 621-9225 or Beth at (352) 344-0400**.



5/31/07 Cr 4/18/07

04-07 P02:18 IN

Read

NOTE: LEFT ON
FILE IN
CLERK'S OFF

6/5/07 JA CTW 6/18/07

Florida House of Representatives
Representative Peter F. Nehr, District 48

Press Release

FOR IMMEDIATE RELEASE
May 14, 2007

CONTACT: William Wallis
(727) 943-4880

Representative Nehr Calls for Town Hall Meetings - June 4th and June 6th

State Representative Peter Nehr will be holding two Town Hall Meetings covering the upcoming Special Session on Tax Reform and a Post-Session Legislative Review.

There will be a meeting on Monday, June 4th from 7:00pm to 9:00pm in the Oldsmar Council Chambers located: 100 State Street West, Oldsmar, FL 34677.

The second meeting will be on Wednesday, June 6th, 7:00pm to 9:00pm in the Tarpon Springs Commission Chamber located: 324 East Pine Street, Tarpon Spring, FL 34689.

Everyone is invited to attend and share their ideas to help Representative Nehr help our district.

For further information please call:

William Wallis 727-943-4880 or E-mail William.Wallis@myfloridahouse.gov

###

PC: Council Ref

5/31/07
8a
LTW 6/18/57

CITY OF BROOKSVILLE, FLORIDA

Janice L. Peters
Deputy City Clerk
201 Howell Avenue
Brooksville, FL 34601

Phone: (352) 544-5407
Fax: (352) 544-5424
E-Mail: jpeters@ci.brooksville.fl.us

NEWS RELEASE

May 18, 2007 - Brooksville Police Chief Frank Ross to be placed on Wall of Honor

Brooksville's Interim Police Chief Frank Ross has been chosen by a group of his peers to be placed on the Wall of Honor at the Florida Police Chiefs Association (F.P.C.A.) at their summer conference in June, honoring him for a lifetime of dedication.

The program honors former retired members or persons of distinction who made major contributions to the F.P.C.A.

Chief Ross began his career in law enforcement in 1966 with the Titusville Police Department immediately after being discharged from the U.S. Marine Corps and while advancing through the ranks graduated with honors with a B.A. Degree from Florida Technological University and in 1972 graduated from the prestigious F.B.I. National Academy.

He served as President of the F.P.C.A. in 1991 and 1992 and is a past president of the Brevard County Police Chiefs Association. He officially retired as police chief in January 2004 with a total of 24 years as Police Chief for numerous cities. He currently provides training to International Association of Chiefs of Police, F.P.C.A., Federal Executive Development, and Florida Dept. Of Law Enforcement, in addition to the private sector.

The City of Brooksville is pleased and honored to have him serve as the Interim Police Chief and proud of his contributions to the city as well as his lifelong contribution and dedication to law enforcement.

G:\WP WORK\ClerkOffice\Press Release\Ross - Wall of Honor.wpd

6/5/07 PC: 'read' HR CTN 6/18/07

C. hall

P/u Friday 5/

CITY OF BROOKSVILLE

14-02-07P12:43 RCVD

PARKS & RECREATION DEPARTMENT
FACILITY USE AGREEMENT

06-01-07 P02:20 IN

( ) Jerome Brown Community Center (✓) Hall ( ) Conference Room (✓) Kitchen

( ) Other Facility _____

Name of applicant (User): MICHAEL ROSSELLI

If an organization, name of representative: _____

☑ Not-for-Profit (attach copy of certificate) ☐ Government Agency ☐ City Co-Sponsored

Address: 12252 GREENWOOD ST. City: BROOKSVILLE State: FL Zip: 34613

Contact person: MIKE ROSSELLI Day Telephone 352-346-7245 Evening 597-4206

Alternate contact person: JEFF JENCZEWSKI Day Telephone 716-628-0698 Evening 200-5949

Description of event: DIECAST SHOW

50 Tables 200 chairs Anticipated attendance: 100-150

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

Day(s) of event: M - T - W - Th - F - (Sa) - Su AW Start date of event: [redacted] 6/2/07 Ending date: 6/2/07

Time event begins: ~~8:30~~ 7:30 (AM) / PM Time event ends: 1:30 AM (PM)

Set-up: Date 6/1/07 From 5:00 AM (PM) To 6:00 AM (PM)

Will event be open to the general public? Yes ☒ No ☐ Admission/donation/fee**: ☐ No ☒ Yes $ 3.00

Food/merchandise sales*: ☐ No ☒ Yes Describe: FUN-RAISER CUB SCOUTS

Refreshments served: ☐ No ☒ Yes Describe: SODA, CHIPS ECT.

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

* If not-for-profit, attach copy of Certificate.

RATES & FEES

User Fees: The base user fee for the requested facility is $ ~~314.18~~ 351.94 AW ~~19.15~~ 37.76 (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 amounts are to be paid not less than ten (10) 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 canceled less then thirty (30) calendar days and the facility is subsequently leased for the same day/time period to another user, 25% if not re-leased. pc: 'read' cth 6/18/07

cc: JB - 2/23/07 AW
JB 5/24/07 AW

6/01/07

CITY OF BROOKSVILLE
PARKS & RECREATION DEPARTMENT
FACILITY USE AGREEMENT

05-23-07A09:07 RCVD COMPLETED

(X) Jerome Brown Community Center (X) Hall ( ) Conference Room (X) Kitchen

( ) Other Facility _____

Name of applicant (User): DeWayne Washburn

If an organization, name of representative: N/A

☐ Not-for-Profit (attach copy of certificate) ☐ Government Agency ☐ City Co-Sponsored

Address: 9038 Parrish Ave City: Brooksville State: FL Zip: 34601

Contact person: DeWayne Washburn Day Telephone 352-796-1631 Evening _____

Alternate contact person: Pam Astle Day Telephone 352-232-0486 Evening _____

Description of event: Birthday party dancing

Anticipated attendance: 20

Attendees will be: Adult ☒ Teen ☒ Elem. ☐ Preschool ☐ If youth event, number of supervising adults: 6-10

Day(s) of event: M - T - W - Th - F - (Sa) - Su Start date of event: 5-26-07 Ending date: 5-26-07

Time event begins: 7:00 AM / (PM) Time event ends: 10:00 AM / (PM)

Set-up: Date 5-26-07 From 7:00 AM / (PM), To 10:00 AM / (PM)

Will event be open to the general public? Yes ☐ No ☒ Admission/donation/fee**: ☒ No ☐ Yes $_____

Food/merchandise sales*: ☒ No ☐ Yes Describe: _____

Refreshments served: ☐ No ☒ Yes Describe: Juice-chips-cake

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

RATES & FEES

User Fees: The base user fee for the requested facility is $ 191.70 11.70 (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 amounts are to be paid not less than ten (10) 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 canceled less then thirty (30) calendar days and the facility is subsequently leased for the same day/time period to another user, 25% if not re-leased.

Revised 08/20/03

cc: JB CIH 5/24/07 pd: read SB/KP 5/29/07 CTN 6/18/07

Karen Phillips

From: "Hernando County Chamber" <heather@hernandochamber.com>
To: "Karen" <kphillips@ci.brooksville.fl.us>
Sent: Tuesday, May 29, 2007 5:28 PM
Subject: Property Tax Reform

PRESS RELEASE

The Greater Hernando County Chamber of Commerce
Contact: Heather Lauro
101 E. Fort Dade Ave
Brooksville, FL 34601
Phone: 352-796-0697
E-mail: heather@hernandochamber.com

FOR IMMEDIATE RELEASE

WHEN - Wednesday, May 30, 2007 5:00 PM

LOCATION - The Palace Grand, 275 Della Court, Spring Hill, Florida 34607 (US 19)

Speaker of the Florida House of Representatives Marco Rubio to hold Public Forum to all citizens & business owners of Hernando County regarding the issue of Property Tax Reform

PC: Council Read

5/31/07

CTO 6/18/

Greater Hernando County
CHAMBER OF COMMERCE
STEP UP TO SUCCESS

Week of May 28 - June 01

When planning your calendar for the week, include these upcoming events.
Please join us and take advantage of these wonderful marketing opportunities!

UPCOMING EVENTS

Government Affairs Quarterly Meeting
Wednesday, June 6th-12:00 noon
Country Kitchen
$10 per person
Guest Speaker: Representative Robert Schenck
RSVP by June 5th to Carla at 796-0697, ext. 15

Leadership Hernando
Alumni Social and Orientation Reception for The Class Of 2007
Wednesday, June 6th-5:30 pm
Atria Evergreen Woods
All Leadership Alumni are invited to help send off the
Class of 2007 on a 13 week journey about the inner workings of the
business world in Hernando County

"15th Annual Awards Night"
"Searching for the Stars"
Friday, June 8th-6 pm
Palace Grand
$45.00 per person payable upon reservation
RSVP by May 29th to Patty at 796-0697, ext. 18
Sponsored by: Brooksville Cardiology, Brooksville and Spring Hill Regional Hospitals,
Career Central, Oak Hill Hospital & St. Petersburg Times/Hernando Times

COMMITTEE MEETINGS

5/30 Wednesday, 9:00 am
Leadership Alumni Committee
Spare Time Sports Bar & Eatery

Chamber Offices Closed
May 28, 2007
In Observance of Memorial Day

RADIO SHOW

"The Business Edge" Radio Show WWJB 1450 AM
Interviews will resume on June 4, 2007
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

Greater Hernando County CHAMBER OF COMMERCE

JUNE 2007 Calendar of Events

Committee Meetings

6/06 Wednesday, 9 am
Public Relations Meeting
Times Building

6/12 Tuesday, 9 am
Alumni Committee Meeting
Spare Time Sports Bar & Eatery

6/13 Wednesday, 8 am
Education Committee Meeting
Country Kitchen

6/13 Wednesday, 9 am
Liaison Task Force Meeting
Robert A. Buckner & Assoc

6/15 Friday, 6 pm
Diplomats Quarterly Social
Invitation Only

6/19 Thursday, 1 pm
Business Assistance Meeting
Capital City Bank-Spring Hill

6/20 Wednesday, 7:30 am
Board Of Directors Meeting
SunTrust Board Room

6/28 Thursday, 4:30 pm
Membership Meeting
Spring Hill Chamber Office

THANKS TO OUR AWARDS NIGHT SPONSORS:

Brooksville & Spring Hill

St. Petersburg Times
In the know. In the Times.
tampabay.com

Oak Hill Hospital

MEMBER ACTIVITIES

6/08 Friday, 12 pm
Networking at Noon
Papa Joe's Italian Restaurant
6244 Spring Lake Hwy
$10 pp, $15 at the door
RSVP to 796-0697, ext. 18
by 6/06

6/12 Tuesday, 5:30 pm
Business After Business Social
Brooksville Regional Hospital
Medical Arts Complex
17240 Cortez Blvd.
RSVP by 6/06 to 352-544-6020

6/21 Thursday, 5:30 pm
After Hours Mixer
Sponsored by: Powerhouse Gym/
Spring Hill
4212 Commercial Way

6/27 Wednesday, 7:15 am
Breakfast Meeting
Sponsored by:
Sunglasses Galore, LLC
Silverthorn Country Club
Members $12, Non-Members $15
Speaker: Mike McHugh
Topic: Economic Action Plan
and Business Update

SPECIAL EVENTS

Government Affairs Quarterly Meeting
Wednesday, June 6th-12:00 noon
Country Kitchen
$10 per person
Guest Speaker: Representative Robert Schenck
RSVP by June 5th to Carla at 796-0697, ext. 15

Leadership Hernando
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"Searching for the Stars"
Friday, June 8th-6 pm
Palace Grand
$45.00 per person payable upon reservation
RSVP by May 29th to Patty at 796-0697, ext. 18

Ribbon Cuttings

6/11 Monday, 11:30 am
Carole Anne's
Gourmet Gift Baskets
Spring Hill Chamber Office
4044 Commercial Way
Spring Hill, FL 34606
Deana Walker, 397-4424

6/13 Wednesday, 11:30 am
Brooksville Chiropractic, Inc.
813 South Broad Street
Brooksville, FL 34601
Dr. Vivian Robinson &
Dr. Troy Robinson, 799-3433

6/14 Thursday, 11:30 am
Household Finance
2705 Forest Road
Spring Hill, FL 34606
Jay Roderick, 666-5602

6/15 Friday, 11:30 am
A Civil Design Group
12529 Spring Hill Drive
Spring Hill, FL 34609
Richard J. Matassa, 683-9566

6/18 Monday, 11:30 am
Gemini Cabinetry
4594 Commercial Way
Spring Hill, FL 34606
Michael Sloan, 592-4515

6/20 Wednesday, 11:30 am
L.A. Studio, Inc.
12999 Cortez Blvd.
Brooksville, FL 34613
Lori Calabrese, 597-1001

6/25 Monday, 11:30 am
Sea Pines Golf & Country Club
Spring Hill Chamber Office
4044 Commercial Way
Spring Hill, FL 34606
Debbie Yowell, 727-863-1214

6/28 Thursday, 11:30 am
Action Potential Rehabilitation
& Sports Medicine
6119 Deltona Blvd.
Spring Hill, FL 34606
John & Randi Alloco,
592-9559

6/29 Friday, 11:30 am
Kesseltech, Inc.
15 N. Main Street (Suite B)
Brooksville, FL 34601
Eric Kessel, 232-6807 Cob business

Brooksville Office
101 East Fort Dade Avenue, Brooksville, FL
Phone (352) 796-0697 Fax (352) 796-3704

www.hernandochamber.com

Spring Hill Office
4044 Commercial Way, ~~Spring Hill, FL~~ CM ACK
Phone (352) 686-5097 Fax (352) 686-4194

PC DEPT HEADS
COUNCIL
REAP CM 4/18/07

5/31/07

Greater Hernando County CHAMBER OF COMMERCE
STEP UP TO SUCCESS

The Business Edge

June 2007

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Did You Know?

- In one year, Sir Speedy in Spring Hill prints over 10 million sheets of paper...

  So much for a paperless society!

Email your company Fast Facts to:
heather@hernandochamber.com

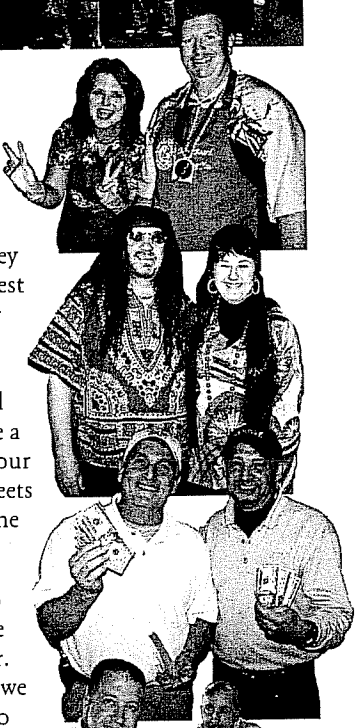
Activity

Walkins.....323
Phone Calls.....4751
Mailings.....2177
Referrals.....302
Web Site Visits....121,291

June 1st, 2006 - May 31st, 2007 Your Chamber's Year In Review

The Greater Hernando County Chamber of Commerce has continued to grow & evolve through out the course of the year. There have been many changes inside & out of the Chamber. Mickey Smith helped us to set our sites on a destination and find the best route to get there! The events this past year were spectacular from the Awards Banquet to the New Comers Reception which was the biggest one yet! The Golf Tournament went great, where we raised money for our building fund and along with your contributions hopefully we will soon have a new building. Then on to Tallahassee where we get to see our government in action and Senator Mike Fasano greets Hernando County! Leadership Hernando has done some great things this year as well.

As the county has continued to grow so has the Hernando County business community. To satisfy the growth of the membership, we have had many new beginnings this year. Due to the tremendous success of our After Hours Mixers we held our first ever Business After Business Social. Keys to Success Educational Series was started to offer you, the business person, more of an opportunity to grow along with our community. And finally Leadership Hernando Alumni Program was created to keep the "best classes ever" together! The Chamber has continued to be live on WWJB Radio! "The Business Edge" is a weekly program that highlights your Chamber members. We have also named our newly renovated and expanded newsletter after it- "The Business Edge Newsletter". We would just like to take this opportunity to thank you and all of your fellow chamber members for making this a truly successful year and we hope to continue this by bringing you with us as we strive to STEP UP TO SUCCESS!!!



We hope to see YOU at our 15th Annual Awards Night June 8th!

Special Thanks to Sir Speedy for printing & production of the newsletter, to Earnest Mail Consulting Corp. for the mailing of our newsletter!

CTW 4/18/07

Greater Hernando County CHAMBER OF COMMERCE

STEP UP TO SUCCESS

Week of June 04 - June 08

When planning your calendar for the week, include these upcoming events.
Please join us and take advantage of these wonderful marketing opportunities!

SPECIAL EVENTS

Government Affairs Quarterly Meeting
Wednesday, June 6th-12 pm
Country Kitchen
$10 per person
Guest Speaker: Representative Robert Schenck
RSVP by June 5th to
Carla at 796-0697, ext. 15

Leadership Hernando
Alumni Social and Orientation Reception for The Class Of 2007
Wednesday, June 6th-5:30 pm
Atria Evergreen Woods
All Leadership Alumni are invited to help send off the Class of 2007 on a 13 week journey about the inner workings of the business world in Hernando County

Networking At Noon
Friday, June 8th-12 pm
Papa Joe's Italian Restaurant
6244 Spring Lake Hwy
$10 pp, $15 at the door
RSVP to 796-0697, ext. 18 by 6/06

"15th Annual Awards Night"
"Searching for the Stars"
Friday, June 8th-6 pm
Palace Grand
Award Categories: Business of the Year, Chamber Service, Government Service, Citizen of the Year and Entrepreneur of the Year

COMMITTEE MEETINGS

6/06 Wednesday, 9 am
Public Relations Meeting
Times Building

RADIO SHOW

"The Business Edge" Radio Show WWJB 1450 AM
Join us Monday, June 4th, 1:30 - 2 pm
Pat Crowley will be interviewing Lisa Hammond-President, Early Learning Coalition of Pasco & Hernando Counties, Inc.
Radio Show Sponsored By: AutoWay Ford, Lincoln-Mercury of Brooksville, Cortez Community Bank, HealthSouth Rehabilitation Hospital of Spring Hill, and WWJB 1450 Radio

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THANKS TO OUR AWARDS NIGHT SPONSORS:

Brooksville & Spring Hill | St Petersburg Times In the know. In the Times. tampabay.com | BROOKSVILLE CARDIOLOGY | Oak Hill Hospital

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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

6/01/07 Cms 6/18/07

You're invited...

to a VIP Open House at Brooksville Regional Medical Arts Complex

Tuesday,
June 12, 2007
4 – 7 p.m.
17240 Cortez Blvd.
Brooksville

JS - RSOP on other side

adjacent to **Brooksville Regional** HOSPITAL

Read 6/1/07 8

CTL 6/18/07

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: <aloder@sptimes.com>; <askerritt@sptimes.com>; <ayee@sptimes.com>; <barbara@wwjb.com>; <bvillebelle@tampabay.rr.com>; <cbroadwater@sptimes.com>; <chefchipg@yahoo.com>; <desk@baynews9.com>; <ferdinand.zogbaum@baynews9.com>; <hamilton@sptimes.com>; <kmartin@hernandotoday.com>; <lmarrero@hernandotoday.com>; <mbates@hernandotoday.com>; <mkonrad@sptimes.com>; <mkruse@sptimes.com>; <pday@sptimes.com>; <rnolte@hernandotoday.com>; <wholt@hernandotoday.com>; " Callaghan, Elizabeth" <elizabeth_callaghan@doh.state.fl.us>; <511tampabay@traffic.com>; <ann.kelly@coxtampa.com>; <renczkowski_b@hcsb.k12.fl.us>; <barbara.ferrara@correctionscorp.com>; <crowley_b@hcsb.k12.fl.us>; <barry.goldsmith@noaa.gov>; <bhite@wfla.com>; <BRatliffe@wfla.com>; <Brenfroe@hernandosheriff.org>; <corr-bcpo@tampabay.rr.com>; <captkik1@webtv.net>; <CBaxley@hernandosheriff.org>; <cbrennan@chronicleonline.com>; <community@suncoastnews.com>; <ctaylor@springhillfire.com>; <dalbert@hometownamerica.com>; <DanielR@co.hernando.fl.us>; <desk@tampabays10.c>
Cc: "Mark Tobert" <MarkT@co.hernando.fl.us>; "Thomas Leto" <TLeto@co.hernando.fl.us>
Sent: Friday, May 18, 2007 4:59 PM
Subject: Hurricane Expo to be Held June 2

Below is a press release issued by Helen Allison, Chairperson of the Security and Safety Committee of the Hernando County Summit:

PRESS RELEASE
For Immediate Release
2007 Hurricane Expo Scheduled for June 2

Hernando County's 2007 Hurricane Expo will be held at Weeki Wachee Springs on Saturday, June 2, 2007, from 9:00 a.m. to 3:00 p.m. This day of family fun will also include information for preparing for a hurricane emergency. Hernando County so far has been spared the wrath of a major Hurricane, but we still need to keep in mind that it can happen here. As chairperson of the Security and Safety committee of the Hernando County Summit, I am proud to announce this event to be held on Saturday, June 2.

The Expo will be from 9 am to 3 pm. Rain or shine. Admission and Parking are free and the Hernando County Bus will shuttle attendees to and from the designated additional lots. Signs will be posted on St Road 50 and US 19, as to where the additional parking is located. There will be vendors with displays and there will be different presentations throughout the day. The Hernando County Emergency Management team will be available to answer any questions you have. Tom Leto and his staff have done a great job in organizing this event.

There will be a hurricane simulator, information on shelters and how to care for your pets, maps showing flood zones and evacuation areas, Generator Safety classes, and lots of other events. Florida Department of Financial Services will have a presentation on "Do I have the right Insurance" .The Guest speaker will be Steve Jerve chief Meteorologist from Channel 8 news.

In addition to the Emergency Management team on hand at the Hurricane Expo, the Sheriff's department will be there as well. Sheriff Nugent, will be a speaker at the event. The Hernando County Sheriff's Office will have on display their Marine Unit, Aviation, Motor Unit, and their

5/31/07

HERNANDO COUNTY
OFFICE OF BUSINESS DEVELOPMENT
Florida

May 21, 2007

PRESS RELEASE- FOR IMMEDIATE RELEASE

Manufacturer Announces Expansion & New Facility

The Office of Business Development is pleased to announce that TISSCO LLC a Brooksville, Florida manufacturer will relocate and expand their operations here in Hernando County. TISSCO, a division of Micro Matic LLC will move to a newly constructed 50,000 square foot state of the art facility at the Hernando County Corporate Airpark in the second quarter of 2008.

A leading manufacturer of beverage dispense equipment and related services for dispensing beverages from the keg to the glass, TISSCO currently employees 50 and plans to grow their staff to 100 in the next two years. By mid 2008 TISSCO will change its name to Micro Matic, LLC. Micro Matic is a privately owned Danish company founded in 1953 with more than 1000 employees worldwide. Micro Matic prides itself on their advanced technology and commitment to customer service which strengthens their lead in the industry. Micro Matic currently has a facility in the Hernando County Airport Industrial Park and plans to move to the new facility.

The Company has contracted with design/build firm Wagner Construction to build its new 50,000sf tilt wall construction building on a 6 acre industrial site. They will invest over $3.4M in capital improvements. Their desire to remain in Hernando County was determined by land availability, labor and quality of life.

For more information:

- Mr. Torben Toftegaard, TISSCO, Title phone (352) 544-1081 www.micro-matic.com
- Brennan Smith, Wagner Construction 352-799-2199
- Michael McHugh, Director, Hernando County Office of Business Development, 352-540-6400

P.C. Council Board file

5/31/07 CTN 6/18/07

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: <aloder@sptimes.com>; <askerritt@sptimes.com>; <ayee@sptimes.com>; <barbara@wwjb.com>; <bvillebelle@tampabay.rr.com>; <cbroadwater@sptimes.com>; <chefchipg@yahoo.com>; <desk@baynews9.com>; <ferdinand.zogbaum@baynews9.com>; <hamilton@sptimes.com>; <kmartin@hernandotoday.com>; <lmarrero@hernandotoday.com>; <mbates@hernandotoday.com>; <mkonrad@sptimes.com>; <mkruse@sptimes.com>; <pday@sptimes.com>; <rnolte@hernandotoday.com>; <wholt@hernandotoday.com>
Cc: <kphillips@ci.brooksville.fl.us>; "Pat Crowley" <pat@hernandochamber.com>; " Callaghan, Elizabeth" <elizabeth_callaghan@doh.state.fl.us>; <Shirley.Anderson@mail.house.gov>; "All_Network_Users" <All_Network_Users@co.hernando.fl.us>
Sent: Tuesday, May 22, 2007 9:27 AM
Subject: Hurricane Sales Tax Holiday

PRESS RELEASE
For Immediate Release
May 22, 2007
Governor Crist Announces Hurricane Preparedness Sales Tax Holiday
Governor Charlie Crist has signed into law House Bill 211 establishing a sales tax holiday from June 1 through June 12, 2007, for hurricane preparedness items.
"I urge all Floridians to take advantage of the Hurricane Preparedness Sales
Tax Holiday so that every person is prepared for the possibility of a storm," said Governor Crist. "We have learned from experience that prepared
residents and communities are key to surviving and recovering from hurricanes or other natural disasters."
Governor Crist thanked the Legislature and urged all Floridians to prepare for the 2007
Hurricane Season by taking advantage of the third annual sales tax holiday. The holiday is expected to save Floridians almost $25 million in sales taxes.
"As public awareness of this tax holiday continues to grow, we are encouraging Florida retailers to prepare for even greater demand than last
year," said Governor Crist. "While we hope for a quiet hurricane season, the
tax holiday will help give Floridians the opportunity to be prepared for any
possibility."
"Recent history shows us that hurricanes can impact every Floridian," said
Director Craig Fugate of the Florida Division of Emergency Management. "I
challenge all residents to get a plan and prepare now."
Governor Crist encouraged all Floridians to update their disaster plans and
to use the tax holiday during the first 12 days of June as an opportunity to
restock their disaster supply kits. Below are a few examples of items

PC Read

5/31/07 JB

CTW 6/18/07

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: <aloder@sptimes.com>; <askerritt@sptimes.com>; <ayee@sptimes.com>; <barbara@wwjb.com>; <bvillebelle@tampabay.rr.com>; <cbroadwater@sptimes.com>; <chefchipg@yahoo.com>; <desk@baynews9.com>; <ferdinand.zogbaum@baynews9.com>; <hamilton@sptimes.com>; <kmartin@hernandotoday.com>; <lmarrero@hernandotoday.com>; <mbates@hernandotoday.com>; <mkonrad@sptimes.com>; <mkruse@sptimes.com>; <pday@sptimes.com>; <rnolte@hernandotoday.com>; <wholt@hernandotoday.com
Cc: "Karen Phillips" <kphillips@ci.brooksville.fl.us>; <Shirley.Anderson@mail.house.gov>; "Pat Crowley" <pat@hernandochamber.com>; " Callaghan, Elizabeth" <elizabeth_callaghan@doh.state.fl.us>; <CKingsley@co.hernando.fl.us>; <DRussell@co.hernando.fl.us>; <DRowden@co.hernando.fl.us>; <JStabins@co.hernando.fl.us>; <RRocco@co.hernando.fl.us>; <AlvinM@co.hernando.fl.us>; <AWilliams@co.hernando.fl.us>; <Brenfroe@hernandosheriff.org>; <DianaB@co.hernando.fl.us>; <ETownsend@co.hernando.fl.us>; <JuanitaS@co.hernando.fl.us>; <JudyK@co.hernando.fl.us>; <KarenN@co.hernando.fl.us>; <NickN@co.hernando.fl.us>; "Richard Nugent" <rnugent@hernandosheriff.org>; <SallyD@co.hernando.fl.us>; "Alice Gura" <aliceg@co.hernando.fl.us>; "Barbara Dupre" <BarbaraD@co.hernando.fl.us>; "Barbara Shiflett" <BarbaraS@co.hernando.fl.us>; "Charles Mixson" <CharlesM@co.hernando.fl.us>; "Don Silvernell" <dsilvernell@co.hernando.fl.us>; "Donna Peacock" <DonnaP@co.hernando.fl.us>; "Frank McDowell" <FrankM@co.hernando.fl.us>; "Garry Allen" <garrya@co>
Sent: Tuesday, May 29, 2007 11:26 AM
Subject: June 5th Budget Workshop

NEWS RELEASE

FOR IMMEDIATE RELEASE
May 29, 2007
Board of County Commissioners Schedules Workshop on Tax Reform Impacts

The Hernando County Board of County Commissioners will hold a workshop on Tuesday, June 5, 2007 at 10:30 a.m. in the John Law Ayers Room, First Floor, Hernando County Government Center, 20 N. Main Street, Brooksville. The purpose of the workshop is to discuss the tax reform plans to be considered by the Legislature during its upcoming special session and the possible impacts to the county budget. The meeting will be broadcast live on Bright House Channel 19 and re-broadcast Tuesday beginning at 6:00 p.m., Thursday at 6:00 p.m. and Saturday at 9:00 a.m.

The Florida Legislature will begin a special session on June 12 to consider the property tax reform issue. At the workshop the Board of County Commissioners will consider the potential impacts to Hernando County government services resulting from the loss of revenue if the tax revisions are implemented. Members of Hernando County's Florida Legislative Delegation have been invited to attend the workshop.

The public is encouraged to attend the meeting and become informed about the property tax reform impacts to Hernando County. It is important that those who are concerned about the outcome of the special session and the resulting effect on Hernando County contact their Legislators before the session begins.

Persons with disabilities requiring assistance to participate should contact the County

5/31/07 5/30/2007

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: <aloder@sptimes.com>; <askerritt@sptimes.com>; <ayee@sptimes.com>; <barbara@wwjb.com>; <bvillebelle@tampabay.rr.com>; <cbroadwater@sptimes.com>; <chefchipg@yahoo.com>; <desk@baynews9.com>; <ferdinand.zogbaum@baynews9.com>; <hamilton@sptimes.com>; <kmartin@hernandotoday.com>; <lmarrero@hernandotoday.com>; <mbates@hernandotoday.com>; <mkonrad@sptimes.com>; <mkruse@sptimes.com>; <pday@sptimes.com>; <rnolte@hernandotoday.com>; <wholt@hernandotoday.com>
Cc: " Callaghan, Elizabeth" <elizabeth_callaghan@doh.state.fl.us>; <pat@hernandochamber.com>; <kphillips@ci.brooksville.fl.us>; "HCGB Resource Object" <HCGB@co.hernando.fl.us>; "Gary Kuhl" <GKuhl@co.hernando.fl.us>; "Larry Jennings" <larryj@co.hernando.fl.us>; "Alice Gura" <aliceg@co.hernando.fl.us>; "Dianne Cox" <dcox@co.hernando.fl.us>; "Doris Cupeles" <dcupeles@co.hernando.fl.us>; "George Zoettlein" <GeorgeZ@co.hernando.fl.us>; "Alice Gura" <aliceg@co.hernando.fl.us>; "Barbara Dupre" <BarbaraD@co.hernando.fl.us>; "Barbara Shiflett" <BarbaraS@co.hernando.fl.us>; "Charles Mixson" <CharlesM@co.hernando.fl.us>; "Don Silvernell" <dsilvernell@co.hernando.fl.us>; "Donna Peacock" <DonnaP@co.hernando.fl.us>; "Frank McDowell" <FrankM@co.hernando.fl.us>; "Garry Allen" <garrya@co.hernando.fl.us>; "Garth Coller" <GarthC@co.hernando.fl.us>; "Gary Kuhl" <GKuhl@co.hernando.fl.us>; "George Zoettlein" <GeorgeZ@co.hernando.fl.us>; "Grant Tolbert" <GrantT@co.hernando.fl.us>; "HCGB Resource Object" <HCGB@co.hernando.fl.us>; <Jea>
Sent: Thursday, May 31, 2007 1:30 PM
Subject: Next Issues and Answers Program

NEWS RELEASE

For Immediate Release
May 29, 2007
Live *Issues and Answers* Program Scheduled for June 7th

County Administrator Gary Kuhl and Deputy Administrator Larry Jennings will discuss the county budget with Budget Director George Zoettlein during the next *Issues and Answers* program broadcast live on Bright House Channel 19 on Thursday, June 7th at 6:00 p.m.

The Florida Legislature will begin a special session on June 12th to consider various options for reforming property taxes. At a workshop on Tuesday, June 5th, the Board of County Commissioners will consider the potential impacts to Hernando County government services resulting from the loss of revenue if tax revisions are implemented.

During the *Issues and Answers* program, Mr. Kuhl and his guests will discuss the proposed property tax reform options and the resulting impacts to the county's budget and the services provided. Viewers may call 540-6777 with questions during the program.

####

Read
Stan
Jennie
CN 6/18/07

6/1/07 DR

5/31/2007

Karen Phillips

From: "Teri McMaster" <t.mcmaster@stpetebeach.org>
To: "Mike Bonfield" <citymanager@stpetebeach.org>; <lawdriscoll@msn.com>; "Elaine Trehy" <e.trehy@stpetebeach.org>; "Alice Borrack" <borrack-wildwood@cfl.rr.com>; "Amanda Roberts" <mroberts@dunnellon.org>; "Amelia Preston" <a1presto@stpete.org>; "Barbara Henderson" <hensonb@ci.williston.fl.us>; "Barbara McKenzie" <bmckenzie@mywinterhaven.com>; "Barbara Sessa" <sanantonioflorida@earthlink.net>; "Carol Harrington" <charrington@crystalriverfl.org>; "Catherine Benson" <cbenson@cityofsafetyharbor.com>; "Cathy Davis" <cedavis@stpete.org>; "Cherry Dowdy" <hccityclerk@tampabay.rr.com>; "Cheryl Davis " <cdavis@irbcity.com>; "Christine Gardner" <cgardner@pinellas-park.com>; "Clara Vanblargan" <cvanblargan@cityoflakewales.com>; "Cyndie Goudeau" <cyndie.goudeau@myclearwater.com>; "Dawn Bowne" <dbowne@dunnellon.org>; "Dawn Foss" <dfoss@mytreasureisland.org>; "Deanne O'Reilly" <doreilly@irbcity.com>
Sent: Wednesday, May 30, 2007 3:53 PM
Subject: FW: Property Tax Update: May 30, 2007

Theresa B. McMaster, City Clerk
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706
(727)363-9220

From: Cyndie.Goudeau@myClearwater.com [mailto:Cyndie.Goudeau@myClearwater.com]
Sent: Wednesday, May 30, 2007 3:10 PM
To: aluaces@winterspringsfl.org; barbara_mcdaniel@davie-fl.gov; betty.richardson@leesburgflorida.gov; Sop0166@aol.com; lannonkm@ci.gainesville.fl.us; lburns@templeterrace.com; pamela.smith@mysanibel.com; cityclerk@covb.org; Teri McMaster; bea.meeks@cityofmascotte.com; dfick@hypoluxo.org; jfreeman@palmettofl.org; jwilliams@cityofsebastian.org; irstclerk@bellsouth.net; patg@cityofpsl.com; snovack@tavares.org; vforster@ocalafl.org
Subject: FW: Property Tax Update: May 30, 2007

-----Original Message-----
From: Estella Gray [mailto:EGray@flcities.com]
Sent: Wednesday, May 30, 2007 11:28 AM
To: LEGISLATIVE (TAL)
Subject: Property Tax Update: May 30, 2007

Property Tax Update: May 30, 2007

Special Session on Property Tax Reform June 12-22, 2007.
Updates on property tax development will be sent as needed until Special Session commences. The daily clipping service will continue during Special Session.

Charlotte Sun-Herald 05/30/07

Pa Read CTN 6/18/07

5/31/07 JB

Karen Phillips

From: "Teri McMaster" <t.mcmaster@stpetebeach.org>
To: "Mike Bonfield" <citymanager@stpetebeach.org>; <lawdriscoll@msn.com>; "Elaine Trehy" <e.trehy@stpetebeach.org>; "Ed Ruttencutter" <e.ruttencutter@stpetebeach.org>; "Harry Metz" <h.metz@stpetebeach.org>; "Linda Chaney" <l.chaney@stpetebeach.org>; "Mike Finnerty" <m.finnerty@stpetebeach.org>; "Ward Friszolowski" <w.friszolowski@stpetebeach.org>; "Alice Borrack" <borrack-wildwood@cfl.rr.com>; "Amanda Roberts" <mroberts@dunnellon.org>; "Amelia Preston" <a1presto@stpete.org>; "Barbara Henderson" <hensonb@ci.williston.fl.us>; "Barbara McKenzie" <bmckenzie@mywinterhaven.com>; "Barbara Sessa" <sanantonioflorida@earthlink.net>; "Carol Harrington" <charrington@crystalriverfl.org>; "Catherine Benson" <cbenson@cityofsafetyharbor.com>; "Cathy Davis" <cedavis@stpete.org>; "Cherry Dowdy" <hccityclerk@tampabay.rr.com>; "Cheryl Davis " <cdavis@irbcity.com>; "Christine Gardner" <cgardner@pinellas-park>
Sent: Thursday, May 31, 2007 4:14 PM
Attach: cannonMemo on property tax progress update.doc
Subject: FW:

Theresa B. McMaster, City Clerk
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706
(727)363-9220

From: Frank.Hibbard@myClearwater.com [mailto:Frank.Hibbard@myClearwater.com]
Sent: Thursday, May 31, 2007 1:51 PM
To: beverly.brown@town.redington-beach.fl.us; bhackworth@dunedinfl.net; bkanehl@dunedinfl.net; bmischler@pinellas-park.com; bob.fountaine@ndtfilm.com; Rosemarie.Call@myClearwater.com; Cathy.Davis@stpete.org; cbenson@cityofsafetyharbor.com; cdavis@irbcity.com; cgardner@pinellas-park.com; charris@co.pinellas.fl.us; city.clerk@south-pasadena.fl.us; cityclerk1@ci.tarpon-springs.fl.us; cityhall@ci.south-pasadena.fl.us; cityhall@ci.treasure-island.fl.us; clevan@pinellas-park.com; cmcbride@belleairbluffs-fl.gov; cmeinck@pinellascounty.org; cparker@ci.madeira-beach.fl.us; DFoss@mytreasure-island.org; dboyd@ci.gulfport.fl.us; dbruner@largo.com; dcorna@pinellas-park.com; debras@tampabay.rr.com; Sue.Diana@myClearwater.com; doreilly@irbcity.com; dreeder@ci.seminole.fl.us; dschlegel@ci.madeira-beach.fl.us; dsullivan@belleairbluffs-fl.gov; dtaber@tampabay.rr.com; ejackson@myindianshores.com; elanduja@stpete.org; grandmaweezer@hotmail.com; gstilton@ci.seminole.fl.us; Frank.Hibbard@myClearwater.com; hjones@belleairbluffs-fl.gov; indshore@myindianshores.com; jbeverland@ci.oldsmar.fl.us; jguegan@dunedinfl.net; jmorroni@co.pinellas.fl.us; jrobertson@tampabay.rr.com; kencity@gte.net; kseel@co.pinellas.fl.us; Ldemuth@ci.seminole.fl.us; llene@ci.oldsmar.fl.us; lspence@ci.gulfport.fl.us; Diane.Manni@myClearwater.com; mayorbb@cityofbelleairbeach.com; mgrantham@myindianshores.com; Mmaloof@ci.treasure-island.fl.us; mmanousos@ci.tarpon-springs.fl.us; myakes@ci.gulfport.fl.us; town57@verizon.net; nmccollum@cityofbelleairbeach.com; nrb.fl@townofnorthredingtonbeach.com; pcorbino@cityofsafetyharbor.com; pgerard@largo.com; Pam Prell; prcityclerk@hotmail.com; rduncan@co.pinellas.fl.us; rgiovannetti@pinellas-park.com; rstewart@co.pinellas.fl.us; sfrick@largo.com; slatvala@co.pinellas.fl.us; stephani.esposito@stpete.org; Teri McMaster; tclerk@tampabay.rr.com; thickey@ci.tarpon-springs.fl.us; townclerk@townofnorthredingtonbeach.com;

Deal

6/01/07 CTW 6/18/07

6/1/2007

Karen Phillips

From: "Teri McMaster" <t.mcmaster@stpetebeach.org>
To: "Mike Bonfield" <citymanager@stpetebeach.org>; <lawdriscoll@msn.com>; "Elaine Trehy" <e.trehy@stpetebeach.org>; "Ed Ruttencutter" <e.ruttencutter@stpetebeach.org>; "Harry Metz" <h.metz@stpetebeach.org>; "Linda Chaney" <l.chaney@stpetebeach.org>; "Mike Finnerty" <m.finnerty@stpetebeach.org>; "Ward Friszolowski" <w.friszolowski@stpetebeach.org>; "Alice Borrack" <borrack-wildwood@cfl.rr.com>; "Amanda Roberts" <mroberts@dunnellon.org>; "Amelia Preston" <a1presto@stpete.org>; "Barbara Henderson" <hensonb@ci.williston.fl.us>; "Barbara McKenzie" <bmckenzie@mywinterhaven.com>; "Barbara Sessa" <sanantonioflorida@earthlink.net>; "Carol Harrington" <charrington@crystalriverfl.org>; "Catherine Benson" <cbenson@cityofsafetyharbor.com>; "Cathy Davis" <cedavis@stpete.org>; "Cherry Dowdy" <hccityclerk@tampabay.rr.com>; "Cheryl Davis " <cdavis@irbcity.com>; "Christine Gardner" <cgardner@pinellas-park>
Sent: Monday, June 04, 2007 4:20 PM
Subject: FW: Property Tax Update: June 4, 2007

Theresa B. McMaster, City Clerk
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706
(727)363-9220

From: Cyndie.Goudeau@myClearwater.com [mailto:Cyndie.Goudeau@myClearwater.com]
Sent: Monday, June 04, 2007 1:03 PM
To: aluaces@winterspringsfl.org; barbara_mcdaniel@davie-fl.gov; betty.richardson@leesburgflorida.gov; Sop0166@aol.com; lannonkm@ci.gainesville.fl.us; lburns@templeterrace.com; pamela.smith@mysanibel.com; cityclerk@covb.org; Teri McMaster; bea.meeks@cityofmascotte.com; dfick@hypoluxo.org; jfreeman@palmettofl.org; jwilliams@cityofsebastian.org; irstclerk@bellsouth.net; patg@cityofpsl.com; snovack@tavares.org; vforster@ocalafl.org
Subject: FW: Property Tax Update: June 4, 2007

-----Original Message-----
From: Estella Gray [mailto:EGray@flcities.com]
Sent: Monday, June 04, 2007 12:23 PM
To: LEGISLATIVE (TAL)
Subject: Property Tax Update: June 4, 2007

Property Tax Update: June 4, 2007

The Select Committee on Property Tax Relief and Reform meets TODAY at 1 p.m. at the Capital.
Special Session on Property Tax Reform June 12-22, 2007.
Updates on property tax development will be sent as needed until Special Session commences. The daily clipping service will resume during Special Session.

PC Read
CTN 6/18/07

Of brown lawns, the Phillies and taxes

6/5/07

6/4/2007

Karen Phillips

From: "Teri McMaster" <t.mcmaster@stpetebeach.org>
To: "Mike Bonfield" <citymanager@stpetebeach.org>; <lawdriscoll@msn.com>; "Elaine Trehy" <e.trehy@stpetebeach.org>; "Ed Ruttencutter" <e.ruttencutter@stpetebeach.org>; "Harry Metz" <h.metz@stpetebeach.org>; "Linda Chaney" <l.chaney@stpetebeach.org>; "Mike Finnerty" <m.finnerty@stpetebeach.org>; "Ward Friszolowski" <w.friszolowski@stpetebeach.org>; "Alice Borrack" <borrack-wildwood@cfl.rr.com>; "Amanda Roberts" <mroberts@dunnellon.org>; "Amelia Preston" <a1presto@stpete.org>; "Barbara Henderson" <hensonb@ci.williston.fl.us>; "Barbara McKenzie" <bmckenzie@mywinterhaven.com>; "Barbara Sessa" <sanantonioflorida@earthlink.net>; "Carol Harrington" <charrington@crystalriverfl.org>; "Catherine Benson" <cbenson@cityofsafetyharbor.com>; "Cathy Davis" <cedavis@stpete.org>; "Cherry Dowdy" <hccityclerk@tampabay.rr.com>; "Cheryl Davis " <cdavis@irbcity.com>; "Christine Gardner" <cgardner@pinellas-park>
Sent: Tuesday, June 05, 2007 11:22 AM
Subject: FW: Property Tax Update: June 5, 2007

Theresa B. McMaster, City Clerk
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706
(727)363-9220

From: Cyndie.Goudeau@myClearwater.com [mailto:Cyndie.Goudeau@myClearwater.com]
Sent: Tuesday, June 05, 2007 11:16 AM
To: aluaces@winterspringsfl.org; barbara_mcdaniel@davie-fl.gov; betty.richardson@leesburgflorida.gov; Sop0166@aol.com; lannonkm@ci.gainesville.fl.us; lburns@templeterrace.com; pamela.smith@mysanibel.com; cityclerk@covb.org; Teri McMaster; bea.meeks@cityofmascotte.com; dfick@hypoluxo.org; jfreeman@palmettofl.org; jwilliams@cityofsebastian.org; irstclerk@bellsouth.net; patg@cityofpsl.com; snovack@tavares.org; vforster@ocalafl.org
Subject: FW: Property Tax Update: June 5, 2007

-----Original Message-----
From: Estella Gray [mailto:EGray@flcities.com]
Sent: Tuesday, June 05, 2007 10:01 AM
To: LEGISLATIVE (TAL)
Subject: Property Tax Update: June 5, 2007

Property Tax Update: June 5, 2007

****Special Session on Property Tax Reform June 12-22, 2007.***
Updates on property tax development will be sent as needed until Special Session commences. The daily clipping service will resume during Special Session.

Rubio touts tax reform

6/6/07

pc: read 6/18/07 ctm

IN THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION

BOYCE E. TINCHER,

06-04-07 P02:14 IN

Plaintiff,

vs. Case No. 07-003875-CI- 20

CITY OF BROOKSVILLE, Florida, a Municipal Corporation, and STEPHEN J. BAUMGARTNER, Acting City Manager for City of Brooksville, DAVID LACROIX, City Attorney for City of Brooksville, Florida,

Defendants.
_____/

NOTICE OF WITHDRAWAL OF ALL COUNTS CONTAINED IN THE COMPLAINT

COMES NOW Plaintiff, BOYCE E. TINCHER, and hereby gives notice of its Withdrawal of All Counts, contained in the Complaint, with prejudice.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. mail to David LaCroix, City Attorney for City of Brooksville, 201 Howell Avenue, Brooksville, Florida 34601, Steven Baumgartner, Interim City Manager, 201 Howell Avenue, Brooksville, Florida 34601, and David Pugh, Mayor City of Brooksville, 201 Howell Avenue, Brooksville, Florida 34601 this 1st day of June, 2007.

ANDREW J. SALZMAN, ESQUIRE
FBN#0603929- SPN #00591174
RONALD H. FREEMAN, ESQUIRE
FBN#0011881
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Post Office Box 15309
Clearwater, Florida 33766
Telephone: (727) 723-3772
Fax (727) 723-1421
Attorneys for Plaintiff

PC. DAVID L STEVE/BILL JENNENE
READ

00098173.WPD

6/4/07

CTW 6/18/07