

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

AGENDA

NOVEMBER 19, 2007

7:00 P.M.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. CONSENT AGENDA

1. Minutes

September 10, 2007 Regular Meeting
September 19, 2007 Final Budget Hearing/Attorney Interviews

2. 2008 "Market on Main Street"

Consideration of request from the Brooksville Business Alliance (formerly Brooksville Again) to continue the monthly "Market on Main Street" Program in 2008, including the closing of Main Street between Broad and Liberty Street and utilization of the City parking lot located at 29 S. Main Street from 6:00 am to 3:00 pm on the 3rd Saturday of every month (with the exception of July and August).

3. Enterprise Zone Board Membership Changes

Consideration to confirm the Board of County Commissioner's action to appoint Sgt. Michael Lindsay Burzumato to the local law enforcement representative position and Ms. Matilde Marini-Armarchand to the vacant finance/insurance position on the EZDA Board.

4. Personnel Policy Revision

Consideration of revision to the Personnel Policy Manual, specifically eliminating Sections 2.00 B, 2.01 and 2.02.

5. Dumpster Bid

Consideration of piggybacking on City of Tampa bid for Dumpsters in the amount of \$12,631.

CONSENT AGENDA APPROVAL (?)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Minutes; 2) Letter from Brooksville Business Alliance, Inc. dated 10/12/07, Temporary Street Closure Application, Event Schedule; 3) Memo from Community Development Director dated 11/06/07; Memo to BOCC from Hernando County Business Development Director dated 08/27/07; Applications 4) Memo from City Manager dated 11/13/07; Memo from Deborah Hogan dated 10/08/07; Chapter II of the Personnel Board; 5) Memo from Public Works Director dated 11/07/07; City of Tampa Bid

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D. PUBLIC HEARINGS

1. Ordinance No. 755 - SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT - PETITIONER: INNOVATORS INVESTMENT GROUP, LLC

Consideration of a request for a change to the Future Land Use designation of this property, a 5.76 acre + parcel of land located on the North side of Cortez Blvd. (S.R. 50), west of Hale Avenue and east of Mildred Avenue from Single-Family Residential to Commercial. [First reading 11/05/07]

Presentation: Director of Community Development
Recommendation: b) Meeting as the governing body, approve Ordinance No. 755 to adopt the Comprehensive Plan Amendment upon second reading upon roll call vote, authorizing transmittal of same together with supporting documentation to the appropriate agencies as per statutory requirements.
Action: Motion to Approve
Attachments: Memo from Director of Community Development dated 11/07/07, Ordinance, Map

** 2. Ordinance No. 756 - INNOVATORS INVESTMENT GROUP, LLC Property Re-zoning

Consideration of the re-zoning of a 5.76 acre + parcel of land located on the North side of Cortez Blvd. (S.R. 50), west of Hale Avenue and east of Mildred Avenue to the classification of Planned Development Project (PDP) with a Special Exception Use for a Combined Planned Development - consisting of General Commercial, Professional Office. [First reading 11/05/07]

Presentation: Director of Community Development
Recommendation: Approval of the second and final reading of Ordinance No. 756 as recommended by Staff and P&Z Commission upon roll call vote
Action: Motion to Approve
Attachments: Memo from Director of Community Development dated 11/07/07; Ordinance & Location Map; Petitions; Notice

E. REGULAR AGENDA

1. Cobb Road WRF Expansion Improvements Construction Schedule

Consideration of direction to staff to (a) provide the required written inquiry to SWFWMD, and (b) work with Developer's counsel to prepare the appropriate amendments to the Agreement and the Cooperative Funding Agreement.

Presentation: Coastal Engineering
Recommendation: Approval of Schedule
Action: Motion to Approve
Attachments: Letter from Coastal dated 11/12/07; Agreement

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2. Advisory Board Appointments

Appointment of members to various Advisory Board Positions, either as a result of term expirations or current vacancies, as follows:
[Note - all applicants are registered voters as required]

a) Brooksville Housing Authority

One vacancy to fill an unexpired 4-year term of office through May 31, 2011, replacing Shannon R. Andras-Petty.

Brian L. Adair (New Applicant - Spring Hill Resident)
Luevina A. Brown (New Applicant - BHA Resident)
Maria Hightower (New Applicant - Spring Hill Resident)

b) Firefighter's Pension Trust Fund Board

One vacancy to fill an expired 2-year term of office through October 31, 2009.

[Applicants must be City Residents]

Paul D. Babcock (Current Member - Reapplying)

c) Police Officer's Pension Trust Fund Board

One vacancy to fill an expired 2-year term of office through October 31, 2009.

[Applicants must be City Residents]

Joseph P. Quinn (Current Member - Reapplying)

Presentation: Director of Administration
Recommendation: Approval of Appointments
Action: Motion to Approve
Attachments: Memo from Director of
Administration dated 11/07/07
Applications

F. ITEMS BY COUNCIL

G. CITIZEN INPUT

H. ADJOURNMENT

CORRESPONDENCE TO NOTE

Meeting agendas and supporting documentation are available from the City Clerk's office, and on line 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.

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

11/19/07

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

September 10, 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; T. Jennene Norman-Vacha, City Manager; Karen M. Phillips, City Clerk/Director of Administration; Lindsay A. Morgan, Administrative Assistant II/Acting Deputy City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Emory Pierce, Director of Public Works; Frank Ross, Interim Police Chief and Tim Mossgrove, Fire Chief. Members of the Hernando Today, Hernando Times and Brooksville Belle were also present.

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

CONSENT AGENDA**Minutes**

August 6, 2007 Regular Meeting/BHA Hearing
August 20, 2007 Regular Meeting/BHA Hearing
August 27, 2007 Budget Workshop

VisitFlorida City Brochure Grant

Consideration of (a) Acceptance of VisitFlorida Cultural Heritage and Nature Tourism Marketing Grant in the amount of \$3,216 for 50,000 City Brochure reproduction and distribution project (total project cost \$6,433 with \$1,217 City match in 07-08 General Government Printing & Binding Budget Line Item and \$2,000 funding commitment from TDC); (b) Rejection of VisitFlorida Advertising Matching Grant in the amount of \$2,500.

P&Z Board Appointment

Consideration of appointment of Cecil Davis, IV to the Planning & Zoning Board.

Council Member Bradburn requested that the August 6, 2007, minutes, which included the Brooksville Housing Authority Hearing, be removed for the purpose of clarification regarding the charges and their answers to the questions regarding those charges.

City Attorney LaCroix explained that if Council Member Bradburn was concerned about the minutes that the legal record is the recording. Council Member Bradburn indicated she would still like the minutes to reflect additional information, including the questions and testimony that supported the charges and that they be brought back at a subsequent meeting.

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Council Member Bernardini asked that on page two of three of the August 27, 2007, minutes, the allocation of the 3% COLA and Merit increase amount be clarified, which was briefly discussed. City Manager Norman-Vacha advised it would be discussed further at the final budget hearing.

Vice Mayor Burnett requested the Minutes of August 20, 2007, reflect that he asked the City Attorney for an interpretation based on his position with Lane Electric.

Council Member Bradburn inquired about the advertising of the Planning & Zoning Board vacancy, which City Clerk Phillips updated Council on, confirming that the press release was issued on August 14 and it closed on August 30. Council Member Bradburn felt the position should be re-advertised and would like to see more than one applicant submitted to Council for consideration. She also suggested we request the vacancies be posted on the County television station.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval of the Consent Agenda with the removal of the August 6th meeting minutes for clarification, amendment of the minutes of August 20th to reflect the City Attorney's interpretation based on Vice Mayor Burnett's position with Lane Electric and the removal of item C-3 for readvertisement and research of discussions concerning the submittal of one applicant for Board vacancies as well as the submittal, for Council consideration, of a policy on the appointment of Board Members. Motion carried 3-2, with Vice Mayor Burnett and Council Member Lewis voting in opposition.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Resolution No. 2007-15 - Sonny G. Gill Retirement

Proclamation commemorating almost 24 years of service.

Resolution 2007-15 was read in its entirety by City Clerk Phillips.

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bernardini for approval of Resolution No. 2007-15.

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

Children's Burn Foundation Check Presentation

Presentation of monies collected by the Fire Department to the foundation's representative Irene Gaccek.

Chief Mossgrove introduced Ms. Gaccek who explained that this would be the 16th year of the camp. She told a short story of one of the victims and thanked the community and City Council for all their support and generosity. Chief Mossgrove presented a check in the amount of \$2,125

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to Ms. Gaccek on behalf of the City of Brooksville and the Brooksville Fire Department's "boot collection" efforts.

Veterans Appreciation Parade

Update on status of insurance requirement.

Anna Liisa Covell gave an update of the parade. She advised that the Fine Arts Council will be sponsoring the Veterans Day Appreciation Parade and the monies for the cost of the insurance had been raised.

Council Member Bradburn stated that anything Council could do to help they would and recommended going forward.

REGULAR AGENDA

Upon Council consensus, Item E-8, the City Attorney Contract, was moved to the top of the Regular Agenda.

City Attorney Contract

Approval of negotiated contract with Jacob D. Varn of Fowler White Boggs Banker for the position of City Attorney.

Jake Varn, who had been chosen as the new Attorney for the City, advised Council that he could not accept the position at this time. He was honored that Council selected him, but felt that after 40 years of marriage he has an obligation to his family and wife, which living in Tallahassee and accepting this position, would not afford him. Therefore, Mr. Varn apologized for any inconvenience, but felt he must respectfully decline the offer.

Council Member Bradburn stated that she appreciated and admired Mr. Varn for putting his marriage and family first and thanked him for his time, as did Council Member Lewis and Mayor Pugh.

Council consensus was to finish the discussion of the City Attorney Contract at the end of the regular agenda.

Ordinance No. 749 - Dukes Property Re-zoning

Consideration of the re-zoning of the property located on Oakdale Avenue between Ponce De Leon and Sharon Street from the existing R1B to C1 with a Special Exception Use for a "Storage Establishment".

Community Development Geiger entered his staff report into the record as though it were read, (**Attachment A**), and advised that the petition was predicated by a land use petition presented to Council on July 2, 2007, which at that time Council requested the rezoning petition come forward at the same time as the land use petition so that both items could be addressed accordingly. He reviewed the current land use of the property and the rezoning request, stating that the petition was presented to the P&Z Commission at their meeting on August 8, 2007, and they concurred with the staff recommendation that Council approve the rezoning of the property from R1B Single Family Residential to C1 Commercial with a Special Exception Use for a storage establishment, specifically a mini warehouse facility, subject to a list of performance conditions. He further advised that the most important of the performance conditions is that the use of the property is

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restricted exclusively for a mini warehouse storage only facility with no other use permitted and that the owner must apply to the City with a request to rezone the property in order to establish a different use for this property. He also noted that the proposed zoning will not become effective until the land use change from Single Family Residential to Commercial designation has been approved.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Lewis for approval of Ordinance No. 749.

Discussion followed of the 50 foot buffer and the posted signs, including code and regulation review by Chief Mossgrove, who cited the NFPA code.

Mayor Pugh asked for public input.

Wayne Dukes advised that his intent was not to allow any smoking on the property and that signs would be posted. He expressed his appreciation for the work the Community Development Department has done to help him through this process.

Discussion continued in which Director Geiger addressed concerns for landscape buffers and site capacity.

City Clerk Phillips read Ordinance No. 749 by title as follows:

AN ORDINANCE REZONING CERTAIN PROPERTY FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-1 (COMMERCIAL DISTRICT) WITH A SPECIAL EXCEPTION USE FOR A STORAGE ESTABLISHMENT (MINI-WAREHOUSE STORAGE ONLY) FOR CERTAIN REAL PROPERTY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Phillips advised that, upon approval, this would be scheduled for Public Hearing at the October 1, 2007, Council Meeting.

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

Ordinance No. 750 - Habitat for Humanity Re-zoning

Consideration of the re-zoning of the property located at 19370 Oliver Street from Agricultural to C-2 Commercial with two Special Exception Use petitions for Light Manufacturing and a Secondhand Retail Store.

Council Member Bernardini advised that Sandy Nicholson was present to speak on behalf of the Fair Association, and being a member of and President of the Board of Directors himself, he felt he should abstain from voting since there could be a conflict of interest. He submitted Form 8B, (**Attachment B**).

Community Development Geiger entered his staff report into the record as though it were read, (**Attachment C**), and reviewed the request,

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stating that the petitioner is specifically requesting that the property be rezoned from Agricultural to C-2 Commercial with two Special Exception Use petitions for Light Manufacturing and Secondhand Retail. He further stated that the petition was presented to the P&Z Commission at their meeting on August 8, 2007, and they concurred with the staff recommendation, subject to conditions, which restricts use to a Secondhand Store and Light Manufacturing with related offices and storage areas with no other use permitted and that the owner must apply to the City with a request to rezone the property in order to establish a different use for this property.

A lengthy discussion followed regarding the property, condition of the road, the County's involvement and the works of Habitat for Humanity.

Mayor Pugh asked for public input.

Sandra Nicholson, representing the Hernando County Fair Board, advised that they welcome Habitat for Humanity, however, she requested Council grandfather the location zoned as agricultural with an exception. Council Member Lewis asked if this would be possible, to which Director Geiger explained it does not fall into the specifications. Discussion of the code continued.

Ken Aldridge, current Vice-President of Habitat for Humanity in Hernando County, elaborated on the issue.

Council Member Bernardini reviewed the history of the property in question as it relates to the fairground property.

Bob Jillings, current President of Habitat, stated they do not have any objections to the property being zoned Agricultural, they just want to be able to have the Thrift Store.

Mayor Pugh asked specifically what the Fair Board wanted for the property in question. Sandra Nicholson indicated their main concern to be that in 10 years, when Mrs. Haines' agreement with the County is over, that the County will sell that property as a C-2 and anything can go in there, similar to the use at that time.

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Burnett for approval of Ordinance No. 750 as recommended by Staff.

City Clerk Phillips read Ordinance No. 750 by title as follows:

AN ORDINANCE REZONING CERTAIN PROPERTY FROM AGRICULTURAL DISTRICT TO C-2 COMMERCIAL DISTRICT WITH SPECIAL EXCEPTION USE FOR LIGHT MANUFACTURING AND WITH SPECIAL EXCEPTION USE FOR SECONDHAND RETAIL STORE FOR CERTAIN REAL PROPERTY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

She advised that the second and final reading would be scheduled for October 1.

Motion carried 4-0 upon roll call vote as follows:

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

Resolution No. 2007-16 Garbage Truck Financing

Consideration of Garbage Truck financing Resolution to Hancock Bank in the amount of \$148,000 at 3.98% and Governmental Lease Purchase.

Finance Director Baumgartner advised that the new garbage truck has been delivered and he has discussed the financing with the City Manager.

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Burnett for approval of Resolution No. 2007-16.

Mayor Pugh asked for public input; there was none.

City Clerk Phillips read Resolution No. 2007-16 by title as follows:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, THE GOVERNING BODY ("THE BOARD") OF THE CITY OF BROOKSVILLE, FLORIDA (the "LESSEE"), FINDING IT NECESSARY TO ACQUIRE EQUIPMENT FOR GOVERNMENTAL OR PROPRIETARY PURPOSES AUTHORIZED BY LAW: FINDING THAT IT WOULD BE IN THE PUBLIC INTEREST TO ACQUIRE SUCH EQUIPMENT UNDER THE TERMS OF A LEASE PURCHASE AGREEMENT: FINDING THAT HANCOCK BANK OF FLORIDA, TALLAHASSEE, FLORIDA (THE "LESSOR") HAS OFFERED TO ACQUIRE SUCH EQUIPMENT, OR TO ACQUIRE FROM AND REIMBURSE THE LESSEE FOR THE COST OF SUCH EQUIPMENT IN THE EVENT THE EQUIPMENT HAS ALREADY BEEN PURCHASED BY THE LESSEE, AND TO LEASE SUCH EQUIPMENT TO LESSEE: FINDING THAT SUCH PROPOSAL IS IN THE INTEREST OF THE LESSEE AND AUTHORIZING AND DIRECTING THE AUTHORIZED OFFICERS AND ADDITIONAL AUTHORIZED OFFICERS (AS HEREINAFTER DEFINED) TO EXECUTE A LEASE PURCHASE AGREEMENT AND SUPPORTING SCHEDULES AND ATTACHMENTS INCLUDING, BUT NOT LIMITED TO, ASSIGNMENTS OF TITLE TO THE EQUIPMENT TO HANCOCK BANK OF FLORIDA TO THE END THAT THE EQUIPMENT SHALL BE ACQUIRED BY SUCH BANK AND LEASED TO THE LESSEE ON THE TERMS AND CONDITIONS EXPRESSED IN SUCH LEASE.

In regards to Section 5 on page 19, Council Member Bradburn asked how much obligation the City has, to which Director Baumgartner advised this to be the first obligation for the year and they accrue annually.

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 2007-17 - Public Risk Management Auto, Liability and Workman's Comp Insurance

Authorization to notify PRM of notice for City to consider withdrawing from PRM insurance pool effective April 1, 2009.

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Finance Director Baumgartner reviewed the issue and stated that he felt approval from Council was necessary for future notification in the next year. City Manager Norman-Vacha pointed out that the City has no reason to opt out at this time, but the City would have to give a 12-month notice if in fact they did want to opt out.

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bradburn for approval of Resolution No. 2007-17.

City Clerk Phillips read Resolution No. 2007-17 by title as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE,
AUTHORIZING NOTIFICATION TO INSURANCE PROVIDER OF POTENTIAL
DISCONTINUATION OF PARTICIPATION IN PROGRAM.

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

A 5-minute recess was taken.

Consideration of Change Order No. 1 Providence Blvd. and Whitfield Ave. Sidewalk Project - City of Brooksville Bid # CD-2001-02

Consideration of approval for the work encompassed by this change order for about 5,000 linear foot of sidewalk along SR 50 for the amount of \$172,110.74.

Public Works Director Pierce reviewed the FDOT Change Order and advised that the TOPS grant funding runs out at the end of December. He indicated that if this change order is approved there will be \$129,411.21 of the TOPS grant funds left unencumbered and it is his hope that some will be used for the Broad Street sidewalk project, which is out for bid at this time.

Council Member Lewis stated that if the funds are not all used on the Broad Street sidewalk project he would like to see Council use the money for sidewalks for the East side of Jefferson by the Christmas House. Director Pierce pointed out that this sidewalk is physically connected and that Jefferson Street is not physically connected, so in order to proceed, an additional change order will need to be submitted. Discussion continued of trying to use the balance of the grant money.

Mayor Pugh asked for public input; there was none.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Burnett for approval of Change Order #1 for the Providence Blvd. and Whitfield Ave. Sidewalk Project for a not-to-exceed cost of \$172,110.74. Motion carried 4-1, with Mayor Pugh voting in opposition since he felt the money could be spent elsewhere.

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Consideration of Installing Radio Read Meters City Wide

Consideration of approval of installation contract with Triton Water Technologies of Florida (TWT) in the amount of \$1,485,000. Execution of the agreement to be contingent on staff bringing back a financing proposal acceptable to Council.

Public Works Director Pierce reviewed the project, stating that he felt this would be a cost effective transformation for the City and asked for Council's approval. He advised that the cost was included in the FY2007/08 budget.

Director Pierce stated that USDA wants to make the City an offer, but does not know specifics until the offer has been made. He felt this would help with the financing package of this project and staff will bring back for Council's approval. He further stated that current meters would need to be replaced in the near future, and advised the average meter lasts approximately 8 years. Discussion followed concerning the Meter Reader position, which Director Pierce advised would be converted to a Back-flow Prevention/Cross Connection Control Technician. He also reported on the life expectancy of the meters and the fact that there have been no problems to date with the radio read meters already installed in the City.

Jeff Kimbrough with Sunstate Meter & Supply reviewed the history of their company with the City and the guarantees on the meters.

Director Pierce indicated that all new subdivisions will have the radio read meters and that the new contract includes updated laptop radio reading equipment which is much more powerful and faster than what is being used currently. In answer to Council Member Bradburn's question about possible computer crashes, Director Pugh indicated the meters can still be read the old fashioned way since the dial is left intact.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Burnett for approval of the installation of radio read meters city wide.

Mayor Pugh asked for public input; there was none.

Council Member Lewis recommended, when looking for a competitive rate on a loan of this size, that the Town of Gulf Breeze be contacted. He advised that they have a lending policy and lending pool, which they lend to County, State, any type of municipality at a very competitive rate.

Mayor Pugh asked Director Pierce why we would not try to acquire funding, such as from USDA, prior to entering into a contract. Director Pierce indicated that he wanted to get Council approval of the concept on such a large amount before proceeding and it would be contingent on financing.

Motion carried 5-0.

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Request allowing City Manager to make decisions regarding filling Vacant Positions as budgeted

Consideration for Council to remove overall "freeze" of hiring, allowing City Manager to direct the recruitment and selection decisions for the City within allocated budgetary positions.

City Manager Norman-Vacha asked Council for approval of removing the freeze on hiring for the vacant positions within the budget, if the budget is approved as it is being presented.

Mayor Pugh felt he could not approve at this time, until the Final Budget Hearing to see where the City finances stand. Council Member Bernardini agreed with Mayor Pugh, but felt City Manager Norman-Vacha should bring this back to Council after the Final Budget Hearing. Council Member Bradburn noted that the City Manager has been diligent in conserving the City finances and she would be in favor of giving the City Manager control of hiring at her discretion. Council Member Lewis agreed with Council Member Bradburn.

Motion:

Motion was made by Council Member Lewis and seconded by Council Member Bradburn for approval of allowing the City Manager to make decisions regarding filling vacant positions as budgeted. Motion carried 3-2, with Mayor Pugh and Council Member Bernardini voting in opposition.

Mayor Pugh advised that his reasoning for voting nay was because of further tax reform issues looming in January.

City Attorney Contract

Approval of negotiated contract with Jacob D. Varn of Fowler White Boggs Banker for the position of City Attorney.

Discussion continued from earlier.

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Burnett to reconsider the consensus made at the August 8, 2007, meeting in which Council consensus was to proceed to negotiate with Joseph Poblick, the Attorney receiving the second highest amount of votes, should negotiations with Fowler White Boggs Banker fail. Motion carried 3-2, with Mayor Pugh and Council Member Bernardini voting in opposition.

A review of Joseph Poblick's application and experience followed. Council Member Lewis stated that Mr. Poblick actually did not have the 5-year municipal tenure requested in the job description, which Mayor Pugh felt should have been red-flagged before the interviews began.

Council Member Bradburn reviewed key aspects from her conversations with each of the candidates and felt a re-ranking needed to take place for the final 4 candidates.

Motion:

Council Member Bradburn moved for approval of a re-ranking of the final four candidates; seconded by Vice Mayor Burnett.

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After much discussion the motion and second were withdrawn.

Motion:

Council Member Lewis moved for approval of entering into negotiations with the Hogan Law Firm; seconded by Vice Mayor Burnett.

After a brief discussion in which City Attorney LaCroix recommended Council bring the remaining four applicants back for a second interview the motion and second were withdrawn.

Council consensus was to bring back the remaining attorneys for additional interviewing on September 19, 2007, at 6:00 p.m.

ITEMS BY COUNCIL

Frankie Burnett, Vice Mayor

City Attorney Search

Vice Mayor Burnett questioned the hourly rate of City Attorney LaCroix during the search process and for future needs, to which City Attorney LaCroix advised the hourly rate would be \$185.

Lara Bradburn, Council Member

9/11

She asked everyone take a moment to remember 9/11, what the terrorist did to our Country and what our men and women who are fighting for overseas on our behalf and on the world's behalf.

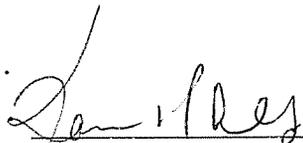
CITIZENS INPUT

Mary Evelyn Reed

Ms. Reed, as a concerned citizen, felt the County Commission to be the worst ever and suggested, when looking for an attorney, the Council find one that can stand up to the 6th County Commissioner.

ADJOURNMENT

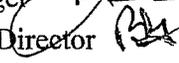
The meeting adjourned at 10:08 p.m.



City Clerk

Attest: _____
Mayor

MEMORANDUM

To: Honorable Mayor & City Council Members
Via: T. Jennene Norman-Vacha, City Manager 
From: Bill Geiger, Community Development Director 
Subject: RZ2007-06 and SE2007-10; Petition Request for a Re-zoning from R1B (Single Family Residential District) to C1 (Commercial District) with Special Exception Use for a Storage Establishment (Specifically, mini-warehouses)
Petitioner: Hubert W. Dukes
Location: 712-714 Oakdale Avenue - Located between Ponce De Leon Boulevard and Sharon Street (The legal description for the subject site is given in full in the petition packet). Ref. Hernando County Property Appraiser Key Numbers 355056 & 354976.
Date: August 8, 2007 ORD # 749

Introduction & Background Information:

The subject property related to this petition is .69 acres +/-, and is located on the north side of Oakdale Avenue, approximately 196' west of Ponce De Leon Boulevard and 187' east of Sharon Street. This property is directly adjacent to industrial/commercial uses on the east, residential uses on the west and south, and vacant land (unimproved r/w & the west end of a commercial property) on the north. The City's current "Future Land Use" designation for the subject parcel is "Single Family Residential," and the zoning is R1B. A land use petition was previously recommended for approval by the Planning & Zoning Commission to assign this property with a designation of "Commercial." On July 2, 2007, the City Council expressed a concern with processing the land use petition without also addressing the zoning, and directed staff to work with the petitioner to initiate the zoning process concurrently with the land use process.

The petitioner is requesting that the City re-zone this property from the existing R1B (Single Family Residential) to C1 (Commercial), with a Special Exception Use for a "Storage Establishment." The petitioner has expressed an intent to build a mini-warehouse/storage facility at the subject site, to serve the residential community in the vicinity and to act as a buffer to the higher intensity uses to the east.

Land Use and Zoning:

The subject property is zoned R1B with a SFR land use. It lies directly adjacent to heavy commercial activities (including a propane service and delivery company and a pest control company) that are located directly east and north of the property on Ponce De Leon Boulevard (U.S. 98 North). The propane company has a Future Land Use designation of Industrial and the pest control company is Commercial. Property to the south has a multifamily residential land use and is zoned R3. Property to the west has a residential land use and is zoned R1B.

Factual Information:

1. The property has a current zoning designation of R1B, single family residential.
2. The property for this petition's zoning is approximately .69 ± acres.
3. The site previously contained single family residential structures on it that have been demolished in recent years.

4. The Petitioner is requesting a C2 zoning designation with Special Exception Use for a “storage establishment.”
5. The subject property has existing access to Oakdale Avenue.
6. The on-site soil type is Nobleton Fine Sand (0 to 5% slopes).
7. The property is located in flood zone C (as per the FIRM). Elevations range from 113' to 115' with the property sloping/draining toward the west-southwest.
8. This zoning petition is being processed concurrently with a land use amendment to change the property’s land use designation from SFR to Commercial.
9. The subject property is not located within a wellhead protection area.

Staff Findings (Data & Analysis):

Natural Resources and Features

The subject property was the prior location of a single family residence which was demolished during the first quarter of 2007. Vegetation is sparse over approximately 60% of the property. Native trees (including Oak, Magnolia & Cedar) provide some buffering along the east and west property boundaries. The site is not located within a well head protection area. The soil on the subject property is identified as Nobleton Fine Sand (0 to 5% slopes), and appears to drain to the west-southwest between elevations of 115 and 113 feet.

Compatibility with Surrounding Area

If the re-zoning is approved, the property owner is proposing a 6,000 square foot mini-warehouse facility to serve the neighboring residential areas. Given the location and proximity of this property to heavy commercial uses on Ponce DeLeon Boulevard and residential neighborhoods (including an apartment complex located south of the subject site), it would appear that the proposed commercial land use designation to facilitate the warehouse use of the property would be compatible (with appropriate buffers) between the different types of existing uses.

Public Facilities and Level of Service

This property will be served by City water and sewer services. Access will be via Oakdale Avenue (City local street). Police, fire and sanitation collection services will also be provided by the City. Based on data assumptions contained within the City’s Comprehensive Plan, the following analysis depicts the impacts associated with the proposed level of development as well as discussion concerning the maximum development potential of the property with the prospective land use -

Trip Generation: Per the ITE Trip Generation Manual, 6th Edition, the proposed land use (LU Code #151) would generate approximately 2 vehicle trips during the P.M. Peak Hour. The maximum development potential that this property could theoretically have under the Commercial designation would be for a 21,000± square foot facility (70% of lot area) that could generate up to 1,100 P.M. Peak Hour trips under certain retail scenarios. A more reasonable approach to estimating maximum development potential of the site would be to take the City’s average commercial floor

area ratio of .25 (which is more realistic in addressing what it takes to economically meet all performance standards) and use that ratio to calculate the most intense retail use. Using this methodology, the maximum building area would be about 7,510 square feet, which in turn could generate up to 396 P.M. Peak Hour retail trips.

Water: Assuming potable water usage of 0.18 gallons per day per square foot for commercial users, the theoretical amount of water that would be consumed per day for this project would be 1,080 gallons (for a 6,000 square foot building). A mini-warehouse/storage use would actually consume closer to what is calculated as an Equivalent Residential Unit (ERU), which would be 242 gallons per day. The maximum development consumption that this property could theoretically have under the Commercial designation would be for a 21,000± square foot facility (70% of lot area) that could consume up to 3,780 gallons per day under certain retail scenarios. These quantities are all currently available from the City and do not cause the City to exceed its allowable maximum daily consumption of 2.24 MGD.

Sewer: Assuming sanitary sewer effluent generation of 0.15 gallons per day per square foot for commercial users, the theoretical amount of waste water that would be generated per day for this project would be 900 gallons (for a 6,000 square foot building). A mini-warehouse/storage use would actually generate closer to what is calculated as an Equivalent Residential Unit (ERU) which would be 220 gallons per day. The maximum development consumption that this property could theoretically have under the Commercial designation would be for a 21,000± square foot facility (70% of lot area) that could generate up to 3,150 gallons per day of effluent under certain retail scenarios. The project's effluent can currently be accommodated by the City's present sewer treatment capacity which is 3.0 MGD.

Drainage: The subject site is located within Flood Zone C, which is defined as an area exhibiting minimal flood potential. No wetlands are located on the site. Development of the site will have to meet SWFWMD 40D-4 permitting requirements, as well as the City's Comprehensive Plan policies relating to stormwater retention and conveyance.

Budget Impact:

There are no budget amendments or adjustments required in conjunction with the processing of this petition.

NOTE: The zoning amendment/special exception use petition process is a land use determination which does not constitute a permit for either construction on or use of the property. Nor are these actions considered a Certificate of Concurrence. Prior to use of or construction on the property, the petitioner must receive construction plan or use approval from the appropriate City and/or other governmental agencies that have regulatory authority over the proposed development/use.

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.

Planning & Zoning Commission and Staff Recommendation:

At their meeting on August 8, 2007, the Planning & Zoning Commission concurred with staff to recommend that City Council approve the re-zoning of this property from R1B (Single Family Residential) to C1 (Commercial), with a Special Exception Use for a Storage Establishment (specifically a mini-warehouse facility) subject to the following conditions:

1. The use of this property is restricted exclusively for a mini-warehouse (storage only) facility. No other use is permitted on this property. The owner must apply to the City with a request to re-zone the property in order to establish a different use for this property.
2. Development/construction plans for 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.
3. The developer of the subject property shall 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 *Management and Storage of Surface Waters Permit Information Manual*, as published by the Southwest Florida Water Management District. Site development plans will be submitted, including drainage control system design and calculations, that are subject to approval by the City's Department of Public Works prior to obtaining a building permit.
4. 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.
5. A dumpster pad is required that complies with the screening requirements of Chapter 109 of the City Code.
6. The development must be served by City central water and sewer.
7. 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.
8. The proposed zoning will not become effective until the land use change from "Single Family Residential" to a "Commercial" designation has been approved.

Page 5
RZ2007-06
Hubert W. Dukes
September 10, 2007

- Attachments:
- 1) Rezoning Petition
 - 2) Special Exception Petition
 - 3) Letter from Hubert W. Dukes date stamped 4/24/07
 - 4) Conceptual Site Plan
 - 5) Draft Re-zoning Ordinance
 - 6) Site Location Map

G:\Bgeig\Zoning\Rezoning\cc09102007 RZ2007-06 Dukes.wpd

ORDINANCE NO. 749

AN ORDINANCE REZONING CERTAIN PROPERTY FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-1 (COMMERCIAL DISTRICT) WITH A SPECIAL EXCEPTION USE FOR A STORAGE ESTABLISHMENT (MINI-WAREHOUSE STORAGE ONLY) 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 property in the City of Brooksville, Florida as shown on Exhibit "A" and described below is hereby zoned as C-2 Commercial with Special Exception Use for a Storage Establishment (Mini-warehouse storage only). The zoning map of the City of Brooksville shall be amended accordingly.

Legal Description of Subject Property:

PARCEL A

FOR A POINT OF BEGINNING COMMENCE AT A FOUND CONCRETE MONUMENT ON THE NORTH RIGHT-OF-WAY OF OAKDALE AVENUE AND THE SOUTHEAST CORNER OF LOT 6, BLOCK "B," PLAT OF SNOW CAPS; A SUBDIVISION IN SECTION 22, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 5, PAGE 84, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, SAID CONCRETE MONUMENT BEING AS A PERMANENT REFERENCE MARK ON SAID PLAT OF SNOW CAPS, RUN THENCE NORTH 00°32' EAST ALONG THE EAST BOUNDARY OF BLOCK "B," 225.00 FEET TO ITS INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF CARRICK STREET; THENCE EAST ALONG SAID SOUTH RIGHT-OF-WAY TO THE EAST RIGHT-OF-WAY OF CARRICK STREET; NORTH ALONG SAID EAST RIGHT-OF-WAY 22.35 FEET TO ITS INTERSECTION WITH THE SOUTH BOUNDARY OF THE FORMER SNOW PROPERTY, AS ESTABLISHED BY SURVEYS EXECUTED IN SEPTEMBER 1973 AND PER DEED RECORDED IN OFFICIAL RECORD BOOK 15, PAGE 197, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA AND NOW STRONGLY OCCUPIED AND MONUMENTED; THENCE NORTH 89°42' EAST ALONG SAID SOUTH BOUNDARY OF THE FORMER SNOW PROPERTY 75.21 FEET; THENCE SOUTH 00°32' WEST 123.87 FEET; THENCE SOUTH 89° 51' WEST 62.50 FEET; THENCE SOUTH 00°32' WEST, 123.71 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF OAKDALE AVENUE; THENCE WEST 62.50 FEET ALONG SAID NORTH RIGHT-OF-WAY TO THE POINT OF BEGINNING. EAST RIGHT-OF-WAY.
AND

PARCEL B

COMMENCE AT A FOUND CONCRETE MONUMENT ON THE NORTH RIGHT-OF-WAY OF OAKDALE AVENUE AND THE SOUTHEAST CORNER OF LOT 6, BLOCK "B," OF THE PLAT OF SNOW CAPS; A SUBDIVISION IN SECTION 22, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, AS RECORDED IN PLAT 5, PAGE 84, OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, SAID CONCRETE MONUMENT BEING DESIGNATED AS A PERMANENT REFERENCE MARK ON SAID PLAT OF SNOW CAPS, RUN THENCE EAST ALONG THE NORTH RIGHT-OF-WAY OF OAKDALE AVENUE, 62.50 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE EAST ALONG SAID NORTH RIGHT-OF-WAY 62.50 FEET; RUN THENCE NORTH 00°32'00" EAST A DISTANCE OF 123.87 FEET; RUN THENCE SOUTH 89°51'00" WEST A DISTANCE OF 62.50 FEET; RUN THENCE SOUTH 00°32'00" WEST A DISTANCE OF 123.71 FEET TO THE POINT OF BEGINNING.

Location: 712 - 714 Oakdale Avenue

Petitioner: Hubert W. Dukes

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

A. The property described herein is hereby zoned C-1 (Commercial District) with a Special Exception Use for a Storage Establishment (Mini-warehouse storage only), and the zoning map of the City of Brooksville shall be amended accordingly. The Zoning/Special Exception Use consideration for a Storage Establishment (Mini-warehouse only) is subject to the following conditions:

1. The use of this property is restricted exclusively for a mini-warehouse "storage only" facility. No other use is permitted on this property. The owner must apply to the City with a request to re-zone the property in order to establish a different use for this property.

2. Development/construction plans for 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.
3. The developer of the subject property shall 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 *Management and Storage of Surface Waters Permit Information Manual*, as published by the Southwest Florida Water Management District. Site development plans will be submitted, including drainage control system design and calculations, that are subject to approval by the City's Department of Public Works prior to obtaining a building permit.
4. 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.
5. A dumpster pad is required that complies with the screening requirements of Chapter 109 of the City Code.
6. The development must be served by City central water and sewer.
7. 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.
8. The proposed zoning will not become effective until a Comprehensive Plan land use change from "Single Family Residential" to a "Commercial" designation has been approved.

Section 2. -- This Ordinance and zoning classification for the properties described shall take effect at such time as when the City's amendment of the Future Land Use Map of its Comprehensive Plan designating a "Commercial District" land use for the described properties hereto, is approved and becomes effective per Statutory requirements.

Section 3. -- All Ordinances in conflict herewith are expressly repealed.

CITY OF BROOKSVILLE

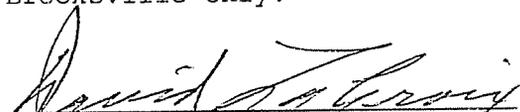
Attest: _____
 Karen M. Phillips
 City Clerk

By: _____
 David Pugh
 Mayor

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

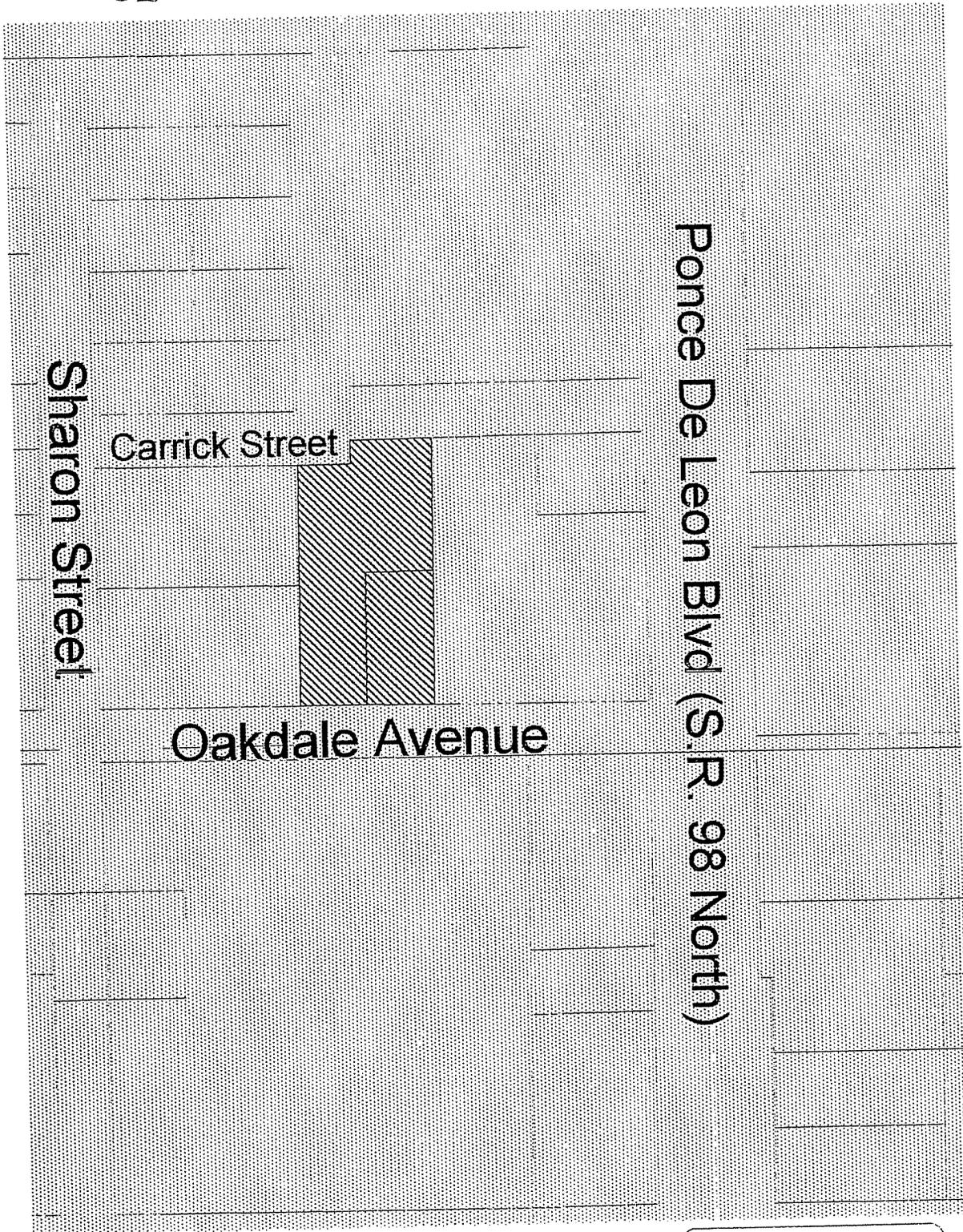
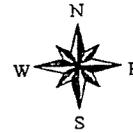
Approved as to form and content
 for the reliance of the City of
 Brooksville only:

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


 David La Croix, City Attorney



Hubert W. Dukes Oakdale Avenue Property



Prepared by
City of Brooksville
Community Development Department
August 8, 2007

Hubert W. Dukes
Exhibit "A"
Rezoning Ord. No. 749

Legend	
	Dukes cpa.shp
	City Boundary as of August 14, 2005

CITY OF BROOKSVILLE ZONING AMENDMENT PETITION

Date: 4/23/07

Print or Type All Information.

Applicant: Hubert W. Dukes
Mailing Address: 4234 Camelia Dr
Hernando Beach FL 34607
Daytime Telephone: 352-596-8383

Representative: _____
Mailing Address: _____
Daytime Telephone: _____

Legal Description: Section: 22 Township: 22 Range: 19

Size of Area Covered by Application: 0.69 ac

Highway & Street Boundaries: Oakdale Avenue

Future Land Use Designation: Commercial

Current Land Use Designation: Residential

Current Zoning Classification: _____

Zoning Classification Desired: C-1 with S.F. for Storage Establishment
(Mini-warehouse)

Has a public hearing been held on this property within the last twelve months? No

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)

See attached

Subject Property Street Address: 712-714 Oakdale Ave
Brooksville, Fla

PETITIONER IS SPECIFICALLY REQUESTING SPECIAL EXCEPTION USAGE FOR THE FOLLOWING:

Storage Establishment (Mini-warehouse)

Property future land use is: *Residential*
Current land use is: *Residential-Vacant Property*
Property is zoned: *R1B-Single Family Residential*

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: *Hubert Wayne Dukes*

Street Address: *4234 Crumelia Dr*

City/State/Zip: *Hernando Beach, FL 34607*

Daytime Phone: *352-596-8383*

Signature: *Hubert W. Dukes*

PARCEL A

FOR A POINT OF BEGINNING COMMENCE AT A FOUND CONCRETE MONUMENT ON THE NORTH RIGHT-OF-WAY OF OAKDALE AVENUE AND THE SOUTHEAST CORNER OF LOT 6, BLOCK "B", PLAT OF SNOW CAPS; A SUBDIVISION IN SECTION 22, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA AS RECORDED IN PLAT BOOK 5, PAGE 84, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, SAID CONCRETE MONUMENT BEING AS A PERMANENT REFERENCE MARK ON SAID PLAT OF SNOW CAPS, RUN THENCE NORTH 00°32' EAST ALONG THE EAST BOUNDARY OF BLOCK "B", 225.00 FEET TO ITS INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF CARRICK STREET; THENCE EAST ALONG SAID SOUTH RIGHT-OF-WAY TO THE EAST RIGHT-OF-WAY OF CARRICK STREET; NORTH ALONG SAID EAST RIGHT-OF-WAY 22.35 FEET TO ITS INTERSECTION WITH THE SOUTH BOUNDARY OF THE FORMER SNOW PROPERTY, AS ESTABLISHED BY SURVEYS EXECUTED IN SEPTEMBER 1973 AND PER DEED RECORDED IN OFFICIAL RECORD BOOK 15, PAGE 197, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA AND NOW STRONGLY OCCUPIED AND MONUMENTED; THENCE NORTH 89°42' EAST ALONG SAID SOUTH BOUNDARY OF THE FORMER SNOW PROPERTY 75.21 FEET; THENCE SOUTH 00°32' WEST 123.87 FEET; THENCE SOUTH 89° 51' WEST 62.50 FEET; THENCE SOUTH 00°32' WEST, 123.71 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF OAKDALE AVENUE; THENCE WEST 62.50 FEET ALONG SAID NORTH RIGHT-OF-WAY TO THE POINT OF BEGINNING. EAST RIGHT-OF-WAY.

AND

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ACKNOWLEDGMENT

I, Hubert W. Dukes, hereby state and affirm that all answers to the questions in said application and all sketches and data attached to and made part of this application are honest and true to the best of my knowledge.

I am the owner of the property covered under this application.

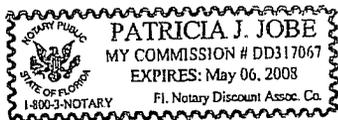
I am the legal representative of the owner or lessee of the property described which is the subject matter of this application.


Signature

STATE OF FLORIDA
COUNTY OF Hernando

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 24th DAY OF April, 2007 BY THE ABOVE PERSON(S) _____ WHO IS PERSONALLY KNOWN TO ME OR ~~WHO HAS PRODUCED AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN OATH.~~


SIGNATURE OF NOTARY



OWNER OR AGENT AFFIDAVIT

*CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA*

I, , being duly sworn, hereby depose and say
I am the owner of the herein described property to-wit:

(Insert Legal Description Below)

APR 24 2007

**Hubert W. Dukes
4234 Camelia Drive
Hernando Beach, FL 34607
(352) 596-8383**

City of Brooksville
201 Howell Ave
Brooksville, FL 34601

Subject: Zoning Amendment Petition

Please find the enclosed petition concerning the properties located at 712 and 714 Oakdale Avenue, Brooksville.

My proposal is for a centrally located 40'X150' metal mini storage building that meets Florida's building codes. This building would be a premanufactured building and would be assembled on site. This low impact building would offer a genuine buffer zone from the two existing commercial properties.

As a normally unoccupied facility it would not generate any adverse conditions to any of the property owners surrounding the proposed site. The property on the South side of the proposed site is an apartment complex consisting of 40 one and two bedroom apartments for which the proposed storage facility would be conveniently located. The West Side of the property would provide a true buffer zone to the two residential properties that are located at least 70 feet west of the subject property.

County Traffic Management office determined that the project will only generate 15 daily trips of which only two are PM peak hour trips.

Potable water service is available adjacent to the project site on Oakdale Avenue. This includes a 2-inch potable water line adjacent to the project, and a 6-inch potable water line on the south right-of-way of Oakdale Avenue. Potable water capacity is currently available to serve the proposed project.

Wastewater service is currently available adjacent to the project on Oakdale Avenue. This includes a 8-inch gravity sewer currently serving Oakdale Avenue. Sanitary sewer is available for this project.

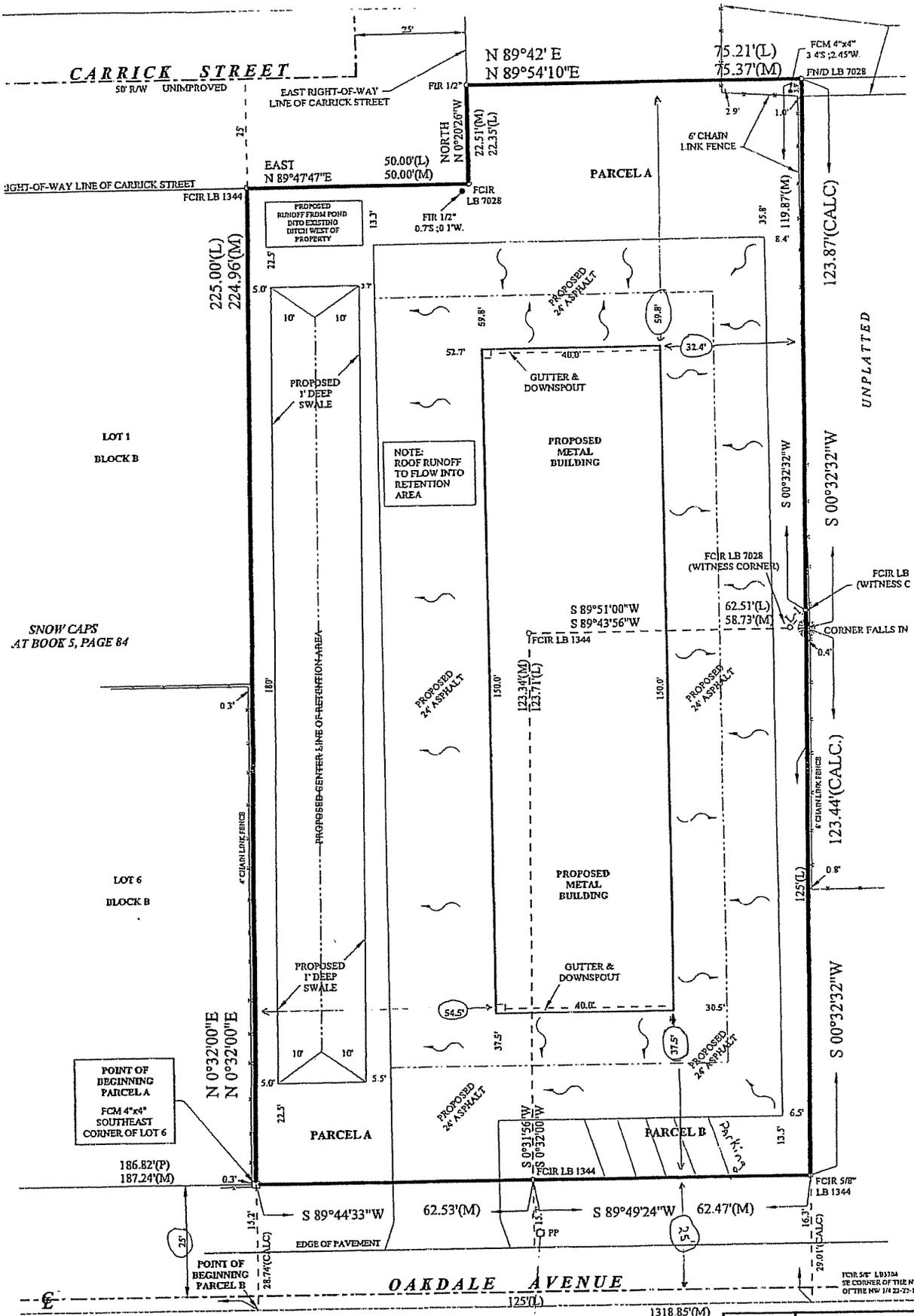
Surface water drainage will be accommodated through on-site retention and ditch system.

The capacity for solid waste is available to project on Oakdale Avenue by the City Sanitation Dept. for services in the area. The Hernando County's Northwest Waste Management Facility is located on US 98 Northwest of Brooksville.

Your favorable consideration is greatly appreciated.



Hubert W. Dukes



SNOW CAPS
AT BOOK 5, PAGE 84

POINT OF BEGINNING
PARCEL A
FCM 4"x4"
SOUTHEAST
CORNER OF LOT 6

POINT OF BEGINNING
PARCEL B

OAKDALE AVENUE

DATE MAP.

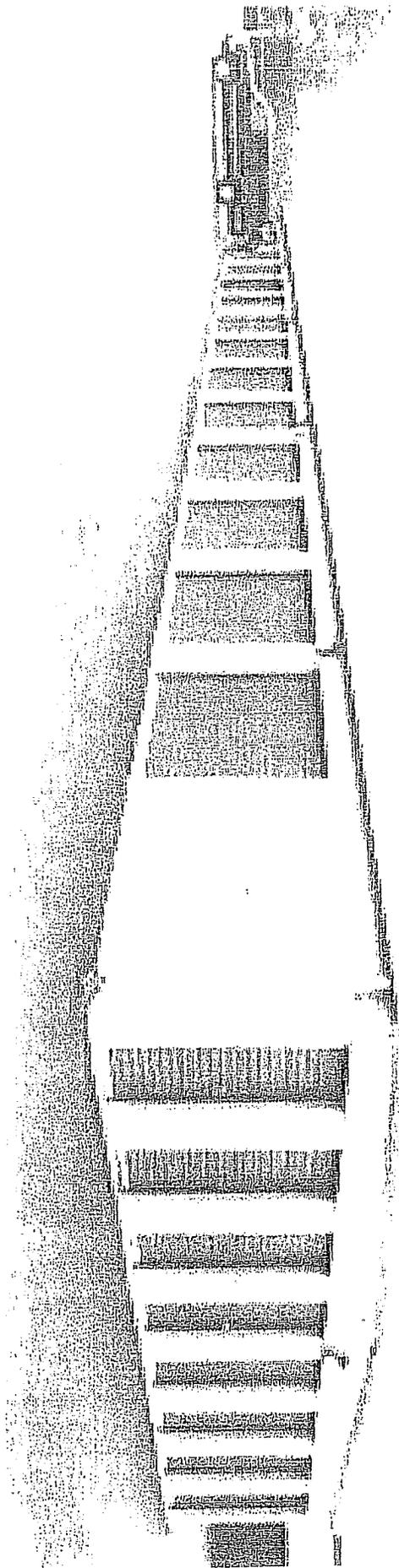
THIS PLOT PLAN DRAWN CONSISTENT WITH THE PLANS PROVIDED AND MEETS MINIMUM SETBACK REQUIREMENTS.

THIS SURVEY SHOWS THE ACTUAL LOCATION OF THE FOUNDATION (FORMS)

PSM #5465 DATE _____

PSM #5465 DATE _____

DRAWN BY RMG	FIELD SURVEY DATE NOVEMBER 23, 2005
SCALE 1" = 20'	FIELD BOOK AND PAGE G3 15-18 18D 29-32
CHECKED BY T. COIL	SECTION TOWNSHIP RA 22 22S 1



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME--FIRST NAME--MIDDLE NAME <i>Bernardini Frank Joseph</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Brooksville</i>	NAME OF POLITICAL SUBDIVISION <i>Brooksville City Council</i>
DATE ON WHICH VOTE OCCURRED <i>10-01-07</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE
COUNTY <i>Hernando</i>	

WHO MUST FILE FORM 8B

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

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

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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

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

* * * * *

ELECTED OFFICERS:

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

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

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

* * * * *

APPOINTED OFFICERS:

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

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

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

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Frank J. Bernardini, hereby disclose that on 10-01-, 2007:

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

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

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

President of the Hernando County Fair Association

10-1-07
Date Filed


Signature

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

ATTACHMENT C

AGENDA ITEM NO. E-2
9-10-07

STAFF REPORT

To: Honorable Mayor & City Council Members
Via: T. Jennene Norman-Vacha, City Manager 
From: Bill Geiger, Community Development Director 
Subject: RZ2007-04 and SE2007-07 and 08; Petition request to rezone from Agricultural to C-2 (Commercial) with a Special Exception Use for Light Manufacturing and a Special Exception Use for a Secondhand Retail Store
Petitioner: Hernando County Board of County Commissioners (property owner) and Grace M. Haines (lessee/building owner); Presented by Clifford Fouts - Habitat for Humanity of Hernando County
Location: 19370 Oliver Street - Ref. HCPA Parcel Key # 01305607
Date: August 17, 2007 ORD # 750

Introduction and Background Information:

The subject property is 3.25 acres \pm , currently zoned as Agricultural and is located on the north-central side of the Hernando County Fairgrounds property off of U.S. Highway 41 South, and on the south side of Oliver Street (See attached location map). The Petitioner is specifically requesting that the property be rezoned from Agricultural to C-2 Commercial, with two (2) Special Exception Use (SEU) petitions. One SEU petition is for Light Manufacturing and one is for a Secondhand Retail Store, both to be located at this site. This property was annexed into the city on June 7, 1993. Historically, light manufacturing operations have been a primary use on this property (including a sewing factory and Clinch-On Tools, a fastener manufacturer).

Land Use/Zoning:

The subject property is zoned Ag (Agricultural) with a City Comprehensive Plan Future Land Use (FLU) designation of Public Facilities and Land. Property located on the north side of Oliver Street has a County zoning designation of Residential with a FLU designation of residential, and properties to the south, east and west have a City zoning designation of Agricultural, with a FLU designation of Public Facilities and Land.

Factual Information:

1. The property has a current zoning designation of Agricultural. The Petitioner is requesting a C2 zoning designation with Special Exception Use for a second hand store and light manufacturing.
2. The property for this petition's zoning is approximately 3.25 \pm acres.
3. The site is already developed with buildings and parking that will support the proposed use.
4. Habitat for Humanity of Hernando County is proposing to use the site for their office, thrift store, warehouse and pre-assembly activities associated with their program to build affordable housing in Hernando County.
5. The subject property has existing, improved access to Oliver Street.
6. The on-site soil type is Blichton loamy fine sand (2% to 5% Slopes).
7. The property is located in flood zone C (as per the FIRM). Elevations range from 100' to 112' with the property sloping/draining toward the northwest.
8. The subject property is not located within a wellhead protection area.

Page 2

RZ2007-004 & SE 2007-07 and 08

Hernando County BCC and Grace M. Haines;

Presented by Clifford Fouts -Habitat for Humanity of Hernando County

19370 Oliver Street

August 8, 2007

Staff Findings:

The petitioner is requesting this re-zoning and two (2) special exception uses to enable the petitioner to use the existing, developed property for light manufacturing (storage of building materials, construction of walls to be transported to home building sites, etc.) and also to enable the petitioner to operate a secondhand retail store with all the proceeds going toward defraying the cost for construction materials. No new buildings or development is being proposed with this project.

The city will continue to provide services to the site, including police & fire protection, water service and solid waste collection services.

The Habitat for Humanity project traffic will be served by Oliver Street, which is currently a small, local road with varying pavement width. This general area is transitioning, with additional higher density residential and commercial uses anticipated for the future. City and County staff have done some preliminary coordination and planning with prospective developers in this vicinity, and anticipate that Oliver Street will eventually be improved and extended to the east to connect with the future road to be constructed by 2008-2009, know as Governor Boulevard. The anticipated traffic impact produced by Habitat for Humanity's use of the subject property is expected to be nominal, in consideration of its prior established use. However, if another heavier commercial use were to occupy the property in the future, additional evaluation of the impacts of said heavier use would need to be measured and mitigated, if necessary.

If approved, the petitioner's requested zoning and SEU will facilitate their proposed use for the property. Any future development or change of use on the property will be subject to concurrency review and analysis at the time when a development order/permit application is submitted.

Budget Impact:

There are no budget amendments or adjustments required in conjunction with the processing of this petition.

NOTE: The zoning amendment/special exception use petition process is a land use determination which does not constitute a permit for either construction on or use of the property. Nor are these actions considered a Certificate of Concurrency. Prior to use of or construction on the property, the petitioner must receive construction plan or use approval from the appropriate City and/or other governmental agencies that have regulatory authority over the proposed development/use.

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.

Planning & Zoning Commission and Staff Recommendation:

At their meeting on August 8, 2007, the Planning & Zoning Commission concurred with staff to recommend that City Council approve the re-zoning of this property from Agricultural to C2 (Commercial) with a Special Exception Use for Light Manufacturing and a Special Exception Use for a Secondhand Retail Store, subject to the following conditions (*Strikeout/Underline formatting is used to indicate modifications made by the Commission to the original staff recommendation-Staff endorse the modifications made*):

1. Use of this property is restricted exclusively for a secondhand store and light manufacturing with related offices and storage areas. No other uses are permitted on this property. The owner must apply to the city with a request to rezone the property in order to establish a difference use for this property.
2. The petitioner/developer must obtain all required permits and meet all applicable land development regulations, for construction or use of the property.
3. If additional site development were proposed for the property (beyond the scope of exiting site coverage and floor area ratio), the prospective 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. The developer will be required to coordinate with the City's Department of Public Works and Community Development to properly plan for and address drainage.
4. The active leasehold interest will need to coordinate with the City's Customer Service Division to activate an account for City services.
5. Any future use of the site, other than that which is being proposed by Habitat for Humanity of Hernando County, will be subject to concurrency and compliance review to determine consistency with city codes and regulations.

Attachments: Rezoning Petition
Special Exception Use Petitions (Including existing site plan)
Letter dated January 25, 2007 from Habitat for Humanity
Letter dated May 18, 2007 from Hernando County Deputy County Administrator
Letter dated June 18, 2007 from Attorney Joseph M. Mason, representing Grace Haines
Draft Zoning/SEU Ordinance
Site Location Map

ORDINANCE NO. 750

AN ORDINANCE REZONING CERTAIN PROPERTY FROM AGRICULTURAL DISTRICT TO C-2 COMMERCIAL DISTRICT WITH SPECIAL EXCEPTION USE FOR LIGHT MANUFACTURING AND WITH SPECIAL EXCEPTION USE FOR SECONDHAND RETAIL STORE 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 property in the City of Brooksville, Florida as shown on Exhibit "A" and described below is hereby zoned as C-2 Commercial with Special Exception Use for Light Manufacturing and with Special Exception Use for Secondhand Retail Store and the zoning map of the City of Brooksville shall be amended accordingly.

Commencing at the NE corner of the SW 1/4 of Section 33, Township 22 South, Range 19 East, Hernando County, Florida, to thence S 01°10'13" W, a distance of 25.00 feet to the POINT OF BEGINNING, continue thence S01°10'13"W, a distance of 637.01 feet; thence N 30°34'41"W, a distance of 97.29 feet; thence N 42°49'11"W, a distance of 168.74 feet; thence N 32°40'26"W, a distance of 327.25 feet; thence N 00°30'14"E, a distance of 157.00; thence S89°29'41"E, a distance of 352.49 feet to the POINT OF BEGINNING. Also described as: A TR 637X97X168X327X157X352 FT MOL IN E1/2 OF SW1/4 ORB 1041 PG 1705. PARCEL R33 422 19 0000 0510 0010

Location: 19370 Oliver Street

Petitioner: Hernando County Board of County Commissioners

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

A. The aforementioned property located within the City of Brooksville, Florida, is hereby assigned a zoning classification of C-2 Commercial with a Special Exception Use for Light Manufacturing and a Special Exception Use for a Secondhand Retail Store, subject to the following conditions:

1. Use of this property is restricted exclusively for a secondhand store and light manufacturing with related offices and storage areas. No other uses are permitted on this property. The owner must apply to the city with a request to rezone the property in order to establish a difference use for this property.
2. The petitioner/developer must obtain all required permits and meet all applicable land development regulations, for construction or use of the property.
3. If additional site development were proposed for the property (beyond the scope of exiting site coverage and floor area ratio), the prospective 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. The developer will be required to coordinate with the City's Department of Public Works and Community Development to properly plan for and address drainage.

4. The active leasehold interest will need to coordinate with the City's Customer Service Division to activate an account for City services.
5. Any future use of the site, other than that which is being proposed by Habitat for Humanity of Hernando County, will be subject to concurrency and compliance review to determine consistency with city codes and regulations.

Section 2. - The City Council does hereby find that zoning classification for the property described is consistent with the City of Brooksville Future Land Use Element of its Comprehensive Plan and shall take effect immediately upon its adoption.

Section 3. - All Ordinances in conflict herewith are expressly repealed.

CITY OF BROOKSVILLE

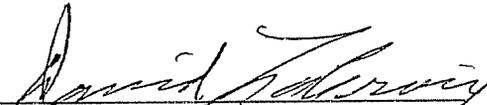
Attest: _____
Karen M. Phillips
City Clerk

By: _____
David Pugh
Mayor

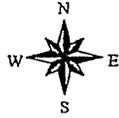
PASSED on First Reading _____
NOTICE Published on _____
PASSED on Second & Final Reading _____

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

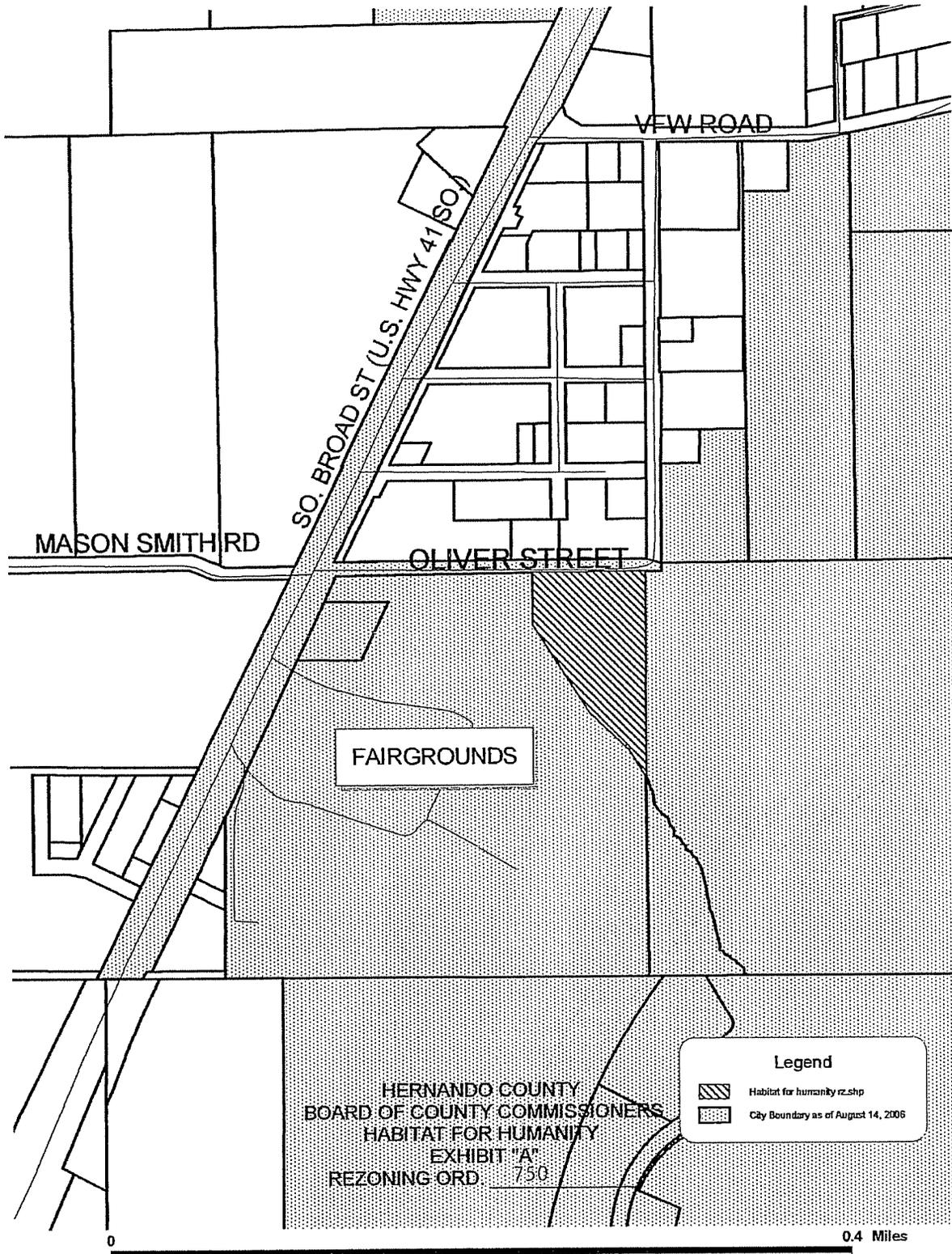
VOTE OF COUNCIL:
Bernardini _____
Bradburn _____
Burnett _____
Lewis _____
Pugh _____



David La Croix, City Attorney



HERNANDO COUNTY BOARD
OF COUNTY COMMISSIONERS PROPERTY
HABITAT FOR HUMANITY



CITY OF BROOKSVILLE ZONING AMENDMENT PETITION

Date: May 5, 2007

Print or Type All Information.

Applicant: Clifford B. Fouts
Mailing Address: P. O. Box 15389
Brooksville, FL 34604
Daytime Telephone: 352-754-1159

Representative: Clifford B Fouts for Habitat for Humanity
Mailing Address: Same as above
Daytime Telephone: _____

Legal Description: Section: 33 Township: 22S Range: 19E

Size of Area Covered by Application: 3.25 acres ±

Highway & Street Boundaries: Oliver Street and U.S. Hwy 41 South

Future Land Use Designation: Public Facilities and Land

Current Land Use Designation: Agricultural

Current Zoning Classification: Agricultural

Zoning Classification Desired: C-2 Commercial

Has a public hearing been held on this property within the last twelve months? NO

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)

Commencing at the NE corner of the SW ¼ of Section 33, township 22 South, Range 19 East, Hernando County, Florida, to thence S 01 degrees 10' 13" W, a distance of 25.00 feet to the POINT OF BEGINNING, continue
thence S 01 ° 10' 13" W, a distance of 637.01 feet;
thence N 30 ° 34' 41" W, a distance of 97.29 feet;
thence N 42 ° 49' 11" W, a distance of 168.74 feet;
thence N 32 ° 40' 26" W, a distance of 327.25 feet;
thence N 00 ° 30' 14" E, a distance of 157.00 feet;
thence S 89 ° 29' 41" E, a distance of 352.49 feet to
the POINT OF BEGINNING.

Also described as: A TR 637X97X168X327X157X352 FT MOL IN E1/2 OF SW ¼
ORB 1041 PG 1705. PARCEL R33 422 19 0000 0510 0010

Subject Property Street Address: 19370 Oliver Street, Brooksville, Fl. 34601

PETITIONER IS SPECIFICALLY REQUESTING SPECIAL EXCEPTION USAGE FOR THE FOLLOWING:

Habitat for Humanity of Hernando County needs a location which will provide office space to administer the Habitat home building program in Hernando County, a warehouse area for the storage of building materials used in the construction of Habitat homes, an area where frame wall section can be pre-built for delivery to the home construction site and a large area suitable for the operation of a Thrift Store where Habitat is able to sell donated used items. The proceeds of the Thrift Store are used to pay for the administrative costs of the Habitat Affiliate so that other donations can be used entirely toward building homes for low-income families.

Property future land use is: manufacturing and retail
Current land use is: Currently vacant, was light manufacturing
Property is zoned: Agricultural, grandfathered as manufacturing

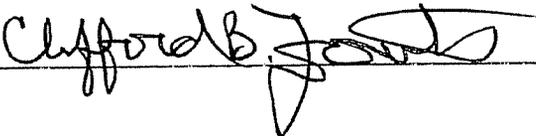
Petitioner requests that said Special Exception Usage be permitted so that the Owner may utilize the above said property to its highest and best use.

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: Clifford B. Fouts for Habitat for Humanity of Hernando County, Inc.

Street Address: 2035 Broad Street
mailing: P.O. Box 15389
City/State/Zip: Brooksville, Fl. 34604
Daytime Phone: 352-754-1159

Signature: 

C:\bolt\boards\pet_form\se_petit
Rev. 09/14/97, 12/09/97

APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Grace M. Haines, the owner(s) in fee simple of the below described real property hereby appoint Clifford Fouts-Habitat For Humanity 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.

Commencing at the NE corner of the SW ¼ of Section 33, township 22 South, Range 19 East, Hernando County, Florida, to thence S 01 degrees 10' 13" W, a distance of 25.00 feet to the POINT OF BEGINNING, continue
thence S 01 ° 10' 13" W, a distance of 637.01 feet;
thence N 30 ° 34' 41" W, a distance of 97.29 feet;
thence N 42 ° 49' 11" W, a distance of 168.74 feet;
thence N 32 ° 40' 26" W, a distance of 327.25 feet;
thence N 00 ° 30' 14" E, a distance of 157.00 feet;
thence S 89 ° 29' 41" E, a distance of 352.49 feet to the POINT OF BEGINNING.

Also described as: A TR 637X97X168X327X157X352 FT MOL IN E1/2 OF SW ¼
ORB 1041 PG 1705. PARCEL R33 422 19 0000 0510 0010

Dated: 1/25/2007

Signed in the presence of:

WITNESSES:

Signature Cynthia M. Arko
Print Name CYNTHIA M. ARKO

Signature [Signature]
Print Name EDWARDS L. PARTEE

Signature _____
Print Name _____

Signature _____
Print Name _____

LANDOWNER(S):

Signature Grace M. Haines
Print Name Grace M. Haines

Signature _____
Print Name _____

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OWNER OR AGENT AFFIDAVIT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Grace M. Haines, being duly sworn, hereby depose and say
Grace M. Haines is the owner of the herein described property to-wit:

Commencing at the NE corner of the SW ¼ of Section 33, township 22 South,
Range 19 East, Hernando County, Florida, to thence S 01 degrees 10' 13" W, a
distance of 25.00 feet to the POINT OF BEGINNING, continue
thence S 01 ° 10' 13" W, a distance of 637.01 feet;
thence N 30 ° 34' 41" W, a distance of 97.29 feet;
thence N 42 ° 49' 11" W, a distance of 168.74 feet;
thence N 32 ° 40' 26" W, a distance of 327.25 feet;
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thence S 89 ° 29' 41" E, a distance of 352.49 feet to
the POINT OF BEGINNING.

Also described as: A TR 637X97X168X327X157X352 FT MOL IN E1/2 OF SW ¼
ORB 1041 PG 1705. PARCEL R33 422 19 0000 0510 0010

ACKNOWLEDGMENT

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

Witness Signature: [Signature]

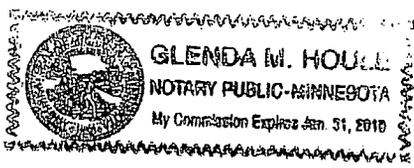
Owner/Agent Signature: Grace M. Haines

STATE OF ~~FLORIDA~~ Minnesota
COUNTY OF Ramsey

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 25th
DAY OF January, 2007 BY THE ABOVE PERSON(S) Grace M. Haines
WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED
AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN
OATH.

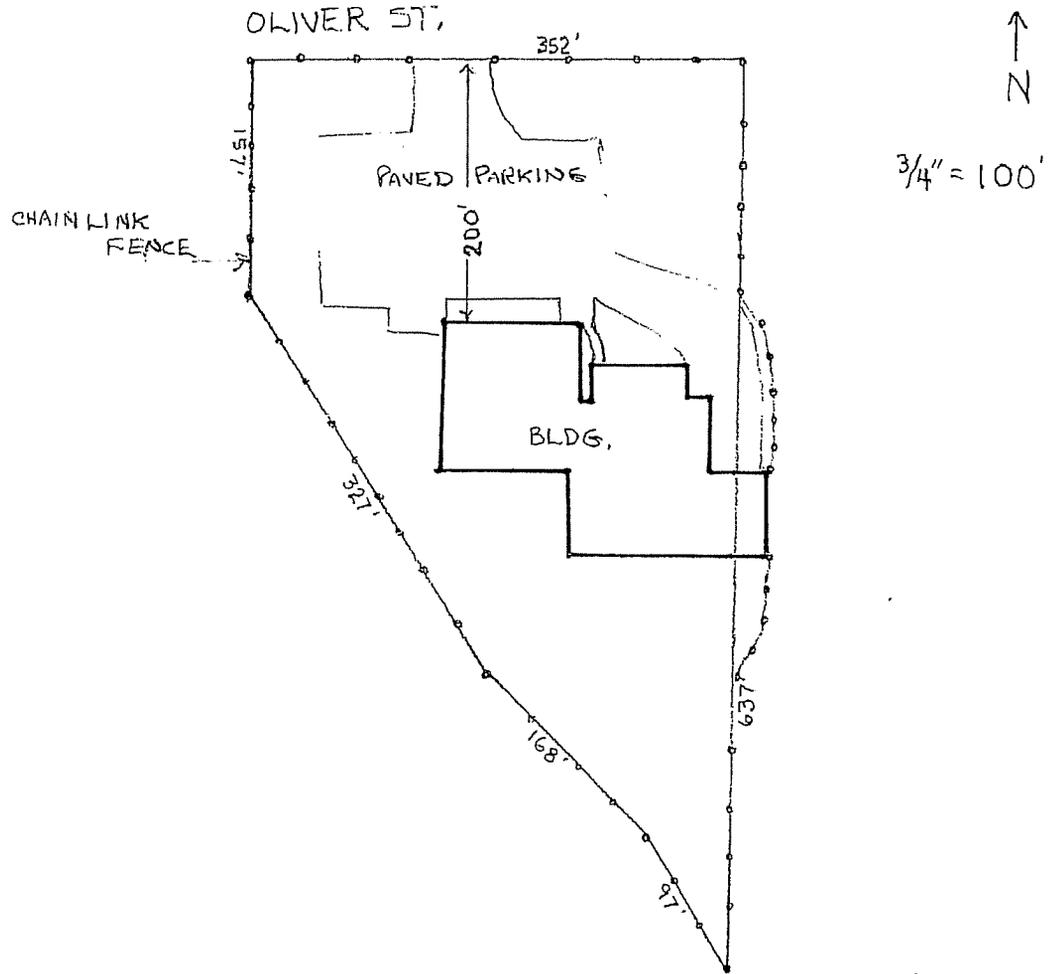
Glenda M. Houle
SIGNATURE OF NOTARY

Glenda M. Houle
PRINTED NAME OF NOTARY



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**SITE PLAN OF 19370 OLIVER STREET
EXISTING BUILDING**





Office and Thrift Store: 2035 Broad Street
Office: (352) 754-1159 Fax: (352) 754-6044
Thrift Store: (352) 754-1255
Mailing: P.O. Box 15389, Brooksville, Fl. 34604

Officers

January 25, 2007

President:
Bob Jillings

To: The City of Brooksville, Florida
Planning & Zoning Commission

Vice-President:
Ken Aldridge

Habitat for Humanity of Hernando County is an affiliate of Habitat for Humanity International. Habitat of Hernando receives no funds from Habitat International and accepts no Government funds. Donations in time and money from individuals, businesses and organizations in Hernando County are used to build the simple, decent, affordable houses for low-income families.

Secretary:
Arlene Palmeri

Treasurer:
Diana Bartlett

In order to attempt to build more homes Habitat opened a Thrift Store in July of 2003 because people were willing to donate "things" when they would not donate funds. We have been able to turn donated items into cash used to build homes. The success of our Thrift Store has become very important to the continued success of the Affiliate. That is, by funding the construction of homes.

Directors

Don Berg
Glenn Claytor
Al Hernandez
Lisa Kiddon
Gerard Schneider
Doug Steele
Bill Yoos
David VanHorn

Since July of 2003 the Thrift Store has been in two different locations. We moved the first time to increase space. This time we are moving at the request of our current landlord. Habitat needs to be in a consistent location where we can concentrate on developing funding and building more homes.

The location at 19370 Oliver Street would give us the space for offices, a Thrift Store and still provide warehouse space where we can store building materials and build wall sections to be transported to the home building site.

Advisory Board

Ginny Brown-Waite
Josh Kelly
Richard Nugent
David Sasser
Grant Tolbert

The building at 19370 Oliver Street is owned by Mrs. Grace Haines, who lives in Minnesota. The land is owned by Hernando County and is adjacent to the Fair Grounds. I understand that it is zoned Agricultural but the property was grandfathered in as industrial. Mrs. Haines wishes the property to retain its industrial designation.

Habitat is requesting that the Planning and Zoning Commission grant a Special Exception Usage for this property to C-2 zoning, which would allow the property to support both industrial (manufacturing) and retail use.

Executive Director:

C. B. Fouts

Habitat wishes to continue, and increase, its work in Hernando County and asks for your assistance in helping our Affiliate to have a "home" for our operation.

Have you
remembered
Habitat in your
will?

Thank you,


Cliff Fouts for the
volunteers and staff

Email: habithernando@juno.com Web-site: habitat-hernando.com

Habitat for Humanity does not retain a professional solicitor or professional fundraising consultant.

All donations to Habitat for Humanity under this program are used exclusively for the building of Habitat houses. Habitat for Humanity of Hernando County is a 501 (c) 3 tax-exempt organization.

Florida Department of Agriculture and Consumer Services I.D. SC-03131

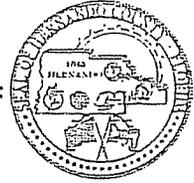
Habitat for Humanity of Hernando County is a United Way Agency

Jesus replied, "You must love the Lord your God with all your heart, all your soul, and all your mind.."

This is the first and greatest commandment. A second is equally important: Love your neighbor as yourself. " Matthew 22: 37-39 NLT

Board of County Commissioners

Hernando County



MAY 22 2007

20 N. Main Street, Room 460
Brooksville, FL 34601
(352) 754-4000
Fax (352) 754-4477
www.co.hernando.fl.us

May 18, 2007

Mr. William "Bill" Geiger
Community Development Director
City of Brooksville
201 Howell Avenue
Brooksville, Florida 34601

Re: Habitat for Humanity
Application to City of Brooksville for Commercial Uses

Dear Bill:

This letter will confirm action taken by the Hernando County Board of County Commissioners at their meeting on May 15, 2007. On that date, the Board authorized the re-zoning of the property located at 19370 Oliver Street, which is leased to Grace Haines and will be subleased by Habitat for Humanity, to allow a thrift store provided the re-zoning includes the continuation of the light manufacturing use.

If you need additional information or further action by the Board of County Commissioners, please advise.

Sincerely,

Larry Jennings
Deputy County Administrator

pc: Joseph M. Mason, Jr.

JUN 18 2007

JOSEPH M. MASON, JR. *

CAROLE JOY BARICE* # **

RICHARD M. MITZEL #
OF COUNSEL

*ALSO ADMITTED IN THE DISTRICT OF COLUMBIA

*ALSO ADMITTED IN ALASKA

*ALSO ADMITTED IN MICHIGAN

**BOARD CERTIFIED IN LOCAL GOVERNMENT LAW

LAW OFFICES OF
McGEE & MASON

PROFESSIONAL ASSOCIATION
101 SOUTH MAIN STREET
POST OFFICE BOX 1900
BROOKSVILLE, FLORIDA 34605-1900
TELEPHONE: (352) 796-0795
FACSIMILE: (352) 796-0235
E-MAIL: MAIL@McGEE&MASONLAW.COM

RICHARD E. MCGEE, SR.
(1916 - 2005)

4026 COMMERCIAL WAY
SPRING HILL, FLORIDA 34606-2398
TELEPHONE: (352) 686-1028

1520 WEST CLEVELAND STREET
TAMPA, FLORIDA 33606
TELEPHONE: (813) 259-1098

PLEASE REPLY TO:
BROOKSVILLE
June 18, 2007

Mr. William "Bill" Geiger
Community Development Director
City of Brooksville
201 Howell Avenue
Brooksville, Florida 34601

HAND DELIVERY

In Re: Habitat for Humanity
Hernando County Chapter
Property at 19370 Oliver Street

Dear Bill:

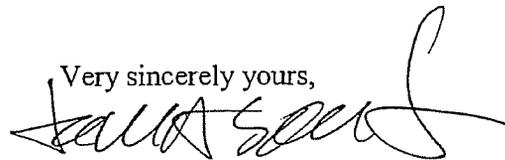
Enclosed is a copy of a letter dated June 15, 2007, which I have received from Edward L. Pardee, primary counsel, in Minnesota, for my client, Grace Haines, who I represent locally. The letter is self-explanatory.

As you are aware, Habitat for Humanity seeks to lease the building, on Oliver Street, which Grace Haines has under long-term lease from Hernando County. It is my understanding that Habitat has submitted an application requesting the City to re-zone the property from agriculture (with a preexisting non-conforming light industrial/ manufacturing use) to C-2, with a special exception for retail uses, to accommodate both its light manufacturing/industrial and its thrift store activities.

Recently, you received a letter from the County consenting to that re-zoning, so long as the entire property retained at least its "light manufacturing" uses. According to our conversations regarding this matter, prior to the issuance of the County's consent letter, both "light manufacturing" and "thrift store retail commercial" will be allowed on the property following the rezoning as requested.

Apparently the application by Habitat for Humanity is languishing, and not making progress toward an ultimate decision thereon. Please let me know if there is anything I can do that will assist in moving this matter towards a resolution.

Very sincerely yours,



JOSEPH M. MASON, JR.

JMM/kpm/km\D: 06/17/07

HAB061707.H-1LET

Enclosure

pc (w/o enc.): Edward L. Pardee, Esquire

**CITY OF BROOKSVILLE
SPECIAL MEETING
CITY ATTORNEY SELECTION PROCESS
&
FINAL PUBLIC HEARING
FISCAL YEAR 2007/08 BUDGET**

MINUTES

SEPTEMBER 19, 2007

6:00 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; T. Jennene Norman-Vacha, City Manager; Karen M. Phillips, City Clerk/Director of Administration; Janice L. Peters, Deputy City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Emory Pierce, Director of Public Works; Frank Ross, Interim Police Chief and Tim Mossgrove, Fire Chief. Members of the Hernando Today, Hernando Times and Brooksville Belle were also present.

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

City Attorney LaCroix indicated that he had filed and served the City's response in the annexation challenge filed by the County.

FOLLOW UP INTERVIEWS

Finalize Interview Format

Ten Minute Interview per Candidate/Firm

a) **Fowler & O'Quinn, PA, Orlando, FL - Principal Counsel Carole Joy Barice**

Attorney Carole Barice addressed Council and at the request of Council Member Bradburn gave a brief overview of her work at Altamonte Springs, which included drafting and defending Ordinances, working with Public Works, Code Enforcement actions, and acted as Council for the Sanford Housing Agency during a time when their Attorney was not available. She also stated that she has always been involved in environmental issues and is Board Certified in City/County local government law.

Council Member Bernardini asked again who the City would be contracting with. Attorney Barice indicated she would be the formal Attorney and the Fowler firm would be the backup.

Discussion continued of her experiences with concurrency, development regulations, Comprehensive Plan development, Growth Management and her work as the representative for the Lake County Water Authority.

She added that, to a certain degree, the salary is negotiable.

Council Member Bernardini apologized for referring to Attorney Barice as "the girl" the previous week during interviews.

FINAL BUDGET HEARING/SPECIAL MEETING - SEPTEMBER 19, 2007

- b) The Hogan Law Firm, Brooksville, FL - Principal Counsel George G. Angeliadis

Attorney Thomas S. Hogan, Jr. again reviewed what the firm's role would be in representing the City and their experience, noting that they have never represented a City or a County. He elaborated on his views concerning developers, stating that in general their firm had not done a lot of representation of big developers. He advised that should a possible conflict arise he would notify Council immediately. He felt the role of Attorney for the Board to be as a legal advisor, and whether he has an opinion about growth or not he didn't feel it would be relevant in his capacity as Attorney for the Board. He advised that, should their firm be chosen, they would be able to start immediately.

Mayor Pugh asked if an issue with annexation came up could they handle that. Mr. Hogan felt they could handle any matter, even if they had to do research.

Council Member Bernardini asked about the hourly rate, to which Mr. Hogan suggested 14 hours for \$2500 dollars and \$200 per hour thereafter, paralegal rate is \$100 per hour.

- c) Kristie L. Kroslack, Attorney at Law, Brooksville, FL

Attorney Kroslack prepared a list of discussion points and accomplishments, which she reviewed, as well as her experiences working with other cities.

Council Member Bradburn asked about her negotiations with the Red Sox Agreement for the City of Ft. Myers and the settlement for the Brown Field. Attorney Kroslack indicated she had drafted the County's Brown Field Administrative Redevelopment Policy, which was adopted.

Mayor Pugh asked how many employee grievances she had handled and she indicated two.

- d) Joseph A. Poblick, P.A., Attorney at Law, Zephyrhills, FL

Attorney Poblick wanted to clarify a couple of misconceptions. He stated he does not feel the City Attorney to be a policy maker. He stated he has been practicing law since 2001, has no conflicts of interest in representing the City of Brooksville and does not represent developers. He indicated he is working toward Municipal Law experience and felt it would be beneficial to the City to have an Attorney that is currently working in a municipal capacity and is agreeable with the current City Attorney contract.

Discussion followed of the population of and his role as the Attorney for the City of Zephyrhills, as well as his opinion on his ability to serve as the Zephyrhills Deputy City Manager.

Mr. Poblick stated it is the City Attorney's role to work with staff in achieving the directions of Council and he has experience in developing code and personnel issues, which have not gone to litigation.

FINAL BUDGET HEARING/SPECIAL MEETING - SEPTEMBER 19, 2007

BREAK FOR CITY COUNCIL TO EVALUATE AND RANK ATTORNEYS

The attorney's were ranked and the votes were given to City Clerk Phillips to tally.

Council Member Bernardini, for the record, apologized for a comment he made to Attorney Barice at the last meeting where he referred to her as "the girl".

Mayor Pugh announced the first place attorney was The Hogan Law Firm for negotiation of a contract on the next agenda.

***ADJOURN AND RECONVENE
FINAL BUDGET PUBLIC HEARING - 7:00 P.M.***

PUBLIC HEARING - PRESENTATION OF PROPOSED BUDGET FOR FISCAL YEAR STARTING OCTOBER 1, 2007

Public Announcement - Ad Valorem Tax Rate (TRIM Notice)

Pursuant to Section 200.069, F.S., "Notice of Proposed Property Taxes" (TRIM NOTICE) the proposed ad valorem rate for the Fiscal Year 2007/08 was advertised to be a maximum of 7.0000 mills. This millage rate would be a 00.74% increase over the rolled back rate of 6.9484 mills. After reviewing revenue projections and proposed expenditure levels for the 2007/08 Fiscal Year, the General Fund budget is balanced at a proposed rate of 6.3230 mills, which is 9.0006% less than the current year's rolled-back rate.

Mayor Pugh announced that the City of Brooksville is presenting the millage request for a decrease of 9.0006% under the roll back rate. The roll back rate is 6.9584 mills and the requested rate is 6.3230 mills.

Public Hearing - Fiscal Year 2007/08 Proposed Budget

The budget was discussed by Departments as follows:

Administration

Council Member Bernardini indicated that on page 28, line item 5, he is opposed to the Computer System Specialist position. Council Member Bradburn concurred, but is willing to leave in for the discretion of the City Manager at this time.

Mayor Pugh asked if it is realistic to think the position could be filled at that salary and City Manager Norman Vacha confirmed it could be.

No Public Input

Community Development

Council Member Bernardini, as stated before, was opposed to the positions of Redevelopment Coordinator and Growth Management Planner. Council Member Bradburn strongly urged to have a Certified Planner on board.

FINAL BUDGET HEARING/SPECIAL MEETING - SEPTEMBER 19, 2007

Mayor Pugh stated he supported the position for now but wanted someone consistent in the position, which has not been had and that if the position has not been filled by January the position will be reevaluated.

Vice Mayor Burnett supported the positions in the Community Development Department and hoped Director Geiger is able to fill the positions.

Mayor Pugh made it clear the Redevelopment Coordinator position is for the City as a whole, not one specific area.

Public Input

Pierre Desjardins asked for clarification that Mayor Pugh's support is until January if no candidate is found. Mayor Pugh stated that it depends on what happens in January in regards to further budget cuts.

Mr. Desjardins asked if those discussions will be open for public, to which Mayor Pugh stated the matter would probably be discussed at the next budget cycle. Mr. Desjardins expressed that he hoped they would keep in mind the seriousness of the position feeling it to be a crucial position to the community and recommended a staff assistant for the position as well.

Police Department

Council Member Bernardini and Council Member Bradburn were opposed to the second Lieutenant position, preferring to readdress when the new Chief is in place.

Extensive discussion followed in which Chief Ross made a final plea for the second Lieutenant position. The shifting of officers, as well as budget amendments concerning the position, were reviewed.

Public Input

Pierre Desjardins asked Chief Ross for clarification that the budget proposed is based on the anticipated cuts and if we are currently running with three Officers and a Sergeant per shift or four Officers and a Sergeant.

City Manager Norman Vacha advised that two officers were eliminated from last year's budget, which reflects three Officers and a Sergeant per shift. Mr. Desjardins asked Chief Ross if that is adequate to protect the citizens of this City. Chief Ross answered affirmatively. Discussion continued.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini to eliminate the second Lieutenant position and increase line item 9 by \$34,715 for one officer, with the excess put into reserves for the new Chief to decide. Motion passed 4-1, with Vice Mayor Burnett voting in opposition.

There was no further comment or discussion on the remainder of the budget.

FINAL BUDGET HEARING/SPECIAL MEETING - SEPTEMBER 19, 2007

City Manager Norman-Vacha gave an update on the employee healthcare benefits, which were reduced to only a 22.4% increase. She indicated that Blue Cross will now provide Dental, as opposed to the self-insurance fund. She advised that all the departments have worked hard on the budget while continuing to produce quality levels of services that the City has grown accustomed to.

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Bernardini for acceptance of the recommended FY2007/08 Budget, as amended.

Mayor Pugh indicated that the Resolution for the millage rate needed to be adopted first. Item D-2c was moved forward and motion was rescinded.

Approval of Resolution No. 2007-18 for FY2007/08

Consideration of proposed resolution levying a General Fund Ad Valorem Millage Rate of 6.3230 mills.

[Note: Restatement of Public Announcement required if millage rate adjustment]

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval Resolution No. 2007-18 establishing the FY2007/08 ad valorem tax rate at 6.3230 mills.

City Clerk Phillips read Resolution No. 2007-18 by title as follows:

A RESOLUTION LEVYING AN AD VALOREM MILLAGE RATE FOR THE FISCAL YEAR 2007-2008 FOR THE OPERATION OF THE VARIOUS DEPARTMENTS AND FUNDS OF THE CITY OF BROOKSVILLE, FLORIDA, AND PROVIDING AN EFFECTIVE DATE.

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

Consideration of the Recommended 2007/08 Fiscal Year Budget

Review of balanced budget, together with consideration of additional proposed changes.

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Bernardini for acceptance of the recommended FY2007/08 Budget, as amended.

Ordinance No. 751 - Recommended Budget for FY2007/08

Consideration of second and final reading of proposed budget effective October 1, 2007.

[FIRST READING 09/05/07]

City Clerk Phillips read Ordinance No. 751 by title as follows:

FINAL BUDGET HEARING/SPECIAL MEETING - SEPTEMBER 19, 2007

AN ORDINANCE APPROPRIATING CERTAIN MONIES FOR THE GENERAL OPERATIONS OF THE CITY OF BROOKSVILLE, FLORIDA, FROM ITS SEVERAL FUNDS FOR THE TWELVE MONTH PERIOD BEGINNING OCTOBER 1, 2007 AND ENDING SEPTEMBER 30, 2008.

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

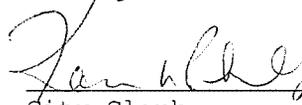
Mayor Pugh thanked all the Department Heads and staff members for doing a fine job, also our citizens for coming and giving input.

New Business Discussion - Water Transfer Issue

Council Member Bernardini reported on a meeting that took place that day at the Board of County Commissioner's chambers discussing the SJRWMD inter-district water transfer issue. The local bodies were discussing the possibility of taking action to oppose this move. Council Member Lewis stated that if they wanted the City to support such action we could always come back with a resolution or something. Council Member Bradburn relayed past issues and Senator Dockery's anticipated support of opposition as well, which she urged all to contact in support.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:15 p.m.



City Clerk

Attest: _____
Mayor

BROOKSVILLE BUSINESS ALLIANCE, INC.

P.O. Box 524
Brooksville, FL 34605

AGENDA ITEM NO. C-2
11-19-07

October 12, 2007

Honorable Mayor David Pugh
201 Howell Avenue
Brooksville, FL 34601

RE: Market on Main Street

Honorable Mayor Pugh:

Brooksville Business Alliance, respectfully requests permission of the City Council to continue its monthly Market on Main Street between Broad and Liberty Streets and at the City parking lot located at 29 S. Main Street. The City Council originally approved the "Market" August 4, 2003 and we believe it would be advantageous to continue this event.

The Market on Main Street has proven to be a successful event over the past year. It has increased traffic to downtown on the weekends and businesses have felt the positive economic impact of the event.

I thank you for your thoughtful consideration of this matter. If I may provide any further details to assist you in your determination, please do not hesitate to contact me at 797-9330.

Sincerely,



Evelyn Duncan
Event Coordinator

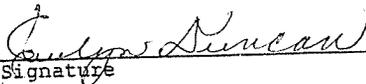
Attachment

**CITY OF BROOKSVILLE
APPLICATION FOR TEMPORARY
STREET CLOSURE**

201 Howell Avenue
(352) 544-5407



INSTRUCTIONS: Complete top portion of form and return to Clerk's Office, 201 Howell Avenue, Brooksville, FL 34601. A broad form type events coverage or other insurance policy acceptable to the City is required to protect the City from any and all claims for injuries, or damages occurring during or resulting from this event in an amount of not less than \$100,000 for each individual and \$300,000 for event. Applicant will be notified of estimated cost; receipt of the deposit and the Certificate of Insurance are required not later than three (3) business days before the event. Certificate Attached - Yes No

Name of Organization Brooksville Business Alliance		Event Market on Main Street	
Person in Charge Evelyn Duncan		Address 31 S. Main St. Brooksville	Telephone 352-797-9330
If unavailable (Alternate Name) Sally Petrie		Address P.O. Box 313 Brooksville	Telephone 352-650-8948
Date of Event See attached schedule	Starting Time 7:00 am	Ending Time (approx) 3:00 p.m.	Estimated Number of Participants 14 to 43 vendors
Proposed Route (include Street/Avenue, attach location map) The Market is set up between Broad St and Liberty St, and the City Parking Lot next door to the Antique Sampler Mall on Main St.			
I/We <u>Brooksville Business Alliance, Inc.</u> assume responsibility for reimbursing the City's cost as estimated below, and all liability for injuries and damages and will hold the City harmless from any claims arising directly or indirectly from the event, including or as a result of City's closure of the street(s) to facilitate the event. If applicant is a corporation, association, or partnership, the undersigned warrants he/she is authorized to execute binding contracts on behalf of the applicant.			
 Signature State of Florida County of _____ The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who is personally known to me or who presented _____ as identification, and who (did) (did not) take an oath. _____ [Signature of Notary Public]			
		[Printed, typed or stamped name of Notary Public]	
		[Commission Number of Notary Public]	

NOTICE: PERMIT NOT VALID UNLESS APPROVED BY DESIGNATED CITY REPRESENTATIVE.

Total Deposit \$ _____		Received By: _____	Date _____
Police Chief	Date	City Manager 	Date 11-09-07

Distribution: Original to Applicant; Copies to Chief of Police, Director of Public Works, City Manager and City Clerk

NOTE: A LIST OF STREETS BEING CLOSED WITH DATES AND TIMES WILL BE RELEASED TO THE PRESS NO LESS THAN 5 DAYS PRIOR TO THIS EVENT.

CITY OF BROOKSVILLE

STREET CLOSURE COST PROJECTION

201 Howell Avenue
(352) 544-5407



Event: Market on Main Street

Starting: see schedule attached End: _____

Police Department

N/A

Personnel	_____	@	\$ _____	=	\$ _____
Equipment	_____	@	\$ _____	=	\$ _____
	_____	@	\$ _____	=	\$ _____
	_____	@	\$ _____	=	\$ _____
	_____	@	\$ _____	=	\$ _____

POLICE DEPARTMENT TOTAL \$ 0

Fire Department

N/A

Personnel	_____	@	\$ _____	=	\$ _____
Equipment	_____	@	\$ _____	=	\$ _____
	_____	@	\$ _____	=	\$ _____
	_____	@	\$ _____	=	\$ _____
	_____	@	\$ _____	=	\$ _____

FIRE DEPARTMENT TOTAL \$ 0

Public Works

Barricades only

Personnel	_____	@	\$ _____	=	\$ _____
Equipment	_____	@	\$ _____	=	\$ _____
	_____	@	\$ _____	=	\$ _____
	_____	@	\$ _____	=	\$ _____
	_____	@	\$ _____	=	\$ _____

PUBLIC WORKS TOTAL \$ 0

ESTIMATED TOTAL DUE CITY \$ 0

TOTAL Actual Costs \$ 0 Billed \$ _____

Payment Received By: _____

no costs

**REQUEST to CITY OF BROOKSVILLE
FOR STREET CLOSINGS &
CITY PARKING LOT ON MAIN STREET
Brooksville Business Alliance**

2008

EVENT	DATE	STREETS	CLOSING TIMES
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	January 19, 2008	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	February 16, 2008	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	March 15, 2008	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	April 19, 2008	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	May 17, 2008	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	Market Closed June	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	Market Closed July	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	Market Closed August	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	Sept. 20, 2008	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.

Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	Oct. 18, 2008	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	Nov. 15, 2008	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. -- 3 p.m.
Market on Main Street (<i>Antiques, Collectibles, Produce, Shrubbery, Crafts</i>)	Dec. 20, 2008	Main Street, between Broad & Liberty Sts. & City Parking Lot between Main St. & Brooksville Ave.	7:00 a.m. – 3 p.m.

STAFF REPORT

To: Honorable Mayor & City Council
Via: T. Jennene Norman-Vacha, City Manager 
From: Bill Geiger, Community Development Director 
Subject: Enterprise Zone Development Agency (EZDA) Membership Changes
Date: November 6, 2007

Overview: Section 5 of the Enterprise Zone Interlocal Agreement between Hernando County and the City of Brooksville dated December 18, 2001, provides for the City to review all board member applications to the EZDA, and make appointment recommendations to the County for due consideration prior to the County's action to officially appoint the board member(s).

Attached is correspondence received from Hernando County, related to the appointment of Sgt. Michael Lindsay Burzumato to replace Sgt. Robert Libengood (who has been transferred to another position in the Hernando County Sheriff's Department). Sgt. Libengood held the EZDA position represented by a local law enforcement officer. Additionally, Ms. Matilde Marini-Armarchand applied for the vacant finance/insurance position on the EZDA Board. The Board of County Commissioner's approved the appointments as part of their Consent Agenda on September 18, 2007.

Budget Statement: There is no budget impact.

Recommendation: Motion to confirm the Board of County Commissioner's action to appoint Sgt. Michael Lindsay Burzumato to the local law enforcement representative position, and Ms. Matilde Marini-Armarchand to the vacant finance/insurance position on the EZDA Board.

Attachments:

- (1) McHugh-to-BCC Memorandum (08/27/2007)
- (2) Matilde Marini-Armarchand Committee Application

pc: file

MEMORANDUM

Consent Agenda Item

To: The Honorable Chairperson and Members of the Board of County Commissioners

Via: Mr. Gary Kuhl, County Administrator
Mr. Larry Jennings, Deputy County Administrator 

From: Michael McHugh, Director of Business Development 

Subject: Enterprise Zone Board Membership Changes

Date: August 27, 2007

Brief Overview:

The Hernando County Enterprise Zone Development Agency (EZDA) was duly created under Chapter 290 of the Florida Statutes and Hernando County Ordinance 2001-25. The Board is comprised of eleven (11) members representing various organizations and segments of the community.

One position has changed. Sgt. Robert Libengood, law enforcement member from the Hernando County Sheriff's Office has been transferred and Sgt. Michael Lindsey Burzumato wishes to assume his remaining term of service on the EZDA Board. Ms. Matilde Marini-Amarchand wishes to apply for the vacant finance/insurance position on the EZDA Board.

Legal impact: The Hernando County Attorney's Office has reviewed this request for sufficiency 

Budget Impact: There is no budget impact.

Recommended Action: Staff requests the appointment of Sgt. Michael Lindsey Burzumato as a replacement for Sgt. Libengood and Ms. Matilde Marine-Armachand to the Enterprise Zone Board as a new member with a term(s) expiring in 2008. All membership changes will also be forwarded to the Brooksville City Council for approval.

Board of County Commissioners

Hernando County



20 N. Main Street, Room 466
Brooksville, FL 34601
(352) 754-4000
Fax (352) 754-4477
www.co.hernando.fl.us

MEMORANDUM

TO: Mike McHugh, Director
Office of Business Development

FROM: Alice Gura, Office Manager AG

SUBJECT: Application for the Enterprise Zone Development Area Advisory Board

DATE: August 20, 2007

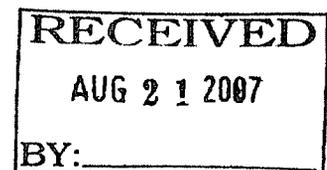
A news release has been issued soliciting applications from individuals interested in serving on the Enterprise Zone Development Area Advisory Board as Enterprise Zone residents, and as a financial/insurance sector representative.

As a result of the news release, the following individual submitted an application:
Matilde Amarchand

The applicant has been verified as being a resident and elector of the County.

Please present this matter to the EZDA Board and provide their recommendation for appointment to my office.

Attachment



Date: 08/15/07

From: Matilde Amarchand

Ph: 352 799 3565

Fx: ~~352~~ 352 799 0677

To: Hernando County
Board of County Comm

Ph: 352 + 754 + 4002

Fx: 352 + 754 + 4477

Pages: 07 (includes cover)

application for bounce
position @ Enterprise Zone
1 board member to follow by mail

2007 AUG 15 PM 2:21

RECEIVED
BOARD OF COUNTY COMM
HERNANDO COUNTY

**HERNANDO COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARD/COMMITTEE APPLICATION**

Name of Board/Committee Enterprise Zone Dev. Ag
Please type or print clearly
 Check one: Full Member Position Alternate Member Position
 Name Matilde Maurini - Amarcha
(Your name must be listed as it appears on your voter's registration card)

THE FOLLOWING INFORMATION IS REQUIRED FOR COUNTY RECORDS AND BECOMES PUBLIC RECORD UPON SUBMITTING THIS APPLICATION. IF YOU BELIEVE THAT YOU QUALIFY FOR AN EXEMPTION TO THE RELEASE OF THIS INFORMATION, PURSUANT TO F.S. 119.07, PLEASE STATE THE BASIS OF YOUR EXEMPTION. YOUR FAILURE TO ANSWER FULLY AND TRUTHFULLY ALL QUESTIONS COULD RESULT IN YOUR APPLICATION BEING DENIED OR YOUR SUBSEQUENT REMOVAL FROM ANY BOARD/COMMITTEE IF APPOINTED.

Address 14382 Hunt Club Lane
 City Spring Hill Zip 34609
 Telephone 352 799 3565 (home) 813 341 9100 (business)
 Are you a resident of Hernando County? Yes - 14 years
 Voter Registration Number 104.397.802
 Education See resume
(Please include any certificates, awards, diplomas, degrees, professional license numbers, etc.)

Employment History See Resume
(Attach a resume if available)

Licenses or Certificates Held See resume

Have you ever previously applied for a position on any County Board/Committee? no
 If yes, please state the Board(s)/Committee(s) you applied for, when you applied, and whether you were appointed

Have you ever been convicted, plead guilty or no contest, or entered into PII for a felony or 1st/ 2nd degree misdemeanor? no
Answering yes does not automatically disqualify you for consideration

If yes, what charges? _____
 Are you currently involved as a defendant in a criminal case? no

If yes, what charges? _____
 Have you ever been named as a defendant in a civil action suit? no

If yes, when and describe action _____

Please state your reasons for applying to this Board/Committee

my economic development background;

Please list three character references of persons NOT related to, NOT an employer, NOT an employee of you or your company, and whom you have known at least one (1) year. Please include addresses and phone numbers.

1. Robin Gonzalez (ph) 352-797-3500
2. Marsden Sullivan (ph) 352-596-95
3. Russel Bain - (ph) 727-992-5289-1

I hereby request consideration as a committee/board appointee. It is my intention to familiarize myself to the duties and responsibilities of the office to which I may be appointed, and to fulfill the appointment to the best of my ability, exercising good judgement, fairness, impartiality, and faithful attendance. By my signature below, I hereby authorize Hernando County to check my references and my background including, without limitation, obtaining a criminal history check and/or consumer credit report. I also agree to file a Financial Disclosure form as required by State law, if applicable, and abide by provisions of the State Sunshine Law.

I hereby swear and affirm, under Penalty of Perjury, that the above information is true and correct.

Applicant's signature

Martelle

(Please direct all inquiries to the County Administrator's Office at 754-4636.)

Martelle - A. M. M. M.

Completed applications may be submitted to the County Administrator's office, 26 North Main Street, Room 460, Brooksville, Florida 34601, or faxed to 352-754-4477.

MATILDE MARINI-AMARCHAND

**14382 Hunt Club Lane
Spring Hill, Fl 34809
Cel (813) 546-9100**

**Ph (352) 799-3566
Fx (352) 799-0677
E-Mail: mamar5@tampabay.rr.com**

Objective	To be in a business organization, where I can use my international trade skills to design and create new business opportunities; using my strong analytic and problem solving skills to design, develop and implement new ideas into successful projects.
Employment	<p>Professor, School of Business Administration Saint Leo's University, Mac Dill Air Force Base January 2007 – Present Undergraduate business classes to air force personnel</p> <p>Consultant, International Trade and Development Rama Business Consulting, Inc. January 2004 – Present Consulting and representation in the areas of international trade and new business development.</p> <p>Manager, International Economic Development Greater Tampa Chamber of Commerce, EDO June 1999 – June 2001 Coordinate all international related activities for the chamber, plus designing, developing and implementing programs and trade missions.</p>
Education	<p>University of South Florida - Tampa, Fl August 2001 – December 2003 Executive Master Degree in Business Administration College of Business Administration</p> <p>University of South Florida - Tampa, Fl February 1994 – May 1999 Bachelor in Arts and Sciences in International Studies College of Arts and Sciences</p> <p>Duke University – Durham, NC Spring 2002 Mergers Acquisitions and Corporate Restructuring The Fuqua School of Business Executive Education</p>
Related Skills	Strong analytical and problem solving skills, database and spreadsheet creation and project management, basic Excel and Access programs; project designing, development and implementation, comfortable working in fast paced environments and quick thinking situations.

Fluent in Portuguese and English, working knowledge in Spanish and Italian, work permit to Mercosur and the European Union.

References Available Upon Request

References

Mr. Myron L. Hughes **Phone # 813 276 8413**
Vice President of Economic Development
The Greater Tampa Chamber of Commerce
Tampa, Florida

Mr. Steven A. Baumgartner, PhD **Phone # 813 974 3335**
Director, MBA Program
College of Business Administration
University of South Florida
Tampa, Florida

Mr. William J. Flynn **Phone # 813 228 7411**
Attorney At Law
Fowler, White, Gillen, Boggs, Villareal & Banker, P.A.
Tampa, Florida

Mr. Raymond Jackson, PhD **Phone # 508 998 8444**
Professor of Economics
College of Business Administration
University of Massachusetts – Amherst Campus
Amherst, Massachusetts

in direction

RANMA

RANMA

Ranma Business Consulting, Inc.

MATILDE AMARCHAND
INTERNATIONAL TRADE MANAGEMENT
A ECONOMIC DEVELOPMENT CONSULTING

P.O. BOX 1259
TAMPA, FL 33601-1259

5111 N. TAMPA STREET
SUITE 209
TAMPA, FL 33601

PHONE: (813) 341-9189 • FAX: (813) 325-1790 • MOBILE: 1-813-505-
3100 • WWW.RANMABUSINESSCONSULTING.COM • EMAIL: RAMAR@RANMABUSINESSCONSULTING.COM

KVILCHS

International Trade Management

concentration is to bring unique products and ideas to North American markets, as well as introduce U.S. made products and services to overseas markets. We provide import - Export management consulting to assist all our clients' needs worldwide.

International Economic Development

International opportunities are a significant source of growth and wealth generation to local communities, whose local economic development agencies are to create and develop an EED plan tailor made for community in order to take full advantage of today's opportunities.

International Business Consulting

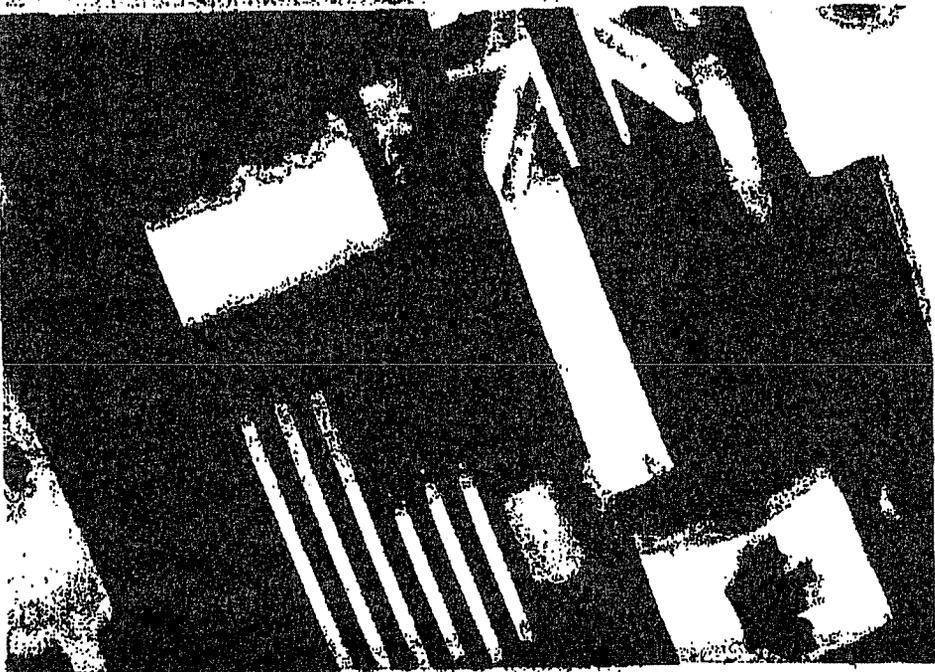
a Business is a consulting and representation agency operating in the areas of international trade development and project design and implementation, facilitating the company logistic processes in areas of international trade and new business development.



RAMMA

International Relocation Services

We assist international business with their relocation needs by providing "one-stop" relocation services to meet their business needs of their employees transferring to Florida.



CLIENTS AND
Our clients benefit from our experience, and working relationships with various government and private sector representatives in the critical areas of:

- Investment promotion and trade agencies
- Economic development bodies
- Tax, legal and accountancy service providers
- Location advisory and export consultants
- Trade associations and chambers of commerce
- Airport and port authorities
- Business and science parks
- Human resource specialists
- Financial services and banks

AFFILIATIONS

Ramma Business Consulting is a member of the following professional organizations:

- The International Economic Development Council
- The Greater Tampa Chamber of Commerce
- The University of Tampa Board of Fellows Forum
- The Center for Smart Business



MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCILMEN
FROM: T. JENNENE NORMAN-VACHA, CITY MANAGER 
SUBJECT: PERSONNEL POLICY REVISION – SECTIONS 2.00 B, 2.01, 2.02
DATE: NOVEMBER 9, 2007

Attached is a letter that we received from Deborah Hogan of the Hogan Law Firm (Attachment 1) recommending that the City Council remove Sections 2.00 B, 2.01 and 2.02 from the current City of Brooksville Personnel Policy Manual. These sections are in reference to the Personnel Advisory Board and are attached as Attachment 2.

As you will recall, this action was recommended by Reynolds Allen (labor attorney) when he appeared before Council on May 14, 2007. At that time, City Council changed its policy in regard to grievance procedures, eliminating the referral to the Personnel Advisory Board. Mr. Reynolds had further suggested the elimination of the Personnel Advisory Board as structured from the City's policy.

The Hogan Law Firm, in review of the recommendations of Mr. Allen and working with the City Manager to revise the City's personnel policies, is in agreement with the recommendation to eliminate the Personnel Advisory Board from the City's Personnel Policy.

BUDGET IMPACT: This is a policy change that carries no budget or financial impact.

LEGAL REVIEW: Legal has reviewed this policy change and recommends elimination of Sections 2.00 B, 2.01 and 2.02 by the Council.

STAFF RECOMMENDATION: Staff recommends approval by City Council to revise the Personnel Policy Manual, specifically eliminating Sections 2.00 B, 2.01 and 2.02.

Attachment 1

Memorandum

To: **T. Jennene Norman-Vacha, City Manager**

From: **Deborah Hogan**

Date: **10/8/2007**

RE: **Personnel Advisory Board**

Effective February 12, 2007, the City Council adopted a new Temporary Grievance Procedure which waived referral of grievances to the Personnel Board, because it conflicted with the City Charter.

To promote uniformity in the Personnel Manual, we recommend that additional sections of the Personnel Manual be amended to conform with our predecessor's recommendation to cease referring grievances to the Personnel Board. We suggest the following amendments:

Delete §2.00 B,
Delete §2.01,
Delete §2.02

The effect of the proposed additional amendments would be to disband the Personnel Advisory Board.

This change may be adopted by motion, without a resolution. There is no requirement to refer this proposed amendment to the Policy Advisory Board for review or recommendation.

Attachment 2

CHAPTER II

ORGANIZATION FOR PERSONNEL ADMINISTRATION

Section 2.00	The City Council	Pg. 11
Section 2.01	Personnel Board	Pg. 11
Section 2.02	Duties of the Personnel Board	Pg. 12
Section 2.03	Director of Personnel	Pg. 12
Section 2.04	Human Resources Director	Pg. 12
Section 2.05	Personnel Records	Pg. 12

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CHAPTER II
ORGANIZATION FOR PERSONNEL ADMINISTRATION

Section 2.00 - The City Council

The City Council:

- A. Shall approve and/or disapprove all personnel rules, procedures and amendments thereto.
- B. May refer an issue to the Personnel Board for recommendation.

Section 2.01 - Personnel Board

The Personnel Advisory Board for the City shall consist of seven (7) members and one alternate member. Members serve for a term of three (3) years.

City Council shall appoint three (3) non-employees to the Board. These persons shall reside within the City.

Three (3) remaining members shall be employees elected by secret ballot of employees (excluding Department/Division Directors) within each of the three (3) Funds (General-Utilities-Sanitation) of the City. Announced elections will be held during the month of January before a member's term expires. Secret ballots will be distributed, collected and tallied by the City Clerk, Human Resources Director and the Chair of the Personnel Board. The employee receiving the highest number of votes in each of the three (3) Funds shall be deemed a member of the Personnel Board subject to approval of City Council.

The seventh (7) member of the Board shall be selected from the General Fund employees by the three (3) employees elected to the Board.

Any member of the Personnel Board may be removed by the City Council on recommendation of the Personnel Board. Three (3) unexcused absences in a six (6) month period will automatically initiate the removal procedure.

If a member is qualified for service on the Personnel Board by virtue of an employment status, loss of that status constitutes immediate loss of membership on the Personnel Board.

The Personnel Board shall elect a Chair and Vice-Chair at its first meeting subsequent to January 31st of each year. The Chair, or Vice-Chair in his/her absence, shall set the agenda, preside over the meetings, and designate the time and location of the meetings. Special meetings may be called at the request of the Chair, or any three Board Members. Four (4) members present, one (1) of which must be the Chair or Vice-Chair, and one (1) of which shall be a member appointed by the City Council, shall constitute a quorum. The Human Resources Director shall be an ex-officio non-voting member of the Personnel Board.

Section 2.02 - Duties of the Personnel Board

- A. Advise the City Council, Director of Personnel and Human Resources Director on matters relating to trends in personnel management.
- B. Act as a grievance review committee to conduct hearings and submit findings and recommendations to the Director of Personnel and/or the City Council if required.
- C. Make recommendations to the City Council for personnel policy changes.
- D. Review "Employee of The Quarter" nominations and make recommendation to City Council.

CHAPTER II
ORGANIZATION FOR PERSONNEL ADMINISTRATION

- E. Review and recommend "Employee Incentive Award" proposals.
- F. Perform any other personnel related duties assigned by the City Council.

Section 2.03 - Director of Personnel

The City Manager is the Director of Personnel and will supervise and direct the administration and technical functions of the personnel program. In addition to the duties imposed on him/her by these personnel policies, it shall be his/her responsibility to:

- A. Apply equally and fairly all personnel regulations as adopted by the City Council.
- B. Foster and develop, in cooperation with appointing authorities, elected officials, and other interested parties, programs for the improvement of employee effectiveness and morale.
- C. Appoint the Human Resources Director.
- D. Exercise all the duties and powers vested in the City Manager by the City Charter.

Section 2.04 - Human Resources Director

The Human Resources Director of the City shall have the responsibility to:

- A. Render service to the City Departments and Divisions in the area of personnel management.
- B. Establish and maintain all employee personnel files.
- C. Administer the adopted administrative policy and procedures for uniformity of personnel rules and procedures.
- D. Properly compute, control and record all personnel matters required by administrative policy.
- E. Properly manage personnel records as required by City, State and Federal laws, rules and regulations.

Section 2.05 - Personnel Records

City personnel records and employment applications are open for personal inspection by any person pursuant to Chapter 119, Florida Statutes.

- A. Employees and job applicants will be advised that employment applications and personnel files are available for public inspection pursuant to Chapter 119, Florida Statutes, and subject to any exemptions provided for by law.
- B. Employees are encouraged to review his/her personnel file periodically. Request for such review should be made through the Human Resources Office.
- C. The Human Resources Office will advise the employee through City mail when the employee's personnel file has been reviewed by any person other than City Council, City Management or Human Resources Office personnel.

CITY OF BROOKSVILLE
MEMORANDUM

To: City Council

Via: T. Jennene Norman-Vacha, City Manager

From: Emory Pierce, Director of Public Works
Robert Brown, Operation Supervisor-Sanitation Division

Re: **Purchase of Dumpsters**

Date: 11/07/07

We are requesting approval to piggyback on the City of Tampa's Bid No. 81021805, Steel Refuse Dumpsters and Lids bid and purchase dumpsters from Florida Can Inc. as listed below:

8 each 2cyd @ 323 ea. = 2584.00
8 each 4cyd @ 464 ea. = 3712.00
5 each 6cyd @ 577 ea. = 2885.00
5 each 8cyd @ 690 ea. = 3450.00
26 each \$ 12,631.00

The total purchase order amount will not exceed \$12,631.00. This expense is budgeted for in Sanitation Account # 403-022-534-54317 (Dumpsters) in the amount of \$20,000. The remainder amount will most likely be used to purchase additional dumpsters and replacement lids as needed.

Relevant pages of the Tampa bid documents and a summary price list are attached for your quick reference.

WASTEQUIP

Nationally known for personal service

P.O. Box 2678
Eaton Park, FL 33840-2678
TEL: 863-665-6507 FAX: 863-667-0432
www.wastequip.com

October 15, 2007

City of Brooksville
600 S. Brooksville Ave.
Brooksville, FL 34601

Attn: Robert Brown

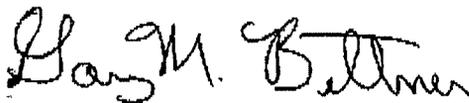
Dear Mr. Brown:

Wastequip – Florida Can is pleased to extend the City of Tampa’s bid pricing to the City of Brooksville.

Please feel free to “piggy-back” off their bid number 81021805.

If you have any questions or require any additional information, please do not hesitate to contact us.

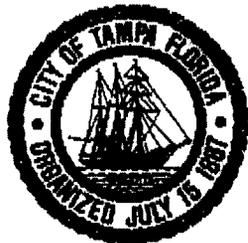
Thank you again for your past and ongoing business.



Sincerely,

Gary M. Bittner
Sales Manager

Post-It® Fax Note	7671	Date	10-15-07	# of pages	5
To	Robert Brown	From	Stegman		
City/Dept.	City of Brooksville	Co.	WQ		
Phone #		Phone #	863-665-6507		
Fax #	352-544-5470	Fax #			



CITY OF TAMPA

Pam Iorio, Mayor

Purchasing Department

Gregory K. Spearman, CPPO
Purchasing Director

May 11, 2007

Ms. Stephanie Sizemore
Florida Can, Inc.
600 N. Prairie Industrial Parkway
Mulberry, FL 33860

Subject: **STEEL REFUSE DUMPSTERS AND LIDS**

Your bid has been renewed on referenced materials. The award period is from May 12, 2007 through May 10, 2008.

All orders will be placed by purchase order. If you have any questions, please call me at (813) 274-8836.

Sincerely,

Michelle Y. Rivera
Procurement Specialist

Cc: bid file
Contractual Services
Dept.



CITY OF TAMPA

Pam Iorio, Mayor

Purchasing Department

Gregory K. Spearman, CPFO
Purchasing Director

January 26, 2005

INVITATION TO BID

Pursuant to Chapter 69-1119, Special Acts, Laws of Florida, sealed Bids for the furnishing of: **BID NO. 81021805, STEEL REFUSE DUMPSTERS AND LIDS** will be received by the Director of Purchasing, City of Tampa, until **2:30 PM, FEBRUARY 18, 2005** then to be opened and read.

It is hereby made a part of this Invitation for Bid that the submission of any Bid in response to this advertised request shall constitute a Bid made under the same conditions for the same contract price and for the same effective period as this Bid to all public entities in Hillsborough County. (A list of these entities is enclosed with this package).

Attached are important instructions and specifications regarding responses to this invitation. **Failure to follow these instructions could result in your bid being disqualified.**

Technical questions regarding this bid should be referred to:

PAT MAGINNIS - PHONE NO. (813) 348-1131

STATEMENT OF NO BID

If you do not intend to bid, please complete the information below and return this form with the bid number and bid title clearly marked on the front of the envelope no later than the opening date indicated above.

We decline to bid for the following reasons:

- Insufficient time to respond; schedule will not permit us to perform.
- Unable to meet specifications; we do not offer this product or an equivalent.
- Unable to meet Bond, Insurance, or MSDS requirements.
- Specifications unclear, too tight, or other reason.
- Reason for declining on attached sheet.

Company Name: _____ Date: _____

Telephone No: _____ Signature: _____

Return completed form to:
Purchasing Department
Bid Control Division
Municipal Plaza, 2nd Floor
306 E. Jackson Street
Tampa, Florida 33602

**BID RESPONSE FOR
STEEL REFUSE DUMPSTERS AND LIDS**

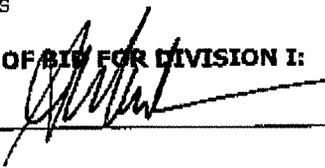
Please Print or Type

We the undersigned, as Bidders, hereby declare that we have carefully read this proposal or bid and the provisions, terms and conditions concerning the equipment, materials, supplies or services as called for, and with full knowledge and understanding of the requirements and conditions, do hereby agree to furnish and to deliver as indicated, FOB, City Facility Location, with all transportation charges prepaid, and for the prices quoted thereon as follows.

DIVISION I: DUMPSTERS

QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
50	EA	2 CU.YD. Front Loading	* \$ 323	\$ 16,150
40	EA	3 CU. YD. Front Loading	\$ 425	\$ 17,000
50	EA	4 CU. YD. Front Loading "Slant Back"	* \$ 464	\$ 23,200
50	EA	6 CU. YD. Front Loading "Slant Back"	* \$ 577	\$ 28,850
50	EA	8 CU. YD. Front Loading "Slant Back"	* \$ 690	\$ 34,500
5	EA	2 CU. YD. Rear Loading	\$ 406	\$ 2,030
5	EA	3 CU. YD. Rear Loading	\$ 437	\$ 2,185
5	EA	4 CU. YD Rear Loading	\$ 612	\$ 3,060
5	EA	6 CU. YD. Rear Loading	\$ 738	\$ 3,690
500	EA	Mounting Brackets	\$ 50	\$ 250
180	EA	Hinge Rods	\$ 2.00	\$ 360
180	EA	Washers	\$ Included in hinge rods	
180	EA	Cotter Keys	\$ Included in hinge rods	

TOTAL AMOUNT OF BID FOR DIVISION I: \$ 131,275.00

Authorizing Signature: 

Date: 2/14/2005

DIVISION II: LIDS

FRONT LOADER LIDS Florida Can will supply Impact Plastics lid (literature enclosed)

QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
60	Sets	40" X 35 1/2" Lids	\$ 36.00	\$ 2,160
60	Sets	48" X 36" Lids	\$ 37.00	\$ 2,220
75	Sets	58" X 35-1/4" Lids	\$ 37.00	\$ 2,775
50	Sets	40" X 31" Lids	\$ 37.00	\$ 1,850

REAR LOADER LIDS

QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
50	Sets	41" X 36" Lids	\$ 36.00	\$ 1,800
50	Sets	47" X 36" Lids	\$ 36.00	\$ 1,800
50	Sets	58" X 36" Lids	\$ 36.00	\$ 1,800
50	Sets	41" X 31" Lids	\$ 36.00	\$ 1,800

TOTAL AMOUNT OF BID FOR DIVISION II: \$ 16,205.00

Firm Name: Florida Can, Inc.

Type Organization: [] Individual [] Small Business [] Non-Profit [] Partnership [] Corporation [] Joint Venture

Business is licensed (unless exempt by applicable law), permitted and certified to do business in the State of Florida:

Yes [] No License # _____

State of Florida Corporation ID # (from Secretary of State): 59-3430494

State of Florida Fictitious Name Reg. # (from Secretary of State): _____

Authorized Representative's Name: Anthony Martorana

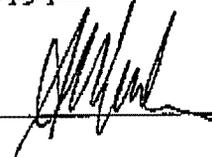
Authorized Representative's Title: President

Address: 600 N. Prairie Industrial Parkway

City: Mulberry State: FL Zip: 33860

Telephone No.: 863-869-9339 Fax No.: 863-869-8566 Email: floridacan@hotmail.com

Federal I.D. #: 59-3430494 Invoice Terms: NET 30

Authorized Signature:  Date: 2/14/2005

MEMORANDUM	
To:	Honorable Mayor & City Council Members
Via:	T. Jennene Norman-Vacha, City Manager <i>T. Jennene Norman-Vacha</i>
From:	Bill Geiger, Community Development Director <i>Bill Geiger</i>
Subject:	CPA 2007-S3; City of Brooksville Small-Scale Comprehensive Plan Amendment, providing a land use classification for property annexed into the City
Petitioner:	Innovators Investments Group; Presented by Gaylor Engineering
Location:	North of Cortez Blvd, west of Hale Avenue and southeast of Mildred Ave.
Date:	November 7, 2007 ORO No. 755

Introduction & Background Information:

This report is for a petitioner initiated, small-scale Comprehensive Plan amendment. The subject properties related to this amendment are 5.76-acres +/-, and are located north of Cortez Blvd (S.R. 50), west of Hale Avenue and southeast of Mildred Avenue. These properties were annexed into the City on August 7, 2006, via Ordinance No. 720, and on June 4, 2007, via Ordinance No. 745. The properties have a County land use designation of Residential on the Future Land Use Map of the Hernando County Comprehensive Plan. However, the properties are within 1,320' of an established commercial node which, pursuant to established policy in the County Comprehensive Plan, allows for commercial use to be extended to this property. The County's current zoning for the property is Planned Development Project (SF) on the eastern parcel, and R1C Residential on the western parcel.

The petitioner is requesting that the City amend its Comprehensive Plan to designate this property with a Commercial future land use designation. The petitioner has expressed an intent to build a general commercial/office professional planned development project that would include professional office space, retail sales, a restaurant and a hotel. The petitioner's overall project concept plan includes a 1.95-acre ± parcel that was previously annexed and ascribed with a commercial future land use designation in the city (previously zoned PDP-OP in the county), making the total project area approximately 7.71-acres in size. For purposes of analyses, the total project area of 7.71 acres is considered within this report. Based on the County's Comprehensive Plan policies for the property, it appears that the land use designation of Commercial for this property may be considered consistent with the County's Comprehensive Plan.

The City's adoption of the proposed land use amendment will establish a land use designation for the property within the City's Comprehensive Plan, as is customary following the annexation and incorporation of property into the City's jurisdiction.

The table below identifies the proposed amendment.

Table 1 - Future Land Use Map Amendment

File No.	Existing County FLU Map Designation	Proposed City FLU Map Designation	Location	Acreage	Petitioner
CPA 2007-S3	Residential (County)	Commercial (City)	North of Cortez Blvd. (S.R. 50), west of Hale Avenue and southeast of Mildred Avenue	5.76+/-	Innovators Investment Group

The subject parcels are identified by Hernando County Property Appraiser Key #358231 (2.03-acres ±), and a portion of Key #150491 (3.79-acres ±).

DATA & ANALYSIS (As previously stated, this data and analysis section will address the total project area of 7.71-acres +/-, which includes a 1.95-acre+/- parcel that currently has a Commercial land use designation):

Natural Resources and Features:

The parcel located east and south of Mildred Avenue has a single family residence located on it. A barn structure is located on the parcel west of Hale Avenue. Vegetation on the subject properties consist of Pine and Oak trees primarily, with a medium cover underbrush. The soil on the subject properties is identified as Wachula and Blichton. Topography consists of a ridge running north and south and sloping east and west. The proposed amendment is not within nor will it affect an Area of Critical State Concern.

Compatibility with Surrounding Area:

If the land use change is approved, the property owner is proposing a Commercial Planned Development Project with up to 90,000 square feet of commercial floor area. Specifically, the project proposal is for up to 30,000-square-feet for general offices, 10,000-square-feet for general retail, a 5,000-square-foot restaurant and a 45,000-square-foot hotel. Subject to the application of appropriate performance standards and the project meeting the requirements of the City's Adequate Public Facilities Ordinance, the proposed commercial land use designation would be compatible with the surrounding area.

Public Facilities and Level of Service:

This amendment property will be served by City water and sewer services. Access will be via Cortez Boulevard and Hale Avenue. Police, fire and sanitation collection services will also be provided by the City. Based on data assumptions contained within the City's Comprehensive Plan, the following analysis depicts the impacts associated with the proposed level of development:

Trip Generation: Per the ITE Trip Generation Manual, the proposed land uses (which include LU Code #820 [General Commercial], #710 [General Office], #310 [Hotel] & #931 [Restaurant]), this project would generate approximately 360 vehicle trips during the P.M. Peak Hour. A more detailed traffic analysis would be required in order to address the impact of the proposed project on the level of service for the impacted road network.

Water: The daily demand for potable water is estimated to be approximately 23,500 GPD. This quantity does not cause the City to exceed its allowable maximum daily consumption of 2.24 MGD. Detailed plans are required to determine the extent of what water system improvements will be needed to serve the project.

Sewer: The estimated daily effluent generation is approximately 21,500 GPD. The project's effluent can currently be accommodated by the City's treatment capacity, which is currently being expanded from 1.5 to 3.0 MGD. Detailed plans are required to determine the extent of what wastewater system improvements will be needed to serve the project.

Drainage: The subject site is located within Flood Zone C, which is defined as an area exhibiting minimal flood potential. No wetlands have been identified within the site. Development of the site will have to meet SWFWMD 40D-4 permitting requirements, as well as the City's Comprehensive Plan policies relating to stormwater retention and conveyance.

Recreation Facilities: Not applicable to a commercial project.

Consistency with the Comprehensive Plan: This plan amendment represents a small-scale amendment permitted under state law [as defined in Section 163.3187(1)(c), F.S.]. The proposed land use amendment provides a future land use designation for the subject property that appears to be compatible with growth and development patterns in the area. Additional information and support documents for the proposed plan amendment are contained in the petitioner's application documents.

Budget Statement: Direct costs incurred by the City in processing this plan amendment are absorbed in the petition fee structure.

Legal Note: The processing of this amendment is subject to the review and approval by the City's legal counsel.

Public Input: 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. Three individuals that own property in the vicinity of the subject site spoke against the petition at the Planning & Zoning Commission meeting on October 10, 2007. Concerns cited by these individuals included the impact of additional traffic on Hale Avenue, the proximity and buffering of commercial property adjacent to residential, lighting, fear that the commercial area would connect to Mildred Avenue, tree removal that would occur with project development and the potential height of commercial structures with future development of the property.

Staff and Planning & Zoning Commission Recommendation:

At their meeting on October 10, 2007, the Planning and Zoning Commission concurred with the staff recommendation to find that the proposed Future Land Use Map Amendment CPA 2007-S3 is consistent with the City's Comprehensive Plan, and recommend that the City Council, sitting as the Local Planning Agency (LPA), hold a public hearing to receive and consider input from the general public related to the Comprehensive Plan Amendment. After holding the Public Hearing as the LPA, the City Council should then hold a public hearing to take action on an Ordinance to adopt the Plan amendment, and authorize the Mayor to sign the transmittal letter to send the Comprehensive Plan Amendment to the appropriate agencies as required by Statute.

Council Action (To Date):

On November 5, 2007, the LPA reviewed, accepted public input and recommended approval of the proposed amendment to the governing body. The City Council subsequently approved the first reading of Ordinance No. 775 to adopt the proposed amendment, and scheduled the second reading of the Ordinance to take place on November 19, 2007, at 7:00 p.m.

- Attachments:
- (1) Draft Submittal Letter prepared pursuant to Section 9J-11.015(1), F.A.C.
 - (2) Form RPM-BSP-Small Scale-3 & Transmittal Check list
 - (3) Ordinance No. 755
 - (4) CITY OF BROOKSVILLE PROPOSED FUTURE LAND USE MAP AMENDMENT - CPA 2007-S3
 - (5) Petition (As submitted by Innovators Investment Group)
 - (6) Site Plan

Date

Mr. D. Ray Eubanks, Planning Manager
Florida Department of Community Affairs
Bureau of Local Planning
Plan Processing Team
Sadowski Building
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

MAILED VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Submittal of Adopted Small-Scale Amendment to the Future Land Use Map of the
City's Comprehensive Plan (Ref. No. Brooksville CPA 2007-S3)

Dear Mr. Eubanks:

Please find enclosed, in accordance with Sections 163.3187(1)(c), Florida Statutes and Rule Section 9J-11.015(1), Florida Administrative Code, one copy of the above-referenced adopted Small-Scale Amendment to the Future Land Use Element/Maps of the Comprehensive Plan.

The City Council serving also as the Local Planning Agency held the public hearings concerning the amendment to the future land use map of the Comprehensive Plan on _____ and _____, after public notice was issued as required. At the second public hearing, the City Council adopted the amendment and authorized its submittal to the State and Regional Planning Council. Copies of the public notice(s) for the public hearings are enclosed.

The amendment involves property totaling 5.76 acres +/- in size. The cumulative total number of acres for small-scale amendments that the City of Brooksville has approved for calendar year 2007, including this amendment, is 8.40 acres +/-.

The proposed amendment is not subject to an area of critical state concern. The proposed amendment is not related to a proposed Development of Regional Impact pursuant to Chapter 380, Florida Statutes.

The proposed amendment is exempt from the twice per year limitation on the adoption of comprehensive plan amendments.

The proposed amendment is not proposed to be adopted under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

All of the applicable items required by Rule 9J-11.015(1)(2), F.A.C. are enclosed with this submittal. The City has also enclosed the Comprehensive Plan Citizen Courtesy Information List which was made available at the public hearings to anyone who expressed an interest in being advised of the Department's Notice of Intent determination. No one provided information on the form.

Page 2

Mr. D. Ray Eubanks
CPA 2007-S3

Bill Geiger, the City's Community Development Director, is the person who is familiar with the proposed amendment and can be contacted in writing at 201 Howell Avenue, Brooksville, Florida 34601, or by telephoning (352) 544-5430 (fax number 352-544-5429), or by email at bgeiger@ci.brooksville.fl.us

The adopted amendment is available for public inspection during regular business hours at the Brooksville Community Development Department located at 201 Howell Avenue, Brooksville, Florida.

Sincerely,

David Pugh
Mayor

Enclosures

xc: Michael R. Moehlman, Executive Director, Withlacoochee Regional Planning Council
Ronald F. Pianta, Planning Director, Hernando County Local Planning Agency,
Ken Pritz, Facility & Support Operations Executive Director, Hernando County School Board
File

ORDINANCE NO. 755

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, APPROVING A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF BROOKSVILLE COMPREHENSIVE PLAN; PURSUANT TO PROCEDURES ESTABLISHED IN SECTIONS 163.3187(1)(C), FLORIDA STATUTES; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 166.021, Florida Statutes, empowers the City Council of the City of Brooksville, Florida, hereinafter referred to as the City Council, to prepare, adopt, implement and amend city ordinances; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the City Council to prepare, adopt, implement and amend a Comprehensive Plan by ordinance; and

WHEREAS, Application No. CPA 2007-S3 to amend the Future Land Use Map of the Comprehensive Plan, has been filed with the City; and

WHEREAS, the City Council of the City of Brooksville, Florida, has been designated as the Local Planning Agency of the City of Brooksville, Florida, hereinafter referred to as the Local Planning Agency; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the City Council, serving also as the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for amendment, as described herein, to the Future Land Use Map of the City's Comprehensive Plan, and at said public hearing, the City Council, serving as the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for amendment, as described herein, to the Future Land Use Map of the City's Comprehensive Plan, and endorsed the approval of said application for amendment, as described herein, to the City's Comprehensive Plan; and

WHEREAS, the City Council (serving as the Local Planning Agency) did on November 5, 2007, review and consider all comments received during a public hearing, including recommendations of the City's Planning and Zoning Commission, and the Comprehensive Plan Amendment support documents concerning said application for amendment as described herein, to the Future Land Use Map of the City's Comprehensive Plan; and on November 19, 2007, the City Council, sitting as the governing body, did hold the required public hearing, with public notice having been provided, under the provisions of the small-scale development amendment procedures established in Sections 163.3187(c), Florida Statutes, on said application for amendment, as described herein, to the Future Land Use Map of the City's Comprehensive Plan; and

WHEREAS, the City Council has determined and found said applications for amendments, as described herein, to the Future Land Use Map of the City's Comprehensive Plan, to be consistent with the Future Land Use Element's goals, objectives and policies, and those of other affected elements of the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, the City Council has determined and found that approval of said applications for amendments, as described herein, to the Future Land Use Map of the City's Comprehensive Plan, would promote the public health, safety, morals, order, comfort, appearance, prosperity, or general welfare of the community.

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

Section 1: The following small-scale amendment to the City of Brooksville Comprehensive Plan is hereby approved:

Future Land Use Map Amendment

File No.	Existing Future Land Use Map Designation	Proposed Future Land Use MAP Designation	Location	Acres	Petitioner
CPA 2007-S3	Residential (County)	Commercial (City)	North of Cortez Blvd. (S.R. 50), west of Hale Avenue and east of Mildred Avenue	5.76+/-	Innovators Investment Group, LLC

CPA 2007-S3

Pursuant to a Comprehensive Plan Amendment application, CPA 2007-S3, by Innovators Investment Group, LLC, to amend the Future Land Use Map of the City's Comprehensive Plan, specifically amending the future land use classification of the following described property, as graphically shown on Exhibit "A" attached to this Ordinance, from RESIDENTIAL to COMMERCIAL:

LEGAL DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, GO THENCE NORTH 88°38'58" WEST ALONG THE ¼ SECTION LINE A DISTANCE OF 847.04 FEET; THENCE SOUTH 01°50'32" WEST, A DISTANCE OF 666.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°50'32" WEST, A DISTANCE OF 125.00 FEET; THENCE SOUTH 87°24'58" EAST, A DISTANCE OF 353.00 FEET; THENCE NORTH 01°50'32" EAST, A DISTANCE OF 125.00 FEET; THENCE NORTH 87°24'58" WEST, A DISTANCE OF 353.00 FEET TO THE POINT OF BEGINNING.

LESS THE WESTERLY 40 FEET THEREOF TO BE USED FOR ROAD RIGHT-OF-WAY PURPOSES. SAID LANDS LYING IN AND BEING A PART OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA.

AND

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, THENCE NORTH 88°38'58" WEST ALONG THE ¼ SECTION LINE, A DISTANCE OF 847.04 FEET, THENCE SOUTH 01°50'32" WEST, A DISTANCE OF 791.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°50'32" WEST, A DISTANCE OF 150.00 FEET; THENCE SOUTH 87°24'58" EAST, A DISTANCE OF 353.00 FEET; THENCE NORTH 01°50'32" EAST, A DISTANCE OF 105.00 FEET; THENCE NORTH 87°24'58" WEST, A DISTANCE OF 353.00 FEET TO THE POINT OF BEGINNING.

LESS THE WEST 20 FEET THEREOF AND ALSO LESS THE EAST 20 FEET OF THE WEST 40 FEET THEREOF RESERVED FOR ROAD RIGHT-OF-WAY PURPOSES. SAID LANDS LYING IN AND BEING A PART OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA.

AND

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, THENCE RUN SOUTH 00°42'18" EAST ALONG THE EASTERLY BOUNDARY OF SAID NORTHEAST ¼ OF THE SOUTHWEST ¼ A DISTANCE OF 546.28 FEET, THENCE RUN NORTH 89°13'57" WEST A DISTANCE OF 119.34 FEET TO THE WESTERLY RIGHT-OF-

WAY LINE OF HALE AVENUE AND THE POINT OF BEGINNING, THENCE RUN SOUTH 00°34'34" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 434.52 FEET, THENCE RUN SOUTH 89°53'26" WEST ALONG THE NORTHERLY BOUNDARY AND THE EXTENSION THEREOF OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OR BOOK 118, PAGE 260, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA A DISTANCE OF 364.80 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, THENCE RUN SOUTH 00°49'09" EAST ALONG THE WESTERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 217.44 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CORTEZ BOULEVARD (S.R. 50), THENCE RUN ALONG SAID RIGHT-OF-WAY LINE SOUTH 89°34'09" WEST A DISTANCE OF 346.06 FEET, THENCE RUN NORTH 00°03'53" WEST A DISTANCE OF 249.76 FEET TO THE SOUTHERLY BOUNDARY OF A PARCEL DESCRIBED IN OR BOOK 74, PAGES 620 THROUGH 635, OF SAID PUBLIC RECORDS, THENCE RUN SOUTH 89°13'57" EAST ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 333.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL, THENCE RUN NORTH 00°03'53" WEST ALONG THE EASTERLY BOUNDARY AND THE EXTENSION THEREOF OF SAID PARCEL A DISTANCE OF 415.00 FEET TO THE SOUTHERLY BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OR BOOK 1367, PAGES 672 AND 673, THENCE RUN SOUTH 89°13'57" EAST ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 379.93 FEET TO THE SOUTHEAST CORNER OF SAID PARCELS AND THE POINT OF BEGINNING. LESS THAT PORTION DEEDED TO THE STATE OF FLORIDA IN OR BOOK 1152, PAGE 1802, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA. SUBJECT TO AN EASEMENT TO FLORIDA POWER CORPORATION RECORDED IN OR BOOK 749, PAGE 1721, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA.

LESS

A PARCEL OF LAND LYING IN AND BEING A PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHEAST 1/4; THENCE S 00° 42' 18" E, ALONG THE EASTERLY BOUNDARY OF SAID NORTHEAST 1/4, 546.28 FEET; THENCE N 89°13' 57" W 119.34 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HALE AVENUE, THENCE S 00°34' 34" W, ALONG SAID WESTERLY RIGHT OF WAY LINE 434.52 FEET; THENCE S 89° 53' 26" W, ALONG THE NORTHERLY BOUNDARY AND THE EXTENSION THEREOF OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 118, PAGE 260 OF SAID PUBLIC RECORDS, 364.80 FEET TO THE NORTHWEST CORNER OF SAID CERTAIN PARCEL AND THE POINT OF BEGINNING; THENCE S 00° 49' 09" E, ALONG THE WESTERLY BOUNDARY OF SAID CERTAIN PARCEL, 217.44 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 50 (CORTEZ BOULEVARD); THENCE S 89° 34' 09" W, ALONG SAID RIGHT OF WAY LINE, 346.06 FEET; THENCE N 00°03' 53" W, 249.76 FEET TO THE SOUTHERLY BOUNDARY OF THAT CERTAIN PARCEL OF LAND (STEVE AND GERRY MANUEL PARCEL) DESCRIBED IN OFFICIAL RECORDS BOOK 74, PAGES 620 THROUGH 635 OF SAID PUBLIC RECORDS; THENCE S 89° 13' 57" E, ALONG THE SOUTHERLY BOUNDARY OF SAID CERTAIN PARCEL, 342.90 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL; THENCE S 00°19' 09" E 25.15 FEET TO THE NORTHWEST CORNER OF SAID CERTAIN PARCEL AND THE POINT OF BEGINNING. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

Section 2. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of and to exercise the authority set out in the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3161 through 163.3215, Florida Statutes and Chapter 97-351 Laws of Florida, as amended.

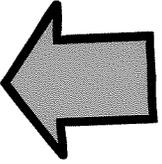
Section 3. Adoption of Amendment to Comprehensive Plan. The plan amendment to the City of Brooksville Future Land Use Map, as described hereto, is hereby adopted by the City of Brooksville.

Section 4. Severability. If any provision, word, sentence, or paragraph of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions, words, sentences, paragraphs and portions of this Ordinance shall remain in full force and effect.

Section 5. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 6. Effective Date. This plan amendment shall become effective immediately upon the adoption of this Ordinance.

CITY OF BROOKSVILLE

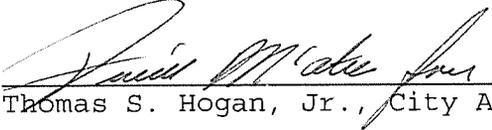


Attest: _____ By: _____
Karen M. Phillips, City Clerk David Pugh, Mayor

PASSED on First Reading _____
NOTICE Published on October 26 & November 9, 2007
PASSED on Second & Final Reading _____

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

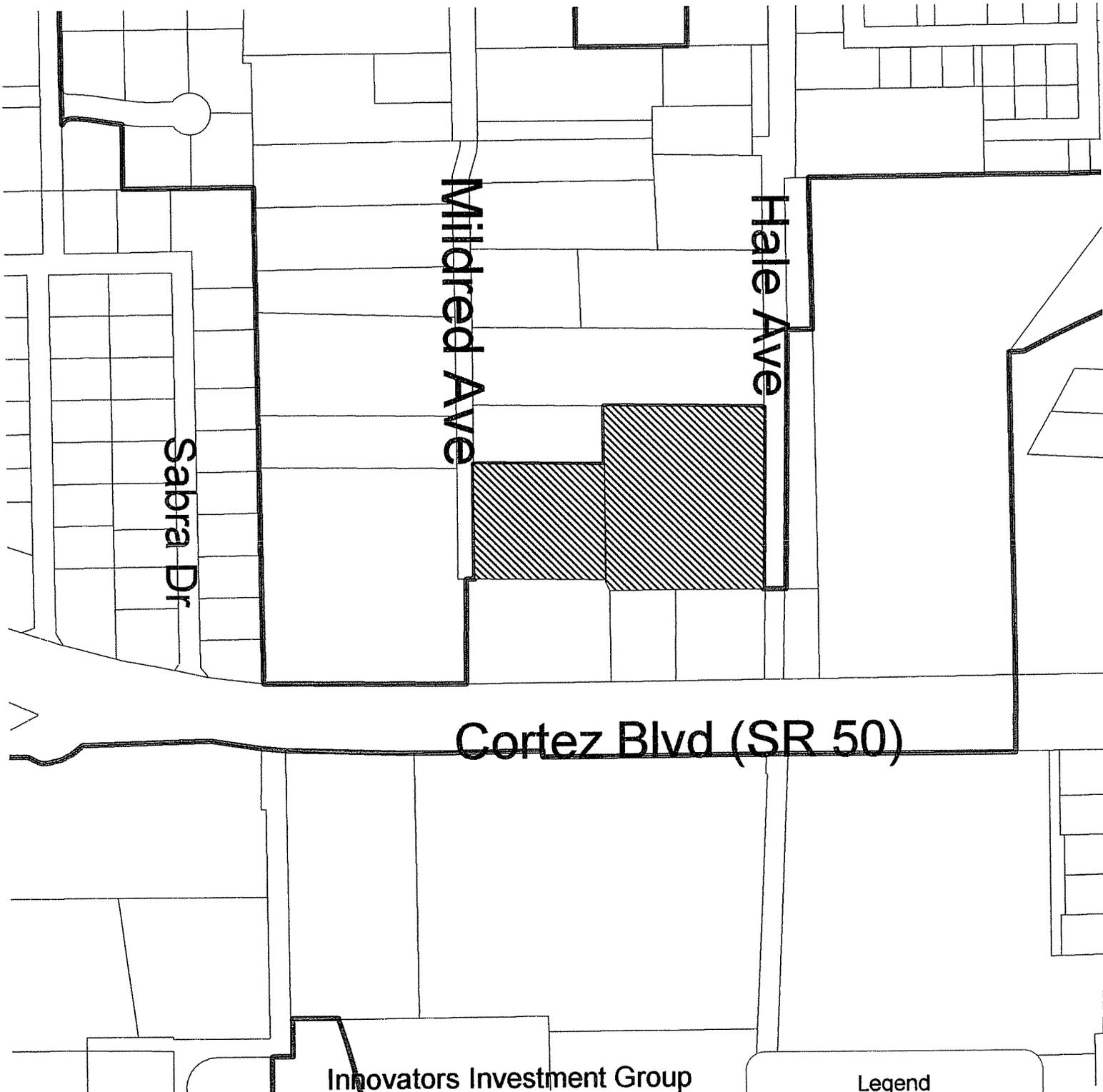
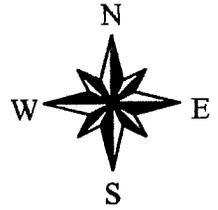
VOTE OF COUNCIL:
Bernardini _____
Bradburn _____
Burnett _____
Lewis _____
Pugh _____



Thomas S. Hogan, Jr., City Attorney



Innovators Investment Group Properties



Innovators Investment Group Small Scale Comprehensive Plan Exhibit "A"

Ord. No. 755

Prepared by
City of Brooksville
Community Development Department 10/10/2007

Legend

-  Innovators investment group shp
-  Cityboundary_7_31_07.shp

EXHIBIT "A"
to Ordinance No. _____

**City of Brooksville
Future Land Use Map
(EXCERPT)**



LEGEND

- HISTORICAL CENTRAL BUSINESS RESIDENTIAL DISTRICT
- CITY BOUNDARY (As of 6/18/2007)
- MAJESTIC OAKS MIXED USE DISTRICT
- COMMERCIAL
- SUBURBAN RESIDENTIAL
- INDUSTRIAL
- SOUTHERN HILLS PLANTATION MIXED USE DISTRICT
- SINGLE FAMILY RESIDENTIAL
- CONSERVATION
- MULTI-FAMILY/MOBILE HOME
- PUBLIC FACILITIES AND LAND RECREATION

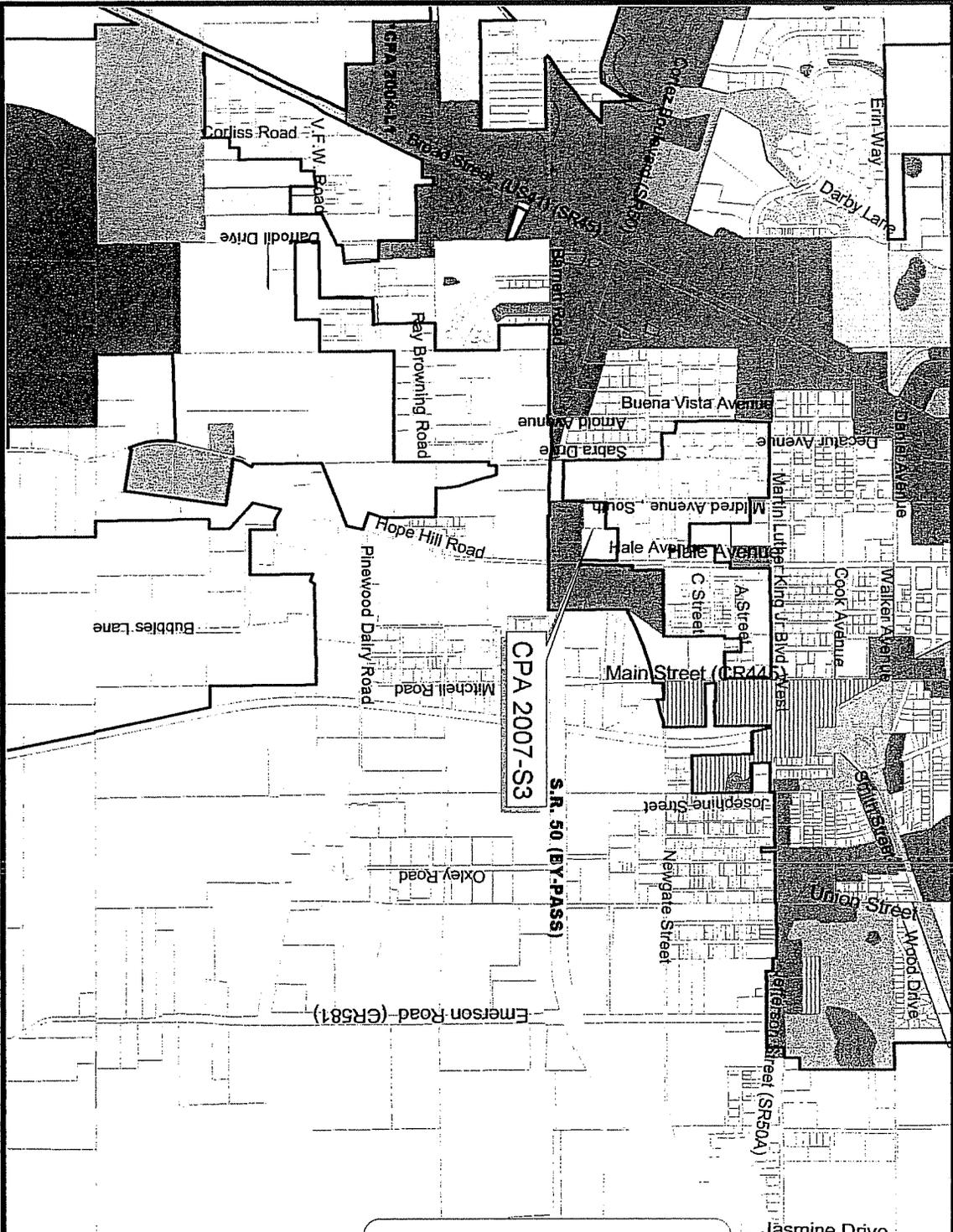
0 0.5 Miles

*Intensity/Density of the parcel labeled as CPA 2004-L1 shall be controlled by Subsection A of the standards established for "Commercial" in Policy 1-5 of the Future Land Use Element GOPS.

Revised 10/10/2007 for CPA 2007-S3;
Adopted map pursuant to Ordinance No. _____
Sources: Hernando County
Property Appraiser - parcel data;
Additional information by City
of Brooksville

Disclaimer: This map and/or digital data is for planning purposes only and should not be used to determine the precise location or any feature on the City for the accuracy or availability of data.

g:\esr\proj\plans\cpa_tum_10102007_S3.apr



AMENDMENTS EXEMPT FROM STATE AND REGIONAL REVIEW

1. Name of Local Government Brooksville

Person completing this form Bill Heiser

Phone Number 352-544-5430

Name of Newspaper in which notice of amendment was published Hernando Today

Date Publication Noticed 12-9-28-07
(Please attach copy of notice)

2. Please indicate type of amendment being submitted:

- a). a map amendment directly related to proposed small scale development activities that meet the criteria of Section 163.3187(1)(c), F.S.;
- b). a map amendment solely to property within an urban service boundary that meets the criteria of Section 163.3184(17), F.S.;
- c). a map amendment solely to property within a designated urban infill and redevelopment area pursuant to Section 163.3184(18), F.S.;
- d). a plan amendment associated with an area certified pursuant to Section 163.3246, F.S.

Please complete the following information if amendment is submitted under 2(a):

3. If amendment contains a residential land use category indicate:
 density allowed prior to change N/A dwelling unit(s) per acre.
 density allowed after change N/A dwelling unit(s) per acre.

4. Number of acres of small scale development amendments contained in package: 5.76
- a. Within Urban Infill, Urban Redevelopment or Downtown Revitalization as defined by Section 163.3164, FS 0
 - b. Within Transportation Concurrency Exception Area pursuant to Section 163.3180(5), FS 0
 - c. Within Regional Activity Centers or Urban Central Business Districts pursuant to Section 380.06(2)(e), FS 0
 - d. Within a Rural Area of Critical Economic Concern pursuant to Section 163.3187(1)(c)4, FS 0

(Please attach certifying letter to OTTED)

e. Outside categories a., b, c. and d. 0

5. Cumulative total number of acres of small scale development amendments for the calendar year: 8.40

- a. Categories listed in Item 4 a, b, c and d. above 0
- b. Categories listed in Item 4 e above 0

6. Total number of acres of small scale development amendments in this package that are located within the coastal high hazard area as identified in the comprehensive plan 0

Pursuant to Rule 9J-11.015(1)(b)5, Florida Administrative Code, this form must be mailed with all amendments as defined by Section 9J-11.015(1)(a) Florida Administrative Code to:

DEPARTMENT OF COMMUNITY AFFAIRS
 PLAN PROCESSING SECTION
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100
 (850) 488-4925

9J-11 TRANSMITTAL REQUIREMENTS FOR THE SUBMISSION OF ADOPTED SMALL- SCALE COMPREHENSIVE PLAN AMENDMENTS

APRIL 2006

NUMBER OF COPIES TO BE SUBMITTED: Please submit within ten working days after adoption, one copy of all plan amendment materials, which may be on CD ROM in Portable Document Format (PDF), including graphic and textual materials and support documents directly to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team and one copy each to the appropriate Regional Planning Council and any other local government or governmental agency in the state of Florida that has filed a written request with the local government.

SUBMITTAL LETTER REQUIREMENTS: Please include the following information in the transmittal cover letter transmitting the adopted small-scale amendment (9J-11.015(1), F.A.C.):

A statement indicating that the local government is submitting the adopted small-scale amendment in accordance with Section 163.3187(1)(c), F.S.;

A statement identifying the number of acres of the small-scale amendment;

A statement identifying the cumulative total number of acres for small-scale amendments the local government has approved for the calendar year;

A statement identifying whether the amendment involves the same property that was granted another change within the prior 12 months.

A statement identifying whether the amendment involves the same owner's property within 200 feet that was granted a change with the prior 12 months.

A statement identifying whether the proposed amendment involves a text change.

A statement identifying whether the amendment is within an area of critical state concern.

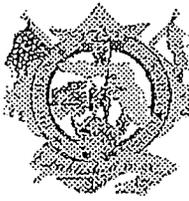
N/A A statement indicating the residential land use density before and after the adopted change if the land use change contained a residential land use category

U/A A statement indicating the that the amendment has been submitted to the appropriate Regional Planning Council, the Office of Tourism, Trade and Economic Development (if amendment is being adopted pursuant to Section 163.3187(1)(c)4, F.S.) and any other local government or governmental agency in the state of Florida that has filed a written request with the local government.

The name, title, address, telephone and fax number of the local contact person.

ADOPTION: The amendment package must include the following (see 9J-11.015(1), (2), F.S.):

One copy of the executed ordinance(s) adopting the small-scale development amendment (Rule 9J-11.015(1)(b)2, F.A.C.);



CITY OF BROOKSVILLE

PETITION FOR VOLUNTARY ANNEXATION, AMENDMENT OF THE FUTURE LAND USE MAP OF THE BROOKSVILLE COMPREHENSIVE PLAN, AND AMENDMENT OF THE OFFICIAL ZONING MAP

(DO NOT WRITE IN THIS SPACE, FOR CITY OFFICE USE ONLY)

Petition # _____ Annexation _____ FLUMA _____

Date received: _____ Amount Paid: \$ _____

Tentative dates of Hearings: _____

Property Owner

Name: Innovators Investment Group/ Dan Pitts and Bob Nelson

Address: P.O. Box 671

City: Lutz State: FL Zip: 33548 Phone/Fax: 813-909-8393
Fax: 813-909-8373

Applicant

Name: Innovators Investment Group/ Dan Pitts and Bob Nelson

Address: P.O. Box 671

City: Lutz State: FL Zip: 33548 Phone/Fax: 813-909-8393
Fax: 813-909-8373

Agent

Name: Michael J. Gaylor, P.E./ Gaylor Engineering

Address: Osprey Cove Professional Park/ 21764 State Road 54

City: Lutz State: FL Zip: 33549 Phone/Fax: 813-949-5599
Fax: 813-949-0818

General Information

Property Location and/or Address: Mildred Avenue West of Hale Road
and North of S.R. 50

Legal Description: SEE ATTACHED EXHIBIT "A"

Tax Parcel #: R27 222 19 3580 0000 0020 Parcel Key #: 00150491
R27 422 19 0000 0270 0000 00358231

Site Acreage: 7.71 acres

(a) Incorporated Area: 7.71 acres

(b) Unincorporated Area: _____

(c) TOTAL ACREAGE 7.71 acres

Existing and Proposed Land Use & Zoning Information

Present Zoning/Land Use Map Designation: Professional Office and Single Family/
Commercial and low density RESIDENTIAL

Proposed Zoning/Land Use Map Designation: Planned Development Project/ Commercial

Land Use Map Amendment Required: Yes XX No _____ From _____ To _____

For All Development:

Flood Zone: C Base Elevation Required: N/A

Residential Development:

Total # Units: N/A Single Family: _____ Multi-Family: _____

Non Residential Development:

Total Non-Residential Floor Area: 90,000

Commercial 60,000 Professional 30,000 Industrial N/A

Mixed Use N/A

Description of Existing Land Uses on the subject property:

Mostly vacant with one single family house

Description of Existing Land Uses surrounding the subject property:

North - Vacant and Residential

East - Vacant

West - Vacant

South - Cortez Boulevard/ S.R. 50

Proposed Use of the subject property (development description, schedule, and phases):

Motel, Professional Offices, Retail Sales and Restaurant

Maximum allowable density under adopted future land use map designation:

N/A

Maximum allowable density under proposed future land use map designation:

N/A

Analysis of Soils and topography on the site:

The site soils are Wachula and Blichton. Topography consists of a ridge running north and south and sloping east and west.

Analysis of flood prone areas on the site:

None

Analysis of vegetation and natural resources on the site:

The site has a significant number of pine and oak trees along with a medium cover of understory brush.

Analysis of historical/archeological resources on the site:

None listed or known

Analysis of the relationship of the amendment to adopted population projections:

Development will not increase population

Analysis of the impact of amendment on levels of service:

Traffic: ITE 820 General Commercial 155.09
710 General Office 22.6
310 Hotel 8.92
931 Restaurant 89.95
Total Trips per day 3,393

Potable Water: 23,500

Sanitary Sewer: 23,500 GPD

Drainage:

Onsite retention with predevelopment runoff

Solid Waste: 2,214 pounds/day

Parks and Recreation: No impact due to commercial nature of project

Submittal Requirements

*The following **MUST** be furnished with this application:*

Signed and sealed survey

Application Form

Justification for analysis responses (computations, copies of original analyses)

Proof of Ownership (Warranty Deed, Title Certification, etc.)

Application fee(s):

Comprehensive Plan Amendments:

Text Amendment\$ 500.00

Map Amendment.....\$ 500.00

Voluntary Annexation.....\$ No Fee

Advertising Fee (to be billed to petitioner by newspaper).....\$ _____

Certified Letters @~~\$4.92~~ each\$ _____

5.51

AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application. I (we) certify that Michael J. Gaylor, P.E. is (are) duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written, and appear at any public hearing(s) involving this petition. Further, it is understood that this application must be complete and accurate and the fee paid prior to processing.

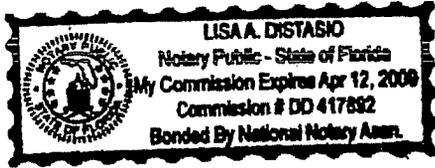
Date: 8-22-07
Date: 8-22-07
Date: _____

Title Holder: _____
Title Holder: _____
Title Holder: _____

State of Florida
County of Polk

The foregoing instrument was acknowledged before me this 22 day of August, A.D. 2007 by Don Pitts and Bob Nelson, who is personally known to me or who has produced _____ as identification and who did not take an oath.

[Signature]
Notary Public LISA A. DISTASIO



MEMORANDUM

To: Honorable Mayor & City Council Members
Via: T. Jennene Norman-Vacha, City Manager 
From: Bill Geiger, Community Development Director 
Subject: RZ2007-07 and SE2007-13; Petitioner is requesting a zoning classification of Planned Development Project (PDP) with a Special Exception Use for a Combined PDP consisting of General Commercial, Professional Office category uses.
Petitioner: Innovators Investment Group, LLC (Petition presented by Gaylor Engineering)
Location: The properties are located north of Cortez Boulevard, west of Hale Avenue and east of the south side of Mildred Avenue - See attached drawing.
Date: November 7, 2007 ORD. No. 756

Introduction & Background Information:

The subject combined properties are 7.76 acres ±. The subject properties were annexed on August 7, 2006, via Ordinance No. 720 (Harris property - 5.73 acres ±) and on June 4, 2007 via Ordinance No. 745 (Gamba property - 2.03 acres ±). A Comprehensive Plan Amendment assigning a Future Land Use of Commercial for 1.95 acres ± of the subject site (fronting on Cortez Boulevard) was approved by the City on January 22, 2007, and the Department of Community Affairs on February 5, 2007. A land use amendment is currently being processed to assign a Commercial land use to the balance of the property. A single family residence is located on the subject parcel that fronts on Mildred Avenue, and an old barn is located on the property just west of Hale Avenue.

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 Combined PDP, consisting of General Commercial and Professional Office uses. Zoning of this property for the proposed project is contingent on the processing and approval of a land use amendment for the northern 5.78 acres of the subject site.

Land Use/Zoning:

The southerly 1.95 acres ± of the subject site has a City land use designation of Commercial on the City's Future Land Use Map (FLUM) of its Comprehensive Plan, and was zoned OP-PDP in the County. The balance of the subject property has a County land use designation of Residential with the eastern portion of the property being zoned PDP-SF, and the western portion zoned R1C. A City small-scale Comprehensive Plan Amendment to designate the northern portion of the subject site with a future land use designation of Commercial is currently being processed, and it is noted that this zoning request is contingent on the land use being approved.

Factual Information:

1. The southerly 1.95 acres ± of the subject site has a City land use designation of Commercial on the City's Future Land Use Map (FLUM) of its Comprehensive Plan, and was zoned OP-PDP in the County. The balance of the subject property has a County land use designation of Residential with the eastern portion of the property being zoned PDP-SF, and the western portion zoned R1C.

PAGE 2

RZ2007-06 & SE2007-13

Innovators Investment Group, LLC

November 19, 2007

2. A City small-scale Comprehensive Plan Amendment to designate the northern portion of the subject site with a future land use designation of Commercial is currently being processed. This zoning request is contingent on the land use being approved.
3. The properties for this petition's zoning total approximately 7.76 ± acres.
4. The subject parcel east of Mildred Avenue has a single family residence located on it and the parcel west of Hale Avenue contains an old barn structure. The balance of the property is undeveloped.
5. The developer is proposing to development the entire site with office spaces, retail shops, a restaurant and a 3-story hotel. Site development will be required to address conservation, drainage, open space areas and all other applicable development regulations.
6. The subject properties will have access from Cortez Boulevard and Hale Avenue. A frontage road will be constructed through the site to facilitate east-west access.
7. The on site soil types include Wachula and Blichton.
8. The properties are located in flood zone C (as per the FIRM).
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. The subject properties are not located within a wellhead protection area.

As noted, the subject properties have been annexed into the City of Brooksville's jurisdiction. Development of portions of this property are subject to being consistent with the County's land use and zoning regulations until a Comprehensive Plan Amendment assigning a City land use is accomplished. Assigning a Planned Development Project (PDP) zoning designation with a Special Exception Use for a Combined PDP, consisting of General Commercial and Professional Office uses is consistent with development patterns in this area.

The petitioner proposes to develop the site with office spaces, retail sales, a restaurant and a hotel. Development will be subject to meeting all applicable federal, state and local development and permitting requirements. The developer will be required to comply with the City's landscaping, buffers and tree protection regulations.

The developer is proposing two points of access to the property. One access drive will connect to Cortez Boulevard. The other access drive will connect to Hale Avenue. A frontage road will be required to connect Hale Avenue with property located to the west of the subject site. A traffic study will be required to establish the proposed developments impacts on the transportation network, as well as mitigation measures that may be required to address any deficiencies or safety issues.

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.

PAGE 3
RZ2007-06 & SE2007-13
Innovators Investment Group, LLC
November 19, 2007

The concept plan submitted with this petition is very general in its scope. The final, detailed PDP development plan will be required to be submitted for review and approval by the Planning & Zoning Commission and the City Council.

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.

Budget Statement: Direct costs incurred by the City in processing this petition are absorbed in the petition fee structure.

Legal Note: The processing of this amendment is subject to the review and approval by the City's legal counsel.

Public Input: 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. Three individuals that own property in the vicinity of the subject site spoke against the petition at the Planning & Zoning Commission meeting on October 10, 2007. Concerns cited by these individuals included the impact of additional traffic on Hale Avenue, the proximity and buffering of commercial property adjacent to residential, lighting, fear that the commercial area would connect to Mildred Avenue, tree removal that would occur with project development and the potential height of commercial structures with future development of the property.

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.

PAGE 4

RZ2007-06 & SE2007-13

Innovators Investment Group, LLC

November 19, 2007

STAFF AND PLANNING & ZONING COMMISSION RECOMMENDATION:

At their October 10, 2007 meeting, the Planning and Zoning Commission concurred with staff to recommend that City Council approve an ordinance for the subject properties to assign a zoning designation of Planned Development Project (PDP) with a Special Exception Use for a Combined PDP, consisting of General Commercial and Professional Office uses, subject to the following performance conditions (*Note: On November 5, 2007, City Council approved the first reading of Ordinance No. 756 with the recommended performance conditions, subject to the following modifications noted in strikethrough/underline format*):

1. Within one year of the final approval of the Comprehensive Plan Amendment and City Council's approval of the Planned Development Project (PDP) with a Special Exception Use for a Combined PDP, consisting of General Commercial and Professional Office uses, the petitioner/developer will need to provide a final detailed PDP development plan that addresses performance standards specified by code and this approval. Said final plan is subject to review and approval by the Planning & Zoning Commission and the governing body of the City of Brooksville. Failure to submit the final plan within the specified time frame will result in this SEU approval becoming 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 minimum building setbacks for this project are as follows:

From Cortez Boulevard -	75'
From Hale Avenue -	75'
From all other property lines -	35'
Separation between buildings -	15'
Setbacks from internal drive lanes -	10'
4. The maximum building heights is are three stories for the hotel, and one story for all other buildings.
5. A maximum of one access drive to Cortez Boulevard and one access drive to Hale Avenue is allowed, subject to the permitting requirement of agencies having jurisdictional authority on those roadways.
6. 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. An Enhanced, 35' setback buffering in the form of an optional (to be worked out with staff, petitioner and adjacent residents) eight (8) foot opaque fence or wall, with minimal disturbance to existing, native vegetation, will be required between the subject property and adjacent residential properties, and directional lighting is required to be installed so as to minimize impacts to adjacent property. Said buffers shall be designed and submitted to the Community Development Department for review and comment, and will be subject to review and possible modification as part of the public meeting processing for the final Planned Development Project Plan.
7. 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

ORDINANCE NO. 756

AN ORDINANCE PROVIDING A ZONING CLASSIFICATION OF PDP (PLANNED DEVELOPMENT PROJECT) WITH A SPECIAL EXCEPTION USE FOR A COMBINED PLANNED DEVELOPMENT PROJECT (CPDP) 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 Combined Planned Development Project (RPDP)- (Reference Exhibit "A" for a graphic view of the property):

Innovators Investment Group, LLC, and Brooksville Hotel & Office Park, LLC - Parcel Key # 00358231 and 00150491; Legal Description:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, GO THENCE NORTH 88°38'58" WEST ALONG THE ¼ SECTION LINE A DISTANCE OF 847.04 FEET; THENCE SOUTH 01°50'32" WEST, A DISTANCE OF 666.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°50'32" WEST, A DISTANCE OF 125.00 FEET; THENCE SOUTH 87°24'58" EAST, A DISTANCE OF 353.00 FEET; THENCE NORTH 01°50'32" EAST, A DISTANCE OF 125.00 FEET; THENCE NORTH 87°24'58" WEST, A DISTANCE OF 353.00 FEET TO THE POINT OF BEGINNING.

LESS THE WESTERLY 40 FEET THEREOF TO BE USED FOR ROAD RIGHT-OF-WAY PURPOSES. SAID LANDS LYING IN AND BEING A PART OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA.

AND

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, THENCE NORTH 88°38'58" WEST ALONG THE ¼ SECTION LINE, A DISTANCE OF 847.04 FEET, THENCE SOUTH 01°50'32" WEST, A DISTANCE OF 791.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01°50'32" WEST, A DISTANCE OF 150.00 FEET; THENCE SOUTH 87°24'58" EAST, A DISTANCE OF 353.00 FEET; THENCE NORTH 01°50'32" EAST, A DISTANCE OF 105.00 FEET; THENCE NORTH 87°24'58" WEST, A DISTANCE OF 353.00 FEET TO THE POINT OF BEGINNING.

LESS THE WEST 20 FEET THEREOF AND ALSO LESS THE EAST 20 FEET OF THE WEST 40 FEET THEREOF RESERVED FOR ROAD RIGHT-OF-WAY PURPOSES. SAID LANDS LYING IN AND BEING A PART OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA.

AND

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, THENCE RUN SOUTH 00°42'18" EAST ALONG THE EASTERLY BOUNDARY OF SAID NORTHEAST ¼ OF THE SOUTHWEST ¼ A DISTANCE OF 546.28 FEET, THENCE RUN NORTH 89°13'57" WEST A DISTANCE OF 119.34 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF HALE AVENUE AND THE POINT OF BEGINNING, THENCE RUN SOUTH 00°34'34" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 434.52 FEET, THENCE RUN SOUTH 89°53'26" WEST ALONG THE NORTHERLY BOUNDARY AND THE EXTENSION THEREOF OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OR BOOK 118, PAGE 260, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA A DISTANCE OF 364.80 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, THENCE RUN SOUTH 00°49'09" EAST ALONG THE WESTERLY BOUNDARY OF SAID PARCEL A DISTANCE OF

217.44 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CORTEZ BOULEVARD (S.R. 50), THENCE RUN ALONG SAID RIGHT-OF-WAY LINE SOUTH 89°34'09" WEST A DISTANCE OF 346.06 FEET, THENCE RUN NORTH 00°03'53" WEST A DISTANCE OF 249.76 FEET TO THE SOUTHERLY BOUNDARY OF A PARCEL DESCRIBED IN OR BOOK 74, PAGES 620 THROUGH 635, OF SAID PUBLIC RECORDS, THENCE RUN SOUTH 89°13'57" EAST ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 333.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL, THENCE RUN NORTH 00°03'53" WEST ALONG THE EASTERLY BOUNDARY AND THE EXTENSION THEREOF OF SAID PARCEL A DISTANCE OF 415.00 FEET TO THE SOUTHERLY BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OR BOOK 1367, PAGES 672 AND 673, THENCE RUN SOUTH 89°13'57" EAST ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 379.93 FEET TO THE SOUTHEAST CORNER OF SAID PARCELS AND THE POINT OF BEGINNING. LESS THAT PORTION DEEDED TO THE STATE OF FLORIDA IN OR BOOK 1152, PAGE 1802, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA. SUBJECT TO AN EASEMENT TO FLORIDA POWER CORPORATION RECORDED IN OR BOOK 749, PAGE 1721, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA.

Location: North of Cortez Boulevard, west of Hale Avenue and east of the south side of Mildred Avenue

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

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 Combined Planned Development Project (CPDP) including General Commercial and Professional Office categories, and the zoning map of the City of Brooksville shall be amended accordingly. The Special Exception Use consideration for this Combined Planned Development Project is subject to the following conditions:

1. Within one year of the final approval of the Comprehensive Plan Amendment and City Council's approval of the Planned Development Project (PDP) with a Special Exception Use for a Combined PDP, consisting of General Commercial and Professional Office uses, the petitioner/developer will need to provide a final detailed PDP development plan that addresses performance standards specified by code and this approval. Said final plan is subject to review and approval by the Planning & Zoning Commission and the governing body of the City of Brooksville. Failure to submit the final plan within the specified time frame will result in this SEU approval becoming 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 minimum building setbacks for this project are as follows:

From Cortez Boulevard	75'
From Hale Avenue	75'
From all other property lines	35'

development on public infrastructure and services. Concurrency deficiencies shall be mitigated with agencies that provide and maintain infrastructure that directly serve the proposed development.

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 development patterns in this area, and is compatible with existing land uses.

Section 3. This Ordinance and zoning of the property described hereto shall take effect immediately upon the final adoption and approval of a Comprehensive Plan amendment designating the entire subject property as described in this ordinance with a Future Land Use designation of Commercial.

CITY OF BROOKSVILLE

Attest: _____ By: _____
Karen M. Phillips, City Clerk David Pugh, Mayor

PASSED on First Reading _____
NOTICE Published on November 9 & 16, 2007
PASSED on Second & Final Reading _____

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

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



Thomas S. Hogan, Jr., City Attorney



Innovators Investment Group, LLC
Zoning Ordinance No. 756
Exhibit "A"

Prepared by
City of Brooksville
Community Development Department 11/5/07

Legend

-  Innovators investment group zoning shp
-  City Boundary as of 5/22/2006

CITY OF BROOKSVILLE ZONING AMENDMENT PETITION

Date: 8/22/07

Print or Type All Information.

Applicant: Innovators Investment Group/ Dan Pittsand Bob Nelson
Mailing Address: P.O. Box 671
Lutz, Fl 33548
Daytime Telephone: 813-909-8393

Representative: Michael J. Gaylor, P.E./ Gaylor Engineering
Mailing Address: 21764 State Road 54
Lutz, Fl 33549
Daytime Telephone: 813-949-5599 **Fax:** 813-949-0818

Legal Description: Section: 27 Township: 22 Range: 19 East

Size of Area Covered by
Application: 7.71 acres

Highway & Street Boundaries: Mildred Avenue West of Hale Road
and North of S.R. 50

Future Land Use Designation: Commercial

Current Land Use Designation: Commercial and Single Family Residential

Current Zoning Classification: Professional Office and Single Family

Zoning Classification Desired: Planned Development Project

Has a public hearing been held on this property within the last twelve months?
yes

ACKNOWLEDGMENT

Bob Nelson
I, Innovators Investment Group, hereby state and affirm that all answers to the questions in said application and all sketches and data attached to and made part of this application are honest and true to the best of my knowledge.

XX I am the owner of the property covered under this application.

 I am the legal representative of the owner or lessee of the property described which is the subject matter of this application.

Bob Nelson
Signature

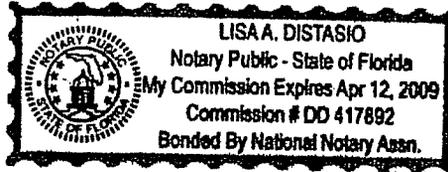
STATE OF FLORIDA, COUNTY OF PALM BEACH

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22 DAY OF August, 2007 BY THE ABOVE PERSON(S) Bob Nelson WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN OATH.

Lisa A. Distasio
SIGNATURE OF NOTARY

LISA A. DISTASIO
PRINTED NAME OF NOTARY

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Rev 09/14/97



ACKNOWLEDGMENT

Dan Pitts

I, Innovators Investment Group, hereby state and affirm that all answers to the questions in said application and all sketches and data attached to and made part of this application are honest and true to the best of my knowledge.

XX I am the owner of the property covered under this application.

 I am the legal representative of the owner or lessee of the property described which is the subject matter of this application.

Dan Pitts
Signature

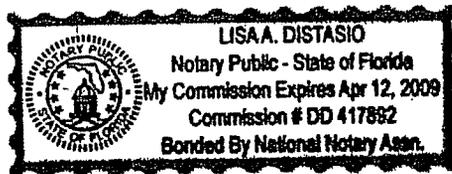
STATE OF FLORIDA, COUNTY OF PASCO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22 DAY OF August, 2007 BY THE ABOVE PERSON(S) DAN PITTS WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN OATH.

Lisa A. Distasio
SIGNATURE OF NOTARY

Lisa A. Distasio
PRINTED NAME OF NOTARY

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Rev 09/14/97



APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

Dan Pitts / Bob Nelson
I, Innovators Investment Group, the owner(s) in fee simple of the below described real property hereby appoint Michael J. Gaylor, P.E. as my (our) agent to file required petitions, sign required documents, make representations as to issues of fact and to appear, as may be necessary, before the appropriate City of Brooksville authority. My agent shall also have the authority to commit myself as owner to the necessary future performance conditions as may be directed by the appropriate City authority as a condition of granting my petition.

(Insert Legal Description Below)

(SEE ATTACHED EXHIBIT "A")

Dated: August 22, 2007

Signed in the presence of:

WITNESSES:

Signature [Signature]
Print Name DAVID D. STASIO

Signature [Signature]
Print Name LARRY BEAN

Signature [Signature]
Print Name SHELLA BASTEN

Signature [Signature]
Print Name Michael J. Gaylor

LANDOWNER(S):

Signature [Signature]
Print Name Dan Pitts

Signature [Signature]
Print Name Bob Nelson

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OWNER OR AGENT AFFIDAVIT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Bob Nelson, being duly sworn, hereby depose and say
Innovators Investment Group is the owner of the herein described property to-wit:

(Insert Legal Description Below)

(SEE ATTACHED EXHIBIT "A")

OWNER OR AGENT AFFIDAVIT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Dan Pitts , being duly sworn, hereby depose and say
Innovators Investment Group is the owner of the herein described property to-wit:

(Insert Legal Description Below)

(SEE ATTACHED EXHIBIT "A")

ACKNOWLEDGMENT

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

Witness Signature: Shirley Bantz

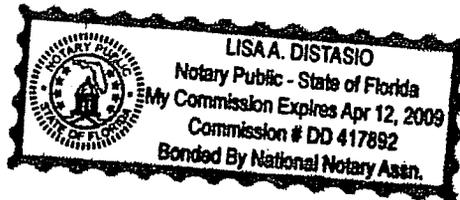
Owner/Agent Signature: Michael J Taylor

STATE OF FLORIDA
COUNTY OF POSEY

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22
DAY OF August, 2007 BY THE ABOVE PERSON(S) Michael J Taylor
WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED
AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN
OATH.

Lisa A. Distasio
SIGNATURE OF NOTARY

LISA A. DISTASIO
PRINTED NAME OF NOTARY



AFFIDAVIT

I (we), the undersigned, certify ownership of the property within this application, that said ownership has been fully divulged, whether such ownership by contingent or absolute, and that the name of all parties to an existing contract for sale or any options are filed with this application. I (we) certify that Michael J. Gaylor, P.E. is (are) duly designated as the agent(s) for the owner, that the agent(s) is (are) authorized to provide subject matter on the application contained herein, whether verbal or written, and appear at any public hearing(s) involving this petition. Further, it is understood that this application must be complete and accurate and the fee paid prior to processing.

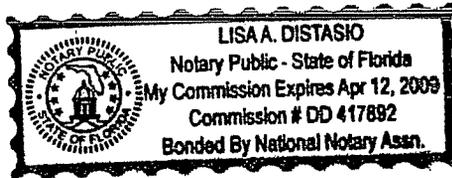
Date: 8-22-07
Date: 8-22-07
Date: _____

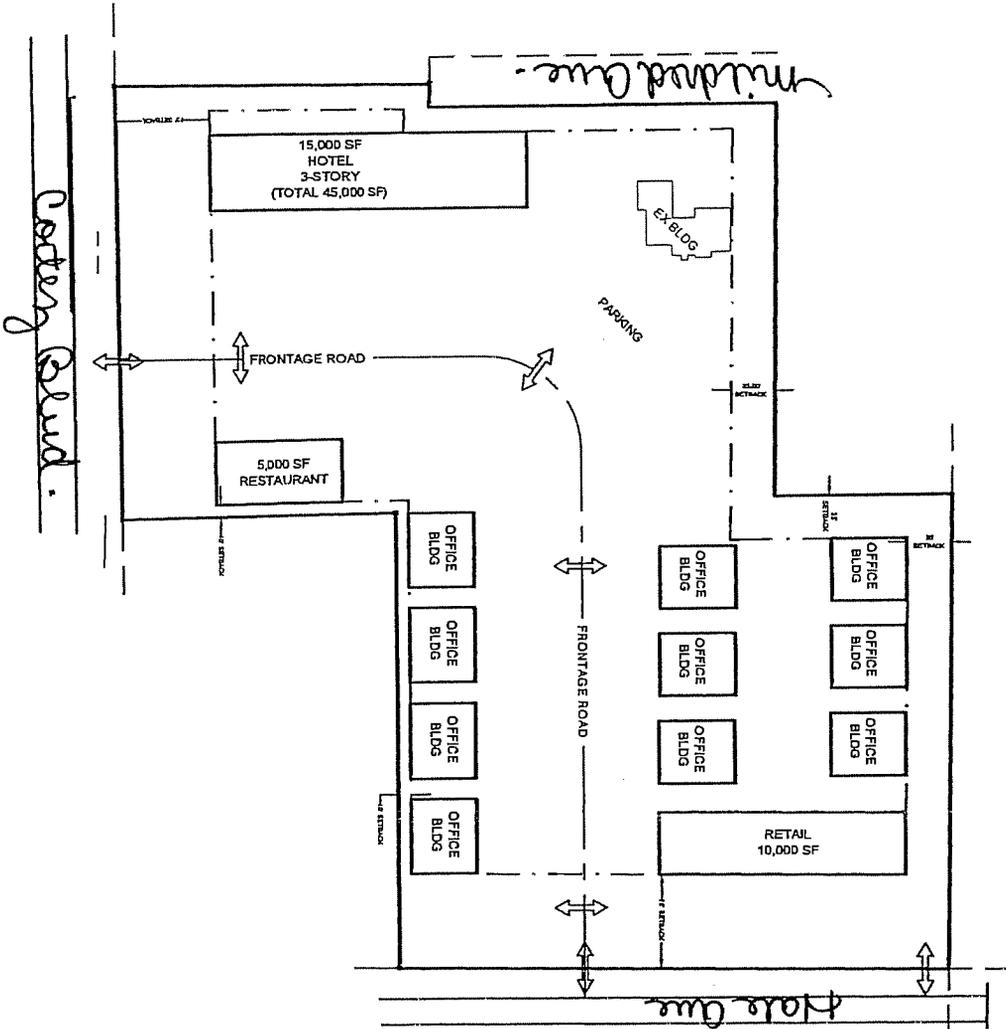
Title Holder: _____
Title Holder: [Signature]
Title Holder: _____

State of Florida
County of PSFLD

The foregoing instrument was acknowledged before me this 22 day of August, A.D. 2007 by Don Pitts and Bob Nelson, who is personally known to me or who has produced _____ as identification and who did not take an oath.

[Signature]
Notary Public LISA A. DISTASIO





SECTION 27, TOWNSHIP 23 SOUTH, RANGE 18 EAST
HERNANDO COUNTY, FLORIDA



(IN FEET)
1 inch = 100 ft.



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INNOVATORS INVESTMENT GROUP

Saylor Engineering

10000 W. UNIVERSITY BLVD. SUITE 6
HERNANDO COUNTY, FLORIDA 34426
PH: (352) 785-5411 FAX: (352) 785-8383

DATE: 08-23-07 SHEET 1 OF 1

PROJECT NO. 07018

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)

(SEE ATTACHED EXHIBIT "A")

Subject Property Street Address: Mildred Avenue West of Hale Road
and North of S.R. 50

PETITIONER IS SPECIFICALLY REQUESTING SPECIAL EXCEPTION USAGE FOR THE FOLLOWING-

Commercial Planned Development Project

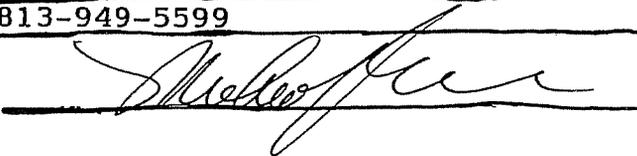
Property future land use is: Commercial
Current land use is: Commercial and Single Family Residential
Property is zoned: Professional Office and Single Family

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: Michael J. Gaylor, P.E.
Gaylor Engineering
Street Address: Osprey Cove Professional Park
21764 State Road 54
City/State/Zip: Lutz, FL 33549
Daytime Phone: 813-949-5599

Signature: 

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Rev 02/14/97, 12/09/97

OWNER OR AGENT AFFIDAVIT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Bob Nelson, being duly sworn, hereby depose and say
Innovators Investment Group is the owner of the herein described property to-wit:

(Insert Legal Description Below)

(SEE ATTACHED EXHIBIT "A")

OWNER OR AGENT AFFIDAVIT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Dan Pitts, being duly sworn, hereby depose and say
Innovators Investment Group is the owner of the herein described property to-wit:

(Insert Legal Description Below)

(SEE ATTACHED EXHIBIT "A")

ACKNOWLEDGMENT

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

Witness Signature: Shirley Banta

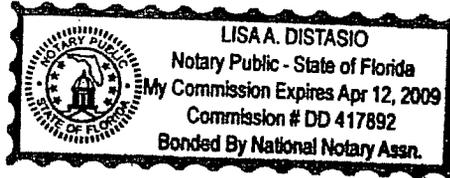
Owner/Agent Signature: Michael J. Taylor

STATE OF FLORIDA
COUNTY OF PASCO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22
DAY OF August, 2007 BY THE ABOVE PERSON(S) Michael J. Taylor
WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED
AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN
OATH.

[Signature]
SIGNATURE OF NOTARY

LISA A. DI STASIO
PRINTED NAME OF NOTARY



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APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Dan Pitts and Bob Nelson, the owner(s) in fee simple of the below described real property hereby appoint Michael J. Gaylor, P.E. as my (our) agent to file required petitions, sign required documents, make representations as to issues of fact and to appear, as may be necessary, before the appropriate City of Brooksville authority. My agent shall also have the authority to commit myself as owner to the necessary future performance conditions as may be directed by the appropriate City authority as a condition of granting my petition.

(Insert Legal Description Below)

(SEE ATTACHED EXHIBIT "A")

Dated: 8/22/07

Signed in the presence of:

WITNESSES:

Signature [Signature]
Print Name USA DIASIO

Signature Brenda L. Pagano
Print Name Brenda L. Pagano

Signature Judith A. Gaylor
Print Name Judith A. Gaylor

Signature [Signature]
Print Name Conry Bean

LANDOWNER(S):

Signature [Signature]
Print Name Dan Pitts

Signature [Signature]
Print Name Bob Nelson

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August 23, 2007

Osprey Cove Professional Park
21764 State Road 54 • Lutz, FL 33549
(813) 949-5599 FAX (813) 949-0818
E-Mail: gaylorimg@tampabay.fl.com

Re: Narrative for the Innovators Investment Group Project

This project involves 7.71 acres of property that lies on the northwest side of the intersection of Hale Road and Cortez Boulevard. The property as it exists today is vacant except for one single family home at the northwest corner which is at the end of Mildred Avenue. The site has a small pasture but the majority is a pine and oak forest with under growth. The terrain is quite unique in the fact that there is a ridge line that runs north and south and the property drains both to the west and east from that ridge. The maximum elevation change across the property is 12 feet.

It is the intent of the project to create a unique planned development encompassing a 3 story motel along with a restaurant. Both will front on Cortez Boulevard. Parking will be provided for both of these facilities and will also provide for a buffer between the commercial and residential along Mildred Avenue. The easterly portion of the property that fronts Hale Road will be comprised of a ten thousand square foot retail center and up to thirty thousand square feet of office condominiums. The site topography and tree canopy will be protected to the greatest extent possible in order to provide the aesthetics that the developer seeks. Stormwater management will be via both above ground retention ponds as well as a significant usage of underground stormwater storage. This again is proposed in order to allow for the development to take place but also to preserve tree canopy to the greatest extent possible.

The project will be built in potentially three phases. Specifically the hotel and restaurant will be a phase and the commercial and office condos will be two additional phases.

REGULAR COUNCIL MEETING - NOVEMBER 5, 2007

****Ordinance No. 756 - INNOVATORS INVESTMENT GROUP, LLC Property Re-Zoning**

Consideration of the re-zoning of a 7.76 acre ± parcel of land located North of Cortez Blvd. (S.R. 50), west of Hale Avenue and east of Mildred Avenue to the classification of Planned Development Project (PDP) with a Special Exception Use for a Combined Planned Development - consisting of General Commercial, Professional Office.

Attorney McAteer reminded Council that this is a Quasi-judicial matter and that decisions need to be based on competent substantial evidence, typically, testimony that is fact based or expert based in nature. He advised that for special exception Council can consider health, safety and welfare issues but they have to be approved by competent substantial evidence.

City Clerk Phillips asked, for clarification, if this issue required the swearing in of expert witnesses. Attorney McAteer advised that Council could recognize expert witnesses in their field if they wish. Bill Geiger and Mr. Gaylord were sworn. Mayor Pugh indicated that Mr. Geiger's credentials were on record, which were accepted by Council, as well as Mr. Gaylord as a register P.E.

Director Geiger reviewed the item and entered the entire staff report into the record as though it were read, along with the staff report for the CPA previously presented. (Attachments A & B).

Mr. Gaylord reviewed the proposal in detail and submitted pictures for the record and indicated there are two specimen trees they will be working around. Discussion continued of the right-of-way and the buffer and the stipulation that, with the exception of the hotel, all structures will be one story. Detailed discussion followed in which Council Member Lewis stated he had no problem with the project if they would put a special exception in there to limit all the buildings, except the hotel, to one story, hotel to three stories, and have the 35 foot buffer with the opaque or decorative wall. Discussion continued.

Mayor Pugh asked for public input; there was none.

City Clerk Phillips read Ordinance No. 756 by title, as follows:

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

Motion:

Motion was made by Council Member Lewis and seconded by Vice Mayor Burnett for approval of Ordinance No. 756 with the stipulated changes discussed pertaining to the height of all buildings being one story, except for the hotel, which would be three stories and the setbacks being 35' with an opaque fence and/or wall and with minimal disturbance of vegetation.

Council Member Bradburn asked if Council Member Lewis was mandating the wall. Council Member Lewis answered no, stating that it is optional, to be worked out with staff, petitioner and residents.

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

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

REGULAR COUNCIL MEETING - NOVEMBER 5, 2007

Let it be noted that Council Member Bradburn voted in favor of the project with the understanding that the applicant will come forward with a more detailed plan.

City Clerk Phillips indicated the second and final reading to be on November 19, 2007.

November 12, 2007

Honorable Mayor and Members of the City Council
City of Brooksville
201 Howell Ave.
Brooksville, Florida 34601

Re: Cobb Road WRF Expansion Improvements Construction Schedule

Honorable Mayor and Members of the City Council:

On behalf of our client, Hampton Ridge Developers, LLC (Developer), Coastal Engineering Associates, Inc. (Coastal) hereby submits the following to the City of Brooksville (City) for your review and approval.

The City and the Developer entered into that certain Agreement dated December 21, 2006 (Agreement), setting forth the terms and conditions for the Cobb Road Water Reclamation Facility (Plant) expansion improvements (Project). Paragraph 1.D. of the Agreement requires construction to commence prior to October 31, 2007. Given the current and projected economic conditions in the near future relating to the housing market, the Developer requests the Council's consideration to amend the Agreement to provide a three (3) year extension in the construction commencement date to October 31, 2010.

In consideration of the modified construction schedule, and in order to protect the City's interests, the Developer will agree to the following additional conditions to be set forth in the amendment to the Agreement. The Developer will agree to be responsible for any cost associated with: (a) extending the warranty period as to, and for the cost of storing equipment already purchased and delivered for the Project, (b) increases in construction costs that have or may occur due to industry cost increases, and (c) an associated increase in the applicable bond to cover the additional construction costs. The modification of the construction time period will not increase the City's current reimbursement obligation of \$2.575 million. The modification will, however, enable the City to defer the outlay of these funds given that the funds are not due until completion of construction and acceptance of the improvements by the City.

Operationally, the modification of the construction schedule will not impact the City's ability to provide sewer service to its users. The Plant's current flows are at a maximum annual average of approximately 0.9 mgd. The Plant's permitted rated capacity is 1.9 mgd. The State will not require start of plant expansion improvements until the Plant has reached 80% of permitted capacity -- 1.52 mgd. Furthermore, most of the expansion improvements would not be required to be placed in service after completion of construction until such time as the available flows were to reach the 1.52 mgd level. Based on the foregoing, the City Engineer has confirmed that the Plant has an

approximate available capacity of 0.62 mgd (80% of Plant capacity, less the current flows), equating to 3,100 sewer ERUs. The existing capacity is sufficient to provide for the City's anticipated growth needs beyond the time period of the requested construction schedule modification.

On or before making the requested amendment to the Agreement effective, the Cooperative Funding Agreement between the City and SWFWMD for the Construction of US 41 South Service Area Reuse System (L169) (Cooperative Funding Agreement) will have to be amended, consistent with the foregoing, to modify the contract period and construction completion dates set forth in the Cooperative Funding Agreement, given that the Project includes reuse components required to provide reuse supply from the Plant. Coastal and the City Engineer have met with SWFWMD staff to discuss SWFWMD's position regarding the proposed construction schedule modification. In order to determine if SWFWMD will agree to the modified schedule, SWFWMD staff has requested that the City provide to SWFWMD a written inquiry, including evidence of the bond currently held by the City guaranteeing construction of the Project.

We request that the Council direct City staff to (a) provide the required written inquiry to SWFWMD, and (b) work with Developer's counsel to prepare the appropriate amendments to the Agreement and the Cooperative Funding Agreement. The Developer and Coastal are available to assist City staff in any manner requested.

Sincerely,
COASTAL ENGINEERING ASSOCIATES, INC.



Tom Mountain
Sr. Vice President

copy: J. Norman-Vacha, City Manager
E. Pierce, City Engineer
T. Casey
D. Feldman
file

Memorandum

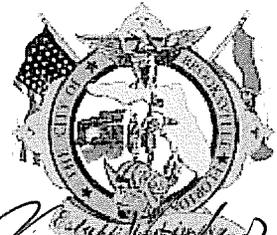
To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager 

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

Subject: Advisory Board Positions

Date: November 7, 2007



The following advisory board positions are subject to appointment. The vacancies were advertised on August 23, September 14, October 5, and October 26, 2007.

Brooksville Housing Authority

One vacancy to fill an unexpired 4-year term of office through May 31, 2011, replacing Shannon R. Andras-Petty.

Brian L. Adair	(New Applicant - Spring Hill Resident)
Luevina A. Brown	(New Applicant - BHA Resident)
Maria Hightower	(New Applicant - Spring Hill Resident)

Firefighter's Pension Trust Fund Board

One vacancy to fill an expired 2-year term of office through October 31, 2009.
[Applicants must be City Residents]

Paul D. Babcock	(Current Member - Reapplying)
-----------------	-------------------------------

Police Officer's Pension Trust Fund Board

One vacancy to fill an expired 2-year term of office through October 31, 2009.
[Applicants must be City Residents]

Joseph P. Quinn	(Current Member - Reapplying)
-----------------	-------------------------------

All are registered voters and City residents, as required.

KMP/jlp

BROOKSVILLE HOUSING AUTHORITY

The Brooksville Housing Authority Board is appointed by the Mayor of the City of Brooksville with approval of City Council, as set forth in F.S. 421.05 (Resolution No. 256 adopted January 29, 1968 and Resolution No. 91-10 increasing number of members). The Authority consists of seven voting members. All reasonable efforts will be made to seek applications from residents within the housing complex to serve on this board, striving to appoint two resident members if possible. The powers of authority of the Board are stipulated in F.S. 421.08, whereby it basically sets policies and guidelines for tenants to abide by, approves the budget for the Brooksville Housing Authority, signs the Annual contribution contract and amendments to same. The terms of office are for four year terms. **[Note: Res. #2003-06 adopted 5/5/03 rescinded provisions for alternate members]**

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

Steven J. Zeledon, CHAIRMAN, 32270 Marchmont Circle, Ridge Manor, FL 33523; 583-2064 (Home), 442-1271 (Cell); E-mail: stevezeledon@earthlink.net. Appointed May 21, 2007, to a four year term of office through May 31, 2011.

Jeanette R. Soto, VICE-CHAIRPERSON, 122 Dolly Drive, Brooksville, FL 34601; 796-2208 (home), 754-4106 (wk); E-mail: jsoto@tampabay.rr.com. Appointed August 20, 2007, to a two year term of office expiring on June 30, 2009

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

H. Paul Douglas, 9959 Domingo Drive, Brooksville, FL 34601; 428-0477(wk), (727) 233-1014 (home); E-mail: hpdouglas@hpdouglasassociates.com. Appointed August 20, 2007, to a one year term of office expiring June 30, 2008.

Shannon R. Andras-Pettry, 451 Rogers Avenue, Brooksville, FL 34601; 848-0511 (Home), 200-9228 (Work); E-mail: andraspettry@tampabay.rr.com. Appointed May 21, 2007, to a four year term of office through May 31, 2011.

(Resigned September 26, 2007)

Yvette D. Taylor 301 Independence Circle, Brooksville, FL 34601; 397-3697 (home), 544-4983 (wk), 238-9059 (cell); E-mail: ytaylor1970@yahoo.com. Appointed August 20, 2007, to a four year term of office expiring June 30, 2011.

Earl E. Watkins, III, 11171 Heathwood Ave., Spring Hill, FL 34608; 684-5928 (Home), 232-8252 (Cell); E-mail: ewatkins1@tampabay.rr.com. Appointed May 21, 2007, to a four year term of office through May 31, 2011.

Brooksville Housing Authority Ex-officio & Support Staff

800 Continental Dr., Brooksville, FL 34601 796-6547.

Ronnie C. McLean, Interim Executive Director/Secretary 8344 Eldridge Road, Spring Hill, FL 34608; 352-200-7652 (Home), 796-6547 (Work); E-mail UFL2012@hotmail.com.

Beth Loos, BHA Office Secretary

Pamela Gaines, BHA Admin. Asst.

Below is the result of your feedback form. It was submitted by **Brian L. Adair** (brianadair@bellsouth.net) on Thursday, October 11, 2007 at 13:35:50

Salutation: Mr.

*File CR of
Adair*

Home Address: 15542 Eastwood Trail

City: Brooksville

State: FL

Zip Code: 34604-0732

Home Phone: (352) 799-3892

Work Phone: (352) 398-6448

City Resident: on

Registered Voter: on

Present Employer: Self Employed

Employer's Address: 15542 Eastwood Trail

Employer's City: Brooksville

Employer's State: FL

Employer's Zip Code: 34604-0732

Education: AEET associates of Engineering Technology degree
Received an Associate degree in Electronics Engineering Technology (AEET) from DeVry Institute in Atlanta Georgia from June 1974 through September 1976 (full year scheduling, no summer break).

Classwork included Basic Electronics Theory, Lab work, Mathematics (Calculus, Differential Equations) Signal Analysis, Transient analysis, basic computer programming and others

GPA about 3.1 out of 4.0 with about 95 credit hours. I also attended classes from 1981 through 1983 at Nova Southeastern University in Davie Florida in their attempt at an engineering program. I completed about 40 credit hours of classwork with a 3.8 GPA. The program eventually was cut due to lack of enrollment and I did not get official credit for those classes. I did however get the knowledge.

In addition I attended Penn State University through a distance-learning program from about 1999 through 2003 in masters level classes that were geared towards acoustic design and theory. I completed 6 credit hours of classwork with a GPA of about 3.8. I retired from Motorola in 2004 and therefore discontinued this program of study due to lack of funding from Motorola.

Experience: I worked as an engineering manager the last 10 years or so at Motorola while maintaining a technical assignment position. I was solely responsible for new acoustic components design. This involved extensive travel to vendor sites in China, Korea, Austria, Ukraine and Japan to drive manufacturing processes. Responsible for the collection, compilation, and driving resolution of all component vendor and implementation issues. Multiple conference calls were completed weekly with results and status published regularly

In addition I am a current member of the Greater Hernando County Chamber of Commerce board of directors. I have been a board member for two years and am currently serving on the government affairs committee.

Reference 1: Douglas Edwards (813) 318-1087

Reference 2: Joseph Granda (352) 796-6528

Reference 3: Jay Jiminez (352) 796-2333

Position: Full Member Position

Housing Authority: on

Verbal reapply
10/24/07

08-01-07 P04:00 IN

City of Brooksville Application for City Advisory Board/ Committee Appointment

PLEASE TYPE OR PRINT

FULL NAME: Luevina Amanda Brown
Mr./Mrs./Miss/Ms.
ADDRESS: 309 Independence Brooksville Fla 34601

PHONE NO: Home 352 799-1915 Work 352 799-2226

E-MAIL ADDRESS: _____

RESIDENT OF THE CITY OF BROOKSVILLE: Yes No _____

REGISTERED VOTER: Yes No _____ VOTER ID #: Registration not Comp. 115359744 8/1/07

PRESENT EMPLOYER: Heartland

EMPLOYER'S ADDRESS: _____

EDUCATION: High School CNA m. Billing coding Etc.

(Use back of form for additional information)

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

Child Care

(Use back of form for additional information)

REFERENCES (3 MINIMUM) (NAME AND PHONE NUMBER):
Willie Brown 1472 Shady Rest ct 352 799-1915 573-008
Diane Bowden (352) 573-417
Lisa Holloway (352) 942-0164

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

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

- Beautification Board: 3-year terms; 7 members
- Brooksville Cemetery Advisory Committee: 4 year terms; 7 members with one member being a Council Member.
- Brooksville Housing Authority: 4-year terms; 7 members
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]
- CDBG Citizen's Advisory Task Force: No terms; 5 members;
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]
- Firefighters Pension Trust Fund Board of Trustees: 2-year terms; 5 members (2 city residents, 2 City firefighters, and 1 person chosen by balance of members)
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]
- Parks & Recreation Advisory Board: 4 year terms; 7 members.
- Personnel Board: 3-year terms; 7 members (3 laypersons who must be City residents and 4 City employees)
- Planning & Zoning Commission : 4-year terms; 5 members.
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)] (Must be City Residents)
- Police Officer's Pension Trust Fund Board of Trustees: 2-year terms; 5 members (2 City police officers, 2 city residents and 1 person chosen by balance of members)
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]
- Other Committees or Boards


Signature of Applicant

NOTE: Return completed form to:

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

(Revised February 2, 2006)

City of Brooksville Application
for City Advisory Board/
Committee Appointment

PLEASE TYPE OR PRINT

FULL NAME:

Mr./Mrs./Miss/MS.

MARIA Hightower

ADDRESS:

13077 Little Farms Dr
Springhill Fla 34609

PHONE NO:

Home (352) 683-5433

Work

(352) 844-6016

E-MAIL ADDRESS:

MHightower@newhope.mbc.online.org

RESIDENT OF THE CITY OF BROOKSVILLE:

Yes

No

REGISTERED VOTER: Yes

No

VOTER ID #:

104364053

PRESENT EMPLOYER:

Brooksville Regional Hospital

EMPLOYER'S ADDRESS:

17240 Cortez Blvd Brooksville Fl 34601

EDUCATION:

Sheraton County Technical Center 1998, Pinellas

Technical Education Center 2000 Currently attending

Pasco Hernandez Community College Pursing a RN Nursing Degree

(Use back of form for additional information)

EXPERIENCE (DETAILED) RELEVANT TO BOARD/COMMITTEE POSITION:

(Please do not substitute "manyboards" for experience.)

Ministry Leadership
team, Church Council Leadership Team.

(Use back of form for additional information)

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

Freddie Hinson (727) 856-8336 (727) 860-5645

Shirley Brown (352) 799-8460

PAT JONE (352) 658-8180

RONNIE TREWTON JR (352) 799-2865,

JULIE MOORE (352) 799-5050

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

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

_____ Beautification Board: 3-year terms; 7 members

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

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

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

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

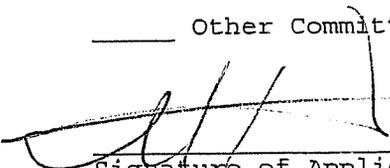
_____ Parks & Recreation Advisory Board: 4 year terms; 7 members.

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

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

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

_____ Other Committees or Boards



Signature of Applicant

NOTE: Return completed form to:

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

(Revised February 2, 2006)

Maria Hightower

Objective

To secure a position wherein my education and work experience can be utilized to their maximum advantage within an organization offering opportunities for further development and advancement.

Experience

January 2001 to Present Brooksville Regional Hospital
Operating Room Scrub Technologist

October 1999 to Present Oak Hill Hospital
 Brooksville, Florida
Labor and Delivery Scrub Technologist.

August 1997 – December 2000 East Pasco Medical Center
 Zephyrhills, Florida
Operating Room Scrub Technologist
 Reason for Leaving: relocated to another county

October 1989 – June 1997 Shady Grove Adventist Hospital
 Rockville, Maryland
Labor and Delivery Scrub Technologist/Receptionist
 Reason for Leaving: moved out of state

February 1986 – September 1989 Hollywood Memorial Hospital
 Hollywood, Florida
Intensive Care Secretary
 Reason for Leaving: moved out of state

Education

July 1998 Sheridon County Technical Center Hollywood, FL
 Completed Health Unit Coordinator Course

September 2000 Pinellas Technical Education Center, Clearwater, FL
 Completed Surgical Technology Course

Training and Experience

Performance of general scrub skills. Experience scrubbing general, vascular, orthopedic, and gynecological cases efficiently. Knowledgeable in medical terminology, computer skills, call bell system, telephone, tube station, addressograph, fax, copier, printer, vacuum suction, oxygen and cautery machines, warmers, OR lighting, delivery tables, birthing beds, fracture tables, infant transporters, and various other surgical equipment. Diverse OR experience as a team player with flexibility for large and small facilities.

FIREFIGHTERS' PENSION TRUST FUND BOARD OF TRUSTEES

The Municipal Firefighters' Pension Trust Fund Board of Trustees was created by Florida Statutes, 175.061. The Board is composed of five members, two of whom are residents of the City; two full time firefighters who are elected by the majority of the members of the plan; and the fifth member, who is not required to be a City resident, is chosen by a majority of the four members. Each member shall serve as a trustee for a period of two years from appointment.

The following is a list of the members of the Firefighters' Pension Trust Fund Board of Trustees, their terms of office, addresses and phone numbers:

Chief Tim Mossgrove, CHAIRMAN, 85 Veterans Ave.; 544-5445 (work). Re-elected by the members of the Fire Department in the Retirement System in January 2007. Chief Mossgrove's 2-year term of office will expire January 31, 2009.

Firefighter/Lieutenant Gerald Ward, VICE-CHAIRMAN, 85 Veterans Ave.; 544-5445 (work). Re-elected by the members of the Fire Department in the Retirement System in January 2007. Lt. Ward's term of office will expire on January 31, 2009.

Frank Phillips, SECRETARY, 13271 Downey Woodpecker, Weeki Wachee, FL 34614; 544-0675 (home). Reappointed by the Board and ratified by Council on January 9, 2006 to fill two year term of office as fifth member to the board. Mr. Phillips' term of office expires January 31, 2008.

Regina Ann Martin, 1522 Sabra Drive; 799-3581 (work) or 796-3330 (home) email: akids@tampabay.rr.com. Reappointed by City Council on February 12, 2007. Ms. Martin's two year term of office will expire February 28, 2009.

Paul D. Babcock, 136 Mt. Fair Avenue; 797-7755 (home), email: pdbtrading@juno.com. Appointed by City Council on August 21, 2006 to fill a balance of a two year term of office. Mr. Babcock's term of office will expire October 31, 2007.

Ex-officio & Support Staff

Scott Christiansen, Board Attorney; Christiansen and Dehner, 63 Sarasota Center Boulevard, Suite 107, Sarasota, FL 34240; 941-377-2200.

Susan Mae McCrary, Secretary to the Board (352) 544-5445.

pc: JLP
KP - Blue Binder
Bd. Sec.
Bd. Chair
Bd. Vice-Chair
Master Binder Manual

*File
backing job
by 11/1/77*

City of Brooksville Application for City Advisory Board/ Committee Appointment

PLEASE TYPE OR PRINT

FULL NAME:
Mr./Mrs./Miss/Ms. DR PAUL D. BABCOCK

ADDRESS: 136 MT FAIR AVENUE
BROOKSVILLE FL 34601

PHONE NO: Home (352) 797-7755 Work ()

E-MAIL ADDRESS: PDBTRADING@JUNO.COM

RESIDENT OF THE CITY OF BROOKSVILLE: Yes No

REGISTERED VOTER: Yes No VOTER ID #: 104394855

PRESENT EMPLOYER: RETIRED

EMPLOYER'S ADDRESS:

EDUCATION: BS., M.S. + PHD CHEMICAL ENGINEERING
LEHIGH UNIVERSITY JAN 1976

(Use back of form for additional information)

EXPERIENCE (DETAILED) RELEVANT TO BOARD/COMMITTEE POSITION:
(Please do not substitute "many boards" for experience.)
BOOKKEEPING, ACCOUNTING, 35 YEARS INVESTMENT
EXPERIENCE

(Use back of form for additional information)

REFERENCES (3 MINIMUM) (NAME AND PHONE NUMBER):
REGINA MARTIN 796-3330
DAVID SHRADE 799-5135
GWYNN BLAIR 796-7758

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

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

- _____ Beautification Board: 3-year terms; 7 members
- _____ Brooksville Cemetery Advisory Committee: 4 year terms; 7 members with one member being a Council Member.
- _____ Brooksville Housing Authority: 4-year terms; 7 members
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]
- _____ CDBG Citizen's Advisory Task Force: No terms; 5 members;
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]
- Firefighters Pension Trust Fund Board of Trustees: 2-year terms; 5 members
(2 city residents, 2 City firefighters, and 1 person chosen by balance of members)
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]
- _____ Parks & Recreation Advisory Board: 4 year terms; 7 members.
- _____ Personnel Board: 3-year terms; 7 members (3 laypersons who must be City residents and 4 City employees)
- _____ Planning & Zoning Commission : 4-year terms; 5 members.
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)] (Must be City Residents)
- _____ Police Officer's Pension Trust Fund Board of Trustees: 2-year terms; 5 members (2 City police officers, 2 city residents and 1 person chosen by balance of members)
[Requires Filing of Financial Disclosure and Gift Disclosure Forms with the Supervisor of Elections within 30 days following appointment and Every Year Thereafter (See Attached)]
- _____ Other Committees or Boards



Signature of Applicant

NOTE: Return completed form to:

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

(Revised March 15, 2006)

POLICE OFFICER'S PENSION TRUST FUND BOARD OF TRUSTEES

The Municipal Police Officer's Pension Trust Fund Board of Trustees was created for all police officers hired after January 1, 1996, pursuant to Florida Statutes, 185. The Board is composed of five members, two of whom are residents of the City; two full time police officers who are elected by the majority of the police officers who are members of the plan; and the fifth member is chosen by a majority of the four members. Each member shall serve as a trustee for a period of two years from appointment.

The following is a list of the members of the Police Officer's Pension Trust Fund Board of Trustees, their terms of office, addresses and phone numbers:

Police Officer Jason Brough, CHAIRMAN, 87 Veterans Ave.; 754-6800 (Work). Appointed by the Board of Trustees as the "fifth member" on December 15, 2005 and reappointed by City Council on January, 9, 2006 to a two year term of office. Officer Brough's two year term of office will expire on January 31, 2008.

Joseph P. Quinn*, **VICE CHAIRMAN**, 1311 Candlelight Blvd.; 796-9423(Work) or 799-6764 (Home). Reappointed by City Council on October 17, 2005 to a two year term of office. Mr. Quinn's term will expire on October 31, 2007.

Police Officer Randal Orman, SECRETARY, 87 Veterans Ave.; 754-6800 (Work). Re-Appointed in June 2006 by the Board of Trustees to a two year term of office. Officer Orman's two year term of office will expire on May 31, 2008.

Police Officer Jason Matheson*, 87 Veterans Ave.; 754-6800 (Work). Elected on December 14, 2005. Officer Matheson was elected by the City Council to serve a two year term of office which will expire December 31, 2007.

Charles W. Price, Jr., 614 Erin Way; 796-0762 (Home), email: candpprice@earthlink.net. Appointed by City Council on August 21, 2006 to a two year term of office. Mr. Price's term will expire on August 31, 2008.

Ex-officio & Support Staff

Bonni S. Jensen, Esquire, Board Attorney; Hanson, Perry, and Jensen, P.A., 400 Executive Center Drive, Suite 207, West Palm Beach, FL 33401-2922; 561-686-6550 (Work).

Margaret Bosack, Acting Human Resource Manager, City Liaison (Non-Voting) to the Board, 544-5407 x131.

Margaret Bosack, Recording Secretary, City of Brooksville; 201 Howell Avenue, Brooksville, FL 34601; Phone: 544-5407 x132, Fax: 544-5417; Email: mbosack@ci.brooksville.fl.us

pc: KP - Blue Binder - Orig
Bd. Sec., Chair & Vice-Chair
Master Binder Manual
*Only those appointed by CC gets Press Released

CITY OF BROOKSVILLE APPLICATION
FOR CITY ADVISORY BOARD/
COMMITTEE APPOINTMENT

Appt. Date: 8/4/97

~~Verbally
requested
reappoint
8/01~~

PLEASE TYPE OR PRINT

FULL NAME:

Mr./Mrs./Miss/Ms. JOSEPH F. QUINN

10/5/05
YES TO

ADDRESS: ~~821 DARBY LAWS~~ ¹³¹¹ ~~1227~~ CANOUE LIGHT BLVD REALTY
BROOKSVILLE, FL 34601 Apt. 5146

PHONE NO: Home (352) 799-6764 Work (352) ~~796-7211~~ ⁷⁹⁶⁻⁹⁴²³ ~~X4421~~

RESIDENT OF THE CITY OF BROOKSVILLE: Yes No

REGISTERED VOTER: Yes No VOTER ID #: _____

PRESENT EMPLOYER: SW FLORIDA WATER MGMT DISTRICT COASTAL ENG ASSOC.

EMPLOYER'S ADDRESS: 2379 BROAD STREET BROOKSVILLE FL 34609

EDUCATION: UNIVERSITY OF SOUTH FLA, B.A., GEOGRAPHY; MINOR, BUSINESS ADMIN;
PURSING M.A., PUBLIC ADMINISTRATION @ USF
(Use back of form for additional information)

EXPERIENCE RELEVANT TO BOARD/COMMITTEE POSITION: A DIVERSE BACKGROUND
AND EXPERIENCE ON VARIOUS PUBLIC, EDUCATION AND PROFESSIONAL
BOARDS AND COMMITTEES; EDUCATIONAL BACKGROUND IN BUSINESS
AND FINANCE
(Use back of form for additional information)

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

JOSEPH JOHNSTON, III 416 SOUTH BROAD STREET 799-3004
FRED ELMS 31075 CORTEZ BLVD 796-7284
JIM MALCOLM 2247 CULBREATH ROAD 799-1564

APPLYING FOR:
 Full Member Position
 Alternate Position

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

9/03 - ~~Verbally~~ requested
Reaff.
(10/5/07 - Letter of request to Reapp.)

CORRESPONDENCE-TO-NOTE

REGULAR COUNCIL MEETING – November 19, 2007

1. TYPE: Letter
DATE: October 18, 2007
RECEIVED FROM: David L. Moore, P.G. Executive Director/Southwest Florida Water Management District
ADDRESSED TO: Local Government Officials
SUBJECT: Notification of second extension of Water Shortage Order 07-02.

2. TYPE: Letter
DATE: October 23, 2007
RECEIVED FROM: William Whitehead III, Esq.
ADDRESSED TO: Brooksville Housing Authority
SUBJECT: Voicing concerns regarding Mr. Whitehead's client, Lane Electric, not being allowed to finish the work started at the Summit Villa Apartments in Brooksville.

3. TYPE: Email
DATE: October 24, 2007
RECEIVED FROM: Brenda Frazier, Hernando County Community Relations Coordinator
ADDRESSED TO: Roy Gordon, Karen Phillips, J. Morrison
SUBJECT: Cover for letter from Ray Graber of BrightHouse Networks, along with St. Pete Times article, regarding Government Channel coverage in the network's recent channel realignment.

4. TYPE: Letter
DATE: October 25, 2007
RECEIVED FROM: James McAdams, Director, Property Tax Oversight Program/Florida Department of Revenue
ADDRESSED TO: City Manager Norman-Vacha
SUBJECT: Notification that all certification documents submitted for the City, regarding TRIM requirements in the listed subsections of section 200.065FS, have been reviewed and meet stated requirements. A determination regarding the maximum millage levy requirements of section 200.185FS will be sent at a later date.

Monthly Reports

October 2007 Departmental Reports:

Community Development
Department of Public Works
Finance Departmental
Fire Departmental
Human Resources
Parks and Recreation
Police Department

Miscellaneous Minutes

City Advisory Boards:

Council Rep. Boards:

Hernando County Tourist Development Meeting	September 26, 2007
Hernando County Fair Association Board of Directors Meeting	October 11, 2007

NOTE: COPIES OF ALL CORRESPONDENCE ON FILE IN THE OFFICE OF THE CITY CLERK

G:\WP_WORK\ClerkOffice\Correspondence-to-Note\11-19-07 Corresp to Note.doc



An Equal Opportunity Employer

Southwest Florida Water Management District

10-24-07 P03:47
2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)
SUNCOM 572-6200

Lecanto Service Office
Suite 226
3600 West Sovereign Path
Lecanto, Florida 34461-8070
(352) 527-8131

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)
SUNCOM 531-6900

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)
SUNCOM 578-2070

- Judith C. Whitehead**
Chair, Hernando
- Neil Combee**
Vice Chair, Polk
- Todd Pressman**
Secretary, Pinellas
- Jennifer E. Closshey**
Treasurer, Hillsborough
- Thomas G. Dabney**
Sarasota
- Patricia M. Glass**
Manatee
- Heidi B. McCree**
Hillsborough
- Ronald E. Oakley**
Pasco
- Sallie Parks**
Pinellas
- Maritza Rovira-Forino**
Hillsborough
- Patsy C. Symons**
DeSoto

October 18, 2007

**SUBJECT: Notice – Second extension of Water Shortage Order 07-02;
More stringent actions to be considered on November 30, 2007**

Dear Local Government Official:

The Southwest Florida Water Management District (District) regularly monitors rainfall patterns, river flows, groundwater levels and other drought indicators in accordance with its Water Shortage Plan (Chapter 40D-21, Florida Administrative Code). Many of these drought indicators remain abnormally low, and some actually declined during the summer "rainy season" months.

Taking into consideration current conditions, weather predictions and other information received at its September 25, 2007 meeting, the Governing Board has extended Water Shortage Order SWF 07-02 through November 30, 2007. This means that the District's current once-per-week lawn watering schedule and other restrictions will continue to be in effect. If your local government has locally-imposed once-per-week lawn watering restrictions, the District will continue to recognize the watering day schedule and any more restrictive watering hours specified in your ordinance.

On November 30, 2007, the Governing Board will again review regional conditions. At this time, it appears likely that another extension of current restrictions or even more stringent regional action will be necessary. In the interim, the District will continue to monitor conditions and provide emergency authorizations to address local supply concerns as necessary.

For more details, please visit the District's website (www.WaterMatters.org). If you have any questions, please call 1-800-848-0499 or 1-800-423-1476, extension 4498, during normal business hours.

Sincerely,

David L. Moore, P.G.
Executive Director

PC: JND
CP
BL
Lambert
10/25/07 jg

67-2 11/19/07

William Whitehead III

Attorney at Law
13127 Spring Hill Drive
Spring Hill, FL 34609

Admitted to the Bar in:

Hawaii
Nevada
Florida

Telephone: (352)683-7449
Facsimile: (352)686-7455

October 23, 2007

Brooksville Housing Authority
800 Continental Drive
Brooksville, FL 34601

John Neisz, Director
Dept. of U. S. Housing and
Urban Development
400 W. Bay Street, Ste. 1015
Jacksonville, FL 32202

Dear Directors and Personnel:

I represent Jim Lane, of Lane Electric.

In March, 2007, Lane Electric was engaged by the Brooksville Housing Authority to repair the badly outdated electrical infrastructure at the Summit Villa Apartments, located at 510-530 Martin Luther King Boulevard (MLK) in Brooksville. Lane Electric was issued an Emergency Permit for the repair of the wiring at 520 MLK; after an inspection by Timothy Mossgrove, Brooksville Fire Chief, and with the full authorization of the Brooksville Housing Authority, Mr. Lane was requested to continue his work in the repair of systems for all three multiple-residence units of the complex.

The work by Lane Electric was governed by a Contractor Agreement dated April 25, 2007. Copies of documentation supporting all terms and authorizations are attached to this letter.

During the period of time while the work was being done, the Housing Authority found itself on a rocky road:

- A. Members of the agency were accused (and convicted) of embezzlement.
- B. A shortfall in available funds was discovered.
- C. The primary source of funds, the U.S. Housing and Urban Development Agency (HUD), was concerned enough obviously to ask for an investigation.

During this time, and to the present, there have been turnovers in decision making, in responsibility, and putative leadership of the Brooksville Housing Authority. During the turmoil, however, and from HUD and the local Housing Authority and any of the addressees and persons copied with this letter, the following facts have not been disputed:

*ATW - 11/19/07 B
note: each C.M.
rec'd copy
bill*

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: "Roy Gordon" <gordonr@hcsb.k12.fl.us>; "Karen Phillips" <kphillips@ci.brooksville.fl.us>;
<jmorrison@springhillfire.com>
Sent: Wednesday, October 24, 2007 8:38 AM
Subject: Bright House

http://www.sptimes.com/2007/10/24/Hernando/County_joins_cable_ch.shtml

Wanted to make sure you saw this. We received a letter yesterday making it official that they are moving our channels to the 600 tier. I am faxing you a copy of it.

Brenda Frazier

Community Relations Coordinator
Hernando County Government
20 N. Main Street - Room 460
Brooksville, FL 34601
(352) 540-6780
(352) 754-4477 (fax)
brendaf@hernandocounty.us

PC. [unclear]

CTW 11/19/07

8



Executive Director
Lisa Echeverri

October 25, 2007

Ms. T. Jennene Norman-Vacha, City Manager
City of Brooksville
201 Howell Avenue.
Brooksville, Florida 34601

Re: Truth in Millage (TRIM) Certification

Dear Ms. Norman-Vacha:

The Department of Revenue has reviewed the millage certification documents submitted by your taxing authority and determined that it meets the certification requirements of subsections 200.065(1)-(4), (6)-(12), (14) and (15), Florida Statutes. The Department has found no violation of the requirements of the listed subsections and accordingly accepts your certification as meeting the stated requirements.

This determination applies only to the TRIM certification requirements in the listed subsections of section 200.065, Florida Statutes. A determination regarding the maximum millage levy requirements of section 200.185, Florida Statutes, will be sent in a separate notice.

Sincerely,

James McAdams, Director
Property Tax Oversight Program

JM/ukc {37.03}

Child Support Enforcement - Ann Coffin, Director • General Tax Administration - Jim Evers, Director
Property Tax Oversight - James McAdams, Director • Administrative Services - Nancy Kelley, Director
Information Services - Tony Powell, Director

www.myflorida.com/dor
Tallahassee, Florida 32399-0100

pe: CTN
✓ Stull Baunaga

10-31-07 P01:24 IN



CITY OF BROOKSVILLE
 Community Development Department
 Monthly Activity Report
 October 2007

CATEGORY	This Month October 2007	Fiscal Year to Date 10/01/07 - 10/31/07	This Month Last Year (October 2006)	Last Fiscal Year to Date 10/01/06 -10/31/06
Building/Development Reviews	37	37	9	9
Occupational Licensing Reviews	10	10	31	31
Zoning Research Responses	47	47	68	68
Variances	1	1	0	0
Special Exceptions	1	1	2	2
Re/Zoning Amendments	1	1	1	1
Annexation	0	0	0	0
Conditional Plat	0	0	1	1
Final Plat	0	0	1	1
PDP Master Plan SEU/Zoning	1	1	2	2
Comprehensive Plan Amendments	1	1	0	0
Code Enforcement Violations	42	42	20	20

HERNANDO COUNTY TOURIST DEVELOPMENT MEETING

SEPTEMBER 26, 2007

The Hernando County Tourist Development Council meeting was held on Wednesday, September 26, 2007 at 3:00 p.m. in the Garden Room at the Best Western Resort, 30307 Cortez Blvd., Spring Hill, Florida 34602. The meeting had been advertised and the public was invited to attend. The following is an attendance record and summary of discussions that took place at the meeting.

MEMBERS PRESENT:

Bobbi Mills, Chairperson
Joel Hernandez
Therese White
Joseph Giarratana
Jan Knowles

ABSENT:

Richard Lewis (excused)
Lara Bradburn (excused)
J. K. Tesman (excused)
Christopher Kingsley (excused)

OTHERS PRESENT:

Jerry Johnson, Withlacoochee Rockhounds
Joan Casey, Cattleman's Association
Paul Shaskan, Spring Hill Art League
Brian Brijbag, First Baptist Church
Mary Alice Quieros, Brooksville Mural Society
Joe Johnston, Friends of the Children
Peggy Prentice, H.C. Auditing Services

STAFF:

Susan Rupe, Director
Carole Knudson, Information Specialist
Mike McHugh, Office of Business Development

CALL TO ORDER: Chairperson Bobbi Mills called the meeting to order at 3:10 p.m. on September 26, 2007 with the required quorum of members present.

APPROVAL OF MINUTES: Chairperson Mills called for approval of the minutes of the August 23, 2007 meeting.

MOTION: Discussion - corrections to be noted: Brooksville Raid dates shall be changed to January 19 - 20, 2008.

At the August 23, 2007 meeting, the presentation for the Brooksville Raid was given by Joan Casey.
Corrections noted.

Therese White made the motion to approve the minutes of the August 23, 2007 meeting with the noted corrections. Motion seconded by Joel Hernandez. Motion passed 5 - 0.

TOURISM TAX EXPENDITURE AUDIT - PEGGY PRENTICE:

Peggy Prentice presented an overview of the Tax Expenditure Audit currently being conducted for the tourism bureau. She explained that an audit entrance conference was held on August 7, 2007, and she gave a list of required items to Sue Rupe and Mike McHugh to start the process. In a format of checks and balances, the audit will review the tourism budget and how TDC dollars are spent. In giving the audit status update, Ms. Prentice indicated that she had no concerns to date, and that a final report is on target for December.

PRESENTATIONS - SPECIAL FUNDING GRANTS:

1. EscapeFest - presented by Brian Brijbag, First Baptist Church of Brooksville
Brian Brijbag outlined the event, to be held for the first time on January 26, 2008. Brian explained that the free event is being designed to target younger people, offering music with a positive message. He also noted that younger people tend to have disposable income and have no problem traveling to other areas for concerts. Impact on the area will be bands who will be coming from out of the area, as well as guests and other visitors, creating hotel stays. Amount requested: \$1,000.00, which will be used for out of the area publicity and promotion of the event.
2. Train Depot Brochures - presented by Virginia Jackson & Jan Knowles
Virginia Jackson highlighted the recently renovated Train Station Depot, which is now open to the public as of the first of September, 2007. As part of the Depot, there is a museum highlighting "early Cracker life" of lumbering, cattle, turpentine stills, and area genealogy. The Train Station Depot is targeted to become a trailhead area for the Withlacoochee Trail, eventually joining the Suncoast Trail. Amount requested: \$3,000.00 for the development and printing of new Train Station Depot brochures for distribution and out of area marketing.

pe: 'read'
eth 11-19-07

**HERNANDO COUNTY FAIR ASSOCIATION
BOARD OF DIRECTORS MEETING
October 11, 2007**

Meeting called to order at 6:00 p.m. by President Joe Bernardini. Director John Mitten led the prayer and President Bernardini led the pledge. Secretary Cathy DeHoff took roll and established that a quorum was present (roster attached).

Treasurer Judy Mamo **moved** and it was seconded to accept the minutes as read. The motion passed without opposition.

Director Nancy Moores **moved** to accept the treasurer's report as read; the motion was seconded and passed unanimously.

Unfinished Business:

Road update – President Bernardini reported that questions have come up regarding the road. No board action at this time.

Mission statement – Director Mitten asked for volunteers for this committee. Vice President Sandi Nicholson, Director Terry Weaver and Secretary DeHoff will serve. No board action required.

Lease update – Vice-President Nicholson reported that there are ownership questions and that our lawyer, John Foster, is working with the county and city. No board action at this time.

Bulls & Barrels update – Fairgrounds Manager Joy Jackson reported that Bo Campbell will provide a PCA Bulls & Barrels event at the 2008 fair on April 11. No board action required at this time.

New Business:

Marine Corp Toys for Tots: Bob Ross from the Marine Corps Reserve presented President Bernardini and Fairgrounds Manager Jackson with awards of appreciation for the HCFA support of the Toys for Tots project. No board action required.

New Year's Eve Party – Fairgrounds Manager Jackson requested permission to hold the 2nd annual New Year's Eve Party as a fundraiser. Secretary DeHoff moved that the HCFA sponsor a New Year's Eve party, the **motion** was seconded and passed unanimously.

Florida Federation of Fairs Workshop Report – Vice-President Nicholson reported on the various workshops attended and encouraged more board members to attend in the future. No board action required.

*pc: read
eth 11-19-07*