CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
HERNANDO COUNTY MINING ASSOCIATION ENRICHMENT CENTER
800 JOHN GARY GRUBBS BOULEVARD
BROOKSVILLE, FL 34601

AGENDA

April 2, 2012 **6:00 P.M.**

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. ADJOURN MEETING AND RECONVENE IN EXECUTIVE SESSION

EXECUTIVE SESSION PURSUANT TO F.S. CHAPTER 286.011(8)

The purpose of the Executive Session is to discuss settlement options and litigation strategy for pending City actions. The persons attending the meeting will be Council Members Joe Bernardini, Lara Bradburn, Frankie Burnett, Kevin Hohn and Joe Johnston; Attorney's for the City of Brooksville, Thomas S. Hogan, Jr., Debbie Hogan and Robert B. Battista; City Manager, T. Jennene Norman-Vacha; and court reporter C. Gail Donato of Carolyn F. Engle & Associates. The meeting is expected to last approximately sixty minutes.

ADJOURN EXECUTIVE SESSION & RECONVENE COUNCIL MEETING

D. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. **Hernando County Fair & Youth Livestock Show Update**
   Presentation of an update on the annual event to be held April 6 - 14, 2012 at the Hernando County Fairgrounds.

   Presentation: Sandra Nicholson, President of Board of Directors

2. **Adopt-A-Trail Recognition of Participation**
   Recondition of Building a Foundation through the Product of My Environment for being the first organization to participate in the program.

   Presentation: Mike Walker, Director of Parks, Facilities & Recreation

3. **Proclamation – Water Conservation Month**
   Consideration of proclamation designating April as "Water Conservation Month."

   Presentation: Mayor to Chris Zajac, Community Affairs Program Manager of Southwest Florida Water Management Northern District
   Attachments: Proclamation

4. **Florida Blueberry Festival Update**
Update on progress of the festival.

Presentation: Michael Heard, Florida Blueberry Festival Chair

5. **Brooksville Housing Authority Update**
Update on status of Summit Villas and Hillside Estates properties owned by Brooksville Housing Authority.

Presentation: Tommy Brooks, Brooksville Housing Authority Executive Director

E. CITIZEN INPUT

F. CONSENT AGENDA

1. **Minutes**
   a) December 13, 2010 Workshop
   b) August 23, 2011 Workshop
   c) September 14, 2011 1st Budget Hearing
   d) February 6, 2012 Regular Meeting

2. **Mower Purchase**
Consideration of purchase of three (3) mowers through State Contract for a total amount of $12,370.

3. **Quarry Golf Course Lease Assignment**
Consideration of assignment of lease to Golf the Quarry, LLC.

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Minutes; 2) Memo from Director of Parks, Facilities & Recreation dated 03/23/12, Picture of Mowers; 3) Memo from City Attorney dated 03/26/12, Assignment, Paragraphs IX and X of current lease, Confirmation of Status from State

G. REGULAR AGENDA

1. **Southern Hills Plantation Home Owner's Association Request for Advance**
Consideration of an advance in the amount of $78,930.80 to begin repairs of the Phase 2 Roadway Project.

Presentation:	Margaret Bloomquist, Southern Hills Plantation HOA Board Representative
Recommendation:	Approval of Advance
Attachments:	Memo from HOA President dated 03/26/12, Memo from Board Representative dated 03/20/12, Bid Results for the Phase II Roadway Safety Repairs

2. **Alcoholic Beverage Location Permit**
Consideration of an Alcoholic Beverage Location Permit for a Country Concert at Tom Varn Park on April 20, 2012.

Presentation:	Director of Parks, Facilities & Recreation
Recommendation:	Approval of Permit
Attachments:	Memo from Director of Parks, Facilities & Recreation dated 03/26/12, Letter of Request, Facility Use Agreement

H. CITIZEN INPUT

I. ITEMS BY COUNCIL

J. ADJOURNMENT

CORRESPONDENCE TO NOTE

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the City Clerk's office 48 hours in advance of the meeting at (352) 540-3853. Meeting agendas and supporting documentation are available from the City Clerk's office and on line at www.cityofbrooksville.us.

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.

AGENDA ITEM NO. D-3
4/2/12

City of Brooksville

Proclamation

WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, The State of Florida, Water Management Districts and the City of Brooksville are working together to increase awareness about the importance of water conservation; and

WHEREAS, the City of Brooksville and the State of Florida has designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, the City of Brooksville has always encouraged and supported water conservation through various educational programs and special events; and

WHEREAS, every business, industry, school and citizen can make a difference when it comes to conserving water by saving water and thus promote a healthy economy and community; and

NOW, THEREFORE, WE THE UNDERSIGNED AS CITY COUNCIL FOR AND ON BEHALF OF THE CITY OF BROOKSVILLE, DO HEREBY PROCLAIM, the month of April, 2012, as

Water Conservation Month

in our community and encourage all citizens to become more aware of the need to save and protect our precious water supply and to take appropriate conservation measures.

IN WITNESS WHEREOF, we have hereunto set our hand and caused to be affixed the seal of the City of Brooksville this 2nd day of April, 2012.

CITY OF BROOKSVILLE

_____
Joseph E. Johnston, III, Mayor

_____
Lara Bradburn, Vice Mayor

_____
Joe Bernardini, Council Member

_____
Frankie Burnett, Council Member

_____
Kevin Hohn, Council Member

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

AGENDA ITEM NO. F-1(A)
4/2/12

CITY OF BROOKSVILLE
WORKSHOP
COUNCIL CHAMBERS
201 HOWELL AVENUE
MINUTES

December 13, 2010 **6:00 P.M.**

Brooksville City Council met in workshop session with Mayor Frankie Burnett, Vice Mayor Joe Johnston and Council Members Joe Bernardini, Lara Bradburn and Emory Pierce present. Also present were Jennifer Rey, City Attorney; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Richard Radacky, Interim Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief.

The meeting was called to order by Mayor Burnett.

LAND DEVELOPMENT CODE

Review and discussion of the proposed Land Development Code (LDC).

Director of Community Development Bill Geiger prefaced the schedule to final approval. He indicated feedback will be collected from Council and staff, as well as local business' review, to produce the final project for a general public hearing. He anticipates a final workshop in March 2011 and the Planning and Zoning Commission would be given a draft of the proposed code for a public hearing in June 2011 then to City Council in July or August 2011 for review and then the public hearing process will be initiated shortly thereafter. After that, there will be notice requirements and notification to property owners, etc. based on the scope of the proposed code in the zoning aspect. He anticipated final adoption by late summer/early fall.

Council Member Pierce asked for the timeline in a memorandum to Council. Mayor Burnett asked for the possibility of this being ready before the budget review process. Director Geiger indicated the final version will be ready for review by Council in March.

City Planner Steve Gouldman proceeded to review the changes.

Article I

Page I-3 - SECTION 1-3.5. PROHIBITIONS
Section B. Specifically

Mr. Gouldman stated there was additional language for clarification on verbiage and additions were underlined.

Page I-4 – SECTION 1-3.8. CONDITION OF PERMIT

He stated language was added to notify applicant of insufficient application and indicated notification is traditionally in the form of a letter sent to the applicant.

Page I-6 – SECTION 1-5.2. PENDING APPLICATIONS AND INTERIM AUTHORITY
Section B.

He stated "deemed substantially complete and" was added language as suggested.

Council Member Pierce asked if the term "parcel" would not be better verbiage than "lot". Mr. Gouldman indicated it did not make a difference and subdivisions are known as "lots".

Article II

Page II-3
Section 3.c.

He stated language was added to allow only light industrial activities under the Industrial district.

TABLE OF ALLOWABLE USES

Page II-7

He stated Nursing, Convalescent and Extended Care Facilities was changed from Special Exception Use to Special Use under the Residential districts.

He noted that the uses allowed under Commercial and Industrial I-1 category were replicated under I-2.

Page II-8

Mr. Gouldman stated Pre-K, Day Care, Child Care and Child Nurseries was changed from Special Exception Use to Special Use under the Residential districts.

Page II-15

He stated Fire Stations were changed from Permitted Use to Special Exception Use under the Residential districts.

PART 2-3

Page II-18 - SECTION 2-3.1. GENERALLY

He indicated Historic Central Business/Residential, Historic and Cultural Conservation and Public Facilities and Services had been added.

Page II-19 Footnotes:

Mr. Gouldman addressed Council Member Pierce's concern to provide a minimum 75-foot building setback measured from the property line. Council Member Pierce referenced number five and would like to add "All properties located adjacent to arterial highways shall provide a minimum 75-foot building setback from the arterial highway right-of-way". Director Geiger indicated this setback is standard throughout the code for new construction since it was adopted in the year 2000 and there are provisions for existing properties that allow a lesser setback. Council Member Bernardini and Mayor Burnett would like all Council members to be informed when a hardship waiver has been granted in those instances and City Manager Norman-Vacha assured they would be notified via

communication in their boxes. City Planner Steve Gouldman explained there are two (2) criteria for granting a variance on commercial building setbacks standards; there is inadequate depth or applicant requests continued use of an existing structure.

Article III

Page III-6 Item g.

Mr. Gouldman indicated the word "wood" was added to materials for fences and walls.

Page III-11 Section A.1. Composition

He stated that he attended a workshop for historic preservation during which he had a discussion of the process of becoming a Certified Local Government. Regarding composition of the Historic Preservation Review Board (HPRB), it was discussed as to whether it was a requirement that members hold a degree in architecture or have a background in history and it was indicated to him that they do not but the language could reflect that the City is making an effort to find educated persons or experience in related disciplines. He indicated that he has added verbiage to that effect.

Page III-12 SECTION 3-2.3. REGULATORY FRAMEWORK #2

He indicated there was language removed per direction by City Council; "...but no application for approval of a certificate of appropriateness will be denied except by the vote of a majority of the entire Board (four votes of seven total)".

PART 3-4

Page III-27

Mr. Gouldman indicated Planned Development Districts has been spelled out as requested.

PART 3-7

Page III-35 DEVELOPMENTS OF REGIONAL IMPACTS

He indicated "DRI" has been capitalized as requested.

Council Member Pierce asked what will be gained from creating an Historic Preservation Review Board. Mr. Gouldman indicated there will be a review board that looks at historical items and the ordinance allows the City to be eligible for grants as a Certified Local Government.

He next addressed Council Member Pierce's comment regarding the historical inventory list which he stated staff has been working on and will be completed with the Historic Preservation Review Board.

Lastly, he addressed Council Member Pierce's comment as to what is considered a recreational vehicle and referenced page XI-41 under definitions indicating he has made the changes as suggested by Attorney McAteer to adopt the State's definition, which includes maximum amount of time for occupancy of recreational vehicle parks. Discussion ensued regarding concern of these parks becoming transient facilities. Mr. Gouldman indicated it all comes down to enforcement.

PART 3-8

COMMUNITY DEVELOPMENT DISTRICTS

Page III-39 Section E.

Mr. Gouldman indicated "staff review" refers to the Development and Finance Departments and State Statute requires a public hearing if it is under the purview of the City. Council Member Pierce stated his concern of cost for review by staff and suggested that financing be determined by the private sector. Mr. Gouldman explained that State Statute gives a provision for people to apply for Community Development Districts and this code recognizes that fact along with the review process. Director Geiger further elaborated that a developer can establish a Community Development District with or without the City's approval and would fall under the County's purview for review and approval. Attorney McAteer stated he will research this.

Council Member Pierce suggested coordinating review with the County Tax Collector and Property Appraiser as the burden is placed on Sales Tax Certificates in case of default.

Vice Mayor Johnston pointed out under the Table of Contents "Articles" is misspelled.

Article IV

Page IV-6

Council Member Pierce indicated he is in favor of showing a five-mile radius of the property for the vicinity map; Council concurred.

Page IV-12 # 4

Mr. Gouldman indicated the City Attorney will be supplying language as it applies to a bond or certified check posted at 125% minimum to ensure completion of all required improvements.

Page IV-22

He referenced Council Member Pierce's comment regarding prohibiting open swale drainage in urban areas due to sidewalks.

Page IV-23 6.d. and 6.e.

He stated that sidewalks and street lights will be required to be constructed and installed as part of the posted bond and that the City, by ordinance, pays for electricity used by streetlights on public streets. Council Member Pierce stated his concern with gaps in sidewalks where there are empty lots and wants a timeline given to the developer for completion.

Page IV-28 E.3. Stormwater Management Regulations

Mr. Gouldman stated the ten (10) year storm design requirement was borrowed from Hernando County's regulations. Council Member Pierce will check to be sure ten (10) years is acceptable as he believes that originally came from the Department of Transportation regulations.

Page IV-29 I. Underground Utility Service

City Planner Steve Gouldman indicated underground utility service should be required in subdivisions. Council Member Pierce indicated they will have to come before City Council for an exception.

Council Member Bernardini would like to discourage rear lot utility easements and Council Member Pierce would like language added to that effect. Mr. Gouldman described the difference in two (2) forms of residential development to explain easements for location of utility lines. Council Member Pierce asked that the rear lot easement be increased from a minimum fifteen (15) feet to twenty-five (25) feet wide for fixed underground sewer lines. Director Radacky advised putting sanitary sewers in the street. Council Member Pierce agreed and requested verbiage to be stated "water and sewer shall not be in rear lot easements".

Page IV-60 # 11

Mr. Gouldman indicated, per Council Member Lewis' request, the language was changed to restrict certain types of trees as "prohibited trees". Attorney McAteer pointed out the University of Florida website indicates the Chinese Tallowtree is not recommended. Director Geiger recommended referring to the State list for various planting information.

Page IV-108 SECTION 4-8.12. ANIMALS

Attorney McAteer stated it appears to limit the number of livestock with ten (10) acres minimum on residentially-zoned property as number 2 does not indicate this only pertains to properties zoned Agricultural. Director Geiger indicated this was written in early 2000's to address some specific issues and was meant to cap the total amount within the incorporated area and he denoted it could be changed if Council desires. He further stated that Council could consider a specific exclusion or allowance to recognize annexed properties with agricultural uses until urban uses are approved. Vice Mayor Johnston was in favor of adding language to that effect. City Planner Steve Gouldman indicated that type of use would be covered under non-conforming uses since it existed prior to annexation, such as animal production units. Vice Mayor Johnston stated the only two (2) exclusions would be a feed lot operation or a commercial chicken farm. He suggested a standard ratio be established for amount of animals per acre to control feed lot operations and a lesser intensity.

Attorney McAteer mentioned the Green Belt designation benefits property owners until the market improves and he advised not to create a condition that is in conflict with City Code as the standard definition is a bona fide agricultural operation and stated feed lots can be prohibited. Director Geiger indicated there could be language added for clarification of intent. City Manager Norman-Vacha stated her concern that current Property Appraiser's requirements and City Code conflicts with the Green Belt requirement and advised Council to revise over ten (10) acres to increase the maximum amount of livestock. Director Geiger surmised it was Council's desire to build latitude into the Code to allow for consideration of uses other than residential or commercial development on large acreage parcels being annexed into the City, recognizing that they are bona fide agricultural operations and felt that would fit well into the City of Brooksville.

Page IV-113 SECTION 4-8.23. CIRCUS

Mr. Gouldman referred to minimum setback from a residential district as Vice Mayor Johnston suggested adding "...between parking areas and any circus equipment or vehicles and a minimum of 300 feet from the circus itself."

Council Member Bernardini asked if this section also covers fairs and annual festivals. Mr. Gouldman indicated that is covered on Page IV-130 SECTION 4-8.46. NEIGHBORHOOD/COMMUNITY FAIR. He indicated churches fall under Non-profits. He also addressed Council Member Pierce's question of whether this section applies to block parties and indicated that it does pertain if it is an organization and not a private individual putting it on. Mayor Burnett suggested a paragraph for clarification be added to distinguish between the two. Council concurred and Director Geiger confirmed that a full paragraph will be added to the section. Mr. Gouldman referred to Page XI-34 Definition for Neighborhood/Community Fair.

Page IV-132 PORTABLE TEMPORARY STORAGE UNITS ON SINGLE-FAMILY LOT

Council Member Bernardini asked how the restriction on allowable time is enforced. Director Geiger indicated a documentation process from the point of observation. Should it go beyond the allowable timeline of thirty (30) days then staff would proceed with Code Enforcement. He indicated the language under Section B "...prior approval by the City of Brooksville..." will be clarified and stated the time can be regulated through the Temporary Use Permit process. Council Member Bernardini pointed out there is a temporary structure he is aware of that has existed for at least two (2) years on a major roadway in the front yard and suggested the Code Enforcement rules be more stringent.

Vice Mayor Johnston stated the language in this section is sufficient and enforcement is not problematic enough to warrant amending the language, but felt Council Member Bernardini's concern should be addressed. City Planner Steve Gouldman indicated he will do research on Portable on Demand Storage units (PODS) to add language for clarification. Vice Mayor Johnston announced there is a new portable unit called "Granny Houses" that is placed in the back yard for elderly medical care that should also be addressed. Mr. Gouldman indicated that would be covered under Accessory Dwellings and would have to meet Code standards for size and setback requirements. Director Geiger further indicated it also requires bathroom and kitchen facilities.

Director Geiger pointed out the current code does not address portable temporary storage units directly and this section defines what is allowed and sets a limited time.

Council Member Pierce pointed out there is a definition for "Equivalent Residential Unit (ERU)" but not for "EDU" to which City Planner Steve Gouldman indicated it is defined elsewhere.

Page IV-133 SECTION 4-8.51. PROFESSIONAL RESIDENTIAL FACILITY

Mr. Gouldman referenced Section A and stated the distance of 1,200 feet is a State requirement and is to preserve the residential environment.

He indicated that concluded Articles previously reviewed by Council.

Article V Natural Resources

City Planner Steve Gouldman advised this is a new section and wetlands protection reservations were put into the Comprehensive Plan, which Florida Department of Community Affairs required for consistency as a result of the 2003-2004 amendment. He pointed out on Page V-1 "...the 2002 SWFWMD regulations..." will be changed to read "current".

Director Geiger referred to Flood Prevention and Protection Areas and indicated Federal Emergency Management Agency has reviewed the ordinance and has determined it meets the Federal requirement.

Article VI Adequate Public Facilities

Page VI-10 Facility/Service Demand Calculations

Council Member Pierce pointed out that in the impact fee calculations, when determining ERU's, as he recalled it being 250 gallons per day for potable water and 200 gallons per day for sewage. Mr. Gouldman stated he borrowed this from the existing code, which has already been brought to his attention by the Director of Public Works. He will correct the figures.

Article VII Signs

Mr. Gouldman indicated there have been no changes to this section.

Director Geiger referred to Page VII-6 Section E and indicated Standard Building Code will be changed to Florida Building Code. Vice Mayor Johnston stated the prohibited signs taken from the current Code are not enforced, such as portable signs, inflatable signs and flying paraphernalia.

Director Geiger explained code enforcement is an ongoing activity and he has asked the code enforcement officer to increase awareness of prohibited signs to new businesses. Council Member Bernardini pointed out there are signs at the corner of US98 and SR50. It is a traffic safety issue and blocks the view of turning vehicles.

Article VIII Administration, Application and Appeal Procedures

City Planner Steve Gouldman stated this section was previously covered and there have been no modifications since the last meeting. Director Geiger pointed out there was an additional section from existing code for the Code Enforcement Officer and Hearing Officer.

Article IX Interpretations and Nonconformities

Mr. Gouldman stated this section is similar to the current Code of Ordinances but is more in depth. He elaborated on the review and appeal process for nonconforming uses. In reference to Council Member Bernardini's concern as to who can file an appeal, Director Geiger pointed out the appeals process is addressed under Article VIII on Page VIII-46 Part 8-3 Appeals A.2.c. "Any owner of real property as reflected on the current year's tax roll, lying within 150 feet in every direction of the property or project is the subject of the administrative decision…"

Article X Buildings and Building Regulations

Mr. Gouldman stated this section is taken directly from the Code of Ordinances. Director Geiger referenced page X-47 Section 10-1.5. Construction Board of Adjustment and Appeals and indicated there is no such board currently but there is a verbal agreement with the County to make use of their board should the need arise. Vice Mayor Johnston advised adding language that indicated the County Board of Adjustment Appeals can be appointed on a temporary basis at City Council discretion.

Council Member Bernardini asked if a new commercial tenant is made aware of what is allowed in the building as occupational permits are issued by the City. Vice Mayor Johnston indicated businesses should do research on the building use allowed before they sign a lease. Attorney McAteer cautioned that the City could be liable in a lawsuit should that be made part of the Code.

Article XI Definitions

City Planner Steve Gouldman indicated there are existing definitions with some additional that were not included.

Attorney McAteer commented on the Historic Preservation regulations and warned initial implementation can generate litigation that has been upheld in court in the past. He clarified that he does not anticipate that happening here since these are defendable provisions specific in nature.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:10 p.m.

_____
City Clerk

Attest: _____
Mayor

AGENDA ITEM NO. F-1 (b)
4/2/12

CITY OF BROOKSVILLE
BUDGET WORKSHOP
MINUTES

August 23, 2011 **6:00 P.M.**

Brooksville City Council met in workshop session with Mayor Frankie Burnett, Vice Mayor Joseph E. Johnston, III, Council Members, Joe Bernardini, Lara Bradburn and Kevin Hohn present. Also present were Thomas S. Hogan, Jr. and Jennifer C. Jennifer Rey, City Attorneys; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Richard Radacky, Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief. Members of the Hernando Today and Hernando Times were also present.

The meeting was called to order by Mayor Burnett.

FY2011/12 BUDGET REVIEW

Review and discussion of Budget for FY2011/12.

City Manager Norman-Vacha reviewed the items submitted to Council as follows:

1. Cost of full-time in-house attorney versus a contractual attorney: City Manager Norman-Vacha outlined a brief analysis of wages/cost based on the Tampa Bay/Metropolitan Service Area and felt the numbers to be accurate, but stated Council could adjust accordingly for an in-house attorney with a paralegal. Additionally included was the existing legal services contract with the Hogan Law Firm and hour details of retainer.

   Vice Mayor Johnston stated his request was not intended for this year's budget but for Council to study for the future. He felt the wages are high for this area and the cost would be lower than estimated.

2. Listing of Special Events with Council approved fee waivers for last two (2) years.

   Vice Mayor Johnston recommended cutting Council salaries 10% to fund, which would generate $6,600.

   Council Member Bradburn felt the list should be prioritized for economic impact and the actual costs should be reviewed. She announced her prioritization list:

   - Christmas Parade
   - Homecoming Parade
   - Art in the Park
   - Cycling Classic
   - Blueberry Festival
   - Veteran's Parade
   - Operation Backpack

   Council Member Bernardini recommended removing the option from the budget. Council Member Hohn agreed.

   Mayor Burnett felt the City should be able to give something back to the citizens and favored the Veteran's Parade regardless. Council Member Hohn committed to pay the fees for the Veteran's Parade if it comes to that.

3. Building Division

City Manager Norman-Vacha advised $304.68 is the annual cost for square footage for office space to the City.

4. Fire Department Shift Staffing

Fire Chief Mossgrove reviewed possible shift schedules from twenty-four (24) to forty-eight (48) to a ten (10) or twelve (12) hour shift. The current staffing level is twenty-five (25) personnel, including the Fire Chief, an Administrative Assistant, seven (7) reserve personnel and the other sixteen (16) are full-time staff who work three (3) shifts. The United States Fire Administration in Maryland provides a resource to Fire Departments across the nation to research this information. The Executive Fire Officer Program has over three thousand (3,000) alumni personnel that address economical fiscal year challenges for fire departments across the nation. He summarized his findings as follows: models that are commonly used are 24/48, 24/24, 10/14 and sometimes 12/12. There must be twenty-four (24) hour staffing provided; 24/48 hour shift consists of a three (3) platoon system with three (3) shifts that work 24 hours on and 48 hours off working every third day; 10/14 and 12/12 hour shifts are similar with a four (4) platoon system and typically utilized for departments with a high call volume and provide an EMS transport service.

After extensive research, he felt the current staffing practice used by the Brooksville Fire Department is the most cost effective and productive. He stated the Fair Labor Standard Act (FLSA) encourages employees to not use any leave within a 28-day cycle. There are regulations for staffing models and he explained the "2-in/2-out rule" under Florida Statutes 633. Florida Administrative Code 69(a) has adopted certain portions of OSHA 29 CFR.134 for compliance in an Immediate Dangers to Life and Health (IDLH) atmosphere. The department's Emergency Operation Plan (EOP) addresses this in an emergency response.

Council Member Hohn asked if the staffing models are impacted by the shared resources agreement with the County. Chief Mossgrove explained the Insurance Services Organization (ISO) grades departments with at least four (4) respondents, which both the City and the County qualifies. The County is contracted with the City to provide Advanced Life Support Services. Hernando County Station 24 is located at the Brooksville Fire Department which gives additional staffing during multiple calls.

Council Member Bradburn thanked the Chief for his research thus far but is looking more for academic studies with imperial data. She asked that he continue his research and bring back his findings in the spring.

Vice Mayor Johnston requested Chief Mossgrove compare to communities similar in size and look at more updated references. He asked that similar size cities with volunteer departments be looked at and what they do about Emergency Medical Services.

Fire Chief Mossgrove stated staff will be reevaluating options to lower the City's ISO rating next year under current practices.

Council concurred to move to Item #11 next.

11. Current expenditures for road inventory/pavement management/discussions.

Director of Public Works Richard Radacky introduced Civil Tech Consulting Engineers employees Bob Titterington, Larry Boone and Alan Garman.

Vice President Titterington advised an inventory of each road would be taken, establishing a PCI index number which sets the level of its current condition but advised keeping it simple. He also advised sidewalks could be added as well as drainage, street lights, etc. Pavement Management System results in preventative maintenance to eliminate deterioration. They will make recommendations based on findings

and go forward on an established level.

Larry Boone advised background information is essential, as well as inventory in Pavement Management.

Council Member Bernardini asked if road usage would be considered. Mr. Titterington indicated "usage" would not be a part of this program, only condition of the road. He explained the $82,000 cost does not include sidewalks and would require different criteria at an additional cost of between 10% and 12%.

Council Member Bradburn stated the topic of roads has been discussed at great lengths. There needs to be an analytical tool to determine priorities. There is no budget for vast road improvements this year but she does not want to rely on crisis management. A simple road problem can escalate in cost in a short time span. There are at least ten (10) roads throughout the City that are in serious condition. She felt roads in better condition should be maintained with a small budget. She does not support previous city methodology that applies a thin overlay as road paving. She asked if this project would require Request for Proposals. She stated there cannot be a dedicated source of funding without a list of streets from an analysis.

Council Member Bernardini stated any analysis should include the brick streets. Mr. Titterington assumed it would.

City Attorney Rey indicated the City piggybacks on the County's Engineering Services Contract which could be utilized instead of Request for Proposals to provide methodology.

Mr. Titterington explained the process of establishing a PCI index for distress on each of the roads using software to capture the data and cost for each option.

Mayor Burnett supported establishing a corrective and preventative maintenance program at a cost of $82,000 in Capital Outlay.

Vice Mayor Johnston stated lack of funds is a major issue in starting and continuing a road and sidewalk program.

Council Member Bernardini asked how hard it is to upkeep. Mr. Titterington indicated city employees could update the survey program on a regular basis.

City Manager Norman-Vacha referenced page 34 of 77 and indicated there is $391,000 budgeted in Fund 308 for FY 2011/2012 for the street pavement program and she recommended moving forward with it.

Council Member Hohn asked for a completion timeline. Mr. Titterington advised six (6) to nine (9) months.

Council Member Bradburn felt $82,000 to be too high and suggested the process could go out for bids to see what the City would get. Mayor Burnett felt it to be a fair price.

City Manager Norman-Vacha stated the cost has been estimated based on the engineering contract hourly rate.

Council Member Hohn asked would it be possible to bring additional costs forward for sidewalks. Mr. Titterington advised evaluating current budgeted funds to determine future budgeting costs.

Council consensus was for staff to move forward with the program.

5. Retirement/Pension Plans

City Attorney Rey reviewed the City's Pension and Retirement Plans in regards to problems which may arise in the near future and their options.

There are two (2) types of pension and retirement plans, Defined Benefit Plan and Defined Contribution Plan. The Defined Benefit Plan is an established plan that guarantees employee participants a defined retirement benefit when they retire in the future. The Defined Contribution Plan has a committed annual funding contribution.

The City participates in three (3) types of pension plans; Florida Retirement System with two (2) options of a pension plan and an investment plan, and two (2) Chapter Plans; Firefighter Retirement Trust Fund and Police Officer Retirement Trust Fund as defined benefit plans.

The Florida Retirement System has plan rules and benefits that are set by Florida Statute in which City Council does not have any local control over the benefits. The City has opted into the Florida Retirement System and participation will continue until such time election is revoked.

As of July 1, 2011, there was legislative activity related to the Florida Retirement System. The current annual contributions obligated by the City for eligible participants are as follows: Regular Class is 4.91%, Special Risk is 14.1%, Senior Management is 6.27%, Elected Officials is 11.14% and DROP participants are 4.42%. Employees began contributing 3% effective July 1, 2011.

There is a statutory process should the City elect to revoke its participation in the Florida Retirement System including adopting resolutions, holding public hearings, providing public notice, Collective Bargaining Units would be allowed to provide input and correspondence with the Division of Retirement Services for the full procedural step and there must be an optional alternative plan in place.

Council Member Hohn confirmed with City Attorney Rey these rates are mandated under the Florida Retirement System with no other options whatsoever.

The Firefighter Retirement Trust Fund is a Chapter Plan (Chapter 175 of Florida Statutes) that the City has established by Ordinance. City Council appoints the Board of Trustees that has responsibility for administration, management and investment of the fund. The Board can recommend changes to the Ordinance but cannot obligate the City for certain provisions without Council approval. She stated, pursuant to Florida Statute 112, the liability for any funding of the plan rests with the entity that created it which is the City not the Board of Trustees who was given the responsibility to manage it. An appointed Board of Trustees has fiduciary duties therefore they have some liability for negligence of management of assets. The City would be liable for poor performing series of years and responsible for funding any actuarial deficits based on the benefits that have to be paid out.

Contributions are statutorily funded by the State to municipalities and counties at 13.63% based on October 2010 valuation of the two (2) plans produced by an independent actuary Foster and Foster. The City contributes 26.96% of payroll ($196,222) and employees contribute 3.29%. Plan Benefits and contribution levels can be changed, subject to the minimum benefit standards in Chapter 175. The changes would defer to the Board of Trustees to consider modifications or changes to propose to City Council for possible adoption. The City has the option to terminate the plan. However, the City remains liable to financially support the plan until all approved benefits are paid. Terminating the plan will cease any increase in future ongoing liability accruals under the plan.

The Police Officer's Retirement Trust Fund is created under Chapter 185 of Florida Statutes and established by Ordinance of City Council which appoints the Board of Trustees to manage funds. Any changes, to contributions or benefits, are subject to minimum standards of Chapter 185 and approved or denied by City Council. The Actuarial sets up a plan as an obligation of the City as the entity that created the plan.

Contribution from the State is about 13%, the City is about 25.5% and employee contribution is 1%. However, $245,080 does not reflect in the budget because there is a credit balance of $1,156,000 that has been funding the contribution. That balance will be depleted in the year 2016 and the City will have to budget approximately $250,000 in contributions to the fund dependent upon fluctuation of benefits in the next four (4) years. She suggested the City begin to fund 1% to 5% now to extend the life of the credit balance. Foster and Foster has projected contributions of 1% over the next four (4) years then the balance in the year 2016 would be $60,000; with 5% over the next four (4) years the depletion date would be 2017 and the budget impact would be $100,000.

Council Member Bernardini asked why employee contribution differs between the two (2) Chapter Plans. City Attorney Rey explained the boards run independently with separate plan documents using Statute as a minimum standard. Council could ask the Police Officer's Retirement Trust Fund board to consider increasing employee contribution to 3% but it is not required to be equal to the Firefighter's Retirement Trust Fund. This is a Chapter Plan and there are certain procedures for changing benefits and contributions and similar options to terminate or cease funding the benefit obligations under those plans.

She advised there are extensive plan documents with exceptions and rules and explained that her charts are merely a briefing of the details to give a comparison of the three (3) types of plans.

Full-time and part-time employees, after six (6) months of employment, are eligible to participate in the Florida Retirement System. With the Police Officer's Retirement Trust Fund an employee hired full-time after January 1, 1996, is eligible to participate in the plan. Full-time Firefighters and volunteers are eligible to participate in the plan.

Service years are credited toward the vesting schedule and eligibility of benefits. Both full and partial months are counted under the Florida Retirement System, whereas years and partial years are counted under the Chapter Plans.

Salary for the Florida Retirement System is considered gross earnings; wages, overtime, vacation time, vacation time payouts, sick time but not sick time payouts at resignation and any tax deferred dollars and subject to gross earning limitations of $150,000.

The Police Officer's Retirement Trust Fund; salary is based on W-2 earnings, tax deferred, tax sheltered and tax exempt income and overtime compensation in excess of three hundred (300) hours with an amendment to the plan coming forward to address this issue.

The Firefighters' Retirement Trust Fund; salary is based on W-2 earnings including overtime, tax deferred, tax sheltered and tax exempt income.

As for average final compensation to calculate retirement benefit under the Florida Retirement is the average salary of the best five (5) years over any year of accredited service. However, in the two (2) Chapter Plans it is over ten (10) years preceding retirement.

As of July 1, 2011, vesting for the Florida Retirement System increased from six (6) to eight (8) years. Prior to 2001 anyone entering into the plan had a tiered vesting schedule depending on class.

Police Officers are 100% vested after six (6) years and Firefighters are 100% vested after ten (10) years.

Retirement age is a tiered system; vested at age sixty-two (62), thirty-two (32) years of accredited service regardless of age or vested at age sixty-five (65) prior to July 1, 2011.

The two (2) Chapter Plans have a vested retirement age of fifty-five (55) and six (6) years of accredited service or twenty (20) years of accredited service regardless of age.

Early retirement under the Florida Retirement System is once the employee is vested whereas the Chapter Plans do have age and years of service requirements.

The calculator to determine benefits under the Florida Retirement System is a tier system based on a lot of different factors; years of accredited service times a percentage value based on type of service, class, etc. and average final compensation. The multiplier for the two (2) Chapter Plans; Police is 4% and Fire is 3.1%.

Employees are entitled to their accrued benefit but it is discounted based on 5% per year for the Florida Retirement System and 3% per year under the Police Retirement System and Fire Retirement System. There are no matching State contributions under the Florida Retirement System and therefore the City is not responsible for actuarial deficits unlike the two (2) Chapter Plans. The State contributes 13% under Police and 13.63% under Fire. The Florida Retirement System contributions range from 4.42% to 14.10%. The two (2) Chapter Plans the calculation is the balance remaining due to properly fund once employee and State contributions have been applied. This plan year ending October 2010, the City's contribution was 25.5% but that could change depending on employee and State contribution funds. The City's contribution to the Firefighter's Retirement Trust Fund 26.96% but not less than 5% of payroll per Statute depending on employee and State contribution funds.

She suggested options including continue as is with no changes, seek changes to benefits or contribution of the existing Chapter Plans or consider terminating participation in any of the plans and creating an alternative opportunity.

Council Member Hohn and Vice Mayor Johnston asked for copies of City Attorney Rey's slide presentation.

Council Member Bernardini asked if the Police contributed 2% would that prolong the years that the City would have to start funding the plan. City Attorney Rey advised any additional contribution would extend the life of the credit balance.

Vice Mayor Johnston asked where the credit balance came from. City Attorney Rey stated there have been no retirees drawing on the plan since its inception. Finance Director Baumgartner further stated there has been a lot of turnover over the years in the Police Department resulting in no employees being vested when they resigned.

Finance Director Baumgartner also reviewed the City's obligation to the Florida Retirement System that has increased on a regular basis in the past five (5) years. The Firefighter's Pension expense over five (5) years has also gradually increased and the actuary indicates it will be 31.21% in FY 2011/2012. The recent stock market decline will not be healthy for any of the plans.

Back to the question of the Building Department space, Finance Director Baumgartner indicated the cost for the Building Department space is $7.82 per square foot plus utilities, which would total approximately $2,213 per year.

City Manager Norman-Vacha reviewed the pension rates for this projected budget. Council Member Bradburn recommended Council consider adding Police and Fire retirement plans to the Florida Retirement System, which she felt has been more stable with fewer risks and more fiscally responsible to taxpayers. City Attorney Rey indicated the change cannot be retroactive and would have to be for all current participants or cease entry into the current plan for new participants.

Council Member Bernardini recalled the City created the two (2) Chapter Plans for Special Risk because there was no control over State mandates. He did not agree that the Florida Retirement System is one of the best funded plans countrywide. Council consensus was for staff to bring back the numbers associated with converting any of the pensions.

Vice Mayor Johnston recommended setting aside $50,000 towards the Police Pension deficit of 2016 beginning now. Mayor Burnett agreed.

Chief Mossgrove indicated there are seven (7) reserve firefighters that equate to one (1) full-time employee who works two hundred eighty-eight (288) hours per year plus additional hours for special events. They are participants in the Firefighters' Pension Trust Fund by Ordinance of the pension board adopted by City Council. Council Member Bradburn suggested the Ordinance be reviewed by City Council. She also felt reserve firefighters should be eliminated from the budget. She asked for a total summary cost of salary and pension for reserve firefighters. Vice Mayor Johnston felt it was an incentive to apply for the position and this would deter applicants. He briefly summarized the cost of benefits is approximately $8,600 per one (1) full-time employee.

6. Shared Staff Summary Information

City Manager Norman-Vacha stated there has been redistribution of staffing levels within certain cost centers in conjunction with their functions. As requested by City Council, she summarized this reallocation in a spreadsheet and briefly reviewed it.

7. Utility Services Enterprise funds

City Manager Norman-Vacha stated bonded water and sewer project funds are separate from the General Fund due to a requirement of General Accepted Accounting Principles since specific revenue sources are committed to pay for the improvements.

Vice Mayor Johnston stated future City Council may want to find alternate ways of funding the bond once it is paid out to remove the restriction of "Debt backed solely by fees and charges".

City Attorney Rey stated the specific terms of bond covenants determine what percentage of reserves has to be allocated in order to pledge revenues. The rate of reserves set aside is governed by specific covenants in the bond obligation.

8. Impact Fees Status

City Manager Norman-Vacha stated staff completed review of impact fees. There is a seven (7) year period of time to spend funds as collected in each area of impact fees.

9. Tree Replacement Plan

City Manager Norman-Vacha indicated the information will be provided in November or December.

10. Brick Street Maintenance

City Manager Norman-Vacha indicated the information will also be provided in November or December.

12. Millage Options.

City Manager Norman-Vacha presented different millage rate options from the current millage in the budget of 6.37 to millage at 7.5 as indicated on the spreadsheet.

Council Member Bernardini felt it is not an option to adopt the current millage of 6.37 causing a $24,640 deficit on September 30, 2012. City Manager Norman-Vacha suggested cutting expenditures.

Council Member Bernardini asked which millage rate would cover the budget as presented. City Manager Norman-Vacha recommended Reserves for Contingency should be five percent (5%) to ten percent (10%) of overall expenditures in the General Fund which would be millage rate at 7.48 without any

adjustment to expenditures.

Vice Mayor Johnston suggested raising the millage rate enough to fund the $50,000 towards future Police Pension fund.

City Manager Norman-Vacha inquired if Council would like numbers with millage rate at 7.48 to present for the first public hearing on September 14, 2011 to balance the budget. Council Member Bernardini confirmed that was his suggestion.

Council Member Hohn indicated he would look at budget cuts before considering raising the millage rate over a point and felt increasing the rate would deter people from locating in the City.
Vice Mayor Johnston stated he would consider starting at a millage rate of 7.1055 if Council chooses to start funding $50,000 towards the Police Pension now.

Mayor Burnett was in favor of a millage rate of 6.999% with budget cuts.

Council Member Bradburn suggested setting aside $50,000 in a separate investment fund. City Manager Norman-Vacha recommended it be set aside in the General Fund under a separate line item.

Finance Director Baumgartner explained the City has pooled investments with SBA and Certificates of Deposit in Florida League of Cities FMIVT. He agreed with putting the funds under a separate line item in the budget "Future Police Pension Cost" and felt it does not need to be in a separate bank account. The only money not pooled is the Chapter Plans.

City Manager Norman-Vacha asked for clarification from Council on which millage rate to present at the first public hearing on September 14, 2011. Finance Director Baumgartner explained there are different advertisements if millage is set above or below the roll back rate of 7.1055.

Council Member Bradburn asked for clarity on the budget numbers. City Manager Norman-Vacha stated the current budget document was presented with a millage rate of 6.37 utilizing only the revenues that would be derived without a change to the current millage rate.

Council Member Bernardini stated that at the last budget workshop Council knew there was a deficit and there was discussion of a minimal budget cut of $7,000 in Waiver of Fees.

City Manager Norman-Vacha stated, with the roll back rate at 7.1055, reserves would be $197,875 by adding $50,000 into a reserve line item for the Police Pension without further cuts. She did not recommend having reserves that low and suggested no less than $350,000 as good accounting practices.

Council consensus was to proceed with a projected millage rate of 7.1055.

13. Employee Group Medical Options

City Manager Norman-Vacha reviewed the projections provided by the Gehring Group. It reflects a decrease in premiums. She asked Council to consider alternate #1 which offers $14,694 in savings. She stated 98.4% of employees claims are In Network and would benefit from Alternate #1. Specialty doctors' claims are 92.7% In Network. There were no claims for Hospital Services that were not In Network. Employees who use a non-traditional network cannot be balance billed. There would be $10,600 in savings to the General Fund; overall budgeted would be a savings of $14,694.

She recommended the Health Reimbursement Account (HRA) be eliminated due to a lower deductible and a decrease in out of pocket costs for employees. This would be a total savings in the General Fund of $34,000.

Council Member Hohn recommended the City require employees to pay 20% of their health insurance, which would reduce the cost to the City by $101,490.

Council Member Bradburn commended City Manager Norman-Vacha for negotiating a premium decrease in health insurance rates. However, she felt the choice between In Network and Out of Network is a matter of life and death because In Network restricts doctors. Employees are utilizing the Health Reimbursement Account and supported the lesser impact be chosen. She agreed with Council Member Hohn that employees should pay for part of their insurance benefit but not in this budget cycle. She also felt they should have the greatest benefit of the insurance by not having to settle for low quality In Network doctors. She supported retaining the Health Reimbursement Account benefit at $500 to cover additional expenses for Out of Network doctors.

City Manager Norman-Vacha explained $250 is budgeted with a $500 benefit because there is approximately 50% utilization. Finance Director Baumgartner stated there is a carry-over allowed in the plan and that is the reason for the reserve.

Council Member Hohn asked to have an option of two (2) plans available such as the revised renewal and alternate #1. City Manager Norman-Vacha stated the City currently offers one (1) plan because there is a small group. She indicated offering two (2) plans would result in healthy employees on one plan and unhealthy employees on the other plan, which then becomes non-fundable. She would not recommend offering two (2) different plans.

Vice Mayor Johnston was in favor of employees paying for a portion of their healthcare, however, in these hard economic times employees have not received pay increases in over four (4) years. This benefit has been traditionally offered to employees to offset lack of pay increases. He disagreed with Council Member Bradburn and felt In Network Specialty doctors have given him excellent care. He supported alternate #1 and encouraged employees to stay In Network for less out of pocket expenses.

Council Member Bernardini agreed with Vice Mayor Johnston and to maintain the Health Reimbursement Account with non-utilized funds in reserves.

Mayor Burnett asked if this plan has been discussed with employees. City Manager Norman-Vacha indicated that is not typically done and pointed out there is an increase in benefits for 93% of employees under alternate #1. There has been one (1) claim Out of Network for a primary care specialist doctor out of four hundred forty nine (449) total claims. There has been a total of one thousand one hundred twenty-seven (1,127) Specialty area claims and twenty-nine (29) claims have been Out of Network; and thirteen (13) of those claims have been with a non-traditional provider. There have been six hundred thirty-one (631) hospital claims all In Network. She reviewed improvement in benefits for Out of Network doctors.

Council Member Bradburn asked for a list of hospitals In Network and Out of Network. City Manager Norman-Vacha stated the network has not changed at all from the previous plan.

Council Member Hohn felt Council should require employees bear the burden and pay a percentage of the insurance premium since they are increasing the millage rate on taxpayers.

Council Member Bernardini stated the millage rate increase does not increase tax bills since property value has decreased per the Property Appraiser's Office.

Council Members each suggested the following:

Council Member Hohn

Alternate #1 without the Health Reimbursement Account and 20% employee contribution.

Council Member Bernardini
Alternate #1 with the Health Reimbursement Account and no employee contribution.

Vice Mayor Johnston
Alternate #1 with the Health Reimbursement Account and no employee contribution.

Council Member Bradburn
Alternate #1 with the Health Reimbursement Account and no employee contribution.

Mayor Burnett
Alternate #1 with the Health Reimbursement Account and no employee contribution.

Council consensus was to proceed with Alternate #1, to keep the Health Reimbursement Account benefit of $500 and continue budgeting 50% or $250 per employee.

Mayor Burnett felt corporate organizations have higher wages so fringe benefits have been traditionally offered to employees to offset lack of pay increases.

14. Take Home Vehicles

At the request of Council Member Bernardini, City Manager Norman-Vacha reviewed the existing Take Home Vehicle Policy with specific regard to the Police Department.

Council Member Hohn asked if there is a Memorandum of Understanding with Citrus County to respond to calls there for two (2) police officers who take home their vehicles. Chief Turner indicated there is a Memorandum of Understanding with Hernando County and agreements with Citrus County. They do not respond to calls but do offer assistance to troubled officers. Citrus County bomb squad has responded to Hernando County and they do training for Brooksville Police Department. The City has a mutual aid agreement with Hernando County to respond to major incidents in either Hernando or Citrus County.

Council Member Bernardini reviewed initial discussions on the policy. He did not agree that employees living outside Hernando County be allowed to take home City vehicles because there is no benefit to City taxpayers to have the vehicles located in another county. He indicated he has seen Public Works vehicles in Pasco County on Saturdays and Sundays. City Manager Norman-Vacha stated it was a Parks vehicle going for training in Pasco County on a Saturday.

Council Member Bernardini felt lower vehicle maintenance cost is lower because the fleet has been recently updated, not because of the vehicles being taken home. He calculated an additional $13,914 in fuel costs for additional miles driven by commuting officers between 08/09 and 09/10.

Police Chief Turner stated one (1) of the vehicles is a detective with twenty-three (23) years of service who has been taking home a vehicle since 2006, prior to the policy being in effect. The other officer who lives in Citrus County is closer than other officers who live in Hernando County. There are other officers who live out of the County and are further away that are not authorized to take home a vehicle. The City receives an additional thirty (30) minutes of officer coverage while they are commuting to and from work as they respond to calls when needed. The City Manager has been given leeway on this issue when the policy went into effect in 2008 and it has not been abused. He pointed out assigned vehicles are taken better care of by the officers because they take pride in its condition, which results in less maintenance. They also keep personal property and their firearms inside the vehicle.

Vice Mayor Johnston felt the policy in place has not been abused. Mayor Burnett agreed.

City Manager Norman-Vacha asked for any other suggestions from Council.

Mayor Burnett asked if it is possible to call a meeting or workshop on the Wednesday after Labor Day for further discussion on these items and directions.

Council Member Bradburn stated she did not feel a full workshop is warranted but would like to allot some time during the next Council Meeting for further discussion.

City Manager Norman-Vacha reminded Council that TRIM has been advertised and the next Public Hearing is at 6:00 p.m. on September 14th. The next regular session of Council is set for September 19th but would not include budget discussions. The final budget hearing has been established for September 28th at 6:00 p.m.

Vice Mayor Johnston stated the first budget hearing Council can begin to make motions and if further discussion is needed then that could be done at the Council Meeting between the first and second budget hearings.

Council Member Bradburn suggested further discussion as an agenda item on the red light cameras to educate Council Member Hohn and allow him to ask questions. Police Chief Turner stated he could have the item prepared by then. Mayor Burnett did not support further discussion on the red light cameras issue.

City Manager Norman-Vacha clarified it would be an agenda item on the September 19th meeting to enable Council to take regular action.

Vice Mayor Johnston suggested it as an agenda item on the budget hearing to be discussed since it is related as a budget item. City Manager Norman-Vacha agreed it relates to revenues.

Finance Director Baumgartner indicated it just cannot be at the beginning of the agenda.

City Manager Norman-Vacha stated there is a set scenario but it could be at the end of the first budget hearing on September 14th and if at that point Council desires to move forward or implement a program it would have to come back during a regular agenda in October for Council to act.

Council Member Bernardini mentioned he would prefer October since he will not be in attendance on September 19th.

Mayor Burnett stated he would also like to have it on the September 14th budget hearing for discussion. He would also like to include discussion regarding the City Attorney retainer proposal. Vice Mayor Johnston suggested that be discussed after the red light cameras during the budget hearing and if action is needed that can be done at the regular Council meeting.

Council Member Bradburn stated as part of dismantling of the growth management laws the City is no longer required to have an EAR process in the same sense. There is a scheduled EAR update budgeted but it may not be as expensive as first thought. But, there is legislation being proposed that would require all cities and counties do a calibration analysis on every single intersection. It is being fought by the Florida League of Cities and other entities. She did not support it as it would be another possible expense in the coming years.

City Manager Norman-Vacha reviewed Council direction on the items for a clear understanding.

She indicated on the 14th as scheduled at 6:00 p.m. is the first public budget hearing. At this time Council will have to adopt a budget going into your final public hearing; a specific millage will have to be adopted to advertise an increase, decrease, or staying the same for the General Fund.

That evening, Council would also like a presentation on Red Light Camera program, as well as some further information from the Hogan Law Firm.

Secondly, Council did direct staff to begin moving forward with alternate #1 for group medical coverage. That information will be provided to Council prior to the meeting and will return on September 19th for formal approval. Lastly, there was consensus from Council to add $50,000 in a reserve line item for the Police Pension.

Mayor Burnett stated he appreciated all the time and effort staff has put into the budget workshop and asked that they not get discouraged by requests of Council. He assured Council is just trying to do a little more with less and they really do appreciate the role of each staff member in putting together a budget.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 10:35 p.m.

City Clerk

Attest: _____
Mayor

AGENDA ITEM NO. F-1 (c)
4/2/12

CITY OF BROOKSVILLE
FIRST PUBLIC HEARING
FISCAL YEAR 2011/12 BUDGET
MINUTES

SEPTEMBER 14, 2011 **6:00 P.M.**

Brooksville City Council met in regular session with Mayor Frankie Burnett, Vice Mayor Joseph E. Johnston, III, Council Members, Joe Bernardini and Lara Bradburn and Kevin Hohn present. Also present were Jennifer C. Rey, City Attorney; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Richard Radacky, Interim Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief. Members of the Hernando Times and Hernando Today were also present.

The meeting was called to order by Mayor Burnett, followed by an invocation and Pledge of Allegiance.

PUBLIC HEARING - PRESENTATION OF PROPOSED BUDGET FOR FISCAL YEAR STARTING OCTOBER 1, 2011

City Clerk Peters read the Public Announcement into the record.

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 2011/12 was advertised to be a maximum of 7.5000 mills. This millage rate would be a 5.55% increase over the current year's rolled-back rate of 7.1055 mills. After reviewing revenue projections and proposed expenditure levels for the 2011/12 Fiscal Year, the General Fund budget is balanced at a proposed rate of 7.1055 mills, which is 00.00% less than the current year's rolled-back rate.

Proposed FY2011/12 Budget

Review proposed budget and points of discussion.

City Manager Norman-Vacha reviewed the proposed budget at 7.1055 mills for a total of $7,340,684, inclusive of a Reserve for Contingency of $288,301, approximately a 4% reserve and in line with Finance's recommendation of 3%.

She proceeded to review the memo distributed to Council at the meeting regarding the General Fund Budget changes that have been made since the budget was initially presented to Council.

City Manager Norman-Vacha then reviewed proposed changes to the budget which would reflect a $275,473 reduction as well as the option to lease the Quarry Golf Course to Just So You Know, LLC, which would result in an additional decrease of City net costs by about $73,388. Vice Mayor Johnston was in favor of exploring the option. Council Member Hohn was concerned that the lessee could just walk away. Vice Mayor Johnston indicated if that happened Council could then consider closing the Quarry.

The next item reviewed by the City Manager was a "buy back" option of all legal fees/time billed by the Hogan Law Firm in the matter of the Westchester Fire Insurance Co. v City of Brooksville Council considered the attorney billing method from the existing retainer-billable hours/time arrangement for services to a contingency based fee arrangement. The option would reflect approximately $82,000.

The last item proposed by the City Manager was to eliminate the HRA program, resulting in a General Funds decrease of $24,180.

Council Member Hohn

Concerning fee waivers he indicated he would rather see the City treat all requests the same, recommending the organizations charge vendors participating in those events and eliminate the entire line item. He did offer to pay the fees out-of-pocket for the Veteran's Parade.

He agreed with the leasing of the Quarry Golf Course as the City is not in the business of running golf courses.

Concerning the City Attorney fees, he was in favor of the buy back.

Council Member Hohn agreed with the City Manager to eliminate the HRA and recommended implementing a requirement that employees pay 10% of the premiums paid by the City.

Council Member Bernardini

Concerning fee waivers he agreed with Council Member Hohn to eliminate them. He also agreed with the elimination of the Management Analyst and Community Development positions.

Council Member Bernardini did not agree with leasing the Quarry Golf Course, feeling it has been mismanaged.

Regarding the City Attorney contingency fees, although he appreciates the firm's effort, he wasn't sure that is the way to go.

He indicated he supports elimination of the HRA but not having employees pay 10% of their medical premiums.

For additional savings he recommended consideration of consolidation of Police & Fire with County services and advised the Council could become the Planning & Zoning Commission Board as a cost reduction.

Vice Mayor Johnston

Vice Mayor Johnston distributed a memorandum, which he reviewed.

He indicated is in favor of a 10% reduction of Council salaries, whether it is used for waivers of fees or whatever. He was in favor of most all of the recommendations of staff. Concerning the City Attorney contingency fee, although he did not favor them, he would consider a 15% fee on the Westchester case. He recommended consideration of furlough days if reductions are still needed.

Council Member Bradburn

Council Member Bernardini advised that because of new growth management amendments, development will not be paying for itself and it also negated the requirement for any true EAR amendments. She agreed with the Quarry Golf Course recommendation, the fee waiver's as long as the event has a positive economic impact on the city and elimination of the two positions as recommended.

Regarding the Fire Department she felt shifts should be revisited and pensions for the Fire and Police

Departments should be reviewed and possibly shifted to FRS. She did not agree with reserve firefighters being included in the pension plan.

Regarding the City Attorney's contingency fees, Council Member Bradburn pointed out that legal costs are going to be incurred, regardless and agreed with the fee adjustment.

She did not agree with eliminating the HRA.

Mayor Burnett

Mayor Burnett agreed with all the City Manager's recommendations except the elimination of the waiver of fees allowance. He agreed with the 60/40 split for fees except for the Veteran's parade, which Council Member Hohn agreed to pay.

CITIZEN INPUT

Rich Howard, Cemetery Sexton thanked Mayor Burnett for his support of employees. He addressed Council, reviewing the income of a $9.74 an hour salary. He was not in favor of any cuts in the lower salaried employees.

Assistant Finance Director Jim Delach answered the question of how much money would be saved by eliminating the reserve firefighter's pension to be $8,310.89.

Robert Buckner thanked staff for their efforts in cutting the budget, offering that on the private side it has already been done. He was hopeful that the millage would be the same as last year.

Diana Koontz & Ed Chester from the Kiwanis relayed plans for the Christmas Parade and asked that Council reconsider the waiver.

Gail Samples advised she had spent time with the City Manager regarding the budget and reviewed cuts she had recommended.

Tom Peppie of Kiwanis reviewed the Christmas parade as well.

Anna Liisa Covell commented on the millage and reviewed the Veteran's Appreciation Parade, which Mayor Burnett explained Council Member Hohn agreed to pay the fees for.

Council decisions were as follows:

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Hohn for Council salary to be reduced by 10%.

Council Member Bradburn felt the motion to be grand-standing. Vice Mayor Johnston advised if this motion did not pass he would vote against the waivers completely. Council Member Bernardini didn't see it as a solution to fund the waivers.

Motion failed 2-3 with Council Member Bradburn, Mayor Burnett and Council Member Bernardini voting in opposition.

Council Member Bradburn felt a list should be compiled of events to be waived each year. She would support a slight reduction but not $2,800. Council Member Hohn, Council Member Bernardini and Vice

Mayor Johnston was in favor of eliminating the entire $7,000. Mayor Burnett was not.

Event Waivers

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Hohn for approval of eliminating the Waiver. Motion carried 3-2 with Council Member Bradburn and Mayor Burnett voting in opposition.

A 5-minute break was taken.

Elimination of Management Analyst Position

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Bradburn for approval of elimination of the Management Analyst Position with review in the future if needed. Motion carried 5-0.

Human Resources Office Decrease of $750

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Johnston for approval of the HR decrease. Motion carried 5-0.

Elimination of Community Development Position and Reduction of $10,000 from Contract Services

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Bradburn for approval of the position elimination for the total year and a $10,000 reduction in Contract Services. Motion carried 4-1 with Mayor Burnett voting in opposition.

Fire Department Line Item Decrease

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Johnston for approval with contingency for review of reserve firefighters' pensions.

City Attorney Rey advised reserve firefighters must be included in the plan but will bring back confirmation.

Motion carried 5-0.

Streets Division Line Item Decrease of $12,000

Motion:

Motion was made by Council Member Bernardini and seconded by Vice Mayor Johnston for approval.

Council Member Bradburn indicated the $12,000 could be better used. Council Member Hohn asked about the old Fire House, which was explained.

Motion carried 5-0.

FIRST BUDGET HEARING MINUTES – SEPTEMBER 14, 2011

Quarry Golf Course Lease

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Johnston for approval of the lease. Motion carried 4-1 with Council Member Bernardini voting in opposition.

City Attorney "Buy Back"

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Bradburn for approval of a 15% contingency fee to be presented to the Hogan Law Firm for consideration and the return of $82,000. Motion carried 4-1 with Council Member Bernardini voting in opposition.

Elimination of the HRA

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval of keeping the HRA. Motion carried 4-1 with Council Member Hohn voting in opposition.

Vice Mayor Johnston added that he only voted in favor because enough budget cuts have been made to warrant keeping it for this budget year.

Additional recommendations or observations were as follows:

Council Member Hohn recommended a 5% employee contribution to medical premiums. Council Member Bernardini was not in favor. Council Member Bradburn asked for reports of 1-5% contributions in the spring discussions. Vice Mayor Johnston agreed with Council Member Bradburn.

Motion:

Motion was made by Council Member Hohn that employees contribute 5% toward their medical premiums. Motion died for lack of a second.

Council Member Bernardini was opposed to eliminating the work crew. He is in favor of taking money from Vehicle Replacement Fund to cover shortages in the Reserves for Contingencies. He felt vehicle replacement could be carried from 5-7 years as well.

Vice Mayor Johnston – page 28 – Economic Development Division, recommended reducing the total line item by an additional $2-3,000.

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Bernardini for approval of removing $1,000 from each line item in the Economic Development Division.

Council Member Hohn asked if Mr. Wilfong presented a budget or is this just an estimate. City Manager Norman-Vacha advised that in speaking with Mr. Wilfong it was estimated at $15,000.

Motion carried 4-1, with Mayor Burnett voting in opposition.

Mayor Burnett advised fee waivers would be revisited in next year's budget.

FIRST BUDGET HEARING MINUTES – SEPTEMBER 14, 2011

SPECIAL REVENUE FUNDS – Recommended Reductions

Council Member Bradburn

Regarding fire fees, Council Member Bradburn would like to see this discussed in the spring, as well as the dedicated fund for roads.

Fluoride

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval of elimination of $6,000 from the Enterprise Fund for Fluoride. Motion carried 5-0.

Mayor Burnett – Capital Improvements

Mayor Burnett asked that Council consider delegating capital improvements and capital outlay from the millage.

Mayor Burnett asked for public input; there was none.

Ad Valorem Tax Rate for Fiscal Year 2011/12

Consideration of establishing ad valorem tax rate.

City Manager Norman-Vacha made a recommendation to adopt a 6.37 ad valorem tax rate, which is the current rate.

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Hohn for approval of a 6.37 millage.

Council Member Bernardini stressed the need for the increase in capital improvements. Council Member Bradburn felt there to be other funding options. She asked that staff bring back options in January.

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

Council Member Bradburn	Aye
Council Member Bernardini	Nay
Council Member Hohn	Aye
Vice Mayor Johnston	Aye
Mayor Burnett	Aye

Finance Director Baumgartner re-read the public announcement into the record.

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 2011/12 was advertised to be a maximum of 7.5000 mills. This millage rate would be a 5.55% increase over the current year's rolled-back rate of 7.1055 mills. After reviewing revenue projections and proposed expenditure levels for the 2011/12 Fiscal Year, the General Fund budget is balanced at a proposed rate of 6.37 mills, which is -10.35% less than the current year's rolled-back rate.

FIRST BUDGET HEARING MINUTES – SEPTEMBER 14, 2011

Ordinance No. 825 - Recommended Budget for Fiscal Year 2011/12

Consideration of first reading of proposed budget effective October 1, 2011.

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Hohn for approval with changes as made this evening and scheduling the second reading on September 28, 2011.

City Clerk Peters read Ordinance No. 825 by title, as follows:

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, 2011 AND ENDING SEPTEMBER 30, 2012.

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

Council Member Bernardini	Nay
Council Member Hohn	Aye
Council Member Bradburn	Aye
Vice Mayor Johnston	Aye
Mayor Burnett	Aye

City Manager Norman-Vacha clarified the Final Budget Hearing would be September 28th at 6:00 p.m. Council Member Bernardini requested the meeting start at 7:00 p.m.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Bradburn for approval of the September 28th meeting to start at 7:00 p.m. Motion carried 5-0.

Red Light Camera Program Discussion

City Manager Norman-Vacha advised staff is prepared to provide any information as in the past and indicated there is no new information, only what was provided in February.

Council Member Hohn asked if accidents have gone back up since stopping the program. Chief Turner advised those numbers are not available but they can be provided.

Council Member Bradburn stated she is for the program for safety reasons.

Vice Mayor Johnston advised he is for the program and that the revenue will be nowhere near where it was before because of the State taking a share and right-turns have been negated. Council Member Hohn advised he would be fine with revenue being zero because he is for the program for public safety.

Council Member Bernardini felt it isn't about safety but revenue, which he doesn't agree with.

Mayor Burnett is against because the citizens are against it and the state gets most of the money.

Council Member Hohn relayed that after reviewing all the information and speaking with a lot of people, he is for the red light cameras.

Vice Mayor Johnston, in the interest of fairness, pointed out that some arguments are made that the number of accidents may go down but the severity goes up.

FIRST BUDGET HEARING MINUTES – SEPTEMBER 14, 2011

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Hohn for approval of staff to bring back an agreement to reinstate the red light camera program. Motion carried 3-2 with Council Member Bernardini and Mayor Burnett voting in opposition.

Gail Samples stated it was publicly advertised that the red light camera was on the agenda for discussion. Now they changed it without notifying the public they were going to vote on the item. She asked if that was legal. City Manager Norman-Vacha advised the motion was to bring back for consideration. City Attorney Rey advised it will come back at another publicly noticed meeting for Council to take action.

City Attorney Retainer Discussion & Presentation

Removed following prior discussion.

Council Member Bernardini advised he would not be at Monday night's meeting and asked that Item 4, Sign Regulations, and Personnel Policies be moved to the following agenda.

Mayor Burnett asked the pleasure of Council. City Attorney Rey advised the issue would need to be taken up at the meeting since the agenda was already published.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:42 p.m.

_____
City Clerk

Attest: _____
Mayor

AGENDA ITEM NO. F-1 (d)
4/2/12

CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
HERNANDO COUNTY MINING ASSOCIATION
ENRICHMENT CENTER
800 JOHN GARY GRUBBS BLVD.
BROOKSVILLE, FL 34601
MINUTES

February 6, 2012 **7:00 P.M.**

Brooksville City Council met in regular session with Mayor Joseph E. Johnston, III, Vice Mayor Lara Bradburn, Council Members Joe Bernardini, Frankie Burnett and Kevin Hohn present. Also present were Thomas S. Hogan, Jr., City Attorney; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk; Steve Baumgartner, Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Richard Radacky, Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief.

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

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Margaret R. Ghiotto Improvement Award – Residential Award

Recognition of improvements to the property of Robert and Barbara Martinez, located at 407 S. Brooksville Avenue.

Scott Renz, Beautification Board Chair, reviewed the award and presented to Mr. Martinez.

Margaret R. Ghiotto Improvement Award - Commercial Award

Recognition of improvements to the property owned by Jay and Crystal Marshall, located at 600 W. Jefferson Street.

Scott Renz, Beautification Board Chair, reviewed the award. The Marshall's were not present.

Proclamation – Black History Month Recognition

Consideration of Proclamation to acknowledge the contributions of outstanding humanitarian deeds during the celebration of Black History Month.

Mayor Johnston read the proclamation in its entirety, which was then presented to Mr. Paul Douglas.

Beautification Board Holiday Decoration Campaign Presentation

Presentation to the winner of the Beautification Board's Holiday Decoration Campaign.

Scott Renz, Beautification Board Chair, reviewed the program and presented the television donated by Wal-Mart to Lori Snyder of the Pit's Lounge.

Progress Energy Presentation of Rebate

Presentation of third rebate check for the City Hall Roof the City has installed.

This item was pulled by Council because Mr. Renfro was not able to be at the meeting. The presentation will be rescheduled.

YMCA – Livestrong Program

Presentation of the Livestrong Program and others the YMCA offers to the community.

Sherry Pedonesi reviewed the Livestrong Program, and others, sponsored by the YMCA as well as her survival of cancer. She was joined by a YMCA Board Member Bill Pardy and YMCA District Director Cezar Gonzales who reviewed other programs offered.

CITIZEN INPUT

Mayor Johnston asked for public input.

Paul Douglas advised the proclamation provided by Council Member Burnett to the family of Glenn Claytor was much appreciated. He also advised the South Brooksville project, as well as the revitalization of the City of Brooksville, is now being supported by the NAACP, which is offering its full support.

CONSENT AGENDA

Sale of Surplus Equipment - Water Meters

Consideration to authorize the sale of surplus water meters to Carolina Meter in the amount of $32,599.

Hernando County South Brooksville Vision Area CDBG NR Grant – Change Order #1 & Invoice

Consideration of change order for cost allocation between the County and City and payment of $2,157.89 to the County from the City's Sewer Impact Fee Reserve account.

Council Member Burnett reviewed items of concern with the project relating to the hiring of contractors and the terms of the grant for the project.

Vice Mayor Bradburn asked Director Radacky to review the letter received from the Florida Department of Health (FDOH). He indicated this project will take 31 septic tanks in the project area off line, 71% of which were not permitted and installed improperly. There is no record of who installed them. Only 9 of the 31 systems have been permitted by the FDOH.

Council Member Hohn asked Director Radacky if he had any idea when the septic tanks were installed. Director Radacky did not, but Council Member Burnett advised it would have been in the 1930's when the homes were built. Director Radacky indicated the process for installations and permitting would have been transferred to the State in the 1950's. Then in the 1970's the Health Department would have taken back that process on the local level. He reviewed the use of septic tanks in relation to water table levels, advising the cost of getting all septic tanks off-line in the City of Brooksville would be astronomical.

Council Member Burnett indicated that on Crawford Street, the first two homes, which he believes are 509 and 507 are both still on individual septic tanks. Director Radacky will look into these.

Vice Mayor Bradburn advised the project is on time and under budget and gave accolades to those involved. Council Member Burnett advised the community has a big part in this project as well.

Surplus Equipment

Consideration to surplus obsolete/inoperable equipment.

World Trade Center Artifact Agreement

Consideration of acceptance and authorization for the Mayor to sign the agreement.

Vice Mayor Bradburn asked that Chief Mossgrove review the artifact. She gave her thoughts on displaying the artifact. He advised other organizations are being asked for input.

Council Member Burnett asked who is in charge of the Community Development Block Grant (CDBG) for the South Brooksville Vision Area Project. City Manager Norman-Vacha advised the County took the lead on this.

Motion:

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

PUBLIC HEARINGS

Ordinance No. 818-A – Cemetery Code Change

Consideration of Code change for clarification of Cemetery Rules and Regulations regarding temporary headstones. **[First Reading 01/23/12]**

Director of Parks, Facilities & Recreation Mike Walker briefly reviewed the item.

Mayor Johnston asked for public input; there was none.

City Clerk Peters read Ordinance No. 818-A by title, as follows:

> **AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, AMENDING CHAPTER 18, ARTICLE II SECTION 18-44 BROOKSVILLE CITY CEMETERY OF THE CITY OF BROOKSVILLE CODE OF ORDINANCES, PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

Motion:

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

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

Council Member Bernardini	Aye
Council Member Burnett	Aye
Council Member Hohn	Aye
Vice Mayor Bradburn	Aye
Mayor Johnston	Aye

REGULAR AGENDA

GreenPointe Communities LLC Agreement

City Attorney Battista reviewed the agreement. Council Member Hohn asked where staff is in the process of choosing a contractor. City Manager Norman-Vacha advised the bid has been posted and approval of award should be coming before Council at the March 19th Council Meeting.

Margaret Bloomquist of 4475 Hickory Oak Drive asked that Council please try to move forward on this project for the residents of Southern Hills Plantation.

Motion:

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

CITIZEN INPUT

Mayor Johnston asked for public input.

Trina Bosco asked for clarification on the CDBG Grant. Mayor Johnston explained it is a Community Development Block Grant to fund local projects in specified areas awarded on a competitive basis throughout the State.

Grady Myers, President of GreenPointe expressed appreciation to staff for their diligence.

ITEMS BY COUNCIL

Joe Bernardini, Council Member

City Entrance Welcome Sign
Council Member Bernardini apologized for not being at the unveiling.

Water Bill
He referenced recycling information on back of the bill but there was no indication that junk mail can be added to recycling. Staff will make the reference.

Progress Energy
He is concerned that Progress Energy settled with the state on the issue of advanced charging of customers for refurbishing the plant which may not happen. He asked that staff review the franchise agreement and consider franchising with Withlacoochee River Electric Cooperative or becoming our own provider like Gainesville Regional Utility.

Government Center Security
Council Member Bernardini clarified that the cost for security during the last Council Meeting was charged through the Sheriff's Office, not the County.

Frankie Burnett, Council Member

City-Wide Revitalization
Council Member Burnett wanted to clarify that he is not only interested in the revitalization of South Brooksville but all of the City of Brooksville.

Staff Appreciation
He expressed appreciation for staff efforts.

South Brooksville Economic Development Commission
Council Member Burnett advised the South Brooksville Economic Development Commission has been formed, of which he is president, and they will be coming before Council.

City Entrance Welcome Sign
He advised the welcome sign was well received by all.

Kevin Hohn, Council Member

Golf Tournament
Council Member Hohn congratulated Chief Turner on having the winning team on the Second Annual Armed Forces Golf Tournament.

Red Light Cameras
He advised the County is getting the City through the permitting process for the red light cameras. He stressed the City is not shortening the yellow lights, adding that the Florida Department of Transportation determines the length of the yellow lights.

Lara Bradburn, Vice Mayor

South Brooksville
Vice Mayor Bradburn advises she has no doubt Council Member Burnett cares about all of the City of Brooksville and not just the South Brooksville area, adding that Council relies on his expertise on the South Brooksville area.

Robert "Butch" Battista, City Attorney

Lawsuits
Attorney Battista advised this week there were two (2) litigation issues that went in favor of the City.

T. Jennene Norman-Vacha, City Manager

Financial Workshop
City Manager Norman-Vacha reminded all that there will be a financial budget workshop on Monday, February 27th at 6:00 p.m. at the Enrichment Center.

Joe Johnston, Mayor

City Manager Evaluation
Mayor Johnston indicated the forms were distributed to Council and he needs them back no later than February 29th to be presented on the March 5th Agenda.

Brooksville Bash
He attended the end of the event and it was well attended.

Right Light Signal
Mayor Johnston advised again that the red light turn light stays red to turn in front of Winn Dixie.

Council Member Burnett asked that the City try to put another sign on the north side of the City. It is beautiful and well worth waiting for.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:20 p.m.

City Clerk

Attest: _____
Mayor

AGENDA ITEM NO. F-2
4/2/12

CONSENT AGENDA ITEM
MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: MIKE WALKER, PARKS, FACILITIES & RECREATION DIRECTOR

SUBJECT: Park/Facilities Purchases and Surplus of Mowers

DATE: March 23, 2012

GENERAL SUMMARY/BACKGROUND: The City Council has approved the purchase of equipment replacement (mowers) in the FY 2011/12 budget. Per City of Brooksville Purchasing Policy staff requests to complete that approved purchase on State Bid Contract (#760-000-10-1) through General Auto Parts, 804 West Martin Luther King Blvd. Brooksville Fl. 34601. The state bid price for the Gravely Pro 148 (48 inch mowing deck) is $6076.00 (General Auto price $6050.00) and the Gravely Pro 152 (52 inch mowing deck) is $6239.22 (General Auto price $6110.00). Staff is requesting to purchase (1) one Gravely Pro 148, (2) two Gravely Pro 152 for a total price of $18,270.00, less trade in value for used mowers in the amount of $5,900.00. This leaves a remaining balance due of $12,370.00 to come from the approve FY 2011/12 budget, Fund 503 Equipment Replacement Fund.

Reference above, staff is requesting to surplus (2) 2005 Gravely Pro 152, (1) 2006 Ex Mark, (1) 2007 Gravely Pro 144 and (2) unused "parts only" Ex Marks. Pictures are included for your review as "Attachment 1". Upon approval to surplus, the mowers will be traded to General Auto Parts to offset the purchase price of the new mowers. Total trade in value is $5,900.00.

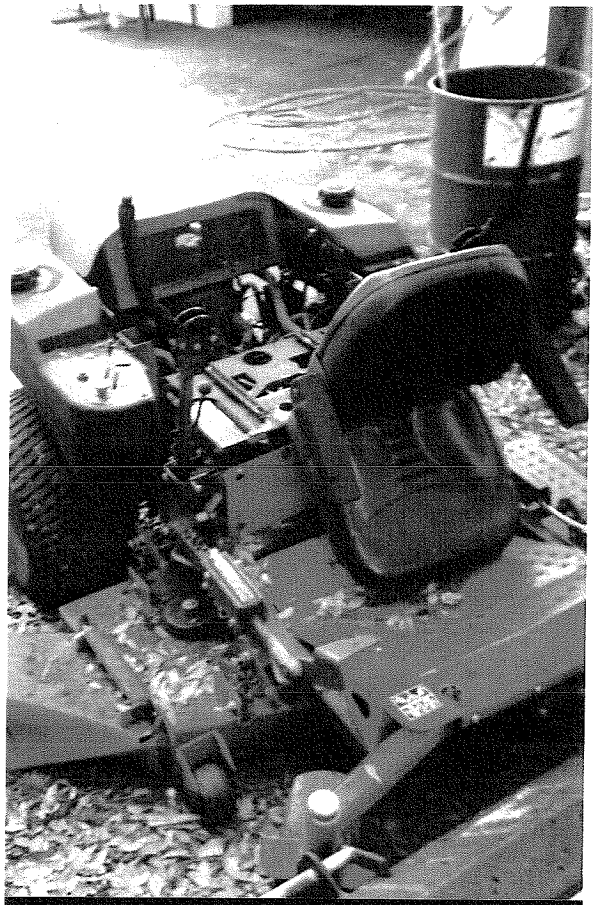
BUDGET IMPACT and BUDGET AMENDMENT: The FY 2011/12 Budget has $15,839.00 budgeted in Equipment Replacement Fund 503, General Ledger Account # 503 000 166 19037.

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

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

STAFF RECOMMENDATION: Approval of above mentioned purchase on the state bid, and to surplus and trade in the used mowers through General Auto Parts.

ATTACHMENTS: Pictures of mowers to be surplused/traded in.



Gravely - 2005

Toro Z-Master - Unused (Parts Only)

Gravely - 2005

EX-Mark - Unused (Parts Only)

Gravely - 2007

EX-Mark - 2006

AGENDA ITEM NO. F-3
4/2/12

AGENDA ITEM MEMORANDUM

TO: Honorable Mayor and City Council Members

VIA: T. Jennene Norman-Vacha, City Manager

FROM: Robert B. Battista, The Hogan Law Firm, City Attorney

SUBJECT: Assignment of Quarry Golf Course Lease

DATE: March 26, 2012

GENERAL SUMMARY/BACKGROUND: The City has received a request from "Just So You Know, LLC", the lessee of the Quarry Golf Course, to assign the lease to a new entity, Golf the Quarry, LLC. Paragraph X, Assignment of Lease, requires such request be approved by the City.

BUDGET/IMPACT: There is no budgetary impact for the City of Brooksville.

LEGAL REVIEW: Pursuant to home rule authority provided for by Article VIII, Section 2(b) of the Constitution of the State of Florida, and Chapter 166, Florida Statutes, the City Council has the power to take action on this matter.

STAFF RECOMMENDATION: Staff recommends council consider the request and approve it conditioned upon receipt of required insurance pursuant to Paragraph IX, Indemnification and Insurance.

ATTACHMENT: Copies of Paragraphs IX and X of the lease dated 9-19-2011
Confirmation of status for Golf the Quarry, LLC from Sec. of State

ASSIGNMENT OF LEASE

THIS ASSIGNMENT OF LEASE made and entered into this 26 day of March, 2012, by and between JUST SO YOU KNOW, LLC a Florida Limited Liability Company, (Lessees) Assignors and GOLF THE QUARRY, LLC a Florida Limited Liability Company, (Assignee,

WITHNESSETH: That:

WHEREAS, Assignor is the Lessee under a certain Lease Agreement dated 19th Day September 2011, between itself and the City of Brooksville, Florida, a Florida Municipal Corporation, Lessors, for the property therein described; and

WHEREAS, Assignor desires to assign this Lease to GOLF THE QUARRY, LLC and all of its rights, title and interest therein; and

WHEREAS, Assignees are to assume and fulfill all obligations of said lease; and,

WHEREAS, Parties desire to enter this Assignment of Lease effective immediately upon Approval of said Assignment by the City of Brooksville, Florida.

THEREFORE, for and in consideration of the mutual promises herein expressed by and between the parties said parties do hereby agree, covenant and stipulate as follows:

1. Assignor does hereby assign to assignee all of its rights, title and interest in and to that certain Lease Agreement between the City of Brooksville, Lessor, and JUST SO YOU KNOW, LLC, Lessee dated 19th Sept; 2011, to GOLF THE QUARRY, LLC, Assignee, effective immediately upon approval by the Brooksville City Commission.

2. Assignees shall assume and be responsible for all duties and obligations pursuant to said Lease Agreement as though Assignee was the original Lessee of said Lease.

3. Assignee shall have the same right, title and interest in and to the demised premises including all buildings, personal properties and improvements on said demised premises as Assignor had pursuant to said Lease.

Witness our hands and seal this 26 day of March, 2012.

Assignor:
Just So You Know, LLC
By B.L. Carson
Bob L. Carson

Assignee:
Golf The Quarry, LLC
By B.L. Carson
Bob L. Carson

STATE OF FLORIDA
COUNTY OF PASCO

On this 26 day of March, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared BOB L. CARSON, personally known to me to be the person in and who executed the foregoing instrument, or who provided _____ as identification and acknowledged before me that he executed the same.

WITNESS my hand and official seal:

Suzanne T. O'Connell
Notary Public
My Commission Expires:

PREPARED BY:
JOHN R. COUNCIL
ATTORNEY AT LAW
P.O. BOX 991
DADE CITY, FLORIDA 33526-0991

NOTARY PUBLIC STATE OF FLORIDA
SUZANNE T. O'CONNELL
MY COMMISSION # DD 895638
EXPIRES: July 4, 2013
Bonded Thru Budget Notary Services

Attachment 1

Current Lease

Paragraphs IX & X

VIII. POSSESSION AND MAINTENANCE

Lessee shall have sole possession of, and be responsible for maintenance of the premises, including all improvements constructed thereon. The City shall have the right to inspect the Premises and to impose reasonable regulations to insure proper care, maintenance, and upkeep of the Premises.

The premises shall be maintained, at a minimum, in the same condition as existed at the time of the establishment of the following photographic record. A video tape film ~~has been~~will be -recorded by September 30, 2011, supplemented by still photography, which are attached hereto as Exhibit C, "Photographs" and made a part here-of to provide the basis on which the current conditions will be established. Within thirty days (30) days of the effective date of the agreement, the City shall make a comprehensive photographic record of all existing improvements on the premises. Both Lessor and Lessee will review this record and affirm, in writing, that it constitutes a true and correct representation of the conditions of the premises and such record shall presumptively establish the condition of the premises for the purposes of this agreement and any disputes hereunder.

The City shall inspect the premises on a regular basis and advise the Lessee in writing of any deficiency in maintenance. If the Lessee has not made corrective action within thirty (30) days, or within an appropriate period as may be otherwise agreed, the City may correct the deficiency at LESSOR'S expense or declare the Lessee in default.

IX. INDEMNIFICATION AND INSURANCE

Lessee shall protect, indemnify and save harmless, the City its officers, employees, and agents from and against any and all claims, demands and causes of action of any nature whatsoever for injury to or death of persons, or loss or

damage to property, occurring on the Premises or in any manner arising from the lease or operation of the Premises during the term of this Lease.

A. To insure indemnification of the City, Lessee shall during the term of this Lease, procure and keep in force, or shall where appropriate, require Lessee's contractors to procure and keep in force, the following insurance with the City named as an additional insured:

(i) Comprehensive general liability insurance, including product with limits, as to bodily injury liability, of $1,000,000 for each occurrence and $5,000,000 in aggregate, and as to property damages liability of $300,000 for each occurrence and $1,000,000 in aggregate. Insurance policies required by this paragraph shall name Lessee as insured and the City as an additional insured.

(ii) Workmen's compensation insurance, sufficient to meet State of Florida statutory requirements, including employers liability coverage, protecting all employees of Lessee and employees of its contractors.

(iii) Comprehensive automobile liability insurance with limits, as to bodily injury liability, $1,000,000 for each person and $5,000,000 for each occurrence, and shall name Lessee as insured and City as an additional insured.

(iv) Fire, Vandalism, Malicious Mischief, and extended coverage insurance covering all buildings constructed by Lessee during the term of this lease in an amount equal to at least eighty (80) percent of the full insurable replacement value of such building above foundations. Such insurance policies shall be issued in the joint names of the City and Lessee and shall be payable to the

City, Lessee and to leasehold mortgagee, as their respective interests may appear. The entire amount collected for losses under any fire and extended coverage policies shall be held under joint control of the City, Lessee, shall be made available to repair, restore, or rebuild the damaged improvements. Any excess portion of the insurance fund remaining after the cost of repairs rebuilding or restoration is paid, shall be paid to the City. In the event the insurance fund is insufficient to cover the cost of repairs rebuilding or restoration, the excess cost shall be borne by Lessee.

B. Duplicate originals or certificates of all insurance policies required hereunder shall be delivered to the City prior to occupation of the Premises by Lessee.

C. Reassessment of insurance needs shall be conducted at least every five (5) years at the time of lease option renewal to determine whether the coverage or limits need to be increased.

C. Lessee agrees that thirty (30) days notice in writing shall be given the City in the event of cancellation, termination or material change of any insurance policy required hereunder.

X. ASSIGNMENT OF LEASE

The property or this lease cannot be pledged as security for any loan or other purpose without City approval. Except as provided in this paragraph, this Lease shall not be assigned in whole or in part, unless and until the City approves such assignment in writing. Upon written request by the City, the identity of the holder or holders to any mortgage, deed of trust or security instrument and all individuals, corporations, or parties having a financial interest as investors or shareholders with the Lessee in this lease, shall be provided the City by Lessee within thirty (30) days of such request,

Attachment 2

Florida Dept. of State

Division of Corporations

Detail

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

Previous on List Next on List Return To List

No Events No Name History

Detail by Entity Name

Florida Limited Liability Company

"GOLF THE QUARRY, LLC"

Filing Information

Document Number	L11000108275
FEI/EIN Number	NONE
Date Filed	09/21/2011
State	FL
Status	ACTIVE
Effective Date	09/21/2011

Principal Address

34413 CEDARFIELD DRIVE
RIDGE MANOR FL 33523 US

Mailing Address

34413 CEDARFIELD DRIVE
RIDGE MANOR FL 33523 US

Registered Agent Name & Address

JUST SO YOU KNOW, LLC
34413 CEDARFIELD DRIVE
RIDGE MANOR FL 33523 US

Manager/Member Detail

Name & Address

Title MGR

CARSON, BOB L
34413 CEDARFIELD DRIVE
RIDGE MANOR FL 33523 US

Title MGRM

OBRIEN, ELIZABETH A
34413 CEDARFIELD DRIVE
RIDGE MANOR FL 33523 US

Annual Reports

No Annual Reports Filed

Document Images

09/21/2011 -- Florida Limited Liability View image in PDF format

Note: This is not official record. See documents if question or conflict.

Previous on List Next on List Return To List Entity Name Searcl

No Events **No Name History** Submit

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State of Florida, Department of State

AGENDA ITEM NO. G-1
4/2/12

Southern Hills Plantation Homeowners Association

March 26, 2012

TO: T. Jennene Norman-Vacha, City Manager of Brooksville

FROM: Grady Miars
Southern Hills Plantation Homeowners Association Board President

RE: ***Phase 2 Roadway Safety Repairs - Southern Hills Plantation (Agenda Item Request for April 2, 2012 City Council Meeting)***

I am writing you as President of the Southern Hills Plantation HOA (SHPHOA). Please allow this letter to confirm the support of a letter received by your office on March 20, 2012 from Mrs. Margaret Bloomquist.

Further, at the March 5, 2012 city council meeting the Southern Hills Plantation Subdivision Repairs Project Schedule was approved and bid award occurred at the March 19, 2012 meeting. Also, as was approved at a former council meeting, the remaining funds will be provided to the Southern Hills Plantation Homeowners Association in order to begin repairs in Phase 2 where the roads continue to deteriorate and are more dangerous on a daily basis.

The SHPHOA simultaneously bid the Phase 2 projects and have itemized the most critical areas. On behalf of the SHPHOA Board, I would like to request the council consider advancing a portion of the proceeds which is being provided to the Southern Hills Plantation homeowners association in order to immediately begin repairs.

We are asking that you provide us $78,930.80*, of the $1.3 million dollar budget, (Total project costs for Phase 3-A, 1, 3 are approximately $300,000 below the $1.3 million dollar budget) which is the amount required to begin the repairs of these Phase 2 unsafe roadway areas. We fully understand that remaining funds from the project will be made available to the Southern Hills Plantation Homeowners Association for additional repairs and we have to wait until the main projects are complete.

Sincerely,

Grady Miars
President of the Southern Hills Plantation HOA

*(Note: Bids were requested, at the direction of the SHP Homeowners Association, for Phase 2 Roadway Safety Repairs. This includes safety repairs for:
1) Southern Valley Loop (the upper portion of Southern Valley Loop roadway has been closed to traffic for several months due to the road cave-in),
2) Majestic Hills Loop (of which in several areas the road is sinking),
3) Hickory Oak Drive (of which in several areas the road is sinking).

Attachment 1

Memo Dated 3/20/12 from

Margaret A. Bloomquist

HOA Board Representative

March 20, 2012

TO: The Honorable Mayor and City Council Members
(via T. Jennene Norman-Vacha, City Manager)

FROM: Margaret A. Bloomquist
Southern Hills Plantation Homeowners Association Board Representative
(4475 Hickory Oak Drive, Brooksville, Florida 34601)

RE: ***Phase 2 Roadway Safety Repairs - Southern Hills Plantation***
(Agenda Item Request for April 2, 2012 City Council Meeting)

At the March 5, 2012 city council meeting the Southern Hills Plantation Subdivision Repairs Project Schedule was approved and bid award occurred at the March 19, 2012 meeting. The residents of Southern Hills Plantation are very excited about these events.

Also, as was approved at a former council meeting, the remaining funds will be provided to the Southern Hills Plantation Homeowners Association in order to begin repairs in Phase 2 where the roads continue to deteriorate and are more dangerous on a daily basis.

The Phase 2 roadway situation is an ongoing concern in the community relative to the safety of residents, children, and visitors. These roads are severely damaged. One of the main arteries serving the south side of the development is closed because it has actually caved in (which occurred when a county fire truck was on routine maintenance in the community). The roads are not only dangerous for vehicles but also for our residents, our children who play in the neighborhood, and visitors to Southern Hills.

Our community has begun to see new housing starts and a dramatic increase in real estate traffic. Having the roads in their current condition (i.e. a main artery closed) is not only a tremendous safety hazard and a liability concern but it provides an unfavorable image for potential buyers who would be Brooksville taxpayers.

On behalf of the homeowners, I would like to request the council consider advancing a portion of the proceeds which is being provided to the Southern Hills Plantation homeowners association in order to immediately begin repairs.
We are asking that you provide us $78,930.80*, of the $1.3 million dollar budget, (Total project costs for Phase 3-A, 1, 3 are approximately $300,000 below the $1.3 million dollar budget) which is the amount required to begin the repairs of these Phase 2 unsafe roadway areas. We fully understand that remaining funds from the project will be made available to the Southern Hills Plantation Homeowners Association for additional repairs and that we have to wait until the main projects are complete.

Thank you for your consideration of this request on behalf of the 90+ homeowners (and 200+ residents) in Southern Hills Plantation.

*(Note: Bids were requested, at the direction of the SHP Homeowners Association, for Phase 2 Roadway Safety Repairs. This includes safety repairs for:
1) Southern Valley Loop (the upper portion of Southern Valley Loop roadway has been closed to traffic for several months due to the road cave-in),
2) Majestic Hills Loop (of which in several areas the road is sinking), and
3) Hickory Oak Drive (of which in several areas the road is sinking).

Attachment 2

Coastal Engineering's Bid Schedule

-----Original Message-----
From: Cliff Manuel [mailto:cliff@coastal-engineering.com]
Sent: Wednesday, March 21, 2012 8:30 AM
To: T. Jennene Norman-Vacha; Richard Radacky; Bill Geiger
Subject: Fwd: FW: Southern Hills Plantation Phase 2 Roadway Safety Repairs

Please find attached the qualified low bid for Southern Hills phase 2 on behalf of the HOA. As discussed with council, the HOA would like to complete these improvements with available bond funds.

Cliff Manuel JR

----- Original Message -----
From: Burt Bennett
To: Cliff Manuel
Sent: Wednesday, March 21, 2012 8:20 AM
Subject: FW: Southern Hills Plantation Phase 2 Roadway Safety Repairs

As requested, here is the SHP Phase 2 bid information again.

Burt

From: Burt Bennett
Sent: Monday, March 12, 2012 4:59 PM
To: 'C. Robert Nelson (rnelson@greenpointellc.com)'; 'Grady Miars (gmiars@greenpointellc.com)'
Cc: Cliff Manuel
Subject: Southern Hills Plantation Phase 2 Roadway Safety Repairs

Robert, Grady

Three bids (attached) were received this date for the above Phase 2 roadway repairs.

The good news is the prices received are well below the engineer's estimate for Phase 2. The Phase 2 bids are as follows:

Goodwin Bros.	$78,930.80
BRW Contracting	$175,264.00
Simmons Construction	$228,777.00

Coastal estimate $211,900.00

Goodwin Bros. a reputable local contractor, who's worked on multiple projects with Coastal.

Burt A. Bennett, **Vice President**
Coastal Engineering Associates, Inc.

Hernando Office
966 Candlelight Boulevard
Brooksville, FL 34601
Phone: (352) 796-9423
Fax: (352) 799-8359

Citrus Office
707 S. Adolph Pt.
Lecanto, FL 34461
Phone: (352) 270-8833

Cell: (352) 279-8990
Email: bbennett@coastal-engineering.com

Bid Schedule

SOUTHERN HILLS PLANTATION
PHASE 2
ROADWAY SAFETY REPAIRS

COASTAL ESTIMATE

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
Mobiliztion, Insurance, Indemnity	LS	1	$12,000.00	$12,000.00
Maintenance of Traffic	LS	1	$8,000.00	$8,000.00
Construction Materials Testing	LS	1	$5,000.00	$5,000.00
Sod	SY	200	$2.00	$400.00
Golf Cart Crossing Signage/Striping	LS	1	$500.00	$500.00
Southern Valley Loop				
Roadway Removal, Compaction, Repacement	SY	2,600	$45.00	$117,000.00
Curb Removal/Replacement	LF	370	$30.00	$11,100.00
Majestic Hill Loop				
Roadway Removal, Compaction, Repacement	SY	360	$45.00	$16,200.00
Hickory Oak Drive				
Roadway Removal, Compaction, Repacement	SY	900	$45.00	$40,500.00
"F" Curb Removal/Replacement	LF	40	$30.00	$1,200.00
			TOTAL:	**$211,900.00**

Bid Schedule

SOUTHERN HILLS PLANTATION
PHASE 2
ROADWAY SAFETY REPAIRS

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
Mobiliztion, Insurance, Indemnity	LS	1	1500.00	1500.00
Maintenance of Traffic	LS	1	1200.00	1200.00
Construction Materials Testing	LS	1	1500.00	1500.00
Sod	SY	200	2.00	400.00
Golf Cart Crossing Signage/Striping	LS	1	250.00	250.00
Southern Valley Loop				
Roadway Removal, Compaction, Repacement	SY	2,600	17.28	44,928.00
Curb Removal/Replacement	LF	370	18.00	6,660.00
Majestic Hill Loop				
Roadway Removal, Compaction, Repacement	SY	360	17.28	6220.80
Hickory Oak Drive				
Roadway Removal, Compaction, Repacement	SY	900	17.28	15,552.00
"F" Curb Removal/Replacement	LF	40	18.00	720.00
			TOTAL:	78,930.80

CONTRACTOR: Goodwin Bros Construction Inc

BY/TITLE: Daniel Goodwin, Jr., President

DATE: Mar. 12 12

Bid Schedule
SOUTHERN HILLS PLANTATION
PHASE 2
ROADWAY SAFETY REPAIRS

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
Mobiliztion, Insurance, Indemnity	LS	1	3500.00	3500.00
Maintenance of Traffic	LS	1	1000.00	1000.00
Construction Materials Testing	LS	1	8500.00	8500.00
Sod	SY	200	1.80	360.00
Golf Cart Crossing Signage/Striping	LS	1	1500.00	1500.00
Southern Valley Loop				
Roadway Removal, Compaction, Repacement	SY	2,600	38.90	101140.00
Curb Removal/Replacement	LF	370	25.00	9250.00
Majestic Hill Loop				
Roadway Removal, Compaction, Repacement	SY	360	38.90	14004.00
Hickory Oak Drive				
Roadway Removal, Compaction, Repacement	SY	900	38.90	35010.00
"F" Curb Removal/Replacement	LF	40	25.00	1000.00
			TOTAL:	175264.00

CONTRACTOR: BRW Contracting Inc

BY/TITLE: [signature]

DATE: 3-12-12

OFF 813-996-5882

FX 813-996-1129

Bid Schedule

SOUTHERN HILLS PLANTATION

PHASE 2

ROADWAY SAFETY REPAIRS

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
MOBILIZATION,INSURANCE,INDEMNITY	LS	1.00	8,377.00	8,377.00
MAINTENANCE OF TRAFFIC	LS	1.00	5,000.00	5,000.00
CONSTRUCTION MATERIALS TESTING	LS	1.00	5,500.00	5,500.00
SOD	SY	200.00	2.00	400.00
GOLF CART CROSSING SIGNAGE/STRIPING	LS	1.00	2,550.00	2,550.00
SOUTHERN VALLEY LOOP				-
ROADWAY REMOVAL,COMPACTION,REPLACEMEN	SY	2,600.00	52.00	135,200.00
CURB REMOVAL/REPLACEMENT	LF	370.00	15.00	5,550.00
MAJESTIC HILL LOOP				-
ROADWAY REMOVAL,COMPACTION,REPLACEMEN	SY	360.00	52.00	18,720.00
				-
HICKORY OAK DRIVE				-
ROADWAY REMOVAL,COMPACTION,REPLACEMEN	SY	900.00	52.00	46,800.00
"F" CURB REMOVAL/REPLACEMENT	LF	40.00	17.00	680.00
				-
				-
				-
				-
				-
			TOTAL	228,777.00

SIMMONS CONSTRUCTION
RC'D 1:08 PM 3-12-12
VIA E-MAIL

AGENDA ITEM NO. G-2
4/2/12

AGENDA ITEM
MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCILMEN

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: MIKE WALKER, DIRECTOR OF PARKS, FACILITIES & RECREATION

SUBJECT: **Request for Alcohol Beverage at Tom Varn Park Event**

DATE: March 23, 2012

GENERAL SUMMARY/BACKGROUND: Mandolin Entertainment, LLC is requesting the approval from City Council to sell alcohol (beer and wine) at Tom Varn Park on Friday, April 20, 2012 for a country concert event. The event will be from 5-11:00 pm.

Per the City's Land Development Code, Section 4-8.9 and Ordinance No. 764 Article 21, City Council has the authority to authorize the request.

Land Development Code
Section 4-8.9. - Consumption and Use of Alcoholic Beverages in Public Places and on Private Property

1. It shall be unlawful for any persons to consume or possess any alcoholic beverage in an open container in a publicly-owned park or recreation area or on any public school property or on any public street, thoroughfare, sidewalk, alley, or any publicly owned parking facility within the city; provided, however, this subsection shall not apply when the alcoholic beverages are possessed or are being consumed thereon with the consent of the person, group or organization lawfully in charge of the premises and in compliance with any applicable laws.

Ordinance No. 764 of the City of Brooksville Code of Ordinances provides for the adoption of rules and regulations as they relate to City parks or recreational areas.

ARTICLE 21. ALCOHOL
Unless specifically authorized in and limited to the duration of any special events permit authorized hereunder, the sale, possession or consumption of alcoholic beverages on any park property is prohibited. In addition to any other remedies under this article, any individual possessing or consuming alcoholic beverages shall be expelled from such park.

BUDGET IMPACT: None.

LEGAL REVIEW: Pursuant to Ordinance No. 764 City Council has the authority to establish adopt rules and regulations, including fees, as they relate City parks or recreational areas by resolution or administrative directive as recommended by the City Manager.

STAFF RECOMMENDATION: Staff requests direction.

ATTACHMENTS: Letter of Request from Mandolin Entertainment
Facility Use Agreement

Mandolin Entertainment, LLC would like to request approval for alcohol (Beer & Wine) to be served April 20, 2012 at Tom Varn Park, in Brooksville, Fl for a Country concert Event *Brooksville Country Jam.* The alcohol permit will be by A.P.A.C.K (American People Against Cop Killers). The goal of this his event is to bring something to the community that is affordable for the family and to build the potential of having bigger events in the community.

ALCOHOL DETAILS:
PERMIT: A.P.A.C.K
ID must be shown for persons over 21 to purchase/consume alcohol and must wear the appropriate wrist band provided when ID is shown.

Event Details:
Date: April 20, 2012
Time: 5:00pm-11:00pm
Admission:
$10 Advance
$15 Day of Show
$40 VIP (limited)

Estimated Attendance: 1,200

Mandolin Entertainment, LLC
mannndii@hotmail.com
352.585.3901

MANDOLIN
ENTERTAINMENT

CITY OF BROOKSVILLE
PARKS & RECREATION DEPARTMENT
FACILITY USE AGREEMENT

( ) Jerome Brown Community Center ( ) Hall ( ) Conference Room ( ) Kitchen

( ) Other Facility Tom Varn Park

Name of applicant (User): Mandolin Entertainment, LLC

If an organization, name of representative: Amanda Dixon

☐ Not-for-Profit (attach copy of certificate) ☐ Government Agency ☐ City Co-Sponsored

Address: 3450 Gulfview Dr City: Hernando Beach State: Fl Zip: 34607

Contact person: Amanda Dixon Day Telephone 352-585-3901 Evening —

Alternate contact person: Christie Williams Day Telephone 352-585-7188 Evening

Description of event: Brooksville Country Jam

Anticipated attendance: 1200

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

Day(s) of event: M - T - W - Th - (F) - Sa - Su Start date of event: 4-20-12 Ending date: 4-20-12

Time event begins: 7:00 (AM) / PM Time event ends: 10:30 AM / (PM)

Set-up: Date 4-20 From 7:00 (AM) / PM, To 11:00 AM (PM)

Will event be open to the general public? Yes ☒ No ☐ Admission/donation/fee**: ☒ No ☐ Yes $ ADV-10 DOS-15

Food/merchandise sales*: ☐ No ☒ Yes Describe: Vendors

Refreshments served: ☐ No ☒ Yes Describe: Vendors - soda/water/Beer

Number of paid security officers (if applicable): 4 Scheduled from 5:00 AM / (PM) To 11:00 AM / (PM)

RATES & FEES

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

Deposit: An initial deposit equal to the Security Deposit is due when the Facility Use Agreement is signed. If the projected rental and fees exceed the basic Security Deposit, such additional amounts are to be paid not less than ten (10) days prior to the event. The User is responsible for leaving the facility in a clean and satisfactory condition upon the conclusion of the activity. The deposit will be refunded less any amount due for additional rental charges, damages or other additional services. If actual costs exceed the amount of the Deposit, such additional amounts will be due from User upon notice.

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

USE AGREEMENT TERMS

1. Use rates include utilities and waste removal. Damages are the responsibility of User, reasonable wear and tear accepted, as well as the cost of any additional rental periods or services.

2. Alcoholic beverages are prohibited in City Parks except within the Jerome Brown Community Center if/when an Alcoholic Beverage Distribution/Consumption Permit has been issued by the Parks and Recreation Director or authorized agent. Smoking is prohibited inside facilities. No illegal drugs, gambling or games of chance are allowed anywhere in City Parks. Any violation of the terms of this Agreement could at the City's option result in forfeiture of the deposit, and/or arrest and prosecution.

3. No activities are permitted to extend beyond 12:00 a.m. (midnight), unless approved in advance of the activity by the City's Parks and Recreation Director or authorized agent.

4. If required by the City, the User shall hire at his/her own expense, law enforcement officers for crowd control at events. Brooksville Police Officers will be utilized when available.

5. No admission charges or sale of items will be allowed without prior written permission from the Director of Recreation. If approved, User will be responsible for collection and payment of applicable sales and any other taxes.

6. User will be responsible for obtaining all necessary licenses and permits, including Alcoholic Beverage License, and any required Health Department permits, for provision of food.

7. Applications are to be submitted a minimum of ten (10) days prior to the requested lease dates, unless this requirement is modified by the Parks and Recreation Director or authorized agent. Fees are tentative and this application is subject to review and approval by the Parks and Recreation Department Director. The City reserves the right to cancel, postpone, or reschedule this event due to facility maintenance, inclement weather, public safety requirements or if facility is needed for emergency or other use by the City. The City's liability in such instances will be limited to the amount paid by applicant to use the facility, and upon refund to applicant, will serve as a general release of liability. The City's only obligation to the User will be refunding User's full deposit.

8. User assumes responsibility for any damages to the facility and injury to participants which are the result of the conduct or negligence of User and/or User's agents and guests. Liability and Property Damage Insurance is required for the use of the Jerome Brown Community Center and other designated facilities. A Certificate of Insurance with minimum limits of $100,000/300,000/100,000; or $300,000 Combined Single Limit, with the City as an Additional Named Insured and Certificate Holder, is to be provided to the City not less then seven (7) calendar days before the event. The City reserves the right to request higher limits to a maximum of $100,000/300,000/500,000 or $500,000 CSL depending on the proposed usage.

9. The City shall not be responsible for any damage or injury that may happen to the User, its agents, assistants, employees, patrons, guests, invitees, servants, or property from any cause whatever (unless occasioned by the sole negligence of the City) during the period covered by the Agreement. The User for itself, its agents, assistants, and employees expressly releases the City and agrees to hold the City harmless and to indemnity the City against any claim for loss, damage, injury or other liability arising out of the actions, fault, or negligence of the User, its agents, assistants, or employees, during the term of this Agreement.

10. The parties hereto understand that this Agreement will be interpreted pursuant to the laws of the State of Florida and the parties further agree that the venue of any legal action concerning the Agreement will be Hernando County.

11. This application, when executed by both parties, becomes a legally enforceable contract and User agrees to comply with all the terms and conditions set forth herein, and to all City Rules and Regulations. The undersigned warrants that if the applicant is not an individual, he/she has the authority to bind applicant.

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

Name: Amanda Dixon Signature: [signature] Date: 3-26-12
Applicant/User

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

Base Rent $_____ Other $_____ Total Estimated Cost $_____ Total Estimated Deposit$_____

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

Application Approved By: _____ Date: _____

Not valid unless signed by Director of Parks and Recreation or Authorized Agent.

CORRESPONDENCE-TO-NOTE
REGULAR COUNCIL MEETING – April 2, 2012

1.	TYPE:	Letter
	RECEIVED:	March 15, 2012
	RECEIVED FROM:	Hernando County Clerk of Circuit Court
	ADDRESSED TO:	City of Brooksville
	SUBJECT:	Hernando County Comprehensive Annual Financial Report for the fiscal year ended September 30, 2011

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

03-19-12A10:20 RCVD

KAREN NICOLAI
CLERK OF CIRCUIT COURT
FINANCE DEPARTMENT
20 N Main Street, Room 230
Brooksville, Fl 34601

March 15, 2012

City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

We are pleased to announce that the Hernando County Comprehensive Annual Financial Report for the fiscal year ended September 30, 2011 is available.

This report is a product of the Clerk of Circuit Court Finance Department. It contains a multitude of useful and valuable information. You can find this and other reports on line at www.hernandoclerk.com. Go to the Administration tab, click on Finance and then Reports. If you have any questions, please do not hesitate to call my office at 352-540-6515.

Sincerely,

Karen Nicolai

Karen Nicolai, CPA
Clerk of Circuit Court

Amy Gillis

Amy Gillis, CPA, CGFO
Finance Director

4.2.12
CTN
✓3/20
cc: Steve Bangerter