

**CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE
BROOKSVILLE, FL 34601**

AGENDA

August 6, 2012

7:00 P.M.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. Florida Water Professionals Week Proclamation

A Proclamation proclaiming August 13 – 17, 2012, as Florida Water Professionals Week.

Presentation: Mayor
Attachments: Proclamation

2. Progress Energy Presentation of Rebate

Presentation of a rebate check in the amount of \$324 for the City Hall HVAC replacement.

Presentation: Gary Renfro, Senior Account Executive

3. Brooksville Housing Authority Update

Update on the status of the Brooksville Housing Authority vouchers.

Presentation: Tommy Brooks, Executive Director

D. CITIZEN INPUT

E. CONSENT AGENDA

1. Minutes

a. May 21, 2012 Regular Meeting
b. June 4, 2012 Regular Meeting
c. June 18, 2012 Regular Meeting

2. Surplus Equipment

Consideration to surplus items determined to be obsolete, inoperable or no longer useful.

REGULAR COUNCIL MEETING – August 6, 2012

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Minutes; 2) Memo from City Clerk dated 07/27/12, Descriptions and/or Pictures of Surplus

F. PUBLIC HEARINGS

- Entry of Proof of Publication into the Record

1. Ordinance No. 831 – Land Development Code Update

Consideration of an Ordinance amending the City's Land Development Code.
[First Reading 7/16/12]

Presentation: City Planner
Recommendation: Approval of Second Reading of Ordinance No. 831 upon roll-call vote
Attachments: Memo from City Planner dated 08/06/12, Proposed Ordinance

G. REGULAR AGENDA

1. Peck Sink Water Course Improvements

Consideration of improvements needed to the Peck Sink Watercourse.

Presentation: Director of Public Works
Recommendation: Approval of Improvements or Direction to Staff
Attachments: Memo from Director of Public Works dated 07/16/12; Map, Photographs, Bridge Inspection, Permit Exemption

2. Florida League of Cities Legislative Action Committees

Consideration of appointment of Council Members to the Florida League of Cities' Action Committees for the 9/2012 – 8/2013 year.

	<u>Current Council</u>
Finance, Taxation & Personnel	Frankie Burnett
Transportation & Intergovernmental Relations	Joe Johnston
Energy & Environmental Quality	Kevin Hohn
Growth Management & Economic Development	Lara Bradburn
Urban Administration	Joe Bernardini

Presentation: City Clerk
Recommendation: Appointments
Attachment: Memo from City Clerk dated 07/27/12

REGULAR COUNCIL MEETING – August 6, 2012

3. Advisory Board Appointments

Appointment of members to various vacant advisory board positions.

[Note - all applicants are registered voters as required]

Screening Committee Appointment

Appointment of the Screening Committee to review nominations received for the 2012 Great Brooksvillian.

Sue Loveday	New Applicant
Pat Sanders	New Applicant

Brooksville Housing Authority Board Appointment

One (1) full-time vacant unexpired position to fill a 4-year term of office through May 31, 2015.

Arlene Mullen	New Applicant
---------------	---------------

Presentation:	City Clerk
Recommendation:	Approval of Appointments
Attachments:	Memo from City Clerk dated 07/26/12, Board Rosters, Applications

H. COMMUNITY REDEVELOPMENT AGENCY (CRA) MEETING

I. CITIZEN INPUT

J. ITEMS BY COUNCIL

K. 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.

City of Brooksville
Proclamation

WHEREAS, the Florida Water & Pollution Control Operators Association is a statewide organization composed of water industry professionals who dedicate themselves to the production and distribution of safe drinking water, as well as the proper collection, treatment, reuse, and disposal of wastewater and stormwater; and,

WHEREAS, this organization is committed to protecting the health of Florida's citizens and our state's natural resources, and supports the training, certification, and licensing of water industry personnel as a means to achieve these goals; and,

WHEREAS, this organization, in recognizing the importance of the Florida Statutes and Administrative Code that regulate the water industry, acts as liaison between the Florida Department of Environmental Protection and industry personnel; and,

WHEREAS, each year the Florida Water & Pollution Control Operators Association recognizes all those who have played a significant part in operating and maintaining drinking water, wastewater, and stormwater systems in Florida by celebrating Florida Water Professionals Week, which applauds their constant efforts to protect our health and environment.

NOW, THEREFORE, WE THE UNDERSIGNED AS CITY COUNCIL FOR AND ON BEHALF OF THE CITY OF BROOKSVILLE, DO HEREBY PROCLAIM, August 13 – 17, 2012, as

Florida Water Professionals Week

IN WITNESS WHEREOF, we have hereunto set our hand and caused to be affixed the seal of the City of Brooksville this 6th day of August, 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

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

MINUTES

May 21, 2012

6:30 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. Members of the Hernando Today and Hernando Times were also present.

The meeting was called to order by Mayor Johnston, and the following notice was read into the record:

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 Holly Kirchman of Carolyn F. Engle & Associates. The meeting is expected to last approximately thirty minutes.

ADJOURN EXECUTIVE SESSION & RECONVENE COUNCIL MEETING

The executive session was adjourned and the regular council meeting reconvened by Mayor Johnston, followed by an invocation and Pledge of Allegiance.

Mayor Johnston requested Item G-5 City of Brooksville vs. Westchester be added to the agenda.

Motion:

Motion was made by Council Member Burnett and seconded by Council Member Bernardini for approval to add item G-5 to the agenda. Motion carried 5-0.

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Law Enforcement Awareness Proclamation

Presentation of Proclamations to Officers and representatives of the Brooksville Police Department, Hernando County Sheriff's Office, Florida Highway Patrol and Florida Department of Law Enforcement designating and supporting the month of May as Law Enforcement Awareness Month.

Mayor Johnston read the proclamation in its entirety and presented it to Sheriff Al Nienhuis and Police Chief George Turner.

Juneteenth Day Proclamation

Presentation of a proclamation commemorating June 19, 2012, as Juneteenth Day.

Mayor Johnston read the proclamation in its entirety and it was accepted by Kojack Burnett on behalf of Mr. Paul Boston, organizer of the Juneteenth Day event, as he was not present.

Eagle Scout McAndrew Proclamation

A proclamation in honor of Nathan Thomas McAndrew achieving the Eagle Scout designation from the Boy Scouts of America.

Mayor Johnston read the proclamation in its entirety which will be forwarded to Nathan McAndrew as he was not present.

2012 Hurricane Season Update

Cecilia Patella, Director of Emergency Management, to give an update of the upcoming hurricane season, the CEMP, Post Disaster Recovery Plan and the upcoming Expo at Weeki Wachee State Park on June 2nd.

Director Patella updated Council on the upcoming hurricane season which officially starts on June 1st through November 30th. The official forecast does not predict an active hurricane season. She advised the Hurricane Expo will be on June 2nd from 9:00 a.m. to 2:00 p.m. at the Weeki Wachee State Park.

She indicated the Comprehensive Emergency Management Plan (CEMP) has been updated and submitted to the State of Florida.

The Post Disaster Redevelopment Plan has been reviewed over the past six (6) months and entails the worst case scenario, with massive devastation and how the county would be prepared to recover and redevelop in the most resilient way possible. She advised the plan is prepared to submit to the State at the end of May and after the review process it will be brought to the City for adoption.

Vice Mayor Bradburn suggested adding a section regarding a community charette as the most practical way to deal with a disaster area. Ms. Patella advised that her suggestion will be added to an extensive action list of items that need to be followed up on.

Chief Mossgrove reiterated participation and partnership the City has with the County in this regard.

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

Florida Blueberry Festival

Update on the 2012 Florida Blueberry Festival.

This item was removed to a future agenda.

CITIZEN INPUT

Mayor Johnston asked for public input.

Curt Prystupa, president and owner of Sun Fiberglass Pools, spoke against the Fire Assessment. He thought this issue was in the past and felt that it is an unfair burden to the citizens in relation to the amount they already pay in fire insurance and taxes.

David Wermuth, president of the Brooksville Lions Club, announced that the club is proud to be back in Brooksville as of April 16th with thirty-five (35) members. He indicated the Lions Club strives to prevent blindness and assist those with visual disabilities. It is the largest service organization in the world. He announced there will be an event on June 6th at the Elks Lodge at 14494 Cortez Boulevard and invited all to attend with RSVP required by this Friday.

He relayed that the Lions Club recently helped a family in need by providing a golf cart for their disabled son. He added that there is also the High Point Lions Club in Brooksville that supports pre-Diabetes screening and eye exams once a month.

CONSENT AGENDA

Vice Mayor Bradburn requested that Item 2, Budget Amendment, be removed for further discussion.

Minutes

December 5, 2011 Regular Meeting

December 19, 2011 Regular Meeting

January 23, 2012 Regular Meeting

FY 2012/13 Budget Workshop Calendar

Consideration and approval of schedule for FY 2012/13 Budget Workshop Sessions.

Surplus Equipment

Consideration to surplus obsolete/inoperable equipment.

Council Member Bernardini suggested EBay be utilized to sell surplus merchandise as opposed to auction.

City Manager Norman-Vacha indicated Govdeals.com was previously utilized but entailed more staff time. She stated sending items to auction with the County and School Board has been very successful.

Motion:

Motion was made by Council Member Burnett and seconded by Council Member Hohn approval of Consent Agenda items 1, 3 and 4. Motion carried 5-0.

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

Budget Amendment

Consideration of budget amendment for installation of the fire station generator.

Vice Mayor Bradburn suggested amending the bid from \$11,729 to \$11,249 and eliminating the provision for overtime. The permit fee is a separate issue.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval of electrical only without overtime costs for a total of \$11,249. Motion carried 5-0.

Mayor Johnston asked for clarification from staff on the process should Generx not agree to do the work for the amended cost. City Manager Norman-Vacha explained Council would have the option to go with the next lowest bidder. She pointed out the item before Council is for a budget amendment to release monies only, since the quotes are within the limit of the purchasing policy.

Council Member Burnett agreed that overtime should not be part of a quote that was not part of the original bid.

Chief Mossgrove stated he explained to the vendor that submitted this quote, that \$480 would be added to the total bid amount.

Mayor Johnston clarified the staff request is for a transfer of \$9,758.20 from Fire Impact Fees to cover final payment for installation.

The motion and second was withdrawn.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval of a total of \$9,278.20, which does not include overtime costs. Motion carried 5-0.

REGULAR AGENDA

Ordinance No. 829 – Mosquito Control Municipal Service Taxing Unit

Consideration of proposed ordinance providing for inclusion of the City in the Hernando County Mosquito Control Municipal Service Taxing Unit.

Director of Public Works Richard Radack reviewed the Ordinance approved by the County during the 2011/2012 budget process and set the millage at a tenth of a mill. County code as adopted allowed for municipalities to opt-in by ordinance and file with Property Appraiser no later than June 5, 2012. Based on a tenth of a mill, this would generate \$37,000 but with property values decreasing it would most likely be \$35,000. The Board of County Commissioners also adopted a resolution calling for a ballot referendum to continue a levy to fund the mosquito control activities. It is non-binding and will appear on the General Election ballot on November 6, 2012. City Council may decide not to opt-in and seek other delivery means of mosquito control such as a contract with Hernando County or a private provider. It would require allocation from the General Fund.

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

Environmental Services Director Susan Goebel-Canning, who further elaborated mosquito control is not just spraying but forming a program that monitors mosquito populations, allows dispersing fish into ponds and drainage retainage areas for preventive maintenance and testing for diseases. Hernando County will cover the grounds in a two-week cycle, along with requests from citizens to investigate and adjust the area to address their concerns. The County took inquiries from private vendors and it was more expensive than the County's program and felt they could provide the City with a more efficient service.

Budget Service Manager George Zoettlein reviewed that during the 2011/2012 budget year the County was looking for a way to fund mosquito control. In the past, it was funded out of the General Fund and a few years ago the Finance Department indicated the County was required to fund it out of a separate fund. Mosquito control was then funded by a transfer from the General Fund to Mosquito Control. After property values decreased they were trying to come up with a way to fund it without effecting citizens through property taxes. They then created the Mosquito Control Municipal Service Taxing Unit (MSTU) by decreasing the Sensitive Lands Funds MSTU from a millage rate of 0.0844 to zero. This would not include the cities of Brooksville and Weeki Wachee but both can opt-in to the program for fiscal year 2012/2013.

Council Member Hohn asked was there any consideration of an assessment as opposed to increasing the millage rate. Mr. Zoettlein stated they did not want to increase fees to the taxpayers when decreasing the Sensitive Lands Funds MSTU would eliminate an increase.

Vice Mayor Bradburn was concerned that the Environmentally Sensitive Lands (ESL) Program was overwhelming passed by Hernando County voters and it not being funded is illegal. It is a very effective program and preservation for profit increases tax revenues. She felt the ESL Program should be put back into action and used for the purpose of preservation and conservation, with some dollars allocated for maintenance. Mosquito Control is a basic service of County government and should voters decide to take it off the rolls it will be a bad season. She would like the new County Administrator and the City Manager to meet and discuss this and other issues to come up with alternative ideas on how to fund this program. She asked if the City can opt-out of this program but move forward tonight to give notice to the Property Appraiser by the June 5th deadline to create the taxing unit.

Mayor Johnston asked would the non-binding referendum in November go to City voters as well. Mr. Zoettlein confirmed it would be county-wide.

Council Member Hohn asked, should the referendum fail, would the City still be expected to pay \$30,000 for the service. Mr. Zoettlein indicated it would continue to be on the County tax rolls only and the County would bill the City for the equivalent amount that would have been collected from City residents. He pointed out this would have to be discussed at a later date and he did not know for sure at this time.

Vice Mayor Bradburn stated the City has the option to create its own mosquito control or contract with the County and pointed out it is a county function for county taxpayers.

Council Member Burnett was concerned that the County picks and chooses to include Brooksville and Weeki Wachee in their provided services and does not understand their philosophy behind it.

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

Mayor Johnston pointed out the City residents pay taxes to the County but there are special services set up by the County that are funded out of the General Fund. He supported moving forward tonight with the choice to opt-out at some future date.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval to move forward at this time with staff exploring other options with the new County Administrator.

City Clerk Peters read Ordinance No. 829 by title, as follows:

**AN ORDINANCE OF THE CITY OF BROOKSVILLE,
CONSENTING TO BE INCLUDED IN THE HERNANDO
COUNTY MOSQUITO CONTROL MUNICIPAL SERVICE
TAXING UNIT CREATED BY HERNANDO COUNTY
ORDINANCE NO. 2011-11; PROVIDING FOR CONFLICT AND
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Motion carried 3-2 upon roll call vote, as follows:

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

City Manager Norman-Vacha announced this item will be on the June 4th agenda for a public hearing.

Council Member Bernardini stated he agreed with Vice Mayor Bradburn that the ESL money should be put back. Vice Mayor Bradburn advised she would support taking a percentage of ESL money and using it towards maintenance, indicating there has always been a question as to whether or not there is ESL maintenance money and whether this was the intent in the original documents.

Resolution No. 2012-04 – Fire Assessments

Consideration of adoption of Resolution No. 2012-04, accepting and approving the Executive Summary pertaining to the apportionment of special assessments to fund fire protection services, and further authorizing and directing initiation of the process to allow for consideration of the imposition and collection of special assessments for fire protection.

Fire Chief Mossgrove introduced Mark Lawson and Chris Roe of Bryant, Miller and Olive P.A.

Mr. Lawson stated they have agreed to work with city staff to develop an executive summary that identifies an alternative means to fund fire protection assessments, focusing on the paradigm of readiness to serve. The report is authored by Dr. Owen Beitsch of Real Estate Research Consultants and has been reviewed by Bryant, Miller and Olive. It is based on information that was provided by the Fire Chief, specific to the City of Brooksville and information extracted from the public data base.

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

He stated the amount of fire calls the fire department makes are relatively few and fire incidents are infrequent. The value of fire protection is being prepared to serve when a random emergency incident occurs. This report highlights Advanced Life Support activities as accessible expenses in the City's budget. There is a two-tiered allocation applied. The first tier utilizes dry roll data to determine relative value of improvements.

The second tier includes costs that are relatively fixed and occur every year such as wages, salaries, administration and overhead. He stated the preparedness to serve creates a burden on the system that is relatively uniform in that every parcel benefits and therefore it is reasonable to share that on a per tax parcel basis. There are other programs that focus on demand that try to do statistical analysis with a small amount of calls. This summary was designed to give community flexibility to create a tax equity tool used in conjunction with ad valorem tax funds for a way to supplement how the City funds fire protection preparedness activities.

He referenced example number two and explained that if approximately \$600,000 is funded, \$168,000 is based upon relative value and \$432,000 is based upon readiness to serve net of exempt properties, such as right-of-ways, utility easements, churches, etc.

He emphasized the improvement value of parcels in the city is approximately \$46,000 and would generate a tier one relative value in improvements assessment of about \$23 and per parcel of \$106 for a total of \$129 per year or just over \$10 per month.

He stated the relative value of improvements does ask higher valued properties to pay a higher assessment. This gives Council the ability to have a flexible approach to fire assessments. He has provided an executive summary and critical events schedule to deal with an approach that would be both politically palatable and legally sufficient.

Mr. Lawson referenced case law that states there is no method of appraising benefits and burdens to make everybody happy. But as long as decisions are based on some rational fact or basis during a debate, the court must defer this decision to policymakers.

He indicated they not only brought forth a process to cause an assessment to be imposed, after a notice and a public hearing with appropriate resolution and ordinance, but to validate use of some of the revenue for purposes of Capital Expenditure in order to get a determination that this was fair, reasonable and legally sufficient.

Notice would be provided and collection would occur by direct billing after all required processes are completed. The notice would explain the approach and direct citizens to the City's website with a link to every parcel that gives a total assessed amount.

Vice Mayor Bradburn asked Mr. Lawson to elaborate on the assessment model that would be set up on the City's website. Mr. Lawson explained there will be no guesswork for users. It will calculate assessments automatically after a search by name for every parcel in the City of Brooksville. He indicated the methodology figures are less than what was initially proposed two (2) years ago and less than what the County would charge.

Mayor Johnston referenced revising the bond assessment and resolution on the critical events schedule. Mr. Lawson stated under Chapter 75 ask the court to validate the revenue stream used to purchase some capital equipment by adopting a bond resolution.

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

City Attorney Battista indicated legal has reviewed the document and bond validation and he has no issues with the program as outlined.

City Manager Norman-Vacha stated Council had asked staff to look at other means of funding. This is a tool to fund services that are required by the City. She felt confident this is a good methodology. Staff has suggested a proper funding level to give Council an option to reduce the millage level and a good first step on how to provide fire services.

Council Member Burnett stated the majority wants to keep the fire and police services within the City of Brooksville and this methodology is the most fair and equitable he has seen so far.

Mayor Johnston concurred with Council Member Burnett and recalled years ago when the County proposed taking over services but the citizens wanted to keep it under the City's jurisdiction. He felt this to be the fairest methodology they have come up with.

Council Member Hohn stated if there is no consideration for reduction in millage he will not support this program. He agrees with the methodology but is concerned that all parcels will be assessed at the same rate which does not provide any equity. He has asked for the current cost of fire services in millage to determine if this is a good deal for the citizens and requested Council consider at least four (4) levels of funding such as 25%, 50%, 75% and 100% prior to budget discussions. He felt there were not enough facts to support an appropriate funding level of \$600,000 and assured there would be a higher cost if services were under the County's jurisdiction. He confirmed this is not an extra fee, but it is in lieu of paying that same amount in ad valorem. He agreed it is fair and equitable with everyone sharing the cost of fire services and felt the more that can be moved out of ad valorem taxes, the fairer it becomes.

Mayor Johnston reiterated past discussion by Council has always been that this is an alternate means of funding by an offset in the millage rate. He felt the timeline was too close for this assessment to go into effect for the FY2012/2013 budget and is more realistic for FY2013/2014. Mr. Lawson indicated it was his goal to have it ready for the FY2012/2013 budget.

Mayor Johnston asked for public input.

Gail Samples advised she did not want to get rid of the Fire and Police Departments. She was interested in hearing more about Tiers 1 and 2. She felt Tier 2 to be a way to fund the wants of the City and Tier 1 was the more logical of the two and felt there needed to be more discussion on the issue, with clarification of the two tiers.

Curt Prystupa felt the budget needs to be laid out to let the citizens see what the fire department has and to see whether the county can do the same at a lower cost. He also said the methodology of this program seems to be better than the last one. He asked that Council find a way to make it equitable for all businesses.

Mayor Johnston clarified that it is not about the number of calls that go out, it is based upon the readiness to serve. Call data and budgeting expenses are available on the city's website.

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

Robert Buckner felt the new proposal is better than the last methodology. He asked if the number of parcels includes improved and unimproved. Mr. Roe advised it does. He felt there could be an unintentional consequence and called for a fair and equitable solution as well.

Kojack Burnett indicated he was against getting rid of the fire and police departments.

Vice Mayor Bradburn stated fire service is a basic government service and the people want it in place. The reality is fire and police make up about half of the City's budget. She advised there has been a 21% decrease in tax revenue over the last five (5) years, stating this Council has aggressively reduced taxes 18% but still has to maintain basic services. She advised this program is an opportunity, not only to spread the cost of providing services in a fair manner, but also to reduce the millage rate. A lower millage attracts new businesses and gives the opportunity to expand existing businesses and create jobs. She emphasized this is one of many discussions they will have on this matter.

She encouraged Council to adopt and implement this method, with time for discussion of the numbers later on. She pointed out the decreased revenue recently reported by the Property Appraiser and, should Council choose not to implement this assessment, something has got to give because there is nothing left to be cut. In order to keep fire service intact and continue to have the best response rate and ISO rating, which affects home insurance premiums, Council has to provide the fire department with what they need. She stated it is probable that a tax increase would be necessary without the assessment to keep up with inflation. She referenced the millage rate reduction and reminded Council that when doing so they would need to take into account the inflationary costs.

Mayor Johnston asked are parcels such as schools and churches exempt from both tiers. Mr. Lawson confirmed they are exempt and will have to be funded with ad valorem taxes as they are now. He stated Council can make a policy decision to include them in tier two but he advised against it. He addressed vacant lots and advised assessing only those that can be developed. At some point, Council may choose to charge one tier or the other to certain properties. So long as there is a public purpose or rationale for not charging that property, it does not get funded on the back of the assessment payers but on the taxpayers because assessments must be expended proportionately and taxes must be only determined to be for a public purpose and uniformly collected. He pointed out the community must understand there are different methods with different requirements and a judge will give deference to the City when there is a debate of any sort.

Council Member Bernardini asked when the calculation tool for parcel assessment will be up and running on the City's website. Mr. Lawson stated Friday, May 25th after approval of the resolution.

Council Member Bernardini addressed Council Member Hohn's comment on reducing the millage rate proportionate to the fire assessment rate. He pointed out property values and revenues keep decreasing and either basic services must be eliminated or Council must find a way to get the money to continue to provide them. Last year's budget was increased by several hundred thousand dollars and then the millage rate was also dropped back, which is counterproductive. He indicated Council may have to raise the millage in order to fund basic government services but not necessarily to fund the fire department. He gave an example that the City recently hired Civil-Tech Engineers to do a road assessment and

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

pointed out there has to be money to fix those roads and basic infrastructure needs to be maintained. Last year he agreed to keep the millage rate the same to continue with basic services and felt the same is true for this year, but there may even have to be further cuts. He supported putting the vote out to the people once again and let them decide which services they want to keep and how they want to pay for it.

Council Member Hohn stated one of the documents provided by Bryant Miller and Olive on how to assess is based on improvement value by a parcel listing. He pointed out 60% of parcels in the City of Brooksville pay zero ad valorem tax and this assessment provides for almost 100% of those parcels paying at least a portion.

City Clerk Peters read Resolution No. 2012-04 by title, as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, ACCEPTING AND APPROVING THE EXECUTIVE SUMMARY PERTAINING TO THE APPORTIONMENT OF SPECIAL ASSESSMENTS TO FUND FIRE PROTECTION SERVICES; AUTHORIZING AND DIRECTING INITIATION OF THE PROCESS NECESSARY FOR CITY COUNCIL CONSIDERATION OF THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS TO FUND FIRE PROTECTION SERVICES; AND PROVIDING AN EFFECTIVE DATE.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Hohn for approval of Resolution No. 2012-04.

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

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

Ordinance No. 827 – Emergency Management

Consideration of Ordinance updating Chapter 22 of the City's Code of Ordinances relating to Emergency Management.

Fire Chief Tim Mossgrove reviewed the intent of the Ordinance was to make it inclusive of the City's cooperation with Hernando County Emergency Management.

Vice Mayor Bradburn stated it is currently defined whereby the Mayor and the Vice Mayor become victims of a disaster then the senior Council Member would be in charge. However, there is no definition for a senior member and advised changing the language to read the three (3) remaining Council Members would decide who will make the declaration. Council Member Burnett felt a senior member would be someone who has been serving the longest during the active term of office. Vice Mayor Bradburn advised that would not work if the

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

Council Members were elected on the same day. Emergency authority starts at the County level and works down. But the City still needs to legally make a declaration in order to get financial provisions, etc.

City Attorney Battista suggested declaring the highest numbered seat remaining. Vice Mayor Bradburn did not agree since they are elected at-large.

Council Member Hohn referenced Section 6 on Page 3, letters A through I, and asked were these copied from another document. Chief Mossgrove indicated it is a template from Statute 252. Council Member Hohn is concerned with “A. Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles”. He did not agree that he would not be able to transport firearms out of his home and asked Council to modify or remove the word “transportation” in that section. Mayor Johnston supported removing “transportation” but clarified the way it is worded is not something that has to be done, but does provide an option.

Chief Mossgrove explained the intent of Statute 252 is to address unrest due to circumstances such as Hurricane Andrew in 1992 and this language was developed following that incident. He clarified that this gives local authorities discretion to limit transportation of alcohol or firearms. Each imposition of certain emergency measures or regulations can be applied to certain situations that may arise within a municipal boundary.

Vice Mayor Bradburn favored taking out the word “transportation” under A. and replacing “Senior Council Member” under I., with the remaining Council Members to elect one person to declare a state of local emergency.

Mayor Johnston felt Vice Mayor Bradburn’s suggested wording is acceptable and recommended adding ‘whoever staff can reach during a state of emergency, whether it be the latest elected official or not’. He referenced Section 8. Penalties, and pointed out that “Each day of continued non-compliance or violation shall constitute a separate offense” contradicts language in other sections of the ordinance.

City Attorney Battista stated the wording gives the option to be interpreted both ways. Chief Mossgrove indicated he will review and modify accordingly. Mayor Johnston asked that staff bring it back for second reading with suggested modifications.

City Clerk Peters read Ordinance No. 827 by title, as follows:

AN ORDINANCE RELATING TO DECLARATION OF A STATE OF LOCAL EMERGENCY IN THE EVENT OF A NATURAL, TECHNOLOGICAL OR MANMADE DISASTER OR THE IMMINENT THREAT THEREOF; PROVIDING THE PURPOSE AND INTENT OF THE ORDINANCE; PROVIDING DESIGNATION OF CERTAIN CITY OFFICIALS WITH AUTHORITY TO DECLARE A STATE OF LOCAL EMERGENCY; PROVIDING DEFINITION OF EMERGENCY; PROVIDING FOR LENGTH OF TIME AUTHORIZED FOR A DECLARED STATE OF LOCAL EMERGENCY AND PROVISIONS FOR EXTENSION AND/OR TERMINATION OF SAME; PROVIDING FOR ACTIVATION OF DISASTER EMERGENCY PLANS;

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

PROVIDING FOR IMPOSITION OF CERTAIN EMERGENCY MEASURES OR REGULATIONS; PROVIDING DISCLAIMER OF LIMITATION OF AUTHORITY; PROVIDING PENALTIES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Bernardini for approval as amended.

Council Member Hohn asked that the City Manager come back to Council with a cessation plan.

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

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

Mayor Johnston indicated a second reading is scheduled for June 4, 2012.

Ordinance No. 828 – Charter Changes for Referendum

Consideration of Ordinance for Charter Amendments to be included on the November 6, 2012 Ballot for Voter Approval.

City Attorney Battista stated this item was presented to City Council on May 7, 2012 by the Charter Review Committee Chair Jay Thompson with recommendations. This ordinance contains both provisions that were brought before Council with the wording on the ballot driven by statutory requirements.

Motion:

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

City Clerk Peters read Ordinance No. 828 by title, as follows:

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 287 RELATING TO THE GOVERNMENT OF THE CITY OF BROOKSVILLE; PROMULGATING, ESTABLISHING AND PROVIDING FOR A REVISED CHARTER OF THE CITY OF BROOKSVILLE; PROVIDING FOR A REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

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

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

City of Brooksville vs. Westchester Fire Insurance Company

Mayor Johnston stated the City's lawsuit with Westchester Fire Insurance Company has been unsuccessful and the City will appeal further to the United States Supreme Court.

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.

Gail Samples advised she supports Mosquito Control and referenced the second page of the MSTU document. She suggested it be reworded from geographic boundaries to include all the unincorporated areas so that the City does not have to be involved.

She asked when the Pavement Management Plan will be coming back to Council for an update. Director Radacky advised only the sidewalks are left then Civil-Tech can give an update.

Kojack Burnett spoke on the red light cameras and asked when the others will be online. Chief Turner advised two cameras went on today and four will be online on Friday. There is a multitude of permits pending at Florida Department of Transportation. The cameras currently online are Wiscon Road, Broad Street, Martin Luther King Boulevard and Cortez Boulevard. Mayor Johnston asked is there a thirty-day warning period implemented as Council had agreed to do. Police Chief Turner replied that is not the law and it was not his understanding that anyone agreed to it. The contract and the State Law is that when the cameras go online it is \$158 citation. Mayor Johnston stated he thought Council had said that in lieu of not ticketing the first time offenders at all that Council agreed to have a warning period to give people a chance to let them know that the cameras are in place and working.

Council Member Bernardini agreed that was his understanding also. Mayor Johnston stated that was done last time and asked did the law change. Police Chief Turner indicated the only possible way of implementing that would be to issue the tickets and have the City pay the State their portion. Mayor Johnston suggested sending out warnings much like a Police Officer when manning traffic violations. Police Chief Turner reiterated that is not allowed under the law and not part of the plan. He stated the signs were erected, notices were sent in the water bills for two months and publicized as much as possible since October for public awareness. The first two cameras have been up and running. There has not been any tickets issued as of yet but there have been numerous violations since then. The procedure

REGULAR COUNCIL MEETING MINUTES – May 21, 2012

is that they are reviewed in Orlando and sent back to be approved and then verified by a law officer. Then the tickets will be issued.

Council Member Burnett suggested staff research when Council discussed what was agreed to. He stated City Council should have been warned at that time that this could not be done. Mayor Johnston and Council Member Bernardini agreed. City Manager Norman-Vacha stated it would be researched and the information brought back to Council. Council Member Bernardini confirmed with Police Chief Turner that once the review gets sent back from Orlando there would be violations issued. Mayor Johnston stated he will call an emergency meeting should that be necessary.

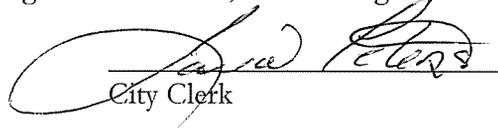
ITEMS BY COUNCIL

Joe Johnston, Mayor

Mayor Johnston indicated he received a letter from the Department of Corrections and indicated they are setting up a community advisory board to observe the operations of the institution, which meets at 10:00 a.m. and he is unable to attend. He asked if a staff member was interested in attending. City Manager Norman-Vacha confirmed staff would be in attendance.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:25 p.m.


City Clerk

Attest: _____

Mayor

**CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE
BROOKSVILLE, FL 34601**

MINUTES

June 4, 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. Members of the Hernando Today and Hernando Times were also present.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Stadium Batting Cage Tunnel

Recognition of those individuals and corporations who contributed to the construction of the Batting Cage Tunnel at Tom Varn Stadium.

Director of Parks, Facilities & Recreation Mike Walker reviewed the project and a certificate of appreciation was presented to Alan Garman of Civil-Tech representing Hernando Youth League. Certificates of appreciation will be presented to: Cemex, Cheyenne Asphalt, Inc., Hernando Youth League Softball, Scott Lane and Withlacoochee Regional Electric Cooperative, Inc., all of which were not present.

Juneteenth Historical Festival

Presentation of event and request for assistance.

Paul Douglas reviewed the festival schedule and activities. He indicated it would be on Saturday, June 16th from 12:00 until 10:00 pm. He asked that Council waive the fees for three (3) police officers. Council Member Bradburn advised no funds were allocated in the budget for fee waivers. She is happy to see the community come together on the event but felt the fees could not be waived for traffic control police officers. She suggested the D.A.R.E. vehicle be there along with fire education.

Motion:

Motion was made by Council Member Burnett seconded by Vice Mayor Bradburn for approval of the street closure permit. Motion carried 5-0. No fees were waived.

CITIZEN INPUT

Mayor Johnston asked for public input.

Joe Mason asked if public comment would be allowed concerning the fire assessments. Mayor Johnston advised there would be an opportunity for public input. Mr. Mason referenced an article in the Wall Street Journal regarding loss of revenue nationally with municipal golf courses.

REGULAR COUNCIL MEETING MINUTES – June 4, 2012

CONSENT AGENDA

Minutes

February 27, 2012 Financial Workshop
April 2, 2012 Regular Meeting

Collective Bargaining Agreement – 2nd Amendment

Consideration of 2nd amendment to the Collective Bargaining Agreement with the Brooksville Professional Fire Fighters Local 4661 with approval for the Mayor to sign.

Award of Bio-Solids Removal, Transport & Legal Disposal from the Cobb Rd. WRF Bid No. 2012-04

Consideration of award of bid to Appalachian Material Services for a 2-year contract with 2 additional 1-year renewals.

Council Member Bernardini pointed out there is a significant difference in costs submitted by the vendors. City Manager Norman-Vacha stated it is the City's current vendor and staff feels comfortable with it.

Department of Corrections - Work Crew Contract #WS715 Extension

Consideration of Inmate Work Squad Contract #WS715 for an amount not-to-exceed \$58,004.

Motion:

Motion was made by Council Member Burnett and seconded by Council Member Bernardini for approval of Consent Agenda. Motion carried 5-0.

PUBLIC HEARINGS

Entry of Proof of Publication into the Record

Mayor Johnston called for proof of publication. City Clerk Peters indicated Items F1, F2 and F3 were published on Friday, May 25, 2012, in the Hernando Times legal section of the Tampa Bay Times and there is a copy of the affidavits for the record.

Ordinance No. 829 – Mosquito Control MSTU

Consideration of proposed ordinance providing for inclusion of the City in the Hernando County Mosquito Control Municipal Service Taxing Unit (MSTU).

[First Reading 5/21/12]

Director Radacky reviewed the ordinance, advising the County Commissioners adopted a municipal service taxing unit for mosquito control and a resolution calling for a ballot referendum to continue to levy a property tax of up to a tenth of a mill. The resolution allows for cities to opt in for a one year period on the MSTU for Mosquito Control. He confirmed the City could not opt out at a later time. The service delivery would include contracting with Hernando County, or another public/private provider, and would be funded by the City's General Fund. He introduced county employees, Director of Environmental Services Susan Goebel-Canning, Budget Manager George Zoettlein, and Mosquito Manager Dr. Guangye Hu.

Vice Mayor Bradburn asked what the schedule of services would be. Ms. Goebel-Canning stated there is a cycle and they also investigate and respond to requests. Part of the overall program includes stations throughout the county, such as sentinel chickens. She then asked where the chicken coops are located and pointed out various watersheds. Dr. Hu indicated there may be a monitoring station on Darby Lane and pointed out several monitoring sites outside the City. He advised spraying for the City of Brooksville about every two (2) weeks based on surveillance data and have mosquito-eating fish in ponds in various areas. Vice Mayor Bradburn asked for a list of the locations and wanted to be sure service level meets the City's investment.

REGULAR COUNCIL MEETING MINUTES – June 4, 2012

Ms. Goebel-Canning stated she will provide a list of services. She is not aware of any concern of citizens due to lack of response but will address any areas of improvement and will ensure the City is covered for the sentinel program. She reported the preventive maintenance program is in good standing within the City.

Mayor Johnston asked how the City is currently paying for the service. Susan Goebel-Canning advised from the General Fund.

City Manager Norman-Vacha reviewed the county's process last summer wherein the Board of County Commissioners was going back and forth on whether to utilize environmentally sensitive lands funds for mosquito control. Late in their budget cycle, a resolution was adopted for a separate MSTU for funding this year at .0844 of a mill but that could change to a tenth of a mill. After the adoption of their 2012-2013 budget, on the ballot will appear a non-binding referendum question about whether the citizenry of Hernando County wants to continue utilizing a separate millage or MSTU for mosquito control services. Her opinion is that it would not affect fiscal year 2012-2013, but there would have to be discussions for 2013-2014 as to how to fund mosquito control services.

Susan Goebel-Canning advised Weeki Wachee is opting out, but pointed out they have not had much activity there. Vice Mayor Bradburn found that interesting because they have canals with lots of mosquitoes and that the mosquito population was up this year due to a mild winter.

Council Member Burnett requested maps as well and that staff ensures the City's ditches are included.

Vice Mayor Bradburn felt they had no choice but to opt in at this time, but she prefers this service be paid out of the County's General Fund to which City taxpayers already contribute.

City Attorney Battista recommended section one be amended to specify for one year only.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Bernardini for approval with addition of "for the budget year 2012/2013 only" to section 1.

City Clerk Peters read Ordinance No. 829 by title, as follows:

AN ORDINANCE OF THE CITY OF BROOKSVILLE, CONSENTING TO BE INCLUDED IN THE HERNANDO COUNTY MOSQUITO CONTROL MUNICIPAL SERVICE TAXING UNIT CREATED BY HERNANDO COUNTY ORDINANCE NO. 2011-11; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Council Member Bernardini felt the citizens should be educated via the water bill advising to keep pools clean and be aware of standing water in their yards.

REGULAR COUNCIL MEETING MINUTES – June 4, 2012

Ordinance No. 827 – Emergency Management

Consideration of Ordinance updating Chapter 22 of the City's Code of Ordinances relating to Emergency Management.

[First Reading 5/21/12]

Fire Chief Tim Mossgrove reviewed the ordinance. City Attorney Battista reviewed the amendments since the first reading. This related to regulating firearms, referring to the Florida Statute 252, which can be used if needed. The second amendment relates to no quorum for an emergency meeting. He recommended succession be set for the remaining three (3) following the Mayor and Vice Mayor be set annually. Council requested an item to be on the next meeting.

Vice Mayor Bradburn pointed out this only goes into effect during a catastrophic event and it is unlikely to happen, but she wanted it clarified that this would not mean Council's selection would set in motion for the next year's seniority and preferred drawing a name out of a hat or whoever is left standing.

Council Member Bernardini confirmed setting succession would determine who would chair the meeting.

City Clerk Peters read Ordinance No. 827 by title, as follows:

AN ORDINANCE RELATING TO DECLARATION OF A STATE OF LOCAL EMERGENCY IN THE EVENT OF A NATURAL, TECHNOLOGICAL OR MANMADE DISASTER OR THE IMMINENT THREAT THEREOF; PROVIDING THE PURPOSE AND INTENT OF THE ORDINANCE; PROVIDING DESIGNATION OF CERTAIN CITY OFFICIALS WITH AUTHORITY TO DECLARE A STATE OF LOCAL EMERGENCY; PROVIDING DEFINITION OF EMERGENCY; PROVIDING FOR LENGTH OF TIME AUTHORIZED FOR A DECLARED STATE OF LOCAL EMERGENCY AND PROVISIONS FOR EXTENSION AND/OR TERMINATION OF SAME; PROVIDING FOR ACTIVATION OF DISASTER EMERGENCY PLANS; PROVIDING FOR IMPOSITION OF CERTAIN EMERGENCY MEASURES OR REGULATIONS; PROVIDING DISCLAIMER OF LIMITATION OF AUTHORITY; PROVIDING PENALTIES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Johnston asked for public input; there was none.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Bernardini for approval with clarification of language.

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

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

REGULAR COUNCIL MEETING MINUTES – June 4, 2012

Ordinance No. 828 – Charter Changes for the Ballot

Consideration of Ordinance for Charter Amendments to be included on the November 6, 2012 Ballot for Voter Approval.
[First Reading 5/21/12]

City Manager Norman-Vacha stated this ordinance brings forth the referendum changes for the ballot if approved and will be placed on the ballot for electorate to make a decision.

City Clerk Peters read Ordinance No. 828 by title, as follows:

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 287 RELATING TO THE GOVERNMENT OF THE CITY OF BROOKSVILLE; PROMULGATING, ESTABLISHING AND PROVIDING FOR A REVISED CHARTER OF THE CITY OF BROOKSVILLE; PROVIDING FOR A REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.

Mayor Johnston pointed out the two (2) amendments presented by the Charter Review Board were increasing term limits for Council Members from two (2) full four (4) year terms to three (3) full four (4) year terms in office; and also allows for provision that in the event any Council Member moves outside of the City of Brooksville and becomes disqualified from holding office, he or she would forfeit their Council Seat.

Mayor Johnston asked for public input; there was none.

Motion:

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

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

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

REGULAR AGENDA

Ordinance No. 830 – Fire Assessment

Consideration of Ordinance for the imposition and collection of Special Assessments to fund Fire Protection Services.

Fire Chief Mossgrove indicated this ordinance provides home rule procedures for imposition and collection of special assessments for fire protection services, it repeals the Brooksville Fire District created by City Ordinance Number 682 and Ordinance Number 788, which was established as a procedure for imposition of fire assessments product.

Mayor Johnston asked for public input.

Joe Mason felt Council should be looking at an assessment methodology and then adopting an ordinance which will fit the methodology that is adopted. He supported trying to get non-tax paying properties to contribute to services they receive from the City. However, he felt the assessments, with regard to vacant lots are bad, assessments on improved lots to be an increase in millage and there to be fundamental problems with the assessment.

REGULAR COUNCIL MEETING MINUTES – June 4, 2012

Council Member Bernardini was concerned about readiness to serve flat fee of \$106 as it applies to vacant lots and to those less able to pay such as homesteaded lots.

Council Member Hohn pointed out this is a procedural situation and methodology will be discussed later and appreciated the effort to get it started.

Council Member Burnett did not feel there is a perfect methodology but this is more in tune with what the City is looking for.

City Clerk Peters read Ordinance No. 830 by title, as follows:

AN ORDINANCE RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES, AND PROGRAMS IN THE CITY OF BROOKSVILLE, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF FIRE SERVICE ASSESSMENTS AGAINST PROPERTY THROUGHOUT THE CITY; PROVIDING CERTAIN DEFINITIONS; ESTABLISHING THE PROCEDURES FOR IMPOSING AND COLLECTING FIRE SERVICE ASSESSMENTS; PROVIDING THAT FIRE SERVICE ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS; PROVIDING FOR VARIOUS RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS WILL NOT CREATE A GENERAL DEBT OR OBLIGATION OF THE CITY; PROVIDING FOR SEVERABILITY; REPEALING CITY ORDINANCE NOS. 682 AND 788; AND PROVIDING AN EFFECTIVE DATE.

Motion:

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

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

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

Southern Hills Reclaimed Water Change Order #3

Consideration of Change Order #3 for the remaining piping structures and monitor wells in Southern Hills Plantation, which will complete the City's water reclamation facility infrastructure.

Director of Public Works Radack reviewed the status of the project and the costs in the change order. He recommended the project be approved and to move forward with completion.

Vice Mayor Bradburn stated this is a monumental achievement for the City and the County being the first wastewater reuse project online. She thanked Southwest Florida Water Management District (SWFWMD) for helping get through this project. She referenced an e-mail from Donna Feldman in which she states there is advanced funding on delivery and acceptance in exchange for reducing the six (6) year agreement to three (3) years with the developer.

REGULAR COUNCIL MEETING MINUTES – June 4, 2012

City Attorney Battista advised the agreement has not been reached at this time.

Vice Mayor Bradburn felt it is prudent to do it but she is concerned about getting money back.

Director Radacký advised SWFWMD would work with the City. Community Affairs Manager Chris Zajac of SWFWMD advised the permittee has thirty (30) days to amend their permit once the reclaimed water has been delivered. He advised they are getting the name changed on the permit currently and it is due to expire in June 2014. If the reclaimed water is available at that time then their ground water withdrawals would be reduced to back-up quantities. He indicated wells are metered and a 20-year permit can be issued to permittees agreeing to reclaimed water.

Council Member Hohn asked how much they are paying now. Mr. Zajac advised it varies.

Council Member Bernardini confirmed with Mr. Zajac that the contract is satisfied as long as the SWFWMD money is used only for delivery. Mr. Zajac stated the funds allocated to that project will be exhausted even before acceptance.

Council Member Bernardini favored the change order until he read the e-mail from Donna Feldman and requested that it be read into the record. It was read by the City Clerk (Attachment A).

Council Member Hohn confirmed with Director Radacký that there is no Utility Service Agreement with GreenPointe as there was with Hampton Ridge.

Council Member Hohn asked how much it costs to deliver reuse for a year. Public Works Superintendent Will Smith advised about \$100,000 to run a reuse plant, including operational costs.

Mayor Johnston asked if the wells could be capped when complete, until the agreement is met.

Director Radacký indicated then the City would not be committing to sending water to each of the homes and the golf course with free water for three (3) years. He does not believe SWFWMD would agree that it should be capped and not be used.

Vice Mayor Bradburn felt the whole purpose was that water be put to use and stop sending it to the mines to be wasted. She felt GreenPointe cannot be depended upon or any bonds to pay the City back. She supported going forward tonight and felt there is no way to get around it. She suggested pursuing all legal remedy, including financial harm to the City, for not being able to collect money elsewhere for this water.

Council Member Hohn does not agree with giving free water at all. Other Council Members informed him the previous agreement provided free reuse for life.

City Attorney Battista advised there are references and protections within the current agreement that would protect the City to a point.

Council Member Bernardini felt the deliverance should be complete but he is not in favor of paying for acceptance.

Motion:

Motion was made by Council Member Burnett and seconded by Council Member Hohn for approval.

Vice Mayor Bradburn suggested adding verbiage that, should an agreement not be made, the City pursue all legal options. Amendment was accepted by Council Member Burnett and seconded by Council Member Hohn.

REGULAR COUNCIL MEETING MINUTES – June 4, 2012

Director Geiger advised adding a time limit to the motion. City Attorney Battista advised no legal action would be taken prior to getting Council approval.

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

Policy 3-2008 Great Brooksvillian - Criteria for Eligibility

Consideration of changes to the policy for nominations and selection of the annual Great Brooksvillian.

2011 Steering Committee Chair John Tucker reviewed minor changes to the criteria and is asking for Council approval of the amended policy.

Vice Mayor Bradburn recommended the following changes to add to the deliberations. There was significant discussion during the last two (2) committee rounds about the purpose and intent of the Great Brooksvillian award giving historic perspective of the nominations and an annual opportunity for the committee to suggest any changes and compiling historic data of potential nominees for the future. She felt it is an opportune time for City Council to consider at this time.

Mayor Johnston commented on the four (4) items presented by Vice Mayor Bradburn pointing out this refers to the application for nomination and felt number three is the only criteria that gives consideration to historical perspective to nominees. The other items are valid but refer to direction to the committee and that should be a separate policy. Vice Mayor Bradburn agreed and asked staff to bring to the next meeting.

Council Member Burnett asked for clarification of historical perspective of nominees so as to not exclude certain groups. Mayor Johnston indicated it is not the only criteria but that consideration shall be given without exclusion.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Hohn for approval with the addition of #3 and separation of the policy for committee direction. Motion carried 5-0.

CITIZEN INPUT

Mayor Johnston asked for public input.

Kojack Burnett asked about the red light cameras. City Manager Norman-Vacha reviewed that previous discussions advised Council did not take action on a resolution to provide for a warning period. She referenced the public awareness campaign with warning notices in the utility bills.

Mr. Burnett suggested warning signs for red light cameras by CVS and Walgreens. City Manager Norman-Vacha advised all working cameras have signage. He asked that the yellow lights timing be checked at the light by Winn-Dixie and Dunkin' Donuts.

Council Member Burnett reiterated the signage needs to be there if the cameras are working.

Council Member Bernardini felt a reasonable thing to do would be to give 30 days warning for every camera. He felt the contract should be amended if needed. Council Member Hohn felt the contract cannot be changed at this time since the contract has already been signed.

REGULAR COUNCIL MEETING MINUTES – June 4, 2012

ITEMS BY COUNCIL

Joe Bernardini, Council Member

Blueberry Festival Update

He asked about the Blueberry Festival update. City Manager Norman-Vacha advised there would be one soon. He asked would there be an accounting of the actual costs of the festival and the impact on the businesses. Dennis Wilfong advised many did see an increase. Vice Mayor Bradburn advised the committee is working on an economic statement.

Frankie Burnett, Council Member

Police Department Fencing

Council Member Burnett asked for an update on the fence to be fixed so that you cannot see through it.

Brooksville Housing Authority

He asked for an update from Brooksville Housing Authority on the details of rental vouchers.

Kevin Hohn, Council Member

Newspaper Reporting

He apologized to Council Member Bernardini for raising his voice regarding misquotes and referenced an article written by Tony Holt on May 31st. He asked Council Member Bernardini if his quotes in Hernando Today were accurate. Council Member Bernardini responded, "That's exactly what I said."

Lara Bradburn, Vice Mayor

Blueberry Festival

She commended staff on their efforts. Referencing the Blueberry Festival, she advised area businesses she has spoken with all had great weekends financially. She indicated Hernando Park is in better shape than ever.

T. Jennene Norman-Vacha, City Manager

Florida League of Cities Annual Conference

Florida League of Cities would like a voting delegate be designated. Mayor Johnston asked that it be brought back.

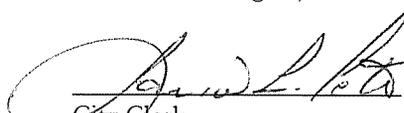
Joe Johnston, Mayor

Joint Legislative Auditing Committee

Mayor Johnston confirmed with City Manager Norman-Vacha that he signed the letter.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:40 p.m.


City Clerk

Attest: _____
Mayor

**CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE
BROOKSVILLE, FL 34601
MINUTES**

June 18, 2012

7:00 P.M.

Brooksville City Council met in regular session with Mayor Joseph E. Johnston, III, Vice Mayor Lara Bradburn, and Kevin Hohn present. Also present were Robert “Butch” Battista, City Attorney; T. Jennene Norman-Vacha, City Manager; Kim J. Harsin, Deputy 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 Johnston, followed by an invocation and Pledge of Allegiance.

CITIZEN INPUT

Mayor Johnston asked for public input; there was none.

CONSENT AGENDA

Minutes

March 5, 2012 Regular Meeting
March 19, 2012 Regular Meeting

2012 Federal Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds under the American Recovery and Reinvestment Act of 2009

Consideration of allocation of local Federal Edward Byrne Memorial JAG funding as approved by the Hernando County Substance Abuse Policy Advisory Board and authorize the Mayor to sign the attached letters for submittal to the Florida Department of Law Enforcement.

Dauson Stormwater Detention Facility Easements

Consideration to approve easements to Hernando County in conjunction with the stormwater detention facility.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Hohn for approval of Consent Agenda. Motion carried 3-0.

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

PUBLIC HEARINGS

Entry of Proof of Publication into the Record

Mayor Johnston called for proof of publication. Deputy City Clerk Harsin indicated Item E-1 was published on Friday, June 8, 2012, in the Hernando Times legal section of the Tampa Bay Times and there was an additional separate notice of the Public Hearing published on Saturday, May 26, 2012 in the Hernando and Citrus Times Classified sections of the Tampa Bay Times and there is a copy of the affidavit for the record. Additionally, for public notice, the City's website has for sometime had a calculation tool for the proposed fire services special assessment attributable to tax parcels in the City of Brooksville.

Ordinance No. 830 – Fire Assessment

Consideration of Ordinance for the imposition and collection of Special Assessments to fund Fire Protection Services.

[First Reading 06/04/12]

Chief Mossgrove stated this ordinance provides home rule procedure for the imposition and procedures for collection of special assessment for the City of Brooksville to fund fire protection services. He introduced Mark Lawson and Chris Roe of Bryant, Miller and Olive, P.A. as special counsel for implementation of this assessment.

Mark Lawson of Bryant, Miller and Olive stated there are three matters on the agenda that are related; an ordinance, an annual assessment resolution and a note resolution. He suggested combining the public hearings for the ordinance and resolutions for efficiency.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Hohn for approval to combine both public hearings.

Mr. Lawson stated earlier discussions involved moving forward with an agreement for Bryant, Miller and Olive to assist City Council in a work order. He felt they have fully performed what was asked of them to provide an alternative funding mechanism as a special assessment. That approach involved looking at all parcels in the City of Brooksville and the fire budget done by Dr. Beitsch of Real Estate Research Consultants Group (RERC). They accessed all required information from the Property Appraiser's data base for efficiency and uniformity and explained the concept of readiness to serve is based on a complete set of fire protection apparatus and personnel available in the event of emergency calls for fire protection.

Mr. Lawson stated Dr. Beitsch identified different types of recurring annual costs in the fire budget and determined there was a certain percentage within this community that would be available to share those costs. He then looked for a means to share those costs and determined that without regard to physical characteristics, value, or use, sharing those costs amongst the various tax parcels in this community was reasonable and logical, with a uniform cost per parcel identified as tier two in the Executive Summary report adopted in Resolution No. 2012-04.

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

He stated the first tier attempts to look at the built environment that is based on the improvement values that the Property Appraiser's data identifies, based on rationing to provide an alternative means to share cost benefits and burdens for fire protection. He pointed out it is of the nature to be self-correcting as the Property Appraiser's roll is modified and the law recognizes that is a reasonable way to share assessments. Ad Valorem taxation is authorized by law for a public purpose and uniformly applied, but does not have to be proportionately expended. The distinction lies with a special assessment, which must benefit property of a legal burden and it must be proportionately shared with cost benefits and burdens so that those properties receive that reduction and burden or benefit. In tier one, the sharing of the benefits is a two-prong method; relative value and sharing of readiness to serve costs that have to be expended each year.

Mr. Lawson advised the Executive Summary has been available for public viewing for some time. This is a procedural ordinance that lays out home rule process for which an assessment can be imposed. The annual assessment resolution called for by the ordinance is up for consideration at this public hearing and then the note resolution would be considered.

He submitted an errata sheet and reviewed it, per Vice Mayor Bradburn's request, for the record, that points out minor changes to the ordinance and resolutions. Attorney Battista agreed that these changes are for clarity only and do not hinder the legality of the documents.

City Manager Norman-Vacha stated written comment regarding fire assessments was received from Mr. Robert Buckner on May 31, 2012, and an email on June 12, 2012, that was also provided to City Council. She indicated there were no telephone calls or any further inquiries received by City staff.

Mayor Johnston asked for public input.

Anna Liisa Covell of A.L. Covell Electric felt this is an MSTU and MSBU combined and property owners are being taxed for the same service. She felt the economic hardship on residents and business owners was due to over-taxation by government.

Powers Dorsett of 132 South Brooksville Avenue felt the assessment is not structured in a manner that is fair, giving examples and submitting exhibits of parcels explaining his findings. He is not sure the consultants understood, based on his review, what constitutes a tax parcel ID. Mayor Johnston advised when lots are bought together they are on the tax roll as one group and also if lots are bought separately property owners can petition the Property Appraiser to have several adjacent lots put together as one group.

Joe Mason felt limiting three critical issues to one public comment is unfair to the public. He felt this assessment was initially proposed due to the number of residential properties with Homestead Exemption with no additional revenue proposed; now there is tremendous net revenue. He indicated that his property taxes will more than double and is an involuntary contribution on some of his lots with an increase ranging from 7 to 15 mills. He advised some vacant lots within the City will increase by hundreds of mills and was disappointed that stakeholders were not involved in discussions. He felt it was inappropriate for a "short" Council to make a decision tonight and suggested tabling the item.

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

Dan Patrick advised that years ago it cost less to operate a volunteer fire department and that there were fewer fires back then. He felt a lot of businesses are closing due to not being able to afford to pay the bills and advised Council to pay attention.

Ken Small of Florida League of Cities stated he has over twenty-seven years of experience as finance tax expert and over thirty-seven years in local government. He is on the faculty of the Florida Institute of Government Advanced Institute of Elected Municipal Officials and has extensive experience with finances and tax issues before the Florida Legislature. In 1968, the Florida Constitution granted local government property taxes as its primary source of revenue with numerous amendments since then making property taxes more and more unfair by treating identical lots differently. Special Assessments since 1992 has been instituted by numerous cities and counties across the State when the Florida Supreme ruled the validity as fair and reasonably apportioned for those receiving a special benefit.

Mr. Small pointed out he was a presenter at a budget workshop for City Council seventeen months ago and heard the two-tiered method proposed for a special assessment and he supported the concept. He has shared this with peers around the State and he has read the Executive Summary that explains the two-tiered system and felt it is reasonable and rational. Using the relative value of improvements bears a logical relationship to the benefit of fire protection services and is an excellent way to share the costs. It is also fair and reasonable to apportion the core readiness and preparedness cost on a per parcel basis because such costs do not depend upon parcel specific characteristics. He commended Council for their consideration of a proposal such as this.

Gail Samples stated she was not aware the Florida League of Cities was involved in this proposal and was not sure that City Council could cast a deciding vote tonight with two members absent. Mayor Johnston confirmed that is not true. She felt people who spoke tonight have very good ideas and encouraged Council to consider evaluating the lots that do not pay but should. She invited all present to attend budget hearings because that is when it will be determined how much tax is paid above \$600,000. She will be attending the hearings and meeting with the City Manager to find ways to cut the fire budget. The other departments will also have to cut so that amount can then be taken out of the general budget. She reminded City staff where the tax dollars comes from and that could easily go away. She felt City Council would pass the ordinance tonight and she just wants to make sure the budget is fair. She addressed a vacant lot fire mentioned by Ken Small and suggested the parents of the children should be billed for the fire call and not the taxpayers.

Sherry Pedonesi recognized the cost of the Homestead Exemptions and Save Our Homes as it keeps taxes low but also felt a fire assessment is fair and good to do. She referenced the County assessment that has worked out well as everyone pays the same. She felt vacant lots and homes not based on tax revenue as an assessment is straightforward and economical across the board. She approved of the proposed assessment and encouraged Council to continue on with their efforts.

Robert Buckner reiterated that when the concept of the fire assessment was first brought up he met with the City Manager, Mr. Pearson, the Fire Chief, Mr. Geiger and Mr. Baumgartner and the consensus was that it needed to be fair and should be commensurate with a reduction in millage rate. He thought there was an understanding that before any fire assessment was determined stakeholders would be involved in the review process, but indicated that did not happen. He felt it was going to be unfair and certain property types

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

were going to be unjustly effected. He has done extensive research and encouraged City Council to wait on implementing the program. He indicated it was suggested by Council Member Burnett during Council discussions to involve stakeholders in this process. He attended the last meeting when he first saw the methodology with \$106 flat rate fee to each parcel and felt that was unfair and inequitable for a lot of vacant property owners with low assessments. He prepared a report from the Property Appraiser's database to test unattended consequences and found up to 1000% increases if the millage rate and assessment is the same. He is not opposed to the assessment he just wants to assure it is fair and equitable.

Council Member Hohn asked Mr. Buckner what he feels is fair. Mr. Buckner replied he understands the concept of two tiered system with a flat rate per parcel but it increases net dollars out of pocket and suggested a lower base fee per parcel assessment and to put more on the improvement side to make it fair. He would like an opportunity to meet with the consultants to look at other avenues.

Scott Browning indicated he supports Mr. Mason and Mr. Buckner in their efforts to provide information to the City to help in the process. He asked Council to support adjusting the millage rate to compensate for the assessment. He gave an example of a parcel on Broad Street assessed at \$6,861 will be charged \$111.34 and will most likely increase in time. He questioned where the fees end as he felt this generates more government. He encouraged Council to delay action tonight with two Council Members absent.

Mayor Johnston closed public input.

Mr. Lawson responded that he understands the title business and the property appraiser will put several adjacent lots together. He advised the consultants have used a publicly maintained database so that it is a self-correcting mechanism in subsequent years to adjust tiers. This meeting has been duly noticed giving the public an opportunity to speak but there will never be agreement on budgetary matters. The Supreme Court recognizes that with regard to assessments that it is difficult to achieve a complete absolute consensus and that there will always be someone who disagrees with the approach taken. The best effort of RERC was applied to try to find a balancing mechanism so that there is an adjusting tool in place for future years. The ordinance gives an opportunity for the City Manager to make adjustments and exempt certain parcels.

He stated this process was well articulated in March and April and are on time with the critical events schedule. They have proceeded based on the Executive Summary and have had an opportunity for public comment, plus a calculation tool available for every parcel has been on the City's website since the end of May. The local newspaper ran an article on the assessment which triggered telephone calls to the City Manager from around the State. He advised Council to stay on track so that this assessment can be part of discussions at budget hearings. The process tonight is to consider and adopt, upon the second reading, the ordinance and the resolutions.

Council Member Hohn understood stakeholders wanting to be involved in the process. He felt the critical events calendar has not been satisfactorily explained to meet the timeframe and felt it is now being rushed through.

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

Mr. Lawson briefly reviewed the process, going back to last year in order to meet the timeframe for the upcoming budget cycle. He advised Council should soon evaluate the revenue that could come from this program and use that in the budget proceedings. It takes time for the Note Resolution to be heard by the circuit court after filing a validation and if appealed it will be into next year. If not appealed then the revenue source is available in this year's budget process and can be incorporated into the budget to determine a millage rate. Council Member Hohn questioned the "fairness" with \$106 per vacant lot. He had asked for a calculation based on the size of the parcel and whether it would be defensible. Mr. Lawson replied that information is difficult to obtain from a database. This is a demand-based analysis as opposed to sharing fixed cost based on the parcel.

According to the economist, the problem with demand-based methodology is that there is no way of knowing where emergency calls will come from and they did not see a linkage relating to square footage of vacant land. There is about 60% of the budget that can be classified as fixed from year to year and it is not necessarily contingent on value, use, or physical characteristics. A broader approach would be the number of tax parcels, which is readily identifiable. Those tax parcels change from year to year and Council has the flexibility to lower and raise tiers independent of each other.

Council Member Hohn asked if it would have been defensible to say vacant lots would be assessed at a lesser rate than improved lots. Mr. Lawson confirmed that has been done on tier one wherein there is a flat fee and then tier two charges more on improved lots.

Council Member Hohn asked if it would be defensible then to throw out the semantics of fixed versus variable cost and say that all \$600,000 could get spread over based on relative value. Mr. Lawson advised the report says that could be done but it would have to be a policy decision and they do not recommend that methodology.

Vice Mayor Bradburn reiterated a comment by Mayor Johnston and stated this year there is about a five or six percent decrease in revenue once again. In the last five years, there has been a 21% decrease in revenue stream to fund basic services. This Council has worked hard with City staff to accomplish balancing the budget and reducing the millage by 18%. She confirmed with Ken Small that is the highest reduction of any City in the State of Florida. They have reduced staff by 36, eliminated duplication, and continue to search for new ways to increase efficiency and streamline costs. One way is to once again look at the fire assessment issue. The business community and citizens asked City Council to consider alternative funding for fire services. There have been a couple of methodologies tried but Council did not support them. This one seems to be the fairest and most equitable approach she has seen to date.

She recognized and appreciated Mr. Buckner's insight he has put forth but she does not agree with his conclusions on this issue. There are only a handful of property owners with multiple lots and there have been suggestions tonight on how to remedy that. She felt this is the fairest method so far she has heard, to spread the cost to ensure everyone pays something. It is unreasonable to say that \$106 to fund fire services over a year is equivalent to an eight thousand percent increase. That amounts to \$8.84 a month and she felt that is not unreasonable. She pointed out 10 mills is equivalent to \$3.9 million dollars and this does not generate that much. There is still more work to do at budget time and she looks forward to public input during that time.

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

Mayor Johnston referenced the three items on the agenda tonight and asked Mr. Lawson if the figures cited in Resolution 2012-05 could be changed for the validation hearing. Mr. Lawson confirmed the figures could not be increased and stated by seeking validation Council has the ability to use assessment revenue to buy capital.

Mayor Johnston asked if a stakeholder group meeting could be held during the validation process to review and come up with different figures within the methodology. Mr. Lawson stated he would not encourage Council to do that while in litigation, but confirmed it could be done after validation. He stated this is designed to allow stakeholder input every year.

Deputy City Clerk Harsin read Ordinance No. 830 by title, as follows:

AN ORDINANCE RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES, AND PROGRAMS IN THE CITY OF BROOKSVILLE, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF FIRE SERVICE ASSESSMENTS AGAINST PROPERTY THROUGHOUT THE CITY; PROVIDING CERTAIN DEFINITIONS; ESTABLISHING THE PROCEDURES FOR IMPOSING AND COLLECTING FIRE SERVICE ASSESSMENTS; PROVIDING THAT FIRE SERVICE ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS; PROVIDING FOR VARIOUS RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS WILL NOT CREATE A GENERAL DEBT OR OBLIGATION OF THE CITY; PROVIDING FOR SEVERABILITY; REPEALING CITY ORDINANCE NOS. 682 AND 788; AND PROVIDING AN EFFECTIVE DATE.

Motion:

Motion was made by Vice Mayor Bradburn to approve the adoption of Ordinance Number 830, subject to the revisions described in the errata sheets. Mayor Johnston passed the gavel to Vice Mayor Bradburn and seconded the motion.

Council Member Hohn felt they are 99% of the way there, but Council and staff has failed to educate everyone on the process and what they were trying to accomplish. The vast majority of comments are that it is a tax, but it is not a tax and that was never the intention. Council has tried to move the General Fund monies paid for with the millage to a special assessment that everyone would have a stake in. It sounded perfect and he understood the accounting of it with every intention of lowering the budget amount which will affect the millage rate. The intention was never to raise taxes but to have those who do not pay anything right now share in the assessment.

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

He referenced acting Mayor Bradburn's comment "It's the fairest method so far" and he agreed that it is "so far". But he did not believe it is fair when it comes to vacant lots. He felt the vacant lot on fire example that was given did not mean anything other than that it may catch a house on fire. This methodology is as fair as it has been but he cannot support it when he knows they can do better at it. He understands this has to get done soon and he apologized for not supporting it tonight.

Acting Mayor Bradburn agreed public awareness could always be better. She pointed out that a year and a half ago, prior to Council Member Hohn coming on the board, this concept was presented to City Council. They had all agreed this was exactly what they had been looking for but then Council decided to throw it out. Then the Property Appraiser reported the City will be 21% lower in revenue stream and financial planners say we have done all we can to reduce millage more than any other City. At that point the plan did not look so bad after all and Council decided to look at it again. There have been discussions during the year with other people and many stakeholders have given input. She agreed the final plan was not in place as it will take time to work out the kinks. It continues to be the fairest plan she and Ken Small have seen in several years. There will be additional time during budget discussions, including future budgets.

Mayor Johnston stated he was prepared to go forward with all three items on the agenda when he thought there was unanimous support. He is reluctant to vote for it with Council Member Hohn in opposition.

Motion and second was withdrawn by Mayor Johnston and Vice Mayor Bradburn respectively.

Resolution No. 2012-05 – Annual Fire Assessment

Consideration of Resolution for the imposition and collection of Special Assessments to fund Fire Protection Services.

Resolution No. 2012-06 Fire Assessment Note

Consideration of Bond Resolution in conjunction with imposition of the Fire Assessments.

Motion:

Motion was made by Mayor Johnston and seconded by Vice Mayor Bradburn for approval to table Items E-1, F-1 and F-2 until the next regular meeting with Council consensus.

Vice Mayor Bradburn pointed out Council Member Bernardini was against it during the last meeting and Council Member Burnett was in support of it.

Mayor Johnston advised there will not be extensive public discussion at the next meeting on July 2, 2012.

Vice Mayor Bradburn asked Mr. Lawson if postponement would provide enough time to include this in the budget. Mr. Lawson stated it does not allow enough time to go through the process and get the budget done.

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

REGULAR AGENDA

Resolution No. 2012-07 Election Qualifying Ratification

Consideration of Resolution ratifying the results of the qualifying period.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Hohn for approval of Resolution No. 2012-07.

Deputy City Clerk Harsin read Resolution No. 2012-07 by title, as follows:

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, APPROVING REFERENDUM PROPOSITION FOR THE NOVEMBER 6, 2012, PRIMARY ELECTION; DECLARING APPOINTMENT OF CERTAIN CANDIDATES TO FILL THE CITY COUNCIL MEMBER SEAT NO. 2; DECLARING THAT NO MUNICIPAL ELECTION SHALL BE HELD FOR SEAT NOS. 3 & 4, PROVIDING FOR REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.

Council Member Hohn stated this is a very personal issue for him as it deals with his candidacy and his election. There is nowhere in the Supervisor of Elections website or his selection ordinance or any other document produced since August 21, 2011, that mentions this term ending in 2014. According to everything he has read, it is a four-year term and he was never told it was a two-year term. He indicated he had to pay the full entry fee. This could have changed things for him personally. He pointed out the Charter is being changed to four (4) four-year terms.

Mayor Johnston informed Council Member Hohn when he was appointed to Council it was to fill a portion of Emory Pierce's unexpired term. The resolution regarding elections reads that you serve until the next regularly scheduled election at which time an election is held for the balance of the term of that seat. He went through the same situation when he first came on Council, filling a two-year seat and had to run twice in six months. Council Member Hohn pointed out the resolution at appointment made no mention of an end date. He questioned when his term starts and advised there are many areas that need to be looked at for clarification and should be adjusted in the future. He suggested having a special election since this is not a regular election.

Mayor Johnston clarified the Charter currently reads two full four-year terms but Council Member Hohn will not start a full four-year term until the next time he runs in 2014.

Motion carried 2-1 upon roll call vote as follows:

Council Member Hohn	Nay
Vice Mayor Bradburn	Aye
Mayor Johnston	Aye

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

Florida League of Cities Voting Delegate

Consideration of designating one official to be the voting delegate of the Florida League of Cities 86th Annual Conference.

Mayor Johnston indicated he may not be in attendance and suggested Vice Mayor Bradburn for the voting delegate. Council Member Hohn indicated he would like to attend as it was a learning experience for him.

Council Member Hohn nominated Vice Mayor Bradburn as the designated official to be the voting delegate at the annual business session of the Florida League of Cities.

Motion:

Motion was made by Council Member Hohn and seconded by Vice Mayor Bradburn for approval. Motion carried 3-0.

Policy 2-2012 – Great Brooksvillian Screening Committee

Consideration of policy outlining the duties of those appointed to a committee to review application for the Great Brooksvillian.

Mayor Johnston read a letter into the record from Ronald C. Daniel, President of Hernando Historical Museum Association and a previous screening committee member indicating he reviewed the policy and his in his opinion these are necessary revisions that will ultimately be used in consideration to qualify applicants for the next Great Brooksvillian.

Deputy City Clerk stated at the City Council Meeting on June 4, 2012, staff was requested to bring back a separate policy for the general guidelines for the Great Brooksvillian Screening Committee. We have done just that and have also included in the policy Vice Mayor Bradburn's submittal of committee member duties as numbers 11 through 14. Staff recommends Council approval of the General Guidelines for the Great Brooksvillian Screening Committee.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Hohn for approval. Motion carried 3-0.

Advisory Board Appointments

Appointment of members to various Advisory Board Positions, either as a result of term expirations or current vacancies, as follows:

[Note - all applicants are registered voters as required]

Beautification Board

One (1) full-time position to fill an unexpiring 4-year term of office through December 31, 2015, due to a resignation.

Reiko Brown

New Applicant

Mayor Johnston stated Ms. Brown has been involved in a lot of community events with a calming influence and would be a worthy addition to the Beautification Board.

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Hohn for approval of Reiko Brown as a member of the Beautification Board. Motion carried 3-0.

Good Neighbor Trail (GNT)

One (1) full-time position to fill a vacancy due to a resignation. GNT positions are non-expiring.

Reiko Brown	New Applicant
Carole B. Knudson	New Applicant

Vice Mayor Bradburn nominated Carole Knudson for the position.

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Kohn for approval of Carole Knudson as a member of the Good Neighbor Trail Board. Motion carried 3-0.

Brooksville Housing Authority

One (1) full-time position to fill an expiring 4-year term of office through June 30, 2016.

Gary E. Schraut	Reapplying (Expiring Term)
-----------------	----------------------------

Motion:

Motion was made by Vice Mayor Bradburn and seconded by Council Member Hohn for approval. Motion carried 3-0.

Red Light Camera Introductory Period

Council discussion regarding the Introductory Period.

Mayor Johnston indicated this was brought back from the last meeting of Council. Discussion had a consensus of implementing an introductory period for the red light cameras. The ordinance does not prohibit Council from implementing an introductory period. He advised the City Manager and City Attorney negotiate a thirty-day introductory period for cameras not yet in operation with Sensys America.

Vice Mayor Bradburn confirmed with Mayor Johnston that they will send out notifications during an introductory period and asked if that will hinder the City's legal position. City Attorney Battista stated this was done the last time under previous contract with American Traffic Solutions. He advised cameras already in place should be left alone and not be retrofit into an introductory period. He referenced an email from Sensys indicating they are willing to discuss future intersections. His opinion is that implementing an introductory period for future cameras will not be held against the City in the judicial system.

Police Chief Turner stated there have been seven hundred violations reviewed to date. He reviewed some types of violations that have been occurring. Vice Mayor Bradburn recalled being late to a recent meeting due to two red-light runner accidents on US41. Council Member Hohn also witnessed a bad accident in front of Lowe's due to red-light running.

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

Vice Mayor Bradburn felt part of the education process is to give a warning period. She supported discussions with Sensys to negotiate an introductory period.

Mayor Johnston read a letter into the record from Mary Smith opposing the red light cameras.

Council discussion ensued regarding flashing lights and bigger signs when approaching intersections with cameras. Mayor Johnston supported the concept but Vice Mayor Bradburn felt it would be more of a distraction and cause more sign and light pollution. She pointed out there are over ninety cities and counties in Florida with red light camera programs so people are aware they are out there. Council Member Hohn agreed education is important but guessed about 90% of people live outside Brooksville who are paying tickets. He did not agree with a thirty day period since there will be another set of new people in the next thirty days and so on. He suggested newspapers write more articles for public awareness and wants people to be aware that this is a safety issue and not in place for revenue. Police Chief Turner indicated there were not many repeat offenders except for an infamous white Mercedes Benz.

City Manager Norman-Vacha read into the record high points of Sensys discussion on this matter with the City Attorney and Police Chief.

Council consensus was to direct staff to bring back information and costs from Sensys America associated with implementing the introductory period and directed staff to bring back a resolution to implement the introductory period if the cost is lower than \$27,000.

CITIZEN INPUT

Mayor Johnston asked for public input.

Beverly Lewis indicated her friend warned her the other day she was coming up to an intersection with a red light camera because she did not see any signs and advised enlarging the signs.

Sherry Pedonesi addressed Council Member Hohn's comment on the upcoming election process and pointed out he was appointed and he should take into account that the voters have not had a say on filling the vacant seat yet.

Kojack Burnett agreed the signs for red light cameras need to be bigger and they should be taken out from behind the trees by Dairy Queen. He commended Council for trying to implement an introductory period and reinstating the cameras. He congratulated Mayor Johnston and Council Member Hohn for winning the election by being unopposed and agreed with Ms. Pedonesi that Council Member Hohn got the seat for another two years on Council without a vote.

ITEMS BY COUNCIL

Lara Bradburn, Vice Mayor

Generator System for Hurricanes

Vice Mayor Bradburn referenced a letter from Progress Energy regarding hurricane season which advised that new commercial entities, particularly gas stations, are required to include

REGULAR COUNCIL MEETING MINUTES – June 18, 2012

a generator system. She would like staff to address this, including it in the Building Code and bring something back to Council for consideration. She pointed out many communities put this in place after Hurricane Andrew to ensure people would be able to get gasoline out of the pumps in order to evacuate.

Mayor Johnston did not agree because a considerable cost would be placed on small business owners. He felt it was a good idea but should be left up to the owner's discretion.

Kevin Hohn, Council Member

Red Light Cameras

Council Member Hohn referenced his discussion with Dennis Wilfong regarding a unique traffic light system in Hong Kong with a countdown signal above each light and he will get the cost and report back to Council on it.

Mayor Johnston pointed out the Florida Department of Transportation sets the timers according to their rules. He stated the City of Brooksville has the longest yellow light allowed under the Statutes and longest delay between red and green lights.

Robert Battista, City Attorney

Westchester Fire Insurance Matter

City Attorney Battista stated there was an Executive Session at a prior meeting on Brooksville vs. Westchester Fire Insurance to authorize the City Attorney to go forward with an appeal process through the United States Supreme Court. He advised the City was granted an extension of time to appeal until September 15, 2012.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:23 p.m.

Deputy City Clerk

Attest: _____
Mayor



CONSENT AGENDA ITEM MEMORANDUM

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager

From: Janice L. Peters, CMC, City Clerk

Subject: Surplus Equipment

Date: July 27, 2012

GENERAL SUMMARY/BACKGROUND: Below is a list of property determined to be obsolete, inoperative or otherwise no longer feasible in the City.

Description

1. IBM NetVista Computer in Poor Condition/Obsolete
2. IBM ThinkCentre Computer in Poor Condition/Obsolete
3. Dell Vostro 1000 Laptop #1QRSRG1 in Poor Condition/Canibalized
4. ChipTech Computer #526638-11/Obsolete
5. Ford Tractor 3910 #639
6. Curb Machine
7. Stainless Steel Toolbox from Burt
8. Fire Department Surplus – List & Pictures Attached

With Council's approval, all saleable items will be coordinated for auction. Any items determined to have no value will be disposed of at the County landfill or recycled as appropriate.

BUDGET IMPACT: The items that can be put together and sold as one pallet will be combined and the remainder of pieces of equipment will be sold as is. Revenues received will be deposited in the appropriate revenue accounts within the City's Funds. A nominal financial impact is expected from the sale of this surplus equipment.

LEGAL REVIEW: 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: City Council to declare items included on the list as "surplus" and authorize the City Manager to dispose of through the joint County/School Board/City auction or as appropriate.

ATTACHMENTS: Descriptions and/or Pictures of Surplus Items

①

Disposal Type (Check One)

Auction: Trash: _____
Trade In: _____ Stolen: _____

To Be Completed By	
Hernando County Purchasing:	
Sale No	_____
Item No.	_____

City Inventory - Form I-2
(Deleting Tangible Property)

City of Brooksville Assigned Property Number: _____

Delete From: Dept Name _____ Dept No _____

Transfer To: Disposable Property Status _____

EQUIPMENT DESCRIPTION:

Purchase Date _____ (Date of Payment)

Year _____ Owned _____ Leased _____

Description of Equipment _____ Computer _____

Manufacturer and Model _____ IBM NetVista _____

Identification or Serial Number _____ 6790G40 KLAYB5C _____

For All Automobiles, Trucks and Construction Equipment:

Odometer or Hour Reading _____

License Tag Number _____ (If Applicable)

Purchased From _____
Name of Vendor _____

Purchase Price \$ _____

(To Include Shipping Charges)

Trade In (If Applies) _____

Current Condition _____ Poor _____ Current Estimated Value \$ _____ 5.00 _____

(Poor, Fair, Good, New)

Reason For Action _____ Obsolete _____

(No longer needed, Obsolete, Vandalized)

Notes: _____

(Too costly to repair, Used for parts, Upgraded)

Date Deletion/Transfer to be Effective: _____

Signature Position Date

Remove property tag from equipment and attach here

To Be Completed By Hernando County Purchasing:

Equipment Received at Compound:	_____
	(Date)
Received By:	_____
Form I-2 Received by Purchasing:	_____
Signature:	_____
Purchasing Agent or Authorized Purchasing Employee	

2

Disposal Type (Check One)

Auction: Trash: _____
Trade In: _____ Stolen: _____

To Be Completed By	
Hernando County Purchasing:	
Sale No.	_____
Item No.	_____

City Inventory - Form I-2
(Deleting Tangible Property)

City of Brooksville Assigned Property Number: _____ WS3
 Delete From: Dept Name _____ Dept No _____
 Transfer To: Disposable Property Status _____

EQUIPMENT DESCRIPTION:

Purchase Date _____ (Date of Payment) _____
Year _____ Owned _____ Leased _____
Description of Equipment _____ Computer _____
Manufacturer and Model _____ IBM ThinkCentre _____
Identification or Serial Number _____ KCZ3ABN _____

For All Automobiles, Trucks and Construction Equipment:

Odometer or Hour Reading _____
License Tag Number _____ (If Applicable) _____

Purchased From _____
Name of Vendor _____

Purchase Price \$ _____
(To Include Shipping Charges)

Trade In (If Applies) _____
Current Condition _____ Poor _____ Current Estimated Value \$ _____ 5.00 _____
(Poor, Fair, Good, New)

Reason For Action _____ Obsolete _____
(No longer needed, Obsolete, Vandalized)

Notes: _____
(Too costly to repair, Used for parts, Upgraded)
Date Deletion/Transfer to be Effective: _____

Signature Position Date

Remove property tag from equipment and attach here:

To Be Completed By Hernando County Purchasing:	
Equipment Received at Compound:	_____ (Date)
Received By:	_____
Form I-2 Received by Purchasing:	_____
Signature:	_____
Purchasing Agent or Authorized Purchasing Employee	

3

Disposal Type (Check One)
Auction: _____ Trash: X
Trade In: _____ Stolen: _____

To Be Completed By	
Hernando County Purchasing:	
Sale No.	_____
Item No	_____

City Inventory - Form I-2
(Deleting Tangible Property)

City of Brooksville Assigned Property Number: _____
 X Delete From: Dept Name _____ Dept No _____
 X Transfer To: Disposable Property Status _____

EQUIPMENT DESCRIPTION:

Purchase Date _____ (Date of Payment)
Year _____ Owned _____ Leased _____
Description of Equipment _____ Laptop _____
Manufacturer and Model _____ Dell Vostro 1000
Identification or Serial Number _____ 1QRSRG1

For All Automobiles, Trucks and Construction Equipment:
Odometer or Hour Reading _____
License Tag Number _____ (If Applicable)

Purchased From _____
Name of Vendor _____

Purchase Price \$ _____
(To Include Shipping Charges)

Trade In (If Applies) _____
Current Condition Poor Current Estimated Value \$ 0.00

(Poor, Fair, Good, New)
Reason For Action Canibalized

(No longer needed, Obsolete, Vandalized)
Notes: _____

(Too costly to repair, Used for parts, Upgraded)
Date Deletion/Transfer to be Effective: _____

Signature Position Date

Remove property tag from equipment and attach here:

To Be Completed By Hernando County Purchasing:	
Equipment Received at Compound	_____
	(Date)
Received By:	_____
Form I-2 Received by Purchasing:	_____
Signature:	_____
Purchasing Agent or Authorized Purchasing Employee	

4

Disposal Type (Check One)

Auction: X Trash: _____
Trade In: _____ Stolen: _____

To Be Completed By	
Hernando County Purchasing:	
Sale No.	_____
Item No.	_____

City Inventory - Form I-2
(Deleting Tangible Property)

City of Brooksville Assigned Property Number: _____
 X Delete From: Dept Name _____ Dept No _____
 X Transfer To: Disposable Property Status _____

EQUIPMENT DESCRIPTION:

Purchase Date _____ (Date of Payment)
Year _____ Owned _____ Leased _____
Description of Equipment _____ Computer _____
Manufacturer and Model _____ ChipTech _____
Identification or Serial Number _____ 526638-11 _____

For All Automobiles, Trucks and Construction Equipment:
Odometer or Hour Reading _____
License Tag Number _____ (If Applicable)

Purchased From _____
Name of Vendor _____

Purchase Price \$ _____
(To Include Shipping Charges)

Trade In (If Applies) _____
Current Condition Fair Current Estimated Value \$ 10.00

(Poor, Fair, Good, New)
Reason For Action Obsolete

(No longer needed, Obsolete, Vandalized)
Notes: _____

(Too costly to repair, Used for parts, Upgraded)
Date Deletion/Transfer to be Effective: _____

Signature Position Date

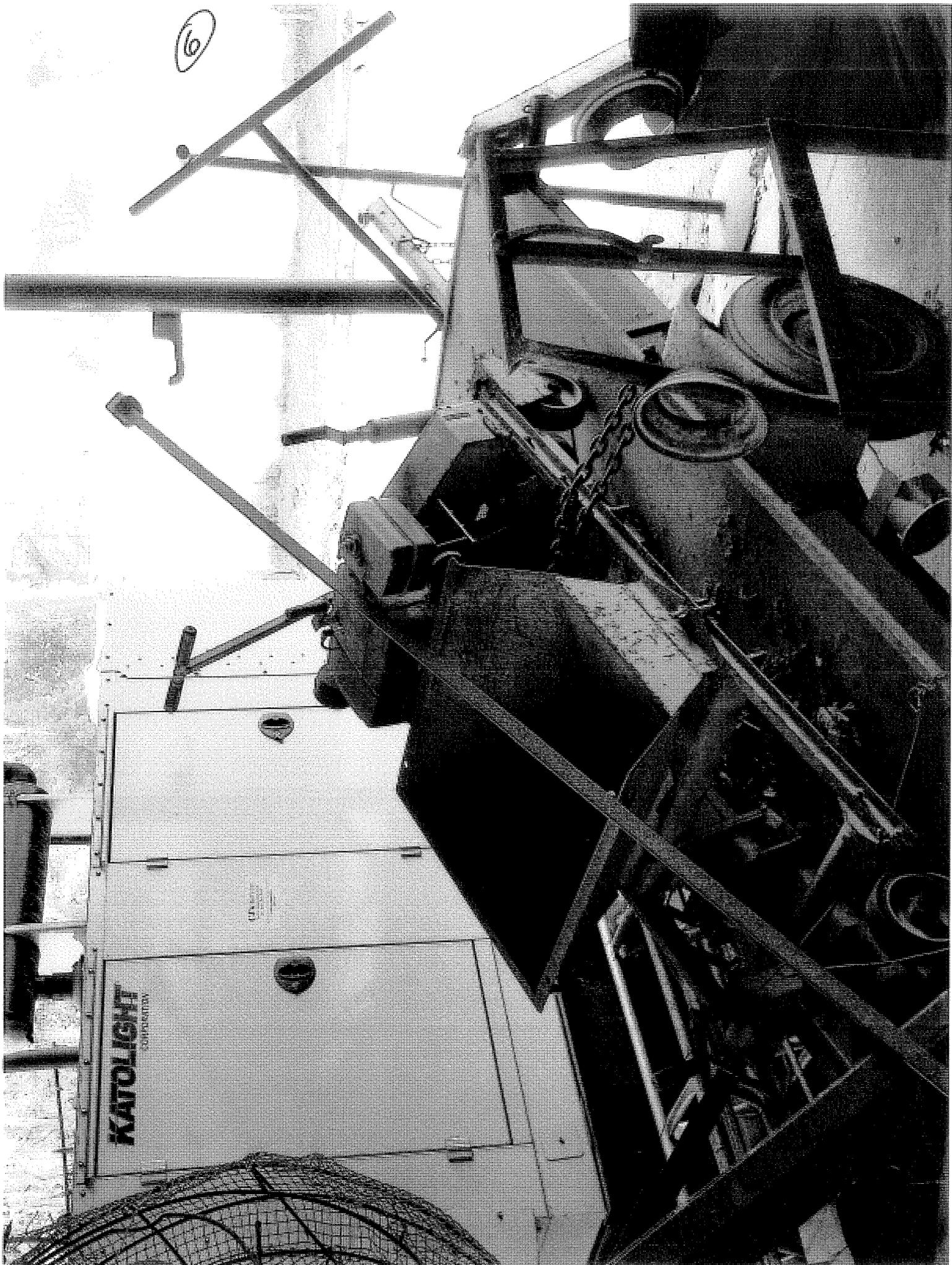
Remove property tag from equipment and attach here

To Be Completed By Hernando County Purchasing:	
Equipment Received at Compound.	_____
	(Date)
Received By:	_____
Form I-2 Received by Purchasing:	_____
Signature:	_____
Purchasing Agent or Authorized Purchasing Employee.	

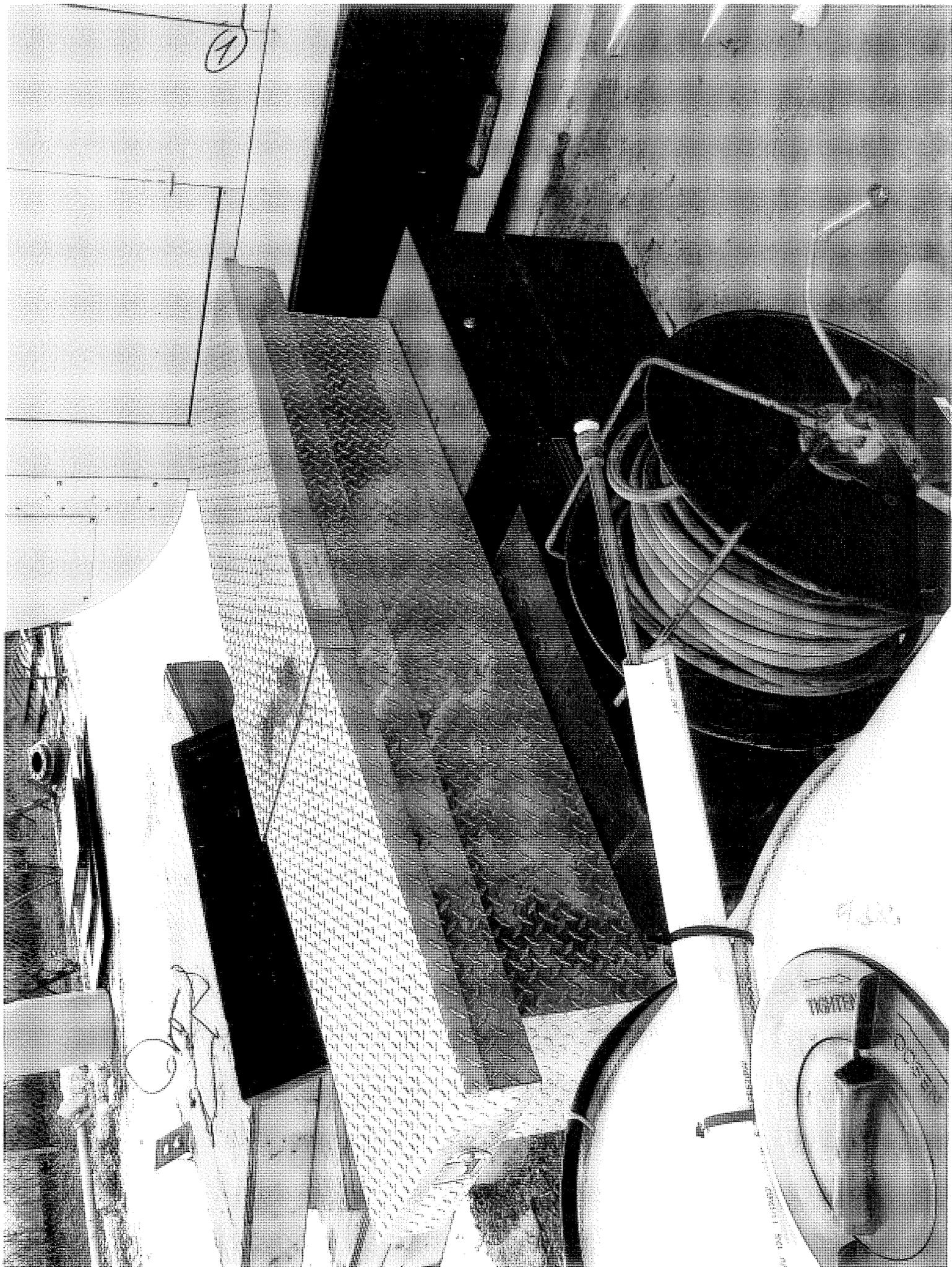
5



6



KATOLIGHT
CORPORATION



7

4.80

WATER

4.80

100 100 100

8

FIRE DEPARTMENT SURPLUS INVENTORY- July, 2012

One (1) Box assorted hard hats- white in color—fair condition

One (1) Wooden Pediatric Back Board

One (1) three-room camping tent with poles- good condition

One (1) group of scrap metal

One (1) Shumaker battery charger- Timer not working

Two (2) Electric water heaters A O Smith Brand, Excellent Condition

One (1) Electric glass top stove, Kenmore- Good condition

One (1) Box miscellaneous, truck light assemblies

One (1) Wooden desk- poor condition

One (1) Ceiling fan- parts missing- fair condition

One (1) 12 Volt Water pump

One (1) Military water purification system

One (1) Electric Microwave- under counter- Kenmore- Good condition

One (1) Hale Flote Pump- not working

Fourteen (14) MSA- Bail out harnesses- poor condition

Four (4) Pair of rubber Ranger brand bunker boots- cannot be used for fire service

Three (3) Bunker coats Three (3) bunker pants- cannot be used for fire service

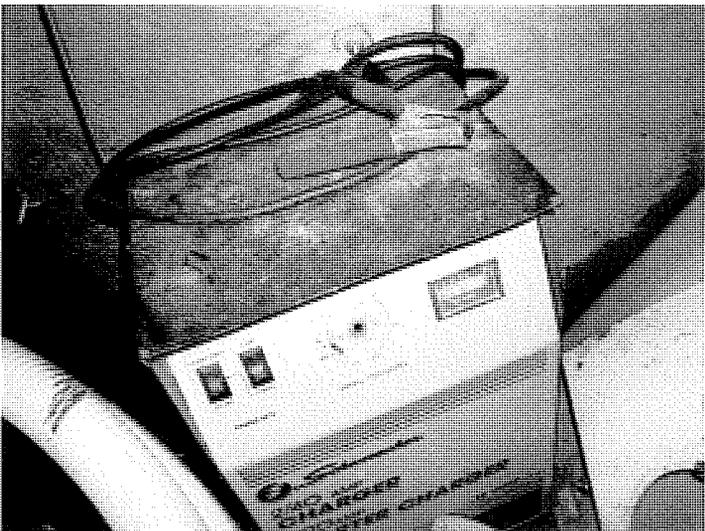
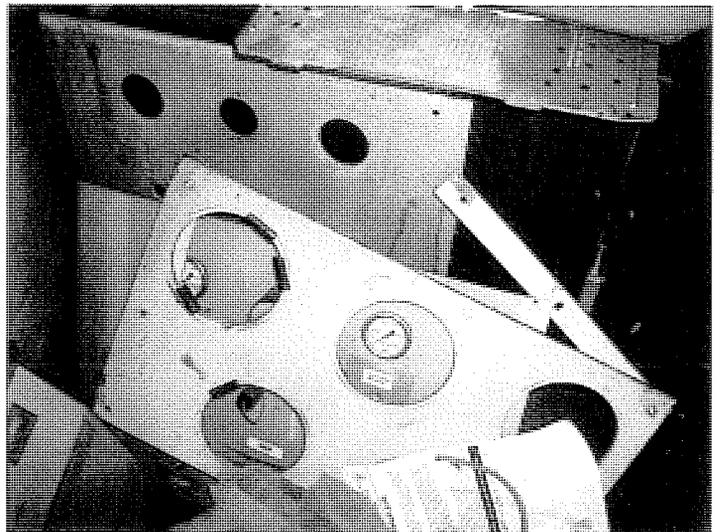
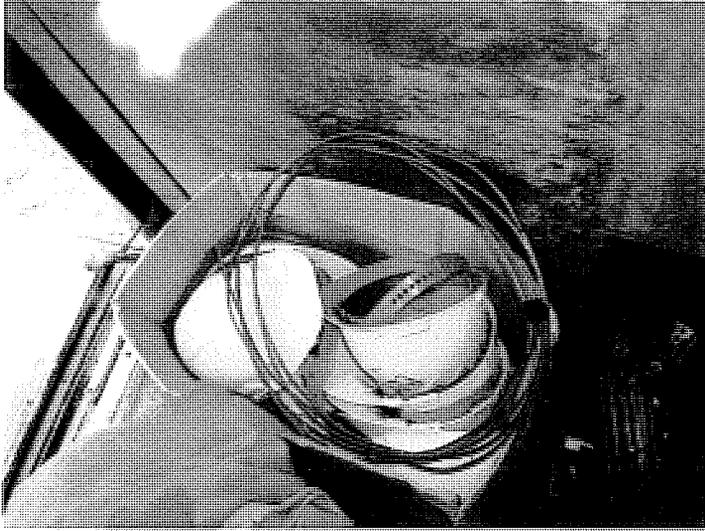
One (1) emergency triangle light set

One (1) manual hand pump for Hurst equipment- fair condition

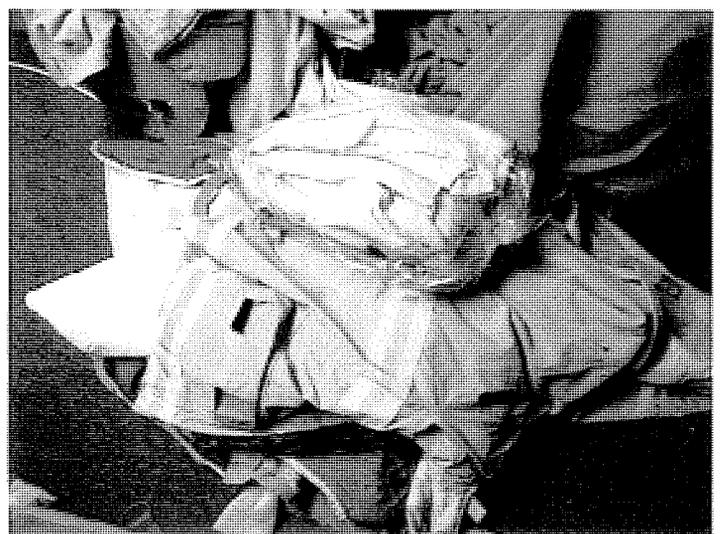
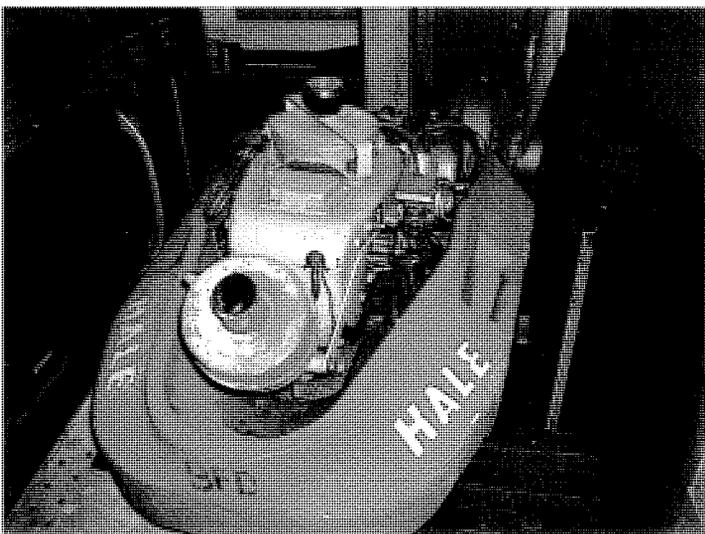
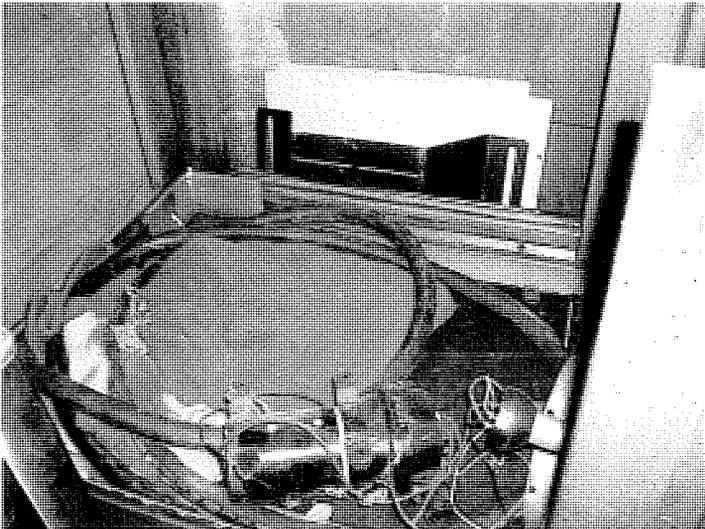
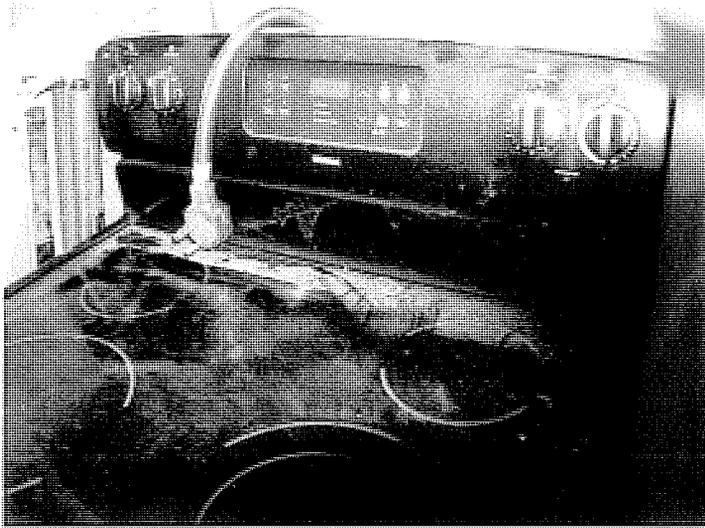
Five (5) Canvas Tarps- good condition

One (1) Toshiba Laptop Computer- Serial No. Z0233712PU- Good condition

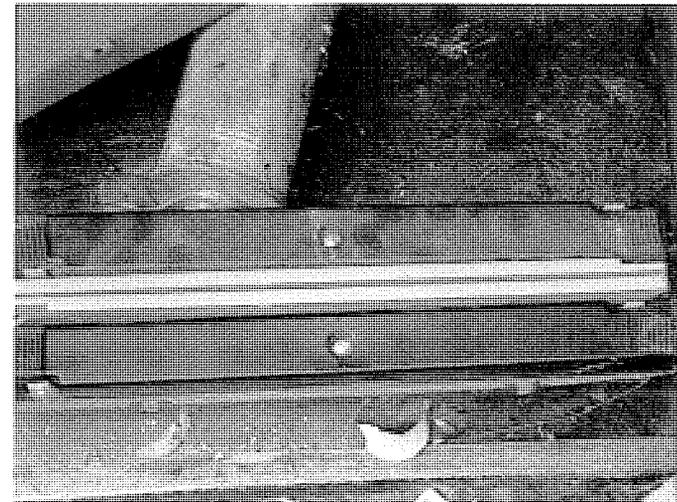
FIRE DEPARTMENT SURPLUS



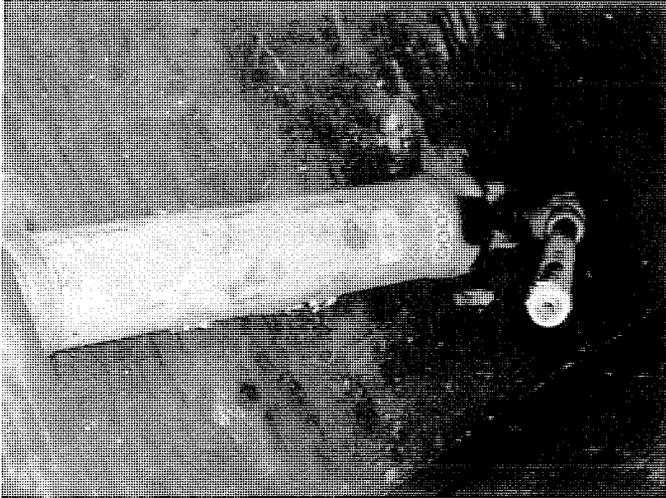
FIRE DEPARTMENT SURPLUS



FIRE DEPARTMENT SURPLUS



FIRE DEPARTMENT SURPLUS





AGENDA ITEM MEMORANDUM

TO: Honorable Mayor and City Council

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

VIA: Bill Geiger, Community Development Director *Bill Geiger*

FROM: Steve Gouldman, AICP, City Planner *Steve Gouldman*

SUBJECT: Land Development Code Amendments

DATE: August 6, 2012

BACKGROUND:

This petition is to amend various sections of the City of Brooksville Land Development Code (LDC). The current LDC was adopted on October 17, 2011 and, as often occurs with complex regulatory documents of substantial size, issues have been identified that require modifications to the regulations. Additionally, the State of Florida Division of Emergency Management, in January 2012, notified the City that all jurisdictions in the State were required to replace existing flood prevention and management regulations with those of a model ordinance developed in conjunction with the United States Federal Emergency Management Agency (FEMA). The modifications to the LDC involve Article I, Article II, Article IV, Article V, Article VIII, Article X and Article XI.

The first item is an amendment to Article I and provides language authorizing City Council to adopt by resolution a schedule of application fees for functions performed by the City in response to applications submitted. Currently, the only language addressing application fees is provided in Article VIII and applies to the Planning and Zoning Commission. The language addressing City Council's authority to adopt such a resolution applicable only to the Planning and Zoning Commission is proposed for removal from Article VIII.

In addition to correcting a paragraph numbering error in Section 4-8.46, two substantive modifications to Article IV are proposed. Specifically, a modification to the Alcoholic Beverage Use Permit regulations that establishes a refined approval process. Presently, the approval process for all Alcoholic Beverage Use Permit applications requires review by both the Planning and Zoning Commission and City Council. The proposed modification stipulates that requests for permits that include the sale and public consumption of alcoholic beverages on the licensed premises will be presented to City Council and considered for approval by Resolution. Applications for the sale of alcoholic beverages for consumption off the licensed premises only will be reviewed and approved or denied administratively. The Table of Allowable Uses in Article II is

modified to reflect the change to the approval process. Also proposed as additions to Article IV are landscaping requirements for off-street parking areas and screening provisions for open storage uses. Presently the LDC does not address landscaping of parking areas adjacent to rights-of-way or abutting other properties. The proposed regulations require a landscaped buffer a minimum of five feet in width be provided between the parking area and the right-of-way and between the parking area and adjacent uses as well as different uses on the same site, unless the screening requirements of Section 4-4.3. apply and are more stringent, in which case the more stringent requirements must be met. Open storage uses are also not addressed in the current LDC. As proposed, open storage areas will be screened from public view through the use of a solid masonry wall, solid PVC or wood fence or other material as may be approved by the Chief Administrative Officer. The screening will be a minimum of six feet in height.

The remaining changes to the LDC are to the regulations regarding floodplain management in Article V and Article X, as well as to definitions provided in Article XI. The changes are the result of the State of Florida's requirement that all jurisdictions modify their existing floodplain management regulations. Part 5-5 of the LDC as presently written is proposed for repeal and the language is replaced by the language in the attached ordinance. The language for Article X involving the *Florida Building Code* is as provided by the State of Florida Division of Emergency Management. As recommend by FEMA to all Florida communities, the proposed regulations of Article IV are based on the Florida State Model Ordinance, which is designed to ensure that the minimum requirements of the National Flood Insurance Program (NFIP) are met. The attached proposed regulations will bring the City's current Flood Prevention and Protection Ordinance into conformance with Title 44 of the Code of Federal Regulations, as administered by the Federal Emergency Management Agency and the Federal Insurance Administration, and Chapter 163 of the Florida Statutes which mandates that communities enact regulations addressing development in areas subject to seasonal and periodic flooding. The following are aspects of the new regulations and building code amendments:

- The new provisions eliminate permissive and unenforceable language;
- The regulations are coordinated with the *Florida Building Code*. The *Florida Building Code* contains requirements for buildings and structures; the floodplain management regulations contain other requirements necessary for consistency with the NFIP. In order to fulfill community commitments to the NFIP, the new regulations require buildings and structures that are exempt from the *Florida Building Code* and development other than structures such as fences, sidewalks and decks to comply with requirements for flood hazard areas.
- The new floodplain management regulations and building code amendments distinguish between duties of the Building Official and duties of the Floodplain Administrator. As proposed, the Building Official retains the duty to enforce the

flood provisions of the *Florida Building Code*, while the Floodplain Administrator handles virtually all other duties. The Building Official and the Floodplain Administrator are responsible for different aspects required to fulfill the City's commitment and responsibilities to the NFIP and those duties are coordinated between the two positions.

- The floodplain management regulations include specific requirements for development other than buildings that may appear to be "new," but that are based on the overall performance expectation of the NFIP for any development, including activities other than buildings. The specific requirements come from the American Society of Civil Engineers (ASCE) 24--the referenced standard of the International Building Code--and FEMA guidance. The specificity is intended to help both the local official and the applicant understand what constitutes flood damage resistance for such activities.
- The regulations include a higher elevation standard than the minimum required by NFIP. The higher standard, referred to as "freeboard," tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions. Providing a higher standard such as freeboard results in significantly lower flood insurance rates due to lower flood risk.

BUDGET/IMPACT:

Application, implementation and enforcement of the Land Development Code is and will continue to be the responsibility of the Community Development Department, with support from existing departments as applicable. No additional staff or other resources are anticipated in the administration of the LDC.

LEGAL REVIEW:

Florida Statutes § 163.3202(1) requires that each county and each municipality must adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan. Florida Statutes § 163.3202(2) mandates that Local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan.

PLANNING & ZONING COMMISSION AND STAFF RECOMMENDATION:

At their March 14, 2012 meeting, staff informed Planning and Zoning Commission members that the State had indicated further refinements would be forthcoming. Refinements were provided in May 2012 and were not more restrictive than those provided to the Planning and Zoning Commission. The Planning and Zoning Commission concurred with the staff recommendation for the Commission to recommend approval of the Ordinance to the City Council.

CITY COUNCIL ACTION:

At the July 16, 2011 meeting, City Council voted unanimously to adopt Ordinance 826 with two modifications. The modifications include requiring an inspection of new parking lot landscaping to ensure compliance within 2 years of installation and requiring trees planted in Type A and Type B buffers to be spaced 40 feet apart rather than the current spacing of 50 feet. Format changes were also made to Article X as a result of comments received from the Florida Department of Emergency Management. City Council scheduled the adoption hearing for the August 6, 2012 meeting at 7:00 p.m.

ATTACHMENT: Ordinance No. 831

ORDINANCE NO. 831

AN ORDINANCE BY THE CITY OF BROOKSVILLE, FLORIDA, REPEALING PART 5-5, "FLOOD PREVENTION AND PROTECTION AREAS," OF ARTICLE V, "NATURAL RESOURCES," OF SUBPART B, "LAND DEVELOPMENT CODE," AS AMENDED, OF PART II OF THE CITY OF BROOKSVILLE CODE OF ORDINANCES; AMENDING PART 1-3, "INTERPRETATION AND REGULATORY EFFECT," OF ARTICLE I, "GENERAL PROVISIONS;" AMENDING PART 2-2, "ZONING DISTRICT USES," OF ARTICLE II, "ZONING DISTRICTS, USES AND LOT REQUIREMENTS;" AMENDING PART 4-4, "SUBDIVISION AND SITE DEVELOPMENT REQUIREMENTS," PART 4-5, "LANDSCAPING AND TREE PROTECTION," AND PART 4-8, "SUPPLEMENTAL DESIGN STANDARDS FOR CONDITIONAL USES, SPECIAL EXCEPTIONS AND SPECIAL USES," OF ARTICLE IV, "GENERAL REQUIREMENTS AND SUPPLEMENTAL REGULATIONS;" ADOPTING A NEW PART 5-5, "FLOOD PREVENTION AND PROTECTION AREAS" OF ARTICLE V, "NATURAL RESOURCES," OF SUBPART B, "LAND DEVELOPMENT CODE," AS AMENDED, OF PART II OF THE CITY OF BROOKSVILLE CODE OF ORDINANCES TO INCLUDE ADOPTION OF FLOOD HAZARD MAPS, DESIGNATION OF A FLOODPLAIN ADMINISTRATOR, ADOPTION OF PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; AMENDING PART 8-1, "ADMINISTRATION," OF ARTICLE VIII, "ADMINISTRATION, APPLICATION AND APPEAL PROCEDURES;" AMENDING ARTICLE X, "BUILDINGS AND BUILDING REGULATIONS" OF THE CITY OF BROOKSVILLE CODE OF ORDINANCES TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS AND LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; AMENDING SECTION 11-1.2., "DEFINITIONS," OF ARTICLE XI, "DEFINITIONS," OF SUBPART B, "LAND DEVELOPMENT CODE," AS AMENDED, OF PART II OF THE CITY OF BROOKSVILLE CODE OF ORDINANCES; PROVIDING FOR APPLICABILITY, CONFLICTS AND REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Brooksville, Florida is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to enact ordinances; and,

WHEREAS, the City Council of the City of Brooksville has the authority to prepare, adopt and enforce this Code pursuant to the Florida Constitution, Chapter 163 Florida Statutes, Chapter 166 Florida Statutes, the City of Brooksville Comprehensive Plan, and such other authorities and provisions established in statutory or common law; and,

WHEREAS, it is the purpose of the City Council of the City of Brooksville to establish the standards, regulations and procedures for review and approval of all proposed development of property in the City of Brooksville and to provide a development review process that will be comprehensive, consistent, and efficient in the implementation of the goals, objectives, and policies of the City of Brooksville Comprehensive Plan; and,

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of Brooksville and such areas are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and

relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and,

WHEREAS, the City of Brooksville was accepted for participation in the National Flood Insurance Program and the City Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and,

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the *Florida Building Code*; and,

WHEREAS, section 553.73(5), Florida Statutes, allows adoption of local administrative and local technical amendments to the *Florida Building Code* to implement the National Flood Insurance Program and incentives; and,

WHEREAS, the City Council has determined it is in the public interest to adopt a requirement to increase the minimum elevation requirement for buildings and structures in flood hazard areas for the purpose of participating in the National Flood Insurance Program's Community Rating System and, pursuant to section 553.73(5), F.S., is formatting that requirement to coordinate with the Florida Building Code; and,

WHEREAS, the City Council has determined that it is in the public interest to adopt the floodplain management regulations that are coordinated with the *Florida Building Code*; and,

WHEREAS, the City Council of the City of Brooksville has determined this Land Development Code is consistent with the City's Comprehensive Plan and it is in the best public interest for all development to be conceived, designed, and built in accordance with good planning and design practices and the minimum standards set forth in this Code;

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

SECTION 1. CONFLICTS AND REPEALER. Section 5-5.1., "Purpose," Section 5-5.2., "Objectives," Section 5-5.3., "General Provisions," Section 5-5.4., "Designation and Duties of Floodplain Administrator," Section 5-5.5., "Administration," Section 5-5.6., "Provisions for Flood Hazard Reduction" and Section 5-5.7., "Variances" of Part 5-5, "Flood Prevention and Protection Areas," of Article V, "Natural Resources," of Subpart B, "Land Development Code," of Part II of the City of Brooksville Code of Ordinances are hereby repealed in their entirety. In addition, all other ordinances, or parts thereof, and resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 2. CODIFICATION. Section 1-3.11., "Fees," of Part 1-3, "Interpretation and Regulatory Effect," of Article I, "General Provisions;" Table 2-2, "Table of Allowable Uses," of Section 2-2.2., "Allowable Uses," of Article II, "Zoning Districts, Uses and Lot Requirements," Section 4-4.2., "Development Regulations," of Part 4-4, "Subdivision and Site Development Requirements," Section 4-5.7, "Buffering and Screening," of Part 4-5, "Landscaping and Tree Protection," Section 4-8.9., "Alcoholic Beverage Use Permits," Section 4-8.46., "Neighborhood/Community Fair," of Part 4-8 and "Supplemental Design Standards for Conditional Uses, Special Exceptions, and Special Uses," of Article IV, "General Requirements and

Supplemental Regulations;" Part 5-5, "Flood Prevention and Protection Areas," of Article V, "Natural Resources;" Section 8-1.4., "Planning and Zoning Commission," of Part 8-1, "Administration," of Article VIII, "Administration and Application Procedures;" Article X, "Buildings and Building Regulations;" and Section 11-1.2., "Definitions," of Part 11-1, "Contents," of Article XI, "Definitions," of Subpart B, "Land Development Code," as amended, of Part II of the City of Brooksville Code of Ordinances shall be modified and supplemented as set forth in Exhibit A of this Ordinance which is attached hereto and incorporated herein in *haec verba*.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or application hereof, is for any reason held invalid, unlawful or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

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

CITY OF BROOKSVILLE

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

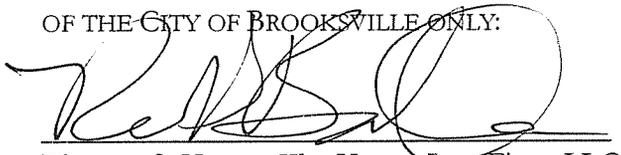
By: _____
Joe Johnston, Mayor

PASSED on First Reading _____

NOTICE Published on _____

PASSED on Second & Final Reading _____

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



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

VOTE OF COUNCIL:

Bernardini _____
Bradburn _____
Burnett _____
Hohn _____
Johnston _____

EXHIBIT A

ORDINANCE NO. 831

ARTICLE I

GENERAL PROVISIONS

PART 1-3

INTERPRETATION AND REGULATORY EFFECT

SECTION 1-3.11. FEES

The City Council shall adopt by resolution a schedule of application fees for functions performed by the City in response to applications submitted by any person, corporation, organization or governmental entity. No permit shall be valid until the fees prescribed per City Council Resolution and on file within the City Clerk's Office have been paid, nor shall an amendment to a permit be approved until the additional fees, if any, have been paid.

ARTICLE VIII

ADMINISTRATION, APPLICATION AND APPEAL PROCEDURES

PART 8-1

ADMINISTRATION

SECTION 8-1.4. PLANNING AND ZONING COMMISSION

~~E.~~ ~~Application Fees~~

~~The City Council shall adopt by resolution a schedule of application fees for functions performed by the Planning and Zoning Commission in response to applications submitted by any person, corporation, organization or governmental entity.~~

FE. Legal Representation

The City Council of the City of Brooksville shall provide an attorney to defend any civil action brought against any officers, employees or agents of the Planning and Zoning Commission for acts or omissions arising out of or in the scope of their employment or function unless in the case of a tort action, such officer, employee or agent acted in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety or property. Defense of such civil action shall include, but not be limited to, any civil rights lawsuits seeking relief against such officers, employees or agents for acts or omissions under color of State Law, custom or usage, wherein it is alleged that such officer, employee or agent has deprived another person of his rights secured under Federal Constitution or Laws. The City Council of the City of Brooksville shall pay, within the limitations provided by law and available funds, any final judgment, including damages, costs and attorney's fees, against any officer, employee or agent of

the Planning and Zoning Commission held to be liable in a civil or civil rights lawsuit or any compromise or settlement thereof prior to judgment, provided that such judgment is not based upon any such officer, employee or agent acting in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety and/or property. This provision is not, however, intended to waive sovereign immunity, any limitation or liability or any other defense or immunity to such lawsuits.

ARTICLE IV

GENERAL REQUIREMENTS AND SUPPLEMENTAL REGULATIONS

PART 4-8

SUPPLEMENTAL DESIGN STANDARDS FOR CONDITIONAL USES, SPECIAL EXCEPTIONS AND SPECIAL USES

SECTION 4-8.46. NEIGHBORHOOD/COMMUNITY FAIR

1. Publicly-sponsored Neighborhood/Community Fairs. Any outdoor nonresidential temporary use or structure used in an event sponsored or authorized by a governmental agency or held on publically-owned property, i.e., parks, county fairgrounds, school sites, etc., shall be exempt from the requirements of this Section, provided such temporary use or structure associated with the use does not exceed 30 days.
2. Privately-sponsored Neighborhood/Community Fairs. All privately-sponsored Neighborhood/Community Fairs shall comply with the following regulations:
 - 1a. All necessary state and local permits shall be obtained.
 - 2b. The duration of the use shall not exceed 14 calendar days, except as specified in paragraph 5e. below.
 - 3c. There shall be a minimum of 30 feet from the parking area to the ~~lot-line~~ property boundary and a minimum of 30 feet from the fair itself to the ~~lot-line~~ property boundary, except as specified in paragraph 5e. below.
 - 4d. Parking areas shall be designed to prohibit vehicles from backing onto collector or arterial roadways.
 - 5e. If the applicant wishes to extend the duration of the Neighborhood/Community Fair to more than 14 calendar days, or to reduce the setbacks specified in paragraph 6c. above, the noticed appearance before the Planning and Zoning Commission option associated with the Special Exception procedure shall be mandatory. The Planning and Zoning Commission's decision to extend the duration of the fair or to reduce the setbacks shall be based on a finding of no significant adverse effect on adjoining properties.
 - 6f. Outdoor lighting shall not shine directly onto adjacent properties.
 - 7g. Permits for Neighborhood/Community fairs shall be valid for five separate fairs, provided no changes to site conditions are proposed. No less than seven days prior to each fair, notification shall be provided to the City with certification that there are no changes to site conditions.

ARTICLE IV

GENERAL REQUIREMENTS AND SUPPLEMENTAL REGULATIONS

PART 4-8

SUPPLEMENTAL DESIGN STANDARDS FOR CONDITIONAL USES, SPECIAL EXCEPTIONS, AND SPECIAL USES AND ALCOHOLIC BEVERAGE USES

SECTION 4-8.9. ALCOHOLIC BEVERAGE USE PERMITS

A. General Objectives

1. It is the intent of this Section to provide uniform regulations pursuant to the authority granted by Section 562.45(2), Fla. Stat., for all establishments in the City of Brooksville in which the sale of alcoholic beverages or the public consumption of alcoholic beverages is to occur. The granting of an Alcoholic Beverage ~~Special~~ Use Permit is a prerequisite for allowing alcoholic beverage uses to be established in the City of Brooksville. It is the intent of this Code to generally permit such uses only in certain commercial, industrial, and mixed use districts with the exception of the 11-C, 11-CX, 4-COP-SGX and GC Alcoholic Beverage ~~Special~~ Use Classifications which will be allowed in all zoning districts. Notwithstanding the above, in office, residential and agricultural zoning districts where an 11-C or 4-COP-SGX permit is inapplicable, other permit classifications may be approved for restrictive uses such as a private dining hall in a community residential home. In such cases the permit shall be subject to approval by Resolution of the City Council ~~in accordance with Article VIII of this Code, irrespective of whether the proposed use meets proximity requirements. In granting approval,~~ and the permit shall be conditioned to limit the sales and/or consumption of alcoholic beverages to the specifically proposed use.
3. The procedures for applicants who desire to receive an Special Alcoholic Beverage Use Permit for the establishment and maintenance of a specific alcoholic beverage ~~land~~ use designation are described herein

C. Application for Permitting of Land Use for Sale or Public Consumption of Alcoholic Beverages.

1. Review process

Any owner, lessee, or tenant who desires to have any lot, plot, or tract of land permitted for the sale or public consumption of alcoholic beverages on the licensed premises or on and off the licensed premises in the City of Brooksville shall meet the application requirements for a Development Permit as specified in Article VIII of this Code. ~~Such applications shall not be reviewed by the~~

~~Planning and Zoning Commission and shall be presented to City Council and considered for approval by Resolution. Applications for the sale of alcoholic beverages for consumption off the licensed premises only shall be reviewed and approved or denied administratively. Notwithstanding the above, a~~Applications for temporary alcoholic beverage special temporary event permits shall not require a public hearing also be reviewed and approved or denied administratively. Denial of an Alcoholic Beverage Use Permit shall be based on the applicable criteria for Revocation as identified in Section 4-8.9.H. Alcoholic beverage wholesale distributors that do not directly sell to the general public and only store sealed alcoholic beverage containers shall not be required to obtain an Alcoholic Beverage Special Use Permit.

2. Application requirements.

Applications for Alcoholic Beverage Use permits shall contain the following information and shall be signed by the applicant and notarized.

- a. Name and address of the applicant;
- b. Legal description of the property for which the permit is sought;
- c. Name and address of the property owner if not owned by the applicant.
- d. Written consent of the property owner if the property is not owned by the applicant;
- e. Street address of the property for which the permit is requested;
- f. Classification of Alcoholic Beverage Use permit requested;
- g. Whether the applicant has been convicted of any felony under Florida law or the laws of the United States;
- h. Whether the applicant has been convicted of any misdemeanor relating to prostitution, obscenity, nuisance, indecent exposure, disorderly conduct, or gambling; and
- i. Whether the applicant has previously had a license for the sale of alcoholic beverages revoked by Florida's Department of Business & Professional Regulation, Division of Alcoholic Beverages and Tobacco.

D. Alcoholic Beverage Special Use Permit Classifications

1. The Alcoholic Beverage Special Use Classification desired for the lot, plot, or tract of land on which the sale or public consumption of alcoholic beverages is to be permitted shall be one of the following:

m. 11-C

ii. Golf Club.

Beer, wine, and liquor for sale and consumption on the licensed premises to club members and their guests only. The club shall be chartered and located on a bona fide golf course owned or leased by the club consisting of at least nine holes, clubhouse, locker rooms, and attendant golf facilities comprising at least 35 acres of land. Under the 11-C classification, alcoholic beverages are to be sold only in ~~Special~~ Alcoholic Beverage Use permitted areas at the golf club. Consumption may occur on the remainder of the golf club property. For the sale of alcoholic beverages on the golf course see paragraph n. below (11-CX).

E. Procedures for Consideration of Alcoholic Beverage Application

Applications for Alcoholic Beverage ~~Special~~ Use Permit shall be filed with and ~~reviewed in accordance with Article VIII of this Code~~ the Community Development Department .

TABLE OF ALLOWABLE USES

	TABLE OF ALLOWABLE USES																	
	RESIDENTIAL						COMMERCIAL						OVERLAYS					
	AG	R-1A	R-1B	R-1C	R-1D	R-2	R-3	PR	P-1	C-1	C-2	C-4	CIS-1	I-1	I-2	PFS	HCBRD	HCC
Schools (K--12)	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU			SU		
Neighborhood, General and High Intensity Business and Commercial Uses																		
Accessory Retail								C	P	P	P	P		C	C			C
Adult Care Centers								C	C	C	C							
Adult Uses								C	C	C								
Alcoholic Beverage ¹							SU	SU	SU	SU	SU	SU	SU	SU	SU			SU
Apparel and Shoe Store							P	P	P	P	P							
Appliance Stores, Large									P	P								
Appliance Stores, Small									P	P	P							
Art Supply Store							A	P	P	P	P						A	A
Automated Teller (ATM)								A	A	A	A	A						
Automotive Supply Store									P	P	P							
Bank/Credit Union									P	P	P							
Banquet and Reception Halls									P	P	P							
Bicycle Sales									P	P	P							
Bicycle Repair									P	P	P							
Billiards and Pool Parlors									P	P	P							
Blueprint									P	P	P							
Body Shops									P	P	P							
Book/Stationary Store, New and Used							A	A	P	P	P							A
Bowling Alleys									P	P								
Brew On-Premises									P	P								
Building Materials									P	P			P	P	P			
Bus Terminal									C	C	C			C	C			
Camera/Photography Store							A	A	P	P	P							A
Canopies and Gasoline Pump Islands as Accessory Uses									C	C	C							
Car Wash Facilities--Self									C	C	C							

TABLE OF ALLOWABLE USES																		
	RESIDENTIAL										COMMERCIAL			COMMERCIAL AND INDUSTRIAL		OVERLAYS		
	AG	R-1A	R-1B	R-1C	R-1D	R-2	R-3	PR	P-1	C-1	C-2	C-4	CIS-1	I-1	I-2	PFS	HCBRD	HCC
Resource Recovery Facilities										SU			C	C	C			
Vehicle Recycling, Open										SU			C	C	C			
Vehicle Recycling, Enclosed									SU	C			C	C	C			
Yard Waste Composting Facility									C	C			C	C	C	C		
Yard Waste Transfer Facility									C	C			C	C	C	C		

Notes:

1. Requires Alcoholic Beverage Use Permit. See Article IV for applicable review process.

ARTICLE IV

GENERAL REQUIREMENTS AND SUPPLEMENTAL REGULATIONS

PART 4-4

SUBDIVISION AND SITE DEVELOPMENT REQUIREMENTS

SECTION 4-4.2. DEVELOPMENT REGULATIONS

L. Parking and Loading.

15. Off-street parking area buffering and screening.

- a. Landscaping within buffers required herein include existing vegetation, berms in combination with plant materials, evergreen plants, or any combination of the above. The landscaping shall be, within two years of installation, a minimum of three feet in height and 75 percent opaque. An inspection of the landscaping shall be performed at the conclusion of the two year period to ensure compliance.
- b. Off-street parking areas not entirely screened from an abutting right-of-way by an intervening building or other structure, a landscaped buffer a minimum of five feet in width shall be provided between the parking area and the right-of-way, unless the requirements of Section 4-4.3., if applicable, of this Article are more stringent, in which case the more stringent requirements shall apply. Driveways into off-street parking areas shall be bordered by a landscaped buffer a minimum of five feet in width.
- c. A landscaped buffer a minimum of five feet in width shall be provided between off-street parking areas and any property boundary not fronted by a right-of-way, unless the buffering and screening requirements of Section 4-5.7. of this Article are more stringent, in which case the more stringent shall apply.
- d. A landscaped buffer a minimum of five feet in width shall be provided between the off-street parking area and another use on the property, including but not limited to buildings, stormwater facilities and open space.

PART 4-5

LANDSCAPING AND TREE PROTECTION

SECTION 4-5.7. BUFFERING AND SCREENING

- A. ~~Buffering and screening~~— Buffering and screening requirements shall apply along all property lines as required by the provisions of this Section. Unless otherwise provided in this Article, the buffer and screening shall be located within the required zoning setback area and the required vegetative landscape screening shall be located within the buffer. A buffer may also contain a barrier, such as a fence, wall, hedge or berm.
- B. Determination of buffering and screening requirements
1. Required buffering and screening – Buffering and screening shall be required for all new development and redevelopment as shown in Schedule E. Schedule E shall be utilized in determining the requirements based on the proposed land use and the land uses of adjacent properties. Buffer width requirements shall be determined on an individual project basis as required by this Part and approved by the Chief Administrative Officer or his designee.
 2. Location - A Required buffers shall be provided along all property lines and abutting all street rights-of-way lines and shall not be located on any portion of an existing, dedicated or proposed right-of-way, easement or private street. The depth of the required buffer shall be measured and provided parallel to the property line or abutting street right-of-way. No part of a buffer required for any use shall be included as fulfilling the buffer requirements for another use unless specifically provided for in this Article. Buffers shall not be required between various constituent parts of a proposed Planned Development Project containing mixed uses, except that any nonresidential use shall be separated from residential use by at least the minimum required buffer.
 3. Buffer types – The following descriptions define the buffer types as required per Schedule E.
 - a. Type “A” buffer – A minimum 5-foot wide buffer which includes the required planting of 25 shrubs per 100 linear feet of property, plus, one tree per every ~~50~~ 40 linear feet of property, or portion thereof. Earthen berms may be used in conjunction with required landscaping. Such berms shall utilize a slope of 4:1 or less, and shall include such landscaping as necessary to ensure soil stabilization.
 - b. Type “B” buffer – A minimum 10-foot wide buffer which includes a continuous hedge of dense shrubbery, plus, one tree per every ~~50~~ 40 linear

feet of property, or portion thereof. At the time of planting, the required hedge shall not be less than four feet in height, and not exceed a maximum of two feet between shrubs.

- c. Type “C” buffer – A minimum 15-foot wide buffer, except where industrial abuts residential, where there shall be a 30-foot wide buffer. A type “C” buffer shall include a continuous, opaque wall at least a minimum of six feet in height constructed of masonry, wood or other material as may be approved by the Chief Administrative Officer or his designee. If the wall is constructed of cement block, the side facing the abutting use shall be faced with stucco or another similar decorative finish. In addition, one tree shall be planted along the wall every 25 feet, or portion thereof.

**SCHEDULE E
BUFFER REQUIREMENTS**

Adjacent Land Use	Proposed Property Land Use				
	R	C	CIS	PLI	I
	Buffer Type				
¹ Residential	B	C	C	B	C
Commercial	C	A	B	B	B
Commercial/Industrial Storage (CIS)	C	B	A	B	B
Public Lands and Institutions (PLI)	B	B	B	A	C
² Industrial (I)	C	B	B	C	A

- d1. ~~Includes~~ Applies to multi-family developments, ~~and~~ manufactured/mobile home developments and platted subdivisions. Single-family and two-family developments adjacent to single-family and two-family developments are not required to provide a buffer.
- 2. Except as provided in Section 4-5.7.B.4.
- 4. ~~Permitted uses within buffers. The following uses shall be permissible within a required buffer:~~ Open storage. Open storage which constitutes the principal use of a site shall, for the purpose of buffering and screening, be considered an Industrial use and the entire site shall be subject to the above requirements applicable to Industrial development. Open storage areas which are accessory to a principal use shall be screened from view of any street and from residentially zoned property as follows:
 - a. ~~Vehicular ingress/egress to off street parking, loading, unloading, service area space and vehicular circulation areas.~~ Where an open storage area is

in view from a street, the method of screening shall consist of a solid masonry wall, solid PVC or wood fence or other material as may be approved by the Chief Administrative Officer. The screening shall be a minimum of six feet in height and, if the wall is constructed of cement block, the side facing the abutting use or right-of-way shall be faced with stucco or another similar decorative finish.

b. ~~Permitted public service/utility structures. Where an open storage area is in view from a residentially zoned property located within 200 feet of the open storage area, the method of screening shall consist of a solid masonry wall, solid PVC or wood fence or other material as may be approved by the Chief Administrative Officer. The screening shall be a minimum of six feet in height and, if the wall is constructed of cement block, the exterior of the wall shall be faced with stucco or another similar decorative finish. Said screening shall be installed along all boundaries of the storage area, including internal boundaries that are in view from the residentially zoned property.~~

e. ~~Pedestrian ways with improved surfaces.~~

d. ~~Stormwater retention or detention areas, provided the required buffer plantings are included, the design and landscaping of the buffer does not interfere with the proper functioning of the drainage system, and the design water depth does not harm the viability of the plantings.~~

e. ~~Required project improvements upon approval of the Chief Administrative Officer or his designee.~~

f. ~~Permitted signs upon approval of the required site plan by the administrative official.~~

5. ~~Restricted uses within buffers~~ Permitted uses within buffers. The following uses shall ~~not~~ be allowed within required buffer areas:

a. ~~Off street parking, loading, unloading, service areas or vehicle circulation areas. In addition, all off street parking spaces shall be provided with appropriate stops, curbs or other vehicle bumper guards designed to prevent any encroachment of vehicles upon the required buffer. Vehicular ingress/egress to off-street parking, loading, unloading, service area space and vehicular circulation areas.~~

b. ~~Barbed wire, electric fence or other potentially harmful objects or articles~~ Permitted public service/utility structures.

c. Pedestrian ways with improved surfaces.

- d. Stormwater retention or detention areas, provided the required buffer plantings are included, the design and landscaping of the buffer does not interfere with the proper functioning of the drainage system, and the design water depth does not harm the viability of the plantings.
 - e. Required project improvements upon approval of the Chief Administrative Officer.
 - f. Permitted signs upon approval of the required site plan by the Chief Administrative Officer.
6. ~~Mining considerations — For any mining application, landscape and buffer requirements shall be set by the City Council. The basis for determining required landscape and buffering shall at a minimum take into consideration site and ecologic conditions, extraction procedures, and the processing, storage and distribution systems to be used in resource extraction. In addition, conformance with the provisions of F.S. Chapter 378 and F.A.C. Chapter 16C-17 shall apply in determining landscape and buffer requirements. Restricted uses within buffers.~~

The following uses shall not be allowed within required buffer areas:

- a. Off-street parking, loading, unloading, service areas or vehicle circulation areas. In addition, all off-street parking spaces shall be provided with appropriate stops, curbs or other vehicle bumper guards designed to prevent any encroachment of vehicles upon the required buffer.
 - b. Barbed wire, electric fence or other potentially harmful objects or articles.
7. Mining considerations - For any mining application, landscape and buffer requirements shall be set by the City Council. The basis for determining required landscape and buffering shall at a minimum take into consideration site and ecologic conditions, extraction procedures, and the processing, storage and distribution systems to be used in resource extraction. In addition, conformance with the provisions of F.S. Chapter 378 and F.A.C. Chapter 16C-17 shall apply in determining landscape and buffer requirements.

PART 5-5.

FLOOD PREVENTION AND PROTECTION AREAS

SECTION 5-5.1. GENERALLY

A. Purpose.

The purpose of this Part is to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

1. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
2. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
3. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
4. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
5. Minimize damage to public and private facilities and utilities;
6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
7. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
8. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

B. Coordination with the *Florida Building Code*.

These regulations are intended to be administered and enforced in conjunction with the *Florida Building Code*. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building Code*

C. Warning and disclaimer of liability.

The degree of flood protection required by this Part and the *Florida Building Code*, as amended, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring these regulations be revised to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this Part. The regulations contained herein shall not create liability on the part of the City or by any officer or employee thereof for any flood damage that results from reliance on these regulations or any administrative decision lawfully made thereunder.

SECTION 5-5.2. APPLICABILITY

The provisions of this Part shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; placement, installation, or replacement of manufactured/mobile homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

A. General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

B. Applicable Area .

The provisions of this Part shall apply to all flood hazard areas within the City of Brooksville, as established in Section 5-5.2.C. of this Part.

C. Basis for establishing flood hazard areas.

The Flood Insurance Study for Hernando County dated February 2, 2012, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of these regulations and shall serve as the minimum basis for

establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the City of Brooksville Community Development Department.

D. Submission of additional data to establish flood hazard areas.

To establish flood hazard areas and base flood elevations, pursuant to Section 5-5.5. of this Part the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the City indicates that ground elevations:

1. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this Part and, as applicable, the requirements of the *Florida Building Code*.
2. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

E. Other laws.

The provisions of this Part shall not be deemed to nullify any provisions of local, state or federal law.

F. Abrogation and greater restrictions.

This Part supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the *Florida Building Code*. In the event of a conflict between these regulations and any other ordinance, the requirements of the more restrictive shall govern. These regulations shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this Part.

G. Interpretation.

In the interpretation and application of this Part, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION 5-5.3. DESIGNATION, DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

A. Designation.

The Community Development Department Director is designated as the Floodplain Administrator. The Floodplain Administrator may appoint persons as designees who shall have the authority of the Floodplain Administrator.

B. General.

The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this Part. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of these regulations and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this Part without the granting of a variance pursuant to Section 5-5.7. of this Part.

C. Applications, approvals and permits.

The Floodplain Administrator, in coordination with other reviewing entities, shall:

1. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
2. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
3. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
4. Provide available flood elevation and flood hazard information;
5. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
6. Review applications to determine whether proposed development will be reasonably safe from flooding;
7. Issue floodplain development approvals for development other than buildings and structures that are subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*, when compliance with this Part is demonstrated, or disapprove the same in the event of noncompliance; and

8. Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this Part.

D. Determinations for existing buildings and structures.

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

1. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the *Florida Building Code* and this Part is required.

E. Modifications of the strict application of the requirements of the *Florida Building Code*.

The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 5-5.7. of this Part.

F. Notices and orders.

The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders related to the requirements of this Part.

G. Inspections.

The Floodplain Administrator shall make the required inspections as specified in Section 5-5.6. of this Part for development that is not subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall also inspect flood hazard areas to determine if development is undertaken without issuance of an approval or permit. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

H. Other duties of the Floodplain Administrator.

The Floodplain Administrator shall have other duties, including but not limited to:

1. Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 5-5.3.D. of this Part;
2. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
3. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
4. Review required design certifications and documentation of elevations specified by this ordinance and the *Florida Building Code* and this ordinance to determine that such certifications and documentations are complete; and
5. Notify the Federal Emergency Management Agency when the corporate boundaries of the City of Brooksville are modified.

I. Floodplain management records.

Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Change; records of issuance of approvals and denial of approvals and permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design

certifications and documentation of elevations specified by the *Florida Building Code* and these regulations; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this Part and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at the City of Brooksville Community Development Department.

SECTION 5-5.4. PERMITS AND APPROVALS

A. Permits and approvals required.

Any person who intends to undertake any development activity within the scope of this Part, including buildings, structures and facilities exempt from the *Florida Building Code*, on property which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator and the Building Official, if applicable, and shall obtain the required permit(s) and/or approval(s). No permit or approval shall be issued until compliance with the requirements of this Part and all other applicable regulations has been satisfied.

B. Floodplain development approvals.

Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development approvals shall be required for the following buildings, structures and facilities that are exempt from the *Florida Building Code*, *Building* Section 102.2 and any further exemptions provided by law, which are subject to the requirements of this Part:

1. Railroads and ancillary facilities associated with the railroad.
2. Nonresidential farm buildings on farms, as provided in section 604.50, F.S.
3. Temporary buildings or sheds used exclusively for construction purposes.
4. Mobile or modular structures used as temporary offices.
5. Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

7. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
8. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
9. Structures identified in section 553.73(10)(k), F.S., are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development approval is required in addition to a building permit.

C. Application for an approval.

To obtain a floodplain development approval the applicant shall first file an application in writing on a form furnished by the Community Development Department. The information provided shall:

1. Identify and describe the development to be covered by the approval.
2. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
3. Indicate the use and occupancy for which the proposed development is intended.
4. Be accompanied by a site plan or construction documents as specified in Section 5-5.5. of this Part.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the Floodplain Administrator.

D. Validity of approval.

The issuance of a floodplain development approval pursuant to this Code shall not be construed to be an approval of any violation of this Part, the Florida Building Codes, or any other ordinance. The issuance of approvals based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

E. Expiration.

A floodplain development approval shall become invalid unless the work authorized by such approval is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 90 days after the work commences. Extensions for periods of not more than 90 days each shall be requested in writing and justifiable cause shall be demonstrated.

F. Suspension or revocation.

The Floodplain Administrator is authorized to suspend or revoke a floodplain development approval if the approval was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this Part or any other ordinance, regulation or requirement.

G. Other permits required.

Floodplain development approvals and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

1. The Southwest Florida Water Management District;
2. Florida Department of Health for onsite sewage treatment and disposal systems;
3. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line;
4. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; and
5. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

SECTION 5-5.5. SITE PLANS AND CONSTRUCTION DOCUMENTS

A. Information for development in flood hazard areas.

All plans and construction documents for any development subject to the requirements of this Part shall be drawn to scale and shall include, as applicable, the following:

1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), and base flood elevation(s) and ground elevations if necessary for review of the proposed development.
2. Where flood hazard areas, base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 5-5.5.B. of this Part.
3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 5-5.5.B.1 or Section 5-5.B.2. of this Part.
4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures.
5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
7. Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this Code but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this Part.

B. Information in flood hazard areas without base flood elevations (approximate Zone A).

Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

1. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source; or
2. Where base flood elevation data and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

- a. Require the applicant to develop base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - b. Specify that the base flood elevation is three (3) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than three (3) feet.
3. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, the applicant shall provide analyses prepared by a Florida licensed engineer in a format required by FEMA, and it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

C. Additional analyses and certifications.

As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

1. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 5-5.5.D. of this Part and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
2. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, a floodway encroachment analysis which demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
3. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 5-5.5.D. of this Part.

D. Submission of additional data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. FEMA submittal requirements and processing fees shall be the responsibility of the applicant.

SECTION 5-5.6. INSPECTIONS

A. General.

Development for which a floodplain development approval is required shall be subject to inspection.

1. Development other than buildings and structures.

The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this Code and the conditions of issued floodplain development approvals.

2. Buildings, structures and facilities exempt from the *Florida Building Code*.

The Floodplain Administrator shall inspect buildings and structures exempt from the *Florida Building Code* to determine compliance with the requirements of this Part and the conditions of issued floodplain development approvals.

3. Buildings and structures exempt from the *Florida Building Code*, lowest floor inspection.

Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the *Florida Building Code*, or the owner's authorized agent, shall submit to the Floodplain Administrator:

- a. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor signed and sealed by a Florida licensed professional surveyor; or
- b. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 5-5.5.B.2. of this Part, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

4. Buildings, structures and facilities exempt from the *Florida Building Code*, final inspection.

As part of the final inspection, the applicant shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 5-5.6.A.3. of this Part.

5. Manufactured/mobile homes.

The Building Official shall inspect manufactured/mobile homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this Part and the conditions of the issued approval. Upon placement of a manufactured/mobile home, certification of the elevation of the lowest floor shall be submitted to the Building Official.

SECTION 5-5.7. VARIANCES AND APPEALS

- A. General.

The Construction Board of Adjustment and Appeals or similarly designated body as described in Section 10-1.5.A. shall hear and decide on requests for appeals and requests for variances from the strict application of these regulations and, pursuant to section 553.73(5), F.S., shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the *Florida Building Code*. This section does not apply to Section 3109 of the *Florida Building Code, Building*.

- B. Appeals.

The Construction Board of Adjustment and Appeals or similarly designated body shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this Part. Any person aggrieved by the decision of the Construction Board of Adjustment and Appeals or similarly designated body may appeal such decision to the Circuit Court, as provided by Florida Statutes.

- C. Limitations on authority to grant variances.

The Construction Board of Adjustment and Appeals or similarly designated body shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 5-5.7.F. of this Part, the conditions of issuance set forth in Section 5-5.7.G. of this Part, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Construction Board of Adjustment and Appeals or similarly designated body has the right to attach such

conditions as it deems necessary to further the purposes and objectives of these regulations. A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 5-5.3. of this Part.

D. Historic buildings.

A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building, Chapter 11 Historic Buildings*, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

E. Functionally dependent uses.

A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this Code, provided the variance meets the requirements of Section 5-5.7.C, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

F. Considerations for issuance of variances.

In reviewing requests for variances, the Construction Board of Adjustment and Appeals or similarly designated body shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this Code, and the following:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
4. The importance of the services provided by the proposed development to the community;
5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;

6. The compatibility of the proposed development with existing and anticipated development;
7. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

G. Conditions for issuance of variances.

Variances shall be issued only upon:

1. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this Code or the required elevation standards;
2. Determination by the Construction Board of Adjustment and Appeals or similarly designated body that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
3. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and

4. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

SECTION 5-5.8. VIOLATIONS

A. Violations.

Any development that is not within the scope of the *Florida Building Code* but that is regulated by this Code that is performed without an issued approval and/or permit, that is in conflict with an issued approval and/or permit, or that does not fully comply with this Part, shall be deemed a violation of this Part. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by these regulations or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided. Any person who violates this Part or fails to comply with any of its requirements shall, upon conviction thereof, be punished as provided in Section 1-7 of the City of Brooksville Code of Ordinances. In addition to all other fines, the person shall be required to pay all costs and expenses involved in the case. Nothing contained in this Part shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

B. Authority.

For development that is not within the scope of the *Florida Building Code* but that is regulated by this Part and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

C. Unlawful continuance.

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 5-5.9. EXEMPT BUILDINGS AND STRUCTURES

Pursuant to Section 5-5.4.B. of this Part, buildings, structures and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such

buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of Section 5-5.14. of this Part.

SECTION 5-5.10. SUBDIVISIONS

A. Minimum requirements.

Subdivision proposals, including proposals for manufactured/mobile home parks and subdivisions, shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

B. Subdivision plats.

Where any portion of proposed subdivisions, including manufactured/mobile home parks and subdivisions, lies within a flood hazard area, the following shall be required:

1. Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats and final plats;
2. Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 5-5.5.B.1. or Section 5-5.5.B.2. of this Part; and
3. Compliance with the site improvement and utilities requirements of Section 5-5.11. of this Part.

SECTION 5-5.11. SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

A. Minimum requirements.

All proposed new development shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

B. Sanitary sewage facilities.

All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

C. Water supply facilities.

All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

D. Limitations on sites in regulatory floodways.

No development, including but not limited to site improvements and land disturbing activity involving fill or regrading shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 5-5.5.C.1. of this Part demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

E. Limitations on placement of fill.

Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged

inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures, fill shall comply with the requirements of the *Florida Building Code*.

SECTION 5-5.12. MANUFACTURED/MOBILE HOMES

A. General.

All manufactured/mobile homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this Part.

B. Foundations.

All new manufactured/mobile homes and replacement manufactured/mobile homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of the *Florida Building Code, Residential* Section R322.2 and this Part.

C. Anchoring.

All new manufactured/mobile homes and replacement manufactured/mobile homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

D. Elevation.

Manufactured/mobile homes that are placed, replaced, or substantially improved shall comply with Section 5-5.12.D.1. or 5-5.12.D.2 of this Part, as applicable.

1. Unless subject to the requirements of Section 5-5.12.D.2 of this Part, all manufactured/mobile homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured/mobile home park or subdivision; (b) in a new manufactured/mobile home park or subdivision; (c) in an expansion to an existing manufactured/mobile home park or subdivision; or (d) in an existing manufactured/mobile home park or subdivision upon which a manufactured/mobile home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A).
2. Manufactured/mobile homes that are not subject to Section 5-5.12.D.1. of this Part, including manufactured/mobile homes that are placed, replaced, or substantially improved on sites located in an existing manufactured/mobile home

park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

- a. Bottom of the frame of the manufactured/mobile home is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A); or
- b. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

E. Enclosures.

Fully enclosed areas below elevated manufactured/mobile homes shall comply with the requirements of the *Florida Building Code, Residential* Section R322 for such enclosed areas, as applicable to the flood hazard area.

F. Utility equipment.

Utility equipment that serves manufactured/mobile homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the *Florida Building Code, Residential* Section R322, as applicable to the flood hazard area.

SECTION 5-5.13. RECREATIONAL VEHICLES AND PARK TRAILERS

A. Temporary placement.

Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

- 1. Be on the site for fewer than 180 consecutive days; or
- 2. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

B. Permanent placement.

Recreational vehicles and park trailers that do not meet the limitations in Section 5-5.13.A. of this Part for temporary placement shall meet the requirements of Section 5-5.12. of this Part for manufactured/mobile homes.

SECTION 5-5.14. TANKS

A. Underground tanks.

Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

B. Above-ground tanks, not elevated.

Above-ground tanks that do not meet the elevation requirements of Section 5-5.14.C. of this Part shall be permitted provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

C. Above-ground tanks, elevated.

Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

D. Tank inlets and vents.

Tank inlets, fill openings, outlets and vents shall be:

1. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
2. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

SECTION 5-5.15. OTHER DEVELOPMENT

A. General requirements for other development.

All development, including human-initiated changes to improved or unimproved real estate for which specific provisions are not specified in this Code or the *Florida Building Code*, shall:

1. Be located and constructed to minimize flood damage;
2. Meet the limitations of Section 5-5.11.D. of this Part if located in a regulated floodway;
3. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
4. Be constructed of flood damage-resistant materials; and
5. Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of the building code for wet locations.

B. Fences in regulated floodways.

Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 5-5.11.D. of this Part.

C. Retaining walls, sidewalks and driveways in regulated floodways.

Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 5-5.11.D. of this Part.

D. Roads and watercourse crossings in regulated floodways.

Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 5-5.11.D. of this Part. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 5-5-5.C.3. of this Part.

ARTICLE X
BUILDINGS AND BUILDING REGULATIONS
PART 10-1
CONTENTS

**SECTION 10-1.1. IN GENERAL
(RESERVED)**

SECTION 10-1.2. FLORIDA BUILDING CODE

A. Adoption.

There is adopted by the City that certain statewide unified code known as the Florida Building Code, as developed and maintained by the state building commission, together with all appendices of the Florida Building Code, Building; all appendices of the NFPA 70, National Electrical Code, 1999 Edition; all appendices of the Florida Building Code, Plumbing; all appendices of the Florida Building Code, Mechanical; and all appendices of the Florida Building Code, Fuel Gas, thereof. The Florida Building Code is adopted and incorporated in this Section Article as fully as if set forth in *haec verba* and, from the date upon which this Article shall take effect, the provisions thereof except as otherwise noted herein shall be controlling in the construction, alteration, removal, demolition, moving, improving, repairing of equipment, use and occupancy, location and maintenance of all buildings and structures within the incorporated areas of the City.

B. Scope.

The provisions of this Article shall govern the administration and enforcement of the Florida Building Code.

C. Title.

The provisions of this Article shall constitute and be known and cited as the Florida City of Brooksville Building Code.

SECTION 10-1.4. BUILDING ~~DEPARTMENT~~ DIVISION

C. Powers and duties of the Building Official.

The Florida Building Code, Building, Section 104.10 is hereby amended as follows:

8. Modifications of the strict application of the requirements of the *Florida Building Code*.

The Building Official shall coordinate with the Floodplain Administrator to review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 10-1.5. and the floodplain management regulations of this Code.

D. Permits.

3. Examination of documents.

b. Affidavits.

The *Florida Building Code, Building, Section 107.6.* is hereby amended as follows:

The Building Official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes referred to in Section 10-1.2.E. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The Building Official may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the Building Official copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes and other pertinent laws or ordinances. The Building Official shall ensure that any person conducting plans review is qualified as a plans examiner under F.S. Chapter 468, part XII (F.S. § 468.601 et seq.), and that any person conducting inspections is qualified as a building inspector under F.S. § 468.601 et seq.

Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis

of affidavits and plans submitted shall not extend to the flood load and flood resistance construction requirements of the Florida Building Code.

SECTION 10-1.5. CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS.

A. Appointment.

There may be established a board to be called the construction board of adjustment and appeals, which ~~should~~ shall consist of nine members but not less than seven. The board shall be appointed by the City Council. Alternatively and in accordance with Section 553.80(2)(a) F.S., the City Council may enter into an interlocal agreement with another jurisdiction and form an enforcement district for the purpose of enforcing and administering the provisions of the Florida Building Code. In lieu of establishing an enforcement board or district, the City Council may serve in such capacity.

D. Appeals.

2. Variances.

The Florida Building Code, Building, Section 117. is hereby amended as follows:

- c. Pursuant to Section 553.73(5), F.S., the variance procedures contained in Article V, Part 5-5 shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612.4 of the Florida Building Code, Building or, as applicable, the provisions of R322 of the Florida Building Code, Residential. This section shall not apply to Section 3109 of the Florida Building Code, Building.

SECTION 10-1.6. LITTER CONTROL AND DISPOSAL ELEVATION REQUIREMENTS

~~It shall be the responsibility of the building contractor to ensure that each job site, and immediate vicinity, is equipped with a trash container to prevent building materials or trash and debris from blowing around surrounding areas. The purpose of this Section is to properly contain the trash on the job site. Failure to contain trash is not a violation unless it extends beyond the job site. The following actions shall be taken by the Building Official:~~

~~First offense ——— Red tag on job site.~~

~~Second offense ——— Letter of reprimand plus red tag.~~

~~Third offense ——— Action by construction licensing board.~~

~~It shall be a violation of this Article for any person to bury any type of building material or natural vegetation, excluding grass and sod.~~

The Florida Building Code, Residential Section 322.2.1. is hereby amended by the following technical amendments:

All buildings and structures located in flood hazard areas and subject to the requirements of the Florida Building Code, Residential shall be developed in accordance with the following:

1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.
2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 1 foot, or at least 3 feet 2 feet (610 mm) if a depth number is not specified.
3. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.

Exception: Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2. of the Florida Building Code, Residential.

SECTION 10-1.7. WIND LOAD EXEMPTIONS LITTER CONTROL AND DISPOSAL.

~~Notwithstanding provisions in the Florida Building Code, the wind load provisions shall not apply to residential additions and alterations under the following circumstances:~~

- ~~1. Residential additions, alterations and remodeling performed by the property owner upon his own property, provided any addition or alteration shall not exceed 580 square feet.~~
- ~~2. Contractors are limited to a contract value of \$5,000.00 or less within any 12-month period. The contractor must submit a notarized, written contract signed by the owner. The contract price must include labor, material and profit.~~
- ~~3. The residential addition or alteration cannot be larger than the primary structure.~~

4. ~~All exempt additions and alterations must comply with the Standard Building Code, 1997 Edition.~~
5. ~~A one-time addition of 580 square feet will be allowed to be built on the property. (The addition cannot be built in phases.)~~
6. ~~This exemption pertains to pre-January 1994, single-family residences in which the main structure was not engineered by an architect or engineer. If the main structure was built after January 1994, and engineered, this exemption will not apply.~~
7. ~~Auxiliary buildings (garages, utility sheds, pole structures) will be exempt no matter what date is involved, provided they do not exceed 580 square feet.~~

It shall be the responsibility of the building contractor to ensure that each job site, and immediate vicinity, is equipped with a trash container to prevent building materials or trash and debris from blowing around surrounding areas. The purpose of this Section is to properly contain the trash on the job site. Failure to contain trash is not a violation unless it extends beyond the job site. The following actions shall be taken by the Building Official:

First offense Red tag on job site.

Second offense Letter of reprimand plus red tag.

Third offense Action by construction licensing board.

It shall be a violation of this Article for any person to bury any type of building material or natural vegetation, excluding grass and sod.

SECTION 10-1.8. VIOLATIONS AND PENALTIES WIND LOAD EXEMPTIONS.

~~Any person who shall violate a provision of this Article, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or demolished a building, structure, electrical, gas, mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted thereunder, shall be guilty of an offense.~~

Notwithstanding provisions in the *Florida Building Code*, the wind load provisions shall not apply to residential additions and alterations under the following circumstances:

1. Residential additions, alterations and remodeling performed by the property owner upon his own property, provided any addition or alteration shall not exceed 580 square feet.

2. Contractors are limited to a contract value of \$5,000.00 or less within any 12-month period. The contractor must submit a notarized, written contract signed by the owner. The contract price must include labor, material and profit.
3. The residential addition or alteration cannot be larger than the primary structure.
4. All exempt additions and alterations must comply with the Standard Building Code, 1997 Edition.
5. A one-time addition of 580 square feet will be allowed to be built on the property. (The addition cannot be built in phases.)
6. This exemption pertains to pre-January 1994, single-family residences in which the main structure was not engineered by an architect or engineer. If the main structure was built after January 1994, and engineered, this exemption will not apply.
7. Auxiliary buildings (garages, utility sheds, pole structures) will be exempt no matter what date is involved, provided they do not exceed 580 square feet.

SECTION 10-1.9. VIOLATIONS AND PENALTIES.

Any person who shall violate a provision of this Article, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or demolished a building, structure, electrical, gas, mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted thereunder, shall be guilty of an offense.

ARTICLE XI

DEFINITIONS

PART 11-1

SECTION 11-1.1. GENERALLY

This Article contains most of the definitions for use with this Code. Other definitions, however, may be located elsewhere in this Code and should be used as indicated. Where terms are not defined in this Code and are defined in the *Florida Building Code*, such terms shall have the meanings ascribed to them in that code.

SECTION 11-1.2. DEFINITIONS

Alteration of a Watercourse: A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal: Request for a review of either the Chief Administrator's or Floodplain Administrator's interpretation of any provision of this Code or a request for a variance or to make a request to a higher Court for rehearing or review of a decision made in a law case or legal matter, for a more favorable decision.

ASCE 24: A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood: A flood having a 1-percent chance of being equaled or exceeded in any given year. The base flood is also referred to as the "100-year flood" or the "1-percent-annual chance flood."

Base Flood Elevation: The water surface elevation of associated with the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM).

Building Official: The officer or other designated authority charged with the administration and enforcement of the *Florida Building Code*, or a duly authorized representative.

Design Flood: The flood associated with the greater of the following two areas:

1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
2. Area designated as a flood hazard area on the City of Brooksville's flood hazard map, or otherwise legally designated.

Design Flood Elevation: The elevation of the “design flood,” including wave height, relative to the datum specified on the community’s legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building’s perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet.

Development: Any human-initiated change to improved or unimproved real estate, including but not limited to, buildings, or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations, tanks, temporary structures, temporary or permanent storage of equipment or materials, or any other land disturbing activities.

Encroachment: For floodplain management purposes, the advancement or infringement placement of uses, plant growth, fill, excavation, buildings, permanent structures or other development into a floodplain, flood hazard area which may impede or alter the flow capacity of a floodplain riverine flood hazard areas.

Existing Building: For floodplain management purposes, any building and structure for which the start of construction commenced before May 17, 1982.

Existing Manufactured/Mobile Home Park or Subdivision. A manufactured/mobile home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured/mobile homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before May 17, 1982.

Existing Structure: See Existing Building.

Expansion to an Existing Manufactured/Mobile Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured/mobile homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA): The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or Flooding: Flood or flooding shall be defined as follows

- 1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a1. The overflow of inland or tidal waters.
 - b2. The unusual and rapid accumulation or runoff of surface waters from any source.

- e. ~~Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph 1.a. of this definition and are akin to a river of liquid and flowing mud on the surface of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.~~

Flood Damage-resistant Materials: Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Flood Hazard Area: The greater of the following two areas:

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM): ~~An~~ The official map of the community issued by on which the Federal Emergency Management Agency (FEMA) which has delineated both the areas of special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study (FIS): ~~The official hydraulic & hydrologic report provided by the Federal Emergency Management Agency (FEMA). The study that contains an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), water surface elevations, or an examination, evaluation, and determination of mudslide (i.e., mudflow) and other flood-related erosion hazards of the base flood and supporting technical data. The study may also contain flood profiles, as well as the FIRM, FHBM (where applicable), and other related data and information.~~

Floodplain Administrator: ~~The individual appointed office or position designated and charged with the to administer administration and enforce enforcement of the floodplain management regulations contained in this Code.~~

Floodplain Development Approval: An official document or certificate issued by the City of Brooksville, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this Code.

Floodway: The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height one (1) foot.

Floodway Encroachment Analysis: An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida-licensed engineer using standard engineering methods and models.

Floor Area: The sum of enclosed areas on all floors of a building or buildings measured from the outside faces of the exterior walls, including halls, lobbies, arcades, stairways, elevator shafts, and balconies, lofts and any below-grade floor area used for access and storage. Not countable as floor area are covered parking structures, open terraces, patios, atriums, balconies, covered patios, entry ways, and breezeways.

Florida Building Code: The family of codes adopted by the Florida Building Commission, including: *Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas; and the National Electrical Code.*

Functionally Dependent Use: For floodplain management purposes, Aa use that which cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as a including only docking facilities or port facility facilities that are necessary for the loading and unloading of cargo or passengers, and ship-building and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade. The highest natural elevation of the ground surface prior to the start of construction next to the proposed walls or foundation of a structure.

Historic Structure: For floodplain management purposes, an historic structure is any structure that is determined eligible for the exception to the flood hazard area requirements of the *Florida Building Code, Existing Building, Chapter 11 Historic Buildings.*

Letter of Map Change (LOMC): An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

1. Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
2. Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

3. Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
4. Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement) of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, used solely for vehicle parking of vehicles, building access, or limited storage in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the non-elevation design standards of Article V Florida Building Code or ASCE 24.

Manufactured/Mobile Home: A structure, excluding Park Model/Park Trailer and Recreational Vehicle as defined by this Code, transportable in one (1) or more sections, which is eight body feet (8') or more in width, greater than four hundred (400) square feet and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein designed for and limited to single family and duplex usage meeting the Federal Mobile Home Construction and Safety Standards, promulgated by the Department of Housing and Urban Development. Such a structure is complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on piers or a foundation, connections to utilities and the like. Alteration of a manufactured home in any way that changes its intended original usage shall negate its approval for any use. Manufactured/mobile homes shall not be allowed to be connected/married unless specifically designed and approved for that purpose as a part of the manufacturing process. For floodplain management purposes the term "manufactured/mobile home" includes all of the vehicles listed within the this definition for Manufactured Home/Mobile Home) and all other similar vehicles placed on a site for greater than 180 consecutive days.

Manufactured/Mobile Home Park or Subdivision: For floodplain management purposes, a parcel (or contiguous parcels) of land divided into two or more manufactured/mobile home lots for rent or sale.

Market Value: The building value, which is the property value excluding the land value and that of the detached accessory structures and other improvements on site (as agreed to between a willing buyer and seller) as established by what the local real estate market will bear. Market value can be established by an independent certified appraisal (other than a limited or curbside appraisal, or one based on income approach), Actual Cash Value (replacement cost depreciated

for age and quality of construction of building), or adjusted tax assessed values. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this Code, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

New Construction: For floodplain management and building code purposes, any structures for which the start of construction commenced on or after ~~February 21, 1975~~ May 17, 1982. The term also includes any subsequent improvements to such structures.

New Manufactured/Mobile Home Park or Subdivision: For floodplain management purposes, a manufactured/mobile home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured/mobile homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after May 17, 1982.

Park Model/Park Trailer: A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior walls at the level of maximum dimensions and including any bay window that extends to the floor line, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to United States Department of Housing and Urban Development Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.

Special Flood Hazard Area (SFHA): ~~See Area of Special Flood Hazard~~ An area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year.

Start of Construction: ~~For other than new construction or substantial improvements under the Coastal Barrier Resources Act P. L. 97-348, includes substantial improvement, and means~~ the date the a building permit was issued for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was is within 180 days of the permit date of issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured/mobile home) on a site, such as the pouring of slabs or footings, installation of piles, or construction of columns, ~~or any work beyond the stage of excavation or placement of a manufactured home on a foundation.~~ Permanent construction does not include land preparation, (such as clearing, grading and filling); ~~nor does it include~~ the installation of streets and/or walkways; ~~nor does it include~~ excavation for a basement, footings, piers or foundations, ~~or~~ the erection of temporary forms; ~~nor does it include~~ or the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual start of construction

means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Substantial Damage: Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to the condition existing before being damaged its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

Substantial Improvement: Any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the the building or structure before the start of construction of the improvement or repair is started. This term includes structures that have incurred substantial damage regardless of the actual repair work performed. If the structure has incurred substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. This term does not, however, include any either: repair or improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official prior to the application for permit for improvement, and which are the minimum necessary to assure safe living conditions. This term also does not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Variance: A grant of relief to a person from the ~~literal~~ requirements of this eCode which permits construction in a manner otherwise prohibited by the Land Development Regulations where specific enforcement would result in ~~unnecessary~~ hardship as outlined in the eCode. Variiances cannot be requested for land use, floor area ratio (FAR) or required review processes and procedures. For floodplain management and Florida Building Code purposes, the term shall mean a grant of relief from the requirements of Part 5-5 of this Code or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this Code or the Florida Building Code.

Variance: Authorization for the construction or maintenance of a building or structure, or for the establishment, maintenance or operation of a use of land, which is prohibited by the Code without such authorization, except as otherwise provided. Variiances cannot be requested for land use, floor area ratio (FAR) or required review process.

Watercourse: A lake, river, creek, stream, wash, channel or other topographic feature in, on, through, or over which water flows at least periodically. ~~Watercourse includes specifically designated areas in which substantial flood damage may occur.~~



AGENDA ITEM MEMORANDUM

TO: THE HONORABLE MAYOR AND CITY COUNCILMEN

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: RICHARD W. RADACKY, PUBLIC WORKS DIRECTOR

SUBJECT: PECK SINK WATER COURSE IMPROVEMENTS-HORSE LAKE CREEK

DATE: July 16, 2012

GENERAL SUMMARY/BACKGROUND: One of the upper reaches of the Peck Sink Ground Water Basin (Horse Lake Creek) flows from near Yontz Road and U.S. Highway 98 south through Brooksville, crossing U.S. Highway 98, crossing Jefferson Street (near Rainbow Rollerland), traveling through Candlelight Subdivision, crossing Candlelight Boulevard, crossing State Road 50, crossing Wiscon Road twice, and eventually discharging into Peck Sink, north of Wiscon Road. Attachment 1 shows the water courses draining to Peck Sink. The labeled water course (Horse Lake Creek) is the subject of this agenda item. The water course is named Horse Lake Creek even though it does not normally drain to Horse Lake.

The majority of the water courses are small channelized streams which are heavily wooded, similar to Saxon and Parson Brooks. One water course, Horse Lake Creek, has become silted in and is causing flooding near its terminus in the City at the State Road 50 Bridge on the truck bypass, located approximately 0.5 miles west of the State Road 50 and U.S. Highway 41 intersection.

Attachments 2 through 11 depict portions of Horse Lake Creek from Jefferson Street to the State Road 50 Bridge. Attachments 12 through 19 depict Horse Lake Creek at the Candlelight Boulevard Bridge during heavy rainfall. Dredging the silted areas of the water course and removal of primrose willow will allow water to more rapidly and efficiently drain along its route to Peck Sink. Dredging will not be a "cure all" to the flooding problem, to Horse Lake Creek.

The portion of Horse Lake Creek immediately west of Candlelight Boulevard widens and flows under Candlelight Boulevard through two (2) 9-foot by 4-foot by 31-foot reinforced concrete culverts. The water course exits the City at the State Road 50 Bridge. Minor deficiencies on the Candlelight Boulevard Bridge were found on a recent bridge inspection by Kisinger Campo Associates under contract to the Florida Department of Transportation. Attachment 20 is a summary list of the deficiencies found. The City will be responsible for the repairs. Staff is gathering information to address correction of the deficiencies. This agenda item does not include costs for bridge corrections. The deficiencies are not a threat to safety.

Also, an overflow structure, east of the Candlelight Boulevard Bridge, is in need of repair. The weir is the water control structure between a small pond within Candlelight Subdivision and Horse Lake Creek. In 2011 Staff placed flowable fill in a washout below the weir to temporarily stabilize the structure and prevent further erosion. The weir corrections will be completed in-house by Public Works' staff. Attachment 21 is a photograph showing the weir.

Also, below Candlelight Boulevard and north of the State Road 50 Bridge has become severely overgrown with primrose willow and other vegetation, which also hinders drainage. Vegetation removal will take place as part of the project. Attachment 22 depicts the willow growth.

Civil-Tech Consulting Engineers, Inc., has provided professional engineering support to Public Works' staff to determine the steps to take in removing silt, debris and vegetation that has built up in the channel. The first task of Civil-Tech was to visually inspect the water course from Jefferson Avenue to the Candlelight Bridge. Their findings reveal some downed trees but the water course basically was unimpeded.

The second task was to determine how much silt had built up west and east of the Candlelight Bridge. This required a search for plans and documents of the Southwest Florida Water Management District (SWFWMD) to determine the width and elevations of initial construction, more than 50 years ago. Civil-Tech located the documents and, from discussions with SWFWMD staff, learned the channel restoration could be accomplished to the original width and depth without a permit. Attachment 23 is a copy of the permit exemption by the SWFWMD.

Staff is of the opinion that due to the large quantity of silt on the channel bottom, and considering transportation costs, that it would be in the City's best interest to place as much silt as possible on channel banks. The City is the owner of both banks from the Candlelight Boulevard Bridge. Transporting all the silt through Candlelight Subdivision would severely damage roads and be objectionable by silt and possibly debris falling from dump trucks.

Plans and specifications have been prepared to allow the silt to be placed on water course banks as much as possible. Work would take place during the dry season for unimpeded access to the channel bottom. Staff anticipates bidding to take place in September with construction in mid-October or November.

A unique structure within the channel is an 8-inch gravity sewage line perpendicular to the channel. The sewage line lies on the channel bottom and is not buried. Extreme care will be taken when excavating silt. Also, the line will be covered with concrete for future protection.

Mr. Charles Price, a resident of Candlelight Subdivision, has been in close contact with Public Works' staff through design and has participated in discussions with staff and Civil-Tech. Mr. Price believes the channel bottom should be concreted between the Candlelight Boulevard Bridge and the sewer line to allow ease of silt removal and to reduce the future maintenance required in silt excavation. Staff agrees with Mr. Price. However, to concrete the channel bottom as suggested would increase the construction cost by approximately \$31,000. This would increase the project cost from an estimated \$85,829 without the concrete bottom to \$116,829 with the concrete bottom.

The project will consist of excavation and placement of 4,500 cubic yards of silt on the water course banks. Civil-Tech estimates that 500 cubic yards (equivalent to 36 tandem dump truck loads) would need to be removed from the site. All attempts will be made to place dredged materials onsite. To reduce costs, level areas of the bank will be seeded and mulched; slopes will be sodded for erosion control.

Staff believes that channel dredging is overdue and the City should proceed with dredging at the first opportunity.

BUDGET IMPACT: It is recommended that funding be from Multi-capital Project Accumulated Fund, Number 308. It is recommended that the Peck Sink Water Course Improvement-Horse Lake Creek project be included in the 2012/2013 Fiscal Year Budget. Finance estimates the balance in the Multi-Capital Fund Number 308 at 9/30/12 will be \$425,797. Presently, we have \$30,078 remaining in a Purchase Order issued to Civil-Tech, Inc. that totaled \$91,184 for a Road/Sidewalk pavement management program. In our 11/12 Budget City Council approved \$75,000 for a sidewalk plan and \$300,000 for Street pavement program. Of the \$375,000 budgeted for road and sidewalk plans, the \$91,184 is expected to be spent this fiscal year. There are adequate monies available in Fund #308 for our Budget Year 12/13 for this project if approved by City Council.

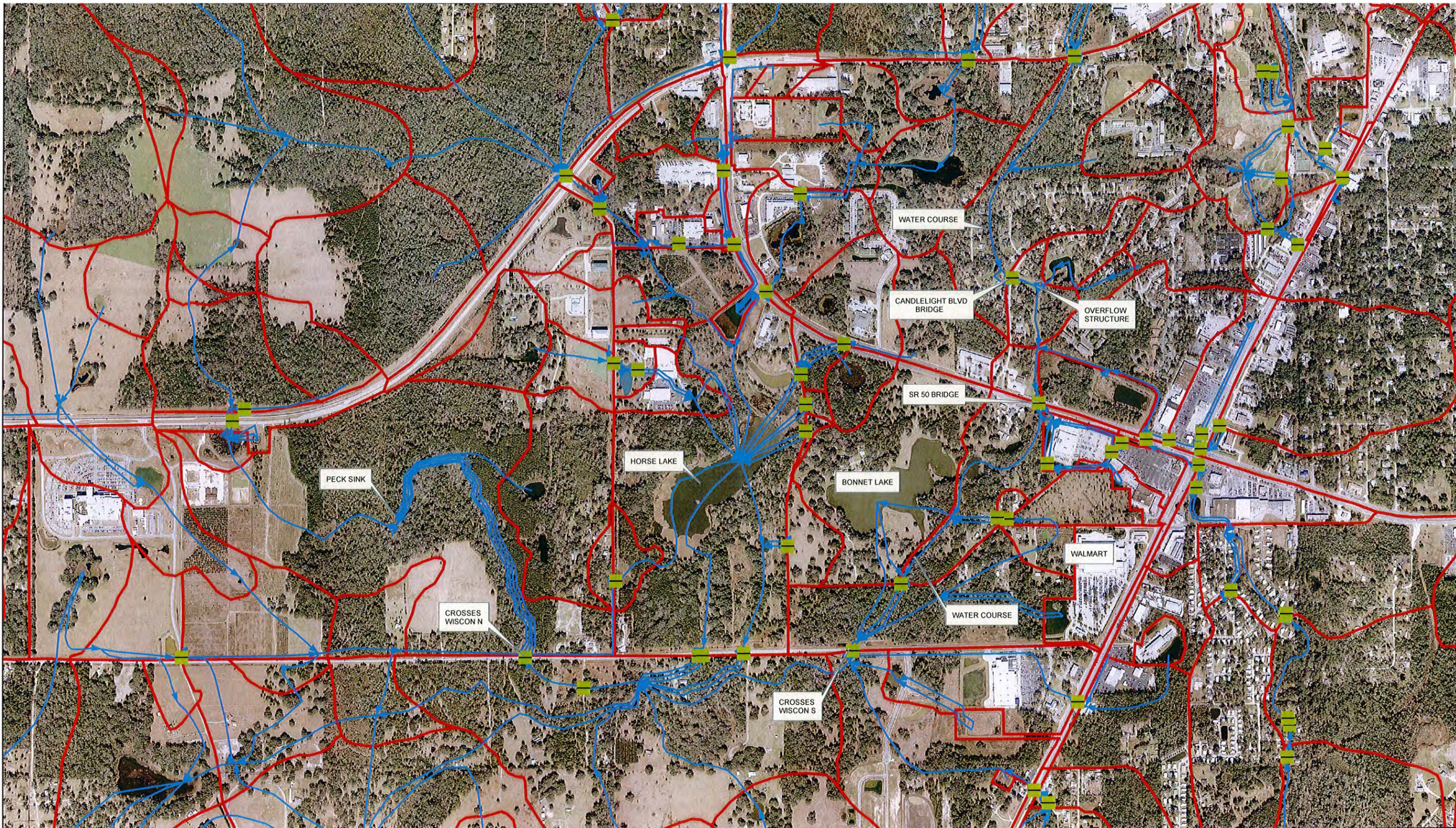
LEGAL REVIEW: The City Council has home-rule authority (Article VII (2) Florida Constitution and Chapter 166.011, Florida Statutes) to consider matters of fiscal and intergovernmental benefit. It is the City's responsibility to properly maintain its water courses for the protection of the health, safety, and welfare of its citizens.

STAFF RECOMMENDATION: Staff recommends Council approval of the Horse Lake Creek Dredge Project. Upon approval, Staff will proceed with bidding the base project with an option for the channel bottom concrete work. Further, staff will include funds within the Fiscal Year 2013 Budget.

- ATTACHMENTS:**
- 1 Map Depicting the Horse Lake Creek Water Course.
 - 2-11 Photographs of Water Course to the State Road 50 Bridge.
 - 12-19 Photographs of Horse Lake Creek at Flood Stage.
 - 20 Kisinger Campo Candlelight Boulevard Bridge Inspection
 - 21 Photograph of the Candlelight Water Control Structure.
 - 22 Photograph of the Primrose Willow Growth at State Road 50
 - 23 Permit Exemption from the SWFWMD.

Attachment 1

Map Depicting the Horse lake Creek Water Course



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



PECK SINK

Hernando County, Florida



- Legend**
- Flow
 - CULVERT
 - Subbasin Boundaries

Attachment 2 - 11

Photographs of Water Course to the
State Road 50 Bridge



UPPER REACH
LOOKING NORTH

EXHIBIT
#2



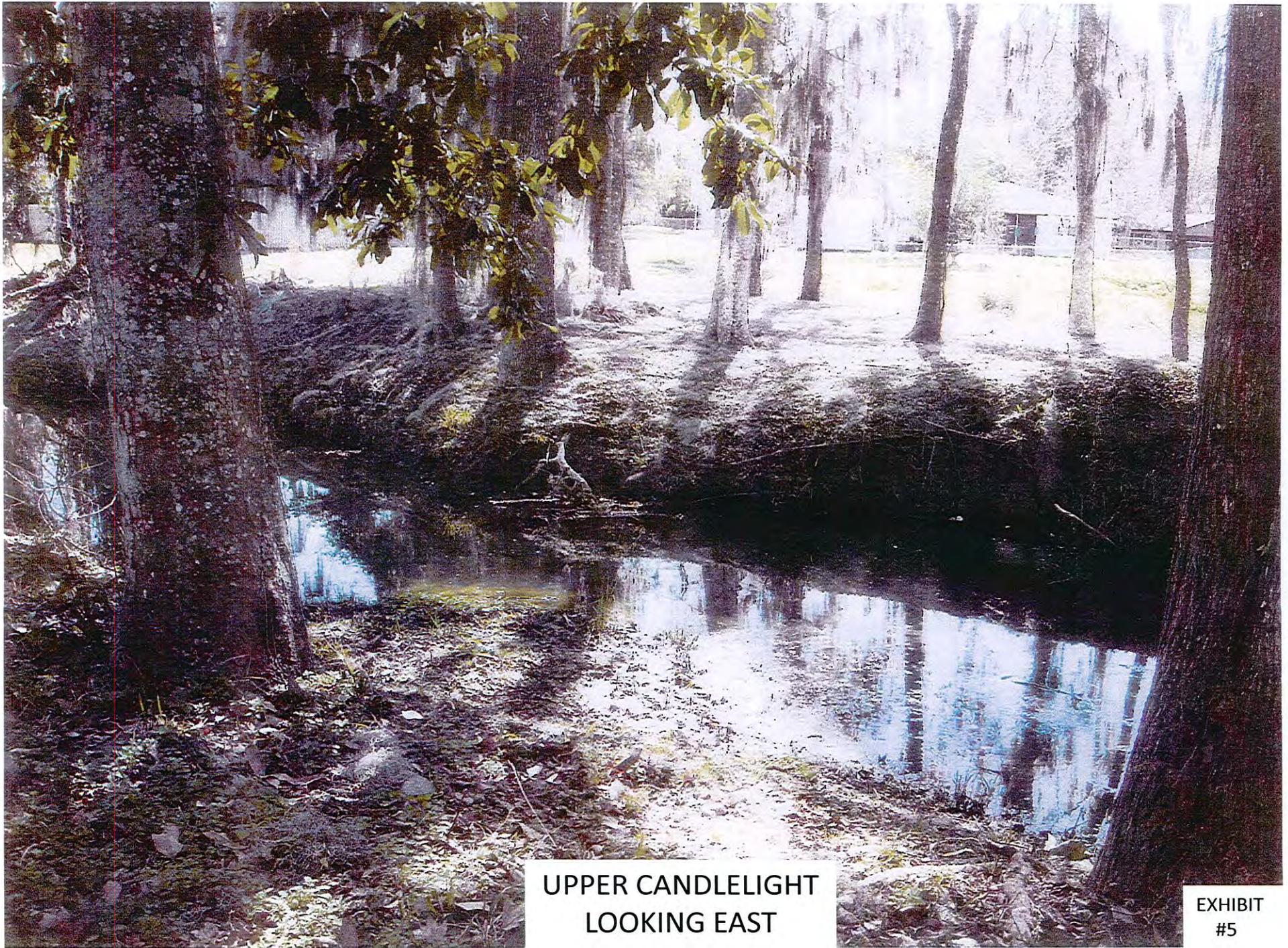
SOME SILTING
LOOKING NORTH

EXHIBIT
#3



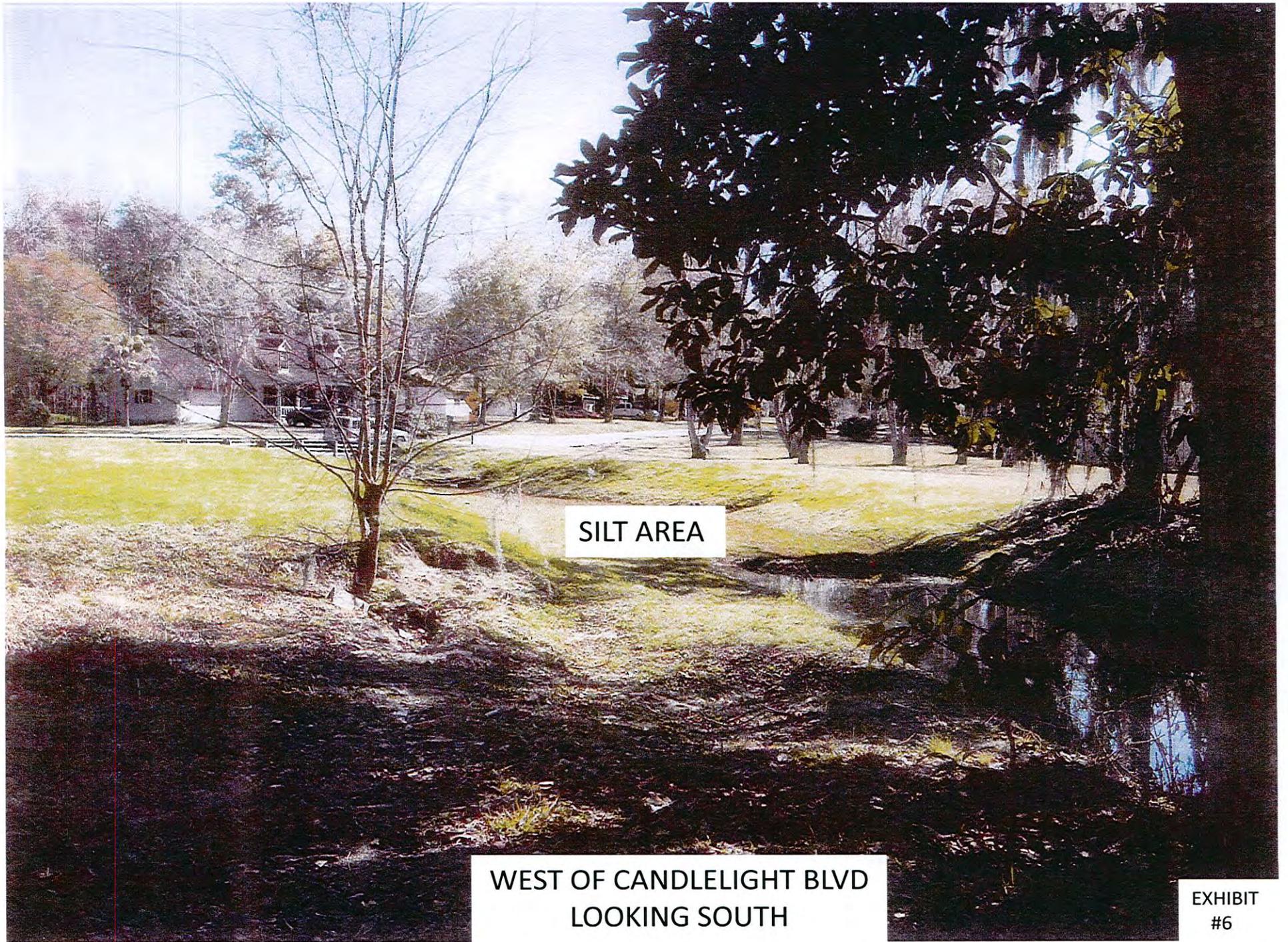
UPPER REACH
LOOKING NORTH

EXHIBIT
#4



UPPER CANDLELIGHT
LOOKING EAST

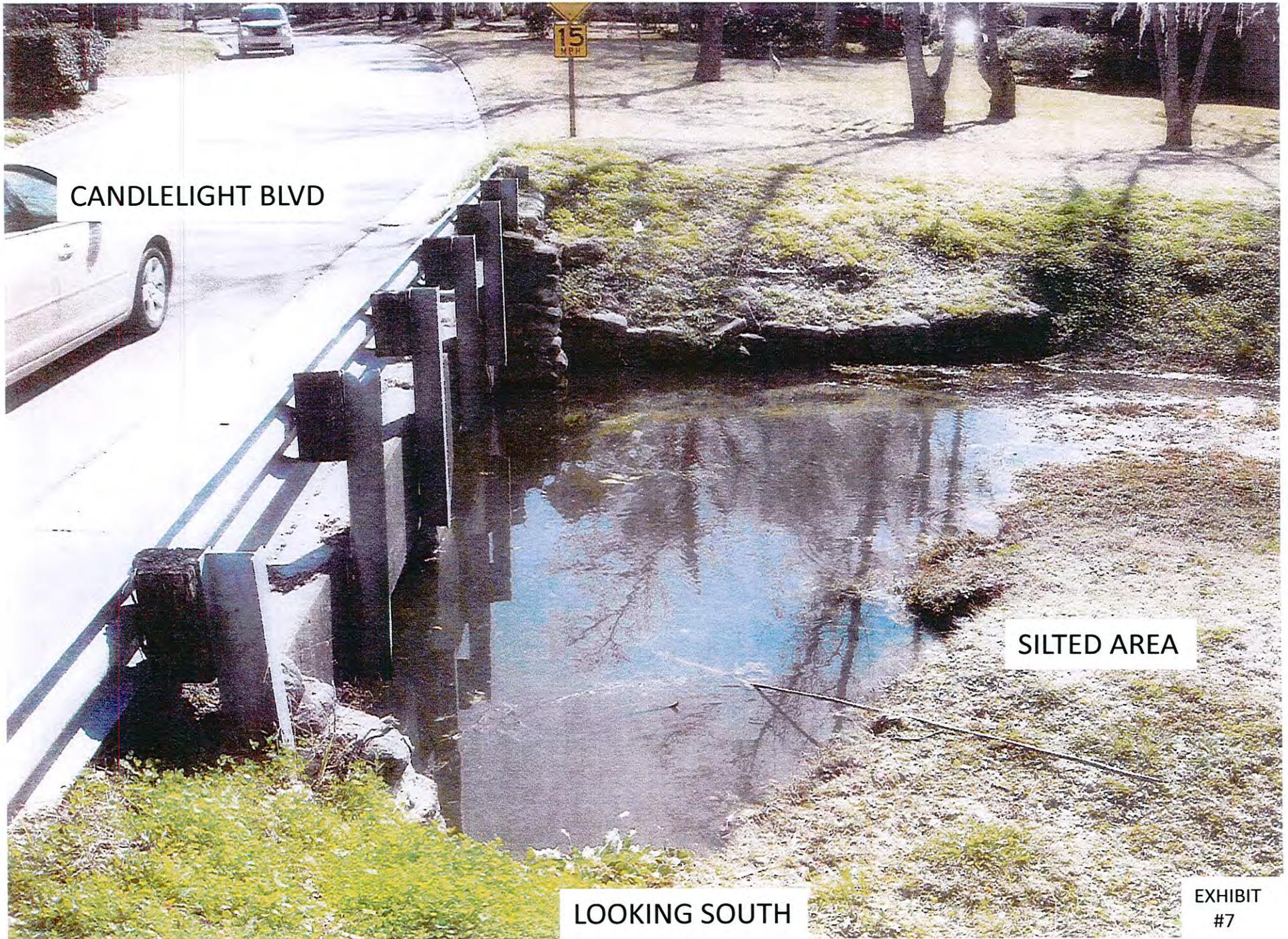
EXHIBIT
#5



SILT AREA

WEST OF CANDLELIGHT BLVD
LOOKING SOUTH

EXHIBIT
#6

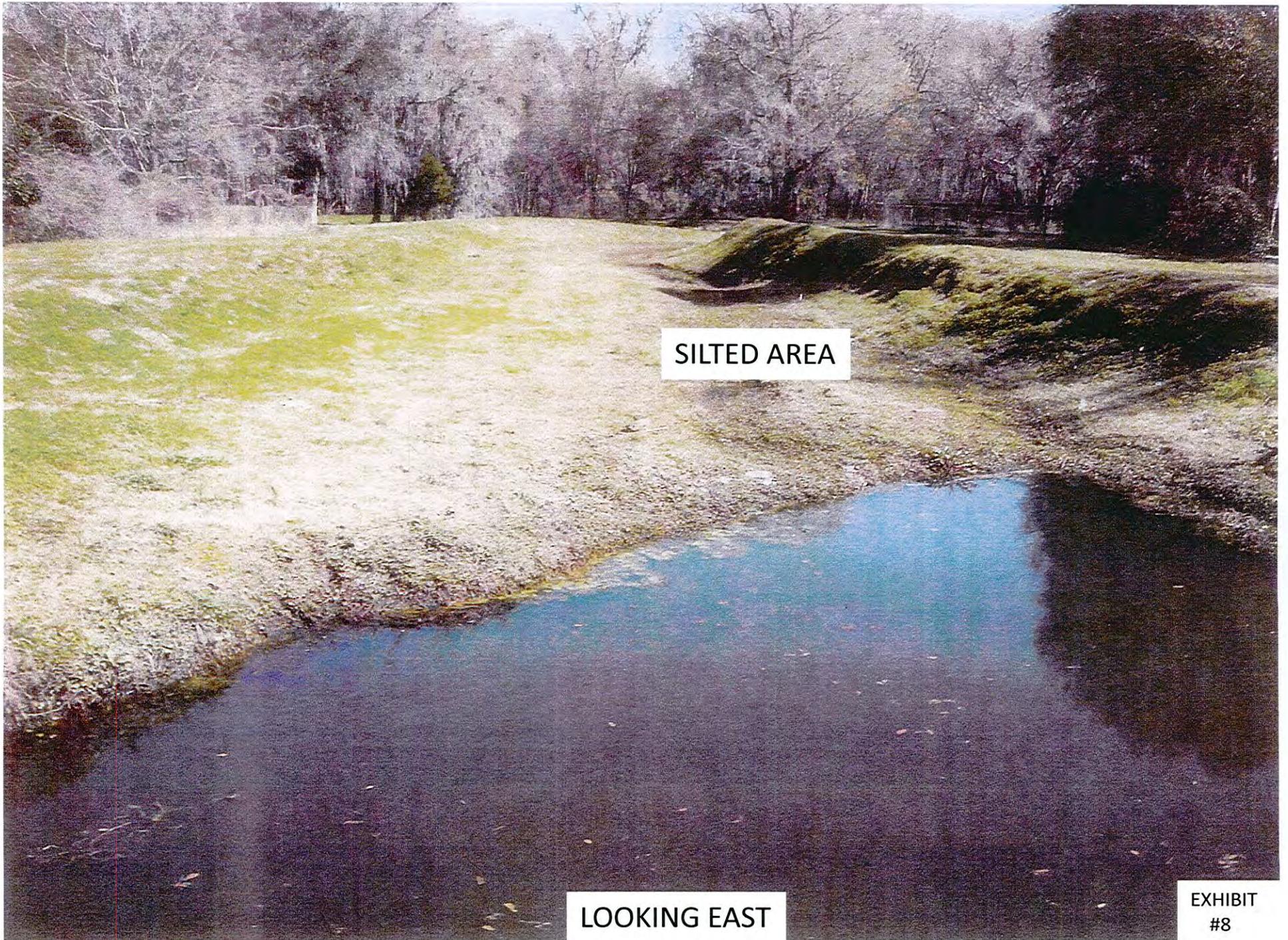


CANDLELIGHT BLVD

SILTED AREA

LOOKING SOUTH

EXHIBIT
#7



SILTED AREA

LOOKING EAST

EXHIBIT
#8



SILTED AREA
LOOKING SOUTH

EXHIBIT
#9



SILTED AREA
LOOKING SOUTH

EXHIBIT
#10



SR 50 BRIDGE

PRIMROSE
WILLOW

LOOKING SOUTH

EXHIBIT
#11

Attachment 12 - 19

Photographs of Horse lake Creek
at Flood Stage



CANDLELIGHT BLVD
AT FLOOD STAGE

EXHIBIT
#12



CANDLELIGHT BLVD
AT FLOOD STAGE

EXHIBIT
#13



CANDLELIGHT BLVD
AT FLOOD STAGE

EXHIBIT
#14



CANDLELIGHT BLVD
AT FLOOD STAGE

EXHIBIT
#15



CANDLELIGHT BLVD
AT FLOOD STAGE

EXHIBIT
#16



CANDLELIGHT BLVD
AT FLOOD STAGE

EXHIBIT
#17



CANDLELIGHT BLVD
AT FLOOD STAGE

EXHIBIT
#18



CANDLELIGHT BLVD
AT FLOOD STAGE

EXHIBIT
#19

Attachment 20

Kisinger Campo Candlelight Blvd. Bridge Inspection



BRIDGE INSPECTION REPORT

PREPARED FOR: FLORIDA DEPARTMENT OF TRANSPORTATION
 BRIDGE OWNER: CITY OF BROOKSVILLE



INSPECTED BY:



BRIDGE NO. **085001**

CONTENTS OF REPORT

INSPECTION DATE: 03/19/2012

Pontis Report

U/W Inspection Report

CIDR

* Fracture Critical Data

Scour Elevation (Profile)

* Load Rating Analysis Summary

* Addendum (Element Notes & Photos/Sketches)

*This section is not included in this report.



Candlelight Boulevard over Horse Lake Creek

0.25Mi. North of SR-50



**FLORIDA DEPARTMENT OF TRANSPORTATION
BRIDGE MANAGEMENT SYSTEM
Inspection/CID Report with PDF attachment(s)**

BRIDGE ID: 085001
DISTRICT: 07 Tampa

PAGE: 3 OF 22
INSPECTION DATE: 3/19/2012 EEVJ

All Elements

UNIT: 0 DECKS

ELEMENT/ENV: 334/3 Metal Rail Coated 59 lf. ELEM CATEGORY: Railing

CONDITION STATE (5)	DESCRIPTION	QUANTITY
1	There is no evidence of active corrosion. Protective coating is sound and functioning as intended to protect the element.	59 lf.

ELEMENT INSPECTION NOTES:

Note: There is a 4in. PVC utility attached to the steel guardrail posts that are attached to the east headwall.

CS1 = The guardrail panel bridge rails have minor dents in various locations.

This report contains information relating to the physical security of a structure and depictions of the structure. This information is confidential and exempt from public inspection pursuant to sections 119.071(3)(a) and 119.071(3)(b), Florida Statutes. Only the cover page of this report may be inspected and copied.

FLORIDA DEPARTMENT OF TRANSPORTATION
BRIDGE MANAGEMENT SYSTEM

Inspection/CID Report with PDF attachment(s)

BRIDGE ID: 085001
DISTRICT: 07 Tampa

PAGE: 4 OF 22
INSPECTION DATE: 3/19/2012 EEVJ

All Elements

UNIT: 0 SUBSTRUCTURE

ELEMENT/ENV: 241/3 Concrete Culvert 66 lf. ELEM CATEGORY: Substructure

CONDITION STATE (4)	DESCRIPTION	QUANTITY
1	Superficial cracks and spalls may be present, but there is no exposed reinforcing or evidence of rebar corrosion. There is little or no deterioration or separation of joints.	51 lf.
2	Deterioration, minor chloride contamination, minor abrasion, minor cracking and/or leaching may have begun. There may be deterioration and separation of joints.	2 lf.

This report contains information relating to the physical security of a structure and depictions of the structure. This information is confidential and exempt from public inspection pursuant to sections 119.071(3)(a) and 119.071(3)(b), Florida Statutes. Only the cover page of this report may be inspected and copied.

**FLORIDA DEPARTMENT OF TRANSPORTATION
BRIDGE MANAGEMENT SYSTEM**

Inspection/CID Report with PDF attachment(s)

BRIDGE ID: 085001
DISTRICT: 07 Tampa

PAGE: 5 OF 22
INSPECTION DATE: 3/19/2012 EEVJ

All Elements

UNIT: 0 SUBSTRUCTURE

ELEMENT/ENV: 241/3 Concrete Culvert 66 lf. ELEM CATEGORY: Substructure

CONDITION STATE (4)	DESCRIPTION	QUANTITY
3	There may be moderate to major deterioration, abrasion, extensive cracking and/or leaching and large areas of spalls. Minor to moderate distortion, settlement, or misalignment may have occurred. There may be considerable deterioration and separation of joints.	13lf.

ELEMENT INSPECTION NOTES:

Note: Underwater team inspected the culvert interior due to limited freeboard.

CS1 = The asphalt surfacing over the culvert has transverse cracks up to 20in. long x 1/16in. wide adjacent to the shoulders and over the end walls. The concrete gutters have diagonal cracks up to 40in. long x 1/4in. wide with settlement up to 1in. at the southeast corner of the structure. Refer to photo 1.

The following was noted by the underwater inspectors:
The precast culvert segments have scale up to 1/16in. deep.

The precast segment tie rods have moderate surface corrosion with some up to 10% section loss.

CS2 = There is some missing sealant with no evidence of backfill leakage at the second and third segments in Barrel 1 and the fourth and fifth segments in Barrel 2.

CS3 = Barrel 1 - Segment 2, Wall 2 has four exposed vertical rebar with up to 25% section loss.

Barrel 2 - Segment 4, Wall 2 has seven vertical rebar exposed at the floor with up to 25% section loss.

Barrel 2 - Segment 4, Wall 3 has twelve pieces of vertical rebar and one piece of horizontal rebar exposed due to lack of cover near the top.

Barrel 2 - Segment 4, Wall 3 has a 7in. horizontal piece of exposed rebar and two vertical pieces of exposed rebar with 30% section loss in the east end of the segment at the floor.

All pieces of exposed vertical rebar are up to 8in. long. Refer to photo 2. REPAIR ALL

This report contains information relating to the physical security of a structure and depictions of the structure. This information is confidential and exempt from public inspection pursuant to sections 119.071(3)(a) and 119.071(3)(b), Florida Statutes. Only the cover page of this report may be inspected and copied.

FLORIDA DEPARTMENT OF TRANSPORTATION BRIDGE MANAGEMENT SYSTEM

Inspection/CID Report with PDF attachment(s)

BRIDGE ID: 085001
DISTRICT: 07 Tampa

PAGE: 6 OF 22
INSPECTION DATE: 3/19/2012 EEVJ

All Elements

UNIT: 0 CHANNEL

ELEMENT/ENV: 290/3 Channel	1 ea.	ELEM CATEGORY: Channel
CONDITION STATE (4)	DESCRIPTION	QUANTITY
3	Bank protection may be being eroded, bank protection may be undermined, river control devices may have severe damage or trees, brush or debris may be restricting the channel.	1 ea.

ELEMENT INSPECTION NOTES:

The following was noted by the underwater inspectors:

CS3 = At the east end of Barrel 1, the toe wall is exposed 23ft. x 11in. - INCREASE.

At the west ends of Barrels 1 and 2, the toe wall is exposed 23ft. x 9in. (previously noted 23ft. x 1ft.) high.

There is earth blocking areas of the channel along both sides, with the heaviest at the west end. Refer to photo 3. REPAIR

There is a scour ditch at the east end of Barrel 1, south wall, extending from the toe wall eastward, approximately 15ft. x 4ft. x 18in.

Adjacent to Wall 2 at the west toe wall, there is a 6ft. x 4ft. x 18in. scour ditch at a southwest angle from the toe. Refer to photo 4. REPAIR

There are scattered sand-cement bags along the toe of Barrel 1 at the west end.

There is scattered heavy drift throughout the channel.

The maximum buildup of sediment is 2in. (Barrel 2).

This report contains information relating to the physical security of a structure and depictions of the structure. This information is confidential and exempt from public inspection pursuant to sections 119.071(3)(a) and 119.071(3)(b), Florida Statutes. Only the cover page of this report may be inspected and copied.

FLORIDA DEPARTMENT OF TRANSPORTATION
BRIDGE MANAGEMENT SYSTEM

Inspection/CID Report with PDF attachment(s)

BRIDGE ID: 085001
DISTRICT: 07 Tampa

PAGE: 7 OF 22
INSPECTION DATE: 3/19/2012 EEVJ

All Elements

UNIT: 0 SMART FLAG

ELEMENT/ENV: 361/3 Scour Smart Flag 1 ea. ELEM CATEGORY: Smart Flags

CONDITION STATE (3)	DESCRIPTION	QUANTITY
1	Scour exists at the structure site but is of little concern to the structural integrity of the bridge.	1 ea.

ELEMENT INSPECTION NOTES:

CS1 = The smart flag is being used due to the scour at both ends of the culvert. Refer to Element 290 Channel for related comments.

This report contains information relating to the physical security of a structure and depictions of the structure. This information is confidential and exempt from public inspection pursuant to sections 119.071(3)(a) and 119.071(3)(b), Florida Statutes. Only the cover page of this report may be inspected and copied.

**FLORIDA DEPARTMENT OF TRANSPORTATION
BRIDGE MANAGEMENT SYSTEM**

Inspection/CID Report with PDF attachment(s)

BRIDGE ID: 085001
DISTRICT: 07 Tampa

PAGE: 8 OF 22
INSPECTION DATE: 3/19/2012 EEVJ

All Elements

UNIT: 0 MISCELLANEOUS

ELEMENT/ENV: 475/3 R/Conc Walls 59 lf. ELEM CATEGORY: Other Elements

CONDITION STATE (4)	DESCRIPTION	QUANTITY
1	The element shows little or no deterioration. There may be discoloration, efflorescence, and/or superficial cracking but without affect on strength and/or serviceability. Random open joints may exist.	59 lf.

ELEMENT INSPECTION NOTES:

Note: This element represents the headwalls. Wingwalls are present, but are buried.

There is steel guardrail and posts attached to both headwalls.

ELEMENT/ENV: 477/3 Other Walls 98 lf. ELEM CATEGORY: Other Elements

CONDITION STATE (4)	DESCRIPTION	QUANTITY
1	There is little or no deterioration. Surface defects only are in evidence. Random open joints may exist.	88 lf.
2	There may be minor deterioration, random open joints, cracking and weathering. Mortar in joints may show minor deterioration.	10 lf.

ELEMENT INSPECTION NOTES:

Note: This element represents the sand-cement rip rap bag walls adjacent to each wingwall and the wall on the south channel bank at the southwest corner of the structure.

CS2 = There is minor displacement of the rip rap bags on the southwest wall.

This report contains information relating to the physical security of a structure and depictions of the structure. This information is confidential and exempt from public inspection pursuant to sections 119.071(3)(a) and 119.071(3)(b), Florida Statutes. Only the cover page of this report may be inspected and copied.

**FLORIDA DEPARTMENT OF TRANSPORTATION
BRIDGE MANAGEMENT SYSTEM
Inspection/CID Report with PDF attachment(s)**

BRIDGE ID: 085001
DISTRICT: 07 Tampa

PAGE: 9 OF 22
INSPECTION DATE: 3/19/2012 EEVJ

Smart Flag Summary

UNIT: 0 SMART FLAG

ELEMENT/ENV: 361/3 Scour Smart Flag		1 ea.	ELEM CATEGORY: Smart Flags
CONDITION STATE (3)	DESCRIPTION	QUANTITY	
1	Scour exists at the structure site but is of little concern to the structural integrity of the bridge.	1	

ELEMENT INSPECTION NOTES:

CS1 = The smart flag is being used due to the scour at both ends of the culvert. Refer to Element 290 Channel for related comments.

Structure Notes

BRIDGE OWNER: CITY OF BROOKSVILLE

Bridge inventoried from south to north.

TRAFFIC RESTRICTIONS: According to the load rating analysis dated 9/12/85, this structure does not require posting. This structure is not posted.

Fill depth is 26in.

Asphalt thickness is 1in.

This report contains information relating to the physical security of a structure and depictions of the structure. This information is confidential and exempt from public inspection pursuant to sections 119.071(3)(a) and 119.071(3)(b), Florida Statutes. Only the cover page of this report may be inspected and copied.

**FLORIDA DEPARTMENT OF TRANSPORTATION
BRIDGE MANAGEMENT SYSTEM**

Inspection/CID Report with PDF attachment(s)

BRIDGE ID: 085001
DISTRICT: 07 Tampa

PAGE: 10 OF 22
INSPECTION DATE: 3/19/2012 EEVJ

INSPECTION NOTES: EEVJ 3/19/2012

Sufficiency Rating Calculation Accepted by KMKCAWM-P at 2012-04-30 14:59:31

LOAD CAPACITY EVALUATION:

The findings of this inspection reveal no reason to warrant a new analysis; therefore, the current load rating results still govern.

Due to limited freeboard during this inspection, the divers inspected the entire culvert interior and channel.

The following elements were inspected underwater by the divers:

Element 241 Concrete Culvert
Element 290 Channel

NON-STRUCTURAL NOTES:

GUARDRAILS:

The guardrail end terminals and portions of the approach guardrails are partially buried. There is minor impact damage at the southeast end terminal. Refer to photo 5.

The northeast and southwest guardrail end terminals are improperly lapped. Refer to photo 5. **REPAIR ALL**

This report contains information relating to the physical security of a structure and depictions of the structure. This information is confidential and exempt from public inspection pursuant to sections 119.071(3)(a) and 119.071(3)(b), Florida Statutes. Only the cover page of this report may be inspected and copied.

FLORIDA DEPARTMENT OF TRANSPORTATION
BRIDGE MANAGEMENT SYSTEM

Inspection/CID Report with PDF attachment(s)

BRIDGE ID: 085001
DISTRICT: 07 Tampa

PAGE: 13 OF 22
INSPECTION DATE: 3/19/2012 EEVJ

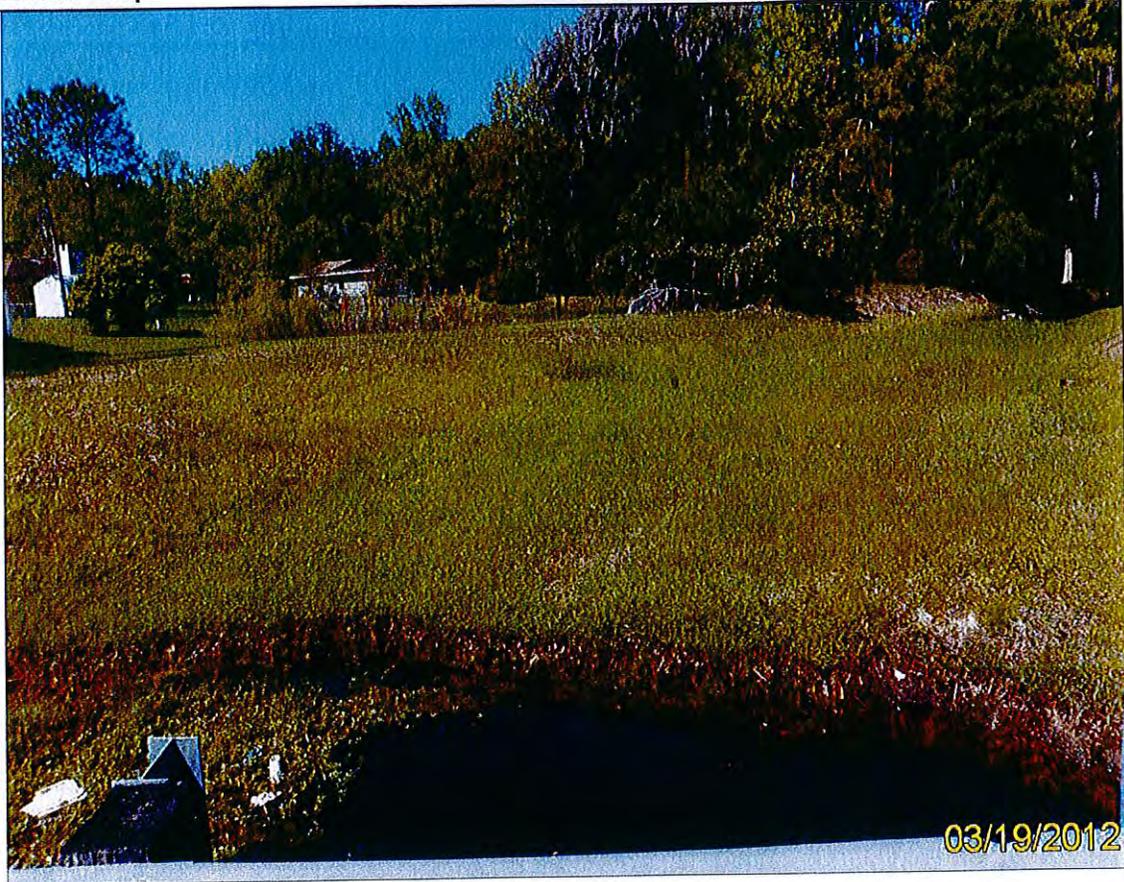


Photo 3 - Element 290 Channel

View of sediment build-up in the west channel

REPAIR RECOMMENDATION:

Remove sediment build-up in the channel along both sides of the structure.

This report contains information relating to the physical security of a structure and depictions of the structure. This information is confidential and exempt from public inspection pursuant to sections 119.071(3)(a) and 119.071(3)(b), Florida Statutes. Only the cover page of this report may be inspected and copied.

Attachment 21

Photograph of the Candlelight Water Control Structure



Attachment 22

Photograph of the Primrose Willow Growth
at State Road 50



Attachment 23

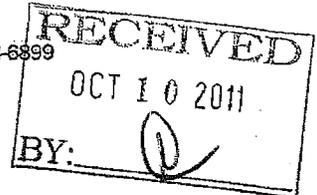
Permit Exemption from the
SWFWMD



An Equal Opportunity Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
TDD only: 1-800-231-6103 (FL only)
On the Internet at WaterMatters.org



Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

October 06, 2011

Mr. Richard Radacky
City Of Brooksville
201 Howell Avenue
Brooksville, FL 34601

Subject: Project Evaluation - Project Exempt

Project Name:	City of Brooksville-Candlelight Ditch
File Number:	653853
County:	HERNANDO
Sec/Twp/Rge:	S28/T22S/R19E

Reference: Rule 40D-4.051, Florida Administrative Code (F.A.C.)
Subsection 373.406(6), Florida Statutes (F.S.)

Dear Mr. Radacky:

The District has reviewed the information you submitted for the project referenced above and has determined that an Environmental Resource Permit (ERP) **will not be required** for the proposed maintenance of the drainage ditch for the Candlelight subdivision, as shown on the plans received by the District September 20, 2011.

The information received by the District will be kept on file to support the District's determination regarding your project. This information is available for viewing or downloading through the District's Application and Permit Search Tools located at www.WaterMatters.org/permits.

The District's determination that your project does not require an ERP is only applicable pursuant to the statutes and rules in effect at the time the information was submitted and may not be valid in the event subsequent changes occur in the applicable rules and statutes. Additionally, this notification does not mean that the District has determined that your project is permanently exempt from permitting requirements. Any subsequent change you make in the project's operation may necessitate further evaluation or permitting by the District. Therefore, you are advised to contact the District before beginning the project and before beginning any activity which is not specifically described in your submittal. Your timely pursuit of this activity is encouraged to avoid any potential rule changes that could affect your request.

This letter constitutes notice of Final Agency Action of the project referenced above. The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notice of agency action, as well as a noticing form that can be used is available from the District's website at www.WaterMatters.org/permits/noticing. If you publish

notice of agency action, a copy of the affidavit of publishing provided by the newspaper should be sent to the District Regulation Department that reviewed your permit or other agency action, for retention in the File of Record for this agency action.

If you have questions regarding this matter, please contact Ron Ferris in the Brooksville Service Office, extension 4329. Please reference the Project Name and Inquiry/Permit Number in future communications concerning this project.

Sincerely,

H. Robert Lue, P.E., Director
Brooksville Regulation Department

Enclosures: Notice of Rights
cc: File of Record
Larry G Boone PE

Notice of Rights

Administrative Hearing

1. You or any person whose substantial interests are or may be affected by the District's action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.
2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.
3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.
4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.
5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District action is not available prior to the filing of a petition for hearing.
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C., can be viewed at <http://www.flrules.org/> or at the District's website at www.WaterMatters.org/permits/rules.
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Brooksville headquarters during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899. Faxed filings must be transmitted to the District Agency Clerk at (352) 754-6874. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

Judicial Review

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by final District action may seek judicial review of the District's final action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.
2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.



AGENDA ITEM NO. G-2
8/06/12

AGENDA ITEM MEMORANDUM

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager

From: Janice L. Peters, CMC, City Clerk

Subject: Florida League of Cities Action Committees

Date: July 27, 2012

GENERAL INFORMATION: Staff seeks appointment of a Council Member to each of the following five Florida League of Cities' (FLC) Action committees for September 1, 2012 through August 15, 2013, ending at the FLC Annual Conference:

Finance, Taxation & Personnel Committee
Transportation & Intergovernmental Relations Committee
Energy & Environmental Quality Committee
Growth Management & Economic Development Committee
Urban Administration Committee

Current Members
Frankie Burnett
Joe Johnston
Kevin Hohn
Lara Bradburn
Joe Bernardini

The meeting dates for the coming 2012/13 year are as follows:

September 14, 2012	World Center Marriott, Orlando
October 12, 2012	Gaylord Palms Hotel, Kissimmee
November 16, 2012	Hyatt Regency Orlando International Airport (In conjunction with the FLC Legislative Conference)
August 15, 2013	Orlando World Center Marriott (In conjunction with the FLC Annual Conference)

All committees meet at the same time. Council may designate a City staff member to attend in his/her place, but they are only allowed to observe and not actually serve on the Committee or vote.

BUDGET IMPACT: Expenses incurred by Council to attend are budgeted in Council's line items for Travel and Per Diem & Training and Education.

LEGAL NOTE: The City Council has home-rule authority (Article VIII, 2(b), Florida Constitution and Section 166.041, Florida Statutes) to consider matters of fiscal and intergovernmental benefit.

STAFF RECOMMENDATION: Appointment of Council Members to the boards for the 2012/13 term.

2012 -2013 FLC Legislative Committees

Finance, Taxation and Personnel Committee

- general finance & tax issues
- home rule revenues
- infrastructure funding
- insurance
- local option revenues
- pension issues
- revenue sharing
- tax and budget reform
- tort liability
- workers' compensation

Transportation and Intergovernmental Relations Committee

- annexation
- billboards
- charter counties
- ethics/elections
- eminent domain
- general utilities
- liability
- property rights
- rights-of-way
- telecommunications
- transportation and highway safety

Energy & Environmental Quality Committee

- coastal management
- energy
- environmental permitting
- hazardous and toxic wastes
- recycling
- solid waste collection and disposal
- stormwater
- wastewater treatment and reuse
- water management
- water quality
- water quantity

- wetlands permitting

Growth Management & Economic Development Committee

- charter schools
- community redevelopment
- economic development
- growth management and land use planning issues
- property rights
- special districts

Urban Administration Committee

- building & fire safety codes
- building codes and construction
- code enforcement
- homeland security
- public meetings
- public property management
- public safety
- sunshine law



AGENDA ITEM MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER
FROM: JANICE L. PETERS, CMC, CITY CLERK
SUBJECT: ADVISORY BOARD POSITIONS

DATE: July 26, 2012

GENERAL SUMMARY/BACKGROUND: The following advisory board positions are subject to appointment. The vacancies are posted on the City's website continuously and press releases advertised regularly in the media.

At the July 17, 2012, meeting of Council, four members were appointed to the Great Brooksvillian Screening Committee. At the direction of Council, staff re-advertised for persons interested in serving on the board. Additionally, the vacancy on the Brooksville Housing Authority was posted within the Housing Authority communities. As a result, the following applications were received and are being submitted to City Council for consideration as follows:

Great Brooksvillian Screening Committee

One position remains for the 2012 review of the nominations for the Great Brooksvillian designation.

Sue Loveday
Pat Sanders

Brooksville Housing Authority

One (1) full-time position to fill a vacant unexpired 4-year term of office through May 30, 2015.

Arlene Mullen

BUDGET IMPACT: None.

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

Pursuant to Fla. Stat. 421.05, members of the Brooksville Housing Authority Board are appointed by the Mayor of the City of Brooksville with approval of City Council.

STAFF RECOMMENDATION: Staff requests appointment of the final member to the Screening Committee, further, that the Mayor appoint, with Council concurrence, a member to fill the vacancy on the Brooksville Housing Authority as set forth in Fla. Stat. 421.05.

ATTACHMENT: Board Rosters
Applications



CITY OF BROOKSVILLE

Application for Volunteer Board Positions

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



New Application

Re-application

- Beautification Board (4 year terms – 7 members)
- Brooksville Housing Authority (4 year terms – 7 members)
- CDBG Citizen's Advisory Task Force (4 year terms – 5 members & 1 alternate)
- Cemetery Advisory Committee (4 year terms – 7 members – city residency or documented tie to Cemetery)
- EZDA Advisory Board (4 year terms – 11 members)
- Firefighters Pension Trust Fund Board of Trustees* (2 year terms – 5 members)
- Good Neighbor Trail (Non-Expiring Terms – 10 members)
- Parks & Recreation Advisory Board (4 year terms – 7 members & 2 alternates)
- Planning & Zoning Commission* (4 year terms – 5 members & 2 alternates)
- Police Officers Pension Trust Fund Board of Trustees* (2 year terms – 5 members)

Other Committee to review nominations for 2012 Great Brooksvillian

Name: Loveday Sue Kania
(Last) (First) (Middle)

Address: 100 Mount Fair Ave
Brooksville 34601

Mailing Address (if different): _____

Business Address: _____

Occupation: retired teacher/adjunct professor

Business Phone: _____ Home Phone: 352-796-7061

Email address: mrswoodchip@tampabay.rr.com

Do you reside within the City limits? Yes No

Are you a Registered Voter in Hernando County? Yes No Voter ID # 104426639 *R*

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

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

Have you ever served on a volunteer board or in a volunteer capacity with the City of Brooksville before? Yes No If yes, please indicate name of board and dates of service: Beautification of downtown when bulb-outs were being considered

Why would you like to serve on this board? It would be a privilege to help select 2012 Great Brooksvillian

What special skills would you bring to this position? Broad knowledge of Brooksville & the people who have lived here for many years.

List fields of work experience: Brooksville Elem. teacher / rdg. specialist 1980-2009
St. Leo adjunct professor - 2009-present

List any licenses and/or degrees (location & year): BS - El. Ed 1972 (Buffalo, NY)
MS Rdg. Ed 1978 (Oswego, NY)
ESOL - USF - 1993

Local References (Please list three (3)):

1. Joe Bernadini, neighbor
2. Gail Samples, neighbor
3. William Eppley, attorney

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

Yes No

If yes, please explain: _____

Signed: Sue Lweday Date: 7-20-12

SCHEDULE OF BOARD MEETINGS

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

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



CITY OF BROOKSVILLE

Application for Volunteer Board Positions

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



New Application



Re-application

- Beautification Board (4 year terms - 7 members)
- Brooksville Housing Authority (4 year terms - 7 members)
- CDBG Citizen's Advisory Task Force (4 year terms - 5 members & 1 alternate)
- Cemetery Advisory Committee (4 year terms - 7 members - city residency or documented tie to Cemetery)
- EZDA Advisory Board (4 year terms - 11 members)
- Firefighters Pension Trust Fund Board of Trustees* (2 year terms - 5 members)
- Good Neighbor Trail (Non-Expiring Terms - 10 members)
- Parks & Recreation Advisory Board (4 year terms - 7 members & 2 alternates)
- Planning & Zoning Commission* (4 year terms - 5 members & 2 alternates)
- Police Officers Pension Trust Fund Board of Trustees* (2 year terms - 5 members)
- Other 2012 GREAT BROOKSVILLIAN Committee

Name: SANDERS PATRICIA Ruth

(Last)

(First)

(Middle)

Address: 25212 CROOM Rd

BROOKSVILLE FL 34601

Mailing Address (if different): _____

Business Address: _____

Occupation: SEMI-RETIRED

Business Phone: 352-544-0170 Home Phone: SAME

Email address: ANGELINARV@AOL.COM

Do you reside within the City limits? Yes No

Are you a Registered Voter in Hernando County? Yes No Voter ID # 10418651

Please rank your board preference(s):
1. GREAT BROOKSVILLIAN COM. T.
2. _____
3. _____

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

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

Why would you like to serve on this board?

- I have grown to love and support our community since moving here 6 years ago from Hillsborough County and become acquainted with numerous community leaders. Some who serve actively and some that have served in the past. I would like to be a part of choosing this years nominations even though I have no personal preference at this time. I also feel that I have the ability to remain unbiased in my decisions.

What special skills would you bring to this position? _____

- Have sat on numerous boards and conducted and participated in business meetings so I feel I have the ability to stay focused on the subject and be objective.

List fields of work experience: _____

- Executive Secretary to eight singularly owned businesses for eight years. Am the Co-Owner of nationally owned commission auction for 38 years, plus sat on the Boards of Florida International Agricultural Trade Council; Hillsborough County for Child Abuse and Neglect; and Boy Scout of America in Tampa.

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

Local References (Please list three (3)):

1. Tom Bronson, Sr. _____
2. Gary Schraut _____
3. Michael Heard _____

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

Yes No

If yes, please explain: _____

Signed: _____

Date: _____

SCHEDULE OF BOARD MEETINGS

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

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

BROOKSVILLE HOUSING AUTHORITY

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

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

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

Randy Woodruff, CHAIRMAN, 801 S. Broad St., Brooksville, FL 34601; 796-3224 (Work); E-mail: randy.woodruff@suncoastcpagroup.com. Re-appointed May 16, 2011, to a 4-year term of office expiring on May 31, 2015.

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

James V. Brooks, Jr., 6400 Quarterhorse Ln., Brooksville, FL 34604; 796-5017 (Home), 585-2928 (wk); E-mail: brooks@mynaturecoast.net. Re-appointed August 16, 2010, to a 4-year term of office expiring on June 30, 2014.

VACANT*, Brenda Colondres removed by Council on 11/21/11. Unexpired 4-year term of office expiring on May 31, 2015.

Gary E. Schraut, 702 S. Broad St., Brooksville, FL 34601; 796-7991 (Work), 796-1373 (Home); E-mail: gary@garyschraut.com. Re-appointed June 18, 2012 to a 4-year term of office expiring on June 30, 2016.

Yvette D. Taylor*, 814 Continental Drive, Brooksville, FL 34601; 397-3697 (Home), 544-4983 (wk), 238-9059 (cell); E-mail: ytaylor1970@yahoo.com. Re-appointed June 20, 2011, to a four year term of office expiring on June 30, 2015.

Francine S. Ward, 508 Underwood Ave., Brooksville, FL 34601; 754-1087 (Home), E-mail: fward24@tampabay.rr.com. Re-appointed May 16, 2011, to a 4-year term of office expiring on May 31, 2015.

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

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

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

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

rec'd 7/15/12



CITY OF BROOKSVILLE

Application for Volunteer Board Positions

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

New Application Re-application

- Beautification Board (4 year terms - 7 members)
- Brooksville Housing Authority (4 year terms - 7 members)
- CDBG Citizen's Advisory Task Force (4 year terms - 5 members & 1 alternate)
- Cemetery Advisory Committee (4 year terms - 7 members - city residency or documented tie to Cemetery)
- EZDA Advisory Board (4 year terms - 11 members)
- Firefighters Pension Trust Fund Board of Trustees* (2 year terms - 5 members)
- Good Neighbor Trail (Non-Expiring Terms - 10 members)
- Parks & Recreation Advisory Board (4 year terms - 7 members & 2 alternates)
- Planning & Zoning Commission* (4 year terms - 5 members & 2 alternates)
- Police Officers Pension Trust Fund Board of Trustees* (2 year terms - 5 members)
- Other _____

Name: Mullen Arbne _____
(Last) (First) (Middle)

Address: 3446 Sweetgrass Ct
Spring Hill, FL 34609

Mailing Address (if different): _____

Business Address: _____

Occupation: retired

Business Phone: _____ Home Phone: 352-683-3316

Email address: amullen6@tampabay.rr.com

Do you reside within the City limits? Yes No

104420834 *[Signature]*

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

Please rank your board preference(s):
1. member
2. _____
3. _____

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

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

Why would you like to serve on this board? I see a need for someone to serve on the Brooksville Housing Authority Board to observe the needs of the persons living in the dwellings and to make judgments open-mindedly.

What special skills would you bring to this position? I have worked as a territory manager in NY, NJ + Philadelphia within some difficult situations where one needed negotiation skills as well as clear vision.

List fields of work experience: sales, computer, office

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

Local References (Please list three (3)):

1. Marty Aleski 352-686-0323
2. Mark Heishberg " 688-2176
3. Rand Oster " 684-7921

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

Yes No

If yes, please explain: _____

Signed: [Signature]

Date: July 10, 2012

SCHEDULE OF BOARD MEETINGS
[Note - Balance of Boards meet quarterly or as needed]

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

**CITY OF BROOKSVILLE
COMMUNITY REDEVELOPMENT AGENCY (CRA)
201 Howell Avenue**

AGENDA

August 6, 2012

7:00 P.M.

A. CALL TO ORDER

B. REGULAR AGENDA

1. Minutes

November 7, 2011 Regular Meeting

2. Community Redevelopment Plan Update

Presentation of the revised Community Redevelopment Plan for the downtown area.

Presentation:	Don Lacey & Cliff Manual, Coastal Engineering
Recommendation:	Review and/or Direction to Staff
Attachments:	Memo from Coastal Engineering's Director of Planning dated 07/25/12; Updated Plan

C. ADJOURNMENT

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.

**CITY OF BROOKSVILLE
COMMUNITY REDEVELOPMENT AGENCY (CRA)
201 HOWELL AVENUE
MINUTES**

November 7, 2011

7:26 P.M.

Brooksville Community Redevelopment Agency met with Chairman Frankie Burnett, Board Members Joe Bernardini, Lara Bradburn and Kevin Hohn present. Also present were Butch Battista, City Attorney; T. Jennene Norman-Vacha, City Manager; Janice L. Peters, City Clerk/Board Secretary; Bill Geiger, Community Development Director; Mike Walker, Director of Parks, Facilities & Recreation; George Turner, Police Chief; and Tim Mossgrove, Fire Chief. Member of the Hernando Times was also present.

The meeting was called to order by Chairman Burnett at 7:26 p.m.

REGULAR AGENDA

Minutes

November 15, 2010 Regular Meeting
September 28, 2011 Budget Meeting

Motion:

Motion was made by Board Member Bernardini and seconded by Board Member Bradburn for approval.
Motion carried 4-0

Coastal Engineering Associates, Inc. Professional Consultant Services Contract and Agreement Extension

Consideration of 1-year extension of current Contract for the update of the Community Redevelopment Plan and additional professional services related to Community Redevelopment Agency/Area Projects.

Director of Community Development Bill Geiger reviewed the extension. Don Lacey of Coastal Engineering provided an update of Task Order #1, an update to the CRA Plan and advised it should be completed in about 2 months.

Board Member Bernardini asked if exhibit C was updated. Director Geiger advised it has.

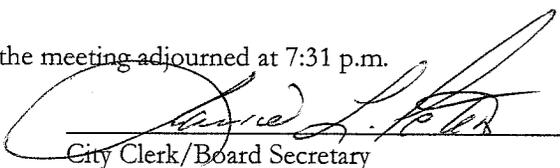
Motion:

Motion was made by Board Member Bradburn and seconded by Board Member Bernardini for approval.
Motion carried 4-0.

Mr. Lacey thanked the Board.

ADJOURNMENT

There being no further business to consider, the meeting adjourned at 7:31 p.m.


City Clerk/Board Secretary

ATTEST: _____
Chairman

Memorandum

To: The Brooksville Community Redevelopment Agency

From: Don Lacey 
Director of Planning
Coastal Engineering Associates

Date: July 25, 2012

Subject: Community Redevelopment Plan Update

Attached for your review is a revision of the Community Redevelopment Plan, an integral component of the Brooksville Revitalization Plan for the downtown area. Prepared in conformance with the 1969 Community Redevelopment Act and Florida Statute 163.362, this revision has several purposes:

- Assess the current status of the Community Redevelopment Area through the identification of the Area's strengths, needs and deficiencies;
- Establish Goals and Objectives for the Redevelopment Area;
- Provide guidelines to direct redevelopment efforts into a cohesive effort;
- Establish programs to achieve the Goals and Objectives; and,
- Identify funding amounts and sources to help accomplish the identified programs;

The original Community Redevelopment Plan (CRP) was initiated in 1996 and the final report was a component of the creation of the Community Redevelopment Agency in 1998 (City of Brooksville Resolution 98-18). The Community Redevelopment Agency contracted with Coastal Engineering to prepare this update of the CRP, an endeavor which has incorporated the following tasks:

- Research of the applicable Florida Statutes;
- Review of existing plans/studies and development regulations;
- Evaluation of the consistency of the CRP with the adopted City of Brooksville Comprehensive Plan;
- Preparation of a community demographic profile;
- Site analysis of the Community Redevelopment Area;
- An assessment of Strengths, Needs and Deficiencies;
- A survey of stakeholder opinions and suggestions;
- A public workshop;
- A review/update of potential funding sources;
- A review/update of the CRA's Design Guidelines for Rehabilitation and New Construction;
- An update of program Goals and Objectives;

- Creation of a proposed list of CRA projects; and,
- Development of a Capital Improvements Plan.

The above effort has been accomplished with extensive coordination from your Community Development Director and his staff. They met with us frequently during the update process and reviewed several drafts of the finished CRP update. The twelve year gap from the original CRP resulted in the need for significant research and revision. In order to keep the document more viable, subsequent updates of the CRP should be undertaken in shorter intervals of 3-4 years.

This draft update is being provided to the Community Redevelopment Agency at this time for review and input prior to finalizing it for adoption at a later date.

City of Brooksville
COMMUNITY
REDEVELOPMENT
PLAN

August 2012

Introduction

The City of Brooksville is the historic and geographic center of activity for Hernando County. Brooksville's location in the northern portion of the Tampa Bay area also provides a unique opportunity for development of a mixed use and transit oriented community. The downtown area is the historic nucleus and the vibrant heartbeat of the City. Although commercial needs of the area are primarily served by outlying retail clusters on the perimeter of Brooksville, the downtown area has retained its role in the provision of services, both public and private. It has also attracted restaurants and specialty retail stores. In order to retain the vitality of its downtown, the City has recognized and is preparing for changing land use and transportation patterns. Several factors favor downtown, including its historical beauty and the location of both City and County governmental offices. In order to maintain and advance its role in the community, the City has embarked on an effort to better identify its opportunities, recognize its needs and undertake projects to achieve desired goals and objectives.

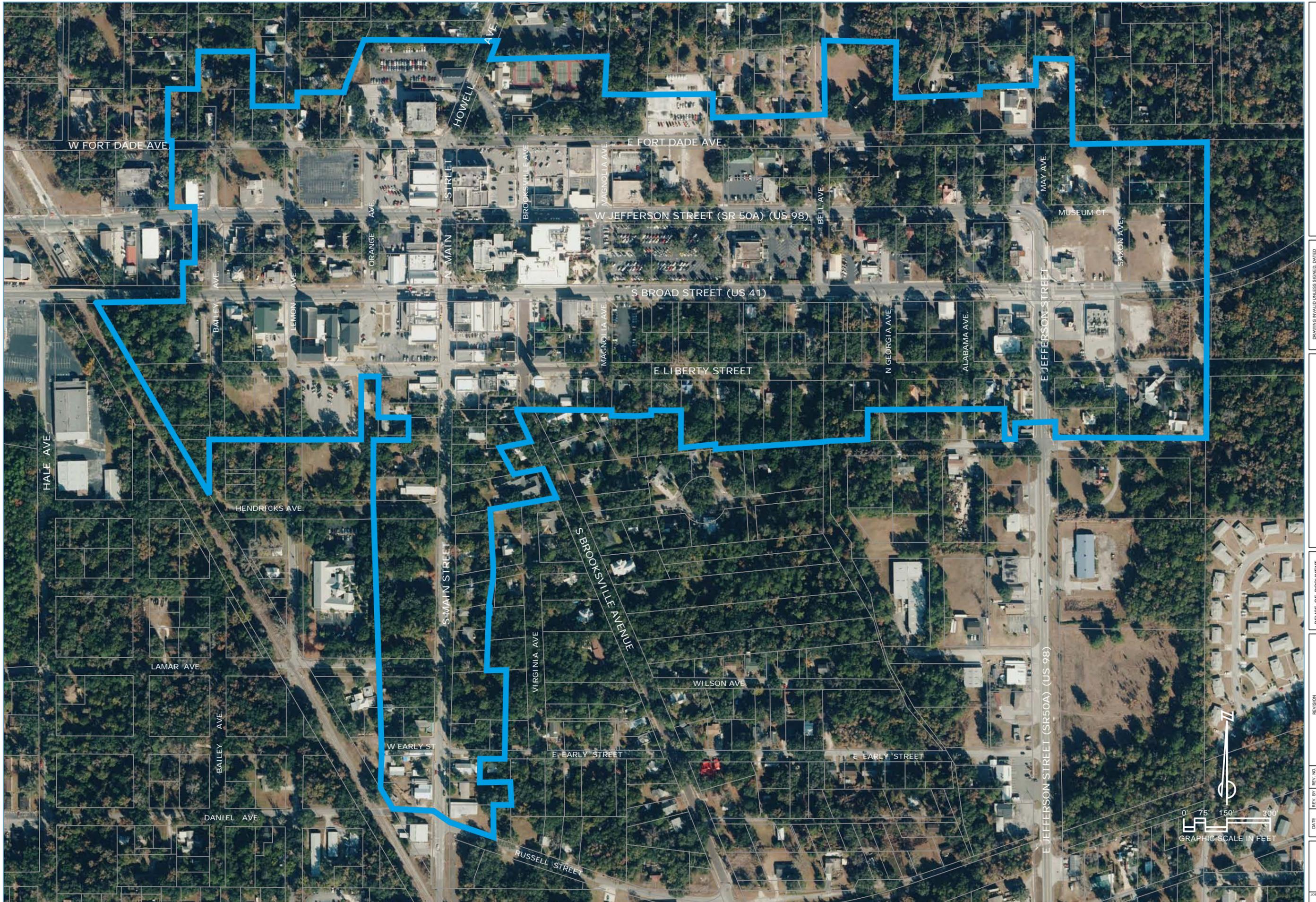
In October 1996, the Brooksville City Council hired a consultant to assess the need for revitalization in the central downtown. Following their study, a Finding of Necessity Report and considerable public input, the City Council adopted a resolution in 1998 creating a Community Redevelopment Area and authorizing the preparation of a Community Redevelopment Plan. The Community Development Area, depicted on an aerial on the following page, generally includes:

- All parcels from Saxon Avenue to Bailey Avenue that lie adjacent to Fort Dade Avenue, Jefferson Street, Broad Street and Liberty Street;
- All parcels that lie adjacent to Main Street from Russell Street to the north boundary of City Hall;
- All right of way and easements and government/district owned properties within the district; and,
- The right-of-way and easements of US 41/Broad Street, SR 50A/Jefferson Street, Main Street and Howell Avenue extending from the boundary of the district to the City limits of the City of Brooksville, together with the right-of-way and easements of Russell Avenue from the boundary of the district at Main Street to the intersection at South Brooksville Avenue.

In 2011, the CRA authorized this revision of the Community Redevelopment Plan, including updated appendices and a list of proposed projects.

The Redevelopment Plan has several objectives:

1. Establish a Redevelopment Agency for the Community Redevelopment Area.
2. Assess the current status of the Redevelopment Area, through the identification of the Area's strengths, needs and deficiencies.
3. Establish Goals and Objectives for the Redevelopment Area.
4. Establish programs to achieve the Goals and Objectives.
5. Identify and secure funding sources to help accomplish the identified programs.
6. Provide guidelines to direct redevelopment efforts into a cohesive effort.



CRA BOUNDARY
CITY OF BROOKSVILLE
COMMUNITY REDEVELOPMENT AREA

DRAWING INVALID UNLESS SIGNED, DATED
 & SEALED BY REGISTERED PROFESSIONAL

XXXXXXXX, P. E., FL. REG. NO. XXXXXX

Engineering
 Surveying
 Environmental
 Planning
 Transportation
 Construction Management
 Consulting Associates, Inc.

Coastal

986 Candlelight Boulevard - Brooksville - Florida 34601
 (852) 796-9600 / (852) 799-6559
 EB-0000142

REUSE OF DOCUMENT
 ENGINEERING ASSOCIATES, INC.
 WRITTEN AUTHORIZATION OF
 PROPERTY OF COASTAL
 ENGINEERING ASSOCIATES, INC.
 AND IS NOT TO BE REPRODUCED,
 COPIED, OR IN PART FOR ANY
 PURPOSE WITHOUT THE WRITTEN
 CONSENT OF THE ENGINEER.
 THIS DOCUMENT, COMPRISED
 OF THE INCORPORATED IDRAWN
 INSTRUMENT OF PROFESSIONAL

DATE	REV. BY	REV. NO.	REVISION

WHEN PRINTED TO SCALE, DRAWING SIZE SHALL BE 11" X 17"

7. Partner with downtown businesses to jointly address community redevelopment.
8. Create a long-term vision for the City that will retain the historic nature of the CRA while keeping it viable, both economically and as a community.

The Redevelopment Agency

The Brooksville City Council established the Redevelopment Agency by using the sitting City Council members as the Redevelopment Agency Board. The powers of the Redevelopment Agency are not covered within the Plan, but are specifically addressed in separate resolutions, ordinances and Florida Statutes. The Redevelopment Agency is responsible for implementing the Goals and Objectives of this Plan in a timely manner or making the necessary adjustments to the plan in order to properly represent the current status of the Redevelopment Area and establish new achievable goals.

Community Demographic Profile

The Brooksville CRA is comprised of 104 acres of City of Brooksville’s total 6,838 acres. In order to summarize the community’s demographic characteristics and to better understand the area’s economic development potential, available US Census Bureau data was used to summarize the community profile. Since the CRA area was smaller than the available data sets, the tables reflect the data for the entire City of Brooksville. The following tables illustrate the city and county demographic and socioeconomic information using the recent US Census Bureau 2005-2009 American Community Survey (ACS) results. As compared to the 10-year census, the ACS is conducted every year to provide up-to-date information about the social and economic needs of the community (e.g., education, housing, jobs).

TABLE 1 – POPULATION CHARACTERISTICS

	CITY OF BROOKSVILLE	HERNANDO COUNTY
POPULATION		
Total	7,719	172,778
SEX		
% Male	44.1%	48.0%
% Female	55.9%	52.0%
AGE		
Age: Under 18	22.4%	19.8%
Age: 18 – 65	50.3%	54.1%
Age: 65 +	27.3%	26.1%
Median Age	46.5	47.0
ETHNIC GROUP		
White	77.4%	90.8%
Black or African American	19.9%	5.5%
American Indian or Alaska Native	0.3%	0.6%
Asian	0.5%	1.4%
Native Hawaiian or Pacific Islander	0.0%	0.1%
Other	2.5%	1.6%
Hispanic or Latino	4.7%	8.5%
Not Hispanic	95.3%	91.5%

Source: US Census Bureau. Overall population from 2010 Census, remainder from American Community Survey, 2005-2009

TABLE 2 – HOUSEHOLDS

	CITY OF BROOKSVILLE	HERNANDO COUNTY
HOUSEHOLDS		
Total	3,709	67,440
Married-Couple Family Households	30.7%	56.9%
Other Family Households	17.5%	12.1%
Householders Living Alone	44.7%	25.9%
Other Non-Family Households	7.1%	5.1%
Average Household Size	2.15	2.43
Average Family Size	3.11	2.88

Source: US Census Bureau, American Community Survey, 2005-2009

TABLE 3 – SOCIAL CHARACTERISTICS

	CITY OF BROOKSVILLE	HERNANDO COUNTY
EDUCATIONAL ATTAINMENT (For people 25 Years and over)		
Less than High School	17.6%	15.0%
High School Diploma or Equivalent	41.9%	38.3%
Some College (No Degree)	20.4%	23.1%
Associate's Degree	5.5%	7.6%
Bachelor's Degree	8.4%	10.9%
Graduate or Professional Degree	6.3%	5.2%

Source: US Census Bureau, American Community Survey, 2005-2009

TABLE 4 – HOUSING CHARACTERISTICS

	CITY OF BROOKSVILLE	HERNANDO COUNTY
HOUSING OCCUPANCY / TENURE		
Occupied	84.6%	85.6%
Vacant	15.4%	14.4%
Owner-Occupied	67.6%	84.9%
Renter-Occupied	32.4%	15.1%

Source: US Census Bureau, American Community Survey, 2005-2009

TABLE 5 – ECONOMIC CHARACTERISTICS

	CITY OF BROOKSVILLE	HERNANDO COUNTY
EMPLOYMENT STATUS		
In Labor Force	47.0%	48.9%
Not in Labor Force	53.0%	51.1%
INDUSTRY / OCCUPATION		
Agriculture, forestry, fishing and hunting, and mining	1.9%	1.0%
Construction	5.8%	10.3%
Manufacturing	4.2%	5.0%
Wholesale trade	0.9%	2.3%
Retail trade	16.3%	16.8%
Transportation and warehousing, and utilities	1.7%	5.2%
Information	1.2%	1.6%
Finance and insurance, and real estate and rental and leasing	9.0%	6.7%
Professional, scientific, and management, and administrative and waste management services	10.8%	9.5%
Educational services, and health care, and social assistance	34.6%	22.1%
Arts, entertainment, and recreation, and accommodation and food services	7.3%	9.6%
Other services, except public administration	3.0%	5.3%
Public administration	3.3%	4.5%
INCOME		
Median Household Income	\$32,465.	\$42,457.
% Households Receive Earnings*	55.5%	61.2%
% Households Receive Social Security*	47.4%	47.9%
% Households Receive Other Retirement Income*	29.6%	32.2%
* income sources are not mutually exclusive and some households receive more than one source		
POVERTY		
% Poverty	13.3%	11.1%

Source: US Census Bureau, American Community Survey, 2005-2009

BROOKSVILLE'S STRENGTHS, NEEDS AND DEFICIENCIES

Initial Report

In October 1996, the Brooksville City Council hired Clark, Roumelis & Associates as a consultant to assess the need for revitalization in the central downtown. The primary findings of their report were as follows:

- **Building deterioration.** A substantial number of deteriorated structures exist and are dispersed over a great proportion of the study area.
- **Site deterioration and deficiencies.** Site deterioration and deficiencies were found in the form of broken sidewalks, inadequate disability access and inadequate on-site parking.
- **Unsanitary conditions.** Unsanitary conditions including accumulation of trash and debris.
- **Non-conforming structures.** Non-conforming unit size was identified in blocks where dwelling units do not meet minimum code standards.
- **Closed buildings.** Closed buildings indicate economic disuse and obsolescence.
- **Vacant lots.** Vacant lots indicate that land is not being put to productive use, which limits the efficiency of local services, limits tax revenues, and can serve as a breeding ground for crime, unsanitary conditions and other social ills.
- **Property maintenance and commercial property code violations.** Violations of property maintenance standards are substandard conditions that inhibit investment and sound development of the area.¹

Land Use

The primary land uses within the redevelopment area are commercial, office, governmental, retail, residential, recreation, restaurants, financial, light industrial and service businesses. Additionally, the traffic circulation system including right-of-way for streets and sidewalks as well as separate parking lots is a major use of downtown land. The redevelopment area offers minimal shade to pedestrians. A number of buildings in the downtown have neither vegetation nor storefront canopies to provide shade. As a result, these areas can become hot and undesirable for pedestrians.

Structural Character and Conditions

The character of the redevelopment area is represented by three different time periods. The first is the historic period that began around the 1880's and ended around the mid 1930's. This period is seen throughout Brooksville in the form of downtown businesses, banks, the railroad depot, churches, and residential homes. The buildings were constructed in the style of Frame Vernacular, Folk Victorian, Queen Anne, Gothic Revival, Colonial Revival, and Bungalow.² There are a significant number of residential and commercial structures within the redevelopment area that are historically significant. An historic survey that was conducted in 1986 recommended the City consider establishing an historic preservation element in the Comprehensive Plan to ensure the preservation of these important structures and to provide architectural guidance to owners during renovation efforts. An Economic

1 Johnson, Robert, Finding of Necessity, Brooksville, 1996, pages 1-2.

2 Florida Preservation Services, Preliminary Historical and Architectural Survey: Downtown Brooksville, 1986, pages 25-35.

Development element was subsequently added to the City’s Comprehensive Plan and Historic Preservation Regulations added to the Land Development Code to provide guidelines for development in the CRA and surrounding historic neighborhoods. The benefits of these guidelines are many, including eligibility for some funding sources.

A complete structural survey was conducted in October 1996 by Clark, Roumelis & Associates to assess the conditions at that time (See Map 2 in Appendix B for study area). A supplemental study was conducted in August of 1998 related primarily to the structures on South Main Street. Based on the data collected, 18% of the structures were deteriorating or dilapidated. These deficiencies, many of which have not been corrected, could result in the continued decline of the area making it less desirable for the location of new residences and businesses. Additionally, existing businesses and residents may find it necessary to relocate to a better area. The decline in structural conditions within the area will have a direct impact on the taxes collected, which in turn will impact the City’s ability to properly maintain infrastructures.³

The Clark, Roumelis & Associates survey concluded the following:

CONDITION	RESIDENTIAL	COMMERCIAL	TOTAL
STANDARD	15	69	84
SLIGHTLY DETERIORATED	17	40	57
DETERIORATED	12	16	28
DILAPIDATED	2	1	3
TOTAL UNITS	46	126	172

While a number of downtown improvement projects have been undertaken, the decline in structural conditions of historic structures has not been sufficiently addressed. As new businesses occupy these historic buildings, they make aesthetic improvements, but often neglect the more expensive renovations that would retain or re-establish the historical features of the building.



There are several historic buildings that could serve as catalysts for preservation due to their existing condition, such as the Browning Insurance Agency, located on the northwest corner of the intersection of Main Street & Broad Street and the JA Jennings building located on the southeast corner of that intersection. The SunTrust regional office, an historic building already renovated, could form another potential catalyst for development if reoriented to a mixed use structure. There are a number of structures downtown, particularly along the Broad Street, Jefferson Street, and Main Street corridors, that would bring a strong sense of identity to historic downtown Brooksville if

³ Johnson, Robert, Finding of Necessity: City of Brooksville, Altamonte Springs: Clark, Roumelis & Associates, Inc., pages 4-5.

renovated to their original architectural styles. Structural renovation should include construction improvements and regulatory coordination that would allow for residential or commercial use of the second floor in historic buildings.

Non-Conforming Structures

Clark, Roumelis & Associates used several factors in determining non-conforming structures for the purpose of their study. The factors included inadequate parking, on-site storage and setbacks, and site deterioration. They found site deterioration and deficiencies present in the form of broken pavement and sidewalks and deteriorating parking lots. They determined that 23% of the sites in the area had non-conforming characteristics. The non-conforming characteristics include limited setbacks, code violations and lack of sufficient on-site parking, with the on-site parking issue being the most challenging.

Parking inadequacies continue to persist within the CRA. In comparable downtown redevelopment projects in other communities, efforts have been made to consolidate parking into public parking areas so that mixed use development can ensue. Such mixed used developments can include ground level retail with upper level offices, convenient pockets of on-grade/multi-story parking, attractive pedestrian ways and crosswalks. This type of infill development should be promoted with local proprietors and tenants. Parking in the CRA cannot conform to typical code-required set-backs and on-site parking standards. Inherently these conflicting components require an examination of the type of tenant and what impact it is expected to have on the CRA District. Creative, innovative and flexible code requirements need to provide for viable use of historic buildings utilizing open space for downtown parking and common area improvements. A CRA area parking and common area master plan should be developed that identifies parking areas, bus stops and area public facilities.

Unoccupied Structures

Unoccupied structures indicate economic disuse and obsolescence. In the study area there were five vacant buildings noted in the October 1996 structural condition survey. Many of the vacant structures were severely dilapidated or had other site conditions that did not make the site attractive for business development. While a number of buildings in the CRA have been renovated since the study, several unoccupied structures still exist, consisting primarily of former gas stations and small residential structures, some of which had been used for commercial purposes.

Vacant Lots

Vacant lots indicate that land is not being put to productive use, which limits the efficiency of local services and tax revenues. In the Clark, Roumelis & Associates study area, 23 vacant parcels were identified with an approximate value of \$625,000, a figure which should be updated to current property values. The availability of vacant land is important to the redevelopment of the area for several reasons. Commercial development and revitalization require additional land to meet current structural setback requirements, as well as parking and drainage retention requirements. Furthermore, available land can be used for additional municipal activities such as parks, rights-of-way, public restrooms, gathering places, streetscaping, sidewalk and roadway development. The use of vacant land and unoccupied structures needs to be based on an analysis of economic development growth projections and needs. A

current inventory of available land together with location and value could be used to create a master plan associated with downtown development. Vacant lots provide an opportunity to include open space, environmental areas and drainage benefits that would allow higher, more clustered development, restoration and infill within the CRA.

Housing Development Needs

The City of Brooksville's Comprehensive Plan indicates an additional 3,700 residences will be needed to meet the population demands by the year 2015.⁴ While the economic downturn of 2009-2011 will certainly reduce those projections, revitalization efforts within the CRA should consider addressing the residential needs in the City. At present, the CRA consists primarily of commercial and office, with some mixed use and a residential community along East Liberty Street and portions of Fort Dade Avenue and Main Street. Additional mixed use development and multifamily housing in the downtown area are two attractive options. The multifamily housing could be located on vacant or underutilized parcels within the eastern and western boundaries of the CRA, while the mixed use could be interspersed with the commercial/office in the heart of downtown. Housing needs and developments should be planned through meeting infrastructure needs and encouraging private investment into the City.

Economic Development Needs

A Visioning Committee in 1995 took action to assess the economic and market needs of the downtown by commissioning a limited market analysis by Anderson and Associates. The study, which analyzed needs by shoppers, downtown employees and business owners/operators, addressed three issues:

- ▶ **Shoppers** — The downtown area should be able to provide shoppers with a unique shopping experience. The retail businesses should attempt to develop and market itself as a regional retail location.
- ▶ **Downtown Employees** — The downtown employees represent a large market for downtown activities and use during the weekdays.
- ▶ **Business Owner/Operators Survey** — The study identified that approximately 50,000 square feet of second floor space in the downtown was underutilized. Additionally, the study stated that it was their belief that if the use of the downtown areas increases, the need for adequate parking will also increase.

A subsequent survey of business owners in 2011 emphasized a fourth issue, the lack of *conveniently-located* parking space. The former desire to market the CRA as a "regional retail" location was replaced by the acknowledgement that specialty retail, food & beverage and support businesses for the prevalent services sector would be the likely role of downtown commercial development.

Retail Space Demand Analysis

The 1995 marketing analysis report did not estimate the amount of retail space needed in the downtown based on the spending patterns of shoppers and the projected growth of population within the market area. The marketing report did recommend the establishment of an antique oriented

4 City of Brooksville, Comprehensive Plan, Chapter 3; Objective 1.

business district. While there are several antique specialty stores, there has been no clustering into a “district” to achieve a distinction developed in other small towns in the region. However, it is important to build on the known community businesses while attempting to create a positive image for future mixed use of the downtown. The undertaking of a market study would help determine the type of retail that can be attracted to the CRA and the underlying demographics to support their recruitment.

Sidewalks

While some improvements have been made to sidewalks in the central downtown, additional improvements within the CRA are needed to meet recreational or commercial pedestrian traffic needs. A successful downtown does require safe and convenient pedestrian movement. This need is for both the day-to-day user of the downtown for essential services and for those visitors that come for recreation or shopping.



Approximately 27 percent of the residents in the City are over the age of 65 and 22 percent of the residents are under the age of 18.⁵ This leaves just under 51% of the City’s population between the ages of 18 and 64. These various indicators identify a need for improved pedestrian facilities in the downtown. The downtown does have “anchor” businesses and services that are needed by the community (i.e., County government, Social Security and unemployment offices, library, City Hall, etc.). By improving the pedestrian access to these “anchors”, this will help improve the future development of specialty stores. The downtown can improve market share by improving pedestrian access for both the residents and the workers in the downtown. Clark, Roumelis & Associates recommended that an additional study of the pedestrian access should be done to completely assess current use patterns and to properly prioritize needs. This additional study should also consider the needs of the residential neighborhoods surrounding the downtown as a means of delivering additional shoppers. Improvements in the pedestrian access and visual appearance of the walkways can result in additional time spent in the downtown by shoppers.

In order to make an area attractive for pedestrians, improvements to the appearance, or the Streetscape, are necessary. While individual property owners have made improvements to their building facades and, in some cases, upgraded and installed landscaping, there has not yet been a comprehensive program throughout the entire downtown to upgrade the Streetscape. Additional sidewalk improvements are needed ~~but~~ as part of an integrated effort to improve the aesthetics and feel of the downtown.

The City has chosen construction of curb “bulb-outs” (neck-outs or flares) as a method of increasing the available pedestrian space along street right-of-ways. While providing additional space for pedestrian amenities, bulb-outs also decrease the width of the street crossing required by pedestrians which provides an additional measure of safety. The City’s bulb-outs occur at street corners and are designed to include pedestrian amenities such as benches, trash receptacles and specialized paving. Landscaping in at-grade planters and bollards, which provide a means of separation between pedestrian and vehicular traffic, can also be used in these areas to further enhance the pedestrian environment. Bulb-outs, pedestrian crossings, traffic calming devices and other similar FDOT-approved features should

5 U. S. Census Bureau, 2010 Census Data.

be incorporated into a CRA pedestrian master plan. Implementation of such a master plan would create a pedestrian-friendly downtown while slowing through traffic on the existing State highways. FDOT directional signs could also be used to identify the historic downtown business district and route through traffic around the CRA on SR 50, US 98 and US 41.

Drainage

City of Brooksville drainage consists primarily of an aging stormwater system constructed within the rights-of-way of local streets and State/US highways. The system's primary responsibility is to transport stormwater from the higher elevations of the downtown area to lower elevations in the areas surrounding the City. The system was constructed prior to State regulatory overview from the Southwest Florida Water Management District (SWFWMD) and the Florida Department of Environmental Regulation (FDEP) and therefore is not treated for water quality prior to offsite discharge. The available open space in the downtown area provides an opportunity to address both water quality and stormwater retention. A master stormwater system for the CRA could handle stormwater for all remaining developable parcels, alleviating the need for individual sites to utilize valuable space to provide needed treatment and retention. A master stormwater plan would detail how stormwater would be transported downstream to open areas within the City and County, providing regional treatment and storage consistent with applicable regulations and establishing best management practices to assure the environmental integrity of the historic downtown area. The plan should detail the best strategies to transport stormwater downstream to open area within the city watershed basin where regional treatment and attenuation requirements can be met with SWFWMD regulations and related Best Management Practices (BMPs).



Low impact development tools could be utilized upstream of the major drainage features to provide a first level of stormwater treatment. Catch basins with strainers and/or biofilters could be used in curbed areas to intercept initial runoff. Allowing drainage from paved areas to flow across vegetated bioretention features could provide another level of initial treatment capacity. Meandering, grassy swales, with rain garden pockets of storage serve to slow stormwater runoff while providing several ways to allow treatment to occur. Cisterns may be used to capture small amounts of runoff from roofs for later irrigation use, thus reducing the need for storage downstream. Pervious paving can be used in parking and low traffic areas to reduce runoff and provide a means of treatment. Similarly, green roofs provide a means of reducing runoff while adding a level of biodiversity to new projects.

Potable Water Facilities

The Community Redevelopment Area consists primarily of an aging potable water transmission system capable of providing satisfactory potable water supply to the existing commercial, office and residential users. Downtown redevelopment will require continued monitoring of capacity as well as the replacement of historic lines that no longer meet City code requirements. On the supply side, the City is developing additional capacity at its Hope Hill wellfield and has plans for expansion at the Pasco-Hernando Community College campus north of town on US 98. The City capacity for future infill development in the CRA should be adequate to address domestic requirements.

Fire Protection

The City of Brooksville provides fire protection within the Community Redevelopment Area. The system consists of aging potable water transmission lines, which in most cases are of sufficient size to meet commercial and residential fire flow requirements. The location of an elevated storage tank on Brooksville Avenue helps in providing the needed water pressure. Future development or revitalization in the CRA should include in-depth analysis to assure that domestic and commercial fire protection services are improved through the installation of sufficiently-sized water lines to meet commercial and residential fire flow requirements. In addition, sufficient fire hydrants and valves should be installed with all new water line extensions. These improvements will have a positive impact on the current fire protection system and will provide an incentive for the location of new businesses and the expansion of existing businesses.

Sewer Facilities

The City of Brooksville provides sewer service to the CRA. There are numerous aged lines that will eventually require repair or replacement. Due to the extensive cost of whole-scale replacement, individual repair and replacement projects should continue to be a priority within the CRA to ensure the integrity of the system. The City continues to perform detailed inspections including video of the aging system and has installed “liners” within the most deteriorated sewer mains, including several sections within the CRA (Bell Avenue, Saxon Avenue and Jefferson Street). As opportunities avail themselves (street repair, infill development, grants, etc.), the City should include sewer repair and replacement wherever feasible.

Parks

The City of Brooksville has many recreational resources. The primary recreation facility within the Community Redevelopment Area is Hernando Park, adjacent to Fort Dade Avenue, between the Lykes Memorial Library and the Teen Center. Hernando Park has been owned and operated by Hernando County, however, the City is in negotiations with the County to acquire this historic park, along with the adjacent Teen Center and Band Shell. Given its central location and potential for a myriad of public and privately-sponsored activities (festivals, concerts, craft shows, etc.), a Hernando Park master plan should be prepared to optimize the use of the space and maximize its potential to attract people to the downtown. In addition to Hernando Park, the CRA is dotted with small open spaces. Additional public spaces, including squares and plazas should be provided. An overall recreation/open space plan should be undertaken to take full advantage of the aesthetic and recreational aspects of these public/private spaces.



Adjacent to the CRA, the City has developed a non-vehicular trail system, known as the Good Neighbor Trail, which is designed to be an integral part of the region’s Rails-to-Trails System, connecting to the Withlacoochee State Trail and beyond. Construction of this connection is underway at the time of this CRP update. As part of the system, the City has developed a trailhead for the Rails-to-Trails adjacent to Russell Street Park between Main Street and South Brooksville Avenue. Rails-to-Trails parks in commercial corridors are not a new concept in Florida. The impact in other cities has been an increased development of weekend related retail along the trail corridor. The City of Brooksville and the Community Redevelopment Agency play a critical role in developing synergy between the downtown and the Good Neighbor Trail, ensuring that access to this linear parcel is incorporated into CRA development plans. The trailhead should be connected to the downtown and

other areas through Streetscape improvements that conform to those proposed in the downtown area. The improvements will provide shade trees, signage and other amenities to attract the park users.

Additionally, the City has Tom Varn Park and Sports Complex, Bud McKethan Park/Quarry Golf Course and the Jerome Brown Community Center, which are wonderful venues for recreational purposes and located in close proximity to the CRA.

Traffic Circulation

The needs of motorists and pedestrians within the CRA are heavily influenced by the existing traffic circulation pattern, which is significantly impacted by the following factors:

- Primary access to the downtown is from a “paired” one way street system consisting of State Road 50A/ Jefferson Street, and U. S. Highway 41/ Broad Street, with secondary access from Howell Avenue/Main Street.
- Available public parking is in close proximity to high traffic areas where the need for parking exists.
- There are two primary intersections within the center of downtown: Main Street and Jefferson Street; Main Street and Broad Street.

These factors are important to other aspects of traffic circulation, parking and retail marketing of the downtown and will impact the resolution of other redevelopment related issues.

Because the two highways bisect downtown Brooksville, traffic moves fast, making it less pedestrian friendly. As a result, many potential shoppers are whisked through the downtown area without realizing its potential. In order to slow down traffic and provide information to drivers, there is a need for improved signage along the highways and the interspersing of traffic calming devices.

While a program to accomplish this is underway, there are many locations (gateways) that lead into downtown that would benefit from the introduction of one or both treatments. In addition, the gateways should be considered for appropriate streetscaping facilities that are consistent with those proposed for the downtown area. This conformity of design will accentuate a “sense of place” and help to further define the area. The gateways only include the existing City right-of-ways, not the adjoining properties. The gateways are generally defined as follows:

1. Howell Avenue: This northern gateway proceeds from the northern City limits into downtown.
2. Main Street: This southern gateway proceeds from SR 50 (Cortez Boulevard) into downtown.
3. North Broad Street/U. S. Highway 41: This northeastern gateway proceeds from the northeastern City limits into downtown.
4. South Broad Street/ U.S. Highway 41: This southwestern gateway proceeds from the southwestern City limits into downtown.
5. West Jefferson Street/SR 50A: This western gateway proceeds from the western City limits into downtown.
6. East Jefferson Street / SR 50A: This eastern gateway proceeds from the eastern City limits into downtown.

The above gateway descriptions are approximate. The redevelopment area maps do not specifically identify the gateways due to size, but they are included in the redevelopment area.

Improvements to sidewalks and pedestrian accessories (i.e., trash cans, benches, shade trees, etc.) will result in better pedestrian access to, and circulation within, the downtown from neighboring residential areas. In addition, there is limited “express parking.” This type of parking is the ability to park within 20 to 100 feet of the store the vehicle operator wishes to visit. As a result, many motorists use centralized public and private parking lots. The aesthetics of the parking area and the walkway to the intended business are important to the pedestrian/motorist. In addition, the feeling of safety within the parking area, walkways and roadway crossings are important to the potential downtown patron. Therefore, it is essential to prioritize pedestrian-related improvements based on the vehicle traffic counts and location of public and private off-site parking facilities.

The ability to improve safety to pedestrians within highly congested areas can be in the form of aesthetically pleasing items that form either an actual physical or psychological barrier between vehicles and pedestrians. The physical barriers can be in the form of landscaping, bollards, street furniture and planters. Psychological barriers can be in the form of small landscaping, signage and designated crosswalks on roadways that utilize color and texture of material to signify the area as a pedestrian zone. Pedestrian friendly crossings and multi-use facilities for public transportation drop-off and pick-up should be expanded within the CRA to encourage less through traffic in the downtown area.

Long range plans by the Tampa Bay Area Regional Transportation Authority (TBARTA) call for the City of Brooksville to be the northern hub of a commuter rail system. In an effort to accommodate that hub, the City has modified its comprehensive plan to include multi-use transit oriented development (TOD) in close proximity to the CRA and adjacent to the Good Neighbor trailhead. Additional TOD areas are also being considered. Transportation, parking and transit planning within the CRA should take into account compatibility with the TBARTA’s goals and the possible TOD hub.

Parking

The current needs for parking are not based strictly on the number of on and off-site spaces currently available, but are also tied to the need to improve the downtown landscaping (which would promote greater use by pedestrian traffic); the safety of available parking on existing major roadways; and existing uses with inadequate parking which may adversely impact the overall availability of downtown parking. The City of Brooksville utilizes a traditional parking strategy in which parking requirements are tied to zoning, specific structural use and the size of the structure being used.

The current system results in the utilization of prime commercial property for parking, hindering the expansion or development of many of the vacant parcels in the downtown. A reverse strategy has been utilized in other communities that were facing decline in which the parking space requirements were minimized, allowing for greater infill. Centralized parking lots, which minimize the use of prime commercial property, were also purchased and improved. However, this strategy does not work unless aesthetic improvements are made to make the experience pleasing for the vehicle driver/pedestrian. The result is the creation of increased pedestrian traffic due to the increased distance of vehicle parking from the destination. With increased growth and tax revenues, parking concerns and planning can be dealt with as an infrastructure need.



It is important to analyze the need for parking in any downtown when discussing redevelopment. The non-downtown portion of the redevelopment area is not subject to the level of build-out or congestion as the downtown. A previously-conducted parking analysis focused on the

downtown, where shoppers and business owners have indicated there is insufficient parking during the weekdays, when the Courthouse and County facilities are active. A study was conducted in 1996 to determine the amount of parking available and the parking spaces required for downtown land uses. The following tables from that assessment identify the land that is available for parking (Table 7) and the number of parking spaces that can be created (Table 8).

TABLE 7 DOWNTOWN PARKING LAND ANALYSIS	
Property Use	Size (Sq. Ft.)
Total Area of the Downtown	510,000
Right-of Ways and Streets	-247,500
Commercial/Government Structures	-216,750
PROPERTY AVAILABLE FOR PARKING	45,750

TABLE 8 DOWNTOWN PARKING SPACE ANALYSIS (BASED ON 100% OCCUPANCY)		
Property Use	Size (Sq. Ft.)	Parking Spaces
Property available for private parking	45,750	
Estimate land use per parking space	300	
Parking spaces that either exists or could be developed on private property		153
Off-site private parking		155
Existing public parking in the downtown		160
Estimated need for parking spaces based on industry standards (based on building Sq. Ft.)		-946
DOWNTOWN PARKING SPACE DEFICIT		(479)

A count of the number of private parking spaces was not utilized in the referenced study due to the number of private parking lots that use standardized parking designs. As a result, the study focused on determining the land mass that is currently being used for parking or could be used for parking.

The downtown core was found to have 160 public parking spaces and the private property in the downtown produced approximately 308 parking spaces. Using a standard guideline for off-street parking requirements for retail businesses (One parking space per 200 square feet of gross floor area), a parking deficit of 479 spaces is estimated. However, this parking needs calculation assumes that all structures in

the downtown are being fully utilized. This calculation does not assume that the 50,000 square feet in upper floor space is being used for active commercial use.

Brooksville faces challenges with regards to parking which will continue to get worse as development generates more vehicle traffic. The utilization of signage to get people to off-site parking, public transportation, street parking and vacant lot development will all need to be considered in a long range transportation plan for the City of Brooksville, which includes the CRA area.

General Streetscape

An important part of redeveloping any area is its appearance. Many aspects of appearance will improve as buildings are renovated, as revitalization takes place for economic reasons, as streets are repaired and the infrastructure is upgraded. However, some aspects of the appearance of a downtown must be given special attention. Public improvements in a downtown are often concerned with the appearance of the Streetscape. The Streetscape is the combination of all elements in a pedestrian or vehicular area, usually the public right-of-way, and includes street furniture, landscaping, sidewalks, lights, signs, and the relationship of each of these elements both to each other and to adjacent buildings. Standards need to be adopted for the redevelopment area with regard to these elements of the Streetscape. For the purposes of this discussion, the Streetscape includes the street furniture (items such as benches, planters, banners, bollards, bike racks, trash receptacles, kiosks, etc.), landscaping (trees, tree grates, guards and irrigation), and lights. Encouragement should be given to continue this theme into public and private alleyways.



In order to create a harmonious streetscape it is imperative to create a pallet of styles, textures, colors, and other aesthetic attributes that are keyed into a general theme or brand for the downtown development. For example, various brands have been discussed in recent stakeholder meetings and community workshops. Some of the more recent highlights include the following:

1. Blueberry Festival and its various logos, colors, and seasonal appeal.
2. Christmas store theme; various logos, colors, and seasonal appeal.
3. Brooksville as the center for ‘front porch living’ as widely distributed by promotional material for the City.
4. Historic elements of the district and other historic structures that upon further analysis could be classified as possessing a certain historic theme or commonality. (Historic structures as seeds of redevelopment).

The Streetscape plan is composed of five categories of elements, as described in the following paragraphs:

- Street Furniture

The street furniture program will include a variety of elements, including benches, tree grates, bicycle racks, trash receptacles, bollards, including those bollards with integral lighting for illuminating intensive pedestrian activity areas and street lighting. All seating could be specially coated to reduce heat transmission in hot summer months. Commonality and branding is important for street furniture as well. Bike lanes and bike racks should be encouraged throughout the District.

Updated Americans with Disabilities Act (ADA) Standards were published in 2011 and they contain new requirements for areas not previously governed by ADA. It is recommended that Brooksville undertake an assessment of all exterior assembly areas, park benches and playground equipment and provide an update in accordance with the new standards.

- Paving Materials

The paving program will include resurfacing sidewalks and roadway crosswalks with decorative paving (e.g., brick, concrete pavers, etc.). In addition, all paving materials and sidewalks will meet the requirements of the Americans with Disabilities Act.

Specialized paving (i.e., brick or concrete pavers) and concrete should be utilized for sidewalk replacement. Concrete utilized for paving in these areas will have broom, rock salt or other approved textural finish and should comply with all applicable design specifications as established by the City of Brooksville. Both pavers and concrete should be utilized to identify/accent pedestrian walkways, crosswalks and seating areas. Concrete should serve as the primary replacement material with paver accents when feasible. CRA aesthetics should not be addressed on a project by project basis. In order to implement a successful paving program and create a pedestrian friendly area, the CRA should be mapped and designed in a coordinated fashion and with a common theme.

- Banners and Signage

Another primary objective of the Streetscape plan is the development of an enhanced and unified identity for the downtown area. One of the key design elements utilized to achieve this objective is the implementation of a banner and signage program throughout the project area. The program includes the following decorative banners:

- Downtown Banners
- Seasonal/Special Event Banners
- Downtown Entry/Welcome Signage
- Public Parking Signage
- Enhanced Street Name Signage

Designated banner poles will require field verification to make sure that the poles are suitable for banner display (i.e., banners should not conflict with trees, utility wires, traffic signals, signs, etc.). The Downtown Banner is intended to remain up all year and will provide a consistent identity feature for downtown. Its design will reflect the character of historic downtown architecture and will use images, type styles and graphics which are compatible with Brooksville’s historic character.

Seasonal/Special events’ banners will stand opposite the downtown banners and will provide the opportunity to announce special events and to celebrate the change of seasons. They will be designed so that the colors are compatible with the Downtown Banner. Colorful Downtown Entry/Welcome Signs should be placed at the entrances to the downtown area to help define the downtown area, welcome visitors, and direct them to public parking areas. On the way to parking areas,



visitors will encounter directional signage and parking area identification signs in the same colorful, historic style as the entry/welcome signs.

Existing street name signs located within the project area could be replaced with signs that display a logo next to the street name and have a colored background that differentiates them from the City's other street name signs. A primary objective of signage throughout the CRA should be to inform Brooksville residents and visitors of the opportunities that exist, whether they be vehicular way-finding, parking, retail or special districts. The current one-way parallels that bisect the downtown area make it easy for automobile traffic to make their way through Brooksville, but little to identify Brooksville as a destination. Effective signage could inform the public of the many opportunities the District offers.

In the case of these visual components within the District, the new branding should be derived from seasonal events such as the Blueberry Festival, or from historical "Seeds of Redevelopment." The logos and theme should remain consistent with the agreed upon identity brand of Brooksville. Prior to any thematic determination stakeholders should agree on this identity and give clear direction to graphic artists. Doing so will allow all participating parties to begin to express Brooksville's brand in an easily recognizable logo format. The City has recently adopted a revised sign ordinance that accommodates the banner and signage plan.

- Landscape Specifications

Consistent landscape design, installation and maintenance will play a crucial role in the successful implementation of the Streetscape plan for the redevelopment area. While the intensity of landscaping enhancement may vary among the different districts, the design theme will remain consistent throughout the project area.

A design with a strong repetitive nature which utilizes a limited number of canopy tree species should be utilized for both right-of-way and parking area landscaping. Plant materials should be selected from a recommended list. These materials will be selected based on their ability to withstand the urban environment; their ability to enhance the pedestrian environment; and their overall aesthetic value. "Preferred" plant species, based on their success in the Brooksville area, should be selected in a follow-up document. Indigenous plant materials which have low water and maintenance requirements should be utilized where appropriate. As is typically the case with landscape design, a thorough analysis of the existing micro climatic conditions will be required to determine plant material suitability.

When feasible, canopy trees should be placed along a typical block face. Additional tree plantings can be used in outdoor plaza spaces, cafe areas and at bulb-out locations; spacing in these areas will depend on the growth characteristics of the selected tree species. All at-grade planters will include an appropriate ground cover and/or shrubs. Irrigation to trees, shrubs, ground covers and flowers will be most efficient when utilizing low volume drip systems, spray, or bubbler emitters. Each system will be designed to provide full coverage of planted areas with minimal over spray to non-planted areas. During the design of the downtown Streetscape program, particular attention will be placed upon locating shade trees to minimize conflicts with any overhead lines (for those that cannot go underground) and views to building signage.

It is recommended to pursue a consolidation of tree mass areas, so as to group the new landscaping within the District. In short, if a consistent landscaping theme could be massed at strategic redevelopment locations, then other such development nodes could follow suit. Interspersed between these nodes of redevelopment could be planter boxes. This constitutes a nodal approach to

redevelopment, with each node serving as a catalyst and springboard for other potential strategic locations. Thoughtful and effective placement of downtown vegetation could easily support the theme of Brooksville as a center for “Front Porch Living.”

- Maintenance

All the proposed Streetscape enhancements in the Streetscape plan will require routine maintenance to ensure longevity. Landscape areas need to be maintained to present a healthy and orderly appearance and will be kept free of refuse and debris. This includes pruning, fertilizing and replacing plant materials as needed as well as taking preventive measures to ensure that plant materials are not damaged due to chemicals, insects, diseases, lack of water or improper pruning techniques. All Streetscape trees should be pruned in such a manner so as not to alter their natural form or character. Additionally, street furnishings will require cleaning and paver/concrete areas will require cleaning and resealing on occasion. Maintenance of the irrigation and special events electrical systems and installation and replacement of banners should also be included as part of the maintenance program. Routine and enhanced maintenance should be coordinated with the Downtown Business and/or Merchants Associations to properly fund yearly activities.

Intersection Improvements

The corners of Broad Street and Main Street and Jefferson and Main Street are the center points of the functioning downtown. This is the site of major traffic flow from U. S. Highway 41 to State Road 50. These intersections, which currently produce a considerable amount of vehicle and pedestrian traffic, have been upgraded both aesthetically and functionally. Both intersections have physical pedestrian crossing designations including digital crosswalk signs with a countdown to signal changes. The intersections aesthetics have been enhanced by placing the utilities underground, constructing bulb-outs and planting decorative landscaping. Additional city blocks and intersections are planned to be addressed with similar improvements. Focus should be on slowing through traffic with enhanced pedestrian friendly crossings and public transport collection areas.



Historic Preservation

Currently there are at least 26 structures within the redevelopment area that are considered historic and should be preserved. As improvements to both infrastructure and buildings are considered as part of this plan, consideration and care should be taken to preserve and restore these historic structures. It is important to coordinate all renovations of historic structures with the Florida Department of State. Historic structures should be reviewed consistent with new City regulations and where appropriate measures should be taken to preserve the detailing and specific styles of a historical structure, through coordination and oversight consistent with the Historic District. Individuals performing alterations on a structure determined to be ‘historic’ must adhere to the alteration requirements set forth by the Historic District. Any historic preservation should reflect the design intent and architectural style of the original construction. The varying components that go into historic preservation have been analyzed within Appendix A.

Commercial Facade Improvements

Commercial facades are an important aspect to an overall theme or aesthetic design. The CRA has provided guidelines for façade improvements (see Appendix A). As long as funds are available, it also offers a generous grant to assist business owners to improve the facades on their historic structures. The City has also modified zoning regulations to encourage or require certain design constraints. Additionally, assistance can be provided to businesses through assistance and identification of available state and federal grants for individual interests. Based on a preliminary field review of the businesses located within the redevelopment district, there are at least 15 businesses in the redevelopment area that could utilize facade improvements of one kind or another. An additional 15 to 20 businesses may desire to modify the facades for architectural or aesthetic reasons. These improvements can be in the form of new entrance ways (ADA accessible), canopies, and even complete facade redesigns. The design of the facades should be directly related to the overall theme that is utilized for the downtown.



The façade improvements should reflect the design intent and architectural style of the original construction. The varying components that go into a commercial façade have been dissected and analyzed within Appendix A.

GOALS AND OBJECTIVES

PUBLIC HEALTH & SAFETY

GOAL 1: Foster an attractive, safe and comfortable environment that is conducive to activities during the day and evenings.

Public facilities, police service, fire protection and community involvement are all important components of establishing a safe and comfortable environment for residents, businesses and visitors.

Objective 1.1 Assess the status of streetlights, sidewalks and pedestrian crossings throughout the City CRA.

Objective 1.2 Repair, replace and add sidewalks and streetlights that are deemed lacking and will assist with applications for those sources.

Objective 1.3 Improve pedestrian crossings, including the construction of bulb-outs in order to facilitate safe movement of pedestrians throughout the Community Redevelopment Area.

Objective 1.4 Analyze fire protection capabilities for meeting current and future needs. Upon conclusion of the review and analysis, establish a plan to correct deficiencies and plan for future needs.

Objective 1.5 Review Policies and Procedures for Fire and Police Departments to ensure coordination of services when applicable.

Objective 1.6 Develop community crime watch programs where appropriate.

UTILITY INFRASTRUCTURE AND SERVICES

GOAL 2: Ensure the provision of adequate and efficient utility infrastructure and services to support existing and additional development.

Infrastructure improvements must be made to assure that renovations, development, growth and revitalization can occur throughout the CRA.

Objective 2.1 A comprehensive analysis of existing potable water and sewer infrastructure should be done to determine each system's condition and capacity as it relates to existing land uses and possible increases in land use intensity.

Objective 2.2 Repair and/or replace water and sewer lines as needed. Include repair/replacement whenever feasible in conjunction with other construction projects.

Objective 2.3 Analyze the feasibility of underground installation of aerial power and telephone facilities within the redevelopment area.

Objective 2.4 Evaluate and implement, if feasible, a master stormwater system for the CRA that could handle stormwater for all remaining developable parcels, alleviating the need for individual sites to utilize valuable space to provide treatment and retention.

Objective 2.5 Evaluate the potential for improving the quality of stormwater runoff from the CRA through use of low impact development techniques such as inlets with biofilters, bioretention swales, rain gardens, installation of cisterns, pervious paving, and green roofs. Develop incentives that could be offered to property owners for retrofitting existing sites and in developing new site improvements.

Objective 2.6 Ensure that public restroom facilities and water fountains are available for convenient use by visitors and residents.

TRANSPORTATION, TRANSIT, PARKING AND PEDESTRIAN

GOAL 3: Ensure the provision of a safe, efficient and pedestrian friendly multi-modal transportation system with adequate parking.

A coordinated and multi-modal transportation system is integral to the successful operation and growth of the Community Redevelopment Area.

Objective 3.1 Conduct periodic vehicular and non-vehicular traffic circulation studies of the downtown and surrounding areas to determine the best circulation patterns.

Objective 3.2 Facilitate the improvement, maintenance or expansion of sidewalks and bikepaths. Particular attention shall be given to connecting the Good Neighbor Trail to the CRA and other travel interests of recreational visitors.

Objective 3.3 Complete a downtown parking needs analysis and develop an effective management system. This should include unified signage that is distinctive to the downtown and a parking lot improvement/maintenance program.

Objective 3.4 Develop a master plan for accessibility improvements for the disabled to and within the City.

Objective 3.5 Transportation and parking plans within the CRA should accommodate current transit options and ensure compatibility with future plans of the City and the Tampa Bay Area Regional Transportation Authority.



BEAUTIFICATION/PROPERTY ENHANCEMENTS

GOAL 4: Increase the identity and enhance the visual impact of the downtown area and thereby establish the downtown area as a focal point through development of an aesthetically pleasing and somewhat uniform image.

This is a multi faceted initiative including reconstruction of intersections, bricked pedestrian walkways, landscaped buffers at intersections and sidewalks, old fashioned street lamps, antique-style benches and decorative trash receptacles. It also includes brick recovery of traditional brick streets buried under asphalt, facade renovations and landscaped parking areas. The amenities are designed to entice public appreciation and use and are intended to slow the rate of motor traffic making it pedestrian friendly.

This section is divided into six areas: Streetscaping, Brick Recovery, Landscaping Standards, Preservation/Restoration, Facade Grants, and Signage.

STREETSCAPING

Objective 4.1 Increase the visual attractiveness and unity of downtown Brooksville by identifying a Streetscaping theme.

Objective 4.2 Implement a phased program for streetscaping with emphasis on pedestrian orientation in downtown Brooksville through landscape features, pedestrian-scale lighting and street furniture.

Objective 4.3 Begin a visual enhancement program through the elimination of visual pollution and by screening surface parking areas with landscaping or other means.

Objective 4.4 Develop unified signage that is distinctive.

Objective 4.5 Identify funding sources to procure and install pedestrian oriented aesthetic improvements and assist with applications.

Objective 4.6 Coordinate with the City on the provision of services for the maintenance and landscaping of sidewalks, walkways, open space features, “bulb-outs” and other traffic calming devices.

Objective 4.7 Encourage historically appropriate building improvements by property owners that enhance the streetscape.

BRICK RECOVERY Restoring Brooksville's historic streets necessitates the original brick's resurrection to ensure quality, longevity and historic preservation.

Objective 4.8 Examine asphalted brick streets in need of repair to determine their potential for brick recovery. Future planning should incorporate brick recovery within the city's pavement management program.

LANDSCAPING STANDARDS

Objective 4.9 Encourage and support the planting of shade trees and construction of other canopy features in the pedestrian areas. Promote the use of shade trees within the City and on City Rights-of-way, provided that all safety standards can be met.

Objective 4.10 A CRA-wide landscape plan should be designed and implemented for rights-of-way, public open spaces and parking areas.

PRESERVATION/RESTORATION Standards should reflect the time period most indicative of a particular zone's history. A phase-in program is presently available for existing properties within the districts. This program includes some funding assistance such as facade and landscaping grants and could further include tax breaks and fee reductions. Owners of income-generating properties who undertake upgrades may also qualify for federal tax breaks under the Federal Investment Tax Credit program.

Enforcement of standards established in the Land Development Code is overseen by an Historic Review Committee. The Committee should include persons from the following professions: architecture, engineering, development, historical preservation (museum) and other lay people, particularly those with experience and knowledge of history and renovation.

Objective 4.11 Establish specific architectural and design standards for historic zones. Establish guidelines for preservation and restoration of historic assets.

Objective 4.12 Research tax breaks and fee reductions used in other cities and consider utilization within the City. Implement where feasible and communicate existing state and federal tax breaks for historical restoration projects to the citizens.



Objective 4.13 Encourage the renovation of buildings to promote commercial office, residential and multi-use facilities within and around the downtown redevelopment area. Renovation of second story building space for either commercial, office or residential use could greatly assist property owners in revenue generation and enhance the downtown area.

Objective 4.14 Work with local lending institutions to establish a loan pool program to provide local businesses and residents with assistance in rehabilitating existing structures.

FACADE GRANTS Adopted in 2009, commercial property improvement grants have become an integral part of the CRA's redevelopment plans. Other options, when available should also be pursued.

Objective 4.15 Continually monitor the need for façade/exterior improvements to properties or structures in the CRA.

Objective 4.16 Identify funding sources and assist with applications in order to assist property owners with renovations to exposed front, back and sides of structures.

Objective 4.17 Façade/exterior improvements should be considered by the CRA during the budget allocation of the community redevelopment trust funds and the Small Cities Community Development Block Grant applications.

Objective 4.18 Review the need for façade/exterior improvements to government structures and co-ordinate with applicable government entities regarding improvements to their structures.

SIGNAGE This section is divided into two areas: Gateway Welcome Signs and Other Signage.

Gateway Welcome Signs

Eye-catching entry signs are being located at strategic entry points into the city, large enough to be readable and artistic enough to be impressive. The signs should be landscaped in an aesthetically pleasing manner with seasonal and year-round vegetation.

Priority Locations:

- Apex of East Jefferson Street (Hwy. 50A) and Dr. Martin Luther King Blvd.
- Apex of Howell Avenue and Broad Street (U. S. 41 N)
- West of Cortez Blvd.(Hwy 50) and Mobley Road
- U. S. Highway 41 South (Sign erected in 2012)



Objective 4.19 Coordinate signage plans with the Florida Department of Transportation and Hernando County and obtain any necessary easements/rights-of-way/permits required for the entry signs.

Objective 4.20 Plan and coordinate construction of "Welcome to Downtown Brooksville" signs and landscape entryways.

Other Signage

Objective 4.21 Design and install distinctive way-finding signage to focus attention on the assets in our community.

Objective 4.22 Identify funding sources and methods of implementation for improved signage and will assist with applications for those sources.

CITY CODES & DEVELOPMENT

GOAL 5: Improve processes, codes, and policies adopted by the City of Brooksville to encourage renovation, development, growth and revitalization throughout the City.

This section is divided into two areas: Zoning and Development Criteria and Development Incentives.

ZONING AND DEVELOPMENT CRITERIA Continued monitoring is needed to eliminate or minimize disincentives that hinder new businesses and residents from moving into the City; particularly the downtown district. Development should be facilitated, particularly in the renovation of second story building space. The downtown area has a considerable amount of second story space that is currently

empty or not used for revenue generation. A program that would encourage development of this space for either commercial or residential use could greatly assist property owners in revenue generation and enhance the downtown area.

Objective 5.1 Monitor existing codes and policies to ensure the encouragement of quality development and preservation of our historic assets. At the same time, the City should promote and encourage revitalization of substandard or deteriorating housing and commercial property through code enforcement and abatement.

Objective 5.2 Monitor policies and procedures regarding building and property code enforcement to ensure an aggressive posture, particularly with regard to run-down properties that devalue adjacent lots and the overall quality of Brooksville.

Objective 5.3 Continue to create development incentives in the downtown redevelopment area to achieve the desired mix of land for commercial and residential uses.

Objective 5.4 Promote environmentally-friendly development that utilizes low impact design (LID) and best management practices (BMPs).

Objective 5.5 Review and revise policies and procedures to maintain and enhance existing development and encourage additional development of undeveloped or underdeveloped property.

Objective 5.6 Continue to identify funding sources to support the elimination of blighted and dilapidated structures and assist with applications for those sources.

DEVELOPMENT INCENTIVES The Brooksville Revitalization Effort will seek investment initiatives that bolster local business and residential activity. Those options vary in extent from property ownership and leasing, to encouraging building improvements by property owners, to recruiting developers who will comply with local revitalization standards. Such initiatives are negotiated efforts.

There are a number of incentive options worth exploring to help stimulate downtown business activity. Incentive programs must be managed by the agency which regulates them and many of these options would be coordinated with existing economic groups.

The Financial Considerations for Revitalization section of this Plan provides additional detail on possible funding sources for revitalization, including several of the programs indicated in the following objectives.

Objective 5.7 Review the current Utility Program to ensure developers are encouraged thru fee credits to upgrade or build utility systems within the City.

Objective 5.8 Continue to utilize the economic ad valorem tax exemption program.

Objective 5.9 Explore obtaining a Rural Business Enterprise Grant. These grant opportunities are designed to promote development of small and emerging business enterprises in municipalities of less than 50,000.

Objective 5.10 The Revitalization Effort should work toward establishing a Contribution Tax Incentive Program such as the one offered through the Enterprise Zone Program.

Objective 5.11 Publicize the availability and provide guidance in the application process for Façade/Property Improvement Grants.

Objective 5.12 Continue the use of Tax Increment Financing, administered by the Community Redevelopment Agency

Objective 5.13 The Community Redevelopment Agency shall meet as needed for the purposes of conducting and overseeing Community Redevelopment Area business.

Objective 5.14 The Community Redevelopment Agency will work to aggressively develop, plan, finance and construct improvements to the Community Redevelopment Area.

Objective 5.15 The Community Redevelopment Agency shall adopt a strong policy of utilizing redevelopment trust funds for those projects that can show justifiable gain in the property value or redevelopment impact in the Community Redevelopment Area.

Objective 5.16 The Community Redevelopment Agency shall promote participation by local financial institutions in the Community Redevelopment Area loan pool, which could be utilized in conjunction with funds maintained in the Redevelopment Trust Fund.

Objective 5.17 The Community Redevelopment Agency shall encourage and promote cooperation between the city and county governments in furtherance of these goals.

ECONOMIC

GOAL 6: Diversify the area's economic base, increase sales receipts and heighten business profitability; Enable growth in that economic base. Establish the downtown area as a focal point for the community to attract more shoppers and visitors for longer periods of time and from a wider geographic area.

Objective 6.1 Complete a planning framework for the downtown area. The framework should address downtown's opportunities and needs in an integrated fashion through stakeholder input, detailed analysis, and visionary thinking. By establishing a planning framework, the City will set the stage for both private and public investment. Primary framework components would include:

- A distillation of the community's vision for the downtown, which reflects its needs, values, priorities, and preferred outcomes.
- An assessment of downtown's current and potential future position within the local real estate market, translated into strengths, weaknesses, opportunities, and threats. The market position is a synthesis of demographic trends, real estate conditions, locational and physical characteristics, and community resources.
- A land use and urban design plan that establishes the desired pattern of activities, buildings, and public spaces within the downtown.

- A multimodal transportation and parking plan that establishes a framework for mobility and accessibility within the downtown by automobile, transit, bicycling, and walking. This includes an evaluation of parking conditions and needs to support both economic activity and a pedestrian-friendly environment.

Objective 6.2 Use the planning framework to establish a detailed implementation framework that identifies specific projects, initiatives, and strategies that will be used to achieve the vision for the downtown. The implementation framework should specify priorities, timeframes, responsibilities, and tools to be used. Potential areas of focus include:

- Public Realm: streetscape, wayfinding, open space, public art
- Parking, Access, and Circulation: balancing parking demand/supply, bicycle path connections, sidewalk conditions, transit access, roadway operations, pedestrian connectivity
- Regulatory Codes and Policies: future land use plan designation for downtown, comprehensive plan amendments, downtown overlay zone
- Infrastructure: needs and projects tied to capital improvements planning
- TIF and Incentives Policy: target areas and priorities (both location-based and issue-based), core deal-making principles, deal structure preferences, desired return on investment (financial and otherwise)
- Publicly Owned Land Strategy: asset evaluation and due diligence, development objectives for key properties, relations with other public landowners, leverage methods, valuation and “write down” policies, relocation policies
- Marketing and Programming Strategies: event programming and marketing, developer outreach, business marketing, merchant directory, logo and collateral materials

RECREATION

GOAL 7: Improve and enhance the recreational areas that are available to the City residents and visitors. Attract and increase the number of visitors in the downtown area through recreational facilities and recreational/cultural events.

This section is divided into two areas: The Good Neighbor Trail and Cultural Affairs and Community Efforts.

THE GOOD NEIGHBOR TRAIL With ongoing construction of the Good Neighbor Trail, the CRA will now be connected with the Withlacoochee Trail and the regional Rails-to-Trails network. There have been additional discussions regarding connection to the Suncoast Trail to the west and the Van Fleet Trail in Sumter and Polk counties, then further east to the Orange County Trail. If these links come about as anticipated, Brooksville could be the hub for regional bicycle events. The trailhead and recreation/parking facilities at



Russell Street provide a convenient entrance to Brooksville, which can be enhanced by the development of a designated bicycle leg for the short distance to downtown. The potential impact and opportunities made available by the Good Neighbor Trail need to be incorporated into the master planning of the CRA. The trailhead should incorporate way signs, map stations, proper lighting and public facilities to provide an entrance to the CRA that is attractive to trail users.

Objective 7.1 Continue to implement enhancement of the Good Neighbor Trail and its trailhead at Russell Street Park, including the creation of a designated connection to downtown.

Russell Street between Main Street and S. Brooksville Avenue is envisioned as a community crosswalk location. A limited quantity of bricks could be sold in support of the project and engraved with the buyer's name. The project would not only ensure community buy-in for the park, but enhance the area's historic flare.

Objective 7.2 Encourage small businesses that are attractive to trail users to set up shop and spread growth into areas radiating from the complex.

Objective 7.3 Continue the streetscaping theme envisioned for the downtown redevelopment area along Main Street and onto Russell Street where it borders the complex.

Objective 7.4 Identify sources of funding that could be used to complete the project and will assist with applications for those sources.

CULTURAL AFFAIRS AND COMMUNITY EFFORTS Many efforts in the past have been made by the Downtown Development Corporation, the County Recreation Department, the Heritage Museum, the Greater Hernando County Chamber of Commerce, the Brooksville Business Alliance, the Hernando County Fine Arts Council, the Bandshell Bash Committee, the Brooksville Kiwanis Club, the Brooksville Cycling Classic, the Rotary Club, the Red Mule Runners Club and others to hold events in Brooksville that will attract local residents and out-of-county visitors. Recent efforts spearheaded by the Florida Blueberry Festival Committee have added another feature attraction to the mix. These efforts should continue and be supported by the Revitalization Effort. Further encouragement and support should be given to those that want to plan and organize new events in the downtown area. All events and activities that are community inclusive and inviting to visitors go a long way in building an interest to visit, shop, eat, and work in Brooksville. Cultural and community events and activities improve the City's image of viability and vitality.

Closely related to the perception of a town's viability and vitality is the perception of occupancy. This is particularly important to vacant structures with large display windows. Giving the appearance of occupation heightens a visitor's perception of that community's viability; vacant windows diminish that perception. Vacant window space could be turned into display cases for other businesses, community events, or holiday displays.

Objective 7.5 Encourage additional civic activities and community events in the downtown area, beginning immediately upon the adoption of this plan.

Objective 7.6 The Revitalization Effort will coordinate the development of a handbook to assist civic groups with community events to be held in the City of Brooksville.

Objective 7.7 The Revitalization Effort will coordinate the utilization of vacant window space for display purposes with the schools, libraries and local cultural/event related interests.

Objective 7.8 Work closely with area organizations to promote and implement community and cultural events.

Objective 7.9 Make improvements to civic spaces, including Hernando Park, to provide functional, aesthetically pleasing venues for community and cultural events.

CRA Project List

One component of the Community Redevelopment Plan is an assessment of strengths needs and deficiencies within the downtown area. As part of that assessment, areas of improvement (“needs”) were identified and some solutions proposed. The goals established in the Plan provided an overall framework and approach to meeting these needs, while the objectives presented additional detail and direction, often identifying projects or programs. The purpose of this section is to list specific programs which the CRA has chosen to prioritize. A description, preliminary cost figure and possible funding sources are provided for each project. For projects anticipated to be undertaken in the upcoming five years, additional information is included and placed into a capital improvement plan, provided at the end of this section

Competition for limited federal and state grant monies available in the present governmental belt-tightening is more challenging. The City of Brooksville has been successful in the past at submitting projects that attracted federal and state support and will continue to do so in the future. Many of the larger projects, particularly those oriented toward infrastructure improvements, will be partially dependent on outside grant support. Securing such support will require good planning and well thought-out grant submittals. In the meantime, much of the funding for projects listed below, particularly the short term projects, will make use of annual recurring tax increment financing (TIF) funds. The accumulated balance in the TIF fund was \$455,779.95 at the end of Fiscal Year 2011. The annual TIF revenue in 2011 was \$90,859.97, a figure that is expected to increase as the economy recovers and property improvements and investments increase. The following table summarizes the list of CRA programs and projects.

CRA Project ¹	Budget Est.	Potential Funding Source	Priority
Near Term Projects (Part of Capital Improvement Program)			
Downtown Beautiful and Community Property Improvement Program Projects from \$5,000 to \$50,000 (detailed project listing in the following section)	\$ 350,000	Tax Increment Financing/ Private Investment/Florida Small Cities Community Development Block Grant	High
Recreation Master Plan & Improvements	\$ 60,000	City/Tax Increment Financing/Private Donations	High
Downtown Gateway Improvements/ & Wayfinding Signage	\$ 300,000	Tax Increment Financing, Federal Transportation Enhancement Funds	High
Cultural/Civic Events Programming	\$ 15,000	Tax Increment Financing/Cultural Grants Program	High
Bicycle Facilities & Connection to Good Neighbor Trailhead	\$ 40,000	Tax Increment Financing/FDOT	High
ADA Assessment/Pedestrian & Vehicle Access Study	\$ 10,000	Tax Increment Financing	High
Streetscaping/Traffic Calming Improvements	\$ 350,000	TIF/Florida Small Cities Community Development Block Grant / Florida Main Street	High
Business Recruitment and Retention Incentive Program	\$ 15,000	TIF /Partner with Business alliance/ Enterprise Florida / Main Street	High
CRA Web Page (within City Website)	\$ 2,000	Tax Increment Financing	High
Environmental Stormwater Enhancement (Master Plan, Permitting, LIDs, BMPs)	\$ 50,000	City / TIF/SWFWMMD	High
Parking Improvements and Signage	\$ 20,000	Tax Increment Financing	High
CRA Project	Budget Est.	Potential Funding Source	Priority
Future Projects			
Environmental Stormwater Enhancement (Master Plan and Permitting)	\$1,500,000	SWFWMD/City/TIF/County	Future
Infrastructure System Repair & Replacement (Streets, Sewer, Potable Water, Fire Protection, Electric)	\$9,000,000 ²	FDEP/FDOT/CDBG/City/Progress Energy	Future
Market Economic Analysis (Retail, Office, Housing, Tourism)	\$ 60,000	City / CTIF/ Enterprise Florida / Main Street	Future
Coordinate Community Shuttle, Local and Regional Transit Service Connections	\$ 100,000	MPO / City / FDOT	Future
Property Availability and Acquisition (see project description in the following section)	\$ 200,000	TIF	Future
Tourism Visitation Program	\$ 40,000	TIF / Chamber of Commerce / Visit Florida	Future
Bicycle Lanes (Dedicated or Shared)	\$ 250,000	Florida Highway Beautification Council Grant Program / FDOT	Future
Workforce Multifamily Housing	\$6,000,000	Private Developer / HUD-DCA Grant / Loans	Future
Renovated or New Mixed Use Building	\$3,000,000	Private Developer, Incentives	Future
Civic Performance / Conference Venue	\$2,500,000	Public/Private Investment/TIF	Future

Notes: 1 Some projects will be in coordination with other jurisdictions (City of Brooksville, Hernando County , Southwest Florida Water Management District, etc.). The CRA will be involved to the extent that the project “improves” the CRA District.

2 The infrastructure repair and replacement effort will consist of a series of projects which will be integrated with streetscape projects described in the following section

CIP Project Descriptions – Near-Term Projects

Downtown Beautiful Program

The Brooksville Downtown Beautiful Program is targeted at enhancing the look and feel of the Brooksville Downtown CRA area. The great majority of buildings in downtown Brooksville, many of them historically significant, are not publically owned. Most of the private owners are proud of their structures and are willing to invest in improvements. It is in the best interest of the CRA and the City of Brooksville to encourage these improvements and provide guidance, where needed. The two efforts described below work in that direction.

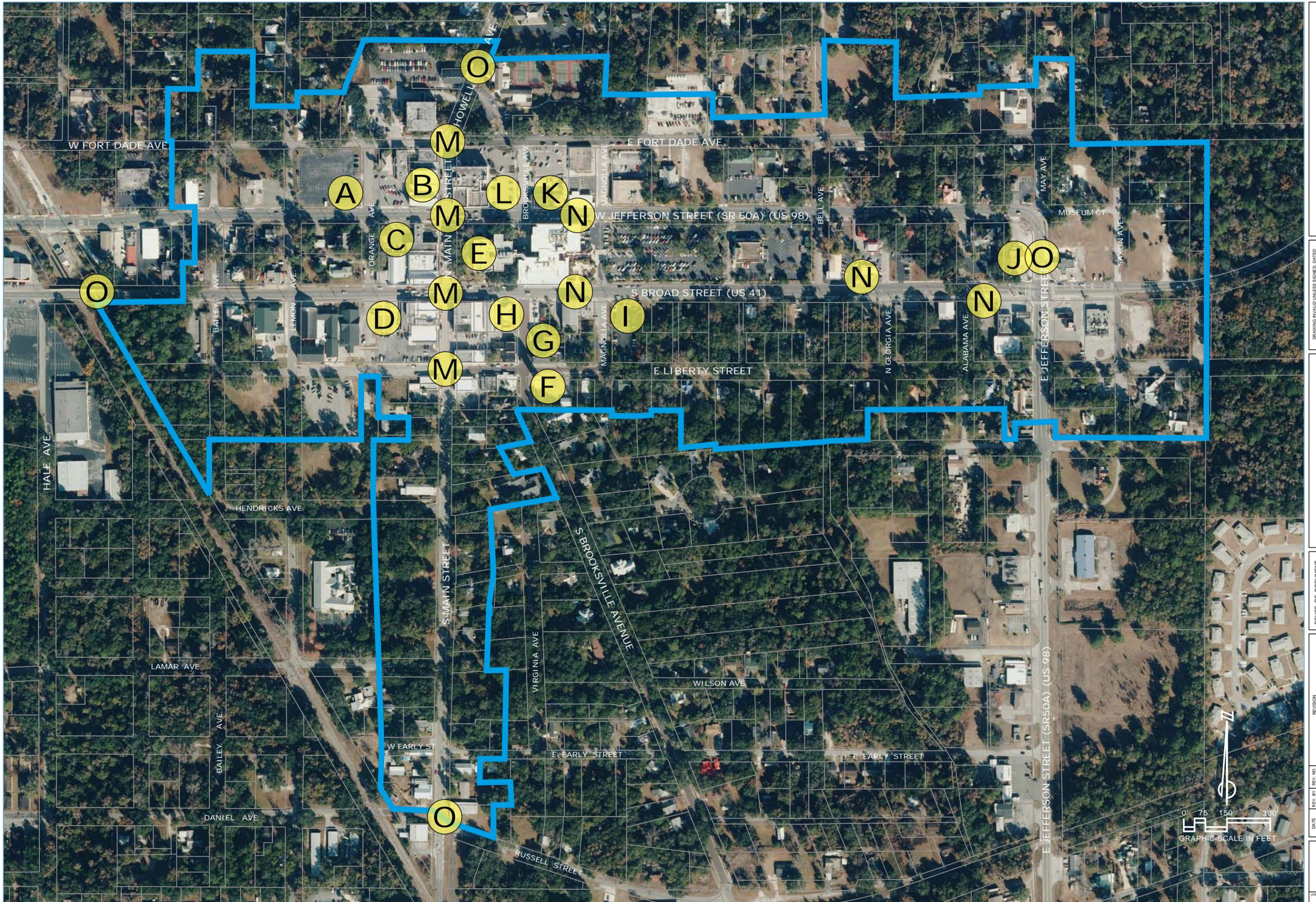
A. Matching Grant Programs

The CRA has an on-going Commercial Property Improvement Matching Grant Program that provides financial assistance to property owners in order to improve the exterior appearance, signage, and landscaping for their properties. The matching grant funds are distributed on a sliding scale and require an application to be submitted and approved by the CRA.

B. Beautification Recognition Awards

Façade and landscape improvements provide a more appealing environment for business customers. The combined efforts of individual property owners help create a more attractive downtown for everyone. While some improvements may require capital investment, smaller-cost actions could include adding plants in pots or baskets, developing creative storefront displays, holiday decorations, or other beautification improvements. The CRA should consider coordinating with the City on an annual awards program celebrating: (1) the business or property owner, (2) block, and/or (3) special award recipient which contributed to most improving the image of the City of Brooksville. If warranted, a distinctly separate award (Best Façade?) could be made just for the CRA area. The awards program can be designed as an annual event to be based upon a nomination process, selected by an award committee, such as the City’s Beautification Board, and recognized at a major annual community event. The intention is to encourage and recognize actions and investment that occurs throughout the year. Additional support and partnership with local organizations, major businesses, and non-profit community organizations is encouraged.

Another component of this effort targets making the CRA area more pedestrian-responsive, informative and environmentally-friendly. This will be accomplished by identifying “spaces” and “features” within the downtown area that can be visually and/or functionally improved through moderate-size construction and landscaping efforts that use low-impact development (LID) and best management practices (BMPs). The objective will be to create attractive places for individuals or small parties to relax or make visual improvements that make walking or biking around downtown more enticing. Some improvements will likely require cooperative agreements (or easements/dedications) with private property owners in order to expand the possible enhancements that can be accomplished throughout downtown. CRA funds can be used to plan and implement the program, with the possibility of seeking grants and additional funding sources. The locations of identified projects are listed in the following section (not in priority order) and are depicted by corresponding “letter” on Map Exhibit A.



**DOWNTOWN BEAUTIFUL PROGRAM
PROJECT LOCATIONS**

**CITY OF BROOKSVILLE
COMMUNITY REDEVELOPMENT AREA**

DRAWING INVALID UNLESS SIGNED, DATED
& SEALED BY REGISTERED PROFESSIONAL

XXXXXXXX, P. E., FL. REG. NO. XXXXXX

Engineering
Surveying
Environmental
Civil
Transportation
Construction Management

Coastal
Engineering Associates, Inc.

986 Candlelight Boulevard - Brooksville - Florida 34601
(852) 796-9696 / (852) 799-6559
EB-0000142

REUSE OF DOCUMENT
ENGINEERING ASSOCIATES, INC.
WRITTEN AUTHORIZATION OF
PROPERTY OF COASTAL
AND IS NOT TO BE REPRODUCED,
WHOLE OR IN PART FOR ANY
OTHER PROJECT WITHOUT THE
THIS DOCUMENT, COMPRISED
OF THE INCORPORATED IDRS
INSTRUMENT OF PROFESSIONAL

DATE	REV. BY	REV. NO.	REVISION

WHEN PRINTED TO SCALE, DRAWING SIZE SHALL BE 11" X 17"

A. NW Corner of Jefferson and North Orange – Corner of Remote SunTrust Parking Lot. Assuming that this site can be used for after hour and event parking, an attractive entry structure (archway or monuments) can be added to entry of lot along with built in seating, a water fountain and some informative signage. The construction could be accommodated in the southeast corner of the lot, which is presently unused and not paved. The improvements should be complementary to the design style of other projects throughout the City.

B. Back side (west side) of Main street buildings between Jefferson and Fort Dade. This façade facing toward North Orange can be embellished with false or active wrought iron style balconies. The existing metal railings can be replaced with solid brick or split face block (to compliment the Snow Bldg.) These walls can be tall enough to hide the utilities of the building. Proper attention should be given to the design as to not create a security issue.

C. Existing Retaining Walls at North Orange / Jefferson can be refaced with brick, stone or textured stucco. A wrought iron style guardrail can be added to the top as well. The northeast corner of this parking lot can provide a space for built-in seating.

D. SE Corner of Broad Street and Orange. The lot at this corner is owned by the First United Methodist Church, which has plans to improve it, both aesthetically and functionally for pedestrian use. A public project complementary to their effort could include replacing the broken sidewalks bordering the lot with a more attractive surface and add built-in seats, planters and possible bulb-out.

E. Old Courthouse The open spaces surrounding the old courthouse could be enhanced and utilized for seating and small gatherings. The majestic trees make a wonderful setting, requiring only a moderate amount of landscaping and constructed features. Along the southern façade, such improvements take some of the visual abruptness out of the transition from the old courthouse to newer courthouse/administration building. A water fountain and additional historic signage would be appropriate.

F. Water Tower at SE Corner of Liberty Street and S. Brooksville Avenue. This existing public sitting area can be enhanced by providing a Pergola or roofed structure around the base of the water tower. This will help the current sitting area become more inviting, provide shade and help reduce the "looming" effect of the tower itself. This area can also act as a garden space with a pergola structure to soften the visual effects of the tower base. Signage, along with a water fountain and a restroom would enhance the positive impact of the site.



G. Public Use of the Lot South of the Hungry Time Cafe on S. Brooksville Avenue. At present, this small lot includes the former McKenzie law offices, a very old historic structure from the mid-1800s that needs to be restored. Once that is accomplished, the lot is an ideal location for public seating and/or a gathering area for pedestrians. Built-in planters and seating can be designed within this space. This site would complement the proposed project at the Bell property across the street.

H. SW Corner of Broad Street and S. Brooksville Avenue (Bell Property – Former Breseman's Pawn Shop and gas station). In a similar vein to the effort at the SE Corner of Broad Street and Orange, improvements to the sidewalk area adjacent to this property could be complementary to improvements to the structure. The building's canopy makes it attractive as a small venue for entertainment. This type of scenario will help bring more activity to the downtown area. Restoration of the canopy area as an original gas station with antique pumps would be a unique treatment.



I. Southeast Corner of S. Magnolia and Broad Street. This County parking lot can be enhanced with built-in planters, information kiosk and directional signage for various local businesses and shops.

J. Both Sides of E. Jefferson Street between Broad Street and Museum Ct.(The Hilltop). This would create an excellent location for a "welcome center" for traffic entering town from the east. An archway can be added over US 41 stating "Welcome to Historic Downtown Brooksville." This site could contain built-in planters, information kiosk and directional signage for various local businesses and shops as well as parking. Public restrooms and a water fountain can be added to this space as well. The field behind the old BP station is used for Museum parking when events are held. Consider visually connecting these two spaces with similar detailing.

K. 61 E. Jefferson Bldg. Add planters along Jefferson Street side to create symmetry with the landscape of the courthouse building across street.

L. NE Corner of Jefferson and N. Brooksville Ave (SunTrust parking lot) A planter/landscape area can be added to southeast corner of the lot to compliment courthouse landscape.

M. Areas in or adjacent to existing planter "bulb outs" along Main St can be enhanced with built-in seating/raised planters and directional signage for various local businesses and shops, if line-of-sight standards can be addressed.

N. Metal handrails throughout downtown area can be replaced with a more traditional wrought iron style. This can be black aluminum to help reduce the visual intrusion.

O. Main roadways entering into downtown can have an archway over road stating "Welcome to Historic Downtown Brooksville".

Historic Hernando Park Master Plan and Improvements

The provision of civic space is important for the overall image and livability in a downtown area. The historic Hernando Park exists as an important, central downtown open space providing active and passive recreational facilities. While frequented by area residents, Hernando Park holds great potential for use by visitors and as a venue for public and private civic events. Together with the Teen Hall building, this resource should be evaluated and master planned to maximize its potential. Improvements to Hernando Park could include seating, landscaping, public facilities, fencing, band shell renovations,

tennis, entrance improvements, children's playground and pedestrian friendly access. This should be a combined effort including the CRA, the City, the County and private partners.

Downtown Gateway Improvements and Wayfinding Signage

Downtown visitation can be greatly improved through defining a sense of arrival and by providing clear directional signage for visitors to major attractions, civic areas and parking facilities. Brooksville is located at the center of major crossroads, with major gateways such as at Cortez Boulevard and Jefferson Street, Broad Street, S. Broad Street and Ponce de Leon Boulevard and Cobb Road. Visitors using these gateways would benefit greatly from better signage using monument or pole mounted signage to better identify the location and components of Downtown Brooksville. These signs would reduce guesswork and improve the visitor's overall experience navigating to their desired destination(s).

Cultural/Civic Events Programming

As part of a program to attract more downtown visitors, businesses, and residents, the CRA should partner with the Brooksville Business Alliance, Hernando Chamber of Commerce and other civic organizations to promote events, such as the monthly Market on Main Street, Summer Nights, the Brooksville Blueberry Festival, music festivals and other community activities. CRA funding can be used as matching funds for development of marketing materials, organization, or promotion of the CRA area.

Bicycle Facilities and Connection to the Good Neighbor Trailhead on Russell Street

Bicycle amenity improvements can enhance visitation to the CRA area. The Good Neighbor Trail serves as an important recreational facility, however, its "connection" to the City has not been established. As visitors enter the trailhead, direction signage to historic downtown Brooksville should be visible. A bicycle-friendly "route" to downtown should be created and marked. Bicycle racks provided at select locations throughout downtown would complete the effort to entice trail users to visit downtown.

ADA Assessment/Pedestrian & Vehicle Access Study

An assessment of the CRA area should be undertaken to identify and prioritize improvements necessary to comply with ADA requirements and enhance pedestrian and vehicular access.

Streetscape Improvements

The downtown area is bisected by major arterial roadways that are part of the Florida State-designated highway system. The ability to support business revitalization and improved livability in the CRA area requires Complete Street Solutions (CSS) to be adopted. These improvements are required to ensure safety, walkability, and universal access and, and include pedestrian access, traffic calming devices and other roadway enhanced treatments. Roadway treatment, such as on-street parking, bulb-outs and marked and texturized crosswalks would enable and encourage visitors to park once and to access the various establishments by walking safely to their destinations rather than drive.

Existing Main Street streetscape improvements have resulted in a considerable enhancement to a walkable downtown area, through placing utilities underground and installing decorative pavers, crosswalks, street lights and street furniture. Continuation and expansion of these improvements to other parts of the downtown area is recommended to further support redevelopment and revitalization efforts. Numerous streetscape redevelopment opportunity sites are located throughout the downtown area. (last two sentences regarding Magnolia Street deleted)

Business Recruitment and Retention Incentive Program

Downtown Brooksville is comprised of a few large employers and many smaller businesses. While county office and civic facilities represent a majority of the local workforce, the heart of the downtown consists of smaller businesses that provide services to area workers, residents and visitors. The CRA area needs to continue attracting a diverse range of quality businesses, while supporting and retaining its current businesses. An active program should include identifying businesses, services or uses that are currently missing or limited in availability to serve the existing market demand. The CRA should actively develop a program to meet with and respond to specific needs from local businesses related to their physical space needs, location, expansion or relocation within the downtown area to meet their current and forecasted needs. The incentive program should provide funds to assist in permits fees, relocation and new marketing costs, research and development, and help offset one-time charges related to locating in the CRA area. Additional incentives may include time-limited reductions in recurring costs subject to specific investment and/or relocation agreements.

CRA Web Page

A unique web page on the City's website should be created to better promote the activities, business initiatives, and available properties specifically located in the CRA. The web page could serve as a community resource and provide links to services and programs available to the CRA area, including but not limited to various links to CRA events and the Commercial Property Improvements Matching Grant Program.

Environmental Stormwater Enhancement (Master Plan and Permitting)

The available open space in the downtown area provides an opportunity to address both water quality and stormwater retention. A master stormwater system for the CRA could handle stormwater for all remaining developable parcels, alleviating the need for individual sites to utilize valuable space to provide needed treatment and retention. A master stormwater plan would detail how stormwater would be transported downstream to open areas within the City and County, providing regional treatment and storage consistent with applicable regulations and establishing best management practices to assure the environmental integrity of the historic downtown area.

Parking Improvements & Signage

Stakeholder concerns have been noted about the perceived lack of convenient parking in the downtown CRA area. Prior to developing a parking structure or other high cost solutions, several simple strategies should be applied, including: (1) preparing a parking assessment to identify specific areas to address, (2) restriping and developing more on-street and off-street parking spaces, (3) review parking management solutions (e.g., meter, parking time limits) and (4) providing signage directing motorists to off-street parking lots nearby.

CRA Programs - Future

Environmental Stormwater Enhancement (Acquisition and Construction)

Coordinate with the City and the Southwest Florida Water Management District to implement the CRA portion of the master stormwater management system, as contemplated under the CIP. This would include acquisition of any needed parcels and construction of system improvements. The resultant system would transport stormwater downstream to open areas within the City and County, provide regional treatment and storage consistent with applicable regulations, utilize low impact development (LID) techniques and establish best management practices (BMPs) to assure the environmental integrity of the historic downtown area.

Utility Infrastructure Repair and Replacement

As part of a coordinated CRA improvements initiative, a utility enhancement program would identify and secure funding to construct/repair needed water, sewer and other utility infrastructure. Any future phase of the streetscape improvements should include providing utilities underground. Capital funding could include revenue bonds, Community Development Block Grants (CDBG) or other yet to be identified revenue sources.

Market Economic Analysis

While private developers and business owners make decisions based on their research and experience, these decisions are informed by underlying financial data. Where individual developers prepare market analyses reflecting their specific land use and projects requirements, the CRA market economic study can be targeted at developing an overall redevelopment strategy independent of individual private interests. Where separate studies are required from different developers, the CRA could consider using contributions from each entity combined into a comprehensive evaluation. The overall study would allow the CRA to better define investment strategies and to target incentives to bridge any gaps in market demand, financial support, and needed to convert private interests into investment decisions.

Coordinate Community Shuttle, Local and Regional Transit Service

Improved mobility throughout the downtown, city and region would clearly benefit the CRA area. Working with the Florida Department of Transportation (FDOT) and the Tampa Bay Area Regional Transportation Authority (TBARTA), the CRA should support regional transit planning and implementation initiatives along with working with the city and county to provide improved local transit service and connections. Additional service should be considering including support for the provision of local shuttles between major destinations, for senior and disadvantaged populations and for major events. This effort would require an evaluation, a defined scope and most likely a joint effort with the City, County and MPO/FDOT. CRA funds may be leveraged with other revenue sources to develop a local circulator strategy.

Property Availability and Acquisition (Public or Private)

The CRA should maintain a database of available properties for redevelopment that can be listed and available for viewing from the CRA website. The CRA could work with local realtors, property owners, and property appraiser to develop a summary list describing key property attributes, such as property and building size, zoning, location, available services and development potential. The inventory could assist businesses seeking new space for rent or redevelopment. The CRA would manage and update the property list inventory.

In some cases, the ability for the CRA to redevelop can be aided by a program to assemble and/or dispose of development parcels to private interests that achieve CRA goals. It is the intention of the CRA for private-owned properties to be developed independently, however, the program provides assistance where needed. The program could include consolidating fragmented land parcels or disposing public-owned land through a public process, such as a developer request for proposal. The program would be guided by a clearly defined methodology, criteria, and approved process. CRA funds can be used to acquire and assemble property for future disposition.

Tourism Visitation Strategy

As the county seat for Hernando County, Brooksville has a unique history to be highlighted. Working with the Hernando County Chamber of Commerce and Visit Florida, the CRA should coordinate and identify

special events, attractions, local lodging, meeting and events spaces to better promote tourism in the downtown area. Initial efforts may include supporting county and regional marketing programs highlighting visitation to Brooksville, or use as a staging point for regional travel.

Bicycle Routes

Given the proximity of the Good Neighbor Trail and the number of well-shaded streets in the City, a program should be undertaken to create routes for bicycles to circulate around the CRA. With the conflict between on-street parking and striped bicycle lanes, the use of the City's main thoroughfares may be a challenge. Whenever roadway improvements are being considered, the role of the bicycle should be evaluated.

Multifamily and Workforce Housing

The vitality and viability of a downtown area is enhanced by residential density clustered within walking or bicycling distance. Unlike many city cores, Brooksville does not contain any significant multifamily housing in close proximity to downtown. With the preponderance of governmental offices and support services, the CRA would be well-served to work with private entities to provide multifamily housing, possibly leveraging various governmental programs that provide loans, grants and/or subsidies.

Renovated or New Mixed Use Buildings

While county government offices represent a large percentage of downtown employers, the CRA should promote diversification of the downtown through strategic, catalytic development or revitalization projects. Several private redevelopment sites as well as under-utilized publicly-owned sites should be identified for possible mixed use development projects.

Civic Performance / Conference Venue

While some projects identified above identify possible venues for small civic performances, the lack of a major facility is obvious. The construction of such a facility downtown would provide the City with the means to accommodate major attractions and gatherings.

Capital Improvements Program

The projects in the capital improvements program (CIP) outlined in the following table were taken from the larger CRA Project list in the preceding section. These particular projects have been identified as priority recommendations, with timing and funding identified.

The CIP projects depend extensively on recurring tax increment financing (TIF) funds. It anticipates a gradual increase in overall annual TIF revenues as the economy recovers and the ability for property improvements and investments increase accordingly. These projects are designed to attract more businesses, visitors and investment by improving the attractiveness, character, and ease of access to and within the CRA. The ability of the City and the CRA to pursue and secure additional grants and funding sources are anticipated to enable completion of other key capital projects.

The CIP will need to be updated annually.

Capital Improvements Program ¹

Project	Funding Source	2012-13	2013-14	2014-15	2015-16	2016-17
Downtown Beautiful & Commercial Property Improvement Grant Program (consisting of projects from \$5,000 - \$50,000)	TIF Trust Fund	\$ 80,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
2 nd Phase Streetscape/Traffic Calming Improvements	TIF Trust Fund		\$	\$ 60,000	\$ 260,000	
Recreation Master Plan	TIF Trust Fund	\$ 20,000				
Downtown Gateway Improvements & Wayfinding Signage	TIF Trust Fund	\$ 40,000	\$ 160,000			
Cultural Events Programming	TIF Trust Fund	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
Bicycle Facilities & Connection to Good Neighbor Trailhead	TIF Trust Fund			\$ 10,000		
ADA Assessment/Pedestrian & Vehicle Access Study	TIF Trust Fund		\$ 10,000			
Business Recruitment and Retention Incentive Program	TIF Trust Fund	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000
CRA Web Page	TIF Trust Fund	\$ 2,000				
Environmental Stormwater Enhancement (Master Planning & Permitting)	TIF Trust Fund					\$ 25,000
Parking Improvement Plan	TIF Trust Fund					\$ 20,000

Total Capital Improvements Expenditure by Fiscal Year

	\$ 148,000	\$ 226,000	\$ 116,000	\$ 306,000	\$ 101,000
--	------------	------------	------------	------------	------------

Estimated Remaining Funds in Tax Increment Financing (TIF) Account ²

Existing	\$ 455,780	\$ 397,780	\$ 261,780	\$ 235,780	\$ 17,780	\$ 6,780
----------	------------	------------	------------	------------	-----------	----------

1. The CIP only covers TIF funding, since other funding programs or grants are not committed. By the time projects are undertaken, other funding sources may be secured to supplement projected TIF funding
2. Assumes \$ 90,000 per year is generated from the TIF program
3. All projects are to be completed no later than 30 years after the date this plan is approved.

CITY OF BROOKSVILLE
COMMUNITY REDEVELOPMENT PLAN

APPENDIX A
DESIGN GUIDELINES FOR REHABILITATION AND NEW CONSTRUCTION
IN THE COMMUNITY REDEVELOPMENT AGENCY AREA

1. MISSION

The following guidelines are to serve as a design framework assisting property owners, developers and designers in understanding the City's goals and objectives for high quality development and rehabilitation within the CRA (Community Redevelopment Area) district. The design guidelines are general and may be interpreted with some flexibility in the application to specific projects. The guideline's intentions are as follows:

- Complement site development regulations established by the City's Land Development Code
- Provide good examples of design solutions
- Provide design interpretations of mandatory regulations

Ultimately the guidelines will be applied during the review process to promote the highest quality of design while encouraging creativity on the part of the development team.

2. APPLICABILITY

Any addition, remodeling, relocation or construction requiring a building permit subject to review by the City's Development Review Committee (DRC) or the CRA shall adhere to these guidelines where applicable. The City Council may appoint a separate Architectural Review Committee (ARC) composed of members experienced in the arts of architecture, engineering, architectural history, preservation of construction, along with representatives of local businesses and citizenry at large. Once appointed, the ARC may be assigned responsibility to review projects for compliance with these guidelines.

Unless there is a compelling reason these guidelines should be followed. Any deviation from these guidelines will require administrative review/approval, unless it is in conflict with City land development regulations, in which case a variance would be required.

3. PRESERVATION OF TRADITIONAL DECORATION

The traditional commercial storefront can be considered the cornerstone of Main Street. Dating from the 19th and early 20th centuries, these buildings share a remarkable similarity - a consistency that creates a strong visual image for the downtown. Because they were composed of similar parts, the blocks have a consistent, organized and coordinated appearance. Any one façade is visually related to its neighbors.

The parts of the façade were often compatible enough to be interchangeable. A commercial building from the mid to late 1800s could be easily modernized by inserting a new 1900s storefront. Although the styles and details changed, the proportions remained the same.

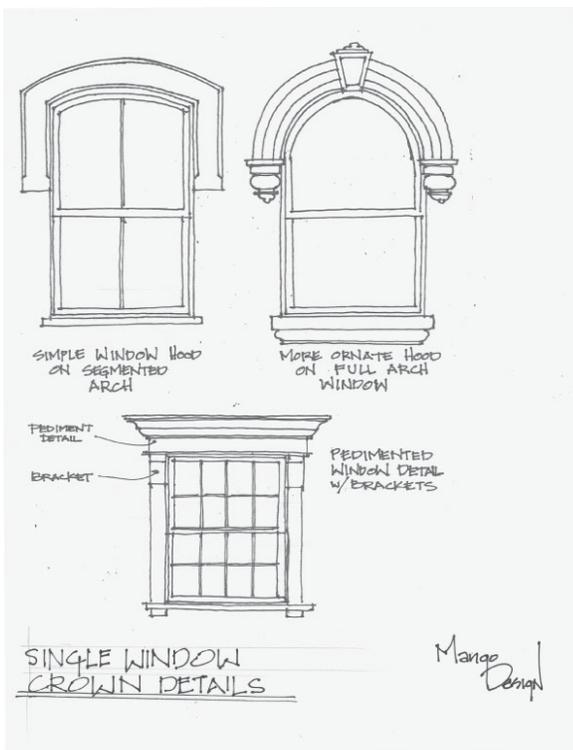
Technological developments, coupled with changing tenants and merchandizing trends, encouraged frequent first floor storefront changes, while the upper façade stayed the same, deteriorated or was covered over.

The storefront became increasingly transparent, but it still fit the framed opening provided by the original building. When a storefront is not contained within this frame, it looks out of proportion with the upper façade. The basic commercial façade consists of three parts; the storefront with an entrance and display windows, the upper facade usually with regularly spaced windows and the cornice that caps the building. these components appear in many shapes, sizes and styles but result in essentially the same façade.

BUILDING FACADE ELEMENTS



Mango Design

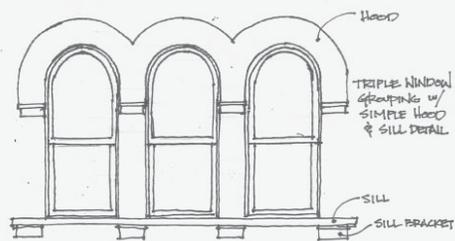


SINGLE WINDOW CROWN DETAILS

Mango Design

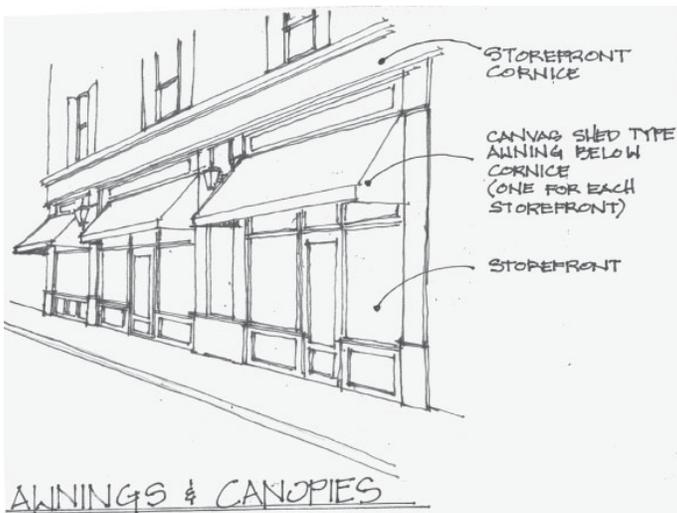


DOUBLE WINDOW GROUPING SHOWN W/ FRAMED WINDOW SURROUND



MULTIPLE WINDOW CROWN DETAILS

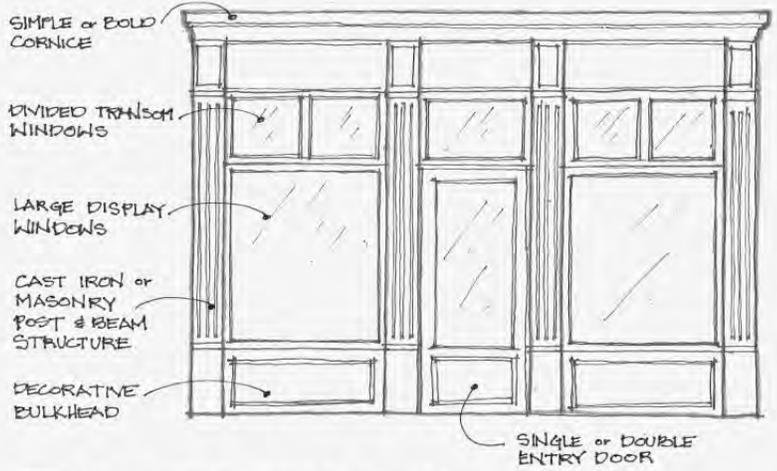
Mango Design



AWNINGS & CANOPIES

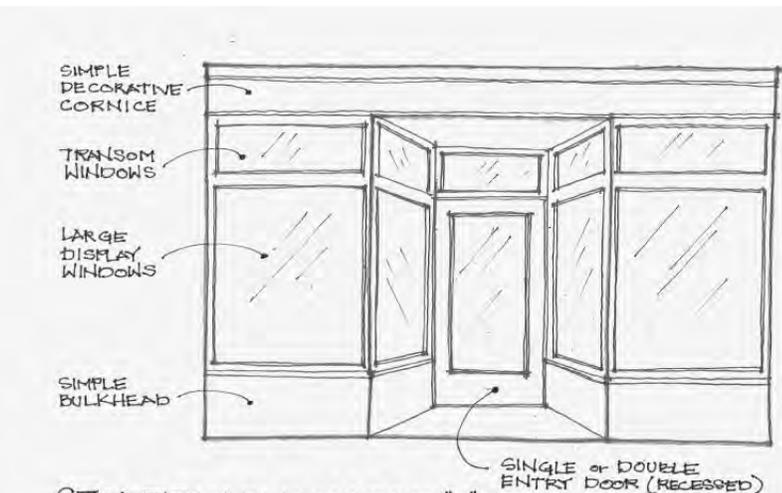


Mango Design



STOREFRONT EXAMPLE "A"
19TH CENTURY

Mango Design



STOREFRONT EXAMPLE "B"
EARLY 20TH CENTURY

Mango Design

Future improvements or alternations to building facades should not cover up or remove original design elements. These original features should be restored and incorporated into the new construction to harmoniously reflect the original design and accentuate any unique stylistic features.

Existing historic decoration should be preserved or restored whenever possible to achieve the following:

- Reinforces the traditional character of downtown
- Adds richness of detail
- Creates unique character to individual buildings

Existing building elements incompatible with the original façade design should be removed:

- Overdone exterior embellishments
- Modernized facades
- Historically inaccurate materials and colors

The appearance of downtown is of an evolutionary process in which buildings stay the same, are altered or are completely replaced. This process is continuous and inevitable. But its success or failure depends on how sensitive these changes are to the existing framework of buildings.

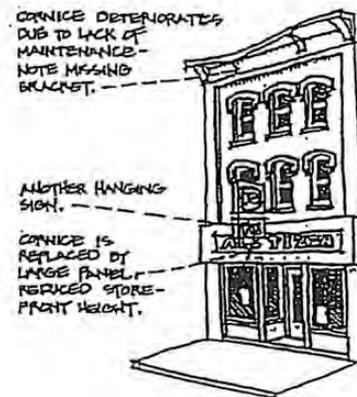
1. THE ORIGINAL FACADE—
THE VISUAL RESOURCE



2. MINOR FACADE CHANGE



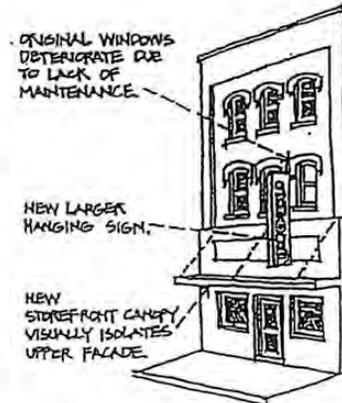
3. MORE MINOR FACADE CHANGE



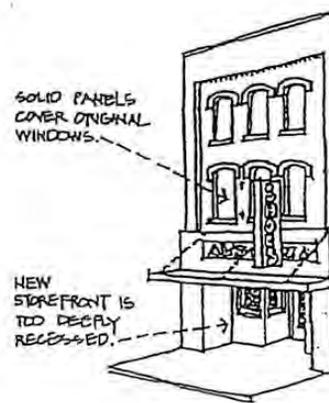
4. STOREFRONT REMODELING—
THE FACADE LOOKS
CUT IN HALF.



5. MORE STOREFRONT CHANGE



6. ANOTHER STOREFRONT REMODELING



The typical Main Street façade inherently exhibits some basic qualities from its architectural style, construction materials and composition. Sensitive change accepts these façade qualities and builds on them. The result is a harmonious blending of new design elements within the existing façade. Insensitive change, on the other hand, ignores and often eliminates the design qualities of the original building and creates an unnecessary clash between new and old.

The above series of drawings show how a typical façade might have changed over time. Changes happen gradually and have a cumulative effect on a building's appearance. While some alterations are hardly noticeable, change upon change over the years can completely ignore the original façade.

4. SELECTION OF BUILDING MATERIALS

Many contemporary materials possess qualities that make them optimal for new construction, such as energy efficiency, resistance to elements, standardization, etc. Materials chosen for a remodel or alteration should have matching visual characteristics of the original materials.

Replacement materials should align with the original in:

- Size
- Color
- Texture
- Placement

Materials such as cedar shakes, textured plywood, stone veneer, log paneling, plastic and in some cases stucco, are not appropriate for use in traditional facades for three reasons:

- They conflict with the traditional character of downtown.
- They are not of a quality in terms of durability, finish and appearance.
- They detract from the character of the storefront and the façade.
- They create a confused appearance instead of reinforcing traditional character.

The color and texture of storefront materials should be simple and unobtrusive.

- The storefront frame can be wood, cast iron or anodized aluminum
- The display windows should be clear glass
- Transom windows can be clear, tinted or stained glass
- The entrance door should have a large glass panel and can be made of wood, steel or aluminum
- The bulkheads can be wood panels, polished stone, glass, tile or aluminum-clad plywood panels
- The storefront cornice can be made of wood, cast iron or sheet metal or sometimes the horizontal supporting beam can serve as the storefront cap
- The side piers should be the same material as the upper façade, or stucco with paint to look the same

Certain materials and design elements should never be used on a traditional commercial building.

- Mansard roof with wood shingles
- Rough textured wood siding
- Fake bricks, stone and gravel aggregate materials are not appropriate

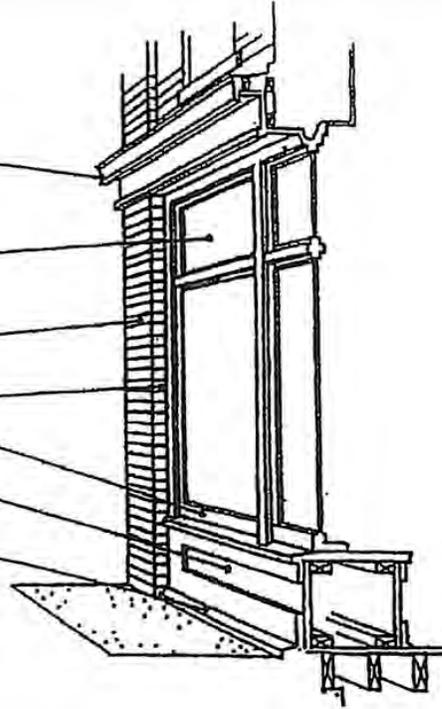
Inappropriate historical themes should be avoided. Small window panes, a colonial door and storefront shutters are 18th century elements that do not belong on most 19th & 20th century facades.

Keep it Simple:

When designing a new storefront or renovating one, the emphasis should be on transparency. The basic storefront design should include large display windows with thin framing, a recessed entrance, a cornice or a horizontal sign panel at the top of the storefront to separate it from the upper façade, and low bulkheads at the base to protect the windows and define the entrance. This basic configuration can be constructed from traditional or contemporary materials, achieving the same result.

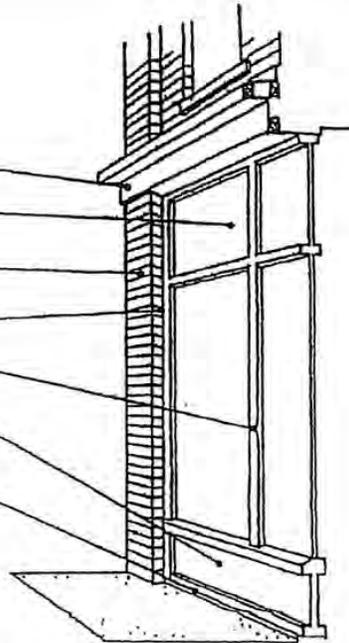
STOREFRONT WITH TRADITIONAL MATERIALS

- A cornice can be constructed with wood framing, plywood and moldings with a sloping sheet metal cap to shed water. The cornice spans the top of the storefront, often covering a structural beam or unfinished brick.
- Transoms are optional design elements that help to break up the massive effect of very large sheets of glass. Transom windows can be clear, tinted or stained glass.
- Masonry piers are uncovered and match the upper facade.
- The storefront is recessed 6 inches into the opening.
- The storefront and windows are framed in wood. The sill slopes forward for drainage.
- The bulkheads are constructed with wood framing and a plywood back with trim applied to it.
- The storefront rests on a masonry or concrete base to prevent water damage.



STOREFRONT WITH CONTEMPORARY MATERIALS

- A cornice is made with sheet metal over a wooden frame.
- Optional transoms can be stained glass, clear glass or opaque.
- Masonry piers are uncovered and match the upper facade.
- The storefront is recessed 6 inches into the opening.
- The storefront and windows are framed with dark anodized aluminum or painted aluminum.
- Bulkheads are constructed of aluminum framing and a plywood panel clad with aluminum.
- The storefront rests on a masonry or concrete base.



5. WINDOW REPLACEMENT & REPAIR



As with building materials, window casements and window replacements should match the originals as close as possible. Window guidelines are as follows:

- Fill the entire window opening
- Duplicate original patterns
- Avoid windows & shutters that are not keeping with the original style

6. DOOR REPLACEMENT & REPAIR



If the original door still exists all efforts should be made to repair the door and frame. However, many replacement doors are made of aluminum and glass and are generally considered unobtrusive to the overall look and character of a building.

If aluminum doors and frames are to be utilized the following guidelines are to be followed:

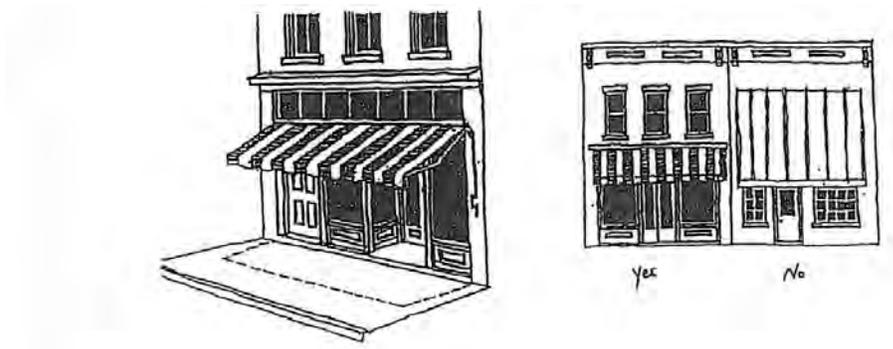
- Aluminum finish/paint should aim to match original color
- New aluminum is to be exposed to weather for 2 months prior to applying finish
- Aluminum is to be cleaned and prepared for metal primer
- Finish coats are to be applied per paint/primer manufacturer recommendations

CRA guidelines for door replacement:

- Design & construct a new door with the same proportions as the original
- Locate & install a door system that resembles the original
- Utilize a standard aluminum door with side stiles and a dark anodized or backed enamel finish

- Do not utilize doors with a residential character; these typically contain molding, cross bucks or window grills

7. AWNINGS



Canvas awnings were a common feature on traditional storefronts and are an acceptable design element to be used on commercial storefronts throughout the CRA district. Awnings are typically used to achieve the following:

- Provides cover & shade to pedestrians
- Adds color to building façade (historically accurate colors only)
- Transition from storefront to upper façade
- Creates a individualistic & welcoming character for each commercial storefront

Guidelines for affixing awnings to the building façade are as follows:

- Above the display window & below the cornice or signage panel
- Between the transom & display window
- Awnings should not extend higher than any upper transom window or to any second story window
- Awnings should cover only one storefront

Individual awnings at second story windows are historically accurate and can be utilized so long as they reflect the design character of the lower awning treatments. In addition, inappropriate

storefront alterations can be effectively disguised by mounting an awning over the alterations while maintaining the proportions of the traditional storefront.

Contemporary awnings are constructed of various materials such as canvas, vinyl-coated canvas, acrilan (synthetic) and aluminum. Aluminum awnings detract from the historical character of a building and should be avoided if possible. If a flat canopy exists, it can be dressed up with a 12 to 24 inch awning valance or flap.

8. REAR ENTRANCES

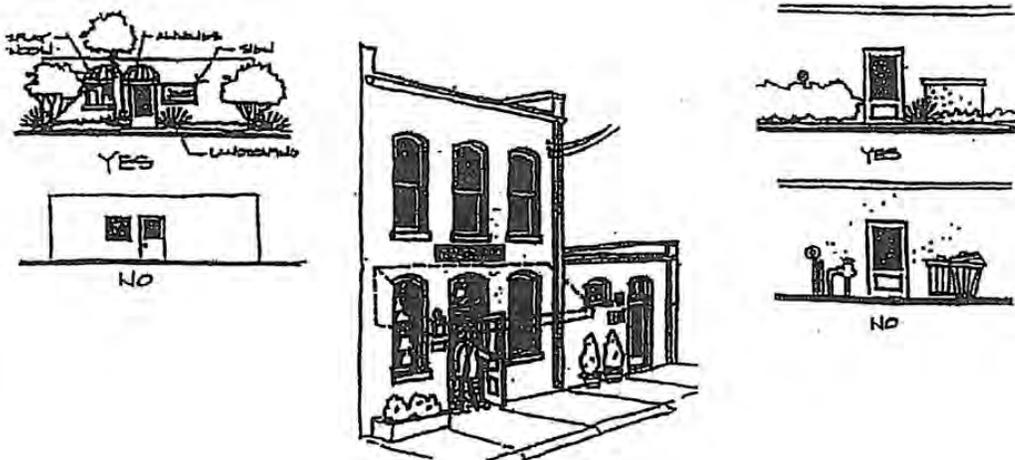
The design needs of rear entrances present unique and challenging opportunities. The rear entrance is typically used for the service needs of the business, yet it must also present a pleasant and safe image to those that use it. Special attention must be paid to the following:

- Properly scaled signage (typically smaller than the front)
- Storage & disposal of refuse
- Building maintenance
- Exterior lighting

If not properly illuminated, monitored or maintained the rear of the building can become a safety hazard for both the public and business employees. Efforts shall be made to avoid this at all costs.

Design guidelines for the rear of commercial building are as follows:

- Maintain gutters & downspouts to ensure proper function
- Repair or replace any damaged masonry
- Small sign to identify store
- Illumination should be modest but bright enough to discourage vandalism
- Planters, shrubs & trees shall be utilized where possible
- Refuse containers should be concealed as much as possible
- Exterior plumbing, electrical lines or other utilities should be concealed as much as possible
- Awnings can be utilized to provide identification or cover



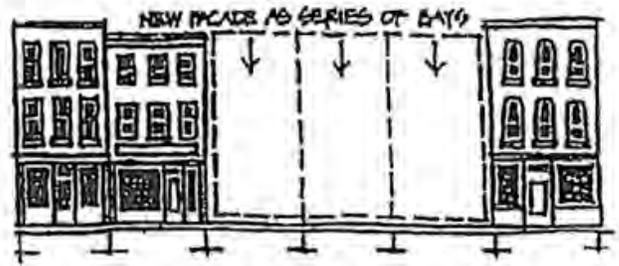
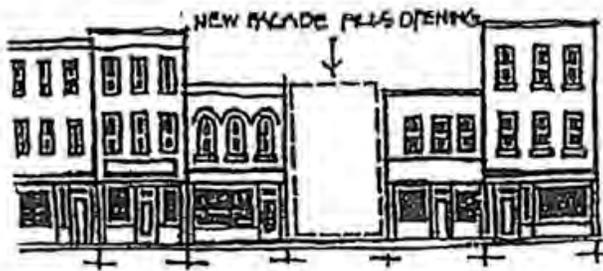
9. INFILL & NEW CONSTRUCTION

Maintaining and recreating the *Hometown* atmosphere is a primary goal of the CRA and is vital to the downtown Brooksville area. Any new construction must not only serve the inhabitants of the CRA, but it must also compliment the existing structures that surround it.

Any design team preparing to undertake an infill project within the CRA district should first perform a thorough analysis of the context in which their project will be located. New construction should compliment its surroundings in the following ways:

- Building orientation should be compatible with the surrounding building's orientation
- Massing shall use forms that relate to the surrounding buildings
- Scaling shall be proportionate to surrounding buildings
- Height and volume shall be complimentary to the surrounding buildings

The new design should not copy the surrounding designs, but should compliment them while avoiding fake historical detail.



Preferred architectural styles and detailing are as follows:

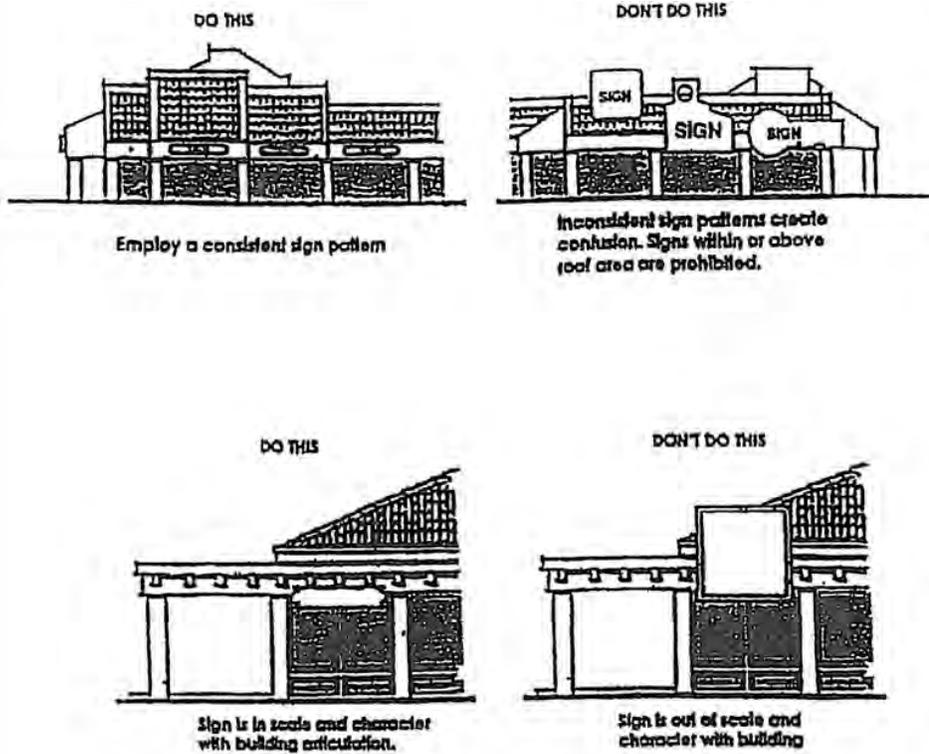
- Pseudo Colonial
- Roman or Neo-Classical
- Greek Revival
- Federal

Infill design guidelines shall adhere to the following design features:

- Visual composition- the organization of its parts
- Façade rhythms- such as spacing of openings
- Proportion of openings- size of both windows and doors
- Colors- relate to historical character
- Materials- represent the historical characteristics through the architectural styles mentioned above
- Detailing - window shapes, cornice lines and brick work

10. SIGNS

Exterior signage is a vital component to any downtown commercial development, attracting customers and informing the public of the services being provided.



Sign Design Guidelines:

1. The use of graphics consistent with the nature of the product to be advertised is encouraged, i.e. hammer symbol for hardware store, mortar and pestle for a drug store.
2. A sign should express an easy to read, direct message. KEEP IT SIMPLE.
3. A storefront should not have more than two signs- one primary and one secondary. Each should reflect the historical characteristics of the downtown.
4. Window signs should not obscure the display area. The color of the letter should contrast with the display background. Light colored letter or gold leaf letters with dark borders are effective.

5. Awnings can also serve as very effective signs with contrasting lettering painted or sewn onto the valance only. Usually 6"-8" letters are sufficient.
6. There are hundreds of lettering styles available. The chosen letter style should be easy to read and reflect the image of the business it represents.
7. Letters can be painted or mounted directly on a sign board, storefront or wall. Letters should not be too large- keep it simple.
8. Sign colors should compliment the colors of the building. Light colored letters on a dark background are easier to read.
9. Illuminated signs can be appropriate downtown if they respect the proportions of the storefronts.

11. LIGHTING

Night Time appearance of a building is an important consideration in building design. Lighting might also serve an auxiliary security function, as well as promote the business after hours. Exterior lighting can be used as a design feature that accentuates certain features of a building.

Lighting considerations:

1. Use of lighting efficiently and sparingly to highlight windows, entrances, signs and architectural details.
2. Balance the intensity of overall lighting with that of the display window.
3. Light sources should be indirect. Avoid high-intensity flood lights or lights directed at the shopper.
4. The use of LED lighting provides high energy efficiency with very low maintenance over the life of fixture.





AFTER

"AFTER" RENDERINGS ARE ARTIST'S CONCEPTS ONLY. ACTUAL DETAIL MAY HAVE BEEN OMITTED FOR CLARITY.



BEFORE



AFTER



BEFORE



AFTER



BEFORE



DAVID R. MANGO
DESIGN GROUP, INC.
(352) 544-0848

www.davidmangodesign.com



BROAD STREET



BROAD ST. & MAIN ST.



SOUTH MAIN ST.



DAVID R. MANGO
DESIGN GROUP, INC.
(352) 544-0848

www.davidmangodesign.com



DAVID R. MANGO
DESIGN GROUP, INC.
(352) 544-0848

www.davidmangodesign.com

DESIGN REVIEW

PURPOSE

These provisions shall ensure the following:

1. The establishment of design review procedures for commercial, office and industrial development proposals within the CRA District, as described in the Redevelopment Plan and subsequent amendments.
2. That proposed development projects comply with all applicable performance standards and design guidelines.
3. A focus on community design principles which result in creative, imaginative solutions which establish quality design for the City.
4. The orderly and harmonious appearance of structures along with associated facilities, such as signs, landscaping, parking areas, etc.
5. Maintenance of the public health, safety and general welfare and property throughout the City CRA District.
6. Effective implementation of the CRA Redevelopment Plan and the Design Guidelines which encourage the preservation and enhancement of the particular character and unique assets of the City.

APPLICATION

The following list of structures shall be subject to design review by the Development Review Committee (DRC):

1. New structures, developments and related site plans subject to review by the City.
2. Remodeled structures, developments and related site plans which require a development permit.
3. A project involving a change or intensification of land use. Example: conversion of a shoe store to a restaurant, or residential structure to an office use.
4. New or modified signs.

APPLICABILITY

The DRC, acting in their capacity for design review, shall receive and evaluate all projects subject to design review prior to final action by the permitting authority. The Community Development Department shall coordinate the review process, and provide comments to the property developer and the permitting authority related to project approval and conditions. It is anticipated that the Architectural Review Committee (ARC), if appointed, will assume the role and responsibilities of the DRC for compliance with these guidelines.

DRC/ARC FINDINGS

The DRC or ARC shall determine that the project adequately meets adopted City performance standards and design guidelines, based on the following findings:

1. The design of the proposed project would provide a desirable environment for its occupants and visiting public, as well as its neighbors through good aesthetic use of materials, textures and colors that will remain appealing and will retain a reasonably adequate level of maintenance.
2. The design and layout of the proposed project will not unreasonably interfere with the use and enjoyment of neighboring existing development and will not result in vehicular and/or pedestrian hazards.
3. The architectural design of the proposed project is compatible with the character of the surrounding neighborhood and will maintain the harmonious, orderly and attractive development contemplated by the Brooksville City Code and supplemental Design Guidelines for the CRA District.

DEFINITIONS

Alterations: Any construction of physical change in the internal arrangement of rooms or the supporting members of a building or structure, or change in the appearance of any building or structure.

Applicant: Owner(s) or lessee(s) of property, or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire necessary permits under the Brooksville City Code, or the agent(s) of such persons.

Awning: A roof-like cover that is attached to and projects from the wall of a building for the purpose of shielding from the elements.

Community Redevelopment Agency Area (CRA): The public body created to designate redevelopment project areas, supervise and coordinate planning for a project area and assist in the implementation of the Community Redevelopment Plan (City Council or appointed by) according to Florida Statutes, Chapter 163, Part III.

Community Redevelopment Plan: Plan for revitalization and redevelopment of property within the project area in order to eliminate blight and remedy the conditions which caused it. Guidelines and authority provided within Florida Statutes, Chapter 163.

CRA District: That area designated by the Revitalization Plan of the Community Redevelopment Agency Area which is considered in need of redevelopment.

Design: Includes the planning and engineering of the following: street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments of grades there of; location and size of all required easements and rights of way; fire roads and fire breaks; lot size and configuration; traffic access; grading; land to be dedicated for park and recreational purposes; building and other such specific physical requirements.

Design Guidelines: Criteria developed by a city council, board, or preservation review body to identify design concerns in an area or historic district, and to help property owners ensure that rehabilitation and new construction respect the character of designated buildings or districts.

Design Review: The process of ascertaining whether modifications to historic structures, sites, or districts meet the standards of appropriateness established by a governing or advisory review board.

Façade: The exterior face or elevation(s) of a building.

Infill Development: Development that occurs on up to 4 contiguous lots scattered within areas that are already largely developed or urbanized. Generally, these sites are vacant because they were once considered of insufficient size for development, because an existing building located on the site was demolished or because there were other, more desirable site for development.

Preservation: The identification, evaluation, recordation, documentation, analysis, recovery, interpretation, curation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance or reconstruction of historic properties.

Reconstruction: The authentic reproduction of a building or site that once existed, but disappeared or was demolished.

Rehabilitation: The act or process of returning a property to a state of utility through repair or alternation which makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.

Renovation: Modernization of an old or historic building that may produce inappropriate alteration or elimination of important features or details, and/or the creation of an authentic reproduction beginning with existing parts of an original object or building, and to return the appearance to an earlier condition.

Review Authority: The person, committee, commission, board or council responsible for the review and/or final action or approval on a land use entitlement.

Revitalization: The imparting of new economic and community life in an existing neighborhood, area, or business district while at the same time preserving the original building stock and historic character.

Streetscape: The distinguishing and pictorial character of a particular street as created by its width, degree of curvature and paving materials, design of the street furniture, landscape materials, lighting features, general view, and forms of surrounding buildings.

CITY OF BROOKSVILLE
COMMUNITY REDEVELOPMENT PLAN

APPENDIX B
FINANCIAL CONSIDERATIONS FOR REVITALIZATION

Potential Funding Sources: Three sources of revenue have already been identified: the Hernando County Metropolitan Planning Organization Enhancement Project Fund, tax increment financing and community development block grants. None of these programs alone could adequately address the CRA's needs. While major project and program funding may be available from other sources (i.e., federal and state agencies, private foundations), these funds are usually associated with specific program objectives and may require previously approved plans, becoming shovel-ready and/or already having locally demonstrated investment. Therefore, it is important to consider various financing options to move projects and plans forward. This following list is by no means all-inclusive.

1. **General Revenues** -- Property tax revenues and sales tax revenues.
2. **Parking Revenues** -- City owned parking lots and on-street parking as a source of revenue (not presently envisioned).
3. **Local Gas Tax** -- City's share of gas tax revenues.
4. **Special Taxing Districts: Tax increment financing (TIF)** -- Infrastructure and improvements funded through the use of increases in the tax base resulting from the improvements
5. **Bond Financing: General Obligation (GO) Bonds** -- Bonds that require a public referendum, which are backed by Ad Valorem taxes. Revenue Bonds pledging identified source of revenues other than property taxes.
6. **Special Assessment District** -- The majority of property owners within a specified district pay an assessment tacked onto their annual property tax bills. A commitment for revenue from the assessment to be used toward pre-stated purposes is very important. Revenue could be used to secure bonds.
7. **Special Taxing District** -- Voters within the designated area approve limited taxing power for district improvements, subject to statutory provisions. Revenue can be used to secure bonds.

Federal Grants:

8. **Project Rebuild** – The U.S. Department of Housing and Urban Development announced this new program on September 15, 2011 as part of the American Jobs Act. Project Rebuild leverages the success of the Neighborhood Stabilization Program to create jobs, stabilize neighborhoods and adds eligibility for commercial redevelopment to balance needs for usage of vacant commercial structures in neighborhoods. Project Rebuild proposes using \$10 billion for formula allocation and \$5 billion for competition.
9. **Transportation Enhancement Funds** -- Use of these funds must involve projects associated with the development of Corridor Management Plans after eligibility has been determined.

10. **National Scenic Byways Grant** -- These grant funds include projects associated with safety improvements, construction of rest areas, passing lanes, and protection of historical, archeological and cultural resources.
11. **FHWA Discretionary Grant Programs** -- These discretionary grant programs represent special funding categories where FHWA solicits for candidates and selects projects for funding based on applications received. Discretionary categories include such grant programs as the Transportation and Community System Preservation Pilot Program and the Discretionary Bridge Program, as well as the two other federal sources of funding mentioned above. Each program has its own eligibility and selection criteria that are established by law, by regulation, or administratively. More information on each of these programs is available in the FHWA Discretionary Program Notebook in the References section of the following web site: www.fhwa.dot.gov/discretionary/index.htm
12. **Land and Water Conservation Fund** -- LWCF supports a wide range of grant activities, from State or regional acquisitions of large open space and natural areas to development of small city and neighborhood parks. LWCF grants are provided to the States, and through the States to local governmental jurisdictions, on a matching basis for up to fifty percent (50%) of the total project-related allowable costs for the acquisition of land and the development of facilities for public outdoor recreation.
13. **Community Programs** -- Community Programs provide grants to assist in the development of essential community facilities in rural areas and towns of up to 20,000 in population. Grants are authorized on a graduated scale. Applicants located in small communities with low populations and low incomes will receive a higher percentage of grants. Grant funds may be used to assist in the development of essential community facilities. Grant funds can be used to construct, enlarge, or improve community facilities for health care, public safety, and community and public services. This can include the purchase of equipment required for a facility's operation. In June, 1998, the city secured a loan from the USDA to build a new 1.5 mgd. wastewater treatment plant and accessing utility lines.
14. **Community Facilities Loan Program** -- For populations under 20,000. To assist in building public facilities including those used for cultural purposes. 40-year loans through RECD. Interest rates range from 4.5% - 6.25%.
15. **Rural Housing Preservation** -- Under the USDA Housing Preservation Grant program, the rural housing service grant funds to assist very low-income and low-income homeowners and rental property owners in repairing and rehabilitating their homes and housing units in rural areas.
16. **Public Works and Development Facilities Program** -- U.S. Dept. of Commerce. To assist distressed communities attract new industry, encourage business expansion, diversify their economies and create private sector jobs. Money can be used for access roads to parks, such as the Good Neighbor Trailhead and improvement of water and sewer facilities. Grants range from \$99,000 to \$6.5 million.
17. **Safe, Accountable, Flexible, Efficient Transportation Equity Act, A Legacy for Users (SAFETEA-LU)** -- Funding and authorization bill that governs federal surface transportation spending to improve

and maintain surface transportation infrastructure, including the interstate highway system, transit systems, bicycle and pedestrian facilities, and freight operations. A major source of funding for transportation enhancements, including financial and technical assistance for developing bicycle/pedestrian facilities, renovation of historic transportation facilities and associated parking; enhancing state designated scenic byways to protect historic and cultural resources adjacent to the highways; provide information to tourists; streetscaping; road improvements adjacent to or leading to state highways; and possibly the Good Neighbor Trail. The bill expired in 2009 but received several extensions pending reauthorization

18. **Sustainable Communities Regional Planning Initiative** -- The Sustainable Communities Regional Planning Grant Program (Program) supports metropolitan and multijurisdictional planning efforts that integrate housing, land use, economic and workforce development, transportation, and infrastructure investments in a manner that empowers jurisdictions to consider the interdependent challenges of: (1) economic competitiveness and revitalization; (2) social equity, inclusion, and access to opportunity; (3) energy use and climate change; and (4) public health and environmental impact. The West Central Florida Consortium received Preferred Status in their 2010 grant application.
19. **Community Challenge Planning Grant** -- Community Challenge Planning Grant Program fosters reform and reduces barriers to achieving affordable, economically vital, and sustainable communities. Such efforts may include amending or replacing local master plans, zoning codes, and building codes, either on a jurisdiction-wide basis or in a specific neighborhood, district, corridor, or sector to promote mixed-use development, affordable housing, the reuse of older buildings and structures for new purposes, and similar activities with the goal of promoting sustainability at the local or neighborhood level. This Program also supports the development of affordable housing through the development and adoption of inclusionary zoning ordinances and other activities to support planning implementation.
20. **Planning and Local Technical Assistance Programs** -- U.S. Department of Commerce Economic Development Administration (EDA) programs help communities develop the planning and technical expertise to support communities and regions in their comprehensive, entrepreneurial, and innovation-based economic development efforts. Resulting in increased private investment and higher-skill, higher-wage jobs in areas experiencing substantial and persistent economic distress, these programs are designed to enhance the competitiveness of regions.
21. **Public Works and Economic Development Facilities Program** -- EDA will provide strategic Public Works investments to support the construction or rehabilitation of essential public infrastructure and facilities to help communities and regions leverage their resources and strengths to create new and better jobs, drive innovation, become centers of competition in the global economy, and ensure resilient economies.
22. **Economic Adjustment Program** -- Through the Economic Adjustment Assistance Program, EDA provides a wide range of construction and non-construction assistance, including public works, technical assistance, strategies, and revolving loan fund (RLF) projects, in regions experiencing severe economic dislocations that may occur suddenly or over time.

State Grants:

23. **Advertising Match Grant** -- VISIT FLORIDA administers the advertising matching grant program to publicize the tourism advantages of the State of Florida. This program provides match grants up to \$2,500 to fund projects which contribute directly or indirectly to the promotion of tourism, industrial or agricultural advantages within Florida.
24. **Cultural Grants Program** -- The Division of Cultural Affairs provides General Program and Specific Cultural Project funds to non-profit organizations and public entities engaged in cultural programming, providing local arts services, arts in education, discipline-based cultural or artistic projects, Culture Build Florida projects that promote the state's cultural strategic plan, and underserved cultural community development projects.
25. **Florida Main Street Program** -- Florida Main Street is a technical assistance program administered by the Bureau of Historic Preservation, Division of Historical Resources, Florida Department of State, for traditional historic commercial corridors. This program encourages revitalization of traditional downtown commercial districts.
26. **Historic Preservation Small Matching Grants** -- Division of Historical Resources awards small matching grants annually for the rehabilitation and restoration of historic structures, architectural and archaeological surveys which include the recording of the sites in the Florida Master Site File, state historical markers, community education projects, and National Register nominations. Grants provide assistance up to \$50,000 and require matching share equal to the grant award.
27. **Urban and Community Forestry Matching Grant Program** -- The Department of Agriculture and Consumer Services administers the program as part of the federal Urban and Community Forestry Matching Grant Program. Funds are available to organizations to develop or enhance their urban and community forestry programs. These funds are for projects that develop or enhance a community's ability to have a sustained, comprehensive tree care program.
28. **Small Cities Community Development Block Grant** -- The Department of Community Affairs administers Florida's Small Cities Community Development Block Grant Program. This is a competitive grant program that awards funds to rural areas. One of the factors in the competitive process is the Community Wide Needs Score. Community projects include rehabilitation and preservation of housing, street, water and sewer improvements, economic development activities, downtown revitalization, rehabilitation of privately owned building facades, modifications for handicapped access, sidewalks, landscaping, streets, drainage and parks.
29. **Recreational Trails Program** -- The Department of Environmental Protection (DEP) maintains a competitive program which provides grants for projects that provide, renovate or maintain recreational trails, trailhead and trailside facilities. All grant awards must be supported by local matching funds,
30. **Florida Recreation Development Assistance Program** -- DEP administers grants to local governments through the Florida Recreation Development Assistance Program (FRDAP) and the

Land and Water Conservation Fund (LWCF). These are competitive, reimbursement grant programs which provide financial assistance for acquisition or development of land for public outdoor recreation.

31. **Florida Communities Trust** -- The Florida Forever program is a state land acquisition grant program that provides funding to local governments and eligible non-profit environmental organizations for acquisition of community-based parks, open space and greenways that further outdoor recreation and natural resource protection needs identified in local government comprehensive plans. Small cities with populations less than 75,000 are eligible for a 100 percent grant award.
32. **Economic Development Transportation Fund** -- The Economic Development Transportation Fund, commonly referred to as the "Road Fund," is an incentive tool designed to alleviate transportation problems that adversely impact a specific company's location or expansion decision. The award amount is based on the number of new and retained jobs and the eligible transportation project costs, up to \$3 million. The award is made to the local government on behalf of a specific business for public transportation improvements.
33. **Highway Safety Grant Program** -- The Florida Department of Transportation Safety Office (FDOT) administers funding for various grant programs that address traffic safety priority areas. Grants are awarded to state and local safety-related agencies as "seed" money to assist in the development and implementation of programs that address traffic safety deficiencies or expand ongoing safety program activities in safety priority program areas.
34. **Rural Community Water and Wastewater Disposal Loan and Grant Program** -- RECD program. For small cities under 10,000. Funds new or upgraded water storage or distribution systems, wastewater systems and storm drainage problems. Federal money. Offers no-match grants or 40-year loans with 4.5-6.25% interest. This program could be used to improve water quality and water pressure in older sections of town, including streetscaping areas.
35. **Historic Preservation Grants-in-Aid** -- The Division of Historical Resources provides small matching grants up to \$50,000 and Special Category grants up to \$350,000 to assist in the identification and preservation of Florida's historic resources. Special Category funds are used to assist major local, regional and state-wide efforts to preserve significant historic structures and archaeological sites, assist major archaeological excavations, and assist in the development, fabrication and installation of major museum exhibits that will promote knowledge and appreciation of the history of Florida.
36. **State Revolving Fund (SRF) Loan Program** -- Provides 20-year loans three percent below current market value for wastewater facilities.
37. **Financing Pools** -- The Florida League of Cities offers loans at various rates and limits.
38. **State Budget Allotment** -- Work with State legislators to determine the feasibility of State appropriations for specific projects in Brooksville to assist in the redevelopment/revitalization efforts.

39. **Florida Department of Transportation Highway Beautification Grant** -- Available to communities impacted by state highways. The City is currently receiving \$30,000 per year to maintain existing landscaping within State ROW. Future availability of funding should be monitored.

Other Grants and Funding:

40. **Public/Private Partnerships** -- The public/private funded projects are those that tend to involve direct real estate development, with the City acting as an agent to spur private sector developers to undertake designated desirable projects or those in which the land is owned by the City or the CRA and construction is implemented by the private sector.
41. **Trust for Public Land** -- Financial and technical support for development of greenways, with particular interest in projects of a historic, recreational and cultural nature.
42. **National Historic Trust** -- Has funded projects promoting stylistic preservation; for example, maintaining an area's southern theme.
43. **Knight Foundation** -- Knight Foundation funds a wide range of programs and initiatives based on transformational ideas that promote quality journalism, advance media innovation, engage communities and foster the arts.

As demonstrated by the list above, the number and variety of financial sources for assistance with revitalization efforts is extensive. However, competition for funding is strong, and resources are scarce. The pursuit of outside funding must be both ambitious and realistic – the CRA should seek out as much assistance as it qualifies for from as many sources as possible, but critical actions should not be dependent solely on outside funding unless no viable alternatives exist. Ideally, the funding and implementation of projects should proceed on multiple fronts simultaneously, so that progress in different areas at different times can maintain an overall sense of momentum and change that attracts interest and investment.

Planning is the critical first step in the effective use of financial resources for revitalization. A detailed planning and implementation framework provides the guidance needed to put funding to work where it is needed most. Successful revitalization is often achieved incrementally over time, so planning provides the long-term context for the many individual decisions and actions that go into a redeveloped downtown. Planning also provides community leaders, stakeholders, developers, and investors with the means for visualizing the end results and benefits of revitalization. Financial resources are usually made available only when there is reasonable confidence in the outcomes that will be accomplished. Every funding source wants to see its resources make a difference, whether through a business profit, community benefit or social good. The CRA must be prepared to show how it will make use of its financial resources and how they will contribute to real change in the downtown.

The concept of leverage also will be important in achieving downtown redevelopment. Much like a developer uses a small amount of starting funds (equity) to obtain the additional financing that makes a project possible, so too should the CRA use its resources, policies and actions (both financial and otherwise) to stimulate activity and create conditions that contribute positively to the momentum of

redevelopment in the downtown. The idea is to get the most “bang for the buck” from every spending or policy decision that in some way influences revitalization. Public actions have significant opportunities for positive leverage, as decisions on infrastructure, development codes, incentives, and the like can have wide-ranging and long-lasting effects on the location and amount of private investment in a community.

CORRESPONDENCE-TO-NOTE
REGULAR COUNCIL MEETING – August 6, 2012

1. TYPE: Letter
DATED: July 13, 2012
RECEIVED FROM: Florida Department of Economic Opportunity
ADDRESSED TO: Mayor
SUBJECT: Monitoring Finding Cleared Florida Small Cities CDBG Program

2. TYPE: Letter
DATED: July 23, 2012
RECEIVED FROM: Florida League of Cities, Inc.
ADDRESSED TO: Council Member Bernardini
SUBJECT: Congratulations on twenty years of service

Rick Scott
GOVERNOR



Hunting F. Deutsch
EXECUTIVE DIRECTOR

July 13, 2012

The Honorable Joseph E. Johnston, III
Mayor, City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

RE: Monitoring Finding Cleared (May 29, 2012, Monitoring Report)
Florida Small Cities CDBG Program
Contract Number: 11DB-C5-05-37-02-N11

Dear Mayor Johnston:

We have reviewed your response to the May 29, 2012, monitoring report.

Re-evaluation of the Section 504/ADA Self-Assessment/Transition Plan was completed, and a copy of the plan received by the Department of Economic Opportunity via email on July 11, 2012.

Concern One is cleared. No further action is required at this time.

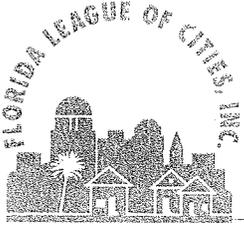
If you have questions about this correspondence feel free to contact me at (850) 717-8425 or via e-mail at tammy.anderson@deo.myflorida.com

Sincerely,

Tammy Anderson
Community Assistance Consultant

cc: Mr. William "Bill" Geiger, Community Development Director, City of Brooksville
Mr. Andy Easton, Andy Easton & Associates, Inc.

CTN
08.06.12



301 South Bronough Street • Suite 300 • P.O. Box 1757 • Tallahassee, FL 32302-1757 • (850) 222-9684 • Fax (850) 222-3806 • www.flcities.com

July 23, 2012

The Honorable Joe Bernardini
Councilmember, City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2042

Dear Councilmember Bernardini:

On behalf of the Florida League of Cities, I want to congratulate you on your twenty years of service to the City of Brooksville. You should be very proud of this honor.

If you are attending the 86th Florida League of Cities Annual Conference at the Westin Diplomat, Hollywood August 23-25, 2012, a general recognition will be given at the second general session on August 25th starting at 10:45 a.m.

In addition, the Florida League of Cities would like to present a resolution to you at either a local/regional league meeting or at your council/commission meeting. Our staff will be in touch with you in September to set up the presentation.

If you are attending the annual conference, we will give you a "years of service" ribbon in your conference packet. If you have not received conference information it is available on the League's website at www.flcities.com. Please contact Gail Dennard if you have any questions or need additional information at gdennard@flcities.com or 1- (800) 342-8112.

Again, my congratulations on your achievement!

Sincerely,

Pat Bates
President, Florida League of Cities
Mayor, City of Altamonte Springs

Cc: Ms. Janice L. Peters, City Clerk

CTN
08.06.12
copy: HR file
JAV