

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

AGENDA

November 5, 2012

7:00 P.M.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. American Indian Heritage Month

Proclamation in honor of American Indian Heritage Month to be presented to a representative of the Daughters of the American Revolution.

Presentation: Mayor
Attachment: Proclamation

2. Margaret R. Ghiotto Improvement Award – Residential Award

Recognition of improvements to the property of Lou & Lynn Varga, located at 1341 Candlelight Boulevard.

Presentation: Scott Renz, Beautification Board Chair
and Mayor
Attachments: Letter from Beautification Board Chair
dated 10/15/12; Award Certificate

3. Margaret R. Ghiotto Improvement Award - Commercial Award

Recognition of improvements to the property owned by Cortez Investment Group, located at 10 W. Early Street.

Presentation: Scott Renz, Beautification Board Chair
and Mayor
Attachments: Letter from Beautification Board Chair
dated 10/15/12; Award Certificate

4. Update on Chinsegut Hill Property

D. CITIZEN INPUT

E. CONSENT AGENDA

1. Dredging Project For Horse Lake Creek Bid No. SD2012-06

Consideration of bid award to Lyric Services, Inc. in the not-to-exceed amount of \$113,000.

REGULAR COUNCIL MEETING – November 5, 2012

2. **2012 Federal Edward Byrne Memorial Justice Assistance Grant (JAG) Florida JAG Direct**
Consideration to accept JAG Grant funds in the amount of \$2,944 and authorize the Mayor to sign required documents.
3. **Residential Garbage Truck Purchase**
Consideration of purchase of a residential garbage truck via the Florida Sheriffs Association, Association of Counties and Fire Chief's Association bid list for the not-to-exceed amount of \$196,771.50.

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Memo from Director of Public Works dated 10/22/12, Bid Opening Minutes, Bid Certification Form; 2) Memo from Police Chief dated 11/05/12, Letter from FDLE dated 10/15/12, FY2012-13 City Budget Amendment; 3) Memo from Director of Public Works dated 10/23/12, Rush Truck Center Letter, Quote and Specifications, Tampa Crane and Body Quote, Florida Sheriffs Association Bid Specification

F. PUBLIC HEARINGS (*Board Sitting in its Quasi-Judicial Capacity*)

- Entry of Proof of Publication into the Record
- Poll Council Members for Ex-Parte Communications
- Administering of Oath to All Persons Intending to Speak [Expert Witness Credentials]
- Adoption of the Agenda Back-up Materials into Evidence

1. **Ordinance No. 833 – Evans Financial Services, LTD***
Request for a zoning classification of Residential Planned Development Project (PDP) consisting of 427 single family units.

Presentation: City Planner
Recommendation: Approval of Ordinance No. 833 on first reading upon roll-call vote and schedule second and final reading for 11/19/12, or direction to staff
Attachments: Memo from City Planner dated 11/05/12, Proposed Ordinance, Area Map, Zoning Petition, Petitioner's Narrative, Site Plan

REGULAR COUNCIL MEETING – November 5, 2012

G. REGULAR AGENDA

1. **Community Thanksgiving Dinner Fee Waiver Request**

Consideration of fee waivers in the amount of \$305 for use of the JBCC for Thanksgiving Dinner being sponsored by the Christian Life Assembly of God.

Presentation: Event Sponsor
Recommendation: Consideration of Fee Waiver
Attachment: Memo from Director of Parks, Facilities & Recreation dated 10/29/12, Letter of Request dated 11/05/12, Facility Use Agreement, Fee Waiver Report

2. **Kiwanis Club's 38th Annual Brooksville Christmas Parade**

a) **Kiwanis Club of Brooksville – Annual Christmas Parade Fee Waiver**

Consideration of request to partially waive fees in the amount of \$1,730.29 with a commitment from Kiwanis to pay \$1,000 to offset costs to hold the 38th Annual Christmas Parade on Saturday, December 8, 2012.

Presentation: Ed Chester, Club President & Larry Fluty, Committee Chair
Recommendation: Direction to Staff
Attachments: Memo from City Clerk dated 10/16/12, Letter from Kiwanis President dated 10/16/12, Street Closure Permit, Fee Waiver Report

b) **Resolution No. 2012-13 to Florida Dept. of Transportation (FDOT) – Annual Christmas Parade Route**

Consideration of approval of resolution supporting annual Kiwanis Christmas Parade route and closing of SR50/Jefferson St. & US41/Broad St., with authorization for Police Chief and Mayor to sign FDOT permit application.

Presentation: City Clerk
Recommendation: Approval of Resolution No. 2012-13 upon roll-call vote
Attachments: Memo from City Clerk dated 10/16/12; Proposed Resolution, FDOT Permit

3. **Resolution No. 2012-14 Impact of Breach of Surety Performance Bonds**

Consideration of proposed resolution to address breach of Surety Performance Bonds.

Presentation: City Attorney
Recommendation: Approval of Resolution No. 2012-14 upon roll-call vote
Attachments: Memo from City Attorney dated 10/22/12, Proposed Resolution, Exhibit A

REGULAR COUNCIL MEETING – November 5, 2012

4. **EPA Brownsfields Assessment Grant Program Consultant Selection**
Consideration of selection of a consultant for the Brownsfield Grant Project.

Presentation: Director of Community Development,
Director of Public Works & City
Planner
Recommendation: Approval of staff review team
recommendation
Attachments: Memo from Director of Community
Development, Director of Public Works
& City Planner dated 11/05/12,
Minutes, Notice & Document,
Summary Ranking, Initial Summary
Ranking

5. **Resolution No. 2012-12 Comprehensive Emergency Management Plan (CEMP)**
Consideration of Resolution to adopt the 2012 CEMP.

Presentation: Fire Chief
Recommendation: Approval of Resolution No. 2012-12
upon roll-call vote
Attachments: Memo from Fire Chief dated 10/23/12,
Resolution

H. CITIZEN INPUT

I. ITEMS BY COUNCIL

J. ADJOURNMENT

CORRESPONDENCE TO NOTE

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

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

City of Brooksville
Proclamation

WHEREAS, with a long history, rich culture, and more than 300 spoken languages, the wisdom of Native American tribes has been passed down through the centuries; and

WHEREAS, the Americans we know as American Indians and Native Americans were the first explorers and settlers of the areas that now make up the United States. Mountains and rivers, lakes and valleys, States and counties, trails and towns across the land bear Indian names; and,

WHEREAS, American Indians provide lasting reminders of their presence and significance, not just in our geographic area but throughout the whole of American history; and,

WHEREAS, American Indians have made contributions in every area of life and literature, serving in our Armed Forces, fighting diligently for our country; and,

WHEREAS, during the Thanksgiving season generations of Americans are reminded of the early friendship of the Pilgrims and American Indians.

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

American Indian Heritage Month

in the City of Brooksville and encourage citizens to observe appropriate programs, ceremonies and activities.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the seal of the City of Brooksville to be affixed this 5th day of November, 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



352.540.3810 Phone
352.544.5424 Fax

October 15, 2012

Mr. and Mrs. Lou Varga
1341 Candlelight Boulevard
Brooksville, FL 34601

Dear Lou and Lynn:

The City of Brooksville Beautification Board is pleased to advise you that you have been selected to receive the monthly Margaret R. Ghiotto Residential Improvement Award for beautifying the property located at 1341 Candlelight Boulevard.

The Certificate of Recognition and "rotating" outdoor sign will be presented to you by the Beautification Board Chairman at the next regular City Council Meeting to be held Monday, November 5, 2012 at 7:00 p.m. in the **BROOKSVILLE CITY HALL COUNCIL CHAMBERS LOCATED AT 201 HOWELL AVENUE**. Please contact Beautification Board Secretary, Lindsay Morgan, and let her know, no later than Friday, October 26, 2012 by 5:00 p.m. if you will or will not be able to attend this meeting to accept your award. If you have any further questions or concerns, please contact Ms. Morgan at (352) 540-3856 or email at lmorgan@cityofbrooksville.us.

We extend our appreciation for your outstanding efforts in improving and beautifying not only your property but the City of Brooksville.

Sincerely,

Scott Renz, Chairman
Beautification Board

cc: Janice Peters, City Clerk

Margaret R. Ghiotto



CERTIFICATE OF RECOGNITION

City Council and the Beautification Board for the City of Brooksville, Florida
recognize and honor the named recipient for improvements and beautification to
their property located within the City

COU & CANNARGA

1341 Candlelight Boulevard, Brooksville, FL 34601

Presented this 5th day of November, 2012.

Mayor

City Clerk

City of Brooksville

352.540.3810 Phone
352.544.5424 Fax



October 15, 2012

Cortez Investment Group
412 S. Main Street
Brooksville, FL 34601

Dear Property Owners:

The City of Brooksville Beautification Board is pleased to advise you that you have been selected to receive the monthly Margaret R. Ghiotto Commercial Improvement Award for beautifying the property located at 10 W. Early Street – Cortez Investment Group.

The Certificate of Recognition and “rotating” outdoor sign will be presented to you by the Beautification Board Chairman at the next regular City Council Meeting to be held Monday, November 5, 2012 at 7:00 p.m. in the **BROOKSVILLE CITY HALL COUNCIL CHAMBERS LOCATED AT 201 HOWELL AVENUE**. Please contact Beautification Board Secretary, Lindsay Morgan, and let her know, no later than Friday, October 26, 2012 by 5:00 p.m. if you will or will not be able to attend this meeting to accept your award. If you have any further questions or concerns, please contact Ms. Morgan at (352) 540-3856 or email at lmorgan@cityofbrooksville.us.

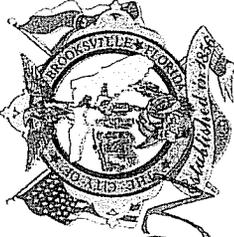
We extend our appreciation for your outstanding efforts in improving and beautifying not only your property but the City of Brooksville.

Sincerely,

Scott Renz, Chairman
Beautification Board

cc: Janice Peters, City Clerk

Margaret R. Chiotto



CERTIFICATE OF RECOGNITION

*City Council and the Beautification Board for the City of Brooksville, Florida
recognize and honor the named recipient for improvements and beautification to
their property located within the City*

CORTEZ INVESTMENT GROUP

10 W. Early Street, Brooksville, FL 34601

Presented this 5th day of November, 2012.

Mayor

City Clerk



**CONSENT AGENDA ITEM
 MEMORANDUM**

TO: THE HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER *[Signature]*

FROM: RICHARD W. RADACKY, PUBLIC WORKS DIRECTOR *[Signature]*

**SUBJECT: DREDGING PROJECT-HORSE LAKE CREEK, BID NUMBER
 SD2012-06**

DATE: October 22, 2012

GENERAL SUMMARY/BACKGROUND: On August 6, 2012, the City Council authorized staff to issue a bid for improvements to the Peck Sink Water Course (Horse Lake Creek). On September 7, 2012, staff advertised a request for bids. A mandatory pre-bid meeting was held on Tuesday, September 18, with bid closure on Friday, September 28. Due to Addendum Numbers 1 & 2 being issued, the bid opening was extended to Friday, October 5, 2012.

Staff advertised for a base bid and an alternate bid. The base bid includes the removal of approximately 5,000 cubic yards of silt from the channel bottom and placement of the material on the water-course bank. The silt is to be graded with slopes sodded and the tops of the inplaced material to be seeded and mulched. Staff is not planning to remove silt offsite. Also, a gravity 8-inch sanitary sewer line is to be encased with concrete to provide additional protection from rupture or future damage. The base bid also includes removal of vegetation near the State Road 50 Bridge. This material is to be removed offsite or chipped and disposed of on the banks.

The alternate bid is to provide for constructing 626 square yards of concrete on the bottom of the water course immediately east of the Candlelight Boulevard Bridge. The concrete material is to allow the City to periodically remove silt buildup from the bridge to the encased sewer line.

The City received four (4) bids. The attached matrix summarizes the bids received:

	LYRIC SERVICES	BRW CONTRACTING	GOODWIN BROTHERS	GATOR DREDGING
Base Bid	\$86,710	\$97,491	\$131,928	\$129,100
Alternate Bid	\$26,290	\$30,674	\$25,353	\$35,900
Total	\$113,000	\$128,165	\$157,281	\$165,000

Staff of the Public Works Department; Mr. Robert Titterington, P.E., Civil-Tech Consulting Engineers, Inc., Project Engineer; Mr. Charles Price and Gordon Porterfield of the Candlelight Subdivision Civic Association; and Mr. Rick Daniel, Lyric Services, Inc., recommended bidder; met to discuss the contractor's construction plan. A detailed plan was provided and all agreed that Lyric Services is capable of providing a satisfactory and successful project.

 **BUDGET IMPACT:** Funding is available in Fund 308, Multi-Capital Projects Accumulation Fund, Account Number 308-019-541-55630 in the amount of \$116,829.

 **LEGAL NOTE:** Pursuant to the City's Charter, Article V, Section 5.04., Competitive Bidding, City Council is authorized to approve the award for procurement of personal property or services via the bid process within the statutory categories and limits established pursuant to Florida Statutes, Chapter 287. Only after all additional documents are received, reviewed and approved by Legal Counsel will the City sign an Agreement for Contractor Services.

STAFF RECOMMENDATION: Staff and Civil-Tech Consulting Engineers, Inc., have reviewed the bids and recommends that the City Council award the base bid amount (\$86,710) and the alternate bid amount (\$26,290) for a total bid amount of \$113,000 to Lyric Services, Inc., of Brooksville, Florida, the low bidder and the most reasonable and responsive bidder.

ATTACHMENT:

1. Bid Opening Minutes
2. Lyric Services' Bid Certification

Attachment 1

Bid Opening Minutes

**BID OPENING MINUTES
DREDGING PROJECT FOR HORSE LAKE CREEK
BID NO. SD2012-06**

October 5, 2012

3:00 p.m.

A Bid Opening was held at approximately 3:00 p.m. on Friday, October 5, 2012, in the City Hall Council Chambers for the **DREDGING PROJECT FOR HORSE LAKE CREEK BID NO. SD2012-06**. Janice L. Peters, City Clerk, Richard Radacky, Director of Public Works, Joe Nelson, Streets Supervisor, Bob Titterington, Civil-Tech Engineering and Kim Harsin, Recording Secretary were in attendance.

City Clerk Peters advised that an Invitation to Bid was published in the September 7, 2012, edition of the Tampa Bay Times, Hernando Section with a mandatory pre-bid meeting set for 9:30 a.m. on Tuesday, September 18, 2012 and a closing date and time set for 3:00 p.m. on Friday, September 28, 2012. Addendum Number 1 was issued on Wednesday, September 26, 2012 to extend the date of the bid opening by one week to Friday, October 5, 2012 at 3:00 p.m. Addendum Number 2 was issued on Monday, October 1, 2012 to amend the Bid Certification Form and Silt Fence Location Revision. Both acknowledged addendums shall be attached to and made a part of the Proposal and Contract Documents.

As a result, 4 sets of bids were received, all properly sealed and notated. The bids were to include Bid Certification Form with signature page; 5% Bid Bond; Public Entity Crimes Statement; State of Florida Contractor License Copy; Drug Free Workplace Certification; Agreement for Contractor Service; One (1) original with three (3) copies of the Bid; List of contractors and percent of work; List of three (3) references for similar type of work with contact information and List of Equipment.

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

1.	<u>Gator Dredging, Pinellas Park, FL</u>	120 DAYS	Base Bid	\$129,100
	All required documentation included; Drug Program Implemented		Alternate Bid	\$ 35,900
2.	<u>Lytic Services, Inc., Brooksville, FL</u>	60 DAYS/ADD 45 FOR ALTERNATE	Base Bid	\$ 86,710
	All required documentation included; Drug Program Implemented		Alternate Bid	\$ 26,290
3.	<u>Goodwin Brothers Construction, Brooksville, FL</u>	120 DAYS	Base Bid	\$131,928
	All required documentation included; Drug Program Implemented		Alternate Bid	\$ 25,353
4.	<u>BRW Contracting, Land O'Lakes, FL</u>	120 DAYS	Base Bid	\$97,491
	All required documentation included; Drug Program Implemented		Alternate Bid	\$30,674

City Clerk Peters informed that the packets would be reviewed by City Staff and present to City Council for bid award. The bid opening closed at 3:10 p.m.



Kim Harsin
Recording Secretary

Attachment 2

Lyric Services' Bid Certification

BIDDER/COMPANY NAME: LYRIC SERVICES, INC

BID/CERTIFICATION FORM
CITY OF BROOKSVILLE
DREDGING PROJECT FOR HORSE LAKE CREEK
BID NO. SD2012-06

BIDDERS CERTIFICATION TO THE CITY OF BROOKSVILLE:

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

2. Please check one:

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

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

3. Bid Bond - If the Bid is accepted by the City, it will become a binding contract on both parties. If a Bid Bond or Cashier's Check/Certified Check is required, it shall be submitted with the Bid. If the undersigned shall fail to deliver or perform, or if applicable, execute a Contract as stated herein, then the City may, at its option, determine that the undersigned has abandoned the Award/Contract, and thereupon such Bid and/or Award shall be null and void, and any Cashier's Check/Certified Check or Bond accompanying this Bid shall be forfeited to and become the property of the City, and the full amount of said check, or if a Bid Bond, the full amount of such bond, shall be paid to the City as partial liquidated damages; otherwise, any Bond or Cashier's Check/Certified Check accompanying this Bid shall be returned to the undersigned within 30 calendar days from the date of Award, or if provisions for a Notice to Proceed are included, from the date of the Notice to Proceed.

4. Bidder proposes and agrees to provide all materials, services or equipment required for the City of Brooksville Dredging Project Horse Lake Creek, Bid No. SD2012-06, for the following:

Base Bid Sum of Eighty six thousand seven hundred - Ten + 00/100 Dollars (\$ 86,710⁰⁰).

Alternate Bid Sum of Twenty six thousand - two hundred - Ninety + 00/100 Dollars (\$ 26,290⁰⁰).

5. Number of days from date of Notice to Proceed that will be required for the final completion of all work as described herein and as shown on the plans.

BASE Bid 60 SUBSTANTIAL
ALTERNATE Add 45 SUBSTANTIAL
(Maximum 120 Calendar Days)

BIDDER/COMPANY NAME: LYRIC SERVICES, Inc.

6. The City reserves the right to accept any or all prices itemized in any combination that best serves the interests of the City. The City further reserves the right to accept or reject any of the components of this Bid, including alternates.

7. BIDDER HEREBY ACKNOWLEDGES RECEIPT OF THE FOLLOWING ADDENDUMS: 1 + 2

Name of Bidder: LYRIC FARMS + EQUIPMENT, INC. dba LYRIC SERVICES, INC

Business structure: Corporation, () Partnership, () Individual, () Other: _____

If a Partnership: _____

Name(s) of Partner(s): _____

If a Corporation: _____

Incorporated in State of: FLORIDA Date of Incorporation: 11-26-01

Business Address: 14353 LYNN ACRES LN.

City: BROOKSVILLE State FL Zip 34601

Telephone Number: (352) 796-2281 Fax (352) 754-2820

Submitted By: RICHARD L. DANIEL
(Print)

Title: CEO / SEC TRES.

Signature: [Handwritten Signature]

ATTEST: [Handwritten Signature]
Secretary

By: RICHARD L. DANIEL
Print Name

Affix Corporate Seal
(If Corporation)

State of Florida
County of

The foregoing instrument was acknowledged before me this 5th day of October, 2012 by Richard L. Daniel, who is personally known to me or who presented FLORIV LLC as identification, and who (did) (did not) take an oath.

[Handwritten Signature]
[Signature of Notary Public]

[Printed, SALLY PEBLER
Notary Public - State of Florida
Commission # DD 916393
Bonded Through National Notary Assn.]

NOTE: BIDS MAY BE REJECTED IF ALL DOCUMENTS ARE NOT COMPLETE AND EXECUTED AND THE NUMBER OF COPIES SPECIFIED/REQUESTED OF EACH ARE NOT SUBMITTED WITH THE BID.



**CONSENT AGENDA ITEM
MEMORANDUM**

TO: THE HONORABLE MAYOR AND CITY COUNCIL MEMBERS
VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER
FROM: GEORGE TURNER, CHIEF OF POLICE
RE: 2012 EDWARD BRYNE MEMORIAL JUSTICE ASSISTANCE GRANT- FLORIDA JAG DIRECT
DATE: NOVEMBER 5, 2012

[Handwritten signatures: T. Jennene Norman-Vacha and George Turner]

GENERAL INFORMATION: The Brooksville Police Department has been awarded the 2012 Edward Byrne Memorial Justice Assistance Grant Direct in the amount of \$2,944. These grant funds are specifically for the purpose of reducing crime and improving public safety. The Police Department has submitted a project entitled "AXON CAMERA PROGRAM" to the Florida Department of Law Enforcement, Office of Criminal Justice Grants, for use of these funds. The AXON camera system is a product that allows the individual officer to document actual encounters while away from the patrol vehicle video system.

JA **BUDGET IMPACT:** There are no matching fund requirements in this grant, which will increase revenues and expenditures in Fund 118 by \$2,944. See attached budget amendment.

LB **LEGAL REVIEW:** The City 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. Pursuant to Section 1.03 of the Charter, the City has all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services to include matters of fiscal impact and acceptance of grant funds.

STAFF RECOMMENDATION: Staff recommends that the City Council accept the 2012 Edward Byrne Memorial Justice Grant Direct, in the amount of \$2,944 to be used to purchase (2) AXON camera systems, and authorize the signature of the Mayor or his designee on required application, and subsequent Certificate of Acceptance and any other required documents. Further, staff recommends approval of attached budget amendment.

ATTACHMENT: 1. FDLE notification of award letter dated October 15, 2012
2. FY2012-13 City Budget Amendment

Attachment 1

FDLE Notification of Award

Dated October 15, 2012



Florida Department of
Law Enforcement

Gerald M. Bailey
Commissioner

Office of Criminal Justice Grants
Post Office Box 1489
Tallahassee, Florida 32302-1489
(850) 617-1250
www.fdle.state.fl.us

Rick Scott, Governor
Pam Bondi, Attorney General
Jeff Atwater, Chief Financial Officer
Adam Putnam, Commissioner of Agriculture

October 15, 2012

The Honorable Joseph E. Johnston, III
Mayor, City of Brooksville
201 Howell Avenue Suite 300
Brooksville, Florida 34601

Re: Federal Fiscal Year (FFY) 2012 Edward Byrne Memorial Justice Assistance
Grant (JAG) Program – Florida JAG Direct

Dear Mayor Johnston:

The Florida Department of Law Enforcement (FDLE) has received an award from the United States Department of Justice (USDOJ) for FFY 2011 JAG funds. These grant funds are distributed to units of local government based on local crime statistics reported to FDLE.

FDLE has allocated \$2,944 from this award for use by your agency, in accordance with the Florida JAG Direct distribution provision of Chapter 11D-9, Florida Administrative Code. Please note these funds now require quarterly performance reporting along with monthly or quarterly expenditure reporting. Specific program requirements for these JAG funds and general instructions regarding the application process and a list of federal purpose areas can be found at <http://www.fdle.state.fl.us/Content/grants/jagd.aspx>. Applications that do not comply with the instructions or do not include all required information will be returned for inclusion of the missing information or will have a special condition withholding funds placed on the grant at the time of award.

An online grant application training will be provided by the Office of Criminal Justice Grants (OCJG) staff on October 30, 2012, at 2:30 p.m. Submit an email to Timothy Colletti at timcolletti@fdle.state.fl.us, by October 24, 2012, 5:00 p.m of your planned attendance.

Recipients must apply on-line using FDLE's grant management system, Subgrant Information Management On-Line (SIMON). Simon can be accessed at <http://simon.fdle.state.fl.us>. The Project Start and End Dates in the on-line application should reflect the period **February 1, 2013 through June 30, 2013**.

The Honorable Joseph E. Johnston, III
October 15, 2012
Page Two

Application completion will require an "Announcement Code" which is a security feature allowing access to the application. The Announcement Code is **JAGD1213**. Note that this Code will be activated on **October 17, 2012**. Application completion will not be possible without the announcement code. To assist you in completing this application a user manual and a video guide are available on-line. The deadline for this on-line submission is **Wednesday, November 21, 2012 at 5:00 p.m.** at which time the announcement code will be deactivated.

In addition to the on-line submission, recipients must print out the completed application and required certifications and submit two hard copies (with original signatures) to:

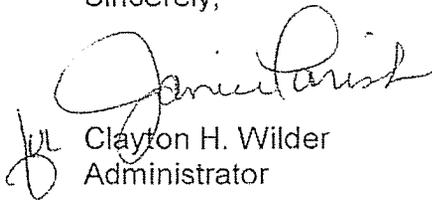
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, FL 32308

The deadline for this hard copy submission is **Friday, December 7, 2012**.

FDLE does not discriminate, and prohibits subgrant recipients from discriminating, on the basis of race, color, religion, national origin, sex, disability, or age in the delivery of services or benefits or in employment.

We look forward to working with you. If you have any questions or if we can provide you with any assistance regarding the JAG Program, please contact me at (850) 617-1250.

Sincerely,


Clayton H. Wilder
Administrator

CHW/JP/st

cc: Local Law Enforcement Agency

Attachment 2

FY2012-13 City Budget Amendment

BUDGET AMENDMENT FORM

Fiscal Year 2012 - 2013

Account Name/Dept	Account Number	Approved Budget FY 2012-13	Increase	Decrease	Amended Budget FY 2012-13
Intergovernmental Revenue	118-000-331-43200	\$25,831.00	\$2,944.00		\$28,775.00
					\$0.00
Uncapitalized Equip. (Exp)	118-013-521-55500	\$0.00	\$2,944.00		\$2,944.00
					\$0.00
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TOTAL		\$0.00	\$0.00	\$0.00	

*Increase in Revenue and Expenditures in Fund 118

Reason for Amendment: We were awarded additional funds from the JAG Grant after the Final Budget Hearing. Therefore we need to increase the revenue account by \$2,944 and the expenses account by the same amount

Department Director Signature

Date

Department Director Signature

Date
10-30-12

Finance Director Signature

Date

City Manager Signature

Date

Approved by City Council, during Regular Session:

Date



CONSENT AGENDA ITEM MEMORANDUM

TO: THE HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER *[Signature]*

FROM: RICHARD W. RADACKY, PUBLIC WORKS DIRECTOR *[Signature]*

SUBJECT: RESIDENTIAL GARBAGE TRUCK PURCHASE

DATE: OCTOBER 26, 2012

GENERAL SUMMARY/ BACKGROUND: The Sanitation Division of the Public Works Department is requesting approval to purchase a replacement residential garbage truck with a 27-yard body. The new truck and body will replace a 2002 Peterbilt with approximately 98,000 miles and an EZ Pack Body. The existing truck and body is requiring more frequent cost of repair due to age (10 years) and condition.

Staff is recommending purchase of a Peterbilt Truck and Heil Body, the same truck and body that is currently in the City's garbage fleet. Having like vehicles reduces the parts required to be on hand and enhances maintenance efficiency. Staff recommends declaring the existing truck surplus and selling it at the next public auction.

Purchase is recommended from the Florida Sheriffs Association, Association of Counties and Fire Chiefs Association Bid No. 11-19-0907, Spec No. 51. The Peterbilt Truck and Heil Body would be purchased from Rush Truck Center in Tampa for a not-to-exceed amount of \$196,771.50. Other garbage trucks have been purchased from Rush and staff is pleased with the service, repair and convenient location.

The Sanitation Division of the Public Works Department is a not-for-profit enterprise arrangement and expenditures are from collected revenue. Staff does not anticipate replacing garbage or trash vehicles for the remainder of Fiscal Years 2013 and 2014.

BUDGET IMPACT: A total of \$205,000 was approved by the City Council, for the purchase of the truck and body, in the Fiscal Year 2013 Budget. The purchase price would be \$196,771.50. Account Number 403-000-166-19037 would be the funding source.

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

Pursuant to Subsection 274.05, Florida Statutes, titled Surplus Property, the 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 interest 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 for sale or donation or sale at a recycling center.

RECOMMENDATION: Staff recommends that City Council approve the purchase of a replacement residential garbage truck from Rush Truck Center by piggybacking on the Florida Sheriffs Association, Association of Counties and Fire Chiefs Association Bid No. 11-19-0907, Spec No. 51, for a not-to-exceed amount of \$196,771.50, and to surplus the 2002 Peterbilt Truck and EZ Pack Body at the next available public auction.

ATTACHMENTS:

1. Rush Truck Center Letter, Quote & Specification Sheet
2. Tampa Crane & Body Quote
3. Florida Sheriffs Association Bid Specification

Attachment 1

Rush Truck Center

Letter, Quote & Specification Sheet



www.rushtruckcenters.com

Rush Truck Center – Tampa | 8111 East Adamo Drive, Highway 60 | Tampa, Florida 33619 | 813-664-1441 Direct | 813-626-5024 Fax

10-08-12

To Whom It May Concern,

We at Rush Truck Center are pleased to announce the acceptance of the Bid Award from the Florida Sheriffs Association bid number 11-19-0907 Spec number 51. If you wish to see the Intended Bid Award and other Awarded Specs visit Florida Sheriff Association's website <http://flsheriffs.org/> or contact me anytime.

Thank you,

ABRAHAM ALJIBOURI

Abraham Aljibouri
Alternative Fuels Specialist – Florida Region
Rush Truck Centers of Florida





Rush Truck Center, Tampa

8111 East Adamo Dr
Tampa, FL 33619
800-575-7383

Customer Proposal Letter

City of Brooksville
600 South Brooksville Avenue
Brooksville, FL 34601
352-544-5478
MMcquown@ci.Brooksville.FL.US
Mike McQuown

Mike McQuown, thank you for the opportunity to earn your business. We look forward to working with you on your business needs. Please accept the following proposal.

VEHICLE

Make Peterbilt Model 320 Year 2013 Stock Number To Be Determined

Additional Vehicle and Accessories Description To be delivered on or about _____

- QUOTE GOOD FOR BID FL SHERIFF BID NO11-19-0907 SPEC #51
- Includes Heil DP5000 27yd REL & Engine Surcharge \$7000
- Expected Chassis Production date is late October
- Includes Florida Sheriff Admin Fee

Quantity		Total
Truck Price per Unit	<u>1</u> \$196,432.00	\$196,432.00
F.E.T. (Factory & Dealer Paid)	\$0.00	\$0.00
Net Sales Price	\$196,432.00	\$196,432.00
Optional Extended Warranty(ies)		
State Sales Tax		
License, License Transfer, Registration Fee		
Dealer Fee	\$325.00	\$325.00
Electronic Filing Fee		
LemonLaw Fee		
Administration Fee		
Vehicle Inventory Tax		
Additional Taxes		
Tire Recycling Program	\$10.00	\$10.00
Battery Disposal Fee	\$4.50	\$4.50
Out of State Vehicle Fee		
Rebate(s)		
Total Sales Price (Including Rebate(s))	\$196,771.50	\$196,771.50
Trade Allowance (see DISCLAIMER Below)		\$0.00

Sales Representative _____ signature Aljibouri, Abraham printed name

Purchaser _____ signature _____ printed name

_____ title _____ date

Accepted by Sales Manager or General Manager _____ signature _____ printed name

Quote good until 11/1/2012 Note: The above Customer Proposal is a quotation only. Sale terms subject to approval of Sales Manager of Dealer.

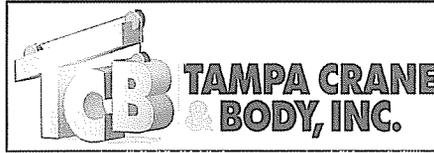
DISCLAIMER: Any order based on this Proposal subject to Customer executing Dealer's standard form Retail Purchase Order incorporating above terms Any documentary fees, state tax, title, registration and license fees subject to adjustment and change. Actual F E T. to be paid by Dealer, subject to adjustment Any F E T. variance will be responsibility of Dealer Manufacturer has reserved the right to change the price to Dealer of any vehicle not currently in Dealer's stock, without notice to Dealer If Quoted Vehicle(s) not currently in Dealer's stock, Dealer reserves right to change Quotation Total to reflect any price increases from Manufacturer This Proposal is based upon Dealer's current and expected inventory, which is subject to change. Dealer not obligated to retain any specific vehicles in stock, nor maintain any specific inventory level. Dealer shall not be obligated to fulfill Proposal in event quoted vehicle(s) not in stock or available within requested delivery schedule at time Proposal accepted. Dealer shall not be liable for any delay in providing or inability to provide Quoted Vehicle(s), where such inability or delay is due, in whole or in part, to any cause beyond the reasonable control of Dealer or is without the gross negligence or intended misconduct of Dealer. Above listed Trade Value based upon current appraisal of Trade Vehicle(s) Dealer may adjust Trade Value of Trade Vehicle(s) to reflect changes in condition and/or mileage of Trade Vehicle(s) between date of current appraisal and acceptance of this Proposal by Customer.

	Spec #51	City of Brooksville	\$128,875.00
320 Refuse Truck			
Municipal Discount			-\$5,122.00
Wheelbase	209"	210"	
Frame	103/4"	10 3/34"	\$0.00
Full liner Insert	Yes	Yes	\$0.00
2 Solid Mount Cable Hooks	No	Yes	\$170.00
P/S TRW TAS Dual 65	Yes	Sheppard	\$83.00
Lube Pump Drive Axles	Yes	No	-\$230.00
Diff lock Both Axles	No	Yes	\$2,039.00
Rear Brake Camshaft Reinforcement	No	Yes	\$67.00
Air Cam Rear Brakes 16.5x8.6 IPO 16.5x7			\$150.00
Haulmaxx HMX460 IPO Reyco 46,000 lb.			\$2,627.00
Exhaust Standpipe	24"	54"	\$165.00
Wire Braid Hoses Front Brakes	No	Yes	\$10.00
Wire Braid Hoses Rear Brakes	No	Yes	\$71.00
BendIX DV2 Moisture Ejector	Yes	Yes	\$0.00
425/65R22.5 Front Tires IPO 31SI80R22.5			\$371.00
22.5X12.25 Front Wheels IPO 22.5x9			\$559.00
Top of Fuel Tank 5" Below Rail	No	Yes	\$0.00
Rubber Pad below Batteries	No	Yes	\$34.00
Concert Class Audio System AMIFM Radio Only	No	Yes	\$261.00
SS Heated Mirrors IPO Non-Heated Mirrors	No	Yes	\$62.00
Cab Tilt Pump Air Assist			\$123.00
Backup Alarm 107dB IPO 87-112dB			\$47.00
2 Addtl"Electric Rocker Switches	No	Yes	\$26.50
Air Restriction Gauge Filterminder	No	Yes	\$116.00
Spec Package Discount	No	Yes	-\$1,200.00
Option Total			\$5,551.50
Peterbilt 320 Total Cost			\$129,304.00
Heil DP 5000 Rear Loader Body			\$66,488.00
Sheriff Admin Fee			\$979.00
Total Truck & Body Cost W/ Sheriff Admin Fee			\$196,771.50

Attachment 2

Tampa Crane & Body

Quote



Quote #H1426

QUOTATION

Prepared For:

Abraham Aljibouri
Rush Peterbilt
Florida Sheriffs Association

Ship To:

City Of Brooksville

Prepared By:

Harold Armington
Tampa Crane & Body, Inc.
813-246-5510
813-246-5322 Fax

QUOTE REFERENCE NUMBER	ISSUE DATE	VALID FOR	EST. DELIVERY FROM RECEIPT OF ORDER	SUBMITTED BY	SHIPPED VIA	FOB POINT	TERMS
REL	10/2/2012	12 Months	Check at Time of Order	Harold Armington	Driveaway	Dealership	On Delivery

Body

Heil DP 5000 Rear Load / 27 Yard

Standard Options

Mounting: Eject
 Pump: Front Mount Gear Pump
 Lights: Multi-Function Lights Peterson LED Package
 Lights: Dual Hopper Work Light Kit with Tailgate Switch
 Safety: Left Hand Buzzer
 20 lb Fire Extinguisher
 HD Contractors Kit w/ Troughs – ¼ " Hopper Floor, 3/16 " Face, Trough
 Body Side Door w/ Step
 Camera 1: Camera Tailgate Mounted, Roof or Dash Mounted Monitor
 Paint: Single Paint Color – Dupont Imron 5000 (Brooksville Brown)

Warranty: Total (1) One Year

**Total Body and Options
Quote Per Unit**

\$66,488.00

THANK YOU FOR THE OPPORTUNITY TO QUOTE!

If you have any questions concerning this quotation, please feel free to contact me.

Harold Armington
Tampa Crane
5701 North 50th St
Tampa, FL 33687
813-246-5510
813-246-5322 Fax
813-294-8169 Cell
harmington@yahoo.com

Attachment 3

Florida Sheriffs Association
Bid Specification

TruckMax, Inc.	\$89,603.00	\$89,603.00	\$88,853.00	\$88,853.00
Western Star 4700				
Atlantic Truck Center	\$72,295.00	\$72,295.00	\$72,295.00	\$72,295.00
Tampa Truck Center, LLC	\$85,827.00	\$85,827.00	\$85,827.00	\$85,827.00
#51. 60,000 lb. GVWR CAB & CHASSIS - 4x6 TANDEM AXLE REFUSE TRUCK (Only)				
American LaFrance Condor				
Tampa Truck Center, LLC	\$138,697.00	\$138,697.00	\$138,697.00	\$138,697.00
Autocar ACX64				
Kenworth of Central Florida	-- No bid --	\$149,373.00	\$148,996.00	-- No bid --
General GMC Truck Sales & Service, Inc.	\$141,325.00	\$140,825.00	-- No bid --	\$139,825.00
Palmetto Ford Truck Sales, Inc.	\$149,480.00	\$145,980.00	-- No bid --	\$141,099.00
Crane Carrier LET2				
Container Systems & Equipment Co., Inc.	\$166,866.00	\$166,866.00	\$166,866.00	\$166,866.00
Mack MR Series				
Nextran Truck Center - Miami	-- No bid --	-- No bid --	-- No bid --	\$130,007.00
Nextran Truck Center - Tampa	-- No bid --	-- No bid --	\$130,007.00	-- No bid --
Nextran Truck Center - Lake City	\$130,257.00	\$130,007.00	-- No bid --	-- No bid --
Peterbilt 320				
Palm Peterbilt Truck Centers	-- No bid --	-- No bid --	-- No bid --	\$125,508.00
Rush Truck Centers of Florida	\$128,875.00	\$128,875.00	\$128,875.00	-- No bid --
#52. 15 ft. FLEX WING ROTARY MOWER - PTO DRIVEN				
Alamo Eagle 15				
Alamo Sales Corp.	\$14,268.00	\$14,268.00	\$14,268.00	\$14,268.00
Bush Hog 3715				
Creel Tractor Company	\$16,455.00	\$16,343.00	\$15,788.00	\$14,988.00
GreenSouth Equipment, Inc.	\$14,400.00	\$14,350.00	\$14,350.00	\$14,450.00
Landig Tractor Co., Inc.	\$15,663.00	\$15,463.00	\$15,163.00	\$15,563.00
Kingline Equipment	\$14,695.00	\$15,095.00	\$15,495.00	\$15,695.00
Diamond (DFW180C)				
Kelly Tractor Co.	-- No bid --	-- No bid --	-- No bid --	\$21,470.00
Landpride Batwing (RC5515)				
Creel Tractor Company	\$15,888.00	\$15,688.00	\$15,588.00	\$15,086.00
Kelly Tractor Co.	-- No bid --	-- No bid --	-- No bid --	\$16,925.00
Ring Power Corporation	\$16,934.00	\$16,934.00	\$16,934.00	-- No bid --
Gulf Coast Tractor & Equipment	\$16,988.00	\$15,988.00	\$14,988.00	\$15,988.00
Agricon Equipment Co.	\$15,987.00	\$15,500.00	\$15,500.00	\$15,950.00



**AGENDA ITEM
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL
VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER *[Signature]*
VIA: BILL GEIGER, COMMUNITY DEVELOPMENT DIRECTOR *[Signature]*
FROM: STEVEN E. GOULDMAN, AICP, CITY PLANNER *[Signature]*
SUBJECT: ORDINANCE NO. 833 – REZONING
DATE: NOVEMBER 5, 2012

GENERAL SUMMARY/BACKGROUND: The request is to rezone an approximately 170.8 acres from Hernando County Agricultural (AG) to Planned Development Project (PDP) to allow for the development of up to 427 single-family conventional units at a density of 2.5 dwelling units per acre.

Located on the south side of Mondon Hill Road and immediately east of Jasmine Drive, the subject parcel was annexed into the City on June 6, 2005 (Ordinance No. 689) and was at the time of annexation 191 acres in size. Subsequent to the annexation, Hernando County purchased property in the northwest portion of the site to be utilized as right-of-way for the realignment of the Jasmine Drive/Mondon Hill Road/McIntyre Road intersection. The City Council approved, on October 18, 2010, a Comprehensive Plan amendment designating the property as Suburban Residential, which allows for the consideration of up to 2.5 dwelling units per acre.

Compatibility with Surrounding Area: The subject property is, as previously noted, located south of Mondon Hill Road, immediately east of Jasmine Drive. The general area is primarily developed with residential uses and contains a number of undeveloped agricultural tracts. Specifically, the property to the northeast of the subject site is the Majestic Oaks Planned Development Project, which is allowed a maximum of 999 dwelling units, 100,000 square feet of floor space for commercial and office uses and 31,000 square feet of floor space for a clubhouse and associated activities. East and west of the subject property are primarily large undeveloped tracts and large lot residential uses. Immediately south of the site is the densely-developed Wesleyan Village property. Given the above, staff finds the proposed zoning designation is compatible with the surrounding development pattern.

As proposed, the project will contain a maximum of 427 single-family conventional dwelling units located in 3 development pods, with one access drive to Jasmine Drive and one to Mondon Hill Road. The petitioner proposes to locate lots a minimum of 7,000 square feet in size along the north, south and east project boundaries, while all other lots interior to the site will contain a minimum of 5,000 square feet. The 7,000

square-foot lots are to be a minimum of 70 feet in width and 100 feet deep. The 5,000 square-foot lots will be a minimum of 50 feet in width and 100 feet in depth. Front yard setbacks for all lots will be 20 feet for primary facades, with street-facing garages set back a minimum of 25 feet. All lots will have minimum rear yard setbacks of 20 feet. The 7,000 square-foot lots will be developed with 7.5-foot side yards, while the side yard setbacks for the 5,000 square-foot lots will be 5 feet. The project will also preserve the existing wetlands and provide open space adjacent to the wetlands and required stormwater facilities. To facilitate compatibility with the existing wooded streetscape along Mondon Hill Road, a buffer area 20 feet in width will be provided along the roadway. A multi-use path eight feet in width from the project entrance on Mondon Hill Road to the Good Neighbor Trail will be provided. Additionally, at the southern edge of the buffer, a tan or almond PVC fence six feet in height will be installed. The fence will contain brick, stone or architecturally-finished columns a minimum of two feet in width and spaced no more than 100 feet apart. Except for those trees required for removal to accommodate the fence, multi-use path and required sidewalk east of the project entrance, all trees eight inches DBH and larger within the buffer will be preserved.

Public Facilities and Level of Service: The project will be served by City water and sewer services. The developer will be required to negotiate a utility service agreement with the City of Brooksville to facilitate the provisions for water and sewer services to the property. No development permit related to the project will be issued until water and sewer services are available to serve the property. Additionally, no development order will be issued unless the Hernando County School District indicates adequate capacity for each level of school exists or an appropriate mitigation measure has been negotiated. Police, fire and sanitation collection services will also be provided by the City. A traffic study will be required to establish the proposed development's impacts on the transportation network, as well as mitigation measures that may be required to address any deficiencies or safety issues. Development plans submitted for permitting of this project will be reviewed and analyzed for impact to roads, utilities, schools, drainage, the environment and compliance with all other applicable land use criteria and will be subject to meeting all federal, state and local agency permitting requirements.

Natural Resources and Drainage: The property is presently undeveloped and is primarily wooded, containing native hardwoods as well as a number of small, isolated wetland areas. Former railroad right-of-way and power line easements are located at the northwest property boundary from Jasmine Drive to Mondon Hill Road. Vegetation on the subject property consists primarily of Slash Pine, Sweet Gum and Laurel Oak trees with some Southern Magnolia, Pignut Hickory, Live Oak, Eastern Red Cedar, Cabbage Palm and Red Mulberry specimens variously located. A medium cover underbrush is present as well. The majority of the soil on the subject site is identified as Nobleton (0 to 5% slopes), Kendrick (0 to 5% slopes), Sparr (0 to 5% slopes) and Wauchula (0 to 5% slopes).

According to the current adopted FEMA Flood Insurance Rate Map community panels, the majority of the subject site is located within Flood Zone X, which is defined as an area exhibiting minimal flood potential. A small portion of the site located near the western property boundary and areas in the south-southeastern portion fall within Flood Zone AE. Flood Zone AE indicates the area is subject to flooding during a 100-year storm event. No development will be permitted within the areas located in Flood Zone AE. Development of the site will be subject to SWFWMD 40D-4 permitting requirements, as well as the City's Comprehensive Plan policies relating to stormwater retention and conveyance.

BUDGET IMPACT: Costs for processing rezoning requests are offset by applicable application fees.

 **LEGAL REVIEW:** Florida Statutes § 163.3202(2)(b) requires that each county and each municipality regulate the use of land and water for those land use categories included in the Comprehensive Plan Future Land Use element and ensure the compatibility of adjacent uses and provide for open space.

PLANNING AND ZONING COMMISSION STAFF RECOMMENDATION: At their October 10, 2012 meeting, the Planning and Commission concurred with the staff finding that the request is consistent with the City's Comprehensive Plan and compatible with the surrounding development pattern. The Planning and Zoning Commission also supported the conditions provided by staff with two changes. The first change involves specifying that the multi-use path be paved in accordance with the appropriate technical standards. Condition 4 of the proposed project regulations has been modified to reflect the Planning and Zoning Commission's recommendation. The second change is the suggestion that a buffer area 10 feet in width be provided and rear yard setbacks be reduced to 15 feet to compensate for the buffer along the southern property boundary where residential development abuts the Wesleyan Village development. Given that the buffer area would create an area where no activity could occur on property that a homeowner could perceive as being part of their parcel, would require that the Homeowners Association be able to access and maintain the area and the fact that the buffer appears to serve no purpose, staff has not included the suggested buffer area in the proposed conditions.

The Planning and Zoning Commission concurred with the staff recommendation that City Council approve the request to rezone the subject property from County AG (Agricultural) to Planned Development Project (PDP), subject to the changes discussed and the conditions below. As noted above, Condition 4 has been modified to reflect the Planning and Zoning Commission recommendation regarding the multi-use path. The Planning and Zoning Commission's recommended buffer area is not included in the conditions.

1. Unless otherwise specified herein, the project shall be developed in accordance with the Land Development Code as well as the rules and regulations of all applicable government entities.
2. The project shall be allowed a maximum of 427 single-family conventional dwellings.
3. Development standards for the project shall be as follows:

Minimum Lot Size: 5,000 square feet, with the exception that lots abutting the north, south and east project boundaries shall be a minimum of 7,000 square feet.

Minimum Lot Width: 50 feet, with the exception that lots abutting the north, south and east project boundaries shall be a minimum of 70 feet in width.

Front Yard Setback: 20 feet for primary facades, with street-facing garages set back a minimum of 25 feet.

Rear Yard Setback: 20 feet.

Side Yard Setback: 5 feet for lots less than 7,000 square feet in size and 7.5 feet for lots 7,000 square feet and larger.

Maximum Building Height: 35 feet

4. The developer shall provide a buffer 20 feet in width along Mondon Hill Road. At the southern edge of the buffer, a tan or almond PVC fence six feet in height shall be installed. The fence shall contain brick, stone or architecturally-finished columns a minimum of two feet in width and spaced no more than 100 feet apart. In lieu of the sidewalk required from the Good Neighbor Trail to the project entrance, a multi-use path eight feet in width shall be provided and shall be constructed in accordance with Hernando County's standards for sidewalks. Except for those trees required for removal to accommodate the fence, multi-use path and required sidewalk east of the project entrance, all trees eight inches DBH and larger within the buffer shall be preserved. The buffer area shall be platted as a separate parcel and shall be owned and maintained by the Homeowners Association or similar entity.
5. Mailboxes shall be located in community kiosks provided throughout the project. Mailboxes on or adjacent to individual lots shall be prohibited.
6. A maximum of one access drive to Jasmine Drive and one access drive to Mondon Hill Road shall be permitted.

7. Prior to construction plan submittal, the developer shall provide to the Community Development Department for review and approval a detailed PDP development site plan depicting all the requirements specified herein as well as all appropriate and applicable data and information.
8. The petitioner/developer shall obtain all permits and meet all applicable land development regulations, for construction or use of the property.
9. The developer shall coordinate with the City Department of Public Works to properly plan for and address drainage and pedestrian improvements interior to and around the perimeter of the site. Except as otherwise provided herein, sidewalks are to be installed along all roadways within and adjacent to the site, and design shall provide for crosswalks and underground drainage where appropriate.
10. The developer shall successfully negotiate a utility service agreement with the City prior to permitting. No development permit related to the project will be issued until water and sewer services are available to serve the property.
11. All utilities serving this project shall be installed underground.
12. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District.
13. Prior to the City issuing a development order for this project, the developer will be required to address and resolve all issues related to impacts of the proposed development on public infrastructure and services. Concurrency deficiencies shall be mitigated with agencies that provide and maintain infrastructure and services that directly serve the proposed development.

ATTACHMENTS:

1. Draft Ordinance No. 833
2. Area Map
3. Zoning Petition
4. Petitioner's Narrative
5. Planned Development Project Conceptual Site Plan

Attachment 1

Draft Ordinance No. 833

ORDINANCE NO. 833

AN ORDINANCE PROVIDING A ZONING CLASSIFICATION OF PDP (PLANNED DEVELOPMENT PROJECT), CONSISTING OF RESIDENTIAL USES FOR CERTAIN REAL PROPERTY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. ZONING. That the following described property in the City of Brooksville, Florida is hereby zoned as a Planned Development Project (PDP) with residential uses--Referenced Exhibit "A" for a graphic view of the property:

Evans Financial Services, Ltd
Parcel Key # 00356162. Legal Description:

The part of the West $\frac{3}{4}$ of Section 24, Township 22 South, Range 19 East, Hernando County, Florida, lying South of Mondon Hill Road and South of the ACL Railroad right-of-way,
LESS

Griggs Tract "A"

A portion of the Southwest $\frac{1}{4}$ of Section 24, Township 22 South, Range 19 East, Hernando County, Florida, being more particularly described as follows:

For a Point of Reference commence at the Southwest corner of said Section 24; thence along the South boundary of the Southwest $\frac{1}{4}$ of said Section 24, S.89°53'12"E., a distance of 20.94 feet to the Easterly maintained right-of-way of Jasmine Drive per Right-of-way Book 2, Pages 29 through 36, of the Public Records of Hernando County, Florida, for a POINT OF BEGINNING; thence along the Easterly maintained right-of-way of Jasmine Drive per Right-of-way Book 2, Pages 29 through 36 of the Public Records of Hernando County, Florida, the following eight courses: 1) N.01°28'06"E., a distance of 165.62 feet; 2) N.01°46'14"W., a distance of 216.03 feet; 3) N.00°34'43"E., a distance of 314.11 feet; 4) N.00°15'28"E., a distance of 121.56 feet; 5) N.01°37'34"W., a distance of 154.81 feet; 6) N.00°14'43"E., a distance of 261.25 feet; 7) N.00°45'03"E., a distance of 281.36 feet; 8) N.00°16'35"W., a distance of 100.02 feet to the Southerly right-of-way line of the former Seaboard Coastline Railroad; thence along the Southerly right-of-line of said former Seaboard Coastline Railroad, N.70°57'12"E., a distance of 558.02 feet; thence S.19°02'48"E., a distance of 18.00 feet; thence S.70°57'12"W., a distance of 152.54 feet to a point of curvature; thence southwesterly 341.00 feet along the arc of a curve to the left, said curve having a radius of 502.96 feet, a central angle of 38°50'45", and a chord bearing and distance of S.51°31'50"W., 334.51 feet; thence N.57°53'33"W., a distance of 10.00 feet to a non-tangent point of curvature; thence southerly 286.44 feet along the arc of a curve to the left, said curve having a radius of 512.96 feet, a central angle of 31°59'40", and a chord bearing and distance of S.16°06'37"W., 282.73 feet; thence N.89°53'12"W., a distance of 8.58 feet; thence S.00°16'43"E., a distance of 680.07 feet; thence N.89°53'12"W., a distance of 10.00 feet; thence S.00°16'43"E., a distance of 575.37 feet to the South boundary of the Southwest $\frac{1}{4}$ of said Section 24; thence along the South boundary of the Southwest $\frac{1}{4}$ of said Section 24, N. 89°59'31"W., a distance of 29.07 feet to the POINT OF BEGINNING.

AND

Jasmine Drive Flood Plain Compensation Area

A portion of the Southwest $\frac{1}{4}$ of Section 24, Township 22 South, Range 19 East, Hernando County, Florida, being more particularly described as follows:

For a Point of Reference commence at the Southwest corner of said Section 24; thence along the West boundary of the Southwest $\frac{1}{4}$ of said Section 24, N.00°16'43"W., a distance of 1,604.16 feet to the Southerly right-of-way line of the former Seaboard Coastline Railroad; thence along the Southerly right-of-way line of said former Seaboard Coastline Railroad, N.70°57'12"E., a distance of 508.71 feet; thence S.19°02'48"E., a distance of 18.00 feet for a POINT OF BEGINNING; thence continue S.19°02'48"E., a distance of 124.00 feet; thence N.70°57'12"E., a distance of 290.00 feet; thence S.19°02'48"E., a distance of 146.96 feet; thence S.71°05'42"W., a distance of 264.14 feet; thence S.48°42'49"W., a distance of 108.73 feet; thence S.22°26'51"W., a distance of 118.08 feet; thence S.01°42'00"E., a distance of 59.96 feet; thence S.25°44'50"W., a distance of 148.58 feet; thence S.20°53'12"E., a distance of 184.63 feet; thence S.12°18'29"W., a distance of 33.78 feet; thence S.89°19'28"W., a distance of 167.34 feet; thence N.18°56'49"W., a distance of 177.73 feet; thence N.07°24'58"W., a distance of 112.54 feet; thence N.38°33'26"E., a distance of 118.68 feet; thence N.06°49'07"W., a distance of 76.74 feet; thence N.50°30'38"W., a distance of 81.67 feet; thence N.43°02'49"W., a distance of 117.63 feet to a non-tangent point of curvature; thence Northeasterly 354.03 feet along the arc of a curve to the right, said curve having a radius of 502.96 feet, a central angle of 40°19'48", and a chord bearing and distance of N.50°47'18"E., 346.76 feet; thence N.70°57'12"E., a distance of 71.54 feet to the POINT OF BEGINNING.

AND

Griggs Tract "E"

A portion of the Southwest $\frac{1}{4}$ of Section 24, Township 22 South, Range 19 East, Hernando County, Florida, being more particularly described as follows:

For a Point of Reference commence at the Southwest corner of said Section 24; thence along the West boundary of the Southwest $\frac{1}{4}$ of said Section 24, N.00°16'43"W., a distance of 1,604.16 feet to the Southerly right-of-way line of the former Seaboard Coastline Railroad; thence along the Southerly right-of-way line of said former Seaboard Coastline Railroad, N.70°57'12"E., a distance of 589.70 feet for a POINT OF BEGINNING; thence continue along the Southerly right-of-way line of said former Seaboard Coastline Railroad, N.70°57'12"E., a distance of 571.58 feet; thence S.19°02'48"E., a distance of 80.00 feet; thence S.70°57'12"W., a distance of 571.58 feet; thence N.19°02'48"W., a distance of 80.00 feet to the POINT OF BEGINNING.

AND

Griggs Tract "G"

A portion of the Southwest $\frac{1}{4}$ of Section 24, Township 22 South, Range 19 East, Hernando County, Florida, being more particularly described as follows:

For a Point of Reference commence at the Southwest corner of said Section 24; thence along the West boundary of the Southwest $\frac{1}{4}$ of said Section 24, N.00°16'43"W., a distance of 1,604.16 feet to the Southerly right-of-way line of the former Seaboard Coastline Railroad; thence along the Southerly right-of-way line of said former Seaboard Coastline Railroad, N.70°57'12"E., a distance of 1,715.88 feet for a POINT OF BEGINNING; thence continue along the Southerly right-of-way line of said former Seaboard Coastline Railroad, N.70°57'12"E., a distance of 54.51 feet to the Southerly maintained right-of-way of Mondon Hill Road per Right-of-Way Book 2, Pages 29 through 36 of the Public Records of Hernando County, Florida, and a non-tangent point of curvature; thence along the Southerly maintained right-of-way of said Mondon Hill Road the following two (2) courses: 1) Easterly 292.17 feet along the arc of a curve to the right, said curve having a radius of 22,888.32 feet, a central angle of 00°43'53", and a chord bearing and distance of S.79°52'38"E., 292.17 feet; 2) S.79°30'41"E., a distance of 48.73 feet; thence S.10°29'19"W., a distance of 14.42 feet; thence N.81°37'18"W., a distance of 388.63 feet to the POINT OF BEGINNING.

AND

Jasmine Drive Flood Plain Compensation Area 2

A portion of the Southwest ¼ of Section 24, Township 22 South, Range 19 East, Hernando County, Florida, being more particularly described as follows:

For a Point of Reference commence at the Southwest corner of said Section 24; thence along the West boundary of the Southwest ¼ of said Section 24, N.00°16'43"W., a distance of 1,604.16 feet to the Southerly right-of-way line of the former Seaboard Coastline Railroad; thence along the Southerly right-of-way line of said former Seaboard Coastline Railroad, N.70°57'12"E., a distance of 508.71 feet; thence S.19°02'48"E., a distance of 18.00 feet for a POINT OF BEGINNING; thence N.70°57'12"E., a distance of 81.00 feet; thence S.19°02'48"E., a distance of 62.00 feet; thence N.70°57'12"E., a distance of 209.00 feet; thence S.19°02'48"E., a distance of 62.00 feet; thence S70°57'12"W., a distance of 290.00 feet; thence N.19°02'48"W., a distance of 124.00 feet to the POINT OF BEGINNING.

AND

Jasmine Drive Flood Plain Compensation Area 3

A portion of the Southwest ¼ of Section 24, Township 22 South, Range 19 East, Hernando County, Florida, being more particularly described as follows:

For a Point of Reference commence at the Southwest corner of said Section 24; thence along the West boundary of the Southwest ¼ of said Section 24, N.00°16'43"W., a distance of 920.47 feet; thence N.89°19'28"E., a distance of 60.00 feet for a POINT OF BEGINNING; thence N.00°16'43"W., a distance of 334.23 feet; thence S.89°53'12"E., a distance of 8.58 feet to a non-tangent point of curvature; thence Northerly 286.44 feet along the arc of a curve to the right, said curve having a radius of 512.96 feet, a central angle of 31°59'40", and a chord bearing and distance of N.16°06'37"E., 282.73 feet; thence S.57°53'33"E., a distance of 10.00 feet; thence S.31°21'56"W., a distance of 13.03 feet; thence S.43°02'49"E., a distance of 117.63 feet; thence S.50°30'38"E., a distance of 81.67 feet; thence S.06°49'07"E., a distance of 76.74 feet; thence S.38°33'26"W., a distance of 118.68 feet; thence S.07°24'58"E., a distance of 112.54 feet; thence S.18°56'49"E., a distance of 177.73 feet; thence S.89°19'28"W., a distance of 237.82 feet to the POINT OF BEGINNING.

Location: South of Mondon Hill Road and east of Jasmine Drive.

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

The aforementioned property located within the City of Brooksville, Florida, is hereby assigned a zoning classification of PDP (Planned Development Project) and the zoning map of the City of Brooksville shall be amended accordingly. The Planned Development Project is subject to the following conditions:

1. Unless otherwise specified herein, the project shall be developed in accordance with the Land Development Code as well as the rules and regulations of all applicable government entities.
2. The project shall be allowed a maximum of 427 single-family conventional dwellings.
3. Development standards for the project shall be as follows:

Minimum Lot Size: 5,000 square feet, with the exception that lots abutting the north, south and east project boundaries shall be a minimum of 7,000 square feet.

Minimum Lot Width: 50 feet, with the exception that lots abutting the north, south and east project boundaries shall be a minimum of 70 feet in width.

Front Yard Setback: 20 feet for primary facades, with street-facing garages set back a minimum of 25 feet.

Rear Yard Setback: 20 feet.

Side Yard Setback: 5 feet for lots less than 7,000 square feet in size and 7.5 feet for lots 7,000 square feet and larger.

Maximum Building Height: 35 feet

4. The developer shall provide a buffer 20 feet in width along Mondon Hill Road. At the southern edge of the buffer, a tan or almond PVC fence six feet in height shall be installed. The fence shall contain brick, stone or architecturally-finished columns a minimum of two feet in width and spaced no more than 100 feet apart. In lieu of the sidewalk required from the Good Neighbor Trail to the project entrance, a multi-use path eight feet in width shall be provided and shall be constructed in accordance with Hernando County's standards for sidewalks. Except for those trees required for removal to accommodate the fence, multi-use path and required sidewalk east of the project entrance, all trees eight inches DBH and larger within the buffer shall be preserved. The buffer area shall be platted as a separate parcel and shall be owned and maintained by the Homeowners Association or similar entity.
5. Mailboxes shall be located in community kiosks provided throughout the project. Mailboxes on or adjacent to individual lots shall be prohibited.
6. A maximum of one access drive to Jasmine Drive and one access drive to Mondon Hill Road shall be permitted.
7. Prior to construction plan submittal, the developer shall provide to the Community Development Department for review and approval a detailed PDP development site plan depicting all the requirements specified herein as well as all appropriate and applicable data and information.
8. The petitioner/developer shall obtain all permits and meet all applicable land development regulations, for construction or use of the property.
9. The developer shall coordinate with the City Department of Public Works to properly plan for and address drainage and pedestrian improvements interior to and around the perimeter of the site. Except as otherwise provided herein, sidewalks are to be installed along all roadways within and adjacent to the site, and design shall provide for crosswalks and underground drainage where appropriate.
10. The developer shall successfully negotiate a utility service agreement with the City prior to permitting. No development permit related to the project will be issued until water and sewer services are available to serve the property.
11. All utilities serving this project shall be installed underground.

12. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District.
13. Prior to the City issuing a development order for this project, the developer will be required to address and resolve all issues related to impacts of the proposed development on public infrastructure and services. Concurrency deficiencies shall be mitigated with agencies that provide and maintain infrastructure and services that directly serve the proposed development.

SECTION 2. FINDINGS. The City Council does hereby find that the proposed zoning of this property with a PDP designation will not be inconsistent with the City's Comprehensive Plan and is compatible with existing land uses in this area.

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

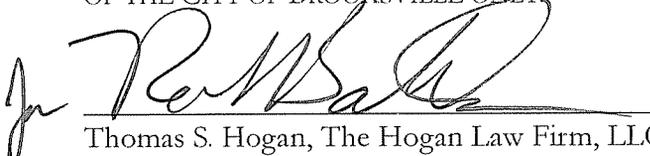
CITY OF BROOKSVILLE

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

By: _____
 Joseph E Johnston III, 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:

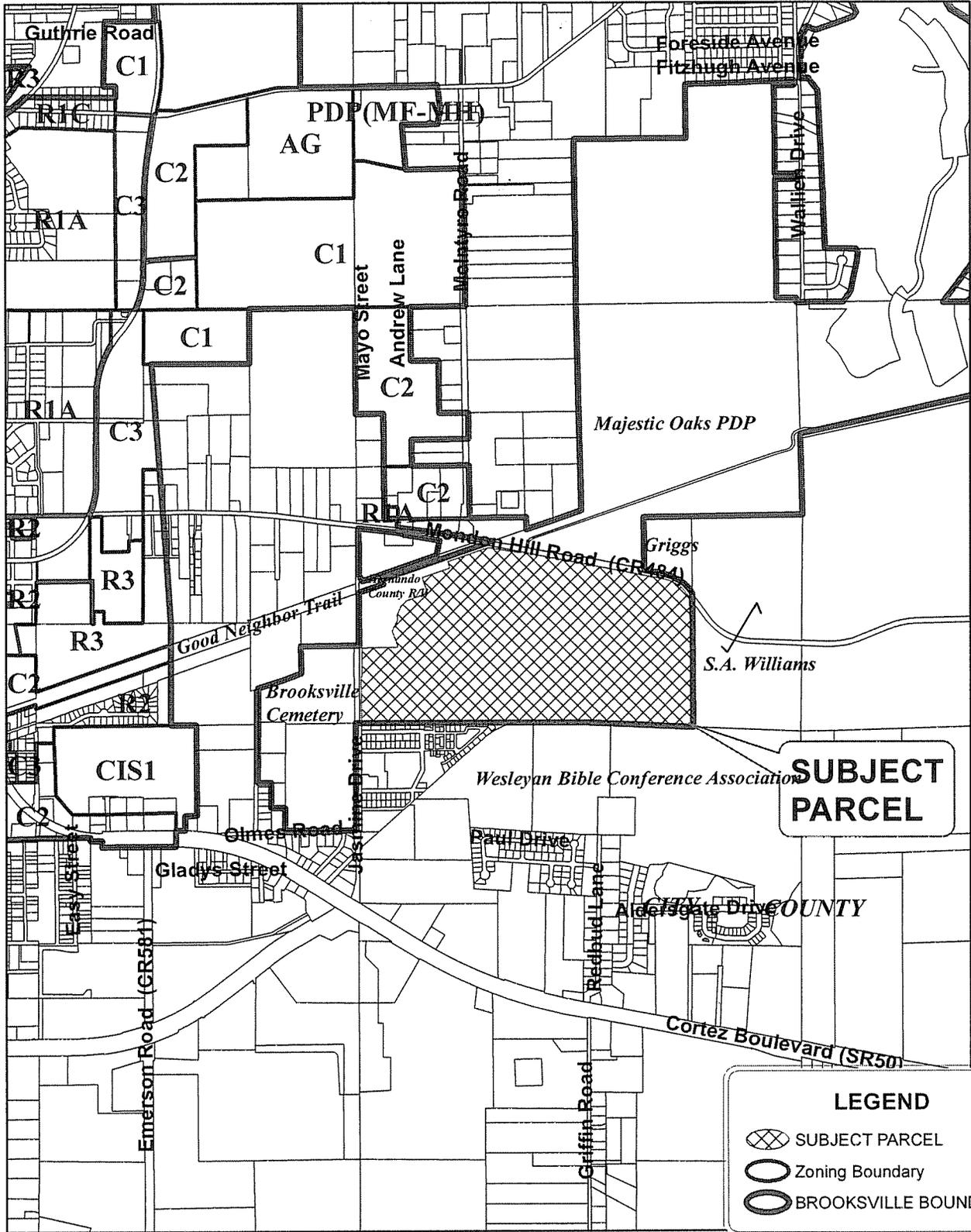
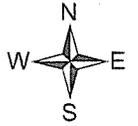
Bernardini _____
 Bradburn _____
 Burnett _____
 Hohn _____
 Johnston _____

Attachment 2

Area Map



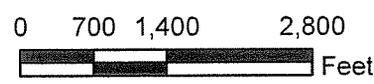
Attachment "A"
 Evans Financial Services LTD
 RZ2012-01
 ORDINANCE NO. 833



**SUBJECT
 PARCEL**

LEGEND

-  SUBJECT PARCEL
-  Zoning Boundary
-  BROOKSVILLE BOUNDARY



*Base map information provided by the Hernando County Property Appraiser's office
 Map created by the Brooksville Community Development Department
 Disclaimer: This map is intended for planning purposes only, and should not be used to determine the precise location of any feature shown thereon

Attachment 3

Zoning Petition

CITY OF BROOKSVILLE REZONING PETITION
Application for Public Hearing

Date: July 20, 2012

Type all information. If you need any assistance, call the Community Development Department at (352) 544-3810.

APPLICANT: Evans Financial Services, Ltd.

Mailing Address: 1700 Park Lane South, Suite 3, Jupiter, FL 33458

Daytime Telephone: (561) 743-0022 FAX No: (561) 743-0024 E-Mail Address: nick@amaro-cpa.com

REPRESENTATIVE: Coastal Engineering Associates, Inc.

Mailing Address: 966 Candlelight Blvd., Brooksville, FL 34601

Daytime Telephone: (352) 796-9423 FAX No: (352) 799-8359 E-Mail Address: dlacey@coastal-engineering.com

PUBLIC CONTACT PERSON: Donald Lacey, AICP, Sr. Vice President, Coastal Engineering Associates, Inc.

Daytime Telephone: same FAX No: same E-Mail Address: same

Will Expert Witness be utilized during the public hearings? NO

Legal Description: Type below the complete legal description of the property, including street address, if any, and the names of all owners. Include Section, Township and Range; and if applicable, Subdivision Name, Lot, Block, and Unit Number. Attach additional sheet if necessary.

See attached property description.

Size of Area Covered by Application: 170.8 acres

Highway and Street Boundaries: Mondon Hill Road and Jasmine Road

Current Zoning Classification: AG - Hernando County

Rezoning Requested: Residential PDP with SF use

Proposed Use of Property: residential subdivision

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

ACKNOWLEDGMENT

This acknowledgment must be signed in the presence of a Notary Public.

I, Evans Financial Services, Ltd/James D Evans, hereby state and affirm that all information submitted within this petition is in all respects true and correct to the best of my knowledge and belief and that:

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

Signature of Applicant or Representative

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 23 day of July, 2012, by James D Evans who is personally known to me or who has produced as identification.

Signature of Notary Public



NICHOLAS AMARO
MY COMMISSION # EE 081674
EXPIRES: August 6, 2015
Bonded Thru Budget Notary Services

APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

Evans Financial Services, Ltd/James D Evans
I, _____, the owner(s) in fee simple of the below described real property hereby
appoint Coastal Engineering Associates, Inc. _____ as my (our) agent to file required petitions, sign required documents,
make representations as to issues of fact and to appear, as may be necessary, before the appropriate City of Brooksville
authority. My agent shall also have the authority to commit myself as owner to the necessary future performance
conditions as may be directed by the appropriate City authority as a condition of granting my petition.

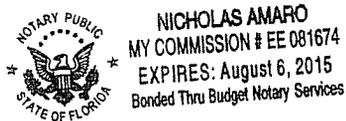
(Insert Legal Description Below)

Property Description is attached hereto.

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Nicholas Amaro _____, being duly sworn, hereby depose and say James D Evans _____
is the owner of the herein described property to-wit:

Signature [Handwritten Signature] Print Name Nicholas Amaro Date July 23, 2012



Attachment 4

Petitioner's Narrative

EVANS TRACT REZONING/MASTER PLAN NARRATIVE

General Description

The proposed project consists of approximately 170.8 acres and is located in Section 24, Township 22 South, Range 19 E, of Hernando County. More particularly, it is south of and adjacent to Mondon Hill Road as well as east of and adjacent to Jasmine Drive in the City of Brooksville. The proposed project is currently zoned in Hernando County (AG) and is within the designation of Suburban Residential on the City of Brooksville future land use map.

The applicant is requesting approval for the proposed zoning designation of Residential Planned Development Project with single family use and the attached Master Plan consisting of 427 single family units. This request is consistent with the 2.5 units per acre allowed within the Suburban Residential comp plan designation. There are three housing pods shown on the proposed master plan and a land use table proportioning the dwelling units among them.

Project entrances are proposed from Mondon Hill Road and Jasmine Drive. Jasmine Drive provides signalized access to Cortez Blvd. (S.R.50), which connects to regional commercial areas to the west and I-75 to the east. Additionally, The Good Neighbor Trail is in close proximity to the project.

The subject parcel is currently vacant and moderately to densely wooded with the majority of the property comprised of a hardwood – conifer mixed land use cover. Several isolated wetlands located within the western and southern portions of the property are depicted on the master plan. A small area within the western portion of the subject property falls within the 100 year floodzone. Development in wetlands and floodzones has been avoided. An application for a Conceptual Environmental Resource Permit (ERP) has been submitted to the Southwest Florida Water Management District (SWFWMD) for project stormwater retention.

Surrounding land uses include scattered small-acreage residential development to the west and northwest, the approved Majestic Oaks development to the northeast, vacant agricultural properties to the east and the Wesleyan Village retirement development to the south of the subject site.

The enclosed rezoning master plan, while conceptual, depicts areas where single family residential development will occur, along with portions of the property which will remain as open space, either as protected areas (wetlands) or for stormwater management. The two access points are consistent with those discussed during the comprehensive plan approval process and coordinated with the County during the improvement of Jasmine Drive. A combination of wetlands, drainage and open space will provide significant buffering to the west, northwest and south.

Proposed building setbacks are as follows:

Front: 25'
Side: 5'
Rear: 15'

I. Preliminary Layout

The proposed master plan has been included herewith.

II. Draft of Protective Covenants

A copy of the draft protective covenants will be provided during the platting process.

III. Preliminary Engineering Report

- A. Topography – Contours have been included on the proposed rezoning master plan. Topographic elevations on the site range from a low of approximately 90 feet m.s.l. to a high of approximately 120 feet m.s.l.
- B. Flood Plain – According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map community panel 12053C0211D effective date 02/02/12, the majority of the subject property falls within Zone C, indicating areas of minimal flooding. Portions of the western and southern boundary fall within Zone A or AE, defined as areas subject to inundation during the 100-year storm event. Development in these areas has been avoided.
- C. Soils – The USDA Hernando County Soil Survey indicates that a total of nine (9) soil types exist on the property; they include: Blichton loamy fine sand, 0 to 2 percent slopes, Blichton loamy fine sand, 2 to 5 percent slopes, Flemington fine sandy loam, 0 to 2 percent slopes, Flemington fine sandy loam, 2 to 5 percent slopes, Kendrick fine sand, 0 to 5 percent slopes, Micanopy loamy fine sand, 2 to 5 percent slopes, Nobleton fine sand, 0 to 5 percent slopes, Sparr fine sand, 0 to 5 percent slopes, and Wauchula fine sand, 0 to 5 percent slopes.
- D. Drainage – The subject property lies within the northern perimeter of the Bystre Lake basin. An application for a Conceptual Environmental Resource Permit (ERP) has been submitted to the Southwest Florida Water Management District (SWFWMD) for stormwater management improvements for the site. Their rules require the development of on-site retention and/or detention facilities in order to provide reasonable assurances that both volume and water quality standards are met. SWFWMD's ERP rules also address the protection of wetlands and groundwater resources to ensure they are not negatively affected by proposed development. The proposed property is well suited for the proposed residential development given its soil types, the City's wetlands protection policies and District surface water management regulatory criteria.
- E. Historical/archaeological - A cultural resources assessment survey of the subject site was previously completed. The results of the analysis identified one aboriginal lithic scatter site and one historic period site. Both sites were further evaluated to determine their eligibility for potential listing on the National Register of Historic Places (NRHP). It was determined that the two sites did not warrant eligibility for listing on the NRHP and that development of the property would have no effect on any cultural resources that are listed, determined eligible or considered potentially eligible for listing in the NRHP
- F. Environmental –
 - 1) The subject property is undeveloped and vacant. No buildings or structures were observed on the property.
 - 2) The property is moderately to densely wooded with the majority of the property comprised of a hardwood – conifer mixed land use cover. The predominant tree species

observed among this cover include slash pine, laurel oak, and sweetgum with minor associations of southern magnolia, pignut hickory, live oak, eastern red cedar, cabbage palm, and red mulberry present throughout. Groundcover, when present, consists of American beautyberry, sparkleberry, viburnum, muscadine, poison ivy, panic grass, and cogon grass.

- 3) Several wetlands are located on the property and have been shown on the proposed master plan. Typical vegetation present among the forested wetlands includes sweetgum, Chinese tallow, red maple, elm, blackgum, buttonbush, Carolina willow, dwarf palmetto, alligator weed, and various sedges.
- 4) Some Specimen and majestic sized trees were observed on the property during the site visit. These will be properly identified and located on construction plans and handled in conformance with City of Brooksville regulations.
- 5) Four (4) active gopher tortoise burrows were observed within the open, northern interior portions of the subject property. Permitting through the Florida Fish and Wildlife Commission will be required for the preservation and/or relocation of the gopher tortoises prior to development of the property. No other listed animal or plant species were noted.

IV. Proposed Development Schedule

A proposed development schedule has not yet been determined.

V. Adequate Access Analysis

Access is gained to the property from Mondon Hill Road and Jasmine Drive.

VI. Water Supply and Sewage Disposal Plans

The proposed project is within the City of Brooksville Service area for both potable water and sanitary sewer.

VII. Development of Regional Impact Statement

The proposed project is below the DRI threshold.

Attachment 5

PDP Conceptual Site Plan



A G E N D A I T E M
M E M O R A N D U M

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: MIKE WALKER, PARKS, FACILITIES & RECREATION DIRECTOR

SUBJECT: JBCC FEE WAIVER REQUEST – COMMUNITY THANKSGIVING DINNER

DATE: OCTOBER 29, 2012

GENERAL SUMMARY/BACKGROUND: The Christian Life Assembly of God is requesting to have the fees in the amount of \$305 waived for their upcoming Community Thanksgiving Dinner, which is to be held at the Jerome Brown Community Center (JBCC) on November 19, 2012, from 6 pm until 9 pm. The dinner has fed over 600 individuals each year, along with providing over 100 meals delivered to individuals who are unable to attend the event.

The security deposit in the amount of \$300 and a certificate of insurance listing the city as an additional insured will still be required for the event.

BUDGET IMPACT: The budget impact will be a loss of rental income in the amount of \$305; this will impact the FY2012-2013 budget. To date, no Parks/JBCC fees have been waived in the FY2012/2013.

In the City Council Special Events line item #001-010-511-59901, City Council has budgeted \$7,000 for FY 2012/2013 Special Events. To date \$2,065 has been expended. Should Council waive the request of \$305, this will leave a balance of \$4,630.

LEGAL REVIEW: Pursuant to Ordinance No.764 and the Special Events Fee Waiver Policy No. 2012-03, the City Council has the authority to waive fees for rental or use of City facilities.

STAFF RECOMMENDATION: Staff recommends Council consideration to approve the waiver of fees in the amount of \$305 for the 2012 Community Thanksgiving Dinner at JBCC on November 19, 2012.

ATTACHMENTS:

1. Letter of Request
2. Facility Use Agreement
3. Fee Waivers Spreadsheet

Attachment 1

Letter from Christian Life Assembly of God

Dated 11/05/12

Christian Life Assembly of God

Rev. John R. Hensel, Pastor

November 5, 2012

Dear Brooksville City Council Members:

This letter is to request your consideration for waving the fee for use of the Jerome Brown Center on Monday, November 19, 2012, for a Community Thanksgiving Dinner for those in need.

This dinner is designed to provide a complete, hot, and delicious Thanksgiving meal for those who may not be able to provide for one themselves. The meal will be served in a warm caring atmosphere in which each attendee is treated as a special guest. Along with the meal, entertainment, and friendly conversation is provided that makes this event a highlight for many during this holiday time of year.

We have been holding this Annual Community Thanksgiving Dinner at the Jerome Brown Center since 2004. This will make the ninth year that we have participated. However, the Community Thanksgiving Dinner was already an Annual Event prior to our taking up the need. The event feeds 600 plus individuals each year, with close to 100 meals going out into the Community to feed shut-ins who cannot come out to the event. We work with JAM ministries, and have volunteers from several local businesses, and a number of churches and para-church ministries. For a number of years the City of Brooksville was included on the fliers as a co-sponsor of this Annual Dinner.

One more benefit of the Annual Community Thanksgiving Dinner is the turkeys and grocery items that are given away to individuals. These items are donated by area business to help families in need during the holiday. Without this dinner many of those who attend would not have an opportunity for a traditional Thanksgiving Dinner. Some would not have a hot meal at all. For others, this meal provides the only opportunity they have to share a meal with friendly company.

The Annual Thanksgiving Dinner places very little burden of extra work on the Brooksville City employee staff. We have each year provided the volunteer staff to run the entire Dinner from set up to break down and clean up without needed support from City staff.

We do hope you will agree that this Annual Event provides an important service to the Community, and help us continue to provide this resource by waving the Jerome Brown Center usage fee for Monday, November 19, 2012.

Thank you for your consideration!

Sincerely,



Pastor John Hensel
Senior Pastor
Christian Life Assembly of God
Vice President West Hernando Christian Ministerial Association
Somebody Cares Hernando Missions Board
Peninsular Florida District Council Presbyterian
Interim PFDC Men's Director
Executive Advisory Council Florida Men of Integrity

13065 Jacqueline Road • Brooksville, FL 34613 • (352) 597-1139 • Fax (352) 597-4696

The Church On The Hill Sharing The Life Of Christ With Hernando County

Attachment 2

Facility Use Agreement

cl. w/ church

Sarah out of town, Rev John will call to see back on Wed.

CITY OF BROOKSVILLE PARKS & RECREATION DEPARTMENT FACILITY USE AGREEMENT



Jerome Brown Community Center () Hall () Conference Room () Kitchen
 () Other Facility _____

Name of applicant (User): Christian Life Assembly of God

If an organization, name of representative: Rev. John Hensel or Sarah Hull

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

Address: 13065 Jacqueline Rd City: Brooksville State: FL Zip: 34613

Contact person: Sarah Hull Day Telephone 352-597-1139 Evening 352-442-2846

Alternate contact person: Rev. John Hensel Day Telephone 352-597-1139 Evening 352-684-4819

Description of event: This will be a free Community Thanksgiving Dinner Anticipated attendance: _____

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

Day(s) of event: M - T - W - Th - F - Sa - Su Start date of event: 11/19/2012 Ending date: 11/19/2012

Time event begins: Dinner 6:05 AM (PM) Time event ends: 9 AM (PM) 3

Set-up: Date 11/19/2012 From 4:00 AM (PM) To 6:00 AM (PM) 2

Will event be open to the general public? Yes No Admission/donation/fee**: No Yes \$ _____ 180

Food/merchandise sales*: No Yes Describe: _____

Refreshments served: No Yes Describe: Thanksgiving Dinner

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

RATES & FEES *Same as last year Fees waived.*

User Fees: The base user fee for the requested facility is \$ 305.00 (plus Florida sales tax, if applicable) for the period set forth in this application. If applicable, each additional hour or part thereof, and the cost of additional equipment, supplies and services, will require an additional fee.

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

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

Revised 09/20/03

office@christ+lifeassembly.com

OCT 16 2012
JW

USE AGREEMENT TERMS

1. Use rates include utilities and waste removal. Damages are the responsibility of User, reasonable wear and tear accepted, as well as the cost of any additional rental periods or services.
2. Alcoholic beverages are prohibited in City Parks except within the Jerome Brown Community Center if/when an Alcoholic Beverage Distribution/Consumption Permit has been issued by the Parks and Recreation Director or authorized agent. Smoking is prohibited inside facilities. No illegal drugs, gambling or games of chance are allowed anywhere in City Parks. Any violation of the terms of this Agreement could at the City's option result in forfeiture of the deposit, and/or arrest and prosecution.
3. No activities are permitted to extend beyond 12:00 a.m. (midnight), unless approved in advance of the activity by the City's Parks and Recreation Director or authorized agent.
4. If required by the City, the User shall hire at his/her own expense, law enforcement officers for crowd control at events. Brooksville Police Officers will be utilized when available.
5. No admission charges or sale of items will be allowed without prior written permission from the Director of Recreation. If approved, User will be responsible for collection and payment of applicable sales and any other taxes.
6. User will be responsible for obtaining all necessary licenses and permits, including Alcoholic Beverage License, and any required Health Department permits, for provision of food.
7. Applications are to be submitted a minimum of ten (10) days prior to the requested lease dates, unless this requirement is modified by the Parks and Recreation Director or authorized agent. Fees are tentative and this application is subject to review and approval by the Parks and Recreation Department Director. The City reserves the right to cancel, postpone, or reschedule this event due to facility maintenance, inclement weather, public safety requirements or if facility is needed for emergency or other use by the City. The City's liability in such instances will be limited to the amount paid by applicant to use the facility, and upon refund to applicant, will serve as a general release of liability. The City's only obligation to the User will be refunding User's full deposit.
8. User assumes responsibility for any damages to the facility and injury to participants which are the result of the conduct or negligence of User and/or User's agents and guests. Liability and Property Damage Insurance is required for the use of the Jerome Brown Community Center and other designated facilities. A Certificate of Insurance with minimum limits of \$100,000/300,000/100,000; or \$300,000 Combined Single Limit, with the City as an Additional Named Insured and Certificate Holder, is to be provided to the City not less than seven (7) calendar days before the event. The City reserves the right to request higher limits to a maximum of \$100,000/300,000/500,000 or \$500,000 CSL depending on the proposed usage.
9. The City shall not be responsible for any damage or injury that may happen to the User, its agents, assistants, employees, patrons, guests, invitees, servants, or property from any cause whatever (unless occasioned by the sole negligence of the City) during the period covered by the Agreement. The User for itself, its agents, assistants, and employees expressly releases the City and agrees to hold the City harmless and to indemnify the City against any claim for loss, damage, injury or other liability arising out of the actions, fault, or negligence of the User, its agents, assistants, or employees, during the term of this Agreement.
10. The parties hereto understand that this Agreement will be interpreted pursuant to the laws of the State of Florida and the parties further agree that the venue of any legal action concerning the Agreement will be Hernando County.
11. This application, when executed by both parties, becomes a legally enforceable contract and User agrees to comply with all the terms and conditions set forth herein, and to all City Rules and Regulations. The undersigned warrants that if the applicant is not an individual, he/she has the authority to bind applicant.

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

Name: Sam Hull Signature: Sam Hull Date: 10-16-2012
Applicant/User

Insurance Required:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes;	Certificate naming City as "Additional Insured" attached	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Alcoholic Beverage Distribution/Consumption Permit:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	(Attach copy of signed permit)	
Base Rent \$	<u>305.00</u>	Other \$	<u>300.00</u>
Total Estimated Cost \$	<u>605.00</u>	Total Estimated Deposit \$	<u>300.00</u>
Initial Deposit (minimum 50% of estimated total) \$	_____	Received by	_____
Date	_____	Balance Due (10 days prior to event) \$	_____
Application Approved By:	_____	Date:	_____
Not valid unless signed by Director of Parks and Recreation or Authorized Agent.			

Attachment 3

Fee Waivers Spreadsheet



**AGENDA ITEM
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER *[Signature]*
FROM: JANICE L. PETERS, CMC, CITY CLERK *[Signature]*
SUBJECT: KIWANIS CHRISTMAS PARADE FEE WAIVER REQUEST
DATE: OCTOBER 16, 2012

BACKGROUND: The Kiwanis Club of Brooksville are sponsoring the 38th Annual Brooksville Christmas Parade on December 8, 2012. The total City estimated costs for the Christmas Parade event, as outlined within the Street Closure Application is \$2,730.29. Kiwanis has requested that the City of Brooksville waive fees in the amount of \$1,730.29, with their contribution of \$1,000 towards the costs for the event. An updated insurance certificate with the City of Brooksville named additionally insured/certificate holder will be provided prior to the event.

[Signature] **BUDGET IMPACT:** Waiver of fees would mean a loss of revenues for the City in the amount of \$1,730.29. Prior fee waivers have been approved in the amount of \$2,065 FY2012/13. Should Council approve this waiver, a total amount of \$3,795.29 will have been committed within the FY2012/13 budget, leaving a balance of \$3,204.71 in the City Council Special Events line item #001-010-511-59901.

[Signature] **LEGAL IMPACT:** Pursuant to Section 74-1 (b) and Section 74-165 (a) of the City's Code of Ordinances, the City Council may authorize street closures and right-of-way use for public events. Section 74-168 authorizes the City to levy fees to offset costs of such permits, which are set by Policy 1-2000, to be reimbursed by the applicant. It is within Council discretion to waive provision of such policies.

STAFF RECOMMENDATION: Staff recommends Council consideration to approve the waiver of fees in the amount of \$1,730.29 for the 2012 Kiwanis Christmas Parade on December.

- ATTACHMENTS:**
1. Letter from Kiwanis President dated 10/16/12
 2. Street Closure Permit
 3. FY2012/13 Fee Waiver Report

Attachment 1

Letter from Kiwanis President

Dated October 16, 2012

October 16, 2012

Kiwanis Club of Brooksville, Inc.
Post Office Box 265
Brooksville, Florida 34605 – 0685

Dear Ms. Janice Peters

Kiwanis Club of Brooksville is planning the 38th annual Brooksville Christmas Parade for December 10, 2012. We are requesting the support of the city of Brooksville with the following:

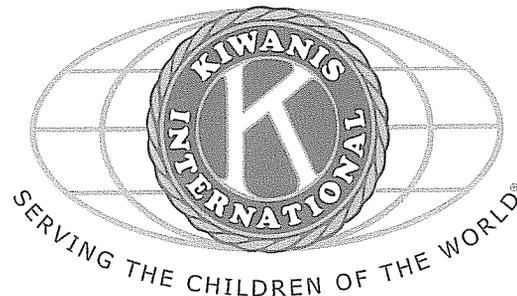
- Approval of the Florida Department of Transportation (FDOT), a request for the Temporary Closing /Special use of State Road, and City of Brooksville Temporary Street Closure, Application. The forms are attached with Exhibit A that lists the Proposed, parade route and Maintenance of Traffic (MOT), plan. The parade route is the same as last year, which is ; South on Main Street crossing over State Road 50A (Jefferson Street), to US 41 (Broad Street), then East on U.S. 41(Broad Street), to Bell Avenue, then on Bell Avenue crossing SR50A (Jefferson Street).
- In past years the Brooksville Police Department has assisted during the parade with detours. We are again requesting this assistance. The MOT plan shows the location where Police were stationed in previous years.
- Waiving of fees with a commitment from Kiwanis to pay \$1000.00 to offset cost.

Attached you will find the forms, the Parade Route, and Kiwanis Club Certificate of Insurance. All of this information along with the City Council's Resolution supporting the event is hereby submitted to FDOT for approval of our request.

Kiwanis Club of Brooksville appreciates the support of the City of Brooksville, and look forward to another successful parade. If you have questions, please call David Hamilton, Christmas Parade Chairperson at (352) 279-4400.

Sincerely,

Edward L Chester



Attachment 2

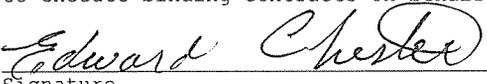
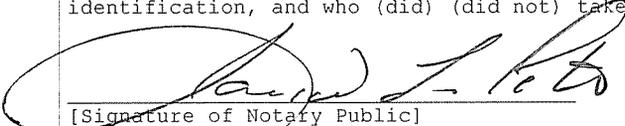
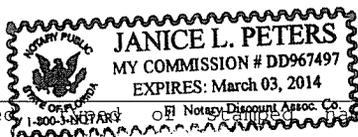
Street Closure Permit

CITY OF BROOKSVILLE

TEMPORARY STREET CLOSURE APPLICATION

INSTRUCTIONS: COMPLETE TOP PORTION OF FORM AND RETURN TO CITY CLERK'S OFFICE at 201 Howell Avenue, Brooksville, FL 34601 for processing. A broad form type events coverage or other insurance policy acceptable to the City is required to protect the City from any and all claims for injuries, or damages occurring during or resulting from this event in an amount of not less than \$100,000 for each individual and \$300,000 for event. Applicant will be notified of estimated cost. Receipt of the deposit and the Certificate of Insurance are required not later than three (3) business days before the event.

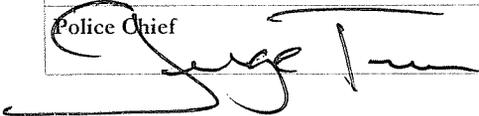
Certificate Attached Yes No **TBS** Waiver Requested Yes No

Name or Organization BROOKSVILLE KIWANIS CLUB		Event 38TH ANNUAL BROOKSVILLE CHRISTMAS PARADE	
Person in Charge ED CHESTER		Address P.O. BOX 685, Brooksville, FL	Telephone 352-428-4377
If unavailable (Alternate Name) LARRY FLUTY (352-279-4973)		E-Mail ECHEST1@GMAIL.COM	Telephone 352-279-4973
Date of Event 12/08/12	Starting Time 7 A.M. SETUP 10:00 A.M.	Ending Time 12:30 P.M. (APPROX)	Estimated Number of Participants 1,000+
Proposed Route (include Street/Avenue, attach location map) FROM OAKWOOD DRIVE LEFT ONTO HOWELL AVENUE TO MAIN, CROSSING JEFFERSON STREET AND TURNING LEFT ON BROAD TO BELL AVENUE TURNING RIGHT ON OAK STREET TO BROAD AND BACK TO OAKWOOD DRIVE.			
I/We <u>BROOKSVILLE KIWANIS CLUB</u> assume responsibility for reimbursing the City's cost as estimated below, and all liability for injuries and damages and will hold the City harmless from any claims arising directly or indirectly from the event, including or as a result of City's closure of the street(s) to facilitate the event, and, if applicable, authorization to use copyrighted materials. If applicant is a corporation, association, or partnership, the undersigned warrants he/she is authorized to execute binding contracts on behalf of the applicant.			
 _____ Signature			
State of Florida			
County of <u>Hernando</u>			
The foregoing instrument was acknowledged before me this <u>12th</u> day of <u>October</u> , 2012, by <u>Edward Chester</u> , who is personally known to me or who presented <u>Fl. Dr. Lic.</u> as identification, and who (did) (did not) take an oath.			
 _____ [Signature of Notary Public]		 _____ [Printed Name of Notary]	
<u>DD967497</u> [Commission Number of Notary Public]			

- PROCESSING:** City Clerk's Office will accept application, process through Police Department, Public Works & Fire Department for related costs, as well as City Council if waivers are being requested.
- APPROVAL:** Chief of Police and City Manager will approve or deny application.
- DISTRIBUTION:** **Original:** Return to Applicant
Copies: Chief of Police, Director of Public Works, City Manager and City Clerk
- PUBLIC NOTICE:** A LIST OF STREETS BEING CLOSED WITH DATES AND TIMES WILL BE RELEASED TO THE PRESS NO LESS THAN 5 DAYS PRIOR TO THIS EVENT.

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

Total Deposit \$ _____ Received By: _____ Date _____

Police Chief 	Date <u>10/29</u>	City Manager 	Date <u>10-29-12</u>
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CITY OF BROOKSVILLE
TEMPORARY STREET CLOSURE APPLICATION

201 Howell Avenue
 (352)540-3853

Event: 38th Annual Brooksville Christmas Parade
 Starting: 10:00 A.M. (7:00 AM Setup) End: 12:30 PM (Approximate)

Police Department

Personnel	<u>16</u>	@	\$ <u>27/hr</u>	= \$ <u>1,512</u>	(3.5 hrs.)
Equipment	_____	@	\$ _____	= \$ _____	
	_____	@	\$ _____	= \$ _____	
	_____	@	\$ _____	= \$ _____	
	_____	@	\$ _____	= \$ _____	

POLICE DEPARTMENT TOTAL \$ 1,512

Fire Department

Personnel	<u>CHIEF</u>	@	\$ <u>∅</u>	= \$ <u>∅</u>
Equipment	<u>DISTRICT CHIEF</u>	@	\$ <u>28.79</u>	= \$ <u>143.94</u>
	<u>CAPTAIN</u>	@	\$ <u>20.39</u>	= \$ <u>101.95</u>
	<u>(4) FIREFIGHTERS</u>	@	\$ <u>18.82</u>	= \$ <u>376.40</u>
	_____	@	\$ _____	= \$ _____

FIRE DEPARTMENT TOTAL \$ 622.29

Public Works

Personnel	<u>3 @ 6 HRS</u>	@	\$ <u>21</u>	= \$ <u>378</u>
Equipment	<u>1 @ 6 HRS</u>	@	\$ <u>23.77</u>	= \$ <u>143</u>
	<u>3 YRS.</u>	@	\$ <u>25</u>	= \$ <u>75</u>
	_____	@	\$ _____	= \$ _____
	_____	@	\$ _____	= \$ _____

PUBLIC WORKS TOTAL \$ 596

ESTIMATED TOTAL DUE CITY \$ 2,730.29

TOTAL Actual Costs \$ <u>2,730.29</u>	Billed \$ _____
Payment Received By: _____	

Attachment 3

FY2012/13 Fee Waiver Report



AGENDA ITEM MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER *[Signature]*

FROM: JANICE L. PETERS, CMC, CITY CLERK *[Signature]*

SUBJECT: RESOLUTION NO. 2012-13 FDOT CLOSURE FOR THE 38TH
ANNUAL BROOKSVILLE CHRISTMAS PARADE

DATE: OCTOBER 16, 2012

GENERAL INFORMATION: The Kiwanis Club of Brooksville is planning the 38th Annual Brooksville Christmas Parade for Saturday, December 8, 2012. Line-up begins at 7:00 a.m. at on Oakwood Drive with the parade from 10:00 a.m. – 12:30 p.m.

The route will be the same as last year, from Oakwood Drive to Howell Avenue to Main Street crossing over State Road 50A (Jefferson Street) to U.S. 41 (Broad Street) then east on U.S. 41 to Bell Avenue North crossing State Road 50A (Jefferson Street) again to Oak Street.

Staff will need to submit a permit to the State of Florida FDOT, along with a Resolution, upon approval by Council, for closure of Jefferson and Broad Streets. Release of the permit will be pending submittal of the Certificate of Insurance, which will be supplied by the Kiwanis Club after November 8, 2012. Their insurance company will not release a certificate more than 30-days prior to an event.

[Signature] **BUDGET IMPACT:** There is no budget impact associated with approval of this Resolution.

[Signature] **LEGAL NOTE:** The City is authorized to issue a Street Closure Permit pursuant to Section 74-165(a), which requires a permit to be obtained for parades or other public assembly events.

STAFF RECOMMENDATION: Staff recommends Council consideration for approval of Resolution No. 2012-13.

ATTACHMENT:

1. Resolution No. 2012-13
2. State of Florida Road Closure Permit
& Parade Route Map

Attachment 1

Resolution No. 2012-13

RESOLUTION NO. 2012-13

RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA SUPPORTING A REQUEST TO CLOSE JEFFERSON STREET AND BROAD STREET BETWEEN MAIN STREET AND BELL AVENUE IN DOWNTOWN BROOKSVILLE ON DECEMBER 8, 2012; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City wishes to promote businesses in and to draw visitors to the downtown area; and,

WHEREAS, the City wishes to support the 38th Annual Brooksville Christmas Parade that brings visitors to the City and to the downtown area; and,

WHEREAS, pursuant to the City of Brooksville Code of Ordinances, Section 74-1(b) and Section 74-165(a), the City Council may close streets for a parade; and,

WHEREAS, the Brooksville Kiwanis Club, the sponsoring organization for the parade, has been approved for a right-of-way closure and use permit and has provided liability insurance in an amount appropriate for the parade.

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

SECTION 1. STREET CLOSURES. The City Council recognizes the closure of the following Brooksville roadway segments to street traffic is necessary for public safety during the Brooksville Christmas Parade; and the City Council authorizes the following closures for the date of the parade:

- Jefferson Street, from Bell Avenue to Main Street
- Main Street, from Jefferson Street to Broad Street
- Broad Street, from Main Street to Bell Avenue
- Bell Avenue, from Broad Street to Jefferson Street

SECTION 2. CONFLICT. Any prior resolution or policy of the City inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

SECTION 3. SEVERABILITY. If any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications, and to this end, the provisions of this resolution are hereby declared severable.

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

ADOPTED this 5th day of November, 2012.

CITY OF BROOKSVILLE

ATTEST: _____
Janice L. Peters, City Clerk

By: _____
Joseph E. Johnston, III, Mayor

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

VOTE OF CITY COUNCIL

Bernardini	___
Bradburn	___
Burnett	___
Hohn	___
Johnston	___

Thomas S. Hogan, Jr., City Attorney

Attachment 2

State of Florida Road Closure Permit

Parade Route Map

TEMPORARY CLOSING OF STATE ROAD PERMIT

Date: 10/12/12

Permit No. _____

Governmental Entity

Approving Local Government	<u>City of Brooksville</u>	Contact Person	<u>Janice Peters</u>
Telephone	<u>352-540-3853</u>	Email	<u>jpeters@cityofbrooksville.us</u>

Organization Requesting Special Event

Name of Organization	<u>Kiwanis Club of Brooksville</u>	Contact Person	<u>Ed Chester</u>
Telephone	<u>352-428-4377</u>	Email	_____

Description of Special Event

Event Title	<u>BROOKSVILLE CHRISTMAS PARADE</u>	Date of Event	<u>12/09/12</u>
Start Time	<u>10:00</u>	End Time	<u>12:30</u>
Event Route (attach map)	<u>Oakwood to Howell to Main to Broad (L) to Bell (L) (R) on Oak (L) onto Broad to Kelly</u>		
Detour Route (attach map)	<u>N Bound Broad will go (R) onto MLK + left onto E. Jefferson (Reversed for South Bound on Broad)</u>		

Law Enforcement Agency Responsible for Traffic Control

Name of Agency	<u>City of Brooksville Police Dept.</u>
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US Coast Guard Approval for Controlling Movable Bridge

Not Applicable	<input checked="" type="checkbox"/>
Copy of USCG Approval Letter Attached	<input type="checkbox"/>
Bridge Location	_____

The Permittee will assume all risk of and indemnify, defend and save harmless the State of Florida and the FDOT from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise of this event.

The Permittee shall be responsible to maintain the portion of the state road it occupies for the duration of this event, free of litter and providing a safe environment to the public.

Signatures of Authorization

Event Coordinator	<u>Edward Chester</u>	Signature	<u>Edward Chester</u>	Date	<u>10/12/2012</u>
Law Enforcement Name/Title	<u>George Turner, Chief</u>	Signature	_____	Date	_____
Government Official Name/Title	<u>Joseph E. Johnston, III, Mayor</u>	Signature	_____	Date	_____

FDOT Special Conditions

FDOT Authorization

Name/Title	_____	Signature	_____	Date	_____
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**AGENDA ITEM
MEMORANDUM**

TO: Honorable Mayor and City Council Members
VIA: T. Jennene-Norman Vacha, City Manager 
FROM: Robert B. Battista, Esq., City Attorney 
SUBJECT: Proposed Resolution Related to the Impact of Breach of
Surety Performance Bonds.
DATE: October 22, 2012

GENERAL SUMMARY/BACKGROUND:

The proposed resolution expresses the Council's concerns about the public policy implications of the U.S. Circuit Court ruling in Westchester Fire Insurance Company v. City of Brooksville. The proposed resolution will put affected persons on notice of its inability to complete infrastructure platted improvements unless a private entity constructs such improvements or provides funding for the construction of such improvements.

 **BUDGET IMPACT:** The cost of recording the proposed resolution in the Official Records of Hernando County is \$ 95.00. These funds will come from Account No. 001-009-514-53100.

 **LEGAL REVIEW:** The City Council has Home Rule authority pursuant to (Article VIII, 2(b), Florida Constitution, and F.S. §166.011.)

STAFF RECOMMENDATION: Staff recommends that City Council approve the proposed resolution and direct staff to record same in the Official Records of Hernando County

Attachments:
Proposed Resolution and Exhibit

RESOLUTION NO: 2012-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA RELATED TO THE IMPACT OF BREACH OF SURETY PERFORMANCE BONDS AND PUBLIC POLICY CONCERNS REGARDING CASCADES AT SOUTHERN HILLS PLANTATION PHASE TWO; PROVIDING AN EFFECTIVE DATE.

WHEREAS, this Resolution pertains to that certain real property described as set forth on the attached Exhibit A; and,

WHEREAS, the City of Brooksville hereby expresses concerns about the public policy implications of the recent U.S. Circuit Court ruling in *Westchester Fire Insurance Company v. City of Brooksville*; Federal Judge Steven D. Merryday, presiding; and,

WHEREAS, historically cities and counties have been able to rely on surety performance bonds when developers fail to complete required improvements; and,

WHEREAS, the City of Brooksville relied on a surety performance bond in lieu of completion by a developer for infrastructure improvements to the real property situated in the City of Brooksville and described on the attached Exhibit A which is incorporated herein as if set forth *in haec verba* (Affected Lands) prior to final plat approval; and,

WHEREAS the reliance on surety performance bonds by the City of Brooksville is founded in a City's financial limitations to fund the completion of the infrastructure improvements in the event a developer defaults on its obligations to complete the required improvements; and,

WHEREAS, due to financial constraints, the City is not in a financial position to fund completion of improvements to the Affected Lands without use of proceeds from surety performance bonds issued to secure the completion of said improvements; and the expenditure of public funds on private infrastructure, i.e. roads, etc., is prohibited by the State Constitution; and,

WHEREAS, the City has been adversely affected by the failure of recent developers to perform infrastructure improvements as represented and the failure of performance bond sureties to remit the necessary funds which are a basic prerequisite to the City's ability to complete said infrastructure improvements within the Affected Lands; and,

WHEREAS, specifically, the City of Brooksville approved Annexation Ordinance #633, recorded in Official Record Book 1673, Page 795, Public Records of Hernando County, Florida, for the annexation of 1600 acres for the Southern Hills Plantation Planned Development Project and said annexation includes the Affected Lands; and,

WHEREAS, the City of Brooksville approved a Development Agreement with Hampton Ridge Developers, LLC, recorded in Official Record Book 1673, Page 803, Public Records of Hernando County, Florida; and,

WHEREAS, Levitt & Sons caused Westchester Fire Insurance Company to issue Bond #K07314541 in the sum of Two Million One Hundred Nine Thousand Seven Hundred Sixty One Dollars and Seventy Five Cents (\$2,109,761.75) on behalf of Developer in favor of the City of Brooksville as obligee in connection with the Project Phase Two Storm/Water/Reclaimed/Sanitary Sewer for the benefit of the Affected Lands; and,

WHEREAS, Developer caused Westchester Fire Insurance Company to issue Bond #K0731453A in the sum of Three Million Two Hundred Fifty Six Thousand Six Hundred Ninety Three Dollars (\$3,256,693.00) on behalf of Developer in favor of the City of Brooksville as obligee in connection with the Project, Phase Two General Conditions/Roadwork/Earthwork for the benefit of the Affected Lands; and,

WHEREAS, the City of Brooksville approved Ordinance # 675-C, amending Ordinance # 675 as it related to The Cascades development in Southern Hills Plantation including the Affected Lands; and,

WHEREAS, Key Bank filed a mortgage foreclosure action against Levitt & Sons of Hernando County, LLC in the Circuit Court of the Fifth Judicial Circuit of Florida, Hernando County, Florida, Case No. H-27-CA-2007-2556 and was granted a Judgment of Foreclosure of the lien on the Affected Lands on August 27, 2008; and,

WHEREAS, Key Bank assigned the foreclosure judgment to OREO Corp. of Ohio; in the assignment recorded in Official Record Book 2621, Page 470, Public Records of Hernando County, Florida; and,

WHEREAS, OREO entered into a Amended and Restated Utility Service Agreement with the City of Brooksville on July 29, 2009, recorded in Official Record Book 2674, Page 917, Public Records of Hernando County, Florida; and,

WHEREAS, on July 31, 2009, OREO Corp. of Ohio sold the property including the Affected Lands, known as Cascades of Southern Hills Plantation, Phase One to CaSHP Homes, LLC, by Special Warranty Deed recorded in Official Record Book 2674, Page 941, Public Records of Hernando County, Florida; and Cascades of Southern Hills Plantation Phase Two to CaSHP 2, LLC, by Special Warranty Deed recorded in Official Record Book 2674, Page 947, Public Records of Hernando County, Florida; and,

WHEREAS, all the foregoing was in reliance upon and in anticipation that the developers and sureties would perform their contractual agreements completing the improvements to the Affected Lands as represented to the City; and,

WHEREAS, a Lis Pendens was filed on May 26, 2011 in Hernando County Circuit Court in the matter of SHP II CDD vs. CASHP 3 and the Southern Hills Plantation Homeowners Association foreclosing the lien for special assessments (Case No. CA-11-989); and,

WHEREAS, the City of Brooksville was then notified that Westchester Fire Insurance Company refused to pay the City of Brooksville as it had contracted to do pursuant to the aforesaid Bonds # K07314541 and #K0731453A issued to the City of Brooksville, resulting in a lawsuit styled *Westchester Fire Insurance Company v. City of Brooksville*; initially filed in Federal Court in Tampa, Florida, Judge Merryday presiding; and,

WHEREAS Judge Merryday ruled that the City of Brooksville could not enforce the payment obligations against Westchester Fire Insurance Company; and,

WHEREAS, the City of Brooksville appealed Judge Merryday's ruling to the U. S. 11th District Circuit Court; and,

WHEREAS, the U.S. Circuit Court ruled that the City of Brooksville could not enforce the payment obligations against Westchester Fire Insurance Company; and,

WHEREAS, the City of Brooksville appealed the U. S. Circuit Court decision to the United States Supreme Court, and the petition was denied on October 29, 2012; and,

WHEREAS, the City of Brooksville hereby expresses concern about the public policy implications of the recent rulings in *Westchester Fire Insurance Company v. City of Brooksville*; and,

WHEREAS the adverse rulings by the Federal Court, the U.S. Circuit Court, and the U.S. Supreme Court have left the City of Brooksville without the ability to complete any improvements to the Affected Lands which the developer failed to perform and for which the Surety breached its obligation to pay under the terms of the Bond obligations; and,

WHEREAS, the City repealed and amended Ordinance 129 by adopting Ordinance 826 on October 17, 2011; and,

WHEREAS, the City of Brooksville desires to put its citizens and all affected persons forever more on notice of its inability to complete road, water, sewer, infrastructure or other improvements within the Affected Lands unless and until a developer or Surety performs said improvements or pays the amounts as described in the aforesaid Bond obligations.

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

SECTION 1. INCORPORATION OF PREAMBLE. The foregoing recitals are true and correct and are incorporated herein as if set forth in haec verba.

SECTION 2. POLICY STATEMENT. The City is extremely concerned about the public policy implications of the Court rulings in *City of Brooksville v. Westchester Fire Insurance Company* and the rulings on appeal. The City of Brooksville does not have the financial ability to complete the infrastructure improvements to the Affected Lands. Further, the City may no longer rely on a performance bond when granting final plat approval to another developer in the Affected Lands and therefore may no longer afford such developers an option of posting a surety performance bond in lieu of completing the required improvements prior to granting final plat approval for any future development of the Affected Lands.

SECTION 3. DIRECTION FOR DISTRIBUTION. The City Clerk is hereby directed by the City of Brooksville to record this Resolution in the Public Records in and for Hernando County, Florida to put all persons on notice that the City of Brooksville is without the ability to perform or pay for the completion of improvements within said Affected Lands; that there should be no expectation of entitlement to any water, sewer, roads, infrastructure or other improvements within the Affected Lands and that said Affected Lands should be acquired caveat emptor and subject to this Resolution.

SECTION 4. EFFECTIVE DATE. This resolution shall be effective upon adoption by the City Council.

PASSED AND ADOPTED this 5th day of November, 2012, A.D.

City of Brooksville

Joseph E. Johnston, III, Mayor

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

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:

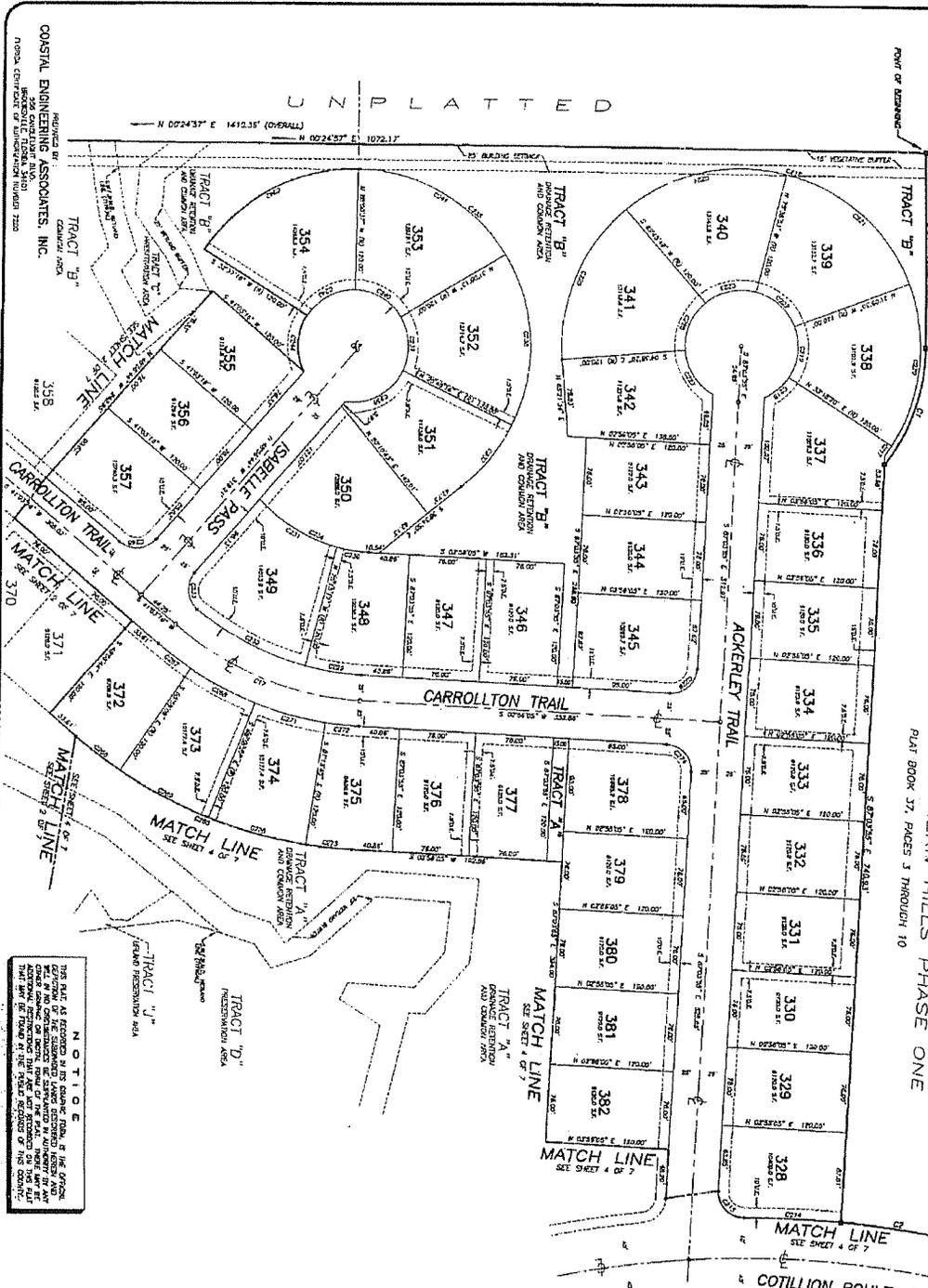
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Bradburn _____
Burnett _____
Hohn _____
Johnston _____

CASCADES AT SOUTHERN HILLS PLANTATION PHASE TWO

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 1/2" = 100'

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 CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA

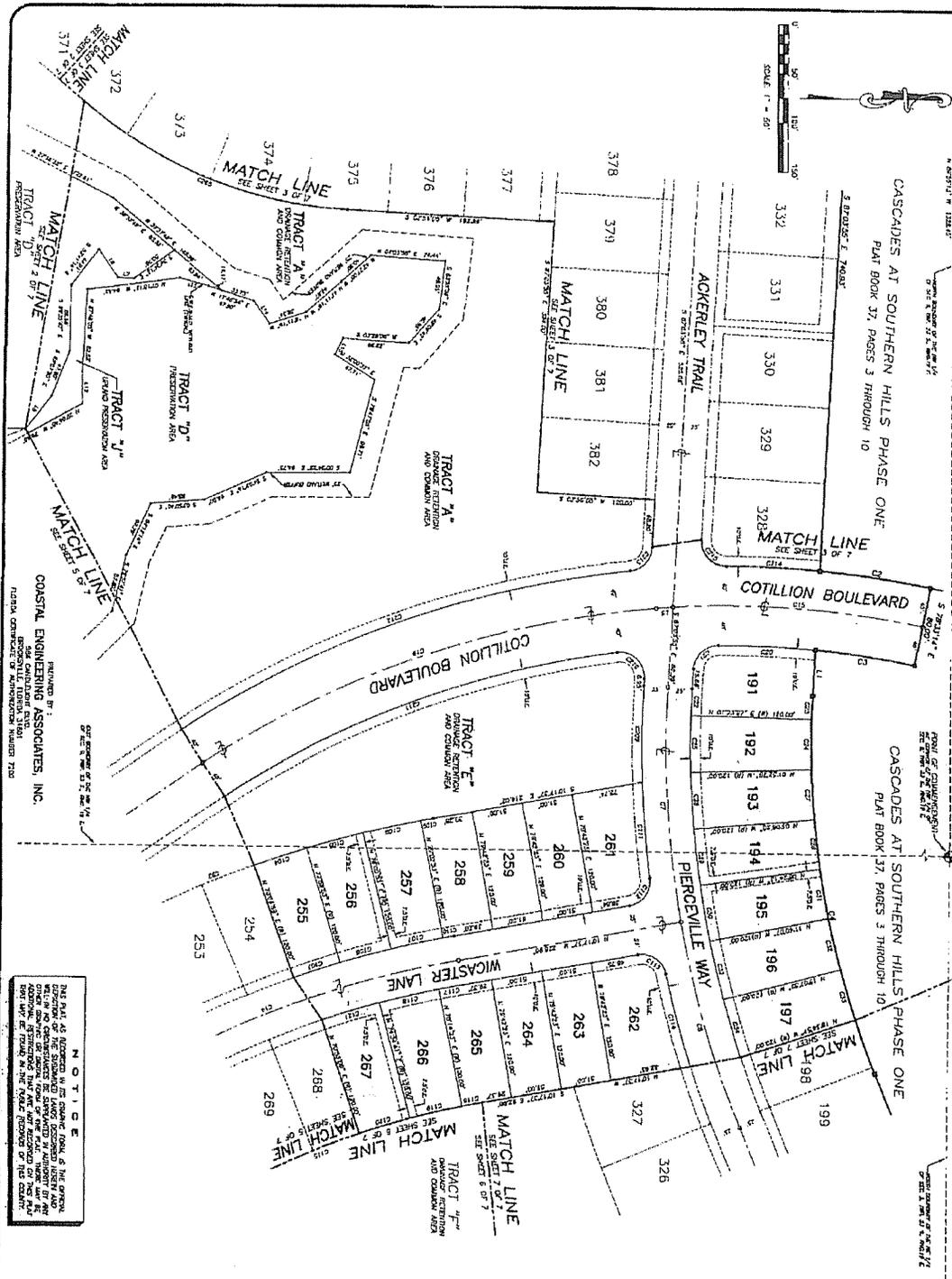
CASCADES AT SOUTHERN HILLS PHASE ONE
 PLAT BOOK 37, PAGES 3 THROUGH 10



CASCADES AT SOUTHERN HILLS PLANTATION PHASE TWO

A SUBDIVISION OF A PORTION OF SECTION 9, TOWNSHIP 23 SOUTH, RANGE 19 EAST
CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA

PLAT BOOK 37
PAGE 41



LEGEND

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NOTICE

THIS PLAN AS PREPARED BY THE ENGINEER, HAS BEEN REVIEWED BY THE COUNTY ENGINEER, WHO HAS DETERMINED THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE FLORIDA STATUTES, AND THAT THE SAME ARE CORRECT AND COMPLETE. THE ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION THEREON. THE ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION THEREON.

CASCADES AT SOUTHERN HILLS PLANTATION
SHEET 4 OF 7

COASTAL ENGINEERING ASSOCIATES, INC.
3540 UNIVERSITY BLVD., SUITE 200
TALLAHASSEE, FLORIDA 32310
TEL: (904) 833-1111
FAX: (904) 833-1112



A G E N D A I T E M
M E M O R A N D U M

TO: THE HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER *J. Norman-Vacha*

FROM: BILL GEIGER, COMMUNITY DEVELOPMENT DIRECTOR *BJ*
RICHARD RADACKY, PUBLIC WORKS DIRECTOR *R*
STEVE GOULDMAN, CITY PLANNER *S*

SUBJECT: EPA BROWNFIELDS ASSESSMENT GRANT PROGRAM
CONSULTANT SELECTION – GRANT #BF-95498012-0 FL

DATE: NOVEMBER 5, 2012

GENERAL SUMMARY/BACKGROUND: On November 28, 2011, the City Manager’s office submitted a Brownfields Community-Wide Assessment Grant Proposal to the United States Environmental Protection Agency (EPA), Region 4. On June 6, 2012, EPA advised the City that it was selected as a recipient of a \$400,000 Brownfields Assessment Grant (being one of only four Florida cities to be named as a 2012 EPA grant recipient). In follow-up to this notification, the City was then required to submit an “Application and Work Plan” to EPA on June 20, 2012. On September 27, 2012, EPA sent a Notice of Award to the City along with a Cooperative Agreement that was approved by the City Council on October 15, 2012, and submitted to the EPA Region 4 office October 16, 2012.

The EPA Brownfields Assessment Grant funds may be used for community engagement and outreach, identification of priority sites, conducting Phase I and Phase II Environmental Site Assessments at priority sites that qualify, and conducting cleanup and redevelopment planning of assessed brownfield properties.

It was acknowledged at the time when the City Council approved the EPA Grant Cooperative Agreement that the City needs an environmental consultant to provide the expertise required to perform the very specialized and technical requirements of this grant program. To this end, the City initiated the “Request for Qualifications” (RFQ) process by advertising RFQ CD2012-05 on August 24, 2012, for firms to respond by a closing date of September 14, 2012. Qualification statements were received from six firms who specialize in professional environmental consulting services. A copy of the Qualification Statements from all six firms is available in the City Council office and is on file in the office of the City Clerk.

A staff review team appointed by the City Manager reviewed the qualification statements received and ranked the firms in accordance with the RFQ, City Policy No. 2-88 and Section 287.055, Florida Statutes. The firms were initially ranked based on the Qualification Statements only. Then the top three firms, as per the initial ranking, were given the opportunity to make presentations and be interviewed by the staff review team. Based on the Qualification Statements and the oral presentations by the

respective firms, the staff review team unanimously selected Cardno TBE as the best qualified firm to provide the services for this project, followed by CTC Public Benefit Corporation in second place and Environmental Consulting & Technology, Inc., ranked in third place. Copies of the review teams' ranking/point scoring sheets are attached for reference. A summary of the final points scoring for the top three firms as ranked by the staff review committee is reflected in the following table:

ENVIRONMENTAL CONSULTANT FIRMS	TOTAL POINTS/PLACEMENT
Cardno TBE, Brooksville, FL	9 pts./First Place
CTC Public Benefit Corp., Columbia, SC	5 pts./Second Place
Environmental Consulting & Technology, Inc. (ECT), Tampa, FL	4 pts./Third Place

1st Place Vote = 3 Points
 2nd Place Vote = 2 Points
 3rd Place Vote = 1 Point

At this time the City Council may consider the following options based on City Policy No. 2-88:

1. Accept & approve the staff review committee's recommendation; or
2. Provide further direction to staff based on adopted policy.

 **BUDGET IMPACT:** Funding for grant services will be provided through the EPA grant on a reimbursement basis. The Brownfields Assessment Grant project is included in the City's 2012/13 Budget as reflected in the Grant Revenue Account #144-000-331-43500 (Federal Grants Economic Environments), with Expenditures going through Account #'s 144-015-515-53400 (Other Contractual Services); 144-015-515-55210 (Operating Supplies); and 144-015-515-5400 (Travel & Per Diem). The Grant does not require any matching funds, however, City staff time associated with the administration and oversight of this grant program will be absorbed by the City.

 **LEGAL NOTE:** The City Council has Home Rule Authority (Art. VIII, 2(b), Fla. Const./Section 166.011, F.S.) to consider and take action on matters of fiscal benefit.

STAFF REVIEW TEAM RECOMMENDATION: The staff review team recommends that the City Council accept/approve the review teams ranking and authorize staff to negotiate a contract with Cardno TBE for this grant project. In accordance with City Policy 2-88, if a satisfactory contract is unable to be negotiated with Cardno TBE as the highest ranked firm, the City will then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the City will then undertake negotiations with the third most qualified firm. Should the City be unable to successfully negotiate a contract with any of the top three firms, negotiations may be terminated and a new RFQ may be advertised.

- ATTACHMENTS:**
1. RFQ – Bid Opening Minutes, Notice & RFQ Document
 2. Summary Ranking Sheet for the three highest ranked firms completed after oral presentations interviews.
 3. Initial Summary Ranking Sheet for all six firms & the review team's individual scoring sheets.

Attachment 1

RFQ – Bid Opening Minutes, Notice & RFQ Document

BID OPENING MINUTES
PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES
EPA BROWNFIELDS ASSESSMENT PROGRAM
RFQ NO. CD2012-05

September 14, 2012

3:00 p.m.

A Bid Opening was held at approximately 3:00 p.m. on Friday, September 14, 2012, in the City Hall Council Chambers for the Professional Environmental Consulting Services EPA Brownfields Assessment Program RFQ NO. CD2012-05. Janice L. Peters, City Clerk, Bill Geiger, Director of Community Development and Kim Harsin, Recording Secretary were in attendance.

City Clerk Peters advised that an Invitation to Bid was published in the August 24, 2012, edition of the Tampa Bay Times, Hernando Section with a closing date and time set for 3:00 p.m. on Friday, September 14, 2012.

As a result, 6 sets of bids were received, all properly sealed and notated. The bids were to include Consultant's Qualifications and Capabilities, Past Project Experience and Key Staff Assigned to the Project.

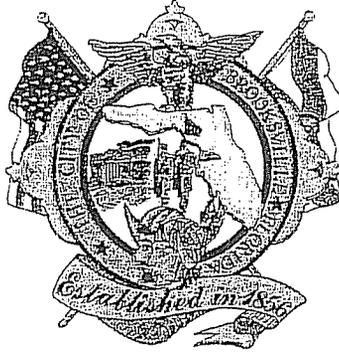
The following companies submitted bids, which were opened and the results read as follows:

1. CTC Public Benefit Corporation, Columbia, SC
All required documentation included.
2. AMEC Environment & Infrastructure, Inc., Orlando, FL
All required documentation included.
3. American Compliance Technologies, Inc. (ACT), Bartow, FL
All required documentation included.
4. PPM Consultants, Orlando, FL
All required documentation included.
5. Environmental Consulting & Technology, Inc. (ECT), Tampa, FL
All required documentation included.
6. Cardno TBE, Brooksville, FL
All required documentation included.

City Clerk Peters informed that the packets would be reviewed by committee members and publicly noticed. The bid opening closed at 3:20 p.m.



Kim Harsin
Recording Secretary



REQUEST FOR QUALIFICATIONS

NOTICE IS HEREBY GIVEN that the City of Brooksville is requesting Statements of Qualifications for **RFQ CD2012-05 Professional Environmental Consulting Services EPA Brownfields Assessment Program** from experienced environmental consultants or consultant teams to assist with the management and/or execution of an Assessment Grant in which funds will be used to involve the community in the decision making process, to identify priority sites, to conduct Phase I and Phase II Environmental Site Assessments at priority sites, and to conduct cleanup and redevelopment planning of assessed Brownfield properties. The grant is for a contract period of approximately three (3) years. The City supports diversity in its employees and consultants and therefore encourages qualified minority and disadvantaged firms to apply.

RFQ general information materials are available at the City Clerk's Office, 201 Howell Avenue, Brooksville, Florida 34601; (352) 540-3853 and via the City's website at www.cityofbrooksville.us. Sealed and properly identified Statements of Qualifications will be received by the City Clerk's Office up to and including **3:00 PM, Friday, September 14, 2012**, and will be opened following the close of proposals in the City Council Chambers, City Hall, 201 Howell Avenue, Brooksville, FL.

The City reserves the right to reject, waive technicalities and/or negotiate any or all submittals of statements received. Submittals of statements of qualifications not received for any reason by the due date will not be accepted.

s/Janice L. Peters
Janice L. Peters, CMC
City Clerk

PUBLISH: Friday, August 24, 2012

FILE NO. 2012-15

NOTICE TO PAPER: Please charge to Account No. 1000491058 to run the smallest legal ad (Col In) possible in the **TIMES, Hernando** legal section of the classifieds and provide two (2) affidavits of publication upon completion.

CITY OF BROOKSVILLE

Request for Qualifications (RFQ) Professional Environmental Consulting Services EPA Brownfields Assessment Program

RFQ CD2012-05

The City of Brooksville, Florida (www.cityofbrooksville.us) has been awarded a \$400,000 Brownfields Assessment Grant from the U.S. Environmental Protection Agency (EPA) to assess both Hazardous (\$200,000) and Petroleum (\$200,000) sites. The City is requesting Statements of Qualifications from experienced environmental consultants or consultant teams to assist with the management and/or execution of this grant for a contract period of approximately three (3) years. The Assessment Grant Funds will be used to involve the community in the decision-making process, to identify priority sites, to conduct Phase I and Phase II Environmental Site Assessments at priority sites, and to conduct cleanup and redevelopment planning of assessed Brownfield properties.

The City supports diversity in its employees and consultants and therefore, encourages qualified minority and disadvantaged firms to apply.

All submittals shall become the property of the City and the information therein will be subject to release pursuant to the public records laws of the State of Florida.

PROJECT OVERVIEW

Brownfields are defined as real property in which the expansion, redevelopment, or reuse of said property may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The City has received a grant for hazardous substance and petroleum contamination assessments. Grant funds will be used to identify and inventory brownfield sites, conduct Phase I and Phase II Environmental Site Assessments (ESAs), plan for remediation and reuse of assessed sites, perform outreach activities to involve the community in the decision-making process, provide programmatic support and work with the Hernando County Health Department to ensure that health issues or concerns are addressed during the assessment project's field activities.

SCOPE OF WORK

The City is seeking qualified consultants with the ability to manage, provide, oversee, and/or perform the following services in accordance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 104(k):

- Assist with all grant activities to ensure compliance with EPA and Florida Department of Environmental Protection (FDEP) requirements while achieving the City's objectives.
- Serve as technical liaison between the City, the Hernando County Health Department, EPA and the FDEP.

- Negotiate assessment requirements on the City's behalf with EPA and FDEP.
- Communicate progress regularly to the City, EPA and FDEP.
- Participate in and coordinate public involvement activities as directed by the City.
- Assist in the development of an inventory of potential brownfield properties within the designated target areas.
- Prepare Property Profile Forms for sites designated for assessment activity.
- Perform and complete Phase I and Phase II ESAs at designated sites.
- Provide management and technical oversight as needed.
- Coordinate, manage and schedule sub-consultants as needed in order to complete Phase I and Phase II ESAs quickly.
- Prepare a Quality Management Plan (QMP) if required.
- Prepare Quality Assurance Project Plans (QAPP) in accordance with EPA Region 4's Generic QAPP and Site Specific QAAP Addendum Instructional, dated June 10, 2010, or later, for sites that require Phase II ESAs.
- Prepare an Environmental Health and Safety Plan (HASP) when a Phase II ESA will be performed.
- Assist with preparing and negotiating Brownfield Site Rehabilitation Agreements (BSRA) as needed.
- Conduct or oversee site-specific risk assessments as needed for designated sites where Phase II ESAs have been completed.
- Develop integrated cleanup and redevelopment plans as needed for designated sites using risk-based corrective action.
- Prepare monthly reports documenting activities and prepare quarterly reports to be submitted to EPA and other reports as may be required by FDEP.
- Prepare all necessary reporting forms to be submitted to the EPA on behalf of the City.
- Provide other services and duties that might be required for a successful program but that might not have been anticipated within this RFQ.
- Complete and distribute a final closeout report summarizing all grant activities.

SCHEDULE

The preliminary project start date was July 1, 2012. The City anticipates executing a Cooperative Agreement with EPA by September 30, 2012. Estimated time for the completion of the project is three (3) years.

PROJECT DELIVERABLES

The selected consultant(s) will deliver the following reports/plans to the City in conjunction with the scope of work:

- Monthly and Quarterly Reports.

- Entry of information into the EPA Assessment, Cleanup and Redevelopment Exchange System (ACRES).
- Site Inventory.
- Property Profile Forms for each site assessed.
- Generic QAPP.
- Site-specific QAPP Addendum for each property where a Phase II ESA will be performed.
- QMP if required by EPA or FDEP.
- Environmental HASP where a Phase II ESA will be performed.
- Risk Assessment Reports.
- Cleanup and Redevelopment Plans.
- Close-out Report.

CONSULTANT SELECTION

The City will select a consultant based on individual or firm capabilities; past like or similar project experience; key staff assigned to the project; and knowledge of the geographic area of the City. All selected consultants, team member firms and subcontractors must be registered to do business in the State of Florida.

The selected consultant(s) will have extensive experience managing EPA Brownfields Assessment projects and other EPA Grants and Programs within EPA Region 4 and the State of Florida as well as familiarity with the FDEP rules, regulations and procedures.

The selected consultant(s) will demonstrate a good working knowledge and experience with meeting ASTM International Phase I and Phase II ESA requirements and with EPA and FDEP requirements and regulations.

The City is seeking firms with the following preferred qualifications. However, interested consultants may demonstrate qualifications to conduct all or a portion of the potential consulting assignments.

Preferred qualifications:

1. At least five (5) years of experience working on EPA Brownfields Projects within EPA Region 4 in Florida at hazardous substance and petroleum sites including experience with conducting Phase I/Phase II ESAs, preparation of Quality Management Plans, Quality Assurance Project Plans, Work Plans, Health and Safety Plans, facilitating community involvement, and preparing Remedial/Corrective Action Plans.
2. Personnel with at least five (5) years of experience working in or with city or local governments addressing economic redevelopment issues.

3. Five (5) years of environmental consulting experience working in the State of Florida.
4. One professionally registered geologist and/or one professionally registered engineer in the State of Florida.

Responses to this Request for Qualifications shall include the following:

1. **Consultant's Qualifications and Capabilities:**
Describe the qualifications and capabilities of the consultant as they relate to the management of EPA grants, brownfields projects, grant applications, grants management, FDEP's Brownfields Redevelopment Programs, Enterprise Florida, Inc.'s, Brownfields Programs and the demonstrated ability to provide technical oversight of multiple subcontractors.
2. **Past Project Experience:**
Include summaries of relevant brownfields projects completed in Florida. Summarize the scope of work, and provide client contact information for verification of performance. At least three (3) references for similar services that have been provided by your firm should be submitted including the dates of service, the reference name, company name and phone number.
3. **Key Staff Assigned to the Project:**
Identify specific personnel that will be assigned to the following key roles for the project: Project Manager and Lead Technical Staff members. Personnel identified in the proposal must be the principal staff that will work on the project and represent the majority of hours billed to the project. Consultants must provide an organizational chart and resumes for the Project Manager and the Lead Technical Staff members. Resumes shall not exceed three (3) pages in length. Project staff must meet all local, state, and federal requirements to perform work. Certified or licensed professionals (e.g., Professional Geologist, Professional Engineer, etc.) must be used to perform work as required.

SUBMITTAL INFORMATION

Outside of the contact person(s) listed in this RFQ, no questions may be directed to, or contacts made with the Mayor, members of the City Council, City Manager or City staff members concerning this project until a consultant is selected. Violation of this prohibition may result in the disqualification of the consultant from further consideration. The City is not obligated to enter into any contract on the basis of any submittal in response to this RFQ. The City reserves the right to request additional information from any consultant submitting under this RFQ if the City deems such information necessary to further evaluate the consultant's qualifications. The City reserves the right to interview any consultant submitting under this RFQ or to request a formal presentation by one or more firms. The respondents to this RFQ shall be responsible for all costs associated with the RFQ's submittal.

Any questions concerning the RFQ should be directed in writing to Mr. Bill Geiger, Community Development Director, City of Brooksville, 201 Howell Avenue, Brooksville, FL 34601; or by email at bgeiger@cityofbrooksville.us by 3:00 PM on September 4, 2012. Responses, if any, shall be in writing and will be provided to all persons who have received a copy of the RFQ.

The City reserves the right, in its sole discretion, to reject all submissions, reissue a subsequent RFQ, terminate, restructure or amend this procurement process at any time. This RFQ is not a bid request, nor a request for a full proposal. Evaluation criteria contained herein shall be used in evaluation qualifications. The City may contact any consultant after receiving its submittal to seek clarification of any portion thereof.

This RFQ shall be construed in accordance with the laws of the State of Florida. Selected consultants agree to subject themselves to the jurisdiction and venue of the Circuit Courts in Hernando County, Florida, as to all matters and disputes that may arise under this RFQ.

Responses to this RFQ must include seven (7) bound copies and must be clearly marked on the outside:

Consultant for Brownfields Assessment Project

A short list of responding consultants may be selected and formal oral presentations before the Selection Committee may be requested to occur in the later part of September 2012. The request for an oral presentation shall in no way constitute acceptance or imply that an agreement is pending. The City reserves the right to award this opportunity based on the initial RFQ response without oral presentations.

The Statement of Qualifications should not exceed forty (40) pages. Font must not be less than 12 points. Please attach a cover letter including the company name, contact person and title, address, telephone and fax numbers, and email address.

The deadline for submissions is 3:00 PM, September 14, 2012. Qualifications received after this date and time will not be considered. Qualification packages must be directed to:

Mail/Express Delivery or Drop-off

City of Brooksville
Attn: Janice Peters, City Clerk
201 Howell Avenue
Brooksville, FL 34601
(352) 540-3810

POINT SCORING

An RFQ evaluation committee comprised of City of Brooksville staff will evaluate and rank all proposals. The City will select a consultant based on criteria that includes the firms capabilities, past project experience, key staff assigned to the project, knowledge of the area, knowledge of the objectives and goals of the current redevelopment and revitalization plans in the City, technical approach, standard billing rates and certified minority business status. The City will negotiate a contract with the selected consultant or consultant team following the approval of said selection and ranking by the City Council.

Responses will be evaluated based on the following criteria, and RFQ's should be ordered accordingly. The maximum possible score for each section follows:

<u>Criteria Description</u>	<u>Criteria Value</u>
A. Ability of Personnel (Project Manager & staff)	5/20 Points
B. Past Performance (For Similar Scope of Work)	0/15 Points
C. Willingness to meet time & budget	-5/10 Points
D. Recent, current & projected workloads	0/10 Points
E. Understanding scope of work	-5/10 Points
F. Completeness of submittal	-5/10 Points
G. Volume of work done for the City	0/10 Points
H. Location of Firm's office in proximity to the City	-5/10 Points
I. Firm is a Certified Minority Business Enterprise (MBE/WBE Prime = 3 points-MBE/WBE sub-consultant = 2 points)	0/5 Points
Total Possible Points	<u>100 Points</u>

City of Brooksville
Professional Environmental Consulting Services
EPA Brownfields Assessment Program
RFQ NO. CD2012-05
QUESTIONS

September 5, 2012

The following are questions asked about the RFQ. These are also posted on the website Bid/Proposal page. Should you have any questions, please contact Bill Geiger, Director of Community Development at 352-540-3815.

1. **In reference to RFQ CD2012-05, the Statement of Qualifications should not exceed 40 pages. Are the cover letter and resumes of key personnel counted in the 40 page limit?**
 - A. *The cover letter and resumes of key personnel are counted in the 40 page limit.*

2. **Could you provide a copy of the EPA Brownfields Assessment Grant Work Plan?**
 - A. *For a copy of the Cooperative Agreement Application (which includes the draft Work Plan) that was submitted to EPA, see link in questions on our website. Please note that the Work Plan is anticipated to be modified based on feedback that may be received from the EPA.*

3. **Please describe the scoring criteria regarding "Volume of work"**
 - A. *Volume of work done by this firm with the City (object of effecting an equitable distribution among qualified firms provided such distribution does not violate the principle of selection of the most highly qualified firms).*
Points (0 to 10)

<i>0</i>	<i>Currently under contract with the City.</i>
<i>5</i>	<i>Work during the last 3 fiscal years, but no current contracts.</i>
<i>10</i>	<i>No prior work performed during past 5 fiscal years.</i>

Janice L. Peters, CMC,
City Clerk

*Sent to all vendors on list via e-mail or regular mail on 9/5/12

Attachment 2

Summary Ranking Sheet for the three highest ranked firms completed after oral presentations interviews.

City of Brooksville
EPA BROWNFIELDS ASSESSMENT PROGRAM ~ RFQ NO. CD2012-05
***RANKING SHEET FOR HIGHEST THREE FIRMS THAT SUBMITTED**
QUALIFICATION STATEMENTS FOR PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES

October 10, 2012, 8:30 AM

City Council Chambers, 201 Howell Avenue, Brooksville, FL 34601

FIRM	Bill Geiger	Richard Radacky	Steve Gouldman	SELECTION POSITION	TOTALS
Cardno TBE, Brooksville, FL	3	3	3	3 + 3 + 3 = 9	9 First Place
CTC Public Benefit Corporation, Columbia, SC	2	2	1	2 + 2 + 1 = 5	5 Second Place
Environmental Consulting & Technology, Inc. (ECT), Tampa, FL	1	2	2	1 + 1 + 2 = 4	4 Third Place

1st Place Vote = 3 Points
 2nd Place Vote = 2 Points
 3rd Place Vote = 1 Point
 ■ ALL TIES TO BE BROKEN BY HIGHEST NUMBER OF 1ST PLACE VOTES.

*This ranking is based on the Committee's prior review of the Qualification Statements and the oral presentations made to the Committee on October 10, 2012.

CITY OF BROOKSVILLE
EPA BROWNFIELDS ASSESSMENT PROGRAM ~ RFQ NO. CD2012-05
RANKING SHEET for PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES

October 4, 2012, 9:00 AM

City Council Chambers, 201 Howell Avenue, Brooksville, FL 34601

FIRM	Bill Geiger	Richard Radacky	Steve Gouldman	SELECTION POSITION	TOTALS
American Compliance Technologies, Inc. (ACT), Bartow, FL	(1)	(1)	(2)	(1) + (1) + (2) = (4)	5 th Place
AMEC Environment & Infrastructure, Inc., Orlando, FL	(3)	(3)	(2)	(3) + (3) + (2) = (8)	4 th Place (Tie)
Cardno TBE, Brooksville, FL	(6)	(5)	(4)	(6) + (5) + (4) = (15)	2 nd Place
CTC Public Benefit Corporation, Columbia, SC	(5)	(6)	(5)	(5) + (6) + (5) = (16)	1 st Place
Environmental Consulting & Technology, Inc. (ECT), Tampa, FL	(4)	(4)	(6)	(4) + (4) + (6) = (14)	3 rd Place
PPM Consultants, Orlando, FL	(2)	(2)	(3)	(2) + (2) + (3) = (8)	4 th Place (Tie)

1st Place Vote = 6 Points
 2nd Place Vote = 5 Points
 3rd Place Vote = 4 Points

4th Place Vote = 3 Points
 5th Place Vote = 2 Points
 6th Place Vote = 1 Point

"ALL TIES TO BE BROKEN BY HIGHEST NUMBER OF 1ST PLACE VOTES"

Attachment 3

Initial Summary Ranking Sheet for all six firms & the review team's individual scoring sheets.

CITY OF BROOKSVILLE
 EPA BROWNFIELDS ASSESSMENT PROGRAM ~ RFQ NO. CD2012-05
 RANKING SHEET for PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES

Person Ranking Firms:	Bill Geiger, Community Development Director
-----------------------	---------------------------------------------

Firm A:	American Compliance Technologies, Inc. (ACT), Bartow, FL
Firm B:	AMEC Environment & Infrastructure, Inc., Orlando, FL
Firm C:	Cardno TBE, Brooksville, FL
Firm D:	CTC Public Benefit Corporation, Columbia, SC
Firm E:	Environmental Consulting & Technology, Inc. (ECT), Tampa, FL
Firm F:	PPM Consultants, Orlando, FL

EVALUATION FACTORS	POSSIBLE POINTS	FIRM A	FIRM B	FIRM C	FIRM D	FIRM E	FIRM F
Ability of Personnel	5/20	18	19	20	20	19	18
Past Performance	0/15	13	13	15	13	13	13
Willingness to meet time & budget	-5/10	5	6	8	8	8	6
Recent, current & projected workloads	0/10	5	6	7	8	7	6
Understanding scope of work	-5/10	7	7	10	10	9	7
Completeness of submittal	-5/10	7	8	8	10	8	7
Volume of work done for City	0/10	10	10	5	5	10	10
Location of firm's office in proximity to City	-5/10	0	0	10	8	0	0
Firm is a Certified Minority Business Enterprise (MBE/WBE Prime = 3 points ~ MBE/WBE sub-consultant = 2 points)	0/5	2	2	2	2	2	2
TOTAL POSSIBLE POINTS	100	67	71	85	84	76	69

- 1st Ranked Firm is: CARDNO TBE
- 2nd Ranked Firm is: CTC-PBC
- 3rd Ranked Firm is: ECT
- 4th Ranked Firm is: AMEC
- 5th Ranked Firm is: PPM
- 6th Ranked Firm is: ACT

Signature and Date: Bill Geiger 10/4/12

CITY OF BROOKSVILLE
EPA BROWNFIELDS ASSESSMENT PROGRAM ~ RFQ NO. CD2012-05
RANKING SHEET for PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES

Person Ranking Firms:	Richard Radacky, Public Works Director
-----------------------	----------------------------------------

Firm A:	American Compliance Technologies, Inc. (ACT), Bartow, FL
Firm B:	AMEC Environment & Infrastructure, Inc., Orlando, FL
Firm C:	Cardno TBE, Brooksville, FL
Firm D:	CTC Public Benefit Corporation, Columbia, SC
Firm E:	Environmental Consulting & Technology, Inc. (ECT), Tampa, FL
Firm F:	PPM Consultants, Orlando, FL

EVALUATION FACTORS	POSSIBLE POINTS	3 1 2					
		FIRM ACT	FIRM AMEC	FIRM C/TBE	FIRM CTC	FIRM ECT	FIRM PPM
Ability of Personnel	5/20	15	15	18	18	15	15
Past Performance	0/15	10	15	15	15	15	15
Willingness to meet time & budget	-5/10	0	5	0	5	5	0
Recent, current & projected workloads	0/10	0	5	5	10	10	10
Understanding scope of work	-5/10	10	10	10	10	10	10
Completeness of submittal	-5/10	5	10	10	10	10	5
Volume of work done for City	0/10	5	5	8	10	5	5
Location of firm's office in proximity to City	-5/10	5	7	10	10	5	5
Firm is a Certified Minority Business Enterprise (MBE/WBE Prime = 3 points ~ MBE/WBE sub-consultant = 2 points)	0/5	0	0	0	0	0	0
TOTAL POSSIBLE POINTS	100	50	72	76	88	75	65

1st Ranked Firm is: CREATIVE ENV. SOLUTIONS / PUBLIC BENEFIT CORP.

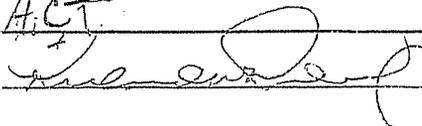
2nd Ranked Firm is: CARDNO/TBE

3rd Ranked Firm is: ENVIRONMENTAL CONSULTING TECHNOLOGY

4th Ranked Firm is: AMEC

5th Ranked Firm is: PPM

6th Ranked Firm is: ACT

Signature and Date:  OCT 04, 2012

CITY OF BROOKSVILLE
EPA BROWNFIELDS ASSESSMENT PROGRAM ~ RFQ NO. CD2012-05
RANKING SHEET for PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES

Person Ranking Firms:	Steve Gouldman, Planner
-----------------------	-------------------------

Firm A:	American Compliance Technologies, Inc. (ACT), Bartow, FL
Firm B:	AMEC Environment & Infrastructure, Inc., Orlando, FL
Firm C:	Cardno TBE, Brooksville, FL
Firm D:	CTC Public Benefit Corporation, Columbia, SC
Firm E:	Environmental Consulting & Technology, Inc. (ECT), Tampa, FL
Firm F:	PPM Consultants, Orlando, FL

EVALUATION FACTORS	POSSIBLE POINTS	FIRM A	FIRM B	FIRM C	FIRM D	FIRM E	FIRM F
Ability of Personnel	5/20	10	10	20	10	15	15
Past Performance	0/15	10	10	10	10	10	10
Willingness to meet time & budget	-5/10	0	0	0	5	5	0
Recent, current & projected workloads	0/10	5	5	0	5	5	5
Understanding scope of work	-5/10	5	5	5	5	10	5
Completeness of submittal	-5/10	-5	-5	-5	5	5	-5
Volume of work done for City	0/10	10	10	10	5	10	10
Location of firm's office in proximity to City	-5/10	0	0	2.5	5	0	0
Firm is a Certified Minority Business Enterprise (MBE/WBE Prime = 3 points ~ MBE/WBE sub-consultant = 2 points)	0/5	0	0	0	0	0	0
TOTAL POSSIBLE POINTS	100	35	35	42.5	50	60	40

1st Ranked Firm is: VECT (E)

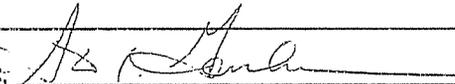
2nd Ranked Firm is: CTC (D)

3rd Ranked Firm is: PPM (F)

4th Ranked Firm is: CARDNOTBE (C)

5th Ranked Firm is: ACT (A) + AMEC (B)

6th Ranked Firm is: _____

Signature and Date:  10/3/12



AGENDA ITEM MEMORANDUM

To: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

Via: T. JENNENE NORMAN-VACHA, CITY MANAGER 

From: TIMOTHY A. MOSSGROVE, FIRE CHIEF

Subject: RESOLUTION 2012-12 ADOPTION OF COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

Date: OCTOBER 23, 2012

GENERAL SUMMARY / BACKGROUND: Under Florida Statute 252 if municipalities elected to have an Comprehensive Emergency Management Plan (CEMP) it is required to be reviewed and approved by the county it is located within to ensure compliance with all standards and requirements applicable to county emergency management plans. Through ongoing discussions and partnerships with Hernando County Emergency Management (HCEM) and knowing the requirements and opportunity that Florida Statutes 252 gives to municipalities electing to have a CEMP, it is recognized by the County and the City that the City of Brooksville is incorporated and fully engaged in the plan since its last update in 2007. The City of Brooksville is incorporated in the Hernando County CEMP as outlined below.

- Brooksville's geography and demographics are fully described in the plan.
- Brooksville is represented at every level of the decision making process
- Executive Policy Group the City is represented by the Mayor
- Threat Advisory Committee (TAC) the City is represented by the City Manager
- Within the EOC, Brooksville is represented by the City's Emergency Management Director or designee.
- The City's departments inclusive of Fire, Law Enforcement, DPW are prominently named as supporting agencies within the plan.
- The CEMP includes Evacuation Shelters within the City limits and mentions responsibility for post-disaster housing within Brooksville.
- There is space specifically allocated to City representatives within the EOC to coordinate and manage incidents located in the City or County as the need arises.

Over the last several months City of Brooksville staff has been attending workshops and working with the HCEM on updating the county-wide CEMP.

On September 24, 2012, HCEM received confirmation from the State of Florida that the county CEMP has been approved and I was notified by HCEM. The Hernando County Board of County Commissioners adopted the revisions of the CEMP at their October 9, 2012, commission meeting. As part of revising the CEMP each entity covered by the CEMP needs to adopt the plan by resolution.



BUDGET IMPACT: The only impact to the budget would be in the event of an emergency.



LEGAL REVIEW: The City Council has Home Rule Authority (Art. VIII, 2(b), Fla. Const./Fla. Stat. §166.011) to consider and take action on this matter.

STAFF RECOMMENDATION: With Florida Statutes 252 providing guidance where different governmental agencies are able to work together with each other to plan, respond, and mitigate emergencies in a time of disasters, staff recommends approval of Resolution 2012-12.

RESOLUTION NO. 2012-12

A RESOLUTION BY THE CITY OF BROOKSVILLE, CITY COUNCIL LOCATED IN HERNANDO COUNTY, FLORIDA, ADOPTING THE HERNANDO COUNTY 2012 COMPREHENSIVE EMERGENCY MANAGEMENT PLAN IN PARTNERSHIP WITH THE CITY OF BROOKSVILLE; AUTHORIZING THE MAYOR TO EXECUTE THIS RESOLUTION; AUTHORIZING STAFF TO TRANSMIT SAID PLAN TO THE APPROPRIATE GOVERNMENTAL AGENCIES; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Chapter 252, Florida Statutes, assigns counties and all governing agencies the responsibility for disaster preparedness, response, recovery and mitigation; and

WHEREAS, being prepared for disasters means being ready to respond promptly as danger threatens, to save life and protect property and to provide relief from suffering and privation; and

WHEREAS, local services may be over burdened or inadequate, and local government will have to operate effectively in different ways than in normal times to provide timely relief and minimize hardships in the event of natural and technological disasters in the City of Brooksville; and

WHEREAS, many populated areas and parts of the community may require evacuation, shelter and food until the disaster ends, services are restored and needed supplies and materials are available; and

WHEREAS, this plan is intended to provide the framework for the development of detailed operating procedures for all City forces charged with responsibility of protecting the public's health and safety from natural and technological disaster; and

WHEREAS, Rule Chapter 27P-6, Florida Administrative Code, requires each County to develop and update a Comprehensive Emergency Management Plan and include all governing agencies located within each county; and

WHEREAS, Rule Chapter 27P-6, Florida Administrative Code, furthermore, requires governing bodies located within Hernando County to adopt by resolution, the Hernando County Comprehensive Emergency Management Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BROOKSVILLE CITY COUNCIL LOCATED IN HERNANDO COUNTY, FLORIDA:

Section 1. The Brooksville City Council hereby adopts the Hernando County 2012 Comprehensive Emergency Management Plan in accordance with Chapter 252, Florida Statutes, and Rule Chapter 27P-6, Florida Administrative Code.

Section 2. The Mayor is authorized to execute this Resolution.

Section 3. Staff is authorized to transmit this Resolution and copies of the Plan to all appropriate governmental agencies.

Section 4. This Resolution shall take effect immediately upon its adoption.

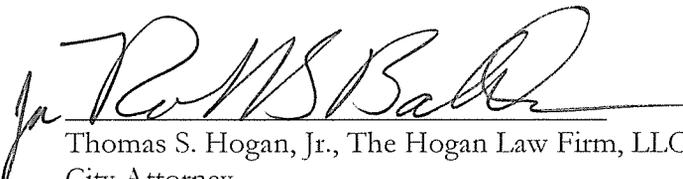
Section 5. Adopted in regular session this 5th day of November, 2012, A.D.

CITY OF BROOKSVILLE

By: _____
Joseph E. Johnston, III, Mayor

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

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


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

VOTE OF THE GOVERNING BOARD

Bradburn _____
Bernardini _____
Burnett _____
Hohn _____
Johnston _____

CORRESPONDENCE-TO-NOTE
REGULAR COUNCIL MEETING – November 5, 2012

1. **TYPE:** Letter
 DATED: September 26, 2012
 RECEIVED FROM: ISO Building Codes Department
 ADDRESSED TO: City Manager
 SUBJECT: Building Code Effectiveness Grading Schedule
 (Evaluation Report available in Community Development Office)

2. **TYPE:** Letter
 DATED: October 12, 2012
 RECEIVED FROM: Brooksville Housing Authority
 ADDRESSED TO: City Manager
 SUBJECT: Report on Audit of Basic Financial Statements 12/31/2011

3. **TYPE:** Letter
 DATED: October 15, 2012
 RECEIVED FROM: Florida Department of Law Enforcement
 ADDRESSED TO: Mayor
 SUBJECT: 2012 Edward Byrne Memorial Justice Assistance Grant Program

4. **TYPE:** Letter
 DATED: October 19, 2012
 RECEIVED FROM: Debra Mixon, Native Sun Tours
 ADDRESSED TO: Board of County Commissioners
 SUBJECT: Support effort to Preserve Chinsegut Hill

5. **TYPE:** Letter
 DATED: October 20, 2012
 RECEIVED FROM: The Hernando County Arts Council
 ADDRESSED TO: City Manager
 SUBJECT: Support effort to Preserve Chinsegut Hill

6. **TYPE:** Letter
 DATED: October 23, 2012
 RECEIVED FROM: Florida Department of Environmental Protection
 ADDRESSED TO: Council Member Joe Bernardini
 SUBJECT: Chinsegut Hill Property



4 B EVES DRIVE SUITE 200 MARLTON, NJ 08053 (856) 985-5600 FAX: (856) 810-9065

September 26, 2012

Ms. T. Jennene Norman-Vacha, City Manager
Brooksville
201 Howell Ave.
Brooksville, FL 34601

RE: Building Code Effectiveness Grading Schedule
Brooksville, Hernando County, FL

Dear Ms. Norman-Vacha:

We wish to thank you and Tom Rodgers for the cooperation given to our representative, Cy Butts, during our recent survey. We have completed our analysis of the building codes adopted by your community and the efforts put forth to properly enforce those codes. The resulting Building Code Effectiveness Grading Classification is 4 for 1 and 2 family residential property and 4 for commercial and industrial property.

The Insurance Services Office, Inc. (ISO) is an insurer-supported organization with the primary mission of providing advisory insurance underwriting and rating information to insurers. There is no requirement that insurers use our advisory material. Insurers may have adopted, or may be in the process of adopting, an ISO insurance rating program that will provide rating credits to individual property insurance policies in recognition of community efforts to mitigate property damage due to natural disasters. These insurers may use the Building Code Effectiveness Grading Classification we have recently developed for your community as a basis for the credits used. While individual insurers may use different credits or different effective dates, the ISO program will apply credits to new construction within Brooksville that has been issued a Certificate of Occupancy in the year 2012 and forward.

We have attached a copy of our report which provides additional information about our classification process and how we have graded various aspects of your community's building codes and their enforcement.

We want to highlight the fact that the Building Code Effectiveness Grading Schedule is an insurance underwriting and information tool; it is not intended to analyze all aspects of a comprehensive building code enforcement program nor is it for purposes of determining compliance with any state or local law or for making property/casualty loss prevention and life safety recommendations.

CTN
11-05-12
YMW
Re: Bill Guerin

If you have any questions about the Classification that was developed, please let us know. Additionally, if you are planning on any future changes in your building codes or their enforcement, please advise us as these changes may affect our analysis and your community's grading classification.

Sincerely,

BCEGS Building Codes Department
(856) 985-5600 FAX (800) 955-2422

Enclosure

cc: Mr. Tom Rodgers, Building Official
w/enclosure

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

**REPORT ON AUDIT OF BASIC FINANCIAL STATEMENTS,
SUPPLEMENTAL INFORMATION AND SINGLE AUDIT**

FOR THE YEAR ENDED DECEMBER 31, 2011

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MALCOLM JOHNSON & COMPANY, P.A.
CERTIFIED PUBLIC ACCOUNTANTS
P.O. Box 530848
210 N. Highway 17-92
DeBary, Florida 32753-0848

Phone (386) 668-6464 Fax (386) 668-6463

INDEPENDENT AUDITOR'S REPORT

Board of Commissioners
Brooksville Housing Authority
Brooksville, Florida

HUD, Jacksonville Area Office
Charles Bennett Federal Building
400 W. Bay Street, Suite 1015
Jacksonville, Florida 32202-4410

We have audited the basic financial statements of the Brooksville Housing Authority ("the Authority") as of and for the year ended December 31, 2011, as listed in the table of contents. These basic financial statements are the responsibility of the Authority's management. Our responsibility is to express an opinion on these basic financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall basic financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the basic financial statements referred to previously present fairly, in all material respects, the financial position of the Authority as of December 31, 2011, and the respective changes in financial position and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 25, 2012, on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*, and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis (MD&A) on pages i-vi be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming an opinion on the basic financial statements of the Authority. The Financial Data Schedule required by the U.S. Department of Housing and Urban Development, the Schedule of Expenditures of Federal Awards and the other supplemental information as listed in the table of contents are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.



Malcolm Johnson & Company, P.A.
Certified Public Accountants

DeBary, Florida
September 25, 2012

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS
DECEMBER 31, 2011

As management of Brooksville Housing Authority (the Authority), we offer the readers of the Authority's basic financial statements this narrative overview and analysis of the financial activities of the Authority for the year ended December 31, 2011. We encourage readers to consider the information presented here in conjunction with the Authority's basic financial statements.

Financial Highlights

- The assets of the Authority exceeded its liabilities as of December 31, 2011 by \$917,923 (net assets).
- The Authority's unrestricted net assets as of December 31, 2011 were \$200,240.
- The Authority's total operating revenue was \$1,167,077, which primarily consisted of operating grant revenue received from the United States Department of Housing and Urban Development in the amount of \$1,012,011, tenant revenue of \$152,402 and other tenant revenue of \$2,664.

Overview of Financial Statements

The basic financial statements included in this annual report are those of a special-purpose government engaged in a business-type activity. The following statements are included:

- **Statement of Net Assets** – reports the Authority's assets and liabilities at the end of the fiscal year and provides information about the nature and amounts of investment of resources and obligations to creditors.
- **Statement of Revenue, Expenses and Change in Net Assets** – the results of activity over the course of the fiscal year. It details the costs associated with operating the Authority and how those costs were funded. It also provides an explanation of the change in net assets from the previous fiscal year end to the current fiscal year end.
- **Statement of Cash Flows** – reports the Authority's cash flows in and out from operating activities, capital and related financing activities and investing activities. It details the sources of the Authority's cash, what it was used for, and the change in cash over the course of the fiscal year.
- The basic financial statements also include notes that provide required disclosures and other information necessary to gather the full meaning of the material presented in the statements.

The attached analysis of entity wide net assets, revenue, and expenses are detailed and provide a comprehensive portrayal of financial conditions and related trends. The analysis includes all assets and liabilities using the accrual basis of accounting.

Accrual accounting is similar to the accounting used by most private sector companies. Accrual accounting recognizes revenue and expenses when earned regardless of when cash is received or paid.

Our analysis presents the Authority's net assets, which can be thought of as the difference between what the Authority owns (assets) to what the Authority owes (liabilities). The net assets analysis will allow the reader to measure the health or financial position of the Authority.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS
DECEMBER 31, 2011

Overview of Financial Statements (Continued)

Over time, significant changes in the Authority's net assets are an indicator of whether its financial health is improving or deteriorating. To fully assess the financial health of any Authority, the reader must also consider other non-financial factors such as changes in family composition, fluctuations in the local economy, HUD mandated program administrative changes, and the physical condition of the Authority's capital assets.

At FYE 2011, total assets were \$969,923; total current assets were \$242,628.

In addition, total liabilities were \$52,000; total current liabilities were \$41,687; security deposits at the end of FYE 2011 were \$9,612 and long-term (non-current) liabilities were \$701.

Net Assets – The difference between an organization's assets and its liabilities equals its net assets. There are three categories in which to classify Net assets and they are the following:

Invested in capital assets, net of related debt – Capital assets, net of accumulated depreciation and reduced by debt attributable to the acquisition of those assets:

Restricted – net assets whose use is subject to constraints imposed by law or agreement;

Unrestricted – net assets that are not invested in capital assets subject to restrictions.

Comparative Financial Information - Assets, Liabilities and Net Assets:

	<u>2010</u>	<u>2011</u>
ASSETS		
Current Assets	\$ 359,479	\$ 242,628
Restricted Assets	8,616	9,612
Net Capital Assets	874,068	717,683
Total Assets	<u>1,242,163</u>	<u>969,923</u>
LIABILITIES		
Current Liabilities	57,642	41,687
Current Liabilities payable from restricted assets	8,616	9,612
Non-current Liabilities	-	701
Total Liabilities	<u>66,258</u>	<u>52,000</u>
NET ASSETS		
Invested in capital assets, net of related debt	874,068	717,683
Unrestricted net assets	301,837	200,240
Total Net Assets	<u>\$ 1,175,905</u>	<u>\$ 917,923</u>

Cash and investments decreased by \$48,113 from the prior fiscal year mainly due to a decrease in other revenues. Accounts receivables decreased by \$4,873 as well as decreases in inventory of \$23,559 and prepaid insurance of \$39,488.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS
DECEMBER 31, 2011

Comparative Financial Information (Continued)

Cash held at December 31, 2011 was \$201,056 and the related liability for tenant security deposits was \$9,612.

Total liabilities decreased \$14,258 over the prior year primarily related to decreases in accounts payable of \$27,402 and deferred revenue of \$635. There were increases in tenant security deposits of \$996, wages of \$410, and other current liabilities of \$8,800 as well as long term compensated absences of \$701 and current compensated absences of \$2,872.

There was a decrease in net assets of \$257,982 as a result of having a net loss for the year, which is explained below.

Revenue, Expenses and Changes in Net Assets:

	2010	2011
Operating Revenue		
Tenant rent and other revenue	\$ 182,955	\$ 152,402
HUD grants	846,173	1,012,011
Other Revenue	10,317	2,664
Total Operating Revenue	1,039,445	1,167,077
Operating Expenses		
Administrative	239,629	256,599
Tenant Services	4,715	6,217
Utilities	195,291	198,338
Ordinary maintenance and operation	254,341	718,758
Insurance	55,919	55,001
General expenses	69,714	32,940
Depreciation expense	154,078	157,384
Total Operating Expenses	973,687	1,425,237
Operating Gain/(Loss)	65,758	(258,160)
Non-operating Revenue (Expenses)		
Investment income - unrestricted	168	178
Capital grants	40,581	-
Total Non-operating Revenue (Expenses)	40,749	178
Net Gain/(Loss)	106,507	(257,982)
Net Assets, beginning of year	1,069,398	1,175,905
Net Assets, end of year	\$ 1,175,905	\$ 917,923

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

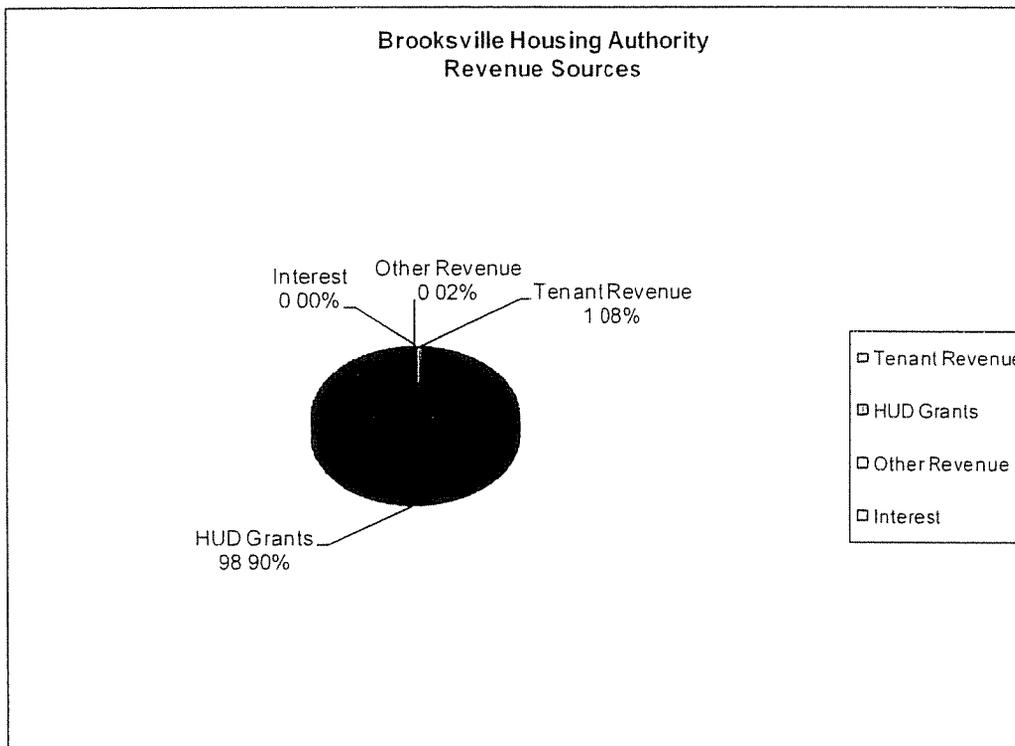
MANAGEMENT'S DISCUSSION AND ANALYSIS
DECEMBER 31, 2011

Comparative Financial Information (Continued)

Overall operating revenue increased by \$127,632. There was an increase in HUD operating grants of \$165,838; decrease in tenant rent and other revenue of \$38,206. Non operating revenue decreased by \$40,521 mainly due to a decrease in capital grants.

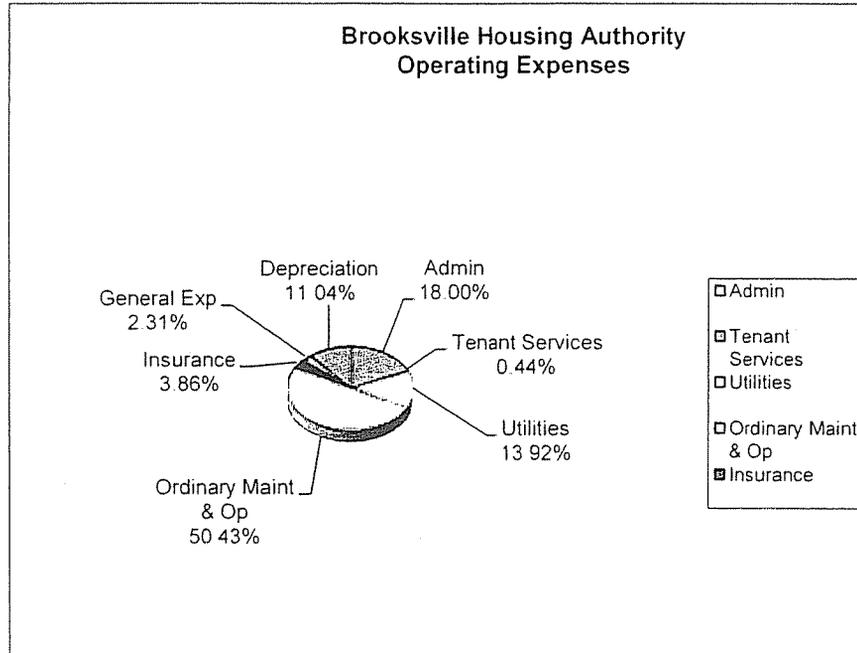
Total operating expenses increased by \$451,550; increases to administrative salaries and benefits were \$16,970, tenant services \$1,502, utilities \$3,047, ordinary maintenance and operations \$464,417 and depreciation increased by \$3,306. Decreases were to insurance costs by \$918 and general expenses by \$36,774.

In FYE 2011, total operating revenue was \$1,167,077, while total operating expenses were \$1,425,237. This resulted in an operating loss of \$258,160. Net non-operating revenues were \$178. Capital improvements are paid directly through the Capital Fund Program rather than from operating accounts.



BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

MANAGEMENT'S DISCUSSION AND ANALYSIS
DECEMBER 31, 2011



Fund Accounting

Many of the funds maintained by the Authority are required by the Department of Housing and Urban Development. Others are segregated to enhance accountability and control.

Authority's Funds

- PHA Owned Housing - Low Rent Public Housing (CFDA #14.850)
- Capital Fund Program (CFDA #14.872)

Economic Factors

Significant economic factors affecting the Authority are as follows:

- Federal funding of the Department of Housing and Urban Development,
- Local labor supply and demand, which can affect salary and wage rates,
- Local inflationary, reversionary and employment trends, which can affect resident incomes and therefore the amount of rental income,
- Inflationary pressure on utility rates, supplies and other costs.
- Hurricane related damages and hurricane impact upon the rental market.

**BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida**

**MANAGEMENT'S DISCUSSION AND ANALYSIS
DECEMBER 31, 2011**

Capital Asset And Debt Activity

At FYE 2011, the Authority had no long-term debt.

Additions to administrative equipment of \$999 is related to the purchase of a John Deer mower. Total net capital assets decreased by \$156,385. Total depreciation for the year was \$157,384.

Contacting the Authority's Financial Management

Questions concerning any of the information provided in this report or requests for additional information should be addressed to the Executive Director, Brooksville Housing Authority, 800 Continental Drive, Brooksville, Florida 34601.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

STATEMENT OF NET ASSETS
DECEMBER 31, 2011

ASSETS

Current assets

Cash and cash equivalents, unrestricted	\$ 191,444
Cash and cash equivalents, restricted	9,612
Investments, unrestricted	12,256
Accounts receivable, net of allowance	170
Inventories, net of obsolescence	23,701
Prepaid insurance	15,057
Total current assets	252,240

Noncurrent assets

Capital assets

Not being depreciated	1,948
Depreciable, net	715,735
Total capital assets, net	717,683

Total assets

969,923

LIABILITIES

Current liabilities

Vendors and contractors payable	24,909
Accrued wages/taxes payable	1,442
Accrued compensated absences	4,601
Due to other governments	714
Deferred revenue	1,221
Other current liabilities	8,800
Total current liabilities	41,687

Current liabilities payable from restricted assets

Resident security deposits	9,612
----------------------------	-------

Noncurrent liabilities

Accrued compensated absences	701
------------------------------	-----

Total liabilities

52,000

NET ASSETS

Invested in capital assets, net of related debt	717,683
Unrestricted	200,240
Total net assets	\$ 917,923

The accompanying notes are an integral part of these basic financial statements.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2011

Operating revenues	
Rental revenue	\$ 152,402
HUD grants	1,012,011
Other revenue	2,664
Total operating revenues	<u>1,167,077</u>
Operating expenses	
Administrative	256,599
Tenant services	6,217
Utilities	198,338
Ordinary maintenance & operation	718,758
Insurance	55,001
General expenses	32,940
Depreciation	157,384
Total operating expenses	<u>1,425,237</u>
Operating income (loss)	<u>(258,160)</u>
Nonoperating revenues (expenses)	
Interest revenue, unrestricted	<u>178</u>
Increase (decrease) in net assets	<u>(257,982)</u>
Net assets, beginning of year	<u>1,175,905</u>
Net assets, end of year	<u><u>\$ 917,923</u></u>

The accompanying notes are an integral part of these basic financial statements.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2011

Cash Flows From Operating Activities

Receipts from dwelling rentals	\$ 156,328
Operating grants	1,014,051
Receipts from fees	(635)
Other receipts	14
Payments to employees and suppliers	(1,181,405)
Payments to landlords and resident benefits	(37,367)
Net cash used by operating activities	<u>(49,014)</u>

Cash Flows From Capital and Related Financing Activities

Capital contributions	1,900
Purchases of capital assets	(999)
Net cash used by capital and related financing activities	<u>901</u>

Cash Flows From Investing Activities

Purchase/sale of investments	(178)
Interest	178
Net cash provided by investing activities	<u>-</u>

Net decrease in cash and cash equivalents	(48,113)
Balance - beginning of the year	<u>249,169</u>
Balance - end of the year	<u>\$ 201,056</u>

Reconciliation of Cash Flows to Statement of Net Assets

Cash and cash equivalents, unrestricted	\$ 191,444
Cash and cash equivalents, restricted	9,612
	<u>\$ 201,056</u>

There are no non-cash transactions.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2011
(Continued)

Reconciliation of Net Operating Loss to
Net Cash Used By Operating Activities

Operating income/(loss)	\$ (258,160)
Adjustments to reconcile net operating loss to net cash used by operating activities:	
Depreciation elimination	157,384
Decrease in accounts receivable	933
Decrease in due to/from other governments	2,040
Decrease in inventory	23,559
Decrease in prepaid expenses	39,488
Increase in security deposits	996
Decrease in accounts payable	(27,402)
Increase in accrued wages	410
Increase in compensated absences	2,872
Decrease in accrued liabilities	(635)
Increase in deferred credits	9,501
	<u><u>\$ (49,014)</u></u>

The accompanying notes are an integral part of these basic financial statements.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2011

A - Summary of Significant Accounting Policies and Organization:

1. **Organization:** Brooksville Housing Authority ("the Authority") is a public body corporate and politic pursuant to Chapter 421 Laws of the State of Florida which was organized to provide low rent housing for qualified individuals in accordance with the rules and regulations prescribed by the U.S. Department of Housing and Urban Development (HUD) and other federal agencies.
2. **Reporting Entity:** In determining how to define the reporting entity, management has considered all potential component units. The decision to include a component unit in the reporting entity was made by applying the criteria set forth in Section 2100 and 2600 of the *Codification of Governmental Accounting and Financial Reporting Standards and Statement No. 14, (amended) of the Governmental Accounting Standards Board: The Financial Reporting Entity*. These criteria include manifestation of oversight responsibility including financial accountability, appointment of a voting majority, imposition of will, financial benefit to or burden on a primary organization, financial accountability as a result of fiscal dependency, potential for dual inclusion, and organizations included in the reporting entity although the primary organization is not financially accountable. Based upon the application of these criteria, the reporting entity has no component units.

The basic financial statements of the Authority consist primarily of Low Rent Housing and related modernization programs under Annual Contributions Contract A04130 with HUD.

3. **Summary of HUD and Other Authority Programs:** The accompanying basic financial statements consist of the activities of the housing programs subsidized by HUD and Authority owned entities. A summary of each of these programs is provided below.

Annual Contributions Contract A-4130

- a. **Low Rent Public Housing:** This type of housing consists of apartments and single-family dwellings owned and operated by the Authority. Funding is provided by tenant rent payments and subsidies provided by HUD.
 - b. **Modernization and Development:** Substantially all additions to land, buildings, and equipment are accomplished through the Capital Fund Program. These programs add to, replace or materially upgrade deteriorated portions of the Authority's housing units. Funding is provided through programs established by HUD.
4. **Basis of Presentation and Accounting:** In accordance with uniform financial reporting standards for HUD housing programs, the basic financial statements are prepared in accordance with U. S. generally accepted accounting principles (GAAP).

Based upon compelling reasons offered by HUD, the Authority reports its basic financial statements as a special purpose government engaged solely in business-type activities, which is similar to the governmental proprietary fund type (enterprise fund), which uses the accrual basis of accounting and the flow of economic resources measurement focus. Revenues are recorded when earned and expenses are recorded at the time the liabilities are incurred. Pursuant to the election option made available by *GASB Statement No. 20, Pronouncements of the Financial Accounting Standards Board (FASB)* pronouncements issued after November 30, 1989 are applied in the preparation of the basic financial statements, unless those pronouncements conflict with or contradict GASB pronouncements.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2011
(Continued)

A - Summary of Significant Accounting Policies and Organization: (Continued)

4. Basis of Presentation and Accounting: (Continued)

Generally accepted accounting principles for state and local governments requires that resources be classified for accounting and reporting purposes into the following three net asset categories:

Invested in Capital Assets, Net of Related Debt – Capital assets, net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction or improvement of those assets.

Restricted - Net assets whose use by the Authority is subject to externally imposed stipulations that can be fulfilled by actions of the Authority pursuant to those stipulations or the expire by the passage of time. Such assets include assets restricted for capital acquisitions and debt service.

Unrestricted – Net assets that are not subject to externally imposed stipulations. Unrestricted net assets may be designated for specific purposes by action of management or the Authority Board or may otherwise be limited by contractual agreements with outside parties.

5. **Budgets:** Budgets are prepared on an annual basis for each major operating program and are used as a management tool throughout the accounting cycle. The capital fund budgets are adopted on a “project length” basis. Budgets are not, however, legally adopted nor legally required for basic financial statement presentation.
6. **Cash and Cash Equivalents:** For purposes of the Statement of Cash Flows, the Authority considers all highly liquid investments (including restricted assets) with a maturity of three months or less when purchased and non-negotiable certificates of deposit to be cash equivalents. There were no noncash investing, capital and financing activities during the year.
7. **Interprogram Receivables and Payables:** Interprogram receivables/payables, when present, are all current, and are the result of the use of the Public Housing Program as the common paymaster for shared costs of the Authority. Cash settlements are made periodically, and all interprogram balances net zero. Offsetting due to/due from balances are eliminated for the basic financial statement presentation.
8. **Investments:** Investments, when present, are recorded at fair value. Investment instruments consist only of items specifically approved for public housing agencies by HUD. Investments are either insured or collateralized using the dedicated method. Under the dedicated method of collateralization, all deposits and investments over the federal depository insurance coverage are collateralized with securities held by the Authority’s agent in the Authority’s name. It is the Authority’s policy that all funds on deposit are collateralized in accordance with both HUD requirements and requirements of the State of Florida.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2011
(Continued)

A - Summary of Significant Accounting Policies and Organization: (Continued)

9. **Inventories:** Inventories (consisting of materials and supplies) are valued at cost using the first in, first out (FIFO) method. If inventory falls below cost due to damage, deterioration or obsolescence, the Authority establishes an allowance for obsolete inventory. In accordance with the consumption method, inventory is expensed when items are actually placed in service.
10. **Prepaid Items:** Payments made to vendors for goods or services that will benefit periods beyond the fiscal year end are recorded as prepaid items.
11. **Use of Estimates:** The preparation of basic financial statements in conformity with U.S. generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent liabilities at the date of the basic financial statements and reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.
12. **Fair Value of Financial Instruments:** The carrying amount of the Authority's financial instruments at December 31, 2011 including cash, investments, accounts receivable, and accounts payable closely approximates fair value.

13. Capital Assets:

- a. **Book Value:** All purchased fixed assets are valued at cost when historical records are available. When no historical records are available, fixed assets are valued at estimated historical cost.

Land values were derived from development closeout documentation.

Donated fixed assets are recorded at their fair value at the time they are received.

Donor imposed restrictions are deemed to expire as the asset depreciates.

All normal expenditures of preparing an asset for use are capitalized when they meet or exceed the capitalization threshold.

- b. **Depreciation:** The cost of buildings and equipment is depreciated over the estimated useful lives of the related assets on a composite basis using the straight-line method.

Depreciation commences on modernization and development additions in the year following completion.

The useful lives of buildings and equipment for purposes of computing depreciation are as follows:

Buildings	40 years
Building modernization	15 years
Equipment	3-7 years

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2011
(Continued)

A - Summary of Significant Accounting Policies and Organization: (Continued)

13. Capital Assets: (Continued)

c. **Maintenance and Repairs Expenditures:** Maintenance and repairs expenditures are charged to operations when incurred. Betterments in excess of \$1,000 are capitalized. When buildings and equipment are sold or otherwise disposed of, the asset account and related accumulated depreciation account are relieved, and any gain or loss is included in operations.

14. **Compensated Absences:** Compensated absences are those absences for which employees will be paid, such as vacation and sick leave computed in accordance with *GASB Statement No 16*. A liability for compensated absences that is attributable to services already rendered and that are not contingent on a specific event that is outside the control of the Authority and its employees, is accrued as employees earn the rights to the benefits. Compensated absences that relate to future services or that are contingent on a specific event that is outside the control of the Authority and its employees are accounted for in the period in which such services are rendered or in which such events take place.

15. **Litigation Losses:** The Authority recognizes estimated losses related to litigation in the period in which the occasion giving rise to the loss occurred, the loss is probable and the loss is reasonably estimable.

16. **Annual Contribution Contracts:** Annual Contribution contracts provide that HUD shall have the authority to audit and examine the records of public housing authorities. Accordingly, final determination of the Authority's financing and contribution status for the Annual Contribution Contracts is the responsibility of HUD based upon financial reports submitted by the Authority.

17. **Risk Management:** The Authority is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Authority carries commercial insurance for all risks of loss, including workers' compensation and employee health and accident insurance, general liability, fire and extended coverage, fidelity bond, automobile, and Director and Officers liability. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three fiscal years. Additionally, there have been no significant reductions in insurance coverage from the prior year.

The Authority participates in public entity risk pool (Florida Housing Authority's Risk Management Inc.) for all risks of loss, including workers' compensation and employee health and accident insurance, general liability, fire and extended coverage, fidelity bond, automobile, and Director and Officers liability. Settled claims resulting from these risks have not exceeded risk pool coverage in any of the past three fiscal years. Rights and responsibilities of the Authority and the pool are contained within the pool agreement and the scope of coverage documents.

18. **Use of Restricted Assets:** It is the Authority's policy to first apply restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2011
(Continued)

A - Summary of Significant Accounting Policies and Organization: (Continued)

19. Operating Revenues and Expenses: The principal operating revenues of the Authority's enterprise fund are charges to customers for rents and services. Operating expenses for the Authority's enterprise fund include the cost of providing housing and services, administrative expenses and depreciation on capital assets. Revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

B - Deposits and Investments: For purposes of the Statement of Cash Flows, the Authority considers all highly liquid investments (including restricted assets) with a maturity of three months or less when purchased and non-negotiable certificates of deposit to be cash equivalents. There were no noncash investing, capital and financing activities during the year.

1. HUD Deposit and Investment Restrictions

HUD requires authorities to invest excess HUD program funds in obligations of the United States, certificates of deposit or any other federally insured instruments.

HUD also requires that deposits of HUD program funds be fully insured or collateralized at all times. Acceptable security includes FDIC/FSLIC insurance and the market value of securities purchased and pledged to the political subdivision. Pursuant to HUD restrictions, obligations of the United States are allowed as security for deposits. Obligations furnished as security must be held by the Authority or with an unaffiliated bank or trust company for the account of the Authority.

2. Risk Disclosures

Custodial Credit Risk: This is the risk that in the event of the failure of the counterparty, the Authority will not be able to recover the value of its investments or collateral securities that are held by the counterparty. All of the Authority's investments in securities are held in the name of the Authority.

The Authority's custodial agreement policy prohibits counterparties holding securities not in the Authority's name.

The carrying amounts of the Authority's cash deposits at December 31, 2011 were \$201,056, of which \$200 was petty cash. Bank balances before reconciling items were \$225,118 at that date, the total amount of which was collateralized or insured with securities held by an unaffiliated banking institution in the Authority's name. The Authority's investments consist of certificates of deposit with original maturities greater than three (3) months of \$12,256.

C - Accounts Receivable:

Dwelling rents (net of allowance for doubtful accounts of \$42)

\$ 170

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2011
(Continued)

D - Land, Buildings and Equipment:

	Balance December 31 2010	Additions	Transfers	Balance December 31 2011
Not being depreciated:				
Land	\$ 1,948	\$ -	\$ -	\$ 1,948
Total not being depreciated	1,948	-	-	1,948
Depreciable:				
Buildings & improvements	4,004,675	-	-	4,004,675
Accumulated depreciation	(3,164,074)	(146,192)	-	(3,310,266)
Net buildings & improvements	840,601	(146,192)	-	694,409
Equipment	166,430	999	-	167,429
Accumulated depreciation	(134,911)	(11,192)	-	(146,103)
Net equipment	31,519	(10,193)	-	21,326
Net depreciable assets	872,120	(156,385)	-	715,735
TOTAL	\$ 874,068	\$ (156,385)	\$ -	\$ 717,683

E - Schedule of Changes in Noncurrent Liabilities:

	December 31, 2010		Year Ended December 31, 2011		December 31, 2011	
	Long-term Portion	Current Portion	Additions	Payments	Current Portion	Long-term Portion
Accrued compensated absences	\$ -	\$ 1,729	\$ 3,573	\$ -	\$ 4,601	\$ 701

The large increase from the prior year is the result of a change in benefits which now allows up to 360 hours of accrued vacation to be paid upon termination.

F - Annual Contributions by Federal Agencies:

Low Rent Public Housing – Pursuant to the Annual Contributions Contract, HUD contributes an operating subsidy approved in the operating budget under the Annual Contributions Contract. HUD operating subsidy contributions for the year ended December 31, 2011 were \$494,974. HUD also contributed additional funds for modernization and operations in the amount of \$517,037 for the year ended December 31, 2011.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2011
(Continued)

- G - Economic Dependency:** The Authority receives approximately 87% of its revenues from HUD. If the amount of revenues received from HUD falls below critical levels, the Authority's reserves could be adversely affected.
- H - Contingencies:** The Authority is subject to possible examinations made by Federal and State authorities who determine compliance with terms, conditions, laws and regulations governing other grants given to the Authority in the current and prior years. There were no such examinations for the year ended December 31, 2011.
- I - Conduit Type Debt:** Debt related to the original acquisition and early modernization of the public housing developments is funded, guaranteed and serviced by HUD. There is no debt or pledge of faith and credit on part of the Authority. Accordingly, this debt has not been recorded in the basic financial statements of the Authority. Additionally, HUD no longer provides debt service information to the Authority.
- J - Leasing Activities (as Lessor):** The Authority is the lessor of dwelling units mainly to low-income residents. The rents under the leases are determined generally by the resident's income as adjusted for eligible deductions regulated by HUD, although the resident may opt for a flat rent. Leases may be cancelled by the lessee at any time. The Authority may cancel the lease only for cause.
- Revenues associated with these leases are recorded in the basic financial statements and schedules as "Rental Revenue". Rental Revenue per dwelling unit generally remains consistent from year to year, but is affected by general economic conditions which impact personal income and local job availability.
- K - Other Post Employment Benefits (OPEB):** In relation to its employee benefit programs, the Authority does not provide any Other Post Employment Benefits, as outlined under GASB 45.
- L - Interprogram Transfers:** The Authority will make cash transfers between its various programs as outlined in the Federal Regulations and authorized and approved by the Authority's Board of Commissioners. There were transfers of \$175,107 from the Capital Fund Program (including ARRA) to the Low Rent Housing Program during the year ended December 31, 2011.
- M - Decrease in Net Assets:** The decrease in net assets is expected to be absorbed through operations in subsequent fiscal years, assisted by transfers from various programs. No fund deficit is expected as a result of the current year loss.

SUPPLEMENTAL INFORMATION

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

COMBINING SCHEDULE OF NET ASSETS
DECEMBER 31, 2011

	Low Rent Public Housing Program	Formula Capital Fund Stimulus Grant	Total 2012
ASSETS			
Current assets			
Cash and cash equivalents, unrestricted	\$ 191,444	\$ -	\$ 191,444
Cash and cash equivalents, restricted	9,612	-	9,612
Investments, unrestricted	12,256	-	12,256
Accounts receivable, net of allowance	170	-	170
Inventories, net of obsolescence	23,701	-	23,701
Prepaid insurance	15,057	-	15,057
Total current assets	252,240	-	252,240
Noncurrent assets			
Capital assets			
Not being depreciated	1,948	-	1,948
Depreciable, net	715,735	-	715,735
Total capital assets, net	717,683	-	717,683
Total assets	969,923	-	969,923
LIABILITIES			
Current liabilities			
Vendors and contractors payable	24,909	-	24,909
Accrued wages/taxes payable	1,442	-	1,442
Accrued compensated absences	4,601	-	4,601
Due to other governments	714	-	714
Deferred revenue	1,221	-	1,221
Other current liabilities	8,800	-	8,800
Total current liabilities	41,687	-	41,687
Current liabilities payable from restricted assets			
Resident security deposits	9,612	-	9,612
Noncurrent liabilities			
Accrued compensated absences	701	-	701
Total liabilities	52,000	-	52,000
NET ASSETS			
Invested in capital assets, net of related debt	717,683	-	717,683
Unrestricted	200,240	-	200,240
Total net assets	\$ 917,923	\$ -	\$ 917,923

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

COMBINING SCHEDULE OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2011

	Low Rent Public Housing Program	Formula Capital Fund Stimulus Grant	Total 2012
Operating revenues			
Rental revenue	\$ 152,402	\$ -	\$ 152,402
HUD grants	815,952	196,059	1,012,011
Other revenue	2,664	-	2,664
Total operating revenues	971,018	196,059	1,167,077
Operating expenses			
Administrative	256,599	-	256,599
Tenant services	6,217	-	6,217
Utilities	198,338	-	198,338
Ordinary maintenance & operation	522,699	196,059	718,758
Insurance	55,001	-	55,001
General expenses	32,940	-	32,940
Depreciation	157,384	-	157,384
Total operating expenses	1,229,178	196,059	1,425,237
Operating income (loss)	(258,160)	-	(258,160)
Nonoperating revenues (expenses)			
Interest revenue, unrestricted	178	-	178
Increase (decrease) in net assets	(257,982)	-	(257,982)
Net assets, beginning of year	1,175,905	-	1,175,905
Net assets, end of year	\$ 917,923	\$ -	\$ 917,923

Brooksville Housing Authority (FL074)

BROOKSVILLE, FL

Entity Wide Balance Sheet Summary

Submission Type:

Audited/A-133

Fiscal Year End:

12/31/2011

	Project Total	14 885 Formula Capital Fund Stimulus Grant	Subtotal	ELIM	Total
111 Cash - Unrestricted	\$191,444		\$191,444		\$191,444
112 Cash - Restricted - Modernization and Development					
113 Cash - Other Restricted					
114 Cash - Tenant Security Deposits	\$9,612		\$9,612		\$9,612
115 Cash - Restricted for Payment of Current Liabilities					
100 Total Cash	\$201,056	\$0	\$201,056		\$201,056
121 Accounts Receivable - PHA Projects					
122 Accounts Receivable - HUD Other Projects	\$0		\$0		\$0
124 Accounts Receivable - Other Government					
125 Accounts Receivable - Miscellaneous					
126 Accounts Receivable - Tenants	\$212		\$212		\$212
126 1 Allowance for Doubtful Accounts - Tenants	-\$42		-\$42		-\$42
126 2 Allowance for Doubtful Accounts - Other	\$0		\$0		\$0
127 Notes, Loans, & Mortgages Receivable - Current					
128 Fraud Recovery					
128 1 Allowance for Doubtful Accounts - Fraud					
129 Accrued Interest Receivable					
120 Total Receivables, Net of Allowances for Doubtful Accounts	\$170	\$0	\$170		\$170
131 Investments - Unrestricted	\$12,256		\$12,256		\$12,256
132 Investments - Restricted					
135 Investments - Restricted for Payment of Current Liability					
142 Prepaid Expenses and Other Assets	\$15,057		\$15,057		\$15,057
143 Inventories	\$26,335		\$26,335		\$26,335
143 1 Allowance for Obsolete Inventories	-\$2,634		-\$2,634		-\$2,634
144 Inter Program Due From					
145 Assets Held for Sale					
150 Total Current Assets	\$252,240	\$0	\$252,240		\$252,240
161 Land	\$1,948		\$1,948		\$1,948
162 Buildings	\$4,004,675		\$4,004,675		\$4,004,675
163 Furniture, Equipment & Machinery - Dwellings	\$71,858		\$71,858		\$71,858
164 Furniture, Equipment & Machinery - Administration	\$95,571		\$95,571		\$95,571
165 Leasehold Improvements					
166 Accumulated Depreciation	-\$3,456,369		-\$3,456,369		-\$3,456,369
167 Construction in Progress					
168 Infrastructure					
160 Total Capital Assets, Net of Accumulated Depreciation	\$717,683	\$0	\$717,683		\$717,683
171 Notes, Loans and Mortgages Receivable - Non-Current					
172 Notes, Loans, & Mortgages Receivable - Non Current - Past Due					

173	Grants Receivable - Non Current				
174	Other Assets				
176	Investments in Joint Ventures				
180	Total Non-Current Assets	\$717,683	\$0	\$717,683	\$717,683
190	Total Assets	\$969,923	\$0	\$969,923	\$969,923
311	Bank Overdraft				
312	Accounts Payable <= 90 Days	\$24,909		\$24,909	\$24,909
313	Accounts Payable >90 Days Past Due				
321	Accrued Wage/Payroll Taxes Payable	\$1,442		\$1,442	\$1,442
322	Accrued Compensated Absences - Current Portion	\$4,601		\$4,601	\$4,601
324	Accrued Contingency Liability				
325	Accrued Interest Payable				
331	Accounts Payable - HUD PHA Programs				
332	Account Payable - PHA Projects				
333	Accounts Payable - Other Government	\$714		\$714	\$714
341	Tenant Security Deposits	\$9,612		\$9,612	\$9,612
342	Deferred Revenues	\$1,221		\$1,221	\$1,221
343	Current Portion of Long-term Debt - Capital Projects/Mortgage Revenue Bonds				
344	Current Portion of Long-term Debt - Operating Borrowings				
345	Other Current Liabilities	\$8,800		\$8,800	\$8,800
346	Accrued Liabilities - Other				
347	Inter Program - Due To				
348	Loan Liability - Current				
310	Total Current Liabilities	\$51,299	\$0	\$51,299	\$51,299
351	Long-term Debt, Net of Current - Capital Projects/Mortgage Revenue				
352	Long-term Debt, Net of Current - Operating Borrowings				
353	Non-current Liabilities - Other				
354	Accrued Compensated Absences - Non Current	\$701		\$701	\$701
355	Loan Liability - Non Current				
356	FASB 5 Liabilities				
357	Accrued Pension and OPEB Liabilities				
350	Total Non-Current Liabilities	\$701	\$0	\$701	\$701
300	Total Liabilities	\$52,000	\$0	\$52,000	\$52,000
508 1	Invested In Capital Assets, Net of Related Debt	\$717,683		\$717,683	\$717,683
509 2	Fund Balance Reserved				
511 2	Unreserved, Designated Fund Balance				
511 1	Restricted Net Assets				
512 1	Unrestricted Net Assets	\$200,240	\$0	\$200,240	\$200,240
512 2	Unreserved, Undesignated Fund Balance				
513	Total Equity/Net Assets	\$917,923	\$0	\$917,923	\$917,923
600	Total Liabilities and Equity/Net Assets	\$969,923	\$0	\$969,923	\$969,923

Brooksville Housing Authority (FL074)
 BROOKSVILLE, FL
 Entity Wide Revenue and Expense Summary

Submission Type:

Audited/A-133

Fiscal Year End:

12/31/2011

	Project Total	14 885 Formula Capital Fund Stimulus Grant	Subtotal	ELIM	Total
70300 Net Tenant Rental Revenue	\$152,402		\$152,402		\$152,402
70400 Tenant Revenue - Other	\$2,664		\$2,664		\$2,664
70500 Total Tenant Revenue	\$155,066	\$0	\$155,066	\$0	\$155,066
70600 HUD PHA Operating Grants	\$815,952	\$196,059	\$1,012,011		\$1,012,011
70610 Capital Grants					
70710 Management Fee					
70720 Asset Management Fee					
70730 Book Keeping Fee					
70740 Front Line Service Fee					
70750 Other Fees					
70700 Total Fee Revenue			\$0	\$0	\$0
70800 Other Government Grants					
71100 Investment Income - Unrestricted	\$178		\$178		\$178
71200 Mortgage Interest Income					
71300 Proceeds from Disposition of Assets Held for Sale					
71310 Cost of Sale of Assets					
71400 Fraud Recovery					
71500 Other Revenue					
71600 Gain or Loss on Sale of Capital Assets					
72000 Investment Income - Restricted					
70000 Total Revenue	\$971,196	\$196,059	\$1,167,255	\$0	\$1,167,255
91100 Administrative Salaries	\$101,662		\$101,662		\$101,662
91200 Auditing Fees	\$13,600		\$13,600		\$13,600
91300 Management Fee					
91310 Book-keeping Fee					
91400 Advertising and Marketing	\$695		\$695		\$695
91500 Employee Benefit contributions - Administrative	\$31,851		\$31,851		\$31,851
91600 Office Expenses	\$76,835		\$76,835		\$76,835
91700 Legal Expense	\$24,192		\$24,192		\$24,192
91800 Travel	\$7,764		\$7,764		\$7,764
91810 Allocated Overhead					
91900 Other					
91000 Total Operating - Administrative	\$256,599	\$0	\$256,599	\$0	\$256,599
92000 Asset Management Fee					
92100 Tenant Services - Salaries					
92200 Relocation Costs					
92300 Employee Benefit Contributions - Tenant Services					
92400 Tenant Services - Other	\$6,217		\$6,217		\$6,217

92500 Total Tenant Services	\$6,217	\$0	\$6,217	\$0	\$6,217
93100 Water	\$19,941		\$19,941		\$19,941
93200 Electricity	\$10,764		\$10,764		\$10,764
93300 Gas	\$142,468		\$142,468		\$142,468
93400 Fuel					
93500 Labor					
93600 Sewer					
93700 Employee Benefit Contributions - Utilities					
93800 Other Utilities Expense	\$25,165		\$25,165		\$25,165
93000 Total Utilities	\$198,338	\$0	\$198,338	\$0	\$198,338
94100 Ordinary Maintenance and Operations - Labor	\$71,820		\$71,820		\$71,820
94200 Ordinary Maintenance and Operations - Materials and Other	\$97,672		\$97,672		\$97,672
94300 Ordinary Maintenance and Operations Contracts	\$310,073	\$196,059	\$506,132		\$506,132
94500 Employee Benefit Contributions - Ordinary Maintenance	\$43,134		\$43,134		\$43,134
94000 Total Maintenance	\$522,699	\$196,059	\$718,758	\$0	\$718,758
95100 Protective Services - Labor					
95200 Protective Services - Other Contract Costs					
95300 Protective Services - Other					
95500 Employee Benefit Contributions - Protective Services					
95000 Total Protective Services	\$0	\$0	\$0	\$0	\$0
96110 Property Insurance	\$39,677		\$39,677		\$39,677
96120 Liability Insurance	\$5,040		\$5,040		\$5,040
96130 Workmen's Compensation	\$4,985		\$4,985		\$4,985
96140 All Other Insurance	\$5,299		\$5,299		\$5,299
96100 Total insurance Premiums	\$55,001	\$0	\$55,001	\$0	\$55,001
96200 Other General Expenses	\$25,369		\$25,369		\$25,369
96210 Compensated Absences	\$6,918		\$6,918		\$6,918
96300 Payments in Lieu of Taxes					
96400 Bad debt - Tenant Rents	\$653		\$653		\$653
96500 Bad debt - Mortgages					
96600 Bad debt - Other					
96800 Severance Expense					
96000 Total Other General Expenses	\$32,940	\$0	\$32,940	\$0	\$32,940
96710 Interest of Mortgage (or Bonds) Payable					
96720 Interest on Notes Payable (Short and Long Term)					
96730 Amortization of Bond Issue Costs					
96700 Total Interest Expense and Amortization Cost	\$0	\$0	\$0	\$0	\$0
96900 Total Operating Expenses	\$1,071,794	\$196,059	\$1,267,853	\$0	\$1,267,853
97000 Excess of Operating Revenue over Operating Expenses	-\$100,598	\$0	-\$100,598	\$0	-\$100,598
97100 Extraordinary Maintenance					
97200 Casualty Losses - Non-capitalized					
97300 Housing Assistance Payments					

97350 HAP Portability-In					
97400 Depreciation Expense	\$157,384		\$157,384		\$157,384
97500 Fraud Losses					
97600 Capital Outlays - Governmental Funds					
97700 Debt Principal Payment - Governmental Funds					
97800 Dwelling Units Rent Expense					
90000 Total Expenses	\$1,229,178	\$196,059	\$1,425,237	\$0	\$1,425,237
10010 Operating Transfer In	\$175,107		\$175,107	-\$175,107	\$0
10020 Operating transfer Out	-\$175,107		-\$175,107	\$175,107	\$0
10030 Operating Transfers from/to Primary Government					
10040 Operating Transfers from/to Component Unit					
10050 Proceeds from Notes, Loans and Bonds					
10060 Proceeds from Property Sales					
10070 Extraordinary Items, Net Gain/Loss					
10080 Special Items (Net Gain/Loss)					
10091 Inter Project Excess Cash Transfer In					
10092 Inter Project Excess Cash Transfer Out					
10093 Transfers between Program and Project - In					
10094 Transfers between Project and Program - Out					
10100 Total Other financing Sources (Uses)	\$0	\$0	\$0	\$0	\$0
10000 Excess (Deficiency) of Total Revenue Over (Under) Total Expenses	-\$257,982	\$0	-\$257,982	\$0	-\$257,982
11020 Required Annual Debt Principal Payments	\$0	\$0	\$0		\$0
11030 Beginning Equity	\$1,175,905	\$0	\$1,175,905		\$1,175,905
11040 Prior Period Adjustments, Equity Transfers and Correction of Errors	\$0		\$0		\$0
11050 Changes in Compensated Absence Balance					
11060 Changes in Contingent Liability Balance					
11070 Changes in Unrecognized Pension Transition Liability					
11080 Changes in Special Term/Severance Benefits Liability					
11090 Changes in Allowance for Doubtful Accounts - Dwelling Rents					
11100 Changes in Allowance for Doubtful Accounts - Other					
11170 Administrative Fee Equity					
11180 Housing Assistance Payments Equity					
11190 Unit Months Available	1512	0	1512		1512
11210 Number of Unit Months Leased	1362	0	1362		1362
11270 Excess Cash	\$85,107		\$85,107		\$85,107
11610 Land Purchases	\$0		\$0		\$0
11620 Building Purchases	\$0		\$0		\$0
11630 Furniture & Equipment - Dwelling Purchases	\$0		\$0		\$0
11640 Furniture & Equipment - Administrative Purchases	\$0		\$0		\$0
11650 Leasehold Improvements Purchases	\$0		\$0		\$0
11660 Infrastructure Purchases	\$0		\$0		\$0
13510 CFFP Debt Service Payments	\$0		\$0		\$0
13901 Replacement Housing Factor Funds	\$0		\$0		\$0

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

CERTIFICATION OF ACTUAL CAPITAL FUND RECOVERY GRANT COSTS
DECEMBER 31, 2011

PROGRAM	<u>S501-09</u>
Funds approved	\$ 247,090
Funds expended	<u>247,090</u>
Excess of funds approved	<u>\$ -</u>
Funds advanced	\$ 247,090
Funds expended	<u>247,090</u>
Excess of funds advanced	<u>\$ -</u>

The distribution of costs as shown on the Actual Modernization Cost Certificate submitted to HUD for approval is in agreement with the PHA's records.

All modernization costs have been paid and all related liabilities have been discharged through payment.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

SCHEDULE AND RECONCILIATION OF ACTUAL
CAPITAL FUND AND ARRA COSTS AND ADVANCES
FOR THE YEAR ENDED DECEMBER 31, 2011

PROGRAM	CFP 501-08	CFP 501-09	CFP 501-10	CFP 501-11	CFP Total	ARRA 501-09
BUDGET	\$ 195,205	\$ 192,783	\$ 167,580	\$ 65,661	\$ 621,229	\$ 247,090
ADVANCES:						
Cash receipts - prior years	\$ 195,205	\$ 103,006	\$ -	\$ -	\$ 298,211	\$ 49,131
Cash receipts - current year	-	89,777	167,580	65,661	323,018	197,959
Cumulative as of December 31, 2011	<u>\$ 195,205</u>	<u>\$ 192,783</u>	<u>\$ 167,580</u>	<u>\$ 65,661</u>	<u>\$ 621,229</u>	<u>\$ 247,090</u>
COSTS:						
Prior years	\$ 195,205	\$ 105,046	\$ -	\$ -	\$ 300,251	\$ 51,031
Current year	-	87,737	167,580	65,661	320,978	196,059
Cumulative as of December 31, 2011	<u>\$ 195,205</u>	<u>\$ 192,783</u>	<u>\$ 167,580</u>	<u>\$ 65,661</u>	<u>\$ 621,229</u>	<u>\$ 247,090</u>
Excess (Deficiency) of advances due from HUD (net)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Modernization Cost Certificate issued?	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>		<u>Yes</u>
Soft costs						
Prior years	\$ 181,614	\$ 105,046	\$ -	\$ -	\$ 286,660	\$ 4,334
Current year	-	87,737	167,580	65,661	320,978	196,059
Cumulative as of December 31, 2011	<u>\$ 181,614</u>	<u>\$ 192,783</u>	<u>\$ 167,580</u>	<u>\$ 65,661</u>	<u>\$ 607,638</u>	<u>\$ 200,393</u>
Hard costs						
Prior years	\$ 13,591	\$ -	\$ -	\$ -	\$ 13,591	\$ 46,697
Current year	-	-	-	-	-	-
Cumulative as of December 31, 2011	<u>\$ 13,591</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 13,591</u>	<u>\$ 46,697</u>
Hard costs remaining on CFP	<u>\$ 13,591</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 13,591</u>	<u>\$ 46,697</u>
Cumulative hard and soft costs	<u>\$ 195,205</u>	<u>\$ 192,783</u>	<u>\$ 167,580</u>	<u>\$ 65,661</u>	<u>\$ 621,229</u>	<u>\$ 247,090</u>

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED DECEMBER 31, 2011

Federal Grantor:

CFDA Number	Program Title	Through Entity	Federal Expenditures
U.S. Department of Housing and Urban Development			
14.850	Low Rent Public Housing	NA	\$ 494,974
	Capital Fund Cluster		
14.872	Capital Fund Program	NA	320,978
14.885	Capital Fund Stimulus Grant - Formula	NA	196,059
	Total Capital Fund Cluster		517,037
Total U.S. Department of HUD			1,012,011
Total Federal Awards Expenditures			\$ 1,012,011

Notes to the Schedule of Expenditures of Federal Awards

A. Basis of Accounting

This schedule is prepared on the accrual basis of accounting.

B. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations".

C. Reconciliation of Total Federal Awards Expenditures to Financial Data Schedule

FDS line 706	HUD PHA Grants	\$ 1,012,011
		\$ 1,012,011

SINGLE AUDIT SECTION

MALCOLM JOHNSON & COMPANY, P.A.
CERTIFIED PUBLIC ACCOUNTANTS
P.O. Box 530848
210 N. Highway 17-92
DeBary, Florida 32753-0848

Phone (386) 668-6464 Fax (386) 668-6463

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE
AND OTHER MATTERS BASED ON AN AUDIT OF BASIC FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

Board of Commissioners
Brooksville Housing Authority
Brooksville, Florida

HUD, Jacksonville Area Office
Charles Bennett Federal Building
400 W. Bay Street, Suite 1015
Jacksonville, Florida 32202-4410

We have audited the financial statements of the Brooksville Housing Authority ("the Authority") as of and for the year ended December 31, 2011, and have issued our report thereon dated September 25, 2012. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Authority's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Authority's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Authority's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain matters that we reported to management of the Authority in a separate letter dated September 25, 2012.

This report is intended solely for the information and use of the management, the Board of Commissioners, others within the entity, the U.S. Department of HUD, federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Malcolm Johnson & Company, P.A.
Certified Public Accountants

DeBary, Florida
September 25, 2012

MALCOLM JOHNSON & COMPANY, P.A.
CERTIFIED PUBLIC ACCOUNTANTS
P.O. Box 530848
210 N. Highway 17-92
DeBary, Florida 32753-0848

Phone (386) 668-6464 Fax (386) 668-6463

**REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR PROGRAM AND ON
INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133**

Board of Commissioners
Brooksville Housing Authority
Brooksville, Florida

HUD, Jacksonville Area Office
Charles Bennett Federal Building
400 W. Bay Street, Suite 1015
Jacksonville, Florida 32202-4410

Compliance

We have audited the compliance of the Brooksville Housing Authority ("the Authority") with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) *Circular A-133 Compliance Supplement* that are applicable to each of its major federal programs for the year ended December 31, 2011. The Authority's major federal programs are identified in the summary of auditor's results section of the accompanying Schedule of Findings and Questioned Costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of the Authority's management. Our responsibility is to express an opinion on the Authority's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Authority's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of the Authority's compliance with those requirements.

In our opinion, the Authority complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended December 31, 2011.

Internal Control Over Compliance

Management of the Authority is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the Authority's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of management, the Board of Commissioners, others within the entity, the U.S. Department of HUD, federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



Malcolm Johnson & Company, P.A.
Certified Public Accountants

DeBary, Florida
September 25, 2012

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED DECEMBER 31, 2011

SECTION I - SUMMARY OF AUDITORS' RESULTS

Basic Financial Statements

Type of auditors' report issued:	Unqualified
Internal control over financial reporting:	
~ Material weakness(es) identified?	No
~ Significant deficiency(s) identified that are not considered to be material weaknesses?	None reported
Noncompliance material to basic financial statements noted?	No

Federal Awards

Internal control over major programs:	
~ Material weakness(es) identified?	No
~ Significant deficiency(s) identified that are not considered to be material weakness(es)?	None reported
Type of auditors' report issued on compliance for major programs:	Unqualified
Any audit findings disclosed that are required to be reported in accordance with section 510(a) of OMB Circular A-133?	No

Identification of major programs:

CFDA Number	Name of Federal Program or Cluster
14.872/14.885	Capital Fund Program Cluster

Dollar threshold used to distinguish between type A and type B programs:	\$300,000
Auditee qualified as low-risk auditee?	Yes

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED DECEMBER 31, 2011

SECTION II -- BASIC FINANCIAL STATEMENT FINDINGS

There were no Basic Financial Statement Findings.

SECTION III -- FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

There were no Federal Award Findings and Questioned Costs.

BROOKSVILLE HOUSING AUTHORITY
Brooksville, Florida

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED DECEMBER 31, 2011

SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

There were no prior audit findings.



Florida Department of
Law Enforcement

Gerald M. Bailey
Commissioner

Office of Criminal Justice Grants
Post Office Box 1489
Tallahassee, Florida 32302-1489
(850) 617-1250
www.fdle.state.fl.us

Rick Scott, *Governor*
Pam Bondi, *Attorney General*
Jeff Atwater, *Chief Financial Officer*
Adam Putnam, *Commissioner of Agriculture*

October 15, 2012

The Honorable Joseph E. Johnston, III
Mayor, City of Brooksville
201 Howell Avenue Suite 300
Brooksville, Florida 34601

Re: Federal Fiscal Year (FFY) 2012 Edward Byrne Memorial Justice Assistance
Grant (JAG) Program – Florida JAG Direct

Dear Mayor Johnston:

The Florida Department of Law Enforcement (FDLE) has received an award from the United States Department of Justice (USDOJ) for FFY 2011 JAG funds. These grant funds are distributed to units of local government based on local crime statistics reported to FDLE.

FDLE has allocated \$2,944 from this award for use by your agency, in accordance with the Florida JAG Direct distribution provision of Chapter 11D-9, Florida Administrative Code. Please note these funds now require quarterly performance reporting along with monthly or quarterly expenditure reporting. Specific program requirements for these JAG funds and general instructions regarding the application process and a list of federal purpose areas can be found at <http://www.fdle.state.fl.us/Content/grants/jagd.aspx>. Applications that do not comply with the instructions or do not include all required information will be returned for inclusion of the missing information or will have a special condition withholding funds placed on the grant at the time of award.

An online grant application training will be provided by the Office of Criminal Justice Grants (OCJG) staff on October 30, 2012, at 2:30 p.m. Submit an email to Timothy Colletti at timcolletti@fdle.state.fl.us, by October 24, 2012, 5:00 p.m of your planned attendance.

Recipients must apply on-line using FDLE's grant management system, Subgrant Information Management On-Line (SIMON). Simon can be accessed at <http://simon.fdle.state.fl.us>. The Project Start and End Dates in the on-line application should reflect the period **February 1, 2013 through June 30, 2013**.

CYN 11-05-12
cc: Chief Turner
Steve Brannigan

The Honorable Joseph E. Johnston, III
October 15, 2012
Page Two

Application completion will require an "Announcement Code" which is a security feature allowing access to the application. The Announcement Code is **JAGD1213**. Note that this Code will be activated on **October 17, 2012**. Application completion will not be possible without the announcement code. To assist you in completing this application a user manual and a video guide are available on-line. The deadline for this on-line submission is **Wednesday, November 21, 2012 at 5:00 p.m.** at which time the announcement code will be deactivated.

In addition to the on-line submission, recipients must print out the completed application and required certifications and submit two hard copies (with original signatures) to:

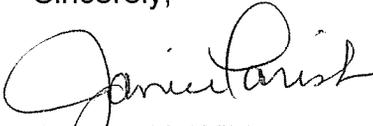
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, FL 32308

The deadline for this hard copy submission is **Friday, December 7, 2012**.

FDLE does not discriminate, and prohibits subgrant recipients from discriminating, on the basis of race, color, religion, national origin, sex, disability, or age in the delivery of services or benefits or in employment.

We look forward to working with you. If you have any questions or if we can provide you with any assistance regarding the JAG Program, please contact me at (850) 617-1250.

Sincerely,


CHW
Clayton H. Wilder
Administrator

CHW/JP/st

cc: Local Law Enforcement Agency

Debra Mixon
Native Sun Tours
10515 W. New York St.
Homosassa, FL 34448

October 19, 2012

Board of County Commissioners
Wayne Dukes (Chairman)
Jeff Stabins, John Druzbeck, James Adkins, Dave Russell (Commission Members)
20 North Main Street
Room 263
Brooksville, FL
34601

Dear Chairman and County Commission Members,

I am writing to voice my support for any effort, including in conjunction with the City of Brooksville, the commission can make to preserve Chinsegut Hill.

My husband and I own Native Sun Tours, a charter tour company, on the Homosassa River. We always tell folks about the Homosassa and Weeki Wachee state wildlife parks as possible itinerary. Whether from the States or from abroad, our folks are interested in outdoor and environmentally educational opportunities. I could envision being able to send my customers to Chinsegut Hill, just as we send them to the parks today. It's only a half hour from the Crystal River and Homosassa areas, and would be interesting to folks for wildlife viewing, history, cultural education, and a unique taste of Old Florida. We simply do not have anything quite like Chinsegut Hill in the region.

This National Historic registered property is worth saving from private sale. I strongly urge the commission to take any action available.

Sincerely,

/s/

Debra Mixon
Native Sun Tours
Homosassa, FL

cc: Friends of Chinsegut Hill
City of Brooksville City Council
Jennene Norman-Vacha, Brooksville City Manager

*CTN
11-05-12
JMV*

10-22-12 P03:11 RCVD

The
Hernando County
Arts Council

7468 HORSE LAKE ROAD
BROOKSVILLE, FLORIDA

ROGER SHERMAN, CHAIRMAN
DON MOSES, VICE CHAIRMAN
MARY MOSES, TREASURER
KIM BRYANT
DEBORAH DOLLAR
PAUL SHASKAN
LILI SOUTHERLAND

October 20, 2011

Ms. Jennene Norman-Vacha
City Manager
201 Howell Avenue
Brooksville, FL
34601

Dear Jennene,

A once-in-a-lifetime opportunity is presenting itself to the people of Brooksville.

We may soon have the chance to be one of the owners of Chinsegut Hill, one of the most historic site in west central Florida, and a site which is really the forerunner of the agricultural and social history of Hernando County.

The Hernando County Arts Council strongly backs county involvement in preserving this facility for future generations. We see it as a Cultural Center embracing the arts, architecture, botany and so many other disciplines.

I have personally developed a number of business plans for this facility and am aware of the potential. This may possibly be the basis for a Hernando County Cultural Center, for which we and the CAEC have start up funding in excess of \$30,000.00. These funds could be the basis of matching grants to make the possibilities endless.

We hope that you can imagine what can be, and support any and all efforts to keep this valuable county asset in public hands.

Cordially,



Roger Carlton Sherman
Chairman

CTA
11.05.12
JNW



FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

MARJORY STONEMAN DOUGLAS BUILDING
3900 COMMONWEALTH BOULEVARD
TALLAHASSEE, FLORIDA 32399-3000

RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

October 23, 2012

Mr. Joe Bernardini
Council Member Seat #1
City of Brooksville
201 Howell Avenue
Brooksville, Florida 34601

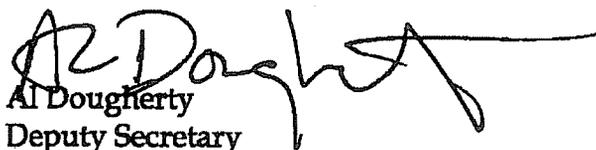
Re: Chinsegut Hill Property, Hernando County

Dear Councilman Bernardini:

Secretary Vinyard is in receipt of your letter dated October 11, 2012, and has asked that I respond on his behalf. The University of South Florida requested to be released from their lease for the Chinsegut Hill Property, which includes the manor and cabins, in October 2008. They have patiently waited for us to find some other manager/buyer of this property to alleviate their costs for security and maintenance. Chapter 253, Florida Statutes, requires that the property first be offered to state agencies, state universities, community colleges, and local government before being offered for sale to the public. Over the past several years, we had been working diligently to find a public manager to lease this property. However, we were unsuccessful in finding one. We recently received information on the appraisal which we are reviewing. We are also working on the advertisement to bid. While we will continue working on these components, we would be willing to review the specifics of your proposal. You must have your proposal to us by no later than November 16th. However, consideration of your proposal is not a guarantee of its acceptance. We thank you for your interest in the Chinsegut Hill property.

If we can be of further assistance, please contact a member of my staff, Scott Woolam, at Scott.Woolam@dep.state.fl.us or (850) 245-2806.

Sincerely,


Al Dougherty
Deputy Secretary
Land and Recreation

AD/em

CTN
11-05-21
JW