

CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
COUNCIL C HAMBERS
201 HOWELL AVENUE

AGENDA

December 1, 2008

7:00 P.M.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. OATH OF OFFICE

1. Swearing in of New Council Members

Swearing in of David Pugh, Jr., Group No. 2 and Joseph E. Johnston, III, Group No. 3 for terms of office through December, 2012.

Oath of Office: Hernando County Judge Donald Scaglione

D. COUNCIL MEMBER RECOGNITION

1. Resolution No. 2008-31 - Recognizing four years of service of outgoing Council Member Frankie Burnett.

Presentation: Mayor
Recommendation: Approval of Resolution upon roll call vote
Attachments: Proposed Resolution

2. Mayoral Plaque to David Pugh for 2007 & 2008.

Presentation: City Council

E. SELECTION OF OFFICERS

1. Selection of Mayor

2. Selection of Vice Mayor

Attachments: Charter Section 2.03

**** RECESS FOR COUNCIL MEMBER RECEPTION ****

F. CONSENT AGENDA

1. Minutes

September 3, 2008 Final Budget Public Hearing

2. Beautification Board Member Removal

Consideration for removal of board member effective immediately and direct staff to advertise to fill the position.

3. Police Department Surplus Weapons

Consideration of declaring weapons surplus, allowing for trade-in for subsequent purchase.

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4. Police Department New Weapons Purchase

Consideration of approval for the purchase of 25 870P 12 Gauge Shotguns for a total cost of \$12,825 from Lou's Police and Security Equipment, Inc. under Orange County Sheriff's Dept. Bid; budgeted funds available in Fund 109.

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Minutes; 2) Memo from City Clerk dated 11/19/08; 3) Memo from Police Chief dated 12/01/08; 4) Memo from Police Chief dated 12/01/08; Orange County Sheriff's Bid Letter

G. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. Margaret R. Giotto Beautification Award - Residential Award

Recognition of improvements to the property of Lynn Ann Demasi which is located at 131 S. Alabama Avenue.

Presentation: Mayor
Attachments: Award Certificate; Letter from Board dated 11/06/08

2. Margaret R. Giotto Beautification Award - Commercial Award

Recognition of improvements to the property of James Tsacrios which is located at 4 N. Broad Street. The business is owned by Udi & Hope Meckler d/b/a GM's Bistro.

Presentation: Mayor
Attachments: Award Certificates; Letter from Board dated 11/06/08;

3. Resolution No. 2008-32 - Karen Phillips Retirement

Consideration of Resolution honoring City Clerk Karen Phillips who will retire from the Administration Department December 31, 2008, after more than 21 years of service.

Presentation: Mayor
Recommendation: Approval of Resolution upon Roll Call Vote
Attachment: Proposed Resolution

H. REGULAR AGENDA

1. Good Neighbor Trail (GNT) Advisory Board Appointment

Appointment of one member to the GNT Advisory Board as a result of a resignation.

[Note - Both applicants are registered voters and City of Brooksville residents.]

Brian Brijbag (New Applicant-Former Staff Liaison)
Dawn Fish (New Applicant)

Presentation: City Clerk
Recommendation: Appoint Member
Attachments: Memo from City Clerk dated 11/19/08

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2. **Withlacoochee Regional Planning Council (WRPC) Board**
Consideration of Council appointment to the WRPC Board for a term beginning December 11, 2008 through December 9, 2009.

Presentation: City Clerk
Recommendation: Appoint Member
Attachments: Memo from City Clerk dated 11/18/08; Letter from WRPC Executive Director dated 11/07/08

3. **Ordinance No. 771 - Special Exceptions to be brought to Council**
Consideration of ordinance requiring all special exceptions be brought to City Council for review and approval/denial after Planning & Zoning Commission review.

Presentation: Director of Community Development
Recommendation: Approval of Ordinance upon roll call vote and schedule second reading for 12/15/08
Attachments: Memo from Director of Community Development dated 11/19/08; Proposed Ordinance

4. **Sheriff's Department Building Expansion Fee Waiver**
Consideration of request from Hernando County Sheriff's Department to waive/allocate payment for impact/connection fees in the amount of \$1,539.24 for addition to Sheriff's Department complex located at 18900 Cortez Blvd. Budget Amendment from General Fund Reserves to the Water Connection Fee Fund 407 and to the Sewer Connection Fee Fund 408 is required if authorized.

Presentation: Director of Public Works
Recommendation: Authorize waiver and budget amendment or direction to staff
Attachments: Memo from Director of Public Works dated 11/13/08; Change Order

5. **Resolution No. 2008-20 - Building Division/Community Development Department Service Fee Schedule Amendment**
Consideration of resolution amending the current Permitting, Inspection, and Administrative & Development Fee Schedule.
[Continued from 09/15/08 meeting.]

Presentation: Director of Community Development
Recommendation: Approval of resolution 2008-20 upon roll call vote
Attachments: Memo from Director of Community Development dated 11/19/08; Proposed resolution

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6. The Enrichment Center of Hernando County

Consideration of approval of partnership agreement with the Enrichment Center, Inc. of Hernando County.
[Continued from 11/17/08]

Presentation: Parks & Recreation Director and Deborah Walker-Druzbeck
Recommendation: Approval of agreement
Attachments: Memo from Director of Parks & Recreation dated 11/24/08; JBCC Activity Schedule, History of Electrical Use and Proposed Partnership Agreement

7. FDEP Sewer Rehab Grant

a) FDEP Sewer Rehab Grant Extension

Consideration of extending grant agreement, Amendment No. 2 through December 31, 2009.

b) Sewer Rehab Expenditure of Remaining Funds

Consideration of authorization for staff to enter into contract with USSI and prepare change order for additional Sewer Rehab work for an amount not-to-exceed \$127,195.80 from remaining FDEP funds and authorize City Manager to sign document after City Attorney approval; authorization of appropriate budget amendment in the amount of \$36,000 in State Grant Revenues and Construction in Progress Funds expenditure line item.

Presentation: Director of Public Works
Recommendation: a) Approval of revised agreement and authorization for Mayor to sign.
b) Approval of staff recommendation or direction to staff
Attachments: a) Memo from Director of Public Works dated 11/24/08; Letter from FDEP dated 11/17/08; Revised extended agreement
b) Memo from Director of Public Works dated 11/24/08; Copy of Agenda Item F-2 dated 04/07/08; Letter to DEP dated 11/17/08

I. ITEMS BY COUNCIL

J. CITIZEN INPUT

K. ADJOURNMENT

Meeting agendas and supporting documentation are available from the City Clerk's office, and on line at www.cityofbrooksville.us. Persons with disabilities needing assistance to participate in any proceedings should contact the City Clerk's office 48 hours in advance of the meeting at 352/544-5400.

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.



STATE OF FLORIDA,
COUNTY OF HERNANDO,
CITY OF BROOKSVILLE.

I , David Pugh, Jr., do hereby solemnly swear that I will support, honor, protect, and defend the Constitution and Government of the United States and of the State of Florida, and the Charter and Ordinances of the City of Brooksville, Florida; that I am duly qualified to hold office under the Constitution of the State and under the Charter of the City of Brooksville; and that I will well and faithfully perform the duties of Council Member on which I am now about to enter, So Help Me God.

Group No. 2 Brooksville City Council Member

Sworn to and subscribed before me
this 1st day of December, 2008.

Donald Scaglione, County Judge

STATE OF FLORIDA,
COUNTY OF HERNANDO,
CITY OF BROOKSVILLE.



I , Joseph E. Johnston, III, do hereby solemnly swear that I will support, honor, protect, and defend the Constitution and Government of the United States and of the State of Florida, and the Charter and Ordinances of the City of Brooksville, Florida; that I am duly qualified to hold office under the Constitution of the State and under the Charter of the City of Brooksville; and that I will well and faithfully perform the duties of Council Member on which I am now about to enter, So Help Me God.

Group No. 3 Brooksville City Council Member

Sworn to and subscribed before me
this 1st day of December, 2008.

Donald Scaglione, County Judge

RESOLUTION NO. 2008-31

AN APPRECIATION RESOLUTION ON THE PART OF THE CITY OF BROOKSVILLE CITING FRANKIE BURNETT FOR FOUR YEARS OF DISTINGUISHED SERVICE AND DEDICATION TO THE OFFICE AS A COUNCIL MEMBER OF THE CITY OF BROOKSVILLE.

COMES NOW, the City Council of the City of Brooksville on this 1st day of December, 2008, and sitting in duly convened session, do hereby adopt the following resolution:

BE IT RESOLVED by the City Council of the City of Brooksville, Florida, as follows, to wit:

That for four (4) years, Frankie Burnett has faithfully served the City of Brooksville as a City Council Member with imagination, ingenuity, expertise, common sense, professionalism, proficiency, and good and friendly demeanor, serving as Vice Mayor in 2007 and 2008.

That during said period of service, he has been the initiator of many new, unique, and far reaching programs of better service to the citizens of this municipality and in all other instances has wholeheartedly contributed to and assisted in the development of many programs of advancement and betterment of the City of Brooksville, its residents and inhabitants.

That Council Member Burnett, during all of said period, demonstrated to the citizens who appeared before this Council, to his fellow Council Members and to the employees and servants of the City a kind, friendly, gentle and understanding attitude, deeming no matter too small for his attention and no situation too great for his just and well reasoned decision.

For these and the above and foregoing reasons, and for the various and sundry other reasons and services, entirely too numerous to be set forth herein, the City of Brooksville, its citizens, Council Members and employees, take this opportunity to express and put into public record their collective and unanimous appreciation to Frankie Burnett, City Council Member.

THIS RESOLUTION unanimously passed and adopted in duly convened session of City Council, Brooksville, Hernando County, Florida, the day and year first above written.

CITY OF BROOKSVILLE

BY: _____
David Pugh, Mayor

ATTEST: _____
Karen M. Phillips, City Clerk

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

VOTE OF CITY COUNCIL
Bernardini _____
Bradburn _____
Johnston _____
Lewis _____
Pugh _____

Sec. 2.03. Mayor; vice-mayor.

The council shall elect from among its members a mayor and a vice-mayor. Election of the mayor and vice-mayor shall be done annually at the first regular council meeting in December of each year. The mayor shall preside at meetings of the council, shall be recognized as head of city government for all ceremonial purposes, by the governor for purposes of military law, for service of process, execution of contracts, deeds and other documents, and as the city official designated to represent the city in all agreements with other governmental entities or certifications to other governmental entities, but shall have no administrative duties except as required to carry out the responsibilities herein. The vice-mayor shall act as mayor during the absence or disability of the mayor.

(Ord. No. 287-C, § 1, 8-17-1998)

**CITY OF BROOKSVILLE
SPECIAL MEETING
FIRST PUBLIC HEARING
FISCAL YEAR 2008/09 BUDGET**

MINUTES

SEPTEMBER 3, 2008

7:00 P.M.

Brooksville City Council met in special session with Mayor David Pugh, Vice Mayor Frankie Burnett and Council Members Joe Bernardini, Lara Bradburn and Richard E. Lewis. Also present were George Angeliadis, City Attorney; T. Jennene Norman-Vacha, City Manager; Karen M. Phillips, City Clerk; Janice L. Peters, Deputy City Clerk; Steve Baumgartner, Finance Director; Jim Delach, Assistant Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Emory Pierce, Director of Public Works; George Turner, Police Chief and Tim Mossgrove, Fire Chief. A member of the St. Pete Times was present.

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

PUBLIC HEARING - PRESENTATION OF PROPOSED BUDGET FOR FISCAL YEAR STARTING OCTOBER 1, 2008

Public Announcement - Ad Valorem Tax Rate (TRIM Notice)

Pursuant to Section 200.069, F.S., "Notice of Proposed Property Taxes" (TRIM NOTICE) the proposed ad valorem rate for the Fiscal Year 2008/09 was advertised to be a maximum of 7.0000 mills. This millage rate would be a 6.3345% increase over the rolled back rate of 6.5830 mills. After reviewing revenue projections and proposed expenditure levels for the 2008/09 Fiscal Year, the General Fund budget is balanced at a proposed rate of 6.3230 mills, which is 3.9496% less than the current year's rolled-back rate.

Mayor Pugh read the Public Announcement listed above.

Council Member Bernardini requested the discussion on fluoride be heard since representatives from the Health Department were present to speak on the issue. Council consensus was to allow it.

Dr. Linda Berry, President of the Hernando County Dental Association, spoke in favor of leaving fluoride in the water, stating the optimum level added to water is safe, helps reduce tooth decay and no toxicity has been reported. She indicated fluoridation is supported by The Florida Dental Association, The American Dental Association, The American Medical Association, The World Health Organization, CBC and the Surgeon General, as well as many other groups and is cost effective in that for every \$1 spent on fluoridation \$38 in dental costs is saved. She added that the Hernando County Dental Association is committed to patient safety and the life-long dental health of Brooksville residents.

Elizabeth Callahan, Health Department Administrator, reiterated the sentiments of Dr. Berry and indicated that nationally 60% of the U.S. population on public water systems has received fluoridated water since 1990 and it is estimated that \$25.7 billion dollars have been saved in dental care in the last decade. She urged Council to not go backwards. She introduced Debbie Trotter, who works as a dental assistant for the Health Department, who spoke in favor of fluoridation as well.

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Dr. Berry presented Council with additional letters in favor of fluoridation.

Council Member Bradburn thanked the ones who came out in support of the issue. She then presented a video of testimony given before the U.S. Senate on the subject of fluoridation of public water supplies. The testimony was presented by the union that represents EPA staff, lawyers, scientists and others who analyze hazard exposure and economic data and advises management on how to use it for public health protection and protects EPA workers from unethical pressure by EPA managers. He indicated that in 1997 they voted to oppose fluoridation and their opposition has grown stronger as more adverse data on the practice has come in. The union urged Congress to order independent studies using dental fluorosis as an index of exposure to determine the extent of other toxic effects, especially on the brain and bone, in the population that are attributable to fluoride.

Council Member Bradburn further presented a case for removing fluoride from the City's water, referring to many independent organizations that emphasize the potential health risks of fluoridation. She pointed out that even toothpaste carries warnings against the use of it for small children and felt the money could be better spent upgrading outreach programs to children via the schools teaching good oral hygiene. Further, she urged Council to stand firm in its consensus to remove fluoride from the water system.

Council Member Lewis, having read through all the information supplied, pro and con, had a different view, which was for keeping fluoride in the water system. He reiterated that the presentation before Congress was not given by the EPA but by the labor union representing the workers of the EPA. He stated his belief that the money is well spent and does supply a benefit to the community. Further, he indicated the Surgeon General has not stated that fluoridation poses a national health risk, nor had any citizens contacted him with concerns against the issue.

Council Member Bradburn responded by saying that the union presenting to Congress is a union of Scientists for EPA who go out and expose health hazards such as asbestos. She indicated the EPA, based on their own research, has taken away the endorsement for fluoridation as have all the other organizations mentioned.

Pierre Desjardins stated his belief that fluoride should not be added to the water if there is even a remote possibility that it poses a risk.

Mayor Pugh was in favor of suspending the practice for the sake of cutting the budget but pending investigation into possible funding to cover the cost, which Council Member Bernardini concurred with.

Vice Mayor Burnett felt he needed more time to review the issue before making a decision.

Motion:

Motion was made Council Member Bradburn to suspend water fluoridation, which was seconded by Council Member Bernardini for discussion.

Vice Mayor Burnett asked for consideration of postponing the vote pending further review.

After further discussion Council Member Bradburn withdrew her motion pending further review. The issue will be discussed at the final budget hearing.

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Proposed Budget

Review proposed budget and points of discussion.

City Manager Norman-Vacha reviewed the changes to the budget, which included corrections to retirement to include the administrative fee that goes to the Florida Retirement System. Additionally, overtime in the PD has been reduced and other concerns expressed by Council have been addressed, which she indicated the Finance Department has diligently worked on. She asked for direction from Council concerning specific areas referenced in her memo based on requests from Council at the workshop.

Fleet Maintenance

City Manager Norman-Vacha reviewed the analysis of fleet maintenance operations and the reduction of one position. Director Pierce indicated that for optimum operations he prefers three employees but he is open to trying the reduction to two.

Council Member Bernardini asked, under department vehicles, about the 11 vehicles listed under Parks and Building. Director of Parks & Recreation, Mike Walker, advised that the number includes tractors and backhoes.

Discussion continued of Fleet Maintenance processes and scheduling. Mayor Pugh indicated DOT District Maintenance outsources the maintenance of their fleet and felt that if they can do it we should look at doing the same. Director Pierce will look into the matter.

Discussion turned to City Manager Norman-Vacha's memo to Council regarding other concerns brought up by Council.

Mayor Pugh pointed out that at 6.32 mills, the budget is balanced. With the additional information brought forward by the City Manager, if Council decides to go that route, the millage could be lowered to a rate of 6.069.

Waiver of Fees

Council discussed the waivers of fees for various events. Mayor Pugh suggested the allocation of \$7,000 toward waiver of fees. Discussion continued. Council consensus was to allocate \$7,000.

Advisory Boards

City Manager Norman-Vacha recommended the item be brought back at a regular Council Meeting to adopt policy. Majority of Council did not support term limitations but were interested in end-of-year expirations with staggered years of expiration.

For the record Council Member Bradburn stated she strongly supports term limits and the staggered year expirations. Council Member Bernardini indicated he is not opposed to term limits as long as a clause is included that if no one else applies the current expiring member is not excluded from reapplying. Discussion continued.

Council consensus was to discuss term limits at a future meeting.

Medical Insurance

The specifics of the current plan and the possibility of becoming a tobacco-free workplace were discussed, as well as the option of eliminating the funding of the Health Reimbursement Account (HRA). Staff recommended the \$22,850 saved by eliminating the funding of the HRA be earmarked for funding in support of the City's Capital Improvement Plan.

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City Manager Norman-Vacha indicated that currently the HRA has been reduced from \$1,000 to \$500 per employee due to the reduction of the plan deductible to \$750. She further elaborated on the options of funding the HRA. Her recommendation to Council, because of the City's ability to provide a better optioned plan with a lower deductible and co-payments, was to eliminate the HRA. Discussion followed.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Lewis to accept staff recommendation of the Blue Options 1553 Plan and eliminate the funding of the HRA, which was seconded by Council Member Lewis.

Mayor Pugh asked for public input.

Pierre Desjardins recommended Council consider the obesity issue as well.

Motion passed 4-1 with Council Member Bradburn voting in opposition, based on total elimination of the HRA.

Council Member Bernardini indicated he is not ready to agree to the allocation of the \$22,850 savings to the Capital Improvement Plan at this time. Council Member Bradburn supported the move. Discussion continued.

Concerning employee medical, Council Member Lewis brought up the issue of employees who decline the City's medical insurance. City Manager Norman-Vacha explained that there are employees that have group benefits outside the City via a spouse and decline coverage. She asked if Council was considering reimbursing those employees up to the amount the City would pay to cover them. Council Member Lewis felt the only way an employee would be able to receive the stipend is to supply proof of coverage along with their insurance card on a yearly basis. Discussion followed.

City Manager Norman-Vacha will research whether other entities have this benefit.

Pierre Desjardins wondered if giving the stipend would encourage other employees to opt out.

The item will be added to the September 17 Final Budget Hearing.

Utility Rates

Council Member Bernardini asked why the rates were not included in the budget. City Manager Norman-Vacha indicated staff wanted to ask for Council direction first.

Council Member Bradburn indicated she did not want to see the rates increase. Director Pierce advised he would like to see the CPI applied to the sanitation or garbage collection side. He felt the residential rates are high enough and recommended the rates for FY2008/09 remain unchanged and the automatic CPI keep going on for utilities and commercial rate.

Council Member Bradburn advised the problem she sees with using the CPI is that they are Enterprise Funds that are supposed to be self-sufficient and balanced, meaning you do not collect more than you are going to need. When a CPI rate is adopted you lock in automatic increases whether they are needed or not. She would like to see the CPI eliminated.

Director Pierce recommended modifying the resolution and freezing the residential rate for at least a year.

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Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Lewis to accept staff recommendation on the residential rates and to cap the CPI at 3%.

Mayor Pugh asked for public input; there was none.

Motion carried 5-0.

For recap, City Manager Norman-Vacha confirmed that Council is in agreement to continue the CPI inflator but cap it at 3% max for any year. Council Member Bradburn stated that is for commercial. Council consensus was for the whole CPI to be capped at 3%, which Council Member Bradburn indicated she is not in favor of. For residential garbage, staff would look again at the rates and how they are formulated per the resolution but would maintain its current rate and the commercial garbage would increase per the CPI.

City Manager Norman-Vacha indicated Council Member Bradburn could vote against the CPI for residential when staff brings the issue back during regular session for Council to review and adopt.

Council Member Bradburn asked for clarification that she could not change her vote to nay in that Council Member Bernardini's motion was unclear to her. Mayor Pugh answered affirmatively.

She asked that the minutes reflect her request to vote "nay" after the motion and her request was denied, advising that she will vote nay in the future because she does not support the CPI because it diminishes Council's authority.

Reserves for Contingencies

For clarification, Mayor Pugh stated that at 6.069 mills there will be a reduction of \$144,000 and still at that millage rate the city can allocate \$121,000 toward Capital Improvement Projects. City Manager Norman-Vacha advised yes, if Council reduces the reserves to \$907,527, which is 12% of operating revenue.

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis to accept staff recommendation that the Reserves to Contingencies be funded at 12%, reduction of the millage rate to 6.069 mills and to allocate the \$121,660 toward the funding of Capital Improvement projects to be determined by Council.

Council Member Bernardini asked for the numbers on a 2% across the board raise for employees as it would impact the General Fund. Jim Delach, Assistance Finance Director, indicated the amount would be around \$103,442.

Mayor Pugh asked for public input.

Pierre Desjardins felt it would be nice for everyone to get a 2% raise but felt the money could be used for the community as a whole.

Council Member Bradburn advised she prefers merit increases as opposed to cost of living increases because she believes those who work the hardest should be rewarded for their hard work. Council Member Bernardini clarified that his recommendation would be for a 2% merit increase if warranted.

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Council Member Bradburn clarified that in order to support a cost of living and/or merit increase she would have to oppose the motion on the floor. Mayor Pugh answered affirmatively.

Motion carried 3-2, with Council Member Bradburn and Council Member Bernardini voting in opposition.

Mayor Pugh expounded on the state of the economy in relation to the proposed 2% employee increase.

Utility Tax

Council Member Bernardini advised Progress Energy is proposing a \$41 increase of which the City will get 10% for a utility tax.

Mayor Pugh stated he is opposed to the utility tax and elaborated on the proposed increase. He indicated he would like to see the projected \$120,000 the City will receive reduced from 10% to maybe 7.5% in an effort to get it down to 5%. The tax is in addition to the millage rate and he felt it to be a burden on the elderly and underprivileged.

Council Member Lewis advised that the City Manager has been working with Director Geiger and Director Baumgartner on the issue and it's been in the excess of \$120,000 per year. He reviewed the issue which led to the findings that Progress Energy had not been collecting the tax consistently, which is to be submitted to the City. He indicated he is working with the City Manager to reach a resolution and settlement with Progress Energy which will be more beneficial to the City of Brooksville. City Manager Norman-Vacha will be bringing the issue forward.

Director Baumgartner indicated the adjustment of the public service tax rate would not be immediate. There is a 3-month parlay in which the State has to be notified and thought January 1st to be the earliest the tax could be lowered.

Mayor Pugh thanked Council Member Lewis for bringing the issue forward and advised the tax also includes taxes on fuel and propane, in addition to electric.

City Manager Norman-Vacha recommended considering 1-year at a time when considering the lowering of the tax. Council Member Lewis suggested a lower millage rate rather than lowering the utility tax. Discussion of lowering the millage rate versus lowering the utility tax continued.

City Manager Norman-Vacha recapped that it will not be touched this budget but will be reconsidered at the time adequate information is provided for revenue purposes.

Community Redevelopment Agency (CRA) Debt

City Manager Norman-Vacha indicated that during the workshops there were questions and discussions concerning the amount of fees that come back to the General Fund from the CRA.

Director Geiger reviewed the history of the CRA funding, including the Main Street Project, indicating the total debt service through 2005 came to \$214,702. The City and the CRA had entered into an agreement wherein the CRA paid the City back for that amount. He noted that in 2003 the City and the County had several issues on different topics. The County had paid their TIF funds that were billed to them in three prior years but this year they took issue with making payment as it relates to the Statute, which requires the City to obligate the funds it collects from the different taxing agencies. The funds were obligated, but not formally through any documentation other than the City's budget itself. At that

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time the City generated Interlocal Agreements and resolutions that formally obligated the CRA to pay back the City for this allocated amount. The County ended up paying the TIF funds and every year thereafter. If the City were to do something different from the CRA/City perspective where the City de-obligated repayment of the funds from the CRA the CRA would still have to do something to obligate the use of the funds. This would not be a problem in that there are a lot of projects CRA is planning to do with the funds generated within the TIF district.

Director Geiger reviewed the 15-year 0% interest debt payback. City Manager Norman-Vacha asked when the City actually budgeted the match to the CDBG funds if it was budgeted through the General Fund as a match to receive that grant. Director Geiger confirmed and indicated it was 2-years prior to the adoption of the resolutions for the CRA.

City Manager Norman-Vacha reviewed the issue of whether the CRA should continue to pay back the debt or could Council forgive the debt or make a change to the resolutions. Director Geiger indicated the City, as a taxing district, is obligated to pay funds to the CRA but the City is also providing services to the CRA that the CRA is not otherwise paying for unless the obligation is there.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Burnett to take whatever action is necessary to the resolutions to make sure the original use of the CRA and TIF is regained and acceptance of the forgiveness of the current CRA debt.

After further discussion, motion carried 3-2 with Council Member Lewis & Mayor Pugh voting in opposition. Mayor Pugh voted against the issue due to the fact that money had been taken out of the General Fund for the CRA, which he felt should be repaid and allow the CRA to generate the tax it is supposed to. The City would have the option of funding future projects. The issue will be formally adopted within the final budget.

Realignment of Utilities Customer Service Positions

Motion:

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

Ad Valorem Tax Rate for Fiscal Year 2008/09

Consideration of establishing ad valorem tax rate.

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Bernardini for adoption of the 6.069 ad valorem tax rate.

Council Member Bernardini indicated he would have liked to see a little higher rate with employees getting a 2% raise. Council Member Bradburn agreed.

Mayor Pugh indicated the millage rate will be set at 6.069 which is a decrease of 7.8080% from the roll-back rate, which is 6.5830 mills.

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

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

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Ordinance No. 769 - Recommended Budget for Fiscal Year 2008/09

Consideration of first reading of proposed budget ordinance effective October 1, 2008.

Motion:

Motion was made by Vice Mayor Burnett and seconded by Council Member Lewis for approval of Ordinance 769 with aforementioned considerations.

Council Member Bradburn reiterated that she would support a cost-of-living and/or merit-based salary increase for employees of 2% as well as an HRA reimbursement and decrease of fluoridation.

Mayor Pugh asked for public input; there was none.

City Clerk Phillips read Ordinance No. 769 by title, as follows:

AN ORDINANCE APPROPRIATING CERTAIN MONIES FOR THE GENERAL OPERATIONS OF THE CITY OF BROOKSVILLE, FLORIDA, FROM ITS SEVERAL FUNDS FOR THE TWELVE MONTH PERIOD BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009.

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

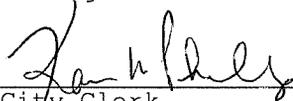
Council Member Bradburn	AYE
Council Member Lewis	AYE
Council Member Bernardini	AYE
Vice Mayor Burnett	AYE
Mayor Pugh	AYE

Council Member Bernardini indicated he voted in favor but reiterated that he felt the millage could have been increased to allow for a 2% raise for employees.

Council Member Bernardini also indicated that the owners in the Colonial area requested it be relayed to Progress Energy during discussions that their lights go out every time the wind blows.

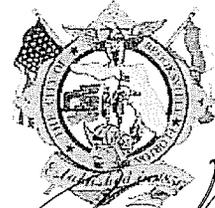
ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 10:57 p.m.



City Clerk

Attest:



Memorandum

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager 

From: Karen M. Phillips, City Clerk 

Subject: Beautification Board Member Delores Jackson

Date: November 19, 2008

Please be advised that Delores Jackson has not attended the Beautification Board Meetings for quite a while now and has not responded to telephone inquiries or letters requesting her desire to remain on the Board (See Attachment I) due to absences or tardiness of the board meetings. Since the letter was sent, she has missed two additional meetings.

The Beautification Board membership is down two other members at the present time due to recent resignations and it is difficult to make quorums without the participation of Mrs. Jackson.

Official Policy No. 4-2008 provides that City Council may elect to treat such absences as the member's resignation or provide the member with the opportunity to speak on their own behalf as to the reason for the unexcused absences (See Attachment II). Staff is hereby submitting this request to City Council for consideration of removal of Mrs. Jackson from the Beautification Board.

Financial Impact

No budgetary impact.

Legal Impact

Process is in line with Official Policy, with copy of subject memo to be forwarded to Board Member.

Staff Recommendation

Staff is recommending City Council removal of Mrs. Jackson from the Beautification Board effective immediately and direct that staff advertise for applicants to fill this position along with the other vacant positions on the advisory board.

pc: Delores Jackson
Sally Sperling, Beautification Board Chair

ATTACHMENT I

9/29/08 Letter

City of Brooksville



F

(352) 544-5400 (Phone)

(352) 544-5424 (Fax)

(352) 544-5420 (TDD)

Certified Mail – Return Receipt Requested 2004 0750 0001 6779 4449

September 29, 2008

Ms. Delores W. Jackson
1361 Candlelight Boulevard
Brooksville, FL 34601

Ms. Jackson:

I have been asked to contact you to determine your availability to continue to serve on the Beautification Board, to which you were re-appointed to on March 6, 2006. It is my understanding that since January 2007, the Board has had 13 scheduled meetings and of those meetings, you only attended 4 (3 of which you arrived late for).

Board Secretary Lindsay Morgan has made numerous attempts over these past months trying to reach you via phone and email, however, she has not received any response. In the event your schedule has cleared up and circumstances have changed, the next meeting of the Beautification Board is scheduled for October 14, 2008 at 5:30 p.m. Please contact myself or Lindsay at (352) 544-5407 before that date and let us know if you are able to attend the meeting. If you are unable to continue your commitment to serve on the Beautification Board at this time, please also let her or I know. Otherwise, if we do not hear from you by this next meeting date, we will assume that you are resigning from the Board and will so notify City Council accordingly.

While we certainly appreciate your past service to this community as a member of this advisory board, we all recognize that our life circumstances occasionally change and we need to alter our commitments. Please contact me after you receive this letter if you wish to discuss this further or if you have any questions or comments.

Sincerely,

Karen M. Phillips
City Clerk

:KP/lam

Pc: Sally Sperling, Board Chairman
Lindsay Morgan, Board Secretary

F: WP_WORK\ClerkOffice\BOARDS\Beautification Board\Board Member Attendance.doc

ATTACHMENT II

Policy No. 4-2008 Excerpt

EXCERPT OF ADVISORY BOARD REMOVAL PROCESS OFFICIAL POLICY NO. 4-2008

III. REMOVAL FROM OFFICE

A. Attendance

1. Reliable attendance at meetings is usually, but not always, a prerequisite to effective participation of a member. Chairpersons of committees may excuse absences. Three unexcused absences in a six meeting period will automatically initiate the removal procedure set forth below.
2. The chairperson and recording secretary shall prepare and submit to the City Clerk a report of member attendance at each scheduled meeting, whether or not a quorum is achieved. The City Clerk shall compile attendance records.

The appointed body may on motion passed by majority vote recommend removal of a member and initiate the removal proceedings set forth below. The motion shall specifically set forth the grounds on which removal is requested.

3. A City Council Member or the City Manager may initiate removal of a member of an appointed body by the proceedings set forth below by filing a request for City Council to consider such removal. The request shall specifically set forth the grounds on which removal is requested.

B. Procedures for Removal

1. Cause for Removal: Unless otherwise provided in law, by Charter or by Ordinance of the City, members serve at the will of City Council.
2. The City Clerk shall submit a report to City Council at the next available Council Meeting if there are absences that exceed the specified number above. The City Clerk will provide the affected member with a copy of the report no later than five (5) days before the report is to be reviewed by Council.
3. City Council may elect to treat such absences as the member's resignation or provide the member with the opportunity to speak on their own behalf as to the reason for the unexcused absences.
4. Resignations shall be effective when accepted by City Council. Upon acceptance of the resignation, the position on the board shall be deemed vacant. The City Council shall then notify the members of the relative board when any resignation has been accepted and direct the commencement of the solicitation process for a replacement member to fill the balance of the term of office.

BROOKSVILLE POLICE
DEPARTMENT

MEMORANDUM

TO: The Honorable Mayor and Members of the Brooksville City Council

VIA: Jennene Norman-Vacha, City Manager

FROM: George Turner, Police Chief

DATE: December 01, 2008

SUBJECT: Surplus weapons

General Information: The Brooksville Police Department has certain weapons that are worn, in need of repair and/or are not up to professional standards. These are listed below:

(10) Remington 12ga 870: ser # W224192v, ser# W224137v, ser# W224126v, ser# W224223v
ser# W224160v, ser# 1127192v, ser# 1127682, ser# 1127466v, ser# X301883m,
ser# W224239v.

(8) Mossberg 12ga 500a: ser#K935404, ser#K935167,ser# K935581, ser# K935397, ser# K933285,
ser# K933398, ser# K935311, ser# K932995.

The Brooksville Police Department intends to trade the above weapons to a licensed firearms dealership to offset the cost of purchasing new Remington 12ga 14" modified shotguns.

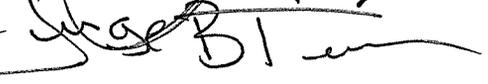
Budget Impact : The estimated trade value of the above listed weapons is \$ 1,600. This would offset the purchase of new weapons , as approved by Council in the 2008/2009 budget, fund 109.

Legal Note: City Council has the authority to declare items surplus and approve for disposal.

Staff Recommendation: Staff recommends that the City Council declare the above weapons surplus, allowing for the trade for the new approved weapons.

BROOKSVILLE POLICE
DEPARTMENT

MEMORANDUM

TO: The Honorable Mayor and Members of the Brooksville City Council,
VIA: Jennene Norman-Vacha, City Manager 
FROM: George Turner, Police Chief 
DATE: December 01, 2008
SUBJECT: Weapon purchase (PIGGYBACK, ORANGE COUNTY SHERIFF bid#151-08)

General Information: The Orange County Sheriff's Office has contracted with Lou's Police & Security Equipment, Inc. for the purchase of Remington 870 shotguns. The Orange County Sheriff's Office and Lou's Police & Security Equipment, Inc. have agreed to allow the City of Brooksville to piggyback their contract.

The Brooksville Police Department has been approved to expend monies not to exceed \$ 30k from Fund 109 for the purchase of new weapons for use by sworn Officers in the performance of their official duties. The needed weapons include:

(25) Remington 870P, 12ga shotguns, 14" Mod. Knox reduced recoil adjustable stock, low profile rifle sight system w/tritium front sight. Cost per shotgun will be \$ 577.00 utilizing the Orange County Sheriff's bid # ITB # 151-08 through the bid award vendor, Lou's Police & Security Equipment, Inc.. The cost will be offset by surplus weapons taken in on trade as is indicated on the quotation # 112108-5AG, dated November 21, 2008.
Final cost will be \$ 12,825.00.

Budget Impact : The Brooksville Police Department requested the purchase of new weapons in the 2008/2009 budget, and was approved for an expenditure of \$ 30,000 for the purchase of these weapons. Monies are available in fund 109 for the above purchase.

Legal Review: City Council has the authority to piggyback on other governmental agency bids/contract awards.

Staff Recommendation: Staff recommends that the City Council approve the purchase of said weapons from Lou's Police & Security Equipment, Inc., utilizing the bid process completed by the Orange County Sheriff's Department, bid# 151-08, awarded 10/24/2008.

Attached: Bid letter from Orange County Sheriff, reference ITB#151-08 and vendor response

Lou's Police & Security Equipment, Inc. Quotation#112108-5AG.



ORANGE COUNTY SHERIFF'S OFFICE

February 11, 2008

Lou's Police & Security Equipment, Inc.
Ms. Linda Riccobono
4151 Palm Avenue
Hialeah, FL 33012

Dear Ms. Riccobono:

The Orange County Sheriff's Office is accepting sealed bids for the purchase of approximately 80 Police Shotguns.

The attached bid package contains the bid schedule, instructions and specifications.

Thank you for your participation in this competitive bid process.

Sincerely,

KEVIN BEARY
Sheriff of Orange County

J. Sue Robertson
Purchasing Manager

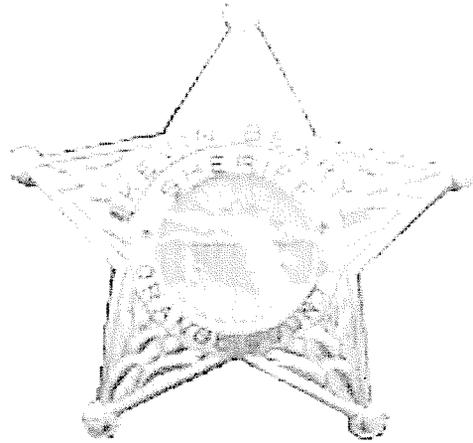
Attachment: ITB #151-08



*The First Agency in Orange County to Receive Both
International and State Accreditation*



Orange County Sheriff's Office



ITB #151-08 Police Shotguns

- Bid Schedule
- Bid Information/Instructions
- Bid Specifications/Vendor Response Form
- Drug Free Work Place Form

FISCAL MANAGEMENT
PURCHASING SECTION

**ORANGE COUNTY SHERIFF'S OFFICE
ITB #151-08 POLICE SHOTGUNS**

Bid Schedule

Sunday, February 10, 2008	1 st Publication (Orlando Sentinel)
Monday, February 11, 2008	Bid Packages Mailed
Thursday, February 14, 2008	2 nd Publication (Orlando Sentinel)
Monday, February 25, 2008 (4:30 PM)	Deadline for receipt of vendor questions
Wednesday, March 12, 2008 (4:30 PM)	Deadline for receipt of all bids
Thursday, March 13, 2008 (10:30 AM)	Bid Opening

**ORANGE COUNTY SHERIFF'S OFFICE
ITB #151-08 POLICE SHOTGUNS**

BID INFORMATION/INSTRUCTIONS

PURPOSE - The purpose of this Invitation to Bid (ITB) is to seek competitive pricing for the purchase of approximately 80 Police Shotguns.

PUBLIC ENTITY CRIMES - Per Florida State Statute 287.133 2(a), A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide goods or services to a public entity, may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids, proposals, or replies on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 of the Florida State Statutes, for CATEGORY TWO (\$25,000) for a period of 36 months following the date of being placed on the convicted vendor list.

MANDATORY REQUIREMENTS – The Sheriff's Office has established certain mandatory requirements which must be included as a part of any bid. The use of the terms "shall", "must" or "will" in this ITB indicates a mandatory requirement or condition.

All products included in bid submissions must meet or exceed all conditions and specifications of the Invitation to Bid (ITB).

The Sheriff's Office reserves the right to determine which bid submissions meet the mandatory requirements of the ITB.

GUARANTEE

The vendor guarantees the equipment offered is standard new equipment, latest model of regular stock product with all parts regularly used with the type of equipment offered. No part has been substituted or applied contrary to manufacturer's recommendations and standard practice.

WARRANTY

The manufacturer's standard warranty must be provided.

VENDOR QUESTIONS - All vendor questions must be submitted in writing to the Orange County Sheriff's Office, Attention: Sue Robertson, Purchasing Manager and must be received no later than 4:30 PM, Monday, February 25, 2008. Questions may be faxed to (407) 254-7151 or emailed to sue.robertson@ocfl.net.

ADDENDUM – All vendor questions received by the published deadline will be answered through the issuance of an addendum. The addendum will be in writing to all vendors known to be in receipt of this ITB. Only written communications from the Purchasing Manager will be the official Sheriff's Office response to vendor questions.

**ORANGE COUNTY SHERIFF'S OFFICE
ITB #151-08 POLICE SHOTGUNS**

SUBMITTING BID(S) - Vendors must utilize the enclosed Vendor Response Form for submission of any or all prices. Prices must include any freight or shipping charges (FOB Destination) to the Agency. The enclosed Drug-Free Workplace Form must be completed and returned with each bid submission.

DELIVERY OF BID SUBMISSIONS – Vendors desiring to provide the specified goods/services in accordance with this ITB shall return the completed original enclosures and all supportive documentation along with two (2) copies no later than 4:30 PM (Eastern Standard Time), Wednesday, March 12, 2008 to:

For Mail Delivery:

Orange County Sheriff's Office
Purchasing Section
P.O. Box 1440
Orlando, FL 32802

For Hand Delivery or Overnight Carrier (Mark package "URGENT"):

Orange County Sheriff's Office
Attention: Sue Robertson, Purchasing Manager
2500 West Colonial Drive
Orlando, FL 32804

All vendors delivering bid packages to the physical address listed above must notify Purchasing at (407) 254-7147 **immediately upon arrival**. Upon acceptance of the bid package by purchasing personnel, a bid receipt will be furnished to the vendor confirming delivery.

The sealed bid envelope must be marked in the lower left outside corner with the vendor name and "Sealed Bid #151-08".

Regardless of the delivery method, **ALL** bids must be received at the Purchasing Section by 4:30 PM, Wednesday, March 12, 2008. All bids received after the date and time specified above will be returned unopened. The Orange County Sheriff's Office will not be responsible for late deliveries or delayed mail.

Vendors must not divulge submitted bid prices to any Sheriff's Office employee prior to the official bid opening.

BID OPENING – All sealed bids received in accordance with the published deadline will be opened at 10:30 AM, Thursday, March 13, 2008 at the Sheriff's Fiscal Management Division, 2500 W. Colonial Drive, Orlando, Florida, 32804. Bidder representatives are invited to attend the bid opening.

COMMUNICATIONS – No negotiations, decisions or actions will be initiated or executed by a bidder as a result of any discussion with a Sheriff's Office employee.

The Sheriff of Orange County reserves the right to accept or reject any or all bids.

**ORANGE COUNTY SHERIFF'S OFFICE
ITB #151-08 POLICE SHOTGUNS**

DRUG – FREE WORKPLACE FORM

The undersigned vendor, in accordance with Florida Statute 287.087 hereby certifies that

does

Name of Business

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in Paragraph 1.
4. In the statement specified in Paragraph 1, notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of Paragraphs 1 thru 5.

As the person authorized to sign this statement, I certify that this firm complies fully with above requirements

Vendor's Signature

Date

**ITB # 151-08 POLICE SHOTGUNS
BID TABULATION FORM**

UNITS / LINE	SPECIFICATION/DESCRIPTION	OAKS TRADING INT'L	LAWMEN'S & SHOOTERS	LOU'S POLICE & SEC EQUIP			
1	Remington Shotguns (870 Police 12 gauge per specs)						
2	*Unit Price	NO BID	\$714.21	\$671.00			
3	**Bid for 80 Units	NO BID	\$57,136.80	\$53,680.00			
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							

ORANGE COUNTY SHERIFF'S OFFICE
ITB #151-08 POLICE SHOTGUNS

COPY 1
COPY

BID SPECIFICATIONS/VENDOR RESPONSE FORM

The vendor response form must be utilized for providing a cost summary.

Specifications/Descriptions

Bid Price

#1. Remington Shotguns – 870 Police 12/14 P
RSXS-T KXCS SF 12 gauge 14" 870 parkerized
police shotgun with low profile rear sights and
trijicon front sights w/Knoxx's Special OPS,
Collapsible Stock, Modified choke

\$ 577.00 unit cost

#2. Mesa tactical aluminum 6-shot sureshell for
Remington 870/1100/11-87

\$ 49.00 unit cost

#3. Vickers combat applications sling – Black

\$ 38.00 unit cost

#4. Adapter band to use with sling

\$ 7.00 unit cost

SUB TOTAL

\$ 671.00 unit cost

#5. Additional Costs Not Included in Specifications

\$ — 0 —

NOTE: Vendors must include a detailed listing of all additional costs.

TOTAL BID SUBMISSION FOR 80 UNITS(Est. Purchase) \$ 53,680.00

Lou's Police and Security Equip Inc Linda Ricobono 3-10-08
Company Name Company Representative Date

LINDA Ricobono, President

The Vendor Response Form must be signed by an authorized company representative.

LOU'S POLICE & SECURITY EQUIPMENT, INC.

4149 PALM AVENUE
 HIALEAH, FL 33012
 TEL: 305-822-5362 • FAX: 305-822-9603
 EMAIL: ANA@LOUSPOLICE.COM

Quotation

TO:

Brooksville PD
Attn: Chief George Turner
Tel: 352-754-6800
Fax: 352-754-6809
chiefturner@ci.brooksville.fl.us

Quotation #

Date

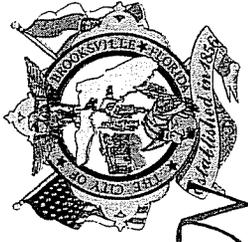
REF# 1176 A

112108-5AG

November 21, 2008

Item	Qty	Description	Price per unit	Ext
		FOB	Dept / Req #	Terms
	25	Remington 870P 12ga 14" Mod, Knox Reduce Recoil Adj Stock	\$ 577.00	\$ 14,425.00
		Low Profile Rifle Sight System, Tritium Front, Speedfeed	Total Purchase	
		Ribbed Black Fore-End, Parkerized Finish Shotgun		
		Free Freight on Above Order, Drop Shipped from Factory		
		Trade In Values		
	10	Remington 870 12ga	\$ 100.00	\$ 1,000.00
	8	Mossberg 500	\$ 75.00	\$ 600.00
			Total credit	\$ 1,600.00
			Purchase	\$ 14,425.00
			Credit	\$ 1,600.00
			Final Total	\$ 12,825.00
		Pricing Effective for 30 Days		
Prepared By :			Sub total	
Russ King/Ana Garcia			SHIPPING	
Lou's Police & Security Equipment, Inc.			Total	

Margaret R. Ghiotto



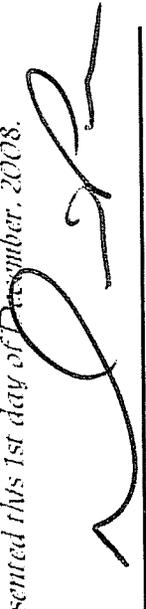
CERTIFICATE OF RECOGNITION

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

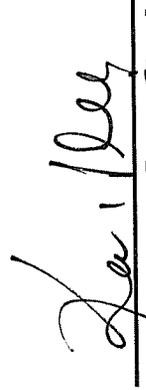
Cynn Ann Demasi

131 S. Alabama Avenue, Brooksville, Florida 34601

Presented this 1st day of December, 2008.



Mayor



City Clerk

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

November 6, 2008

Ms. Lynn Ann Demasi
131 S. Alabama Avenue
Brooksville, FL 34601

Dear Ms. Demasi:

As you are already aware of, the City of Brooksville Beautification Board is pleased to advise you that you have been selected to receive the monthly Margaret R. Ghiotto Residential Beautification Award for beautifying your home at 131 S. Alabama Avenue.

The Certificate of Recognition and outdoor sign will be presented to you by a Board Representative at the next regular Council Meeting to be held Monday, December 1, 2008 at 7:00 p.m. in the City Hall Council Chambers at 201 Howell Avenue. Please call the Beautification Board Secretary, Lindsay Morgan, and let her know, no later than Tuesday, November 18, 2008 by 12:00 p.m. if you will or will not be able to attend this meeting or if you have any further questions, 544-5407 x130.

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

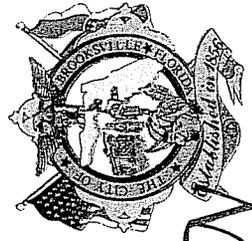
Sincerely,

Sally Sperling, Chairman
Beautification Board

SS/lam

cc: T. Jennene Norman-Vacha, City Manager
Karen M. Phillips, City Clerk
Lindsay A. Morgan, Beautification Board Secretary

Margaret R. Giotto



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

Udi & Hope Meckler dba GM's Bistro

4 N. Broad Street, Brooksville, Florida 34601

Presented this 1st day of December, 2008.

Mayor

City Clerk

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

November 6, 2008

Mallis Brothers Construction, LLC
c/o GM's Bistro
4 N. Broad Street
Brooksville, FL 34601

Dear Business Owner:

The City of Brooksville Beautification Board is pleased to advise you that you have been selected to receive the monthly Margaret R. Ghiotto Commercial Beautification Award for beautifying your business located at 12 N. Broad Street.

The Certificate of Recognition and outdoor sign will be presented to you by a Board Representative at the next regular Council Meeting to be held Monday, December 1, 2008 at 7:00 p.m. in the City Hall Council Chambers at 201 Howell Avenue. Please call the Beautification Board Secretary, Lindsay Morgan, and let her know, no later than Tuesday, November 18, 2008 by 12:00 p.m. if you will or will not be able to attend this meeting or if you have any further questions, 544-5407 x130.

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

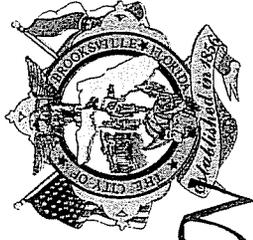
Sincerely,

Sally Sperling / lam
Sally Sperling, Chairman
Beautification Board

SS/lam

cc: T. Jennene Norman-Vacha, City Manager
Karen M. Phillips, City Clerk
Lindsay A. Morgan, Beautification Board Secretary

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*

James Tsucrios

4 N. Broad Street, Brooksville, Florida 34601

Presented this 1st day of December, 2008.

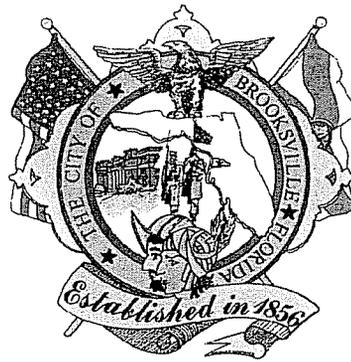


Mayor



City Clerk

City of Brooksville



(352) 544-5400 (Phone)
(352) 544-5424 (Fax)
(352) 544-5420 (TDD)

November 6, 2008

Katherine M. Tsacrios
326 Windbrush Boulevard, Apt. 3B
Indian Rocks Beach, FL 33785-2660

Re: 12 N. Broad Street – GM's Bistro

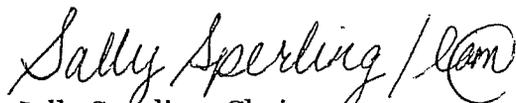
Dear Ms. Tsacrios:

The City of Brooksville Beautification Board is pleased to advise you that you have been selected to receive the monthly Margaret R. Ghiotto Commercial Beautification Award for beautifying your building located at 12 N. Broad Street.

The Certificate of Recognition and outdoor sign will be presented to you by a Board Representative at the next regular Council Meeting to be held Monday, December 1, 2008 at 7:00 p.m. in the City Hall Council Chambers at 201 Howell Avenue. Please call the Beautification Board Secretary, Lindsay Morgan, and let her know, no later than Tuesday, November 18, 2008 by 12:00 p.m. if you will or will not be able to attend this meeting or if you have any further questions, 544-5407 x130.

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

Sincerely,


Sally Sperling, Chairman
Beautification Board

SS/lam

cc: T. Jennene Norman-Vacha, City Manager
Karen M. Phillips, City Clerk
Lindsay A. Morgan, Beautification Board Secretary

RESOLUTION NO. 2008-32

**A RESOLUTION IN APPRECIATION OF THE YEARS OF SERVICE
RENDERED TO THE CITY OF BROOKSVILLE AND ITS CITIZENS BY
KAREN M. PHILLIPS.**

WHEREAS, KAREN PHILLIPS was employed by the City of Brooksville on September 14, 1987, and she has, since that time, faithfully rendered a high level of quality service to the Administration Department, the City of Brooksville, and the citizens of this community with her professional expertise, dedication, attitude, helpfulness, consideration and enthusiasm; and,

WHEREAS, having initially been hired as Executive Secretary to the City Manager, she went on to become City Clerk in July of 1989 before being promoted to the dual role of City Clerk/Director of Administration in October of 1997 and briefly serving as Interim City Manager in July of 2006; and,

WHEREAS, during her tenure with the City of Brooksville, KAREN PHILLIPS received comments from her superiors noting her interpersonal skills in dealing with her fellow employees, her reliability, and her ability to work independently, which tended to positively influence those she worked with on a regular basis; and,

WHEREAS, KAREN PHILLIPS has decided to retire from her employment with the City effective December 31, 2008.

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

1. That this Resolution is hereby adopted in recognition of twenty-one (21) years of faithful performance of duty by KAREN PHILLIPS.
2. That this Resolution is further adopted to set forth the great affection and high esteem in which KAREN PHILLIPS is hereby held by the City of Brooksville, its Council Members, employees and citizens, and to make record of their appreciation and testament to the services performed by KAREN PHILLIPS as a servant of the people.

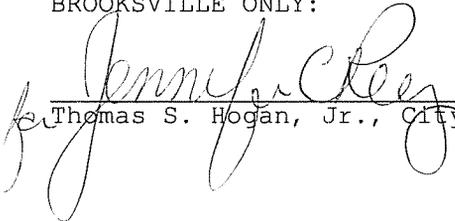
ADOPTED in regular session this 1st day of December, 2008.

CITY OF BROOKSVILLE

BY: _____
Mayor

ATTEST: _____
Janice L. Peters,
Deputy City Clerk

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



Thomas S. Hogan, Jr., City Attorney

VOTE OF CITY COUNCIL

Bernardini	_____
Bradburn	_____
Johnston	_____
Lewis	_____
Pugh	_____



Memorandum

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager

From: Karen M. Phillips, City Clerk

Subject: Advisory Board Position

Date: November 19, 2008

The following advisory board position is subject to appointment. The board vacancy was noticed to the public through news/media releases dated October 27 and November 4, 2008, and through our regular general posting.

Good Neighbor Trail Advisory Board

One vacant position. The terms for the GNT do not expire, openings only become available through the resignation of a member.

Brian Brijbag (New Applicant-Former Staff Liaison)
Dawn Fish (New Applicant)

Both applicants are City residents and registered voters as required.

There are currently two vacancies on the Beautification Board. No applications have been received so we will continue to advertise for those positions.

Financial Impact

No budgetary impact.

Legal Impact

Process is in line with Official Policy.

Staff Recommendation

Staff is recommending Council appoint one of the applicants and direct staff to continue advertising for the Beautification Board positions.

KMP/jlp

Rec'd 11/18/08

City of Brooksville Application
for City Advisory Board/
Committee Appointment

PLEASE TYPE OR PRINT

FULL NAME:
Mr. Mrs./Miss/Ms. Brian S. Brijbag

ADDRESS: 122 W. Fort Dade Ave
Brooksville, FL 34601

PHONE NO: Home (352) 397-3746 Work (352) 796-6791 / cell 352-346-8472

E-MAIL ADDRESS: brian@brijbag.com

RESIDENT OF THE CITY OF BROOKSVILLE: Yes No

REGISTERED VOTER: Yes No VOTER ID #: 104350302

PRESENT EMPLOYER: FBC Brooksville

EMPLOYER'S ADDRESS: 420 Howell Ave, Brooksville, FL 34601

EDUCATION: Bachelor Degree in Practical Ministry

Verified 11/18/08 JP

(Use back of form for additional information)

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

Redevelopment Coordinator for City of Brooksville & oversaw
the cities interests in this project.

(Use back of form for additional information)

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

- Bill Geiger - 544-5430
- Steven Diez - 754-4057
- Mary Jane Russell - 754-4788

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

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

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

Other Committees or Boards - *Good Neighbor Trail*



Signature of Applicant

11/15/06

NOTE: Return completed form to:

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

(Revised 02/02/06)



CITY OF BROOKSVILLE

Application for Volunteer Board Positions

11-07-08 P05:39 IN

201 Howell Avenue
Brooksville, Florida 34601-2041
Telephone: (352) 544-5407
Facsimile: (352) 544-5424
Web: www.ci.brooksville.fl.us



New Application



Re-application

Beautification Board (4 year terms - 7 members)

Brooksville Housing Authority (4 year terms - 7 members)

Cemetery Advisory Committee (4 year terms - 7 members - city residency or documented tie to Cemetery)

Firefighters Pension Trust Fund Board of Trustees* (2 year terms - 5 members)

Parks & Recreation Advisory Board (4 year terms - 7 members & 2 alternates)

Planning & Zoning Commission* (4 year terms - 5 members & 2 alternates)

Police Officers Pension Trust Fund Board of Trustees* (2 year terms - 5 members)

Other Good Neighbor Trail

Name: Fish, Dawn Elaine
(Last) (First) (Middle)

Address: 408 N. Lemon Avenue
Brooksville FL 34601

Mailing Address (if different): _____

Business Address: 20 N Main St, Room 400
Brooksville, FL 34601 (State Attorney's Office)

Occupation: Paralegal

Business Phone: 754-4255 Home Phone: 232-0297

Email address: _____

Do you reside within the City limits? Yes No

Are you a Registered Voter in Hernando County? Yes No Voter ID # 104358426

Please rank your board preference(s):
1. Good Neighbor Trail (Advisory)
2. _____
3. _____

Have you ever served on a volunteer board or in a volunteer capacity with the City of Brooksville before? Yes No If yes, please indicate name of board and dates of service: _____

* These positions require City Residency and that a Financial Disclosure Statement be filed with the Supervisor of Elections Office within 30 days of appointment and then subsequently on a yearly basis.

verified
11/07/08
gp

Why would you like to serve on this board? To become more involved in the community I live in using my preference for skills, and experience in the use of outdoor recreation.

What special skills would you bring to this position? Experience with various types of outdoor recreation which allows a broad-based "user" perspective

List fields of work experience: a majority of my work experience has been as a legal assistant with interim breaks which were spent as a return-student, worked in NC at Nantahala Outdoor Center, and worked with Alzheimer patient(s) - return to legal work as a paralegal with the State Attorney's Office.

List any licenses and/or degrees (location & year):
High School - Tallahassee
CLA (Certified Legal Assistant) - Tallahassee (cert lapsed)
Return for courses in Basic Studies - TCC - Tallahassee
and active with the college's newspaper and literary magazine.

Local References (Please list three (3)):
1. Donald C. Barbee, Assistant State Attorney, (754-4255)
2. Michelle Bio, Legal Advocate, Dawn Center (540-6222)
3. Michael G. Dunnean, District Mgr, WREC, (596-4000)

Would you have a problem with the meeting dates and times for the board/agency?
 Yes No
If yes, please explain: _____

Signed: Dawn E. Fish Date: Nov 7, 2008

SCHEDULE OF BOARD MEETINGS
[Note - Balance of Boards meet quarterly or as needed]

BEAUTIFICATION BOARD in Council Chambers	2 nd TUESDAY @ MONTH - 5:30 PM
BROOKSVILLE HOUSING AUTHORITY in Council Chambers	3 rd TUESDAY @ MONTH - 6:00 PM
PLANNING & ZONING COMMISSION in Council Chambers	2 nd WEDNESDAY @ MONTH - 6:30 PM

* These positions require City Residency and that a Financial Disclosure Statement be filed with the Supervisor of Elections Office within 30 days of appointment and then subsequently on a yearly basis.

CITY OF BROOKSVILLE, FLORIDA



Janice L. Peters
Deputy City Clerk
201 Howell Avenue
Brooksville, FL 34601

Phone: (352) 544-5407
Fax: (352) 544-5424
E-Mail: jpeters@cityofbrooksville.us

NEWS RELEASE

October 27, 2008 - CITY ADVISORY BOARD & COMMISSION VACANCY

City Council for the City of Brooksville is now accepting applications from individuals interested in volunteering their time to serve as a member of the following advisory boards or commissions:

Good Neighbor Trail Advisory Committee

One (1) non-expiring position.

Beautification Board

One position to fill an unexpired 3-year term of office through December 31, 2011.

In order to apply for these board positions, an appropriate application form must be completed with an authorization for a background check. Resumes alone will not be accepted. An application form may be obtained from the office of the City Clerk or on the City of Brooksville website at www.cityofbrooksville.us and must be completed and returned no later than **Wednesday, November 19, 2008, by 5:00 p.m.**, to the City Clerk's Office at 201 Howell Ave., Brooksville, Florida 34601-2041. Contact the City Clerk's Office at (352) 544-5400 with any questions.

All applicants for these volunteer positions **must** be registered voters in the State of Florida. Any other specific requirements are noted above.

CITY OF BROOKSVILLE, FLORIDA



Janice L. Peters
Deputy City Clerk
201 Howell Avenue
Brooksville, FL 34601

Phone: (352) 544-5407
Fax: (352) 544-5424
E-Mail: jpeters@cityofbrooksville.us

NEWS RELEASE

November 4, 2008 - CITY ADVISORY BOARD & COMMISSION VACANCY

City Council for the City of Brooksville is now accepting applications from individuals interested in volunteering their time to serve as a member of the following advisory boards or commissions:

Good Neighbor Trail Advisory Committee

One (1) non-expiring position.

Beautification Board

Two (2) Positions: One to fill an unexpired 3-year term of office through December 31, 2010 & One to fill an unexpired 3-year term of office through December 31, 2011.

In order to apply for these board positions, an appropriate application form must be completed with an authorization for a background check. Resumes alone will not be accepted. An application form may be obtained from the office of the City Clerk or on the City of Brooksville website at www.cityofbrooksville.us and must be completed and returned no later than **Wednesday, November 19, 2008, by 5:00 p.m.**, to the City Clerk's Office at 201 Howell Ave., Brooksville, Florida 34601-2041. Contact the City Clerk's Office at (352) 544-5400 with any questions.

All applicants for these volunteer positions **must** be registered voters in the State of Florida. Any other specific requirements are noted above.

Memorandum

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager 

From: Karen M. Phillips, City Clerk 

Subject: Withlacoochee Regional Planning Council (WRPC) Council Representative Member

Date: November 18, 2008



The WRPC annually requests one elected official from among the municipalities in a county to serve as the municipal representative on the board for a one year term. David Pugh is the current representative for Hernando County municipalities and his term expires December 10, 2008. The WRPC Board meets on the 3rd Thursday of each month at 7:00 pm at the Board Office in Ocala (Executive Committee Meetings begin at 6:00 pm immediately preceding, when necessary).

We are planning on presenting the overall Council Board Representation appointments on the December 15th agenda, but since the WRPC's annual meeting is December 11th, they need this information prior to that Council Meeting date (See Attachment I).

Weeki Wachee Mayor Robyn Anderson has indicated that they relinquish this appointment to the City of Brooksville to co-represent them on the WRPC Board (See Attachment II).

Financial Impact

No budgetary impact other than travel reimbursement costs for the monthly meetings.

Legal Impact

No legal impact, as long as the only other municipality in the County is in agreement for the City to serve as the representative on the Board.

Staff Recommendation

Staff is recommending Council appoint a Municipal Representative to serve on the WRPC for a term of December 11, 2008 through December 9, 2009.

ATTACHMENT I

WRPC Letter

MICHAEL R. MOEHLMAN
EXECUTIVE DIRECTOR

1241 S.W. 10th Street
OCALA, FLORIDA 34471-0323

Telephone 352-732-1315
FAX 352-732-1319
email: mailbox@wrpc.cc
http://www.wrpc.cc



OFFICERS

RONALD ALLEN
CHAIR

JOSEPH JOHNSTON, III
VICE - CHAIR

11-10-08 P02:28 IN

November 7, 2008

The Honorable Mayor David Pugh
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041

Dear Mayor Pugh:

It is necessary for municipal officials within your County to select one elected official to represent the municipalities of your county on the **Withlacoochee Regional Planning Council** for a term beginning December 11, 2008 and ending on December 9, 2009.

Your current representative is Mayor David Pugh of the City of Brooksville.

You need to contact other municipalities and towns in your County to select a representative for the coming year. An appointment needs to be made as soon as possible, as new appointments are eligible to be sworn in at the December 11, 2008 Annual Meeting.

When you have agreed on an individual, please send the name of your representative.

If you have any further questions, please contact me.

Sincerely,

Michael R. Moehlman
Executive Director

MRM:gr

cc: City of Weeki Wachee

ATTACHMENT II

**Email from Weeki Wachee
Mayor Robyn Anderson**

Karen Phillips

From: WEEKIWEISS@aol.com
Sent: Wednesday, November 19, 2008 12:25 PM
To: Karen Phillips
Subject: Re: Withlacoochee Regional Planning Council (WRPC) Board Municipal Representa...

Karen,

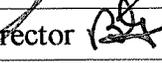
The City of Weeki Wachee would like for the City of Brooksville to send a representative on our behalf. Thank you.

Robyn Anderson
General Manager

Weeki Wachee Springs, The Only City of live Mermaids

One site has it all. Your email accounts, your social networks, and the things you love. **Try the new AOL.com today!**

MEMORANDUM

		ORO. No. 771
To:	Honorable Mayor and City Council	
From:	T. Jennene Norman-Vacha, City Manager 	
Via:	Bill Geiger, Community Development Director 	
Subject:	Amendment to the Code of Ordinances providing for the governing body to hear and decide on all Special Exception Use Permit Petitions	
Petitioner:	City of Brooksville	
Location:	Regulation would apply citywide to all Special Exception Use (SEU) permit petitions.	
Date:	November 19, 2008 (First Reading scheduled for December 1, 2008)	

Introduction & Background Information: At the October 20, 2008 meeting, the city council concurred that all Special Exception Use permit petitions should be presented to the governing body to hear and decide after being reviewed by and receiving a recommendation from the planning and zoning commission. Subsequently, the city manager directed staff to prepare an ordinance that would effect the change in policy.

Regulatory Framework: The current City code provides for the planning and zoning commission to hear and decide all Special Exception Use permit applications. The ordinance attached to this memorandum provides the regulatory framework to effect the desired change for the city council to hear and decide on the final disposition for all SEU permit petitions.

Budget Impact: Some additional financial impact will be incurred in staff time for processing the petitions. The monetary impact will vary depending on the volume and complexity of petitions received.

Legal Review: The City Attorney has reviewed and approved the draft ordinance for legal sufficiency.

Staff Recommendation: Approve the first reading of the proposed ordinance.

- Attachments: 1) October 20, 2008 excerpt from the City Council Meeting Minutes.
2) Draft Ordinance providing for the City Council to hear and decide on SEU permit petitions.

REGULAR COUNCIL MEETING AGENDA - OCTOBER 20, 2008

Minutes Excerpt.....

Special Exceptions

Council Member Bradburn, concerning special exceptions, reiterated that she feels all special exceptions should come to Council rather than P&Z for final say. Council concurred.

DRAFT

ORDINANCE NO. 771

AN ORDINANCE AMENDING THE CODE OF THE CITY OF BROOKSVILLE, FLORIDA TO PROVIDE FOR THE GOVERNING BODY TO HEAR AND DECIDE ALL SPECIAL EXCEPTION USE PETITIONS AFTER REVIEW BY THE PLANNING AND ZONING COMMISSION; AMENDING CHAPTER 101, SUBPART B, LAND DEVELOPMENT CODE, GENERAL AND ADMINISTRATIVE, ARTICLE II, SECTION 101-36, ADDITIONAL FUNCTIONS OF PLANNING AND ZONING COMMISSION; AMENDING CHAPTER 117, MANUFACTURED HOMES AND TRAILERS, ARTICLE II. TRAVEL TRAILERS, MOTOR HOMES, RECREATIONAL VEHICLES AND TRAILER PARKS AND CAMPGROUNDS, DIVISION 2. TRAILER PARKS, SUBDIVISION II, SPECIFIC LAND USE REGULATIONS, SECTION 117-71. SPECIFIC EXCEPTION USE REQUIREMENT; AND AMENDING CHAPTER 137, ZONING AND LAND USE, ARTICLE II ADMINISTRATION AND ENFORCEMENT, SECTION 137-43, ADDITIONAL DUTIES OF PLANNING AND ZONING COMMISSION; PROVIDING FOR CODIFICATION, CONFLICTS, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, the City of Brooksville enacted Ordinance No. 629 on December 17, 2001 establishing the provisions of Code Section 101-36 Additional functions of planning and zoning commission; and,

WHEREAS, the City of Brooksville enacted Ordinance No. 645 on October 21, 2002 establishing the provisions of Code Section 117-71 Specific exception use requirements; and,

WHEREAS, the City of Brooksville enacted Ordinance No. 562 on May 20, 1996, Ordinance No. 562A on March 3, 1997, and Ordinance No. 562B on January 5, 1998 establishing the provisions of Code Section 137-43 Additional Duties of Planning and Zoning Commission; and,

WHEREAS, under Section 101-36, Section 117-71 and Section 137-43, the planning and zoning commission has authority to hear and

approve special exception use petitions; and,

WHEREAS, at its October 20, 2008 meeting, the City Council of the City of Brooksville, Florida expressed its desire to amend its Code of Ordinances, relating to special exception use petitions.

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

SECTION 1. Section 101-36(a) Additional functions of planning and zoning commission, powers and duties, of Subpart B, Land Development Code, Chapter 101, "General and Administrative", Article II, Planning and Zoning Commission shall be amended to read as follows:

Sec. 101-36. Additional functions of planning and zoning commission.

(a) Powers and duties. The planning and zoning commission shall have all the powers and duties set forth in the city Code and, with the exclusion of special exceptions, shall hear and decide on the following: items delineated in this section. Special exception use permit applications shall be heard by the planning and zoning commission and recommendations regarding such requests shall be provided to the governing body for review and final action.

SECTION 2. Section 117-71 Specific exception use requirement of Chapter 117, "Manufactured Homes and Trailers", Article II Travel Trailers, Motor Homes, Recreational Vehicles and Trailer Parks and Campgrounds, Division 2. Trailer Parks, Subdivision II. Specific Land Use Regulations, shall be amended to read as follows:

Subdivision II. Specific Land Use Regulations

Sec. 117-71. Specific exception use requirement.

Travel trailer parks may be permitted only in those zoning districts where outdoor commercial amusement establishments are designed as a special exception use under this chapter after review and recommendations by the planning and zoning commission have been forwarded to the governing body and then only if the proposed travel trailer park is approved as a special exception use by the ~~commission~~ governing body in accordance with the provisions of this chapter. All travel trailer parks shall conform ~~with~~ to all applicable regulations of the appropriate regulatory agency and shall conform ~~with~~ to all applicable provisions of this chapter.

SECTION 3. Section 137-43(a)(2) and Section 137-43(b) Additional duties of planning and zoning commission of Chapter 137, "Zoning and Land Use", Article II. Administration and Enforcement, shall be amended to read as follows:

Sec. 137-43. Additional duties of planning and zoning commission.

(a) *Generally.* The commission shall have the following additional powers and duties:

(2) To hear and ~~decide~~ make recommendations to the governing body on all special exception petitions to the land use/zoning regulations of the city.

(b) *Decision of the commission.* In the exercise of its powers and duties, the commission shall have all of the powers of the administrative official. The concurring vote of a majority of the commission shall be required to approve a variance ~~or special exception~~ request. Written confirmation of the decision of the commission shall be mailed to the applicant within two business days of the hearing on such decision.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or application hereof, is for any reason held invalid, unlawful or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. CONFLICTS AND REPEALER. All ordinances or parts thereof in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 6. AMENDMENT TO CODE. This Ordinance shall be and become a part of the Code of the City of Brooksville, Florida, to amend "Subpart B, Land Development Code", Chapter 101, Chapter 117, "Manufactured Homes and Trailers" and Chapter 137, "Zoning and Land Use" as directed herein.

SECTION 7. CODIFICATION. It is the intention of the City Council of the City of Brooksville that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the City of Brooksville, Florida and the word "ordinance," or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of the ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that

Sections 4, 5, 6, and 7 shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

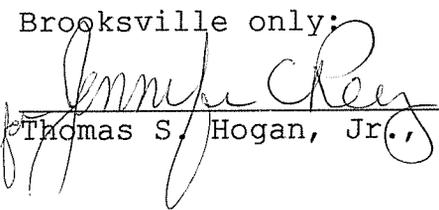
SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption by the Brooksville City Council.

CITY OF BROOKSVILLE

Attest: _____
Karen M. Phillips, City Clerk

By: _____
David Pugh, Mayor

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

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


Thomas S. Hogan, Jr., City Attorney

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



**AGENDA ITEM
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL
VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER
FROM: EMORY PIERCE, DIRECTOR OF PUBLIC WORKS
SUBJECT: SHERIFF'S OFFICE EXPANSION- REQUEST FOR FEE WAIVER
DATE: NOVEMBER 13, 2008

[Handwritten signatures: T. Jennene Norman-Vacha and Emory Pierce]

GENERAL SUMMARY: The Hernando County Sheriff's Office is planning an addition to its existing offices at 18900 Cortez Boulevard. Based on current proposed plans that have been submitted to the City's Building Division, the addition is for approximately 600 square feet of office area and 5,304 square feet of storage. The following is a breakdown of the primary fees associated with the addition:

Permit Fees	\$2,965.28
Impact Fees	\$5, 841.30
Water Impact/Connection Fees	\$ 450.24
Sewer Impact/Connection Fees	\$1,089.00
<u>Total Fees</u>	<u>\$10,345.82</u>

The Sheriff has requested that the City Council waive the water impact/connection fees (\$450.24) and sewer impact/connection fees (\$1,089.00) associated with the planned addition. The Sheriff seeks a total fee waiver request in the amount of \$1,539.24.

City Code does not provide for or allow for waiving these fees. In addition, the City is bound by a bond covenant that prohibits the City from providing free services. Specifically, Article III, Section 3.4 (M) No Free Services of the Water and Sewer Revenue Bonds dated December 3, 1999 states, "The Issuer will not render or cause to be rendered any free services of any nature by its Facilities, nor will any preferential Rates be established for users of the same class; and if the Issuer shall avail itself of the facilities or services provided by the Facilities , or any part thereof, then the same Rates applicable to other customers receiving like service under similar circumstances shall be charged to the Issuer. Such charges shall be paid as they accrue, and the Issuer shall transfer from its general funds and deposit to the Revenue Fund sufficient sums to pay such charges."

These restrictions require that in the event the City approves a fee waiver request and decides not to assess the impact/connection fee, the City must allocate and transfer funds from within the

City's General Fund to the Water and Sewer Connection Fees Fund to pay the fee on behalf of the entity requesting the fee waiver.

BUDGET IMPACT: Should the Council grant the Sheriff's request, it would need to authorize a budget amendment to allocate and transfer the amount of \$1,539.24 from the City's General Fund (001) to the Water Connection Fee Fund (407) in the amount of \$450.24 and to the Sewer Connection Fee Fund (408) in the amount of \$1089.00.

LEGAL REVIEW: City Council has the legislative authority to make decisions on items that impact the budget; however, such decisions must be made in compliance with bond covenants associated with the water and sewer funds.

STAFF RECOMMENDATION: Staff seeks direction from Council as to whether it desires to waive the impact/connection fees in the amount of \$1,539.24; and if said waiver is granted, City Council must authorize a budget amendment to allocate and transfer funds in the appropriate amount from the City's General Fund (001) to the Water Connection Fee Fund (407) and to the Sewer Connection Fee Fund (408).

ATTACHMENT: Letter from Sheriff's Office Legal Counsel



Hernando County Sheriff's Office

A STATE ACCREDITED LAW ENFORCEMENT AGENCY

November 14, 2008

Attorney Jennifer C. Rey
Post Office Box 485
Brooksville, FL 34605

Dear Ms. Rey:

It was a pleasure to meet with you and Attorney Thomas Hogan this week. I am writing to renew the request previously made to the City of Brooksville to not charge the Sheriff's Office for the water and sewer connection fees for recent additions to our existing offices.

I hope members of the City Council will consider the request reasonable due to the services currently provided to the City by the Sheriff's Office at no charge, e.g. dispatch of fire and police, and assistance of specialty units such as forensics.

The Sheriff's Office would still be responsible for paying the cost of permit fees and impact fees.

Sincerely,

A handwritten signature in cursive script that reads "Janet L. Andersen".

Janet L. Andersen
Legal Counsel

SCANNED



MEMORANDUM

To:	Honorable Mayor & City Council Members
Via:	T. Jennene Norman-Vacha, City Manager <i>T. Jennene Norman-Vacha</i>
From:	Bill Geiger, Community Development Director <i>Bill Geiger</i>
Subject:	Resolution to Amend the Permitting, Inspection, Administrative & Development Fee Schedule RESOL. NO. 2008-20
Date:	November 19, 2008

GENERAL INFORMATION

The City adopted the Hernando County Building Division Fee schedule on July 17, 2006, via Resolution No. 2006-18. These fees have not changed since January 2003, and are no longer adequate to cover the increased cost of providing the services.

Starting on October 2, 2006, the City contracted with PDCS, LLC to provide building division services to our community. The company maintains a full-time business operation that provides a high level of service to our citizens and the building industry (a summary of the services and overhead associated with providing building division services is attached to this memorandum). Contractually, the Company receives 80% of the fees collected for the services they provide. The current fee schedule is very low by industry standards and, as previously noted, does not cover the current costs of providing the services. PDCS and City staff have been reviewing the fees over the last several months, and have developed a fee schedule that is more in line with the actual costs of providing the services, and is comparable with fees charged by other communities in our region.

Primary changes to the fees include an increase to base fee amounts that range from \$25 to \$100, a modified fee per square-foot for residential development and a change in methodology for commercial development to a valuation base (previously based on a square-foot percentage). The Building Official has reviewed the proposed modifications with representatives of the Hernando County Builder's Association, and the proposed fee schedule has been modified to reflect their input.

In addition to the permitting fees, the Administrative and Development Review Fee Schedule (Pages 17-18 of Exhibit "A") is being updated to address the current costs associated with providing the referenced services.

The proposed date for the new fees to go into effect is January 1, 2009.

Fee schedule Resolution No. 2008-20 was initially presented to the city council on September 15, 2008. At that meeting, the consensus of council was that a fee increase is warranted, but directed staff to coordinate with PDCS to look into the feasibility of moving the Building Division into city hall, with the intention of reducing their overhead costs. Subsequently, the fees for services could be reduced commensurate with the reduction in the company's overhead costs. After communicating with the leaseholder over the past two months, PDCS has determined that they would not be able to vacate their current lease without substantial penalty. However, PDCS does want to relocate to city hall once their current lease expires (September 1,

2009). The savings experienced in not having to pay for lease space can be passed on as a reduction in the fees that would be charged for the services provided. At this time it is necessary to address the fees based on current costs for providing the services. The fee schedule will be evaluated annually to determine adjustments that may be made based on the cost of providing the services.

Budget Statement: Fee adjustments are required to help offset the costs of providing the listed services. The proposed fees are consistent with industry standards and are comparable with fees charged for these types of services as provided by other communities.

Legal Note: The city council has the authority to modify service fees as deemed appropriate.

Recommendation: Staff recommends city council approval of Resolution No. 2008-20.

- Enclosure(s):
1. Chandler-to-Geiger letter (11/18/2008)
 2. Resolution No. 2008-20 (Strikethrough/Underline version of Exhibit "A")
 3. Building Div. Activity Reports (Sept. 2007, Sept. 2008 & Oct. 2008)
 4. Schlereth-to-Geiger letter (11/13/2008)
 5. Comparative analysis with other cities
 5. Draft minutes from the 9/15/2008 and 10/20/2008 council meetings



Building Code
Administration and
Management Services

Main Office

5756 S. Semoran Blvd
Orlando, Florida 32822
(407) 277-9795
(407) 277-6863 fax

Branch Offices

12995 S. Cleveland Ave
Suite 212
Fort Myers, Florida 33907
(239) 936-8030
(239) 936-3720 fax

703 60th Street, Suite B
Bradenton, Florida 34208
(866) 440-PDCS
(941) 847-0972 fax

25 E. Liberty Ave.
Brooksville, Florida 34601
(352) 544-8301
(352) 544-8306 fax

*Providing Superior
Building Code Services
to Florida's Public
Agencies*

Mr. Bill Geiger
Director of Development Services
201 Howell Avenue
Brooksville, Florida 34601

November 18, 2008

Dear Sir:

Due to stringent requirements proposed by our landlord to vacate our lease agreement PDCS has elected to remain in our current offices until such time as said lease agreement expires. That expiration date is September 1, 2009.

At that time we would look forward to relocating to City Hall and combining our resources with those of the City.

Respectfully,

Lewis O. Chandler, CBO

Cc: Joseph Selway
Mike Kraftsow
Paul Smith

RESOLUTION NO. 2008-20

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA, AMENDING THE PERMIT, INSPECTION, ADMINISTRATIVE AND DEVELOPMENT FEE SCHEDULES FOR THE BUILDING AND LAND DEVELOPMENT CODE OF THE CITY OF BROOKSVILLE, REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS INCLUDING RESOLUTION NOS 2006-18 AND 97-19, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Brooksville has adopted, in all respects, various comparable uniform standard codes relating to proper inspection activities for construction and maintenance of buildings and structures within the corporate limits of said City of Brooksville; and,

WHEREAS, the City of Brooksville adopted ORDINANCE NO.530-C, amending Chapter 4 of the City's Code of Ordinances pertaining to Building and Building Regulations, updating the standards; and,

WHEREAS, ORDINANCE NO. 530-C, ORDINANCE NO 383-A and Sections 101-56 and 105.44 of the City of Brooksville Code of Ordinances provides for the amendment of the adopted fee schedule via Resolution of the City Council; and,

WHEREAS, the City has determined that fees charged are no longer reasonable to recover the cost of service for providing building code administration, inspections and community development related services and the fees are subject to modification and/or amendment.

NOW, THEREFORE IN CONSIDERATION OF THE ABOVE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AS FOLLOWS:

SECTION 1. Fees and Charges.

That the fees and charges established by the City of Brooksville and labeled as Exhibit "A" to Resolution No. 2008-20, are hereby adopted for the implementation of Chapter 105 and applicable Sections of the Land Development Code of the City of Brooksville Code of Ordinances.

SECTION 2. Repeal of Inconsistent Documents.

All ordinances, resolutions (including Resolution Nos. 2006-19 and 97-19) or parts thereof in conflict herewith are hereby superseded and repealed to the extent of such conflict.

SECTION 3. Effective Date.

This resolution shall take effect on January 1, 2009, at 12:01 a.m.

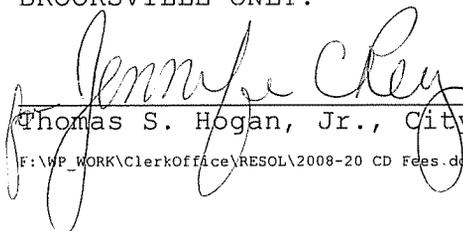
ADOPTED this ___ day of _____, 2008.

CITY OF BROOKSVILLE

By: _____ Mayor

ATTEST: _____ Karen M. Phillips, City Clerk

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


Thomas S. Hogan, Jr., City Attorney

VOTE OF CITY COUNCIL
Bernardini _____
Bradburn _____
Johnston _____
Lewis _____
Pugh _____

EXHIBIT "A" TO RESOLUTION NO. 2008-20
~~STRIKETHROUGH~~ AND UNDERLINED VERSION

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Deletions indicated by ~~strike-out~~
Additions indicated by underline

SECTION 1. ZONING & ADDRESSING

ZONING

Note: These fees are non-refundable.

A Comprehensive Zoning Review includes but is not limited to a review of land uses as it pertains to all applicable county city codes and regulations.

DESCRIPTION	FEE AMOUNT
Comprehensive Zoning Review, Residential	\$50.00 100.00
Comprehensive Zoning Review, New: Commercial / Industrial Agriculture Commercial in Excess of 1/4 Acre of Developed Area	\$300.00 + \$20.00 / Acre
Comprehensive Zoning Review: Addition, Commercial & Industrial Remodel/Alteration Temporary Use	\$100.00 250.00
Comprehensive Zoning Review: Model Home & Model Home Center (other than commercial property)	\$50.00
Flood Plain Development Permit, 50% Rule Compliance	\$25.00
Landscape Ordinance Review, Residential <i>*Note: If landscape permit is requested prior to issuance of building permit, this fee will be charged on the separate permit and on the building permit.</i>	\$45.00 75.00
Landscape Ordinance Review, Commercial <i>*Note: If landscape permit is requested prior to issuance of building permit, this fee will be charged on the separate permit and on the building permit.</i>	\$150.00 250.00 + \$10/Acre Over 2 Acres
Similarity Ordinance Review & Inspection	Category I: \$25.00 Category II: \$75.00

DEVELOPMENT REVIEW, OTHER:

Note: These fees are non-refundable, and are not credited toward the total cost of the permit. These fees are payable at the time of permit application.

Site Plan Review or Modification to Site Plan, Includes Maximum of 2 Reviews on Same Project	\$350.00
Engineering Site Plan Review or Modification to Site Plan	\$150.00
Three (3) or More Reviews on Same Project	\$250.00 Each Additional Review
Conceptual Review	\$250.00
Design Standards for Large Retail Projects Review	\$1,750.00
Enhanced Standards Ordinance Review	\$150.00 / Building
New Development Sign	\$25.00 / Sign
Project Inquiry Workshop	\$150.00

ADDRESSING:

Note: These fees are non-refundable. All addressing requirements are completed by the Hernando County Property Appraiser's Office (HCPA).

Address Assignment, At Time of Permitting	\$20.00
Address Verification, Written	\$20.00
Street Name Change and/or Naming Petition	\$300.00 + Public Works Sign Fees
Street Name Approval Review – City (Does not include HCPA fees)	\$35.00
Street Names Approved For Use	\$15.00 / Name
Street Names Reserved for Future Use (New & Renewal)	\$15.00 / Name / Year

ADDRESSING:

Note: These fees are non-refundable. All addressing requirements are completed by the Hernando County Property Appraiser's Office (HCPA).

Subdivision Reconfiguration, Replats	\$50 / Street or Road
--------------------------------------	-----------------------

SECTION 2. RESIDENTIAL/NON-COMMERCIAL BUILDING PERMIT FEES

GROUP I: ~~\$50.00~~ 75.00

Note: Group I permit fees are due at the time of application and are non-refundable.

Above Ground Swimming Pool
Air Conditioning change outs
Door/Window Change Out (Any number of same project.)
Driveway (From House to ROW Line)
Electrical Permit; <u>service upgrade, alterations and repairs</u>
Fence
Fireplace (Any Type)
Gas Permit, L. P. or Natural
Grading
Lawn Sprinkler, Residential
Mechanical Permit
Plans review
Plumbing Permit
Pool Heating System
Recreational Vehicle Permit (2-Week Maximum)
Re-stamp plans
Spa
Stemwall
Temporary power pole
Water Heater, Solar Heater or Water Heater replacement

GROUP II: ~~\$100.00~~ 150.00

Note: Group II Fees:

**Include a \$50.00 Comprehensive Zoning Review
Are Payable at the Time of Application
Are Non-Refundable*

Aluminum (Includes All Aluminum Work)*
Awnings
Boat Lift*
Deck*
Dock*
Re-roofing or Roof over, Residential
Residential Demolition (Other than Complete Structure)
Retaining Wall*
Screen enclosure, screen room or sun room
Siding, Replacement (More than 25% Total Wall Area)
Seawall*
Slab*, structural or non-structural
Storage Building, Less than 200 s. f.,* (Non-Commercial, Site Built, or 1 Piece)
<i>**Includes Applicable Plumbing and/or Electrical Fees</i>
Wood Frame (Includes Carport, Porches, Etc.)*

GROUP III: ~~\$150.00~~ 250.00

Note: Group III Fees:

*Include a \$50.00 Comprehensive Zoning Review
Are Payable at the Time of Application
Are Non-Refundable*

House or Mobile Home Move

In-Ground Swimming Pool

Mobile Home Additions

Residential Demolition, Complete Structure
(no zoning review required)

Storage Building, Over 200 s.f., to include:
Non-Commercial, Engineered Storage Building
Site Built Storage Building
Storage Building, 1 Piece
***Plumbing and/or Electrical Fees are Additional*

Travel Trailer Set-Up, 6 Month Maximum

GROUP IV: \$300.00

Note: Group IV Fees:

*Include a \$50.00 Comprehensive Zoning Review
Are Payable at the Time of Application
Are Non-Refundable*

Mobile Home Set-Up

Park Model Set-Up

Single Family Home Placement

GROUP V: Residential, 1 & 2 Family, Non-Commercial

Note: Group V Requires Comprehensive Zoning Review, Plans Review, and Other Fees as Regulated by Florida Statute and Local Ordinances

Group V Permits Require Payment of Administrative Review Fee at Time of Application. Administrative Review Fee is credited toward total permit cost, and is non-refundable.

PERMIT TYPES	FEES												
Single Family Residence, New (Includes Modular Homes) Administrative Review Fee: \$300.00 Plus	Building — \$0.10 s.f. January 1, 2003 - June 30, 2003 \$0.11 s.f. July 1, 2003 - December 31, 2003 \$0.12 s.f. January 1, 2004 Electric ————— \$0.04 s.f. of Living Area Plumbing ————— \$0.04 s.f. of Living Area Mechanical ————— \$0.04 s.f. of Living Area \$50.00 Plan Review Fee												
Residential Additions Administrative Review Fee: \$100.00 Plus	\$50.00 Comprehensive Zoning Review \$45.00 Landscape Ordinance Review \$45.00 Drainage Compliance Review \$20.00 Address Assignment/Review \$0.005/S. F. DPR Fee (F.S.468.631) \$0.005/S. F. Radon Fee (F. S. 553.721) Similarity Ordinance Review & Inspection, If Applicable (Cat.I: \$25 — Cat. II: \$75)												
Remodel & Repairs (SFR & MH) Administrative Review Fee: \$100.00 Plus	<p style="text-align: center;"><u>FEES ARE BASED ON SQUARE FOOTAGE:</u></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Footage</th> <th style="text-align: right; border-bottom: 1px solid black;">Fee</th> </tr> </thead> <tbody> <tr> <td style="border-bottom: 1px solid black;">Up to 2,500 square feet</td> <td style="text-align: right; border-bottom: 1px solid black;">\$1,450.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;">2,500 to 3,000 square feet</td> <td style="text-align: right; border-bottom: 1px solid black;">\$1,900.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;">3,001 to 4,000 square feet</td> <td style="text-align: right; border-bottom: 1px solid black;">\$2,500.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;">4,001 to 6,000 square feet</td> <td style="text-align: right; border-bottom: 1px solid black;">\$3,650.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;">6,001 square feet and larger</td> <td style="text-align: right; border-bottom: 1px solid black;">\$5,350.00</td> </tr> </tbody> </table>	Footage	Fee	Up to 2,500 square feet	\$1,450.00	2,500 to 3,000 square feet	\$1,900.00	3,001 to 4,000 square feet	\$2,500.00	4,001 to 6,000 square feet	\$3,650.00	6,001 square feet and larger	\$5,350.00
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Remodel & Repairs (SFR & MH) Administrative Review Fee: \$50.00	\$50.00 Minimum or \$.12/sq ft of Remodel/Repair Area, Whichever is Greater \$30.00 Plan Review Fee												

SECTION 3. COMMERCIAL BUILDING PERMIT FEES

Group VI - New Commercial Construction (Includes Modular Office)

Note: Group VI Requires Comprehensive Zoning Review, Plans Review, and Other Fees as Regulated by Florida Statute and Local Ordinances. Group VI Permits Require Payment of Administrative Review Fee at Time of Application

Administrative Review Fee is credited toward total permit cost, and is non-refundable.

Building Occupancy Classifications:	Fees:																								
Assembly Business Education Factory Hazardous Institution Mercantile Residential Storage	\$350.00 Development Review Fee \$150.00 Engineering Fee Building — \$0.12 PSF* Electric — 0.04 PSF* Plumbing — 0.04 PSF* Mech. — 0.04 PSF* Fire — 0.04 PSF** Plan Review 0.03 PSF** \$300 + \$20/Acre Comprehensive Zoning Fee \$0.005/s.f. DPR Fee (F.S.468.631) \$0.005/s.f. Radon Fee (F. S. 553.721) \$150 + \$10/Acre Over 2 Acres Landscape Ord Review *\$100.00 Minimum Fee (Each Trade) **\$50.00 Minimum Fee (Fire and Plan Review)																								
** Administrative Review Fee: \$600.00	Commercial, industrial, multi-family and any not previously listed are based on valuation:																								
Model Home ** Administrative Review Fee: \$300.00 * On Commercially Zoned Property Only (For Residential Property, See Single Family Residence Fees and Model Homes Conversion Fees.)	<table border="1"> <thead> <tr> <th style="text-align: center;">Valuation</th> <th style="text-align: center;">Fee</th> </tr> </thead> <tbody> <tr> <td>Up to \$2,500.00</td> <td>\$75.00</td> </tr> <tr> <td>\$2,500.01 to \$10,000.00</td> <td>\$210.00</td> </tr> <tr> <td>\$10,000.01 to \$50,000.00</td> <td>\$550.00</td> </tr> <tr> <td>\$50,000.01 to \$100,000.00</td> <td>\$875.00</td> </tr> <tr> <td>\$100,000.01 to \$250,000.00</td> <td>\$2,200.00</td> </tr> <tr> <td>\$250,000.01 to \$500,000.00</td> <td>\$4,200.00</td> </tr> <tr> <td>\$500,000.01 to \$1,000,000.00</td> <td>\$7,100.00</td> </tr> <tr> <td>Over 1 Million to 5 Million Dollars</td> <td>\$7,100.00 for the first 1 million valuation Plus \$.008 times the remaining valuation.</td> </tr> <tr> <td>Over 5 Million to 12 Million Dollars</td> <td>\$36,000.00 for the first 5 million valuation Plus \$.007 times the remaining valuation.</td> </tr> <tr> <td>Over 12 Million to 25 Million Dollars</td> <td>\$73,000.00 for the first 12 million valuation Plus \$.006 times the remaining valuation.</td> </tr> <tr> <td>Over 25 Million Dollars or Larger</td> <td>\$135,000.00 for the first 25 million valuation Plus \$.005 times the remaining valuation.</td> </tr> </tbody> </table>	Valuation	Fee	Up to \$2,500.00	\$75.00	\$2,500.01 to \$10,000.00	\$210.00	\$10,000.01 to \$50,000.00	\$550.00	\$50,000.01 to \$100,000.00	\$875.00	\$100,000.01 to \$250,000.00	\$2,200.00	\$250,000.01 to \$500,000.00	\$4,200.00	\$500,000.01 to \$1,000,000.00	\$7,100.00	Over 1 Million to 5 Million Dollars	\$7,100.00 for the first 1 million valuation Plus \$.008 times the remaining valuation.	Over 5 Million to 12 Million Dollars	\$36,000.00 for the first 5 million valuation Plus \$.007 times the remaining valuation.	Over 12 Million to 25 Million Dollars	\$73,000.00 for the first 12 million valuation Plus \$.006 times the remaining valuation.	Over 25 Million Dollars or Larger	\$135,000.00 for the first 25 million valuation Plus \$.005 times the remaining valuation.
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<u>PLAN CHECKING FEE SHALL BE EQUAL TO ONE-HALF OF THE BUILDING PERMIT FEE AS SET FORTH HEREIN. SUCH PLAN CHECKING FEE IS IN ADDITION TO THE BUILDING PERMIT FEES.</u>																									

Group VII - Additions

Note: Group VII Requires Comprehensive Zoning Review, Plans Review, and Other Fees as Regulated by Florida Statute and Local Ordinances

Group VII Permits Require Payment of Administrative Review Fee at Time of Application

Administrative Review Fee is credited toward total permit cost, and is non-refundable.

Building Occupancy Classifications:	Fees:
Assembly Business Education Factory	\$350.00 Development Review Fee \$150.00 Engineering Fee Building — \$0.12 PSF* Electric — 0.04 PSF*

Group VII - Additions

Note: Group VII Requires Comprehensive Zoning Review, Plans Review, and Other Fees as Regulated by Florida Statute and Local Ordinances

Group VII Permits Require Payment of Administrative Review Fee at Time of Application

Administrative Review Fee is credited toward total permit cost, and is non-refundable.

<p>Hazardous Institution Mercantile Residential Storage</p> <p>Administrative Review Fee: \$400.00</p> <p><u>THESE PERMIT FEES INCLUDE ALL SUB-CONTRACTORS PERMIT FEES. THE VALUATION IS TO CONFORM TO THE LATEST VALUATION TABLE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL IN THE BUILDING SAFETY MAGAZINE.</u></p> <p><u>PLAN CHECKING FEE SHALL BE EQUAL TO ONE-HALF OF THE BUILDING PERMIT FEE AS SET FORTH HEREIN. SUCH PLAN CHECKING FEE IS IN ADDITION TO THE BUILDING PERMIT FEES.</u></p>	<p>Plumbing ——— 0.04 PSF*</p> <p>Mech. ——— 0.04 PSF*</p> <p>Fire ——— 0.04 PSF**</p> <p>Plan Review — 0.03 PSF***</p> <p>\$300 + \$20/Acre Comprehensive Zoning Fee</p> <p>\$0.005/s.f. DPR Fee (F.S.468.631)</p> <p>\$0.005/s.f. Radon Fee (F. S. 553.721)</p> <p>\$150 + \$10/Acre Landscape Ord Review</p> <p>*\$100.00 Minimum Fee (Each Trade)</p> <p>***\$50.00 Minimum Fee (Fire and Plan Review)</p> <p><u>Commercial, industrial, multi-family and any not previously listed are based on valuation:</u></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;"><u>Valuation</u></th> <th style="text-align: center;"><u>Fee</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Up to \$2,500.00</td> <td style="text-align: center;">\$75.00</td> </tr> <tr> <td style="text-align: center;">\$2,500.01 to \$10,000.00</td> <td style="text-align: center;">\$210.00</td> </tr> <tr> <td style="text-align: center;">\$10,000.01 to \$50,000.00</td> <td style="text-align: center;">\$550.00</td> </tr> <tr> <td style="text-align: center;">\$50,000.01 to \$100,000.00</td> <td style="text-align: center;">\$875.00</td> </tr> <tr> <td style="text-align: center;">\$100,000.01 to \$250,000.00</td> <td style="text-align: center;">\$2,200.00</td> </tr> <tr> <td style="text-align: center;">\$250,000.01 to \$500,000.00</td> <td style="text-align: center;">\$4,200.00</td> </tr> <tr> <td style="text-align: center;">\$500,000.01 to \$1,000,000.00</td> <td style="text-align: center;">\$7,100.00</td> </tr> </tbody> </table> <p><u>Over 1 Million to 5 Million Dollars \$7,100.00 for the first 1 million valuation Plus \$.008 times the remaining valuation.</u></p> <p><u>Over 5 Million to 12 Million Dollars \$36,000.00 for the first 5 million valuation Plus \$.007 times the remaining valuation.</u></p> <p><u>Over 12 Million to 25 Million Dollars \$73,000.00 for the first 12 million valuation Plus \$.005 times the remaining valuation</u></p> <p><u>Over 25 Million Dollars or Larger - \$135,000.00 for the first 25 million valuation Plus \$.005 times the remaining valuation</u></p>	<u>Valuation</u>	<u>Fee</u>	Up to \$2,500.00	\$75.00	\$2,500.01 to \$10,000.00	\$210.00	\$10,000.01 to \$50,000.00	\$550.00	\$50,000.01 to \$100,000.00	\$875.00	\$100,000.01 to \$250,000.00	\$2,200.00	\$250,000.01 to \$500,000.00	\$4,200.00	\$500,000.01 to \$1,000,000.00	\$7,100.00
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GROUP VIII

COMMERCIAL REMODEL / ALTERATIONS

Note: Group VIII Requires Comprehensive Zoning Review, Plans Review, and Other Fees as Regulated by Florida Statute and Local Ordinances

Group VIII Permits Require Payment of Administrative Review Fee at Time of Application

Administrative Review Fee is credited toward total permit cost, and is non-refundable.

<p>Building</p> <p>Electrical</p> <p>Mechanical</p> <p>Plumbing</p> <p>Fire</p> <p>Administrative Review Fee: \$100.00</p>	<p>\$0.12 / Sq. Ft. (\$100.00 Minimum)</p> <p>\$0.04 / Sq. Ft. (\$50 Minimum)</p> <p>\$0.03 / Sq / Ft. Plan Review Fee (\$50 Minimum)</p> <p>\$100.00 <u>250.00</u> Comprehensive Zoning Fee, If Applicable</p>
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**GROUP VIII
COMMERCIAL REMODEL / ALTERATIONS**

Note: Group VIII Requires Comprehensive Zoning Review, Plans Review, and Other Fees as Regulated by Florida Statute and Local Ordinances

*Group VIII Permits Require Payment of Administrative Review Fee at Time of Application
Administrative Review Fee is credited toward total permit cost, and is non-refundable.*

<u>Valuation</u>	<u>Application Fee</u>
Up to \$2,500.00	\$75.00
\$2,500.01 to \$10,000.00	\$210.00
\$10,000.01 to \$50,000.00	\$340.00
\$50,000.01 to \$100,000.00	\$460.00
\$100,000.01 to \$250,000.00	\$900.00
<u>\$250,000.01 or higher is 25% of the approximate permit fee.</u>	

**Note: Only fees consistent with work being done will be charged on remodel and alterations.*

OTHER COMMERCIAL PERMIT FEES

These permit fees are payable at the time of application and are non-refundable.

DEMOLITION, COMMERCIAL	\$150.00 <u>300.00</u>
DOCK , Concrete or Wood Pilings	\$75.00 <u>150.00</u>
ELECTRICAL	
Service Change	\$50.00
New Circuit Installation	\$50.00 + \$15.00/Circuit Over 3 Circuits
New Service Installation (Limit 3 Circuits)	\$75.00 <u>100.00</u>
Parking Lot Lighting	\$150.00
Lift Stations / Sump Pump	\$20.00 <u>50.00</u> Inspection Fee
FIRE	
Fire Alarm, New or Alteration	\$40.00 <u>100.00</u> up to 3 Devices \$80.00 <u>200.00</u> Over 3 Devices
Fire Hood System	\$100.00 <u>200.00</u>
Fire Suppression System	\$100.00 <u>200.00</u>
Fire Sprinkler System Alterations	\$150.00 Per Test
Fire Sprinkler System, New	
Up to 48 Heads	\$150.00 Per Test, 2 Test Minimum
49 Heads & Over	\$0.04 6 / s.f.
FOUNDATION PERMIT (Cost Not Credited to Full Bld Permit)	20% of Applicable Permit Fee
GAS	
Piping, Tanks, New Appliances (Individually or Any Combination)	\$75.00
Dispenser Unit (Includes Electric & Fire)	\$100.00
LAWN SPRINKLER, COMMERCIAL	\$150.00
MECHANICAL	
Condenser or Air Handler Changeout	\$ 50.00 <u>100.00</u> Up to 5 Tons Total \$100.00 <u>250.00</u> Over 5 Tons Total
Add or Replace Ductwork	\$ 50.00 Up to 5 Drops \$100.00 Over 5 Drops
Refrigeration Installation	\$100.00 Under 10 Tons \$200.00 <u>250.00</u> Over 10 Tons
RETAINING WALL	\$0.50 <u>1.00</u> /Linear Foot (\$50 Minimum)
RE-ROOF, COMMERCIAL	
Up to 5,000 S. F.	\$200.00
Over 5,000 S. F.	\$350.00
SEAWALL	\$0.50 <u>1.00</u> /Linear Foot (\$50 Minimum)
SEWER	\$50.00 <u>75.00</u>
SIGNS	
Onsite or Offsite	Fee Per Sign:
Up to 150 98 sq. ft.	\$100.00 + \$50.00 Elec, if applicable
Over 150 sq. ft.	\$150.00 + \$50.00 Elec, if applicable
Wall Sign	\$75.00 for 1 st Sign + \$25 Ea. Additional Sign @ Same Location + \$50.00 Elec, if applicable

OTHER COMMERCIAL PERMIT FEES

These permit fees are payable at the time of application and are non-refundable.

SOLAR SYSTEM	\$100.00
SPA (Under 200 Gallons, Includes Elec & Plbg)	\$100.00
SWIMMING POOL (Includes Elec & Plbg)	\$200.00 300.00 \$100.00 Comprehensive Zoning Review
TOWERS	
Communication Tower	\$300.00 500.00 (Includes Comprehensive Zoning Review, Addressing, Electric and Fire Insps) \$350.00 Development Review Fee \$150.00 Engineering Fee
Tower Co-Location	\$200.00 (Includes Comprehensive Zoning Review, Addressing, Electric and Fire Inspections)

ADMINISTRATIVE COMMERCIAL PERMIT FEES

These fees are payable at the time of permit application and are non-refundable.

CERTIFICATE OF USE	\$100.00 + \$50.00 75.00 Electric, If Applicable
TEMPORARY USE	\$100.00
TENTS <u>Tents or temporary structures not associated with construction activity are only allowed as temporary use structures and are permitted through the Community Development Department with City Manager approval only.</u>	\$200.00 + \$50.00 Elec, if applicable <i>Note: Fees Include Comprehensive Zoning Review</i>
LAND CLEARING / SITE ALTERATION (Not in Conjunction with Building Permit or Application)	\$250.00
PARKING LOT	\$100.00 Permit Fee \$350.00 Development Review Fee \$150.00 + \$10/Acre Over 2 Acres Landscape Review Fee
TEMPORARY LAND USE	\$100.00
TENTS <u>Tents are only allowed as temporary use structures and are permitted through the Community Development Department with City Manager approval.</u>	\$200.00 + \$50.00 Elec, if applicable <i>Note: Fees Include Comprehensive Zoning Review</i>
LAND CLEARING/SITE ALTERATION (Not in Conjunction with Building permit or Application)	\$250.00 + Applicable permit or mitigation fees
PARKING LOT	\$100.00 Permit Fee \$350.00 Development Review Fee \$150.00 + \$10/Acre Over 2 Acres Landscape Review Fee

SECTION 4. CONTRACTOR LICENSING

CERTIFICATE OF COMPETENCY CONTRACTOR LICENSE REGISTRATION FEES	
Bi-Annual City Registration Fee	\$75.00
Bi-Annual File Maintenance Fee (State Certified Contractors)	\$75.00
Registration Reactivation	\$75.00
Application Fee (Non-Refundable)	\$50.00
Issuance and Renewal Fee, Annual	\$100.00 / Year
Inactive Certificate of Competency Registration	50% of Issuance/Renewal Fee
Late Renewal Penalty	50% of Renewal Fee (This is in addition to regular renewal fee.)
Reactivation Fee (Inactive to Active)	Renewal Fee
Certificate of Authority	\$75.00
Replacement / Duplicate Card	\$75.00
Special Examination Fee	\$150.00 + Testing Firm Costs
Competency Exam Fee for Permit Applicant	\$20.00 + Testing Firm Costs

OTHER CONTRACTOR LICENSING FEES	
Bi-Annual County City Registration Fee	\$75.00
Bi-Annual File Maintenance Fee (State Certified Contractors)	\$75.00
Registration Reactivation	\$75.00
Change of Status (Other than from Inactive to Active)	\$75.00
Letter of Reciprocity	\$75.00

FINES & PENALTIES		
Failure to Possess or Have Readily Accessible Proof of Being Duly Licensed	First Offense	\$50.00
	Second Offense	\$250.00
	Third and Repeat Offense	\$500.00
Failure to Obtain Required Permit Prior to Commencement of Work	First Offense	\$250.00
	Second Offense	\$500.00
	Repeat Offense	\$500.00 And/or
	Disciplinary Action and Sanctions Pursuant to Construction Licensing Ordinance, to Include but Not Be Limited to Stipulation And/or Board Action and Applicable Penalties.	
Failure to Obtain Inspections	First Offense	\$500.00
	Repeat Offense	\$500.00 And/or
	Disciplinary Action and Sanctions Pursuant to Construction Licensing Ordinance, to Include but Not Be Limited to Stipulation And/or Board Action and Applicable Penalties.	
Violate Stop Work Order	First Offense	\$500.00
	Repeat Offense	\$500.00 And/or
	Disciplinary Action and Sanctions Pursuant to Construction Licensing Ordinance, to Include but Not Be Limited to Stipulation And/or Board Action	

FINES & PENALTIES

FINES & PENALTIES	
	and Applicable Penalties.
Violation of Adopted Board Rules	As Adopted and Established in Board Rules (Maximum \$500 If by Citation)
Violation of Stipulation	\$500.00
Failure to Contain Trash (Outside Property Lines)	First Offense \$50.00 Second Offense \$250.00 Third and Repeat Offense \$500.00
Burial of Debris	\$500.00
Illegal Removal of Protected or Regulated Tree	\$500.00 and/or Penalties as Established by Hernando County <u>City of Brooksville</u> Landscape Ordinance
Failure to Comply with Tree Mitigation Order	\$500.00 and Mandatory Hearing before <u>Special Master Hearing Officer</u>
Failure to Comply with Landscape Ordinance	First Offense \$50.00 Second Offense \$250.00 Third and Repeat Offense \$500.00
Material Code Violation*	First Offense \$1,000.00 Second Offense \$2,000.00 Third & Repeat Offense \$3,000.00
*Upon a determination of the building official or his/her designee that a licensee, certificate holder, or registrant licensed under chapter 455, chapter 471, chapter 481, chapter 489, <u>Florida Statutes</u> or Hernando County Construction Code , has committed a material violation of the Florida Building Code and failed to correct the violation within a reasonable time, a fine shall be imposed of no less than \$500 and no more than \$5,000 per material violation. The established fine schedule is a guideline and the Building Official or his/her designee may consider aggravating or mitigating circumstances relative to the particular violation for the purpose of imposing a fine other than the above schedule but no less than \$500 and no more than \$5000. (Specific Authority s 553.781)	
Failure to Properly Mark Vehicle Utilized for Construction Related Purposes	First Offense \$50.00 Second Offense \$250.00 Third & Repeated Offense \$500.00 A n d / o r Disciplinary Action and Sanctions Pursuant to Construction Licensing Ordinance, to Include but Not Be Limited to Stipulation And/or Board Action and Applicable Penalties.
Investigative Cost	No. of Investigative Man Hours x \$75.00 per hour
Legal Costs / <u>Special Master Code Enforcement and Citation Appeals Hearing Officer ("Hearing Officer")</u>	No. of Billed Legal Hours or Estimate of Legal Time x \$225.00/Hr. (Maximum) \$200.00 per hour + Direct Costs + Administrative Costs + \$200.00 minimum for scheduled or cancelled hearings.
Unlicensed Contractor Citation	\$500.00 All Offenses
Tenant vs. Landlord Unsafe Building Service Request (Includes Multi-Trade Scheduled Inspection and Report)	\$175.00

SECTION 5. MINING

MINING FEES	
Annual Inspection	\$425.00
Blasting Fee	\$50 / Blast or \$10,000 / Year
Excavation Permit	\$500.00
Master Mining Plan Approval (MAMPA)	\$2.00/ Acre or \$1,500 Minimum
Mining Operation Plan Approval (MOPA)	\$50 / Acre or \$2,000 Minimum

SECTION 6. ADMINISTRATIVE FEE SCHEDULE

ADMINISTRATIVE REVIEW FEES

Administrative Review Fees are payable at the time of application. The fee is credited toward the total permit cost, and is non-refundable.

Single Family Residence, New (Includes Modular Homes)	\$300.00
Residential Additions	\$100.00
Remodel & Repairs (SFR & MH)	\$ 50.00
New Commercial Construction	\$600.00
Model Home	\$300.00
Commercial Additions	\$400.00
Commercial Remodel/Alterations	\$100.00

ADMINISTRATIVE APPEALS

Note: Administrative Costs are costs associated with, but not limited to, the preparation of the following administrative functions: certified mailing, notice of public hearing, notice of intent, and are calculated at a rate of \$75/hour (1 hour minimum).

Administrative Costs	\$75/Hour (1 Hour Minimum)
Appeals of Administrative Decisions (Zoning)	\$100.00 + Administrative Costs
Appeals of Planning and Zoning Commission Decisions	\$500.00 + Administrative Costs
Conditional Use Permits	\$100.00 + Administrative Costs
Conditional Use Permit Applications - Administrative	\$100.00 + Administrative Costs
Administrative Variances	\$150.00 + Administrative Costs
Variances Requiring Board Action	\$250.00 + Administrative Costs
Administrative Easement Vacation	\$150.00 + Administrative Costs
Majestic or Specimen Tree Removal Appeal	\$ 50.00 + Administrative Costs
Appeal to Impact Fee Committee	\$150.00 + Administrative Costs
Appeal to Construction Board of Adjustments & Appeals	\$500.00
Appeal to Consumer Review Panel / Probable Cause Panel	\$150.00

ADMINISTRATIVE AND DEVELOPMENT REVIEW FEE SCHEDULE
ALSO FEES HAVE BEEN INCORPORATED FROM CITY OF BROOKSVILLE
***RESOLUTION 97-19**

*A. ZONING:	
*Appeals of Administrative Decisions	\$50.00-\$100.00 + Administrative Costs
*Conditional Use Permits	\$50.00 \$100.00 + Administrative Costs
*Conditional Use Permit Applications, Administrative	\$50.00 \$100.00 + Administrative Costs
*Variances Requiring Board Action	\$150.00 \$250.00 + Administrative Costs
*Variances/Deviations, Administrative	\$150.00 + Administrative Costs
*Appeals to Board of Adjustment & Appeals City Council	\$500.00 + Administrative Costs
*Appeals to Construction Board of Adjustment & Appeals	\$200.00

ADMINISTRATIVE AND DEVELOPMENT REVIEW FEE SCHEDULE
ALSO FEES HAVE BEEN INCORPORATED FROM CITY OF BROOKSVILLE
***RESOLUTION 97-19**

*Zoning Permit Fees	
*a. Research & Review (written Request)	\$10.00 \$20.00
*b. Single-Family, Two-Family, Residential	
*Additions & Accessory Structures	\$20.00 \$30.00
*c. Residential Zoning Permits	\$20.00 \$30.00
*d. Commercial (New)	\$400.00 + \$20.00/acre \$300.00 + \$20.00/acre
*e. Industrial (New)	\$400.00 + \$20.00/acre \$300.00 + \$20.00/acre
*f. Commercial Land Use	\$100.00 \$200.00
*Rezoning to Residential	\$250.00 350.00 + \$2.00/acre + Administrative Costs
*Rezoning to Non-Residential	\$250.00 350.00 + \$2.00/acre + Administrative Costs
*Rezoning to PDP with Master Plan/Approval of Special	
*Exception Use PDP Master Plan	
*a. One (1) use:	\$250.00 \$350.00 + \$2.00/acre + Administrative Costs
*b. Two (2) or more uses:	\$350.00 \$450.00 + \$2.00/acre + Administrative Costs
*Special Exception Use Permit Applications:	
*a. For all special exception uses, except (b) and (c) below:	\$200.00 \$350.00 + Administrative Costs
*b. For Home Occupations	\$125.00 \$225.00 + Administrative Costs
*c. As listed in Commercial, Agricultural, Commercial Industrial Storage and Industrial Zoning Districts	\$250.00 \$350.00 + Administrative Costs
*B. SUBDIVISIONS:	
*Conditional Approval of Master Development Plan	\$250.00 \$350.00 + \$2.00/lot
*Construction Plan Approval	\$250.00 \$350.00 + \$5.00/lot
*Preliminary Plat	\$350.00 + \$2.00/lot
*Final Plat	\$250.00 \$350.00 + \$2.00/lot
*Vacations	\$100.00 \$150.00 + Administrative Costs
*Right-of-Way Use Permits	\$10.00 \$25.00 Plus
*a. Underground Cable	\$1.00 per 100 l.f.
*b. Poles	\$2.00 each
*c. Paved Pavement Cuts	\$100.00
*d. unpaved Pavement Cuts	\$ 25.00
*e. Jack and Bore	\$ 25.00
* Driveway Permits	\$10.00 \$25.00
*C. COMPREHENSIVE PLAN AMENDMENTS	
*1. Text Amendments	\$500.00 \$750.00 + Administrative Costs - Large Scale
*2. Map Amendments	\$500.00 \$750.00 + Administrative Costs

<u>*D. DEVELOPMENT OF REGIONAL IMPACT (D.R.I.)</u> <u>*1. Local Review</u> <u>*2. Substantial Deviation Determinations</u>	<u>\$5,000.00 deposit; cost to be actual cost of review, including staff and consultants.</u> <u>\$500.00 + Administrative Costs</u>
<u>*E. CERTIFICATES OF CONCURRENCY</u>	<u>\$75.00 \$100.00</u>
<u>*F. ADMINISTRATIVE COSTS:</u> <u>*Mailing Notice of Hearing</u> <u>*Subscription Mailings</u> <u>*Advertising</u>	<u>\$.50 1.00 + postage per letter (Certified, returned receipt requested)</u> <u>\$ 1.00-2.00 + postage per letter</u> <u>Actual cost</u>

PERMITTING / PLAN REVIEW

Builder Changing Sub-Contractor After Construction in that Trade has been Started (Does not include plan review or alterations, if required.)	\$ 50.00
Change of Main Contractor on Issued Permit (Includes Owner/Builder to Contractor)	\$ 125.00
Change of Qualifier on Issued Permit	\$ 125.00
Reactivate an Invalid Permit	\$ 50.00
Extension Letter (Includes Permit Extension, Application Extension)	\$ 50.00
Stamp Additional Plans, Residential	\$ 25.00 / Set
Alteration of Approved Residential Building or Site Plans	\$ 50.00 Minimum or See Single Family Residence Fees
Review of Residential A/C plans, Manual J, MIS, and Energy Form, if applicable, Submitted by a Mechanical Contractor Other Than Original Contractor	\$ 50.00
Alteration of Approved Commercial Building or Site Plans	\$100.00 / Trade / Review
Duplicate Permit Card	\$ 15.00
Duplicate Plans, Certified Copy	\$ 5.00 / Page, 24 x 36 \$10.00 / Page, 36 x 48 or Larger
Priority Permit Review	\$200.00

INSPECTIONS / RE-INSPECTIONS

Additional / Partial Inspections	\$30.00 50.00 / Inspection
After Hours Inspection	\$150.00 / Inspector / Trip, Up to 2 Hrs. + \$75.00 / Hour or Portion thereof over 2 Hrs.
Emergency Non-Scheduled Inspection	\$100.00
Damage Assessment Inspection, Pre-Construction *Fee will be added to the cost of the permit	\$ 50.00
Inspection Fee	\$ 20.00 / Inspection
Notice of Commencement Not Posted	\$ 50.00
Pre-Inspection of Existing Commercial Building Prior to Permitting	\$200.00
Reinspection Fees	
First Reinspection	No Charge
Second Reinspection	\$ 50.00
Third Reinspection	\$100.00
Specific Time Schedule Inspection	\$ 75.00

OTHER ADMINISTRATIVE FEES

Annual Subscription to Department Reports/Agendas/Distribution Memos	\$25.00
Copies, Standard	Refer to BCC Policy for Photocopies <u>City of Brooksville Resolution Number 2007-12 as amended for Photocopies</u>
Copies, 11 x 17	\$.30 / Page
Copies, Microfilm	\$.30 / Page
Blueprint, 24 x 36	\$5.00 / Page
Blueprint, 36 x 48 or Larger	\$10.00 / Page
Permit / Contractor Reports	\$20.00
Permit Activity by Area Report	\$75.00
Reports Downloaded from Internet (Password Required)	\$40.00
Letter of Flood Zone Information	\$30.00 / Parcel
Zoning Map	\$ 2.00 / S.F. <u>24"X36" \$25.00</u>
Zoning Research and Review, Written	\$30.00 / Parcel

SECTION 7. REFUND POLICY

A. The following fees are non-refundable:

- Administrative Costs Associated with Appeals
- Administrative Review Fees
- Zoning Fees
- Addressing Fees
- Development Review Fees
- Administrative Portion of Impact Fee

B. All refunds of issued permits will be assessed an administrative fee of 1/3 of the plan review fee.

C. All refunds must be requested in writing and submitted within ~~one year~~ six months of the permit issuance date.

D. No refund shall be granted if work has commenced or if permit has become inactive or expired.

SECTION 8. GENERAL NOTES

- ~~1. If it is substantiated that a contractor renewing his license was not notified via computer generated renewal notice or other electronic notification of a pending renewal period, the applicable late fee will be waived.~~
- 2 1. Fees calculated per square foot shall be assessed using the gross floor area, unless otherwise specified.
- 3 2. Final interpretation of method of calculation of any fee shall be resolved by the Development Department Director/Building Official or his designee.
- 4 3. Any fees not listed above as to the cost may be determined based on equivalent or similar permit types, and are subject to approval of the Building Official or his/her designee.
- 5 4. The Building Official or his designee may adjust the permit fees listed herein when it is determined that a new or additional inspection becomes necessary due to implementation of code requirements, revisions, etc. The inspection fee shall be \$20.00 per inspection.
- 6-5. The method of measurement for commercial renovation projects shall be the square footage for the entire area of the room or space upon which work is to occur. Should this calculation prove to be less than the minimum fee, the minimum shall be charged.
- 7. ~~The valuation of the job may be used to calculate the fees to be assessed when determined necessary by the Development Department Director/Building Official or his designee. The fees shall be determined as follows:~~

VALUATION	FEE
\$1,000 and less	No fee, unless inspection required, in which case a \$20.00 fee for each inspection shall be charged.
\$1,000 - \$50,000	\$15.00 for the first \$1,000 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,000 - \$100,000	\$360.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,001 - \$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00
\$500,000 - and Up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand for fraction thereof.
Plan checking fee shall be equal to one-half of the building permit fee as set forth above. Such plan-checking fee is in addition to the building permit fee.	

Deletions indicated by strike-out
Additions indicated by underline

CITY OF JOCKSVILLE
MONTHLY BUILDING DIV. ACTIVITY REPORT
PERMITS / INSPECTIONS

2007/08		OCTOBER 2008												
PERMIT VALUATIONS		OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	FY TOTAL
RESIDENTIAL		\$385,600												\$385,600
SFR														\$0
Multi-Family														\$0
Mobile Homes														\$0
Additions & Alts.		\$79,271												\$79,271
Misc. Permits		\$43,260												\$43,260
COMMERCIAL														
Structures		\$2,100,000												\$2,100,000
Additions & Alts.		\$276,000												\$276,000
Misc. Permits		\$113,791												\$113,791
DEMOLITIONS		\$19,000							\$0	\$0	\$0			\$19,000
TOTALS		\$3,016,922	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,016,922
NO. OF PERMITS ISSUED														
RESIDENTIAL		1												
SFR														0
Multi-Family - Buildings														0
# of Units														0
Mobile Homes		2												2
Additions & Alt.		15												15
COMMERCIAL														
Structures		1												1
Cert. of Use		2												2
Additions & Alt.		5												5
DEMOLITIONS		2												2
MISC. PERMITS		30												30
TOTAL PERMITS		57	0	0	0	0	0	0	0	0	0	0	0	57

CITY OF BIRMINGHAM
MONTHLY BUILDING ACTIVITY REPORT
PERMITS / INSPECTIONS

FY 2006/07

September 2007

REVENUES	OCT	NOV	DEC	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEP	FY TOTAL
Adv. Payment													\$0
Zoning	\$50	\$890	\$800	\$500	\$800	\$350	\$200	\$300	\$100	\$600	\$150	\$150	\$4,690
Gas											\$700	\$75	\$775
Plan Review	\$50	\$1,306	\$906	\$3,278	\$3,084	\$464	\$1,610	\$300	\$950	\$9,280	\$750	\$930	\$22,907
Plumbing	\$50	\$400	\$1,029	\$2,399	\$948	\$814	\$650	\$2,250	\$657	\$2,288	\$598	\$555	\$12,638
Mechanical	\$275	\$375	\$979	\$2,299	\$898	\$814	\$675	\$1,939	\$1,457	\$1,912	\$948	\$1,355	\$13,926
Electrical	\$1,600	\$100	\$1,564	\$1,849	\$993	\$1,614	\$845	\$2,694	\$1,087	\$1,512	\$598	\$655	\$15,311
Building	\$6,063	\$17,294	\$6,766	\$21,854	\$11,705	\$12,544	\$11,160	\$12,057	\$6,536	\$21,958	\$8,316	\$5,934	\$142,185
Mobile Home									\$150				\$150
Flood Zone													\$0
Contractor Reg.	\$1,300	\$1,220	\$580	\$560	\$560	\$640	\$520	\$475	\$320	\$380	\$578	\$5,250	\$12,383
Misc. Revenue			\$330	\$445	\$295	\$220	\$180	\$540	\$179	\$15			\$2,204
Total Bldg Collected	\$9,388	\$21,585	\$12,754	\$33,184	\$19,282	\$17,459	\$15,840	\$20,555	\$11,436	\$37,945	\$12,637	\$15,104	\$227,168
Impact Fees	\$9,229	\$95,228	\$27,695	\$124,177	\$57,438	\$15,733	\$18,458	\$41,879	\$18,458	\$167,568	\$36,916	\$27,687	\$640,466
Radon		\$143	\$96	\$157	\$94	\$31	\$43	\$178	\$36	\$171	\$36	\$57	\$1,042
DPR		\$143	\$96	\$157	\$94	\$31	\$43	\$178	\$36	\$171	\$36	\$57	\$1,042
Total Collected	\$9,229	\$95,514	\$27,887	\$124,591	\$57,626	\$15,795	\$18,544	\$42,235	\$18,530	\$167,910	\$36,988	\$27,802	\$642,650
Monthly Refunds		\$100	\$50										\$150
BUILDING INSPECTIONS	COMPLETED INSP.	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	FY TOTAL
Building	12	28	55	61	76	89	93	110	109	124	121	96	974
Red Tags		4	8	5	13	6	7	8	7	11	14	16	99
Plumbing	3	6	12	23	14	14	17	33	27	28	41	25	243
Red Tags		1	2	2	3	3	4	3	1	4	4	2	29
Electrical	5	21	15	24	19	23	31	38	36	31	28	37	308
Red Tags		1	2	4	4	2	3	4	3	11	5	5	44
Mechanical	1	2	3	7	5	9	28	21	20	31	19	39	183
Red Tags		1	1	1	1	2	4	2	2	4	3	4	21
L P Gas	1	2	2	5	10	4	5	6	12	16	19	12	84
Red Tags		1	1	1	2	1	1	1	1	2	2	1	11
TOTAL INSP.	22	59	87	120	124	139	172	208	204	230	228	209	1802
TOTAL Red Tags	0	6	14	12	23	14	18	18	11	32	28	28	204

**CITY OF BRYAN, TEXAS
MONTHLY BUILDING ACTIVITY REPORT
PERMITS / INSPECTIONS**

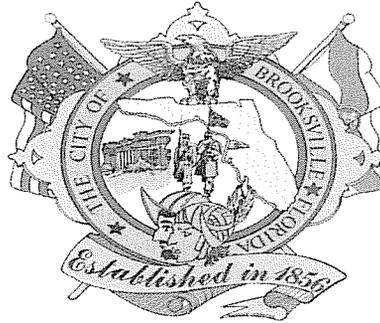
FY 2006/07

September 2007

PERMIT VALUATIONS	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	FY TOTAL
RESIDENTIAL													
SFR	\$250,000	\$3,389,080	\$453,060	\$3,449,000	\$2,618,684	\$1,615,830	\$510,000	\$1,645,205	\$799,800	\$2,506,540	\$1,334,900	\$1,218,000	\$19,790,079
Multi-Family		\$1,193,000		\$1,193,184									\$2,386,184
Mobile Homes									\$12,500	\$35,000			\$47,500
Additions & Alts.		\$53,620	\$34,160	\$632,543	\$118,620	\$525,448	\$354,211	\$923,680	\$123,249	\$499,541	\$163,000	\$208,684	\$3,636,756
Misc. Permits	\$58,539	55930	32800	60870	71630	26805	47081	61703	70290	91830	71450	27919	\$676,847
COMMERCIAL													
Structures			\$278,000	\$4,600,000	\$699,800	\$1,400,000		\$364,142		\$126,000	\$127,000		\$7,583,942
Additions & Alts.	\$92,384	\$260,890	\$52,700	\$501,550	\$691,300	\$268,049	\$146,100	\$323,942	\$60,000	\$196,704	\$50,000	\$27,491	\$2,671,110
Misc. Permits		\$40		\$17,560	\$34,900	\$12,855	\$7,580	\$19,836	\$34,614	\$23,840	\$171,000	\$14,491	\$336,716
DEMOLITIONS													
Structures		\$12,800	\$2,000		\$15,000	\$5,000		\$8,000	\$275,000				\$317,800
TOTALS	\$400,923	\$4,965,340	\$852,720	\$10,454,707	\$4,239,934	\$3,853,987	\$1,064,972	\$3,346,508	\$1,375,453	\$3,478,455	\$1,917,350	\$1,496,585	\$37,446,934
NO. OF PERMITS ISSUED													
RESIDENTIAL													
SFR	1	4	2	3	5	4	2	4	3	11	3	3	45
Multi-Family - Buildings		1		1									2
# of Units		5		5									10
Mobile Homes									1	1			2
Additions & Alt.	18	17	21	12	16	22	38	41	35	31	43	34	328
COMMERCIAL													
Structures			1	3	2	1				1	1		9
Cert. of Use				2				2	3	4			11
Additions & Alt.	3	2	1	5	3	5	3	3	7	3	2	2	39
DEMOLITIONS													
Structures	3	2	1			1		1	4			1	13
MISC. PERMITS	28	34	17	35	34	42	27	24	24	29	15	25	334
TOTAL PERMITS	53	60	43	61	60	75	70	75	77	80	64	65	783

CITY OF BROOKSVILLE

25 E LIBERTY ST.
34601



BUILDING DIVISION

PHONE: (352)544-8301
FAX: (352)544-8306

Bill Geiger
Development Services
200 Howell Avenue
Brooksville, Florida 34601

November 13, 2008

The average monthly cost to run the Brooksville Building Division is \$14,000.

Overview of Brooksville Overhead

The overhead of the Brooksville Building Division includes a number of items that are often indefinable in specific numbers. Many items are very specific in nature but not all. This is a list and explanation of some of the overhead and direct burden that is associated with our operation of the Brooksville Building Division.

- Rent for the office
- Office Supplies
- Electric bill
- Land phones
- Cell phones
- Vehicle expenses
- Vehicle insurance
- Fuel
- Employee salaries
- Salary taxes, unemployment taxes, FICA
- Employee training, licensure renewals, code books and inspection tools
- Workers compensation insurance
- Professional liability insurances
- Health insurance
- Retirement program contributions
- Engineering and Architectural support

Intangible overhead costs include additional people in the company that fill in for the Brooksville assigned personnel. Such people included replacement building officials, inspectors, and permit technicians. Further, we have on staff a plans examiner, electrical engineer, and architect to aid with the larger projects both in plans review and inspections. This group divides it's time amongst most of our clients and hence is efficient. However, still a significant cost to maintain.

Responsibilities of the Building Division

Register and maintain contractor information as required by Florida State Code. I.E. License information as well as insurance and workers compensation data. A registration card is issued to contractors that are registered in Brooksville. Currently there are 600 contractors registered in the city.

Provide state code, city code, and zoning requirements to applicants wishing to do construction work within the City of Brooksville incorporated limits.

Review all applications for construction. This includes correctness of property information and the product approval of all materials to be used. At this level the verification of all licenses is completed. Addressing is also verified when the permit application is submitted.

Review all construction drawings and engineering details before accepting the permit application for review.

Coordinate with Zoning Department when a request for new construction is submitted. This includes sheds, swimming pools, and fences.

Issue the permits after the application is approved. This requires that the Building Division must work with other agencies such as the Fire Department, Public Works, Addressing, Property Appraiser, Swift Mud, and others.

The following permits are issued by the Building Division. Building, Mechanical, Electrical, Plumbing, Gas, Sign, Demolition, Change of Use, and Occupational Use. These permits are both commercial and residential.

Inspections are required for all work done in the city. A record of the inspections is required with a follow up inspection if any fail. Permit files must be archived once all inspections are complete.

Certificates of Occupation or Completion are issued for new builds or change of use permits.

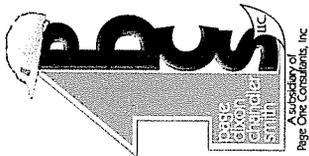
The Building Division Staff, in addition to answering phones and walk in questions by the public, spends many hours a month supporting other city departments in their day to day operations. Departments such as Code Enforcement, Fire, and Public Works.

Reports are initiated from the Building Division to different agencies and to the City itself. Such reports as activity and accounting reports to the city and Radon Surcharges and Housing reports to the state and federal governments.

It would not be possible to list and explain all the functions of this department, but I hope this little overview will show some of the workload we occur in our office.

A handwritten signature in black ink, appearing to read "Bob Schlereth", with a long horizontal flourish extending to the right.

Robert Schlereth
Administrative Director

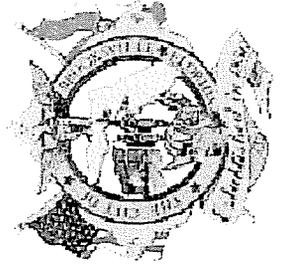


CITY OF BROOKSVILLE FEE STUDY

COMPARATIVE ANALYSIS DATA

Project	Pool	Re-Roof	New Commercial \$6,250 sq. ft.	Single Family 2,500 sq. ft.	Single Family 3,500 sq. ft.
Construction Value	\$25,000	\$8,500	\$750,000	\$200,000	\$280,000
Current Brooksville	\$150.00	\$100.00	\$3,240.00	\$1,115.00	\$1,365.00
Proposed Brooksville	\$250.00	\$150.00	\$7,100.00	\$1,450.00	\$2,250.00
Inverness	\$225.00	\$70.00	\$4,695.00	\$1,772.70	\$2,386.50
Crystal River	\$250.00	\$100.00	\$7,500.00	\$2,000.00	\$2,800.00
Zephyrhills	\$232.50	\$75.00	\$3,270.00	\$1,200.00	\$1,560.00

FY 2006/2007 - 3rd & 4th Quarter			
Number of Permits	Actual Fees	Proposed Fees	Average Increase Per Permit
122 Total	\$63,767.00	\$103,866.00	
19 - Single Family	\$29,205.00	\$53,600.00	\$1,283.95
1 - Commercial	\$11,000.00	\$15,100.00	\$4,100.00
102 - Other	\$23,562.00	\$35,166.00	\$113.76



REGULAR COUNCIL MEETING MINUTES - SEPTEMBER 15, 2008

Minutes Excerpt.....

Resolution No. 2008-20 - Building Division/Community Development Department Service Fees

Consideration of resolution amending the current Permitting, Inspection, and Administrative & Development Fee Schedule.

Director Geiger reviewed the fees referenced in the resolution which he advised are comparable with other jurisdictions in the area. He indicated the Building Department met with the local Builders Association and made adjustments in line with comments made by the Association. Discussion followed. Mayor Pugh indicated that before the rates are raised he would like to consider moving the Building Division in-house or provide office space to the firm in order to help reduce costs.

Lew Chandler and Mike Kraso of PDCS stated they have not made a profit in the last 8 months. They reviewed their staff and indicated they would like to keep the current level of services. Mr. Chandler indicated he would be open to Mayor Pugh's suggestion of bringing them in-house. He reviewed the services provided and agreed to reduce those fees in the future if services increase.

Discussion continued of individual fees for appeals as well as commercial and residential fees, which Mr. Chandler indicated are only at 75% of the state average for fees.

Council consensus was that a fee increase is warranted but they wanted to postpone voting on the issue to consider moving the Building Department in-house in order to alleviate some costs. Discussion continued in which Director Geiger indicated 100% of the impact fees are kept by the City.

Motion:

Motion was made by Council Member Bernardini and seconded by Vice Mayor Burnett for continuance of Resolution No. 2008-20 to the October 20th meeting. Motion carried 5-0.

REGULAR COUNCIL MEETING AGENDA - OCTOBER 20, 2008

Minutes Excerpt.....

Resolution No. 2008-20 - Building Division/Community Development Department
Service Fees

Staff provided an update on potential contractor relocation to City Hall and other cost reduction measures for consideration of resolution amending the current Permitting, Inspection, and Administrative & Development Fee Schedule. **[Continued from 09/15/08]**

Staff indicated that this item would be brought back to council after the lease circumstances for PDCS were determined.



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: PARTNERSHIP WITH THE ENRICHMENT CENTER, INC. OF
HERNANDO COUNTY
DATE: NOVEMBER 24, 2008

GENERAL SUMMARY/BACKGROUND: As discussed during several City Council meetings, including the last regular session of Council on November 17th, the Enrichment Center, Inc. of Hernando County is interested in partnering with the City of Brooksville for the use of the Jerome Brown Community Center (JBCC) for regular use and activities.

On November 17th during Regular Session, the City Council requested that more time be provided for review of additional information and the proposed Collaborative Agreement.

Enclosed is the revised "Activity Schedule" that has been provided by the Enrichment Center, Inc. for activities within the Jerome Brown Community Center. This is provided as "Attachment 1."

Further staff has prepared a spreadsheet on the recent history of electrical use for the JBCC. Enclosed are spreadsheets of electrical use from October 2006 to current. Also enclosed is a diagram of the JBCC facility. These items were requested by Council and are provided as "Attachment 2."

A proposal of the proposed/requested partnership/agreement is provided as "Attachment 3."

BUDGET IMPACT: We see no budgetary impact at this time.

LEGAL REVIEW: Entering into a partnership agreement with the Enrichment Center, Inc. of Hernando County is within the authority of City Council. Legal has worked with staff and Council to provide the proposed agreement for your consideration.

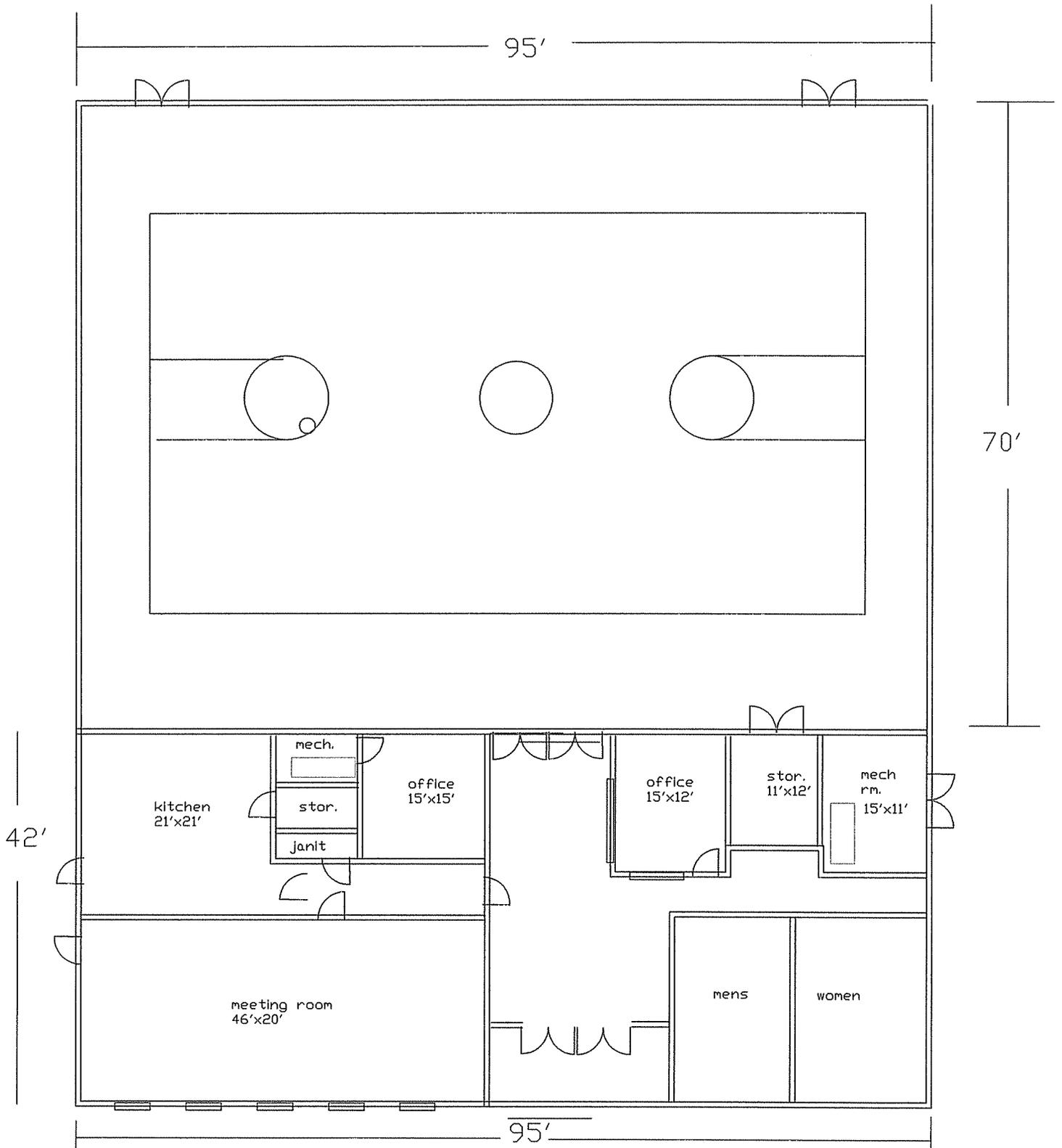
STAFF RECOMMENDATION: Staff recommends approval of the enclosed partnership agreement with the Enrichment Center, Inc. of Hernando County.

Attachment 1

Enrichment Center Activities

<u>MONDAY</u>		<u>TUESDAY</u>	
Library open all day	Legal Aid by appointment	Library open all day	Legal Aid by appointment
8:00-1:00	Congregate meals & Meals on Wheels	8:00-1:00	Congregate meals & MOW
8:30-9:30	Exercise gym		
9:00-11:00	Crafts conference room	9:00-11:00	Crafts conference room
12:00-4:00	AARP Driving Class conference room once a month	9:30-11:00	Red Hat Society once a month
1:00-4:00	Current Events conference room	11:00-12:00	SHINE office
		11:00-12:00	Blood Pressure checks conference room
		12:30-4:00	Duplicate Bridge move to SH
<u>WEDNESDAY</u>		<u>THURSDAY</u>	
Library open all day	Legal Aid by appointment	Library open all day	Legal Aid by appointment
8:00-1:00	Congregate meals & Meals on Wheels	8:00-1:00	Congregate meals & MOW
8:30-9:30	Exercise gym	8:00-4:00	Scrapbooking move to SH
9:00-11:00	Crafts conference room	9:00-11:00	Crafts conference room
9:00-12:00	Quilting conference room	10:00-11:00	Senior Support conference room
10:00-11:00	BINGO gym	10:00-11:00	Blood Pressure Checks conference room
12:30-4:00	Duplicate Bridge move to SH	1:00-4:00	Current Events conference room
5:30-7:00	AA Meeting conference room once a month	Deaf Services by Appointment	office
<u>FRIDAY</u>			
Library open all day	Legal Aid by appointment	office	
8:00-1:00	Congregate meals & Meals on Wheels	conference room	
8:30-9:30	Exercise	gym	
9:00-11:00	Crafts	conference room	
11:00-12:00	Veteran's Support	office	
10:00	Medicare Assistance	office	
12:00-4:00	AARP Driving Class	conference room	
1:00-4:00	Picture O'	conference room/office	
1:00-3:00	Census Training	gym	only Jan thru March- Job training

Attachment 2



JEROME BROWN CENTER

Attachment 3

CITY OF BROOKSVILLE PARKS AND RECREATION
COLLABORATIVE AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2008, by and between the City of Brooksville, Florida, a municipal corporation, (hereinafter referred to as the "CITY") and The Enrichment Centers Inc. of Hernando County, a Florida non profit corporation, (hereinafter referred to as the "COLLABORATIVE PARTNER").

WHEREAS, the CITY owns and operates the Jerome Brown Community Center (JBCC) located at 99 Jerome Brown Place, Brooksville, Florida; and,

WHEREAS, the CITY desires to expand recreational services to senior citizens in the community; and,

WHEREAS, the ENRICHMENT CENTER offers various recreational programs for senior citizens; and,

WHEREAS, the CITY wishes to partner with the ENRICHMENT CENTER to provide recreational programming at the Jerome Brown Community Center subject to the terms and conditions herein described;

WHEREAS, the City Council, on November 18, 2008, authorized the negotiation of a Collaborative Agreement with the ENRICHMENT CENTER.

NOW, THEREFORE, in consideration of the mutual terms, promises and covenants herein, the parties hereby contract and agree as follows:

1. **INCORPORATION OF RECITALS.** The above recitals are true and correct and incorporated into this Agreement as if fully set forth herein, *in haec verba*.

2. **FACILITIES.** The COLLABORATIVE PARTNER may utilize the facilities as set forth in this paragraph (hereinafter referred to as "FACILITIES").

- a. The FACILITIES are provided in an "as is" condition.
- b. The CITY will be only be responsible for custodial services, facility maintenance, restrooms, utilities, solid waste disposal and repairs to the FACILITIES ~~which are not the result of actions caused by the negligence or misuse of COLLABORATIVE PARTNER.~~ Any damage to FACILITIES resulting from COLLABORATIVE PARTNER activities or participants is the responsibility of the COLLABORATIVE PARTNER.
- c. The COLLABORATIVE PARTNER will be responsible for scheduling, control, and operation of FACILITIES during reserved times and for supervising the use of the FACILITIES when reserved by the COLLABORATIVE PARTNER. The COLLABORATIVE PARTNER will be responsible for preparation and setup of FACILITIES with the assistance of the CITY, as negotiated and agreed upon by the CITY, to accommodate the programming being held by the COLLABORATIVE PARTNER. COLLABORATIVE PARTNER shall be responsible for maintaining FACILITIES in a good clean condition and assuring FACILITIES are left in a manner and similar condition in which they were made available.

d. The COLLABORATIVE PARTNER may:

- i. Have exclusive use of one designated office for administrative purposes;
- ii. Have use of a designated storage space; and,
- iii. Utilize the Jerome Brown Community Center (JBCC), specifically the community center hall (gym) and conference room, kitchen, restrooms and related areas, for program activities with citizens, as scheduled and reserved by the COLLABORATIVE PARTNER, subject to review and approval by CITY.

3. **PROGRAM SCHEDULING.** The COLLABORATIVE PARTNER shall provide to the CITY a calendar of programs, activities and events (“EVENTS”) the COLLABORATIVE PARTNER plans to operate each month identifying dates, times and locations of each, such that FACILITIES may be reserved accordingly.

- a. The calendar of standard routine and re-occurring programs shall be provided to the ~~Director of Parks and Recreation, or other designated City representative~~ City Manager, or his or her designee, no less than thirty days prior to the first day of the month in which the EVENTS are scheduled.
- b. Special one-time or ad-hoc EVENTS shall be presented as soon as possible, for review and approval, to the ~~Director of Parks and Recreation~~ City Manager, or his or her designee.
- c. It is understood by both parties, that youth activities take priority over any other activity or function scheduled by the COLLABORATIVE PARTNER; however, unless FACILITIES are used for an authorized CITY sponsored program, the COLLABORATIVE PARTNER may plan to schedule and operate programs Monday through Friday between the hours of 8:00 a.m. and 4:00 p.m., with the exception of the those days and hours in which school is not in session.
- d. For those days and hours when school is out of session, the COLLABORATIVE PARTNER and CITY will coordinate scheduling, in advance of those times, to accommodate youth activities in conjunction with regularly scheduled or routinely occurring COLLABORATIVE PARTNER activities.
- e. The ~~Director of Parks and Recreation~~ City Manager, or his or her designee, has sole and absolute discretion and final authority in determining the appropriateness and scheduling of any of the EVENTS being held at the FACILITIES; and the ~~Director of Parks and Recreation~~ City Manager, or his or her designee, has sole and absolute discretion and final authority in determining the priority of any activity, event or use of FACILITIES if scheduling conflicts arise, with due consideration being given to the scheduled and planned activities of the COLLABORATIVE PARTNER.

4. **COMPLIANCE WITH RULES AND REGULATIONS.** Any program operated by the COLLABORATIVE PARTNER in the FACILITIES will be conducted in accordance with health and safety standards, CITY Code of Ordinances, Rules, Regulations and any other applicable law.

5. **FACILITY IMPROVEMENTS.** Any and all improvements to the FACILITIES necessary to accommodate the operational needs of the COLLABORATIVE PARTNER are subject to prior written approval by the City Manager, or his or her designee, which shall not be unreasonably withheld, and such improvements shall become part of and remain with the FACILITIES upon termination of this Agreement. The COLLABORATIVE PARTNER shall bear all costs and expenses incurred as a result of improvements to FACILITIES that are necessary to accommodate the operational needs of the COLLABORATIVE PARTNER, and, should any damage to FACILITIES occur as a result of improvements or removal of improvements, COLLABORATIVE PARTNER shall be responsible for the cost of repair thereof. Further, the City will make no changes in the interior configuration of the FACILITIES that will have the effect of adversely impacting the conduct of the COLLABORATIVE PARTNERS' programs and/or operations, without the written consent of the COLLABORATIVE PARTNER, which consent will not be unreasonably withheld.

6. **SIGNAGE.** Signage requested by the COLLABORATIVE PARTNER is subject to approval by the CITY, in its sole and absolute discretion, and shall be in conformance with the City of Brooksville Code of Ordinances and other applicable sign regulations. The COLLABORATIVE PARTNER shall bear all costs and expenses incurred in erecting signage.

7. **INSURANCE.** As a condition of this Agreement for use of the FACILITIES set forth herein, the COLLABORATIVE PARTNER will maintain insurance at all times in the amounts set forth below with the CITY named as Additional Named Insured and as a Certificate Holder.

- a. General Liability \$1,000,000/\$3,000,000; Fire and Property Damage, \$500,000; and Worker's Compensation Statutory Limits plus Employee Liability \$100,000.
- b. The CITY reserves the right to require additional lines of coverage in the event services offered by COLLABORATIVE PARTNER change or require such additional coverage; or
- c. If the COLLABORATIVE PARTNER begins to operate programs using vehicles, then the CITY reserves the right to require automobile insurance coverage limits which shall name the CITY as an Additional Named Insured and as a Certificate Holder.

8. **USAGE FEE.** The COLLABORATIVE PARTNER shall pay to CITY one-thousand dollars (\$1000.00) each month ~~beginning the 1st day of January 2009~~ in which it occupies or uses any of the FACILITIES as contemplated by this Agreement.

- a. Payments are due prior to use of the FACILITIES and shall be made to the CITY on or before the 1st day of each month.
- b. If payment is not received on or before the 10th day of the month for which payment is due, the COLLABORATIVE PARTNER shall be deemed in default, notwithstanding the provisions of Paragraph 12 of this Agreement. ~~will lose use of the FACILITIES.~~
- c. ~~At the close of the first year of the~~ During the initial term of the Agreement, the usage fee will be re-evaluated at six month intervals based on the actual increases in expenses, including utilities (water, sewer, solid waste disposal, and electric), maintenance, custodial, institutional supplies, and other operating expenses, from the previous year, and the monthly usage fee will be adjusted accordingly.

- d. For all subsequent and renewal terms, the usage fee amount will be re-assessed prior to the start of each term of the Agreement to establish a new usage fee for the next annual term of the Agreement. In the event the COLLABORATIVE PARTNER does not retain its primary source of funding, the USAGE FEE may, at the sole and absolute discretion of the CITY, be re-assessed upon formal request to the City Council by the COLLABORATIVE PARTNER.
- e. In accordance with this Paragraph 8, the monthly usage fee may be subject to amendment from time to time as agreed in writing by the parties.

9. TERM OF AGREEMENT. This AGREEMENT shall become effective upon occupancy of FACILITIES by COLLABORATIVE PARTNER on or before March 1, 2009, shall remain in effect through September 30, 2011, and shall be automatically renewed for additional three-year terms thereafter until and unless either one party hereto gives the other not less than one-year (365 days) six-months (180 calendar days) notice in writing of its desire to terminate the Agreement, at the end of the then current term or termination is otherwise negotiated by the parties in accordance with the amendment and modification requirements of this Agreement.

10. QUARRY FACILITY PROJECT. The COLLABORATIVE PARTNER and the CITY are engaged in a collaborative effort to provide a building, at the CITY'S Quarry Facility, to serve both as an emergency shelter for evacuees with special needs, and as the principal location of the COLLABORATIVE PARTNER'S Brooksville operations, hereinafter referred to as the PROJECT. When the PROJECT is completed and available for occupancy by the COLLABORATIVE PARTNER and the CITY, this AGREEMENT may be subject to amendment and modification to accommodate changes in the nature of the facilities to be occupied, and services to be provided, by the COLLABORATIVE PARTNER, under this Agreement. In that regard, other than when an evacuation emergency is declared by the Hernando County Board of Commissioners, the COLLABORATIVE PARTNER will have scheduling priority at the PROJECT facility, while the CITY will have scheduling priority in the JBCC.

11. GOOD FAITH. Each of the parties hereto does herewith agree to take such action and forebear such actions as agreed necessary to carry on the meaning and intent of this agreement and all of its terms and conditions.

12. DEFAULT. Neither party shall declare the other in default of any provisions of this Agreement without giving the other party at least thirty (30) days advance written notice of intention to do so, during which time the other party shall have the opportunity to remedy the default. The notice shall specify the default with particularity. In the event of default by COLLABORATIVE PARTNER, COLLABORATIVE PARTNER shall immediately cease use of FACILITIES for all programming activities and events, and shall vacate the FACILITIES within 90 calendar days of the date COLLABORATIVE PARTNER is declared in default. COLLABORATIVE PARTNER shall be responsible for monthly usage fee for any months in which it occupies any of the FACILITIES.

13. DISPUTE RESOLUTION. All personnel of the COLLABORATIVE PARTNER and CITY are expected to cooperate to assure the highest level of service and efficiency for the citizens. In the event that there is an operational or procedural conflict between the personnel of the COLLABORATIVE PARTNER or CITY, the dispute shall be resolved by the ~~Director of Parks and Recreation~~ City Manager, or his or her designee, in his or her sole and absolute discretion, who shall have final authority to resolve the matter. In the event there is a dispute regarding the interpretation of the terms of this Agreement, the

dispute shall be resolved by the City Manager, in his or her sole and absolute discretion, who has final authority to decide the matter.

14. MODIFICATION AND ASSIGNMENT. This Agreement shall not be abrogated, changed, or modified without the written consent of both parties. COLLABORATIVE PARTNER shall not sub-lease any of its interest or use of FACILITIES authorized under this Agreement. This Agreement may not be assigned, transferred, or pledged by either party without the other parties' prior written consent.

15. NOTICE. All notices, demands, and other writings required under this Agreement shall be deemed to have been fully given or made or sent when (i) mailed in writing and deposited in the United States Mail, postage pre-paid, and addressed to the parties at the addresses noted in this Agreement or (ii) delivered by nationally recognized courier, receipt of recipient acknowledged by signature. Any notice or disclosures required under this Agreement and any changes to addresses shall be made in accordance with this notice provision. Notices shall be sent to:

Nick Morana
President
**The Enrichment Centers Inc. of
Hernando County**
11375 Cortez Blvd.
Spring Hill, Florida 34613

T. Jennene Norman-Vacha
City Manager
City of Brooksville
201 Howell Avenue
Brooksville, Florida 34601

With a Copy to:
Joe Mason, Esq.
McGee & Mason. P.A.
Post Office Box 1900
Brooksville Florida 34601

With a Copy To:
The Hogan Law Firm, LLC
20 S. Broad Street
Brooksville, Florida 34601

16. HOLD HARMLESS. The CITY will be held harmless from any adverse legal or financial actions, theft, loss of property, or liability resulting from or incident to any of the COLLABORATIVE PARTNER'S activities or use of FACILITIES under this Agreement.

17. DISCLAIMER. Other than the covenants and performance contemplated herein, neither party has made any other promises, representations or warranties. It is expressly acknowledged and agreed that the terms and provisions of this Agreement are for the benefit of the parties hereto.

18. PARTIES BOUND. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors, heirs, and assigns.

19. WAIVER. No waiver or estoppel as to or against any party shall result from any failure to exercise or enforce any right or power hereunder, save only to the extent necessarily implied as to the particular matter directly concerned and then only for the time being with respect thereto, and not in any way as to the future or as to any other matter.

20. SEVERABILITY. Whenever possible each provision and term of this Agreement will be interpreted in a manner to be effective and valid but if any provision or term of this Agreement is held to be prohibited or invalid, then such provision or term will be ineffective only to the extent of such prohibition or invalidity, without invalidating or affecting in any manner whatsoever the remainder of such provision or term or the remaining provisions or terms of this Agreement.

21. **ATTORNEY'S FEES.** If any action is commenced to construe or enforce this Agreement or the rights and duties created hereunder, then each party shall be responsible for the payment of its own attorney's fees and costs.

22. **GENERAL.** The parties agree to sign all such documents and do all such things as may be necessary or desirable to completely and effectively carry out the terms and conditions of this Agreement. Time shall be of the essence of this Agreement. This Agreement constitutes the entire Agreement among the parties and supersedes all prior agreements, whether oral or written. Paragraph headings are provided as an organizational convenience and are not meant to be construed as material provisions of this Agreement.

23. **GOVERNING LAW.** All questions, issues or disputes arising out of or under this Agreement, shall be governed by the laws of the State of Florida without regard to its conflicts of laws principles. Any action or proceeding seeking to enforce any provision of, or based on any right arising out of, this Agreement may be brought against any of the parties only in the County or Circuit Court in and for Hernando County, Florida or U.S. District Court for the Middle District of Florida, Tampa Division, Hillsborough County, Florida, and each of the parties irrevocably consents to the jurisdiction of such court (and of the appropriate appellate courts) in any such action or proceeding and waives any objection to venue laid therein. Process in any action or proceeding referred to in the preceding sentence may be served on any party anywhere in the world.

IN WITNESS WHEREOF the City of Brooksville and The Enrichment Centers Inc. of Hernando County have respectively signed this Agreement and caused their seals to be affixed and attested as of this day and year first above written.

**THE ENRICHMENT CENTERS INC.
OF HERNANDO COUNTY**

CITY OF BROOKSVILLE

Signature

Signature

Nick Morana

Printed Name

Printed Name

President

Title

Mayor, City Council

Title

Date

Date

Seal

Attested to by City Clerk, Karen Phillips

CITY OF BROOKSVILLE AGENDA ITEM MEMORANDUM

To: Honorable Mayor and City Council Members
Via: T. Jennene Norman-Vacha, City Manager
From: Emory H. Pierce, Director of Public Works
Date: 11/24/2008
Re: LP6006 – City of Brooksville, Brooksville Sewer Rehabilitation Project
Extension



We have received correspondence from Florida Department of Environmental Protection (FDEP) conveying Legislative Project grant Amendment 2 for the City of Brooksville's wastewater treatment facility project. The amendment extends the date of the completion from December 31, 2008 to December 31, 2009 (one year longer). The letter from FDEP and the Amendment is attached for your review.

Staff recommends approval of the attached amendment so that the work can be completed during this fiscal year (2008-09).

Financial Impact Monies for this grant have been allocated in the FY 2008-09 budget in the amount of \$626,000. Staff has requested a budget amendment to increase the amount allocated, by way of separate agenda item that follows this item.

Legal Impact Legal Counsel has review the attached amendment and finds it to be in good legal form. It is within the authority of the City Council to enter into this agreement/amendment.

Staff Recommendation Staff recommends that the City Council approved the attachment Amendment 2 with the Florida Department of Environmental Protection for Legislative Project grant 6006 , and authorized the Mayor's signature on the said Amendment.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

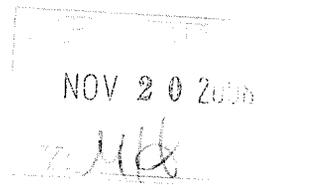
Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

November 17, 2008

Mr. Emory Pierce, P.E.
City of Brooksville
600 S. Brooksville Avenue
Brooksville, Florida 34601



Re: LP6006 – City of Brooksville
Brooksville Sewer Rehabilitation Project

Dear Mr. Pierce:

Enclosed are two original copies of the proposed Legislative Project grant Amendment 2 for the City's wastewater treatment facility project. The amendment extends the date of completion for the project.

Please have the Mayor sign on page 3 of the enclosed two copies. Return both copies to us within three weeks at 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida, 32399-2400. We will arrange for the Deputy Division Director to sign the document and mail a fully executed copy to the City.

If you have any questions about the amendment, please call Maura Callahan at 850/245-8358.

Sincerely,

Robert E. Holmden, P.E., Chief
Bureau of Water Facilities Funding

RH/mc

Enclosures

cc: Honorable David Hugh – City of Brooksville
Bill Geiger – City of Brooksville

**STATE FINANCIAL ASSISTANCE AGREEMENT
DEP AGREEMENT NO. LP6006
CITY OF BROOKSVILLE
AMENDMENT NO. 2
PURSUANT TO LINE ITEM 1717A OF THE 2005-2006 GENERAL APPROPRIATIONS ACT, AND
LINE ITEM 1821 OF THE 2006-2007 GENERAL APPROPRIATIONS ACT**

THIS AGREEMENT as entered into on the 31st day of August, 2005, and amended on the 4th day of August, 2006, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the CITY OF BROOKSVILLE (hereinafter referred to as the "Grantee" or "Recipient") is hereby amended.

WHEREAS, the Grantee has requested an extension of the term of the Agreement in order to complete the project as planned; and,

WHEREAS, it has been determined that an extension of time to complete the project would be in the best interest of the State; and,

WHEREAS, the Grantee understands that certification forward of State Fiscal Year 2005-2006 and State Fiscal Year 2006-2007 funds supporting this Amendment beyond June 30th of each year is subject to the approval of the Governor's Office; and,

WHEREAS, the Grantee has requested an end date that extends beyond the current authorized funding period; and,

WHEREAS, the Grantee understands that if the Governor's Office does not approve the Department's request to certify the funds forward, the Grantee will not be eligible for reimbursement for the activities covered by the remaining unpaid State Fiscal Year 2005-2006 and State Fiscal Year 2006-2007 funds; and,

WHEREAS, additional changes to the Agreement are necessary.

NOW, THEREFORE, the parties hereto agree as follows:

1. Section 2. is hereby revised to change the completion date of the Agreement from December 31, 2008 to December 31, 2009, and to include the following language as a separate paragraph.

The Grantee understands and agrees that certification forward of the State Fiscal Year 2005-2006 and the State Fiscal Year 2006-2007 funds supporting this Agreement beyond June 30th of each year is subject to the approval of the Governor's Office.

2. Section 3. is amended to include the following paragraph.

Written approval from the Department's Grant Manager shall be required for changes between budget categories up to 10% of the total budget. The DEP Grant Manager will transmit a copy of the written approval and revised budget to the DEP Contracts Disbursements Office for inclusion in the Agreement file. Changes greater than 10% will require a formal amendment to the Agreement.

3. Section 5. is hereby deleted in its entirety and replaced with the following;

Progress Reports (**Attachment C**) shall be submitted describing the work performed, problems encountered, problem resolution, schedule updates and proposed work for the next reporting period. Progress reports shall be submitted in conjunction with the Disbursement Request Package, described in paragraph 3.B. If advance payment is authorized, the Grantee shall report (and document as required under paragraph 3 and on the Advanced Payment – Interest Earned Memorandum, **Attachment E**) the amount of funds expended during the reporting period, the Agreement expenditures to date, interest earned during the quarter and clearly indicate the

method for repayment of the interest to the Department (see paragraph 15). It is understood and agreed by the parties that the term "reporting period" reflects the period of time for which the invoices submitted in the Disbursement Request Package are covered. The Department's Grant Manager shall have ten (10) calendar days to review deliverables submitted by the Grantee.

4. **Attachment A**, Project Work Plan, is hereby amended to include **Attachment A-2**, Revised Project Work Plan, attached hereto and made a part of the Agreement. All references in the Agreement to **Attachment A**, Project Work Plan, shall hereinafter refer to **Attachment A**, Project Work Plan, **Attachment A-1**, Revised Project Work Plan, and **Attachment A-2**, Revised Project Work Plan.

In all other respects, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 2 to State Financial Assistance Agreement LP6006 shall be executed in two or more counterparts, either of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the State Financial Assistance Agreement to be executed on its behalf by the Deputy Director of the Department and the Grantee has caused this amendment to be executed on its behalf by its Authorized Representative. The effective date of this amendment shall be as set forth below by the Deputy Director of the Department of Environmental Protection, Division of Water Resource Management.

CITY OF BROOKSVILLE

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Mayor

By: _____
Deputy Director
Division of Water Resource Management

Date: _____

Date: _____

Tommy Williams, DEP Grant Manager

*For Agreements with governmental boards/commissions: If someone other than the Chairman signs this Amendment, a resolution, statement or other document authorizing that person to sign the Amendment on behalf of the Grantee must accompany the Amendment.

List of attachments/exhibits included as part of this Amendment:

Specify Type	Letter/Number	Description (include number of pages)
Attachment	A-2	Revised Project Work Plan (1 page)

**ATTACHMENT A-2
REVISED PROJECT WORK PLAN**

Please complete this form with as much detail as possible

I. GRANTEE/PROJECT INFORMATION:

Grantee:	CITY OF BROOKSVILLE
Project Title:	Brooksville Sewer Rehabilitation Project
DEP Grant #:	LP6006

II. FUNDING PLAN: No Change in Funding Plan

Category of Expenditure	2006-2007 LP Grant Funds Provided	2006-2007 Match Required	Total 2006-2007 Funding
Professional Services			
Construction & Demolition			
Land			
Equipment			
Other (Specify)			
Total			

III. SCOPE OF WORK:

No Change in Scope

IV. PROJECT MILESTONES: Change to Ending Date.

(i.e. timelines, contracts, if funded in prior year(s) where is the project now)

If the scope of work includes construction:

Estimated Construction start date: _____

Estimated scope of work completion date: _____

December 31, 2009

V. LOCAL MATCH & OTHER GRANT FUNDS: No Change in Match, etc

Legislative Appropriation Agreement Information

Grantee: (i.e., city of, * county) City of Brooksville
 Project Number: LP06006
 Project Title: Brooksville Sewer Rehabilitation Project
 Award Amount: \$1,000,000
 Required Match Amount: \$ None
 Federal Employer ID Number: 59-5000284

1) Authorized Representative (to sign agreement)

Name: Joseph E. Johnston, III *Daniel Hugh* Phone Number: 352-544-5407
 Title: Mayor Fax Number: 352-544-5424
 Employer: City of Brooksville
 Mailing Address (P.O. Box): 201 Howell Avenue
 City: Brooksville State: FL Zip: 34601-2041
 Street Address for express mail delivery: 201 Howell Ave.
 City: Brooksville State: FL Zip: 34601-2041
 E-mail address: jjohnston@ci.brooksville.fl.us

dphugh@CITY OF BROOKSVILLE.VIS

2) Grant Manager

Name: James F. Adams *EMORY PIERCE* Phone Number: 352-754-4551
 Title: Asst. Vice President *Public Works* Fax Number: 352-754-5222 *594 5470*
 Employer: TBE Group, Inc. *CITY OF BROOKSVILLE*
 Mailing Address (P.O. Box): 20203 Cortez Blvd. *000 S BROOKSVILLE AVE.*
 City: Brooksville, State: FL Zip: 34601
 E-mail address: jadams@tbegroup.com

544-5465

3) Disbursement Contact Person (who will prepare requests)

Name: James F. Adams *EMORY PIERCE* Phone Number: 352-754-4551
 Title: Asst. Vice President *Public Works* Fax Number: 352-754-5222 *594-5470*
 Employer: TBE Group Inc.
 Mailing Address (P.O. Box): 20203 Cortez Blvd.
 City: Brooksville State: FL Zip: 34601
 E-mail address: jadams@tbegroup.com

544 5465

4) Primary Contact (if different from Grant Manager or Disbursement preparer)

Name: Bill Geiger Phone Number: 352-544-5430
 Title: Community Development Director Fax Number: 352-544-5424
 Employer: City of Brooksville
 Mailing Address (P.O. Box): 201 Howell Ave.
 City: Brooksville State: FL Zip: 34601
 E-mail address: bgeiger@ci.brooksville.fl.us

~~** TBE Group, Inc. is the City's Current Grant Manager for the Brooksville Citywide Sewer System Rehabilitation Project. The City will notify FDEP of any further modification in this regard.~~

CITY OF BROOKSVILLE

AGENDA ITEM MEMORANDUM

To: Honorable Mayor and City Council Members
Via: T. Jennene Norman-Vacha, City Manager
From: Emory H. Pierce, Director of Public Works
Date: 11/24/2008
Re: Sewer Rehab PH 2A, Change Order No. 1



We recently received correspondence from Florida Department of Environmental Protection (FDEP) regarding our sewer rehab grant funds balance/award. The FDEP balance/award of \$713,800 (see attached email from DEP) does not reflect the last payment of \$51,933.04 that we paid to the contractor in August, 2008, which is in the process of being reimbursed to us. Due to the \$51,933.04 expenditure in the prior fiscal year, \$661,867 will need to be included in the FY 2008-09 budget for use.

So far we have committed \$534,671.20 for the following work: sewer lateral open cutting (\$86,416.20), service lateral lining (\$215,586) and manhole chimney sealing (\$232,669). We have not awarded the deep manhole sealing section of the recent bid, but we expect to for the not to exceed amount of \$30,000. The exact amount of the deep manhole sealing work could be considerably less depending on which sealing product we select. Obviously we would like to use the entire funds remaining of \$127,195.76 (the total grant in the amount of \$713,800 less outstanding payment of \$51,933.04 less work awarded in the amount \$534,671.20).

Staff recommends that the remaining funds be approved for the deep manhole sealing and a change order for manhole chimney sealing and inflow dish installation in the manholes in the School Street Lift Station Basin. As you may recall, at the April 7, 2008 Regular Session of the City Council, we proposed including School Street Lift Station area if we had enough funds to do so (Council agenda item attached).

Financial Impact In the fiscal year 2008-09 budget we budgeted a total of \$626,000 within the Utilities Division of Public Works for the expected state revenues for the sewer rehab project. With the notification from FDEP, it is requested that a budget amendment in the amount of \$36,000 in additional monies be approved to be included in revenue line-item 404-000-334-44900 (State Grant Revenues) and also in the expenditure line-item 404-000-169-19049 (Construction in Progress). The requested budget amendments will provide a total allocation of \$661,867 for FY 2008-09.

Legal Impact

Legal Counsel will review all documents prior to finalization, but finds this within the authority of City Council.

Staff Recommendation

Based on the above, staff recommends that City Council approve a change order with the approved low bidder, USSI, for additional chimney sealing and inflow dish installation, and enter into a contract with the bidder approved by staff for the deep manhole sealing. Expenditures for said work will not to exceed cumulative sum of \$127,195.80, and authorization for the City Manager to sign the change order and contract after approval of the City Attorney. Further approved appropriate budget amendment as outlined above under "Financial Impact."

CITY OF BROOKSVILLE
MEMORANDUM

To: City Council
 Via: T. Jennene Norman-Vacha, City Manager
 From: Emory H. Pierce, Director of Public Works
 Lauren Busacca, Construction Project Manager
 Re: **Continuation of the Sewer Rehab Phase 2 Project (Phase 2 A)**
 Date: 03/19/08



By the end of our contract with Insituform in June of 2007, they had completed the lining and or replacement of 24,291 lf of old clay sewer main lines (6" - 12"), lined or replaced 918 LF of service laterals, and installed 190 cleanouts. The balance of funds left is approximately \$660,250 and we intend to use those funds by December, 31, 2008, to do the following:

PHASE 2 AREA:

Bid out open cutting of 2,220 LF of service laterals in R/W (\$65/lf avg. cost) (local contractors should be able to do this)	\$144,300.00
Bid out the lining of 31 service laterals in R/W (\$4,000/ea.) (or piggy back on an existing Florida contract)	\$124,000.00
Externally seal connection at the mains (60) (\$1,500/ea top hats)	\$ 90,000.00

CITY WIDE:

Piggyback on an existing Florida contract for manhole rehab/sealing and installing inflow dishes in:

SR50 Lift Station manholes (267)	\$110,074.30
Howell Ave. Lift Station manholes (269)	\$111,030.00
Apply structural coating inside 10 old deep manholes (\$7,500/ea.)	\$ 75,000.00

\$654,404.30

APPROVED BY BROOKSVILLE
CITY COUNCIL
ON 4/19/08 INITIALS [Signature]

A point of concern for us has been the service laterals, both on private property and in City R-O-W. Approximately 2,220 LF of service laterals in city R-O-W can be open cut and replaced, and an additional 31 service laterals of various lengths should be lined. Based on past bids and quotes from local plumbers, open cutting and replacing the lateral is more cost effective than lining if the lateral is not under brick or not too deep under a paved road. Those laterals that are under brick or under busy paved streets, or otherwise inaccessible, will need to be lined, if possible. If the lateral is too crushed or collapsed it can not be lined and must be open cut.

Another area of concern was the joint between the lateral and the main line. In most cases these joints are defective. Where possible this joint will be redone by open cutting and putting a proper tapping saddle on the main line, but in inaccessible areas the only way to do this is with is the installation of top hats. This process entails inserting a resin-impregnated, flexible fiberglass insert with a sealing epoxy to seal the area inside the service lateral where it connects to the main. Within the Phase II sewer rehab area 60 top hats are expected to be needed.

During Sewer Rehab Phase 2, it became obvious to us that inflow at the manholes needed to be reduced as well. The City has previously determined that our flows to Cobb Rd Wastewater Treatment Plant spike sharply during a storm and excess flows decrease quickly after the event. This sharp spike within 24 ho

An amendment to the 2007 08 City Budget is requested in order to complete the Sewer Rehab Phase 2 Project. A 07 08 Budget Amendment is requested as follows:

\$190,250 to increase GL Account # 404 000 334 44900 Other State Grants (Revenue)

\$190,250 to increase GL Account # 404 000 169 19049 Construction in Progress(Capital Expenditure)

This will increase the 07 08 Budget for the above line items from \$470,000 to \$660,250. No City reserves will be used since this is a state grant reimbursement.

G:\BIDS\2006\sewer rehab IT\013008 Phase 2 A req to bid emverrevised 03012008.doc

Allison Earwood

From: David Pugh
Sent: Thursday, November 13, 2008 8:08 AM
To: Jennene Norman-Vacha; Emory Pierce; Stephen Baumgartner
Cc: Janice Peters
Subject: FW: LP6006 – Brooksville Sewer Rehabilitation Project

fyi - email received by Mayor today - shall we schedule an agenda item for the 12/1 agenda??

Karen M. Phillips, City Clerk
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041
<http://www.cityofbrooksville.us>
kphillips@cityofbrooksville.us
(352) 544-5400 (Phone)
(352) 544-5424 (Fax)

From: Callahan, Maura [mailto:Maura.Callahan@dep.state.fl.us]
Sent: Wednesday, November 12, 2008 3:04 PM
To: David Pugh
Subject: LP6006 -- Brooksville Sewer Rehabilitation Project

Good afternoon,
Our records indicate that the City of Brooksville has a total of \$713,800 left in undisbursed grant funds. This total is comprised of \$513,800 from State Fiscal Year 2005-2006 and \$200,000 from 2006-2007. These grants are set to expire at the end of December. If the Agreement is not extended, these grant funds will revert and be unavailable to the City for use with this project. I would advise an extension to assure that the City receives these funds. The request must be in writing, however, a response to this e-mail requesting an extension will suffice. Please respond at your earliest convenience.

Thank You,

Maura Callahan
Planner II
Department of Environmental Protection
2600 Blairstone Road, MS 3505
Tallahassee, Florida, 32399
(850) 245-8359

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

11/13/2008

City of Brooksville



(352) 544-5400 (Phone)

(352) 544-5424 (Fax)

(352) 544-5420 (TDD)

17 November 2008

Maura Callahan
Planner II
Department of Environmental Protection
2600 Blair Stone Road, Mail Station 3505
Tallahassee, Florida, 32399

Reply to: Department of Public Works
(352) 544-5465 (Phone)
(352) 544-5470 (Fax)

RE: Extension Request for Sewer Rehab Funds, LP6006 and 6006/1

Dear Maura,

We reviewed our Sewer Rehab project accounts and our records indicate that we have \$661,867 funds remaining in LP 6006 and 6006/1. This reflects a final payment we made in August 2008 to Insituform for \$51,933.04, which has not yet been requested to be reimbursed to the City from DEP. At this time we are under contract with three contractors to finish this phase of the Sewer Rehab for the following amounts:

Love Construction Group, Inc:	\$ 86,416.20
USSi, LLC:	\$232,669.00
LMK Pipe Renewal, LLC:	\$215,586.00
Total Committed Funds:	\$534,671.20

We have received bids for another sewer rehab task, manhole sealing, but have not awarded a contract. It is our intention to do so upon thorough review of the product submittals. We expect to award a bid for the not to exceed amount of \$30,000 for that work. Therefore, by our calculations, we have a remainder amount of funds of \$97,195.80 ($713,800 - 51,933.04 - 30,000 - 534,671.2 = 97,195.76$)

We intend to use all remaining sewer rehab funds and hereby request a 365 day extension.

We would also, at this time, like to confirm the expiration date of the water system improvement funds of \$440,000 as per FDEP Agreement No. LP6815, Amendment 1, dated January 14, 2008 which includes the \$250,000 originally agreed upon in 2007, plus the additional \$190,000 granted to us in 2008. It is our understanding that those funds are secure until August of 2009.

Sincerely,

Emory H. Pierce, Director of Public Works
CC T. Jennene Norman-Vacha, City Manager

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CORRESPONDENCE-TO-NOTE
REGULAR COUNCIL MEETING - DECEMBER 1, 2008

1. TYPE: Letter
 DATE: October 17, 2008
 RECEIVED FROM: Gary L. Renfro, Progress Energy Florida
 ADDRESSED TO: All Accounts
 SUBJECT: Florida Public Service Commission approval of the
 Progress Energy 2009 increase.

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

F:\WP_WORK\ClerkOffice\AGENDA\Correspondence-to-Note\2008\12-01-08 CTN.doc



October 17, 2008

To all Accounts:

Last week the Florida Public Service Commission (FPSC) approved the Progress Energy 2009 increase as filed. The residential monthly bill for 1,000 kilowatt-hours (kWh) will increase 25% rather than the previously communicated 31% over current charges. The increase is comprised of approximately 52% originating from fuel, 42% coming from nuclear costs, and the remainder coming from environmental or conservation projects.

The impacts to commercial, industrial and governmental accounts will vary due to how fuel is spread over the different rate classes. The below table categorizes the impacts by various rate groups (**and these remain unchanged from the last communication**):

- Small commercial: 22% increase (previously 30%)
- Office Building: 25% increase (previously 33%)
- Supermarket: 28% increase (previously 36%)
- Average commercial impact: 23-28% increase (previously 30-36%)
- Average industrial impact: 28-32% increase (previously 35-40%)

The company continues to pursue partnerships for the nuclear plant which could reduce the impact of the Levy Nuclear asset. As well, the current fuel situation will be re-evaluated in March by the FPSC to ensure that recovery levels are appropriate. And, please remember that we only charge for fuel, what is needed to generate power for our customers -- no more, no less and without profit.

These are difficult times and I know that these increases are not coming at the best time. If there is any information that you desire about energy saving techniques, please do not hesitate to call.

As some of you are aware, we are doing some account realignment in North Florida and Mr. Jeff Peet will be taking over some of my current accounts. If you have met Jeff, please accept this note on his behalf. If not, we will be making visits over the next few weeks.

Sincerely,

Gary L. Renfro

Gary L. Renfro
Senior Account Executive
Progress Energy Florida
352-302-0367

CTN
12-01-08 CTR