

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

AGENDA

August 3, 2015

7:00 P.M.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. NEW COUNCIL MEMBER APPOINTMENT

1. Resolution No. 2015-13 – Council Tie-Breaker Procedures

Consideration of resolution dictating procedures for breaking tie-votes of Council.

Presentation:	City Attorney
Recommendation:	Approval of Resolution upon roll-call-vote
Attachments:	Resolution

2. Council Appointment of Council Member to fill Seat #3

Selection and appointment of Council Member to the unexpired term.

Attachments:	Letters of Interest, Voting Ballot
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3. Resolution No. 2015-14 – Designation of Council Member to fill Seat #3

Consideration of resolution filling the vacant Seat #3 until the next regular or special election.

Presentation:	City Attorney
Recommendation:	Approval of Resolution upon roll-call-vote
Attachments:	Resolution

4. Swearing in of New Council Member

New Council Member to be sworn in by The Honorable Kurt Hitzemann.

5. Selection of Vice-Mayor

REGULAR COUNCIL MEETING AGENDA – AUGUST 3, 2015

D. PRESENTATION & REQUESTS FOR WAIVERS

1. Fee Waiver Request – Veterans Appreciation Parade

Consideration of request for fee waiver in the amount of \$413.08 for the annual Veterans Appreciation Parade scheduled for November 4, 2015.

Presentation: Event Organizer
Recommendation: Direction to Staff
Attachments: Memo from City Clerk dated 09/10/15, E-mail from Hernando County Risk Mgmt. Coordinator dated 07/28/15, Street Closure Permit and Map, Fee Waiver Spreadsheet.

2. Fee Waiver Request - The Dawn Center of Hernando County

Consideration of request for fee waiver in the amount of \$320 for use of Tom Varn Park and the Jimmy Brooks Pavilion for the "Dash for Dawn Center" 5k event on October 10, 2015.

Presentation: Event Organizer
Recommendation: Direction to Staff
Attachments: Memo from Director of Parks, Facilities & Recreation dated 07/28/15, Letter of Request, Facility Use Agreement, Fee Waiver Spreadsheet.

3. Fee Waiver Request - Hernando County Fine Arts Council

Consideration of request for fee waiver in the amount of \$475 and approval to sell beer and wine at their first annual "Hernando Music Fest" at Tom Varn Park on November 7-8, 2015.

Presentation: Event Organizer
Recommendation: Direction to Staff
Attachments: Memo from Director of Parks, Facilities & Recreation dated 07/02/15, Letter of Request, Facility Use Agreement, Fee Waiver Spreadsheet.

E. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. Florida Water Professionals Month Proclamation

Consideration of a Proclamation proclaiming August 2015 as Florida Water Professionals Month.

Presentation: Mayor
Attachments: Proclamation

REGULAR COUNCIL MEETING AGENDA – AUGUST 3, 2015

E. CITIZEN INPUT

G. CONSENT AGENDA

1. **Minutes**
July 20, 2015 Regular Meeting
2. **Bid Award - Bid No. UD2015-07 Pre-Engineered Storage Building**
Consideration of award of bid to TCM Building, Inc., for the not-to-exceed amount of \$29,800.
3. **Bid Award - Bid No. UD2015-08 Potable Water Pumping Equipment**
Consideration of award of bid to Pope's Water Systems, Inc. for the not-to-exceed amount of \$49,999.
4. **Wright Express Financial Services Corporation**
Consideration to continue to purchase fuel under their contract with Florida Department of Management Services.

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Minutes; 2) Memo from Director of Public Works dated 07/24/15, Bid Certification Form; 3) Memo from Director of Public Works dated 07/16/15, Bid Certification Form 4), Memo from Finance Director dated 07/28/2015, Contract with amendments.

H. REGULAR AGENDA

1. **Resolution No. 2015-15 – Florida Department of Transportation (FDOT) – Annual Veteran’s Appreciation Parade Route.**
Consideration of approval of Resolution supporting the Annual Veterans’ Appreciation Parade route and closing of State Road 50/Jefferson Street and U.S. Highway 41/Broad Street on November 14, 2015.

Presentation: City Clerk
Recommendation: Approval of Resolution No. 2015-15 upon roll-call-vote
Attachments: Memo from City Clerk dated 08/03/15, Proposed Resolution, State of Florida Road Closure Application

REGULAR COUNCIL MEETING AGENDA – AUGUST 3, 2015

2. Adoption of Tentative Millage Rate for FY2016 Budget

Adoption of tentative millage rate and public budget hearings dates of September 9 and 16, 2015, both beginning at 5:01 p.m. for City of Brooksville FY2016 budget adoption.

Presentation:	Finance Director
Recommendation:	Set Tentative Millage Rate and Public Budget Hearings for adoption of the FY2016 budget.
Attachments:	Memo from Finance Director dated 07/28/15

I. CITIZEN INPUT

J. ITEMS BY COUNCIL

K. ADJOURNMENT

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

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.

RESOLUTION NO: 2015-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, ESTABLISHING TIE-BREAKING PROCEDURES FOR TIE VOTES OF THE CITY COUNCIL; PROVIDING FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Sec. 2.12 of the Charter of the City of Brooksville, the City Council shall determine its own procedural rules and the mayor shall set the order of business for each meeting; and,

WHEREAS, Section 2.12 also provides that voting on ordinances and resolutions shall be by roll call and shall be recorded in the journal and that no action of the Council shall be valid or binding unless adopted by the affirmative vote of the majority of a quorum present; and,

WHEREAS, the City Council desires to establish procedures and rules in the event of a tie-vote of the City Council when choosing to fill the vacancy of Seat #3.

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

SECTION 1. The City Council hereby adopts the following procedure/method in the event a tie vote of the City Council occurs for Seat No. 3 vacancy:

Drawing Names from a Container: Using paper of the same color, size and shape, each candidate shall write his or her name on a piece of paper and place it in a container provided by the City Clerk. Then the City Clerk, or other designated representative, shall select one piece of paper from the container and read aloud the name written. The paper drawn shall be shown to each City Council member who shall acknowledge verbally on the record the name written on the paper. The paper drawn shall come part of the official record. That name of the candidate read aloud shall be the one selected.

SECTION 2. CONFLICT. Any resolution or policy of the City, or any portion thereof, in conflict with the provisions of this Resolution, is hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY. In the event that any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Resolution, which shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE. This resolution shall be effective immediately upon adoption by the City Council of the City of Brooksville, Florida.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
BROOKSVILLE, FLORIDA, THIS 3rd DAY OF August, 2015.**

CITY OF BROOKSVILLE

BY: _____
Frankie Burnett, Mayor

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

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

VOTE OF CITY COUNCIL

Battista _____
Burnett _____
Erhard _____
Kahler _____

Thomas S. Hogan, Jr., City Attorney



AGENDA ITEM MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER *T. Jennene Norman-Vacha*
FROM: JANICE L. PETERS, CMC, CITY CLERK *Janice L. Peters*
SUBJECT: LETTERS OF INTEREST TO FILL THE CITY COUNCIL SEAT #3
DATE: JULY 31, 2015

GENERAL INFORMATION: Attached are the letters of interest receives as of 12:00 Noon on Friday, July 31, 2015, to fill vacant City Council Seat #3.

- Pat Brayton
- Vivian Coogler
- Steven Diez
- William Kemerer
- Richard Lilliston
- Ruby McGeehan

PAT BRAYTON

July 22, 2015

Honorable Brooksville City Council
201 Howell Avenue
Brooksville, FL 34601

Dear Council Members,

Please accept this letter, and the enclosed resume, as my formal application for consideration to fill the vacant Council Seat 3 which has become available due to the untimely passing of our friend and Council Member, Joe Johnston.

Having served on the Council in the past, and having also served as the City's Finance Director some years ago, I am very familiar with the City's budget process and how the City functions. I am taking this opportunity to offer my time and assistance to the City and am hoping that I may be of some benefit to you and the citizens of Brooksville.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Pat Brayton', with a long horizontal flourish extending to the right.

Pat Brayton

Rec'd
7/22/15
JP

Pat Brayton
205 Alpine Circle
Brooksville, Fl 34601
Home Phone: 352-796-4840
Cell Phone: 352-232-2233

PERSONAL INFORMATION:

Date of birth, May 31, 1945, Brooksville, Fl.
Married to Judy (50 years).
2 children, 3 grandchildren and 2 great grandchildren.
Lifetime resident of Brooksville and tax paying property owner since 1969.
Voter Registration # 104388180 (Copy attached)

Work History:

1980 to present: Owner of my own accounting and tax service.

Duties include all aspects of public accounting including, but not limited to, payroll, monthly, quarterly and annual financial statements, accounts receivable and payables, along with State and Federal tax returns.

1995 thru 2000: City Council Member (2 years as Mayor).

Along with the purchasing of the current City Hall building, another accomplishment as a member of the Board was the opportunity to negotiate with the DEP in reference to the closing of the School Street Sewer Plant and the construction and opening of the Cobb Road Water Reclamation Plant which was dedicated on March 1, 2000.

1973 to 1980: Finance Director / City Clerk for the City of Brooksville, Fl.

Duties included full monthly financial statements for the City , accounts receivable and payables, monthly billing, annual budget preparation and presentation to City Council.

Education:

A.S. Degree in Accounting from Jones Business College, Orlando, Fl 1965

Certificates of Completion from the following:

Florida Atlantic University - Three Phase Government Career Program-1974

Florida Atlantic University - Municipal Finance Officers-1974

Florida Atlantic University - Public Administration-1978

Florida State University - Governmental Accounting-1974

Florida State University - Municipal Bond Administration-1978

VIVIAN COOGLER



Vivian (Vi) Coogler III

925 Ponce De Leon Blvd.
Lot # 19
Brooksville, FL 34601
(352) 345-0640
V.Coogler@yahoo.com

Re: Brooksville City Council Appointment

I Vivian V. Coogler III, am asking to be appointed to the Brooksville City Council seat left vacant by the late Joseph E. Johnston, Jr.

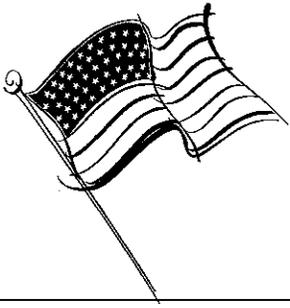
In the past I have run for Brooksville City Council, The Hernando County School Board and a Hernando County Commission seat unsuccessfully.

I have been a volunteer for the Hernando County School system for more than 44 years. My family is one of the oldest families in Hernando County.

Thank You in advance for considering my appointment for the Brooksville City Council seat.

Vivian (Vi) Coogler III

Rec'd
1/22/15
JP



Vivian (Vi) Coogler III

925 Ponce De Leon Blvd.
Lot # 19
Brooksville, FL 34601
(352) 345-0640
V.Coogler@yahoo.com

Resumé

I have been in the political arena for many years.

I worked for our State Representative for eight years, Mr. Jeff Stabins.

I was in charge of his day to day operations and driving him around and back and forth to Tallahassee. I was also in charge of his campaigns, ordering signs and getting them up.

I worked for the City of Brooksville Parks and Recreation Department for two years under David Pauh.

I worked for Publix Corporation eight and a half years as the front end manager and the assistant grocery department manager under Mr. Mark Hemstreet.

I sat on the Hernando County Parks and Recreation Board under the late Adrian Bell, Jr. for four years until they did away with that board.

I have been a volunteer at the Hernando High School from 1970-2014.

I also worked for Pepsi Cola loading trucks at night for four and a half years.

I am driving a Taxi Cab for Hanks Transportation at the present time.

Vi Coogler

Steven Diez

July 28, 2015

Janice Peters, City Clerk
City of Brooksville
201 Howell Ave.
Brooksville, FL 34601

RE: Letter of Interest: City Council Vacancy – Seat 3

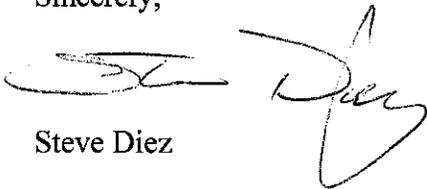
Dear Ms. Peters:

Please accept this Letter of Interest for the vacant seat #3 to fill the unexpired term of Joseph E. Johnston, III.

As a fifteen-plus year resident of the City, it would be my honor to accept the balance of Mr. Johnston's term on Council and can only hope to rise to the level of expertise, and spirit of compromise that he displayed while in office.

I look forward to the challenge and feel free to contact me should you have any additional questions and/or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Diez". The signature is stylized with a large, sweeping initial "S" and a long, horizontal stroke extending to the right.

Steve Diez

STEVEN R. DIEZ
616 GARDEN ST.
BROOKSVILLE, FL 34601

Objective

To apply my knowledge, skills and abilities in an environment that is conducive to both personal and professional growth, and one that is equally rewarding to the City, the County and staff to both as well as the citizens.

Employment

TRANSPORTATION PLANNER II
Hernando/Citrus MPO

YEARS EMPLOYED: 1998- PRESENT
Brooksville, FL

Bicycle/Pedestrian Coordinator for MPO.
Bicycle/Pedestrian Advisory Committee (BPAC), prepares agenda, coordinates with other MPO committees for bike/ped issues.
Attends Development Review meetings with Engineering staff to ensure coordination and development of bike/ped facilities with road, and commercial projects.
Coordinate activities with FDOT involving Enhancement Program and funding via the Work Program and list of priorities.
Chairman, Regional Multi-Use Trail Committee, prepares and coordinates agenda with TBARTA and local agencies.
Prepares Local Agency Program (LAP) grants for submission to FDOT.
Suncoast Trail Advisory Group (STAG), prepares agenda, coordinates with Turnpike Enterprise, Pasco and Hillsborough Counties on all Suncoast Trail issues.
Chairman, Community Traffic Safety Team (CTST) acting as the regional safety coordination efforts with FDOT and two counties. Coordination with Sheriff's Office, Highway Patrol, School Board, Driver Education and Safety Councils.
Submitted application for Millennium Trail, and NRT designation of Suncoast Trail.
Coordinated with Office of Greenways and Trails (OGT) for additional funding for Trail activities and facilities.

Transportation Disadvantaged Coordinator
Official Planning Agency for MPO to the Commission for Transportation Disadvantaged (CTD)
Prepares agenda, coordinates membership on Local Coordinating Board (LCB).
Submits grant applications to CTD and FDOT for TD funding. Coordinates with staff and CTC on all TD related issues.
Maintains transit interface with paratransit system and the Florida Dept. of Transportation
Other MPO activities as necessary; coordination and update of county traffic counts, other activities as required for staff to MPO and Board of County Commissioners.

PLANNER II
Florida Department of Transportation

YEARS EMPLOYED (1992 -98)
Tampa, FL

Transportation planning activities for District Seven
Coordination with FDOT Government Liaison staff and the various MPOs, cities, and counties in the seven-county district.
Development of Local Agency Program (LAP) agreements between FDOT and counties, cities, and municipalities. Coordination and monitoring of certification process for LAP.

Staff to Major Investment Studies (MIS) Director for development of contract and scope of study for MIS contracts and Requests for Proposals to agencies and firms. Monitor progress reports and submittals for MIS projects. Submit payment requests to Contracts Administration in timely fashion.

OFFICE OF GENERAL COUNSEL

YEARS EMPLOYED (1988 - 92)

Florida Department of Transportation

Tampa, FL

Research and respond to public records requests from interested parties to FDOT. Confer with FDOT legal staff regarding extent of request and whether public records law was applicable. Route public records requests to various departments depending on nature of request and verify accuracy before completing request.

RESEARCH DEPARTMENT

YEARS EMPLOYED (1984 - 88)

Public Defender's Office

Tampa, FL

Legal research and writing of memos, briefs, case summaries, for staff of Hillsborough County Public Defender's Office. Review of recent case law to ensure staff attorneys of new precedent or appeals. Drafted appeal briefs for staff attorneys.

Education

J.D.

South Texas College of Law

YEARS ATTENDED: 1981- 1984

Houston, TX

President, Florida Alumni Association

Houston Bar Assoc. Liaison

B.A.

University of South Florida

YEARS ATTENDED: 1972- 1979

Tampa, FL

Member, Advertising Society

Created Ad Campaign for Ybor City in late 70's

Skills

- *Critical thinking and research.*
- *Ability to interact with broad range of personalities.*
- *Accepts responsibility and criticism in equal parts.*
- *Flexibility to adapt in new situations.*

WILLIAM KEMERER

T. Jennene Norman-Vacha

From: William Kemerer [wkemerer@hotmail.com]
Sent: Tuesday, July 14, 2015 9:53 PM
To: Betty Erhard; Natalie Kahler; Robert Battista; Frankie Burnett
Cc: T. Jennene Norman-Vacha
Subject: Vice Mayor Joseph Johnston
Attachments: Background and Experience of William J Kemerer.docx

July 14, 2015

VIA EMAIL

To the Honorable Frankie Burnett, Mayor and
City Council Members

I would like you to know how saddened my wife and I are to learn of Vice Mayor Joe Johnston's passing last week. While I knew him for only a short period, I always saw him as an individual who truly enjoyed his position as a Council Member for the City of Brooksville. His detailed historical knowledge of not only our community but of prior Council actions was always amazing. The consistency of his thoughtful consideration of all sides and positions was an attribute we can all learn from. Beyond the tragic personal loss to his family and friends, the loss of his services to our community is truly significant.

I understand that Council is meeting next Monday, July 20th, to address how to deal with the resulting vacant council seat. As you know, I ran for Council in the last election cycle. My desire and willingness to serve our community has not changed since that time. During that process, I had the opportunity to learn a lot about our community. I saw our community as having many assets as well as many challenges. I think I can bring a skill set to the council that will be of benefit to our community in utilizing our assets and addressing our challenges. Therefore, should Council decide to appoint a replacement for the unexpired term of seat 3, I would appreciate being considered for that appointment. Unfortunately, due to the recent passing of a former business associate and close friend, I will be out of town from Sunday July 19 to Thursday July 23. Therefore, I hope you will understand and that my absence from the meeting will not be looked upon unfavorably. I, of course, would be available anytime from Thursday July 23 on to participate in the process in any manner. As a reminder of my background, I have attached additional information about my experience.

Thank You,

William J Kemerer

CC: City Manager

WILLIAM JOHN KEMERER
20084 English Walnut Place
Brooksville, Florida 34601
wkemerer@hotmail.com
352-799-3727 (cell #813-240-2881)

I have lived and worked in Florida since 1977. As a Certified Public Accountant, I worked at regional and national public accounting firms in Daytona Beach, Tampa and, for a short time, in Boca Raton as a partner in the national accounting firm.

In 1990 I left public accounting to become the Vice President of Finance for a Tampa based family-owned hotel development and management company. For the next 12 years, I managed the financial affairs of the family's companies whose major operations were in the southeastern United States, Europe and Puerto Rico. Subsequently, I continued working in the Tampa Bay area for a real estate development company and a start-up hotel development and management company.

During this period I became involved in community activities, serving on the board of directors of our community's homeowner association and of the community newsletter. I also served as a District Supervisor for our Community Development District for 10 years. While serving on these boards, I helped lead the way on a number of community issues including assessing the negative impact of proposed county road improvements, evaluating and financing construction projects for community facilities, establishing budgetary policies and procedures and addressing concerns of residents and local businesses.

Upon our decision to retire, my wife of 36 years, Jane, and I wanted to move to a more rural environment yet remain in the Tampa Bay area. Our decision to build our retirement home here was based on Brooksville being the type of community that offers many of the advantages of a city while maintaining the historic charm and flavor of a small town.

In conclusion, during my almost 35 years working in Florida, I have advised businesses of all sizes on effective and efficient ways to address growth and operational issues during good and bad economic times. In providing these services, I have come to understand the

needs and challenges of the small business community and ways that government can assist in their success. As a member of the various community boards, I have dealt with many of the social, regulatory and financial challenges that face all communities and their citizens. Finally, I have always had a strong interest in government affairs on both a local and national level.

On a personal note, I was born in Pittsburgh, Pennsylvania and lived in Columbus, Ohio during my youth before attending and graduating from The Ohio State University with a Bachelor of Science in business administration.

I hope you will allow me the opportunity to combine my commitment to public service and interest in governmental affairs with my extensive business and community experience to join you on the Brooksville City Council.

Thank you again for your consideration.

Richard Lilliston

Janice Peters

From: Richard Lilliston [rlilliston58@gmail.com]
Sent: Friday, July 31, 2015 10:52 AM
To: Janice Peters
Subject: City Council Vacancy
Attachments: Richard's Resume.doc; RL License0001.pdf

To the Honorable Mayor and City Council of Brooksville,

Please accept this letter and resume as my application to fill the vacant City Council Seat #3. My name is Richard Lilliston and I have been a resident Brooksville for the 4 years. During this time I have come to love and respect the city of Brooksville, it's residents, and government. Brooksville is one of the most stunning and beautiful cities in in which I have ever lived. Its' people are the most friendly and caring of any community. In fact, for me it is a paradise.

As a professional, I have had many years of experience in working with local and state governments on many issues. My experience includes, Community Development Block Grants, Medicaid and Medicare, children, disabilities, seniors, and Alzheimer's disease. I have an excellent educational background and experience, including both non-profit and for profit. I fully understand budgets, the budgeting process, and the checks and balances required to stay in the black during the most difficult of times. Although I have been in the non-profit sector for over forty years, I also have experience in the profit sector as a real estate professional.

I come from very humble beginnings and put myself through college loading trucks and working in factories. From my humble beginnings in Newark, NJ, I have risen to the CEO of a non-profit that is extremely well respected on both local, state and national fronts. During my years as an a CEO I have spent much time working with state legislators, including Johnnie Byrd (on Alzheimer's disease), Senator Tom Lee and State Representative Sandra Murman (on the creation of the Agency for Disabilities) and Senator Ronda Storms (on transportation for the disabled). My relationship with state politicians is excellent and I attend many fund raisers throughout the state.

On a personal level I am married with three children and three grand children. Presently, my wife and I are renovating some properties in the downtown area.

All in all, I am an extremely well-rounded and highly intelligent individual who would be an excellent addition to the City Council of Brooksville. I am totally committed to our community.

Thank you for your consideration, I have attached my resume and driver's license. I cannot attach my voter registration card. It seems to be lost and since I always early vote I have not needed it in many years.

Sincerely,

Richard Lilliston

502 Park Way

Brooksville, FL 34601

(352) 593-4229

(813) 610-8511, cell

Best regards,

RICHARD LILLISTON, MSW
502 Park Way Brooksville, FL 34601
813.610.8511

EXPERIENCE AND ACCOMPLISHMENTS

2013 – Present **Real Estate Agent**

ReMax Marketing Specialists, Spring Hill, FL

2011 – 2014 **Retired**

1996 - 2011 **CEO**

Hillsborough Achievement and Resource Centers, Tampa, FL..

Added 12,000 square foot contract manufacturing program, designed and built state-of-the-art- 19,00 square foot five building campus including a community center, hurricane shelter, training facility and Alzheimer's home. Opened 5 new group homes; three conversions and two ground-up construction. Grew agency from 40 to 150 staff. Increased budget from 1.8 million to 7 million. Active in advocacy and legal issues locally and statewide. Legislative Chair of Bay Area Rehabilitation Cooperative (2001) and member of the board of the Florida Association for Rehabilitation Facilities (1999-2002).

MSW student supervisor for University of South Florida MSW Program.

Established the HARC Challenge Foundation to serve HARC as a fundraising, lobby and public relations arm. Raised approximately \$10 million since inception.

1994 – 1996 **Independent Consultant**

To Non-Profits, For-profits, and Advocacy Groups

Developed funding proposals and assisted in program implementation of PDD/Autism services for adults and children including wrap-around, in-home, educational and residential. Obtained funding and non-profit status for Philadelphia Council of Concerned Families and Parents of Adult Children with Autism. Advocated for Inclusive Educational Services for children with disabilities.

1990 – 1995 **Director, Developmental Disabilities**

Intercommunity Action, Inc., Philadelphia, PA

Increased overall budget from \$1.5 million to \$4.5 million
Opened 19 new residential slots, including three Intermediate Care Facilities
Created Independent Apartment and Consumer-Owned Housing Programs
Established respite care, in-home services, and after-school programs for 150 Children. Restored a 45-personal vocational workshop program to profitability.

Expanded Supported Employment Program and converted case management program to Medicaid Waiver funding. Active in state and local advocacy and legal issues.

1984 – 1986 Director, Youth Employment Programs

Association of Lower East Side Settlement Houses, NY, NY

Directed multi-site, multi-ethnic training and employment programs at six Settlement Houses, worked closely with executives of major NYC corporations to develop employment and training opportunities for disadvantaged youth. Restructured programs in response to increased immigration from Asia and South America. Developed Work/Studies Program for adult High School Equivalency.

1980 – 1984 Program Coordinator, Staff Training Program

Union Settlement Association, NY, NY

Trained and placed over 200 direct care staff throughout agencies in NYC. Created 12 week intensive Classroom/Field Work Internship Program. Planned and developed curriculum for entire program. Taught Developmental Disabilities and Human Development Courses. Supervised educational, fieldwork and job placement staff

1984 – 1986 Group Work Supervisor (Consultant)

Association of Help for Retarded Citizens, NY, NY

Trained and supervised direct care staff in group work skills. Formed self-governing groups for residents of larger homes. Provided individual and group counseling for residents in crisis. Assisted management in troubleshooting labor difficulties in residential programs.

1976 – 1980 Boro Coordinator

Voluntary Residential Facilities, NY, NY

Supervised three residential facilities for the developmentally disabled. Designed first independent apartment program based on a "Clubhouse Model." Supported 20 persons in independent apartments and 18 in independence training.

EDUCATION

MSW City University of New York, Hunter College School of Social Work
New York, NY

RUBY MCGEEHAN

20 July 2015

City of Brooksville
201 Howell Avenue
Brooksville, Florida 34601

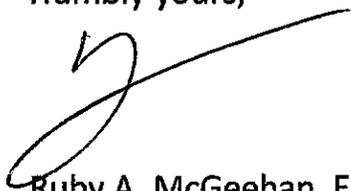
Hon. Mayor and City Council Members,

It is with the utmost respect for this great City of Brooksville that I submit my name to be considered for the honored position to fill the vacant seat of our beloved council member. I have been a resident of Brooksville since approximately 1999, and a resident of Hernando County since approximately 1968; with that said, I have seen many changes to our city and would love to be a part of the future plans for the City of Brooksville.

It would be an honor to serve the residents of our great city and to work alongside the dedicated folks that are the heart and pulse and tend to the needs of our city.

Please accept my letter of interest for the honor of filling the vacant seat.

Humbly yours,



Ruby A. McGeehan, Esq.
573 Bell Avenue
Brooksville, Florida 34601
352.346.5000

RUBY MCGEEHAN

573 BELL AVENUE, BROOKSVILLE | 352.346.5000 | rubymcgeehan@msn.com

VOLUNTEER/COMMUNITY SERVICE/AWARDS

**PAST BOARD MEMBER OF THE HERNANDO COUNTY HOUSING AUTHORITY
APPOINTED BY GOVENOR, TWO TERMS**

**PAST PRESIDENT OF PI SIGMA ALPHA OMEGA EPSILON CHAPTER OF SAINT LEO
UNIVERSITY**

**PAST VICE-PRESIDENT OF PHI THETTA KAPPA ALUMNI CHAPTER OF SAINT LEO
UNIVERSITY**

**PAST VICE-CHAIR OF PHI THETTA KAPPA HONOR SOCIETY OF PASCO HERNANDO
COMMUNITY COLLEGE**

**PAST CHAIR OF EQUAL OPPORTUNITY COMMITTEE OF HERNANDO COUNTY BOARD OF
REALTORS**

PAST MEMBER OF BROOKSVILLE ELEMENTARY SCHOOL ADVISORY COUNCIL

OUTSTANDING SENIOR AWARD SAINT LEO UNIVERSITY

**SELECTED BY DEPARTMENT OF SOCIAL SCIENCE TO REPRESENT SAINT LEO UNIVERSITY
AT THE CENTER FOR THE STUDY OF THE PRESIDENCY, WASHINGTON D.C. SYMPOSIUM**

VOLUNTEERED ASSISTANT COACH TO GIRLS SOCCER AT HERNANDO COUNTY YOUTH

VOLUNTEERED ASSISTANT CUB SCOUTS WEBELOS

EDUCATION

FLORIDA A&M UNIVERSITY COLLEGE OF LAW, ORLANDO, FLORIDA	2004-2007
SAINT LEO UNIVERSITY, SAINT LEO, FLORIDA	1999-2002
PASCO HERNANDO COMMUNITY COLLEGE	1996-1999

EMPLOYER

LAW OFFICE OF THE PUBLIC DEFENDER, MICHAEL A. GRAVES, FIFTH JUDICIAL CIRCUIT, ASSISTANT PUBLIC DEFENDER	OCTOBER 2009 TO PRESENT
--	--------------------------------

Janice Peters

From: Allyson Bedson [allysonbedson@gmail.com]
Sent: Saturday, July 25, 2015 10:56 AM
To: Frankie Burnett
Subject: City Council Ruby McGeehan

Hello. I am contacting you regarding Ruby McGeehan. I have known her since approximately 1997. She is a remarkable woman and wonderful friend. A single mom, raising 3 children, attending college and becoming an attorney. That is quite impressive to say the least.

Ms. McGeehan has been a public defender for the last 6 years. Experiencing so many levels of people, I believe brings so much more well rounded benefits to serve our county.

I know she would be a valuable asset to the county she has been so proud to live in for so many years. Ruby is dedicated to every goal she sets. Hernando county would benefit enormously with the knowledge she has.

I highly recommend you let her have the position of city council. You will be so pleased with your decision to hire Ruby McGeehan.

Best regards,

Ally Bedson
22321 Blume Street
Brooksville, FL 34601
352-345-8453
352-428-5709

Janice Peters

From: missjanesclass@aol.com
Sent: Monday, July 27, 2015 10:32 AM
To: Frankie Burnett; Robert Battista; Betty Erhard; Natalie Kahler; T. Jennene Norman-Vacha; Janice Peters
Subject: Candidate for City Council Recommendation

Greetings, All,

This email is sent to you all for the purpose of a recommendation for Ruby McGeehan, a resident of Brooksville, who has stepped up to be considered to fill the seat of our beloved Joe Johnston.

We became acquainted with Ms. McGeehan as neighbors, since 2010. In that time, we have come to regard her as a caring individual, one that is responsible and sensitive to the needs of those around her.

Her professionalism that she exhibits in her work life as an attorney carries over in how she handles herself in general. She is a very organized person, and her people skills would be a great asset to the position on the City Council. She is intelligent and grounded; and we believe that all of the afore-mentioned as well as her professional experience, qualify her as an exceptional candidate.

Please feel free to contact us if you have any questions or concerns.

Best regards,

Robert and Jane Miller

42 Oak Street

Brooksville,

FL 34601

Alan K. Garman
Sand Ridge Development Corporation
12 S. Main Street
Brooksville, FL 34601

July 27, 2015

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

Re: City Council Appointee to vacant seat

Dear Mrs. Norman-Vacha

I would like to take this time to show my personal support for Ms. Ruby McGeehan's application for the vacant seat on the City Council. I'm sure all of you will give your careful consideration to all the applicants.

I have personally known Ms. McGeehan for quite a few years. She is a professional person, of high character. As our City continues its progressive, pro-active approach in maintaining our City, its history, and culture, we need to involve younger, concerned citizens. I believe with the interest Ms. McGeehan has shown, she can provide those qualities to our citizens, and the continued, managed growth and success of our City.

Sincerely,



Alan K. Garman
President

Janice Peters

From: Pat King [pking58@tampabay.rr.com]
Sent: Wednesday, July 29, 2015 11:51 AM
To: Frankie Burnett
Subject: Consideration of Ruby McGeehan on City Council

Dear Mayor,

Recently it has come to my attention the city of Brooksville is looking for a qualified replacement for the Hon. Joe Johnson's seat. I know of no better candidate for your consideration than Ruby McGeehan, Esq. Ruby has lived in Brookville the majority of her life, attended 12 years in Hernando Public Schools, graduated from Community College in Hernando County, received an undergrad degree from Saint Leo College and graduated from Florida A & M Law School.

Ms. McGeehan accomplished all of her higher education goals as a single mother of three children. This demonstrates her personal commitment to achieve educational goals regardless of the many difficulties associated with single parenting. Upon graduation from law school, she became employed by the Citrus County Public Defenders Office where she continues to serve as Assistant Public Defender.

Over the years I have observed Ms. McGeehan organize and work tirelessly in several community service organizations in the city of Brooksville with the same commitment she applied to her higher education endeavors. I know her to be an excellent volunteer always trying to help make Brooksville a better place to live. We would be a better community if we had more folks like Ruby McGeehan willing to serve the citizens of Brooksville.

Best Regards, Clay Geer
CEO Deep South Family Bar-B-Que
Brooksville, Fl



Telephone
(352) 742-4270

Felony Fax
(352) 742-4297

Administrative Fax
(352) 742-4350

LAW OFFICES OF
MICHAEL A. GRAVES
PUBLIC DEFENDER

Misd./Juv Fax
(352) 253-6030

Fifth Judicial Circuit of Florida
Marion • Lake • Hernando • Citrus • Sumter

July 29, 2015

Brooksville City Council
201 Howell Avenue
Brooksville, Florida 34601

Re: Ruby McGeehan

Dear Counsel Members,

Please allow me to recommend Ruby McGeehan for the position of City Council Member, seat number 3. Ms. McGeehan has served as an Assistant Public Defender in the Fifth Circuit for almost six years. She has demonstrated a dedication to excellence in her practice of law and a commitment to those she represents. Ruby's intellect, coupled with her common sense, have earned her a reputation as a person who will listen to all positions and fashion solutions to difficult problems.

I believe that Ms. McGeehan will bring these attributes and her love of her community to the Brooksville City Council. I have no doubt that her service will benefit the citizens of the city.

A handwritten signature in black ink, appearing to read "Michael A. Graves", with a horizontal line underneath.

Michael A. Graves
Public Defender
Fifth Judicial Circuit

MAG/dlc

Janice Peters

From: Sharon Pope [popesharon52@gmail.com]
Sent: Friday, July 31, 2015 8:34 AM
To: Frankie Burnett; Robert Battista; Betty Erhard; Natalie Kahler; T. Jennene Norman-Vacha; Janice Peters
Subject: Candidate for City Council Recommendation

Greetings, All,

This email is sent to you all for the purpose of a recommendation for Ruby McGeehan, a resident of Brooksville, who has stepped up to be considered to fill the seat of our beloved Joe Johnston.

I have known Ruby McGeehan for many years. She holds strong family values and a world view that mirrors trust, compassion and dedication. Ruby will represent the people of Hernando County honorably and ensure that voices are heard regarding all issues that arise.

Ruby has a common-sense approach and the drive needed to make a difference in the future of our County. I cannot stress enough my confidence in her character and ability to fulfill the requirements of this office.

Bill Pope Jr.

Pastor & Hernando County Deputy

352-238-5906

Sai Ann Ensell
25343 Powell Road
Brooksville, Florida 34602
(352) 279-1992

July 31, 2015

Re: Ruby McGeehan

Dear City Council Members:

This letter is a recommendation for Ruby McGeehan to fill the vacancy on your Council. I have known Ms. McGeehan for many years. She has been a resident of the City of Brooksville for very many years and has always been involved in some way with activities within the city. She was a member of the County's Housing Authority and served that Board very well.

I believe that she would be a true asset to The City Council as she is a very intelligent and articulate person and will assist in making Brooksville a better city to live and work in.

Thank you for your consideration of this letter.

Sincerely,



Sai Ann Ensell

Saiann1@hotmail.com

RESOLUTION NO. 2015-14

A RESOLUTION OF THE CITY COUNCIL OF BROOKSVILLE, FLORIDA DESIGNATING THE APPOINTMENT TO VACANT CITY COUNCIL SEAT No.3, SPECIFYING THE TERM OF APPOINTMENT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Joseph E. Johnston, III, passed away during his term as Council Member holding Seat No. 3, thereby creating a vacancy; and,

WHEREAS, Section 30-15 of the City of Brooksville City Code requires that if any vacancy occurs in the membership of the city council, the remaining city council members shall select, by resolution, an eligible person to fill the vacancy until the vacancy is filled at a regular or special election; and,

WHEREAS, interest in filling the vacant City Council Seat No. 3 was solicited by the City Council; and,

WHEREAS, the City Council, at the August 3, 2015, meeting, voted to appoint a Council Member to Seat No. 3.

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

Section 1. The City Council of the City of Brooksville hereby makes the following appointment to fill the vacancy in Seat No. 3 on the City Council:

NAME: _____

Section 2. The term of the appointed candidate will commence immediately upon appointment and swearing in, and shall continue until a duly elected candidate is sworn into office following a regular municipal election or countywide non-primary election.

Section 3. This resolution shall take effect immediately upon adoption.

ADOPTED in regular session this 3rd day of August, 2015.

CITY OF BROOKSVILLE

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

BY: _____
Frankie Burnett, Mayor

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

VOTE OF CITY COUNCIL

Battista _____
Burnett _____
Erhard _____
Kahler _____

Thomas S. Hogan, Jr., City Attorney



AGENDA ITEM MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: JANICE L. PETERS, CMC, CITY CLERK

SUBJECT: VETERANS APPRECIATION PARADE REQUEST FOR WAIVER
OF FEES

DATE: JULY 28, 2015

GENERAL INFORMATION: The 2015 Veterans Appreciation Parade is scheduled for Saturday, November 14, 2015. Line-up begins at 8:30 a.m. at City Hall and parade from 10:00 – 11:00 a.m. The parade sponsor, Hernando County Board of County Commissioners, has requested City Council waive fees associated with the parade permit in the amount of \$513.24. Following the Fee Waiver Policy, 50% approval would be \$256.62.

The route will be the same as last year, from City Hall parking lot out to Ft. Dade, Right on Main Street, crossing Jefferson and Broad Streets, Left on Liberty, Left on Magnolia, Left on Fort Dade and back to City Hall.

BUDGET IMPACT: Monies in the amount of \$15,000 have been tentatively approved in the FY2016 budget for waivers for such events in line item 001-010-511-59901. Total impact to the City of Brooksville for the Veterans Appreciation Parade is estimated at \$513.24 or \$256.62 at 50%. To date, Council has approved \$308.94 in fee waivers for Fiscal Year 2016.

LEGAL REVIEW: The City is authorized to issue a Street Closure Permit pursuant to Section 74-165(a), which requires a permit to be obtained for parades or other public assembly events. Section 74-168 authorizes the City to levy fees to offset costs of such permits, which are set by Policy 1-2000, to be reimbursed by the applicant. It is within Council discretion to waive provisions of such policies.

STAFF RECOMMENDATION: Staff seeks direction from City Council.

ATTACHMENTS: 1. Street Closure Permit & Map
2. Fee Waiver Spreadsheet

Attachment 1

CITY OF BROOKSVILLE

TEMPORARY STREET CLOSURE APPLICATION

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

Certificate Attached Yes No

Waiver Requested* Yes No

Approved by Council Yes No

Name or Organization Sponsoring: Hernando County Board of County Commissioners		Event VETERAN'S APPRECIATION PARADE	
Contact Person: ANNA LIISA COVELL		Address 600 S MAIN STREET, BROOKSVILLE	Telephone: 544-0680
If unavailable (Alternate Name) BRYON COVELL		E-Mail: alcovell@tampabay.rr.com bcovell@tampabay.rr.com	Telephone: 544-0680
Date of Event: Sat., Nov. 14, 2015	Starting Time: 10:00 (Lineup 8:30)	Ending Time (approx): 11:00	Estimated Number of Participants:

Proposed Route (include Street/Avenue, attach location map)

BEGINNING AT CITY HALL PARKING LOT, FROM MAIN STREET TO LIBERTY, LEFT ON LIBERTY TO MAGNOLIA, OVER TO FT. DADE (LEFT) AND BACK TO THE CITY HALL PARKING LOT.

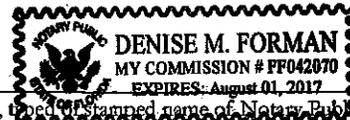
I/We Hernando County Board assume responsibility for reimbursing the City's cost as estimated below, and all liability for injuries and damages and will hold the City harmless from any claims arising directly or indirectly from the event, including or as a result of City's closure of the street(s) to facilitate the event, and, if applicable, authorization to use copyrighted materials. If applicant is a corporation, association, or partnership, the undersigned warrants he/she is authorized to execute binding contracts on behalf of the applicant.

Brian Malberg
Signature

State of Florida
County of Hernando

The foregoing instrument was acknowledged before me this 8 day of JULY 2015, by BRIAN MALBERG who is personally known to me or who presented _____ as identification, and who (did) (did not) take an oath.

Denise M. Forman
[Signature of Notary Public]


[Printed, typed or stamped name of Notary Public]

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

NOTICE: PERMIT NOT VALID UNLESS APPROVED BY DESIGNATED CITY REPRESENTATIVE.		
Total Deposit \$ _____	Received By: _____	Date _____
Police Chief	Date _____ City Manager	Date _____

Denise M. Forman 07-14-2015
201 Howell Avenue ~ Brooksville, FL 34601 ~ 352-540-3853

CITY OF BROOKSVILLE

TEMPORARY STREET CLOSURE APPLICATION

201 Howell Avenue
(352)540-3853

Event: VETERAN'S APPRECIATION PARADE (2015)
 Starting: 10:00 A.M. (LINE-UP AT 8:30 A.M.) End: 11:00 A.M.

Police Department

Personnel SEE ATTACHED @ \$ _____ per hr. X _____ hours = \$ _____
 _____ @ \$ _____ per hr. X _____ hours = \$ _____
 Equipment _____ @ \$ _____ = \$ _____
 _____ @ \$ _____ = \$ _____

POLICE DEPARTMENT TOTAL \$ 439.²⁴

Fire Department

Personnel _____ @ \$ _____ per hr. X _____ hours = \$ _____
 _____ @ \$ _____ per hr. X _____ hours = \$ _____
 _____ @ \$ _____ per hr. X _____ hours = \$ _____
 Equipment _____ @ \$ _____ = \$ _____
 _____ @ \$ _____ = \$ _____

FIRE DEPARTMENT TOTAL \$ 0.00

Public Works

Personnel (St) 1 @ \$ 24.50 per hr. X 2 hours = \$ 49.00
 _____ @ \$ _____ per hr. X _____ hours = \$ _____
 Equipment 1 TRUCK @ \$ 25 = \$ 25.00
 Personnel (Gar) _____ @ \$ _____ per hr. X _____ hours = \$ _____
 _____ @ \$ _____ per hr. X _____ hours = \$ _____
 Equipment _____ @ \$ _____ = \$ _____

PUBLIC WORKS TOTAL \$ 74.00

Parks & Recreation

Personnel _____ @ \$ _____ per hr. X _____ hours = \$ _____
 Equipment _____ @ \$ _____ = \$ _____

PARKS & REC TOTAL \$ _____

Community Development

Tent Rental \$ _____ **COMMUNITY DEV. TOTAL \$ _____**

ESTIMATED TOTAL DUE CITY \$ 513.²⁴

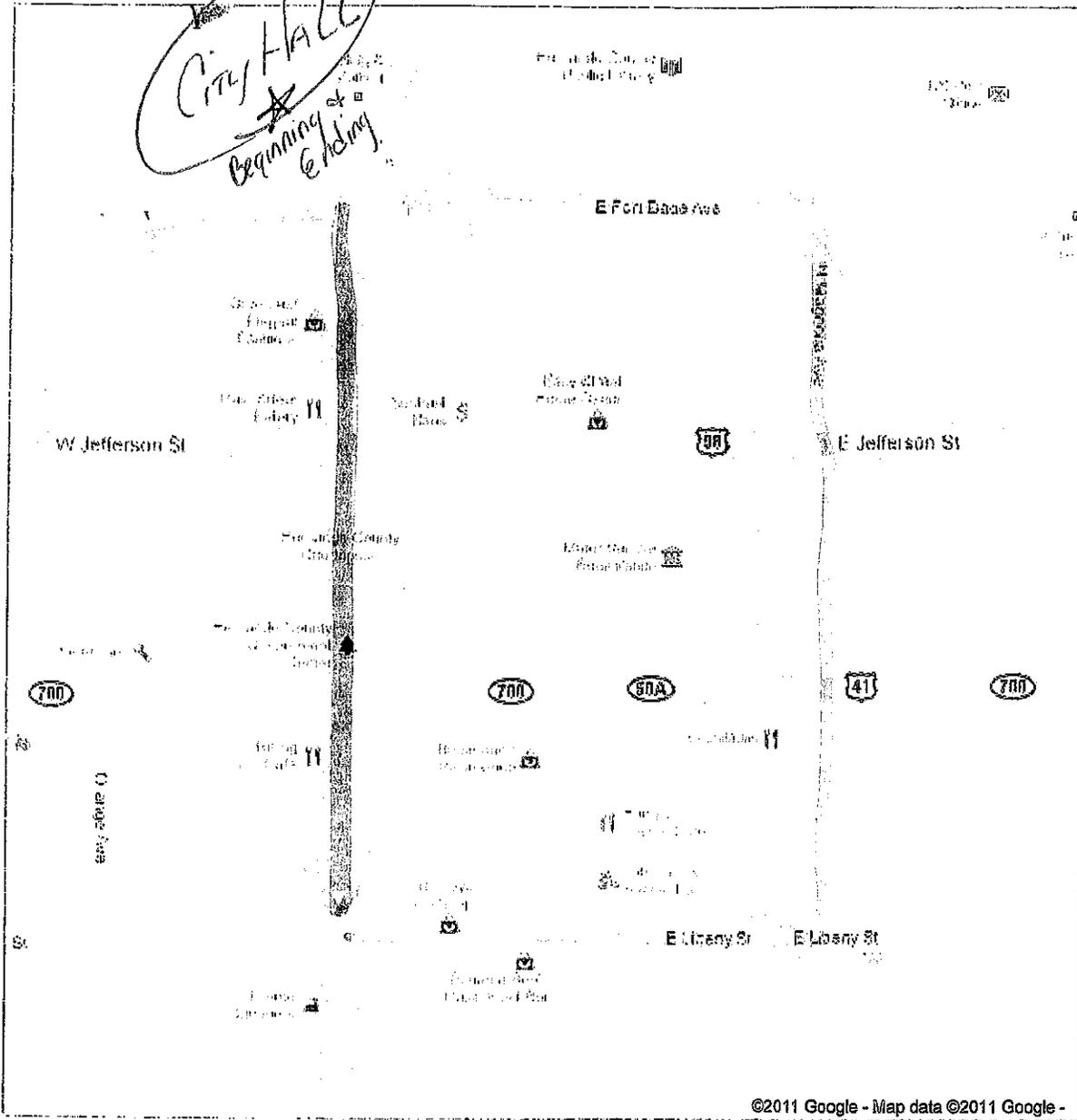
TOTAL Actual Costs \$ _____ Billed \$ _____ Payment Received By: _____

**Per Council Policy 3-2012: Applicants may request a Fee Waiver of up to 50% of City required Special Event Permit Fees. Council may, with a supermajority vote or at a minimum, a 4-1 vote, waive fees above the 50%. A request for a Fee Waiver must be submitted with a Special Event permit application. The City may, in its discretion, approve all, part, or none of a Fee Waiver request. Applicants are encouraged to solicit volunteer agencies to offset costs.* _____ Initial of Applicant

Google maps

Address 201 Howell Ave
Brooksville, FL 34601

Notes Veterans Appreciation Parade



 **Information on Hurricane Irene**
 General maps related to the hurricane
 Maps specific to the NYC area

Attachment 2



AGENDA ITEM
MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: MIKE WALKER, PARKS/FACILITIES & RECREATION DIRECTOR

SUBJECT: TOM VARN PARK and THE JIMMY BROOKS PAVILION FEE WAIVER REQUEST – DAWN CENTER OF HERNANDO COUNTY ANNUAL “DASH FOR DAWN CENTER” 5K.

DATE: JULY 28, 2015

GENERAL SUMMARY/BACKGROUND: The Dawn Center of Hernando County, a nonprofit organization, is hosting their annual “Dash for Dawn Center” 5k event at Tom Varn Park on October 10, 2015. Following the Fee Waiver Policy, the committee is requesting that Council consider waving the fees in the amount of \$320 for the use of the Park and Jimmy Brooks Pavilion. Following the Fee Waiver Policy, 50% approval would be \$160.

The security deposit in the amount of \$275.00 and a certificate of insurance listing the city as additionally insured will still be required for the event.

BUDGET IMPACT: Monies in the amount of \$15,000 have been tentatively approved in the Fiscal Year 2016 budget for waivers for such events in line item 001-010-511-59901. To date, Council has approved \$308.94 in fee waivers for Fiscal Year 2016. The budget impact will be a loss of Park rental income in the amount of \$320, or \$160 at 50%. To date, no Parks/JBCC fees have been waived in FY2015/16.

LEGAL REVIEW: The City Council has home-rule authority (Art. VII, (2) Fla. Const. and §166.011 Fla. Stat.) to consider matters of fiscal and intergovernmental benefit. Ordinance No. 842 which set the Fiscal Year 2015 Budget provides for budget amendments and transfer of funds. Pursuant to Special Events Fee Waiver Policy No. 3-2012, the City Council has the authority to waive fees for rental or use of City facilities.

STAFF RECOMMENDATION: Staff seeks direction from City Council.

- ATTACHMENTS:**
1. Letter of Request
 2. Facility Use Agreement
 3. Fee Waiver Spreadsheet

Attachment 1



Our Mission: "To end the cycle of family violence, abuse and sexual assault... where home is a safe place."

July 6, 2015

Brooksville City Council
201 Howell Avenue
Brooksville, FL 34601

Re: Dawn Center's 5K Fundraiser, October 10, 2015

Dear Brooksville City Council Members,

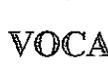
Dawn Center of Hernando County provides services to over 1,400 survivors of domestic violence and sexual assault each year. Our programs include 24/7 crisis hotline, emergency safe shelter, crisis counseling, case management, legal advocacy, and other outreach and violence prevention services. In order to raise funds for the operating costs of our life changing program's we are seeking permission to host our annual 5K run/walk called "Dash for Dawn Center" at Tom Varn Park. We would like to use Tom Varn Park and the Jimmy Brooks Pavilion on Saturday, October 10, 2015 from 3:00 pm- 9:30 pm inclusive of set-up, breakdown, event, and clean-up. Because we are a non-profit organization using all proceeds from this event towards the many different programs we offer, we are requesting the user fees for use of this location be waived. We will certainly take care to ensure that the facility is in as good of condition when we leave it as it was when we arrived.

Your consideration of our request is greatly appreciated. If you should have any questions regarding the event or Dawn Center programming, please do not hesitate to reach me at (352) 684-7191. Thank you.

Sincerely,

Shannon Sokolowski
Executive Director

PO Box 6179, Spring Hill, FL 34611 352-684-7191-Phone, 352-684-7941- Fax
www.dawncenter.org



Attachment 2

CITY OF BROOKSVILLE

PARKS & RECREATION DEPARTMENT

FACILITY USE AGREEMENT



Jerome Brown Community Center Hall/Gym Conference Room Kitchen
 Enrichment Center 1st Fl Conf. Rm. 2nd Fl Conf. Rm. Kitchen
 Other Facility Tom Varn Park

Name of applicant (User): Dawn Center of Hernando County

If an organization, name of representative: Shannon Sokolowski

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

Address: PO Box 6179 City: Spring Hill State: FL Zip: 34411

Contact person: Shannon Sokolowski Day Telephone (352) 684-7191 Evening N/A

Alternate contact person: Missy Hoppes Day Telephone (352) 684-7191 Evening N/A

Description of event: 5k Run - fundraiser to benefit survivors of domestic & sexual violence in Hernando County Anticipated attendance: 125 approx.

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

Day(s) of event: M - T - W - Th - F - Sa - Su Start date of event: 10/10/15 Ending date: 10/10/15

Time event begins: 6:00 AM/PM Time event ends: 9:00 AM/PM

Set-up: Date 10/10/15 From 3 AM/PM to 9:30 AM/PM

Will event be open to the general public? Yes No; Admission/donation/fee**: Yes No \$25 Advance / \$30 day of

Food/merchandise sales*: Yes No; Describe:

Refreshments served: Yes No; Describe: Drinks & snacks

Number of paid security officers (if applicable): n/a Scheduled from AM/PM to AM/PM

RATES & FEES

User Fees: The base user fee for the requested facility is \$ 275.00 (plus Florida sales tax, if applicable) for the period set forth in this application. If applicable, each additional hour or part thereof, and the cost of additional equipment, supplies and services, will require an additional fee.

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

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

USE AGREEMENT TERMS

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

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

Applicant User/Name: Dawn Center Shannon Sokolowski Signature: [Signature] Date: 7/6/2015

Insurance Required: <input checked="" type="checkbox"/> Yes ___ No; Certificate naming the City as "Additional Insured" attached: ___ Yes ___ No	
Alcoholic Beverage Distribution/Consumption Permit ___ Yes <input checked="" type="checkbox"/> No (Attach copy of signed permit)	
Base Rent \$ <u>275.⁰⁰</u> Other \$ <u>275.⁰⁰</u> Total Estimated Cost \$ <u>550.⁰⁰</u> Total Estimated Deposit \$ <u>275.⁰⁰</u>	
Initial Deposit (minimum 50% of estimated total) \$ _____ Received by _____ Date _____ Balance Due (10 days prior to event) \$ _____	
Application Approved By: _____ Date: _____	
Not valid unless signed by Director of Parks and Recreation or Authorized Agent.	

Internal Revenue Service

Date: March 15, 2007

SALVARE INC
DAWN CENTER OF HERNANDO COUNTY
PO BOX 6179
SPRING HILL FL 34611

Department of the Treasury
P. O. Box 2508
Cincinnati, OH 45201

Person to Contact:
Mary Holland 31-08700
Customer Service Representative
Toll Free Telephone Number:
877-829-5500
Federal Identification Number:
59-3188546

Dear Sir or Madam:

This is in response to your request of March 15, 2007, regarding your organization's tax-exempt status.

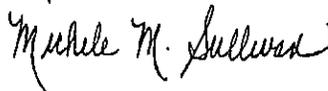
In September 1996 we issued a determination letter that recognized your organization as exempt from federal income tax. Our records indicate that your organization is currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records indicate that your organization is also classified as a public charity under sections 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code.

Our records indicate that contributions to your organization are deductible under section 170 of the Code, and that you are qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Internal Revenue Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,



Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations 1

Attachment 3



**AGENDA ITEM
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER *T. Jennene Vacha*
FROM: MIKE WALKER, PARKS/FACILITIES & RECREATION DIRECTOR *Mike Walker*
SUBJECT: TOM VARN PARK FEE WAIVER REQUEST AND APPROVAL TO SELL ALCOHOL AT EVENT – HERNANDO MUSIC FEST
DATE: JULY 2, 2015

GENERAL SUMMARY/BACKGROUND: The Hernando County Fine Arts Council, a nonprofit organization, is hosting their first annual “Hernando Music Fest” event at Tom Varn Park on November 7th and 8th, 2015. The anticipated attendance for the 2-day event is expected to be around 2,000. Following the Fee Waiver Policy, the committee is requesting that Council consider waving the fees in the amount of \$237.50 which is 50% of the total fee of \$475.00 and approval of the sale of beer and wine during the 2-day event.

The security deposit in the amount of \$275.00 and a certificate of insurance listing the city as additionally insured will still be required for the event.

BUDGET IMPACT: Monies in the amount of \$15,000 have been tentatively approved in the FY2016 budget for waivers for such events in line item 001-010-511-59901. The budget impact will be a loss of Park rental income in the amount of \$475 or \$237.50 at 50%. To date, Council has approved \$308.94 in fee waivers for Fiscal Year 2016.

LEGAL REVIEW: The City Council has home-rule authority (Art. VII, (2) Fla. Const. and §166.011 Fla. Stat.) to consider matters of fiscal and intergovernmental benefit. Ordinance No. 842 which set the Fiscal Year 2015 Budget provides for budget amendments and transfer of funds. Pursuant to Special Events Fee Waiver Policy No. 3-2012, the City Council has the authority to waive fees for rental or use of City facilities.

STAFF RECOMMENDATION: Staff recommends Council approval of the sale of beer and wine and the waiver of fees in the amount of \$237.50, or direction to staff, for the Hernando Music Fest event at Tom Varn Park on November 7th and 8th, 2015.

- ATTACHMENTS:**
1. Letter of Request
 2. Facility Use Agreement
 3. Fee Waiver Spreadsheet

Attachment 1

HERNANDO MUSIC FEST – in Tom Varn Park
HERNANDO COUNTY FINE ARTS COUNCIL
POST OFFICE 1265
BROOKSVILLE, FL 34605
352-587-8062
WWW.HERNANDOARTS.ORG

To: Mike Walker
City of Brooksville Director, Parks/
Facilities and Recreation
DATE: July 13, 2015
FROM: Hernando County Fine Arts Council
SUBJ: Hernando Music Fest – in Tom Varn Park

As per our phone conversation, we would like to hold, our first “Hernando Music Fest” in Tom Varn Park Nov. 7 & 8 2015 and would also like to request the sale of Beer and Wine at this event.

Our show will be a highly publicized Music Festival. In addition to the entertainment our other activities will include:

- Free children’s Music activities
- Food court, featuring school culinary classes and regular vendors
- Some business sponsor booths as well as some non-profits

This will be a great family “Musical” event hopefully held each year in the City of Brooksville we expect to draw around 2,000 visitors even for a first time event.

In accordance with Special Event Fee Waiver policy #3-2012 we would like to request a 50% waiver and would appreciate it if you would set up and appointment with the City Council in order for us to make our formal request.

Paul O. Shaskan – Chairman
352-597-7435 or poiks@yahoo.com

Attachment 2

CITY OF BROOKSVILLE PARKS & RECREATION DEPARTMENT FACILITY USE AGREEMENT



Jerome Brown Community Center Hall/Gym Conference Room Kitchen
 Enrichment Center 1st Fl Conf. Rm. 2nd Fl Conf. Rm. Kitchen
 Other Facility Tom Yarn Park

Name of applicant (User): HERNANDO COUNTY FINE ARTS COUNCIL

If an organization, name of representative: Sandy Vergert

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

Address: 205 E. FL. PARK AVE City: BROOKSVILLE State: FL Zip: 34601

Contact person: JAN KROOKES Day Telephone: 352-279-5182 Evening: 394-5115

Alternate contact person: PAUL SHASTAN Day Telephone: 352-597-7435 Evening: "

Description of event: 1st ANNUAL "HERNANDO MUSIC FEST" IN TOM YARN PARK
WITH FOOD VENDORS & CHILDREN'S MUSIC AREA Anticipated attendance: 1st TIME 2,000

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

Day(s) of event: M - T - W - Th - F Sa Su Start date of event: 11-7-15 Ending date: 11-8-15

Time event begins: 12:00 NOON AM/PM Time event ends: 8:00 SAT. 11/7/15 AM/PM #

Set-up: Date 11-7-15 From 7:00 AM/PM to NOON AM/PM

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

Food/merchandise sales*: Yes No; Describe: CASHIERY STOOD + OUTSIDE VENDORS

Refreshments served: Yes No; Describe:

Number of paid security officers (if applicable): ONE Scheduled from 7:00 AM/PM to 7:00 AM/PM

12 noon
to
5pm
Sunday
11/8/15

RATES & FEES

User Fees: The base user fee for the requested facility is \$ 475.⁰⁰ (plus Florida sales tax, if applicable) for the period set forth in this application. If applicable, each additional hour or part thereof, and the cost of additional equipment, supplies and services, will require an additional fee.

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

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

USE AGREEMENT TERMS

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

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

Applicant User/Name: PAUL SHASKAN Signature: [Signature] Date: 6/23/2015

Insurance Required: <input checked="" type="checkbox"/> Yes ___ No; Certificate naming the City as "Additional Insured" attached: ___ Yes ___ No	
Alcoholic Beverage Distribution/Consumption Permit ___ Yes <input checked="" type="checkbox"/> No (Attach copy of signed permit)	
Base Rent \$ <u>475.⁰²</u>	Other \$ <u>275.⁰²</u> Total Estimated Cost \$ <u>750.⁰²</u> Total Estimated Deposit \$ <u>275.⁰²</u>
Initial Deposit (minimum 50% of estimated total) <u>CL# 5760</u> \$ <u>375.⁰²</u>	Received by <u>[Signature]</u> Date <u>6-24-15</u> Balance Due (10 days prior to event) \$ <u>475.⁰²</u>
Application Approved By: <u>[Signature]</u>	Date: <u>7-2-15</u>
Not valid unless signed by Director of Parks and Recreation or Authorized Agent.	

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **OCT 11 2001**

HERNANDO COUNTY FINE ARTS COUNCIL
C/O BARBARA MANUEL
55 W FORT DADE AVE
BROOKSVILLE, FL 34601

Employer Identification Number:
59-3342853
DLN:
17053184030021
Contact Person:
MR CARL MEDLEY ID# 52406
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
September 30
Form 990 Required:
Yes
Addendum Applies:
No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, if you are involved in an excess benefit transaction, that transaction might be subject to the excise taxes of section 4958. Additionally, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please contact your key district office.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the

Letter 947 (DC/CG)

Attachment 3

City of Brooksville Proclamation

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

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

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

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

Now Therefore, We the Undersigned as City Council for and on Behalf of the City Of Brooksville, do hereby recognize August, 2015, as

Florida Water Professionals Month

In Witness Whereof, we have hereunto set our hand and caused to be affixed the seal of the City of Brooksville this 3rd day of August, 2015.

City of Brooksville

Frankie Burnett, Mayor

Robert Battista, Council Member

Betty Erhard, Council Member

Natalie Kahler, Council Member

Council Member

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

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

MINUTES

July 20, 2015

7:00 P.M.

Brooksville City Council met in regular session with Frankie Burnett, Mayor, and Council Members Robert Battista, Betty Erhard and Natalie Kahler. Also present were Tom Hogan and Clifford A. Taylor, City Attorneys; T. Jennene Norman-Vacha, City Manager; Janet Kato, Deputy City Clerk; Mike Walker, Director of Parks, Facilities & Recreation Director, George Turner, Police Chief; Bill Geiger, Community Development Director; Steve Gouldman, City Planner; and Tim Mossgrove, Fire Chief.

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

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Margaret R. Ghiotto Improvement Award – Commercial Award

Recognition of improvements to Catherine Mercogliano, owner of Great Stuff, located at 503 South Main Street.

Scott Renz, Chairman of the Beautification Board reviewed improvements of the commercial property known as Great Stuff. Owner, Catherine Mercogliano was not in attendance.

Margaret R. Ghiotto Improvement Award – Residential Award

Recognition of improvements to the property owned by Donna Smith, 122 W. Fort Dade.

Cindy Renz presented a brief history of the property receiving the residential award, noting the vast improvements of a house that had once faced possible demolition. Donna Smith was present to accept her award.

CITIZEN INPUT

Mayor Burnett called for citizen input; there none.

CONSENT AGENDA

Council Member Erhard requested that Items 2 and 3 of the Consent Agenda be considered for approval separately.

Minutes

July 6, 2015 Regular Meeting

REGULAR COUNCIL MEETING MINUTES – July 20, 2015

Motion:

Motion was made by Council Member Battista, seconded by Council Member Kahler for approval of the Regular Meeting Minutes of July 6, 2015. Motion carried 4-0.

Parks, Facilities & Recreation Mower Purchase & Budget Amendment

Consideration to approve the purchase of the 2015 Gravely Pro Turn 272 commercial mower, model number 992255 in the amount not to exceed \$6,375.50 from General Auto Parts (State Contract vendor) and Budget Amendment.

City Manager T. Jennene Norman-Vacha reported that this particular mower has a wider cut, saving mowing time by almost half. Director Mike Walker added that the mower being surplusd will help off-set the cost.

Motion:

Motion was made by Council Member Kahler, seconded by Council Member Battista for approval to purchase the 2015 Gravely Pro Tune 272 commercial mower, model number 992255 in the amount not to exceed \$6,375. Motion carried 4-0.

Retainer Agreement with Sunrise Consulting

Consideration of a six month Contract with Sunrise Consulting for lobbying services and representation for the City of Brooksville.

Council Member Erhard questioned the need to engage additional legislative representation to advocate for the City.

Mayor Burnett referenced the important headway achieved in Tallahassee on behalf of the City with the lobbying efforts made by Sunrise Consulting; such as the City's Alternative Plan for the Coast to Coast Trail connecting the Good Neighbor Trail and the city's water/wastewater/storm water projects.

City Manager T. Jennene Norman-Vacha stated that the \$24,000 per year cost of this contract will be split between the City, the Florida Blueberry Festival and the Florida Blueberry Growers Association. The City's portion of obligation for the six month period would be \$12,000, or \$2,000 per month.

Council Member Kahler stated that the momentum on the Good Neighbor Trail is at a crucial point and could not see the advantage in postponing the engagement of a lobbyist.

Council Member Battista requested formal letters be obtained from the Florida Blueberry Festival and Florida Blueberry Association of their commitment to participate in this contract.

City Manager T. Jennene Norman-Vacha stated the commitment letters are forthcoming, and that Sunrise Consulting will be invoicing each entity separately.

Mayor Burnett directed Staff to forward documentation on this subject to Council as it evolves.

REGULAR COUNCIL MEETING MINUTES – July 20, 2015

Motion:

Motion was made by Council Member Kahler, seconded by Council Member Battista to approve the contract with Sunrise Consulting for a six (6) month representation period (July 20, 2015 through January 20, 2015) at \$4,000 per month, which will be split with the Florida Blueberry Festival and the Florida Blueberry Growers Association, with attributable costs not to exceed \$1,000, and a termination provision of 30 days written notice. Motion carried 4-0.

PUBLIC HEARINGS

Noise Ordinance No. 730-C

Consideration of proposed ordinance amending Chapter 82 of the Code relating to Traffic and Vehicles, Article III, Noise from Vehicles.

Mayor Burnett called for proof of publication. The Deputy Clerk stated that Item F-1 of the Agenda was advertised in the Tampa Bay Times on Friday, July 10, 2015, a copy of which is on file as record in the Office of the City Clerk.

Police Chief, George Turner presented the request for amending Chapter 82 of the Code relating to noise from vehicles.

Mayor Burnett called for public input. There was none.

Mayor Burnett requested the Ordinance to provide allowance of road closings in lieu of special events, and that the public be issued warnings for a thirty day grace period.

Motion:

Motion was made by Council Member Erhard, seconded by Council Member Battista to adopt Noise Ordinance No. 730-C, allowing for the exception to road closings in lieu of special events, and to issue warnings for a thirty day grace period.

The Deputy Clerk read Ordinance No. 730-C by title as follows:

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BROOKSVILLE, FLORIDA, ARTICLE III, CHAPTER 82, "NOISE FROM VEHICLES", SECTION 82-52 PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Council Member Kahler	Aye
Council Member Erhard	Aye
Council Member Battista	Aye
Mayor Burnett	Aye

REGULAR COUNCIL MEETING MINUTES – July 20, 2015

REGULAR AGENDA

Resolution No. 2015-11 - 2015 Local Mitigation Strategy (LMS) Plan Update

Consideration of resolution updating the LMS Plan as required every 5-years.

Bill Geiger presented the advantages in updating the LMS Plan as is required every 5-years.

Cecelia Patella, Director of Emergency Management with the Hernando County Sheriff's office, offered further explanation of the program. The plan will be posted on the County website.

Motion:

Motion was made by Council Member Erhard, seconded by Council Member Battista to adopt Resolution No. 2015-11, 2015 Local Mitigation Strategy (LMS) Plan Update.

The Deputy Clerk read Resolution No. 2015-11 by title as follows:

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA; ADOPTING THE HERNANDO COUNTY LOCAL MITIGATION STRATEGY PLAN 2015 UPDATE, AS DEVELOPED BY THE HERNANDO COUNTY LOCAL MITIGATION STRATEGY WORKGROUP; AUTHORIZING HERNANDO COUNTY STAFF TO TRANSMIT SAID PLAN TO THE APPROPRIATE STATE AND FEDERAL AGENCIES; AND PROVIDING AN EFFECTIVE DATE.

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

Council Member Kahler	Aye
Council Member Erhard	Aye
Council Member Battista	Aye
Mayor Burnett	Aye

Resolution No. 2015-12 Deeds Dedicating City Property for use as Good Neighbor Trail Right-of-Way

Consideration of Resolution dedicating city property for use as GNT right-of-way and acceptance of Quitclaim Deeds.

City Attorney Clifford Taylor reviewed the resolution, which, along with the two quit claim deeds attached, would act to dedicate City property to be used as right-of-way for the Good Neighbor Trail. This dedication/reclassification would allow the FDOT to consider the use of these lands as a portion of the corridor for the Good Neighbor Trail.

Mayor Burnett directed Staff to compose a letter of gratitude to Mr. Joseph Mason, Jr. for his donation of these parcels of property to the City.

Mr. Hogan verified that the quit claim deeds from Mr. Mason names the City of Brooksville as Grantee.

REGULAR COUNCIL MEETING MINUTES – July 20, 2015

Motion:

Motion was made by Council Member Battista and seconded by Council Member Kahler for approval of Resolution 2015-12.

The Deputy Clerk read Resolution No. 2015-12 by title as follows:

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA; DEDICATING CERTAIN LANDS IN AND ADJACENT TO TOM VARN PARK TO BE USED BY THE PUBLIC AS RIGHT-OF-WAY FOR THE GOOD NEIGHBOR TRAIL PROJECT; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Council Member Kahler	Aye
Council Member Erhard	Aye
Council Member Battista	Aye
Mayor Burnett	Aye

Welcome Monuments - Private Interest Proposal

Consideration of proposal for the location of the first Welcome Monument and as well as review and approval of subsequent monuments administratively.

Steve Gouldman presented the proposal for the location of the Welcome Monuments and introduced resident/business owner, Mr. Blair Hensley.

Blair Hensley gave a summary of his conceptualization of silos as a sign monument project benefitting the City. He stated that twenty-six individuals and businesses have donated approximately \$54,000 toward this project. The first location will be East Jefferson Street and East Martin Luther King Boulevard. Existing buildings there will be demolished, an Environmental Site Assessment performed and appropriate landscaping provided after the monuments installation. Future sites will be identified, leased, and developed by the Brooksville Silo Project Company and then assigned/donated to the City after completion. He hopes to have the project completed in six to eight months, and requested Council's approval of this project.

Council Member Battista inquired as to how the silos would be painted and/or repaired. He expressed the need for the public to have more time to offer comments on the project to Council.

Mr. Hensley stated the silos are approximately 30' high, in good shape, and will keep their patina finish. They will be installed and reinforced to meet high wind code.

Motion:

Motion was made by Council Member Kahler, seconded by Council Member Erhard to support Mr. Hensley in his silo monument project, providing that the Council be regularly updated as the project progresses. Motion carried 3-1, with Council Member Battista voting in opposition.

REGULAR COUNCIL MEETING MINUTES – July 20, 2015

Adoption of Tentative Fire Assessment Rate for FY2016 Budget Adoption

Adoption of the FY2016 Fire Assessment rates and establishment of the Public Hearing for September 9, 2015, at 5:01 p.m.

Fire Chief Mossgrove presented the FY2016 Tentative Fire Assessment which utilizes the “readiness to serve”, two-tiered approach of funding. He stated that the continuing efforts to shift costs of fire/rescue service delivery funding through the Assessment Program, lessens the burden on ad valorem and other General Fund revenues. This Tentative Fire Assessment proposes a .08 per unit rate for Tier 1 and a \$20 increase, per parcel, from \$80 to \$100 for Tier 2. He requested Council to adopt the tentative fire assessment rates as mentioned and approve a Public Budget Hearing date of September 9, 2015 at 5:01 p.m.

Following discussion City Manager Norman-Vacha stated that this assessment meets the goals of Council to be fair and equitable to all citizens. Properties that typically use these services are not typically properties that contribute to the per parcel average cost. Once in the budget process, the assessment rate may only be lowered to fit budgetary needs that may arise.

Mayor Burnett called for citizen input, which included two citizens who expressed support of the Fire Assessment Budget.

Discussion continued regarding raising Tear 1 to .09 per unit rate.

Motion:

Motion made by Council Member Battista, seconded by Council Member Kahler for adoption of the Tentative FY2016 Fire Assessment rates with the Tear 1 per unit rate of 0.85 and Tear 2 rate of \$100 per parcel; and setting the Public Budget Hearing date for September 9, 2015 at 5:01 p.m.. Motion passed 3-1 with Council Member Erhard voting in opposition.

Mayor Burnett recommended Council members contact either the City Manager or Fire Chief for information regarding this matter in anticipation of citizen inquiries.

Discussion of City Council Group Seat 3

City Manager Norman-Vacha stated that with the recent passing of Council Member Johnston, Seat #3 is now vacant. The City’s current code adopted in 2010 states that the Council would, by Resolution, select an eligible person to fill the vacancy until the next regular municipal election or County wide non-primary election, whichever comes first. In the past, Council has given direction to advertise for those interested to submit their letter of interest which would be brought to Council for review. She requested direction from Council as to how to proceed.

Council Member Battista stated that with only one publication now serving the area, a seven day published announcement may not be enough notice for citizens to reply.

Discussion by Council brought about recommendations such as; informing the public via the website and a press release; requesting respondents to include a resume along with their letter of interest, and that all letters be received in the Clerk’s office by noon on Friday, July 31, 2015.

REGULAR COUNCIL MEETING MINUTES – July 20, 2015

Mayor Burnett addressed the possibility of a split vote.

After discussion, the Council established that in case of a tie vote, the municipal election will be decided by lot in which the name of each candidate who has tied shall be placed on a separate piece of paper of equal size and color and placed in a container so that candidate names are not noticeable. A member of the canvassing Board designated by the City Council will select one piece of paper from the container. The candidate whose name appears upon the piece of paper shall be declared elected by the City Council.

Motion:

Motion was made by Council Member Erhard, seconded by Council Member Battista directing Staff to inform the public of the Council's desire to seek a candidate for Seat #3 by publishing a notice in the *Tampa Bay Times*, doing a press release, posting on the website, and requesting that those interested in serving to submit a letter of interest, along with a resume listing qualifications, to the City Clerk's office by noon on Friday, July 31, 2015. Motion carried 4-0.

Mayor Burnett directed Staff to prepare Tally sheets of interested candidates for Council's meeting on August 3, 2015.

2015 Great Brooksvillian Selection

Review of Screening Committee recommendations and selection of the 2015 Great Brooksvillian recipient.

The Screening Committee stated their recommendation to appoint E. E. "Ernie" Wever, Jr. as the 2015 Great Brooksvillian.

Motion:

Motion was made by council member Battista, seconded by Council Member Kahler to appoint E. E. "Ernie" Wever, Jr. as the Great Brooksvillian

CITIZEN INPUT

Mayor Burnett called for citizen input.

Citizens stepped forward to recommend inventorying the old mower; to advertise the vacant Seat #3 on the web in addition to posting on the website; to commend the Council on their cooperative effort made to one another; and gratitude for the donations made to the City of time, property and effort.

Ruby McGeehan submitted a letter of interest and brief resume to the City Manager to fill Seat #3.

ITEMS BY COUNCIL

Tom Hogan, City Attorney

Mr. Hogan requested that an Executive Session with Council be held on August 17, 2015, and that any items of concern by Council Members could be individually discussed with him prior to the session.

REGULAR COUNCIL MEETING MINUTES – July 20, 2015

Mayor Burnett directed the City Manager to meet with Mr. Hogan prior to the August 17, 2015, Executive Session.

T. Jennene Norman-Vacha, City Manager

City Manager Norman-Vacha reminded the Council of the upcoming Budget Workshop on Monday, July, 27th in preparation of the first Budget Hearing scheduled September 9, 2015. She presented an overview of the past and present economic climates that have shaped the City's present budget, losing revenue and still maintaining the community's desire to maintain services. She stated that the critical aspect for the City is in growth which is currently at 3%. As packets are distributed for the Workshop, she is available to answer questions and concerns any Council Members may have.

Natalie Kahler, Council Member

Council Member Kahler expressed appreciation for the work done by Fire Chief Mossgrove and his Department.

She gave a historical review of Ernie Wever, 2015 Great Brooksvillian Award recipient.

Betty Erhard, Council Member

Council Member Erhard thanked everyone for coming to the meeting. She requested information on legal matters which Counsel stated could be answered upon scheduling a meeting with them at her convenience, and/or to discuss during Executive Session.

Robert Battista, Council Member

Council Member Battista requested to be provided an index of City Policies. He proposed considering that the Council Chambers be dedicated to Council Member Joseph E. Johnston, and for Staff to create an appropriate Resolution of designation with plaque.

Frankie Burnett, Mayor

Mayor Burnett thanked Mr. Hensley's for his hard work on the proposed signage project for the City and that it be presented to the Council as it evolves. He commended all the organizations who offer charitable levels of support to the City. He thanked the Hogan Law Firm for its dedication of representation to the City, and also City Staff.

ADJOURNMENT

There being no further business, the Council Meeting adjourned at 10:02 p.m.

Deputy City Clerk

Attest: _____
Mayor



**CONSENT AGENDA ITEM
MEMORANDUM**

TO: THE HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: RICHARD W. RADACKY, PUBLIC WORKS DIRECTOR

SUBJECT: AWARD OF BID NO.: UD2015-07 PRE-ENGINEERED STORAGE BUILDING

DATE: July 24, 2015

GENERAL SUMMARY/BACKGROUND: The Utilities Division of the Public Works Department is requesting approval to purchase an engineered metal building to be used for storage at the Cobb Road Water Reclamation Facility. There is a large amount of pre-purchased wastewater plant equipment stored in the open at the facility. This equipment may not be installed for several more years and should be stored in a drier environment. The building will also be used to store spare motors and pumps, and gearboxes for future water and sewer installations.

The public bidding process for a building was completed in accordance with the City's Code of Ordinances. Bid proposals were opened on July 10, 2015.

Four (4) bids were received as follows:

TCM Building, Inc.	\$29,800
Earnest Dewitt Gay, Inc.	\$36,400
Lyric Services, Inc.	\$44,325
All Steel Buildings, Inc.	\$54,280

BUDGET IMPACT: The most reasonable and responsive bid for the building was \$29,800. A total of \$45,000 was previously approved in the current budget in the Utilities Building and Improvements Account 409-000-166-19025. There are no budget concerns by staff.

LEGAL NOTE: Pursuant to the City's Charter, Article V, Section 5.04 titled Competitive Bidding, the City Council is authorized to approve the award for procurement of personal property or services via the bid process, within the statutory categories and limits established pursuant to Florida Statutes, Chapter 287.

RECOMMENDATION: Staff recommends that the bid be awarded to the most reasonable and responsive bidder, TCM Buildings, Inc., in the amount of \$29,800.

ATTACHMENT: Bid Certification Form

Bidder/Company Name: TCM Building, Inc.

BID/CERTIFICATION FORM
CITY OF BROOKSVILLE
PRE-ENGINEERED STORAGE BUILDING
BID NO.: UD2015-07

BIDDERS CERTIFICATION TO THE CITY OF BROOKSVILLE:

1. The undersigned warrants that: (A) This Bid is submitted in response to, and is in compliance with, all terms and conditions applicable thereto as set forth in the Advertisement, Instructions to Bidders, General Instructions and Conditions, Special Instructions and Conditions, Bid/Certification Forms and (if any), the Minimum Technical Specifications, Plans, Addendum, Exhibits, Agreement, Bonds, and Insurance Requirements, each of which has been carefully examined, (B) Bidder or Bidder's representative has made such investigation as is necessary to determine the character and extent of the work and their capability to perform the work, and (C) agrees that if the Bid is accepted by the City, Bidder will provide the necessary labor, materials, machinery, equipment, tools or apparatus, and perform all the work or services required to complete the assignment and/or contract within the time specified according to the requirements of the City as herein and hereinafter set forth, and (D) he/she is authorized to legally execute binding contracts for and on behalf of the Bidder.
2. Please check one:
 Bidder declares that the only person, persons, company, or parties interested in this Bid are named in the Bid.
 Bidder, or one or more of bidder's officers, principals, or any owner of more than 5% in or of bidder, or members of their immediate families: (A) have a financial interest in another company, project, or property that could benefit financially from this proposed project; and/or (B) another individual or business will be compensated by (or on behalf of bidder) if Bidder is selected by the City to bid the requested services. (Attach a detailed explanation for either.)
3. Bid Bond - If the Bid is accepted by the City, it will become a binding contract on both parties. If a Bid Bond or Cashier's Check/Certified Check is required, it shall be submitted with the Bid. If the undersigned shall fail to deliver or perform, or if applicable, execute a Contract as stated herein, then the City may, at its option, determine that the undersigned has abandoned the Award/Contract, and thereupon such Bid and/or Award shall be null and void, and any Cashier's Check/Certified Check or Bond accompanying this Bid shall be forfeited to and become the property of the City, and the full amount of said check, or if a Bid Bond, the full amount of such bond, shall be paid to the City as partial liquidated damages; otherwise, any Bond or Cashier's Check/Certified Check accompanying this Bid shall be returned to the undersigned within 30 calendar days from the date of Award, or if provisions for a Notice to Proceed are included, from the date of the Notice to Proceed.
4. Bidder proposes and agrees to provide all materials, services or equipment required for the **PRE-ENGINEERED STORAGE BUILDING BID NO. UD2015-07**, for the Total Bid Sum of Twenty nine thousand eight hundred Dollars (\$29,800).
5. Number of days from date of the Notice to Proceed that will be required for the final completion of all work as described herein and as shown on the plans. 75 days
(Maximum 90 Calendar Days)
6. The City reserves the right to accept any or all prices itemized in any combination that best serves the interests of the City. The City further reserves the right to accept or reject any of the components of this Bid, including alternates.
7. BIDDER HEREBY ACKNOWLEDGES RECEIPT OF THE FOLLOWING ADDENDUMS: UMZ

Bidder/Company Name: TCM BUILDINGS INC.

Name of Bidder: TCM BUILDINGS, INC.

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

If a Partnership: _____

Name(s) of Partner(s): _____

If a Corporation: _____

Incorporated in State of: Florida Date of Incorporation: 4-27-15

Business Address: 130 N. Mildred

City: BROOKSVILLE State FL Zip 34401

Telephone Number: 813-323-8716 Fax () _____

Submitted By: Colleen Talpa
(Print)

Title: OWNER

Signature: Colleen Talpa

ATTEST: _____
Secretary

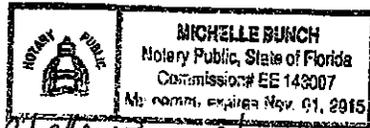
By: Colleen Talpa
Print Name

Affix Corporate Seal
(If Corporation)

State of Florida
County of Herndon

The foregoing instrument was acknowledged before me this 10 day of July 2015 by Colleen Talpa, who is personally known to me or who presented _____ as identification, and who (did) (did not) take an oath.

Michelle Bunch
[Signature of Notary Public]



Michelle Bunch
[Printed, typed or stamped name of Notary Public]

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

Bidder/Company Name: POPE'S WATER SYSTEMS, INC.

Name of Bidder: POPE'S WATER SYSTEMS, INC.

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

If a Partnership: _____

Name(s) of Partner(s): _____

If a Corporation: POPE'S WATER SYSTEM, INC.

Incorporated in State of: FLORIDA Date of Incorporation: 04/01/1982

Business Address: 17610 AS HWY. 41 N.

City: LUTZ State FL Zip 33549

Telephone Number: (888) 949-7415 Fax (888) 949-8731

Submitted By: PAUL E. POPE JR.
(Print)

Title: PRES

Signature: Paul E Pope Jr.

ATTEST: D. A. Pope
Secretary

By: Paul E. Pope Jr.
Print Name

Affix Corporate Seal
(If Corporation)

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 10 day of July, 2015, by Paul E. Pope Jr. who is personally known to me or who presented _____ as identification, and who (did) (did not) take an oath.

Julie Hertzfeld
[Signature of Notary Public]



Julie Hertzfeld
COMMISSION # FF047738
EXPIRES: AUG. 22, 2017
WWW.AARONNOTARY.COM

[Printed, typed or stamped name of Notary Public]

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

8/3/15



**CONSENT AGENDA ITEM
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: RICHARD W. RADACKY, PUBLIC WORKS DIRECTOR

SUBJECT: AWARD OF BID NO. UD2015-08 - POTABLE WATER PUMPING EQUIPMENT

DATE: JULY 16, 2015

GENERAL SUMMARY/BACKGROUND: The Utilities Division of the Public Works Department is requesting approval to purchase two (2) replacement well pumps. One (1) well is located at the Hope Hill Water Plant and the other at the Lamar Street Water Plant. The Hope Hill pump was first installed in 1975 and is out of service. The Lamar well pump was first installed in 1977 and is close to being out of service. Both water plants have backup wells and replacing these pumps will not affect service.

The public bidding process, to furnish and install these pumps, was completed in accordance with the City Code of Ordinances. Bid proposals were opened on July 10, 2015.

Five (5) bids were received as follows:

Pope's Water Systems, Inc.	\$49,999
A. C. Schultes of Florida, Inc.	\$55,500
Lane Christensen Company	\$66,981
Citrus Well Drilling	\$69,916
Parsons Drilling Corp.	\$85,000

BUDGET IMPACT: The most reasonable and responsive bid for the pumps and installation was \$49,999. A total of \$85,572 was approved in the current budget for this purpose in the Utilities' Budget, Account Number 401-000-166-19037. The bidding process resulted in a significantly lower price than anticipated. There are no budgetary concerns by staff.

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

RECOMMENDATION: Pope's Water Systems, Inc., was the most reasonable and responsive bidder. They have completed work for the city in the past and their work has been accomplished in a satisfactory manner. Staff recommends that the bid be awarded to Pope's Water Systems, Inc., in the amount of \$49,999.

ATTACHMENT: Bid Certification Form

BID/CERTIFICATION FORM
CITY OF BROOKSVILLE
POTABLE WATER PUMPING EQUIPMENT
BID NO.: UD2015-08

BIDDERS CERTIFICATION TO THE CITY OF BROOKSVILLE:

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

2. Please check one:
 Bidder declares that the only person, persons, company, or parties interested in this Bid are named in the Bid.

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

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

4. Bidder proposes and agrees to provide all materials, services or equipment required for the **POTABLE WATER PUMPING EQUIPMENT BID NO. UD2015-08**, for the Total Bid Sum of FOURTY NINE THOUSAND NINE HUNDRED NINETY NINE Dollars (\$ 49,999.00).
(Must match Total Bid Amount on Pricing Sheet.)

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

60
(Maximum 90 Calendar Days)

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

7. BIDDER HEREBY ACKNOWLEDGES RECEIPT OF THE FOLLOWING ADDENDUMS: #1-7/7/15

BID PRICING SHEET

ITEM 1 REPLACEMENT OF A DEEP-WELL TURBINE PUMP AT THE LAMAR POTABLE WATER TREATMENT PLANT.

	<u>DESCRIPTION</u>	<u>PRICE</u>
A.	Removal and inspection of existing equipment to determine feasibility of specified equipment.	<u>\$ 2,000.00</u>
B.	Furnish and install replacement pumping equipment.	<u>\$ 24,999.00</u>
	ITEM 1 TOTAL	<u>\$ 26,999.00</u>

ITEM 2 FURNISH AND INSTALL A DEEP-WELL SUBMERSIBLE PUMP AT THE HOPE HILL WATER PLANT

	<u>DESCRIPTION</u>	<u>PRICE</u>
A.	Caliper or inspect well to determine feasibility of specified equipment.	<u>\$ 1,250.00</u>
B.	Furnish and install pumping equipment.	<u>\$ 21,750.00</u>
	ITEM 2 TOTAL	<u>\$ 23,000.00</u>

TOTAL BID AMOUNT \$ 49,999.00



**CONSENT AGENDA ITEM
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE-NORMAN VACHA, CITY MANAGER

FROM: TANNETTE GAYLE, FINANCE DIRECTOR

**SUBJECT: FUEL PURCHASES WITH WEX BANK UNDER THE 5 YEAR
FLORIDA DEPARTMENT OF MANAGEMENT SERVICES
CONTRACT RENEWAL**

DATE: JULY 28, 2015

GENERAL SUMMARY/BACKGROUND: In July 2011, City Council voted to change the fuel purchase program from Hess to Wright Express Financial Services, now known as WEX Bank, through a contract with the Florida Department of Management Services. The contract is scheduled to expire August 5, 2015; however, the parties have drafted an amendment to renew for another 5 years. I have attached the original contract and all subsequent amendments.

BUDGET IMPACT: This renewal should lower our fuel costs due to the 1.70% rebate (25 basis points higher).

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

STAFF RECOMMENDATION: Staff recommends City Council approve the City to continue purchasing their fuel under the Contract between the Florida Department of Management Services and WEX Bank (dated August 6, 2015).

ATTACHMENT: Contract

AMENDMENT 2
STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES
STATE TERM CONTRACT NUMBER: 973-163-10-1
FUEL CARD SERVICES

This Amendment 2 of the above-referenced state term contract ("Contract"), effective on August 6, 2015, is between WEX Bank., having its principal office at 7090 South Union Park Center, Suite 350, Midvale, UT 84047, and the State of Florida Department of Management Services ("Department"), having its principal office at 4050 Esplanade Way, Tallahassee, Florida 32399 (collectively, the "Parties").

RECITALS

- I. The Contract was executed on August 6, 2010, and is scheduled to expire on August 5, 2015; and
- II. The Parties agree to renew the Contract, in accordance with section 6.0, "Renewal," of the Contract; and
- III. The Parties agree to modify the Contract, as permitted by section 42, "Modification of Terms," General Contract Conditions, PUR 1000, part 6 of the Contract.

NOW THEREFORE, in consideration of the mutual promises contained below, and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the Parties agree to the following:

- 1.0 **Contract Renewal.** The Contract is renewed for a term of five (5) years, to expire on August 5, 2020.
- 2.0 **Discount Adjustment.** Effective May 1, 2015, the discount established in section 2.0, "Deliverables," of the Contract is increased from 145 basis points (1.45%) to 170 basis points (1.70%), in accordance with section 4(b), "Best Pricing Offer," General Contract Conditions, PUR 1000, part 6 of the Contract.
- 3.0 **Replacement Contract.** A new Contract may be awarded prior to the expiration of this Contract. The new Contract may cause early termination of Contract No. 973-163-10-1. In accordance with section 22, "Termination for Convenience," General Contract Conditions, PUR 1000, part 6 of the Contract; the Department will provide the Contractor with written notice of early termination no less than 90 days prior to the effective date of the new Contract.
- 4.0 **Public Records.** Section 12.0 is added to the Contract, as follows:
 - 12.0 Public Records
 - A. Access to Public Records**
 1. If, under this Contract, the Contractor is providing services, the Department may unilaterally cancel the Contract for refusal by the Contractor to allow access to all public records, including documents, papers, letters, or other material made or received by the

Contractor in conjunction with the Contract, unless the records are exempt from s. 24(a) of Art. I of the State Constitution and section 119.07(1), Florida Statutes.

2. If, under this Contract, the Contractor is providing services and is acting on behalf of a public agency as provided by section 119.0701(1)(b), Florida Statutes, the Contractor shall:

- a. Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.
- b. Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.
- c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
- d. Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the Contractor upon termination of the Contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.

B. Protection of Trade Secrets or Other Confidential Information

1. If the Contractor considers any portion of materials made or received in the course of performing the Contract ("contract-related materials") to be trade secret under section 812.081, Florida Statutes, or otherwise confidential under Florida or federal law, the Contractor must clearly designate that portion of the materials as "confidential" when submitted to the Department.

2. If the Department receives a public records request for contract-related materials designated by the Contractor as "confidential," the Department will provide only the portions of the contract-related materials not designated as "confidential." If the requester asserts a right to examine contract-related materials designated as "confidential," the Department will notify the Contractor. The Contractor will be responsible for responding to and resolving all claims for access to contract-related materials it has designated "confidential."

3. If the Department is served with a request for discovery of contract-related materials designated "confidential," the Department will promptly notify the Contractor about the request. The Contractor will be responsible for filing the appropriate motion or objection in response to the request for discovery. The Department will provide materials designated "confidential" only if Respondent fails to take appropriate action, within

timeframes established by statute and court rule, to protect the materials designated as "confidential" from disclosure.

4. The Contractor shall protect, defend, and indemnify the Department for claims, costs, fines, and attorney's fees arising from or relating to its designation of contract-related materials as "confidential."

C. Retention of Records

The Contractor shall retain sufficient documentation to substantiate claims for payment under the Contract, and all other records made in relation to the Contract, for five (5) years after expiration or termination of the Contract.

5.0 **Preferred Price Affidavit Requirement.** Section 13.0 is added to the Contract, as follows:

13.0 Preferred Price Affidavit Requirement

The Department will provide the Preferred Pricing Affidavit, incorporated by reference, section 216.0113, Florida Statutes, for completion by an authorized representative of the Contractor attesting that the Contractor is in compliance with the best pricing provision in Section 4(b) of the PUR 1000 form. The Contractor agrees to submit to the Department, at least annually, the completed signed Preferred Pricing Affidavit.

6.0 **E-Verify.** Section 14.0 is added to the Contract, as follows:

14.0 E-Verify

Pursuant to State of Florida Executive Order No.: 11-116, the Contractor is required to utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment of all new employees hired by the Contractor during the Contract term. Also, the Contractor shall include in related subcontracts a requirement that subcontractors performing work or providing services pursuant to the State Term Contract utilize the E-Verify system to verify employment of all new employees hired by the subcontractor during the Contract term.

7.0 **Scrutinized Companies List.** Section 15.0 is added to the Contract, as follows:

15.0 Scrutinized Companies List

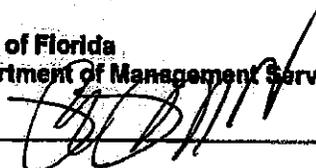
The Contractor certifies that it is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, created pursuant to section 215.473, Florida Statutes. Pursuant to section 287.135(5), Florida Statutes, the Contractor agrees the Department may immediately terminate the Contract for cause if the Contractor is found to have submitted a false certification or if the Contractor is placed on the Scrutinized Companies with

Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List during the term of the Contract.

- 8.0 **Other Contract Terms.** Unless specifically modified or made inapplicable by this Amendment No. 2 all terms and conditions of the Contract remain in full force and effect.
- 9.0 **Counterpart Execution.** This Amendment No. 2 may be executed in counterparts, each of which shall be deemed original, but such counterparts together shall constitute one and the same instrument.
- 10.0 **Warranty of Authority.** Each person signing this Amendment No. 2 warrants that he or she is duly authorized to do so and to bind the respective Party.

SO AGREED:

State of Florida
Department of Management Services

By: 

Name: Chad Poppel

Title: Secretary

Date: 6/3/15

Contractor
WEX Bank

By: Kirk S. Weber

Name: Kirk S. Weber

Title: President

Date: 5/29/15

APPROVED AS
TO FORM


THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK OTHER THAN THE FOOTER INFORMATION.

**AMENDMENT 1
STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES
STATE TERM CONTRACT NUMBER: 973-163-10-1
FUEL CARD SERVICES**

NAME CHANGE AGREEMENT

This Amendment 1 of the above-referenced state term contract ("Contract"), effective on the date last signed, is between WEX Bank, having its principal office at 7090 South Union Park Center, Suite 350, Midvale, UT 84047, and the State of Florida Department of Management Services ("Department"), having its principal office at 4050 Esplanade Way, Tallahassee, Florida 32399 (collectively, the "Parties").

RECITALS

- I. Wright Express Financial Services Corporation, and the Department, on August 5, 2010, executed the Contract; and
- II. Pursuant to Articles of Amendment to the Articles of Incorporation of Wright Express Financial Services Corporation (*Exhibit A*), on or about October 24, 2012, Wright Express Financial Services Corporation, changed its name to WEX Bank; and on December 31, 2012, the Florida Department of State certified the name change (*Exhibit B*); and
- III. WEX Bank, formerly Wright Express Financial Services Corporation, retains and will perform all contractual responsibilities;

NOW THEREFORE, for the mutual covenants contained herein, the Parties agree as follows:

- 1.0 The Department and WEX Bank, hereby agree that WEX Bank, shall provide the goods and services as awarded to Wright Express Financial Services Corporation, in the Contract, and shall enjoy all of the rights and benefits granted under the Contract, which duties and functions and rights and benefits are specifically incorporated herein by reference.
- 2.0 The Department and WEX Bank, hereby agree that payments which would have gone to Wright Express Financial Services Corporation, under the Contract shall be paid to WEX Bank, in accordance with the terms and conditions of the Contract.
- 3.0 The Parties hereto specifically acknowledge and agree that a new contractual relationship is hereby entered into by and between the Department and WEX Bank.
- 4.0 All terms of the Contract not modified by this Amendment 1 shall remain in full force and effect.
- 5.0 Each person signing this Amendment 1 warrants that he or she is duly authorized to do so and to bind the respective party.

SO AGREED:

State of Florida
Department of Management Services

Contractor
WEX Bank, formerly, Wright Express
Financial Services Corporation

By: Rosalyn Ingram

By: Kirk S. Weiler

Name: Rosalyn Ingram

Name: Kirk S. Weiler

Title: Director, State Purchasing

Title: President/CEO

Date: 5/26/15

Date: 5/26/15

APPROVED
By HBrilhante at 2:56 pm, May 26, 2015

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK OTHER THAN THE FOOTER INFORMATION.



WEX Inc.
97 Darling Avenue
South Portland, ME 04106

October 31, 2012

TO WHOM IT MAY CONCERN:

This letter will confirm that Wright Express Corporation and its wholly owned subsidiary, Wright Express Financial Services Corporation changed their corporate names effective October 25, 2012.

Wright Express Corporation is now known as WEX Inc. Wright Express Financial Services Corporation is now known as WEX Bank.

These changes were only name changes and there have been no changes to either company's corporate structure or tax identification numbers.

If you have further questions, please do not hesitate to contact your account representative.

Sincerely,

A handwritten signature in black ink that reads 'Ann A. Randall'.

Ann A. Randall
Legal Director, Americas

We see corporate payments differently.



STATE OF UTAH

Gary R. Herbert
Governor
Greg Bell
Lieutenant Governor

DEPARTMENT OF FINANCIAL INSTITUTIONS

G. Edward Leary
Commissioner
Michael L. Jones
Chief Examiner
R. Paul Allred
Deputy Commissioner

RECEIVED
OCT 24 2012
Utah Div. Of Corp. & Comm. Code

MEMORANDUM OF NO OBJECTION TO THE USE OF BUSINESS NAME

To: Utah Department of Commerce, Division of Corporations and Commercial Code
From: Department of Financial Institutions
Re: Use of Business Name

After considering the restrictions on the use of certain terms reserved for financial institutions, as set forth in Section 7-1-701 of the Utah Code, the Department of Financial Institutions has no objection to the use of the following name as a business name in this state by WEX Bank:

WEX Bank

(complete business name of entity to be filled out in ink)

This MEMORANDUM OF NO OBJECTION is not an endorsement of the validity of the entity applying to use this name, nor is it an authorization to engage in any activity. The applicant in all cases must comply with all applicable law, including the laws of this state regarding taxes, securities, and occupational licensure. This document is merely a statement that this department has no objection to the use of the above business name.

DATED this 24th day of October, 2012.

Darryle F. Rude
Supervisor of Industrial Banks

10-24-12P03:53 RCV0

**AMENDED ARTICLES OF INCORPORATION OF
WRIGHT EXPRESS FINANCIAL SERVICES CORPORATION**

RECEIVED
OCT 24 2012
Utah Div. Of Corp. & Comm. Cases

On October 18, 2012, the sole shareholder of the corporation, Wright Express Corp., pursuant to a CONSENT TO ACTION OF THE SHAREHOLDER OF WRIGHT EXPRESS FINANCIAL SERVICES CORPORATION WITHOUT A MEETING, and as preceded by the unanimous written consent of all directors of the corporation approving this amendment and recommending to the shareholder that it approve the amendment, voted all outstanding shares of Wright Express Financial Services Corporation to adopt the following amendment to the Articles of Incorporation of the corporation, to replace the preceding Article of the same number, but retaining all other Articles in the corporation's Articles of Incorporation without amendment:

ARTICLE I

NAME

The name of the corporation is **WEX Bank**.

Secretary's Certificate

I, Hilary A. Rapkin, do hereby certify that I am the duly elected, qualified and acting Secretary of Wright Express Financial Services Corporation, a Utah corporation, and as such, I am familiar with the corporate records. I do hereby further certify that the foregoing Amended Articles of Incorporation was approved and adopted by a unanimous vote of 1,000 shares of corporation (no shares voted in opposition), which constitutes all issued and outstanding shares of the corporation by written consent signed by the sole shareholder on October 18, 2012.

IN WITNESS WHEREOF, I have hereunto signed my name on this 18th day of October, 2012.

Hilary A. Rapkin
Hilary A. Rapkin, Secretary

10-24-12P03:53 RCVD

Date: 10/24/2012
Receipt Number: 4080716
Amount Paid: \$37.00

F08000003592

Florida Department of State
Division of Corporations
Electronic Filing Cover Sheet

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To: Division of Corporations
Fax Number : (850) 617-6380

From: Account Name : CORPORATION SERVICE COMPANY
Account Number : 12000000195
Phone : (850) 521-0821
Fax Number : (850) 558-1515

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DEPARTMENT OF STATE
DIVISION OF CORPORATIONS
TALLAHASSEE, FLORIDA

COR AMND/RESTATE/CORRECT OR O/D RESIGN
WRIGHT EXPRESS FINANCIAL SERVICES CORPORATION

Certificate of Status	0
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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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Electronic Filing Menu

Corporate Filing Menu

Help

Handwritten signature and date: 12/31/12

PROFIT CORPORATION
APPLICATION BY FOREIGN PROFIT CORPORATION TO FILE AMENDMENT TO
APPLICATION FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA
(Pursuant to s. 607.1504, F.S.)

SECTION I
(1-3 MUST BE COMPLETED)

F08000003592

(Document number of corporation (if known))

1. WRIGHT EXPRESS FINANCIAL SERVICES CORPORATION

(Name of corporation as it appears on the records of the Department of State)

2. UTAH

(Incorporated under laws of)

3. 08/14/2008

(Date authorized to do business in Florida)

FILED
2012 DEC 31 PM 1:57
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

SECTION II
(4-7 COMPLETE ONLY THE APPLICABLE CHANGES)

4. If the amendment changes the name of the corporation, when was the change effected under the laws of its jurisdiction of incorporation? October 24, 2012

5. WEX BANK

(Name of corporation after the amendment, adding suffix "corporation," "company," or "incorporated," or appropriate abbreviation, if not contained in new name of the corporation)

(If new name is unavailable in Florida, enter alternate corporate name adopted for the purpose of transacting business in Florida)

6. If the amendment changes the period of duration, indicate new period of duration.

(New duration)

7. If the amendment changes the jurisdiction of incorporation, indicate new jurisdiction.

(New jurisdiction)

Hilary A. Rapin
(Signature of a director, president or other officer - if in the hands of a receiver or other court appointed fiduciary, by that fiduciary)

Hilary A. Rapin
(Typed or printed name of person signing)

Secretary
(Title of person signing)



Utah Department of Commerce
Division of Corporations & Commercial Code
166 East 300 South, 2nd Floor, S.M. Box 146705
Salt Lake City, UT 84114-6705
Phone: (801) 530-4849
Toll Free: (877) 526-3994 Utah Residents
Fax: (801) 530-6438
Web Site: <http://www.commerce.utah.gov>

Registration Number: 1367904-0142
Business Name: WEX BANK
Registered Date: JULY 29, 1997

December 19, 2012

CERTIFICATE OF NAME CHANGE

THE UTAH DIVISION OF CORPORATIONS AND COMMERCIAL CODE ("DIVISION") HEREBY CERTIFIES THAT AN AMENDMENT TO THE ARTICLES WAS SUBMITTED BY

WRIGHT EXPRESS FINANCIAL SERVICES CORPORATION

FOR APPROVAL AND FILING BY THIS OFFICE ON OCTOBER 24, 2012, AND THAT THE BUSINESS NAME IS CHANGED THEREBY TO

WEX BANK

AS APPEARS OF RECORD IN THE OFFICE OF THE DIVISION.



Kathy Berg
Director
Division of Corporations and Commercial Code

Dept. of Professional Licensing
(801)530-6628

Real Estate
(801)530-6747

Public Utilities
(801)530-6651

Securities
(801)530-6600

Consumer Protection
(801)530-6601

CONTRACT BETWEEN
FLORIDA DEPARTMENT OF MANAGEMENT SERVICES
AND
Wright Express Financial Services Corporation

This Contract is by and between the State of Florida, Department of Management Services (Department), Division of State Purchasing (Division), an agency of the State of Florida with offices at 4050 Esplanade Way, Tallahassee, Florida 32399-0950, and Wright Express Financial Services Corporation (Contractor or Wright Express).

Whereas, the Contractor replied to the Division's Invitation to Negotiate (ITN), No.: 15-973-163-X – Fuel Card Services;

Accordingly, and in consideration of the mutual promises contained in the Contract documents, the Department and the Contractor do hereby enter into this Contract.

1.0 SUMMARY OF THE CONTRACTUAL SERVICES / SCOPE OF WORK

This Contract is to provide a Fleet Fuel Card Program for Vehicle Fleets owned by state agencies and Eligible Users in the State of Florida. The Fleet Fuel Card will be built on a Universal Platform. The Fleet Fuel Card Program will include the purchase of Fuel and any commodity and/or service for immediate use by the Eligible User to maintain daily operation of their vehicle fleet. Also, the Fuel Card may be used at Marinas and/or Airports as allowed for Marine Fleets and/or Aircraft Fleets. The Department seeks to improve quality and efficiency of services delivered, improve Eligible User services and reduce cost.

2.0 DELIVERABLES

Florida Department of Transportation (FDOT) Bulk Fueling Sites

Within 45 days of contract execution, FDOT and Wright Express will develop policies and procedures for transactions occurring at FDOT owned bulk fueling sites.

Fuel Price Mapping

WEXOnline contains a real-time fuel price mapping feature that allows fleets to see fuel price information based on recent Wright Express cardholder transactions at accepting merchant locations. This pricing information is fed into maps which include both satellite and standard map views. Results are updated with the most recent Wright Express transactions, showing you which stations have had the lowest prices in the area of your search. No prices older than seven days are presented. Search criteria include address, city, state, zip code, brand and PPG.

Fuel Site Mapping Mobile Application

The Fuel Site Mapping Mobile tool is a mobile application that allows users to enter into a web enabled mobile device (i.e. Blackberry, iPhone) their current location via GPS, zip code or address, as well as desired fuel type and search radius. The application returns a list of accepting merchants with address, distance from current location, and date and time of the last price per gallon for that site. This application obtains results from the

most recent Wright Express authorization data from accepting merchants. No prices older than seven days are presented.

Reporting Dashboards

Wright Express will provide the Department a reporting dashboard that will show key indicators of the program's performance. It is expected that this could include approximately 8-10 canned reports, with the ability to conduct ad hoc reporting as needed. Wright Express will work with the Department within the first 60 days after contract execution to gather requirements for these reports, and provide a date for first delivery of these reports based on development needs and complexity.

Discount

Wright Express will provide a discount of 145 basis points (1.45%) off all Monthly Retail Transactions charged to a contract user's account prior to submitting the monthly invoice.

International Transactions

Discounts for international transactions shall be paid at a rate of 50% of the applicable Discount Percentage.

Definitions

"Monthly Retail Transactions" shall mean the total amount of all purchases made using Universal Cards at retail (not bulk or private site) locations that appear on invoices provided to you in a calendar month. Monthly Retail Transactions shall not include: (i) those amounts representing credits, disputed items, fees, late fees or charges posted to your accounts (such as returned check fees, collection costs, administrative fees and reporting fees), or (ii) any amounts posted to an account with respect to which a Card has been reported lost or stolen. Due to billing cycle cut off dates and monthly calendar variances invoices received by you in a given month may contain transactions from the previous month and they may not contain all transactions that occurred during the month in which you were invoiced.

The service deliverables above are included in the contract at no additional charge. See **Section 4.04 for additional contract deliverables.**

OPTIONAL CONTRACT PRODUCTS

The following products may be utilized as part of this contract based on the needs identified by individual Eligible Users. Additional fees, terms and conditions may apply:

National Roadside Assistance

The Wright Express card offers national roadside assistance designed to decrease downtime, organize and improve the administration of road services, and reduce costs. Access to roadside assistance is free of charge (no membership required), but there is a cost for each incident based on the services utilized.

Our program provides your drivers with a reliable, toll-free, 24-hour, 365 day a year provider of high-quality roadside assistance program.

Services Include:

- Towing
- Mechanical first aid
- Jump start
- Tire change
- Lockout assistance
- Fuel and water delivery

Roadside Assistance transactions will be reported by vehicle. Through your reporting, you will be able to track your service expenses and maintain control over fleet costs. By using Wright Express, you'll get the benefit of pre-negotiated services rates with contracted garages therefore eliminating the need to search for reputable providers or send out multiple payments at the end of the month.

WEXSmartTM

WEXSMARTTM is a GPS wireless vehicle management system that helps customers control fuel and maintenance costs, track driver behavior, increase productivity, and manage risk. Utilizing GPS and wireless communications technology, Wright Express' WEXSMARTTM gives managers real-time access to vehicle position, speed, and engine-operating conditions, through any internet connection. Managers can configure alerts and schedule reports that ensure drivers are where they should be, operating safely, and vehicles are in top operating condition, using fuel efficiently.

Price Risk Management

With Pricelock's Universal Retail Price Protection program, you can be on your way to guaranteed budget predictability and control in three simple steps:

- 1. Lock in protection** by estimating the number of gallons of fuel at a daily price for your area. Buy the option to purchase a specified number of gallons (minimum 42,000 per month) at a locked-in price for a specified term.
- 2. Swipe and pump with peace of mind.** Fuel your vehicles at more than 135,000 stations nationwide for the specified period of purchase. You are protected if prices go up beyond your option price. Enjoy the benefit of lower prices if fuel drops below the locked option price.
- 3. Manage your fuel** either by reviewing customized monthly statements provided by Pricelock or by visiting Pricelock.com to manage your committed gallons, review historical and current market trends and gain insight into factors that may influence fuel costs thus affecting your future purchasing decisions.

3.0 SUMMARY OF PEANALTY FOR FAILURE OF CONTRACTOR TO MEET DELIVERALBES

See PUR 1000 Section 23 (Termination for Cause) for details.

4.0 EFFECTIVE DATE

This Contract shall begin on the last date in which it is signed by all parties, whichever is later.

5.0 EXPIRATION DATE

This Contract shall expire 5 years from the effective date of the Contract, unless cancelled earlier in accordance with its terms.

6.0 RENEWAL

Upon mutual written agreement, the Department and the Contractor may renew the Contract for 5 additional years pursuant to the provision of PUR 1000 Section 26.

7.0 INTELLECTUAL PROPERTY

The parties do not anticipate that any intellectual property will be developed as a result of this contract. However, any preexisting software, or other work of authorship used by Contractor, to create a Deliverable but which exists as a work independently of the Deliverable, shall remain the property of the Contractor.

8.0 PREFERRED PRICE

The Contractor agrees to submit to Customer at least annually an affidavit from an authorized representative attesting that the Contractor is in compliance with the preferred pricing provision in Section 4(b) of form PUR 1000.

9.0 TRANSITION

If, at any time, this Contract is canceled, terminated or otherwise expires, and a Contract is subsequently executed with a firm other than the Contractor, the Contractor has the affirmative obligation to assist in the smooth transition of Contract services to the subsequent Contractor, including providing documents and information not otherwise protected from disclosure by law and other reasonable requests made by the Contract Administrator.

10.0 CONTRACT DOCUMENTS

This Contract, together with the following documents, set forth the entire understanding of the parties with respect to the subject matter. In case of conflict, the terms of this Contract shall control. If a conflict exists among any of the documents, the documents shall have priority after the contract document in the order listed:

- A. ITN No.: 15-973-163-X (the solicitation document – amendments thereto take precedence).
- B. Contractor's Response to the ITN.

11.0 CONTRACT MANAGEMENT

A. Contract Administrator

The Department employee who is primarily responsible for maintaining the Contract administration file shall be as follows:

David A. Bennett
Division of State Purchasing
Department of Management Services

4050 Esplanade Way, Suite 360
Tallahassee, FL 32399-0950
Telephone: (850) 921-4072
Fax: (850) 414-6122
E-mail: David.Bennett@dms.myflorida.com

The Department may appoint a different Contract Administrator, which shall not constitute an amendment to the Contract, by sending written notice to Contractor. Any communication to the Department relating to the Contract shall be addressed to the Contract Administrator.

B. Contractor's Representative

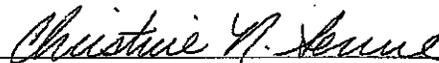
Sharon Linnane, Government Account Manager Wright Express Corporation
97 Darling Avenue South Portland, Maine 04106
Telephone: (941)761-0000
Fax: (207) 523-6377
E-mail: sharon_linnane@wrightexpress.com

With a copy to:
General Counsel
Wright Express Corporation
97 Darling Avenue
South Portland, Maine 04106
Telephone: (207) 523-7366
Fax: (207)523-6377

State of Florida
Department of Management Services

Approved as to form and legality
by the Department General Counsel's Office


By: Linda H. South



Date

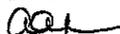
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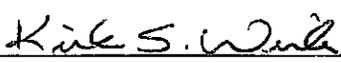
Date

August 3, 2010

Wright Express Financial Services
Corporation

APPROVED AS
TO FORM




Signature

Kirk S. Weiler, President and CEO

Print Name

Date

8/5/10



AGENDA ITEM MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

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

FROM: JANICE L. PETERS, CMC, CITY CLERK *Janice L. Peters*

SUBJECT: RESOLUTION NO. 2015-15 - FDOT CLOSURE FOR VETERANS APPRECIATION PARADE

DATE: AUGUST 3, 2015

GENERAL INFORMATION: The 2015 Veterans Appreciation Parade is scheduled for Saturday, November 14, 2015. Line-up begins at 8:30 a.m. at City Hall with the parade from 10:00 – 11:00 a.m. This year’s parade is being sponsored by Hernando County Board of County Commissioners, who will also supply the Certificate of Insurance.

The route will be the same as last year, from City Hall parking lot out to Ft. Dade, Right on Main Street, crossing Jefferson and Broad Streets, Left on Liberty, Left on Magnolia, Left on Fort Dade and back to City Hall.

Staff will need to submit a permit to the State of Florida FDOT, along with the proposed Resolution, upon approval by Council, for closure of Jefferson and Broad Streets. Release of the permit will be pending submittal of the Certificate of Insurance which will be supplied by Hernando County Board of County Commissioners.

BUDGET IMPACT: There is no budget impact associated with approval of this Resolution.

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

STAFF RECOMMENDATION: Staff recommends Council approval of Resolution No. 2015-15.

- ATTACHMENT:**
1. Resolution No. 2015-15
 2. State of Florida Road Closure Permit

Attachment 1

RESOLUTION NO 2015-15

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA SUPPORTING A REQUEST TO CLOSE JEFFERSON STREET AND BROAD STREET BETWEEN ORANGE STREET AND MAGNOLIA AVENUE IN DOWNTOWN BROOKSVILLE ON SATURDAY, NOVEMBER 14, 2015; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City desires to promote businesses in and to bring visitors to the downtown area; and,

WHEREAS, the City desires to support the Annual Veterans Appreciation Parade that brings visitors to the City and to the downtown area and to promote commerce in the downtown area; and,

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

WHEREAS, the sponsoring organization for the parade has been approved for a right-of-way closure and use permit contingent upon submission of an appropriate certificate of liability insurance to indemnify the City in an amount appropriate for the event at least 30 days prior to the event.

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

SECTION 1. STREET CLOSURES. The City Council recognizes the closure of the following Brooksville roadway segments to street traffic is necessary for public safety during the downtown event; and the City Council authorizes the following closures from 9:30 a.m. to 12:00 p.m. on the date of the parade:

- Main Street, from Ft. Dade Avenue to Liberty Street, crossing Jefferson Street (S.R. 50) and Broad Street (U.S. 41)
- Liberty Street, from Main to Magnolia Avenue
- Magnolia, from Liberty to Fort Dade crossing Jefferson Street (S.R. 50) and Broad Street (U.S. 41)
- Fort Dade, from Magnolia to Main
- South Brooksville Avenue, from Ft. Dade to Liberty

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

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

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

ADOPTED this 3rd day of October, 2015.

CITY OF BROOKSVILLE

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

BY: _____
Frankie Burnett, Mayor

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

VOTE OF CITY COUNCIL

Battista _____
Burnett _____
Erhard _____
Kahler _____
_____ _____

Thomas S. Hogan, Jr., City Attorney
City Attorney

Attachment 2

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TEMPORARY CLOSING OF STATE ROAD PERMIT

Date: _____

Permit No. _____

Governmental Entity

Approving Local Government CITY OF BROOKSVILLE Contact Person JANICE PETERS
Telephone 352-540-3853 Email jpeters@cityofbrooksville.us

Organization Requesting Special Event

Name of Organization H.C. Board of County Commissioners Sponsorship Contact Person ANNA LIISA COVELL
Telephone 352-544-0880 Email ALCOVELL@TAMPABAY.RR.COM

Description of Special Event

Event Title VETERAN'S APPRECIATION PARADE Date of Event NOVEMBER 14, 2015
Start Time 10:00 A.M. End Time 11:00 A.M.
Event Route (attach map) From Main St. at Howell Avenue (City Hall), South to Liberty Street, crossing Jefferson Street (Hwy. 50) and Broad Street (U.S. 41), turning left, East to Magnolia, left, North to Ft. Dade, again crossing Broad Street (U.S. 41) and Jefferson Street (Hwy. 50), then left, back to City Hall.
Detour Route (attach map) N. Bound Broad Street (U.S. 41) R. on Hale, Left on MLK, Left on E. Jefferson, Left on Broad; South bound Broad, Left on E. Jefferson, Right on MLK Left on Broad.

Law Enforcement Agency Responsible for Traffic Control

Name of Agency CITY OF BROOKSVILLE POLICE DEPARTMENT

US Coast Guard Approval for Controlling Movable Bridge

Not Applicable
Copy of USCG Approval Letter Attached
Bridge Location _____

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

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

Signatures of Authorization

Event Coordinator BRIAN MALMBERG Signature [Signature] Date 7/13/15
Law Enforcement Name/Title GEORGE TURNER, POLICE CHIEF Signature [Signature] Date 7/02/15
Government Official Name/Title Frankie Burnett, Mayor Signature _____ Date _____

FDOT Special Conditions

FDOT Authorization

Name/Title _____ Signature _____ Date _____



**AGENDA ITEM
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER *T. Jennene Norman-Vacha*
FROM: TANNETTE GAYLE, FINANCE DIRECTOR *Tannette Gayle*
SUBJECT: TENTATIVE MILLAGE ADOPTION FOR FY2016
DATE: JULY 28, 2015

GENERAL SUMMARY/BACKGROUND: State of Florida Truth in Millage (TRIM) requirements mandate that each local Florida government adopt a tentative (proposed) millage rate and advise the Property Appraiser of the adopted tentative millage, the rolled-back rate, and the date, time and place of the first public budget hearing within 35 days following July 1st. This means that the City is required to notify the Property Appraiser of the City's adopted tentative millage no later than Tuesday, August 4, 2014, 5:00 pm. Following receipt, the Property Appraiser will utilize the reported tentative millage to create and mail a TRIM notice (notice of proposed property taxes) to all City property owners.

Historically the City Council has established a tentative millage rate that is greater than what is needed for the final millage. A greater tentative millage allows for some flexibility as Council continues through the budget process. Once the tentative millage is established, the final millage rate cannot be adopted at a greater rate, unless the City mails each taxpayer a revised "notice of proposed property tax".

The current TRIM information for FY2016 is as follows:

Prior Year operating millage rate	6.6962
Current Year Gross Taxable Value for operating purposes	\$387,026,317
Prior Year FINAL Gross Taxable Value	\$3376,058,431
Current Year rolled-back rate	6.6439
Prior Year rolled-back rate	6.6962

Staff has prepared and presented a preliminary balanced budget with the same millage rate that was adopted for the final millage in FY2015 (6.6962 mils).

Following presentation and discussion of the preliminary FY2016 General Fund and Fire Department Fund budget on July 27th, City Council indicated that an interest in adopting a tentative millage of 7.0000 mils for TRIM purposes.

Staff recommends the first Public Budget Hearing be scheduled for Wednesday, September 9th at 5:01 pm, with the second and final Public Budget Hearing to be scheduled for Wednesday, September 16th at 5:01 pm.

LEGAL REVIEW: The City Council has home-rule authority (Art. VII, (2) Fla. Const. and §166.011 Fla. Stat.) to consider matters of fiscal and intergovernmental benefit. A TRIM notice is required pursuant to Fla. Stat. Ch. 200 and 218 and the rules promulgated thereunder.

STAFF RECOMMENDATION: Staff requests that the City Council adopt a tentative millage rate of 7.0000 mils for the TRIM requirements and approve the City's Public Budget Hearing dates for September 9th and 16th as outlined above.