

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

**MINUTES**

July 19, 2010

7:00 P.M.

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

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

**CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS**

**Margaret R. Ghiotto Beautification Award - Commercial Award**

Recognition of improvements to the South Brooksville Community Office Sub-Station owned by Hernando County Board of County Commissioners and located at 601 E. Dr. Martin Luther King, Jr. Boulevard.

Sally Sperling, Beautification Board Chair, reviewed the award and she, along with Mayor Bradburn, presented the award certificates to Rose Rocco, County Commissioner and Sheriff Nugent.

**First Annual Florida Blueberry Festival**

Presentation of a Conceptual Plan for the proposed Florida Blueberry Festival to be held annually in May beginning in 2012.

Mrs. Michael Heard, Chairperson, reviewed the conceptual plan to be held in downtown Brooksville. Vice Mayor Lewis suggested sending a package to the Department of Agriculture in Tallahassee to promote the event. Council commended Mrs. Heard on her efforts and felt it will be a great event.

**Digital Flood Insurance Rate Map (DFIRM) Update**

Brief update and PowerPoint presentation of where the project is at with the modification of the map.

Bill Geiger, Director of Community Development gave an update and PowerPoint presentation (Attachment A). He stated Southwest Florida Water Management District has sent out notices to property owners during the watershed studies informing them that their property will be moving to either a low or high risk zone. Gene Altman of Southwest Florida Water Management District indicated they have gone to great lengths to document historical information and elaborated on the appeals process. Council Member Bernardini felt property owners should be reimbursed who appeal and prove that their property is incorrectly rated as high risk.

Larry Fluty, Engineer, reviewed delineation of the Peck Sink and Blue Sink areas.

**CITIZENS INPUT**

Mayor Bradburn asked for public input.

Rose Rocco commended the City and County for working together on natural resources for good economic growth, such as the Community Initiatives Team, the proposed Blueberry Festival and a community support group promoting Weeki Wachee State Park.

APPROVED BY BROOKSVILLE

CITY COUNCIL

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Pierre Desjardins also thanked Michael Heard for all her hard work. He met recently with the Tourist Development Council and discovered that Hernando County has the largest number of trail systems in Florida and the Governor's Office will soon be announcing a kick-off campaign promoting this.

Council Member Bernardini asked that the entire Consent Agenda be moved to the end of the agenda for discussion. Council concurred.

**PUBLIC HEARINGS**

Entry of Proof of Publication into the Record

Mayor Bradburn called for proof of publication. City Clerk Peters indicated Items F1, F2 and F3 were published on Friday, July 9, 2010, in the Hernando Today legal section of the Tampa Tribune and Item F4 (a) was published on Friday, July 16, 2010, in the Hernando Today legal section of the Tampa Tribune and there is a copy of the affidavits for the record.

**Ordinance No. 809 - Utilities Deposit Refund**

Consideration of ordinance authorizing the refund of meter deposits for residential customer accounts with a good credit history.

**[First Reading 06/21/10]**

Steve Baumgartner, Director of Finance, indicated this to be the second reading of the Ordinance to refund utility deposits to customers in good standing. It will be effective October 1<sup>st</sup> and is accompanied by a resolution to that effect.

**Motion:**

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

Mayor Bradburn asked for public input; there was none.

City Clerk Peters read Ordinance No. 809 by title, as follows:

**AN ORDINANCE AMENDING CHAPTER 86 "UTILITIES", OF THE CODE OF ORDINANCES; AMENDING ARTICLE III, "SEWERS", DIVISION 1. GENERALLY, BY DELETING SECTION 86-106; AMENDING ARTICLE IV, "SERVICE RATES, CHARGES AND BILLING", DIVISION 1. GENERALLY, SECTION 86-186 TO PROVIDE FOR CYCLE BILLING; AMENDING ARTICLE IV, "DEPOSITS", DIVISION 2. GENERALLY SECTION 86-211 THROUGH 89-221 TO PROVIDE FOR REFUND OF DEPOSITS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

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

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

Finance Director Baumgartner indicated their goal is to initiate the refunds during the August billing, which will be credited to customers' utility bills. Approximately 1,281 customers will be affected.

**Resolution No. 2010-10 - Utilities Deposit Refund Procedure**

Consideration of resolution outlining the new policies that will implement key provisions for the refund of meter deposits for residential customer accounts with a good credit history.

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**Motion:**

Motion was made by Vice Mayor Lewis and seconded by Council Member Johnston for approval of Resolution No. 2010-10.

Mayor Bradburn asked for public input.

City Clerk Peters read Resolution No. 2010-10 by title, as follows:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, ADOPTING A POLICY FOR THE IMPLEMENTATION OF REFUNDS OF METER DEPOSITS; PROVIDING FOR EXEMPTIONS OF DEPOSITS AND PRIOR INDEBTEDNESS; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

**Ordinance No. 810 – Elections Code Amendment - Qualifying**

Consideration of ordinance replacing emergency ordinance amending the City's Election Code Section 30-5.  
**[First Reading 06/21/10]**

City Attorney Rey reviewed the ordinance relating to changes to the City's Elections Code.

**Motion:**

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

Mayor Bradburn asked for public input; there was none.

Vice Mayor Lewis indicated he could not support the change since it is a temporary fix for sixty (60) days.

City Clerk Peters read Ordinance No. 810 by title, as follows:

**AN ORDINANCE FOR PERMANENCE OF THE CHANGES PROVIDED IN EMERGENCY ORDINANCE 808 AMENDING THE CODE OF THE CITY OF BROOKSVILLE, FLORIDA, CHAPTER 30, "ELECTIONS"; AMENDING SECTION 30-5 CANDIDATE QUALIFYING FOR OFFICE; PROVIDING FOR CODIFICATION, CONFLICTS, REPEALING, SEVERABILITY AND AN EFFECTIVE DATE.**

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

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

Council Member Bernardini and Council Member Johnston voted in favor but stated they agreed with Vice Mayor Lewis concerning the emergency change.

**Ordinance No. 811 – Moratorium for Pain Clinics**

Consideration of ordinance establishing a moratorium on pain clinics to allow staff time to review the matter and make further recommendations to Council as to specific amendments or modifications to the City’s Land Development Code. **[First Reading 06/21/10]**

City Attorney Rey stated the current Land Development Code does not address the issue so this ordinance is to implement the policy pending effective date of legislation that was adopted as well as modification to the Land Development Code for permanent action.

**Motion:**

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

Vice Mayor Lewis indicated the State Statute takes effect on October 1<sup>st</sup> as this ordinance will be in effect until that time.

Council Member Bernardini pointed out a recent newspaper article indicated there is an epidemic of babies being born to substance abuse mothers, with dire effects.

Vice Mayor Lewis stated “Operation Spring Hill” involved arresting numerous people for forged prescriptions at cash only clinics.

Mayor Bradburn asked for public input; there was none.

City Clerk Peters read Ordinance No. 811 by title, as follows:

**AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA; DECLARING ZONING IN PROGRESS AND A MORATORIUM AS TO THE FILING AND/OR RECEIVING OF ANY PETITION OR ANY APPLICATION FOR THE ESTABLISHMENT OF PAIN MANAGEMENT CLINICS AS DEFINED HEREIN; PROVIDING THAT ZONING IN PROGRESS AND THE MORATORIUM SHALL BE IN EFFECT FOR A PERIOD OF ONE (1) YEAR OR WHICH SHALL TERMINATE ON THE EFFECTIVE DATE OF THE CITY’S ADOPTION OF LAND USE AND DEVELOPMENT REGULATIONS TO REGULATE PAIN MANAGEMENT CLINICS; PROVIDING FOR LEGISLATIVE FINDINGS, INTENT AND PURPOSE; PROVIDING FOR A DEFINITION OF PAIN MANAGEMENT CLINIC; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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

Council Member Johnston	Aye
Council Member Burnett	Aye
Council Member Bernadini	Aye
Vice Mayor Lewis	Aye
Mayor Bradburn	Aye

Council Member Bernardini noted the difficulty of identifying such businesses as this and stressed upon the Police Department to be alert and diligent to the types of activity accompanying these types of businesses.

**CDBG Grant Application**

**Fair Housing Public Hearing**

Public hearing to provide citizens an opportunity to comment on the application to the Florida Department of Community Affairs under the Neighborhood Revitalization category in the amount of \$750,000.

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Bill Geiger, Director of Community Development, stated staff has targeted the South Brooksville area for a water improvement grant to improve residential fire flow capacity and has targeted about 6,000 linear feet of water pipe to be replaced with properly designed water lines that meet current standards. Also targeted are approximately twenty-five (25) replacement fire hydrants to improve the timing factor of addressing a fire. Future needs projects include installing 5,000 linear feet of sidewalk systems in various areas to improve connectivity within the neighborhood. Any unused grant funds can be used towards future needs that have been identified. Early estimates from an engineer for the water project is approximately \$100,000 more than the in-house estimate so there are two (2) options; to reduce the project or to discuss matching funds up to \$125,000 in the next budget cycle to complement the grant. Matching funds will make the City more competitive with the grant process. However this was not initially proposed so staff recommendation is to reduce the project and put the portion taken out into future unmet needs which could be put back in if the bids come in lower than expected. He pointed out this grant application is for the delayed 2009 cycle and the 2010 cycle is scheduled to close this December which would be an opportunity to resubmit any portion of the project not covered on the first cycle. He suggested making the City more competitive in increasing the point's structure for the next cycle by having City staff design the project.

Council Member Johnston asked which portions of the project would be delayed. Director Geiger replied the unmet needs are still being discussed with Andy Easton who is a consultant on the grant application process.

Vice Mayor Lewis asked which projects are marked priorities and will be ready to start when the grant funds are approved. He suggested applying for the grant twice a year as is allowed to complete the projects. Director Geiger recommended the underground water project in order to avoid tearing up the new sidewalks being proposed.

Council Member Burnett suggested adding Daniel Avenue to the prospective sidewalks project. Director Geiger stated it could be included in the next grant cycle but was unsure it would make the first cycle deadline of July 22<sup>nd</sup>.

Andy Easton, CDBG Grant Application Consultant, stressed the application process is very competitive and pointed out it is unlikely to get funded during the first cycle. He suggested completing the design prior to submittal for the second cycle and fine tuning the application after the scores come back from the first cycle. He also mentioned there will be a third cycle in the spring of 2011.

Mayor Bradburn thanked Mr. Easton for his volunteer service to the City and Mr. Geiger's diligence in meeting the grant application deadline. She indicated fire flow is the utmost importance to her; infrastructure and utilities are priority but is not an immediate need. Sidewalks, particularly along Main Street, are included in the Metropolitan Planning Organization (MPO) plan as well and eligible for future stimulus money if it becomes available. She prefers fire flow utilities be slated as priority.

Director Geiger stated there are three (3) actions required by City Council for the grant application to move forward; required to conduct a Fair Housing meeting specifically designed for Elected Officials and General Public, required to conduct a second CDBG public hearing, and to approve the Resolution authorizing the signature and submittal of the CDBG grant application.

Mr. Easton next reviewed the Fair Housing workshop information requirements and distributed the Training Materials information in Attachment B.

Mayor Bradburn asked for public input.

Kojack Burnett indicated he did not receive the distributed information and was provided one.

Director Geiger asked that anyone wishing to receive updates sign the sheet being passed around the room.

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Council Member Bernardini asked for clarification that the eight (8) items slated as primary projects will be reduced by \$100,000 and then an application will be submitted. Director Geiger replied that is correct and is anticipating bidding the entire project as originally planned.

Mayor Bradburn asked that Mr. Geiger email a final list of projects submitted with the application to Council Members to which he indicated that he would and he also noted that the application submitted to the Department of Community Affairs will be on file for public record.

Richard Howell pointed out he has not yet seen the application therefore cannot comment during this public hearing. He stated his concern with fire hydrants. Mayor Bradburn indicated the public hearing was publicized and gave him the opportunity to review the application and to give his comments after that review.

Council Member Bernardini asked if the actions required to conduct a Fair Housing meeting for elected officials and the general public should have been part of the agenda. He felt it should be a separate meeting.

Council Member Burnett stated he understands the concern of Mr. Howell due to the wording on the agenda. He clarified this hearing is one of the three (3) actions required by Council for approval to submit the grant.

Mayor Bradburn stated this grant is an opportunity to address some of the issues in partnership with the County. The Community Initiatives Team packet includes minutes that demonstrate the review application process, including some comments that were significant regarding water pressure within different areas of the City. She pointed out this will be a prototype for other neglected areas of the community that border the City and the County.

City Attorney Rey stated the Florida Administrative Code requirements for this particular application requires two (2) public meetings on Fair Housing. The one for the Public Officials is a Fair Housing education meeting. There is a Community Development Block Grant Task Force where citizen representatives are appointed to review the application against the community's needs. This meeting tonight is a second of two (2) required Fair Housing meetings that have to take place in support of the application. She pointed out Resolution No. 2010-11 has a delineation of the specific meeting requirements that are supposed to occur which includes the Fair Housing meetings and the CDBG Task Force which reviews the application. All are publicly noticed meetings where the public and citizens can attend and comment on the process and there is not statutory requirement that it has to be a stand-alone meeting for that particular issue. It just has to be a meeting of the public body where public notice has occurred where Fair Housing information is presented and public input is taken.

### **Resolution No. 2010-11**

Consideration of resolution authorizing submission of the grant application.

Director Geiger acknowledged that the application could be amended up until Thursday when it will be submitted to the Department of Community Affairs reflecting the reduction of \$100,000 by moving those projects into future unmet needs. He indicated staff will work with utilities to best target those projects.

### **Motion:**

Motion was made by Vice Mayor Lewis and seconded by Council Member Johnston for approval of Resolution No. 2010-11 with possible changes and/or modifications to the grant application.

City Clerk Peters read Resolution No. 2010-11 by title, as follows:

**A RESOLUTION OF THE CITY OF BROOKSVILLE CITY COUNCIL, FLORIDA, AUTHORIZING THE MAYOR TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROVAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SPONSORED BY THE CITY OF BROOKSVILLE; MAKING FINDINGS; AUTHORIZING SUBMISSION OF THE GRANT APPLICATION; DESIGNATING AUTHORIZED**

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REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

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

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

*A 5-minute break was taken.*

REGULAR AGENDA

**Ordinance No. 754-D – Firefighters’ Retirement Trust Fund Amendments**

Consideration of approval of ordinance amending Sections 4 and 5 of the City of Brooksville Firefighters’ Retirement Trust Fund.

Attorney Scott Christiansen, representing the Firefighters’ Retirement Trust Fund Board, briefly reviewed the changes which propose increasing investment restrictions from 60% to 65% investment in equities and could perhaps reduce the required contribution from the City.

Mayor Bradburn indicated a second reading will be scheduled for August 2, 2010.

Mayor Bradburn asked for public input; there was none.

**Motion:**

Motion was made by Vice Mayor Lewis and seconded by Council Member Burnett for approval of the first reading.

City Clerk Peters read Ordinance No. 754-D by title, as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AMENDING THE CITY OF BROOKSVILLE FIREFIGHTERS’ RETIREMENT TRUST FUND, ADOPTED PURSUANT TO ORDINANCE NO. 525-I, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 4, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 5, CONTRIBUTIONS; AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.**

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

Council Member Johnston	Aye
Council Member Burnett	Aye
Council Member Bernadini	Nay
Vice Mayor Lewis	Aye
Mayor Bradburn	Aye

Council Member Bernardini stated he voted against this ordinance due to not having the opportunity to properly examine this ordinance before it was brought forward tonight.

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### Red Light Camera Program Discussion

Discussion and PowerPoint presentation of Red Light Camera Program.

George Turner, Chief of Police, stated the City contracted with American Traffic Solutions in 2009, which ended on July 1, 2010, due to the Mark Wandall Traffic Safety Act. Four (4) companies have responded to a bid for a new vendor. Staff has not made a determination, pending Council direction. He has statistics on 35% reduction in traffic crashes at the affected intersections requested by Council Member Bernardini and Vice Mayor Lewis. He also has program projections for next year. The Police Department budget for this year anticipates that the Red Light Program will continue. It is cost effective and will continue to save lives by reducing traffic crashes.

Sergeant Jason Brough reviewed statistics generated through the Police Department record keeping system for a 35% reduction in traffic violations, which are specific to the intersections with the red light cameras in place. He referenced 42 crashes in 2008 reduced to 27 crashes in 2009 when the program was instituted. He gave also State-wide statistics for last year on fatalities, injuries and property damage caused by red light running.

He pointed out that red light violations are enforced by utilizing technology 24/7, as opposed to traditional enforcement which is time-consuming and causes a safety hazard by having to chase the violator. Cameras multiply the City's traffic enforcement resources without adding to the budget. He also pointed out police officers can be relieved from routine traffic duty to perform other essential tasks.

Sergeant Brough stated the program goals are to reduce side impact accidents at all intersections by deterring and reducing red light running, reduce injuries, reduce the financial cost of property damage, and to provide safe vehicle and pedestrian movement throughout the City. He pointed out that through education and enforcement the violations have reduced at a steady pattern. The violations were issued to 97% of non-residents of the City. He also referenced several locations where there are cameras placed throughout the City such as gas stations, banks, grocery stores, ATM's, hardware stores and WalMart. The mandated fine is \$158 with \$83 to the State and the City's portion is \$75 with a proposed 50/50 split with the successful bidder as yet to be determined which is used to fund the program. He compared fines assessed through the cameras versus by an officer; there are no points assessed to the violator by a camera violation therefore it does not increase auto insurance rates, by an officer the fine is \$247 and the City's portion is \$15.09 and there are four (4) points assessed which equates to about a 40% increase in auto insurance rates.

Council Member Bernardini asked for the final number leftover after paying the cost to fund the program. Police Chief Turner replied staff can only estimate how much the new intersections will generate. Last year, it cost the City \$55,000 to run the program and by adding four (4) or five (5) cameras next year it will cost more to extend both Officer Cartwright and Sergeant Brough's hours, which is included in this year's budget. If the proposed numbers by the vendors are correct, the City will generate from \$450,000 to \$500,000 with an estimated cost of \$100,000. He pointed out there will also be a 35% reduction of accidents at the new intersections. The City Ordinance for right-on-red has changed and defines "careful and prudent" to 5 mph which all new vendors are able to determine speed within 1 mph using both radar and laser. This program will never cost the City any money as the contract does not allow that to happen and the bid documents state that the City has to receive 50% of revenue.

Council Member Burnett asked how much the City would receive out of \$37.50. Police Chief Turner replied it is not figured by each \$37.50 but a total estimate of \$450,000 to \$500,000 per year and has budgeted \$100,000 for program costs. He indicated there will no longer be hearings since it will be taken over by the County judicial system. He noted that some of the other vendors quoted different scenarios based on the new legislation. Many other Florida municipalities are facing the same issue. He indicated this is a traffic crash reduction/traffic safety program which will reduce accidents as the data presented has proven. The major intersections that will be having cameras installed will reduce, not increase, accidents. City Manager Norman-Vacha stated the cost for the program would be approximately \$9.00 with the City receiving approximately \$28.00.

Sergeant Brough played a video showing a vehicle accident after red light running, a third time within two (2) weeks.

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Vice Mayor Lewis pointed out that rear-end crashes are due to a speeding problem, to which Mayor Bradburn agreed. Council Member Bernardini believes it is from people not paying attention to their driving. Police Chief Turner stated that red light cameras raise the awareness of traffic safety by making drivers slow down and has reduced traffic crashes throughout the State of Florida. The majority of municipalities are researching, or already has, cameras that are all reflecting traffic crash reduction and heightened awareness of traffic safety. He pointed out the City of Brooksville is still doing traditional traffic enforcement, which costs more than a red light camera citation and four (4) points are assessed on driver licenses for three (3) years, resulting in a 10% insurance premium increase.

In closing, Police Chief Turner stated the red light camera program has worked here and throughout the State and countrywide. The Senate passed a bill this year because they believe that traffic safety is important. He believes it is a good program that serves the City well. He pointed out that no innocent person will ever get a citation as there is an affidavit appeals hearing. He asked Council to allow continuing the program by negotiating with the four (4) vendors.

Mayor Bradburn stated that during discussions at the Florida League of Cities events it was relayed that municipalities having the red light camera program have not indicated an increase in accidents. She read an excerpt from the Insurance Institute of Highway Safety which stated that 22% of all traffic accidents in the United States are caused by drivers running red lights. Every year these accidents kill some 800 people with a total estimate of \$7 billion dollars in property damage, medical bills, lost productivity and insurance increases.

City Attorney Rey stated if the citation is not paid within the thirty (30) day time frame from initial notice it will be handled by the County Traffic Court System in a comparable fashion as toll violations, which are also camera enforced. Mayor Bradburn indicated a bill was passed and has been legally substantiated in court for toll booth speed violations monitored by camera.

Council Member Bernardini asked if there would be a violation when a driver passes the white line. Sergeant Brough replied that under the Police Department business rules, as long as they came to a complete stop but straddled or went just over the white line there would not be a violation.

Mayor Bradburn asked for public input.

John Browning asked if a person runs a red light camera does the police go after the violator and issue a citation. Chief Turner indicated a citation will be issued by a police officer should they see the violation but the red light camera citation would not also be charged. Mr. Browning then asked if a license plate cover obstruct the camera's ability. Chief Turner indicated testing was done and as long as it is a legal cover it does not obstruct the camera. Mr. Browning next asked if an officer gets ticketed should they go through a red light. Chief Turner indicated the Police Department's camera rules dictate they do not get a citation if it is a marked police car with lights activated but if the lights are not activated then the Police Department reviews the circumstance. Mr. Browning asked if it is possible to view a red light violation online prior to a citation being issued. Chief Turner replied it is available for viewing by a summons number issued to the owner of the vehicle.

Darryl Mobley asked how a citation gets issued when the camera does not take a picture of the driver. Police Chief Turner replied the cameras take a picture of the rear of the vehicle and the citation is issued to the vehicle owner listed on the tag issued by the State. The owner then has an opportunity to submit an affidavit indicating the person who was actually driving. A notice is issued about two (2) or three (3) weeks after the incident and the owner would be responsible to pay the citation if they do not remember who was driving at the time.

Dan Patrick pointed out since he owns a car dealership he would be charged should someone run a red light with his tag on the car. He indicated in the past twelve (12) months there are less people who come to Brooksville due to the red light cameras.

Pierre Desjardins reminded Council that about a year ago he presented twenty one (21) red light camera studies from three (3) continents covering three (3) decades. There are hundreds of communities that have

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ceased red light programs due to studies conducted proving it causes more accidents, which he reviewed including; the Virginia Transportation Research Council study in 2007, the North Carolina Agricultural and Technical State University for the United States Department of Transportation study in 2007, in December 2003 the United States Senate House of Representatives majority leader concluded the red light camera program was a money-making ploy for municipalities. He pointed out if the cameras are primarily for safety then where is the behavior modification within the local community if it causes non-residents, accounting for 97% of the violators, to not return to the City of Brooksville. Brooksville would be an anomaly from the studies if it has reduced crashes. City Council is at a disadvantage by not having an opportunity to review these studies that show the cameras have caused substantially more accidents and fatalities. He pointed out his behavior modification only pertains to the intersections where there are cameras.

Dennis Purdy suggested the timing of yellow lights be increased by one and a half seconds for safety. There is a recommended formula but there is no national standard for setting the timing of yellow lights. Some municipalities with red light cameras have shortened the timing on yellow lights. He indicated the traffic lights at Cobb Road and Cortez Boulevard are not running properly. Mayor Bradburn stated the Florida Department of Transportation sets the timing on yellow lights based on engineering studies as she proceeded to read an excerpt from the response of an examination of U.S. 41 and Wiscon Road by FDOT and Hernando County, Traffic Engineering and Maintenance staff has inspected the signal timing at the referenced intersection. The Florida Department of Transportation approved yellow intervals of 3.5 seconds in the northbound lane turn left. Mr. Purdy asked the speed at those intersections to which Mayor Bradburn suggested he contact Dennis Dix or Steve Whitaker at Hernando County for the statistics. Mayor Bradburn stated the Florida League of Cities has requested the Florida Department of Transportation examine the signal interval but there is no scientific data to support increasing the timing.

Tom Dye stated he would like to yield his three (3) minutes of speaking time to Dr. Desjardins.

Kojack Burnett asked if the City will have to pay for the cameras when a new vendor takes over, to which Police Chief Turner replied no. Mr. Burnett asked if the cameras would affect the way City Council conducts business after the next election. Mayor Bradburn pointed out the State Legislature has passed a red light camera law with the ability to take over the monitoring of the existing camera structures. City Attorney Rey stated the State can put cameras within the City's municipality but only on State roads with the revenue share being different than it is now.

Vice Mayor Lewis pointed out the State would not allow cameras to be placed on State roads until they were in need of revenue due to the downturn in the economy. Mayor Bradburn agreed the move of the State Legislature was for money-making purposes and pointed out her vote was never for revenue but for safety due to many documented fatal red light running accidents. She pointed out a 35% decrease in accidents cannot be ignored.

Council Member Bernardini pointed out that 16 of the 27 accidents at the intersections were rear end collisions but agreed there is no proof that they were caused by the red light cameras. He referred to a recent newspaper article that stated roads are safer statewide and "ignored traffic signals" accounts for 3% of deaths in traffic accidents. He supports the cameras to determine who was at fault for an accident or evidence of a robbery suspect. He does not support the citation being issued to the owner since the vehicle could be taken without permission. He referred to Mr. Patrick's car dealership where he is not going to know who was test-driving the vehicle when the summons arrives a few weeks later, indicating the same issue could occur with company vehicles as to who was driving at the time.

Council Member Bernardini had previously asked the Police Department to conduct a traffic investigation at the dangerous intersection of Cortez Boulevard and Broad Street and should have more enforcement. Police Chief Turner stated traffic enforcement is done regularly throughout the entire City with radar checks, stop signs, and red light intersections. A Traffic Safety Unit was requested last year since the Police Department handles 30,000 complaints a year, along with regular traffic enforcement.

Mayor Bradburn entered into the record two (2) emails received from citizens (Attachment C).

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**Motion:**

Motion was made by Vice Mayor Lewis and seconded by Council Member Bernardini for discontinuance of the Red Light Camera Program. Motion failed 2-3 with Council Member Johnston, Council Member Burnett and Mayor Bradburn voting in opposition.

Motion was made by Council Member Johnston and seconded by Council Member Burnett to authorize staff to move forward with the red light camera program and negotiate a contract from responses to the bid. Motion carried 3-2 with Vice Mayor Lewis and Council Member Bernardini voting in opposition.

Mayor Bradburn indicated the red light program is in abeyance pending an active contract.

City Attorney Rey clarified an award of the bid will come forth to Council for approval on August 2<sup>nd</sup> and subsequent negotiations for a final contract will be done simultaneously.

**Resolution No. 2010-12 Election Qualifying Ratification**

Consideration of Resolution ratifying the results of the qualifying period and the referendum question included on the Primary Election Ballot.

Janice Peters, City Clerk, reviewed the proposed resolution.

**Motion:**

Motion was made by Vice Mayor Lewis and seconded by Council Member Johnston for approval of Resolution No. 2010-12.

City Clerk Peters read Resolution No. 2010-12 by title, as follows:

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, APPROVING REFERENDUM PROPOSITION FOR THE AUGUST 24, 2010, PRIMARY ELECTION; DECLARING APPOINTMENT OF CERTAIN CANDIDATES TO FILL THE CITY COUNCIL MEMBER SEAT NOS. 1, 2, 4 AND 5; DECLARING THAT NO MUNICIPAL ELECTION SHALL BE HELD FOR 2010; AND PROVIDING AN EFFECTIVE DATE.**

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

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

**Adoption of Current Year Proposed Millage rate for FY2010/11 Budget**

Announcement of rolled-back rate of 7.0202, set Tentative Millage Rate for Fiscal Year 2010/11 at 8.000 mills and establish first budget hearing for Wednesday, September 8, 2010, at 6:00 p.m.

Mayor Bradburn suggested adopting the rolled-back rate of 7.0202 since the presented budget is 5.2. Vice Mayor Lewis, Council Member Bernardini and Council Member Burnett were in favor of setting the tentative rate at 8.000 mills.

Finance Director Baumgartner advised being cautious in setting the rate tonight because if the final set rate is over that then letters would have to be sent to all property owners in the City. The Property Appraiser has to be notified of the rate by August 4<sup>th</sup>.

Council Member Johnston stated this amount is set for the TRIM notice and that it is not actually the budgeted millage rate.

## REGULAR COUNCIL MEETING MINUTES - July 19, 2010

### Motion:

Motion was made by Vice Mayor Lewis and seconded by Council Member Bernardini for tentative millage at 8.000. Motion carried 4-1 with Mayor Bradburn voting in opposition.

### Motion:

Motion was made by Council Member Johnston and seconded by Council Member Burnett for the first budget hearing to be on Wednesday, September 8, 2010. Motion carried 5-0.

### Foreclosure of Liens

Consideration of foreclosure of Lien for unpaid property maintenance costs for the following properties:

606 Harar Avenue  
409 Cook Avenue

Jennifer Rey, City Attorney briefly reviewed the foreclosure of liens.

Vice Mayor Lewis asked if either of these properties is occupied. Council Member Johnston replied the Williams property is vacant but the Schamberger property has a Homestead Exemption.

Vice Mayor Lewis asked is vacant property required to have the grass mowed. Director Geiger replied the maintenance activity happened awhile ago and he was not sure if it was occupied at the time. He explained if a vacant property is adjacent to occupied property within a residential neighborhood then maintenance is required.

Mayor Bradburn asked for an updated report on the property and a history of the action taken.

Vice Mayor Lewis asked for the cost to foreclose on the two (2) liens and filing fees.

City Attorney Rey stated there is a standard filing fee of about \$400 for civil actions on foreclosures, based on the lien amount, but reimbursement of costs can be sought.

Vice Mayor Lewis stated he supports foreclosure on the liens once all the facts are presented to Council. He asked if once the foreclosure is complete will the City be selling the properties.

Council Member Johnston stated the Schamberger property would be exempt from sale by creditors if it has Homestead Exemption. He pointed on the owner has a different address on the lien from 2008 and could be vacant.

Vice Mayor Lewis asked for more information on the liens from Director Geiger and actual cost in fees from City Attorney Rey to which she confirmed it is \$400.

Council Member Burnett asked if the property owners have been given an opportunity to pay the liens since the Community Initiatives Team is still working on a vision plan for this area. City Attorney Rey indicated the original code violations occurred in June 2008 and August 2008 and pointed out Council authorized placement of the lien after the property owners were notified, with a one (1) year period after it is eligible for foreclosure, which has expired. She indicated it is being brought before Council at this juncture for direction.

Mayor Bradburn stated she supports the South Brooksville Vision Plan but code enforcement actions are a matter of health, safety and welfare and is a separate matter.

Council Member Burnett stated the vision plan included clean-up and holds firm on his view.

## REGULAR COUNCIL MEETING MINUTES - July 19, 2010

Vice Mayor Lewis asked if the lien has to be renewed every year. City Attorney Rey stated she will have to look into the matter further. Vice Mayor Lewis suggested renewing the filing of the lien if it expired to prevent the property from being sold. City Attorney Rey assured the recorded lien takes effect without pursuing foreclosure. City Clerk Peters indicated there is no expiration and the City will file a satisfaction if the owner pays the lien.

### **Motion:**

Motion was made by Vice Mayor Lewis and seconded by Council Member Bernardini table the item. Motion carried 5-0.

## CONSENT AGENDA

### **Purchase of Vehicles**

Consideration of the purchase of trucks for Public Works, Parks and Code Enforcement via the Florida Sheriffs Association, Association of Counties and Fire Chiefs Association Bid List from the vehicle replacement fund.

Code Enforcement vehicle purchase not to exceed \$15,169 with surplus of the 1998 Chevrolet Lumina via the Hernando County Auction process.

Parks & Recreation vehicle purchases not to exceed \$37,359 with surplus of truck 206, 1991 Ford F350 via the Hernando County Auction process.

Council Member Bernardini asked what the two (2) replacement vehicles are. Parks Director Walker replied the Ford F350 will be replacing the Horticulture Tech's flatbed vehicle. The other one is for the Meter Department, which is in need of a full-size pickup truck.

Public Works vehicle purchase not to exceed \$23,128 with surplus of truck 643, 1996 Ford F250 via the Hernando County Auction process.

Vice Mayor Lewis asked is Public Works taking the box off this truck prior to surplus since it seems to be in good condition. Interim Public Works Director Radacky indicated they will not be taking off the box due to cost and the fact that new trucks come equipped with containers and cabinets..

### **Motion:**

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

### **Appalachian Material Services, Inc. (AMS) Sludge Hauling Agreement**

Consideration of 1-year extension of agreement for Pick up, Transportation and legal disposal of domestic sewage sludge from the Cobb Road Water Reclamation Facility.

Council Member Bernardini referred to a letter sent to Public Works in March from Appalachian Material Services, Inc., indicating an option for extension effective July 5<sup>th</sup> and questioned why action was not taken back then. Interim Public Works Director Radacky stated storage in the tank will last at least until the end of the month and indicated he would address future contract expirations being overlooked and will send his findings via email to the City Manager who will then forward the information to City Council members. Mayor Bradburn pointed out the City has not utilized the service but will begin to do so in a couple of weeks.

City Attorney Rey stated approval of a one-year contract extension of the existing agreement would be effective July 5, 2010 through July 5, 2011.

### **Motion:**

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

## REGULAR COUNCIL MEETING MINUTES - July 19, 2010

Interim Public Works Director Radacky indicated staff has checked with the Federal Department of Environmental Protection to ensure the sites have been permitted.

### **Sole Source Purchase of iRecord Audio and Video Recording System**

Consideration of sole source purchase of system for the Police Department interview room for the not-to-exceed amount of \$33,427 from fund 109. \$21,908 will be paid for by the JAGC-HERN-2-4X-048 grant.

Council Member Bernardini asked for the balance after \$11,519 is taken from fund 109. Police Chief Turner replied the money was budgeted in fund 109 for firearms training equipment that was not purchased. Finance Director Baumgartner indicated there is approximately a balance of \$110,000 as of June 30<sup>th</sup>. Council Member Bernardini asked about coverage past the 3-year warranty. Police Chief Turner replied there is an option to renew the warranty if that is a concern and indicated the service company is local. City Clerk Peters indicated the Notice of Sole Source Purchase was posted on the City's website from July 8 – 15, 2010 as per Florida Statute requirements.

### **Motion:**

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

### **Mowing Services Bid No. SD2010-03 Award**

Consideration of award for DPW Utility Sites and Code Enforcement categories only to Ultimate Lawn Care of Ocala and authorize the Mayor to sign the agreement after Legal Counsel review.

Council Member Bernardini and Vice Mayor Lewis stated their concern that the low bidder would not be able to complete the work at the awarded bid amount of \$1,000 per cut. Interim Public Works Director Radacky indicated staff has met with Ultimate Lawn Care of Ocala and they guaranteed their work at this cost. He assured Council should the company falter they will not get paid and he will force them to complete the job. City Manager Norman-Vacha indicated there is \$100 bid bond required of all bidders during the bid process.

Parks Director Walker stated the areas that were bid are currently being maintained by staff and inmate labor at a cost of about \$35,000 to \$40,000 annually for parks only. Mayor Bradburn suggested a part-time employee to cut grass may be more cost efficient and requested cost projections for this position be presented to Council. Parks Director Walker pointed out push-mowers would alleviate inmates weed-eating by outsourcing. He reminded Council that an inmate crew and guard contract was eliminated by State budget cuts effective July 1<sup>st</sup> and staff will be presenting Council with a new contract for \$56,470.

Interim Public Works Director Radacky indicated most areas are lift station sites and will not require cutting as often as the parks, waste water plant and pump stations.

Council Member Burnett suggested contacting outside services to maintain ditch areas utilized by the School Board in the future.

Interim Public Works Director Radacky indicated the cutting is done as requested but not on a regular schedule.

### **Motion:**

Motion was made by Council Member Burnett and seconded by Vice Mayor Lewis for approval. Motion carried 4-1 with Council Member Bernardini voting in opposition.

### **Walk-behind Mower Purchase – Park/Facilities and Streets**

Consideration of purchase of three (3) Gravely GR 1332FX walk-behind mowers, model number 988143, in the amount not to exceed \$7,041.06 and approve the FY09/10 Budget Amendment.

Council Member Bernardini asked if the mowers are going to be for the inmate crew. Director Walker indicated they are for use by parks staff and the inmate crew.

## REGULAR COUNCIL MEETING MINUTES - July 19, 2010

Finance Director Baumgartner advised that, due to no funds budgeted in that line item this year, the cost is coming from reserves.

City Manager Norman-Vacha clarified this is a similar function to the Vehicle Replacement Fund in that a specific line item is not funded for purchase but is in a reserve line item and a budget amendment transfers between the funds.

### **Motion:**

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

### **Florida Junior Golf Council Grant Agreement**

Consideration of approval of Grant through the Florida Junior Golf Council with the hopes of securing funds to implement the First Tee National School Program in all 12 elementary schools in Hernando County.

Parks Director Walker indicated funding comes from the State Golf License Plate. He stated the First Tee National Program funded \$25,000 the first year, \$20,000 the second and third years and indicated the City entered a fifteen year contract which guarantees funding for the first three (3) years of the program. He will be meeting Thursday with a local business corporation in Hernando County for possible funding.

Council Member Bernardini referred to Page 3 of the Agreement that states the contract cannot be altered in any way and pointed out that has been done on the front page. City Attorney Rey indicated she made suggestion revisions to the contract in order to bring it into compliance with the City's Code of Ordinances. Parks Director Walker stated he emailed the changes today to Mike Cooper of the First Tee Program and is awaiting his response.

### **Motion:**

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

### **Energy Systems Group (ESG)**

Approval for Audit Agreement allowing ESG to move forward with formal audit.

City Attorney Rey clarified that the agreement will not cost the City any money in certain circumstances. If the audit commences and it is determined through the audit that there will be no cost savings through any energy efficient improvements it will cease the audit and there will be no cost to the City. If they proceed with the energy audit and determine that there can be cost savings through certain energy modifications then the City will have an audit proposal and will be negotiating an energy performance contract. If the City enters into an energy performance contract there is no cost to the City for the audit. Costs associated with the audit are built into the performance contract agreement. If however the audit commences and they find that there can be energy savings through certain improvements and the City Council decides not to pursue a performance contract then there is an audit fee of \$5,000.

Council Member Bernardini pointed out several areas of cost savings he knows will be in the audit. He is in favor of only implementing major changes but the City should not be required to pay for other small changes.

Vice Mayor Lewis asked if the City is required to implement all or some of the changes. City Attorney Rey replied that would be part of the energy performance contract negotiation. She pointed out there is an approval process of their initial audit. This particular agreement contemplates a review of the preliminary audit findings and then a subsequent acceptance process. Once an energy audit has been accepted by the City Council then an Energy Performance Contract is finalized so the opportunity to negotiate is at that time.

### **Motion:**

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

REGULAR COUNCIL MEETING MINUTES - July 19, 2010

CITIZEN INPUT

Mayor Bradburn asked for public input; there was none.

ITEMS BY COUNCIL

Joe Bernardini, Council Member

Mowing

He indicated there are several right-of-ways such as Howell Avenue, Main Street, Cherry Street and Oak Street that are in need of mowing and weeding.

Police Department Salaries

He voiced his concern with a 9% increase in salaries under the Police Department budget.

Lara Bradburn, Mayor

Summer Nights

She stated the event was again successful but volunteers are needed and encouraged all to participate.

Budget Workshop

She reminded all the next workshop is on Tuesday, July 27, 2010 at 6:00 p.m., with the next regular meeting scheduled on August 2, 2010. Council Member Bernardini asked for a cost comparison of the City's Building Department services being done by the County by the next workshop. City Manager Norman-Vacha stated there has not been a discussion with the County regarding the cost of entering into a contract but staff will research the previous cost and compose an analysis for discussion purposes.

City Manager Evaluation Form

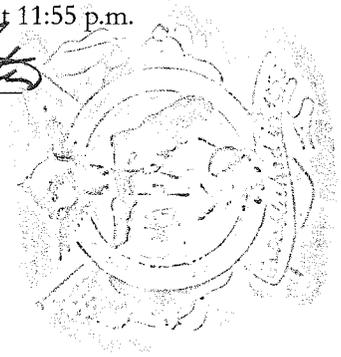
She distributed the revised form which incorporated changes suggested by City Council and would support a performance based measurement system for all city employees. She pointed out the evaluation should have been completed in June and asked that the completed forms be submitted at the next workshop.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 11:55 p.m.

  
City Clerk

Attest:   
Mayor



# Digital Flood Insurance Rate Mapping Project

## Briefing for Local Elected Officials

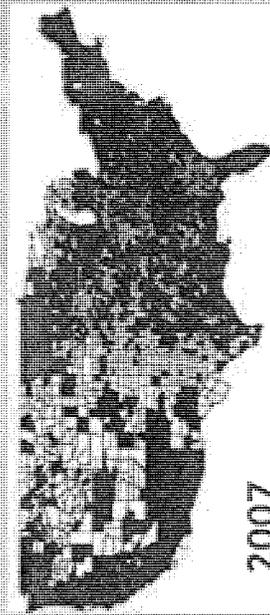
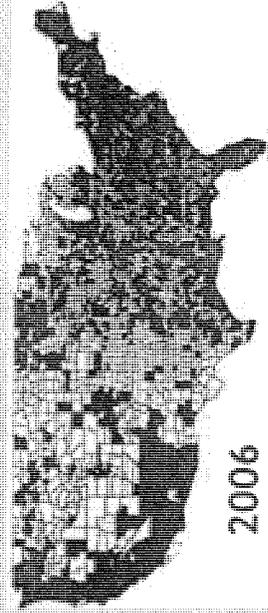
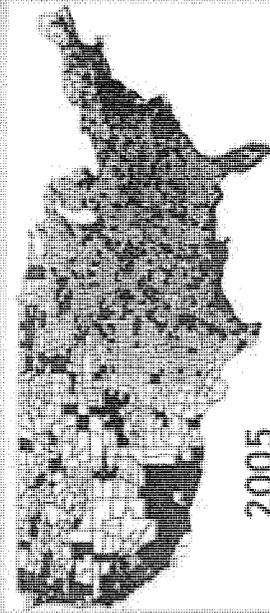
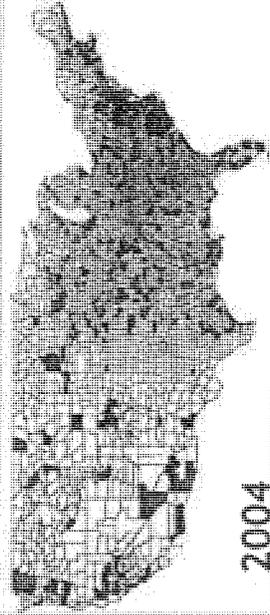
Hernando County, Florida

City of Brooksville

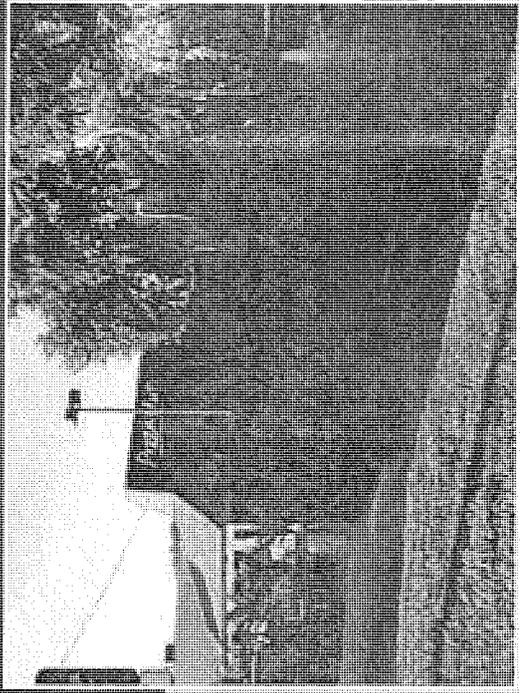
City of Weeki Wachee

# Introduction to the Flood Hazard Map Update

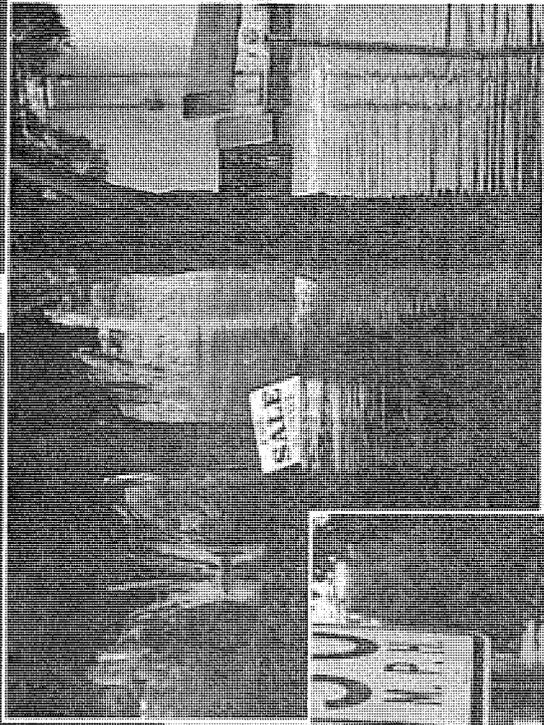
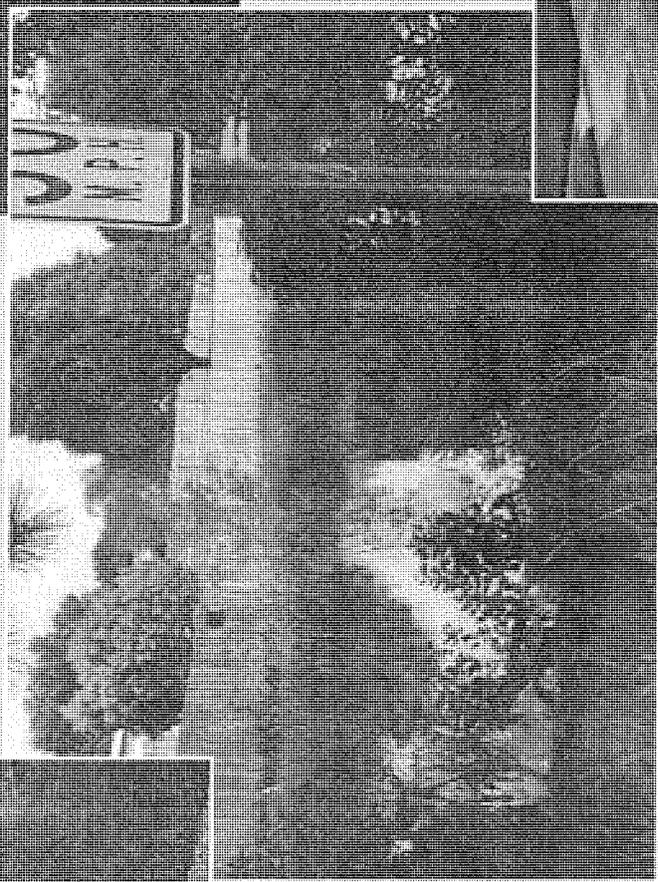
To support the vision, “*A Nation Prepared*,” the Federal Emergency Management Agency (FEMA), has embarked on an aggressive campaign called Map Modernization to update the Nation’s flood hazard maps.



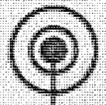
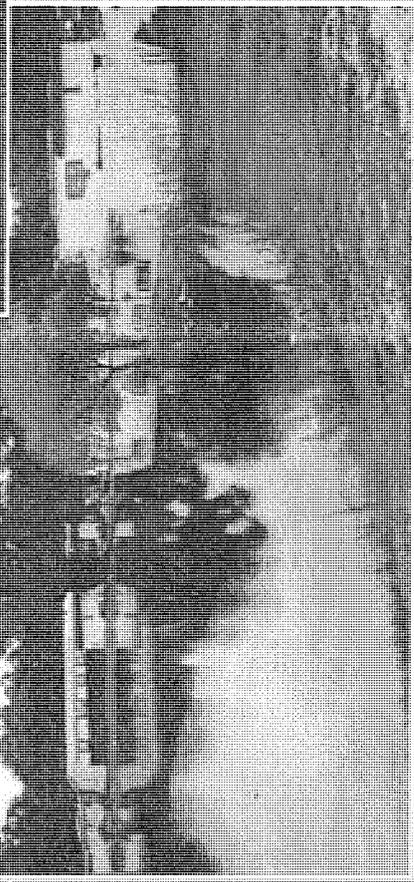
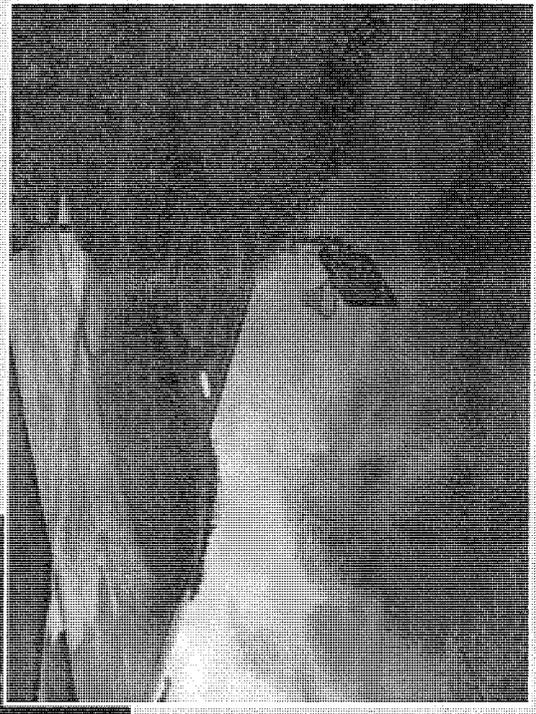
**Examples of Flood Hazard Area Boundaries in relationship to structures and properties**



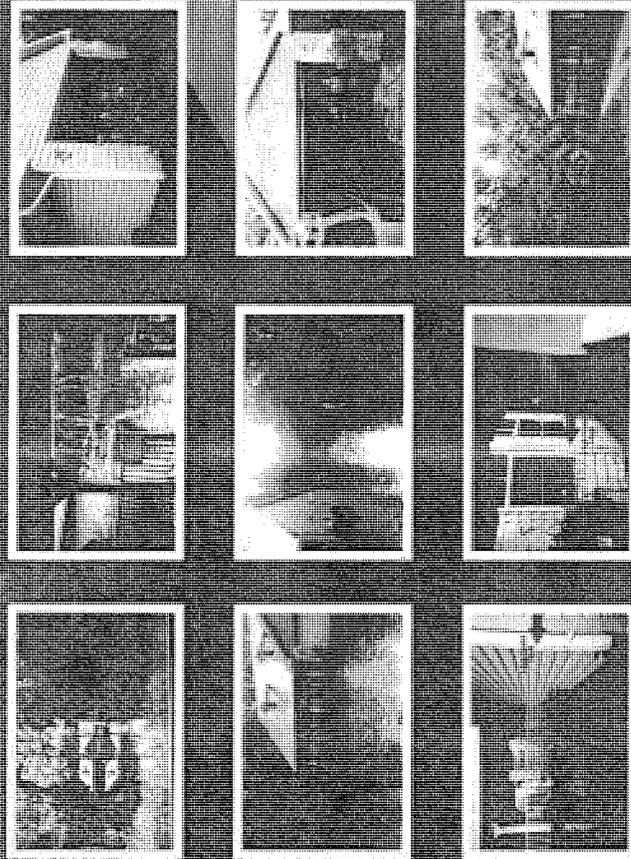
**Flooding is the nation's most repetitive disaster**



**Flooding doesn't just occur when there is 11 to 12 inches of rain or significant storm surge.**

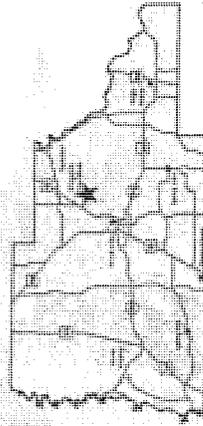


# Flood Hazard Risk Not Identified



Blue Sink Watershed  
Canopy Oaks Road • Brooksville, Florida

This homeowner does not carry flood insurance because the effective 1994 FEMA Flood Insurance Rate Map (FIRM) indicates this residence is in a flood hazard zone "C".



According to the effective 1994 FEMA FIRM, this property was not predicted to sustain heavy flooding. Most FIRMs are more than 10 years old and are updated due to physical changes to the landscapes caused by land use change, development, erosion and natural forces. The Southeast Florida Water Management District, in cooperation with FEMA and local governments, is currently updating the FIRMs. These new maps will provide more detailed and reliable flood risk data in a digital format that can easily be updated.

- August 2001 — Property purchased
- May 2002 — Construction completed
- Summer 2004 — Septic tank problem begins
- Fall 2004 — Property flooded during Hurricane Frances and Hurricane Jeanne
- April 2005 — Application was made to FEMA Hazard Mitigation Grant Program (HMGP). If approved, FEMA will acquire property, demolish existing structure and return land to natural state.

## HMGP ACQUISITION COSTS

• Building replacement and land value	\$204,000
• Demolition cost	14,200
• Acquisition cost	3,000
• Appraisal fee	300
• Survey and miscellaneous cost	400
<b>Total</b>	<b>\$224,900</b>

Cost of detailed Blue Sink Watershed Management Plan through Southeast Florida Water Management District: \$219,300.00

Southwest Florida Water Management District  
www.sfwmd.com



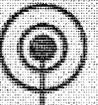


# Status Within Community

## Estimates of Impacts to Parcels Relative to the Special Flood Hazard Area

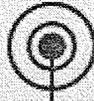
Status	Number of Parcels		
Parcels Added to the SFHA <sup>1</sup>	Hernando Co.	City of Brksville	City of W.W.
	23,983	378	20
Parcels Removed from the SFHA <sup>2</sup>	236	155	0
Parcels Still in the SFHA <sup>3</sup>	2,895	230	0
Parcels Still Out of the SFHA	88,742	3,515	25

- 1 – This is the target audience for protest and appeals messaging as well as identifying insurance assistance
- 2 – Although these parcels are removed, preferred-risk insurance alternatives should be mentioned to this group as the flood risk is reduced, but not removed
- 3 – While this group is still within the horizontal extent of the SFHA, the base flood elevation may have gone up or down and affected premiums or overall requirement (hard to determine exactly with current available data such as paper maps and old permits that may not have enough information)



# Core Messages to the Public

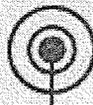
- Maps are changing – and the changes affect your constituents
- The risk is real in both high- and low-to moderate- risk areas
- Flood map changes have construction and insurance implications
- Understand your flood insurance options – and how you can save money
- New maps = safer communities



# Outreach Efforts

- **Conduct Public Meetings**
  - Brief City Council on July 19<sup>th</sup>
  - Brief County Commission on July 27<sup>th</sup>
  - Preliminary DFIRM Community Coordination Meeting August 11, 2010 @ 11 a.m.
  - Open Houses – August 11 and 12, 2010 from 3:30 – 7:30 p.m. Central High School
  
- **Other Meetings/Public Assistance**
  - Home Owner Associations
  - Call Center
  - Web site
  
- **SWFWMD provided notices to property owners affected by changes during past two years**
  
- **Media**
  - Public Service Announcements
  - HCGB Segment
  - Media Releases
  - Advertisements\*

\* FEMA/SWFWMD will provide 2 advertisements in local newspapers of the changed maps



# Sample Materials

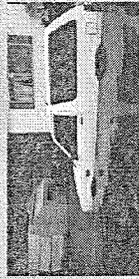
## LEARN YOUR PROPERTY'S FLOOD RISK

Hurricanes, tropical storms and slow moving storms can create serious runoff and coastal flooding problems in south-central Florida. The result is frequent and costly flooding, not only in high-risk areas but in moderate- to low-risk areas as well. About 25 percent of all flood insurance claims come from lower-risk areas.

The [county's/community's] new digital flood maps show flood risks property-by-property. Your level of risk helps determine minimum building requirements and your cost of flood insurance. So, learn your risk. Go to [enter URL] to view the maps. [include if applicable] You can pull up the map that shows your property. Just enter your address).

## Questions about flood insurance?

Visit [www.FloodSmart.org](http://www.FloodSmart.org) or speak with your insurance agent.



Flooding occurs in all 30 states and is the nation's most costly natural disaster.

## FROM RELEASE TO FINAL ADOPTION

New flood maps are targeted to become effective in [month] season - e.g. the fall of 2010]. At that time, any related flood insurance requirements will also take effect. The map adoption process includes a round of community meetings and a review of citizen concerns. Some property owners may feel that even though part of the property is in a high-risk area, the house or commercial structure itself sits high enough to warrant a lower flood insurance rate. An owner who wishes to challenge the new designation will need to prove that the structure is sufficiently above the elevation that a major flood would reach (known as the base flood elevation). For more details on the appeals and protest process, visit [enter URL].

## MAP ADOPTION MILESTONES

- [Date] — Preliminary flood maps released
- [Date] — Start of 90-day Public Comment Period (the filing of appeals and protests)
- [Date] — SWFWMD and federal review begins
- [Target Date, Month or Season - e.g. Fall 2010] — Maps become effective; new insurance requirements take effect
- Visit [enter URL] to view and learn more about the preliminary maps and when the changes take effect.
- For general information, call [enter local toll-free or contact at [phone #]]. Open hours of local toll-free or [enter website].

\* Date subject to change pending completion of review process.

The Miami flood map process is a partnership between SWFWMD, the Federal Emergency Management Agency, in cooperation with education and private sector partners.

## MAPPING THE RISK

Flood risks vary from neighborhood to neighborhood and even property to property, and they can change over time.

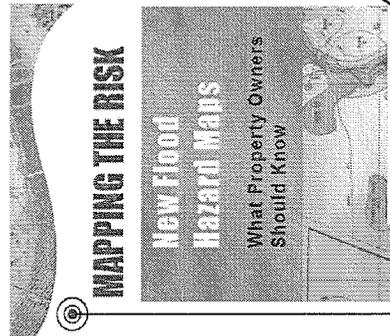
The likelihood of flooding in some areas has increased due to new development and environmental changes.

New detailed, digital flood hazard maps have been developed to show current risk levels for [community name]. The new maps, known as Digital Flood Insurance Rate Maps (DFIRMs) replace maps that are up to [age] years old.

Planners, local officials, engineers and builders will use the maps to determine where and how to build new structures and developments. Residents and business owners can use the maps to learn their flood risk, and decide the financial and physical steps they need to take to protect against damage and loss.

The chart below helps explain your options.

If Maps Show...	These Requirements, Options And Savings Apply
Change from low or moderate risk to high risk (flood zones S, O, X or zones A, AE, AH or AO, V, VE)	Flood insurance is mandatory. Flood insurance will be federally required for most mortgage holders. Flood insurance may also be required for your high risk. "Grandfathering" can offer savings. The National Flood Insurance Program has "grandfathering" rules to recognize policyholders who fail to comply with the flood map in effect at the time of construction or who maintain retroactive coverage. Sometimes, though, using the new flood maps can actually result in a lower premium, especially if the home is high enough above the BFE. <sup>1</sup>
Change from high flood risk to low or moderate risk (e.g., flood zones A, AE, AH, AO, V, or VE)	Flood insurance is optional but recommended. The risk has only been reduced, not removed. Flood insurance savings will be obtained, and at lower levels. About 25 percent of all flood insurance claims come from moderate to high risk areas.
Increase in the Base Flood Elevation (BFE)	Competition offers savings. An existing policy can be easily converted to a lower cost Preferred Risk Policy. <sup>1</sup> If the building qualifies, Note that lenders always have the right to require flood insurance in these areas.
No change in risk level	An increase in BFE can result in higher premiums, however, "grandfathering" can offer savings. The National Flood Insurance Program has "grandfathering" rules to recognize policyholders who fail to comply with the flood map in effect at the time of construction or who maintain retroactive coverage. Sometimes, though, using the new flood maps can actually result in a lower premium, especially if the home is high enough above the BFE. <sup>1</sup>
	No change in insurance rates. However, it is a good time to review your coverage for each structure that you build, and confirm you are adequately protected.



## MAPPING THE RISK

Flood risks vary from neighborhood to neighborhood and even property to property, and they can change over time. The likelihood of flooding in some areas has increased due to new development and environmental changes.

New detailed, digital flood hazard maps have been developed to show current risk levels for [community name]. The new maps, known as Digital Flood Insurance Rate Maps (DFIRMs) replace maps that are up to [age] years old. Planners, local officials, engineers and builders will use the maps to determine where and how to build new structures and developments. Residents and business owners can use the maps to learn their flood risk, and decide the financial and physical steps they need to take to protect against damage and loss.



<sup>1</sup> A BFE is the level that flood waters have a one-percent chance of reaching in any given year.



# Local Website

**Hernando County Central GIS**  
Endless Possibilities... Limited Only by Imagination

Home | Departments | Data Downloads | Maps | Services

## Welcome

Welcome to the Hernando County Central GIS Website. Here you will find information about Geographic Information Systems within Hernando County, Florida. Please use the above buttons to navigate our web pages and receive information on the services we provide.

Not sure what GIS is or how it's used? See our FAQ's for answers.

## What's New?

Tuesday, July 13, 2010

 Get all the information about the Gulf Coast Deep Water Oil Spill [here](#).  
This is the **Stinkhole Project** that list all the Lagrover (excellent) snibholes [here](#).

 Would you like a satellite photo of your property? The 200 Aerials were flown in January 2009 by SWFWMD and are currently free and available in our Interactive Maps.

 The District Flood Insurance Rate Map (DFIRM) project was developed in cooperation with the following agencies: Hernando County, SWFWMD, FEMA, City of Horeatville, &

### Up Coming Events

 **ESRI/UC**  
The next conference is July 12-14, 2010 at the San Diego Convention Center in California. It's the ultimate event for anyone working with GIS... [ESRI](#)

 **World GIS Day**  
GIS Day provides an international forum for users of Geographic Information Systems (GIS) technology to demonstrate real-world applications that are making a difference in our society. [World GIS Day](#)

### Links

[Home](#) [Back](#) [Forward](#) [Print](#)

### FAQs

### Procedure

### Tips & Tricks

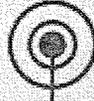
# Response Process for Inquiries

- Referrals from Council or Commission Staff – Group and send to email below
  - County: [johnb@co.hernando.fl.us](mailto:johnb@co.hernando.fl.us)
  - City of Brooksville: [bgeiger@cityofbrooksville.us](mailto:bgeiger@cityofbrooksville.us)
  - City of Weeki Wachee: [cityofweekiwachee@yahoo.com](mailto:cityofweekiwachee@yahoo.com)
- Calls – Forward to the Local Call Center, (352) 540-6300 and then, if needed,
  - *FEMA Call Center – 1-877-FEMA-MAP (336-2627)*
- Protest and Appeals – Calls and requests will go according to the general process below:
  - Call will go to the Local Call Center (540-6300) where general information is provided
  - If more specific information is needed, the caller will be forwarded to the FEMA Map Information exchange ([FMIX 1-877-336-2627](tel:1-877-336-2627) aka [1-877-FEMA-MAP](tel:1-877-FEMA-MAP)), where they will be provided specifics on how to file appeal/protest and what procedures are required
  - If local information is needed to support the request, such as information on the model, the Local Call Center and/or FMIX will forward the caller to the Hernando County Call Center (352) 540-6300
  - Other Points of Contact
  - City of Brooksville (352) 540-3810 City of Weeki Wachee (352) 592-2004



# Potential Needs of Residents

- Survey with Elevations
- Elevation Certificate
- If within a high-risk flood hazard area, then the property owner may be required to adhere to local Flood Damage Control Regulations when performing any future construction
- If within a high-risk flood hazard area, then flood insurance may also become a requirement based on a lender's determination of risk when the maps become effective.



# Resources

## Website Resources:

- Local County Website:  
<http://www.hernandocounty.us/dept/floodmap/>
- FEMA Website on Mapping:  
[www.fema.gov/fhm](http://www.fema.gov/fhm)
- SWFWMD Website on Flood Map Updates:  
[www.watermatters.org/floodplain](http://www.watermatters.org/floodplain)
- For general information about flood insurance:  
[www.FloodSmart.gov](http://www.FloodSmart.gov)

(The Flood Risk Estimator on this website uses the current maps, not the new preliminary maps, so the level of flood risk estimated may not be representative.)



# RESOURCES

## Other Resources:

- Local Call Center:  
*(352)540-6300 – 24 hours – voicemail*  
*Staffed 8 am- 5pm, 5 days a week*
- FEMA Mapping Assistance Center:  
1-877-FEMA MAP (1-877-336-2627)  
Open Monday-Friday, 8am-6:30pm
- For questions on flood policy coverage and rates: 1-800-611-6125
- For agent questions on policy coverage and rates: 1-800-720-1093
- For lender questions on policy coverage and rates: 1-800-611-6125
- Public Meetings: For the latest dates and locations, call the Local Call Center at 352 540-6300 or visit [www.hernandocounty.us/floodmap/](http://www.hernandocounty.us/floodmap/)



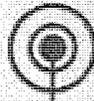
# Floodplain Management Requirements

- Condition for participation in FEMA's National Flood Insurance Program (NFIP)
- Local Codes (together with all other applicable codes)
  - Chapter 13 Flood Damage Prevention and Protection Ordinance
  - Chapter 8 Building and Building Regulations
    - Florida Building Code
    - International Code Council
    - Coastal Construction Code
  - SSTD 10-99 Hurricane Resistant Construction Standards
  - City of Brooksville – Chapter 113, Code of Ordinances
- Other Codes
  - Chapter 44, Part 60.3 of the Code of Federal Regulations
  - Southwest Florida Water Management District – Environmental Resource Permitting
  - Florida Department of Environmental Protection



## Conclusions

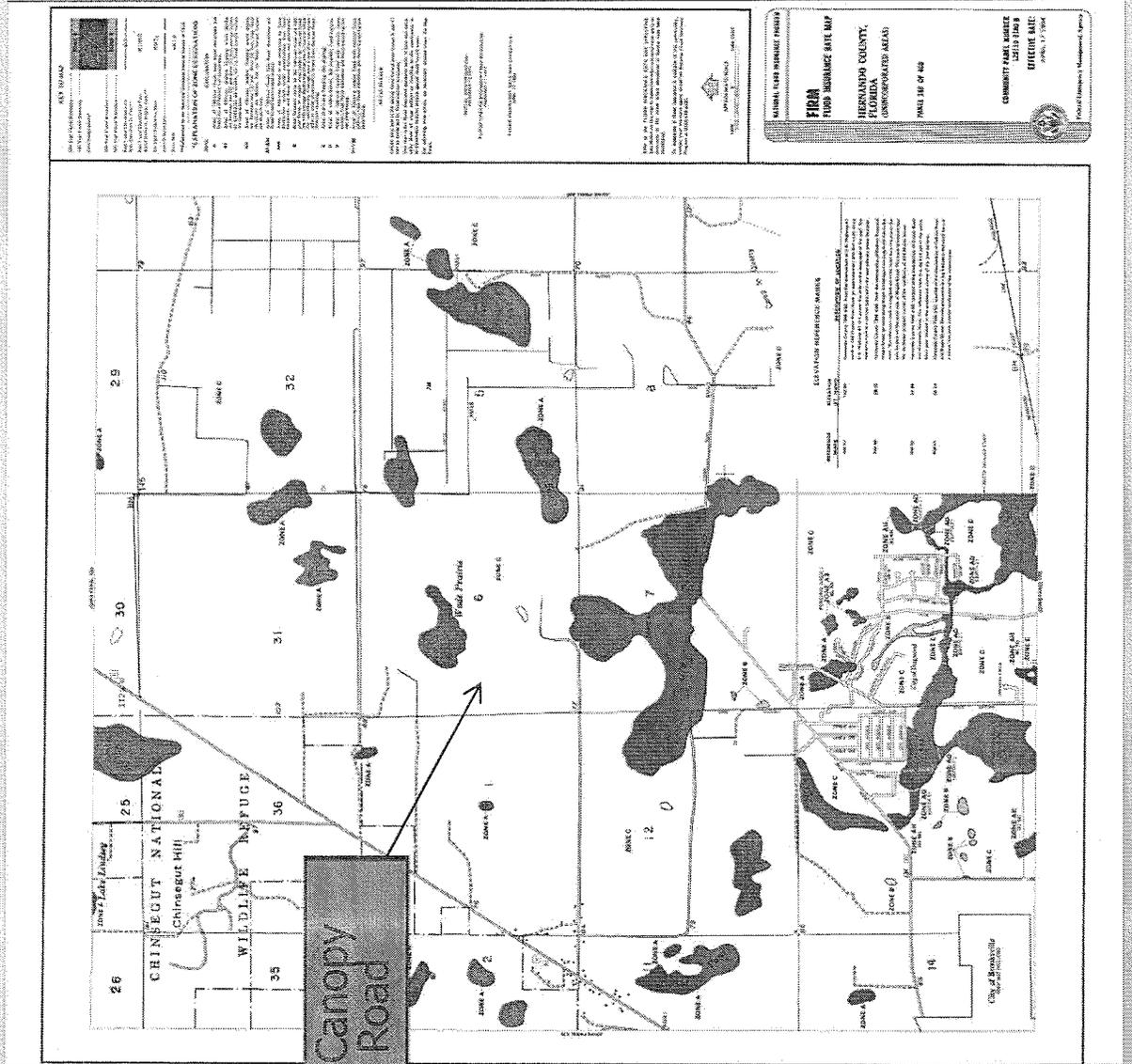
- The digital maps are more accurate, easier to access, and easier to update than earlier maps
- Hernando County and municipalities will be able to use the maps to make decisions on how and where to build
- Home and business owners will have the information they need to decide how best to protect themselves and their properties from the devastation caused by flooding.
- Hernando County will be a safer place to live and work.
- Potential exists for lower flood insurance premiums after next Community Rating System audit



# Back Pocket Slides



# Effective FEMA FIRM Panel



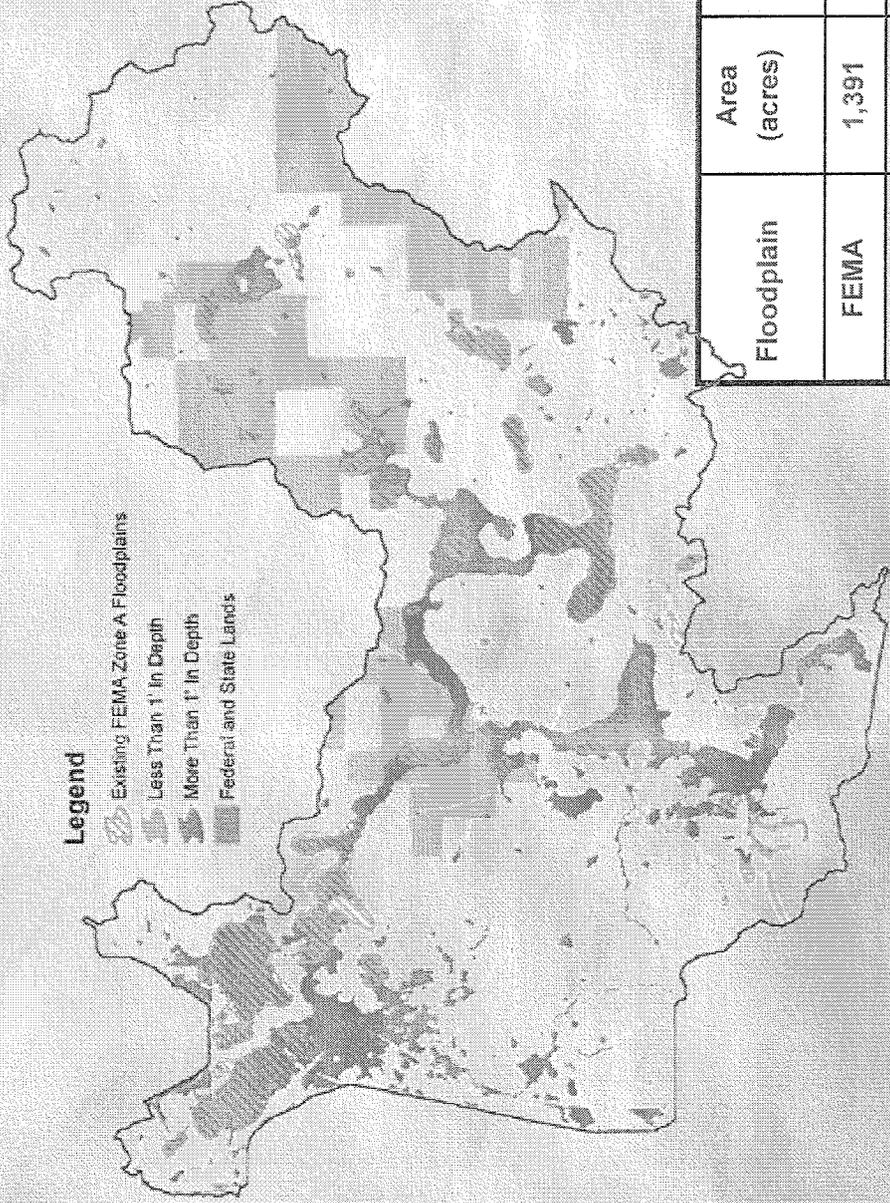


# Floodplain Comparison

Blue Sink watershed = 30 sq. miles

State and Federal Lands = 4.8 sq. miles

- Differences attributable to:
- Thorough study methodology
  - Detailed topographical data
  - Detailed modeling



## Legend

- Existing FEMA Zone A Floodplains
- Less Than 1' In Depth
- More Than 1' In Depth
- Federal and State Lands

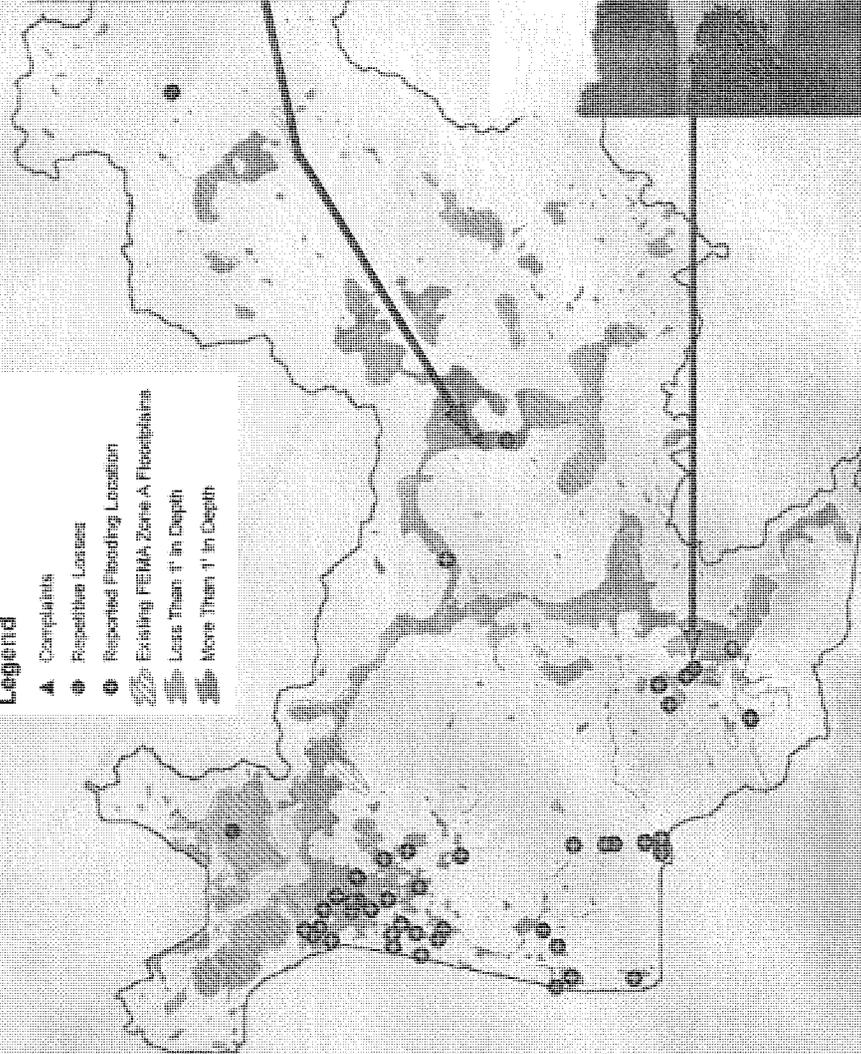
Floodplain	Area (acres)	Area (sq. miles)
FEMA	1,391	2.17
2008	3,452	5.4



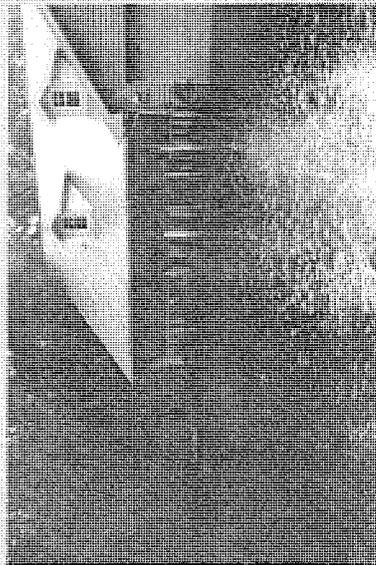
# Model Validation

Existing High Water / Flood Complaint Databases

- Legend**
- ▲ Complaints
  - Repeated Losses
  - Reported Flooding Location
  - Existing FEMA Zone A Floodplains
  - Less Than 1' in Depth
  - More Than 1' in Depth



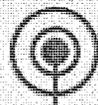
Historical Flooding After Severe Rainfall



September 2004



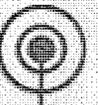
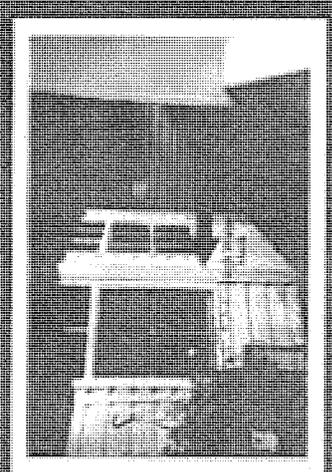
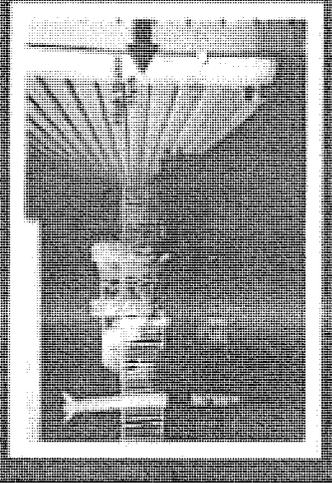
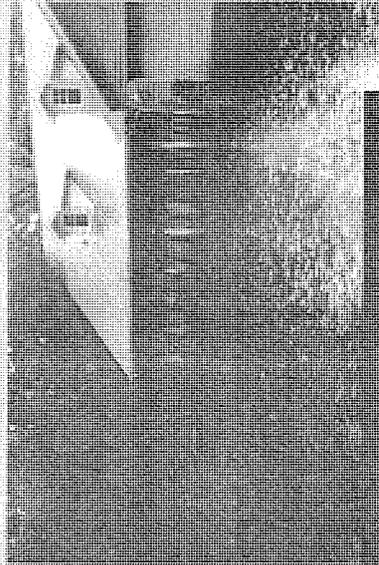
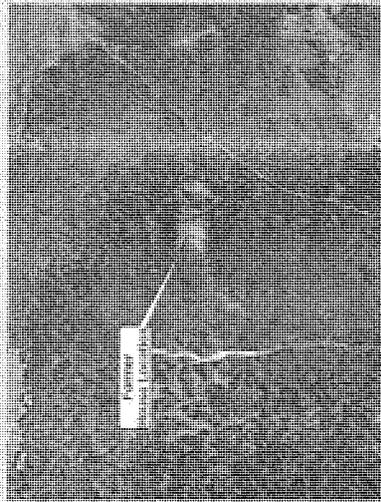
Looking N. at intersection  
Croom Rd and U.S. 41 (2002)



# Model Verification

## 12064 Canopy Oaks Road -- 2004

The land and home were mitigated by FEMA



**TRAINING MATERIALS**

**City of Brooksville  
Fair Housing Workshop for the General Public  
and Elected Officials**

**July 19, 2010**

## **Fair Housing Meeting Agenda**

City of Brooksville  
Fair Housing Workshop the General Public  
and Elected Officials

July 19, 2010

1. Open Meeting
2. Comments on Fair Housing

The purpose of this meeting is to provide information about fair housing regulations and practices to Fair Housing Workshop the General Public and Elected Officials. Attendees are asked to sign an attendance sheet for this meeting.

- a. Provide overview of the Fair Housing Act (see Fair Housing Act Overview)
- b. Provide examples of housing discrimination (see housing discrimination examples)
- c. Describe information sources to learn more about fair houses (see attached Fair Housing Information Sources).

3. Ask for comments and questions and then close meeting.

## **The Fair Housing Act: A General Overview**

### **Overview**

Title VIII of the Civil Rights Act of 1968 is otherwise known as the Fair Housing Act. It states that you cannot be discriminated against in any type of housing related transaction because of your Race, Gender, Religion, National Origin or Color. This Act was amended in 1988 to include Familial Status (i.e. the presence of children under the age of 18 in a family) and Handicap.

### **What Housing is covered?**

All single family homes are covered by the act when they are owned by private persons and a real estate broker is used and all single family homes owned by corporations or partnerships regardless of whether a broker is used. All Multifamily dwellings are covered by the Act, including townhouse and condominium communities. There are two exceptions to this rule. The first is called the "Mrs. Murphy's exemption." This exemption states that if the dwelling has four or less units and the owner lives in one of the units, it is exempt from the Fair Housing Act. The second is for qualified senior housing which is exempt only from the Familial Status provision of the act. To be a qualified senior community you must meet the following standards: Either 100% of the community is 62 or older, or 80% of the households have at least one resident 55 or older. None of this housing is exempt from section 804(c) of the Act which states that you cannot make, print or publish a discriminatory statement. Any exempt housing that violates 804(c) has lost that exemption and can be held liable under the Act.

### **Under the Fair Housing Act, it is against the law to:**

Refuse to rent or sell housing

Refuse to negotiate for housing

Make housing unavailable or deny that housing is available

Set different terms, conditions or privileges for the sale or rental of housing

Advertise in a discriminatory way

Blockbust -- persuade owners to sell or rent by telling them that minority groups are moving into the neighborhood

Deny or make different terms or conditions for a mortgage, home loan, home insurance, or other real estate related transaction

Threaten, coerce or intimidate anyone exercising a fair housing right or assisting others in exercising those rights

## Would You Recognize Housing Discrimination?

### EXAMPLES OF HOUSING DISCRIMINATION

**“Sorry, we just rented that apartment.”**

And you know the apartment is still available. You have the legal right to view or rent an apartment. A landlord can not discriminate against you because of race, color, religion, sex, national origin, disability, or family status. Families can be excluded from complexes for older persons.

**“Only 3 people are allowed in a 2 bedroom apartment.”**

Discrimination against families with children is against the law. You can not be denied housing simply because you have children. The law protects families with children, legal guardians, pregnant women, and people obtaining legal custody of children through means such as adoption.

**“Do you have someone who takes care of you?”**

Discrimination against someone with a disability is illegal. If you or someone living with you has a physical or mental disability the law protects you against housing discrimination. These disabilities include: hearing, mobility and visual impairments, epilepsy, cerebral palsy, chronic alcoholism, chronic mental illness, AIDS, AIDS related complex, and mental retardation. Discrimination against such individuals or families is a direct violation of state and federal fair housing laws. Furthermore, if necessary, the landlord must allow you to make physical changes to your apartment. However, the landlord is not required to pay for the changes.

## Housing Information Sources

### HUD Website:

*U.S. Department of Housing and Urban Development*  
Quick Reference Web Page  
Website: <http://www.hud.gov/busquick.html>

### HUD Hotlines:

*Fair Housing Information Clearinghouse*  
800-343-3442  
800-290-1617 TTY

*Housing Discrimination Hotline*  
Information on Fair Housing rights. Complaint information provided. Complaints in English and Spanish can be recorded over the phone.  
800-669-9777  
800-927-9275 TTY

*Multifamily Housing Clearinghouse*  
Assists local residents, resident councils, nonprofit groups, housing authorities and HUD offices on issues such as resident rights and programs for the elderly and disabled. Provides application packets for these programs.  
800-685-8470

*Single Family Housing*  
Refers consumers interested in the HUD Preforclosure Sale Program to their lenders for information on HUD's provision allowing homeowners with FHA insured mortgages the opportunity to sell their homes at less than the amount owed to the mortgage company.  
800-800-3088

*Office of Manufactured Housing Voice Mail System*  
Consumer complaint line, with calls returned within 24 hours.  
800-927-2891

*HUD USER*  
800-245-2691

*Directives Ordering Desk*  
Distributes HUD policy documents, handbooks, etc.  
800-767-7468

**Janice Peters**

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**From:** kblair19@cox.net  
**Sent:** Monday, July 19, 2010 2:06 AM  
**To:** Joe Johnston; Lara Bradburn; Richard Lewis; Joe Bernardini; Frankie Burnett  
**Subject:** Future of red light cameras considered

To the Honorable Mayor and Members of the City Council of Brooksville, I would like to express my opinion for the need of cameras at the traffic lights recommended by Police Chief George Turner. It is all about safety and I find drivers rushing through the lights endangering me and my family. We pay the Chief to make our community safe; please help him do that at tonight's meeting by voting in favor of the cameras. Thank you.

Kathleen Blair Nobleton

**Janice Peters**

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**From:** Jonathan James [jonnothing@hotmail.com]  
**Sent:** Sunday, July 18, 2010 6:16 PM  
**To:** Joe Johnston; Frankie Burnett; Joe Bernardini; Richard Lewis; Lara Bradburn  
**Subject:** Re: Traffic Cameras

Dear Council Member,

I am a resident who has received a photo ticket for not coming to a complete stop while making a right on red. I usually obey the traffic laws, but I was in a hurry for Easter dinner, so I payed my fine because I was clearly in the wrong. That is not my concern, though.

I just read Sunday's Hernando Today article about the city council meeting tomorrow and wished to comment about the whole safety versus revenue issue. Me personally, I now try to avoid the intersections where I know the cameras are, not because I am one to constantly break the law, but I do make mistakes once in a while. Therefore the traffic camera has not made the roads any safer, it's just moved the potential for an accident to a different area. The only way to make sure of added safety is to put a camera at EVERY intersection, and that will just make people avoid our great little city altogether, besides the cost would be huge.

In response to Joe Johnston's comments intimating that people are now running more red lights because the system is on a hiatus, that is a little short sighted. Most people only know about the traffic cameras if they or a friend have received a ticket. Also, I and a few folks I talked to did not even know the system was on hold. People either run red lights out of habit, or a quickly made bad decision. I do not think people process whether there is a working camera or not at the particular intersection; they are usually too distracted. Most people don't have time to think, they take a second to decide if they will make it on the yellow or they just ignore the light altogether.

All in all, I don't think the issue is about safety at all. Now that the revenue is going to decreased because of the new state 'tax' and right on red change, is the program really worth it? Our economy is in such a poor state that a \$158 charge is a big blow. While I realize that if you do the crime, you pay the fine, the only folks I've meet who have received these tickets are law abiding citizens who made a mistake. Those who have no regard for the laws will be found and fined using the police, just like always.

Thank you for your time,

Jonathan James

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The New Busy is not the old busy. Search, chat and e-mail from your inbox. [Get started.](#)