

**CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
201 HOWELL AVENUE**

AGENDA

December 6, 2010

7:00 P.M.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. OATH OF OFFICE

1. Swearing in of New Council Members

Seat No. 1 - Joe Bernardini, for a term of office through 12/01/14

Seat No. 2 - Frankie Burnett, for an unexpired term of office through 12/03/12

Seat No. 4 - Emory Pierce, for a term of office through 12/01/14

Seat No. 5 - Lara Bradburn, for a term of office through 12/01/14

Oath of Office: The Honorable Donald Scaglione,
County Judge, Hernando County

D. SELECTION OF OFFICERS

1. Selection of Mayor

2. Selection of Vice Mayor

Attachment: Charter Section 2.03

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

E. PRESENTATIONS

COUNCIL MEMBER RECOGNITION

1. Resolution No. 2010-24 – Outgoing Council Member Recognition

Consideration of Resolution recognizing 14 years of service of outgoing Council Member Richard E. Lewis.

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

REGULAR COUNCIL MEETING - DECEMBER 6, 2010

2. **Margaret R. Ghiotto Beautification Award - Residential Award**
Recognition of improvements to the property of Michael Mitchel and previous owner Frank Guckian, located at 501 Howell Avenue.

Presentation: Scott Renz, Beautification Board Chair and Mayor
Attachments: Letters from Beautification Board Chair dated 11/10/10; Award Certificates

3. **Overview of The Sunshine Law**
Presentation by the City Attorney on the Sunshine Law for Local Government Public Officials.

Presentation: City Attorney

F. CITIZENS INPUT

G. CONSENT AGENDA

1. **Minutes**
November 1, 2010 Regular Meeting
2. **Budget Amendment – Police Department**
Consideration of budget amendment authorizing amendments on behalf of approved Special Events expended for overtime in the amount of \$3,387.72.
3. **Surplus Equipment – Fire Department**
Consideration of surplus equipment deemed obsolete, uneconomical or inefficient.

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Minutes; 2) Memo from Director of Finance and Chief of Police dated 12/06/10, Itemized Costs; 3) Memo from Fire Chief dated 12/06/10

H. REGULAR AGENDA

1. **Withlacoochee Regional Planning Council (WRPC) Board**
Consideration of Council appointment to the WRPC Board for a term beginning December 9, 2010 through December 7, 2011.

Presentation: City Clerk
Recommendation: Appoint Member
Attachments: Memo from City Clerk dated 12/01/10; Letter from WRPC Executive Director dated 11/04/10

REGULAR COUNCIL MEETING - DECEMBER 6, 2010

2. Progress Energy Audit Report Update

Update on audit of records for Progress Energy and Withlacoochee River Electric Cooperative regarding assessment, collection and payment of the public service tax.

Presentation: Mary Beth Gary, CPA, Oliver & Joseph, P.A. and City Attorney
Recommendation: Direction from Council
Attachments: Memo from City Attorney dated 11/29/10

I. ADJOURN AS COUNCIL MEETING AND RECONVENE IN EXECUTIVE SESSION

**EXECUTIVE SESSION PURSUANT TO F.S. CHAPTER 286.011(8)
Pending Condemnation Proceedings**

The purpose of the Executive Session is to discuss settlement options and litigation strategy for pending City actions. The persons attending the meeting will be Council Members Joe Bernardini, Lara Bradburn, Frankie Burnett, Joe Johnston & Emory Pierce; Attorney's for the City of Brooksville, Thomas S. Hogan, Jr., Debbie Hogan and Jennifer Rey; City Manager, T. Jennene Norman-Vacha; and court reporter C. Gail Donato of Carolyn F. Engle & Associates. The meeting is expected to last approximately sixty minutes.

ADJOURN EXECUTIVE SESSION

RECONVENE COUNCIL MEETING

J. REGULAR AGENDA

1. Professional Services – Retainer Agreement

Consideration for Professional Services – Retainer Agreement.

Presentation: City Manager
Recommendation: Approval
Attachment: Memo from City Manager dated 11/30/10

K. CITIZENS INPUT

L. ITEMS BY COUNCIL

M. ADJOURNMENT

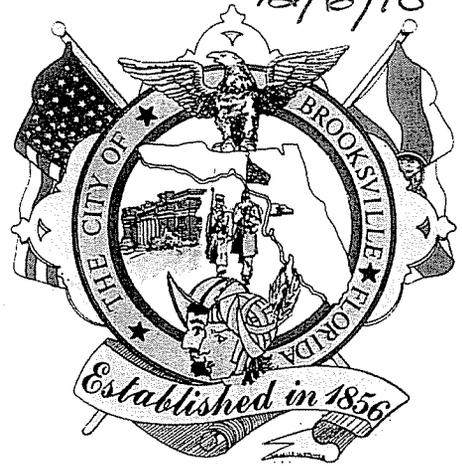
CORRESPONDENCE TO NOTE

Meeting agendas and supporting documentation are available from the City Clerk's office, and on line at www.ci.brooksville.fl.us. Persons with disabilities needing assistance to participate in any proceedings should contact the City Clerk's office 48 hours in advance of the meeting at 352/540-3810

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.

12/6/10

STATE OF FLORIDA
COUNTY OF HERNANDO
CITY OF BROOKSVILLE



I, **JOE BERNARDINI**, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States, the State of Florida and the City Charter and Laws of the City of Brooksville, Florida; and that I am duly qualified to hold office as Council Member for the City of Brooksville under the Constitution of the State and City Charter and Laws of the City of Brooksville; and that I will faithfully perform the duties of Council Member of which I am about to enter, So Help Me God.

JOE BERNARDINI

Sworn to and subscribed before me
this 6th day of December, 2010.

The Honorable Donald Scaglione
County Judge, Hernando County Judiciary

STATE OF FLORIDA
COUNTY OF HERNANDO
CITY OF BROOKSVILLE



I, **LARA BRADBURN** , do solemnly swear that I will support, protect and defend the Constitution and Government of the United States, the State of Florida and the City Charter and Laws of the City of Brooksville, Florida; and that I am duly qualified to hold office as Council Member for the City of Brooksville under the Constitution of the State and City Charter and Laws of the City of Brooksville; and that I will faithfully perform the duties of Council Member of which I am about to enter, So Help Me God.

LARA BRADBURN

Sworn to and subscribed before me
this 6th day of December, 2010.

The Honorable Donald Scaglione
County Judge, Hernando County Judiciary

STATE OF FLORIDA
COUNTY OF HERNANDO
CITY OF BROOKSVILLE



I, **FRANKIE BURNETT**, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States, the State of Florida and the City Charter and Laws of the City of Brooksville, Florida; and that I am duly qualified to hold office as Council Member for the City of Brooksville under the Constitution of the State and City Charter and Laws of the City of Brooksville; and that I will faithfully perform the duties of Council Member of which I am about to enter, So Help Me God.

FRANKIE BURNETT

Sworn to and subscribed before me
this 6th day of December, 2010.

The Honorable Donald Scaglione
County Judge, Hernando County Judiciary

STATE OF FLORIDA
COUNTY OF HERNANDO
CITY OF BROOKSVILLE



I, **EMORY PIERCE**, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States, the State of Florida and the City Charter and Laws of the City of Brooksville, Florida; and that I am duly qualified to hold office as Council Member for the City of Brooksville under the Constitution of the State and City Charter and Laws of the City of Brooksville; and that I will faithfully perform the duties of Council Member of which I am about to enter, So Help Me God.

EMORY PIERCE

Sworn to and subscribed before me
this 6th day of December, 2010.

The Honorable Donald Scaglione
County Judge, Hernando County Judiciary

ARTICLE II. LEGISLATIVE

Sec. 2.03. Mayor; vice-mayor.

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

(Ord. No. 287-C, § 1, 8-17-1998)

*Resolution 2010-24
will be provided for
Council prior to the
December 6th
meeting.*

City of Brooksville



AGENDA ITEM NO. E-2

12/6/10
352.540.3810 Phone

352.544.5424 Fax

November 10, 2010

Michael F. Mitchel
1420 Crooked Stick Drive
Valrico, FL 33596-7814

Dear Mr. Mitchel:

The City of Brooksville Beautification Board is pleased to advise you that you along with the previous property owner have been selected to receive the monthly Margaret R. Ghiotto Residential Beautification Award for beautifying the property located at 501 Howell Avenue.

The Certificate of Recognition and "rotating" outdoor sign will be presented to you by the Beautification Board Chairman at the next regular City Council Meeting to be held Monday, December 6, 2010 at 7:00 p.m. in the City Hall Council Chambers at 201 Howell Avenue. Please contact Beautification Board Secretary, Lindsay Morgan, and let her know, no later than Wednesday, November 24, 2010 by 5:00 p.m. if you will or will not be able to attend this meeting to accept your award. If you have any further questions or concerns, please contact Ms. Morgan at (352) 540-3856 or email at lmorgan@cityofbrooksville.us.

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

Sincerely,

Scott Renz, Chairman
Beautification Board

cc: Janice Peters, City Clerk

City of Brooksville

352.540.3810 Phone
352.544.5424 Fax



November 10, 2010

Frances T. Guckian
P.O Box 930
Brandon, FL 33509-0930

Dear Mr. Guckian:

The City of Brooksville Beautification Board is pleased to advise you that you along with the current property owner have been selected to receive the monthly Margaret R. Ghiotto Residential Beautification Award for beautifying the property located at 501 Howell Avenue.

The Certificate of Recognition and "rotating" outdoor sign will be presented to you by the Beautification Board Chairman at the next regular City Council Meeting to be held Monday, December 6, 2010 at 7:00 p.m. in the City Hall Council Chambers at 201 Howell Avenue. Please contact Beautification Board Secretary, Lindsay Morgan, and let her know, no later than Wednesday, November 24, 2010 by 5:00 p.m. if you will or will not be able to attend this meeting to accept your award. If you have any further questions or concerns, please contact Ms. Morgan at (352) 540-3856 or email at lmorgan@cityofbrooksville.us.

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

Sincerely,

Scott Renz, Chairman
Beautification Board

cc: Janice Peters, City Clerk

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

November 1, 2010

6:00 P.M.

Brooksville City Council met in regular session with Mayor Lara Bradburn, Vice Mayor Richard E. Lewis and Council Members 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 Radack, 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.

Mayor Bradburn adjourned to the Executive Session at 6:05 p.m.

EXECUTIVE SESSION PURSUANT TO F.S. CHAPTER 286.011(8)- Pending Condemnation Proceedings

The purpose of the Executive Session is to discuss settlement options and litigation strategy for pending City actions. The persons attending the meeting will be Lara Bradburn, Mayor; Richard E. Lewis, Vice Mayor; Council Members Joe Bernardini and Frankie Burnett; Attorney's for the City of Brooksville, Thomas S. Hogan, Jr., Debbie Hogan and Jennifer Rey; City Manager, T. Jennene Norman-Vacha; and court reporter Holly Kirchman of Carolyn F. Engle & Associates. The meeting is expected to last approximately (60) sixty minutes.

ADJOURN EXECUTIVE SESSION

Mayor Bradburn reconvened the regular council meeting at 7:25 p.m.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

American Indian Heritage Month

Proclamation in honor of American Indian Heritage Month to be presented to Weida Liguori, representing the Daughters of the American Revolution.

Mayor Bradburn read the proclamation in its entirety and presented it to Weida Liguori and other members of the Daughters of the American Revolution, which included, Sharon Skrimshire, Regent, Janice Dietrich, Secretary and Suzy Machamer, Historian.

CITIZENS INPUT

Mayor Bradburn asked for public input.

Howard Hudson, former City employee and resident, thanked City Manager Norman-Vacha for getting the retirees insurance straightened out. Secondly, he thanked the Parks Department for the work done on the Quarry. Finally he asked that Council consider revising their noise ordinance. He is concerned for the noise at the Wherehouse Bar on Broad Street. Staff will research whether the Wherehouse Bar is within City limits.

CONSENT AGENDA

Minutes

July 13, 2010 Budget Workshop
July 19, 2010 Regular Meeting
July 27, 2010 Budget Workshop

Dumpster Supply Purchase

Consideration of approval to purchase replacement dumpsters for commercial accounts via piggybacking on the City of Clearwater's bid award to Wastequip Industrial for an amount not-to-exceed the \$25,000 approved by Council in the FY2010/11 Budget.

Bullet Proof Vest Partnership Grant

Consideration of approval to purchase 12 Point Blank Vision BP458 vests via State Bid for an amount not-to-exceed the \$8,748 from the General Fund with reimbursement by the grant after purchase.

Surplus Equipment

Consideration to surplus obsolete/inoperable equipment.

Motion:

Motion was made by Vice Mayor Lewis and seconded by Council Member Burnett for approval of the Consent Agenda Items 1, 2, 3 & 5.

Council Member Bernardini asked that items 3, 4 & 6 be pulled for discussion but asked about Item 3, the Bullet Proof Vest Partnership Grant and why this wasn't included in the budget. Chief Turner elaborated, stating it does not cost the City any money and is a reimbursement. City Manager Norman-Vacha explained it could come out of Fund 109 and reimbursed.

Motion carried 4-0.

Sewer System Rehabilitation Phase 3 – Change Orders 8 & 9

Consideration of Change Order for adjustment of quantities.

Council Member Bernardini asked that Director Radacky clarify the reason for the change orders, which he explained is an adjustment of quantities that will move allocated monies from one contractor's project that doesn't need the money to another that does. Director Radacky indicated he is trying to reposition the money to use up the available funds. He also updated Council about a cleanout on Colonial, which was briefly discussed.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Burnett for approval. Motion carried 4-0.

Vehicle and Equipment Purchase – Public Works

Consideration of approval to purchase pickup truck, dump truck and backhoe, as approved in the FY2010/11 Budget, via piggybacking on the Florida Sheriffs Association, Association of Counties and Fire Chiefs Association Bid List.

Council Member Bernardini asked about the F-150 to be replaced. Director Radacky indicated it looks decent but is starting to have problems. Mayor Bradburn asked if it is being surplused. Director Radacky indicated they plan to keep it for a backup.

Vice Mayor Lewis asked if there is another department that can use it. Director Radacky indicated that is a possibility he will look into as his department does share their vehicles when needed.

Motion:

Motion was made by Vice Mayor Lewis and seconded by Council Member Burnett for approval. Motion carried 3-1 with Council Member Bernardini voting in opposition.

REGULAR AGENDA

Kiwanis Club's 36th Annual Brooksville Christmas Parade

Kiwanis Club of Brooksville – Annual Christmas Parade Fee Waiver

Consideration of request to partially waive fees in the amount of \$2,965.83 with a commitment from Kiwanis to pay \$1,000 to offset costs to hold the 36th Annual Christmas Parade on Saturday, December 11, 2010.

David A. Hamilton, Club President, reviewed the event and request with their payment of \$1,000 toward the costs.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Burnett for approval of \$1,965.83 waiver with appropriate insurance. Motion carried 4-0.

Resolution No. 2010-22 to Florida Dept. of Transportation (FDOT) – Annual Christmas Parade Route

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

Richard Radacky, Director of Public Works, reviewed the request.

Motion:

Motion was made by Council Member Burnett and seconded by Vice Mayor Lewis for approval of Resolution No. 2010-22.

Mayor Bradburn asked for public input.

City Clerk Peters read Resolution No. 2010-22 by title, as follows:

**RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA
SUPPORTING A REQUEST TO CLOSE JEFFERSON STREET
AND BROAD STREET BETWEEN MAIN STREET AND BELL
AVENUE IN DOWNTOWN BROOKSVILLE ON DECEMBER 11,
2010; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN
EFFECTIVE DATE.**

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

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

City of Brooksville Bond Safeguard Settlement – Cascades Phase I

Consideration of Settlement agreement in the matter of City of Brooksville vs Bond Safeguard.

Jennifer Rey, City Attorney, reviewed the proposed settlement agreement. Approval of which will result in a dismissal of the pending complaint and full final settlement of all matters. Depending on the final cost of completion of the outstanding improvements would result in the potential of up to \$20,000 being posted in the General Fund for miscellaneous revenues.

Motion:

Motion was made by Vice Mayor Lewis and seconded by Council Member Burnett for approval. Motion carried 4-0.

Council Member Bernardini noted that the issue had been extensively discussed with Mayor Bradburn indicating Council is very familiar with the matter.

CITIZENS INPUT

Mayor Bradburn asked for public input; there was none.

ITEMS BY COUNCIL

Frankie Burnett, Council Member

South Brooksville Annual Clean-up

Council Member Burnett expressed appreciation to all who came and helped with the South Brooksville Annual Cleanup.

Lara Bradburn, Mayor

Veteran's Parade

Mayor Bradburn reminded all of the Veteran's Parade on November 13th, as well as other activities downtown throughout the day.

City Manager Norman-Vacha advised the Hernando County Historic & Preservation Society activities start on Thursday the 10th and their activities are posted on the City's website.

Joe Bernardini, Council Member

Council Member Bernardini reminded all to vote, which Mayor Bradburn reiterated.

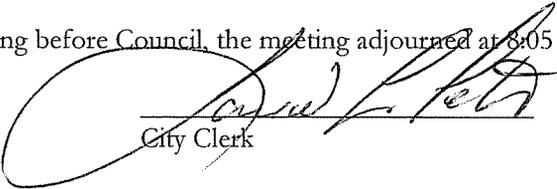
T. Jennene Norman-Vacha, City Manager

Quarry Golf Course Reopening

City Manager Norman-Vacha advised the Quarry reopens tomorrow and invited all to come by between 7:30 a.m. and 4:00 p.m. She commended staff for their efforts.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:05 p.m.


City Clerk

Attest: _____
Mayor

**CONSENT AGENDA ITEM
MEMORANDUM**



TO: HONORABLE MAYOR AND CITY COUNCIL

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

FROM: STEVE BAUMGARTNER, FINANCE DIRECTOR *Steve Baumgartner*
 GEORGE TURNER, CHIEF OF POLICE *George Turner*

SUBJECT: BUDGET AMENDMENT FOR SPECIAL EVENTS EXPENDITURES

DATE: DECEMBER 06, 2010

GENERAL SUMMARY: Historically the City Council has allocated monies for “fee waivers” for Special Events, i.e. Veteran’s Parade, Christmas Parade, etc. Monies for fee waivers have been budgeted within a designated line-item within the City Council’s departmental budget in an amount certain. In the past those monies were then subtracted and credited back as a revenue receipt for the City’s General Fund following the actual waiver; however, the monies have not been included within estimated revenues for the budget.

Because we are striving to budget closer to actual costs, we are asking that the City Council approve for the reallocation of fee waiver monies, through budget amendment, back to the City’s departmental budgets where an actual impact/cost has occurred. City Council has already approved the “fee waiver” for several events within FY 2010/11.

We are requesting approval of a budget amendment for FY 2010/11 that allocates approved “fee waivers” monies from the City Council’s Special Events line-item 001-010-511-59901 to the Police Department for costs incurred for overtime and fuel costs in the amount of \$3,387.72 (\$3,147.72 for overtime costs expended through the departmental Overtime line-item 001-013-521-51400 and \$240.00 for associated fuel costs expended through the departmental Fuel line-item 001-013-521-55250). Overtime and fuel costs were incurred for the Hernando High School Homecoming Parade, October 08, 2010; the Brooksville Cycling Classic, October 16, 2010; and the Veterans Appreciation Parade, November 13, 2010 to date. Additional costs will be incurred for the Christmas Parade and a request to Council for a budget amendment will follow the event.

BUDGET IMPACT: City Council has an expenditure line-item 001-010-511-59901 entitled Special Events within the FY 2010/11 budget, in the amount of \$7,000 for special event fee waivers. Allocation of monies to departmental line-items where expenses are incurred would not cause a realized impact; however departmental line-items for operational requirements could fall short of funds due to special event costs without the reallocation.

LEGAL REVIEW: 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. 814 which set the Fiscal Year 2010/11 Budget provides for budget amendments and transfer of funds. Pursuant to Section IV of Ordinance No. 814, “Consent and approval of

City Council Agenda Item - Budget Amendment for Special Events Expenditures
December 6, 2010 - Page 2 of 2

the City Council may be given during a duly called and constituted session of said Council identifying said budget amendments or adjustments.”

STAFF RECOMMENDATION: Staff recommends approval of budget amendment for FY 2010/11 in the amount of \$3,387.72 from City Council’s departmental line-item, Special Events 001-010-511-59901 to be allocated to two (2) line-items within the Police Department: (1) \$3,147.72 to Overtime line-item 001-013-521-51400 and (2) \$240.00 to Fuel line-item 001-013-521-55250.

Attachments:

- Memo dated November 16, 2010 / Sgt Brough to Chief Turner itemizing the incurred costs of overtime and patrol car fuel for the listed special events.



AGENDA ITEM NO. G-3
12/6/10

CONSENT AGENDA ITEM MEMORANDUM

To: Honorable Mayor and City Council Members
Via: T. Jennene Norman-Vacha, City Manager
From: Timothy A. Mossgrove, Fire Chief Timothy Mossgrove
Subject: Surplus Equipment
Date: December 6, 2010

General Summary / Background: The Fire Division has been conducting inventory of our property on hand on an annual basis. As a result of this inventory we have formulated a list of items to become surplus.

All items inventoried and documented on the attached list have been carefully examined and it is found that the items are obsolete or the use of them is uneconomical or inefficient, or serves no useful function in accordance with Chapter 274 of Florida Statutes. All items have been taken to the Hernando County Schools facility where they are stored for the next auction in January, 2010.

Budget Impact:

The items that can be put together and sold as one pallet will be combined and the remainder of pieces of equipment will be sold as is. Proceeds received will be posted to the Sale of Surplus Materials (001 000 365 48845) if the equipment is not on the City's fixed assets. If the surplus equipment is included in our Fixed Assets, the revenue account is Proceeds of the Sale of Fixed Asset-Gov't. (001 000 364 48840). A nominal financial impact is expected from the sale of this surplus equipment.

Legal Review:

Pursuant to Fla. Stat. §274.05 Surplus property, City Council has the authority and discretion to classify as surplus any of its property that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function. In addition, within the reasonable exercise of its discretion and having consideration for the best interests of the City, the value and condition of property classified as surplus, and the probability of such property's being desired by a prospective bidder in the event of surplus, the City Council may offer surplus property to other governmental units in the county for sale or donation.

Staff Recommendation: Staff recommends City Council consider declaring items included on the attached lists "surplus" and authorize the City Manager to proceed with process of disposing of in conjunction with the joint County/School Board/City auction or as directed.

Page 2 Surplus

Miscellaneous Equipment

Two (2)_ Mop Bucket squeegees

One (1) Backboard

One (1) Life preserver

Thirteen fire extinguishers- red in color

Clothing

One (1) pair size 9.5 spider leather short boots (new)

Five (5) Pair workpants- black various sizes

Six (6) pair BDU pants, black- various sizes

One (1) Blue dress shirt

Two (2) White dress shirts

Two (2) pair work boots

Ten (10) pair of rubber Bunker Boots

Apparatus/Vehicle

One (1) Tanker Truck- 1982 GMC- v-8

VIN-DP7D1E2CV591642- Fixed Asset COB#253

Construction Material

Two (2) Steel door frames

One (1) Solid steel door

Two (2) double door (glass and steel) assembly

One (1) double crank out window frame and screens

FIXED ASSET CONTROL FORM

No 5174

DIVISION: FIRE

FIXED ASSET: TANKER (EMERGENCY ONE)

SERIAL NUMBER: VIN DP7D1E2CV591642

OTHER I.D. (Make, Model, etc.) GMC - CB - V8

Fixed Asset # 248. City Veh # 253

PURPOSE OF SUBMITTAL:

PURCHASE / COST \$60,638.40

(1) DATE PURCHASED: Dec 12, 1982

(2) INVOICE NUMBER(s): _____

(3) DATE ASSET BECAME FUNCTIONAL (for 65 Series): _____

(4) OTHER COMMENTS: _____

TRANSFER (including nonfunctional asset holding area)

(1) DATE TRANSFERRED: _____

(2) TRANSFERRED TO: _____

(3) SIGNATURE OF PERSON RECEIVING FIXED ASSET: _____

(4) OTHER COMMENTS: _____

DISPOSAL

(1) METHOD SOLD STOLEN OTHER

IF OTHER, PROVIDE EXPLANATION: SENT TO H.C. Auction

(2) DATE DISPOSED: _____

(3) OTHER COMMENTS: _____

SIGNATURE: [Signature]
DATE: 8/27/2010

REGISTRATION CERTIFICATE

DHSMV-V 40-A (3-81)

STATE OF FLORIDA

APPLICATION FOR CERTIFICATION OF TITLE AND/OR

VEHICLE REGISTRATION AND MOTOR VEHICLE SALES AND USE TAX REPORT

11.35

THIS FORM BECOMES A SALES AND USE TAX RECEIPT ONLY WHEN VALIDATED BY THE COUNTY TAX COLLECTOR

VEHICLE REGISTRATION REGISTRATION CERTIFICATE

OFFICE USE ONLY: REG# 02/18/83

TRANSACTION CODE: 66

Handwritten notes: Title, 56182, #253, 10 = CODE, 68 = CODE, 01 = AGY, 0161 = RPT, CITY56182 = T, PREV ISS D, 00748 19

Action Requested: [X] Original Title [] Duplicate Title [] Transfer of Title [] Replacement Tag/Decal

DECAL NUMBER, YR, DECAL ISSUED, BIRTHDATE, EXPIRES, OWNER IDENT, TRANS CODE, TFR, FEE, TAG ISSUED, TAG NUMBER, TITLE NUMBER, VEHICLE IDENTIFICATION NO, YR MAKE, WT/LENGTH, CLASS, GWW/LOC/CAP, MAKE, TYPE

OWNER'S NAME AND ADDRESS, 1st OWNER D/L NO., 2nd OWNER D/L NO., INSURANCE, LIABILITY, DATE ISSUED

MOS, TAX \$, BT, BACK TAX \$, SVC CHG, OTHER CHARGES \$, TOTAL \$, CREDIT VEHICLE, MO, CLASS, WEIGHT

STATE PREV. REG., DATE VEHICLE ACQ'D, NEW, USED, SALES TAX, GRAND TOTAL, CREDIT \$, REFUND \$

LIEN: NAME OF FIRST LIENHOLDER, ADDRESS, DATE OF LIEN, CITY - STATE, ZIP CODE, LIEN AMOUNT, THE LICENSE PLATE AND/OR DECAL IDENTIFIED HERE HAS BEEN LOST, STOLEN, DESTROYED OR DEFACED...

SALES AND USE TAX REPORT: NAME OF SELLER OR OTHER PREVIOUS OWNER, ADDRESS, CITY - STATE, ZIP CODE, VEHICLE USAGE, INDICATE TOTAL PURCHASE PRICE, INDICATE SALES OR USE TAX DUE AS PROVIDED BY CHAPTER 212, FLORIDA STATUTES

TRANSFER OF TITLE IS EXEMPT FROM FLORIDA SALES OR USE TAX FOR THE REASON(S) CHECKED: [] PURCHASER HOLDS VALID EXEMPTION CERTIFICATE [] CONSUMER EXEMPTION CERTIF # [] VEHICLE WILL BE USED EXCLUSIVELY FOR RENTAL [] SALES TAX REGISTRATION # [] EVEN TRADE [] INHERITANCE [] ORDER OF COURT IN DIVORCE PROCEEDINGS [] GIFT (NO UNPAID BAL ASSUMED) [] TRANSFER TO OR FROM HUSBAND OR WIFE [] OTHER (EXPLAIN)

DEALER CERTIFICATION: NAME OF DEALER, ADDRESS, CITY - STATE, ZIP CODE, DATE OF SALE, SALES TAX COLLECTED, SALES TAX REGISTRATION #, DEALER LICENSE #

NOTE: INDICATE MANUFACTURER, DISTRIBUTOR OR FORMER OWNER IN THE SPACE PROVIDED IN "SALES AND USE TAX REPORT" BLOCK. ODOMETER DATE READ

I/WE HEREBY CERTIFY THAT I/WE LAWFULLY OWN THE ABOVE DESCRIBED MOTOR VEHICLE AND MAKE APPLICATION FOR TITLE AND/OR REGISTRATION, FURTHER CERTIFYING THAT A PHYSICAL EXAMINATION OF THE VEHICLE HAS BEEN MADE AND THAT THE INFORMATION DESCRIBING IT HEREIN IS CORRECT. I/WE AFFIRM UNDER PENALTY OF PERJURY THAT THE INFORMATION HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE AND BELIEF. IF APPLYING FOR DUPLICATE TITLE I/WE CERTIFY THAT THE PREVIOUSLY ISSUED TITLE HAS BEEN LOST OR DESTROYED.

APPLICANT CERTIFICATION: SIGNATURE OF APPLICANTS, *BY, *BY, NOTARY SEAL, SWORN AND SUBSCRIBED TO BEFORE ME, THIS 18 DAY OF FEB 83, (NOTARY PUBLIC), MY COMMISSION EXPIRES

*IF POWER OF ATTORNEY IS USED, IT ALONG WITH ALL SUPPORTING DOCUMENTS MUST BE ATTACHED!

OWNER'S COPY

CERTIFICATE OF TITLE

DHSMV 260 (REV. 10/82)

STATE OF FLORIDA

MOTOR NUMBER ALL MAKES THROUGH 1954 - IDENTIFICATION NUMBER 1955 AND LATER

MAKE GMC	BODY CB	IDENTIFICATION NUMBER DP7D1E2GV591642	TITLE NUMBER 22220076
ODOMETER - DATE READ		DMV USE ONLY 8506	THIS VEHICLE IS OR HAS PREVIOUSLY BEEN USED AS A
YEAR MAKE 82	USE PVT	STATE PREV. REG. NEW	PREV. ISSUED DATE

REGISTERED OWNER (LAST NAME FIRST)

CITY OF BROOKSVILLE
265 BROOKSVILLE AV
BROOKSVILLE FL 33572

DATE OF ISSUE
MO. DAY YR.
03 08 83

1ST LIEN HOLDER
NONE

MO. DAY YR.

2ND LIEN HOLDER
NONE

MO. DAY YR.

LIEN SATISFACTION -

ADDITIONAL LIENS

THE UNDERSIGNED HOLDER OF ABOVE DESCRIBED LIEN(S) ON THE MOTOR VEHICLE DESCRIBED HEREON HEREBY ACKNOWLEDGES SATISFACTION THEREOF. NOTE: IF LIEN HOLDER IS SAME ON 1ST AND 2ND LIENS AND ONLY ONE LIEN IS BEING SATISFIED COMPLETE PROPER SPACE BELOW. DO NOT PERFORATE OR USE PAID STAMP.

1ST LIEN _____ BY _____
(LIEN HOLDER) (SIGNATURE AND TITLE)

2ND LIEN _____ BY _____
(LIEN HOLDER) (SIGNATURE AND TITLE)

SWORN AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____ 19____
AT _____ FLORIDA
MY COMMISSION EXPIRES _____ (AFFIX SEAL)

(NOTARY PUBLIC OR OTHER OFFICER HAVING SEAL)

SATISFACTORY PROOF OF OWNERSHIP HAVING BEEN SUBMITTED UNDER SECTION 319.23, FLORIDA STATUTES, THAT TITLE TO THE MOTOR VEHICLE DESCRIBED ABOVE IS VESTED IN THE OWNER NAMED HEREIN SUBJECT TO THE LIENS NOTED ABOVE. THIS OFFICIAL CERTIFICATE OF TITLE IS ISSUED FOR SAID MOTOR VEHICLE.

DIVISION OF MOTOR VEHICLES

TALLAHASSEE



FLORIDA

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

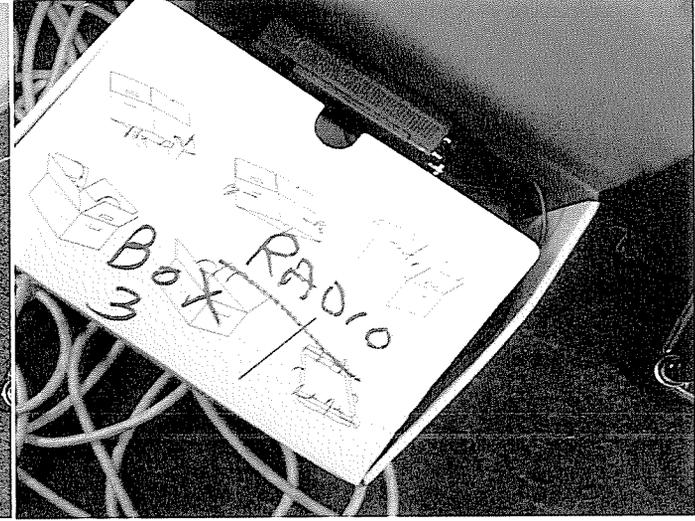
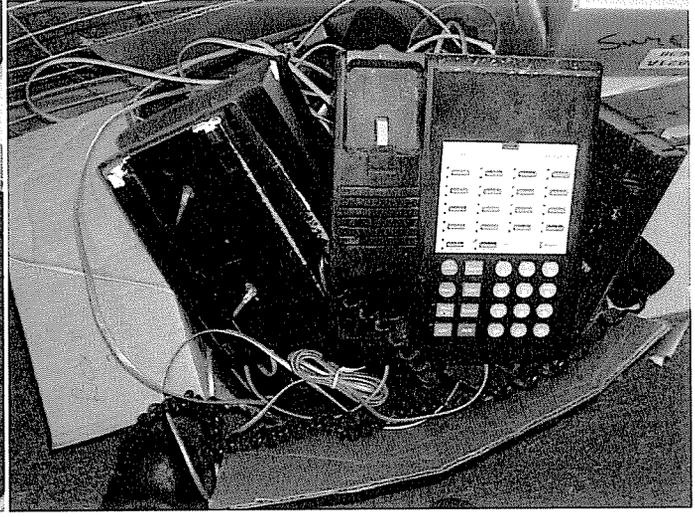
Charles J. Brantley
CHARLES J. BRANTLEY
DIRECTOR

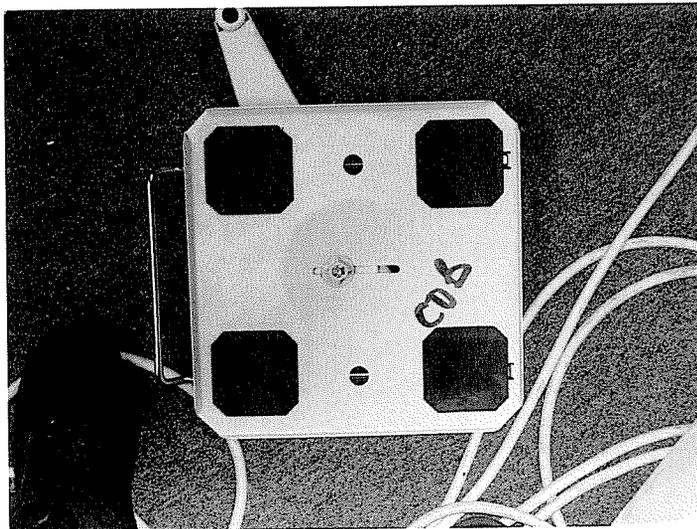
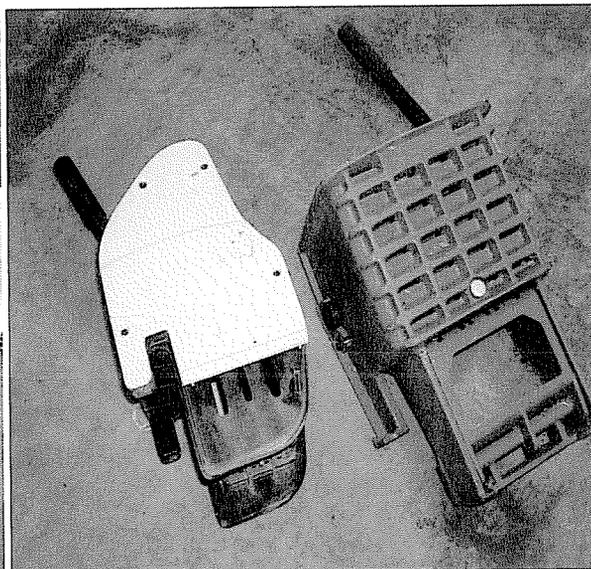
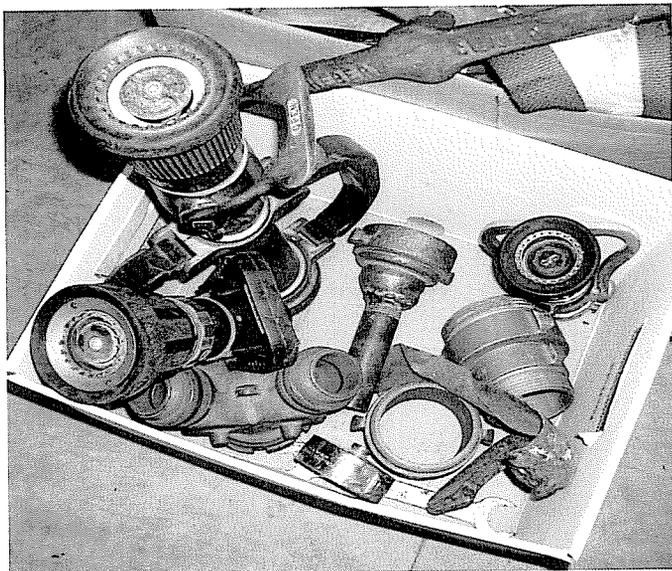
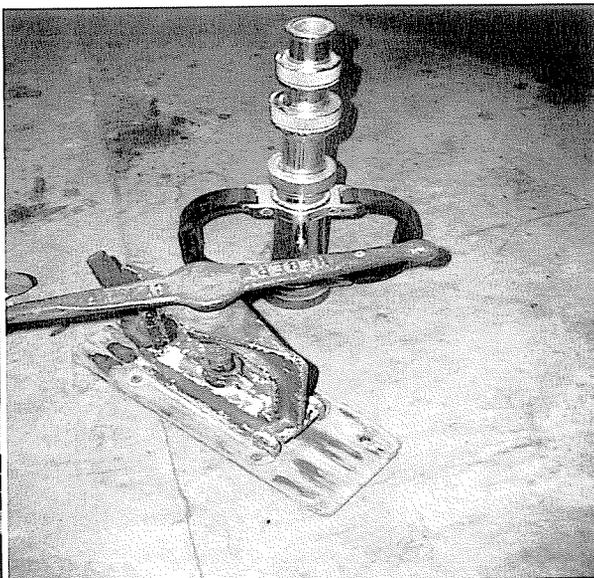
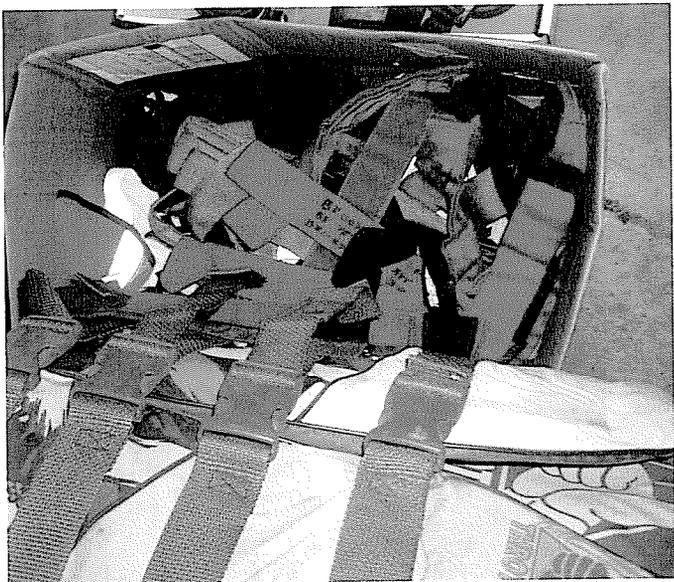
CONTROL NUMBER

0140525

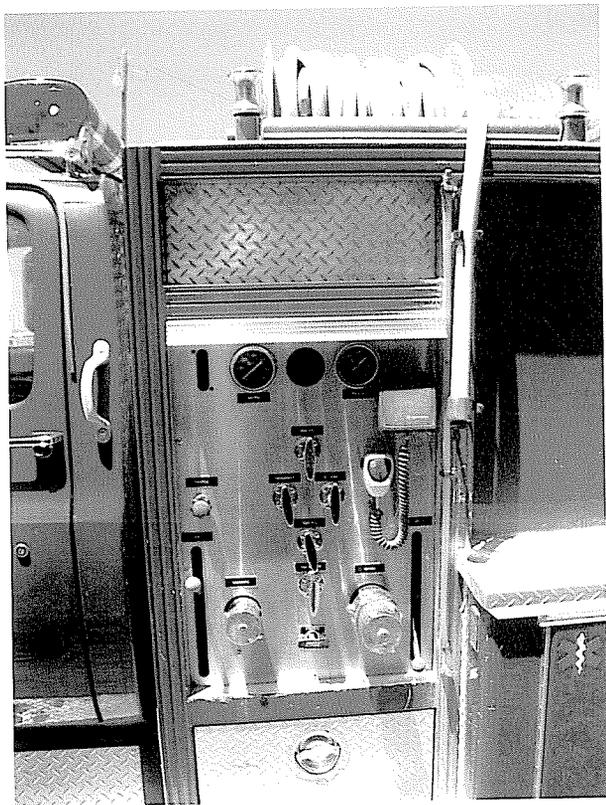
Robert A. Butterworth
ROBERT A. BUTTERWORTH
EXECUTIVE DIRECTOR

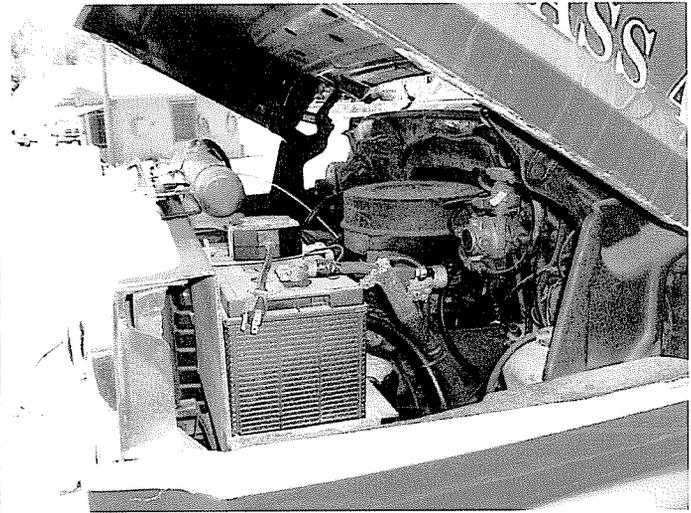
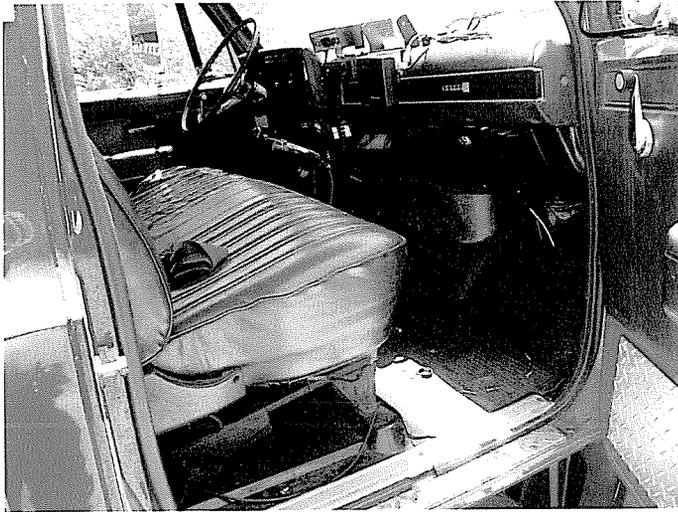
VOID IF ALTERED

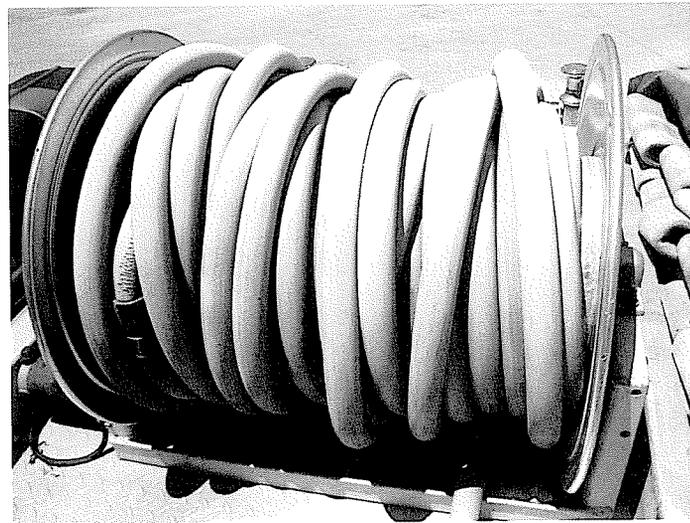
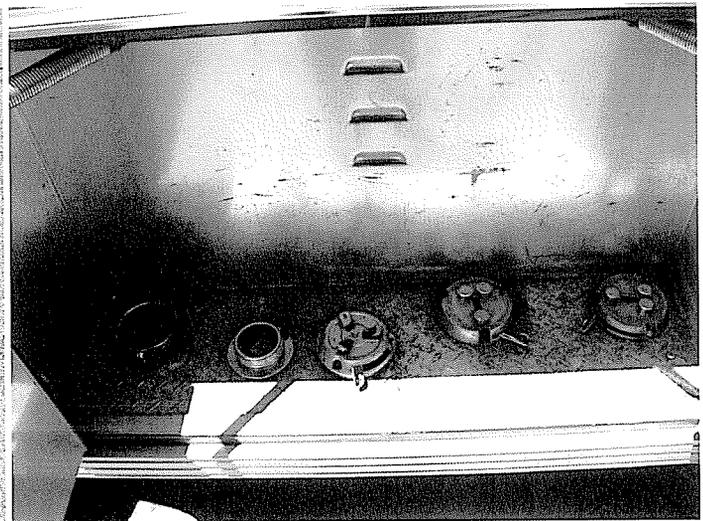
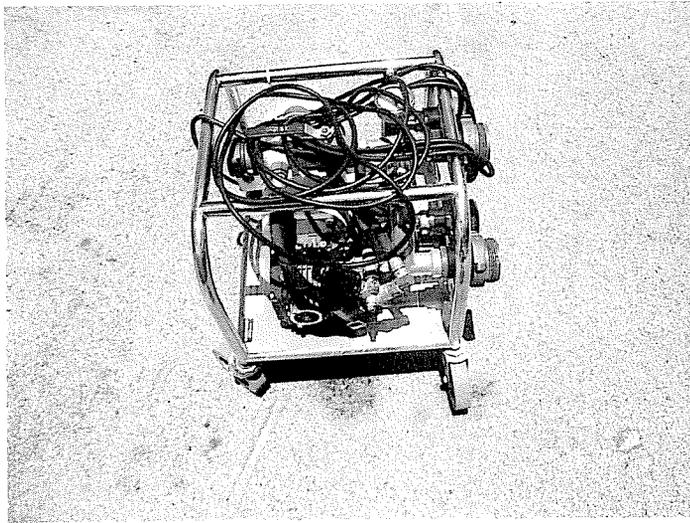
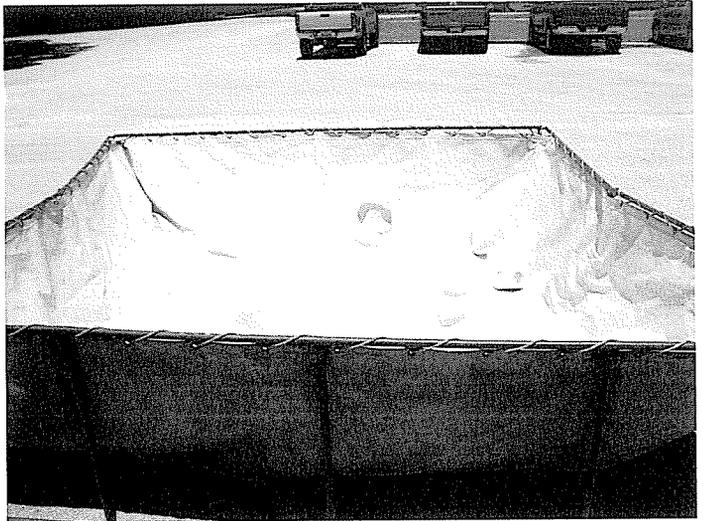
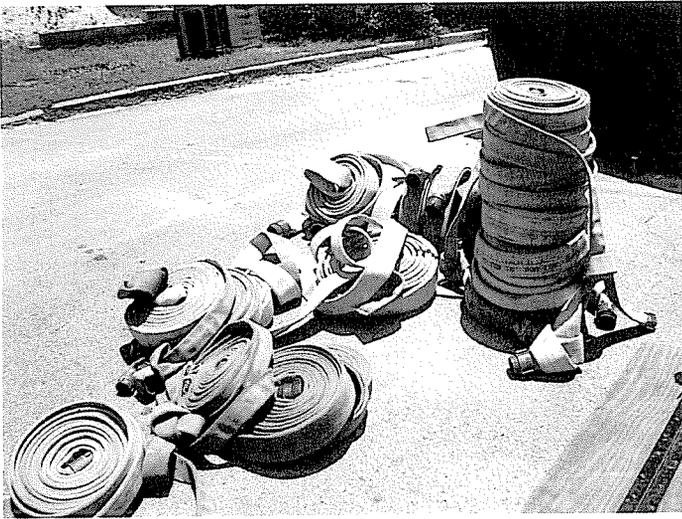


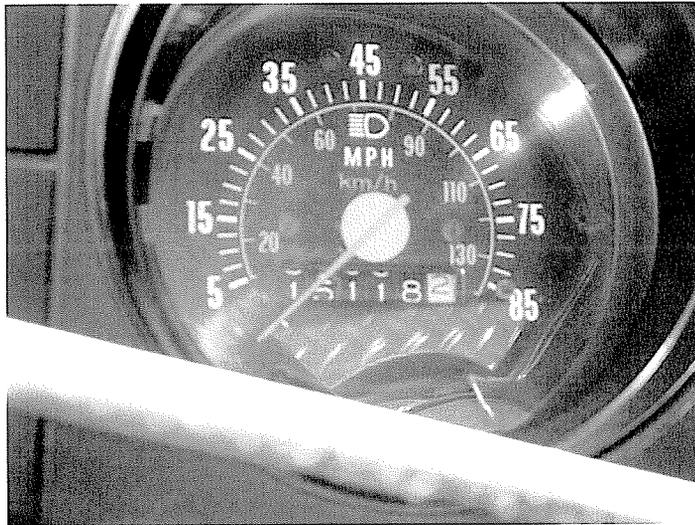
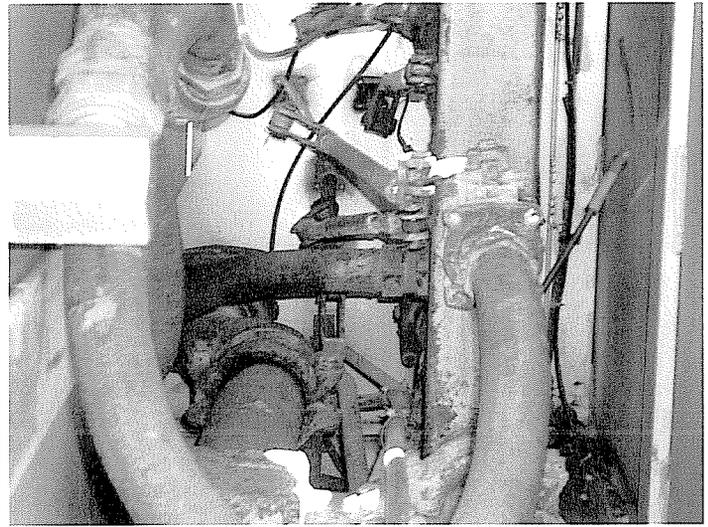
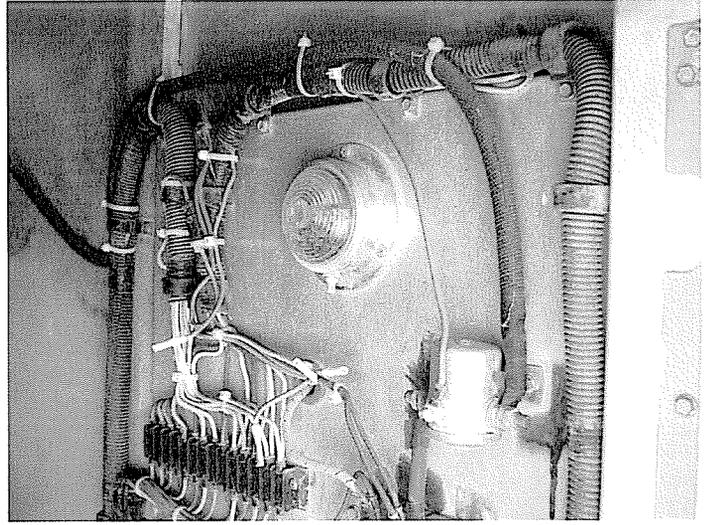












EMERGENCY ONE, INC.
OCALA, FLORIDA 32670

DATE OF MANUFACTURE 03 mo 22 yr

INCOMPLETE VEHICLE MANUFACTURED BY:
etc

DATE INC. VEH. MFD. DEC mo 22 yr

GVWR 25,000

GAWR FRONT 72,160 with
200 tires,
200 rims, @ 20 psi cold

GAWR INTERMEDIATE (1) _____ with
_____ tires,
_____ rims, @ _____ psi cold

GAWR INTERMEDIATE (2) _____ with
_____ tires,
_____ rims, @ _____ psi cold

GAWR REAR 72,160 with
200 tires,
200 rims, @ 20 psi cold

THIS VEHICLE CONFORMS TO ALL
APPLICABLE FEDERAL MOTOR VEHICLE
SAFETY STANDARDS IN EFFECT IN: _____ mo _____ yr



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: Withlacoochee Regional Planning Council - Council Representative Member

Date: December 1, 2010

The Withlacoochee Regional Planning Council (WRPC) annually requests one elected official from among the municipalities in a county to serve as the municipal representative on the board for a one year term. Joe Johnston is the current representative for Hernando County municipalities and his term expires December 8, 2010. The WRPC Board meets on the 3rd Thursday of each month at 7:00 pm at the Board Office in Ocala (Executive Committee Meetings begin at 6:00 pm immediately preceding, when necessary).

Because Councilman Johnston's current term expires on December 8th and the WRPC's annual meeting is December 9th, they have requested the new appointment for WRPC be designated prior to their annual meeting. Their request is included as Attachment I.

Historically the City of Weeki Wachee has relinquished this appointment to the City of Brooksville to co-represent them on the WRPC Board. We expect to hear from them prior to the City Council meeting and will advise at that time if they confirm the same for this year.

Financial Impact

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

Legal Impact

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

Staff Recommendation

Staff recommends Council appointment of a Municipal Representative to serve on the WRPC for a term of December 9, 2010 through December 7, 2011.

Attachment 1

MICHAEL R. MOEHLMAN
EXECUTIVE DIRECTOR

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

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



OFFICERS

RONALD ALLEN
CHAIR

JOSEPH JOHNSTON, III
VICE - CHAIR

BARBARA FITOS
SECRETARY

November 4, 2010

The Honorable Mayor Lara Bradburn
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041

Dear Mayor Bradburn:

It is necessary for municipal officials within your County to select one elected official to represent the municipalities of your county on the **Withlacoochee Regional Planning Council** for a term beginning December 9, 2010 and ending on December 7, 2011.

Your current representative is Councilman Joseph E. Johnston, III of the City of Brooksville.

You need to contact other municipalities and towns in your County to select a representative for the coming year. An appointment needs to be made as soon as possible, as new appointments are eligible to be sworn in at the December 9, 2010 Annual Meeting.

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

If you have any further questions, please contact me.

Sincerely,

Michael R. Moehlman
Executive Director

MRM:gr

cc: City of Weeki Wachee

MICHAEL R. MOEHLMAN
EXECUTIVE DIRECTOR

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

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



OFFICERS

RONALD ALLEN
CHAIR

JOSEPH JOHNSTON, III
VICE - CHAIR

BARBARA FITOS
SECRETARY

November 4, 2010

The Honorable Mayor Robyn Anderson
City of Weeki Wachee
6131 Commercial Way
Spring Hill, FL 34606

Dear Mayor Anderson:

It is necessary for municipal officials within your County to select one elected official to represent the municipalities of your county on the **Withlacoochee Regional Planning Council** for a term beginning December 9, 2010 and ending on December 7, 2011.

Your current representative is Councilman Joseph E. Johnston, III of the City of Brooksville.

You need to contact other municipalities and towns in your County to select a representative for the coming year. An appointment needs to be made as soon as possible, as new appointments are eligible to be sworn in at the December 9, 2010 Annual Meeting.

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

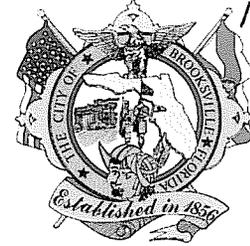
If you have any further questions, please contact me.

Sincerely,

Michael R. Moehlman
Executive Director

MRM:gr

cc: City of Brooksville



AGENDA ITEM MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL

VIA: T. JENNENE NORMAN-VACHA
CITY MANAGER

FROM: JENNIFER C. REY, ESQ., THE HOGAN LAW FIRM, LLC
AS CITY ATTORNEY

SUBJECT: PUBLIC SERVICE TAX AUDIT UPDATE

DATE: NOVEMBER 29, 2010

GENERAL SUMMARY: The City initiated an audit of records for both Progress Energy and Withlacoochee River Electric Cooperative to audit the assessment, collection and payment of the public service tax beginning in the fall of 2007. Since that time, City staff worked with both Progress Energy and Withlacoochee River Electric Cooperative to review parcel information identifying those parcels which have not been assessed the public service tax.

The City served official notice to Progress Energy of its intent to conduct a public service tax audit pursuant to Fla. Stat. §166.234. The City retained Oliver & Joseph, P.A. in August 2009 to conduct a formal public service tax audit of Progress Energy accounts corresponding to those parcels identified as not having been assessed the tax. The records necessary to complete the audit were provided by Progress Energy as of September 3, 2010.

The audit looked at a thirty-six month period from November 2004 to October 2007 and interest was calculated at the rate of 5/100% per day through September 30, 2010. The preliminary report prepared by Oliver & Joseph, P.A. indicates that the amount of tax owed for the specified period is \$128,722.26, interest due is \$94,425.13 for a total amount due of \$223,147.39. A demand letter has been prepared and sent to Progress Energy to recover the amount due.

BUDGET IMPACT: The City of Brooksville 10/11 Budget for Public Service Tax Revenues (001 000 314 41100) were based on 10/11 revenue projections and did not include any possible recoveries referred to by this memorandum. If the City is successful in collecting the uncollected funds from Progress Energy then a future Budget Amendment is likely to be brought back to the City Council for approval.

The Oliver and Joseph audit fees were absorbed by the General Government Accounting and Auditing expenditure line item (001 009 510 53200) in our 09/10 Budget.

LEGAL REVIEW: The public service tax levy, notice and audit requirements are provided for by statute at Fla. Stat. §166.231 to §166.235.

ATTACHMENTS: None.



AGENDA ITEM MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: T. JENNENE NORMAN-VACHA, CITY MANAGER 

SUBJECT: PROFESSIONAL SERVICES – RETAINER AGREEMENT

DATE: NOVEMBER 30, 2010

GENERAL SUMMARY: The City entered into that certain Professional Services Agreement dated October 1, 2007, as amended, (the “Agreement”) with The Hogan Law Firm, LLC (“HLF”). Pursuant to paragraph 1(a)(2) of the Agreement, the Firm may be retained for litigation services. The contingency fee arrangements would be in accordance with guidelines set forth in Sections §16.0155, §287.057, and §287.059, Florida Statutes, and Florida Administrative Code Rule 2-37.030. Attached is a Retainer Agreement as “Attachment 1” for Council’s consideration.

BUDGET NOTE: To the extent that a contingency fee arrangement is used, budgeted funds for legal services would not be expended for attorney’s fees.

LEGAL REVIEW: The City is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes to consider and take action on matters of fiscal benefit. The City Council, pursuant to 2-141 of the City’s Code of Ordinance, may appoint a lawyer, admitted to practice in the courts of this state, as city attorney, who shall hold office during the pleasure of the city council and act as the legal advisor to, and attorney and counselor for, the City and all of its officers in matters relating to their official duties.

STAFF RECOMMENDATION: Staff recommends that the City Council authorize the Mayor’s signature on the attached Retainer Agreement.

RETAINER AGREEMENT

This Agreement is hereby entered into by and between The Hogan Law Firm, LLC (“HLF”) and the City of Brooksville, (“CITY”), pursuant to Paragraph 1(a)(2) of the Professional Services Agreement dated October 1, 2007, as amended; and using Fla. Stat. §16.0155; §287.057; §287.059; and Florida Administrative Code Rule 2-37.030 as guidelines.

In consideration of the foregoing and the terms and conditions set forth in this Agreement, HLF and CITY agree as follows:

1. **PURPOSE:** This Agreement governs CITY’s retention of HLF to pursue on behalf of the City of Brooksville the collection of any and all recoverable monies from Travelers Casualty and Surety Company of America and Chubb Group Insurance Companies (Federal Insurance Company) pursuant to the bonds issued for the Hampton Ridge Project, also known as Southern Hills Plantation, and any related agreements to the Project.

2. **INDEPENDENT CONTRACTOR:** HLF is an independent contractor, and is not an employee or agent of CITY. All services contracted for are to be performed solely by HLF.

3. **FEES:** As compensation for its services, CITY agrees to pay HLF from the proceeds of any recovery, an aggregate contingency fee not to exceed the following pursuant to Fla. Stat. §16.0155(5):

- (a) 25 percent of any recovery up to \$10 million; plus
- (b) 20 percent of any portion of such recovery between \$10 million and \$15 million; plus
- (c) 15 percent of any portion of such recovery between \$15 million and \$20 million; plus
- (d) 10 percent of any portion of such recovery between \$20 million and \$25 million; plus
- (e) 5 percent of any portion of such recovery exceeding \$25 million.

It is further agreed and understood that this employment is on a contingent fee basis, and if no recovery is made, CITY will not be indebted to HLF for any sum whatsoever.

4. **COSTS OF ACTION:** All costs of this action, including but not limited to filing fees, deposition costs, experts, and transportation costs shall be borne by CITY.

5. **COUNSEL:** The Hogan Law Firm, LLC may hire other counsel to assist in prosecuting this claim, at the expense of HLF.

6. **EXPERTS AND INVESTIGATIONS:** HLF is authorized by CITY to employ experts to investigate the facts surrounding the cause of action as well as experts whose opinions and/or testimony may be necessary or desirable. All such experts and investigators shall report exclusively to HLF. Fees charged by such expert witnesses and investigators shall be paid by CITY.

7. **DISCLAIMER OF WARRANTY:** HLF has made no warranties as to the successful termination of the cause of action, and all expressions made by HLF relative thereto are matters of opinion only.

8. **NONRELIANCE:** HLF has made no representations to CITY and CITY has not relied on any representations which are not contained in this Agreement. HLF makes no representations or guarantees concerning the outcome of this or any claim or representation.

9. **POWER OF ATTORNEY TO EXECUTE DOCUMENTS:** CITY grants to HLF a power of attorney to execute all documents connected with this cause of action, including pleadings, contracts, settlement agreements and releases, notices, verification, dismissal, orders and all other documents CITY may otherwise properly execute.

10. **PUBLIC RECORDS:** CITY has the right to unilaterally cancel this Agreement for refusal by HLF to allow public access to all documents, papers, letters, or other material made or received by HLF in conjunction with this Agreement unless the records are validly exempt from public disclosure.

11. **TERM OF AGREEMENT:** The term of this Agreement shall run for the duration of the claim to accomplish the Purpose of this Agreement or three (3) years, whichever is greater.

12. **NOTICE:** Any notices required under this Agreement shall be in writing and shall be deemed to have been duly served if delivered at or sent by registered or certified mail to the address of the person for whom it is specified in this Agreement.

13. **FULL COOPERATION BY CLIENT:** CITY agrees to give HLF, and any person designated by HLF, full cooperation at all times and shall be available to HLF at all reasonable hours for the purposes of this matter.

14. **LAW TO GOVERN CONTRACT:** The laws of the State of Florida shall govern the construction and interpretation of this Agreement.

15. **ENTIRE UNDERSTANDING BETWEEN THE PARTIES:** This Agreement is the entire understanding between HLF and CITY and shall not be amended or modified except in writing signed by both parties.

16. **EXECUTION IN COUNTERPARTS:** This Agreement may be executed in counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

17. **SEVERABILITY:** If a Court of competent jurisdiction deems any provision of this Agreement void or unenforceable, that provision shall be enforced only to the extent that it is not in violation of law or is not otherwise unenforceable and all other provisions shall remain in full force and effect.

Dated this _____ day of _____, 2010.

The Hogan Law Firm, LLC

(Signature)

By: _____

Its: _____

ATTEST:

CITY OF BROOKSVILLE, a political
subdivision of the State of Florida

(Seal)

By: _____

JANICE PETERS, CMC

As its City Clerk

Date signed: _____

By: _____

LARA BRADBURN,

as its Mayor

Date signed: _____

CORRESPONDENCE-TO-NOTE
REGULAR COUNCIL MEETING – December 6, 2010

1. **TYPE:** Letter
 DATE RECEIVED: November 4, 2010
 RECEIVED FROM: USDA Rural Development
 ADDRESSED TO: T. Jennene Norman-Vacha, City Manager
 SUBJECT: Fiscal Year 2009 Loan & Grant Obligations Audit

2. **TYPE:** Letter
 DATE: November 10, 2010
 RECEIVED FROM: Florida Department of Law Enforcement
 ADDRESSED TO: Honorable Mayor Lara Bradburn
 SUBJECT: Contract No. 2010-ARRC-HERN-2-W7-031, Confirmation of receipt
 and acceptance of all financial and programmatic reports applicable to
 the project.

3. **TYPE:** Letter
 DATE RECEIVED: November 12, 2010
 RECEIVED FROM: Bright House Networks
 ADDRESSED TO: T. Jennene Norman-Vacha, City Manager
 SUBJECT: Programming Changes

4. **TYPE:** Letter
 DATE RECEIVED: November 19, 2010
 RECEIVED FROM: Bright House Networks
 ADDRESSED TO: T. Jennene Norman-Vacha, City Manager
 SUBJECT: Programming Changes

5. **TYPE:** Letter
 DATE RECEIVED: November 19, 2010
 RECEIVED FROM: Southwest Florida Water Management District
 ADDRESSED TO: T. Jennene Norman-Vacha, City Manager
 SUBJECT: Hernando County FEMA FIRM Map Modernization & Base Flood
 Evaluation Notice

6. **TYPE:** Letter
 DATE RECEIVED: November 22, 2010
 RECEIVED FROM: Hernando County Sheriff's Office
 ADDRESSED TO: T. Jennene Norman-Vacha, City Manager
 SUBJECT: Local Mitigation Strategy (LMS) Plan



Florida/Virgin Islands
2629 Waverly Barn Road,
Suite 129
Davenport, FL 33897

Area Five Office
Telephone: (863)420-4833
FAX: (863) 424-7333
TDD: (352) 338-3499
www.rurdev.usda.gov/fl

November 4, 2010

11-05-10 05:40 RCVD

T. Jennene Norman-Vacha, City Manager
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041

RE: Fiscal Year 2009 Audit

Dear Ms. Norman-Vacha:

We have completed our review of the City's Fiscal Year 2009 Audit as it relate to the loan and grant obligations with this agency.

Our review did not identify any matter which would constitute a material weakness or non-compliance with USDA Rural Development regulations or your loan/grant agreement. This concludes this years Audit requirement.

Thank you for your cooperation in completing this review. Should you have any questions, please contact Ms. Sylvia Robinson, Area Specialist at the above address or telephone number.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon M. Fuller".

VERNON M. FULLER
Area Director

Committed to the future of rural communities.

"USDA is an equal opportunity provider, employer and lender."

To file a complaint of discrimination write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W.,
Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

CTN
12-06-10
Re: Finance Dir
Public Works



Florida Department of
Law Enforcement

Gerald M. Bailey
Commissioner

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

Charlie Crist, Governor
Bill McCollum, Attorney General
Alex Sink, Chief Financial Officer
Charles H. Bronson, Commissioner of Agriculture

NOV 10 2010

The Honorable Lara Bradburn
Mayor
City of Brooksville
201 North Howell Avenue
Brooksville, FL 34601

Re: Contract No. 2010-ARRC-HERN-2-W7-031

Dear Mayor Bradburn:

This letter confirms our receipt and acceptance of all financial and programmatic reports applicable to the referenced project. While this concludes active administration of the subgrant agreement by the Florida Department of Law Enforcement, you are reminded that all supporting records must be maintained for a period of not less than three years from termination date for audit and examination. An audit performed in accordance with OMB Circular No. A-133 must also be conducted and submitted to the Office of Criminal Justice Grants, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

All non-expendable property acquisitions must be accounted for and maintained for as long as the equipment is in service. The Department must be notified prior to any disposition of non-expendable property and must be advised immediately of any lost or stolen items.

CTN 12-6-10
cc: Chief George Turner
State Auditor
[Signature]

1004 U.S. Highway 92 West
Auburndale, FL 33823

11-15-10

tel 863.965.7733
fax 863.288.2299



November 12, 2010

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

Dear Ms. Norman-Vacha,

Bright House Networks is continuing its commitment to bring new technology and advanced digital services to our community. To that end, we are implementing a new digital video delivery technology known as Switched Digital Video (SDV). SDV is a robust bandwidth-management system that makes it possible to offer more digital video programming services than before, including new HD channels.

To be able to offer more new video services, Bright House Networks will be moving some existing programming services to the SDV system as well as adding new services on the SDV system.

Beginning on or after December 14, 2010, the following new digital channels will be delivered on the SDV system:

- | | |
|------------------------------|-----------------------------------|
| • Central Florida News 13 DT | Channel 1213 |
| • PFC | Premium International Channel 964 |
| • TV Globo Internacional | Premium International Channel 965 |
| • KBS World | Premium International Channel 986 |

When delivered on the SDV system, the above channel will be a bi-directional (or two-way) service and will be available to all Bright House Networks customers who subscribe to these services and lease a digital set-top box or similar bi-directional device capable of supporting two-way services.

However, the above channels will not be available to customers with a unidirectional (one-way) retail television or other device who currently lease a CableCARD from Bright House Networks. Customers have been notified about the changes and offered the option of obtaining a digital set-top box or similar bi-directional device from Bright House Networks. In either case, such customers will not need to replace their unidirectional retail device.

In addition, effective December 14, 2010, Disney Family Movies On Demand will launch on Premium Channel 338.

For more information on Bright House Networks programming, please call 866-976-3279 or visit our website at www.brighthouse.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Drew Gillan".

Drew Gillan
Manager of Public Relations

CTN 12-16-10
JW

1004 U.S. Highway 92 West
Auburndale, FL 33823

tel 863.965.7733
fax 863.288.2299



November 19, 2010

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

Dear Ms. Norman-Vacha,

Bright House Networks is continuing its commitment to bring new technology and advanced digital services to our community. To that end, we are implementing a new digital video delivery technology known as Switched Digital Video (SDV). SDV is a robust bandwidth-management system that makes it possible to offer more digital video programming services than before, including new HD channels.

To be able to offer more new video services, Bright House Networks will be moving some existing programming services to the SDV system as well as adding new services on the SDV system.

Beginning on or after December 20, 2010, the following new digital channels will be delivered on the SDV system:

- Gem Shopping Network Channel 161
- Liquidation Channel Channel 162

Beginning on or after December 20, 2010, the following new digital channels will be delivered on the SDV system:

- The Hub HD Channel 1108
- Fox Soccer Channel HD Channel 1159
- TV One HD Channel 1233
- Cooking Channel HD Channel 1253
- DIY HD Channel 1254
- Game Show Network HD Channel 1280
- Ovation HD Channel 1316
- Starz HD Channel 1466

CTN
12-06-10
JNV



An Equal Opportunity Employer

Southwest Florida Water Management District

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

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

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

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

November 19, 2010

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Vice Chair, Hillsborough
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Hillsborough
- David L. Moore**
Executive Director
- William S. Bilenky**
General Counsel

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

Subject: Hernando County FEMA FIRM Map Modernization (M105)
Base Flood Elevation Notice – FEMA 101/155 Letter

Dear Ms. Norman-Vacha:

Enclosed is the Federal Emergency Management Agency's (FEMA) November 19, 2010 letter, signed by Mr. Robert Lowe, advising on public noticing and appeal procedures for adoption of the preliminary FEMA Flood Insurance Rate Maps (FIRM). The preliminary Flood Insurance Study (FIS) report and FIRMs were transmitted to your community on July 7, 2010 and public meetings were conducted at Central High School on August 11 and 12, 2010.

Information in the preliminary FIS and FIRMs makes it appropriate to modify the elevations of the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood) for certain locations in Hernando County. Public notification that the proposed modifications in Base Flood Elevations (BFEs) are posted in the BFE Notice for Studies on the FEMA Website <http://www.fema.gov/plan/prevent/fhm/bfe> will be given in the Hernando Today and St. Petersburg Times on or about November 26, 2010 and December 3, 2010.

If you have any questions, please contact me at the Brooksville office, extension 4248.

Sincerely,

Gene Altman, P.E.
Senior Professional Engineer
Engineering Section
Resource Projects Department

GA
K:\Projects\M105-010 Hernando Co CTP MAS\Correspondence\L-BFENotice_Brooksville_Norman-Vacha_20101119.doc
Enclosures (5)
cc/enc: Project File
By Hand Delivery



CTN 12.16.10
JMK



Hernando County Sheriff's Office

A STATE-ACCRDITED LAW ENFORCEMENT AGENCY

P.O. BOX 10070 - BROOKSVILLE, FL 34603-0070 FAX 352 796-0493 PHONE 352 754-6830

EMERGENCY MANAGEMENT 11-22-10 11:18 RCVD
352-754-4083

November 22, 2010

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

Re: Local Mitigation Strategy (LMS) Plan

Dear Ms. Norman-Vacha,

I am pleased to forward the enclosed formal approval letter from the Federal Emergency Management Agency for the Local Mitigation Strategy Plan for the City of Brooksville. Please note that the effective date of the plan is September 13, 2010 and the expiration date of the plan is September 13, 2015.

In addition to the many benefits derived from the existence of this plan, this approval confirms the continued eligibility for mitigation grant funding for the City in the event of major disaster. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Cecilia Patella
Emergency Management Director

CP/

Enclosures

CTN
12-06-10
RE: Tim Musgrove
Fire Chief
Bill Gainer
Deputy
Dir