

REGULAR CITY COUNCIL MEETING - APRIL 2, 2008

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

AGENDA

APRIL 2, 2007

7:00 P.M.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. CONSENT AGENDA

1. Minutes

Regular Meeting - March 5, 2007

2. Purchase of Copier for Police Department

Approval of purchase of copier from Lanier in the amount of \$5,265 under State contract. Budget amendment from General Fund reserves will be processed.

3. VisitFLORIDA Grant Applications

Authorization to apply for grants to reprint City of Brooksville promotional tri-fold color brochures with VisitFLORIDA through the advertising matching grant program and the Cultural Heritage and Nature Tourism Marketing Grant Program, for an estimated total project cost of \$5,200 (Matching funds, of approximately \$2,700, available in General Account #001-009-510-547.00.

CONSENT AGENDA APPROVAL (✓)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Minutes; 2) Memo from Lt. Hankins dated 03/22/07; 3) Memo from Director of Administration dated 03/23/07;

D. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. 2007 Humane Society Pet Expo

Certificate of Appreciation to the City of Brooksville for the Pet Expo held 3/17&18/07 in Tom Varn Park.

Presentation: Humane Society Executive Director
Attachments: None

2. Hernando County Government Broadcasting

Consideration of agreement with Hernando County for televised coverage of City Council meetings.

Presentation: Hernando County Government Broadcasting
Attachments: Memo from Director of Administration dated 03/23/07; Proposed Letter of Agreement

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3. **Child Abuse and Neglect Prevention Month**
Proclamation designating April as Child Abuse and Neglect Prevention Month.

Presentation: Mayor
Attachments: Proclamation

E. PUBLIC HEARING

1. **Ordinance No. 743 - Parking**
Consideration of Ordinance creating appeals procedure for parking citations and authorizing the recording of liens on the vehicle's owners' property for unpaid citations.

Presentation: City Attorney
Recommendation: Approval of Resolution as recommended on second and final reading upon roll call vote.
Action: Motion to Approve
Attachments: Memo from City Attorney LaCroix
Proposed Ordinance

F. REGULAR AGENDA

1. **Resolution No. 2007-07 - Civility**
Consideration of Resolution adopting Civility Pledge.

Presentation: Council Member Bernardini
Recommendation: Approval of Resolution upon roll call vote
Action: Motion to Approve
Attachments: Proposed Resolution

2. **Policy 2-2007 - Sidewalk Construction Policy**
Consideration of policy for installation of sidewalks in new subdivisions, pursuant to direction at 02/26/07 workshop.

Presentation: Public Works Director
Recommendation: Direction to Staff
Action: Motion to Approve
Attachments: Memo from Director of Public Works dated 03-15-07

3. **Policy No. 2-2001 - Revised Speed Hump Policy**
Consideration of revised policy on the Neighborhood Traffic Management Program, pursuant to direction at 02/27/06 workshop.

Presentation: Public Works Director
Recommendation: Direction to Staff
Action: Motion to Approve
Attachments: Memo from Director of Administration dated 03-23-07, Proposed Policy

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4. **Southern Pines Condominium Block 1 Replat**
Consideration of approval for a replat of Southern Pines Condominium Block 1.
- Presentation: Director of Community Development
Recommendation: Approval of Replat Request
Action: Motion to Approve
Attachments: Memo from Director of Community Development dated 03/20/07; Replat
5. **BERT Renovations**
Consideration of renovations to BERT using \$25,000 in Fund 124 (Storm Readiness Fund) for supplies.
- Presentation: Interim City Manager, Police Lieutenant And Fire Chief
Recommendation: Direction to Staff
Action: Motion to Approve
Attachments: Memo from Interim City Manager dated 03/26/07
6. **2007 Hurricane Expo at Weeki Wachee**
Consideration of request from Hernando County Emergency Management Office for use of specific equipment for the annual Hurricane Expo 06/02/07 - 9:00 a.m. to 2:00 p.m. at Weeki Wachee Springs.
- a) **Fire Truck Detail**
Consideration of usage of the Ladder Truck.
- b) **Police Department Patrol Unit & BERT Unit**
Consideration of usage of the Suburban (DARE Vehicle) and BERT (Comfort Station).
- Presentation: Fire Chief and Police Lieutenant
Recommendation: Direction to Staff
Action: Motion to Approve
Attachments: Memo from Mark Tobert dated 02/08/07; Policy 2-99 BERT Usage Fees; Memo from Fire Chief dated 03/23/07
7. **23rd Annual Hernando County Arts, Crafts and Music Festival**
Consideration of request from Hernando County Fine Arts Council (FAC) for use of BERT Comfort Station for the annual Art Festival at Tom Varn Park on May 5th and 6th.
- Presentation: Fire Chief
Recommendation: Direction to Staff
Action: Motion to Approve
Attachments: Letter from FAC dated 03/23/07
8. **Acquisition of Utility Easement along Wiscon Road from Hernando Co.**
Consideration of acquiring subject easement for \$5,300
- Presentation: Director of Public Works
Recommendation: Direction to Staff
Action: Motion to approve
Attachments: Memo from City Attorney dated 01/11/07; Grant of Easement

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9. City Attorney LaCroix Resignation/Request for Contract Amendment

- a) Consideration of resignation of City Attorney effective September 30, 2007.
- b) Approval of his City-paid medical insurance effective May 31, 2007 with an amendment to his contract for an increase in salary equal to the cost the City paid for his medical insurance effective June 1, 2007.

Presentation: City Attorney
Recommendation: Acceptance of a) Resignation and b) Amendment to Contract
Action: Motion to Approve
Attachments: Memo from City Attorney LaCroix dated 03/20/07; Contract and Amendment

10. Notice of Appeal of P&Z Commission Decision - Garden Homes Zoning Consideration of setting a public hearing to hear an appeal at a special meeting pursuant to City Code.

Presentation: Petitioner/Appellant
Recommendation: Direction to Staff
Action: Reject or Set Date (Must be Scheduled by 04/23/07)
Attachments: City Code Sec. 137-43; Notices of Appeal dated 03/15/07 and 03/19/07; Draft Minutes of P&Z Board's 03-14-07 Meeting

11. Notice of Appeal of P&Z Commission Decision - Variance for Property located at 602 Ellington Street Consideration of setting a public hearing to hear an appeal at a special meeting pursuant to City Code.

Presentation: Appellant
Recommendation: Direction to Staff
Action: Reject or Set Date (Must be Scheduled by 04/23/07)
Attachments: City Code Sec. 137-43; Notice of Appeal dated 03/15/07; Draft Minutes of P&Z Board's 03-14-07 Meeting

G. ITEMS BY COUNCIL

H. CITIZEN INPUT

I. ADJOURNMENT

CORRESPONDENCE TO NOTE

Meeting agendas and supporting documentation are available from the City Clerk's office, and online 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 352/544-5407.

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

MINUTES

MARCH 5, 2007

7:00 P.M.

Brooksville City Council met in regular session with Mayor David Pugh, Vice Mayor Frankie Burnett, Council Members Joe Bernardini, Lara Bradburn and Richard E. Lewis. Also present were David LaCroix, City Attorney; Steve Baumgartner, Interim City Manager; Karen M. Phillips, City Clerk/Director of Administration; Janice L. Peters, Deputy City Clerk; Jim Delach, Acting Finance Director; Mike Walker, Parks and Recreation Director; Bill Geiger, Community Development Director; Emory Pierce, Director of Public Works; Fire Chief Tim Mossgrove, Brooksville Fire Dept. Members of Hernando Today, Hernando Times and Brooksville Belle were also present.

The meeting was called to order by Mayor Pugh followed by the invocation and pledge.

CONSENT AGENDA

Minutes

Joint Planning Meeting - December 12, 2006
Special Council Meeting - January 11, 2007
Regular Council Meeting - January 22, 2007

Surplus Equipment

Declare certain equipment surplus and authorize disposal accordingly.

Week of the Young Child

Consideration of waiving fees in the amount of \$425 for the event at JBCC on Saturday, April 14, 2007.

Florida Department of Law Enforcement Grant Acceptance

Authorization to accept a Local Law Enforcement Block Grant in the amount of \$3,797 for the project entitled "Operation Airwave" to be utilized for reducing crime and improving public safety.

Personnel Board Election

Consideration of approval of the following employee members elected to the Personnel Board: Pat Jobe - General Fund; Laureen Busacca - Utility Fund; Sonny Gills - Sanitation Fund.

Van Safety Policy

Consideration of Policy No. 1-2007 - Van Safety.

United Way Grant Application - JBCC

Approval of submittal of 2007-08 Grant Application to United Way for continuation of the Jerome Brown Community Center Bus Program in the amount of \$10,000.

Council Member Bernardini requested items C-3 and C-4 be pulled for discussion and Council Member Bradburn requested items C1, C6 and C7 be pulled for discussion.

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Council Member Bradburn requested the following changes needed to be made to the minutes:

December 12, 2006

In the heading, the spelling of her name from Laura to Lara.

January 11, 2007

Page 2 Paragraph 2 - Add "formal internal affairs" before investigation.

Page 2 Paragraph 3 - Removal of the verbiage "like crazy" because she felt that was taken out of context.

Page 2 Paragraph 4 - To add numerous employees "and citizens", "with" after help and "because they feared retaliation" after investigation.

Page 3 Paragraph 1 - Change verbiage to "help to temporarily run the Police Department.

Page 4 Paragraph 7 - Gale should be spelled Gail.

Page 5 Paragraph 8 - Investigations should be investigation.

January 22, 2007

Page 4 Paragraph 4 - Addition of verbiage to read: ...in this area, which Mr. Quinn and Mr. Pierce assured Council would be adequately addressed, as well as enhanced fire flow.

Vice Mayor Burnett asked for clarification as to whether Council Members Bradburn and Bernardini wanted the requested items pulled and added to the regular agenda or just for discussion within the consent agenda.

They confirmed that they just wanted to discuss within the consent agenda.

C-3 Week of the Young Child

Council Member Bernardini asked if they are they falling under the deposit for cleanup policy, which Director Walker confirmed that they are.

C-4 Law Enforcement Grant

Council Member Bernardini asked if a van was being bought with the money. Lt. Hankins advised that only equipment was being purchased and that it is not a matching grant, but part of a grant that is awarded to the whole County, of which the City gets a part of.

Council Member Lewis indicated he had read in the Brooksville Belle about a drug bust and asked if this type of surveillance equipment was being purchased with this grant? Lt. Hankins confirmed that it is the type being purchased.

C-6 Van Safety Policy

Council Member Bradburn stated she was not comfortable with the item. Discussion followed on insurance, liability and moving violations by City employees with the recommendation of adding stronger verbiage in conjunction with the Personnel Policy.

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City Attorney LaCroix recommended changing the policy to no driving City vehicles if convicted of any moving violations. Director Pierce stated he would amend the verbiage and bring back to Council.

Vice Mayor Burnett felt this Policy should apply to all City vehicles. Interim City Manager Baumgartner stated that the recommendation for the policy came from the insurance company specifically in reference to the 15-passenger vans.

Mayor Pugh clarified that if Council asks to pull an item from consent it is normally to add to the regular agenda and that items can be discussed without removing.

C-2 Council Member Bradburn asked if Habitat for Humanity could be notified that the City has items to dispose of. City Clerk Phillips indicated these items are broken and not useable, therefore would be disposed of. A brief discussion of donations to non-profit organizations ensued.

Mayor Pugh asked how Mr. Gill of the Personnel Board is doing and would he be returning to work. City Clerk Phillips indicated he is doing better and will be returning.

Motion:

Vice Mayor Burnett moved for approval of the Consent Agenda with corrections as noted and the removal of Item 6; seconded by Council Member Bernardini. Motion carried 5-0.

REGULAR AGENDA

Ordinance No. 738 - Hampton Ridge Developers, LLC - Zoller

Request for Zoning Classification of PDP with Special Exception Use for a Residential Planned Development Project and Master Plan approval for Phase 3B of Southern Hills Plantation subdivision. The subject property is a 36-acre ± parcel located on the west side of Hope Hill Road approximately 7,500' south of Cortez Blvd.

[Continued from 01/08/07 Meeting]

Director Geiger reviewed the rezoning petition, stating it was pulled from the January 8 meeting pending revision of the Joint Planning Agreement. He requested the staff report be entered into the record. Director Geiger confirmed with the County that it, as well as the following item, is consistent with the Comp Plan.

Director Geiger indicated that this item will become Phase 3-B of the Southern Hills Plantation mixed use project and incorporated into their residential master plan.

Council Member Bradburn recommended verbiage changes to the performance conditions as specified by Hernando County and listed on page 4 of the Staff Report. On Item 7, concerning compliance to school district concurrency, she recommended changing "should" to "must" and apply to all new development. On the next page, concerning concurrency deficiencies, she recommended changing "may be mitigated" to "must be mitigated".

Again, on Item 7, concerning the special protection area, she recommended "should" be changed to "shall be" investigated.

She asked about the verbiage on the Bystre Lake study and recommended adding "as it relates to this project". Joseph Quinn elaborated on the study, which Mayor Pugh indicated has not been finalized.

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City Clerk Phillips asked for clarification in the changes to the Ordinance, which are Sections 1j and 2g.

Motion:

Council Member Bradburn moved to approve Ordinance 738 as amended; seconded by Vice Mayor Burnett for discussion.

Vice Mayor Burnett elaborated on the Tri-County Agreement with the School Board, County Commissioners and City of Brooksville.

Mayor Pugh asked for public input. There was none.

City Clerk Phillips read Ordinance by No. 738 by title as follows:

AN ORDINANCE PROVIDING A ZONING CLASSIFICATION OF PDP (PLANNED DEVELOPMENT PROJECT) WITH A SPECIAL EXCEPTION USE FOR A RESIDENTIAL PLANNED DEVELOPMENT PROJECT (RPDP) FOR CERTAIN REAL PROPERTY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

She indicated the second and final reading to be March 19 with corrections.

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

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

Ordinance No. 739 - Hampton Ridge Developer, LLC - Ayers

Request for Zoning Classification of PDP with Special Exception Use for a Commercial Planned Development Project and Master Plan approval; also requesting Special Exception Use approval for Lot 9 (as designated on the Master Plan) for outdoor storage areas. The subject property is a 45-acre ± parcel located on the east side of US 41, west of the future Governor Boulevard and on both sides of Southern Hills Boulevard.
[Continued from 01/08/07 Meeting]

Director Geiger indicated this item to be continued from the January 8 meeting as well and reviewed the petition. He requested the staff report be entered into the record. He reviewed the requested changes to the setbacks indicating the P&Z Board concurred with staff recommendation.

Discussion followed concerning access points and site issues in which Mayor Pugh suggested limiting access points to one per parcel for parcels 5, 6 and 7 that connect to Governor Boulevard, recommending inter-access between those parcels. Director Geiger indicated it can be a stipulation to a specific standard as it relates to frontage roads. Council Member Bradburn was in support of keeping the 75 foot setback for Governor Boulevard.

Joseph Quinn elaborated on other questions concerning other access points and drainage.

Mayor Pugh asked for public input. There was none.

City Clerk Phillips read Ordinance by No. 739 by title as follows:

AN ORDINANCE PROVIDING A ZONING CLASSIFICATION OF PDP (PLANNED DEVELOPMENT PROJECT) WITH A SPECIAL EXCEPTION USE FOR A COMMERCIAL PLANNED DEVELOPMENT PROJECT (CPDP) FOR CERTAIN REAL PROPERTY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

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She indicated the second and final reading would be March 19.

Motion:

Council Member Bernardini moved for approval as amended concerning the access points as noted above; seconded by Council Member Bradburn. Motion carried 5-0 upon roll call vote as follows:

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

Ordinance No. 742 - Tazyeen Hasan Property Rezoning

Request for rezoning from the existing R1A Single Family Residential District to P1 Professional Office District to allow for the construction of a future medical office at this location.

Director Geiger reviewed the petition. A brief discussion followed as to right-of-way in relation to the ability to install sidewalks.

Mayor Pugh asked for public input. There was none.

Motion:

Council Member Lewis moved; seconded by Vice Mayor Burnett.

City Clerk Phillips read Ordinance by No. 742 by title as follows:

AN ORDINANCE REZONING CERTAIN PROPERTY FROM R-1A (SINGLE FAMILY RESIDENTIAL DISTRICT) TO P-1 (PROFESSIONAL OFFICE DISTRICT) FOR CERTAIN REAL PROPERTY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

She indicated the second and final reading to be March 19, 2007.

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

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

Resolution No. 2007-06 - Columbarium & Bench Niche Pricing

Consideration of Resolution revising Schedule A Price List to include columbarium and bench niche prices and services fees effective at 12:01 a.m. on June 3, 2007.

Director Walker reviewed the resolution. He recommended an engraving charge change and cost for Monuments, cremation vaults and vases to double the actual cost to the City, per City Attorney LaCroix's recommendation that a fee needs to be stated. A brief discussion followed.

Mayor Pugh asked for public input. There was none.

Motion:

Council Member Lewis moved to approve Resolution No. 2007-06 as modified; seconded by Vice Mayor Burnett.

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City Clerk Phillips read Resolution No. 2007-06 by title as follows:

A RESOLUTION OF THE City COUNCIL OF THE City OF BROOKSVILLE IDENTIFYING NEW CODE REFERENCE NUMBERS, REPEALING AND RESTATING SCHEDULE A TO PREVIOUS RESOLUTION PROVIDING FOR REVISED PRICE LIST FOR CEMETERY LOTS AND OTHER COMMODITIES AND PROVIDING AN EFFECTIVE DATE.

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

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

Water & Wastewater Adjustment

Consideration of water bill adjustment for Dan Patrick for his businesses located at 823 South Broad Street.
[Continued from 02/12/07 Meeting]

Mr. Patrick reviewed this issue and stated he refuses to pay the water bill above the normal bill he usually pays. Interim City Manager Baumgartner indicated the customer nor staff knows what the problem was and normally they compromise and charge the normal fee.

Council Member Bradburn asked if there was a car wash there and he responded there was not. She indicated a large part of the bill had already been adjusted. Discussion followed.

Motion:

Council Member Bradburn moved that Council approve staff recommendation to deny the adjustment. Motion died for lack of a second.

Discussion continued. City Attorney LaCroix advised the City is getting a lot of flack from the auditors about bond covenants and giving credits to customers for overages, but indicated it is not a violation of the bond covenants.

It was pointed out that the City changed the existing meter because they were not sure if it was the meter or not, which Director Pierce stated cost around \$25 and advised was the standard in these type cases. Discussion continued.

Motion:

Council Member Lewis moved to waive the remaining \$150.55 bill; seconded by Vice Mayor Burnett. Motion carried 4-1 with Council Member Bradburn voting in opposition.

USDA RD Wind Protection Retrofit Project

a) City Hall Window & Door Project

Award of bid to Centurion Security Screen Company, Ltd. in the amount of \$109,874 for the Hurricane Protection Barrier Screens & High-Impact Roll Up Screens for exterior glass windows and doors on all three floors with funding through the USDA RD Grant/Loan.

REGULAR CITY COUNCIL MINUTES - MARCH 5, 2007

b) Police Department Window & Door Alternate Project

Award of bid to Centurion Security Screen Company, Ltd. in the amount of \$9,713 for the Hurricane Protection Barrier Screens for all existing glass windows and surrounding door structures with High-Impact Roll Up Screens for the entry and garage/sally port doors with funding through the USDA RD Grant/Loan.

City Clerk Phillips indicated approval from USDA had finally been received for this project.

Council Member Bradburn stated she is not sold on this particular method, that she is concerned about preserving the aesthetics of the building and wanted consideration given to other options available. She indicated the screen obscures the vision out the windows. She advised that, according to her findings, hurricane glass would cost \$35-50 per sf plus installation, including frames and gave an estimate of \$47,600. She recommended considering the hurricane glass.

City Clerk Phillips indicated heat and air conditions in the building would be helped by the insulation provided by the screens as well as the hurricane glass. Discussion followed.

Council consensus was to postpone until the March 19 meeting with staff acquiring quotes for the hurricane glass.

Utility Billing Company Services

Consideration of contracting with a different utility billing company contingent upon results of Hernando County Utility Dept. Bids to be provided.

Jim Delach recommended the City contract with Southwest Direct for billing services unless the County's bid, which comes in on March 7, comes in lower, at which point the City could piggy-back on that bid.

Consensus was to continue the item to the March 19 meeting pending the closing of the County's bid process.

Hernando County Fair Association (HCFA) - Fair Support

Consideration of solid waste collection services and Firefighter/Emergency Medical personnel for the 2007 Hernando County Fair & Youth Livestock Show, which runs April 20-29, 2007:

a) Dumpster Use

Consideration of granting HCFA use of four (4) additional 8 cy dumpsters, together with ten (10) pickups during this year's fair at no charge (estimated cost \$1,456 - tipping fee waiver request to be made to BCC).

b) Emergency Services

Consideration of providing emergency fire rescue personnel services for three (3) specific events to be held on April 20th, 21st, 22nd, 27th & 28th at no charge (estimated cost \$1,100).

Council Member Bernardini, who is on the board of the Fair Association, indicated that the association has waived fees in the past for the City and requested Council approve staff recommendation.

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Interim City Manager Baumgartner reviewed the past notification of no waivers, as written by former City Manager Richard Anderson.

Fire Chief Mossgrove also reviewed his communications with the association and the required personnel.

Motion:

Vice Mayor Lewis moved for approval of staff recommendation; seconded by Vice Mayor Burnett, who elaborated on the importance of working with the fair for something that benefits the citizens of the City.

Interim City Manager Baumgartner noted that a budget amendment would be forthcoming.

Motion carried 5-0.

ITEMS BY COUNCIL MEMBERS

City Attorney LaCroix

Bell/Demaria

He indicated he would send a memo to Council updating them on the Bell/Demaria Annexation challenge and that he would have to go forward with the dispute resolution process with the County before the judge will make any decisions.

Council Member Joe Bernardini

Civility Resolution

Council Member Bernardini presented Council with a Resolution as guidelines to be considered for adoption at the March 19 meeting.

Vice Mayor Frankie Burnett

American Legion Event

Vice Mayor Burnett indicated he attended the American Legion 75th Anniversary event and was surprised at the attendance and enjoyed it.

City Clerk Phillips

Cloverleaf Birthday Celebration

City Clerk Phillips advised Council to check their mail for invitations to the Cloverleaf Annual Saint Patrick's Day Parade on Friday March 16. She asked that those interested in going let her know so transportation can be coordinated.

Chamber's Trip to Tallahassee

She reminded Council that the Chamber is sponsoring the Tally Ho to Tallahassee trip on March 15 and to contact the Chamber if interested in going.

Council Member Lara Bradburn

FLC Advanced Institute

Council Member Bradburn urged members of Council to reconsider going since Growth Management Laws is one of the items on the agenda.

Mayor David Pugh

March 12 Workshop

Mayor Pugh advised that there will be no workshop because the Brooksville Housing Authority has their meetings the second Monday of each month and will not be able to attend.

Labor Attorney

He also advised that the Labor Attorney, Reynolds Allen, is scheduled to be here for a workshop on April 9.

March 19 Meeting

He again reminded all that he will be out of town for the March 19 meeting and that Vice Mayor Burnett will preside.

City Manager Position

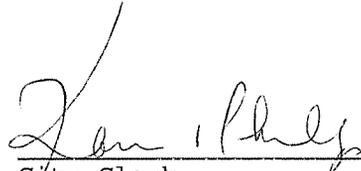
He indicated that 27 applicants have been received for the City Manager position so far.

CITIZENS INPUT

There was no citizen input.

ADJOURNMENT

The meeting adjourned at 9:50 p.m.



City Clerk

Attest: _____
Mayor

MEMORANDUM

To: Honorable Mayor & City Council Members
Via: Richard E. Anderson, City Manager
From: Bill Geiger, Community Development Director
Subject: RZ2006-07 and SE2006-04- Petitioner is requesting a zoning classification from County Agricultural to City Planned Development Project (PDP) with a Special Exception Use for a Residential Planned Development Project for Southern Hills Plantation - Phase 3B
Petitioner: Hampton Ridge Developers, LLC (Petition presented by Coastal Engineering Associates, Inc.)
Location: The properties are located south of State Road 50 on the west side of Hope Hill Road - See attached drawing.
Date: March 6, 2007

SUMMARY OF REQUEST - GENERAL INFORMATION

The subject combined properties are 36 acres \pm (undeveloped), and are located south of State Road 50 on the west side of Hope Hill Road. Legal descriptions by metes and bounds are given in full in the petition packet. The petitioner is requesting a zoning change from County Agricultural to a classification of Planned Development Project (PDP), with a special exception use for a Residential Planned Development Project (RPDP). The subject properties were annexed into the City on July 12, 2005 via Ordinance Nos. 696 and 697. A Comprehensive Plan amendment petition has been processed by the City and approved by the Florida Department of Community Affairs and is on hold pending a petition by the Hernando County Board of County Commissioners for an administrative hearing challenging the Agency's (DCA's) Notice of Intent to determine that the amendments to the City of Brooksville Comprehensive Plan are in compliance.

At this time the property owner is requesting that the City assign a zoning designation of Planned Development Project (PDP) with a special exception use for a Residential Planned Development Project (RPDP-Single Family) to the subject property. The property is planned to become Phase 3B of the Southern Hills Plantation mixed use district.

Proposed development of this property is subject to being consistent with County land use and zoning regulations, until such time as a comprehensive plan amendment is completed to establish a City designated land use for this property. On April 12, 2006, the Hernando County Board of County Commissioners (HCBCC) reviewed a report concerning the proposed project and its consistency with the County Comprehensive Plan and Land Development Regulations. The HCBCC determined that the proposed rezoning from Agricultural (County zoning designation) to RPDP (Single Family) was not inconsistent with the County Comprehensive Plan, subject to a list of performance conditions. (See attached County reports).

CURRENT LAND USE/ZONING

The subject property has a County land use designation of Rural on the Future Land Use Map of the Hernando County Comprehensive Plan. The property is currently zoned Agricultural (AG) in Hernando County. The petitioner is requesting that the City assign the subject property with a zoning designation of Planned Development Project (PDP), with a special exception use consideration for a Residential Planned Development Project (R-PDP).

STAFF FINDINGS

As noted, the subject property has been annexed into the City of Brooksville's jurisdiction. Development of portions of this property is still subject to being consistent with the County's land use and zoning regulations until a Comprehensive Plan Amendment assigning a City land use to this property is approved. As determined by the County, the City's assignment of a PDP zoning designation and a special exception use for a Residential Planned Development Project (RPDP - Single Family) to the property would not be inconsistent with the County's adopted Hernando County Comprehensive Plan, subject to performance conditions (See County's 4/12/06 report enclosed). Assigning a PDP zoning designation with a special exception for a Residential Planned Development Project (RPDP) is also consistent with the City's adopted Comprehensive Plan. The Petitioner is proposing to integrate this property into their site plans for Phase 3A of Southern Hills Plantation. The petitioner proposes to develop the site with up to 31 single family residential lots, including conservation, drainage and recreation/open space areas on 36 acres. The narrative and development plan addresses topography, flood plain, soils, vegetation, access, and utilities.

The current property owner is required to submit a formal subdivision plat for review and approval in accordance with the City's Land Subdivision Regulations. When development plans are submitted for permitting of this project, they will be reviewed and analyzed for impact to roads, utilities, drainage, the environment and compliance with all other applicable land use criteria and will be subject to meeting all federal, state and local agency permitting requirements.

NOTE: The Zoning/Special Exception Use process is a land use determination which does not constitute a permit for either construction on or use of the property. These actions are not considered a Certificate of Concurrency. Prior to use of or construction on the property, the petitioner must receive approval from the appropriate City and/or other governmental agencies that have regulatory authority over the proposed development.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any City land use ordinances. Homeowner's associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

Planning & Zoning Commission & Staff Recommendation

At their meeting on December 13, 2006, the Planning and Zoning Commission concurred with staff to recommend that City Council approve an ordinance rezoning the property to a Planned Development Project (PDP), with a special exception use (SEU) approval for a Residential Planned Development Project (RPDP), subject to the following performance conditions (modifications made at the P&Z meeting are denoted in strike-through/underline format):

1. Within ~~one~~ two years of the Council's approval of the Residential Planned Development Project (RPDP- Single Family) zoning and SEU approval, the petitioner/developer will need to initiate the subdivision process, providing preliminary plat plans that address infrastructure

needs, construction plans that reflect the preliminary plat (once approved) and a final plat (all being consistent with the requirements of the City's subdivision regulations). Otherwise, this SEU approval becomes null and void.

2. The petitioner/developer must obtain all permits and meet all applicable land development regulations, for construction or use of the property.
3. The maximum number of residential lots/dwelling units associated with this Zoning/SEU approval is thirty-one (31).
4. Unless specifically addressed to the contrary by conditions referenced herein, City ordinance regulations which apply with regard to zoning district classification shall apply to this PDP as if they are zoned R1B.
5. The minimum residential lot dimensions are to be 150' x 250' (A - 10 Lots) and 80' x 150' (B - 21 Lots).
6. The petitioner shall provide adequate buffers around the perimeter of the property that are consistent with or exceed City adopted standards. Perimeter Buffers as noted in the Petitioners Narrative meet or exceed city standards.
7. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is encouraged to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a proposed development should be resolved prior to the City taking final action on a PDP final plat.
8. The developer will be required to coordinate with the City Department of Public Works to properly plan for and address drainage and pedestrian improvements around the perimeter of the site. Public sidewalks are to be installed along the public rights-of-way and design should provide for crosswalks and underground drainage where appropriate.
9. The developer will be required to successfully negotiate a utility service agreement with the City prior to permitting.
10. Prior to the City issuing a development order for this project, the developer will be required to address and resolve all issues related to impacts of the proposed development on public infrastructure and services. Concurrency deficiencies may need to be mitigated with other agencies that provide and maintain infrastructure that directly serves the proposed development.
11. The developer will be required to install an 8-foot high chain link fence along the north and west property lines of the parcel located directly to the south of this proposed Phase 3A (ref. HCPA Key #1343996 - property owner Elizabeth Somers), that provides a minimum 70% opacity. This requirement may be modified via a compromise that both the petitioner and the property owner agree to. The fence must be installed prior to construction plan approval.

The following performance conditions as specified by Hernando County on April 12, 2006, are also incorporated into the City's approval of this project:

1. The petitioner must obtain all permits and meet all applicable land development regulations, for either construction or use of this property, and complete all applicable development review processes.

2. The project is approved with a maximum of 31 Single Family Residential lots ~~Units~~.
3. Lot sizes are approved as indicated on the Master Plan.
4. Minimum internal lot setbacks are approved as follows: Front - 20', Rear - 15', Side - 5'.
5. Minimum buffers shall be as indicted on the zoning master plan.
6. The petitioner shall provide ~~30~~40' of right of way off the center line of Hope Hill Road.
7. The Special Protection Area (SPA) area should be investigated to insure that a portion of the pit isn't located on this site. The seepage slope wetland shall be delineated and shown on future plans and plats. Any removal, alteration, and encroachment into this wetland shall be in accordance with state and federal wetland permitting and mitigation procedures.
8. The petitioner is required to conduct the appropriate wildlife surveys as required by FWC.
9. Prior to construction drawing approval, the Bystre Lake flood study will be accepted by the County and approved by SWFWMD and the results utilized to review the drawings.
10. Any roadways, driveways and finished floor elevations within the Bystre Lake 100-year flood plain shall be above the regulatory 100-year flood elevation.

*This item was scheduled for first reading of the Ordinance at the January 8, 2007 Council meeting. City Council took action to continue the first reading for this petition to the March 5, 2007 meeting, "pending the outcome of the Joint Planning Agreement (JPA) revisions with the Board of County Commissioners." Although the JPA revisions are not yet completed, this item has already been reviewed by the BCC on April 12, 2006, who at that time determined that the proposed rezoning of the property from Agricultural (County zoning designation) to RPDP (Single Family) was not inconsistent with the County Comprehensive Plan, subject to a list of performance conditions. (See attached County reports).

At the March 5, 2007 meeting, City Council approved the first reading of Ordinance No. 738 with the following modifications to Section 1., Sub-Section 1.j. & Sub-Section 2.g.:

1. j. Prior to the City issuing a development order for this project, the developer will be required to address and resolve all issues related to impacts of the proposed development on public infrastructure and services. Concurrency deficiencies ~~may need to~~ shall be mitigated with other agencies that provide and maintain infrastructure that directly serves the proposed development.
2. g. The Special Protection Area (SPA) area ~~should~~ shall be investigated to insure that a portion of the pit isn't located on this site. The seepage slope wetland shall be delineated and shown on future plans and plats. Any removal, alteration, and encroachment into this wetland shall be in accordance with state and federal wetland permitting and mitigation procedures.

RECOMMENDATION: At this time, it is recommended that City Council adopt Ordinance No. 738, rezoning the subject property to a Planned Development Project (PDP), with a special exception use (SEU) approval for a Residential Planned Development Project (RPDP), subject to the performance conditions as modified and specified in the Ordinance.

- Enclosures:
- 1) Zoning Amendment Petition
 - 2) Special Exception Use Petition
 - 3) Planned Development Project (Zoning Master Plan)
 - 4) Narrative
 - 5) BCC Meeting Results (04/12/2006)
 - 6) Ordinance No. 738 & location exhibit sketch

City of Brooksville
MEMORANDUM

To: Honorable Mayor & City Council Members
Via: Richard E. Anderson, City Manager
From: Bill Geiger, Community Development Director
Subject: RZ2006-08 and SE 2006-05; Zoning Petition requesting Planned Development Project (PDP) zoning with Special Exception Use (SEU) Consideration for Commercial on 45 acres \pm of land; SEU consideration for outdoor storage on Lot #9 of the proposed master plan; Setback considerations; and subsequent Master Plan approval.
Petitioner: Hampton Ridge Partners, LLC (Presented by Coastal Engineering Associates)
Location: East of side of U. S. Highway 41 South, west of the future Governor Boulevard (f.k.a. North/South Connector Road) and on both sides of Southern Hills Blvd.
Date: March 6, 2007

SUMMARY OF REQUEST - GENERAL INFORMATION

The subject properties consist of 45 acres \pm , and are located east of U. S. Highway 41 South, west of the future Governor Boulevard (f.k.a. North/South Connector Road), and on both sides of Southern Hills Blvd. The legal description by metes and bounds is given in full in the petition packet. The subject property was annexed in stages with the first being annexed on May 28, 2003 via Ordinance No. 633 (24.20 acres \pm), and 20.80 acres \pm on December 20, 2004 via Ordinance No. 684. A Comprehensive Plan amendment petition has been processed by the City and the Florida Department of Community Affairs has issued a Notice of Intent to find the amendment in compliance with state law. The final determination is on hold due to a petition filed by the Hernando County Board of County Commissioners requesting an administrative hearing to challenge the proposed agency's (DCA's) determination that the amendments to the City of Brooksville Comprehensive Plan are in compliance. At this time the property owner is requesting that the City assign a zoning designation of PDP with a Special Exception Use for a Commercial Planned Development Project (CPDP), and with a Special Exception Use to allow outdoor storage areas on Lot 9 as delineated on the rezoning Master Plan, and subsequent approval of the proposed Master Plan. The petitioner has also requested setback considerations which are further discussed in this staff report and are reflected in the recommendation.

CURRENT LAND USE/ZONING

Portions (20.80 acres \pm) of the subject property have a City land use designation of Southern Hills Plantation Mixed Use District, and the balance of property (24.20 acres \pm) has a County future land use designation of Residential and a zoning classification of Agricultural. The petitioner is requesting that the City assign the subject property with a zoning designation of Planned Development Project (PDP), with a special exception use for a Commercial Planned Development Project (CPDP); a special exception use for outdoor storage areas (Lot 9 only), specific setback considerations and subsequent approval of the proposed "Rezoning/Master Plan".

FACTUAL INFORMATION

1. The property has a current County zoning designation of Residential. The Petitioner is requesting a Planned Development Project zoning designation with a Special Exception Use

for a Commercial Planned Development Project (CPDP), SEU for outdoor storage on Lot 9 setback considerations and master plan approval.

2. The property for this petition's zoning is approximately 45 ± acres.
3. The site is undeveloped (except for the temporary sales office and lift station along US 41).
4. The developer is proposing to develop commercial retail, offices, mini-storage with outdoor storage areas, conservation, drainage and open space areas.
5. The subject property will have access from Southern Hills Boulevard and Governor Boulevard (slated for construction in 2008).
6. The on-site soil types include Blichton loamy fine sand, Micanopy loamy fine sand and Nobleton fine sand.
7. The property is located in flood zone C (as per the FIRM).
8. The subject property is not located within a wellhead protection area.

STAFF DISCUSSION & FINDINGS OF FACT

The petitioner's request is to zone the subject property Planned Development Project (PDP) with a Special Exception Use for a Commercial Planned Development Project (CPDP) that includes outdoor storage on proposed Lot 9, setback considerations and approval of the proposed Master Plan. A preliminary engineering report that addresses topography, flood plain, soils, vegetation, access, utilities and a DRI Statement are contained in the rezoning narrative.

- 1) The detailed development plan for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 109, City Code). This portion of the City code encourages the preservation of existing trees on the site and it is recommended that the developer give due consideration to this in the design and final plan layout.
2. Traffic - The developer proposes access points on US 41, Southern Hills Boulevard and Governor Boulevard (North/South Connector Rd.). A traffic analysis showing the capacity of the road network impacted by this proposed development is to be completed and submitted to the City prior to or in conjunction with preliminary plat submittal.
5. Drainage - This project will be required to be designed to meet all applicable standards established by the Southwest Florida Water Management District and the City of Brooksville.
6. Infrastructure & Services - The developer will be required to negotiate a utility service agreement with the City of Brooksville for water and sewer services. Connection to City water and sewer service will be required.
7. Sanitation solid waste collection services will be provided by the City.
8. To accommodate this project, the property must be platted in accordance with the City's subdivision regulations.
9. City Concurrency Standards - The City requires concurrency review and analysis at the time when a development order/permit application is submitted. Concurrency review and adherence is not required in consideration of a land use or zoning action, as is the case for this petition. The developer will be required to provide a "Statement of Impact - Concurrency Application" with each phase of development for this project that will be reviewed to ensure that level-of-service standards are being maintained within their adopted levels.

The proposed development must comply with all applicable performance standards including tree preservation and landscaping, access management, wetland protection, parking, etc. Minimum CPDP setback and density standards are established in Table's 1 & 2 of Appendix B of the City's Land Use/Zoning Regulations. The developer has requested a reduction in the building setbacks for the portions of the project adjacent to Southern Hills Boulevard and Governors Boulevard from 75-feet to 35-feet. A reduction from 15-feet to 10-feet for the landscape buffer adjacent to the FDOT retention pond on the northern project boundary is also requested. These requests appear to be reasonable and may be considered at this time. For Lot 9, the petitioner is requesting a deviation to completely eliminate the internal structure setback and buffer requirements along the lot lines abutting Tract C and Lot 8. This request is stated to address perimeter security needs on the site. In all other aspects, the development would adhere to the General Commercial PDP zoning standards. It does not appear that the developer has provided adequate documentation to justify the zero lot line request. Police, fire, solid waste and utility services will be provided by the City of Brooksville. The current property owner is required to submit a formal subdivision plat for review and approval in accordance with the City's Land Subdivision Regulations. When development plans are submitted for permitting on each phase of this project, they will be reviewed and analyzed for impact to roads, utilities, drainage, the environment and compliance with all other applicable land use criteria and will be subject to meeting all federal, state and local agency permitting requirements.

As noted, the subject property has been annexed into the City of Brooksville's jurisdiction. Portions of this property are still subject to being consistent with the County's land use and zoning regulations until the City's adopted Comprehensive Plan Amendment (CPA 2005-L1 through CPA 2005-L5) that has been challenged by the Hernando County Board of County Commissioners has been resolved. Assigning a PDP city zoning designation with a special exception for a Commercial Planned Development Project (CPDP) is also consistent with the City's adopted Comprehensive Plan.

NOTE: The zoning/special exception use amendment process is a land use determination which does not constitute a permit for either construction on or use of the property. These actions are not considered a Certificate of Concurrency. Prior to use of or construction on the property, the petitioner must receive approval from the appropriate City and/or other governmental agencies that have regulatory authority over the proposed development.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any City land use ordinances. Homeowner's associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

Planning & Zoning Commission & Staff Recommendation

At a meeting on December 13, 2006, the Planning and Zoning Commission concurred with staff to recommend that City Council approve an ordinance rezoning the property to a Planned Development

Project (PDP), with a special exception use approval for a Commercial Planned Development Project (CPDP), and with special exception use approval for outdoor storage areas on Lot 9, setback considerations (delineated in the recommended performance conditions) and subsequent approval of the master plan labeled as “Rezoning/Master Plan - US 41 Commercial - Southern Hills Plantation ” (as prepared by CEA with a stamped date of 12/07/2006), contingent on the Hernando County Board of County Commissioner’s challenge to the City’s adopted Comprehensive Plan Amendment (CPA 2005-L1 through CPA 2005-L5) being resolved, and further subject to the following performance conditions (Modifications made at the Planning & Zoning Commission meeting are denoted using strikethrough/underline format):

1. Within two years of the City Council’s approval of the Commercial Planned Development Project (CPDP) zoning, the petitioner/developer will need to initiate the subdivision process, providing preliminary plat plans that address infrastructure needs, construction plans that reflect the preliminary plat (once approved) and a final plat (all being consistent with the requirements of the City’s subdivision regulations). Otherwise, this SEU approval becomes null and void.
2. The petitioner/developer must obtain all required permits and meet all applicable land development regulations, for construction or use of the property.
3. Unless specifically addressed to the contrary by conditions referenced herein, City ordinance regulations which apply with regard to zoning district classification shall apply to this PDP as though it were zoned C2. Minimum CPDP standards also apply to this property, except as follows: Minimum building setbacks from Southern Hills Boulevard and ~~the proposed North/South road~~ Governor Boulevard are ~~3575'~~, and 125' from US 41; The minimum landscape buffer adjacent to the FDOT retention pond on the northern project boundary shall be a 10-foot vegetated buffer; The petitioner shall provide adequate buffers around the perimeter of the property that are consistent with or exceed City adopted standards.
4. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District. The proposed stormwater plan associated with this project must comply with all applicable federal, state and local standards. To ensure the maintenance of stable subsurface conditions in areas where ponds or drainage retention areas are located or being proposed, the developer is required to have geophysical/geotechnical investigations conducted and the findings of such shall be incorporated into the final design. The developer will be required to coordinate with the City’s Department of Public Works and Community Development to properly plan for and address drainage.
5. Public sidewalks are to be installed along the public rights-of-way.
6. The developer will be required to successfully negotiate a utility service agreement with the City prior to permitting.
7. The phasing of this project will need to be coordinated with the timing of the construction of Governor Boulevard. Development phasing that may be proposed prior to the construction of Governor Boulevard will be evaluated to ensure that its impact to public road infrastructure does not exceed adopted level-of-service standards.

8. To accommodate this project, the property must be platted in accordance with the City's subdivision regulations.

*This item was scheduled for first reading of the Ordinance at the January 8, 2007 Council meeting. City Council took action to continue the first reading for this petition to the March 5, 2007 meeting, "pending the outcome of the Joint Planning Agreement (JPA) revisions with the Board of County Commissioners." Although the JPA revisions are not yet completed, the majority of this property was reviewed and accepted by the County as part of the City's Comprehensive Plan Amendment cycle that was processed in 2004. That amendment established a land use for the property as part of the Southern Hills Plantation Mixed Use District. The northern portion of the subject site (24.2 acres ±) went through the most recent Comprehensive Plan Amendment cycle and was also designated with a land use of Southern Hills Plantation Mixed Use District (the amendment did not increase density or intensity of use established by the definition for this district, it only added acreage to it). The County reviewed this amendment cycle as well, and cited no issues with this specific part of the amendment.

At the March 5, 2007 meeting, City Council approved the first reading of Ordinance No. 739, with the following additional performance condition, added to Section 1., as Sub-Section 1.i.:

1. i. Lots 5, 6 and 7 as delineated on the "SOUTHERN HILLS PLANTATION REZONING/MASTER PLAN, US 41 COMMERCIAL," with a revision date of 12-08-06, are limited to one ingress/egress to each lot from the public road rights-of-way.

RECOMMENDATION: At this time, it is recommended that City Council adopt Ordinance No. 739, rezoning the property to a Planned Development Project (PDP), with a special exception use approval for a Commercial Planned Development Project (CPDP), and with special exception use approval for outdoor storage areas on Lot 9, setback considerations (as delineated in the recommended performance conditions) and subsequently approve the master plan labeled as "Rezoning/Master Plan - US 41 Commercial - Southern Hills Plantation" (as prepared by CEA with a stamped date of 12/07/2006), subject to the performance conditions as modified and specified in the Ordinance.

- Enclosures:
- 1) Zoning Amendment Petition
 - 2) Special Exception Use Petition
 - 3) Master Plan
 - 4) Narrative
 - 5) Ordinance No. 739 & location exhibit sketch

Memo

To: The Honorable Members, Brooksville City Council
Mr. Stephen J. Baumgartner, Interim City Manager

From: Richard C. Hankins, Police Lieutenant

Date: March 26, 2007

Re: Copier Replacement

On January 24, 2007, the Chief received a memorandum from his Administrative Assistant outlining the major malfunctions of police department copy machine. Historically a Lanier representative would respond, repair the machine and replace parts, all part of the service contract. On February 28, 2007, the police department received a letter from Lanier Worldwide, advising parts for our copier (Lanier 5222) had been discontinued. The company advised that while they guarantee parts and service for (5) years after the initial purchase, we were fortunate to go this long without a replacement, the copier was originally purchased in December 1999.

As we could not predict the part discontinuance, replacement funds were not requested during this fiscal. As the copier is of great importance to the day to day operations we are requesting that funds from the general fund be utilized to purchase the copier. Last month alone the agency made over 9000 copies.

The price of the copier is \$5,265.00. The cost of the copier is a piggy-back of the copier recently purchased by City Hall.

B&W copy charge of \$ 0.00750000 in excess of 0 per quarter.



QUOTE

for

Brooksville Police Department - Brooksville Police Department/Brenda Benford

Page: 1 of 1

Date: 03/07/07

Equipment

Qty	Description
1	LD335 DIGITAL MFP Service is included in the purchase price Toner is included in this service . BLACK AND WHITE COPY CHARGE OF \$ 0.00750000 IN EXCESS OF 0 PER QUARTER COLOR COPY CHARGE OF \$ 0.0000000 IN EXCESS OF 0 PER QUARTER
1	BLACK DEVELOPER FOR LD335/345
1	LD335/45 TONER PACKAGE (2 EACH)
2	BLACK TONER FOR LD335/345
1	PAPER BANK PS530
1	COLOR PRINTER PRINT NETWORK CONNECT
1	DIGITAL SCAN NETWORK CONNECT

SubTotal: 5,265.00

Quote price and order total do not include required taxes. Taxes will be calculated and added to the invoice. This proposal is valid for thirty days unless specified in the proposal. Quotes are non-binding and for planning purposes only. Orders are subject to credit approval and acceptance by Lanier.

MEMORANDUM

To: Chief Tincher
From: B.Benford, Admin. Asst.
Date: January 24, 2007
Subject: Copier

Please be advised that in recent days we have been experiencing major repair problems with the Lanier 6725 Copier for the department. We have been advised by several repairmen that parts (even refurbished ones) are difficult and now impossible to be obtained, since this machine is over 10 years old. We have had it since June 1995. Has definitely served us well, especially since we are a 24/7 operational facility.

Consideration and attention are needed in exploring the possibility of a new purchase.

/bhb



A Ricoh Company

February 28, 2007

Brenda Benford
Brooksville Police Department
87 Veterans Ave
Brooksville, FL
34601

Dear Brenda,

This letter is to inform you that the parts for your current Lanier Worldwide copier (Lanier 5222) have become discontinued. The copier was discontinued in December of 1999. Lanier guarantee's availability of parts for 5 years after a machine has been discontinued. If you have any questions or if I can be of further assistance please don't hesitate to call. Hope all is well.

Sincerely,

Ted Dorsey
District Sales Manager
Lanier Worldwide Inc.
P: 813-888-8278
F: 813-884-1639
C: 813-784-4400

City of Brooksville

MEMORANDUM



To: Honorable Mayor and City Council Members

From: Karen M. Phillips, Director of Administration/City Clerk *KMP*

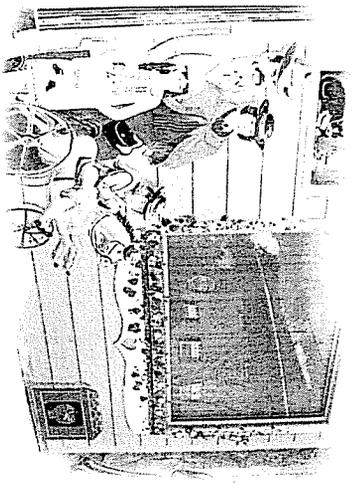
Subject: Visit**FLORIDA** Grant Applications

Date: March 23, 2007

In 2003, the City was awarded a \$2,500 matching grant from Visit**FLORIDA** under the Advertising Matching Grant Program. We designed and printed 50,000 copies of the *Historic Brooksville* tri-fold, color brochure. These brochures have now become outdated and our supply is nearly exhausted. While we have recently ordered a nominal reprint supply for immediate use, we have received numerous requests for more brochures, which the five state Welcome Centers, the Chamber of Commerce, and the Hernando County Government Center use to promote Brooksville.

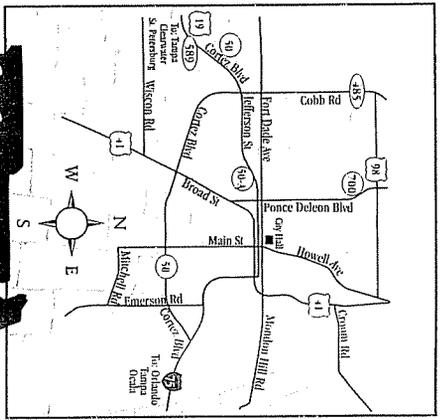
We have received a quote for updating and printing 50,000 copies of the brochure from Visual Spectrum for \$5,218.

We are requesting Council's approval to apply for two grants from Visit**FLORIDA** to cover the cost of the major reprint of the brochures. The Advertising Matching Grant Program provides for up to \$2,500 matching funds towards the total project cost (deadline 04/20/07). We are also simultaneously applying for the Cultural Heritage and Nature Tourism Marketing Grant, which is a \$5,000 matching funds grant program (deadline 04/13/07). Tourism Director Sue Rupe has indicated that this is not uncommon, as each grant program has different criteria and funding level sources.



Mid towering oaks and brick roads rests Historic Brooksville

Drift back in time to the picturesque nineteenth century when early afternoon were spent strolling Main Street's quaint shops, where Victorian antebellum homes lined brick roads and hospitality was part of neighborhood charm. The City of Brooksville brings the history of the enchanting old South alive. Take in the sights as you pass colorful murals and picnic under shady oaks in scenic parks. With its antique shops and restaurants, art gallery, museum and more, Brooksville's old-fashioned touches captivate you in an era of life fondly remembered.



Directions

The city of Brooksville in Hernando County is located off State Road 50. If you are traveling from Orlando take State Road 50 and it will become Jefferson Street and leads straight into downtown Brooksville.

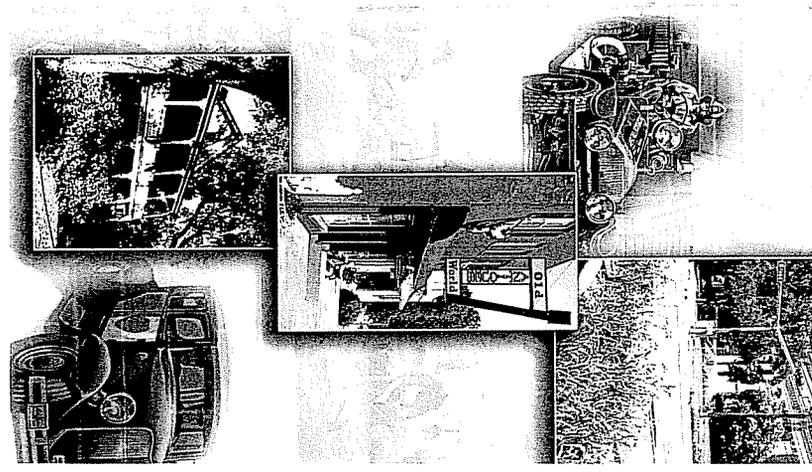
If you are traveling from Tampa, take the Veterans Expressway Toll road, north. The Expressway will become the Suncoast Parkway Toll road. Continue north and exit on State Road 50. Veer right (east), turning onto Cortez Blvd. (S.R. 50). It will become Jefferson Street (S.R. 50 A) and leads into Brooksville. The Tampa International Airport is 40 minutes from Brooksville on the Suncoast Parkway.

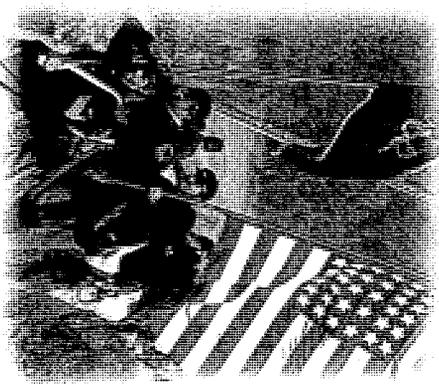
FLA
VISIT FLORIDA
FLAUSA.com

City Of Brooksville
201 Howell Ave.
Brooksville, FL 34601
352-544-5400
website: www.ci.brooksville.fl.us
email: cityhall@ci.brooksville.fl.us

Brochure funding provided by:
Florida Commission on Tourism

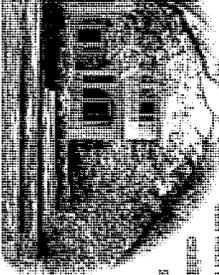
Historic Brooksville





Living History

In 1856, General Hernandez was the first settler on the north, south, east and west section of a land rich in rolling hills, green pastures, and towering oaks. At the time this settlement was known as Melendez, however, in 1856 it was named Brooksville in honor of Preston Brooks, a South Carolina Congressman. He believed so strongly in "State's Rights" that he took a stand for it openly during a debate. The citizens of Hernando County were so moved by his courage and defense of his family's honor that they named the county's largest settlement after him. Hence, Melendez has come to be called Brooksville. As you journey through town, you will notice that many of the homes were



the city was first established and still stand today as a commemoration of its history.

2003 Calendar of Events

JANUARY

Martin Luther King, Jr. Day Parade, Downtown/Kennedy Park
The city of Brooksville pays tribute to one of our nation's legendary figures. The public is invited to join in the all day festivities which includes a parade and picnic in Kennedy Park.

FEBRUARY

Valentines Day Freedom Festival, Jerome Brown Community Center
Join the community in enjoying the folk of the tradition while exploring the reasons for its existence.
Annual Heritage Day Festival, May-Stringer House
Step back in time to a simpler era when everything was homemade. See craftsmen and women demonstrate some of the weaving and crafts used by our ancestors. Performances include Indian ceremonial dances and country music.

MARCH

Brotherhood Day, Jerome Brown Community Center
Come together, share and explore ethnic and cultural differences and information over a community dinner.



APRIL

Hernando County Fair, Fairgrounds
Visit our county fair in the mid days of spring. Young and old will enjoy the midway rides and food. Visit the many informative displays created by local organizations and schools. There is something for everyone among the musical entertainment, talent show and husbandry competitions that last for one week.

MAY

Week of the Young Child Celebration, Jerome Brown Community Center
Bringing families and children together to have a fun day - health & family awareness.
Mother's Day Event, Jerome Brown Community Center
What an opportunity to honor mothers by having children able to buy presents at special "kid prices". Mothers are also pampered with makeovers and chances to win prizes the day before their actual day!
Hernando County Music, Arts & Crafts Festival, Tom Yarn Park, Brooksville
Under the canopy oaks in Tom Yarn Park you can stroll and view original fine art work and crafts. Music and entertainment round out the Memorial Day weekend festivities.



AUGUST

School Baze & Operation Back Pack, Tom Yarn Park & Jerome Brown Community Center
The kids get ready for school with games and activities that can get them valuable "necessary supplies" just before school starts.

SEPTEMBER

Patriot's Day, Hernando County Courthouse, Downtown Brooksville
Acknowledge the heroes of 9/11 and honor our troops and public health & safety officers of today on this national day of tribute.



OCTOBER

Brooksville's 3rd Annual Founders Day
Celebrating the 147th anniversary of the founding of Brooksville, with many activities taking place throughout the community all week long.

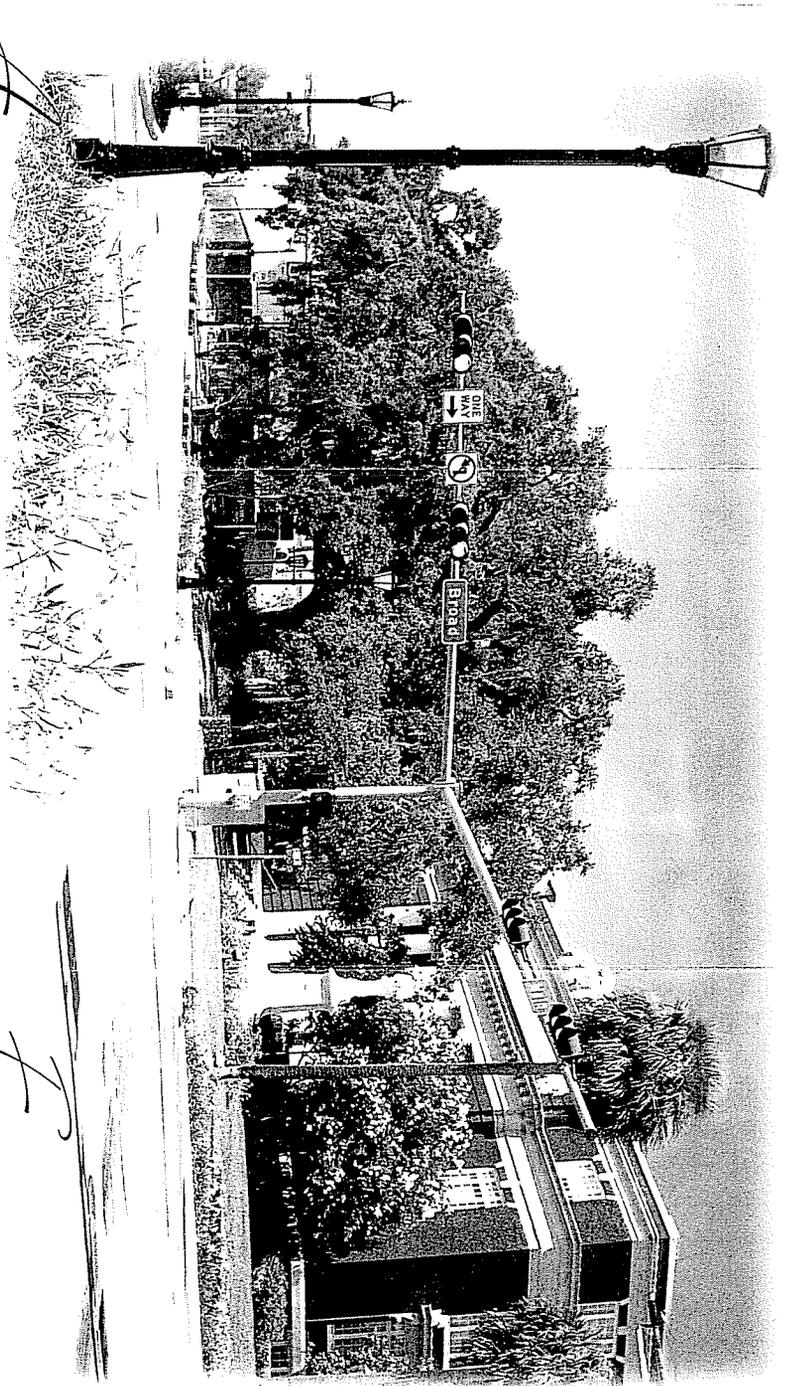
NOVEMBER

Veteran's Day Parade, Downtown Brooksville
Participate in this traditional commemoration of the sacrifices and great work of our personnel in military service.



DECEMBER

Christmas Parade & Festival, "Tour of Yesteryear", Downtown Brooksville
You won't want to miss the pageantry, festivities and fun that abound on this very special day in December in downtown Brooksville. The events kick off with the 29th Annual Christmas Parade, which hosts over a 100 different float entries, including an additional contingency of over 30 funny cars, motorcycles, four wheelers, railroad cars, Keystone Cops and floats from the District Shopper's Clubs of the Tampa Bay Area! The parade winds down into the City's 9th Annual Christmas Festival in the parking area behind City Hall, featuring games, rides, food, a craft show and entertainment for the entire family! Slick around town into the evening for a wonderful historic tour of the Museum, complete with horse-drawn carriage rides through town.
Holiday of Hope & Fantasy Wonderland, Tom Yarn Park & Jerome Brown Community Center
With thoughts of sugar plums and fairies dancing in their heads, the kids will enjoy this day of games, fun and entertainment, while also learning more about the value of families and their relationships.
2nd Annual Tangerine Time New Year's Eve Celebration, Jerome Brown Community Center
Come spend a safe and entertaining New Year's Eve with the children. Games, entertainment, food and prizes abound on this special family night celebration. Watch the lighted ball drop from the sky to welcome in the new year!



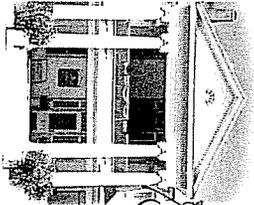
Leisure attractions in the county

Seeking a river adventure? A short jaunt west of Brooksville you will experience one of the most beautiful waterways in Florida. The Wee'di Wachee River is a recreational destination for nature lovers. Residents and visitors alike enjoy the water park located at the head of the springs. It is also the site for Florida's famous mermaid attraction. Off the coast, on the Gulf of Mexico seas

Pine Island Beach. Covered pavilions, volleyball courts and vivid sunsets, beckon you to soak in the sun for an afternoon gathering or beachside bonbeque. To get a closer look at nature, journey to the Withlacoochee Trail and absorb the sights of Tricolor Herons, Sandhill Cranes, Deer, and other wildlife residents of the trails.

For the fun of it...

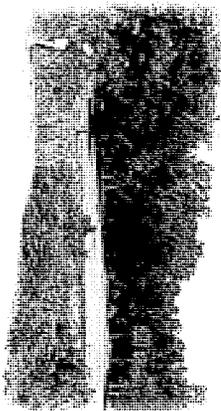
Forty minutes south of Brooksville awaits the city of Tampa Bay where theatre and sporting events are a few of the thrills. The nearby cities of Clearwater and St. Petersburg invite you for a day on the sparkling beaches. As well, the glitter of Orlando's theme parks is a mere 90 minutes east of Brooksville, and Ocala's horse country is just an hour north.



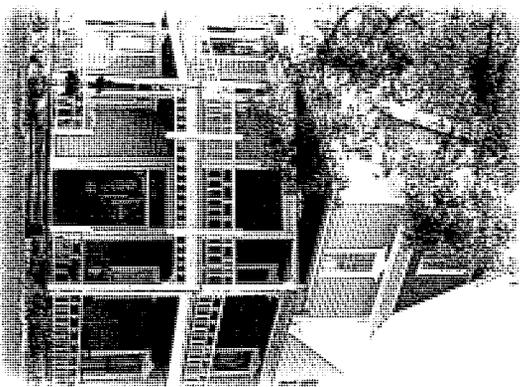
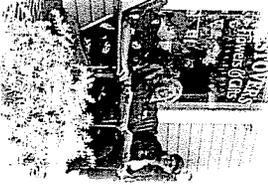
Brooksville, An ideal getaway

With its many scenic spots and its nearness to the big cities of Tampa, Orlando and Ocala, Brooksville is a relaxing

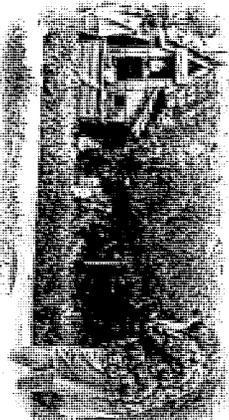
destination. Its charming Bed & Breakfasts provide ideal lodging that welcome you to a home away from home in the heart of historic Brooksville. Nestled on an acre of land, The Callin House invites you in for a stay that adds the personal touch, while The Green Gables Inn surrounds you in elegantly-themed rooms. Spend a morning golfing in a quarry then enjoy a picnic lunch by the pond at Mckelthan Park. The adjoining Tom Varn Park bids you take to the trails on a hike engulfed in natural beauty.



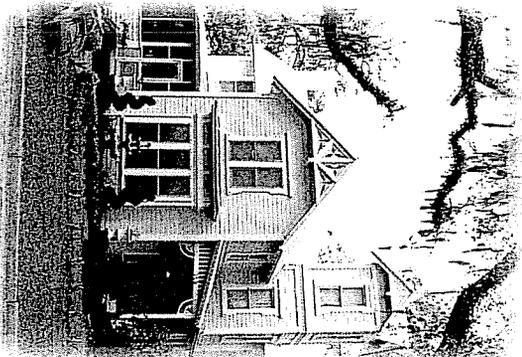
At a slower pace, explore downtown Brooksville where you will find specialty shopspe filled with collectables and vintage treasures. Most of the buildings in and around the business district were erected in the early 1900s, giving downtown a pioneer mystique.



Stroll among the colorful murals and visit the May-Stringer Museum that houses southern artifacts dating as far back as the Civil War. As well, the nearby Roger's Christmas House sends a holiday greeting to guests all year around. Set in a unique array of charming cottages and lovely gardens you're sure to find the perfect souvenir.



Take the scenic route and let oak-canopied roads escort you on a driving tour of Brooksville's many historic homes. These antebellum homes date from 1880 to 1920 and belonged to the prominent community members of that time. For those interested in family history venture to the Brooksville Cemetery, the oldest cemetery in Hernando county. The cemetery was opened in 1845 and is the resting place for many of Hernando's founding families.



City of Brooksville

MEMORANDUM



To: Honorable Mayor and City Council Members

From: Karen M. Phillips, Director of Administration/City Clerk 

Subject: Letter of Agreement with BCC - Television Coverage

Date: March 23, 2007

Attached please find a proposal and Letter of Agreement between the City and the Hernando County Board of County Commissioners (BCC) to video tape (2 cameras) and broadcast the City Council Meetings on Hernando County Government Broadcasting (HCGB) BrightHouse Cable Channel 19 for an approximate annual fee of \$5,520 to cover basic personnel overtime costs & benefits together with a nominal equipment usage fee (to be billed quarterly for an estimated \$1,380 based on 5 hrs per meeting, including setup and teardown of equipment for 2 Council Meetings per month) with a commitment to broadcast the meetings at least twice each (once during the day and once in the evening, subject to airtime availability within HCGB's schedule).

There is the potential of reducing these costs if the City wishes to purchase equipment that would remain on site, thus reducing the setup and teardown personnel overtime costs associated with the broadcasts (estimate provided by HCGB indicates approximately \$12,676-\$14,286 for new equipment - potential for lower costs if the City could locate used/renovated equipment that would meet the standards of the HCGB staff).

HCGB staff will be present to answer any specific questions.

This service agreement has been approved by the Board of County Commissioners. Council consideration of approval of the Letter of Agreement and authorization to execute same or direction to staff is respectfully requested.

Pc: Brenda Frazier, BCC Community Relations Coordinator

**INTEROFFICE
MEMORANDUM**

**TO: HONORABLE CHAIRMAN AND MEMBERS,
BOARD OF COUNTY COMMISSIONERS**

**VIA: GARY KUHL
COUNTY ADMINISTRATOR**

**FROM: BRENDA FRAZIER
COMMUNITY RELATIONS COORDINATOR**

SUBJECT: VIDEOTAPING OF BROOKSVILLE CITY COUNCIL MEETINGS

DATE: MARCH 7, 2007

Brief Overview:

Hernando County Government Broadcasting has received a request from the Brooksville City Council to videotape its bi-monthly meetings and monthly Planning and Zoning Meeting and broadcast them on Channel 19.

Staff is of the opinion that the existing HCGB staff could handle the two City Council meetings per month (first and third Monday nights), but at this time would not be able to cover the third meeting (Planning and Zoning) for the City.

Staff has calculated the overtime rate for one employee to handle the videotaping for the City Council meetings. Based upon two meetings per month, five hours per meeting (includes set up and break down time), the total cost per meeting would be \$230 or \$1,380 per quarter. HCGB would invoice the City at the beginning of each quarter based upon the actual time spent on premises at City Hall, so the actual cost would vary.

Staff has also provided the City with the estimated costs for the necessary equipment in the event they might eventually acquire the equipment which would reduce the amount of HCGB staff time required. The City could eventually acquire the equipment, allow HCGB to train staff and provide the videotape to HCGB for broadcast, thus eliminating HCGB's involvement in the taping.

The attached proposed memorandum of agreement between the Board and the City of Brooksville has been reviewed by the Legal Department.

Legal Impact:

The Board has the authority to contract with the City of Brooksville for the videotaping services as described.

Budget Impact:

The City of Brooksville agrees to reimburse the expenses for the staff overtime and matching costs as invoiced by HCGB quarterly.

Staff Recommendation:

Staff recommends approval of the attached memorandum of agreement with the City of Brooksville for videotaping two meetings per month and broadcasting them on Channel 19.

Attachments - Proposed Letter Agreement and Cost Estimate

**HCGB Cost to Videotape 2 City Council Meetings Per Month
5 hours per meeting
City to be billed by HCGB Quarterly**

PERSONNEL COST:

One HCGB employee @ \$21/hour (overtime rate)

+

Benefits @ \$10.00/hour

=

Total hourly personnel cost: **\$31/hour**

Total Personnel Cost: \$31/hour x 5 hours = \$155 per meeting

+

Equpt.: \$15/hour x 5 = **\$75**

Total HCGB cost per meeting = **\$230**

Per month - **\$460**

Per quarter - **\$1,380**

Per year - **\$5,520**

***EQUIPMENT COST:**

(2) DVD recorders @ \$150 each:	\$300
(1) Video switcher	\$1,500 to \$3,000
(1) Audio Board	\$110
(2) Cameras w/tripods @ \$1,750 each:	\$3,500
(4) Monitors @ \$469 each	\$1,876
(1) graphics computer w/software	\$5,000
Misc. items such as cable, batteries, etc.	<u>500</u>
TOTAL	\$12,676 - \$14,286

***This equipment list shows the items that HCGB will set up to videotape the meetings. The approximate cost is shown in the event the City Council may wish to purchase the equipment at some point in the future (as Spring Hill Fire Rescue has done) in order to eliminate set up and breakdown time. Note that these prices are subject to change.**

**Letter of Agreement
between
Hernando County Board of County Commissioners
and Brooksville City Council**

The letter is intended to outline and confirm the intent of the Hernando County Board of County Commissioners through the Government Broadcasting (HCGB) department to provide television coverage of the Brooksville City Council Meetings.

Specifics:

Date: the first and third Monday of each month
Place: 201 N. Howell Avenue, Brooksville, FL
Time: 7:00 PM
Duration: 2-3 hours

General:

Coverage will be provided for the entire meeting including public comment, if any, in an unedited format. Provisions will be made to cover the comments of Council Members from the dais and oral presentations from the Attorney and Staff during the meeting. The City Council will provide a meeting agenda via fax to HCGB on the Friday immediately preceding the meeting.

Setup:

All set-up and equipment will be provided by HCGB until such time as the necessary equipment is purchased by the City. It is expected that at least one camera will be required to cover the dais and one small remote camera to cover the public podium. Connection to existing microphones will be allowed. Access to the meeting room will be provided as required for set-up and break down, beginning at 5:00 PM.

Broadcast:

The City Council meetings will be broadcast on Bright House Channel 19 at least twice per week, once during the 8 a.m. to 5 p.m. time period and once during the 5 p.m. to 12 midnight time period.

Reimbursement:

Hernando County Government Broadcasting will invoice the City of Brooksville quarterly based upon actual time spent on the City Hall premises to videotape the meetings. The City will remit payment to HCGB within 30 days of the date of the invoice, making checks payable to the Board of County Commissioners.

Precedence of County Commission meetings:

It is understood by both parties that should a conflict arise with a County Commission meeting being scheduled the same night as a City Council meeting, the County Commission meeting will take precedence for HCGB services.

Cancellation:

If for any reason either the City of Brooksville or the Board of County Commissioners wishes to terminate this memorandum of agreement, they may do so upon 30 days notice from one governing body to the other.

BROOKSVILLE CITY COUNCIL

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

David Pugh, Jr.
Mayor

Jeff Stabins
Chairman

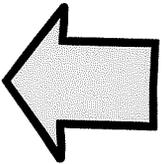
Attest:

Attest:

Date:

Date:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY _____
City Attorney



PROCLAMATION

WHEREAS, in Hernando County, children are regularly identified as having been abused or neglected; and

WHEREAS, child abuse and neglect results in significant trauma to the child, family and society as it causes children to suffer serious illness and injury resulting in impairment of physical, intellectual and emotional functioning and well-being or even death; and

WHEREAS, abused or neglected children are at much greater risk of becoming abusive and neglectful parents; and

WHEREAS, prevention services can reduce the cost society must bear in dealing with the results of child abuse and neglect, and can help children and families avoid the overburdened and expensive social welfare and criminal justice systems; and

WHEREAS, children deserve the opportunity to grow and thrive in healthful environments, free from threats of violence and harm; and

WHEREAS, during the month of April, public and private-sector agencies, child care professionals, child advocates, and residents will be increasing the public's awareness of child abuse and neglect prevention.

NOW, THEREFORE, ON BEHALF OF THE CITY COUNCIL, FOR THE CITY OF BROOKSVILLE, FLORIDA, I, DAVID PUGH, MAYOR, DO HEREBY PROCLAIM THE MONTH OF APRIL TO BE CHILD ABUSE AND NEGLECT PREVENTION MONTH IN BROOKSVILLE.

FURTHER, THE CITY COUNCIL CALLS UPON ALL CITIZENS, COMMUNITY AGENCIES, RELIGIOUS ORGANIZATIONS, MEDICAL FACILITIES, AND BUSINESSES TO INCREASE THEIR PARTICIPATION IN AN EFFORT TO PREVENT CHILD ABUSE AND NEGLECT, THEREBY STRENGTHENING THE COMMUNITY IN WHICH WE LIVE.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HAND AND CAUSED TO BE AFFIXED THE SEAL OF THE CITY OF BROOKSVILLE THIS 2ND DAY OF APRIL, 2007.

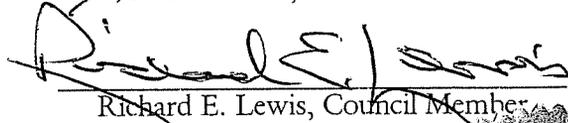
CITY OF BROOKSVILLE


Frankie Burnett, Vice Mayor

David Pugh, Mayor


Joe Bernardini, Council Member

Lara Bradburn, Council Member


Richard E. Lewis, Council Member

ATTEST: _____
Karen M. Phillips, City Clerk



David La Croix Attorney

*Land Use Planning
and Zoning
Local Government Law
Appellate Practice*

AGENDA ITEM NO. ~~2/19/07~~ ^{F-1}
AGENDA ITEM NO. ^{E-1} 4/2/07
Post Office Box 381
Brooksville, FL 34605
Tel. & fax: (352) 382-1373
davidlac@earthlink.net

MEMORANDUM

TO: City Council Members

FROM: David La Croix, City Attorney

SUBJECT: Ordinance Creating Appeals Procedure for Parking Citations and Authorizing the Recording of Liens on the Vehicle Owners' Property for Unpaid Citations

DATE: March 6, 2007

Ever since the Legislature reorganized the court system and obligated the City for all costs related to enforcement of municipal ordinances in the courts, it has been cost prohibitive to pursue the payment of parking citations in the courts.

The attached ordinance sets up a procedure for appeals of parking citations to the City's hearing officer. It also applies the appeal process to your recently enacted boom box ordinance.

The ordinance also gives the City a way to enforce unpaid parking citations by the recording of liens on all property of the owner of a vehicle for which a citation was given. It further provides that, if an officer discovers a vehicle parked in the City owned by someone who has three or more recorded and unpaid liens for parking citations, that vehicle may be towed and stored at the owner's cost until all charges are paid.

Throughout the process, all City costs are borne by the alleged violator, including all costs of an appeal to the hearing officer, except for when the hearing officer finds that no violation occurred. All costs assessed to the violator are included in the City's liens.

ORDINANCE NO. 743

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF BROOKSVILLE, FLORIDA, CHAPTER 82, "TRAFFIC AND VEHICLES," ARTICLE II, "PARKING," SECTIONS 82-38 THROUGH 82-42, AND ADDING A NEW SECTION 82-43, SO AS TO PROVIDE AN APPEAL PROCEDURE FOR PARKING VIOLATIONS AND CERTAIN TRAFFIC INFRACTIONS; RENUMBERING AND AMENDING EXISTING CODE SECTIONS 82-43 AND 82-44; PROVIDING FOR RECORDED LIENS FOR UNPAID CIVIL PENALTIES; AMENDING A CODE REFERENCE IN SECTION 82-53; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR EFFECTIVE DATE.

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

SECTION 1. The Code of Ordinances of the City of Brooksville, Florida, Chapter 82, "Traffic and Vehicles," Article II, "Parking," Sections 82-38 through 82-42, are hereby amended, a new Section 82-43 is hereby added, and existing Sections 82-43 and 82-44 are hereby renumbered and amended, so as to read as follows:

Chapter 82

TRAFFIC AND VEHICLES

. . .

ARTICLE II. PARKING

. . .

Sec. 82-38. Forms of notifying violators of this article to appear; attachment to vehicle; response by owner or operator.

The chief of police of the city shall provide, in triplicate, suitable serially-numbered forms for notifying violators to appear and answer to charges of violating this article and other traffic laws and regulations of the city. Such forms shall be issued and receipted by the chief of police, his duly authorized representative or any other person acting for him. Upon any violation of this article, any police officer shall attach to the windshield of a parked vehicle a notice in accordance with this section, stating that the owner ~~or~~ and operator ~~is~~ are in violation of this article and that the owner or operator may, within 72 hours of the time when such notice was attached to such

Legend: Underscored text is added; ~~text lined through~~ is deleted.

vehicle, pay to the city police department as a civil penalty for, and in full satisfaction of, such violation the sum set forth in section 82-44~~5~~. The form shall also notify the owner or operator that the failure of such owner or operator to make such payment to the city police department within 72 hours shall render such owner ~~or operator~~ subject to late charges, or other enumerated penalties as are set forth in this article, and of the owner's right of appeal as set out in section 82-42.

Sec. 82-39. Surcharge for late payment.

Any of the ~~finer~~ civil penalties set forth in section 82-44~~5~~ which are not paid within 72 hours of issuance of the citation shall be subject to a surcharge. The surcharge will equal 50 percent of the stated ~~fine~~ civil penalty and shall be due and payable to the city.

Sec. 82-40. Payment of ~~fine~~ civil penalty without ~~trial~~ appeal hearing.

Any person in violation of this article who desires to pay the ~~fine~~ civil penalty and late payment charge, if any, without resort to ~~the courts of the state~~ an appeal to a hearing officer pursuant to section 82-42, shall pay such ~~fine~~ civil penalty and late charge to the city at the police department or the finance department, within seven days of issuance of ~~a~~ notices of violation. Upon payment of any ~~fine~~ civil penalty or and applicable late charge, the city shall accept the ~~fine~~ civil penalty and issue a receipt to the violator. The city shall keep an easily accessible record of all violations during the preceding 12 months, whether ~~such~~ guilt was established in court by a hearing officer or such violator has voluntarily paid the ~~fine~~ civil penalty or and applicable late charge. The ~~city~~ chief of police shall keep records and submit summarized monthly reports to the city manager of all citations issued for violations of this article and other traffic laws of the city and the state within the municipal limits of the city. The ~~city~~ chief of police shall also keep a record of all the ~~finer~~ civil penalties collected by the city and of the final disposition of each violation in every case handled by the city. Such records shall be so maintained as to show all types of violations and the totals of each.

Sec. 82-41. Unpaid parking citations.

If a parking violation citation remains unpaid after a seven-day period, as set forth in section 82-40, and if no appeal is filed within said seven-day period pursuant to section 82-42, then the city shall have a lien for the

~~unpaid civil penalty and late charge, plus a fifteen dollar (\$15.00) administrative fee, on all property of the vehicle owner located in Hernando County and shall cause such lien to be recorded on the public records of Hernando County a summons to be issued by the clerk of the county court. The clerk of the county court shall mail The lien shall bear interest at the rate of one percent (1%) per month until paid, which shall be stated in the recorded lien. A copy of the recorded lien shall be mailed to the registered owner of the cited vehicle a summons by registered mail, setting forth a date for a hearing of the cited violation. The summons shall advise the registered owner of the right to pay the fine, surcharge or delinquency fee, or that the violator shall otherwise appear at the hearing scheduled on the summons. The party summoned shall also be advised that if the court finds the party in violation, then the party shall be required to pay the fine plus a penalty.~~

Sec. 82-42. Appeal ~~H~~hearing before hearing officer or judge.

~~(a) If the registered owner fails to pay the fines, any surcharges and delinquency fees as set forth in sections 82-39 and 82-44 or upon the hearing and a finding of a violation by the hearing officer or judge, then the penalty shall be not less than \$50.00 nor more than \$500.00, plus all hearing and administrative costs. If the registered owner fails to appear after being summoned by registered mail, then failure to appear shall be deemed as an admission of the violation, and a judgment of fine plus costs shall be entered against the summoned party, for not less than \$50.00 nor more than \$500.00, plus court costs. wishes to appeal a parking citation issued pursuant to this article, he or she may do so within seven (7) days after issuance of the citation by filing a notice of appeal with the city manager, on such form as may be approved by the city manager, and by paying a filing fee of \$250.00. If the appeal is successful and the violation is dismissed, the filing fee shall be returned to the person who filed the appeal. If the appeal is not successful, the filing fee shall be retained by the city to cover the costs of the hearing officer. The appeal form shall include, at a minimum, the name, mailing address and telephone number of the person filing the appeal, and a copy of the citation appealed shall be attached to the form.~~

~~(b) Within 60 days after the filing of a notice of appeal, the city manager shall arrange for a hearing officer, who shall be an attorney licensed to practice law in Florida, and shall schedule the hearing at a time agreeable to the person filing the appeal and to the police~~

officer who issued the citation, but in no event later than 90 days after the filing of the notice of appeal.

(c) Within 15 days after the hearing, the hearing officer shall issue a written decision either dismissing the citation or affirming the citation, assessing a civil penalty and late charge, and assessing attorney's fees and administration costs of the city. The decision shall be mailed to the city manager and to the person filing the appeal at the address listed on the appeal form.

Sec. 82-43. Liens for unpaid civil penalties and costs after appeal.

The city shall have a lien for the assessed civil penalty and late charge, plus assessed attorney's fees and administrative costs, on all property of the vehicle owner located in Hernando County. If any of said amounts remains unpaid more than fifteen (15) days after the date of the hearing officer's decision, the city shall cause such lien to be recorded on the public records of Hernando County. The lien shall bear interest at the rate of one percent (1%) per month until paid, which shall be stated in the recorded lien. A copy of the recorded lien shall be mailed to the registered owner of the cited vehicle. Any lien recorded pursuant to this article may be foreclosed if unpaid more than ninety (90) days.

Sec. 82-434. Removal of vehicle.

(a) F.S. chs. 316 and 705 are adopted and incorporated in this article. In addition, the city shall have the right to cause any vehicle to be impounded if such vehicle is parked either wholly or partially in a fire lane, is double parked, parked at a fire hydrant, or parked either wholly or partially on a sidewalk of a designated and marked pedestrian crossway. Upon the removal and impoundment of such vehicle, the owner shall be entitled to possession of same upon payment of all costs of removal, storage fees and ~~finer~~ civil penalties imposed.

(b) The city shall also have the right to cause any vehicle to be impounded if such vehicle is found in any public place in the city after three liens have been recorded on the public records of Hernando County pursuant to this article, which liens attach to said vehicle, and which liens remain unpaid. Upon the removal and impoundment of such vehicle, the owner shall be entitled to possession of same upon payment of all costs of removal, storage fees and the amounts owed on any unpaid recorded liens.

Sec. 82-445. Violation and fine civil penalty
schedule.

(a) Each of the following shall be a violation of this article, the fine civil penalty for which shall be as listed:

(1) *Overtime parking.* The fine civil penalty for parking overtime shall be \$5.00.

(2) *Fire lane.* The fine civil penalty for parking in a designated fire lane shall be \$50.00.

(3) *No parking zone.* The fine civil penalty for parking in a no parking zone shall be \$15.00.

(4) *Improper parking.* The fine civil penalty for improper parking shall be \$15.00.

(5) *Leaving keys in ignition.* The fine civil penalty for leaving keys in the ignition of an unattended parked vehicle shall be \$15.00.

(6) *Double parking.* The fine civil penalty for double parking shall be \$15.00.

(7) *Fire hydrant.* The fine civil penalty for parking at a fire hydrant shall be \$15.00.

(8) *Sidewalk.* The fine civil penalty for parking on a sidewalk shall be \$15.00.

(9) *Handicapped zone.* The fine civil penalty for parking in a designated handicapped zone shall be \$100.00 for the first offense and \$250.00 for the second offense.

(10) *Obstructing a driveway.* The fine civil penalty for obstructing a driveway shall be ~~\$15.00~~ \$50.00.

(11) *Obstructing a garbage dumpster.* The fine civil penalty for obstructing a garbage dumpster shall be \$15.00.

(12) *Unlawful parking of trucks.* The fine civil penalty for the unlawful parking of trucks shall be \$50.00.

(13) Unlawful parking of commercial vehicles. The fine civil penalty for the unlawful parking of commercial vehicles shall be \$50.00.

(14) *Unlawful parking of tow trucks and wreckers in residential areas.* The fine civil penalty for the unlawful parking of tow trucks and wreckers in residential areas shall be \$50.00.

~~(b) If found to be in violation, the violator will be responsible to pay all hearing and administrative costs associated therewith.~~

~~(c)~~ All violations as set forth in this section are noncriminal infractions.

SECTION 2. The Code of Ordinances of the City of Brooksville, Florida, Chapter 82, "Traffic and Vehicles," Article III, "Noise from Vehicles," Section 82-53, is hereby amended to read as follows:

Chapter 82

TRAFFIC AND VEHICLES

. . .

ARTICLE III. NOISE FROM VEHICLES

. . .

Sec. 82-53. Enforcement.

Enforcement of this Article shall be in the same manner as for parking violations, as provided in Sections 82-38 through 82-424 of this Chapter.

SECTION 3. Inclusion in Code. This ordinance shall be and become a part of the Code of the City of Brooksville, Florida, pursuant to Sections 1-4 and 1-5 thereof.

SECTION 4. Conflict. Any ordinance or code of the city, or any portion thereof, in conflict with the provisions of this ordinance, is hereby repealed to the extent of such conflict.

SECTION 5. Severability. In the event that any portion or section of this ordinance is determined to be invalid, unlawful or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance, which shall remain in full force and effect.

Legend: Underscored text is added;
text ~~lined through~~ is deleted.

SECTION 6. Effective Date. This ordinance shall take effect immediately upon its adoption by the Brooksville City Council.

ADOPTED IN REGULAR SESSION THIS _____ DAY OF _____, 2007, A.D.

CITY OF BROOKSVILLE

Attest: _____
Karen M. Phillips
City Clerk

By: _____
David Pugh
Mayor

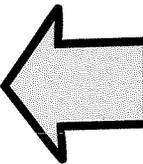
PASSED on First Reading _____

PASSED on Second & Final Reading _____

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

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

David La Croix, City Attorney



RESOLUTION NO. 2007-07

WHEREAS, the open exchange of public discourse is essential to the democratic system of government; and,

WHEREAS, as a cornerstone of democracy Americans have observed certain rules of behavior generally known as civility; and,

WHEREAS, civility, derived from the Latin words "civitas" meaning city and "civis" meaning citizen, is behavior worthy of citizens living in a community or in common with others; and,

WHEREAS, displays of anger, rudeness, ridicule, impatience, and a lack of respect and personal attacks detract from the open exchange of ideas, prevent fair discussion of the issues, and can discourage individuals from participation in government; and,

WHEREAS, civility can assist in reaching consensus on diverse issues and allow for mutually respectful ongoing relationships; and,

WHEREAS, civility can uplift our daily life and make it more pleasant to live in an organized society; and,

WHEREAS, the City, County and Local Government Law Section of The Florida Bar urges the adoption of a pledge of civility by all citizens in the State of Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF BROOKSVILLE, FLORIDA, hereby adopts this Resolution of Civility and calls upon all citizens to exercise civility toward each other.

PASSED in regular session this ___ day of _____, 2007.

CITY OF BROOKSVILLE

David Pugh, Mayor

ATTEST: _____

Karen M. Phillips,
City Clerk

VOTE OF COUNCIL:

Bernardini _____
Bradburn _____
Burnett _____
Lewis _____
Pugh _____

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

David LaCroix, City Attorney

CITY OF BROOKSVILLE
MEMORANDUM

To: Steve Baumgartner, City Manager

From: Emory H. Pierce, Director of Public Works
Bill Geiger, Dev. Dir.

Re: City of Brooksville New Subdivisions
Sidewalk Construction Policy # 2-2007

Date: March 15, 2007

PUBLIC CITY MAINTAINED ROADS

Whenever such a new road is constructed, sidewalks shall be installed on both sides of the entire length of the road within two years from the date of final plat approval. Said work shall be bonded, to insure completion of construction, at 125% of an engineer's cost estimate approved by the City. Said bond shall be in place and accepted by the City prior to final plat approval. Exceptions to this must be approved by City Council.

PRIVATE NON-CITY MAINTAINED ROADS

Whenever such a new road is constructed sidewalks shall be installed on both sides of the entire length of the road within five years from the date of final plat approval, or when 80% of the lots have developed, which ever comes first. Said work shall be bonded, to insure completion of construction, at 125% of an engineer's cost estimate approved by the City. Said bond shall be in place and accepted by the City prior to final plat approval. Exceptions to this must be approved by City Council.

Sidewalks across common areas will be constructed prior to the issuance of the first Certificate of Occupancy for any structure associated with the project.

Prior to the fifth year or 80% deadline, sidewalks will be constructed across each lot prior to the issuance of the Certificate of Occupancy, for any additional lot development.

City of Brooksville MEMORANDUM



To: Honorable Mayor and City Council Members

From: Karen M. Phillips, Director of Administration/City Clerk 

Subject: Revised Neighborhood Traffic Management Program Policy #2-2001

Date: March 23, 2007

Attached please find a copy of the proposed revised "Speed Hump" policy provided by Public Works Director Pierce as a result of the February 26, 2007 Workshop.

[G:\WP_WORK\ClerkOffice\MEMOS\Council - Speed Hump Policy.wpd]

CITY OF BROOKSVILLE
DRAFT OFFICIAL POLICY PROPOSED REVISIONS
2-2001

NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM

Speeding and unsafe driving practices, particularly on residential streets, have become an increasing concern to our residents. Excessive speeds jeopardize both the safety and "quiet enjoyment" of our neighborhoods. The City has established a comprehensive Traffic Management Program, which enlists community residents to help Staff in solving specific speeding and related problems on our residential streets. The Program reflects the Council's continued commitment to address a wide range of community goals and objectives, including mobility, efficiency and the safety of our residents.

A Traffic Management Program may include Alternative Street Design Components (ASDCs) which include the application of techniques ranging from signage and pavement markings to street design modifications (landscaping, speed humps), combined with increased traffic regulations and enforcement. Unfortunately every street section presents unique problems, and what is effective in some areas will not work in others, i.e., the actions taken will vary depending on the circumstances.

As speeding and unsafe or hazardous driving practices occur throughout the City, it will be necessary to prioritize requests to have a Traffic Study conducted by having residents first fill out a petition. A copy of the petition form and traffic study/installation guidelines may be obtained from the Public Works Department. Although streets will be selected based on requests by residents, others may be included by the City if conditions warrant.

A. Citizen Request Procedure

A request or petition must be received from a majority of the households/addresses along a particular street or street segment before staff shall take any action. Once an adequate petition is received staff shall notify City Council and the actual property owners of the parcels abutting the street or street segment involved, that such a request/petition has been received and that staff is proceeding with the Problem Identification/Traffic Study Phase..

As some of the corrective actions may directly impact persons living on adjacent streets (including delays and increased duration of traffic, additional signs, pavement striping, noise, etc.). The City may notify other residents and property owners on adjoining streets.

B. Problem Identification

1. Staff will conduct traffic studies to verify traffic volume and patterns, which will include a review of speeding citations issued, accident reports, traffic counts, etc. Staff may also meet with neighborhood representatives to discuss identified traffic issues, specific traffic related problems, and possible corrective actions as part of the study.
2. A Traffic Plan will be prepared which may include enhanced Police enforcement, automated radar/speed display units, and/or the construction of alternate design components and other control devices.

C. Traffic Management Program

1. A detailed report of the ASDCs being proposed (if any) and cost estimates will be presented to the City Council for approval prior to making any changes or construction. Concurrence by adjoining residents/owners may be a consideration for approval.
2. The Council may require a neighborhood vote, e.g., "postcard ballot" (one vote for each adjoining "parcel") prior to consideration of ASDCs. If the Council does not approve a proposed Plan, another petition may be submitted after 90 days.
3. City staff will implement, and subsequently monitor, approved Plans to ensure the Program is functioning in accordance with the original goals.

D. It shall be City Policy that Speed Humps will only be installed if:

- I. Average Daily Traffic (ADT) is less than 1500 vehicles per day.
- II. The 85th percentile speed is more than, 10 MPH over the posted speed limit.
- III. The posted speed limit is 25 MPH or less.
- IV. Street grade/slope is less than 10% and or other overriding drainage or sight distance problems do not exist.
- V. Proposed street is identified by emergency personnel as not being a direct thoroughfare to access other areas for emergency calls.
- VI. Staff is directed by Council to install Speed Humps.

CITY OF BROOKSVILLE
OFFICIAL POLICY
2-2001

ORIGINAL
POLICY

NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM

Speeding and unsafe driving practices, particularly on residential streets, have become an increasing concern to our residents. Excessive speeds jeopardize both the safety and "livability" of our neighborhoods. The City has established a comprehensive Traffic Management Program, which enlists community residents to help Staff in solving specific speeding and related problems on our residential streets. The Program reflects the Council's continued commitment to address a wide range of community goals and objectives, including mobility, efficiency and the safety of our residents.

A Traffic Management Program may include Alternative Street Design Components (ASDCs) which include the application of techniques ranging from signage and pavement markings to street design modifications, combined with increased traffic regulations and enforcement. Unfortunately every street section presents unique problems, and what is effective in some areas will not work in others, i.e., the actions taken will vary depending on the circumstances.

As speeding and unsafe or hazardous driving practices occur throughout the City, it will be necessary to prioritize requests to have a Traffic Study conducted. For the purpose of this Program, only "Local" and certain "Collector" streets will be eligible. Although streets will be selected based on requests by residents, others may be included by the City if conditions warrant.

After a Traffic Management area has been designated by the Council, staff will address the specific concerns and challenges related to the street(s), and if authorized by Council, subsequently implement appropriate measures to reduce identified problems.

A. Citizen Request Procedure

Although a request for a Study can be submitted by an individual, the Council may require a petition (appropriate form will be provided by the City) by a majority of the property owners on the specified street(s). The City may include other residents and property owners in the petitioning area if front ingress/egress to their developed property requires traveling over the selected street or street segment. As some of the corrective actions may directly impact persons living along the street (including delays and increased

duration of traffic, additional signs, pavement striping, noise, etc.), concurrence by adjoining residents may be a consideration of approval. A copy of the petition form and traffic study/installation guidelines may be obtained from the Public Works Department.

B. Problem Identification

1. Staff will conduct traffic studies to verify traffic volume and patterns, which may include a review of speeding citations issued, accident reports, traffic counts, etc. Staff may also meet with neighborhood representatives to discuss identified traffic issues, specific traffic related problems, and possible corrective actions as part of the study.
2. A Traffic Plan will be prepared which may include enhanced Police enforcement, automated radar/speed display units, and/or the construction of alternate design components and other control devices.

C. Traffic Management Program

1. A detailed report of the ASDCs being proposed (if any) and cost estimates will be presented to the City Council. If appropriate, a summary of the Plan will be provided to residents/property owners abutting the street(s).
2. The Council may require a neighborhood vote, e.g., "postcard ballot" (one vote for each adjoining "parcel") prior to consideration of ASDCs. If the Council does not approve a proposed Plan, another petition may be submitted after 90 days.
3. City staff will implement, and subsequently monitor, approved Plans to ensure the Program is functioning in accordance with the original goals.



Richard E. Anderson
City Manager

Approved by Council: July 2, 2001

(For convenience copy of initial implementation guidelines attached)

G:\WP_WORK\ClerkOffice\POLICIES\2-2001 traffic management.wpd

NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM

Alternate Street Design and Related Components (ASDCs) Processing/Installation Guidelines

The City will determine the type and location of Alternate Street Design Components (ASDCs) to be included in a specific Traffic Management Plan, e.g., elevation changes, speed tables, textured pavements, channelization, rumble strips, etc., utilizing the following guidelines and in accordance with current engineering principles.

1. Citizen Support: Neighborhood support for an alternative street design will be documented by the City. Unfortunately, it is not always possible to accommodate preferences of all property owners adjacent to the locations.
2. Traffic Analysis and Engineering Study: City staff will conduct traffic studies to determine eligibility for the Program, analyze accident history, compare recorded speeds with posted limits, review signage, etc. Based on available data, whether alternate design components or other safety measures may be appropriate or warranted will be determined. Since ASDCs may divert traffic to other streets, an estimate of the amount and location of such diversions will be made so that the potential impact of proposed ASDCs can be fully considered.
3. Street Categories:
 - a. Local/Low Volume - Residential streets that are designated for local residential access and/or are Collector streets with low average volumes, i.e., less than 500 vehicles per day (vpd), will have a lower priority. Implementation may be limited to a review of signage, striping, etc., enhanced Police enforcement and a driver education strategy. The installation of ASDCs may be approved for installation, however, the total cost may not be funded by the City.
 - b. Collector/Moderate Volume - Streets designed as Collectors (connecting Local streets to other roads), or which serve as "thru" routes for a neighborhood and/or where volumes are moderate (1,000 to 4,000 vpd). When specific safety problems are identified, a combination of driver education, concentrated enforcement of traffic regulations (including portable, radar and speed display unit used to promote speed awareness) and the constructing of ASDCs may be proposed.

- c. Residential and Collector streets with a vpd of under 500 or over 4,000 will be approved by Council only under exceptional circumstances, streets that carry more than 6,000 vpd, will not be considered for ASDCs.
 - d. Arterial - Trafficways designated for, and/or streets with high traffic volumes (in excess of 6,000 vpd) will be addressed separately by the City, County, or State, and are not eligible for this program.
4. Street Width and Number of Lanes: ASDCs will not be used on streets with more than two travel lanes, or streets with an overall pavement width of less than 40 feet. In addition, the pavement must have a good surface, with no drainage complications.
 5. Sight Distance: Only streets where the minimum safe stopping sight distance can be provided (as defined in American Association of State Highway & Transportation Official's (AASHT) "A Policy on Geometric Design of Streets") will be considered for an alternate design.
 6. Street Grades: ASDCs will only be considered for use on streets with grades of 8% or less approaching an ASDC. When installed on streets with significant downgrades, special care shall be taken to ensure that vehicles will not approach ASDCs at excessive speeds.
 7. Horizontal and Vertical Alignment: ASDCs will not be placed within severe horizontal (curves of less than 300 feet centerline radius) or vertical (less than the minimum safe stopping sight distance) curves that might result in substantial lateral or vertical traversing of the device. If possible, ASDCs will be located on tangents rather than curve sections.
 8. Traffic Speeds: Only streets where the posted speed limit is 35 mph or less will be considered for alternate designs.
 9. Traffic Volumes: Rounded profile or "flat top" (table profile) components will be considered for installation on streets with an average daily traffic volume of between 500 and 3,000 vpd. Only "flat top" ASDCs will be installed on streets with a traffic volume of between 3,000 and 6,000 (the maximum allowable volume).
 10. Vehicle Mix: Streets that carry significant volumes (greater than 5%) of long wheelbase vehicles will not normally be considered for an alternate design unless there is a reasonable alternative route for those vehicles. Special consideration will also be given to motorcycles, bicycles and other types of special vehicles that use the street. The

impact that ASDCs might have on these individual vehicle types will be considered in the decision to redesign a street, and ultimately considered in component design and location.

11. Traffic Safety: Proposed ASDC locations will not be approved if it is determined that such an installation will increase accident potential for subject street.
12. Other Considerations:
 - a. ASDCs will generally be placed approximately 500 to 600 feet apart. Other spacing may be used based upon engineering judgment.
 - b. ASDCs shall not be located in front of driveways, cross walks, etc. or within an intersection.
 - c. ASDCs should generally not be located within 500 to 600 feet of a traffic signal or stop sign, or within 50 feet of an uncontrolled intersection.
 - d. ASDCs are not to be located over or contain manholes, water valves or other subsurface utilities access devices.
 - e. ASDCs should not be located adjacent to fire hydrants.
 - f. ASDCs located near drainage inlets, should be placed downstream of the inlet. If not feasible, special treatment will be considered for drainage conditions.
 - g. To improve nighttime visibility, coordinating device locations with existing or planned street lighting should be considered.
13. Street Markings and Warning Signs: Signs shall be required to warn motorists of the presence of ASDCs along a street segment. Due to aesthetic considerations, the street markings and number of signs installed shall be minimized.
 - a. The general design, layout and placement of the ASDC warnings shall be in conformance with the Florida Manual on Uniform Traffic Control Devices (FMUTCD), latest revision.
 - b. The following guidelines shall be considered when locating and installing these signs:
 1. If an additional ASDC is installed abutting an existing segment, the two segments may be considered as one segment. Existing signs shall be modified so as to incorporate the two segments.

2. ASDC warning signs shall be installed in advance of the first device in the segment for each direction of travel. No other ASDC warning signs shall be required for motorists traveling along the segment provided adequate warning is given to motorists prior to their entering the segment.
 3. Warning signs shall be installed on roadways that intersect the subject segment where ASDCs are installed. These signs shall face the side street near the intersection. Arrows on the signs shall indicate in which direction ASDCs are located. If a motorist turns from the side street onto the subject segment, no additional signs shall be required along the segment provided adequate warning is given to motorists prior to the turn being made.
14. Payment for Alternative Design Component Installation: City funding will be considered for ASDCs for streets where the average speed in both directions (in a 24-hour study period) exceeds the posted speed limit, by 10 mph or more, or streets with three or more speed-related accidents during the proceeding twenty-four (24) months. Funding may be extended to include streets which are expected to have traffic diverted to them as a result of alternative street design.

If a street does not meet the minimum average speed, the minimum volume, or other criteria specified herein the Council may approve ASDC, or may require that neighborhood/adjoining property owners participate in the cost of the installation (including engineering and construction) as a condition of approval.

(For convenience copy of initial implementation guidelines attached to policy)

MEMORANDUM

To: Honorable Mayor & City Council Members
Via: Steve Baumgartner, Interim City Manager
From: Bill Geiger, Community Development Director *BG*
Petitioner: Charles M. Sasser., Jr.
Subject: RP2007-02; Southern Pines Condominium Block 1 Replat
Location: The property is located on the Southwest corner of the Intersection of SR 50 and Mobley Road (metes & bounds description of the property is on file)
Date: March 20, 2007

SUMMARY OF REQUEST - GENERAL INFORMATION

The petitioner, Charles M. Sasser, Jr., has requested approval for a Replat of Southern Pines Condominium Block 1. The scope of changes effected by this replat from the original plat is the realignment of the Clinton Boulevard cul-de-sac. A breakaway gate (for emergency access purposes) will be installed at the end of Clinton Boulevard near its intersection with Farnham Avenue. The Farnham Avenue rights-of-way is currently being used as part of a private driveway serving five residential properties west of the condominium project site. The fifty (50) right-of-way and cul-de-sac for Clinton Boulevard is being dedicated to the Public via this replat. The balance of roads and drainage retention structures associated with this replat will be privately owned and maintained.

The overall development of Block 1 includes fourteen 3-story buildings with 224-residential units and a clubhouse.

The City's surveyor has reviewed the proposed replat and has indicated that it conforms to statutory requirements, subject to some minor corrections which need reflected on the signature copy.

PLANNING & ZONING COMMISSION & STAFF RECOMMENDATION:

At their meeting on March 14, 2007, the Planning and Zoning Commission concurred with the staff recommendation to approve the subdivision labeled "Southern Pines Condominium Block 1 Replat" submitted by Coffin & McLean Assoc., Inc., date stamped February 1, 2007 (subject to minor corrections to be reflected on the signature copy as per the City's surveyor), authorized the Chairman to sign the Replat document, and recommended that the City Council approve the same.

NOTE: The Replat review/approval process is a legislative determination which does not constitute a permit for either construction on or use of the property. Nor are these actions considered a Certificate of Concurrence. Prior to use of or construction on the property, the petitioner must receive approval from the City and other governmental agencies that have regulatory authority over the proposed development.

The granting of this legislative determination does not protect the owner from civil liability for recorded deed restrictions which may exceed City land use ordinances. Homeowners' associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

Enclosures: 1) Southern Pines Condominium Block 1 Replat

A REPLAT OF SOUTHERN PINES CONDOMINIUM BLOCK 1 A PHASED CONDOMINIUM

PLAT BOOK _____
PAGE _____

A PORTION OF LAND LYING IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 19 EAST, CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA.

DESCRIPTION :

All that Portion of Parcel's 35-D and 35-H in Section 29, Township 22 South, Range 19 East, Hernando County, Florida, More particularly described as follows :

Commence at the Southeast Corner of the Northwest 1/4 of said Section 29; Thence run S 89°25'18"W, along the South Line of the Northwest 1/4 of said Section 29, a distance of 12.17 feet; Thence run N 00°10'40" E, a distance of 44.88 feet to a point on the Westerly R/W Line of MOBLEY ROAD; Thence run N 00°02'20" W along said Westerly R/W Line of MOBLEY ROAD, a distance of 782.27 feet to the POINT OF BEGINNING; Thence leaving said Westerly R/W Line, run S 89°38'32" W, a distance of 532.93 feet; Thence N 00°04'33" E, a distance of 110.04 feet; Thence N 47°30'46" W, a distance of 248.57 feet; Thence N 30°49'24" W, a distance of 28.73 feet; Thence N 00°42'22" W, a distance of 365.44 feet; Thence N 89°09'20" W, a distance of 387.64 feet; Thence N 12°21'51" W, a distance of 73.92 feet; Thence N 00°46'34" E, a distance of 220.78 feet to a point on the Easterly R/W Line of State Road Highway No. 50 (Also known as CORTEZ BLVD); Thence run N 39°28'14" E along said Easterly R/W Line of State Road Highway No. 50, a distance of 32.91 feet; Thence N 61°47'48" W, a distance of 10.00 feet; Thence N 39°22'55" E, a distance of 300.00 feet; Thence S 50°37'05" E, a distance of 10.00 feet; Thence N 39°22'55" E, a distance of 200.00 feet; Thence S 50°37'05" E, a distance of 10.00 feet; Thence N 39°22'55" E, a distance of 538.15 feet to the Intersection of the Easterly R/W Line of State Road Highway No. 50 and the Westerly R/W Line of MOBLEY ROAD; Thence following the afore mentioned Westerly R/W Line of MOBLEY ROAD; Thence run S 64°30'18" E, a distance of 398.96 feet; Thence 285.50 feet along the Arc of a Curve, said Curve being concave Southeasterly, Having a Radius of 300.00 feet, A Central Angle of 54°31'35", A Chord Bearing and Chord of S 27°14'31" E, 274.86 feet; Thence continue along the Westerly R/W Line of MOBLEY ROAD, S 00°01'16" W, a distance of 1,309.83 feet to the POINT OF BEGINNING.

Containing 31.315 Acres, More or Less

NOTICE :

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT, WHETHER GRAPHIC OR DIGITAL. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DEDICATION

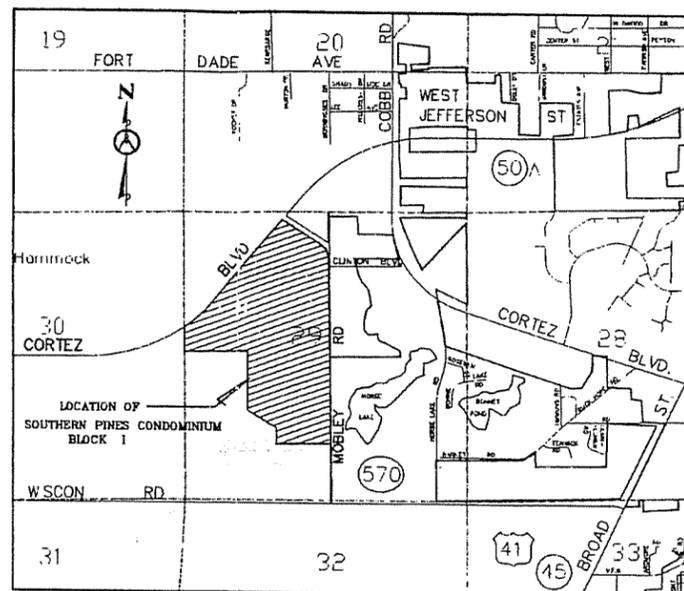
KNOW ALL MEN AT THESE PRESENTS, THAT I, CHARLES M. SASSER, JR., AS TRUSTEE OF THE CHARLES M. SASSER, JR. REVOCABLE LIVING TRUST, DATED FEBRUARY 14, 1996; OWNER OF THE LAND DESCRIBED HEREON, HAS CAUSED THE LAND EMBRACED IN THIS PLAT TO BE SURVEYED, LAID OUT, AND PLATTED AS SOUTHERN PINES CONDOMINIUM BLOCK 1, PURSUANT TO FLORIDA STATUTE 718.104 AND THE STREET SHOWN HEREON NAMED AND KNOWN AS CLINTON BLVD IS DEDICATED TO THE PUBLIC AND THE PURCHASERS OF ANY LANDS SHOWN ON THIS PLAT AND THE RIGHT-OF-WAY OF CLINTON BLVD TO JOIN THE RIGHT-OF-WAY OF FARNHAM AVENUE AT A WIDTH OF 55.00 FEET AND TO ACCESS TRACT A & B SHOWN HEREON KNOWN AS SOUTHERN PINES DRIVE AND ACCESS TRACT C SHOWN HEREON KNOWN AS PANSY LANE ARE DEDICATED EXCLUSIVELY FOR THE COMMON USE AND BENEFIT OF THE CONDOMINIUM UNITS OF SOUTHERN PINES CONDOMINIUM AND FOR THE USE OF UTILITY COMPANIES AS THEY MAY REQUIRE; AND TRACT A & B ARE HEREBY DEDICATED TO SOUTHERN PINES CONDOMINIUM ASSOCIATION, INC IN PERPETUITY FOR THE PURPOSE OF SITE DRAINAGE AND TO BE MAINTAINED BY SAID ASSOCIATION; AND TRACT C IS HEREBY DEDICATED FOR THE COMMON USE AND BENEFIT OF THE CONDOMINIUM UNITS OF SOUTHERN PINES CONDOMINIUM.

WITNESS my hand and sealed in the presence of :

WITNESS _____ CHARLES M. SASSER JR., TRUSTEE

WITNESS _____

PREPARED BY :
COFFIN & McLEAN ASSOC., INC.
Professional Land Surveying
Florida Licence No. 5232
3701 Commercial Way
P.O. Box 5145
Spring Hill, FL 34611-0145
(352) 683-5993 FAX (352) 683-9156



VICINITY MAP
N. T. S.

ACKNOWLEDGEMENT

STATE OF : FLORIDA
COUNTY OF HERNANDO

I HEREBY CERTIFY ON THIS _____ DAY OF _____ A.D., 2006 BEFORE ME PERSONALLY APPEARED CHARLES M. SASSER JR., AS TRUSTEE OF THE CHARLES M. SASSER, JR. REVOCABLE LIVING TRUST DATED FEBRUARY 14, 1996, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND DEDICATION AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 2006

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

CERTIFICATE OF REVIEW BY CITY OF BROOKSVILLE EMPLOYED / CONTRACTED PROFESSIONAL SURVEYOR AND MAPPER

I, J. ERIC CORRIGHAM, HEREBY CERTIFY THAT I REVIEWED SHEETS 1 & 2 OF THIS PLAT FOR CONFORMITY TO CHAPTER 177, F.S., AND THAT I AM EMPLOYED BY, OR UNDER CONTRACT TO THE APPROPRIATE LOCAL GOVERNING BODY AND AM ACTING HERETO AS AN AGENT OF THE CITY. THIS LIMITED CERTIFICATION AS TO FACIAL CONFORMITY WITH THE REQUIREMENTS OF CH 177 IS NOT INTENDED TO BE, AND SHOULD NOT BE CONSTRUED AS, A CERTIFICATION OF THE ACCURACY OR QUALITY OF THE SURVEYING / MAPPING REFLECTED ON THIS PLAT.

PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 5168

DATE _____

GENERAL NOTES :

1. Stairways, Covered Porches and Storage Areas are Designated as Limited Common Elements
2. All Areas not included within a Unit and not Designated as Limited Common Elements are Common Elements
3. All Areas of Common Elements are Subject to Easements for Installation and Maintenance of Drainage and Utilities including, but not limited to, Electrical Service, Telephone, Sewer, Water, Lighting, Cable Television, and Sprinkler Systems
4. Paved Areas of Common Elements Designated or Existing as Roadways and Parking Areas are Subject to an Easement to Ingress and Egress

RESOLUTION

WHEREAS, THIS PLAT WAS ON THE _____ DAY OF _____ 2006 SUBMITTED TO THE CITY COUNCIL, BROOKSVILLE, HERNANDO COUNTY, FLORIDA, FOR APPROVAL FOR RECORD AND HAS BEEN APPROVED BY SAID COUNCIL; NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, BROOKSVILLE, HERNANDO COUNTY, FLORIDA, THAT SAID PLAT IS HEREBY APPROVED AND SAID PLAT SHALL BE RECORDED IN THE PUBLIC RECORDS OF THIS CITY, AND THAT THE DEDICATION OF ALL STREETS SHOWN THEREON IS HEREBY ACCEPTED BY SAID COUNCIL FOR THE CITY OF BROOKSVILLE, AND THE PUBLIC GENERAL AND SHALL BE BINDING ON ALL PERSONS HEREAFTER

ATTEST : _____
CITY CLERK _____ MAYOR _____

CERTIFICATE OF APPROVAL BY BROOKSVILLE PLANNING AND ZONING COMMISSION

THIS IS TO CERTIFY, that on _____ 2006 BROOKSVILLE PLANNING AND ZONING COMMISSION APPROVED THE ABOVE PLAT OR PLAN.

CHAIRMAN _____

CERTIFICATE OF APPROVAL BY CITY ATTORNEY

THIS PLAT HAS BEEN REVIEWED AND APPROVED AS TO LEGAL FORM AND CONTENT.

CITY ATTORNEY _____ DATED _____

CERTIFICATE OF APPROVAL BY CITY ENGINEER

EXAMINED AND APPROVED :

CITY ENGINEER _____ DATED _____

CLERK'S CERTIFICATE

I, KAREN NICOLA, CLERK OF THE CIRCUIT COURT OF HERNANDO COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD ON THE _____ DAY OF _____, 2006.

FILE No _____ AND RECORDED IN PLAT BOOK _____ PAGE(S) _____

CLERK OF THE CIRCUIT COURT
HERNANDO COUNTY, FLORIDA

SURVEYOR'S CERTIFICATE

JAMES W. COFFIN, THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR AND MAPPER, AUTHORIZED TO PRACTICE IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT THIS MAP OF SOUTHERN PINES CONDOMINIUM BLOCK 1, SHEETS 1 & 2 OF 4 INCLUSIVE, TOGETHER WITH THE DECLARATION, ARE IN SUFFICIENT DETAIL SO THAT THE IDENTIFICATION, LOCATION AND DIMENSIONS OF THE COMMON ELEMENTS AND EACH UNIT CAN BE DETERMINED FROM SAID PLAT AND DECLARATION. I ALSO STATE THAT THIS PLAT COMPLIES WITH ALL PROVISIONS OF CHAPTER 177, FLORIDA STATUTES.

JAMES W. COFFIN
FLORIDA REGISTERED SURVEYOR, L.S. # 3682

DATE _____

FFR 01 2007

A REPLAT OF SOUTHERN PINES CONDOMINIUM BLOCK 1

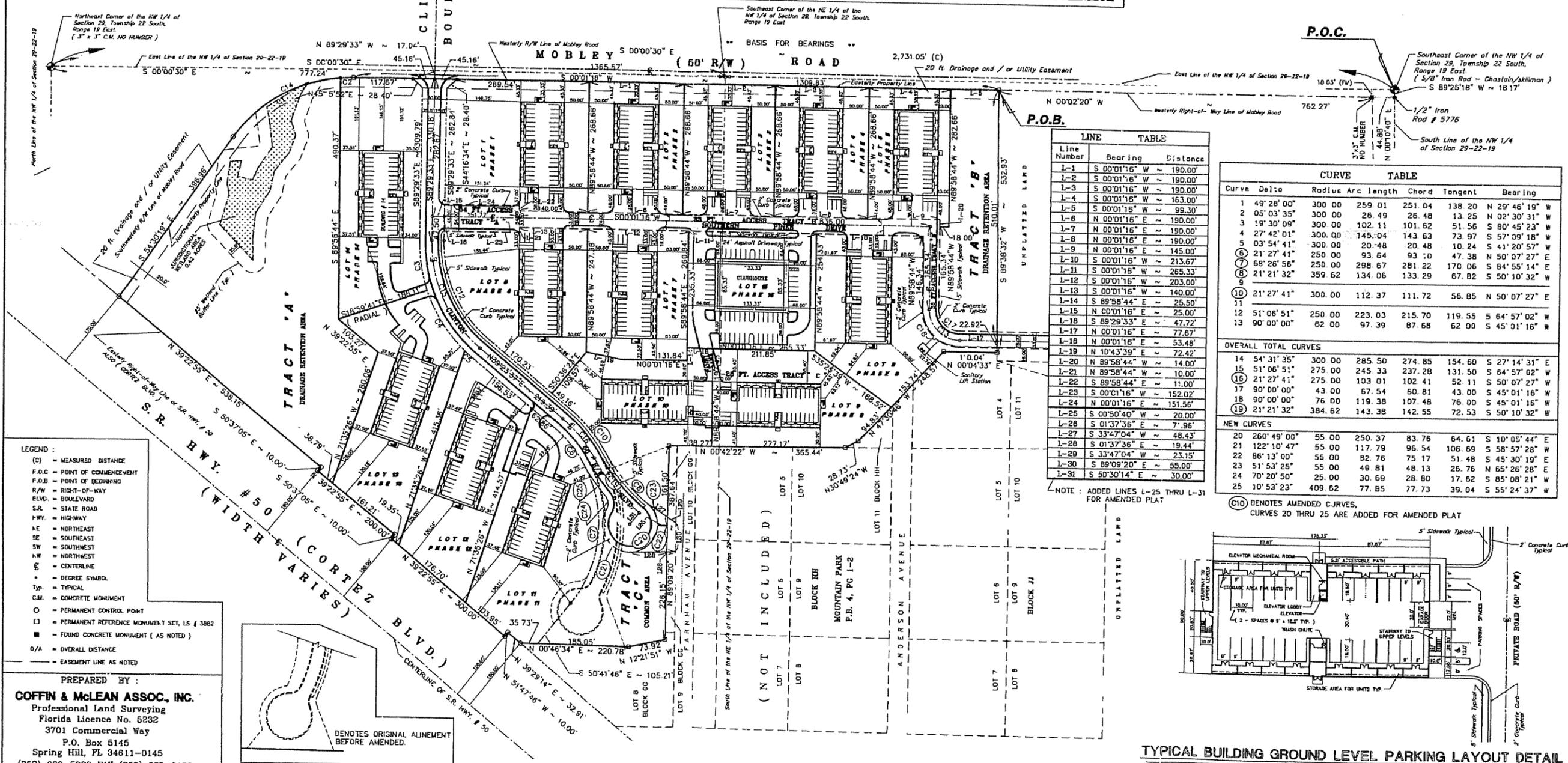
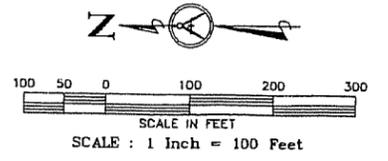
A PHASED CONDOMINIUM

A PORTION OF LAND LYING IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 19 EAST, CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA.

PLAT BOOK _____
PAGE _____

NOTE:
1. BEARINGS ARE BASED ON THE EAST LINE OF THE NW 1/4 OF SECTION 29, TOWNSHIP 22 SOUTH, RANGE 19 EAST, AT A BEARING OF S 00°00'30" E.

NOTE: CLINTON BLVD. DEDICATED TO THE CITY OF BROOKSVILLE; ACCESS TRACT "A", ACCESS TRACT "B" (TO BE KNOWN AS SOUTHERN PINES DRIVE) AND ACCESS TRACT "C" (TO BE KNOWN AS PANSY LANE) IS DEDICATED TO SOUTHERN PINES CONDOMINIUM

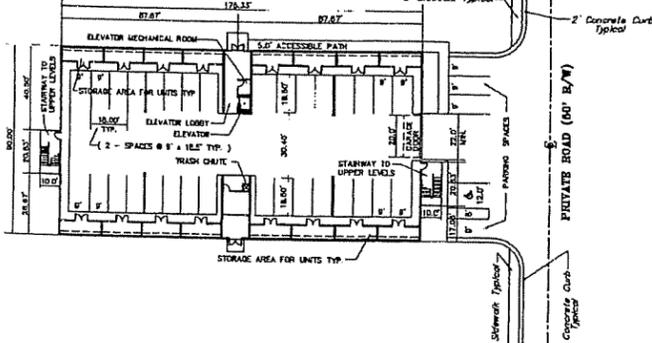


Line Number	Bearing	Distance
L-1	S 00°01'16" W	190.00'
L-2	S 00°01'16" W	190.00'
L-3	S 00°01'16" W	190.00'
L-4	S 00°01'16" W	163.00'
L-5	S 00°01'15" W	99.30'
L-6	N 00°01'16" E	190.00'
L-7	N 00°01'16" E	190.00'
L-8	N 00°01'16" E	190.00'
L-9	N 00°01'16" E	145.00'
L-10	S 00°01'16" W	213.67'
L-11	S 00°01'15" W	265.33'
L-12	S 00°01'16" W	203.00'
L-13	S 00°01'16" W	140.00'
L-14	N 89°58'44" E	25.50'
L-15	N 00°01'16" E	25.00'
L-16	S 89°29'33" E	47.72'
L-17	N 00°01'16" E	77.67'
L-18	N 00°01'16" E	53.48'
L-19	N 10°43'39" E	72.42'
L-20	N 89°58'44" W	14.00'
L-21	N 89°58'44" W	10.00'
L-22	S 89°58'44" E	11.00'
L-23	S 00°01'16" W	152.02'
L-24	N 00°01'16" E	151.56'
L-25	S 00°50'40" W	20.00'
L-26	S 01°37'36" E	7.96'
L-27	S 33°7'04" W	48.43'
L-28	S 01°37'36" E	19.44'
L-29	S 33°7'04" W	23.15'
L-30	S 89°09'20" E	55.00'
L-31	S 50°30'14" E	30.00'

Curve	Delta	Radius	Arc length	Chord	Tangent	Bearing
1	49°28'00"	300.00	259.01	251.04	138.20	N 29°46'19" W
2	05°03'35"	300.00	26.49	26.48	13.25	N 02°30'31" W
3	19°30'09"	300.00	102.11	101.62	51.56	S 80°45'23" W
4	27°42'01"	300.00	145.04	143.63	73.97	S 57°09'18" W
5	03°54'41"	300.00	20.48	20.48	10.24	S 41°20'57" W
6	21°27'41"	250.00	93.64	93.10	47.38	N 50°07'27" E
7	68°26'56"	250.00	298.67	281.22	170.06	S 84°55'14" E
8	21°21'32"	359.62	134.06	133.29	67.82	S 50°10'32" W
9						
10	21°27'41"	300.00	112.37	111.72	56.85	N 50°07'27" E
11						
12	51°06'51"	250.00	223.03	215.70	119.55	S 64°57'02" W
13	90°00'00"	62.00	97.39	87.68	62.00	S 45°01'16" W

Curve	Delta	Radius	Arc length	Chord	Tangent	Bearing
14	54°31'35"	300.00	285.50	274.85	154.60	S 27°14'31" E
15	51°06'51"	275.00	245.33	237.28	131.50	S 64°57'02" W
16	21°27'41"	275.00	103.01	102.41	52.11	S 50°07'27" W
17	90°00'00"	43.00	67.54	60.81	43.00	S 45°01'16" W
18	90°00'00"	76.00	119.38	107.48	76.00	S 45°01'16" W
19	21°21'32"	384.62	143.38	142.55	72.53	S 50°10'32" W

NEW CURVES
20 260°49'00" 55.00 250.37 83.76 64.61 S 10°05'44" E
21 122°10'47" 55.00 117.79 96.54 106.69 S 58°57'28" W
22 86°13'00" 55.00 82.76 75.17 51.48 S 45°30'19" E
23 51°53'25" 55.00 49.81 48.13 26.76 N 65°26'28" E
24 70°20'50" 25.00 30.69 28.80 17.62 S 85°08'21" W
25 10°53'23" 409.62 77.85 77.73 39.04 S 55°24'37" W



- LEGEND:
- (C) = MEASURED DISTANCE
 - F.O.C. = POINT OF COMMENCEMENT
 - F.O.B. = POINT OF BEGINNING
 - R/W = RIGHT-OF-WAY
 - BLVD. = BOULEVARD
 - S.R. = STATE ROAD
 - H.W. = HIGHWAY
 - N, NE, SE, SW, NW = NORTH, NORTHEAST, SOUTHEAST, SOUTHWEST, NORTHWEST
 - ± = CENTERLINE
 - ° = DEGREE SYMBOL
 - Typ. = TYPICAL
 - C.M. = CONCRETE MONUMENT
 - = PERMANENT CONTROL POINT
 - = PERMANENT REFERENCE MONUMENT SET, LS # 3882
 - = FOUND CONCRETE MONUMENT (AS NOTED)
 - D/A = OVERALL DISTANCE
 - - - = EASEMENT LINE AS NOTED

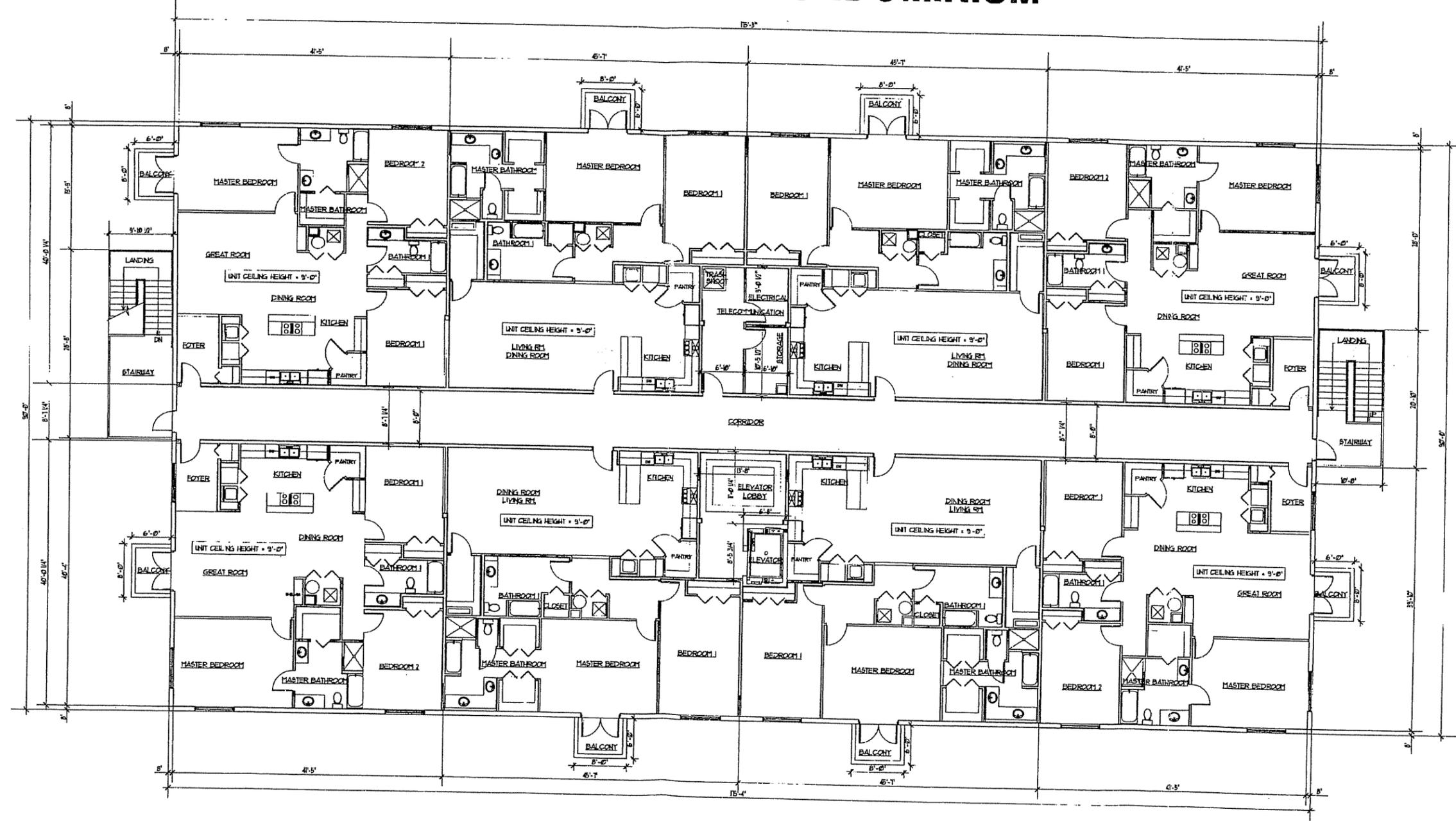
PREPARED BY:
COFFIN & McLEAN ASSOC., INC.
Professional Land Surveying
Florida Licence No. 5232
3701 Commercial Way
P.O. Box 5145
Spring Hill, FL 34611-0145
(352) 683-5983 FAX (352) 683-9156

SOUTHERN PINES CONDOMINIUM BLOCK 1

A PORTION OF LAND LYING IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 19 EAST, CITY OF BROOKSVILLE, HERNANDO COUNTY, FLORIDA.

A PHASED CONDOMINIUM

PLAT BOOK _____
PAGE _____



BUILDING PLANS PREPARED BY :

MELTON AND ASSOCIATES CHARTERED ARCHITECTS
#A452793
THOMAS L. MELTON, ARCHITECT
FLORIDA # A0007023
3303 SOUTH FLORIDA AVE., LACELAND, FLORIDA 33873-5001
TEL: 888-446-2282 FAX: 888-446-2286
MELTONARCHITECTS@AOL.COM

THIRD FLOOR PLAN (CONDO'S)
(TYPICAL FOR ALL BUILDINGS)
SCALE: 1/8" = 1'-0"

TOTAL BUILDING HEIGHT = 42'-6"



CITY OF BROOKSVILLE

Memorandum

TO:

(X) Mayor David Pugh
 (X) Vice Mayor Frankie Burnett
 (X) Council Member Joe Bernardini
 (X) Council Member Lara Bradburn
 (X) Council Member Richard E. Lewis

ACTION:

() As you requested
 (X) For your information
 () Appropriate action
 () Review and return
 () Review & route

FROM:

Stephen J. Baumgartner *sjb*
 Interim City Manager

DATE: March 26, 2007

SUBJECT:

BERT Command Unit Renovation

Direction on the BERT Command Unit renovation is needed from Council. In the 06/07 Budget \$25,000 was budgeted as a capital improvement in the Storm Readiness Fund for renovation of the BERT Command Unit. Radio equipment has already been installed in the Unit, and a generator purchased in 2005/06 at a cost of \$12,461 will also be installed on the Unit.

Tied to the renovation of the BERT Unit, but not necessarily a direct connection is the overall direction of the Brooksville Emergency Response Team (BERT). Whether the BERT men and women went out on future deployments depends upon our readiness, being called to serve, and Council's direction as to the future of the mission.

I did some research to find out what financial ramifications would occur if BERT was scaled back or the team was used for City only emergencies. The BERT Command Unit is a motor coach bus purchased at a reduced price which was \$2,000 (plus cost to pick up of \$769 for a total of \$2,769—see attached) from Federal Government Surplus sources. It is certified to the agency it is purchased from that the Unit will be used for law enforcement purposes by a public law enforcement agency. I do not believe that other stipulations exist with previous equipment due to grants or agreements.

The BERT Command Center Unit could be used for an emergency as in the most likely scenario of a Hurricane hitting Hernando County. The City needs to be prepared for a disaster. The Command Unit could be removed from the area and brought back after the storm to be used for example as a DPW or Police/Fire Command Center depending on the needs at the time. City Hall will have additional protection with the hurricane screen retrofitting, but there would be no assurance that City Hall could withstand a major Hurricane. Hernando County would likely be equally affected by the storm. The City would probably need to have her its Command Center in the critical days after the storm with all State, County and City resources being in short supply.

FIXED ASSET CONTROL FORM

FA# 1650 No 5122

DIVISION: POLICE DEPT

FIXED ASSET: MOTOR COACH BUS

SERIAL NUMBER: 2310-00-AUSTIN AC

OTHER I.D. (Make, Model, etc.): _____

PURPOSE OF SUBMITTAL:

PURCHASE / COST 2769.17

(1) DATE PURCHASED: 3-22-2005

(2) INVOICE NUMBER(s): T2-2825

(3) DATE ASSET BECAME FUNCTIONAL (for 65 Series): 4-1-2005

(4) OTHER COMMENTS: BUREAU OF FEDERAL PROPERTY ASSISTANCE
1033 LAW ENFORCEMENT PROGRAM.

TRANSFER (including nonfunctional asset holding area)
P.D.#

(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: UNDER NEW FIXED ASSET LIMIT
APPROVED BY CITY COUNCIL 5-16-05 MISPOSED 5-17-05

(2) DATE DISPOSED: 5-17-05

(3) OTHER COMMENTS: _____

SIGNATURE: [Signature]

DATE: 11-16-05

BROOKSVILLE FIRE DEPARTMENT INTERCITY MEMO

DATE: 3/23/2007
TO: STEVE BAUMGARTNER, IN-TERM CITY MANAGER
FROM: TIM MOSSGROVE, FIRE CHIEF
RE: FIRE APPARATUS REQUEST

Per your direction, you requested if council approves Tower 1 to go to the 2007 Hurricane Expo in June what resources are needed to staff this unit.

If approved, Tower 1 would need two Brooksville Fire Department personnel assigned to it when it leaves the city. The reason for needing a staff of two is that with this large piece of equipment that will need to be set up and given the location of where its going is out of the city it would need to be manned if it is needed to respond back to the city. Further, overtime would need to be paid for staffing due to sending on duty personnel would drop the staffing level in the city below the minimum, which are four.

Additionally, last year we when Tower 1 was at the 2006 Hurricane Expo we paid overtime for staffing for two as well.

If you need any additional information, please do not hesitate to contact me

Karen Phillips

From: "Tim Mossgrove" <tmossgrove@ci.brooksville.fl.us>
To: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Sent: Friday, March 23, 2007 11:41 AM
Attach: 2007 hurricane expo fdrequest.doc
Subject: Fire Truck request for expo memo

Karen,

Here is the memo for the manager, if he needs something else or change of wording feel free to do so or send it back and I can add to or delete from.

Thanks,
Timothy Mossgrove, Fire Chief
City of Brooksville Fire Department
Brooksville, Florida 34601
www.ci.brooksville.fl.us
tmossgrove@ci.brooksville.fl.us
352-544-5445 Fax: 352-544-5462

AGENDA ITEM NO. F-6(a+b)
4/2/07**Mark Tobert - 2007 Hurricane Expo Static Displays**

From: Mark Tobert
To: Bill Davies; Bill Kicklighter; Ed Tincher; Frank Defrancesco; James Mills; Jeff See; Jim Powers; JJ Morrison; John Rawls; Mike Nickerson; Rick Hankins; Tim Mossgrove
Date: 2/8/2007 5:30:41 PM
Subject: 2007 Hurricane Expo Static Displays
CC: Bert Stockton; Expo Planning Committee; Jim Walker

Good Afternoon,

This is a request for support. As you know, the Hernando County Emergency Management Office holds a public preparedness event each year. This year the 2007 Hurricane Expo at Weeki Wachee Springs will be on Saturday June 2nd from 0900 -1400. We would like to have your agencies to provide the equipment listed below on display for this event. Since the event opens to the public at 0900 we would request that you are set up that morning no later than 0730. Your equipment would need to be Out of Service or Last Call since it will be located in a crowded parking lot with many other apparatus. If you need to be able to leave in an emergency, please advise so that we can secure enough room around your apparatus for easy movement. We would like to have a confirmation on this request before our April 27th Expo Planning Meeting. If you would like to attend the next Expo Planning meeting, it will be February 23rd at 2PM inside Weeki Wachee Springs attraction. Attached are the minutes from the initial meeting on January 26th.

Hernando County Sheriffs Office

Mobile Command Post
 Marine Unit
 SWAT Vehicle
 Motorcycle Deputy

Hernando County Fire Rescue

Fire Engine
 Rescue Unit
 Brush Truck

Spring Hill Fire Rescue

Ladder Truck
 Hazmat Truck
 Fire Safety House

Brooksville Fire Rescue

Ladder Truck

Brooksville Police

Patrol Unit *Su Santon*
 BERT Unit *computer Station*

Bayflite

Air Ambulance Helicopter

CITY OF BROOKSVILLE

OFFICIAL POLICY

Number 2-99

BROOKSVILLE EMERGENCY RESPONSE TEAM (BERT) FEE SCHEDULE

Utilization of the equipment by any City Agency will require prior City Manager/or City Council approval. The Director of Emergency Management may, subject to the approval of the City Manager, establish additional rates for use of designated BERT equipment based on the City's estimated costs and how, when and where the equipment will be used.

The City Manager may, upon notification of the City Council which may disapprove such requests, waive or modify the application of the fee schedule if the proposed use is in connection with events sponsored by the City, or in response to another government jurisdiction in the event of an emergency, when the use will directly benefit the residents of the City. Other request to waive or adjust fees will be presented to the City Council for consideration.

The following fees are established, others will be determined based on City costs and state/federal schedules.

BERT I

Incident Command and Communications Unit

Rate: \$450 plus \$275 for each additional day or part thereof, (weekly rate \$1,800). For "non-emergency" use (excludes use of communication and office equipment) the rate will be \$300 plus \$175 for each additional day or part thereof, (weekly rate \$1,100). A separate charge of \$2.50 per metered hour (\$20.00 per day minimum), will be made if the on-board generator is used.

Rental Rate Includes: Pick-up and delivery within 100 miles (for destinations over 100 miles there will be a charge of \$0.39 per mile), gasoline, oil, LP gas, water and sewer (including emptying/sanitizing water and waste water holding tanks), use of communication (except long distance/cell phone time charges) and office equipment, restroom supplies, laundry, and cleaning.

NOTE: City employee(s) will be assigned to transport the unit. If more then 100 miles to the destination and/or if employee(s) assigned to remain with the Unit to assist with operation, maintenance, and/or security, there will be an additional charge, based on the City's cost.

BERT II
Rehab Unit

Rate: \$375 plus \$225 for each additional day or part thereof, (weekly rate \$1,425). For "non-emergency use" the rate will be \$250 plus \$150 for each additional day or part thereof, (weekly rate \$945).

Rental Rate Includes: Pick-up and delivery within 100 miles (for destinations over 100 miles there will be a charge of \$0.34 per mile), water and sewer (including emptying/sanitizing water and waste water holding tanks), cleaning, linen service and restroom supplies.

NOTE: City employee(s) will be assigned to transport the unit; if more then 100 miles to destination and/or if employee(s) assigned to remain with the Unit to assist with operation, maintenance, and/or security, there will be an additional charge based on the City's costs.

BERT III
Generator - Trailer Mounted
45KVA/36KW Diesel Generator

Rate: \$200 plus \$135 for each additional day or part thereof, (weekly rate \$850). For "non-emergency" use the rate will be \$150 plus \$100 for each additional day, or part thereof, (weekly rate \$625).

Rental Rate Includes: Pick up and delivery within 100 miles (for destinations over 100 miles there will be a charge of \$0.34 per mile), fuel, and up to 24 hour per day operation.

NOTE: If the unit is (A) not used with BERT I or II, (B) not towed by BERT I, (C) an employee is assigned to transport over 100 miles and/or (D) an employee is assigned to remain with the unit to assist with operation, maintenance, and/or security, an additional charge will apply based on the City's cost to provide the level of service/assistance required.

Although these units are designed for heavy commercial usage and an allowance for reasonable wear based on intended use is included in the rental rate, users are responsible for repair/replacement for failure to comply with operating/maintaining instructions, and for damage/loss

Richard E. Anderson
City Manager

Approved by Council: March 15, 1999

Revised: June 5, 2000

G:\WP_WORK\ClerkOffice\POLICIES\1999\2-99 BERT revised fee schedule2.wpd

The
Hernando County
Fine Arts Council

March 23, 2007

City Mayor and City Council Members
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

Dear Mayor and Council Members:

On behalf of the Fine Arts Council, we would like to invite you and your family to our 23rd Annual Hernando County Art, Craft and Music Festival to be held at Tom Varn Park on Saturday and Sunday, May 5th and 6th. The festival hours will be 9am-5pm on Saturday and 9am-4pm on Sunday.

We have an exquisite selection of art exhibitors and an exciting lineup of entertainers again this year. If your schedule permits you to attend, we would be honored to introduce you on stage. Please come to our Information/Registration Tent to make these arrangements. If you have any questions, you may call Mary Jane Russell at 797-7402.

Again, we request the BERT/Comfort Station to be setup at the Festival to insure the comfort and first aid of our artists, volunteers and guests attending this annual event.

We wish to thank you and the other Council members for your sponsorship and support of the Fine Arts Council and our projects.

Respectfully,

Mary Jane Russell, Executive Director

Hernando County Fine Arts Council
Festival Committee

David La Croix
Attorney

AGENDA ITEM NO. ~~C-4~~
~~1-22-07~~

AGENDA ITEM NO. F-8
4/2/07

**Land Use Planning
and Zoning
Local Government Law
Appellate Practice**

**Post Office Box 381
Brooksville, FL 34605
Tel. & fax: (352) 382-1373
davidlac@earthlink.net**

MEMORANDUM

TO: City Council Members
FROM: David La Croix, City Attorney 
SUBJECT: Acceptance of Easement
DATE: January 11, 2007

Attached is a utility easement to the City required by a Hernando County conditional plat approval. The easement is required for utility extensions along Wiscon Road.

It is recommended that Council accept the easement and authorize its recording.

GRANT OF EASEMENT**KNOW ALL MEN BY THESE PRESENTS:**

SEA GATE HOLDINGS, LLC, whose address is 19 North Boulevard of the Presidents, Suite 605, Sarasota, Florida 34326, herein called Grantor, in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to the **CITY OF BROOKSVILLE, FLORIDA**, of 201 Howell Avenue, Brooksville, Florida 34601, a permanent easement, including the right to enter upon the real property hereinafter described, to use said property as necessary to construct on adjoining properties underground reuse water, potable water and sewer pipelines, as well as lift stations and other related facilities. The land subject to this easement is situated in Hernando County, Florida, and is more particularly described in Exhibit A attached hereto.

TO HAVE AND TO HOLD said easement unto Grantee, and unto its successors and assigns, commencing on March 1, 2007.

The Grantor hereby covenants with the Grantee that it is lawfully seized and possessed of the real property above described, and that it will forever warrant and defend the title thereto against the claims of persons whomever.

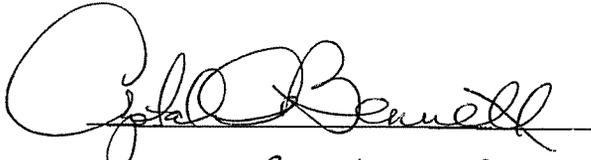
Grantee shall record this document as required by law in the public records of Hernando County, Florida upon its execution by both parties.

IN WITNESS WHEREOF, the undersigned have caused these presents to be signed and sealed the day and year first above written.

DATED this 19th day of MARCH, 2007.

Signed, sealed and delivered
in our presence as witnesses:

GRANTOR:


Name Printed: Crystal A. Bennett


CFO/Managing Member
Irving Gitlin
CFO/ Managing Member
SEA GATE HOLDINGS, LLC

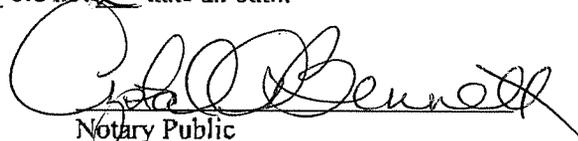

Name Printed: Brian H. Bennett

STATE OF FLORIDA

COUNTY OF HERNANDO

Execution of the foregoing instrument was acknowledged before me, by Irving Gitlin,
CFO/Managing Member of **SEA GATE HOLDINGS, LLC**, who is personally known to me or who
produced the following as identification _____

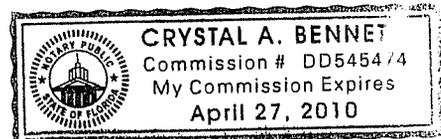
on this 19th day of March, 2007. He did did not take an oath.


Notary Public
Print Name: Crystal A. Bennett

Commission No:
Commission expires:

This Instrument Prepared by:

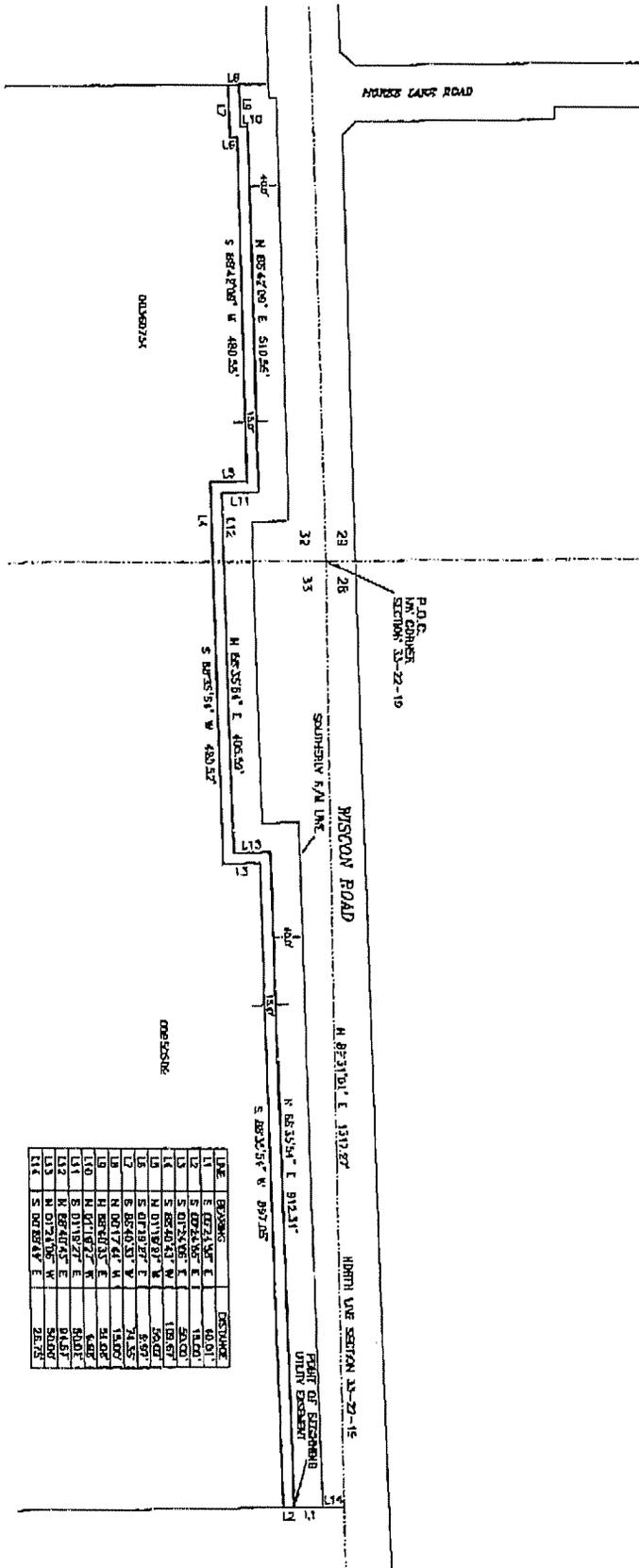
David La Croix, Esq.
Post Office Box 381
Brooksville, FL 34605
(352) 382-1373



**CITY OF BROOKSVILLE
WISCON AND MOBLEY ROADS**

SEC 29 TWP 22 S. RMD 19 E
HERNANDO COUNTY, FLORIDA

NOT TO SCALE



LINE	BEARING	DISTANCE
L1	S 07°14'00\"	40.01'
L2	S 07°44'00\"	18.00'
L3	S 07°24'00\"	20.00'
L4	S 07°40'43\"	120.67'
L5	N 01°19'27\"	109.67'
L6	S 07°19'27\"	109.67'
L7	S 07°19'27\"	109.67'
L8	S 07°19'27\"	109.67'
L9	N 01°19'27\"	109.67'
L10	N 01°19'27\"	109.67'
L11	S 07°19'27\"	109.67'
L12	N 07°40'43\"	120.67'
L13	N 01°24'06\"	28.75'
L14	S 07°02'49\"	28.75'

LEGAL DESCRIPTION UTILITY EASEMENT:
That portion of a parcel of land situated in Sections 29 and 33, Township 22 South, Range 19 East, Hernando County, Florida, more particularly described as follows:
Comment: at the NW corner of said Section 33; thence along the North line of said Section 33, N 85°31'01\"

THIS IS NOT A SURVEY

Coastal Engineering Planning Surveying Environmental Construction Management
 886 Candlelight Boulevard - Brooksville - Florida 34609
 (352) 709-9422 - Fax (352) 700-8994
 EB-0000162
 FLORIDA CERTIFICATE OF AUTHORIZATION NO. 7209

DRAWING INVALID UNLESS SIGNED, DATED & SEALED BY REGISTERED PROFESSIONAL SURVEYOR
A. Daniel Miller
 A. DANIEL MILLER, P.E.S., PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA REGISTRATION NUMBER 8194

LEGAL DESCRIPTION AND SKETCH

EXHIBIT A

DATE: 04-11

David La Croix
Attorney

AGENDA ITEM NO. F-9(A+B)
4/2/07

*Land Use Planning
and Zoning
Local Government Law
Appellate Practice*

*Post Office Box 381
Brooksville, FL 34605
Tel. & fax: (352) 382-1373
davidlac@earthlink.net*

MEMORANDUM

TO: City Council Members

FROM: David La Croix, City Attorney

SUBJECT: Resignation; Request for Contract Amendment

DATE: March 20, 2007

In May of this year, I turn 65, and I am planning on phasing out my full-time law practice during this year. Consistent with that intent, I hereby submit my resignation as Brooksville City Attorney, effective as of the end of this fiscal year, September 30, 2007.

That will give me sufficient time to assist the City's new City Manager in getting familiar with pending issues, policies and procedures; to help the City get through its current personnel issues; and to finish any pending litigation. It will also give the City considerable time to find a replacement City Attorney after a new City Manager is hired.

In May, I will become eligible for Medicare. Therefore, if Council agrees, I would like to have my contact amended for my last four months as City Attorney changed so that the City no longer pays for medical insurance for me and increases my monthly retainer by the amount saved on medical insurance. If that is acceptable to Council, I have attached a proposed agreement to make that change and to terminate my position with the City on September 30, 2007.

**AMENDMENT TO
EMPLOYMENT AGREEMENT
CITY ATTORNEY
CITY OF BROOKSVILLE, FLORIDA**

This Agreement made and entered into this ____ day of April, 2007, by and between the City of Brooksville, Florida, a Florida municipal corporation (hereinafter referred to as the CITY), and David La Croix (hereinafter referred to as the ATTORNEY).

WHEREAS, the CITY has employed the professional services of the ATTORNEY as the CITY's City Attorney, under and pursuant to a contract dated April 7, 2003, which contract was amended on July 17, 2006 (hereinafter, "the Contract"); and

WHEREAS, the CITY and ATTORNEY mutually desire to further amend the Contract as provided herein;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

SECTION 1. AMENDMENT

The Contract is hereby amended, effective June 1, 2007, as follows:

A. CITY's provision of medical insurance coverage to ATTORNEY shall cease as of June 1, 2007.

B. The monthly retainer paid to ATTORNEY pursuant to Paragraph 4.a of the Contract shall be increased, as of June 1, 2007, by the amount currently paid by the CITY for ATTORNEY's medical insurance coverage.

C. The Contract shall terminate as of September 30, 2007.

SECTION 2. CONTINUATION OF AGREEMENT

In all respects except as specifically modified hereby, the Contract shall remain in full force and effect according to the terms thereof.

IN WITNESS WHEREOF, the City of Brooksville has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk, and the ATTORNEY has signed and executed this Agreement.

CITY OF BROOKSVILLE

By: _____
David Pugh, Mayor

ATTEST:

Karen M. Phillips, CMC, City Clerk

David La Croix

**AMENDMENT TO
EMPLOYMENT AGREEMENT
CITY ATTORNEY
CITY OF BROOKSVILLE, FLORIDA**

This Agreement made and entered into this 17th day of July, 2006, by and between the City of Brooksville, Florida, a Florida municipal corporation (hereinafter referred to as the CITY), and David La Croix (hereinafter referred to as the ATTORNEY).

WHEREAS, the CITY has employed the professional services of the ATTORNEY as the CITY's City Attorney, under and pursuant to a contract dated April 7, 2003 (hereinafter, "the Contract"); and

WHEREAS, the CITY and ATTORNEY mutually desire to amend the Contract as provided herein;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

SECTION 1. AMENDMENT

The Contract is hereby amended, effective July 18, 2006, so as to include the following new subsection 4.e:

SECTION 4. COMPENSATION

. . .

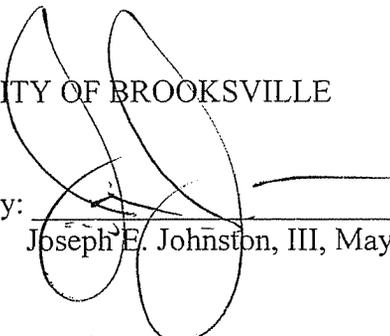
- e. Notwithstanding anything in this Agreement to the contrary, whenever ATTORNEY is performing litigation services pursuant to this Agreement, the cost of which is being reimbursed to the CITY by a non-governmental person, corporation or other entity, the hourly rate for such litigation services shall be \$185.00.

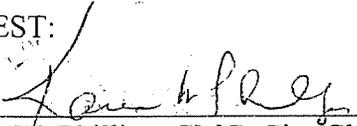
SECTION 2. CONTINUATION OF AGREEMENT

In all respects except as specifically modified hereby, the Contract shall remain in full force and effect according to the terms thereof.

IN WITNESS WHEREOF, the City of Brooksville has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk, and the ATTORNEY has signed and executed this Agreement.

CITY OF BROOKSVILLE

By: 
Joseph E. Johnston, III, Mayor

ATTEST:

Karen M. Phillips, CMC, City Clerk


David La Croix

APR 11 11:47 AM

EMPLOYMENT AGREEMENT
CITY ATTORNEY
CITY OF BROOKSVILLE, FLORIDA

This Agreement made and entered into this 7th day of April, 2003, by and between the City of Brooksville, Florida, a Florida municipal corporation (hereinafter referred to as the CITY), and David La Croix (hereinafter referred to as the ATTORNEY).

WHEREAS, the CITY desires to employ the professional services of the ATTORNEY as the CITY's City Attorney, under and pursuant to the City Charter and Code of Ordinances; and

WHEREAS, it is the desire of the CITY to provide certain compensations and other benefits, establish conditions of employment and provide a positive working environment and relationship between the CITY and ATTORNEY; and

WHEREAS, ATTORNEY desires to accept employment with the CITY;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

SECTION 1. DUTIES

CITY hereby agrees to employ ATTORNEY as City Attorney for the City of Brooksville; to perform the functions and duties of said office as specified in the City Charter and Code of Ordinances; and to perform such other duties and functions as the governing body of the CITY may reasonably assign. The duties of the ATTORNEY shall include:

- a. Non-litigation services, for which the ATTORNEY shall serve under the direct supervision and control of, the CITY's City Council, including the drafting or review of all ordinances, resolutions, contracts, deeds, easements, and other legal documents of the CITY; attendance at all regular and special City Council meetings and special meetings and meetings of other City boards, committees, and agencies when requested; and the provision of legal advice and counsel regarding business of the CITY to City Council members, the City Manager, the City Clerk, and all CITY Department Heads.
- b. Litigation services, both judicial and administrative, when requested by the CITY's City Council or City Manager.
- c. Whenever ATTORNEY has a conflict and is unable to attend a hearing or meeting for which ATTORNEY's attendance is necessary, ATTORNEY shall be responsible for providing competent substitute counsel, at ATTORNEY's expense.
- d. Except as may be specifically provided herein, no provisions of the CITY's personnel policies shall apply to this contract.

PAID
9-1-05 3538.0

THRU MAY-2006

SECTION 2. PRIOR AGREEMENTS

As of its effective date, this Agreement shall supersede any and all prior agreements between the parties. Compensation provided for under this and any prior agreements shall be prorated as of the effective date hereof.

RECEIVED OCT 13 2005

SECTION 3. TERM

This Agreement shall become effective as of May 1, 2003, and shall continue for a period of three years with one-year automatic extensions. This Agreement shall automatically extend for each additional one-year term unless either the CITY or the ATTORNEY notifies the other, at least 90 days prior to the end of any term, of an intention to not further extend the Agreement.

SECTION 4. COMPENSATION

- a. For services provided under Section 1.a., ATTORNEY shall be paid a monthly retainer of \$2,200.00. *AS OF 8-31-04 BECOMES 2,155.00 + 2.5% IN OCT 04 (SEPT-04) PER REAS MEMO / 2,590 IN OCT 04*
- b. The ATTORNEY shall be entitled to the same cost of living increases to his retainer as are provided for regular non-union City employees from time to time.
- c. For litigation services provided under Section 1.b., above, ATTORNEY shall be paid an hourly fee. Said hourly fee shall be \$110 for the first year under this Agreement and shall increase to \$120 on April 15, 2004, and to \$125 on April 15, 2005.
- d. ATTORNEY shall be reimbursed for all costs paid for or on behalf of the CITY, including filing and service fees, long distance telephone and fax charges, postage, photocopying costs, travel costs for travel outside of Hernando County (pursuant to CITY personnel policy), and other direct CITY costs. Reimbursement of travel costs shall be in accordance with the CITY's adopted personnel policies.

SECTION 5. BENEFITS

CITY shall provide to ATTORNEY at CITY's expense, the same insurance coverage as is provided to other non-union CITY employees, and ATTORNEY shall be entitled, at his own expense to add coverage for his spouse where available. No other benefits provided to any other CITY employees shall be provided.

SECTION 6. TERMINATION

- a. ATTORNEY may voluntarily resign his position with CITY and terminate this Agreement, by giving at least 30 days' written notice in advance, unless the parties otherwise agree. The CITY may elect to require ATTORNEY to work during all or any part of such notice period or may require ATTORNEY to leave at any time during the notice period and simply pay ATTORNEY's retainer, benefits, and any hourly fees

PAID
9-7-05 35380

necessarily incurred, for cases in which the ATTORNEY is attorney of record, for the remaining period.

- b. The death or incapacity of ATTORNEY shall terminate this Agreement as of the date of death or incapacity and shall be treated as a voluntary termination.
- c. CITY may terminate this Agreement, for cause, at any time or, without cause, by giving at least 30 days' written notice in advance, unless the parties otherwise agree. The CITY may elect to require ATTORNEY to work during all or any part of such notice period or may require ATTORNEY to leave at any time during the notice period and simply pay ATTORNEY's retainer, benefits, and hourly fees necessarily incurred for the remaining period.

SECTION 7. NOTICES

Notices pursuant to this Agreement shall be given by hand delivery or by deposit in the custody of the United States Postal Service, postage prepaid, and addressed as follows:

CITY: Mayor, City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

ATTORNEY: David La Croix
103 N. Main Street
Brooksville, FL 34601

Parties shall notify one another if there is any change of address.

IN WITNESS WHEREOF, the City of Brooksville has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk, and the ATTORNEY has signed and executed this Agreement.

CITY OF BROOKSVILLE

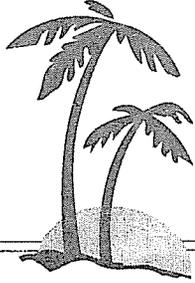
By: Mary A. Staib
Mary A. Staib, Vice Mayor

ATTEST:

Karen M. Phillips
Karen M. Phillips, CMC, City Clerk

David La Croix
David La Croix

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9-17-05 35380



NICHOLSON ENGINEERING ASSOCIATES, INC.

P.O. Box 12230 ~ Brooksville, FL 34603 • 7468 Horse Lake Rd.

Phone: 352-799-0170 • Fax: 352-754-9167

www.nicholson-engineering.com

March 15, 2007

City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

Attention: City Clerk

Re: SE2007-01 -Jorge Lopez for Garden Homes
Letter of Appeal

To Whom It May Concern:

Regarding the above referenced project which was turned down by the City of Brooksville's Planning & Zoning Board on 3-14-07, please note that by receipt of this letter, we are appealing their decision.

We believe the reason for this appeal is obvious. Mr. William Geiger and staff recommended approval of this project. There was no expert testimony from anyone for a reason to deny the project. Mr. Korbus made the motion to deny the project because he thought there were too many units. This is obviously not a reason to turn down this project. This property is already zoned for multi-family which allows anywhere from eight (8) to eighteen units to be placed on the property. The thirty six (36) units that we had requested are actually less than eight (8) units per acre. This is below the minimum of the City of Brooksville's stated allowance. It is our feeling that Mr. Korbus was incorrect in his statement and had no legal authority to make the motion to deny.

Therefore, we respectfully request that the appeal be heard and the project be approved as is legally required.

Sincerely,

Nicholas W. Nicholson, P.E.
President

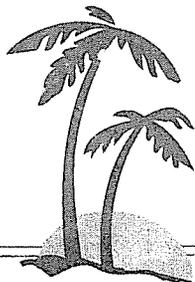
NWN:sad
File No. 05-09-01

HAND DELIVERED AND RECEIVED BY:

PC: [unclear] ✓
Bill ✓
Dennis ✓
Lan ✓

3/16/07 (RP)

4/2/07 ago. [unclear]
NWN



NICHOLSON ENGINEERING ASSOCIATES, INC.

P.O. Box 12230 ~ Brooksville, FL 34603 • 7468 Horse Lake Rd.

Phone: 352-799-0170 • Fax: 352-754-9167

www.nicholson-engineering.com

March 19, 2007

03-21-07 P02:11 IN

Brooksville City Council
201 Howell Avenue
Brooksville, FL 34601

To: Mr. David Pugh, Mayor
Mr. Frankie Burnett, Vice Mayor
Mr. Joe Bernardini
Ms. Lara Bradburn
Mr. Richard Lewis

Re: Hale Avenue Project-SE-2007-01

Currently we are requesting an appeal on the above referenced project that was recently turned down by the Planning & Zoning Board. I think it is important to note that of the 15 adjacent property owners on the above referenced project, only four properties are in the city. The rest of these properties are in the county.

We have included a copy of the APO for your reference.

Sincerely,

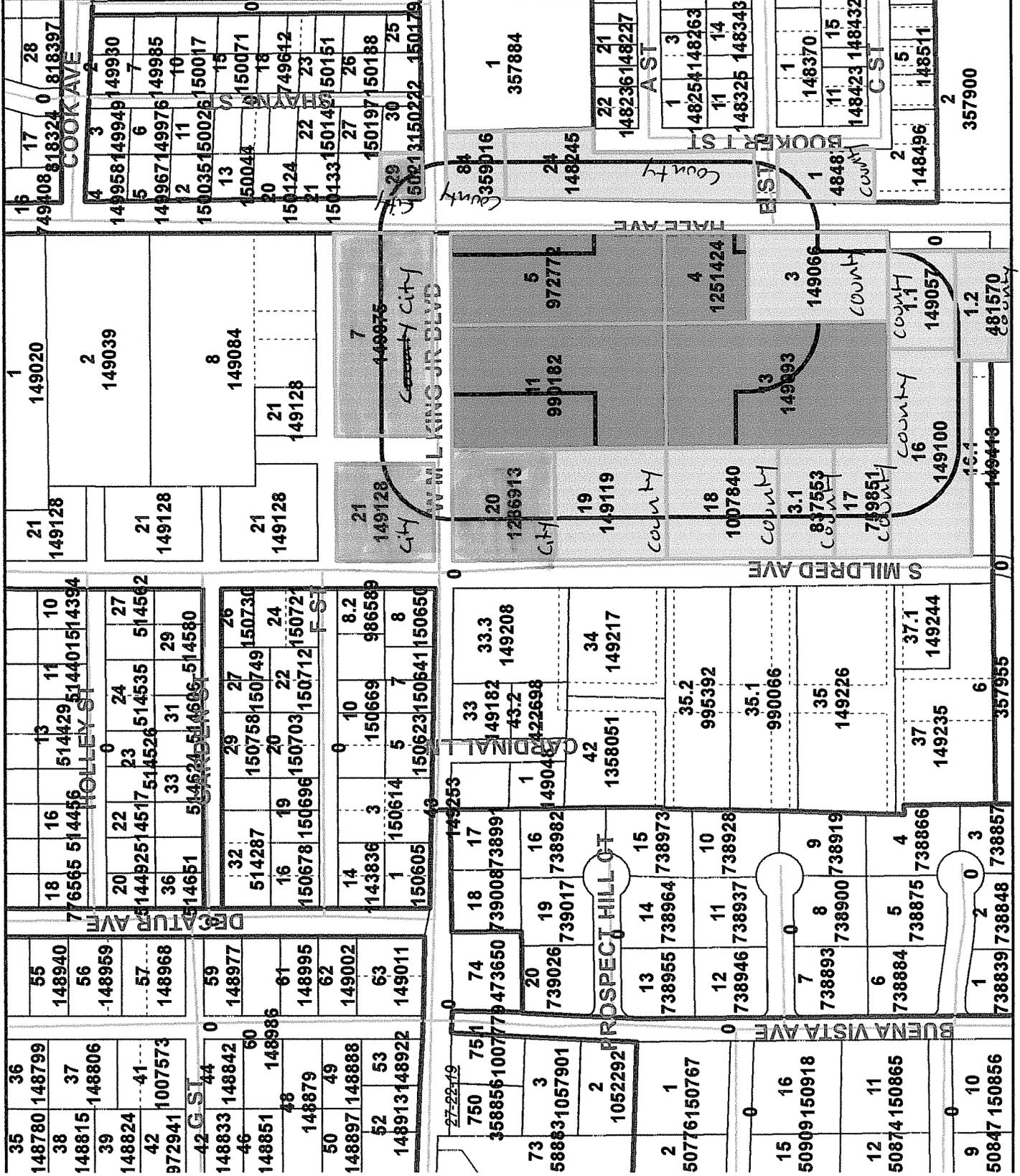
Nicholas W. Nicholson, P.E.
President

NWN:sad
File No. 05-09-01

NICHOLSON11-21-05

Not To Scale

150' BUFFER
SUBJECT PARCEL
PARCELS WITHIN 150'



KEY	OWNER_NAME	MAIL_ADDR1	MAIL_CITY	MAIL_STATE	MAIL_ZIP
150213	HERMAN RICHARD C	1607 OAK ARBOR LN <i>City</i>	VALRICO	FL	33594-7204
1007840	RODGERS KATHRYN L	941 S MILDRED AVE <i>county</i>	BROOKSVILLE	FL	34601-3603
1286913	STETTIN CHERRY B	905 S MILDRED AVE <i>City</i>	BROOKSVILLE	FL	34601-3603
149128	BGVJ INC	5514 PARK BLVD <i>City</i>	PINELLAS PARK	FL	33781-3326
359016	BENNETT MARIANNE H	20418 PENNBROOK RD <i>county</i>	BROOKSVILLE	FL	34601-5623
481570	DEJONY ANDOR & LORETTA JEAN	PO BOX 10676 <i>county</i>	BROOKSVILLE	FL	34603-0676
149075	BROOKSVILLE HOUSING	AUTHORITY <i>City</i>	BROOKSVILLE	FL	00000
149066	BUCKNER ROBERT A	11 N MAIN ST <i>county</i>	BROOKSVILLE	FL	34601-2808
837553	REEDER RUTH H	987 S MILDRED AVE <i>County</i>	BROOKSVILLE	FL	34601-3603
148487	WADDY DEXTER &	DEANNA FIELDS <i>county</i>	SPRING HILL	FL	34609-2428
759851	BERKE BARBARA E	PO BOX 1492 <i>county</i>	BROOKSVILLE	FL	34605-1492
149057	DEJONY ANDOR & LORETTA JEAN	PO BOX 10676 <i>county</i>	BROOKSVILLE	FL	34603-0676
149100	LAMBERTI CHARLES D & BRIGITTE	1003 S MILDRED AVE <i>county</i>	BROOKSVILLE	FL	34601-3601
148245	MYLREA PHILIP J II & BARBARA	969 HALE AVE <i>county</i>	BROOKSVILLE	FL	34601-3931
149119	MASON JOHN F & MARILYN	921 S MILDRED AVE <i>county</i>	BROOKSVILLE	FL	34601-3603

APPEALS OF COMMISSION DECISION

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

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

(1) To hear and decide appeals where it is alleged there is an error in an order or determination made by the administrative official in the enforcement of the land use/zoning regulations of the city.

(2) To hear and decide special exception petitions to the land use/zoning regulations of the city.

(3) To hear and decide petitions seeking variances from the land use/zoning regulations of the city. No such variance will be granted unless the facts presented show that a literal interpretation and enforcement of the regulations would result in an unnecessary hardship to the petitioner. No variance will be granted for a condition which was caused by the petitioner.

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

(c) Appeals. Appeal of a decision of the administrative official may be taken to the commission by any person affected by such decision. Any appeal must be taken within 21 calendar days from the date the decision is rendered by the administrative official. Written notice of the appeal shall be delivered to the administrative official or his authorized representative. The administrative official will publish in a newspaper of local circulation (as defined in F.S. ch. 50) a notice of hearing at least seven calendar days prior to the hearing. The cost of such publication will be paid by the petitioner. The hearing before the commission shall be conducted pursuant to the rules and procedures established for such proceedings by the city council.

(d) Appeals of a commission decision. Anyone may appeal a decision of the commission to the city council. In order to appeal a decision, the petitioner must deliver a notice of appeal to the city clerk within ten calendar days of the date of the commission's decision. The notice of appeal must specify the decision being appealed and the specific reasons for the appeal. The notice of appeal shall be placed as an item on the next available regular agenda of the city council. No discussion of the merits of the appeal will be permitted; the mayor will request a vote of the council to determine if it wishes to hear the appeal. If a majority of the council votes to hear the appeal, a hearing at a special meeting of the city council will be scheduled within 21 days of the vote by the council. The city clerk will publish in a newspaper of local circulation (as defined in F.S. ch. 50) a notice of hearing at least three calendar days prior to the hearing. The cost of such publication will be paid by the petitioner. The hearing before the commission shall be conducted pursuant to the rules and procedures established for such proceedings by the city council.

(e) Stay of proceedings. An appeal to the commission of a decision of the administrative official or an appeal to the city council of a decision of the commission shall cause all matters relating to the appeal to be stayed until the conclusion of the appeal process. However, after receipt of the notice of appeal, the stay may be lifted by the administrative official if, in his opinion, the facts in the notice of appeal would cause imminent peril to life or property.

(Code 1988, pt. III, subpt. B, § 53)

DRAFT

CITY OF BROOKSVILLE
PLANNING AND ZONING COMMISSION MEETING
Regular Meeting

March 14, 2007

6:30 P.M.

Attendees: Vice Chairman John Wanat, Elmer Korbus, and Ernie Weaver. Also attending were Bill Geiger, Community Development Director, David LaCroix, City Attorney, and Patricia Jobe, Planning & Zoning Coordinator/ Recording Secretary. ABSENT: Chairman George Rodriguez, Louise Taylor, Charles Miller, and Don Varn.

The meeting was called to order at 6:30 p.m. by George Rodriguez, followed by the invocation and pledge of allegiance.

APPROVAL OF MINUTES

Motion was made by Commissioner Wever, seconded by Commissioner Korbus, to approve the minutes of February 14, 2007, as written.

** SE2007-01 - JORGE LOPEZ FOR GARDEN HOMES, LLC - PRESENTED BY NICHOLSON ENGINEERING ASSOCIATES, INC.

Petition for a Special Exception Usage for a Residential Planned Development Project - Continued from January 10, 2007.

The City Attorney explained that this is a quasi-judicial proceeding and that the public hearing was continued from the previous meeting. At that meeting, Mr. Nicholson had been sworn in and accepted by a consensus of the Commission as an expert witness in civil engineering and land use planning, and Director Geiger had also been sworn in and accepted by a consensus of the Commission as an expert witness in land use planning, development, and zoning. In addition, six persons had come forward at the previous public hearing and asked to be sworn in as intervening parties on this petition: Dennis Lamberti, Cherry Stettin, John Mason, Barbara Burke, Ruth Reeder, and Bill Bailey. Another person then stepped forward, Loretta DeJony, and requested that she be added as a party intervenor because she, too, was a concerned nearby resident of the subject area. The City Attorney then explained that the public hearing was still open and encouraged anyone new who wished to come forward in any capacity to speak on this subject to now come forward. Also, all those who had been sworn in at the previous public hearing were still under oath for the continuation of this hearing.

Director Geiger then explained that the intent of the continuation of the previous meeting and public hearing was to allow the petitioner and his representative, Nick Nicholson, to meet with neighboring property owners to go over their concerns so that they could try and address those concerns and possibly bring back a revised plan. He directed the Commission's attention to the revised conceptual plan for the project that had been given to them in their packet and requested that the staff report be entered into the record in its entirety, as follows:

The petitioner is requesting Special Exception Use approval for a Residential Planned Development Project on a 4.88 acre \pm site. The property is located on the south side of Dr. MLK, Jr., Boulevard and west of Hale Avenue.

STAFF FINDINGS:

CURRENT LAND USE/ZONING

The subject property (Where the residential structures are being planned) is currently zoned as a Planned Development Project (PDP). The eastern portion of the same site is zoned C2. The property has a Comprehensive Plan Future Land Use (FLU) designation for Multifamily/Mobile Home and Commercial Uses respectively.

FACTUAL INFORMATION:

1. The western portion of the subject property is currently zoned as a PDP

- with FLU designations for multifamily/mobile homes and the eastern portion of the site is zoned C2 with a FLU designation for commercial uses.
- 2. The total subject property is approximately 4.88 ± acres in size.
- 3. The site is currently undeveloped.
- 4. The developer is proposing to construct two buildings with eighteen residential units each on the PDP (western) portion of the site.
- 5. The proposed residential structures are four stories in height with an internal parking area.
- 6. Access to the site is proposed via Dr. MLK, Jr. Boulevard. A secondary access is proposed for connection to Hale Avenue with the completion of future phases of this project.
- 7. Development of this property for the proposed use is consistent with the City Comprehensive Plan.
- 8. The subject property is not located within any wellhead protection areas.
- 9. The developer will be required to negotiate a utility service agreement with the City of Brooksville to facilitate the provisions for and determine the availability of water and sewer services to the property.
- 10. In addition to water and sewer services, the property will be served by City police, fire and sanitation collection services.

STAFF DISCUSSION & FINDINGS OF FACT:

The petitioner is proposing a 36-unit residential project. The petition has been reviewed for compliance with applicable standards and comments are as follows:

- 1. Table 2 of the City's PDP Land Area and Dimension Regulations requires a 10-foot minimum landscape separation strip along all property lines and streets serving the project. The code also provides latitude for the Commission to consider a requirement for the project to be permanently screened from adjoining and contiguous property by a wall, fence, evergreen hedge and/or other approved enclosures, as deemed applicable and appropriate. The detailed development plan for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 9.5, City Code). This portion of the City code encourages the preservation of existing trees on the site and it is recommended that the developer give due consideration to this in the design and final plan layout. Given the height of the proposed buildings and the proximity of this project to existing SFR development on Mildred Avenue, the Commission may consider requiring that a specified natural buffer of at least 80' be maintained along the western boundary of this property.
- 2. Per Table 2 of the City's Planned Development Project regulations, the following square footage amounts represent the "maximums/minimums" permitted for the acreage involved with this PDP:
 - a. Maximum gross floor area permissible = 63,771.84 sq.ft.
 - b. Min. open space req'd (incl. roads & parking) = 159,429.6 sq.ft.
(3.66 acres)
 - c. Min. open space required, less roads & parking = 102,034.94 sq.ft.
(2.34 acres)
 - d. Min. recreation space that must be provided = 9,565.78 sq. ft.
(.22 acres)
- e. Minimum number of parking spaces required = ** 72 parking spaces
** May vary depending upon the size of unit.

The petitioner will need to submit information related to total gross floor area, square footage of roads and parking, and square footage of the balance of open space and recreation space proposed for the site prior to construction plan submittal. This information will be used to determine if this project is in compliance with land use and intensity standards established by the City for Planned Development Projects.

- 3. Traffic - The developer proposes to utilize Dr. MLK, Jr., Boulevard as the primary access. A secondary access is proposed for connection to Hale

- Avenue upon completion of the final phasing of this project (to be brought back to the commission for consideration at a later date).
4. It is recommended that the developer incorporate and provide appropriate pedestrian amenities with this development including sidewalks. Facilities constructed are required to be ADA accessible.
 5. Drainage - This project will be required to be designed to meet all applicable standards specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual*, latest edition, as published by the Southwest Florida Water Management District.
 6. Infrastructure & Services - The developer will be required to negotiate a utility service agreement with the City of Brooksville for water and sewer services. Connection to City water and sewer service will be required. Service availability and requirements include the following:
 - Potable water service is available via a 12-inch force main on the west side of Hale Avenue.
 - There is currently an 8" sewer line located on the east side of Hale Avenue and on the North side of Dr. MLK, Jr., Boulevard.
 - Fire hydrants must be installed and spaced to meet all applicable fire code (NFPA) standards.
 - Water lines on-site will be private and must be sized to provide adequate fire flow as per AWWA Manual M31.
 - Sanitation dumpster solid waste collection services will be provided by the City.
 - Transportation - According to the ITE Trip Generation Manual (6th edition - Use Code #'s 223/222), this project will generate approximately 16 PM Peak Hour Trips (.44 x 36 units) and 151± total daily trips (weekday/4.2 multiplier).
 7. City Concurrency Standards - The City requires concurrency review and analysis at the time when a development order/permit application is submitted. Concurrency review and adherence is not required in consideration of a land use or zoning action, as is the case for this petition. It may be noted that in reviewing the potential impacts associated with this proposal, it does not appear that any adopted level-of-service standards would be breached if permits were applied for at this time. The developer will be required to provide a "Statement of Impact - Concurrency Application" with each phase of development for this project that will be reviewed to ensure that level-of-service standards are being maintained within their adopted levels.
 8. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is encouraged to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a proposed development should be resolved prior to the submittal of construction plans.
 9. Parking - The Developer will be required to provide 1.5 parking spaces per dwelling unit for 1 or 2 bedrooms units, and 2 parking spaces per dwelling unit for units with 3 or more bedrooms.
 10. The following specific performance standards should be considered for this project:
 - Four story/18-unit maximum per building
 - 40-foot minimum structure setback from M.L. King Boulevard
 - 140-foot minimum structure setback from western property line
 - 80-foot minimum natural buffer required along the western boundary of the property
 - 25-foot minimum structure setback from the southern boundary of the property
 - 190-foot structure (building) setback from Hale Avenue
 - 15-foot minimum building separation

11. Unless specifically addressed to the contrary herein, City ordinance regulations which apply with regard to zoning district classification shall apply to residential areas within this PDP as if they are zoned R3.
11. 36 Residential units are the maximum number requested for this project at this time.

When development plans are submitted for permitting on each phase of this project, they will be reviewed and analyzed for impact to roads, utilities, drainage, the environment and compliance with all other applicable land use criteria and will be subject to meeting all federal, state and local agency permitting requirements.

NOTE: The Special Exception Use process is a land use determination which does not constitute a permit for either construction on or use of the property. These actions are not considered a Certificate of Concurrence. Prior to use of or construction on the property, the petitioner must receive approval from the appropriate City, County and/or other governmental agencies that have regulatory authority over the proposed development.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any City land use ordinances. Homeowner associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

STAFF RECOMMENDATION:

Conditionally approve the Special Exception Use Residential PDP, subject to the following conditions and stipulations:

1. The phased and/or final development plan(s) for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 9.5, City Code). Additionally, the developer is required to maintain a natural buffer of at least 80' along the western boundary of this property.
2. The developer shall incorporate and provide appropriate pedestrian amenities with this development including sidewalks (along M.L. King Boulevard and Hale Avenue). Applicable facilities constructed are required to be ADA accessible.
3. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District. The proposed stormwater plan associated with this project must comply with all applicable federal, state and local standards.
4. Comprehensive site development plans shall be submitted. Said plans are subject to approval by the City Department's of Public Works and Community Development prior to the issuance of a building/construction permit.
5. The developer will be required to successfully negotiate a utility service agreement with the City prior to permitting.
6. This special exception use approval is conditioned with a three-year time period. If phasing and development plans are not submitted and construction contracts are not let within this time, this approval will be considered null and void.
7. The developer will be required to provide site lighting plan to ensure that the lights do not disturb the neighboring residents adjacent to this project.

8. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is encouraged to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a proposed development should be resolved prior to the submittal of any construction plans.
9. The following specific performance standards are required for this project:
 - Four story/18-unit maximum per building
 - 40-foot minimum structure setback from M.L. King Boulevard
 - 140-foot minimum structure setback from western property line
 - 80-foot minimum natural buffer required along the western boundary of the property
 - 25-foot minimum structure setback from the southern boundary of the property
 - 190-foot structure (building) setback from Hale Avenue
 - 15-foot minimum building separation
10. Unless specifically addressed to the contrary herein, City ordinance regulations which apply with regard to zoning district classification shall apply to this PDP as if it were zoned R3.
11. 36 Residential units are the maximum number approved for this phase.
12. The residential community entrances may incorporate appropriate signage, consistent with community standards and subject to approval by the City Manager or the City Manager's designee.

Director Geiger then directed the Commission's attention to the addendum that had been given to them this evening and stated that staff had received the addendum via e-mail just the day before. He explained that the addendum proposes a different site plan and has one additional request associated with it that was different from the plan that had been included in their agenda packet for this meeting. Essentially, the major changes the applicant is proposing are: 1) The development will have the same number of units but the buildings have been reduced to three-story instead of the four-story. (In the original plan, the first story had been exclusively for parking, but in the revised plan the parking has been taken out from under the building and has been moved out into the site, which is taking up additional open space on the site.) 2) The new petition also asks for a reduction from the 80-foot natural buffer in the original plan to a 45' buffer along the western property line because they now have to provide additional parking space out on the site. 3) The new addendum also requests the addition of a clubhouse and pool to the site plan. Director Geiger said there were a few additional minor changes that had been made, i.e., building reference numbers, but nothing else substantial.

In response to a question by Vice-Chairman Wanat regarding the 50' buffer mentioned in staff's performance condition number one, Director Geiger clarified that distance was the applicant's revised request previous to the addendum received yesterday requesting a 45' buffer. He said staff's performance conditions still specified a minimum 140' structure setback from the western property line, even though the applicant actually requested the building setback be set at less than that, to ensure that the three-story buildings didn't end up any closer than that for whatever reason.

In response to a question by Commissioner Wever regarding where the proposed connection to Hale Avenue would be, Mr. Nicholson replied that it would be at the corner of Hale Avenue and MLK Jr. Blvd. Director Geiger clarified that was where the property was located, but the actual connection was not being proposed at this time because the petitioner anticipates coming back later on with a proposal for a second phase that will provide the connection to Hale Avenue, but this first phase would only have one connection point which would be to MLK Jr. Blvd.

He said that considering this, the Commission could only look at what was being proposed with this petition and they really couldn't contemplate what kind of changes might happen between now and any future phases.

Mr. Nicholson said it was mentioned that a connection to MLK Jr. Blvd. may not even be desirable because of the traffic, and he said it would be fine with his client that once we have the ability to connect to Hale Avenue that they would close the MLK Jr. Blvd. access, if that is what they would like to do. Director Geiger stated that from a planning point of view, two points of connection are actually better than one.

In response to a question by Commissioner Korbis, Director Geiger replied that the future connection point would be somewhere on Hale Avenue. Commissioner Korbis said he just wanted to make sure there would be an exit onto Hale Ave. because without it, if there was an accident in that area, emergency response vehicles couldn't get in and out.

The City Attorney interjected that this application needed to be considered by itself because whether anyone in the future came in with a second phase for this project, or not because of the real estate market, the current proposal might stand alone. Director Geiger agreed and added that the property could even be transferred to another owner and the Commission could be faced with another development proposal. The important thing the Commission might consider with the current development proposal is that this property provide for anticipated future connectivity to the property to the south.

In response to another question by Commissioner Korbis, Director Geiger confirmed that 36 units is the maximum number that could go on the property.

Mr. Nicholson stated that his staff had met twice with the surrounding concerned property owners since the last public hearing. He said that the first time they met they reviewed their original site plan with four-story buildings that the property owners did not like, so they told the property owners they would redesign the project with two-story buildings with the parking on the outside, which would have drastically reduced the buffer areas. However, his client was unwilling to go to two stories, but he felt three stories would be fine, with outdoor parking on the site. So Mr. Nicholson explained he redesigned the project for a third time and met again with the property owners, showing them the 3-story buildings with the outside parking. One of their major concerns with the third plan was the 8-foot privacy wall that they had agreed to build along the west & east property lines, and they wanted the wall built all the way down the side of the vacant property. Mr. Nicholson explained to them that really couldn't be done economically and it would have to be done as part of another project but that the 8-foot wall included in the current plan would adequately protect them from the impacts of their project. He felt the meetings with the property owners went very well, that the property owners had a lot of good comments, and he felt that they had addressed all of their major concerns.

In response to another question by Commissioner Korbis regarding what the elevation difference of the property is between the west property line and where the front of the proposed buildings will be because he was trying to visualize what the adjacent residents will see when they look out their windows at the new three-story buildings, Mr. Nicholson replied that the existing trees are extremely tall on that side of the property and these structures would be extremely difficult to see from those neighboring properties because of the proposed 45-foot natural vegetative buffer; they do not plan to disturb any of the existing trees.

Mr. Lamberti, nearby property owner, came forward and said that the first meeting with concerned property owners that Mr. Nicholson had mentioned had been scheduled for January 26, 2007, after the initial P&Z meeting on this item on January 10. He explained that he as well as the other affected property owners

expressed their concerns at that meeting, but he didn't feel the new plan at all addressed their concerns regarding height or density, and it was also lacking the wall the applicant had promised that the residents had requested to prevent thugs, thieves, and crooks from coming over the project's back property line into their properties. Mr. Lamberti said the client hadn't shown up at that meeting and was not even present at tonight's meeting, so he requested that the Commission postpone this item until the client was present to answer questions.

John Mason came forward and reiterated what he had stated at the previous public hearing, that he strongly felt the proposed density of the project was too much for the size of the property and that kids would definitely overflow into the surrounding neighborhood onto their properties from the project.

Loretta Dejoney, resident of the area, came forward and stated that she was worried about the impact the increased traffic would have on already busy Hale Avenue, that the roads in the area were not wide enough to accommodate the increased traffic, and she also wanted to know who would maintain those roads because part of them were in the County.

In response to a question by Vice-Chair Wanat, Director Geiger explained that the traffic generation formula for the project for this type of use, based on the number of units, would generate approximately 16 p.m. peak hour vehicle trips (with 36 units, not everybody is driving on the road at the same time). Of these trips, approximately 9 of those would be entering back into the project, and 7 would be exiting, based on the similar uses as projected.

Ms. Dejoney was still concerned about the impact to Hale Avenue, and Vice-Chair Wanat clarified that there would not be an entrance onto Hale Avenue from the proposed project at this point, the entrance is from MLK Jr. Blvd. Ms. Dejoney explained that she had been told at the second meeting with Mr. Nicholson that they were going to let the traffic from the project flow out onto Hale Avenue. Vice-Chair Wanat clarified that would only happen if the project were to expand or if a phase two came in for development. Ms. Dejoney stated that she was still concerned because when she tried to get into her driveway the other night at 7:15 p.m., she'd had to wait for 17 cars to pass before she could pull into her driveway.

Director Geiger clarified that both MLK Jr. and Hale Ave. are local streets, and as such they would both be under the responsibility of the local government to maintain them. In response to a question by Vice-Chair Wanat, Director Geiger replied that the responsibility for maintenance of a portion of MLK Jr. Blvd. that had been a State Road was still under the County; it used to be considered a State Road and then it was turned over to the County some years ago. However, it is something that we will probably be addressing soon when the City renegotiates an interlocal agreement related to gas tax distribution.

Cherry Stettin, adjacent property owner and resident of Lot 20, located right on MLK Jr. Blvd. at the intersection of Mildred Ave., who had spoken at the previous public hearing, came forward and expressed concern that the traffic volume on MLK Jr. Blvd. was already very high, and she felt it would be increased to a dangerous level with the increased volume from the proposed development. She also felt the 8-foot wall that the developer had agreed to put in was inadequate because it would only be around phase one; what about the impact to them from any additional development that occurred in the future? She further thought that the amount of fencing the applicant had agreed to install was inadequate because the buffer was decreasing with each subsequent redesign of the plan (i.e., originally 80 feet, decreased to 50 feet, and now down to a 45-foot buffer), and she felt the inadequate amount of fencing was short-sighted and that adequate provisions needed to be made now with the future in mind.

Bill Bailey, nearby property owner who had also spoken at the previous public hearing, came forward and supported providing an additional access off of Hale

Avenue because he felt it would substantially help the traffic flow. Regarding traffic on MLK Jr. Blvd., he was very concerned that the roadway was inadequate to support heavy construction trucks, much less the increased traffic volume. He also felt the high density of the project was inconsistent with the reasons he moved into Brooksville. He explained that he had sought out his single family residential land on the dead-end of a quiet street and had built a single family residence to live in, stay here, and retire and live out the rest of his life here; however, if this development goes in as proposed, he didn't think he would stay here as he had previously planned. He strongly felt the proposed plan is inconsistent with the surrounding area and that there are plenty of other areas where such a high density development could be built. Also, based on his perspective from working for the fire department for many years, he strongly felt that the emergency infrastructure of the area would not be capable of supporting the high density of the proposed development. Also, with the parking now being placed all around the property outside of the buildings, he felt that would impede the emergency vehicles from being able to get in and provide emergency services in a quick and efficient manner.

Ruth Reeder, owner of property directly adjacent to the proposed development, felt the proposed high density development would be very inappropriate for the existing very low density neighborhood. She did not want a development that had the high density of, for example, the Bronx area of New York, to be built in her neighborhood consisting of one- or two-acre lots with single family homes on them. She questioned if this could be considered "spot zoning."

Commissioner Korbus asked that if the current proposal was for apartments, and there is going to be children living there, when the school buses go out there and stop at the entrance to the development, what is the sight distance from the proposed driveway to the top of the hill? Specifically, is there enough room for drivers to stop when they see the lights of the stopped bus after they come up over the top of the hill. Director Geiger responded that where it is located on the site plan right now, there is approximately a distance of 250 feet from the top of the hill to where the buses will stop at the entrance to the development.

Mr. Nicholson again came forward and stated that this issue has come up before, and he and his client had already told Director Geiger that they would agree to adhere to any codes for sight distance requirements for that driveway. Further, if they needed to do modifications to MLK Jr. Blvd. to meet the sight distance requirements, they had agreed to do so at their expense (i.e., they would look at options such as lowering the hill by cutting it down, by putting in a deceleration lane, or whatever would be necessary to meet the sight distance requirements because they obviously didn't want anything to happen to any children).

Mr. Nicholson asked the Commission to explain to the people who had expressed their opposition to this project that the property had already been zoned by the City a long time ago to allow multi-family residential development, and all they were doing is trying to get approval for a master plan layout which meets zoning requirements that are already in place.

In response to a question by Commissioner Korbus whether the owner would be willing to reduce the number of units on the property, Mr. Nicholson explained that they have already reduced the number of units and the owner was not amenable to reducing it any further. Director Geiger clarified that multi-family is the land use that was approved for the subject property many years ago, and under the City's comprehensive plan designation, multi-family ranges anywhere from 8 units all the way up through 18 units, and single family can also be placed in multi-family designations. But, as far as the zoning of the property is concerned, it is actually zoned as a project, and any planned development project has to go through a special exception use approval process, which is what we are doing now, where it always comes back to the City to either this Board if it's a special exception, or to the City Council if it's an actual zoning, to make the

determination on what is appropriate for that area as far as what densities, setbacks, and/or with what kind of special conditions or performance standards might be placed with giving approval to a project in this area. In this case, a petitioner is asking for what they would like to do and the Board can either approve it conditionally or approve it with modifications.

Mr. Nicholson clarified that the current zoning standards would allow them to develop the property with a density of from 8 to 18 units per acre, and they were only asking to develop it with the lowest units per acre. In addition, they were developing the property with buffers that are very large, and he didn't see how it could be economically feasible to have less than 9 units per acre on this property. The development was intentionally being geared toward workforce housing (i.e., affordable), and if the number of units were decreased any further, it would no longer be economically feasible for teachers, firemen, policemen, etc., to have an affordable place to live. Lastly, he said the proposed development would be visually aesthetic and would be a great improvement to the neighborhood, and they obviously wanted to make it a showcase and make it look good because the client wanted to do another project next door later on.

Director Geiger clarified that the proposed development was actually only going to be 7.38 units per acre, which was even less than minimum of 8 that was allowed, if they were looking at the total acreage of what is in the City. Mr. Nicholson clarified that they were not proposing the commercial component to it at this point, and the only thing they were doing was presenting their request for the density consideration. Vice-Chair Wanat clarified that the DRA is included in the acreage.

Mr. Nicholson reiterated that they were looking at a traffic increase of only 16 peak hour trips, which is not a lot of traffic.

In response to a question by Commissioner Korbus regarding where the closest apartment complex is located that is comparable to the proposed development, other than the City housing one across the street, Director Geiger responded that there are 3-story condominium projects that are currently under construction right now, but there aren't any other existing comparable projects in Brooksville.

Mr. Nicholson explained that as land values increase, the building heights are going up to offset the expense. He said that the one positive thing is that there is more open space when a building is built taller instead of spread out on a property. He then addressed the concern regarding inadequate infrastructure, and he explained that they were aware they would have to improve the existing infrastructures to meet all the City's requirements.

Director Geiger stated that from a concurrency point of view, before the issuance of a construction permit or development order for this project, they would be required to comply with concurrency requirements, which addresses level of service issues in regards to the infrastructure concerns (i.e., roads, water, sewer, and several other categories).

Vice-Chair Wanat asked about the property owners' concern over the wall that they said had been removed from the plans for the site of the future development, and Mr. Nicholson replied that they had never removed the wall. He explained that the wall for the currently proposed development will stop right there at the property line, and on the future site plans that they have, they had agreed to construct the 8-foot wall in the future, but he had told them it would not be economically feasible to construct that wall now. Of course they want to protect the adjacent property owners, and if they bring in another phase on that future development site, the 8-foot wall that is on the current development site will be continued onto that adjacent piece of property. If they are worried about containing the children, they would agree to fence it, but to build a wall right now would be very expensive. If the Board wanted the developer to fence the

entire property, they would agree to put up a 6-foot chain link fence along the southern property boundary to connect the two block walls, even though his client owns both properties. But they would be agreeable to doing that if the Commission wanted to make that a stipulation, to protect the adjacent property owners from the children leaving the property.

Mr. Bailey again came forward and wanted clarification whether these were going to be apartments because he was under the impression they were going to be condominiums. Mr. Nicholson clarified that the units will be for sale and apologized for talking about rent earlier. The units will not be government-subsidized in any way. He explained that they are trying to keep the sale price of the units at less than \$200,000; however, that was directly contingent upon how many improvements they would be required to make to MLK Jr. Blvd. and the cost of improvements to any other infrastructure elements.

Barbara Burke came forward and indicated that she was confused because at the first public hearing they had been told they were going to have a wall. Then the concerned property owners met with Nicholson Engineering and the proposed project went from four stories down to two stories after that first meeting. The property owners then went back for a second meeting and were told the project was redesigned again to three stories. However, before all this, when they came to the first public hearing, it was going to be condominiums that Mr. Nicholson said would be \$200,000 per unit. At that time, somebody asked when the project would start, and Mr. Nicholson replied not until all the units were sold. But at their second meeting at his office, they asked him again when construction would start on the project, he said it would start as soon as possible. She asked how they could be selling the units already if they haven't even seen a final plan or picture of the proposed project yet; in addition, she said that Mr. Nicholson had informed them that the architect had died so they had to get new drawings. She didn't see how they could build something if they didn't even have a firm concept of what they planned to build.

Vice-Chairman Wanat replied that they were only talking about a conceptual plan at this point. The developer didn't have to submit actual drawings until later on down the road.

Ms. Burke asked how the developer could tell them something different every time they turned around, and Commissioner Korbus clarified that what the developer is proposing right now is that there will be 36 living units on the property, but there are no further specifics right now regarding how many will be 3-bedrooms or how many will be 2-bedrooms, etc. All the Commission needs to look at right now is the 36 units.

Ms. Burke asked what about the wall the developer had promised to build to protect them and said that he hadn't told them when they met that it would be built with each phase. She explained that where they plan to stop the wall now with the first phase is where the pool and clubhouse are. Vice-Chair Wanat reiterated that Mr. Nicholson had just agreed to put in a chain link fence connecting the two walls.

Regarding what the property owners directly adjacent to the new development will see from their backyards, Ms. Burke said that she is upset because all she will see is the tall buildings of the new development because her property is of a pretty high elevation. Right now from the deck in her backyard, she can see all the way across the wooded property to the sheds on the other side of Hale Avenue, a view which she feels is better than looking at buildings.

Commissioner Korbus asked Mr. Nicholson if when he had met with the concerned property owners group at his office whether he had shown them any kind of conceptual plan, and Mr. Nicholson replied that they don't have any at this point in time. He explained that right now the only drawings they have are from the architect who died, which are the ones with the parking underneath the buildings,

so plans are going to have to be completely redone. Mr. Nicholson went on to explain that it may sound like a conflict, but the developer will try to pre-sell the condos because it's the best plan financially, and construction will start as soon as possible, so it's not really a conflict.

MOTION:

Motion was made by Commissioner Korbus, seconded by Commissioner Wever, to DENY this variance request because they felt the proposed density was too high for the area. Motion carried 2-1, with Vice-Chairman Wanat in opposition.

Director Geiger explained that the applicant could appeal the Commission's decision to the City Council by filing a petition with the City Clerk's office within the next 10 days. It would then be put on the City Council's agenda for either their next regularly scheduled meeting of April 2, 2007, or one very soon thereafter, and the City Council will determine whether or not to entertain the petition for an appeal and will set a date for hearing the appeal if they decide to do so.

****VR2007-03 - AMIN NATHANI-PRESENTED BY NICHOLSON ENGINEERING ASSOCIATES, INC.**

Petition request to reduce the minimum setbacks and to maintain status for a non-conforming structure.

The City Attorney explained that this is a quasi-judicial proceeding and asked anyone who would like to be recognized as an intervening party to the proceeding or who would like to be sworn as an expert witness to come forward.

The Commission swore in and accepted by consensus Mr. Amin Nathani, the petitioner, and again accepted by consensus Mr. Nick Nicholson as an expert in civil engineering and land use planning and Director Geiger as an expert in land use planning, development, and zoning.

Director Geiger requested that the staff report be entered into the record in its entirety, as follows:

SUMMARY OF REQUEST - GENERAL INFORMATION:

This property is located at 717 S. Broad Street (U.S. Highway 41). The petitioner is requesting a variance from the City's minimum front-yard setbacks for new structures on the site. The petitioner also wishes to maintain an existing, non-conforming structure on the site. A variance petition for this property requesting relief from setback and parking standards was considered at the January 10, 2007, Planning and Zoning Commission meeting. The Commission denied that petition and encouraged the petitioner to rework the configuration of the site and reapply with a plan that more closely conforms to the City's adopted setback and parking requirements. At this time, the petitioner has submitted this new petition and site plan requesting relief from the City's minimum front-yard setbacks. Specifically, the petitioner is requesting the following:

1. The petitioner wants to build a new 2,200 square foot building and replace/relocate gasoline pumps, canopy and car wash. A variance is requested from the City's Land Use/Zoning Regulations, Schedule F "Dimensions and Area Regulations for Nonresidential Districts," regarding minimum front-yard building setbacks. The City Code requires a 75-foot front yard building setback from the US 41 rights-of-way. The petitioner is requesting a reduction to a 50-foot front yard structure setback for the new 2,200 square foot building, a 25-foot front yard setback to the gasoline dispensing island canopy and a 35-foot yard setback to the pumps. The petitioner is proposing an 18-foot wide cross property access aisle at the rear of the property. Although 24-feet of pavement width would be the normal minimum for a frontage road, the 18-foot width may be accepted in a redevelopment circumstance to facilitate cross-access through the property.

MEMORANDUM

To: Planning & Zoning Commission Members
From: Patricia J. Jobe, Planning & Zoning Coordinator 
Via: Bill Geiger, Community Development Director 
Subject: SE2007-01 - Requesting Special Exception Use approval for a proposed Residential Planned Development Project on a 2.82 ± acre site.
Petitioner: Jorge Lopez for Garden Homes, LLC (Represented by Nicholson Engineering Associates, Inc.)
Location: South side of Dr. MLK, Jr., Boulevard and west of Hale Avenue
Date: March 14, 2007

The petitioner is requesting Special Exception Use approval for a Residential Planned Development Project on a 4.88 acre ± site. The property is located on the southwest corner of Dr. M. L. King, Jr., Boulevard and Hale Avenue. This petition was continued from the January 10, 2007 Planning and Zoning Commission meeting to the February 14, 2007, and subsequently was continued to the March 14, 2007 meeting. The continuations were requested to allow the petitioner time to meet with the neighboring property owners to work out their concerns regarding building height, density, and consideration of a privacy fence. The petitioner originally requested the special exception to enable him to build two 4-story, 18-unit residential buildings. The petitioner has reduced the 4-story buildings to 3-story buildings, containing 18-units each, and has revised the site plan to include an 8-foot masonry wall to be constructed around the development. In conjunction with the modifications, the the buildings and parking area were redesigned in the site layout.

STAFF FINDINGS:

CURRENT LAND USE/ZONING

The subject property (where the residential structures are being planned) is currently zoned as a Planned Development Project (PDP). The eastern portion of the same site is zoned C2. The property has a Comprehensive Plan Future Land Use (FLU) designation for Multifamily/Mobile Home and Commercial Uses respectively.

FACTUAL INFORMATION

1. The western portion of the subject property is currently zoned as a PDP with FLU designations for multifamily/mobile homes and the eastern portion of the site is zoned C2 with a FLU designation for commercial uses.
2. The total subject property is approximately 4.88 ± acres in size.
3. The site is currently undeveloped.
4. The developer is proposing to construct two buildings with eighteen residential units each (36 units total) on the PDP (western) portion of the site (equivalent to 7.38 units per acre).
5. The proposed residential structures are ~~four~~ three stories in height with an internal parking area.
6. Access to the site is proposed via Dr. MLK, Jr. Boulevard. A secondary access is proposed for connection to Hale Avenue with the completion of future phases of this project.
7. Development of this property for the proposed use is consistent with the City Comprehensive

Plan.

8. The subject property is not located within any wellhead protection areas.
9. The developer will be required to negotiate a utility service agreement with the City of Brooksville to facilitate the provisions for and determine the availability of water and sewer services to the property.
10. In addition to water and sewer services, the property will be served by City police, fire and sanitation collection services.

STAFF DISCUSSION & FINDINGS OF FACT

The petitioner is proposing a 36-unit residential project. The petition has been reviewed for compliance with applicable standards and comments are as follows:

1. Table 2 of the City's PDP Land Area and Dimension Regulations requires a 10-foot minimum landscape separation strip along all property lines and streets serving the project. The code also provides latitude for the Commission to consider a requirement for the project to be permanently screened from adjoining and contiguous property by a wall, fence, evergreen hedge and/or other approved enclosures, as deemed applicable and appropriate. The detailed development plan for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 9.5, City Code). This portion of the City code encourages the preservation of existing trees on the site and it is recommended that the developer give due consideration to this in the design and final plan layout. Given the height of the proposed buildings and the proximity of this project to existing SFR development on Mildred Avenue, the Commission may consider requiring that a specified natural buffer of at least 50' be maintained along the western boundary of this property.
2. Per Table 2 of the City's Planned Development Project regulations, the following square footage amounts represent the "maximums/minimums" permitted for the acreage involved with this PDP:
 - a. Maximum gross floor area permissible = 63,771.84 square feet
 - b. Min. open space required (includes roads & parking) = 159,429.6 sq. ft. (3.66 acres)
 - c. Min. open space required, less roads & parking = 102,034.94 sq. ft. (2.34 acres)
 - d. Min. recreation space that must be provided = 9,565.78 sq. ft. (.22 acres)
 - e. Minimum number of parking spaces required = ** 72 parking spaces** May vary depending upon the size of unit.

The petitioner will need to submit information related to total gross floor area, square footage of roads and parking, and square footage of the balance of open space and recreation space proposed for the site prior to construction plan submittal. This information will be used to determine if this project is in compliance with land use and intensity standards established by the City for Planned Development Projects.

3. Traffic - The developer proposes to utilize Dr. M. L. King, Jr., Boulevard as the primary access. A secondary access is proposed for connection to Hale Avenue upon completion of the final phasing of this project (to be brought back to the commission for consideration at

- a later date).
4. It is recommended that the developer incorporate and provide appropriate pedestrian amenities with this development including sidewalks. Facilities constructed are required to be ADA accessible.
 5. Drainage - This project will be required to be designed to meet all applicable standards specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual*, latest edition, as published by the Southwest Florida Water Management District.
 6. Infrastructure & Services - The developer will be required to negotiate a utility service agreement with the City of Brooksville for water and sewer services. Connection to City water and sewer service will be required. Service availability and requirements include the following:
 - Potable water service is available via a 12-inch force main on the west side of Hale Avenue.
 - There is currently an 8" sewer line located on the east side of Hale Avenue and on the North side of Dr. M. L. King, Jr., Boulevard.
 - Fire hydrants must be installed and spaced to meet all applicable fire code (NFPA) standards.
 - Water lines on-site will be private and must be sized to provide adequate fire flow as per AWWA Manual M31.
 - Sanitation dumpster solid waste collection services will be provided by the City.
 - Transportation - According to the ITE Trip Generation Manual (6th edition - Use Code #'s 223/222), this project will generate approximately 16 PM Peak Hour Trips (.44 x 36 units) and 151± total daily trips (weekday/4.2 multiplier).
 7. City Concurrency Standards - The City requires concurrency review and analysis at the time when a development order/permit application is submitted. Concurrency review and adherence is not required in consideration of a land use or zoning action, as is the case for this petition. It may be noted that in reviewing the potential impacts associated with this proposal, it does not appear that any adopted level-of-service standards would be breached if permits were applied for at this time. The developer will be required to provide a "Statement of Impact - Concurrency Application" with each phase of development for this project that will be reviewed to ensure that level-of-service standards are being maintained within their adopted levels.
 8. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is encouraged to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a proposed development should be resolved prior to the submittal of construction plans. Based on the planned number of residential units, approximately 12 students would be generated.
 9. Parking - The Developer will be required to provide 1.5 parking spaces per dwelling unit for 1 or 2 bedrooms units, and 2 parking spaces per dwelling unit for units with 3 or more bedrooms.
 10. The following specific performance standards may be considered for this project:

- Four Three story/18-unit maximum per building
 - 40-foot minimum structure setback from M.L. King Boulevard
 - 140-foot minimum structure setback from western property line
 - 80 50-foot minimum natural buffer required along the western boundary of the property
 - 25-foot minimum structure setback from the southern boundary of the property
 - 190-foot structure (building) setback from Hale Avenue
 - 15-foot minimum building separation
 - 8-foot masonry wall
11. Unless specifically addressed to the contrary herein, City ordinance regulations which apply with regard to zoning district classification shall apply to residential areas within this PDP as if they are zoned R3.
 12. 36 Residential units are the maximum number requested for this project at this time.

When development plans are submitted for permitting on each phase of this project, they will be reviewed and analyzed for impact to roads, utilities, drainage, the environment and compliance with all other applicable land use criteria and will be subject to meeting all federal, state and local agency permitting requirements.

NOTE: The Special Exception Use process is a land use determination which does not constitute a permit for either construction on or use of the property. These actions are not considered a Certificate of Concurrency. Prior to use of or construction on the property, the petitioner must receive approval from the appropriate City, County and/or other governmental agencies that may have regulatory authority over the proposed development.

The granting of this land use determination does not protect the owner from civil liability for recorded deed restrictions which may exceed any City land use ordinances. Homeowner associations or architectural review committees may require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

STAFF RECOMMENDATION

Conditionally approve the Special Exception Use for a Residential PDP, consistent with the "Hale Avenue Multifamily Site Plan" prepared by Nicholson Engineering Associates Inc., dated 02/03/06, subject to the following conditions and stipulations:

1. The phased and/or final development plan(s) for this proposal will be required to reflect and adhere to the standards of the City's Landscaping, Buffer and Tree Protection code (Chapter 9.5, City Code). Additionally, the developer is required to maintain a natural buffer of at least

- § 50' along the western boundary of this property.
2. The developer shall incorporate and provide appropriate pedestrian amenities with this development including sidewalks (along M.L. King Boulevard and Hale Avenue). Applicable facilities constructed are required to be ADA accessible.
 3. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District. The proposed stormwater plan associated with this project must comply with all applicable federal, state and local standards.
 4. Comprehensive site development plans shall be submitted. Said plans are subject to approval by the City Department's of Public Works and Community Development prior to the issuance of a building/construction permit.
 5. The developer will be required to successfully negotiate a utility service agreement with the City prior to permitting.
 6. This special exception use approval is conditioned with a three-year time period. If phasing and development plans are not submitted and construction contracts are not let within this time, this approval will be considered null and void.
 7. The developer will be required to provide a site lighting plan to ensure that the lights do not disturb the neighboring residents adjacent to this project.
 8. Pursuant to an interlocal agreement between the City, County and the Hernando County School Board, the developer is encouraged to coordinate with the Hernando County School District to determine if adequate school capacity exists for each school level based on the number of residential units to be constructed by the development. If adequate capacity does not exist, the developer may propose and the school district may accept a proportionate share mitigation settlement to address any identified deficiency. School concurrency issues related to a proposed development should be resolved prior to the submittal of any construction plans.
 9. The following specific performance standards are required for this project:
 - a. ~~Four~~ Three story/18-unit maximum per building
 - b. 40-foot minimum structure setback from M.L. King Boulevard
 - c. 140-foot minimum structure setback from western property line
 - d. ~~80~~ 50-foot minimum natural buffer required along the western boundary of the property
 - e. 25-foot minimum structure setback from the southern boundary of the property
 - f. 190-foot structure (building) setback from Hale Avenue
 - g. 15-foot minimum building separation
 - h. An 8-foot masonry wall will be constructed near the western and eastern residential portions of the property
 10. Unless specifically addressed to the contrary herein, City ordinance regulations which apply with regard to zoning district classification shall apply to the residential portions of this PDP as if it were zoned R3.
 11. 36 residential units are the maximum number approved for this phase.
 12. The residential community entrances may incorporate appropriate signage, consistent with

Page 6

Garden Homes, LLC

SE - Residential PDP Petition

March 14, 2007

community standards and subject to approval by the City Manager or the City Manager's designee.

Enclosures: (1) Special Exception Use Petition
(2) Letter from Nicholson Engineering Assoc., Inc. (dated Feb. 2, 2007)
(3) Site Plan - Revised
(4) Vicinity Map

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PETITION FOR SPECIAL EXCEPTION USAGE

TO THE CITY OF BROOKSVILLE, FLORIDA PLANNING & ZONING COMMISSION

The undersigned Petitioner/Property Owner hereby submits this Petition for a Special Exception Usage at the following described property, to wit: (insert typewritten legal description)

All of Lots 5 & 6, 11, and 12, together with the following contiguous roads, "C" Street, "D" Street, the E 1/2 of John's Avenue and the west half of Abbey Avenue, all in Parson's addition to Brooksville, as per plat thereof, as recorded in Plat Book 3, Page 17, Public Records of Hernando County, Florida.

Subject Property Street Address: SW Corner of Hale Avenue and
Martin Luther King Jr. Blvd.

PETITIONER IS SPECIFICALLY REQUESTING SPECIAL EXCEPTION USAGE FOR THE FOLLOWING:

36 Multifamily units, and a 10,500 square foot building,* Commercial. This is part of a combined project with the parcels to the south. We are in the process of annexing Lot 4, Lot 13, Lot 14, into the City.

* Note: The commercial building will be constructed after the adjacent property is rezoned.

Property future land use is: PDP (MF) & C2
Current land use is: Vacant
Property is zoned: PDP (MF) & C2

Petitioner requests that said Special Exception Usage be permitted so that the Owner may utilize the above said property to its highest and best use.

It is in the opinion of the Petitioner that the granting of a Special Exception Use of said property will not be materially detrimental to the Public Welfare, nor to the persons or properties located in the immediate area.

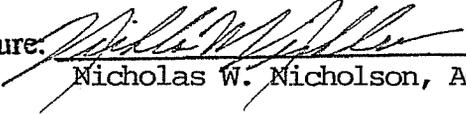
Wherefore, the Petitioner requests that the City of Brooksville, Florida, Planning and Zoning Commission convene to hear and take jurisdiction over the subject matter of this petition.

Petitioner's Name: Jorge Lopez for Garden Homes, LLC

Street Address: 3400 Coral Way Suite 600

City/State/Zip: Miami, FL 33145

Daytime Phone: 305-608-9180

Signature: 
Nicholas W. Nicholson, Agent

APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

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

All of Lots 5 & 6, ^(Insert Legal Description Below) 11, and 12, together with the following contiguous roads, "C Street, "D" Street, the E 1/2 of John's Avenue and the west half of Abbey Avenue, all in Parson's addition to Brooksville, as per plat thereof, as recorded in Plat Book 3, Page 17, Pub. Records of Hernando County, FL.

Dated: 9-25-06

Signed in the presence of:

WITNESSES:

Signature [Signature]
Print Name Jorge Betancourt

Signature [Signature]
Print Name Johan Betancourt

Signature [Signature]
Print Name Claudia De la Cruz

Signature [Signature]
Print Name Valanessa De la Cruz

LANDOWNER(S):

Signature [Signature]
Print Name Jorge Lopez

OWNER OR AGENT AFFIDAVIT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Jorge Lopez, being duly sworn, hereby depose and say
Jorge Lopez for Garden Home is the owner of the herein described property to-wit:

(Insert Legal Description Below)

All of Lots 5 & 6, 11, and 12, together with the following
contiguous roads, "C Street, "D" Street, the E 1/2 of John's
Avenue and the west half of Abbey Avenue, all in Parson's
addition to Brooksville, as per plat thereof, as recorded in Plat
Book 3, Page 17, Public Records of Hernando County, FL

ACKNOWLEDGMENT

All information submitted within this Petition is in all respects true and correct to the best of my knowledge and belief.

Witness Signature: [Signature]

Owner/Agent Signature: [Signature]
Jorge Lopez

STATE OF FLORIDA
COUNTY OF DADE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9
DAY OF 25 2006 BY THE ABOVE PERSON(S) Jorge Lopez
WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED
FIA D/L AS IDENTIFICATION AND WHO (DID) (DID NOT) TAKE AN
OATH.

[Signature]
SIGNATURE OF NOTARY

Olga Betancourt
PRINTED NAME OF NOTARY



3/0

Prepared by and return to:
Stephen Daniel Hayman, Esq.
Attorney at Law
Rhoton & Hayman, P.A.
412 E. Madison Street, Suite 1111
Tampa, FL 33602
813-226-3138
File Number: 05-60
Will Call No.:

Doc# 2005073706
Hernando County, Florida
08/24/2005 9:31AM
KAREN HICKLAI, Clerk
RECORDING FEES \$ 27.00
DEED DDC STAMP \$ 2,000.00
08/24/2005 Deputy Clk

R

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 15th day of August, 2005 between LLE Southwest Properties, LLC, a Florida Limited Liability Company whose post office address is 10613 Hatteras Drive, Tampa, FL 33615, grantor, and Garden Homes LLC, a Florida Limited Liability Company whose post office address is 3400 Coral Way 600, Miami, FL 33145, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Hernando County, Florida to-wit:

Parcel 1:

Lots 13 and 14, together with vacated contiguous streets described as South 1/2 of "C" Street, all of "B" Street, N 1/2 of "A" Street, E 1/2 of John's Avenue, West 1/2 of Abbey Avenue, all in Parsons Addition to the City of Brooksville, as per plat thereof, as recorded in Plat Book 3, Page 17, Public Records of Hernando County, Florida.

Parcel 2:

Lot 4, less the South 42 feet thereof, all of Lots 5 and 6, 11 and 12, together with the following contiguous roads, "C" Street, "D" Street, the E 1/2 of John's Avenue and the W 1/2 of Abbey Avenue and the East 1/2 of Abbey Avenue, all in Parsons Addition to the Town of Brooksville, as per plat thereof, as recorded in Plat Book 3, Page 17, Public Records of Hernando County, Florida.

Parcel Identification Numbers: R27/222/19/3010/0000/0130 and R27/222/19/3010/0000/0050 and R27/222/19/3010/0000/0110 and R27/222/19/3010/0000/0040.

Subject to taxes for 2005 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said

Initials SDH LO DLG

land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2004.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

LLE Southwest Properties, LLC, a Florida Limited Liability Company

By: [Signature]
Emmanuel I. Mekowulu, Managing Member

[Signature]
Witness Name: Stephen Hayman

[Signature]
Witness Name: Anne Marie Hayman

By: [Signature] M.D.
Leo C. Egbujiobi, Managing Member

[Signature]
Witness Name: Ann Spanton

[Signature]
Witness Name: Roxanne Murwin

By: [Signature]
Louis Okonkwo, Managing Member

[Signature]
Witness Name: Stephen Hayman

[Signature]
Witness Name: Anne Marie Hayman

State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 15th day of August, 2005 by Emmanuel I. Mekowulu, Managing Member of LLE Southwest Properties, LLC, a Florida Limited Liability Company, on behalf of said firm. He/she is personally known or has produced a driver's license as identification.

[Notary Seal]



Stephen D. Hayman
MY COMMISSION # DD093399 EXPIRES
March 17, 2006
BONDED THRU TROY FAIN INSURANCE, INC.

Notary Public

Printed Name: Stephen Hayman

My Commission Expires: 3-17-06

Initials _____

State of Wisconsin
County of Rock

The foregoing instrument was acknowledged before me this 12th day of August, 2005 by Leo C. Egbujiobi, Managing Member of LLE Southwest Properties, LLC, a Florida Limited Liability Company, who is personally known or has produced a driver's license as identification.

Shannon Pearson
Notary Public

Printed Name: Shannon Pearson

My Commission Expires: 6-29-08

[Notary Seal]
NOTARY PUBLIC
STATE OF FLORIDA
County of Hillsborough

The foregoing instrument was acknowledged before me this 15th day of August, 2005 by Louis Okonkwo, Managing Member of LLE Southwest Properties, LLC, a Florida Limited Liability Company, who is personally known or has produced a driver's license as identification.

Stephen Heerman
Notary Public

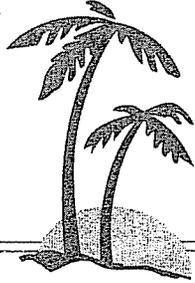
Printed Name: Stephen Heerman

My Commission Expires: 3-17-06

[Notary Seal]

 Stephen D. Hayman
MY COMMISSION # DD073577 EXPIRES
March 17, 2006
BONDED THRU TROY FARM INSURANCE, INC.

Initials Em Ld LS



NICHOLSON ENGINEERING ASSOCIATES, INC.

P.O. Box 12230 ~ Brooksville, FL 34603 • 7468 Horse Lake Rd.

Phone: 352-799-0170 • Fax: 352-754-9167

www.nicholson-engineering.com

February 2, 2007

City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

Re: Revised Cover Letter for Special Exception
For Lopez Property on Hale Avenue

To Whom It May Concern:

We are requesting a special exception for the portion of the Lopez property that is located in the City of Brooksville. The special exception would allow the owner to develop the property based on the current zoning. This project has been postponed from the January Planning & Zoning to the March Planning & Zoning meeting.

Proposed on the subject property are two multifamily buildings. The multifamily buildings would have 18 units each for a total of 36 residential units.

Proposed setbacks are 50' west, 40' north, 15' east and 0' south. A 50' buffer will remain to the west in a natural condition. Also, an 8' block wall will be constructed on the west and east property lines. Traffic generation will be approximately 36 peak hour trips.

The special exception would allow the developer to "get started" with building the portion of the project that is already zoned property.

Thank you for your consideration.

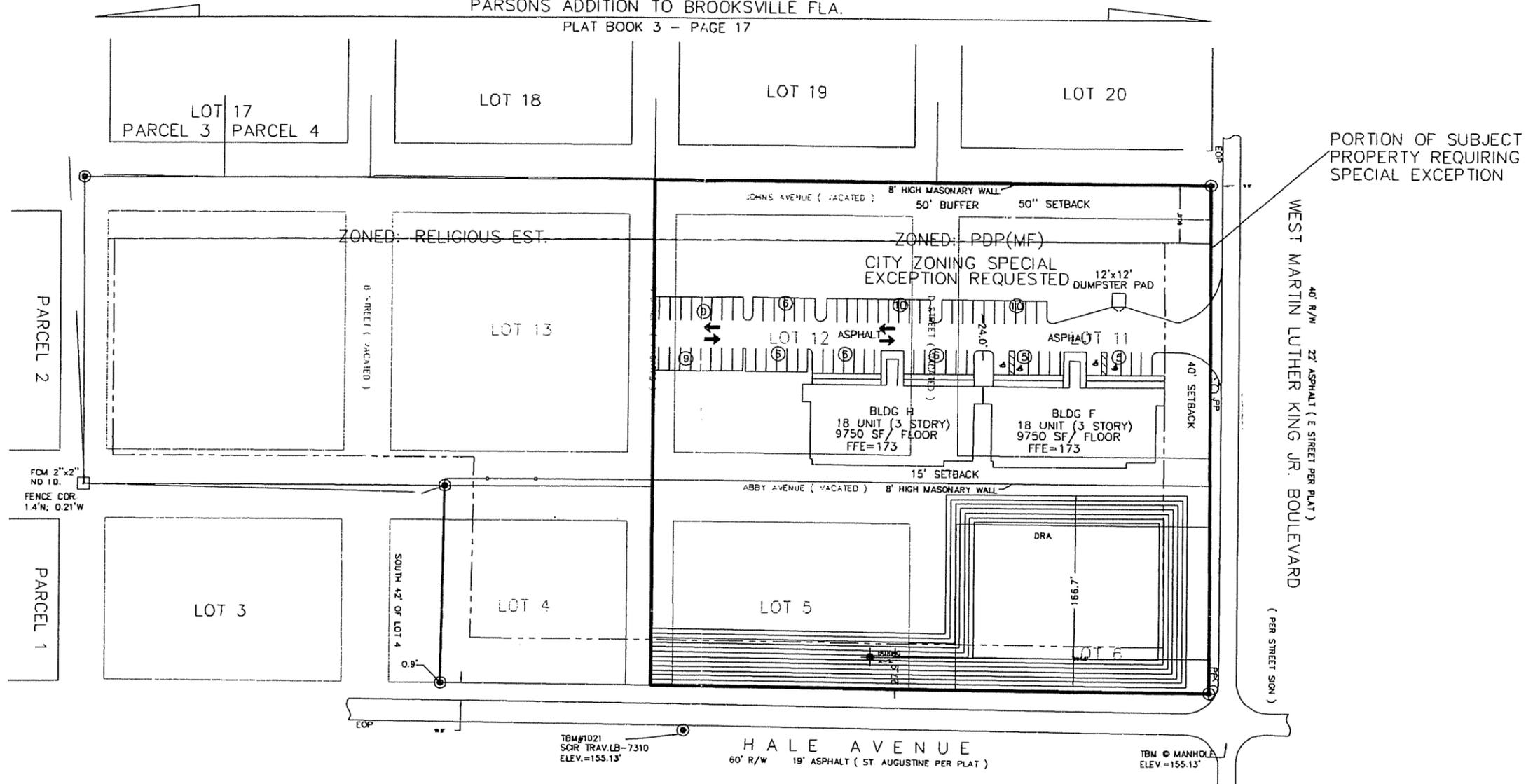
Sincerely,

Nicholas W. Nicholson, P.E. 37862
President, Cert. of Authorization No. 7455

Received: 2-5-07

NWN:sad
Enclosures-Revised Site Plan/11 x 17 Plan

PARSONS ADDITION TO BROOKSVILLE FLA.
PLAT BOOK 3 - PAGE 17



FCM 2"x2"
ND 10.
FENCE COR.
1.4'N, 0.21'W

TBM #1021
SCR. TRAV. LB.-7310
ELEV.=155.13'

HALE AVENUE
60' R/W 19' ASPHALT (ST. AUGUSTINE PER PLAT)

TBM @ MANHOLE
ELEV.=155.13'

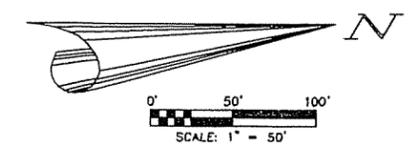
REVISIONS	
DATE	DESCRIPTION
10/20/06	SWFWMD COMMENTS

LEGEND

- PP Power Pole & Overhead Line
- Handicap Parking
- C/L Centerline
- Soil Boring
- R/W Right-of-Way Line
- Light Pole
- Property Line
- Existing
- Break Line (Dashed, Dash-Dash, Solid)
- Curb (Type 'S')
- Fence
- Surface Retoff
- Fire Hydrant (FH)
- Manhole (MH)
- Traffic Flow
- Manhole Landscaping (Parking on 3 sides)
- 34" Struck @ Placing 8" Subsequent Better
- 14 3/4" S&M Boundary & No.
- Proposed Grade
- Curb Stop
- Required Setback
- Parking Space Count
- Proposed Pavement Conditions
- Site Fences
- High Water Use Zone

SITE DATA

LOT AREA	8.63 AC (ALL PARCELS)
MAXIMUM HEIGHT	48'
MAXIMUM STORY	3
PARKING DIMENSIONS (90°)	9'W x 18.5'L W/ 26' AISLE
HANDICAP PARKING DIMENSIONS:	12'Wx18.5'L W/ 5'Wx18.5'L ACCESS STRIP
REQUIRED PARKING:	1.5 SPACES PER DWELLING UNIT (36 UNITS) = 54 SPACES 1 SPACE PER WAGONET (1) = 1 SPACE
PROVIDED PARKING:	TOTAL 55 SPACES REGULAR 52 PAVED HANDICAP 3 PAVED
	TOTAL 72 SPACES REGULAR 68 PAVED HANDICAP 4 PAVED



HALE AVENUE MULTIFAMILY
SITE PLAN

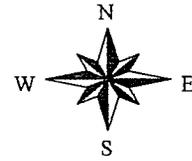
File Name: HaleAveRezone
Drawn By: MHG
Job No.: 03-09-01
Date: 02/03/06
Scale: 1" = 50'
Sheet: C-1

NICHOLSON ENGINEERING ASSOCIATES, INC.
Structural Engineering & Commercial Site Design & Submittals in City & Rural
Nicholas W. Nicholson, P.E.
P.O. Box 12210, Brooksville, FL 34603
7466 Hines Lake RD, Brooksville, FL 34601
Phone: (941) 799-0170 FAX: (941) 714-1167
www.nicholson-engineering.com
Florida License No. 37462
Certificate of Registration Number 7451
info@nicholson-engineering.com

This drawing is not valid without the signature and original raised seal of a Florida Licensed Engineer. This drawing is not valid except from the corporate seal of related drawings, addendums, specifications, reports, and revisions. It is the intent of the Engineer of Record to hold paramount the safety, health and welfare of the public. It is the ethical and moral responsibility of any reviewer to bring such errors, omissions, discrepancies, and deficiencies as they may find to the immediate attention of the Registered Professional whose name & seal appears on this drawing.



SE2007-01
Garden Homes, LLC
Dr. MLK, Jr., Boulevard
March 14, 2007



Legend

-  Garden homes special exception.shp
-  City Boundary (12/05/2005)

Prepared by
City of Brooksville
Community Development Department
March 14, 2007

NOTICE OF APPEAL

In accordance with Section 137-43(d) of the City of Brooksville Code, I do hereby file with the City Clerk this Notice of Appeal regarding the decision made by the City of Brooksville Planning & Zoning Commission on March 14, 2007, concerning the matter of Petition #VR2007-02.

Appellant's Name: Frankie Burnett

Board/Individual whose Decision is being Appealed: Planning & Zoning Commission

Petition Reference Number: VR2007-02

Petitioner: Clara A. Suske

Subject of Petition: Requesting a variance to reduce the minimum lot size, minimum front yard setback and the minimum rear yard setback requirements.

Location of Petition Request: 602 Ellington Street, Brooksville, FL 34601

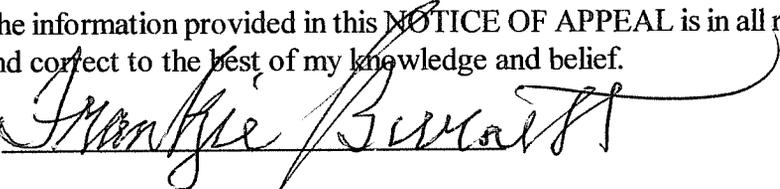
Action Being Appealed: At their meeting on March 14, 2007, the Planning and Zoning Commission made the determination that Petition number VR2007-02 satisfactorily met the criteria stipulated in the City of Brooksville Code Section 101-36, consistent with findings stated within the staff report for said petition, and subsequently approved variances for the referenced property as follows:

1. Minimum Lot size reduced from 12,000 to 11,000 square feet
2. Minimum Lot width from 75' to 50'
3. Minimum Front Yard setback from Ellington Avenue from 25' to 12'
4. Minimum Rear Yard setback (West property line) from 20' to 12'

In conjunction with approving the variances listed, the Commission also stipulated a performance condition for the petitioner to construct and maintain a six-foot opaque privacy fence along the western property line to within 10 feet of the north and south property lines.

Specific Reasons for Appeal: The Appellant resides adjacent to the subject site, and was determined by the Planning & Zoning Commission to have standing to Intervene as a Party in this case. The variance petitioner, Clara Suske, is proposing the construction of a duplex on the subject property. Most of the existing properties in this area are single-family residences. It is understood that even a proposal to place a single family structure on this property would require variance consideration since the property is only 50' deep and has frontage setbacks to three public rights-of-way. It is the Appellant's feeling that a single-family structure with a 15' setback from the western property line would be more appropriate for the neighborhood (than the duplex proposed), and would more closely meet the criteria for granting the "Minimum" variance necessary for the property owner to have reasonable use of their land.

Appellant Affidavit: The information provided in this NOTICE OF APPEAL is in all respects true and correct to the best of my knowledge and belief.

Signature of Appellant: 

(For office use only below this line)

Date Notice of Appeal filed with City Clerk: March 15, 2007

Date scheduled for City Council Consideration: APRIL 2, 2007

Date for Special Meeting for Appeal (if approved by City Council): _____

4/2/07 agnd

APPEALS OF COMMISSION DECISION

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

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

(1) To hear and decide appeals where it is alleged there is an error in an order or determination made by the administrative official in the enforcement of the land use/zoning regulations of the city.

(2) To hear and decide special exception petitions to the land use/zoning regulations of the city.

(3) To hear and decide petitions seeking variances from the land use/zoning regulations of the city. No such variance will be granted unless the facts presented show that a literal interpretation and enforcement of the regulations would result in an unnecessary hardship to the petitioner. No variance will be granted for a condition which was caused by the petitioner.

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

(c) Appeals. Appeal of a decision of the administrative official may be taken to the commission by any person affected by such decision. Any appeal must be taken within 21 calendar days from the date the decision is rendered by the administrative official. Written notice of the appeal shall be delivered to the administrative official or his authorized representative. The administrative official will publish in a newspaper of local circulation (as defined in F.S. ch. 50) a notice of hearing at least seven calendar days prior to the hearing. The cost of such publication will be paid by the petitioner. The hearing before the commission shall be conducted pursuant to the rules and procedures established for such proceedings by the city council.

(d) Appeals of a commission decision. Anyone may appeal a decision of the commission to the city council. In order to appeal a decision, the petitioner must deliver a notice of appeal to the city clerk within ten calendar days of the date of the commission's decision. The notice of appeal must specify the decision being appealed and the specific reasons for the appeal. The notice of appeal shall be placed as an item on the next available regular agenda of the city council. No discussion of the merits of the appeal will be permitted; the mayor will request a vote of the council to determine if it wishes to hear the appeal. If a majority of the council votes to hear the appeal, a hearing at a special meeting of the city council will be scheduled within 21 days of the vote by the council. The city clerk will publish in a newspaper of local circulation (as defined in F.S. ch. 50) a notice of hearing at least three calendar days prior to the hearing. The cost of such publication will be paid by the petitioner. The hearing before the commission shall be conducted pursuant to the rules and procedures established for such proceedings by the city council.

(e) Stay of proceedings. An appeal to the commission of a decision of the administrative official or an appeal to the city council of a decision of the commission shall cause all matters relating to the appeal to be stayed until the conclusion of the appeal process. However, after receipt of the notice of appeal, the stay may be lifted by the administrative official if, in his opinion, the facts in the notice of appeal would cause imminent peril to life or property.

(Code 1988, pt. III, subpt. B, § 53)

require submission of plans for their review and approval. The applicant for this land use request should contact the local association (if there is one) and review the Public Records for all restrictions that may be applicable to this property.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

****VR2007-02 - CLARA A. SUSKE, REPRESENTED BY ANA TRINQUE**

Petition request to reduce the minimum lot size, minimum lot width and setbacks.

The City Attorney explained that this is a quasi-judicial proceeding and asked anyone who would like to be recognized as an intervening party to the proceeding or who would like to be sworn as an expert witness to come forward.

Commission swore in and accepted by consensus Mr. Frankie Burnett as an intervening party because he lives right next door to the subject property, and Ana Trinique, representing the petitioner, Clara A. Suske.

Commission accepted Bill Geiger by consensus as an expert witness in land use planning, development, and zoning, and his qualifications are on file in the Community Development Department.

Director Geiger requested that the staff report be entered into the record in its entirety, as follows:

SUMMARY REQUEST - GENERAL INFORMATION:

The petitioner is specifically requesting a reduction in the City's minimum lot width at building line from the required 75 feet to 50 feet, the minimum front yard setback from the required 25 feet to 12 feet, the minimum rear yard setback from the required 20 feet to 12 feet and the minimum lot size from 12,000 square feet to 11,000 square feet. The petitioner has indicated a hardship in meeting the City of Brooksville Code requirements based on these lots being only 50' x 220' combined (each lot 50' x 110') and abutting three streets.

LAND USE/ZONING:

The subject property and surrounding properties are zoned R-3 (multi-family residential), and have a Multi-family Residential Future Land Use Map designation in the City of Brooksville Comprehensive Plan.

STAFF FINDINGS:

The subject parcel can not meet all the R-3 (Multi-Family Residential District) performance standards for either multi-family or single family residential development unless variances to code standards are considered.

In accordance with City Code Section 101-36 (Ordinance No. 629), the following is a synopsis of the findings that the City's Planning & Zoning Commission must make (accompanied by staff findings/comments related to this specific petition request) in order to approve the variance requests:

1. **Special conditions.** That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district and that the special conditions and circumstances do not result from the actions of the applicant. *Staff Review Comments (SRC) - The majority of the lots in this subdivision are 50 feet in width. Historically, lots in this area were either developed prior to the establishment of zoning standards in the City, or were combined to be large enough to meet the standards once they were in place. The Petitioner did not create the conditions related to the size of this parcel.*

2. **No special privilege.** That the granting of the variance(s) requested will not confer on the applicant any special privilege that is denied by the Code of the City of Brooksville, Florida, to other lands, buildings or structures in the same zoning district. *SRC - In granting the variances requested, no special privilege will be conferred to the applicant. All other code standards will be adhered to that would be expected of other lands, buildings or structures in the same zoning district.*
3. **Hardship.** That literal interpretation of the provisions of the Code of the City of Brooksville, Florida, would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work an unnecessary and undue hardship on the applicant. *SRC - The petitioner has indicated that the width of the parcel creates a hardship in that it would be impossible to comply with the dimensions and area regulation for residential, either multi-family or single family districts in regards to the minimum lot size, the minimum lot width at the building line and the required minimum setbacks. This lot, by itself, may not be used to construct a multi-family or single-family residence, unless the Commission grants a variance from the required minimum lot size, the minimum lot width at the building line standard and the minimum setback requirements. The petitioner does not own the lots on either side of these vacant lots.*
4. **Minimum variance.** That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. *SRC - This appears to be the minimum variance necessary to enable the Petitioner to construct a duplex or single-family residence on these parcels.*
5. **Purpose and intent; public interest.** That the granting of the variance will be in harmony with the general intent and purpose of the Code of the City of Brooksville, Florida, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. *SRC - It is staff's opinion that in granting these variances, development of these parcels would be in harmony with the general intent and purpose of the Code of the City of Brooksville, Florida, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Section 101-36 of the City's Land Development Code (Reference Ord. No. 629) provides specific authority to the Planning and Zoning Commission to consider granting a dimensional variance in this circumstance to allow the owner the reasonable use of the premises.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Commission find that the variances requested satisfactorily meet the criteria stipulated in City of Brooksville Code Section 101-36, consistent with City Staff findings/comments as stated within this report, and subsequently approve the variances as follows:

1. Minimum Lot size reduced from 12,000 to 11,000 square feet
2. Minimum Lot width from 75' to 50'
3. Minimum Front Yard setback from Ellington Avenue from 25' to 12'
4. Minimum Rear Yard setback (West property line) from 20' to 12'

If deemed appropriate, the Commission may condition approvals for variance requests. Such conditions may include adding stipulations for additional buffering and/or modifying the scope of the variances requested.

NOTE: Any appeal of the Commission's decision must be filed with the City Clerk within ten calendar days of the date of the Commission's decision. If the

petition is approved by the Commission and no appeals are filed within the specified time frame, this variance, including any attached conditions or restrictions, shall be recorded at the expense of the applicant in the Hernando County office of the Clerk of the Circuit Court.

Ana Trinqué, real estate agent representing Clara A. Suske, came forward and stated that they agreed with the staff report and recommendations. She just wanted to comment that she has had this property for sale for over two years, and during that time only three parties have indicated interest. The first two wanted to build a triplex, but both times staff advised that would probably not be approved. They attempted to try and start this process last summer with the second party, but after staff strongly indicated that a triplex probably wouldn't work, that fell apart. They are here again with this third party, and this party is wanting to build a duplex, has paid for all of the filing fees, and has complied with everything that is required. However, the main problem as Director Geiger had mentioned is that because the property is only a 50-foot wide lot, even a single family home would need a variance. The lot is plenty long at 220 feet, but the width can't accommodate anything based on City zoning codes. She explained that Mrs. Suske is now 92 years old, and she just went into an assisted living facility the day before. She has been wanting to get rid of this property for a long time but has been unable to. Ms. Trinqué said she has been doing everything she can as a real estate agent to try and comply with all the requirements and to accommodate Mrs. Suske and help her out, and the current buyer seems very willing to work with the City and do what is necessary to get this thing done.

Frankie Burnett, 310 Duke Street, came forward and stated that he was here tonight with several other people in the audience, and they were asking that the Board deny the staff's recommendation for approval of the variance request. He explained the reason is that where the petitioner wants to place the house is only 12 feet off of the property line up to 310 Duke Street. They feel that is too close, and when he uses the terminology "we" he wants the Board to understand that all of the property owners who live in that area have been polled, along with the church organizations, and 100% of them agree that the Board should deny the requested variance. Also, coming down there on Ellerton Street, where they are already having traffic problems, they didn't think a setback of only 12 feet off of that road is justified. Also, with the conformity of the homes that are already there, to allow the proposed house to be built with the requested variances, it would not be uniform with the surrounding houses.

In response to a question by Commissioner Korbis regarding how wide his lot on Duke Avenue is that is right next door to the subject property on the west side, Mr. Burnett replied that it is twice as big as that lot, and all the rest of the lots there are, too. They own two lots on that side and one across the road. In response to another question by Commissioner Korbis regarding how far it is from the side of the east side of his house, Mr. Burnett said it bumps up there and that is why they want that 12-foot variance, and they are all saying no to that. The building on his lot is approximately 20 feet from his property line. Commissioner Korbis clarified that if the proposed structure was allowed to be built where requested, there would be 20 feet from his house to his property line plus the 12 feet from the property line to the new structure, for a total of 32 feet between the two buildings. Mr. Burnett did not agree with looking at it that way, and he went on to explain that from where his property line is, the petitioner is asking for a 12-foot variance from his property line. Commissioner Korbis said there are several homes right in that area now that are 15 feet off the property line.

Commissioner Korbis asked if there are any houses in that area which are any closer than 20 feet apart, and Mr. Burnett confirmed that most of the houses are a little bit further apart.

In response to a question by Commissioner Weaver, Mr. Burnett replied that his

house sits back about 14-16 feet from Duke Street.

In response to a question by Vice-Chairman Wanat, Mr. Burnett said that there is an existing house next to this property on Armstrong Street on a single lot that lines up with all the rest of the houses.

Ms. Trinque came forward again and directed the Board's attention to the copy of the property plat that was included in their packets. She stated that she was told that there had been a structure on that property at one time, years and years ago. She said she understands what Mr. Burnett is saying, but she feels a hardship exists because nothing can be built on the property that will meet the City's codes, and she thinks it's unfair to the party who is now attempting to develop the property. She reiterated that the three parties who have been interested in the property all had this same type of purpose in mind, and she felt it wasn't fair to expect the property owner to just let the property stay undeveloped because of such strict codes.

Commissioner Korbus asked if we went by normal setbacks on this property, how wide of a building could be placed there. Director Geiger replied that the property has three street frontages, so front yard setbacks have to be met for all three streets, i.e., you've got 25 feet from each of the street right-of-ways, so 25 feet with a 50-foot deep lot pushes you back to next to nothing. You've got half the lot left, but then the remaining lot line where you have a property that abuts streets on three sides is your rear lot line, and the rear setback is 20 feet, so that leaves five feet of building area, which would be virtually impossible to build. Commissioner Korbus said that no matter what you do in this instance, they were going to have to do some kind of variance, no matter what it is.

Director Geiger stated that what the Board needs to consider is that normally you look at what the property owner can do with the property with the least variance request, and the logical step would be maybe one single family residence configured on the property in some way to effect that. However, as Ms. Trinque had stated, she was addressing it from a marketing perspective and whether anyone will realistically come forward and propose a single family residence on the property. It's not just the marketing real estate aspect of it, but there are many other considerations that go with the value of the property. What she is talking about is that it is difficult to do that, but she has someone who is proposing a duplex, which is why this proposal is before the Board for their consideration as to whether or not that use would be appropriate at this point. The Board has received input from the public, and it comes back to the Board to make the hard decision on whether or not it is appropriate.

Commissioner Korbus explained that he was beginning to realize that even if they made the building a different size, it wouldn't help because it actually wasn't going to help no matter what was done with the building.

Director Geiger said that they might be able to come up with something that might be a little bit better, compromising the setbacks on both sides, but it would be very difficult with only 50 feet to work with.

Commissioner Korbus asked Mr. Burnett if, on his side and probably the person behind him, if they gave the owner the variance and they put a fence up in between there in addition to putting up this building, would he be amenable to that. Mr. Burnett said no, that would not be satisfactory to him or any of the people he was speaking for. He reiterated that 100% of the property owners in the area, as well as the church organizations, do not agree with the variance request. He said the rules have been made, and as far as he was concerned, when people buy property they ought to be aware of what they can build on it or what they cannot. That came up in the discussions about the variance to be placed there, and all 100% said no.

Vice-Chairman Wanat asked Mr. Burnett what he suggested should be built on that property, because it wasn't reasonable to expect it to stay vacant. Mr. Burnett said he couldn't answer that because he isn't the owner of that property.

Commissioner Korbus explained that the Board cannot deny a property owner the use of this property; they've got to be able to use property otherwise the property is worthless. The Board had to come to some kind of solution. He asked Mr. Burnett what he thought was a reasonable amount between the proposed building and his property line. Mr. Burnett said that they were requesting the regular setback variance already set in the policy. Commissioner Korbus said that because it's on a corner, that just isn't possible because they would be looking at a 5-foot wide building, which is not buildable, and then the property is rendered not worth anything, and somebody has been paying taxes on the property for years for no good reason. Mr. Burnett said that the property owner has been paying taxes on the property for years, but it has been vacant for many years and the people in the area have actually been keeping it up.

Commissioner Wever said that the possibility is that the front door of the one facing Duke Street would be looking at Mr. Burnett's back door, and Mr. Burnett agreed.

The Commissioners and staff spent a few minutes discussing among themselves the plot plan and trying to come up with an alternative solution.

Director Geiger said that there is the small chance that a lesser request could come before the Board, but whether a lesser request would ever be presented because of the economics involved, he couldn't say.

Commissioner Korbus said that there are a number of 50- and 55-foot lots around Brooksville, whereas there weren't many in the past. But in recent years because of the price of land and things like that, a lot of lots have come up that are 50 and 55 feet, and they're putting houses on them but they have smaller side setbacks. And a lot of them have even come before the Board and asked for 7-1/2 foot setbacks, so he did not feel 12 feet was unreasonable when compared with others. He tried to put the issue in perspective for Mr. Burnett by explaining that because he and his neighbors have lived there for many years, they are comfortable with 20 feet, and 20 feet on the other side of the property line which gives them a 40 foot buffer, but nowadays with the price of land people are trying to get things a little bit closer. He was sympathetic to them not wanting to look out their windows and see whoever was living in the new structure up close and personal, but it's a very hard thing to work out because the Board can't really tell a property owner that they can't use their property, and then the owner will go to the Property Appraiser's Office and say they've been paying taxes on it all these years but now couldn't do anything with it, and want all their money back.

Mr. Burnett indicated he understood what Commissioner Korbus was saying, and said that with all due respect, a full 100% of his neighbors and the church organizations all agreed they didn't want the variances granted.

Commissioner Korbus asked about fencing in the area, and Mr. Burnett said that the only fence currently there is the 4-foot chain-link fence that he and the neighbor on the south side have on their property lines. Director Geiger commented that the Board could recommend a performance condition that required higher fencing, up to the 6-foot maximum allowed in the code. Mr. Burnett stated they didn't want any barriers of any type.

Director Geiger added that he knows the Board has considered variances for other properties that were 50 feet wide before, but they didn't have the three street frontages and that is what makes this property particularly difficult to develop. The three street frontages really squeeze the buildable area of this property down.

The City Attorney said that the funny thing about this property is that it is actually two separate lots. If each lot were developed individually for a single family home, the lot line that's the longest one (alongside Mr. Burnett's property) would be a sideyard with a 10-foot setback. Director Geiger clarified that it would actually be a 12-foot setback in the R-3 zoning district that it's located in. The City Attorney pointed out that would be exactly what the variance request is for now. Director Geiger said that if they split the lot and it was two single family residential properties, it would still have the 25-foot front setbacks from both of the street frontages, but it would be only two street frontages now, and the rear setback would be the 20 feet, which would actually leave more buildable area to consider building a home as an alternative. There could be two single family residences, but they would be very small.

The City Attorney emphasized that the point he was trying to make was that the setback on that side lot line would be 12 feet without any variance.

Director Geiger added that if the Board was looking at possibly approving this variance request, they could consider adding additional performance standards to address issues related to the issue regarding setbacks from neighboring properties, i.e., maybe increasing buffers, types of buffers, fences, etc. Commissioner Korbus said that a buffer would make the problem worse because if you get into buffers, they are already down to 12 feet now, and if they required a buffer on top of that, then they would be cutting into the size of the building again. Director Geiger said that the type of buffer he was referring to would be like an enhanced vegetative buffer; there are more types of buffers than just fences. Commissioner Korbus commented that maybe a six-foot opaque fence could possibly be a compromise solution so that at least Mr. Burnett wouldn't be looking out the back door of his house into the new neighbor's front door, or whatever it may be.

Director Geiger clarified that as far as a performance condition in a variance consideration, the Board could specify that a privacy fence be placed up to, for example, within 10 feet of the end of the property line and then be dropped to four feet from that point to the front for sight visibility issues.

Commissioner Weaver was concerned about visibility out of the driveway, and he suggested that the 6-foot high privacy fence start 10 feet from Duke Street and end 10 feet from Armstrong Street.

Motion:

Commissioner Korbus made a motion, seconded by Commissioner Wever, to approve the variance request, with all the conditions as set forth in the staff report, with the additional requirement that the developer must install a 6-foot opaque masonry wall or wooden privacy fence along the western property line, spanning the length of the building from within 10' of Duke Street to within 10' of Armstrong Street. Motion carried 3-0.

Director Geiger explained that if Mr. Burnett and/or his neighbors wanted to appeal the Commission's decision to the City Council, they could do so by filing a petition with the City Clerk's office within the next 10 days. It would then be put on the City Council's agenda for either their next regularly scheduled meeting of April 2, 2007, or one very soon thereafter, and the City Council will determine whether or not to entertain the petition for an appeal and will set a date for hearing the appeal if they decide to do so.

****RZ2007-02 and SE2007-02 - CROSLAND, INC - PRESENTED BY COASTAL ENGINEERING**

Request for Rezoning from City and County Agricultural Zoning District to Planned Development Project (PDP) with a Special Exception for a Residential Planned Development Project and Master Plan Approval.

Director Geiger informed the Commission that an e-mail had been received from the

City of Brooksville
MEMORANDUM

To: Planning & Zoning Commission Members
Via: Bill Geiger, Community Development Director 
From: Patricia J. Jobe, Planning and Zoning Coordinator
Subject: VR2007-02 - Requesting a variance to reduce the minimum lot size, minimum front yard setback and the minimum rear yard setback requirements.
Petitioner: Clara A. Suske , Represented by Ana Trinique - Agent
Location: 602 Ellington Street
Date: March 14, 2007

SUMMARY REQUEST - GENERAL INFORMATION

The petitioner is specifically requesting a reduction in the City's minimum lot width at building line from the required 75 feet to 50 feet, the minimum front yard setback from the required 25 feet to 12 feet, the minimum rear yard setback from the required 20 feet to 12 feet and the minimum lot size from 12,000 square feet to 11,000 square feet. The petitioner has indicated a hardship in meeting the City of Brooksville Code requirements based on these lots being only 50' x 220' combined (each lot 50' x 110') and abutting three streets.

LAND USE/ZONING

The subject property and surrounding properties are zoned R-3 (multi-family residential), and have a Multi-family Residential Future Land Use Map designation in the City of Brooksville Comprehensive Plan.

STAFF FINDINGS

The subject parcel can not meet all the R-3 (Multi-Family Residential District) performance standards for either multi-family or single family residential development unless variances to code standards are considered.

In accordance with City Code Section 101-36 (Ordinance No. 629), the following is a synopsis of the findings that the City's Planning & Zoning Commission must make (accompanied by staff findings/comments related to this specific petition request) in order to approve the variance requests:

1. **Special conditions.** That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district and that the special conditions and circumstances do not result from the actions of the applicant. *Staff Review Comments (SRC) - The majority of the lots in this subdivision are 50 feet in width. Historically, lots in this area were either developed prior to the establishment of zoning standards in the City, or were combined to be large enough to meet the standards once they were in place. The Petitioner did not create the conditions related to the size of this parcel.*
2. **No special privilege.** That the granting of the variance(s) requested will not confer on the applicant any special privilege that is denied by the Code of the City of Brooksville, Florida, to other lands, buildings or structures in the same zoning district.

SRC - In granting the variances requested, no special privilege will be conferred to the applicant. All other code standards will be adhered to that would be expected of other lands, buildings or structures in the same zoning district.

3. **Hardship.** That literal interpretation of the provisions of the Code of the City of Brooksville, Florida, would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code and would work an unnecessary and undue hardship on the applicant. *SRC - The petitioner has indicated that the width of the parcel creates a hardship in that it would be impossible to comply with the dimensions and area regulation for residential, either multi-family or single family districts in regards to the minimum lot size, the minimum lot width at the building line and the required minimum setbacks. This lot, by itself, may not be used to construct a multi-family or single-family residence, unless the Commission grants a variance from the required minimum lot size, the minimum lot width at the building line standard and the minimum setback requirements. The petitioner does not own the lots on either side of these vacant lots.*
4. **Minimum variance.** That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure. *SRC - This appears to be the minimum variance necessary to enable the Petitioner to construct a duplex or single-family residence on these parcels.*
5. **Purpose and intent; public interest.** That the granting of the variance will be in harmony with the general intent and purpose of the Code of the City of Brooksville, Florida, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. *SRC - It is staff's opinion that in granting these variances, development of these parcels would be in harmony with the general intent and purpose of the Code of the City of Brooksville, Florida, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

Section 101-36 of the City's Land Development Code (Reference Ord. No. 629) provides specific authority to the Planning and Zoning Commission to consider granting a dimensional variance in this circumstance to allow the owner the reasonable use of the premises.

This report does not include the perspective of adjacent landowners, who may be present at the public meeting to address and present questions and comment.

VR2007-02
Clara A. Suske
602 Ellington Street
Page 3
March 14, 2007

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Commission find that the variances requested satisfactorily meet the criteria stipulated in City of Brooksville Code Section 101-36, consistent with City Staff findings/comments as stated within this report, and subsequently approve the variances as follows:

1. Minimum Lot size reduced from 12,000 to 11,000 square feet
2. Minimum Lot width from 75' to 50'
3. Minimum Front Yard setback from Ellington Avenue from 25' to 12'
4. Minimum Rear Yard setback (West property line) from 20' to 12'

If deemed appropriate, the Commission may condition approvals for variance requests. Such conditions may include adding stipulations for additional buffering and/or modifying the scope of the variances requested.

NOTE: Any appeal of the Commission's decision must be filed with the City Clerk within ten calendar days of the date of the Commission's decision. If the petition is approved by the Commission and no appeals are filed within the specified time frame, this variance, including any attached conditions or restrictions, shall be recorded at the expense of the applicant in the Hernando County office of the Clerk of the Circuit Court.

- Enclosures:
- (1) Petition
 - (2) Letter from Ana Trinke, agent for Clara A. Suske (dated January 12, 2007)
 - (3) Conceptual site plan for a duplex
 - (3) Vicinity Map

PETITION FOR VARIANCE OF LAND USE REGULATIONS

TO THE CITY OF BROOKSVILLE, FLORIDA
PLANNING & ZONING COMMISSION

The undersigned Petitioner/Property Owner hereby submits this Petition for a Variance of Land Use Regulations for the following described property, to wit:

(Insert typewritten legal description)

T. S. RICE SUB Lots 20, 31
ORB 359 PG 754

Subject Property Address:

602 Ellington Ave
Brooksville, FL 34601

PETITIONER IS SPECIFICALLY REQUESTING VARIANCES FROM THE FOLLOWING:

We wish the Council to consider the double Lot as one whole Lot of 50 x 220. We are requesting 12' ft set backs for front & back, the sides would be 67', Ample Amount for driveway & parking.

Property has a future land use of: Multi - Single Family Residential
Property is zoned as: R-3 Multi Family

Petitioner requests that this Land Use Regulations Variance be granted to provide for a less restrictive proposed usage of above said property.

It is in the opinion of the Petitioner that such variance, if granted, will not be materially detrimental to the Public Welfare, nor to the persons or properties located in the immediate area.

Wherefore, the Petitioner requests that the City of Brooksville, Florida, Planning and Zoning Commission convene to hear and take jurisdiction over the subject matter of this petition.

Petitioner's Name Clara A. Suske (Ana Tringue-Agent)
Street Address 3288 Gulfview Dr.
City/State/Zip Hernando Bch, FL 34607

OWNER OR AGENT AFFIDAVIT

*CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA*

I, DAVID R. CORDER, Esquire, being duly sworn, hereby depose and say
CLARA A. SUSKE, A SINGLE PERSON is the owner of the herein described property to-wit:

(Insert Legal Description Below)

T.S. RICE SUB Lots 20, 31
ORB 359, PG 754

APPOINTMENT OF AGENT

**CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA**

I, CLARA A. SUSKE, the owner(s) in fee simple of the below described real property hereby appoint ANA TRINGUE as my (our) agent to file required petitions, sign required documents, make representations as to issues of fact and to appear, as may be necessary, before the appropriate City of Brooksville authority. My agent shall also have the authority to commit myself as owner to the necessary future performance conditions as may be directed by the appropriate City authority as a condition of granting my petition.

(Insert Legal Description Below)

T.S. RICE SUB LOTS 20, 31
ORB 359 PG 754

Parcel Key # 00013283

Dated: 7-1-05

Signed in the presence of:

WITNESSES:

Signature Gail Gagliardi
Print Name Gail Gagliardi

Signature [Signature]
Print Name R. Reynolds

Signature _____
Print Name _____

Signature _____
Print Name _____

LANDOWNER(S):

Signature Clara A. Suske
Print Name Clara A. Suske

Signature _____
Print Name _____

G:\Bgeig\Planning\old\BOARDS\PET_FORMAPPT_AGT.WPD

ACKNOWLEDGMENT

All information submitted within this Petition is in all respects true and correct to the best of my knowledge and belief.

Witness Signature: Gail Gagliardi

Owner/Agent Signature: Clara A. Suske

STATE OF FLORIDA
COUNTY OF Hernando

The foregoing instrument was acknowledged before me this 1st day of July 2005, ~~19~~ by the above person(s) Clara A. Suske who is personally known to me ~~or who~~ has produced ~~_____~~ as identification and who ~~(did)~~ (did not) take an oath.


SIGNATURE OF NOTARY



J R DeMint Reynolds
MY COMMISSION # DD083050 EXPIRES
January 9, 2006
BONDED THROUGH TROY FAIR INSURANCE, INC.

Prepared by: Hernando County Clerk's Office
Debra P. Ellinghuysen, Deputy Clerk
20 N. Main St., Room 215
Brooksville, FL 34601

**** OFFICIAL RECORDS ****
BK: 1558 PG: 1095

FILE# 2002-044585
HERNANDO COUNTY, FLORIDA

TAX DEED NUMBER **2002-0175**
PROPERTY I.D. NUMBER **R26 122 19 0790 0000 0200**

RCD 08M 07 2002 12:33pm
KAREN NICOLAI, CLERK

TAX DEED

STATE OF FLORIDA, COUNTY OF HERNANDO

The following Tax Sale Certificate Numbered **95-0150** issued on **MAY 24, 1995** was filed in the office of the Tax Collector of this county and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the **07 day of August 2002**, offered for sale as required by law for cash to the highest bidder and was sold to:

R

Chester C. and or Clara A. Suske
3288 Gulfview Drive
Hernando Beach, FL 34607

DEED DDC STAMPS 31.50
08/07/02 *[Signature]* **Deputy Clk**

being the highest bidder and having paid the sum of his bid as required by the Laws of Florida.

Now, this **07 day of August, 2002**, the County of Hernando, State of Florida, in consideration of the sum of **(\$4,497.47)** being the amount paid pursuant to the Laws of Florida does hereby sell the following lands situated in the County and State and described as follows:

T S RICE SUB LOTS 20 31 ORB 359 PG 754

T.C. Shurmut
Witness T.C. SHURMUT

Jo Ann Pilgrim
Jo Ann Pilgrim, Deputy Clerk

Joan E Pinkard
Witness JOAN E PINKARD

KAREN NICOLAI
Clerk of Circuit Court
Hernando County, Florida

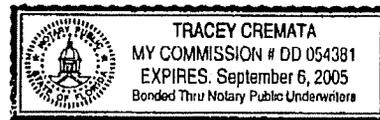
**** OFFICIAL RECORDS ****
BK: 1558 PG: 1096

State of Florida
County of Hernando

On this 7th day of August 2002, before me appeared JOANN PILGRIM, Deputy Clerk, for KAREN NICOLAI, Clerk of Circuit Court in and for the State and this county personally known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be her own free act and deed for the use and purposes therein mentioned, and who did not take an oath.

Witness my hand and official seal date aforesaid.

Tracey Cremata
Notary Signature



JAN 25 2007



*Above
the
Crowd!*

January 12, 2007

City of Brooksville, FL
Planning and Zoning Commission

Dear Commissioners;

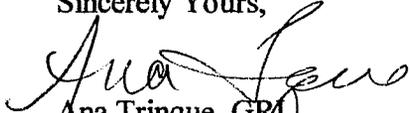
Clara A. Suske, a widow along with Donald Ravenell, purchaser, are petitioning to have a change in variance on 602 Ellington Ave, Ms. Suske's property. I am representing Ms. Suske as her agent in this matter. The property is zoned R-3 for either a single family or multi-family home. Most of the surrounding area is made up of like properties; duplexes, triplexes, and single-family homes.

Unfortunately, due to the property dimension, after set back requirements, and total square foot, the property does not qualify for putting anything for what it is zoned. Whether it is a duplex or a single-family home, this property would require a variance either way. We are asking for two considerations; 1) front and rear setbacks should be 20 & 25 ft respectively, our diagram shows 12 & 12 ft, 2) total square feet of area should be 12,000 and the 50 x 220 lot is only 11,000 sf. This is not a very deep lot, just long.

Ms. Suske has been trying to sell this property a number of years now. Our only Buyers have been individuals wanting to put a duplex or triplex on this property. This would require a variance.

We do not believe building a duplex would negatively impact this area. It would be an increase in tax revenue to the city. We currently have an executed contract on this property by Mr. Ravenell contingent on this variance being approved. Ms. Suske would be most grateful for your consideration to this matter.

Sincerely Yours,


Ana Trinque, GRI
Re/Max Showcase
352-585-3297 Cell

RE/MAX[®] Showcase

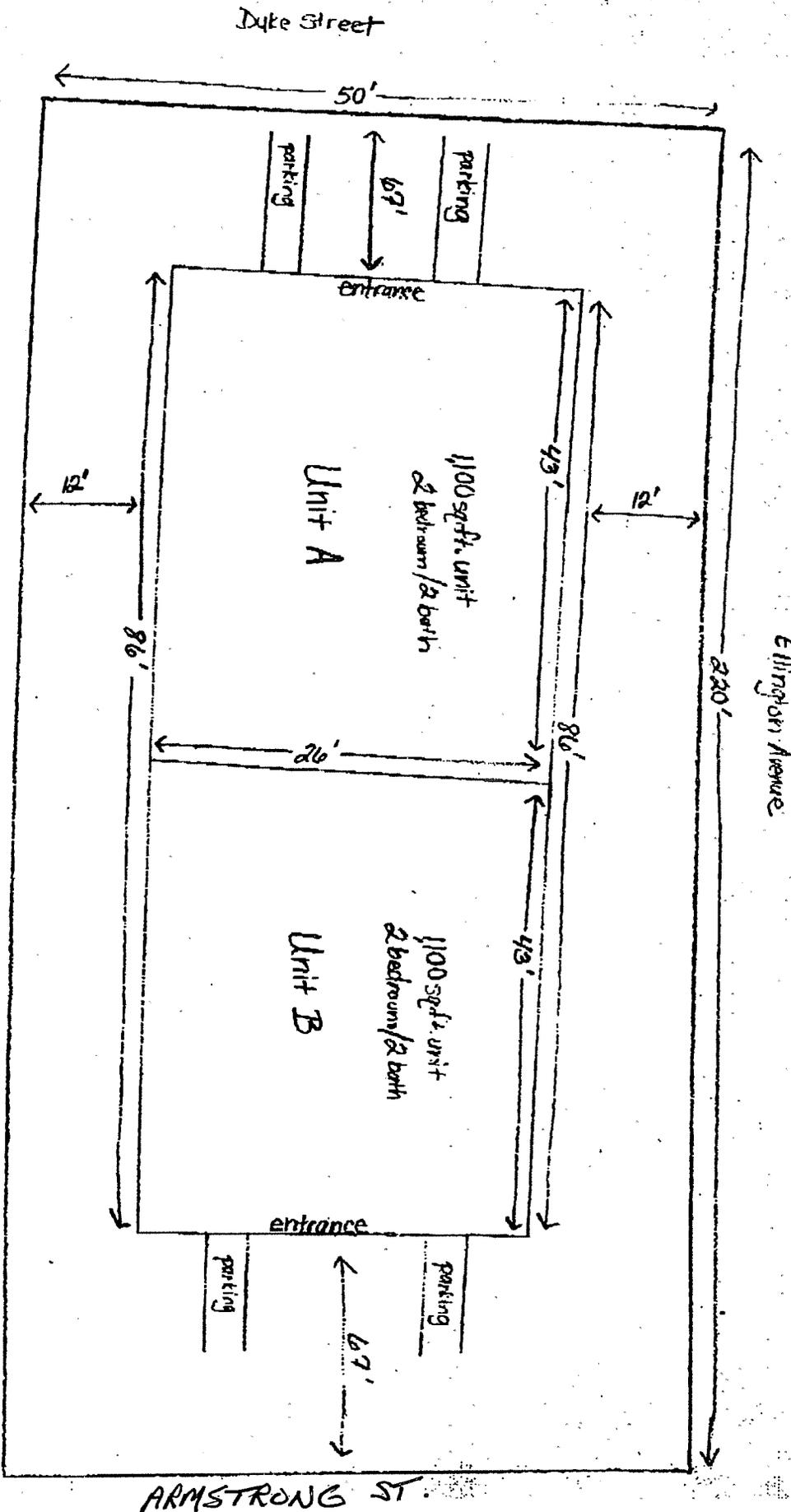
13103 Spring Hill Dr. Brooksville, FL 34609
The Trinque Team
Ana & Art Trinque
Office: 352-688-6888
Ana's Cell 352-585-3297
Art's Cell 352-398-6552



Total building size = 2200 sq. ft.
Total lot size = 11,000 sq. ft.



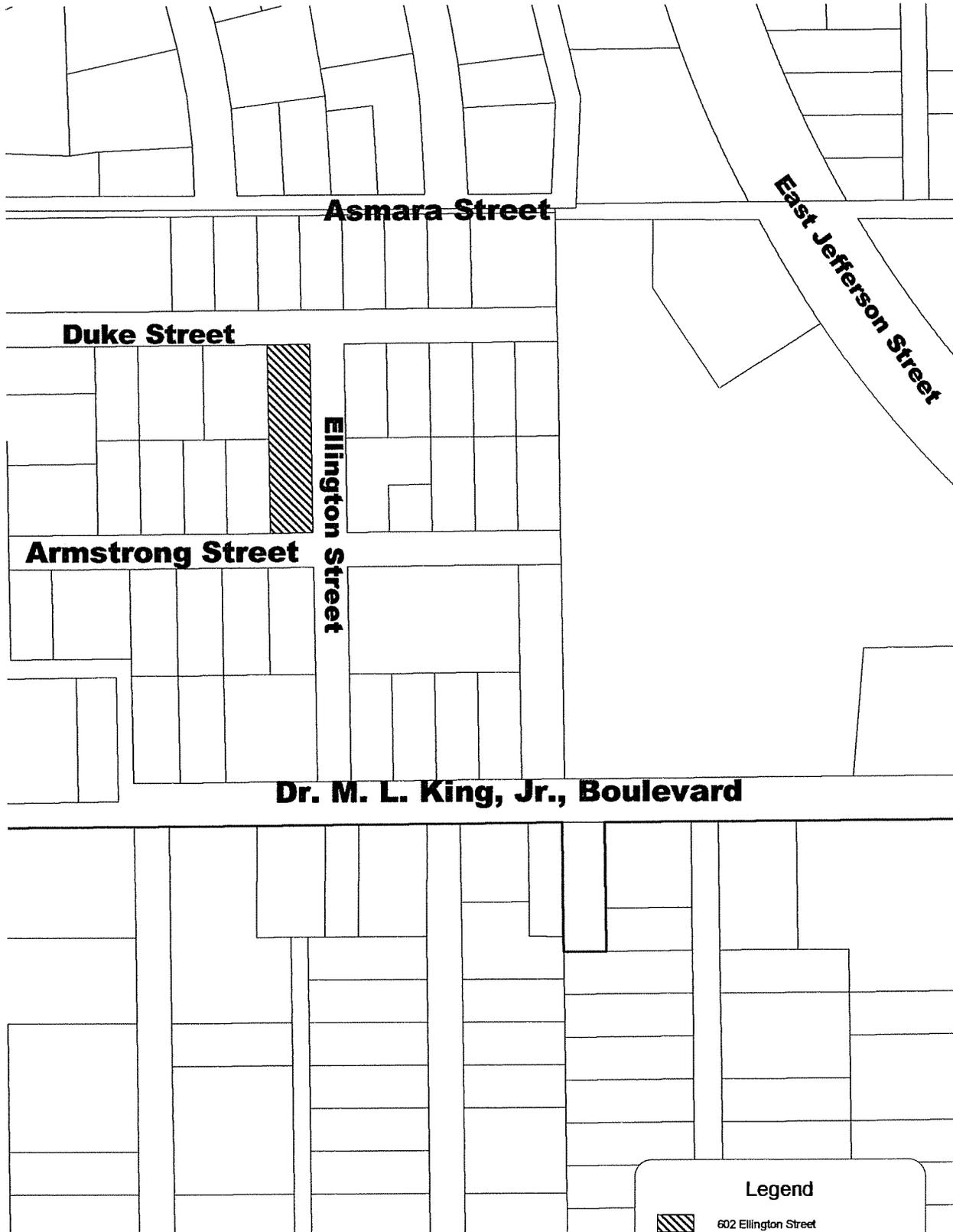
602 Ellington Avenue



ARMSTRONG ST.



VR2007-02 - VARIANCE PETITION
CLARA A. SUSKE
602 ELLINGTON STREET
MARCH 14, 2007



Legend

-  602 Ellington Street
-  City Boundary as of August 14, 2006

CORRESPONDENCE-TO-NOTE

REGULAR COUNCIL MEETING - April 02, 2007

1. TYPE: Letter
DATE: February 6, 2007
RECEIVED FROM: Joseph W. Deshaies, President/Brooksville Horseshoe Club
ADDRESSED TO: Mr. Walker, Parks and Recreation Director
SUBJECT: Voicing appreciation for park's employee, Audrey Williams.
2. TYPE: Memorandum
DATE: February 28, 2007
SENT BY: Vice Mayor Frankie Burnett
ADDRESSED TO: City Council Members
(cc: Chief Ed Tincher/Lt. Rick Hankins/Chairperson Micky Cook)
SUBJECT: Notification that, due to time constraints and commitments, the Vice Mayor can no longer serve on the Committee Against Assaults on Law Enforcement Officers.
3. TYPE: Letter
DATE: March 6, 2007
RECEIVED FROM: Walter L. Dry, Sr.
ADDRESSED TO: Brooksville City Council
SUBJECT: Information pertinent to Proclamation request, honoring departing Nature Coast Festival Singers' Director, Carol Ayer.
4. TYPE: Memorandum
DATE: March 7, 2007
SENT BY: Stephen J. Baumgartner, Interim City Manager
ADDRESSED TO: Mayor Pugh
SUBJECT: Information regarding recent appointment of Council Member Bernardini's daughter, Kellie Jo Stapleton, to the City's Personnel Board.
5. TYPE: Memorandum
DATE: March 7, 2007
SENT BY: City Clerk
ADDRESSED TO: City Council, Interim City Manager and Public Works Director
SUBJECT: Information regarding 3/23/07 Water Conservation Summit in Ocala, FL.

6. TYPE: Memorandum
DATE: March 9, 2007
RECEIVED FROM: Tonya Griffin, Purchasing Assistant/Purchasing and Contracts (via Jim Gantt, Purchasing and Contracts Director for Hernando County)
ADDRESSED TO: All Departments/Divisions
SUBJECT: Cover for tangible property list #03-030/A-39M & A-42R which has been designated as property subject to disposal by various Hernando County Governmental Units.
7. TYPE: Memorandum
DATE: March 9, 2007
RECEIVED FROM: Jack Sullivan, Executive Director, Withlacoochee Regional Water Supply Authority (WRWSA)
ADDRESSED TO: All Local Governments and Utility Directors in the Withlacoochee Region
SUBJECT: WRWSA Grant Applications for Water Supply Projects.
8. TYPE: Letter
DATE: March 9, 2007
RECEIVED FROM: Mickey Cook and Members of Executive Board of the 'Committee Against Assaults On Law Enforcement Officers'
ADDRESSED TO: Vice Mayor Frankie Burnett
SUBJECT: Notification of removal from CAAOLE Board, due to non-attendance.
9. TYPE: Letter
DATE: March 10, 2007
SENT BY: Rhonda Hancock, City Hall Art Gallery Coordinator
ADDRESSED TO: City Staff
SUBJECT: Notification of upcoming art gallery displays and receptions.
10. TYPE: Letter
DATE: March 12, 2007
SENT BY: Bill Geiger, Community Development Director
ADDRESSED TO: Geoffrey Kirk, Department of Administrative Hearings, Karen Nicolai, Thomas E. Bronson, J. Thomas Mason, Sr., City Clerk's Office
SUBJECT: Cover for fully executed copy of the Majestic Oaks Stipulated Settlement Agreement (DOAH #06-5084GM) and notification that the Department of Community Affairs is in the process of conducting a compliance review of the adopted plan documents submitted and will issue a Notice of Intent regarding the adopted comprehensive plan amendment on or about April 2, 2007.

11. TYPE: Letter
DATE: March 12, 2007
RECEIVED FROM: Don W. Berryhill, P.E., Chief, Bureau of Water
Facilities Funding/Florida Department of Environmental
Protection
ADDRESSED TO: Emory Pierce, Director of Public Works
SUBJECT: Invitation to attend May 31 - June 1, 2007, Workshop to
be held at the Hilton Walt Disney World Resort.
12. TYPE: Email
DATE: March 12, 2007
SENT BY: Bill Geiger, Community Development Director
ADDRESSED TO: Jacob D. Varn, Esq.
SUBJECT: Notification of receipt of the fully-executed Stipulated
Settlement Agreement regarding Majestic Oaks.
13. TYPE: Letter
DATE: March 13, 2007
RECEIVED FROM: Mayor John Marks, City of Tallahassee/President, Florida
League of Mayors
ADDRESSED TO: Mayor
SUBJECT: Cover letter for DVD featuring the March 7, 2007,
Government Efficiency and Accounting Council.
14. TYPE: Letter
DATE: March 14, 2007
RECEIVED FROM: Thomas J. Leto, Director/Hernando County Emergency
Management
ADDRESSED TO: Council Members and all Department Heads.
SUBJECT: Invitation to attend the April 18, 2007, Senior
Leadership Briefing, to be held at the Hernando County
Emergency Communication & Operation Center.
15. TYPE: Memorandum
DATE: March 14, 2007
SENT BY: David LaCroix, City Attorney
ADDRESSED TO: Steve Baumgartner, Acting City Manager
Lt. Rick Hankins, Police Department
SUBJECT: Default judgment copy, regarding
Harrington/Langley/Arrington Forfeiture.
16. TYPE: Letter
DATE: March 14, 2007
RECEIVED FROM: Joy Jackson, Fair Manager
ADDRESSED TO: Mayor Pugh
SUBJECT: Invitation to participate in the 5th Annual 'Celebrity
Milking' Event taking place April 20, 2007, at the
Hernando County Fairgrounds.

17. TYPE: Email
DATE: March 14, 2007
SENT BY: City Clerk
ADDRESSED TO: Mayor and Council Members (cc: Interim City Manager, City Attorney, Acting Human Resources Director, Deputy City Clerk, and Acting Assistant to the City Manager.
SUBJECT: Update on the scheduling of future workshops.
18. TYPE: Letter
DATE: March 15, 2007
RECEIVED FROM: Nicholas W. Nicholson, P.E./Nicholson Engineering Associates, Inc.
ADDRESSED TO: City of Brooksville, Attn. City Clerk
SUBJECT: Request for an Appeal to the 'Garden Homes' Project which was recently turned down by the City of Brooksville Planning & Zoning Board on 3/14/07.
19. TYPE: Memorandum
DATE: March 15, 2007
RECEIVED FROM: Steve Baumgartner, Interim City Manager
ADDRESSED TO: Mayor and Council Members
SUBJECT: Details of Pre-Disciplinary Letter which was given to the City's Human Resources Director on March 15, 2007.
20. TYPE: Letter
DATE: March 15, 2007
RECEIVED FROM: Joy Jackson, Fairgrounds Manager
ADDRESSED TO: Mayor Pugh
SUBJECT: Notification of May 24, 2007, annual meeting of the General Membership for the Hernando County Fair Association and instructions on required appointment information required for Council Member Bernardini.
21. TYPE: Email
DATE: March 15, 2007
RECEIVED FROM: Hernando County Welcome Center
ADDRESSED TO: Miscellaneous Tourist Development Council personnel.
SUBJECT: Reminder of March 22, 2007, TDC meeting at 3pm in the Garden Room at the I-75 Best Western.
22. TYPE: Email
DATE: March 17, j2007
RECEIVED FROM: Audrey N. Thomas
ADDRESSED TO: City Council
SUBJECT: Requesting permission to open a teen dance club.
23. TYPE: Email
DATE: March 19, 2007
RECEIVED FROM: Hernando County Welcome Center
ADDRESSED TO: Hernando County contacts
SUBJECT: Options for the rescheduling of the March Tourist Development Center's meeting.

24. TYPE: Letter
DATE: March 20, 2007
RECEIVED FROM: Mary Ann Peavler, Family Support Specialist/Big Brothers
Big Sisters
ADDRESSED TO: Mike Walker, Parks & Recreation Director
SUBJECT: In appreciation for the return of the \$200 deposit to
use the Jerome Brown Center, as they had to cancel the
event.
25. TYPE: Email
DATE: March 20, 2007
RECEIVED FROM: Heather Lauro, Hernando County Chamber of Commerce
ADDRESSED TO: City Clerk
SUBJECT: Invitation to the 14th Annual 'Searching For The Stars'
Banquet to be held June 8, 2007, at the Palace Grand.
26. TYPE: Memorandum
DATE: March 20, 2007
SENT BY: David LaCroix, City Attorney
ADDRESSED TO: City Council Members
SUBJECT: Information regarding city manager applicant, Susan
Boyer.
27. TYPE: Letter
DATE: March 21, 2007
RECEIVED FROM: Anna Liisa Covell, Vice President/A.L. Covell Electric,
Inc.
ADDRESSED TO: Director of Parks Department/City of Brooksville
SUBJECT: Notifying Parks Director of recent 'blog' request by
Parks employee, Tina Nichols.
28. TYPE: Email
DATE: March 21, 2007
RECEIVED FROM: Heather Lauro, Communications Coordinator/Greater
Hernando Counter Chamber of Commerce
ADDRESSED TO: Vice Mayor Burnett
SUBJECT: Details of March 24, 2007, 'Live On The Air Rotary Radio
Auction' to be aired on WWJB Radio from 1-6pm.
29. TYPE: Email
DATE: March 21, 2007
SENT BY: Julie Sherraden, Interim Assistant to the City Manager
ADDRESSED TO: Council, Staff, Department Heads, Legal Counsel and
Administration Assistants.
SUBJECT: Notice of rescheduling of August 9, 2007, Staff Meeting
from 10:30 a.m. to 2:00 pm in the council chambers.
30. TYPE: Email
DATE: March 23, 2007
RECEIVED FROM: Steve Flynn, Apache Junction, AZ
ADDRESSED TO: City Clerk, City Council and City Manager
SUBJECT: Voicing displeasure over new parking ticket penalties.

Monthly Reports (February 2007-including advisory board attendance)

Community Development
Department of Public Works
Finance Department
Fire Department
Human Resources
Parks and Recreation
Police Department

Miscellaneous Minutes

Parks & Recreation Advisory Board	August 17, 2006 November 2, 2006
Brooksville Housing Authority	October 16, 2006 November 13, 2006 December 11, 2006 January 8, 2007 February 12, 2007
Hernando County Elder Affairs	January 22, 2007
Hernando County Fair Association	February 8, 2007
Beautification Board	February 13, 2007
Withlacoochee Regional Water Supply Authority Board of Directors Meeting	February 21, 2007
Withlacoochee Regional Planning Council Board of Directors Meeting	February 15, 2007
Hernando County Tourist Development	February 22, 2007
Hernando County Community Anti-Drug Coalition	February 28, 2007

Bulletins/Newsletters/Miscellaneous Publications & Reports

Innovation Group's 'IG Newsletter'	March 2007
Senator Dockery's 'This Week In The Senate' Newsletter	March 5-9, 2007 March 12-16, 2007
Chinsegut Nature Center Schedules/Festivals	April-June 2007

Miscellaneous

**Parks & Recreation Department Facility
Use Agreements ~**

Leon C./Theodore N. Brown (March 8-10, 2007 event)	February 1, 2007
City of Brooksville (April 17, 2007 event)	February 9, 2007
Jean M. Passafaro (Program Agreement)	March 28, 2007
Southwest Florida Water Management District's 'Northern District Water Use Management Strategies'.	February 2, 2007
Press Release ~ Hernando County Recreation Department's Upcoming Events.	March 2007
FDA Update ~ Regarding Peanut Butter Recall	March 2, 2007
Civil Case Summons ~ Mel abele, Plaintiff v. City of Brooksville	March 7, 2007
Press Release ~ Details of Hernando County's enforcement of watering restrictions.	March 8, 2007
Property Tax Information ~	March 7, 2007 March 9, 2007 March 12, 2007 March 13, 2007 March 14, 2007 March 15, 2007 March 19, 2007 March 20, 2007 March 21, 2007 March 22, 2007
2006 Annual Report ~ Tampa International Airport	March 13, 2007
Miscellaneous Information ~ Regarding Water Management in Florida	March 14, 2007
Street Closures ~	
First United Methodist Church/Broad St. 4/21/07 Youth Block Party	March 16, 2007
First United Methodist Church/Broad St. 3/21/07 Building Repair	March 20, 2007

Precautionary Boil Water Notice ~ Effective March 21, 2007, at 10 a.m. until further notification distributed, due to water system maintenance in the area: East Avenue, Oakdale Avenue, Hall St., Manacke Road, Carrick St., and Ponce De Leon.	March 20, 2007
Leadership Hernando 8/23/07 Agenda	March 22, 2007
Chamber of Commerce ~ Invitation to 3/28/07 Breakfast Mtg.	March 13, 2007
Events for week of March 12-16, 2007	March 12, 2007
Events for week of March 19-23, 2007	March 19, 2007
Events for week of March 26-30, 2007	March 26, 2007

NOTE: Copies of all correspondence on file in office of the City Clerk

G:\WP_WORK\ClerkOffice\Correspondence-to-Note\04-02-07 CTN.wpd

file

02-13-07 P03:43 IN

Mr. Walker,

February 6, 2007

I want to take this opportunity to express my appreciation to you for all the assistance that your office, and especially Mrs. Audrey Williams, has performed for us at the Brooksville Horseshoe Club in Tom Varn Park.

For the past two years that I have personally known Mrs. Williams, she has consistently assisted our club in every way that she could possibly do to accommodate our club in making our presence here more meaningful, and comfortable, in our weekly practices here.

It seems that no matter what we need in way of assistance from the park, such as coordinating with the Sheriff's department to have the grass cut, weeds whacked, moving a grandstand around to our area for occasional use, digging out our horseshoe pits to get the old, spent, red clay removed and replaced with Kentucky blue clay, (with the assistance of a gentlemen named Jason, who also is very cooperative in assisting us by using heavy equipment, such as a front loader, to move our clay around, etc.).

Mrs. Williams was also successful in getting our flagpole returned that was knocked down by a hurricane. With a little fixing up, it looked as good as new and we now have that for ceremonies when required.

These things may seem trivial compared to the other facilities in the park, but this is what makes the Tom Varn Park special, and it seems Mrs. Williams is aware of that. We appreciate it very much. Just getting some paint so that we can paint our clubhouse is appreciated, or just making it known that she will help us any way she can, with the approval of park management, as necessary.

The majority of our members are in their 60's, 70's and 80's. Because of this, we can't do many of the physical things that are necessary to run an organization, even a small one such as ours.

Mrs. Williams always handles our concerns in a professional manner and advises us what can and what can not be done. We always know where we stand with her and Park rules and regulations. Because of this, we consider her to be a very valuable employee and that we, as well as the city of Brooksville, are fortunate to have her.

Joseph W. Deshaies
President, Brooksville Horseshoe Club

cc: City Manager
Mrs. Audrey Williams, Administrative Assistant II
Jason

12-02-07P01:52 RCVD

3/16/07 *pe: read*

clh 4/2/07 *B*

City of Brooksville MEMORANDUM



To: City Council Members

From: Frankie Burnett, Vice Mayor *FB*

Subject: Committee Against Assaults on Law Enforcement Officers

Date: February 28, 2007

As you will recall, I volunteered to serve on the above committee as Council Representative at the December 4th, 2006 meeting. However, time constraints and commitments are prohibiting me from being able to attend their meetings at this time and I find I must now remove myself from this position.

pc: Chief Ed Tincher/Lt. Rick Hankins
Micky Cook, Chairperson

[G:\WP_WORK\ClerkOffice\MEMOS\Burnett - Council Committee Assign.wpd]

3/12/07 JP

CC CTN dnc

WALTER L. DRY, SR.
CONSULTANT

3418 Knotty Oaks Circle
Spring Hill, Florida 34606
Voice: 352-684-7740
Fax: 352-666-9140
Mobile: 352-232-9005
drysr@bellsouth.net

March 6, 2007

Brooksville City Council

Greetings:

On behalf of the President of the Nature Coast Festival Singers, the following information is presented to inform you of a great event that will be taking place this month.

The Director of the Nature Coast Festival Singers, Mrs. Carol Ayer, will be leaving to reside in Wisconsin to be with her family. Mrs. Ayer has been the Director of the Nature Coast Festival Singers since the death of her Husband, Mr. Peter Ayer seven years ago.

The last concert under her direction will be on Sunday March 25, 2007 at 3 PM at the First United Methodist Church on Spring Hill Drive. PR

I am requesting your assistance in making this last concert, a grand farewell for Mrs. Ayer, one she will never forget.

Is it possible for the City Council to approve a proclamation, for her, on (March 25, 2007) for presentation at this concert?

For additional information, please contact: Ms. Sandy Kaliscak, President; 4276 Montgomery Street; Brooksville, FL 34601; 352-796-3291

Please do not contact Mrs. Ayer because we would like this presentation to be a surprise.

Sincerely,

Walter L. Dry, Sr.

Handwritten signature

[PR]

Handwritten mark

CR 4/2/07

FILE
CITIZEN
MAYOR
KAREN

3/7/07
js

CITY OF BROOKSVILLE

TO:

- Mayor David Pugh
- Vice Mayor Frankie Burnett
- Council Member Joe Bernadini
- Council Member Lara Bradburn
- Council Member Richard Lewis

ACTION:

- As you requested
- For your information
- Appropriate action
- Review and return
- Review & route

FROM:

Stephen J. Baumgartner *slw*
Interim City Manager

DATE: March 07, 2007

SUBJECT: Petition from DPW Employees

Mayor -

Please see the attached petition from our DPW employees, which I received from Karen Phillips, regarding the appointment of Council Member Bernardini's daughter, Kellie Jo Stapleton, to the City's Personnel Board. I have also attached my email conversations with our city attorney regarding same.

This is for your information, to handle as you see fit.

cc: Karen M. Phillips, City Clerk/Director of Administration

js
CR 4/2/07

MEMORANDUM



To: City Council Members
Steve Baumgartner, Interim City Manager
Emory Pierce, Public Works Director

From: Karen M. Phillips, Director of Administration/City Clerk *ky*

Subject: Water Conservation Summit

Date: March 7, 2007

The attached flyers were dropped off today by SWFWMD and the representative asked me to pass on to each of you with a special request to consider attending this very important meeting, which will be held on Friday, March 23rd from 8 to 4:30 in Ocala.

If you will be attending, please let Julie know asap so that we can process the registration and travel documents.

Pc: Julie Sherraden, Acting Asst. To the City Manager

*Kare
Lancee is
attending
JP*

[G:\WP_WORK\ClerkOffice\MEMOS\Council - Water Summit.wpd]

R

03-13-07 A08:38 IN

03-13-07 A08:38 IN

MEMORANDUM

TO: ALL DEPARTMENTS/DIVISIONS

VIA: JIM GANTT, PURCHASING AND CONTRACTS DIRECTOR

FROM: TONYA GRIFFIN, PURCHASING ASSISTANT
PURCHASING AND CONTRACTS

SUBJECT: TANGIBLE PROPERTY SUBJECT TO DISPOSAL
LIST 03-030/A-39M & A-42R

DATE: MARCH 9, 2007



Attached please find a list of property which has been designated as tangible property subject to disposal by various Hernando County Governmental Units.

If you wish to inspect any of the items, please contact Doug Neuhan at 238-5710. If you have need for any item, a written request must be submitted to Purchasing and Contracts. The request must contain a description (taken from the list) and a statement describing the intended use of such item. Written requests must be received no later than **MARCH 23, 2007**. After this date, the subject property list will be presented to the Board requesting that the property be declared as "surplus".

NOTE: The rolling stock (i.e. vehicles and heavy equipment) items will not be taken out of surplus unless it is purchased by a department outside of the Fleet Program at a fair market value. This list is being distributed for the purpose of those Governmental Agencies and Departments that are not covered under the Fleet Program to purchase any of these items before they are auctioned.

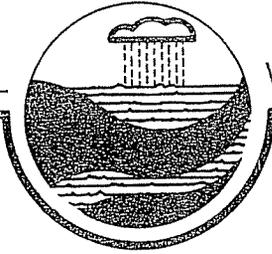
Items will be transferred in accordance with the Surplus Property Policy No. 160E adopted by the Hernando County Board of County Commissioners.

JDG/TSG

PC: Dept Heads
Lead
3/14/07 JP

cm 4/2/07 JP

WITHLACOOCHEE REGIONAL



WATER SUPPLY AUTHORITY

MEMORANDUM

March 9, 2007

To: All Local Governments and Utility Directors in the Withlacoochee Region
From: Jack Sullivan, Executive Director, WRWSA
Re: WRWSA Grant Applications for Water Supply Projects

This memorandum is to announce that the Withlacoochee Regional Water Supply Authority will open the application period for its local government grant program as of May 1 through June 30, 2007. This program is sponsored by the Withlacoochee Regional Water Supply Authority to fund local water supply projects on a matching basis. **In 2007, the Board will continue to place the highest funding priority on water conservation projects.**

The Authority Board of Directors has decided to sponsor this cooperative program on an annual basis by opening up requests from local governments each May 1st with the application process running through June 30. The applications will be considered by the Board during its July and August Board meetings as necessary. Awards will be made no later than the September Board meeting. Please review the attached program guidelines and checklist for applications for details.

If any of you have questions about the information above, please contact me at my direct dial number, which is (850) 513-3604. If you desire to contact me by FAX, my FAX numbers are (850) 222-0398 and (850) 385-0223 and my e-mail addresses are "jsullivan@carltonfields.com" or "jesull@comcast.net".

MAILING LIST:

Utility Directors

County/City Managers

Robert Knight, Citrus County
John Lettow, Crystal River
Brad Cornelius, Sumter County
Hicks, Henry, City of Ocala
Adams, Kay, Hernando County
William Smith, Brooksville
Bruce Hinkle, Bushnell
Russell Kreager, Inverness
Bret Zigler, Wildwood
Mike Alderman, Webster

June M. Fisher, Citrus Co.
Gary Kuhl, Hernando Co.
Richard Anderson, Brooksville
Frank DiGiovanni, Inverness
Paul Nugent, Ocala
Jim Stevens, Wildwood
Sandra Howell, Sumter County
Vince Ruano, Bushnell
Andy Houston, Crystal River

pc: COUNCIL
READ
SB/KP
ctr 4/2/07

Founded March 1981 at Miami, Dade County, Florida

Hernando County Chapter Organized 1999

HONORARY MEMBER

Richard B Nugent, Sheriff

HONORARY MEMBER

Ret. Sheriff Thomas A. Mylander

COMMITTEE AGAINST ASSAULTS
ON
LAW ENFORCEMENT OFFICERS

VICE MAYOR FRANKIE BURNETT

9 MARCH 2007

201 HOWELL AVENUE

BROOKSVILLE, FL. 34601

DEAR MR. BURNETT,

THE EXECUTIVE BOARD OF THE COMMITTEE AGAINST ASSAULTS ON LAW ENFORCEMENT OFFICERS HAS DETERMINED DUE TO YOUR BUSY SCHEDULE, WE SEE THAT YOU ARE UNABLE TO ATTEND OUR MEETINGS.

ACCORDING TO OUR BYLAWS, YOU WILL BE REMOVED FROM OUR ROSTER, AS YOU HAVE MISSED ALL MEETINGS SINCE OCTOBER, 2006.

WE HAVE MADE MULTIPLE ATTEMPTS TO CONTACT YOU, WITH LITTLE OR NO RESPONSE, WHICH LEAVES US NO ALTERNATIVE BUT TO FOLLOW THROUGH WITH THIS ACTION.

WE DO, HOWEVER, APPRECIATE THE ASSISTANCE YOU HAD GIVEN US IN THE PAST.

VERY TRULY YOURS,

Mickey Cook et al.

MICKEY COOK AND THE MEMBERS OF THE EXECUTIVE BOARD
MC/mm

CC: EXECUTIVE BOARD
FILE

Lundie 3/19/07
head 8

CRW 4/1/07

BROOKSVILLE CITY HALL ART GALLERY

201 Howell Avenue
Brooksville, Florida 34601
(352) 544-3407

March 10, 2007

TO: All City Staff

MEMO: Winter Art Exhibit

The Winter Exhibit at Brooksville City Hall is coming to an end. On **Wednesday March 28th** the exhibit is coming down.

U.S. Congresswoman Ginny Browne-Waite, representing Florida's Fifth District, will be presenting the Congressional Art Competition for High School Students April 18th thru April 27th. I sincerely hope you will find time to visit the show and attend the April 27th Reception.

Thank you for your continued support and assistance.

Rhonda Hancock
Art Gallery Coordinator

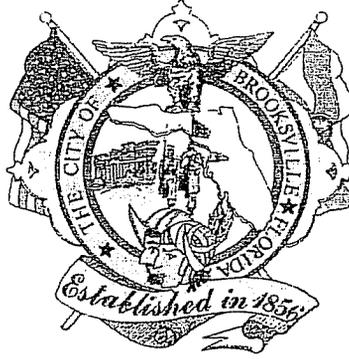
cc
read
SB
KP
DEPT. HEADS

3/12/07 JP

CTN 4/2/07

JP

City of Brooksville



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

03-14-07 10:59 AM

March 12, 2007

TO: Geoffrey Kirk, Hernando County Attorney's Office
Dept. of Administrative Hearings (via G. Kirk)
Karen Nicolai, Clerk of the Circuit Court (via G. Kirk)
Thomas E. Bronson, Majestic Oaks Partners, LLC
J. Thomas Mason, Sr. VP & General Counsel / M/I-Majestic Oaks GP, LLC
City Clerk's Office

FROM: Bill Geiger, Community Development Dir. *(B)*

Please find enclosed for your records one fully executed copy of the Majestic Oaks Stipulated Settlement Agreement (DOAH # 06-5084GM).

The DCA is in the process of conducting a compliance review of the adopted plan documents submitted and will issue a Notice of Intent regarding the adopted comprehensive plan amendment on or about April 2, 2007.

cc: Jake Varn, Esq.

Enclosure

*PC. Don
Fancy
Lead*

3/14/07 JP

2 03-14-07

FYE Steve / Jim

SB/D 3/16/07



Florida Department of Environmental Protection

RECEIVED
MAR 15 2007
BY:

Charlie Crist
Governor
Jeff Kottkamp
Lt. Governor
Michael W. Sole
Secretary

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

March 12, 2007

Mr. Emory Pierce
Director of Public Works
City of Brooksville
600 South Brooksville Avenue
Brooksville, Florida 34601

Dear Mr. Pierce:

I would like to extend an invitation to you to attend our annual Florida Engineering Society/DEP Water Facility State Revolving Fund (SRF) Workshop to be held at the Hilton Walt Disney World Resort on May 31 and June 1, 2007. You will learn about available funding opportunities for your water, wastewater, and stormwater infrastructure and nonpoint source projects as well as hear presentations about a number of changes in the program. We will have presentations about project management and alternative technologies. For an Agenda, hotel information, and to register for the workshop, you may go to the following Florida Engineering Society web site:

http://www.fleng.org/seminars.cfm?event_id=286

Our Bureau web site, www.dep.state.fl.us/water/wff, also contains information about our funding opportunities; or, if you prefer, you may call (850) 245-8358 to speak to one of our project managers for further information about funding.

I hope that you and your associates will take advantage of this opportunity to participate in our workshop. If you have any questions, or do not have Internet access, please contact me or Anita Contreras at (850) 245-8358 (Anita.Contreras@dep.state.fl.us). We look forward to having you with us.

Very truly yours,

Don W. Berryhill, P.E., Chief
Bureau of Water Facilities Funding

DWB/alc

Handwritten initials

3/20/07 AD

Handwritten initials

Karen Phillips

From: "Bill Geiger" <bgeiger@ci.brooksville.fl.us>
To: "Jacob D. Varn" <jvarn@fowlerwhite.com>
Cc: "Stephen Baumgartner" <sbaumgartner@ci.brooksville.fl.us>; "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Sent: Monday, March 12, 2007 2:24 PM
Subject: Stipulated Settlement Agreement related to Majestic Oaks

Hi Jake,

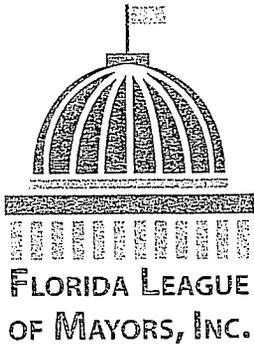
FYI . . . The City received the fully executed Stipulated Settlement Agreement today. Based on correspondence received from DCA, the NOI on the related CPA should occur by April 2, 2007.

Bill Geiger
Community Development Director
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601
352-544-5430 (phone)
352-544-5429 (fax)

bgeiger@ci.brooksville.fl.us

lead
3/19/07
8

CR 4/12/07



March 13, 2007

Dear Mayor:

We have enclosed a DVD featuring the Government Efficiency and Accounting Council meeting held March 7, 2007. In their discussion on Property Tax Reform, associate director of Legislative and Public Affairs, John Wayne Smith testified before the council regarding the impact of the House proposal on Property Tax Reform.

We believe this testimony provides excellent information and background for the legislative discussion related to the Legislature's posture on property taxes. We are urging you to review this footage as soon as possible.

We would hope that the enclosed DVD serves as an educational tool and resource for you this Legislative Session.

Sincerely,

Mayor John Marks, City of Tallahassee
President, Florida League of Mayors

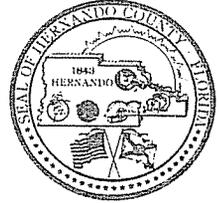
*for lead
Steve Dem
Bill*

*note: Available on
Council desk to
Users of interested*

DISCLAIMER: Please note that the content of this DVD is the property of the Florida News Channel/WFSU. You must obtain permission from the Florida News Channel to reproduce, redistribute, or publicly air the content of this DVD.

Board of County Commissioners

Hernando County



Emergency Management

18900 Cortez Boulevard
Brooksville, Florida 34601
(352) 754-4083
FAX: (352) 754-4090

March 14, 2007

City Clerk/Director of Administration
Karen M. Phillips
201 Howell Avenue
Brooksville, Fl 34601

Dear Ms. Phillips,

As a vital part of our county's Emergency Management team and instrumental in the decision making process, you are cordially invited to attend our Senior Leadership Briefing. The Briefing will be held at Hernando County's Emergency Communication & Operation Center, Wednesday, April 18th at 1:00 PM.

The State of Florida Emergency Management Officials will be here to:

- Inform senior leadership officials at the county and municipal level of their respective responsibilities under Florida Statutes Chapter 252 when a disaster occurs or threatens to impact our jurisdiction,
- Describe the role of the State Emergency Response Team (SERT) during disasters,
- Discuss current issues in emergency management around the state.

This is an excellent opportunity for county and municipal leadership to get the latest information regarding the Emergency Management program at the state level.

We look forward to your participation.

Sincerely,

Thomas J. Leto, Director

NOTE: EACH C.M. & D.H.
REC'D COPY

3/20/07 CTD 4/2/07

8

3/15/06

David La Croix *Attorney*

*Land Use Planning
and Zoning
Local Government Law
Appellate Practice*

*Post Office Box 381
Brooksville, FL 34605
Tel. & fax: (352) 382-1373
david@xtalwind.net*

MEMORANDUM

TO: Steve Baumgartner, Acting City Manager
Lt. Rick Hankins, Police Department

FROM: David La Croix, City Attorney *D. L. C.*

SUBJECT: Harrington/Langley/Arrington Forfeiture

DATE: March 14, 200~~6~~⁷

Attached is a copy of the default judgment entered in the above-referenced forfeiture. This action is now completed, and the proceeds can be placed in the Law Enforcement Trust Fund.

3/15/06 lead

3/15/06

3/15/06



HERNANDO COUNTY FAIR ASSOCIATION

P.O. Box 10456 • Brooksville, FL 34603 • Phone: 352-796-4552 • Fax: 352-799-2842

March 14, 2007

City of Brooksville
Attn: Mayor David Pugh
201 Howell Avenue
Brooksville, Florida 34601

Dear Mr. Pugh:

I am inviting you to participate in the 5th Annual "Celebrity Milking" event to take place at the "Blue Jeans and Country Dreams" 2007 Hernando County Fair and Youth Livestock Show on opening day, April 20, at the Hernando County Fairgrounds.

The event will take place at 5:30 p.m. in the Livestock Barn. You will be on a team with other Hernando County celebrities and you will be given a couple of minutes to complete your milking. When your time is up, you will pass the bucket to the next team member in line and the team with the most milk in their bucket at the end will be declared the winner. Members of the winning team will receive Rodeo or Demolition Derby tickets (your choice).

Please respond by April 2, 2007, to me at the fairgrounds office by phone at 352-796-4552 or email at info@hernandocountyfair.com.

I look forward to seeing you at the "Blue Jeans and Country Dreams" Hernando County Fair and Youth Livestock Show.

Best Regards,

Joy Jackson

Joy Jackson
Fair Manager
Hernando County Fair Association, Inc.

JCJ/cjd

*Orig. Sent 4/2/07
Re: 352-4552
J. Jackson
-g*

4/2/07

Karen Phillips

From: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
To: "David Pugh, Jr." <davidp@civil-tech.com>; "Frankie Burnett" <fburnett@ci.brooksville.fl.us>; "Joe Bernardini" <joebgrp1@bellsouth.net>; "Lara Bradburn" <laraline@hotmail.com>; "Richard E Lewis" <rlewis@ci.brooksville.fl.us>
Cc: "Stephen Baumgartner" <sbaumgartner@ci.brooksville.fl.us>; "David LaCroix" <davidlac@earthlink.net>; "Margaret Bosack" <mbosack@ci.brooksville.fl.us>; "Jan Peters" <jpeters@ci.brooksville.fl.us>; "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>
Sent: Wednesday, March 14, 2007 3:57 PM
Subject: Workshops

We received word today that Atty Reynolds Allen had a scheduled conflict and apparently cannot make the planned workshop on April 9th afterall.

We have not been able to schedule the Brooksville Housing Authority to attend a workshop because their regular meeting is on the 2nd Monday of the month (although Acting Director Donnie Singer is working with the Chair (and/or Vice Chair) to see if they can come up with some kind of solution to attend the 4/9 meeting).

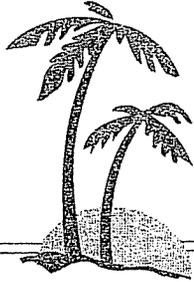
My next option is waiting until the date set aside in May (5/14), or getting potential alternate workshop dates from each of you to come up with another date (March or April).

Please let me know what your scheduling conflicts may be for the remainder of March and all of April so I can try to identify another date. Right now, in addition to almost every Friday except for 4/27, the Council Chambers are free and the City Manager's calendar is open on on Mon-3/26, Wed-3/28, Thurs-4/12, Wed-4/18, Thurs-4/19; Mon-4/23, Tues-4/24, & Mon-4/30.

If you have any questions, please let me know.

Karen M. Phillips
Director of Administration/City Clerk
City of Brooksville
201 Howell Avenue
Brooksville, FL 34601-2041
<http://www.ci.brooksville.fl.us>
kphillips@ci.brooksville.fl.us
(352) 544-5407 (Phone)
(352) 544-5424 (Fax)


CTM 4/2/07



NICHOLSON ENGINEERING ASSOCIATES, INC.

P.O. Box 12230 ~ Brooksville, FL 34603 • 7468 Horse Lake Rd.

Phone: 352-799-0170 • Fax: 352-754-9167

www.nicholson-engineering.com

March 15, 2007

City of Brooksville
201 Howell Avenue
Brooksville, FL 34601

Attention: City Clerk

Re: SE2007-01 -Jorge Lopez for Garden Homes
Letter of Appeal

To Whom It May Concern:

Regarding the above referenced project which was turned down by the City of Brooksville's Planning & Zoning Board on 3-14-07, please note that by receipt of this letter, we are appealing their decision.

We believe the reason for this appeal is obvious. Mr. William Geiger and staff recommended approval of this project. There was no expert testimony from anyone for a reason to deny the project. Mr. Korbus made the motion to deny the project because he thought there were too many units. This is obviously not a reason to turn down this project. This property is already zoned for multi-family which allows anywhere from eight (8) to eighteen units to be placed on the property. The thirty six (36) units that we had requested are actually less than eight (8) units per acre. This is below the minimum of the City of Brooksville's stated allowance. It is our feeling that Mr. Korbus was incorrect in his statement and had no legal authority to make the motion to deny.

Therefore, we respectfully request that the appeal be heard and the project be approved as is legally required.

Sincerely,

Nicholas W. Nicholson, P.E.
President

NWN:sad
File No. 05-09-01

HAND DELIVERED AND RECEIVED BY:

7
Per [unclear] ✓
Bill ✓
Ann ✓
L [unclear]

4/10/07
T. C. W. N.



CITY OF BROOKSVILLE

Memorandum

CC
Chas.
File
DL
SB
MB
BG

TO:

- (X) Mayor David Pugh
- (X) Vice Mayor Frankie Burnett
- (X) Council Member Joe Bernardini
- (X) Council Member Lara Bradburn
- (X) Council Member Richard E. Lewis

ACTION:

- () As you requested
- (X) For your information
- () Appropriate action
- () Review and return
- () Review & route

FROM:

Steve Baumgartner
Interim City Manager *slw*

DATE: March 15, 2007

SUBJECT: Pre-Disciplinary Letter

Attached is a Pre-Disciplinary Letter that I delivered to Ron Baker today. Also, I placed Mr. Baker on unpaid administrative leave, effective March 16, 2007.

If Mr. Baker exercises his right to a due process hearing, and is exonerated, he will be paid retroactively for all unpaid leave days.

CTM 4/2/07 *P*



HERNANDO COUNTY FAIR ASSOCIATION

P.O. Box 10456 • Brooksville, FL 34603 • Phone: 352-796-4552 • Fax: 352-799-2842

March 15, 2007

Mr. David Pugh
City of Brooksville
201 Howell Av.
Brooksville, FL 34601

Dear Mr. Pugh:

The Hernando County Fair Association, a non-profit, tax exempt organization, is holding the annual meeting of the General Membership on May 24, 2007, at 6:00 p.m. At that meeting, the membership will vote on a slate of at-large directors and be introduced to directors appointed by our participating community groups. Your organization is currently represented by Joe Bernadini. You will need to write an appointment letter for Joe Bernadini or the person you choose to represent your organization on the Fair Association Board for the 2007-2008 year. We respectfully request the presence of your appointee at this meeting as their term will begin at the annual membership meeting and concludes on April 30 of the following year.

This appointment letter, as well as payment of \$15 annual membership dues, must be received at the Fairgrounds office no later than April 24, 2007, at 4:30 p.m. *at l pay 3/19/07 hrs*

If you have additional members who would like join our organization, we offer individual memberships at \$15 and family memberships (2 adults and all children under 18) for \$35. Each individual member is entitled to join us at the annual membership meeting and dinner, to cast a vote for 2007-2008 directors and to receive free admission to the 2008 Hernando County Fair and Youth Livestock Show every day of the event. Family memberships entitle the family to one vote and dinner for two at the annual meeting. However, all eligible family members receive free admission to the Fair all days of the event.

If you have members who would be willing to donate their time as volunteers, we encourage them to visit our web site at www.hernandocounty.com to download a volunteer registration form. We have a family of volunteers who make our annual event the success that it is, and many of our volunteers donate their time all year round, helping with various maintenance and improvement projects around the grounds and buildings. We are always looking for enthusiastic volunteers!

Please call if you have questions regarding the appointment of your organization's board member.

Best Regards,

Joy Jackson
Fairgrounds Manager
Hernando County Fair Association, Inc.

*WAW - Des print
P.C. Joe B
Council head Be*

*3/20/07
C.N. 4/2/07*

Julie Sherraden

From: "WelcomeCtr WelcomeCtr" <welcomectr@co.hernando.fl.us>
To: <htlbrooks@aol.com>; <papajoeres@aol.com>; <jsherraden@ci.brooksville.fl.us>;
<lbradburn@ci.brooksville.fl.us>; <rlewis@ci.brooksville.fl.us>; "Dianne Cox"
<DCox.GWIPPO.HCFL@co.hernando.fl.us>; "Rose Rocco"
<RRocco.GWIPPO.HCFL@co.hernando.fl.us>; <janknowles@earthlink.net>;
<ronbobbi@fbconnect.net>; <gmbkvfl@tampabay.rr.com>; <thostncoast@yahoo.com>
Sent: Thursday, March 15, 2007 8:32 AM
Subject: MEETING REMINDER

GOOD MORNING!

REMINDER THAT TDC MEETING IS NEXT Thursday, MARCH 22 3:00 pm IN THE GARDEN ROOM AT THE BEST WESTERN I-75.

PLEASE LET ME KNOW IF YOU'LL BE ATTENDING!

THANK YOU AND HAVE A SUPER DAY!

CAROLE

Hernando County Welcome Center
30305 Cortez Blvd.
Brooksville, Fl. 34602
352-754-4405
1-800-601-4580
www.hernandocounty.us/visit

*PE - read
Lera B.
Richard L. 3/16/07
p*

ntn 4/3/07

3/15/2007

Karen Phillips

From: "Bubbles X" <xxblackasschikyxx@yahoo.com>
To: <citycouncil@ci.brooksville.fl.us>
Sent: Saturday, March 17, 2007 7:20 PM
Subject: Activities

The teens of this county feel that there is not enough to do on the weekends. To keep teens off of the streets and out of as much trouble as possible, we feel that there should be another activity added to this county for teens such as myself and others, as in a teenage dance club.

Aside from movies and the skating rink, which can get old after continued visitation, the only other weekend activities are high school sporting events. Those also get very old. And what if your not a person whose into sports? It wouldn't be fair to those who aren't into sporting events to be forced to watch a movie, skate or just sit at home all night would it?

I am asking permission to open a teen dance club in the city of Brooksville for high school teens, ages 14-17 years, in Hernando County along with the help of my friend and her father. We would like to control the club and make it our own, while still abiding the laws of the county. I would like to here back from you with all the details of what we will need in order to accomplish this goal. As I'm sure you know if we decide to advertize in the neighboring counties, it would bring more attention to Brooksville.

We will of course check for school IDs. All the safety measures and precautions will be followed as well. We will be charging \$5 a person for admission. If you have any questions pertaining to this e-mail or want to give tips or advice we would like to here it. You can send all e-mails to myself at the address below:

xxblackasschikyxx@yahoo.com

Yeah, i know its not the most professional e-mail address out there, but i dint pick it. Well I'm not going to waste any more of your time.

yours,

Audrey N. Thomas

Sincerely

PC. Council
Bill
Bill H.

Need Mail bonding?
Go to the Yahoo! Mail Q&A for great tips from Yahoo! Answers users.

3/20/07
GAA
CTW 4/2/07
3/19/2007

Julie Sherraden

From: "WelcomeCtr WelcomeCtr" <welcomectr@co.hernando.fl.us>
To: <htlbrooks@aol.com>; <papajoeres@aol.com>; <jsherraden@ci.brooksville.fl.us>;
<lbradburn@ci.brooksville.fl.us>; <rlewis@ci.brooksville.fl.us>; "Dianne Cox"
<DCox.GWIPPO.HCFL@co.hernando.fl.us>; "Rose Rocco"
<RRocco.GWIPPO.HCFL@co.hernando.fl.us>; <janknowles@earthlink.net>;
<ronbobbi@fbconnect.net>; <gmbkvfl@tampabay.rr.com>; <thostncoast@yahoo.com>
Sent: Monday, March 19, 2007 10:34 AM
Subject: TDC MEET. RESCHEDULED

GOOD MORNING:

THIS WEEK'S (THURS. 3/22) TDC MEETING IS BEING RESCHEDULED DUE TO A CONFLICT WITH THE COMMUNITY SUMMIT BEING HELD AT SILVERTHORN.

PLEASE CALL CAROLE A.S.A.P. 754-4405

MEETING TIME OPTIONS: 5:00 pm ON Thursday (3/22)
 3:00 pm ON Friday (3/23)
 3:00 pm ON Wednesday (3/28)

Hernando County Welcome Center
30305 Cortez Blvd.
Brooksville, Fl. 34602
352-754-4405
1-800-601-4580
www.hernandocounty.us/visit

3/19/07
PE: R. LEWIS
L. BRADBURN
REED
4/2/07
3/19/2007



BIG BROTHERS BIG SISTERS of Pinellas County, Inc.
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918 West Bay Drive • Largo, Florida 33770 • 727/518-8860 • FAX 727/584-8953
15120 County Line Road • Spring Hill, Florida • 34610 • 352/684-7904 • FAX 352/684-7905
701 White Boulevard, Suite A • Inverness, Florida 34453 • 352/344-0400 • FAX 352/726-4339

March 20, 2007

Mike Walker
Parks & Recreation
201 Darby Lane
Brooksville, FL 34601

Dear Mr. Walker,

Thank you for ensuring that the check we submitted in the amount of \$200.00 was returned to us. The check was received in this office today and will be returned to our accounting department. You have been very helpful and understanding in this matter. We look forward to working with you again in the future.

Sincerely,

Mary Ann Peavler
Family Support Specialist

cc. Mayor and Council Member
201 Howell Avenue
Brooksville, FL 34601

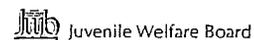
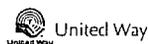
03-22-07 P02:20 IN

LEAD

3/26/07
JD

C 704/07

MEMBER AGENCY



Karen Phillips

From: "Hernando County Chamber" <heather@hernandochamber.com>
To: "Karen" <kphillips@ci.brooksville.fl.us>
Sent: Tuesday, March 20, 2007 11:35 AM
Attach: Awards Banquet Nomination Form.pdf
Subject: Awards Banquet- Get your nominations in before it's too late!

'SEARCHING FOR THE STARS'

Please join us for the 14th Annual Awards Banquet

"A Night at the Chamber Oscars"

Friday, June 8th at the Palace Grand

The excitement begins on the Red Carpet at 6:00 p.m.

for an evening you will never forget!

Please fill out the attached nomination form with your selection and return to the Chamber of Commerce by Friday, March 30th.

Additionally, a sponsor flyer is also attached for your convenience.

For more information, please contact Carla Hayes at 796-0697, ext 15 or

Email: Carla@hernandochamber.com.

hand
g

03-21-07 P03:59 INCD 4-1-07

JAD 3/20/2007



David La Croix

Attorney

*Land Use Planning
and Zoning
Local Government Law
Appellate Practice*

*Post Office Box 381
Brooksville, FL 34605
Tel. & fax: (352) 382-1373
davidlac@earthlink.net*

MEMORANDUM

TO: City Council Members

FROM: David La Croix, City Attorney

SUBJECT: City Manager Applicant

DATE: March 20, 2007

During most of the time I served as Crystal River City Attorney, Susan Boyer was the City Manager. I understand she has applied for Brooksville's vacant City Manager position.

Crystal River has for years been a deeply divided community, with the majority on City Council often flip-flopping after each election. It was that way when Susan was City Manager there. It's the City Manager's job to implement what the majority decides, and in many cases on deeply divided Councils the minority members and their supporters take out their frustration and anger at the City Manager. That happens a lot in Crystal River. One reason there has been so many City Managers there over the last fifteen or so years has been the flip-flopping majority always blaming the City Manager for what the previous majority did.

The hard feelings run deeper in Crystal River than in other divided cities I've seen. In fact, some people there have been so vengeful that they have sent spiteful and libelous anonymous letters to officials of every city to which Susan Boyer has applied for an open position, even all this time after she left Crystal River.

I tell you this because I expect you will get such anonymous letters, and I hope they don't persuade you to overlook Susan's application and not consider her equally with other applicants. In a deeply divided city such as Crystal River was (and still is, as far as I know) you can get as many fervently pro-Susan Boyer opinions (from those who were on or who supported the Council majority while she was there) as you can get venomous ant-Susan Boyer opinions (from those who were on or who supported the Council minority while she was there). It was impossible for her to bring those two factions together in Crystal River, as it was impossible

PC Council
STEVE
MASCAROT 3/21/07

CTJ 4/1/07

A.L. Covell Electric, Inc.

600 South Main Street - Brooksville, Florida 34601
(352)544-0680 / Fax (352)544-1170
EC0002536 / EC0002535

March 21, 2007

03-23-07 P02:22 IN

Director of Parks Department /
City of Brooksville
306 Darby Lane
Brooksville, Florida 34601

Re: Tina Nichols

Mike Walker / Director of Parks Department:

I received a call from one of your employees, Tina Nichols, requesting information on my personal blog site on the Internet this week. This call by Ms. Nichols was placed to my office at approximately 9:30 a.m. on Tuesday, March 20, 2007.

Although I am flattered that Ms. Nichols has shown interest in my website, I fail to see any relationship that city business would have with my personal blog. During our phone conversation, Ms. Nichols indicated to me that she had pulled up my website on her computer and stated that my website had become quite popular within the city.

Being a taxpayer within the city of Brooksville, I question whether this was the wisest use of time for an employee to place a personal phone call to me and then proceed to cruise the Internet on city time.

Respectfully,



Anna Liisa Covell/
Vice President

Cc: Steven Baumgartner / Interim City Manager
Richard Lewis/ Brooksville City Councilman

Lead
3/26/07
JP

JP

Karen Phillips

From: "Hernando County Chamber" <heather@hernandochamber.com>
To: "Frankie" <fburnett@ci.brooksville.fl.us>
Sent: Wednesday, March 21, 2007 10:10 AM
Attach: Radio Auction.pdf
Subject: Brooksville Rotary Radio Auction

Brooksville Rotary's 29th Annual "Live On the Air" Radio Auction

Broadcasted on WWJB 1450 on the AM dial live from Cortez Community Bank on **MARCH 24TH FROM 1 PM TIL' 6 PM**. All of the new merchandise auctioned off (\$40,000 Value) will be published in the St. Petersburg Times/Hernando Times and the Hernando Today on Friday, March 23rd and Saturday, March 24th. Listen to WWJB and make your bid by calling (352) 799-5885! If you have the highest bid, you win! All merchandise or certificates can be picked up at Cortez Community Bank Brooksville location that evening. All proceeds go to the Rotary Clubs Charitable Trust 501c3. This event is sponsored by WWJB 1450 AM, Cortez Community Bank, Osmond Printing, Inc., and the Hernando Today.

Thank you,

Heather Lauro

Communications Coordinator
Greater Hernando County Chamber of Commerce
101 East Fort Dade Avenue
Brooksville, FL 34601
(352) 796-0697 ext. 14

pc. head
3/22/07
3/21/07
3/21/07
Cm 4/1/07 ✓
3/21/2007

Karen Phillips

From: "Julie Sherraden" <jsherraden@ci.brooksville.fl.us>
To: "David La Croix" <davidlac@earthlink.net>; "Audrey Williams" <awilliams@ci.brooksville.fl.us>;
"Bill Geiger" <bgeiger@ci.brooksville.fl.us>; "Brenda Benford" <bbenford@ci.brooksville.fl.us>;
"Ed Tincher" <etincher@ci.brooksville.fl.us>; "Emory Pierce" <epierce@ci.brooksville.fl.us>; "Jim
Delach" <jdelach@ci.brooksville.fl.us>; "Laureen Busacca" <lbusacca@ci.brooksville.fl.us>;
"Lindsay A Morgan" <lmorgan@ci.brooksville.fl.us>; "Margaret Bosack"
<mbosack@ci.brooksville.fl.us>; "Mike Walker" <mwalker@ci.brooksville.fl.us>; "Pat Jobe"
<pjobe@ci.brooksville.fl.us>; "Rick Hankins" <rhankins@ci.brooksville.fl.us>; "Susan Mccrary"
<smccrary@ci.brooksville.fl.us>; "Terri Slaughter" <tslaughter@ci.brooksville.fl.us>; "Tim
Mossgrove" <tmossgrove@ci.brooksville.fl.us>; "William Smith" <wsmith@ci.brooksville.fl.us>;
<jbernardini@ci.brooksville.fl.us>; <lbradburn@ci.brooksville.fl.us>; <rlewis@ci.brooksville.fl.us>;
"Frankie Burnett" <fburnett@ci.brooksville.fl.us>; "David Pugh" <dpugh@ci.brooksville.fl.us>;
<Janice Pet>
Cc: "Karen Phillips" <kphillips@ci.brooksville.fl.us>
Sent: Wednesday, March 21, 2007 4:42 PM
Subject: Early notice of meeting change

The staff meeting scheduled for 10:30 a.m. on Thursday August 9, 2007, has been rescheduled at 2pm that day. Leadership Hernando Cultural day will be held in the Council Chambers all morning...

Julie Sherraden, Administrative Assistant
City of Brooksville /Administration Department
jsherraden@ci.brooksville.fl.us
352-544-5407

to send ✓

B

*3/22/07
JLD
3/21/07*

*3/21/07 ✓
3/21/2007*

Karen Phillips

From: "Steve & Shannon Flynn" <flyrep@yahoo.com>
To: <cityclerk@ci.brooksville.fl.us>; <citycouncil@ci.brooksville.fl.us>;
<sbaumgartner@ci.brooksville.fl.us>
Sent: Friday, March 23, 2007 10:54 AM

Your home foreclosures over \$5 parking tickets have nothing to do with keeping the city safe and orderly for all. It is about theft and racketeering. Why not just steal the cars of the homeowners and let them keep their cars. Do city employees involved get a cut or get a heads up so they can buy said properties at auctions?

Steve Flynn

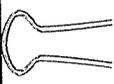
305 N. Acacia Rd.
Apache Junction, AZ 85219

Expecting? Get great news right away with [email Auto-Check](#).
Try the [Yahoo! Mail Beta](#).

*Rec'd ✓
Steve ✓
Read File ✓
CTN 4/2/07
3/23/07 JP*

*3/26/07
JP*

3/23/2007



CITY OF BROOKSVILLE
 Community Development Department
 Monthly Activity Report
 February 2007



CATEGORY	This Month	Fiscal Year to Date	This Month	Last	This Month	Last
	February 2007	10/01/06 - 2/28/07	February 2006	Year	February 2006	10/01/05 - 2/28/06
Building/Development Reviews	87	179	36	120		
Occupational Licensing Reviews	13	81	12	60		
Zoning Research Responses	57	312	43	255		
Variances	0	1	1	5		
Special Exceptions	1	4	0	1		
Re/Zoning Amendments	1	6	0	2		
Annexation	0	1	0	3		
Conditional Plat	1	2	0	0		
Final Plat	0	2	0	2		
PDP Master Plan SEU/Zoning	0	6	0	0		
Comprehensive Plan Amendments	0	1	0	0		

pd jacob

chr 4/2

PARKS & RECREATION ADVISORY BOARD

August 17, 2006

5:15 P.M.

Parks Advisory Board held a meeting on August 17, 2006 in Council Chamber.

MEMBERS PRESENT: William Chatman, Chairperson
Richard Gant, Vice Chairperson
James Brooks
David Pugh, Vice Mayor
Sally Sperling, Alternate
Alan Garman
Gary Schraut

MEMBERS ABSENT: Phillip Williams, Alternate
Mark Blanton

OTHERS PRESENT: Mike Walker, Parks & Recreation Director
Audrey Williams, Recording Secretary

CALL TO ORDER:

Chairperson Chatman called meeting to order at 5:15 P.M.

APPROVAL OF MINUTES:

No Minutes

pc: read

3/14/07

atn 4/2/07

jp

PARKS & RECREATION ADVISORY BOARD

November 02, 2006

5:15 P.M.

Parks Advisory Board held a meeting on November 02, 2006 in Council Chamber.

MEMBERS PRESENT: William Chatman, Chairperson
Richard Gant, Vice Chairperson
David Pugh, Vice Mayor
Sally Sperling, Alternate
Alan Garman
Gary Schraut
Toni Maletta, Alternate

MEMBERS ABSENT: James Brooks
Mark Blanton

OTHERS PRESENT: Mike Walker, Parks & Recreation Director
Audrey Williams, Recording Secretary

CALL TO ORDER:

Chairperson Chatman called meeting to order at 5:25 P.M.

APPROVAL OF MINUTES:

Chairperson Chatman called for approval of minutes from June 22, 2006 meeting.
Vice Mayor Pugh made motion for approval with Member Garman seconding.

The Advisory Board's vote was unanimous, **Motion Carried.**

*pc: read
3/14/07
ctn 4/2/07*

BROOKSVILLE HOUSING AUTHORITY
Regular Meeting

October 16, 2006

Chairman Helen Fleming called the meeting to order at 5:20

ROLL CALL:

Attending the meeting was Chairman Helen, Vice-Chairman Allen Rhodes, Members Gertrude Mobley, Carl Pilcher, Onnie O'Banner, Donnamaria Lopez and Paul Boston. Also attending was Executive Director Betty L. Trent, Project Manager Billye Fetrow.

Vice-Chairman Rhodes gave the invocation after which Chairman Fleming led the Board in the recitation of the Pledge of Allegiance.

Chairman Fleming brought attention to the Minutes for the meeting of September 11, 2006. Motion to approve as written was made by Member Donnamaria Lopez. Seconded by Member O'Banner. All in favor. Motion carried.

Ms. Fleming brought attention to the Admissions/Transfers/Move-Outs Reports. Ms. Trent brought attention to the fact that this now would be Ms. Fetrow's responsibility. The Board expressed satisfaction with the improvement in the number of people housed.

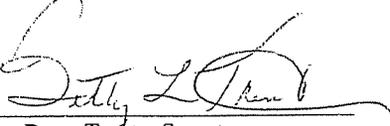
Mr. Boston brought to the attention of the Board a complaint that he felt the Board should, at the very least, be aware of. Ms. Lisa Holloway, a person that is well known in the activist community feels that she has been "targeted" by 'Robo-cop' (officer John Cavanna). Members Pilcher and Rhodes told Mr. Boston that they felt this matter should be brought before the City and he responded that it was being brought before the City, but because 'Robo-cop' was the officer that was doing the most in our community he felt we should see "the other side of the coin".

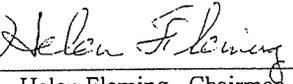
The board discussed the issue of the PILOT debt and a motion was made by Member Pilcher and seconded by Vice-Chairman Rhodes-all in favor-motion carried that: This office has been instructed to write a letter to the City of Brooksville requesting forgiveness of all monies owed from 1999 through 2006. However, the PILOT owed for 1998, which an agreement was made to pay \$500.00 per year would still be honored. Thereafter, beginning in 2007, PILOT would be paid, in full, for the year in which it is accrued by the Housing Authority. The City of Brooksville will honor the Co-op Agreement in exchange for all PILOT accrued after 2006.

General Discussion:

- a. It was noted that Ms. Fetrow has sent letters to several celebrities in an effort to get financing for a playground. She has also sent for a catalog for PLAYTIME products and will be talking with a sales person.
- b. There was discussion as to when a new Office clerk would be hired and as to whether or not Ms. Trent has found someone she was happy with to hire.
- c. There were congratulations around for Ms. Fetrow on her promotion.

Meeting was adjourned at 6:40


Betty Trent - Secretary


Helen Fleming - Chairman

pc: record

pin 4/2/07

8

BROOKSVILLE HOUSING AUTHORITY
Regular Meeting

November 13, 2006

Chairman Helen Fleming called the meeting to order at 5:15

ROLL CALL:

Attending the meeting was Chairman Helen Fleming, Vice-Chairman Allen Rhodes, Members Gertrude Mobley, Carl Pilcher, Donnamaria Lopez and Paul Boston. Also attending was Project Manager Billye Fetrow, Mr. Don Singer from Hernando County Housing as well as Brooksville Housing Authority Attorney Charlie Luckie.

Vice-Chairman Rhodes gave the invocation after which Chairman Fleming led the Board in the recitation of the Pledge of Allegiance.

Chairman Fleming brought attention to the Minutes for the Regular meeting of October 16, 2006. Motion to approve as written was made by Member Carl Pilcher Seconded by Member Donnamaria Lopez. All in favor. Motion carried.

Attention was then turned to the Minutes of the Executive Meeting held on Monday, November 6, 2006. Meeting was called immediately Mr. Luckie was informed of the arrest of Ms. Trent and Ms. Bennett. Ms. Fleming called the Board Members. Two sets of Minutes were kept: one by Mr. Rhodes and one by Ms. Lopez. After due consideration Mr. Rhodes made the Motion and Mr. Pilcher seconded that both sets be accepted after proofing and correction.

Ms. Fetrow made her report on evictions/vacancies/transfers and move-outs. Our vacancy rate has fallen and empty apartments are at a low rate.

Under General Discussion:

a. At the time the Agenda was written we had been having quite a bit of trouble with the press in the lobby. That problem has since disappeared and we no longer need the measures we had put in place

b. A notice of the meeting needs to be sent to all Media and Notify the City of our Agenda. A notice of the Meeting needs to be put on the Bulletin Board. The office needs to try to disseminate the information no later than Wednesday before the scheduled Board Meeting.

c. Discussion on the possibility of maintenance crews being hired from outside. Mr. Pilcher reporting on availability as he finds. Mr. Boston responding that he had thought we would be signing a contract with someone and no longer hiring our own maintenance crew--the purpose of this being to eliminate any doubts of impropriety. He questions if we have had any bids.

d. Under current situation it is felt by all Board members that it is necessary to have a HUD Workshop. Ms. Fleming and Mr. Singer will look into this. Mr. Singer will set up as soon as possible.

e. A Board Resolution was made that Billye Fetrow be added to the eLOCCS account by Vice-Chairman Rhodes. Member Pilcher seconded. Vote was 5 to 1 with Member Boston voting No.

f. Discussion with Mr. Singer concerning interim Executive Director Services Mr. Singer advocated part time with no more than 20 hours a week, pay being at \$31.51 an hour. Several other things were discussed with Attorney Luckie being instructed to put together a Proposal for the Hernando County Housing Authority

pci record

etn 4/2/07

8

BROOKSVILLE HOUSING AUTHORITY
Regular Meeting

December 11, 2006

Chairman Helen Fleming called the meeting to order at 5:15

ROLL CALL:

Attending the meeting was Chairman Helen Fleming, Vice-Chairman Allen Rhodes, Members Gertrude Mobley, Carl Pilcher, Donnataria Lopez, Onnie O'Banner and Paul Boston. Also attending was Project Manager Billye Fetrow, Mr. Don Singer (via telephone) from Hernando County Housing as well as Brooksville Housing Authority Attorney Charlie Luckie.

Vice-Chairman Rhodes gave the invocation after which Chairman Fleming led the Board in the recitation of the Pledge of Allegiance.

Chairman Fleming brought attention to the Minutes for the Regular meeting of November 13, 2006. Motion to approve as written with corrections as noted was made by Member Gertrude Mobley Seconded by Member Onnie O'Banner. All in favor. Motion carried.

Attention was then turned to the Disposition of Property. After some discussion Vice-Chairman Rhodes made the motion to Dispose of the Property listed. Member Mobley seconded. All in favor. The Motion carried unanimously.

Larry Trent then made a report on the maintenance dept and the need to keep the maintenance crew he currently has. Member Lopez, Member Paul Boston and Vice-Chairman Rhodes raised several questions concerning the maintenance department. Member Paul Boston talked about finding a replacement for Larry Trent. Charges against residents for work were then discussed.

Mr. Luckie reported on the Hernando County Housing authority Board Meeting. Mr. Singer was questioned and he answered that he had spoken with a Mr. Dean Myers and was told that there would be no problem with him being covered under the policy with FHARMI – (liability). Mr. Luckie requested that he get a letter stating that sent to the office or to him (Mr. Luckie). Mr. Singer replied that he didn't think that would be a problem.

Ms. Fetrow made her report on evictions/vacancies/transfers and move-outs. Our vacancy rate has fallen and empty apartments are at a low rate. Four apartments have been filled. Two apartments will be filled as soon as Amerigas comes in and fixes the problems in them.

Discussion of damage caused by children, Amerigas' unwillingness to come in when called and the condition of the tanks etc are all considered. Change over to electric is explained. Mr. Rhodes is wondering if we can 'go to another gas company' while we phase out the gas.

pc record

CTN 4/2/07

BROOKSVILLE HOUSING AUTHORITY
Agenda Regular Meeting

5:15 PM

January 8, 2007
800 Continental Dr.

MEETING:

1. Call to order
2. Prayer followed by the Pledge of Allegiance
3. Roll Call
4. Review and approval of Minutes as corrected– Meeting December 11, 2006. Motion made by Member Boston; seconded by Member Pilcher. All in favor.
5. Discussion of Agreement with Hernando County Housing Authority with amended paragraph as presented by Mr. Singer – Motion to accept Agreement as it now reads made by Vice-Chairman Rhodes; seconded by Member Pilcher. All in favor, the motion passes unanimously.
6. The Board discussed our current level of Security Deposits and the severe level of differences between them and all the other apartment complexes in Brooksville. Currently our levels stand at:
\$50.00 for all Elderly units with no other deposits – we pay all utilities
\$50.00 for all One bedroom units at the family site in “Hillside Estates” plus an electrical deposit. We pay all other utilities and services.
\$100.00 for all Two bedroom
for all Three bedroom
for all Four bedroom units at the family site in “Hillside Estates” plus an electrical deposit. We pay all other utilities and services.
7. Vacancy/Move out/Move in report given by Ms. Fetrow who then Left to take care of a tenant with a problem. There were 2 move-ins during the month of January. One move out and no transfers.
8. The Financial Reports were given discussed without the presence of the secretary, but not in any great depth. The general consensus seemed to be that as the year progresses this will be presented in greater depth and received with better understanding.
9. Approval of Operating Funds: After examining the presentation, Member O’Banner made the Motion that the current budget be accepted with the rider that the Board be able to change them in the future if necessary. Motion was seconded by Member Boston. All in

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- 8

BROOKSVILLE HOUSING AUTHORITY
Minutes Regular Board Meeting

5:15 PM

February 12, 2007

The meeting was called to order by Chairman Helen Fleming at 5:15 P.M. on Monday February 15. Prayer was offered by Vice Chairman Allen Rhodes, which was followed by all members reciting the Pledge of Allegiance.

Ms. Fleming called the roll. Present: Ms. Helen Fleming Chairman, Mr. Allen Rhodes Vice Chairman, Member Onnie Bell O'Banner, Member Gertrude Mobley, Member Donnamaria Lopez and Member Paul Boston. Absent; excused: Member Carl Pilcher. Also attending Mr. Donald Singer Interim Executive Director, Ms. Billy Fetrow Project Manager, from the Housing Authority Administration, Ms. Patti Tilchin the Authorities Accountant, and Mr. Curtiss Reeves with Mr. Kirk Wilson from Crime Stoppers, Hernando County Chapter.

Ms. Fleming brought attention to the agenda item number 4, "election of officers" and mentioned that this was a process usually done at the end of our meetings. Member Boston made the motion that this item be moved to number 10. Member Mobley seconded. All in favor. Motion passed.

Ms. Fleming then brought attention to the Minutes for the month of January. After discussion of the Minutes, Mr. Boston made the Motion to accept the Minutes as written. Member Lopez seconded. All in favor. Motion passed.

Ms. Tilchin was introduced to the Board by Mr. Singer, as there are some members that are new and not acquainted with Ms. Tilchin. Ms. Tilchin then explained in depth the financial accounts that are received from her accounting service. Vice Chairman Rhodes made the motion that the Board accept the financial report as presented with the possibility of any correction necessary being presented at the next meeting. Member Boston seconded. All in favor. The motion passed.

Chairman Fleming then recognized Mr. Curtiss Reeves from the Crime stopper, Hernando County Chapter. Mr. Reeves presented Mr. Kirk Wilson. The gentlemen then presented their program, explaining that they are funded through the Attorney General's office and operate out of the County Sheriff's office. They then requested any help they could get in learning how to operate in this community and how to distribute and who to distribute through was discussed.

Mr. Boston made many suggestions, including that they work with the tenant association that is in the process of forming. He also suggested that they get a booth for the Juneteenth Celebration. After further discussion, Mr. Boston made the Motion that Crime Stoppers work with the tenant organizers and return to the board with results. Member O'Banner seconds. All in favor. Motion passed.

Project Manager gave her reports on the Move-outs, Move-ins, Transfers, Evictions, vacancies and occupancy/vacancy rate. Member Boston made the motion to accept with the addendum that in future Ms. Fetrow submit a written report with pictures when appropriate. Member Lopez seconds. All in favor. Motion passed.

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**HERNANDO COUNTY ELDER AFFAIRS COUNCIL
MINUTES OF JANUARY 22, 2007 MEETING**

MEETING DATE: Monday, January 22, 2007

PRESENT: Jerry Fisher, Richard Lewis, Kristie Kroslack, Francine Ward, Diane Rowden, Dave Miles, Cinda Moore, Marie Monahan, Suzanne Hill, Ben Barnhart

ABSENT: Catherine Alia-Harding, Nancy Davis,

EXCUSED: Frank Prestigiacomio, Beatrice Braun,

The meeting was called to order at 10:07 A.M., followed by a moment of silence and the Pledge of Allegiance.

Motion to approve the minutes from September 25, 2006 meeting and November 27, 2006 meeting by Suzanne Hill, seconded by Jerry Fisher. A vote was taken and was unanimous.

ATTENDING GUESTS

Welcome, Suzanne Yap Community Diversion Program Coordinator for Universal Healthcare.

OLD BUSINESS

Commissioner Diane Rowden reminded everyone the Centenarian Birthday Celebration is tomorrow, January 23, 2007, at SunTrust Bank in Brooksville.

NEW BUSINESS

Ben Barnhart has concerns with the ADA vans; apparently citizens are taking advantage of the vans by scheduling multiple trips daily.

Francine Ward informed the board that citizens with disabilities who live within 3/4 mile radius of an existing public bus route who have been through the disability process are eligible.

Suzanne Yap- Care Manager for Universal Healthcare Community Diversion Program. Ms. Yap started this program 14 years ago in the Miami/Dade area and moved to Hernando County two years ago. The purpose of this program is to divert people from going into custodial care and keep them in their homes with support services.

Medical Criteria

- 65 or older
- Eligible for Medicare A and B
- Have chronic medical condition which impedes daily living

Financial Criteria:

- Medicare Eligible
- Meet a minimum for single or married criteria

[Handwritten mark]

ctn 4/2/07

Julie Sherraden

From: "Hernando County Fairgrounds" <info@hernandocountyfair.com>
To: " Board of County Commisioners" <dcox@co.hernando.fl.us.>; "Brooksville City Council" <jsherraden@ci.brooksville.fl.us>; "Cathy DeHoff" <cdehoff@pasco.k12.fl.us>; "Craif Fulmer " <cfulmer@cutlerdb.com>; "Dana Hurst" <haroldsautocente@bellsouth.net>; "Dave Russell " <drussell@co.hernando.fl.us>; "Deb Pedone" <DPedone@sptimes.com>; "Deidre Fletcher" <htlbrooks@aol.com>; "Don Page " <dpage@cortezcommunitybank.com>; "Jan Knowles " <janknowles@earthlink.net>; "Joe Bernardini " <joeb433@bellsouth.net>; "John Mitten " <01657@chick-fil-a.com>; "Joy Jackson" <flcrackerjack@hotmail.com>; "Judy Mamo" <jmamo@cortezcommunitybank.com>; "Nancy Moores " <nancym@co.hernando.fl.us>; "Richard Nugent " <rnugent@hernandosheriff.org>; "Sandi Nicholson " <snicholson@nicholson-engineering.com>; "Tammy Fincher " <starf5fin@wmconnect.com>; "Tim Hill " <spfdtim7@aol.com>; "Tommy Clark" <BRYANT.CLARK@PGNMAIL.COM>
Sent: Wednesday, March 07, 2007 11:54 AM
Subject: Hernando County Fair Assn Minutes January

Hernando County Fair Assn.
 Minutes
 February 8, 2007

Meeting was called to order by President Nancy Moores at 6pm. Pledge and moment of silence was led by President Moores.

The January **Minutes** were presented for approval and a motion was made by Tim Hill to accept as written with second by Sandi Nicholson. Motion carried.

The **Treasurers Report** was presented by Deb Pedone for approval. Motion to accept was made by Dana Hurst and second by Tammy Fincher. Motion carried.

Old Business was discussed as follows:

DPW bill still in the air as Gary Kuhl is working to help us resolve.

Road – No report or discussion.

Roof- No progress waiting on final direction from County concerning lease.

By-laws revisions were discussed and discussion concerning number of Directors. 8 shall be appointed by various organizations and 12 will be elected by the membership. The revisions will be made and resent by Sandi Nicholson and By-laws should be amended at the March meeting.

New Business

Hernando High School FFA is experiencing construction and has requested the use of the Auditorium for their Banquet in May. Motion was made to allow said use at no charge and for the date to be approved by fairgrounds Manager by Dana Hurst and second by Deb Pedone. Motion carried.

Drainage estimates to resolve the water runoff problem from the Livestock Barn during the Fair into the Commercial building were presented by Fairgrounds manager Joy Jackson for between \$5500 and \$18,000. Motion was made by Tim Hill to approve bid by Cliff's Site and Septic Service for \$5500 and second by Dana Tammy Fincher. Motion carried.

Parking during the Fair was discussed with a recommendation by Dana Hurst to charge \$5 for parking. Much discussion ensued with a motion being made by Dana Hurst to increase the parking to \$2 per carload with a second by Tim Hill. Hernando Sheriff's Explorers will provide signage indicating \$2 donation for parking. Motion carried.

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B

BEAUTIFICATION BOARD MINUTES

Tuesday, February 13, 2007

5:30 P.M.

The Beautification Board met with members Sally Sperling, Alison Jones, Nicole Sensale, Louise Taylor, Jay Thompson and Delores Jackson. Also present were Joe Bernardini, Council Liaison and Lindsay A. Morgan, Board Secretary.

Meeting was called to order by Vice Chairman Sperling at 5:30 p.m., followed by moment of silence and the Pledge of Allegiance.

Vice Chairman Sperling welcomed the new Board Members, Nicole Sensale and Jay Thompson, to the Board who both introduced themselves and gave a brief description of work and personal background.

Approval of Minutes

January 9, 2007

Motion:

Board Member Thompson moved for approval of the January 9, 2007 minutes; seconded by Board Member Sensale. Motion carried 6-0.

Margaret R. Ghiotto Residential Beautification Award

Nominations:

No nominations this month

Margaret R. Ghiotto Commercial Beautification Award

Nominations:

1. 290 Fort Dade - Bickel Realty Inc.
(Nominated by Board Member Sterling)

Board Member Taylor also nominated 273 Broad Street for March's commercial award agenda.

Motion:

Board Member Taylor moved to award 290 Fort Dade Avenue the Commercial Award for February; seconded by Board Member Sensale. Motion carried 6-0.

PC "rec'd" BTM 4/2/07

MINUTES – WITHLACOOCHEE REGIONAL WATER SUPPLY AUTHORITY
BOARD OF DIRECTORS MEETING, FEBRUARY 21, 2007

DATE: February 21, 2007
TIME: 4:30 p.m.
PLACE: Citrus County Courthouse
Commission Chamber, First Floor
110 N. Apopka Ave., Inverness, FL 34450

MEMBERS PRESENT

Joyce Valentino, Citrus County Commissioner
Dennis Damato, Citrus County Commissioner
Richard Hoffman, Sumter County Commissioner
Joe Bernardini, Brooksville City Councilman
Mike Francis, Sumter County Commissioner
Dale Swain, Bushnell City Councilman
Sophia Diaz-Fonseca, Inverness City Councilwoman

MEMBERS ABSENT

Gary Bartell, Citrus County Commissioner
Rose Rocco, Hernando County Commissioner
Diane Rowden, Hernando County Commissioner
David Russell, Hernando County Commissioner
Christopher Kingsley, Hernando County Commissioner
Jeff Stabins, Hernando County Commissioner
Kent Guinn, Ocala City Councilman
Daniel Owen, Ocala City Councilman

OTHERS PRESENT

Jack Sullivan, Executive Director
Larry Haag, WRWSA Attorney
Barbara Sullivan, Recording Secretary
Alys Brockway, Hernando County Water Conservation Coordinator
Robert Knight, Citrus County Utilities
Mikel Renner, SWFWMD
Jimmy Brooks, SWFWMD
Jack Bratton, Sumter County
Gus Thayer, Citrus County Council
Al Grubman, TOO FAR, Citrus County
Jan Grubman, TOO FAR, Citrus County
W. Duane Brooks, TOO FAR, Citrus County
Ellen Hoffman, Sumter County
Pat Francis, Sumter County

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ETN 4/2/07

**WITHLACOOCHEE REGIONAL PLANNING COUNCIL
BOARD OF DIRECTORS MEETING**

DATE: February 15, 2007
TIME: 7:00 P.M.
PLACE: Withlacoochee Regional Planning Council
1241 S. W. 10th Street
Ocala, FL 34474-2798

MEMBERS PRESENT:

Ken Hinkle, Citrus County Municipal Representative
Vicki Phillips, Citrus County Commissioner
Carl Bertoch, Citrus County Governor's Appointee
Joseph W. Sawyer, Citrus County Governor's Appointee
Linda Powers, Citrus County Governor's Appointee
Jeff Stabins, Hernando County Commissioner
Buddy Selph, Hernando County Governor's Appointee
Steve Holcomb, Levy County Municipal Representative
Nancy Bell, Levy County Commissioner
Danny Stevens, Levy County Commissioner
Eugene Trimpert, Levy County Governor's Appointee
Wilma Loar, Marion County Municipal Representative
Andy Kesselring, Marion County Commissioner
Edward Abshier, Marion County Governor's Appointee
Daniel Dooley, Marion County Governor's Appointee
Ronald Allen, Sumter County Municipal Representative
Garry Breeden, Sumter County Commissioner
Richard Hoffman, Sumter County Commissioner
Doug Sanders, alternate to Richard S. Owen, Non-Voting Ex-Officio Member
representing SWFWMD

MEMBERS ABSENT:

Dennis Damato, Citrus County Commissioner
Joyce Valentino, Citrus County Commissioner
John Thrumston, Citrus County Commissioner
David Pugh, Hernando County Municipal Representative
Diane Rowden, Hernando County Commissioner
Rose Rocco, Hernando County Commissioner
Chris Kingsley, Hernando County Commissioner
Dave Russell, Hernando County Commissioner
Joe Johnston, III, Hernando County Governor's Appointee
Barbara Fitos, Marion County Commissioner
Stan McClain, Marion County Commissioner

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ohn 4/3/07

HERNANDO COUNTY TOURIST DEVELOPMENT MEETING

FEBRUARY 22, 2007

The Hernando County Tourist Development Council met on Thursday, February 22, 2007 at 3:00 p.m. in the Garden Room at the Best Western Resort, 30307 Cortez Blvd., Spring Hill, Florida 34602. The meeting had been advertised and the public was invited to attend. The following is an attendance record and summary of discussions that took place at the meeting.

MEMBERS PRESENT:

Bobbi Mills, Chairperson
Jan Knowles, Vice Chairperson
Richard E. Lewis, 2nd Vice Chairperson
Lara Bradburn
Joel Hernandez
Joseph Giarratana

OTHERS PRESENT:

David Curtis, Brooksville Computer

STAFF:

Susan Rupe, Director
Carole Knudson
Mike McHugh, Off. of Business Development

ABSENT:

Rose Rocco, BOCC

CALL TO ORDER: Chairperson Bobbi Mills called the meeting to Order at 3:07 p.m. on February 22, 2007, with the required quorum of members present. Chairperson Mills welcomed new member Lara Bradburn. TDC Director Susan Rupe presented Ms. Bradburn with a TDC manual.

APPROVAL OF MINUTES: Chairperson Mills called for approval of the minutes of the January 25, 2007 meeting.

MOTION: Richard Lewis made the motion to approve the minutes of the January 25, 2007 meeting as written; motioned seconded by Jan Knowles. **Motion passed 6 – 0.**

SUSAN RUPE – TOURISM DIRECTOR:

TOURIST TAX REPORT

The Clerk of Circuit Court reported that for December, 2006, the tax collected was \$31,018.82, with \$30,088.26 distributed to the TDC.

FINANCE REPORT

The Finance Report for January 2007 was presented to the TDC. Year-to-date revenues totaled \$129,676.23. Year-to-date expenditures were \$75,602.58, leaving a total of \$54,073.65. Cash balance on hand totals \$460,351.65. Susan Rupe noted that November collections were \$6,000.00 over the previous year. December was down somewhat, and January was going well to this point. Sue also pointed out that December had been a good month at local hotels. At the date of the meeting, January was reported to be a little slower, attributing the slow-down to higher rates at the newer accommodations sites.

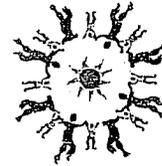
ACTIVITY REPORT

The activity report was represented to the Council. Director Susan Rupe briefly reviewed the January 2007 activity report, which had been included in the TDC pre-meeting packages. Susan noted that visitors to the Welcome Center was "on average" for the time of year, and also pointed out the inquiries from foreign countries. Over 450 visitors stopped by the Welcome Center. Of the 50 states the center had visitors from 34 different states outside of Florida. Foreign Visitors included guests from England, Canada, Germany, Austria, Puerto Rico and China. The Center responded to 922 mail and phone inquires, 250 magazine reader responses, and mailed out 700 pieces of tourism related information. Over 428 calls were logged in at the Welcome Center.

CTN 4/2/07

P

Hernando County Community Anti-Drug Coalition
6147 Deltona Blvd., Spring Hill, FL 34606
Phone: 352-596-8000 * Fax: 352-596-8002
info@hernandoantidrug.org



Hernando County Community Anti-Drug Coalition
Meeting Minutes
February 28, 2007

Present: Sandra Marrero (The Harbor), Lisa Hammond (BHERGroup), Harry Hill (DJJ), Tresa Watson (CENAPS), Richard Lewis (City of Brooksville), Richard Forester (DCF), Mary Ann Peavler (BBBS), Eileen Copple (YFA)

Meeting called to order at 3:40 p.m.

Lisa presented a motion to accept minutes from January meeting. Richard second the motion. Motion carried

YAAPI

Tresa announced that Chill Smart has been asked to participate in "Week of the young Child" on April 14, 2007. Chill Smart members agreed to host a table. The coalition will use interactive displays such as the "Smoking Suzie", Fatal Vision Goggles and Spin the Wheel display, which demonstrates risks involved in drinking. If anyone is interested in helping, please contact Tresa Watson at 596-8000.

Art Reception

Sandra announced the art reception took place last month and went well. Fewer students attended than anticipated. However, those who went did enjoy themselves. Moreover, some art teachers accompanied the students and made it a point to express their pleasure about the art contest. Some instructors offered to participate next year as well. The bill boards are up and look great.

Youth Speak Out Sessions

Lisa reported 2 more YSO sessions took place. There is a consistent message ringing true throughout the sessions. Where youth access alcohol and what is perceived as high risk drugs, are uniform across the board. Lisa announced she will be looking at findings, to see what projects can be targeted based on data.

Town Hall Meeting

Lisa stated Congresswomen Ginny Brown Waite has agreed to accept the coalition's invitation to participate in a town hall meeting. Lisa will coordinate dates with her office. Once date is set, Lisa will approach other officials to attend.

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ig Newsletter

Networking People, Information and Ideas

March 2007
Volume 16 Number 3



Government Innovation

Homeowner Association Initiative

Fostering Partnerships That Created an All-America City

In fiscal year 2003 the **DeSoto, TX** (pop. 40,800)

City Council created a city that said, "DeSoto strives to be a culturally inclusive model city, prosperous, attractive, and neighborhood-oriented, with sensitivity to our history, natural resources, and citizens." DeSoto is not unique in its challenge to manage annual resources with progressively fewer fiscal resources; so, to meet the Council's vision to become a model city that is neighborhood-oriented, DeSoto had to be creative in how it leveraged its resources through empowered partnerships. This required DeSoto to take ordinary programs and create extraordinary results.

This thinking was a culmination of a number of factors, the most significant was the "loss of community" experienced as a community due to rapid growth and changing demographics. Because

DeSoto is a suburban community, it is difficult to tell good news through traditional avenues provided by print and television. So, DeSoto created its own grassroots network through homeowner associations.

DeSoto was able to enhance its network of homeowner associations by addressing an ongoing community issue. Older subdivisions were built with amenities and no way for them to be taken care of. This created a community liability with no maintenance funding identified. In order to prevent this from occurring into the future, DeSoto amended its Subdivision Ordinance, mandating the creation of homeowner associations for all new subdivisions that contain common areas. This accomplished two things (1) an identified point of responsibility for upkeep and (2) organized group of citizens with a common purpose.

Continued on page 2

Novi Youth Council...Preparing Tomorrow's Leaders

In summer 2005, the **Novi, MI** (pop. 50,786) City

Council adopted a policy resolution encouraging Novi youth to become civically active within the community as members of the Novi Youth Council. The 19-member Youth Council is charged with making recommendations to the City Council concerning the needs of children, youth, and families in the city and the appropriate means by which public and private agencies in cooperation with volunteer efforts may address such needs.

slate when looking at projects and initiatives to pursue. After several brainstorming sessions, the group decided to focus on assisting disadvantaged community members and youth education. The goal was to inspire Novi youth to become more active in the community and become aware of issues facing the City of Novi.



The Youth Council partnered with a local movie theatre for an "All Night Movie Marathon" open to all Novi high school students. Participants paid

Continued on page 3

ig THE INNOVATION GROUPS

Government Innovation pages 1-3

Homeowner Association Initiative

Novi Youth Council... Preparing Tomorrow's Leaders

Grant Buys DriveCams to Improve Safety and Reduce Risk

New Members page 4

Municipal Technical Advisory Service (MTAS)

Promotional pages A-D

TLG '07

TLG Keynote Presenter pages 5-6

Exploring the Dance of Leadership

TechNews pages 6, 11

ImageNow Achieves Common Criteria Certification on Internationally Approved Set of Security Standards

Progress in Practice pages 7-8

DRIVE - The PWC Way

Awards page 8

Voice of the People Awards

Special Feature pages 9-10

Ask and you Shall Receive - Harnessing the Power of Surveys

IG News & Events pages 11-12

CPW 4/2/07



Senator Paula Dockery

This Week In The Senate

March 5-9, 2007

**Senator Dockery Helps Champion
Governor Crist's Anti-Murder Legislation**
Legislation will continue to protect Florida families,
communities, friends, and neighbors

The Florida Senate and the Florida House of Representatives this week unanimously passed the Anti-Murder Act; Senate Bill (SB) 146. As the prime sponsor of SB 146, I was proud to see this bill accomplishes two things. First, it will reduce murders and other violent crimes in Florida. Second, it will make Floridians safer by keeping violent criminals away from our families and loved ones. Like you, I have felt outraged when reading about a violent crime in the newspaper and learning that the offender was out on probation when the crime was committed. It seems astonishing that these violent criminals were released onto our streets. Probation is a privilege, not a right. Offenders released on probation are required to obey certain terms, like staying off drugs and keeping away from other felons. When we learn that a criminal has violated the terms of their probation, it should be a warning that they cannot be trusted.

The Anti-Murder Act addresses this problem by creating a system to identify probation violators who may still be dangerous. Offenders flagged as Violent Felony Offenders of Special Concern (with qualifying offenses such as kidnapping, murder, and sexual battery) will be jailed if their probation is violated. They will be held without bail until a judge determines whether they are a danger to the community.

The primary responsibility of government is to protect its citizens. This is a responsibility we in the Florida Senate take very seriously. That is why this was the first bill we took up this year, and that is why we unanimously passed it this week. We can prevent murders. Thanks to the Anti-Murder Act, violent criminals who have demonstrated a pattern of putting Floridians at risk will now be kept off the streets and away from our loved ones.



Senator Dockery alongside Governor Charlie Crist after successfully passing the Governor's Anti-Murder Legislation.

Senator Dockery Dedicates New Conservation Center
More Fish, More Fun in Florida

This past month, Senator Paula Dockery along with officials from the Fish and Wildlife Conservation Commission (FWC) celebrates the opening of the new 186 acre Florida Bass Conservation Center in Sumter County.



Senator Dockery was instrumental in helping secure funding for the \$17.5 million facility during this past session of the Florida Legislature. The 39,000 square foot facility is capable of producing six million bass per year. In addition, the hatchery will be able to raise the young hatchlings in healthier environmental concrete tanks called raceways. The Florida Bass Conservation Center will now be able to increase by six-fold the amount of young fish in the state, helping to expand Florida's \$7.8 billion gamefish industry.

Committee Assignments:

- Law & Justice Policy & Calendar Committee, Chair
- Military Affairs & Domestic Security, Chair
- Environmental Preservation
- Health Policy
- Transportation
- Education PreK-12 Appropriations
- Rules
- Public Service Commission Oversight

District Office:

- 101 W. Main St., Suite 110
- Lakeland, FL 33815
- (863) 413-2900
- Staff:**
- April Mucci
- Laura Arnolds-Patron
- Matt Hinton
- Richard Roy

Capitol Office:

- 326 Senate Office Building
- 404 South Monroe St.
- Tallahassee, FL 32399
- (850) 487-5040
- (888) 263-3672 Fax

Email: dockery.paula.web@flsenate.gov

Handwritten notes:
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B



Senator Dockery with Governor Charlie Crist at the Anti-Murder bill signing in Tampa on Monday

District 15 Residents spotted in the Capitol

This week there were a number of groups that had a "Day on the Hill" in Tallahassee. Quite a few constituents from Hernando, Sumter, Lake, Osceola, and Polk County stopped by the office to visit and discuss important issues. Thank you for taking the time to come to Tallahassee and share your thoughts with me. It is always a treat to see a friendly face from home! I look forward to more visitors next week.

Property Tax

Addressing the property tax crisis is one of the Legislature's top priorities this legislative session. A few weeks ago I sent out an email asking for suggestions and concerns on this important topic. I received over 300 responses! Thank you for taking the time to share your opinions and ideas. I am slowly working my way through the emails and responding to each one personally. If you have not already shared your ideas with me, please feel free to send me an email in the next few weeks. The Senate is crafting its proposal with input from numerous stakeholders including local governments, small businesses and homeowners. This is an extremely important and complex issue, and requires careful consideration before enacting significant changes that will potentially impact local governments.

Military Affairs & Domestic Security Committee "Field Trip"

On Tuesday, in lieu of the regularly scheduled committee meeting, the Military Affairs & Domestic Security Committee, chaired by Senator Dockery, visited the State Emergency Operations Center in Tallahassee. Committee members received a briefing on the State's response procedures for natural and man-made disasters such as hurricanes, tornadoes, and domestic security threats.

Legislation to provide financial assistance to high growth school districts passes first committee

Senate Bill 680, sponsored by Senator Paula Dockery, passed its first committee unanimously on Wednesday. The legislation makes improvements to the High Growth Capital Outlay Assistance Grant Program, which provides funding for construction in school districts with exceptionally high student growth. Districts that receive funding through the grant program have made a comprehensive local effort to raise capitol outlay funds.

"Certain school districts across the state have experienced excessive student growth in recent years," said Senator Dockery. "These districts are in desperate need of funding to construct additional schools and student stations. This legislation contains a fair and reasonable formula that will ensure the grants are distributed to the counties that truly need the funding and have exhausted their local tools for raising additional money."

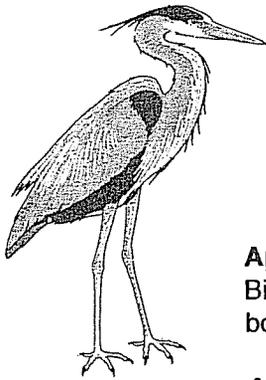
If Senate Bill 680 passes during the 2007 Legislative Session and funding is allocated for the grant program, the following counties could qualify for additional capital outlay money: Clay, Flagler, **Hernando**, Hillsborough, **Lake**, Manatee, Orange, **Osceola**, **Polk**, and St. Lucie.

Committee Assignments:
 Law & Justice Policy & Calendar Committee, Chair
 Military Affairs & Domestic Security, Chair
 Environmental Preservation
 Health Policy
 Transportation
 Education PreK-12 Appropriations
 Rules
 Public Service Commission Oversight

District Office:
 101 W. Main St., Suite 110
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 (863) 413-2900
Staff:
 April Mucci
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 Matt Hinton
 Richard Roy

Capitol Office:
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 Tallahassee, FL 32399
 (850) 487-5040
 (888) 263-3672 Fax
 Email: dockery.paula.web@flsenate.gov

pc: Paula
 3/20/07 JAD
 CTW 4/1/07



Chinsegut Nature Center Schedule

April - June, 2007

April 10, Tuesday - 9:00 – 11:00 a.m. Big Pine Bird & Wildflower Walk. Meet at the Big Pine parking lot on Old Crystal River Road. Bring your binoculars, bird and wildflower books if you have them.

April 13, Friday - 7:00 – 7:50 p.m. Wildlife Photography with David Moynahan.
8:00 – 9:30 p.m. **Chinsegut Owl & Bat Prowl** by Mark Kiser.

April 14, Saturday - 7:30 a.m. – 4:30 p.m. Chinsegut Birding and Wildlife Festival. Bird banding, Florida bat talk, butterfly walk, wildflower and bird walks, landscaping with natives talk and demo, puppet show, bird house building, bird games for kids and more. In-service credit available for teachers.

April 24, Tuesday - 9:00 – 11:00 a.m. Tropical Soda Apple Work Day. Join us as we try to eradicate this invasive exotic. Bring leather work gloves and a shovel.

May 1, Tuesday - 9:00 – 11:00 a.m. Chinsegut Butterfly Walk. Bring your binoculars and butterfly field guides.

May 8, Tuesday - 7:00 – 8:30 p.m. Florida's Venomous Snakes and their Look-a-Likes by Jim Mendenhall

June 5, Tuesday - 9:00 a.m. – 3:00 p.m. Project Wet. For all educators. In-service credit available, pre-registration required.

June 8, Friday - 8:00 – 10:00 p.m. Chinsegut Night Walk. Bring a flashlight and insect repellent.

June 23, Saturday - 9:00 - 11:00 am. Introductory Archery Workshop. Pre-registration required. We supply the equipment.

Support for several of the above programs provided by Hernando County Audubon Society.

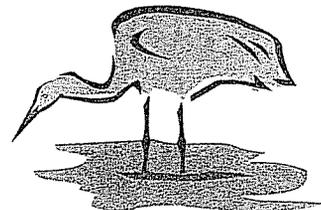
ALL PROGRAMS MEET AT THE CHINSEGUT NATURE CENTER UNLESS OTHERWISE NOTED

Please call or write for free reservations because seating is limited.



Chinsegut Nature Center
Florida Fish and Wildlife Conservation Commission
23212 Lake Lindsey Road, Brooksville, FL 34601
PHONE: (352) 754-6722

FIND US ON THE INTERNET: MyFWC.com/chinsegut



Chinsegut Nature Center is open to the public every Friday and Saturday, 8 a.m. to 2 p.m.

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(F)

CITY OF BROOKSVILLE PARKS & RECREATION DEPARTMENT FACILITY USE AGREEMENT

COMPLETED



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

Name of applicant (User): Leon C Brown / Theodore N Brown

If an organization, name of representative: Theodore N Brown

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

Address: 211 "C" Street City: Brooksville State: FL Zip: 34601

Contact person: Leon C Brown Day Telephone (907) 222-1813 Evening (907) 250-7871

Alternate contact person: Theodore N Brown Day Telephone (352) 796-9687 Evening same

Description of event: Ministerial Conference and Discussion Sessions ending with a catered luncheon Anticipated attendance: 50-80

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

Day(s) of event: M - T - W - Th - F - Sa - Su Start date of event: 03/08/07 Ending date: 03/10/07

Time event begins: 9:00 AM PM Time event ends: 10:00 AM PM

Set-up: Date 03/08/07 From 9:00-2:00 AM/PM, To 7:00-10:00 AM/PM

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

Food/merchandise sales*: No Yes Describe: _____

Refreshments served: No Yes Describe: Water, coffee, juice

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

Sat only
3/10/07
6-9PM
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RATES & FEES

User Fees: The base user fee for the requested facility is \$ 635.00 (plus Florida sales tax, if applicable) for the period set forth in this application. If applicable, each additional hour or part thereof, and the cost of additional equipment, supplies and services, will require an additional fee.

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

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

CC: JB 2/8/07
CH 2/23/07

(2) 4/2/07

CITY OF BROOKSVILLE PARKS & RECREATION DEPARTMENT FACILITY LEASE AGREEMENT

COMPLETED



02-02-07P02:12 RCVD

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

Name of applicant (Lessee): City of Brooksville

If an organization*, name of representative: Lindsay Morgan

Address: 201 Howell Avenue City: Brooksville State: FL Zip: 34601

Contact person: Lindsay Morgan Day Telephone 544-5407 x130 Evening _____

Alternate contact person: Karen Phillips Day Telephone 544-5407 x125 Evening _____

Description of event: Annual Volunteer Appreciation Reception

Anticipated attendance: 100

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

Day(s) of event: M W - Th - F - Sa - Su Start date of event: 04-17-07 Ending date: 04-17-07

Time event begins: 5:30 AM PM Time event ends: 7:30 AM PM

Set-up: Date 04-17-07 Tuesday From 12:00 AM PM To 5:00 AM PM

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

Food/merchandise sales**: No Yes Describe: _____

Refreshments served*** : No Yes Describe: Appetizers, drinks, dessert

Number of paid security officers (if applicable): 0 Scheduled from _____ AM / PM To _____ AM / PM

If Not-for-Profit*, how will monies collected be used? n/a

RATES & FEES

Lease Rate: The base rental fee for the use of the requested facility is \$ 195⁰⁰ ^{N/A} (plus Florida sales tax) for the period set forth in this application. If applicable, each additional hour or part thereof, and the cost of additional equipment, supplies and services, will require an additional fee.

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

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

JD - 2/23/07 Avv
 AH - 2/23/07 Avv

Gm 4/2/07

Karen

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CITY OF BROOKSVILLE
Department of Parks and Recreation



PROGRAM AND ACTIVITIES AGREEMENT
WITH INDEPENDENT CONTRACTOR

03-09-07 A11:53 IN

WHEREAS, the City of Brooksville hereinafter "CITY", provides a wide range of recreational and related programs and periodically arranges for individuals and organizations to supplement the activities of the staff, and

WHEREAS, an Independent Contractor Jean M. Passafaro, who is not an employee of the City, hereinafter "CONTRACTOR," has specialized knowledge, skill, and ability and desires to offer demonstrations and instructions to program participants, and

In consideration of the terms, conditions, and mutual promises contained herein the following Agreement has been created between the CITY and the CONTRACTOR.

1. Parks and Recreation Department, hereinafter "DEPARTMENT" agrees to provide a facility for temporary use by CONTRACTOR to present the program or activities described in Section 3 of this Agreement as approved by the CITY.
2. The DEPARTMENT will provide CONTRACTOR with program guidelines and the City Policies and Procedures relating to support and services of Independent Contractors.
3. The CONTRACTOR, agrees:

a. To provide the following service(s) including all necessary equipment and supplies as an Independent Contractor for the period of 6 mos. March 2007 to Sept. 2007. Tues 6:00 - 7:30 March 20th

(1) Description of the program, class or activity, including the projected minimum/maximum number of participants, dates, and times.

Physical exercise program using aerobic exercise for most parts of the body, incorporating dance.

(2) Program Fee Schedule: \$5.00 per person per visit

- b. Follow all established policies, procedures, and directions of the Parks and Recreation Director, herein after, DIRECTOR or his/her authorized representative, and comply with all regulations, statutes, ordinances and other safety and legal requirements including, if required, background investigation, photo identification, and fingerprinting. Proof of such compliance will be made available to the DEPARTMENT upon request.
- c. Notify the DEPARTMENT and participants, in writing, of any cancellations,

2721-1/1/07

Northern District Water Use Management Strategies

Withlacoochee Regional Water Supply
Authority

February 21, 2007

3/21/07 *JK*

PC: Emory / Real file
02/21/07

J

Board of County Commissioners
Hernando County Recreation Department

FOR INFORMATION CONTACT:
Christie Williams
(352) 754-4031 (352) 754-4415 fax
christiew@hernandocounty.us
www.hernandocounty.us



This Press Release is effective: MARCH 2007

CAMP FUNSHINE 2007

- WHAT:** HAVE SUMMER FUN AT CAMP FUNSHINE
Registration begins Thursday, March 29, 2007
Trips to include: MOSI, Buccaneer Bay, Florida Aquarium, Homosassa Springs, skating, bowling and more.
- WHO:** HERNANDO COUNTY RECREATION DEPARTMENT
- WHERE:** LOCATIONS: Pasco Hernando Community College - North Campus, (11 WKS)
Fox Chapel Middle School (9 WKS), Suncoast Elementary School (9 WKS)
- WHEN:** June 4 - Aug 3 PHCC/DWP Extended camp dates: Aug 6 - Aug 17 2007
- COST:** \$85.00 per week One-time non refundable \$10 registration fee per child..
Children must be 5 years old by September 1, 2007 and entering Kindergarten.

FINANCIAL AID MAY BE AVAILABLE FOR THOSE WHO QUALIFY THROUGH LOCAL SPONSORSHIPS FOR UP TO 4WEEKS.
- TO REGISTER:** Registration packets will be available in our office in Brooksville, at local libraries and camp/school locations.
Registration begins Thursday, March 29, 2007 from 8:30am-4:30pm
- FOR INFO:** Call (352) 754-4823 - Information Hotline or 754-4031
E-mail address: recreation@hernandocounty.us
or visit our web site at www.hernandocounty.us
Charles "Pat" Fagan - Parks & Recreation Director -352/754-4027
- NOTE:** CALL US FOR INFORMATION ON HOW YOU OR YOUR COMPANY CAN BE A SPONSOR FOR THE CHILDREN OF CAMP FUNSHINE!

SUMMER EMPLOYMENT:

ARE YOU INTERESTED IN A JOB FOR THE SUMMER?!

WE ARE NOW ACCEPTING APPLICATIONS FOR SUMMER CAMP STAFF
FOR INFO CALL 754-4013
or visit the Human Resources Department in the County Government Building.

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Home | About | Public Services | Corporate Service | UPDATE EMAIL | Schools - k12email.com

Ads

Control Your Blood Sugar

Get online customized tools to help lower your blood sugar.
www.takedacares.com

Living with Psoriasis

Learn about psoriasis, its symptoms,
www.psoriasisconnect.com

Business Resiliency Plan

DRS produces a Business Resiliency I
www.drsbytamp.com

(PR)

Ads by Yahoo!

NewsEmergency.com

Clean Arteries Are The KEY

Angioprim for a healthier life and freedom from debilitating symptoms.
www.anginacare.net

Update : Peanut Butter Recall FDA: Additional Products Pose Risk

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Mold Inspections Mold Removal

877-881-1296 Free estimates reliable service 7 days locally owned.
safeproindoor.com

Salmonella found in the ConAgra Plant

As a follow-up to the recent Salmonella outbreak linked to peanut butter, the U.S. Food and Drug Administration (FDA) is conducting an extensive inspection of ConAgra's Sylvester, Georgia processing plant. Samples collected by the FDA revealed the presence of Salmonella. The fact that FDA found Salmonella in the plant environment further suggests that the contamination likely took place prior to the product reaching consumers. Last week, tests by several states identified Salmonella in many open jars of Peter Pan and Great Value peanut butter recovered from consumers. In these instances, the Salmonella found in the plant and in the open jars matched the outbreak strain recovered from consumers who became ill.

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Peanut Butter Toppings Part of Recall

FDA has learned that the ConAgra plant in Sylvester, GA, sent bulk Peter Pan peanut butter to its plant in Humboldt, TN. The three brands described below are part of the original Peter Pan recall. These brands have been recalled and are no longer being sold. However, some consumers may still have these products in their home.

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Consumers who have any of the products listed below should discard them. Individuals who are not sure if the purchased product contains the recalled peanut butter topping should contact the store where the product was purchased.

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The bulk peanut butter was used to make the following toppings:

- Sonic Brand Ready-To-Use Peanut Butter Topping in 6 lb. 10.5 oz cans. Sonic outlets used the topping until 2/16/07, when the product was recalled.
The topping was used in the following Sonic products:
 - Peanut Butter Shake
 - Peanut Butter Fudge Shake
 - Peanut Butter Sundae
 - Peanut Butter Fudge Sundae

*P: Carol Reed
D.P. Bullen
(PR)
C.T. 2/16/07*

UNITED STATES DISTRICT COURT

MIDDLE District of FLORIDA

MEL ABELE, Plaintiff,

V.

CITY OF BROOKSVILLE, FLORIDA
201 Howell Ave., Brooksville,
Florida 34601

SUMMONS IN A CIVIL CASE

8:07 CV 416-124 MSS

CASE

TO: (Name and address of Defendant)

CITY OF BROOKSVILLE, 201 Howell Ave.,
Brooksville, Fl. 34601

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

MEL ABELE, Pro Se, Plaintiff,
6099 Patricia Pl., Spring
Hill, Fl. 34607

an answer to the complaint which is herewith served upon you, within 20 days after service of this
summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the
relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time
after service.

SHERYL L. LOESCH

07 MAR 2007

PC: [unclear]
[unclear]
[unclear]
[unclear]
Rich H
GS

CLERK
[Signature: S. Vasquez]
(BY) DEPUTY CLERK

DATE

3/20/07
[Signature]
LTD 4/2/07

Karen Phillips

From: "Brenda Frazier" <BrendaF@co.hernando.fl.us>
To: <desk@baynews9.com>; <ferdinand.zogbaum@baynews9.com>; <kphillips@ci.brooksville.fl.us>; <Rellerbee@circuit5.org>; "Anthony Adams" <AAdams@co.hernando.fl.us>; "Alicia Baker" <ABaker@co.hernando.fl.us>; "Arlene Ballenger" <ABallenger@co.hernando.fl.us>; "Alys Brockway" <ABrockway@co.hernando.fl.us>; "Amy Colburn" <AColburn@co.hernando.fl.us>; "Araceli Cruz" <ACruz@co.hernando.fl.us>; "Al Domenico" <ADomenico@co.hernando.fl.us>; "Aduessa Samons" <AduessaS@co.hernando.fl.us>; "Angela Dunne" <ADunne@co.hernando.fl.us>; "Alice Gary" <AGary@co.hernando.fl.us>; "Armanda Harper" <AHarper@co.hernando.fl.us>; "Art Lewis" <ALewis@co.hernando.fl.us>; "Alice Gura" <AliceG@co.hernando.fl.us>; "Amanda Light" <ALight@co.hernando.fl.us>; "Allen Turner" <ALTurner@co.hernando.fl.us>; "Alvin Mazourek" <AlvinM@co.hernando.fl.us>; "Amanda Rochefort" <AmandaR@co.hernando.fl.us>; "Amanda Mixson" <AmandaS@co.hernando.fl.us>; "Amy Gillis" <AmyG@co.hernando.fl.us>; "Anita Sheeder" <AnitaS@co.hernando.fl.us>; "Anna Maldonado" <AnnaM@co>
Sent: Thursday, March 08, 2007 12:45 PM
Subject: Enforcement to Begin for Watering Restrictions

**PRESS RELEASE
FOR IMMEDIATE RELEASE
MARCH 8, 2007
ENFORCEMENT TO BEGIN FOR WATERING RESTRICTIONS**

The Board of County Commissioners will schedule a public hearing soon to consider making the once-per-week water use restrictions permanent year round. The current once-per-week rule has been in effect since January. In the meantime, county staff has been educating residents about the change in the restrictions from the previous twice per week rule.

Beginning this week, Code Enforcement Officers will start issuing citations to violators of the once-per-week rule. First offenses will be given a \$100 citation. A second offense will result in a \$500 citation. A third offense will require a mandatory appearance before the Special Magistrate and could cost the violator as much as \$15,000. Watering violations do not require a notice of violation.

Residents are also encouraged to practice indoor water conservation measures such as shorter showers, install low-flow shower heads and toilets, and only run the washer and dishwasher when they are full. **Code Enforcement officials also want to remind residents that when you are re-setting your clocks this Saturday night (March 10), don't forget to re-set your irrigation clock.**

Here is a recap of the current water use restrictions:

The restrictions apply to the use of water from public and private water utilities as well as the use of all wells and surface water sources (ponds, rivers, etc.).

Revised Irrigation Schedule:

Addresses ending in:	May only irrigate on:
0 or 1	Monday
2 or 3	Tuesday
4 or 5	Wednesday
6 or 7	Thursday
8 or 9	Friday

If no address, then the watering day is Friday.

Watering is allowed only before 8:00 a.m. or after 6:00 p.m. on your designated day. No watering is allowed on Saturdays or Sundays. Hand-watering and micro-irrigation (drip irrigation) of non-lawn landscape

3/8/2007

Property Tax Clips: March 7, 2007 (Wednesday)

Citrus County Chronicle

Council takes stab at budget

By Mike Wright

March 7, 2007

With the uncertainty of legislation hovering beyond their reach, members of the Crystal River City Council began the task Monday of piecing together the budget for a fiscal year that still is six months away.

City Manager Andy Houston wanted to show council members various revenue scenarios based on status quo, state legislative proposals to lower property taxes and Mayor Ron Kitchen's suggestion that the tax rate be frozen. Kitchen's plan would result in a \$603,000 budget shortfall, Houston's report said.

However, Houston also noted that about 14 percent of the budget — \$735,000 — wasn't spent last year. If the city doesn't budget for money that routinely isn't spent, that would more than make up for the costs of Kitchen's plan.

Kitchen said Tuesday the council could cap the tax rate and still have enough to pay the bills.

"I took it as a glimmer of hope," Kitchen said of Houston's presentation.

"I've said all along we've been charging way too much in tax money and not spending it," Kitchen added. "His presentation backed that up. I think I was vindicated in what I was saying."

Monday's workshop was meant only to lay out revenue scenarios, including some based on situations in which the council has no control.

Legislators are considering several tax-reduction ideas, including rolling back property tax rates for municipalities. The **Florida League of Cities** estimates that Crystal River would lose \$1 million in revenue with a five-year property tax rollback.

Monday's presentation didn't include proposed expenses or any big-ticket projects. The next budget workshop will be in May.

Rubio urges action on 'problems'

DAVID ROYSE March 7, 2007

Bradenton Herald Associated Press

TALLAHASSEE - House Speaker Marco Rubio opened the Legislature's annual session Tuesday challenging members to "confront and solve the big problems of our time," citing rising property taxes as the top issue facing Florida.

Rubio, a Miami Republican who is the first Cuban-American to be House speaker, also urged legislators to raise the level of political discourse.

He asked lawmakers to pledge that "we will not criticize someone else's ideas unless we are prepared to offer an idea of our own.

"For too long, politics has been about scoring political points rather than solving problems," he said.

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Property Tax Clips: March 9, 2007 (Friday)

March 09, 2007

Try this tax reform: Save Our Cities

By MICHAEL ABELS
Daytona Beach News Journal COMMUNITY VOICES

What is being labeled as "property tax reform" promises to be the principal legislative issue confronting the Legislature during its current session.

Many statements have been made by legislators and the governor about the ills surrounding the property tax. Most of these have been directed at local government as the cause of what is recognized by everyone as an unfair property tax burden. What is not being said is that the root cause of citizen discontent rests with the voter-approved "Save Our Homes" constitutional amendment coupled with an obsolete state tax system.

Without question, the property tax system in Florida is severely broken. Taxpayers are not being treated equitably based on value of property or classification of property owned. However, it is the entire tax system that needs reform, not just the property tax. The tax system in Florida was designed for another era, one in which the state provided tax breaks in order to attract people to move to Florida. While the tax system is outdated we decline to confront the sales and property tax exemptions that are causing taxpayers to pay a higher than necessary sales tax and at the same time causing severe inequities between classifications of property owners.

In contrast to the statements being made by our representatives in Tallahassee, local government did not create the tax inequities. It is true that local government expenditures are increasing at a rate higher than what is identified as the Consumer Price Index. This is for two reasons.

First, the Legislature has enacted many unfunded mandates passed to local government. Many of these have been to meet the demands of special interest groups such as public safety unions, or to accomplish state-mandated, but unfunded growth management requirements.

Secondly, many of the costs of providing service to the public have increased at a rate much higher than the artificial caps being suggested in the various proposals. For example, construction costs for new fire and police stations are escalating at double-digit rates, as are the costs for petroleum. The services provided by government, police and fire protection as well as street resurfacing and sidewalk construction are increasing at rates exceeding 20 percent a year. Even with these cost pressures in the past two years, homesteaded property owners in DeLand have realized a real reduction in the property taxes paid for city services.

The main culprit with the property tax problem is one which we must all confront, as we are the ones who voted for it. Save Our Homes has been the catalyst for creating enormous tax inequities between owners of homesteaded property and non-homesteaded property. Inequities between homesteaded and nonhomesteaded property have grown to the point where 50 percent of all property in Florida is nonhomesteaded but pays 66 percent of the total property tax.

Individual homesteaded property owners can pay enormous differences in property tax based solely on when they bought their property, yet they require the same services from local government. That is the fault of Save Our Homes and regardless of any other cures to the property tax system this issue needs to be confronted by the citizens of Florida.



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Property Tax Clips: March 12, 2007 (Monday's Weekend Edition)

(Note: All weekend stories are captured and compiled with Monday's clips to prevent multiple email messages being sent on the same day.)

The fight over your property tax bill will intensify this week

Pensacola News-Journal Mark O'Brien March 12, 2007

In his first few months as an Escambia County commissioner, Grover Robinson IV has noticed a common reaction among many people.

They're enthusiastic when he discusses government services and improvements.

But when he mentions the need to pay for these programs, "Everybody pulls back," he said. "The people are telling us, 'We don't want to pay anything.'"

It's all part of a certain divide. These same people wouldn't expect a restaurant to give them a free meal, nor would they ask a dealership to give them a brand new car.

But while they have a choice of restaurants and car dealers, they don't have much choice of governments.

Maybe that's why so many believe government can or should do more for less, or at least more for them and cost less.

This bipolar nature is about to get more extreme as the Legislature tries to cut taxes.

This week, officials from Pensacola and Escambia County will visit Tallahassee to warn state lawmakers that big tax cuts could jeopardize government services back home.

"They do not understand what happens at the county level," Commissioner Mike Whitehead said of the state lawmakers.

Normally, the lawmakers' contortions aren't worth the aggravation of watching, but they will be unusually relevant to you and me this year.

On the bright side, some sort of tax break is inevitable, and that's very welcome news. A big cut in property taxes could revive the real estate market, a key part of our economy.

But we don't know yet how big the tax cut will be nor what services will be reduced to accommodate the tax break.

"We're looking at a radical shift in the way we do government," Whitehead said.

What gets cut could be painful if you rely on local government for your job or for transportation or public safety.

Commissioners already had planned to cut property taxes for next year, but state lawmakers beat them to it. And while they can decree the amount of cuts, they will leave the specifics to local officials.

The biggest cuts probably would be in public safety -- the biggest component of local government.

The City of Pensacola already is cutting \$450,000 from its police department and \$171,000 from its fire

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Property Tax Clips: March 13, 2007 (Tuesday)

Brent Batten: Tax reform puts districts in line of fire

Bonita Daily News By Brent Batten

March 13, 2007

When you hear politicians fretting about how the governor's plans to limit property appraisals will upset their ability to provide necessary services, take it with a grain of salt.

Most of the time.

Because while most elected leaders can bring in whatever revenue they need simply by adjusting the local millage rate, a select handful cannot.

Unfortunately for taxpayers, those least able to cope with the suggested changes in property appraisals represent the agencies most revered by the public.

Independent fire departments stand to be the big losers if property tax reform takes shape through limiting or reducing property appraisals.

There are multiple ideas for tax reform being discussed in the early days of the legislative session in Tallahassee. Those put forth by Gov. Charlie Crist center on appraisals by doubling the Homestead Exemption from \$25,000 to \$50,000 and by making the Save Our Homes protection, which limits the annual increase in a home's appraised value to 3 percent, portable and applicable to business.

While Crist describes the latter as a tax cut, it isn't. Limiting a property's appraised value doesn't reduce the taxes paid on that property. If the millage rate imposed by local government stays the same, the tax assessed on a property will inch up. What the expanded Homestead Exemption really does is reduce the ability of politicians to boast about how they're "reducing taxes" when in fact the revenue pouring into local government is going up and up.

To whatever extent Crist's suggestions cripple local governments, local officials can offset the impact by raising the tax rate. While that's not something politicians are usually willing to do, it is an option.

But fire districts may be hamstrung by new laws that affect appraisals. Generally speaking, fire districts operate with millage caps that set an upper limit on half of the equation used to arrive at a property tax bill.

For example, the East Naples Fire Control and Rescue District assesses 1.5 mills, or \$1.50 for every \$1,000 in assessed property value. By law, it can't go any higher without approval from voters in the district.

North Naples' fire district assesses 1 mil and is capped there. It too would need voter approval to go higher.

Good luck getting voters to approve a tax increase right after the state put so much effort into lowering taxes.

So while county government (Collier County's millage rate cap is 10 mills and it presently assesses fewer than four) has some leeway when dealing with whatever the Legislature hands down on property appraisal reform, the fire districts don't.

If Crist's proposals pass, the fire districts will likely have to get by with a budget just a few percentage points higher than the previous year.

Then again, maybe that's exactly what the governor had in mind.

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Property Tax Clips: March 14, 2007 (Wednesday)

Estero Fire Rescue could mine new ways to pay the bills

Bonita Daily News By Elizabeth Wright

Wednesday, March 14, 2007

Looking at a set of financial projections for the next five years, Estero Fire Rescue commissioners had a number of "what ifs" to consider, and the largest unknown among them was what happens to the fire district if the state changes property tax laws.

The five-year plan discussed at a Tuesday afternoon workshop was based on the assumption Florida's tax structure would remain the same over that time period. The district primarily relies on property tax revenue, and with property tax relief a major political issue this year, Lee Evett, the consultant who went over the projections with commissioners, said it is far from certain that's still a good assumption.

"That's a huge unknown that could make this whole thing paper for the shredder," Evett said of the projections in front of the fire commissioners.

Estero Fire Rescue Chief Jeff Lindsey said if dramatic changes to property tax law went into effect, fire districts around the state would be hurt. For that reason, various groups, including the state fire chief's association, are lobbying against those changes.

Evett suggested the Estero district would be best off trying to explain to local voters exactly what the effects would be if the fire district had to make some hard decisions with fewer property tax dollars to go around.

"The citizens have to know what the impact will be," he said.

Cutting services would be hard, all three fire commissioners at the workshop agreed, and Evett advised them that finding other sources of revenue would be difficult.

Whatever happens with property taxes, though, Evett encouraged fire commissioners to consider charging a fee for out-of-district residents who are involved in traffic crashes in the district.

His projections show that could bring in \$239,000 in one year, he said.

He also suggested that if more mines begin operation in the eastern portion of the fire district, commissioners should look to tap mines for money to support fire rescue operations, noting that has been done in other parts of the country.

"It may not be as far-fetched as you think," he said.

The extent of mining in the fire district was another big unknown fire commissioners discussed. If more mines go in along eastern Corkscrew Road, maybe fewer homes will be built in the area, fire commissioner Sam Levy said. And in that case, would there be the same need for a fifth fire station within the next five years, as projected?

3/20/07
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07-03-07

Property Tax Clips: March 15, 2007 (Thursday)

Senate takes slow approach to property taxes

Bradenton Herald BILL KACZOR

Associated Press

TALLAHASSEE - The first property tax reform proposal in the Senate surfaced Wednesday, but lawmakers took no action in committee, preferring a go-slow approach to one of the hottest issues facing the Legislature this year.

The issue is on the fast track in the House, where Republican leaders have offered a two-part plan, including a proposed constitutional amendment that would abolish property tax on primary homes but increase the statewide sales tax. House Democrats unveiled their own plan Wednesday.

"Our goal is to get it right," said Sen. Mike Haridopolos, R-Indian River, at a Community Affairs Committee workshop. "We don't want to move forward without all the information in front of us."

The proposal floated in that committee would do away with the criteria of assessing property according to its potential, known as "highest and best" use, rather than how it actually is used.

Highest and best use is one of eight criteria set by state law for appraising property. The others are cash value, location, size, cost, condition, income and net proceeds from sale.

Haridopolos, who chairs the Senate Finance and Tax Committee, said senators plan to meet Friday with county property appraisers about the proposal.

Democrats in the Republican-controlled House, meanwhile, proposed limiting property tax increases to inflation plus 3 percent annually. Their proposal also includes an increased exemption for primary homes and adds new exemptions for other residential and commercial property.

They estimate it would save taxpayers \$3.7 billion. The House Republicans' proposal would cut local taxes by nearly \$5.8 billion.

The Republican plan, scheduled for a vote Friday by the House Policy and Budget Council, includes a bill that would roll back taxes to their 2001 level, except for schools, but with allowances for inflation and population growth. The second part is the amendment that would abolish property tax on primary homes, apply the rollback to other real estate and raise the sales tax from 6 percent to 8.5 percent.

A lobbyist for Palm Beach County commissioners, Todd Bonlarron, spoke in favor of getting rid of the "highest and best use" assessment criteria during a workshop session held by the Senate Community Affairs Committee.

Waterfront properties, for example, used for such purposes as marinas or commercial fishing docks have seen big tax increases because high-priced condominiums are being built nearby, Bonlarron said.

3/15/07
JHK
Lead B
C 7m 4/2/07

Property Tax Clips: March 19, 2007

(Note: All weekend stories are captured and compiled with Monday's clips to prevent multiple email messages being sent on the same day.)

Bense chosen to head commission that will review tax proposals

By BRENT KALLESTAD

March 17, 2007

Lakeland Ledger Associated Press Writer

TALLAHASSEE, Fla.

Former House Speaker Allan Bense was chosen Friday to chair a panel that will look at a broad range of issues related to state taxes and make recommendations for proposed constitutional amendments.

Former Senate President Jim Scott was selected as the vice chair of the Taxation and Budget Reform Commission.

The commission met for the first time Friday for organizational purposes, and the two dozen members on hand were formally sworn-in to their new responsibilities by Florida Supreme Court Justice Peggy Quince.

Bense told his colleagues that he has no agenda but wanted widespread public testimony before the panel's May 4, 2008, deadline to place proposed amendments on tax and budget matters on the November 2008 ballot.

"We should be prepared to do some work," he said.

Voters amended the Florida Constitution in 1996 to establish the commission to meet for the first time this year, and then every 20 years thereafter.

Gov. Charlie Crist wants the Legislature to put property tax relief on the ballot at a special election this year, but the commission has authority over a broader range of issues.

"The people of our state are suffering under taxes," George LeMieux, Crist's chief of staff, told the commissioners in welcoming remarks. "There could not have been a better time for this commission to come forward."

LeMieux outlined the panel's responsibilities and Pat Gleason, the governor's general counsel and an expert on Florida's Sunshine laws, told the commissioners that under no circumstances could they discuss business with one another privately.

The commission, which is made up of 11 appointments by Crist and 18 by legislative leaders, scheduled its next meeting April 13 in Tallahassee.

Bense will now have to find an executive director and a small staff to oversee the daily operations.

Bense, a 55-year-old millionaire developer and builder from Panama City, served as speaker in 2005 and 2006. Scott, 65, a Republican attorney from Fort Lauderdale, served two terms as chairman of the Senate's budget writing committee and a term as its president in 1995 and 1996.

03-21-07 POF 2007 HW

JAD

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8

Property Tax Clips: March 20, 2007 (Tuesday)

Florida House takes up affordable housing measure

Rep. Mike Davis' bill requires local appraisers to consider long-term rental leases when evaluating a property's taxable value.

Bonita Daily News

March 20, 2007 TALLAHASSEE — House backers on Monday picked up where they left off last year by broadening affordable housing programs to further assist teachers, critical civil servants, mobile homeowners and property owners in the midst of rapid property value increases.

Making its first committee stop, the proposal also calls for relaxation of transportation regulations that now require road capacity to meet potential demand. The bill would allow developers to bypass such requirements if the housing was deemed affordable and close to commercial areas.

"We're trying to get at breaking down some of the barriers to private sector participation in affordable housing," said Rep.

Mike Davis, R-Naples and chair man of the House Committee on Infrastructure, its first stop in the House.

Davis' bill removes the experimental status of a plan that allows local governments to set up programs to aid teachers, firefighters, emergency medical technicians or EMTs and law enforcement officers.

The measure also requires local appraisers to consider long-term rental leases when evaluating a property's taxable value.

The bill allows properties serving low-and moderate-income tenants to be assessed based on rental income instead of the highest and best use, a designation that could affect local tax revenues at a time when local governments are feeling potential cuts in property tax revenue.

A similar bill, sponsored in the Senate by Sen. Mike Bennett, R-Bradenton, has yet to be heard.

The measure comes a year after lawmakers passed a series of measures to bolster affordable housing efforts across the state.

The 2006 package used \$243 million in recurring affordable housing money and \$385 million in additional funding, including \$302 million for hurricane-related repairs and \$33 million to provide housing for Florida's poorest residents.

That plan included a provision to set aside \$50 million to establish local programs to provide housing for critical public servants including law enforcement officers and teachers in areas where housing costs exceed the state median average, about \$248,600 in 2006.

Other provisions of Davis' bill would:

- Allow public housing authorities to self-insure, thereby reducing insurance costs.
- Expand the state's affordable housing advisory board.
- Link tax assessments to rents charged.


Karen Phillips

From: "Teri McMaster" <t.mcmaster@stpetebeach.org>
To: "Mike Bonfield" <citymanager@stpetebeach.org>; <lawdriscoll@msn.com>; "Deborah Nicklaus" <d.nicklaus@stpetebeach.org>; "Ed Ruttencutter" <e.ruttencutter@stpetebeach.org>; "Mike Finnerty" <m.finnerty@stpetebeach.org>; "Nancy Markoe" <n.markoe@stpetebeach.org>; "Ward Friszolowski" <w.friszolowski@stpetebeach.org>; "Alice Borrack" <borrack-wildwood@cfl.rr.com>; "Amanda Roberts" <mroberts@dunnellon.org>; "Amelia Preston" <a1presto@stpete.org>; "Barbara Henderson" <hensonb@ci.williston.fl.us>; "Barbara McKenzie" <bmckenzie@mywinterhaven.com>; "Barbara Sessa" <sanantonioflorida@earthlink.net>; "Carol Harrington" <charrington@crystalriverfl.org>; "Catherine Benson" <cbenson@cityofsafetyharbor.com>; "Cathy Davis" <cedavis@stpete.org>; "Cherry Dowdy" <hccityclerk@tampabay.rr.com>; "Cheryl Davis" <cdavis@irbcity.com>; "Christine Gardner" <cgardner@pinellas-park.com>; "Clara Vanblargan" <cvanb>
Sent: Wednesday, March 21, 2007 11:17 AM
Attach: Clips for 3-21-2007.pdf
Subject: FW: FLC Property Tax Clip: March 21, 2007

Theresa B. McMaster, City Clerk
City of St. Pete Beach
155 Corey Avenue
St. Pete Beach, FL 33706
(727)363-9220

From: Estella Gray [mailto:egray@flcities.com]
Sent: Wednesday, March 21, 2007 11:09 AM
To: Teri McMaster
Subject: FLC Property Tax Clip: March 21, 2007

Please open the enclosed attachment.

Estella V. Gray
Public Affairs Specialist-FLC
(850) 222-9684
egray@flcities.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Handwritten signature
3/26/07
C 715 7/1/07
3/23/2007

Karen Phillips

From: "Teri McMaster" <t.mcmaster@stpetebeach.org>
To: "Harry Metz" <hmetz@tampabay.rr.com>; "Linda Chaney" <lchaney1@tampabay.rr.com>; "Harry Metz" <h.metz@stpetebeach.org>; "Linda Chaney" <l.chaney@stpetebeach.org>; "Deborah Nicklaus" <d.nicklaus@stpetebeach.org>; "Ed Ruttencutter" <e.ruttencutter@stpetebeach.org>; "Mike Finnerty" <m.finnerty@stpetebeach.org>; "Nancy Markoe" <n.markoe@stpetebeach.org>; "Ward Friszolowski" <w.friszolowski@stpetebeach.org>; "Alice Borrack" <borrack-wildwood@cfl.rr.com>; "Amanda Roberts" <mroberts@dunnellon.org>; "Amelia Preston" <a1presto@stpete.org>; "Barbara Henderson" <hensonb@ci.williston.fl.us>; "Barbara McKenzie" <bmckenzie@mywinterhaven.com>; "Barbara Sessa" <sanantonioflorida@earthlink.net>; "Carol Harrington" <charrington@crystalriverfl.org>; "Catherine Benson" <cbenson@cityofsafetyharbor.com>; "Cathy Davis" <cedavis@stpete.org>; "Cherry Dowdy" <hccityclerk@tampabay.rr.com>; <Cheryl Davis>
Sent: Thursday, March 22, 2007 9:47 AM
Subject: FW: Property Tax Clips: March 22, 2007 (Thursday)

Theresa B. McMaster, City Clerk
 City of St. Pete Beach
 155 Corey Avenue
 St. Pete Beach, FL 33706
 (727)363-9220

From: Cyndie.Goudeau@myClearwater.com [mailto:Cyndie.Goudeau@myClearwater.com]
Sent: Thursday, March 22, 2007 9:07 AM
To: aluaces@winterspringsfl.org; barbara_mcdaniel@davie-fl.gov; betty.richardson@leesburgflorida.gov; Sop0166@aol.com; lannonkm@ci.gainesville.fl.us; lburns@templeterrace.com; pamela.smith@mysanibel.com; cityclerk@covb.org; Teri McMaster; bea.meecks@cityofmascotte.com; dfick@hypoluxo.org; jfreeman@palmettofl.org; jwilliams@cityofsebastian.org; irstclerk@bellsouth.net; patg@cityofpsl.com; snovack@tavares.org; vforster@ocalafl.org
Subject: FW: Property Tax Clips: March 22, 2007 (Thursday)

-----Original Message-----

From: Estella Gray [mailto:EGray@flcities.com]
Sent: Thursday, March 22, 2007 8:56 AM
To: LEGISLATIVE (TAL)
Subject: Property Tax Clips: March 22, 2007 (Thursday)

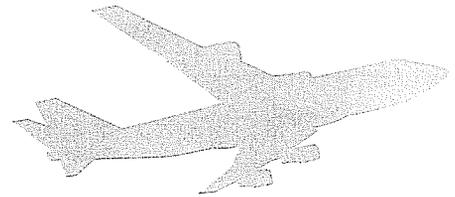
Property Tax Clips: March 22, 2007 (Thursday)

Municipalities worried about roll back

BelleAire Bee March 22, 2007

PINELLAS COUNTY – Local government officials are worried about state legislators' proposals to slash

Lead *R*
 3/26/07
 3/23/2007



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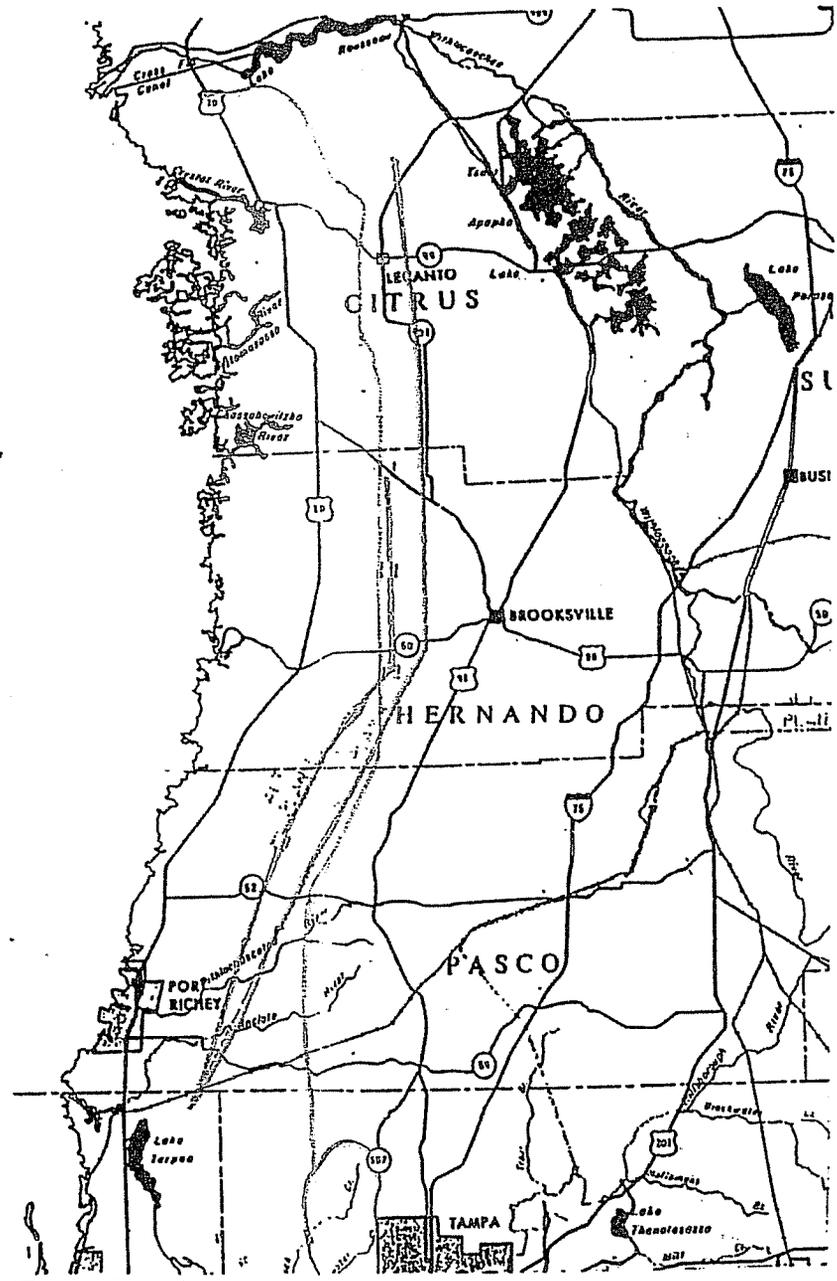


Tampa
International
Airport

COINCIDENCE OR CONSPIRACY?

A U.S. Army Corps of Engineers 1979 report shows that the Water pipeline from Citrus County to the south closely follows The path of the Suncoast Tollway.

 water pipeline
 Suncoast Tollway



FOUR RIVER BASINS
 WATER RESOURCES MANAGEMENT STUDY
 IMPACT ASSESSMENT
 ALTERNATIVE GROUND WATER PLANS
 DEPARTMENT OF THE ARMY
 JACKSONVILLE DISTRICT CORPS OF ENGINEERS

PC: Read Enry

Shulop

Citizens Opposed to the Suncoast Tollway (C

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CITY OF BROOKSVILLE

APPLICATION FOR TEMPORARY STREET CLOSURE

201 Howell Avenue
(352) 544-5407



INSTRUCTIONS: Complete top portion of form and return to Clerk's Office, 201 Howell Avenue, Brooksville, FL 34601. A broad form type events coverage or other insurance policy acceptable to the City is required to protect the City from any and all claims for injuries, or damages occurring during or resulting from this event in an amount of not less than \$100,000 for each individual and \$300,000 for event. Applicant will be notified of estimated cost; receipt of the deposit and the Certificate of Insurance are required not later than three (3) business days before the event. Certificate Attached - Yes No

Name or Organization <i>First United Methodist Church</i>		Event <i>Work on building</i>	
Person in Charge <i>Jeffrey Wisniewski</i>		Address <i>109 S. Broad St. 135 S. Main St.</i>	Telephone <i>796 3363 x206</i>
If unavailable (Alternate Name) <i>Trish Skipper</i>		Address <i>''</i>	Telephone <i>796 3363</i>
Date of Event <i>3/21/07</i>	Starting Time <i>8:00 am</i>	Ending Time (approx) <i>6 pm</i>	Estimated Number of Participants <i>2</i>

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

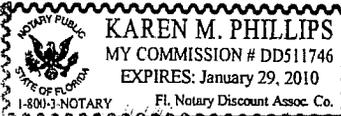
4 spots (parking only) ALONG MAIN ST FROM BROAD TO PARKING LOT

I/we *Jeffrey Wisniewski of First U.M.C. Brooksville* assume responsibility for reimbursing the City's cost as estimated below, and all liability for injuries and damages and will hold the City harmless from any claims arising directly or indirectly from the event, including or as a result of City's closure of the street(s) to facilitate the event. If applicant is a corporation, association, or partnership, the undersigned warrants he/she is authorized to execute binding contracts on behalf of the applicant.

Signature
[Signature]

State of Florida
County of *ALLEN*

The foregoing instrument was acknowledged before me this *20th* day of *MARCH*, 20*07*, by *JEFFREY WISNIEWSKI* who is personally known to me or who presented *FL D/C* as identification, and who (did) (did not) take an oath.

[Signature] *KAREN M. PHILLIPS*
[Signature of Notary Public] [Printed, typed or stamped name of Notary Public]

[Commission Number of Notary Public]

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

Total Deposit \$ _____		Received By: _____		Date _____	
Police Chief <i>[Signature]</i>	Date <i>3/20/2007</i>	City Manager <i>[Signature]</i>	Date <i>3/20/07</i>		

Distribution: Original to Applicant; Copies to Chief of Police, Director of Public Works, City Manager and City Clerk

NOTE: A LIST OF STREETS BEING CLOSED WITH DATES AND TIMES WILL BE RELEASED TO THE PRESS NO LESS THAN 5 DAYS PRIOR TO THIS EVENT.

3/20/07
PS: need DPW PD
HW 4/2/07
Revised: 10/03

City of Brooksville



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

03-20-07 P01:12 IN

Reply to: Department of Public Works
600 South Brooksville Avenue
Brooksville, Florida 34601-3710
(352) 544-5465 (Phone)
(352) 544-5470 (Fax)

PRECAUTIONARY BOIL WATER NOTICE

DATE: MARCH 19th 2007

TO: CITY OF BROOKSVILLE WATER USERS ON EAST AV.,
OAKDALE AV., HALL ST., MANACKE RD, CARRICK
ST. & PONCE DE LEON

PLEASE BE ADVISED, AT 10:00 AM WEDNESDAY MORNING
MARCH 21st, 2007 THE WATER SYSTEM IN YOUR AREA WILL BE
SHUT DOWN DUE FOR MAINTENANCE ACTIVITIES FOR A
SHORT PERIOD OF TIME.

WHEN THE WATER IS TURNED BACK ON (APPROXIMATELY 2
PM), AS A PRECAUTION, WE ADVISE THAT ALL WATER USED
FOR DRINKING OR COOKING BE BOILED.

A ROLLING BOIL OF ONE MINUTE IS SUFFICIENT. AS AN
ALTERNATIVE BOTTLED WATER MAY BE USED.

THIS "PRECAUTIONARY BOIL WATER NOTICE" WILL REMAIN IN
EFFECT UNTIL A BACTERIOLOGICAL SURVEY SHOWS THAT
THE WATER IS SAFE TO DRINK.

YOU WILL BE NOTIFIED BY HAND OUT WHEN THE SYSTEM IS
CLEARED FOR NORMAL USE. WE EXPECT THIS TO BE ABOUT
2 to 4 DAYS.

IF YOU HAVE ANY QUESTIONS YOU MAY CONTACT WILL SMITH
AT (352) 544-5469.

201 Howell Avenue, Brooksville, Florida 34601-2041

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Leadership Hernando Local Government Day August 23, 2007

OBJECTIVE

To provide an opportunity for participants to meet local elected officials and county/city staff and to increase their understanding of local government services and functions through interactive discussions, tours and presentations, including a "behind the scenes" look at various offices.

Meet at Hernando County Government Center
20 N. Main St.
Brooksville, FL

Dress: Business Casual - Do not wear your LH shirt

8:15 am - 8:30 am

WELCOME

Brenda Frazier - Introduction of Elected Officials and Staff

Jeff Stabins, Chairman, County Commission

David Pugh, Mayor, City of Brooksville

8:30 am - 9:00 am

Meet/Mix with your Local Government Elected Officials and Staff

Continental Breakfast

*Visit our informational displays in the lobby representing
County and City Government*

9:00 am - 10:00 am

Overview of County Government

Brenda Frazier, Community Relations Coordinator

George Zoettlein, OMB Director

10:15 am - 11:45 am

Visit to City Hall

10:20 - 11:15

Property Appraiser's Office - Alvin Mazourek,
Property Appraiser

11:15 - 12:00

City of Brooksville - Municipal Government Overview - Karen
Phillips, City Clerk/Director of Administration

12:15 pm - 1:15 pm

"A Taste of Brooksville"

3/22/07 JP

UTN 4/2/07

pl: read
council
Jan/Dept. Hds
SB

2

Karen Phillips

From: "Hernando County Chamber" <heather@hernandochamber.com>
To: "Karen" <kphillips@ci.brooksville.fl.us>
Sent: Tuesday, March 13, 2007 5:04 PM
Subject: Networking Opportunity

Networking Opportunity

3/15 Thursday, 5:30 pm

After Hours Mixer

Brooksville Cardiology

12082 Cortez Blvd.

Brooksville, FL

3/28 Wednesday, 7:15 am

Breakfast Meeting

Sponsored by: Spring Hill Rotary Club

Speaker: Ernie Holzhauer

Topic: Operation Round-Up

To be held at Silverthorn Country Club

Members \$12; Non-Member \$15

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CR 4/2/07

3/14/2007

Greater
Hernando
County

CHAMBER OF COMMERCE

STEP UP TO SUCCESS

Week of March 12 - March 16

When planning your calendar for the week, include these upcoming events.
Please join us and take advantage of these wonderful marketing opportunities!

SPECIAL EVENTS

After Hours Mixer

3/15 Thursday, 5:30 pm

Sponsored by: Brooksville Cardiology
12082 Cortez Blvd., Brooksville, FL

UPCOMING EVENTS

4th Annual Tally Ho Tallahassee

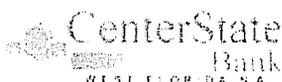
Thursday, March 15th - 6:30 am

Bus departs from Hardee's on US 19 & Hwy 50

Cost: \$45 per person

Reservations being taken through

Monday, March 12th at 796-0697, ext. 15



COMMITTEE MEETINGS

3/13 Tuesday, 9 am
Alumni Committee Meeting
Spare Time Sports
Bar & Eatery

3/14 Wednesday, 8 am
Education Committee
Meeting
Country Kitchen

3/14 Wednesday, 9 am
Liaison Task Force Meeting
Robert A. Buckner & Assoc.

3/16 Friday, Immediately
following the ribbon cutting
Diplomats Quarterly Meeting
Lisa & Randy Hunsucker's
Residence

RIBBON CUTTINGS

3/14 Wednesday, 11:30am
Whiting Agency, Inc. Nationwide
11270 Spring Hill Drive
Spring Hill, FL 34609
Donald R. Whiting, 686-2891

3/16 Friday, 11:30am
Shelby's Sweets and Treats
12977 Cortez Blvd.
Brooksville, FL 34613
Kerrie Theis, 592-5118

3/16 Friday, 5:30pm
Eminent Mortgage
Group, Inc.
18056 Macy Road
Brooksville, FL 34614
Lisa Hunsucker.
727-542-8384

NON IN COF

RADIO SHOW

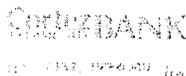
"The Business Edge" Radio Show WWJB 1450 AM

Join us Monday, March 12th, 1:30 - 2 pm

Dennis McKenna will be interviewing Bill Koenig of Raymond James Financial Services, Inc

Radio Show Sponsored By: AutoWay Ford, Lincoln-Mercury of Brooksville, Cortez Community Bank,
HealthSouth Rehabilitation Hospital of Spring Hill, and WWJB 1450 Radio

SPECIAL THANKS TO OUR EA SUPPORTERS:



Brooksville Office
101 East Fort Dade Avenue
Brooksville, FL 34601
Phone 796-0697 Fax 796-3704

www.hernandochamber.com

Spring Hill Office
4044 Commercial Way
Spring Hill, FL 34606
Phone 686-5097 Fax 686-4194

*Lead file
3/12/07 JP*

CTW 4/2/07



Week of March 19 - March 23

When planning your calendar for the week, include these upcoming events.
Please join us and take advantage of these wonderful marketing opportunities!

UPCOMING EVENTS

Honor Student Banquet

"Cruising To Success"

Thursday, April 26, 2007, 6pm-9pm —Palace Grand

Student & Table Sponsorships are available

Contact Carla at 796-0697 ext. 15

Searching for the Stars

Annual Awards & Installation Banquet

Friday, June 8, 2007—Palace Grand

Nominations must be received by March 21, 2007

Mail, fax 796-3704 or

e-mail carla@hernandochamber.com

Leadership Hernando 2007

A unique program designed to educate and challenge the current and emerging leaders of Hernando County

Call 796-0697 ext. 18 for an application

COMMITTEE MEETINGS

3/20 Tuesday, 8 am
Honor Student Committee
Spring Hill Chamber Office

3/21 Wednesday, 2 pm
Building Committee
CenterState Bank

3/20 Tuesday, 11 am
Business Assistance
Capital City Bank
Spring Hill Dr.

3/22 Thursday, 4:30 pm
Membership
Spring Hill Chamber Office

3/21 Wednesday, 7:30 am
Board Of Directors
SunTrust Board Room

RIBBON CUTTINGS

3/23 Friday, 11:30am
Levitt & Sons - Cascades@Southern Hills
19761 Fort King Run
Brooksville, Florida 34601
Brian Griffith, 797-9161



RADIO SHOW

"The Business Edge" Radio Show WWJB 1450 AM

Join us Monday, March 12th, 1:30 - 2 pm

Pat Crowley will be interviewing Clay Clements-Rinker Materials & Oscar Martinez-Zachry Construction
Radio Show Sponsored By: AutoWay Ford, Lincoln-Mercury of Brooksville, Cortez Community Bank,
HealthSouth Rehabilitation Hospital of Spring Hill, and WWJB 1450 Radio

handwritten notes:
head
3/19/07
8
Crowley 3/2/07

Brooksville Office
101 East Fort Dade Avenue
Brooksville, FL 34601
Phone 796-0697 Fax 796-3704

www.hernandochamber.com

Spring Hill Office
4044 Commercial Way
Spring Hill, FL 34606
Phone 686-5097 Fax 686-4194

Greater
Hernando
County
**CHAMBER
OF COMMERCE**
STEP UP TO SUCCESS

Week of March 26 - March 30

When planning your calendar for the week, include these upcoming events.
Please join us and take advantage of these wonderful marketing opportunities!

SPECIAL EVENTS

CHAMBER BREAKFAST

3/28 Wednesday, 7:15 am
Silverthorn Country Club
4550 Golf Club Lane, Brooksville
Sponsored by: Spring Hill Rotary Club
Speaker: Ernie Holzhauer
Topic: Operation Round-up
Members \$12, Non-Members \$15

UPCOMING EVENTS

Honor Student Banquet

"Cruising To Success"
Thursday, April 26, 2007
6pm-9pm-Palace Grand
Student Sponsorships
are available
Call Carla at 796-0697 ext. 15

Searching for the Stars

Annual Awards & Installation Banquet
Friday, June 8, 2007-Palace Grand
Nominations must be received by
March 30, 2007
Mail, fax 796-3704 or e-mail
carla@hernandochamber.com

Leadership Hernando 2007

A unique program designed to
educate and challenge the
current and emerging leaders
of Hernando County
For more information or
an application call
796-0697 ext. 18

RIBBON CUTTINGS

3/26 Monday, 11:30am
Rainbow International of Hernando County, Inc.
Spring Hill Chamber Office
4044 Commercial Way
Spring Hill, FL 34606
Pam Fay, 688-9799

3/29 Thursday, 11:30am
Grandma's Candy Kitchen
15335 Cortez Blvd.
Brooksville, FL 34613
Kathy Koskos, 754-4305

RADIO SHOW

"The Business Edge" Radio Show WWJB 1450 AM
Join us Monday, March 26th, 1:30 - 2 pm
Dennis McKenna will be interviewing

Al Johnson, Dana Cutlip & Rich Sanvenero—Kiwanis/Spring Hill

Radio Show Sponsored By: AutoWay Ford, Lincoln-Mercury of Brooksville, Cortez Community Bank,
HealthSouth Rehabilitation Hospital of Spring Hill, and WWJB 1450 Radio

Brooksville Office
101 East Fort Dade Avenue
Brooksville, FL 34601
Phone 796-0697 Fax 796-3704

www.hernandochamber.com

Spring Hill Office
4044 Commercial Way
Spring Hill, FL 34606
Phone 686-5097 Fax 686-4194

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