

**CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
HERNANDO COUNTY MINING ASSOCIATION ENRICHMENT CENTER
800 JOHN GARY GRUBBS BOULEVARD
BROOKSVILLE, FL 34601**

AGENDA

May 7, 2012

7:00 P.M.

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. Eagle Scout Milligan Proclamation

A proclamation in honor of Kyle Milligan achieving the Eagle Scout designation from the Boy Scouts of America.

Presentation: Mayor
Attachment: Proclamation

2. Civility Month Proclamation

A proclamation declaring the month of May “Civility Month”, urging all citizens to exercise civility toward one another.

Presentation: Mayor
Attachment: Proclamation

D. CITIZEN INPUT

E. CONSENT AGENDA

1. Minutes

- a) March 7, 2011 Regular Meeting
- b) October 3, 2011 Regular Meeting
- c) October 17, 2011 Regular Meeting
- d) November 7, 2011 Regular Meeting
- e) November 21, 2011 Regular Meeting

2. Uniform Leasing Contract

Consideration of continuing the piggy-back off Hernando County’s bid with Unifirst Corporation and begin piggy-back on their award to NJPA.

3. Energy Systems Group (ESG) Change Orders 2 - 5

Consideration of reduction of the ESG Agreement in the amount of \$49,456 and authorize the Mayor to sign the change order.

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve

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Attachments: 1) Minutes; 2) Memo from Director of Parks, Facilities & Recreation and Director of Public Works dated 04/20/12, Letter of Award from Hernando County Board of County Commissioners, Piggyback approval letters from Unifirst and NJPA; 3) Memo from Director of Parks, Facilities & Recreation and Director of Public Works dated 04/30/12; Change Orders 2-5

F. REGULAR AGENDA

1. Charter Review Committee (CRC) Recommendations

Consideration of recommended changes to the Charter made by the CRC.

Presentation: Jay Thompson, CRC Chairperson
Recommendation: Approval of Changes or Direction to Staff
Attachments: Memo from CRC Chairperson dated 04/02/12

G. CITIZEN INPUT

H. ITEMS BY COUNCIL

I. ADJOURNMENT

CORRESPONDENCE TO NOTE

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

Any person desiring to appeal any decision with respect to any matter considered at this meeting, may need a record of the proceedings including the testimony and evidence upon which the appeal is to be based, and therefore must make arrangements for a court reporter to ensure that a verbatim record of the proceedings is made.

City of Brooksville
Proclamation

WHEREAS, the Boy Scouts of America is one of the oldest and largest youth organizations in the United States dedicated to assist in building character, developing morals, ethics, survival skills and other positive attributes forever engrained in the hearts and minds of its youth; it should be well-publicized and documented that **Kyle Milligan** attained the rank of **Eagle Scout**, the highest level achievable in the Boy Scouts of America; and,

WHEREAS, **Eagle Scout Kyle Milligan** committed himself to complete the tasks and/or requirements and pass the Board of Review necessary to achieve the rank of Eagle Scout, it is fitting and proper that it be acknowledged that there were others who guided and reassured him, including his family, friends and most assuredly his Boy Scout family, that his abilities and determination made his quest attainable; and,

WHEREAS, **Eagle Scout Kyle Milligan** in choosing to become a Boy Scout and pursue the highest rank achievable in the organization, we know that Brooksville, Hernando County, and the country has another young citizen that will always be honorable, selfless and patriotic toward others and his country; and,

WHEREAS, the citizens of Brooksville and all Hernando County join in extending their congratulations and well-deserved recognition to **Eagle Scout Kyle Milligan** on such a tremendous personal achievement.

NOW, THEREFORE, WE THE UNDERSIGNED AS CITY COUNCIL FOR AND ON BEHALF OF THE CITY OF BROOKSVILLE, do hereby join the Eagle Scout Court of Honor in the recognition of Eagle Scout Kyle Milligan.

IN WITNESS WHEREOF, we have hereunto set our hand and caused the seal of the City of Brooksville to be affixed this 7th day of May, 2012, A.D.

CITY OF BROOKSVILLE

Joseph E. Johnston, III, Mayor

Lara Bradburn, Vice Mayor

Joe Bernardini, Council Member

Frankie Burnett, Council Member

Kevin Hohn, Council Member

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

City of Brooksville
Proclamation

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, WE THE UNDERSIGNED AS CITY COUNCIL FOR AND ON BEHALF OF THE CITY OF BROOKSVILLE, DO HEREBY PROCLAIM, the month of May as

"Civility Month"

and call upon all citizens to exercise civility toward each other.

IN WITNESS WHEREOF, we have hereunto set our hand and caused to be affixed the seal of the City of Brooksville this 7th day of May, 2012.

CITY OF BROOKSVILLE

Joseph E. Johnston, III, Mayor

Lara Bradburn, Vice Mayor

Joe Bernardini, Council Member

Frankie Burnett, Council Member

Kevin Hohn, Council Member

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

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

March 7, 2011

7:00 P.M.

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

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

PRESENTATION AND REQUEST FOR WAIVERS

Generator Request – Relay for Life

Consideration of request to waive fees in the amount of \$150 for use of the City's trailer-mounted generator for the Relay for Life campaign on May 6 & 7, 2011.

Fire Chief Mossgrove reviewed the request for waiver.

Motion:

Motion was made by Council Member Pierce and seconded by Council Member Bernardini for approval. Motion carried 5-0.

Week of the Young Child

Consideration of waiving fees in the amount of \$465 for the Week of the Young Child (WYC) event at JBCC on Saturday, April 2, 2011.

Committee Member Penny Oliver reviewed the request for waiver. She indicated this is the 22nd year of the event and it is free to the community. Council Member Bernardini indicated he has attended this event in the past and it is always well received.

Motion:

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

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Margaret R. Ghiotto Beautification Award - Residential Award

Recognition of improvements to the property located at 216 E. Liberty Street, previously owned by Mikel Hannigan and Christine Lawter.

Beautification Board Chair Scott Renz reviewed the award. The recipients were not in attendance for acceptance and the award will be sent to them.

Mr. Renz indicated that prospective Beautification Board Member Isha McCarty was in attendance.

Proclamation – Florida Hospital Patient Protection

Consideration of Proclamation supporting Florida nurses in their efforts to protect patients by providing minimum safe RN-to-patient ratios.

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Council Member Pierce read the proclamation in its entirety which was then presented by Mayor Burnett.

Council Member Bradburn indicated she does not support the proclamation because it is not the authority of the legislature to mandate staffing ratios upon private enterprise as it raises costs of service. It is up to private enterprise to determine clients' needs and thus fulfill that. However, she agrees that higher staffing levels translates to better patient care.

Gwen Collins of Gulfport stated she respects Council Member Bradburn's opinion but explained they are bedside nurses and they see firsthand patient outcomes as well as nurse turnover and the burnout. She appreciates the City's acknowledgement of their profession and the dire need for a higher ratio as they were forced to approach the issue in this manner.

Proclamation – Florida Bicycle Month

Consideration of Proclamation supporting March as Florida Bicycle Month and March 18, 2011, as Bike to Work Day.

Council Member Bradburn introduced Steve Diez who serves as a representative to the Metropolitan Planning Organization and Chairman to the Good Neighbor Trail Committee. She read the proclamation in its entirety, which was then presented by Mayor Burnett. Mr. Diez reviewed the Bike to Work Day event and presented Council with tokens of his appreciation for their support.

Council Member Bradburn indicated March 19th will be a Good Neighbor Trailhead workday to eradicate plants that do not belong there and welcomed all to participate.

Olive Street Cemetery Presentation

Brooksville Cemetery Advisory Board Report of Olive Street Cemetery.

Cemetery Advisory Board Vice Chairman Pat Brewer indicated Richard Estabrook was present to review the results of his investigation as well as how the ground penetrating process works. He indicated the report is not finished but will be submitted when it is complete.

Discussion of the findings thus far was discussed.

Chairman Brewer indicated Mr. Estabrook's work was done at no cost to the city. He briefly reviewed the history of the cemetery back to 1870 with the first burial being a child, Thomas Howell Law, and the last burial being in 1974. He indicated as far as they have been able to ascertain there has never been a history of the cemetery. There are burials there but they have never been marked. It was originally part of the Mickler's 160-acre farm. In 1907 part of the property, which did not include the cemetery, was sold to the Brooksville Catholic Mission. Over the years the cemetery became derelict. He indicated there were two issues, one being the transfer of the property to the Catholic Diocese and the second being the use of the property.

Chairman Brewer made the following recommendations:

1. The Olive Street Cemetery is kept as the common name;
2. the Brooksville sexton is responsible for care and upkeep;
3. no further burials are allowed without special permission by City Council since space left is questionable;
4. the large R.J. Mickler monument in the middle of the cemetery needs to be straightened and requested City maintenance handle that;
5. the Historical Society of Hernando is allowed to place an historical marker as the first burial was over one hundred and forty (140) years ago.

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Motion:

Motion was made by Council Member Bernardini and seconded by Vice Mayor Johnston for approval of the five (5) recommendations of the Cemetery Advisory Board. Motion carried 5-0.

City Manager Norman-Vacha thanked Mr. Brewer and the Cemetery Board for all their work.

Mr. Brewer commented that the only ulterior motive of the Cemetery Board was to get the cemetery in the best shape possible.

Council Member Bradburn stated she appreciates the information given to preserve the history of the cemetery.

CITIZEN INPUT

Mayor Burnett asked for public input.

Hamilton Hansen of Weeki Wachee brought a copy of the U.S. Constitution for all, commenting on Article I Section 8 which limits the Federal Government to specific activities/actions and gives all other non-specified actions/rights/abilities to the citizens. He referenced a conflict of interest between the money received from the Federal Government and the original Constitution. Council Member Bradburn advised an historical copy of the Constitution was given to Council Members recently by the Hogan Law Firm.

Jason Patrick Sager of Brooksville asked to speak on the fire assessment at this time. He indicated government was formed and taxes laid upon the people for the necessities. He asked that if it will be another tax upon the people then to let the people decide.

Sun Fiberglass Pools President Curt Prystupa indicated he has seen a tremendous drop in his business revenue from the local community. He implored Council to reconsider fire fees and to be fair and balanced. He recommended merging the Brooksville Fire Department with the County.

Radio Talk Show Host Bob Penrod pointed out that he has covered hundreds of hours of government meetings and indicated Jennene Norman-Vacha is a very good and knowledgeable City Manager. He indicated the City is lucky to have her and urged City Council Members to consider renewal of her contract.

Assistant City Ambassador Michael Heard also spoke on behalf of the City Manager.

Dan Patrick of Brooksville advised the City Manager and Police Department have all been a problem for him over the last year. Letters to the city have gone unanswered.

Council Member Bernardini stated his appreciation to the nurses who were in attendance for the work that they do.

CONSENT AGENDA

Council Member Bradburn asked that the August 10, 2010, Budget Workshop Minutes be pulled for further processing and that Item 4, Underwood Family Trust Property Donation be discussed. Council Member Bernardini would like to discuss Item 3 Progress Energy Distribution Easement Agreement at Quarry Golf Course.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for removal of the August 10, 2010 Minutes. Motion carried 5-0.

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Minutes

August 10, 2010 Budget Workshop
September 8, 2010 Special Meeting
September 20, 2010 Regular Meeting
October 18, 2010 Regular Meeting
November 15, 2010 Regular Meeting
December 6, 2010 Regular Meeting
December 20, 2010 Regular Meeting

Award of Bid – Installation of Remote Control Fire Suppression Nozzle for Brush

Truck 61 – FR2010-10

Consideration of bid award to Elite Fire & Safety Equipment, Inc., for the not-to-exceed amount of \$9,910.

Progress Energy Distribution Easement Agreement at Quarry Golf Course

Consideration of easement for the existing lines at the Quarry Golf Course.

Council Member Bernardini asked for specifics of this request from Progress Energy. Director Walker advised Progress Energy is trying to clean up what has already been done. They cannot find the existing easement agreement for the line that is already there. City Attorney Rey noted there is a copy of the Hogan Law Firm's correspondence on the consent agenda item.

Underwood Family Trust Property Donation

Consideration of donation of property to the City by the Underwood Family Trust.

Council Member Bradburn asked for the location of the property. Council Member Johnston indicated it is an interior lot and the property lines in that area are not accurate. Council Member Bradburn asked if there is drainage problems in the area as it could be used for that purpose. Discussion of the possibility to use the property for drainage ensued. Vice Mayor Johnston was not aware of any problems and it was not recommended to be used for drainage by Director Radacky. Director Geiger indicated the lot does not meet the zoning requirements for building purposes.

Council Member Bradburn thanked the Underwood family for the offer but was not in favor of accepting the donation at this time.

Further discussion of surrounding properties ensued.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Pierce rejecting the donation of the Underwood Family property and approval of the remainder of the Consent Agenda. Motion carried 5-0.

PUBLIC HEARINGS

Ordinance No. 816 – Water Restrictions

Consideration of ordinance to amend Chapter 90 of the Brooksville code and repeal of Resolution 2007-03. [First Reading 02/07/11]

Director Geiger reviewed the ordinance and the changes therein. He indicated restrictions are being relayed to new customers, which apply only to watering systems, not hand watering as needed.

Mayor Burnett asked for public input; there was none.

Motion:

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

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City Clerk Peters read Ordinance No. 816 by title, as follows:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF BROOKSVILLE, FLORIDA, CHAPTER 90, "WATER RESOURCES," AMENDING ARTICLE I AND ARTICLE II; PROVIDING FOR CODIFICATION, CONFLICTS, REPEALING, SEVERABILITY AND AN EFFECTIVE DATE.

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

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

Mayor Burnett adjourned the Council Meeting and convened as the Fire District at 8:15 p.m. and reconvened at 8:45 p.m.

REGULAR AGENDA

Fire Assessment

Consideration of alternative for fire assessment.

Mark Lawson of Bryant, Miller and Olive indicated they planned to work effectively with the City and to share the risk to validate its constitutionality. They also planned to develop the approach then explain the fees required of each entity based on readiness to serve. He explained their process in determining cost analysis.

Council Member Pierce asked if this will be validated by the State Supreme Court. Mr. Lawson clarified it will be submitted for validation to the local court. He will structure the City's budget to have a Capital component to legitimately prepare a financing arrangement. The general law allows local governments to ask the local court whether or not they have the power to issue that type of obligation. He stated the matters supporting that pledge of revenue, which are the assessments, would also be before the local court. If it is appealed it goes directly to the Florida Supreme Court. The court has made it clear that special assessments can be done for fire but this process is to assure that someone would not challenge it.

Attorney Hogan confirmed with Mr. Lawson aspects of the readiness to serve methodology have been court tested, such as lowering of insurance costs, but the basic premise proposed here in regard to a viable fee has not. Mr. Lawson further elaborated that all of the base methodology has been court tested. Other programs that were based upon demand have been contested subsequently and have upheld. He has confidence that this more logical approach would be even easier to validate. He would not suggest going forward if Council is subjected by the public's opinion that the City is wrong and threatens to sue. He would not encourage Council to impose assessments and collect them until it has been validated.

Mr. Lawson explained \$30,000 pays for an expended amount of effort to get a role in place as a decision making tool for workshop discussions but does not include validation; which will entail additional fees if successful.

Attorney Hogan explained contingency fee work is only paid if the validation is successful in Circuit Court and taxpayers and business owners could appeal to the State Supreme Court. Should it be successful in State Supreme Court then that would create legal precedence and Brooksville would be famous for developing and enacting this procedure. He suggested adding a cap to the contingency fee work due to unknown circumstances that could arise. The cost of \$30,000 is only for the study,

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which would allow a logical process by which to present to the court system as a way to assess citizens and business owners for fire service.

Mr. Lawson stated one of the reasons they have done this is because one of the trade associations for local governments asked them to look at that because once it is done it does not require the type of maintenance and services that the other programs require and should be able to implement and used within a broad budget range. He stated it also has flexibility within the context of whether it is funded partly or mostly with taxes.

Further discussion of the process of appeals ensued.

Council Member Pierce asked about the fees in paragraphs 3(a) and 3(b). Mr. Lawson advised estimated fees are \$75,000 to \$110,000 which is for professional services by consultants, legal, economic analysis and data manipulation. He further explained the initial \$25,000 will be credited towards professional services fees. He stated he is willing to minimize travel cost. Council Member Pierce would like to put this on hold until after the workshop.

Council Member Bradburn referenced when the County did an impact fee study and Bystre Lake Watershed, they paid thousands of dollars in fees but never implemented any of it. She stated she is ready to move forward tonight but understands if others need more time and information.

Vice Mayor Johnston agreed with Council Member Bradburn but Council Member Pierce has questions that could be addressed during the process. It must be determined whether this is a methodology that is worth pursuing and if it is, then it can be started and have efficiencies built into the model when it is presented. He also supports a workshop to address issues that should be incorporated into a final product.

Council Member Bernardini stated he supports going either way by making a decision tonight or waiting until after a workshop.

Mr. Lawson welcomes input from Council Members either individually or collectively as long as he gets the information to build into a model.

CITIZEN INPUT

Mayor Burnett asked for public input.

Jason Sager spoke specifically against the Fire Assessment Contract, pointing out that it does not specify a cap or what the final product will be. He also does not support lowering the millage by increasing fees or spending \$30,000 for an idea that comes with risk. Mayor Burnett assured Mr. Sager that the City Attorney reviews all contracts before the City enters into them. Council Member Bradburn clarified it is an educated risk based on the methodology examples presented in depth by Mr. Lawson and his group. Having extensive knowledge on fire assessments, she stated this is more appropriate for the City of Brooksville than any other of the methodologies explored because it is fair and balanced. Attorney Hogan stated the work order is incorporated into the document in paragraph 2. Negotiated fee or legal services shall include scope of services and fee structure authorized by the City in writing. He stated there would be some adjustments in the contract with adding standard language that goes into all vendor contracts.

Pierre Desjardins recommended sending a fair survey to the citizens at a cost of about \$4,200 asking what level of service they want and expect as he wants a fair and equitable assessment for the citizens of this community. He does not support investing \$100,000 plus staff time in an effort to implement a new assessment system and questions the amount of time it will take to recuperate that additional expense. He supports a workshop as a wise and prudent move on Council's part.

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Curt Prystupa stated the loss of revenue mentioned by Council Member Bradburn was not the fault of the citizens but the legislature that put the Homestead Exemption at \$50,000. He questioned spending \$30,000 at the cost of a firefighter's annual salary. He understands this is the cost of doing business but with a multitude of fixed incomes countywide it is not fair to assess a fee onto those with a tax exemption and suggested a sales tax adjustment instead. He stated implementing an assessed fee that is not in other communities will deter businesses from locating here. He indicated it is not easy doing business in this area and has explored going to other areas. He suggested a workshop with the County since cost of fire services is a countywide problem. He stated it is too expensive to taxpayers to be a test base and suggested reevaluating the Fire Department and the entire City budget.

Hamilton Hansen stated the business community is looking for new ideas and new thoughts to spread risk among as many people as possible but this idea is a private enterprise action with taxpayer money of an undisclosed amount.

Motion:

Motion was made by Council Member Pierce and seconded by Council Member Bernardini for delay of contract pending an internal workshop to discuss fire service. Motion carried 5-0.

City Manager Norman-Vacha asked for clarification of information Council is requesting from staff for a fire assessment workshop. She would also like to set dates for workshops for Land Use, Quarry Golf Course for the Bobby Weed Design Group report. Council set the following workshop dates:

- March 29, 6:00 p.m. - Fire Assessment Workshop
- April 11, 6:00 p.m. - Land Use Code Workshop
- April 12, 6:00 p.m. - Quarry Golf Course; the Bobby Weed Group and balance of Financial Workshop items; pension expenses, utility enterprise funds, fuel cost and economic development

Mayor Burnett requested all Council members have their questions, recommendations and/or concerns to the City Manager no later than this Friday, March 11th at 4:00 p.m. for the Fire Assessment Workshop on March 29th.

Beautification Advisory Board Appointment

Appointment of Advisory Board Member to the Beautification Board to fill one (1) Vacant Full-Time Position for a 4-year term of office through December 31, 2011.

Cecil Davis	New Applicant
Isha Marie McCarty	New Applicant

City Clerk Peters reviewed the two (2) applications submitted for the vacant Beautification Advisory Board member position.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Bradburn for approval of Isha Marie McCarty. Motion carried 5-0.

Vice Mayor Johnston clarified that this appointment is for the balance of a 4-year term of office which expires at the end of this year.

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City Manager Contract Renewal

Discussion and review of City Manager's Contract.

Council Member Bernardini referred to Section 5 of the contract and stated the performance review is supposed to be done by May 21st and felt Council needs to abide by the schedule or remove it. He advised the contract should be brought forward on a January agenda for discussion.

Council Member Bernardini asked if the is city providing a vehicle or is there mileage reimbursement. City Manager Norman-Vacha indicated she uses her personal vehicle and does not charge the City for mileage. Council Member Bernardini stated it should be removed from the contract if it is not being utilized.

Attorney Hogan reminded Council that before they represented Council they represented Mrs. Norman-Vacha in negotiating a contract and she has signed a waiver of conflict since then. He referenced Section 9 of the contract which allows for the City Manager to waive the use of a city-owned vehicle or an alternative if the employee so elects. She may release the City from the requirement to provide a vehicle and receive mileage reimbursement pursuant to city travel policy for the official use of her private vehicle. She has not elected to do that and that would go from year to year, however it can be detailed further. Vice Mayor Johnston pointed out that she can sign a waiver of rights at year's end and that would be sufficient.

Council Member Bernardini referenced page 7 "Employee is terminated for cause..." and then refers to the City Personnel Policy in effect on May 21, 2007; he requested it be attached to the contract for reference.

Council Member Bernardini indicated the issue of punctuality has been addressed but he still has concerns with other matters that need improvement as indicated in his evaluation. He supports renewal of her employment contract but there are some necessary changes if she is agreeable to those.

Mayor Burnett felt perceived problems should be addressed directly to the City Manager.

Council Member Pierce distributed a memorandum and stated several areas of concern. He expressed concern for the process he has to go through to get most information about city business, which he felt to be cumbersome and unacceptable. He also felt personnel practices, such as hiring and firing practices to be inconsistent, resulting in additional unnecessary legal and engineering consulting fees. Council Member Pierce acknowledged being upset that he, as a city employee, had been fired by the City Manager and does not support extension of her employment contract.

Council Member Bradburn referenced the letter in her evaluation wherein she references savings and accomplishments by the City Manager, noting the City Attorney works under Council. She commended the City Manager for doing a phenomenal job and felt short and long term goals should continue to be addressed.

Vice Mayor Johnston felt the City Manager is doing a good job and there are always areas for improvement, and that applies to everyone. He was in favor of renewal of the contract.

Mayor Burnett also felt there is always room for improvement but felt overall she has the City at heart and problems have been addressed. He supports renewal of her employment contract.

Council Member Bradburn suggested distributing evaluation forms in January to be ready to review the employment contract prior to the ninety (90) day clause. She pointed out long distance travel should be reimbursed.

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City Attorney Hogan suggested then that there be a motion to renew the contract subject to the amendments; Section 9 to include a sentence that requires that an annual waiver of any fees which gives an option as this would address Council concern that the unclaimed mileage compiles over time. Annually, the City Manager would waive any collection of unspecified fees at that point. The other amendment was to Section 13, which would state that the personnel policy in effect at the time of termination would be applicable. Council Member Bernardini stated that addresses both of his concerns. City Attorney Hogan also indicated the evaluation forms process is procedural and not part of the contract.

A 5 minute recess was taken to change the tape.

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Bradburn for approval to renew the City Manager employment contract with the following amendments; Paragraph 5 based on an annual salary performance review shall be made no less than 90-days prior to June 7th each year, Paragraph 9 the City Manager to annually waive travel reimbursements not claimed during the year and Paragraph 13 and any other areas of contract will be amended according to the City personnel policy in effect at the time of the event. Motion carried 4-1 with Council Member Pierce voting in opposition.

CITIZEN INPUT

Mayor Burnett asked for public input.

Dan Patrick advised he pays \$130 a day to the government and stated he does not get along with the current City Manager but has not had problems with any of the previous managers. He reviewed personal matters he has had, including some of his family members.

Pierre Desjardins asked where the progress energy money is. He thanked the City Manager for her refusal of reimbursement of travel expenses and indicated he has had nothing but great interactions with her. He thanked Council for renewing her employment contract.

Dennis Wilfong felt the City to be fortunate to have the City Manager and he has nothing but great respect for her and enjoys working with her. He defended her tardiness to meetings advising it has never been due to personal matters, but due to City business.

Kojak Burnett thanked Council for extending the City Manager contract since she has been the first to get the budget under control. He praised City Council members for showing support for Mayor Burnett during the MLK parade.

Tim Mossgrove thanked Council for their sympathies for his mother passing away.

ITEMS BY COUNCIL

Emory Pierce, Vice Mayor

City Personnel Policy

Council Member Pierce asked if the City Attorney completed revisions to the City Personnel Policy. City Manager Norman-Vacha indicated there is only a few policies left and are scheduled to come before City Council. He requested it be finalized sometime in May.

Reuse Plan

He would like to see a reuse plan in the future. City Attorney Hogan indicated he could provide an update of progress during Executive Session that involves litigation the City is involved in. He also indicated he could provide information to Council Members individually if they would like to stop by his office. Mayor Burnett requested an Executive Session be scheduled in May for this purpose.

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Joe Bernardini, Council Member

Vandalism and Theft at Park

Council Member Bernardini stated illegal activity in the park needs to be reported to the Police Department. He referenced recently witnessed incidents of gang graffiti in the park. City Manager Norman-Vacha stated she has directed that police reports be made and will readdress the matter.

Mayor Burnett asked for Council consensus on the matter that police investigate any illegal activity, including toilet paper thefts. Council Member Pierce and Vice Mayor Johnston supports a report to the Police Department, Council Member Bradburn supports a report for vandalism and graffiti but felt theft of toilet paper does not warrant police action.

Joe Johnston, Vice Mayor

Next Meeting

Vice Mayor Johnston stated he will not be in attendance for the March 21st meeting.

Countdown lights

He was very pleased with the results of installing countdown lights heading south on US41 at Martin Luther King Boulevard but still witnessed two (2) vehicles running red lights in the same day.

Frankie Burnett, Mayor

Russell Street Park

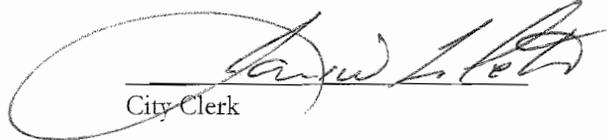
Mayor Burnett stated the bathrooms are open all the time and he would like them locked after a certain time. City Manager Norman-Vacha stated the same issue has been brought up regarding Tom Varn Park and staff will address.

City Manager Contract

He congratulated City Manager Norman-Vacha on approval of her employment contract extension and looks forward to her continued hard and dedicated work.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 11:25 p.m.


City Clerk

Attest: _____
Mayor

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

October 3, 2011

7:00 P.M.

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

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

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Proclamation for Fire Prevention Week October 9th – 15th

Presentation of a Proclamation honoring Fire Prevention Week October 9-15, 2011.

Fire Chief Mossgrove introduced Driver/Engineer Hillary Sanford of the Fire Department who reviewed the item and sponsored events by the Fire Department conjunction with Fire Prevention Week. Vice Mayor Johnston read the proclamation in its entirety and presented it to Chief Mossgrove.

CITIZEN INPUT

Mayor Burnett asked for public input.

Beverly Lewis advised the Brooksville Garden Club is having their annual Plant and White Elephant sale at Tom Varn Park on Saturday, October 29, 2011. She promoted the Hernando Performing Arts Center and invited all. Lastly she shared that her husband Vinel Lewis, a World War II Veteran, has been chosen for "Honor Flight" to Washington, D.C.

Joe Breseman of Breseman Pawn Shop and Thrift Store spoke in opposition of the sign ordinance and on behalf of small businesses in downtown Brooksville.

Ms. Garrison spoke concerning the death of Officer John Mecklenburg earlier this year and on behalf of reinstatement of the red light cameras.

Dan Patrick distributed a letter to Council and spoke in opposition of reinstatement of the red light cameras.

Bill Gilbert spoke on behalf of runoff voting. Council Member Bradburn suggested he speak with Hernando County Supervisor of Elections Annie Williams and State Representative Robert Schenck.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 3, 2011

CONSENT AGENDA

Code Enforcement Hearing Officer/Special Master Agreement Extension

Consideration of Addendum for the second and final 1-year extension of agreement with Kenneth Warnstadt as conditioned by all terms and provisions contained in the original agreement.

Motion:

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

PUBLIC HEARINGS

Entry of Proof of Publication into the Record

Mayor Burnett called for proof of publication. City Clerk Peters indicated Item F1 was published on Friday, September 23, 2011, in the Hernando Today legal section of the Tampa Tribune and there is a copy of the affidavit for the record.

Alcoholic Beverage Location Permit & Resolution No. 2011-08

Consideration of Category "A" Permit for the Quarry Golf Course located at 800 John Gary Grubbs Boulevard and Resolution amending Parks & Recreation Rules and Regulations.

Resolution No. 2011-08

Director of Parks, Facilities & Recreation Mike Walker reviewed the resolution. He indicated the Parks and Recreation Board supports the idea and reminded Council that a lease was approved to run the Quarry Golf Course at their last meeting.

Council Member Bradburn requested verbiage that there is no sale of alcohol while the Enrichment Center is in control of the emergency shelter.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Hohn to amend the resolution.

City Attorney Rey suggested language to amend the resolution; Article 9 and adding Paragraph B noting specific limitations. She pointed out this resolution is not subject to public hearing but the permit application is.

Vice Mayor Johnston suggested language be added that "No alcohol may be served when the Hernando County Mining Association Enrichment Center Special Needs Shelter is under the control of Emergency Operations Center".

Council Member Bradburn suggested language for alcohol sales to be prohibited during times of Emergency Operations Control as a Special Needs Shelter.

City Manager Norman-Vacha suggested that no alcoholic sales during use as a Special Needs Shelter under Emergency Operations Control.

Motion carried 5-0 with the addition of verbiage that no alcohol be served when the Hernando County Mining Association Enrichment Center Special Needs Shelter is under the control of the Emergency Operations Center.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 3, 2011

City Attorney Rey reviewed that the purpose and intent of the resolution is for the City Council to adopt, amend, or modify its rules and regulations as to the use of alcohol in its parks system, which would include the Quarry and the Enrichment Center building. The permit application and the authorization for sale of alcohol are governed under a separate section of the Code of Ordinances and held as a separate item. It is pursuant to that code for use and sale of alcohol at a designated location that requires a public hearing.

Joe Mason urged Council to consider citizen input.
Mayor Burnett asked for public input.

Joe Mason felt the amendment is a mistake as the building will only be functional as a shelter in an emergency. He spoke of the agreement between ECI and the City and indicated they were not consulted about this issue. His concern is that it does not reflect well on ECI's image. He felt alcohol sales should only be allowed on a case-by-case basis.

Fred Klemme had no objections to the City bringing in extra revenue and suggested a miniature golf course. He was against alcohol in the parks due to the children.

Rosemary Atkinson spoke on behalf of parks and felt the alcoholic beverage permit to be what the Quarry needs.

Council Member Hohn reiterated that government should not be in the business of selling alcohol. He felt it is not in the best interest of programs offered by ECI and spoke of the safety issue with the Pro Shop being on the second floor.

Vice Mayor Johnston pointed out it is not the City selling alcohol but the lessee.

Council Member Bernardini asked if the license could be revoked. City Attorney Rey indicated Council could establish parameters and conditions for revocation should the need arise.

Motion:

Motion was made by Council Member Bernardini and seconded by Vice Mayor Johnston for approval of Resolution No. 2011-08.

City Clerk Peters read Resolution No. 2011-08 by title, as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AMENDING ARTICLE 9 AND ARTICLE 21 OF THE RULES AND REGULATIONS FOR THE MANAGEMENT AND OPERATION OF THE PARKS OR RECREATIONAL AREAS; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion carried 3-2 upon roll call vote as follows:

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

REGULAR COUNCIL MEETING MINUTES – OCTOBER 3, 2011

Permit Application

Director of Community Development Bill Geiger reviewed the application. He indicated the property is zoned C-2 and has proper zoning and land use to be considered for an alcoholic beverage location permit pursuant to City code.

Council Member Hohn asked for clarification on legality of who owns the permit, who is selling alcohol and who has liability. City Attorney Rey indicated the permit is based on property location and issued by the City, who also owns the property. Revenue from sales would be done by the vendor, subject to the lease. The City, being owner of the property, could still have some liability in a lawsuit. Depending on the claims there is potential joint liability with both the vendor and the City.

Vice Mayor Johnston referenced that a type “A” permit allows for beer and liquor, wine and/or ale and would need to be restricted to only beer if Council so desires.

Mayor Burnett asked for public input.

Rosemary Atkinson indicated lessee contracts can stipulate relieving the City of any liability insurance.

Joe Mason again referenced the lease between ECI and the City of Brooksville, which allows the City space for the Pro Shop. He alluded that the state requires the place selling alcohol be closed off. He stated ECI withholds any consent for the issuance of an alcoholic beverage location permit in any building in which they have a lease-hold interest as the primary tenant.

Council Member Bernardini asked for clarification on what the lease calls for. City Attorney Rey stated the agreement provides specific space requirement and operation for the Pro Shop by the City, but does not address any consent requirement for the City. It is a long-term lease with provisions for other structural improvements. The vendor is responsible to apply for a State license after the alcohol permit is approved by City Council. There is no provision in the agreement that requires the City to seek consent from the Enrichment Center on how to operate its Pro Shop.

Council Member Bernardini asked about the prison crew. City Manager Norman-Vacha clarified that inside maintenance is shared and the prison crew cannot be inside where alcoholic beverages are sold but does not prohibit utilizing Department of Corrections Prisoners on the Quarry property.

Council Member Bernardini asked the lessee his opinion of selling beer at the Quarry Golf Course. Bob Carson indicated he is in support of any additional income and he has never had a problem with an intoxicated patron at his other courses.

Motion:

Motion was made by Council Member Bernardini and seconded by Vice Mayor Johnston for approval of beer only with the City allowed to revoke if in the best interest of the City.

City Attorney Rey indicated there are seven (7) particular items that would allow revocation and suggested adding to that delineated list at this time.

Motion carried 3-2 with Council Member Hohn and Mayor Burnett voting in opposition.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 3, 2011

REGULAR AGENDA

Ordinance No. 826 – Land Development Code Amendment

Consideration of an ordinance amending the City's Land Development Code.

Director of Community Development Bill Geiger briefly reviewed the item as amended at the direction of Council and as presented to the Planning and Zoning Commission.

City Planner Steve Gouldman reiterated the changes from the workshops and Planning and Zoning Commission meetings, advising State Statute changes came into effect on July 1. This included calculation of apportionate share for Public Facilities, review process for Comprehensive Plan Amendments and Pain Management Clinic regulations. Changes were adopted from comments of the building industry to utilize Hernando County's preliminary plat process.

Council Member Bradburn indicated the revised code will go a long way to protect the historic assets of the City and help the City grow.

Motion:

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

City Clerk Peters read Ordinance No. 826 by title, as follows:

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, REPEALING SUBPART B, "LAND DEVELOPMENT CODE," AS AMENDED, OF PART II OF THE CITY OF BROOKSVILLE CODE OF ORDINANCES; REPEALING DIVISION 3 OF ARTICLE III OF CHAPTER 2, "CODE ENFORCEMENT" OF THE CODE OF ORDINANCES; DIVISION 4 OF ARTICLE III OF CHAPTER 2, "CODE ENFORCEMENT HEARING OFFICER; ENFORCEMENT HEARINGS AND PROCEDURE;" CHAPTER 6, "ALCOHOLIC BEVERAGES;" CHAPTER 10, "AMUSEMENTS AND ENTERTAINMENT;" ADOPTING A NEW "LAND DEVELOPMENT CODE" INCLUDING ARTICLE I, "GENERAL PROVISIONS," ARTICLE II, "ZONING DISTRICTS, USES AND LOT REQUIREMENTS," ARTICLE III, "SPECIAL DISTRICTS AND DEVELOPMENT OPTIONS," ARTICLE IV, "GENERAL REQUIREMENTS AND SUPPLEMENTAL REGULATIONS," ARTICLE V, "NATURAL RESOURCES," ARTICLE VI, "ADEQUATE PUBLIC FACILITIES," ARTICLE VII, "SIGNS," ARTICLE VIII, "ADMINISTRATION, APPLICATION AND APPEAL PROCEDURES," ARTICLE IX, "INTERPRETATIONS AND NONCONFORMITIES," ARTICLE X, "BUILDINGS AND BUILDING REGULATIONS," AND ARTICLE XI, "DEFINITIONS;" PROVIDING FOR CONFLICTS AND REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

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

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

REGULAR COUNCIL MEETING MINUTES – OCTOBER 3, 2011

Resolution No. 2011-12 to Florida Dept. of Transportation (FDOT) – Annual Christmas Parade Route

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

City Clerk Janice Peters reviewed the resolution for the parade being held on Saturday, December 10, 2011.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Johnston for approval of Resolution No. 2011-12.

Mayor Burnett asked for public input; there was none.

City Clerk Peters read Resolution No. 2011-12 by title, as follows:

**RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA
SUPPORTING A REQUEST TO CLOSE JEFFERSON STREET
AND BROAD STREET BETWEEN MAIN STREET AND BELL
AVENUE IN DOWNTOWN BROOKSVILLE ON DECEMBER 10,
2011; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN
EFFECTIVE DATE.**

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

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

Sensys America Traffic Infraction Detection and Enforcement Program

Consideration to approve a contract with Sensys America to move forward with the reinstatement of the Traffic Infraction Detection and Enforcement Program piggybacking on the City of Deland.

Chief of Police George Turner advised that on September 19, 2011, Council directed staff to bring back the agreement with Sensys. He indicated an amendment was added; 5(g), which City Clerk Peters distributed to Council, and references the option for the City to take over back office services.

Brian Haskell played a brief clip on the program, providing commentary, statistics, and legalities of the program and distribution of fees. He further explained in detail how the process works.

City Attorney Rey reviewed the change to the contract as referenced by Chief Turner, as well as right-on-red as it relates to the Statute reference of “careful and prudent manner”.

Mr. Haskell indicated the cost of violations is \$158, with \$83 going to the State and \$75 to the City. Sensys receives half of the City’s \$75, up to \$4,500 per month per camera.

The camera’s ability to register speed and the placement of the warning signs was reviewed.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 3, 2011

Council Member Bradburn pointed out Section 4, Items C and D should be roman numerals and on Page 6 Section 6, second paragraph, “and” should be “or”.

Mr. Haskell reviewed the process from the signing of the contract, indicating there would be a 30-day warning period for each camera.

Council Member Bradburn indicated she would support in-house services, which would save the City money. Mr. Haskell indicated the City of Gulf Breeze handles their back office services.

Council Member Hohn asked what the fine would be if a Brooksville Police Officer stopped someone on a red-light infraction. Chief Turner advised \$264 with 4 points on the license and an increase in insurance. He indicated he reviewed the City of Gulf Breeze’s back office procedures.

Council Member Bernardini asked if the intersections have been chosen. Chief Turner indicated they have been identified and information on all proposed intersections will be reviewed by Sensys and the Florida Department of Transportation. Council Member Bernardini asked if the accidents had increased at the intersections after the previous cameras were removed. Chief Turner indicated the reporting to the State has changed so the information is not readily available, but they are working on getting it. He stated the red light cameras are considered a traffic safety initiative by reducing crashes, saving lives and making roads safer.

Mayor Burnett asked for public input.

Dennis Purdy advised increasing the yellow light by 1.5 seconds reduces accidents by 70%. He also felt the citizens of Brooksville do not want the red light cameras.

Richard Lewis asked if Sensys is a law enforcement agency, since it has access to traffic violators’ information. Mr. Haskell indicated that consistent with Florida law, his company acts as an agent for the City in accessing this information allowed under contract with strict confidentiality. Mr. Lewis advised listening to what the citizens want and pointed out that there was no evidence offered from the Police Chief showing a change in traffic infractions after the cameras were removed.

Joe Mason elaborated on the red light camera program as well, expressing opposition.

Kojack Burnett indicated citizens do not want the cameras.

Council Member Bernardini advised that only about 3 of 100 he has spoken to support the cameras and relayed incidents. In answer to his question concerning the ticketing of Commercial vehicles, it was advised that the ticket goes to the home office of that company who passes it on to the employee. Chief Turner reviewed the process following non-payment of a ticket.

Council Member Bradburn suggested the reference to the back office be changed to “administrative”.

Council Member Hohn indicated he has reviewed much information on the subject and for him it is a safety issue. He indicated he would be happy if the City never made a dime from the program. He advised he will be making recommendations for the funds that are received from violations to be distributed 80% to the Community Redevelopment Agency account 615 for marketing and advertising for the City of Brooksville and 20% to the Multi-Capital Projects Accumulation Fund No. 308. He advised he would be making those recommendations in the future. He also felt Sensys technology and equipment to be up-to-date and supports the red light camera program.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 3, 2011

Motion:

Motion was made by Council Member Hohn and seconded by Council Member Bradburn for approval of the contract as amended with the addition of Paragraph G, the replacement of “Back Office” with “administrative”, removing Roman numeral on Page 3 and adding “or” on Page 6.

City Attorney Rey advised American Traffic Solutions (ATS) is disputing the termination of their agreement of May 2010. She advised it is the City Attorney’s legal opinion that it was properly terminated.

Council Member Bernardini asked for clarification on Item 5, Fees and Payment. City Attorney Rey reviewed there is a monthly fee per approach paid for out of revenues. However, no more than 50% of collected revenues would be paid to Sensys in any given month with a cap of \$4,500, as outlined in the contract. Any balance or shortfall would continue forward.

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

City Manager Norman-Vacha reviewed a budget amendment request following adoption of the agreement for implementation of the program. The program has an estimated start date of March 1, 2012 and being fully operational by May 1, 2012. She reviewed operating costs of the program and noted \$602,721 has been allocated to Reserves.

Council Member Bradburn asked, concerning Council Member Hohn’s recommended allocation of funds, if more could be allocated for Capital Improvements. Vice Mayor Johnston recommended waiting on the allocation issue and would like Mr. Wilfong to be present for this discussion. Council Member Hohn indicated this has been discussed by Dr. Wilfong and members of the business community.

Council Board Positions

Consideration for Council members to fill the vacancies of four boards in need of Council representation.

City Clerk Janice Peters advised the vacancies are due to the resignation of Council Member Pierce. Council liaisons were appointed as follows:

Children’s Advocacy Center/Community Alliance – Council Member Hohn

Florida League of Cities Action Committees – Energy and Environmental Committee – Council Member Hohn

Withlacoochee Regional Water Supply Authority (WRWSA) – Vice Mayor Joe Johnston

Youth and Family Alternatives – Mayor Frankie Burnett

Council concurred with the appointments.

CITIZEN INPUT

Mayor Burnett asked for public input.

Kojack Burnett indicated the water bills have not been received. He asked when the meeting would be televised. City Manager Norman-Vacha indicated a schedule of televised meetings will be printed on the water bills.

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ITEMS BY COUNCIL

T. Jennene Norman-Vacha, City Manager

Great Brooksvillian Ceremony

City Manager Norman-Vacha reminded the Great Brooksvillian award will be presented in conjunction with the Art Gallery opening on October 13, 2011 at 6:00 p.m. at City Hall.

City Council Meeting

She advised the next meeting of City Council will be on October 17, 2011.

Brooksville Cycling Classic

City Manager Norman-Vacha advised the Brooksville Cycling Classic will be held on October 15, 2011. She advised there are also many other festivities during this week and are listed on the City's website.

City Attorney Rey

Executive Session

City Attorney Rey requested an Executive Session be scheduled for October 17, 2011, at 6:00 p.m. Council concurred.

Joe Bernardini, Council Member

Sign Ordinance and Personnel Policies

Council Member Bernardini read into the record the following: "Council may remember that prior to our last regularly scheduled Council Meeting, I asked that the professional courtesy be extended to me that consideration of the Sign Ordinance and Personnel Policies be tabled until tonight. I would like to thank Vice Mayor Johnston for his courtesy and motion for table. It apparently died for lack of a second. Reasonable people would view the request for table as simple and easily fulfilled. I cannot adequately express my disappointment at the Council's failure to extend to me this basic courtesy. I hope that in the future we can be more cooperative and sensitive to each other's concerns."

Joe Johnston, Vice Mayor

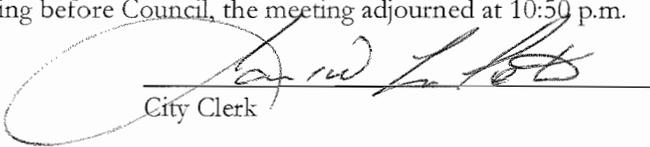
Vice Mayor Johnston confessed he almost ran a red light this week.

Frankie Burnett, Mayor

Mayor Burnett expressed staff appreciation.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 10:50 p.m.



City Clerk

Attest: _____

Mayor

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

October 17, 2011

6:00 P.M.

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

The meeting was called to order by Mayor Burnett, followed by an invocation and Pledge of Allegiance. Mayor Burnett announced the Executive Session as follows:

The purpose of the Executive Session is to discuss settlement options and litigation strategy for pending City actions. The persons attending the meeting will be Frankie Burnett, Mayor; Joe Johnston, Vice Mayor; Council Members Joe Bernardini, Lara Bradburn and Kevin Hohn; Attorney's for the City of Brooksville, Jennifer Rey, Stephanie Chambers (not present) and Butch Battista; City Manager, T. Jennene Norman-Vacha; and court reporter Holly Kirchman of Carolyn F. Engle & Associates. The meeting is expected to last approximately thirty minutes.

The Council meeting was adjourned at 6:03 p.m. for the Executive Session and reconvened at 7:00 p.m.

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

“Florida City Government Week” Proclamation

Consideration of Proclamation declaring the week of October 16-22, 2011, as “Florida City Government Week” in conjunction with the Florida League of Cities’ sponsored annual statewide celebration of municipal government and its contributions to the quality of life of Floridians.

Mayor Burnett read the proclamation in its entirety, a copy of which will be sent to the Florida League of Cities.

Kiwanis Club of Spring Hill Presentation

Check presentation to the First Tee of Brooksville from the golf tournament held at Southern Hills Plantation.

Director Walker presented a Certificate of Thanks to the Kiwanis Club for their check in the amount of \$5,000, which was presented to Council by Dennis McKenna, John Grecco and Rich Sanvenero. A brief review of the event was given.

Council Member Bradburn advised the Florida League of Cities honored the City of Brooksville with their “Award of the Year” for Operation Backpack.

Live Oak Gardens Presentation

Presentation of tree donation to the City from Live Oak Gardens of 126 Oak Trees and 25 Holley Trees valued at \$10,000.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 17, 2011

Director Walker briefly reviewed the donation. Owner Mark Counihan acknowledged the donation to Council, who presented him with a Certificate of Appreciation.

Director Walker acknowledged cemetery staff members Rich Howard, Robert Johnson and volunteer Jamielove Miller.

Mayor Burnett requested, and Council concurred, to move Item 4, Energy Systems Group presentation to Item 7.

“Weatherization Day” Proclamation

Consideration of Proclamation declaring October 30, 2011, as “Weatherization Day” sponsored by Mid-Florida Community Services.

Mayor Burnett read the proclamation in its entirety and presented it to Brenda Mobley for her efforts in helping low-income families within the community. Ms. Mobley, with Mid-Florida Community Services Weatherization, elaborated on the program, which is one of the top three (3) in the State of Florida.

Mayor Burnett expressed appreciation for the program, which reduces energy costs.

“Breast Cancer Awareness Month” Proclamation

Consideration of Proclamation declaring October as “Breast Cancer Awareness Month” in conjunction with the 2011 Tampa Bay Susan G. Komen 3-Day For the Cure ® event.

Council Member Bradburn read the proclamation in its entirety and presented it to members of the Fire Department.

Joe Keefer of the Fire Department distributed shirts to Council and showed a brief video regarding the “Pink Heals” and advised a banners are available in front of stores this month for memorials.

Council Member Bradburn expressed her support for the City’s participation in the event.

Mayor Burnett directed City Manager Norman-Vacha to distribute pink ribbons to all employees to wear during this week of recognition.

Chief Mossgrove expressed his pride for the Fire Department staff.

Council Member Bernardini also acknowledged the Fire Department’s efforts for the Relay for Life event.

Proclamation Honoring Geoffrey “Jeff” Thomas Kirk

Consideration of Proclamation paying tribute to Jeff Kirk.

Mayor Burnett read the proclamation in its entirety, which will be presented on Saturday to the family of Jeff Kirk.

Energy Systems Group (ESG)

Presentation of “to date” status/timeline on the remainder of the project as well as the Radio Read Meter project.

Regional Director Chris Summers updated Council with a timeline of the project status, plan, walking trail lighting, City Hall roof replacement and City Hall and Department of Public Works air-conditioning replacement.

As of Friday, installation of the new water meters is complete.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 17, 2011

Council Member Bradburn asked if any accounts have increased significantly due to the change out of meters. Mr. Summers advised not to his knowledge, but the billing cycle evaluation is not complete. He also indicated the trail lighting material will be received next week with completion scheduled for November 11th and the City Hall roof replacement is scheduled to be complete by December 31st.

Council Member Bradburn referenced the City Hall roof project and asked if the collection of water system was installed as discussed. Mr. Summers indicated the cost was not conducive to the current main roof drainage system, advising the entry way roofing area is the only collection system.

The Department of Public Works air conditioning materials will be received by the end of October with a completion date of December 22nd.

The City Hall air conditioning materials were ordered in July and are scheduled to start the end of October with a completion date of December 29th for the 1st floor, with the 3rd floor scheduled to be complete by March 16th.

Council Member Bradburn asked for clarification on scheduled City Council meetings. City Manager Norman-Vacha indicated there are no meetings scheduled in January due to holidays but should Council want a meeting then staff will make arrangements accordingly.

Council Member Bernardini asked how much relocation of staff will cost. City Manager Norman-Vacha reviewed, indicating costs will be minimal.

Mayor Burnett elaborated on the process as well.

Mr. Summers advised Energy Systems Group will be helping with the relocation of employees at their expense.

CITIZEN INPUT

Mayor Burnett asked for public input; there was none.

CONSENT AGENDA

Award of Bid – Hope Hill Water Plant Modifications and Connection of Well 3 – UD2011-09

Consideration of bid award to BRW Contracting, Inc., for the not-to-exceed amount of \$240,795.

Council Member Bradburn asked when construction will start and be completed. Director Radacky advised they are finalizing and no interruption of service will occur.

Vice Mayor Johnston asked how long the lease with Pasco-Hernando Community College (PHCC) is good for. Director Radacky will provide that information.

Withlacoochee Regional Planning Council (WRPC) Professional Services Agreement

Consideration of renewal of annual agreement with WRPC for professional/planning services on an as-needed basis for the 2011/12 fiscal year and authorize the Mayor to execute the agreement.

Council Member Bradburn advised she is not a fan of the WRPC and hopes this will be utilized as a last resort and will be presented for Council approval.

State Bid Patrol Car Purchase and Surplus of Retired Patrol Cars

Consideration of authorization purchase on state bid and to surplus and trade retired vehicles.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 17, 2011

Council Member Bradburn asked about the two (2) different cars. Chief Turner advised the State Bid Patrol Car make changed from last year. Council Member Bernardini asked about the emergency equipment on both makes. Police Chief Turner indicated it is different kind of emergency equipment on the Charger and the Crown Victoria, thus a lesser cost.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Johnston for approval of the Consent Agenda. Motion carried 5-0.

PUBLIC HEARINGS

Entry of Proof of Publication into the Record

Mayor Burnett called for proof of publication. City Clerk Peters indicated Item G1 was published on Friday, October 7, 2011, in the Hernando Today legal section of the Tampa Tribune and there is a copy of the affidavit for the record.

Ordinance No. 826 – Land Development Code Amendment

Consideration of an ordinance amending the City's Land Development Code.

[First Reading 10/03/11]

Director of Community Development Bill Geiger briefly reviewed, indicating changes were made as directed by City Council. The Planning and Zoning Commission concurred with staff recommendation. The Builders' and Realtors' Association gave input as discussed at the October 3rd meeting. The Department of Community Affairs feedback initiated changes for the flood damage prevention ordinances consistent with FEMA requirements.

Council Member Bradburn confirmed with Director Geiger that the indexed numbers have been changed. City Planner Steve Gouldman further indicated Municode will reformat the numbers once it gets to them anyway.

Council Member Bradburn reiterated this amendment puts the City of Brooksville in better continuity and partnership with Hernando County and especially protects the historic area. She felt the next priority is to update the Future Land Use Map (FLUM). Director Geiger stated staff has been working with the Brooksville Vision Foundation for the past eight (8) months and will have an impact on any modifications to the Comprehensive Plan.

Mayor Burnett advised the South Brooksville area is incorporated into the Revitalization Plan.

Mayor Burnett asked for public input; there was none.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Hohn for approval.

City Clerk Peters read Ordinance No. 826 by title, as follows:

AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, REPEALING SUBPART B, "LAND DEVELOPMENT CODE," AS AMENDED, OF PART II OF THE CITY OF BROOKSVILLE CODE OF ORDINANCES; REPEALING DIVISION 3 OF ARTICLE III OF CHAPTER 2, "CODE ENFORCEMENT" OF THE CODE OF ORDINANCES; DIVISION 4 OF ARTICLE III OF CHAPTER 2, "CODE ENFORCEMENT HEARING OFFICER; ENFORCEMENT HEARINGS AND PROCEDURE;" CHAPTER 6, "ALCOHOLIC BEVERAGES;" CHAPTER 10, "AMUSEMENTS AND ENTERTAINMENT;" ADOPTING A NEW "LAND DEVELOPMENT CODE" INCLUDING ARTICLE I, "GENERAL PROVISIONS," ARTICLE II, "ZONING DISTRICTS, USES AND LOT REQUIREMENTS," ARTICLE III, "SPECIAL DISTRICTS AND

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DEVELOPMENT OPTIONS,” ARTICLE IV, “GENERAL REQUIREMENTS AND SUPPLEMENTAL REGULATIONS,” ARTICLE V, “NATURAL RESOURCES,” ARTICLE VI, “ADEQUATE PUBLIC FACILITIES,” ARTICLE VII, “SIGNS,” ARTICLE VIII, “ADMINISTRATION, APPLICATION AND APPEAL PROCEDURES,” ARTICLE IX, “INTERPRETATIONS AND NONCONFORMITIES,” ARTICLE X, “BUILDINGS AND BUILDING REGULATIONS,” AND ARTICLE XI, “DEFINITIONS;” PROVIDING FOR CONFLICTS AND REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

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

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

REGULAR AGENDA

Budget Amendment

Consideration of budget amendment in conjunction with the Traffic Infraction Detection and Enforcement Program.

Director of Finance Steve Baumgartner reviewed the recommended amendment.

Council Member Hohn proposed a Multi-Capital for Redevelopment Fund which would allow spending of the funds for a larger part of the City. He recommended 50% into Fund 314, the Multi-Capital for Redevelopment Fund, 40% to Multi-Capital Fund 308 and 10% to Marketing and Advertising Funds in the General Fund.

Council Member Bernardini advised he acquired more statistics and found that drivers ages 16-19 have the most crash instances. He recommended that approximately \$400,000 be given to the Hernando County School System for Driver Education classes. Council Member Hohn agreed that it is a great idea.

Council Member Bradburn advised the brick streets are in need of restoring because they present a safety issue and recommended Tampa’s system be followed. She spoke with Bob Titterington of Civil-Tech to discuss the City of Tampa’s offer to assess Brooksville’s Brick Street Program, estimating minimum start up costs of \$25,000 and would prefer that 65% be applied to the Multi-Capital Fund with the balance placed in other funds. She was not in favor of Driver Education funding since that is a school function; one that often fails to meet its goals. She would like to include a condition for the startup of the first phase of brick street restoration in Fund 308. Mayor Burnett agreed.

Council Member Bernardini added the school system has been impacted economically; therefore, driver education has not been properly funded. He stated defensive driving is a part of the educational process with computer-generated scenarios and pointed out the Sheriff’s Office is also involved in that program.

Council Member Hohn was not in favor of funding the school system driver education but rather contracting a private entity to do that type of training within funding limits.

Council Member Bernardini stated it will take several months to investigate the best approach for optimum use of the funds. He agreed with Council Member Hohn to have staff look into costs for utilizing an outside company as did Mayor Burnett.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 17, 2011

Vice Mayor Johnston felt discussion on this subject could wait until after March when the program starts to see how much revenue is generated for allocation for the next budget cycle, but to leave the traffic camera funds in reserves for now. Mayor Burnett agreed.

Mayor Burnett recommended funding \$10,000 for Special Event fee waivers and \$25,000 for Economic Development. He stated staff is working on the procedures to be presented to Council in late November.

Council Member Hohn recommended Council consider where the City wants to be in five (5) and ten (10) years. He recommended a policy for distribution of \$10,000; groups requesting and showing proof of need are funded at 100% the first year and 50% the second year encouraging more downtown events in the future.

Council Member Bradburn commended Michael Heard and City Manager Norman-Vacha for their work with community organizers and that they could make suggestions on a reasonable policy. She suggested research on the cost of an outreach program by the Brooksville Police Department similar to teaching bike safety.

Vice Mayor Johnston recommended letting the funds accumulate and staff to research. He also recommended consideration of a partnership with the school system to partially fund student driver education.

City Manager Norman-Vacha asked that City Council approve the budget amendment of estimated \$602,721 transferred to reserves in the traffic camera fund. She suggested staff would have information in conjunction with financial workshops in February and through the budgeting process.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Johnston for approval with information to be provided in advance of the budget hearings. Motion carried 5-0.

Personnel Policy Amendments

Consideration of updates to the Personnel Policy.

Section 8.03 Exposure Control

City Attorney Rey briefly reviewed the final policy for the Personnel Policy rewrite project. She stated this is a new section to the policy document. This policy would apply to all City employees except the collective bargaining unit at this time. There are three (3) parts to the policy; a plan that the City operates under to minimize exposure to blood borne pathogens, providing employees information training and option of having Hepatitis B vaccine. This policy, in conjunction with the Exposure Control Plan and departmental procedures, is intended to comply with OSHA's blood borne pathogen standards and will bring the City into compliance through 2011 updates.

Council Member Bernardini referenced Item III. E. and asked for clarification on periodic training. He felt "periodic" was vague and suggested a time limit instead. City Attorney Rey stated since employees are in different types of occupations the standard may vary.

Council Member Bradburn referenced Item II. E. and suggested adding "or other blood borne pathogens". City Manager Norman-Vacha advised employees are not asked or tested unless there was an exposure.

Vice Mayor Johnston referenced Item III. E. and suggested changing "are" to "shall be" and adding "as required by applicable laws and rules and departmental policy".

REGULAR COUNCIL MEETING MINUTES – OCTOBER 17, 2011

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Johnston for approval as amended. Motion carried 5-0.

CITIZEN INPUT

Mayor Burnett asked for public input.

Cecil Davis thanked Council Member Bernardini for thinking safety first regarding funds from the red light cameras. He stated the length of time of a legal stop at any traffic signal is three (3) seconds minimum according to the Department of Motor Vehicles and length of a yellow light is based on the speed limit; one second for every 10 mph. He asked to consider the number of accidents the cameras will cause. He also was in agreement with educating the citizens in the form of flyers to residents and recommended schools reassess their policies.

ITEMS BY COUNCIL

T. Jennene Norman-Vacha, City Manager

PHCC Lease Agreement

In regards to Vice Mayor Johnston's inquiry as to the length of the lease with PHCC for the Hope Hill Water Plant, City Manager Norman-Vacha stated the lease went into effect on March 19, 2002, for 99 years, with an automatic extension renewal of 99 years unless it is cancelled by either party.

Lara Bradburn, Council Member

Report on Brick Street Program

Council Member Bradburn asked for a copy of data and report of update from Public Works Director Radacky on his meeting with the City of Tampa to assess Brooksville's Brick Street Program. Mr. Titterington will be provided with same information.

Kevin Hohn, Council Member

Traffic Infraction Detection and Enforcement Program

Council Member Hohn proposed that a letter be created in reference to the current F.S. 316.0776, which covers the program and designates cities that have had red light programs do not have to do the 30-day public awareness time period. He recommended first time violators receive a letter instead of a ticket stating they have violated the red light law but are going to get a free pass on this first violation only. He felt the 30-day program does not help anyone because most are not from Brooksville and this would educate everyone. Council Member Bradburn agreed but clarified that while the many are from out of town the remainder is from the area surrounding the City of Brooksville. She also suggested Public Service Announcements on local radio stations or cable television.

Council Member Hohn clarified that this would replace the 30-day notice which includes a warning ticket and would be in effect for all first time offenders, even after the first 30-days. City Attorney Rey advised the City's Code provides for Council to adopt a resolution setting parameters around the introductory period. Based on prior practice, it was Council's direction to issue warnings within the 30-day period as each camera came on-line. The City also provided notice in the utility bills. The contract contemplates notice to the registered owner of the vehicle. Once the 30-day period is passed it becomes more difficult once citations are being written. She was not sure the program could track offenders. Council requested that information.

REGULAR COUNCIL MEETING MINUTES – OCTOBER 17, 2011

Joe Bernardini, Council Member

Recycle Truck

Council Member Bernardini asked Director Radacky had the recycle truck been ordered. He indicated it had not been ordered and will meet with City Manager Norman-Vacha next week. He wants more emphasis on the recycling program for better participation. He also indicated it is difficult to find a company that will sort the recycling for weekly pickup.

Red Light Running Video

His observation in watching the videos presented was that drivers were not paying attention.

Joe Johnston, Vice Mayor

Founder's Week

Vice Mayor Johnston thanked staff for their efforts during the event and organizers of the Cycling Classic. Staff organized a successful fundraiser at City Hall for the bike race.

Frankie Burnett, Mayor

Customer Service Employees Safety

Mayor Burnett stated he would like see protection in customer service and at the front desk. City Manager Norman-Vacha indicated she will provide costs.

Council Member Bradburn asked that Mayor Burnett send a letter of thanks to the organizers of the Cycling Classic.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:28 p.m.



City Clerk

Attest: _____
Mayor

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

November 7, 2011

7:00 P.M.

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

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

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

American Indian Heritage Month

Proclamation in honor of American Indian Heritage Month to be presented to a representative of the Daughters of the American Revolution.

Mayor Burnett read the proclamation in its entirety and presented it to members of the Daughters of the American Revolution, which included Suzy Machamer, Vice Regent, Judy Walters, Regent, Sharon Skrimshire, Weida Liguori, Pauline Galloway and Lisette Anthony.

CITIZEN INPUT

Mayor Burnett asked for public input.

Bill Gilbert asked that Council consider Instant Runoff Voting. Mayor Burnett advised that staff would research and Council would get back with him.

CONSENT AGENDA

Minutes

July 18, 2011 Regular Meeting
July 26, 2011 Budget Workshop
August 9, 2011 Budget Workshop

Dumpster Supply Purchase

Consideration of approval to purchase replacement dumpsters for commercial accounts via piggybacking on the City of Largo's bid award to Iron Containers, LLC for an amount not-to-exceed the \$26,090 approved by Council in the FY2011/12 Budget.

Award of Bid – Mowing Services SD2011-16

Consideration of bid award to Benchmark of Central Florida, LLC for Utility Site Mowing and to Elixson Enterprises, LLC for right-of-way and Code Enforcement mowing.

Rural Development Funds

Consideration of authorization to reject loan funds allocated by the U.S. Department of Agriculture, Office of Rural Development, for the direct-read meter replacement.

REGULAR COUNCIL MEETING MINUTES – November 7, 2011

Brooksville Ancient Trail, LLC - Vacation of Lot

Consideration to not object to the vacation of Lot 17, Damac Modular Home Park by Hernando County Board of County Commissioners and authorize the Mayor to execute the Utility Easement Agreement.

Public Service Tax Closing Agreement

Consideration of City Council's approval of Public Service Tax Closing Agreement with Progress Energy of Florida, Inc.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Hohn for approval of Consent Agenda. Motion carried 4-0.

REGULAR AGENDA

Resolution No. 2011-13 Mecklenburg Memorial Highway

Consideration of approval of resolution supporting the designation of U.S. 41 from S.R. 50 to the Pasco County Line in memory of Deputy John C. Mecklenburg.

City Manager Jennene Norman-Vacha reviewed the resolution. Penny Mecklenburg addressed Council, thanking them for their support.

Motion:

Motion was made by Council Member Bernardini and seconded by Council Member Bradburn for approval of Resolution No. 2011-13.

City Clerk Peters read Resolution No. 2011-13 by title, as follows:

**A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA,
SUPPORTING THE DEDICATION OF U.S. 41 FROM S.R. 50 TO THE
PASCO COUNTY LINE AS THE "DEPUTY JOHN C. MECKLENBURG
MEMORIAL HIGHWAY"; AND PROVIDING AN EFFECTIVE DATE.**

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

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

Florida Blueberry Festival Site Plan Approval

Consideration of approval of the proposed site plan for the festival.

Festival Coordinator Michael Heard reviewed the proposed site plan, which was briefly discussed.

Motion:

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

Mayor Burnett adjourned the regular Council meeting and convened the Community Redevelopment Agency (CRA) Meeting at 7:25 p.m.

The regular Council meeting reconvened at 7:31 p.m.

REGULAR COUNCIL MEETING MINUTES – November 7, 2011

CITIZEN INPUT

Mayor Burnett asked for public input; there was none.

ITEMS BY COUNCIL

T. Jennene Norman-Vacha, City Manager

City Manager Norman-Vacha advised Attorney Battista is with the Hogan Law Firm and will be representing Council.

Lara Bradburn, Council Member

She advised the Hazardous Waste Notice that was mailed out was unreadable.

Kevin Hohn, Council Member

Council Member Hohn reviewed the Town Hall Meeting at Southern Hills last Thursday and thanked City Manager Norman-Vacha and the City Attorney for attending and helping clarify some things.

He reviewed an issue with his water bill. Staff will get with him.

Concerning red lights, he referenced the letter he recommended sending first time offenders. City Manager Norman-Vacha advised they are working on that and will bring back information.

Joe Bernardini, Council Member

Impact Fees

He advised he is opposed to the lowering or eliminating of impact fees being voted on tomorrow by the Hernando County Board of County Commissioners. Council Member Bradburn felt it would be prudent for the City to send another letter restating their opposition to lowering or eliminate them. Council Member Hohn was opposed as well.

Progress Energy Franchise

He asked if it is possible to end the franchise agreement with Progress Energy and go with Withlacoochee. City Manager Norman-Vacha advised it may be a legal issue but staff will look into it. Council Member Bradburn commented on the original agreement and felt the city should have a say on how they trim the trees.

Beautification Board Fundraiser

Council Member Bernardini advised the Beautification Board is again raising funds to update the Christmas decorations for the downtown area. He advised the Wal-Mart Distribution Center donated a 30" flat screen television to be given to the business that sells the most tickets to the wreath.

Frankie Burnett, Mayor

Board of County Commissioners Workshop

Mayor Burnett reminded Council that Mike McHugh sent an invitation to attend November 17th Board of County Commissioners Workshop on Economic Development.

Veteran's Parade

He also reminded all of the Veteran's Parade on Saturday beginning at 10:00 a.m.

REGULAR COUNCIL MEETING MINUTES – November 7, 2011

Thanksgiving

Mayor Burnett advised the requests for help this year have increased from last year. He encouraged all to help if they can.

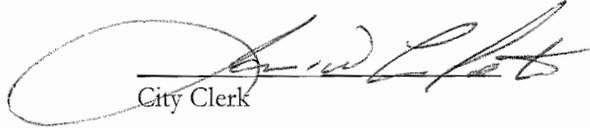
Brooksville Housing Authority

He shared that the Brooksville Housing Authority, as of November 1st, is no longer in the troubled status. Council Member Bernardini recommended the Mayor send a letter of thanks to the board members.

He thanked the City Manager and staff for the wonderful job they do.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 7:55 p.m.



City Clerk

Attest: _____
Mayor

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

November 21, 2011

7:00 P.M.

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

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

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Recognition of Community Volunteer Organizations

Mayor Burnett and Council presented Certificates of Recognition to the following organizations:

African American Club	Black Education Caucus
Fredrick Kelly Elks Lodge	Hernando High School Football Boosters
Hernando Youth League	Historic Hernando Preservation Society
Junior Service League	Kiwanis of Brookville
Kiwanis of Brooksville Ridge	Kiwanis of Spring Hill (Not Present)
Love Your Neighbor	Rotary of Brooksville

Junior Service League Presentation

Check presentation in the amount of \$10,000 for construction of a new Tom Varn Park Americans with Disabilities Act (ADA) playground.

Junior Service League President Mary Latin and Vice President Angie Woodruff, in partnership with the Hernando County Builders Association, who will provide the workers, presented Council with a check for \$10,000 to aid in construction of a new Tom Varn Park playground, which will be compliant with the Americans with Disabilities Act.

CITIZEN INPUT

Mayor Burnett asked for public input; there was none.

CONSENT AGENDA

Surplus Equipment – Brooksville Emergency Response Team (B.E.R.T)

Consideration to surplus and auction equipment no longer being utilized following the elimination of B.E.R.T.

Council Member Bernardini asked about the surplus items. City Manager Norman-Vacha and Chief Turner reviewed.

REGULAR COUNCIL MEETING MINUTES – NOVEMBER 21, 2011

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Hohn for approval of Consent Agenda. Motion carried 4-1, with Council Member Bernardini voting in opposition.

REGULAR AGENDA

Brooksville Housing Authority Hearing

Hearing to discuss consideration of removal of Brooksville Housing Authority Board Member.

Ms. Colondres was not present for the hearing. Mayor Burnett recommended removal of Brenda Colondres from the Brooksville Housing Authority Board; Council concurred.

Motion:

Motion was made by Council Member Bradburn and seconded by Vice Mayor Johnston for concurrence of the Mayor's recommendation for removal of Brenda Colondres from the Brooksville Housing Authority. Motion carried 5-0.

Coastal Engineering Associates, Inc., Professional Consultant Services Agreement-Exhibit G – Task Orders for Southern Hills Plantation Subdivision Project Improvements

Consideration of project prioritization and Professional Consultant Services Agreement Exhibit G – Task Orders 1, 2 and 3.

Director of Community Development Geiger reviewed the agreement, task orders and costs as referenced in the staff report. He requested approval for City Council to accept the project prioritization as presented within this report and approve the Professional Consultant Services Agreement Exhibit G Task Orders 1 and 2. This would authorize the City to work with the Engineer to proceed with work outlined in said Task Orders, including preparing the construction bid documents for Phases 3A-1 and 3 and Southern Hills Boulevard repair.

Vice Mayor Johnston pointed out that the letter from the Homeowners Association felt Task Order 3 to be priority and asked why staff has rated it low priority. Director Geiger explained the Homeowners Association owned the roads in 2006 and had the option to obtain a maintenance bond at the time, but they chose not to and there is no bond obligation for it. Maintenance issues are being funded with the bond proceeds that were received from Southern Hills. No bond fund proceeds were allocated to Phase 2 in the settlement.

Council Member Hohn asked for an explanation of the 6,800 linear feet of sidewalk. Cliff Manual, President of Coastal Engineering explained it includes common area sidewalks as required by City Code. He advised they can be separated in the bid documents.

Council Member Bradburn agreed that sidewalks should be separate in bid documents and she would also like to have the total linear footage of sidewalks in the common areas re-examined. She agreed that construction of Southern Hills Boulevard is priority and suggested re-bidding if the costs come in higher than the estimates.

Mayor Burnett pointed out City Council, as the developer, will add or delete parts of sidewalks from the bids according to City Code.

Council Member Bernardini asked about the total bond settlement amount and questioned why the Homeowners Association was not covered under a maintenance bond for the work that was done. There was a problem with the roadway pavement cracking in 2007 and there should be a guarantee that it will last more than a year. He assumed the funds were for new infrastructure not for repairs.

REGULAR COUNCIL MEETING MINUTES – NOVEMBER 21, 2011

Director Geiger reviewed that the road was turned over to the Homeowners Association in 2006 but he was not certain of the completion date. The developer saw issues with the private road at the time and withheld 10% of funding to the contractor to address maintenance issues. They also had the opportunity to accept a maintenance bond on infrastructure other than water and sewer.

Mr. Manual explained there was \$600,000 in retainage still to be paid to the contractor when Coastal Engineering reports showed maintenance issues. HRD was the contractor working with Specialized Services who held them accountable for building the roads poorly. In order to save money for the roadway, it was decided in bidding the project that no performance or maintenance bond would be issued. Parts of Phase 1 were fixed by Specialized Services but Phase 2 was never addressed, then both companies went bankrupt.

City Attorney Rey reviewed the Phase 1 bond was only partially released and had a sufficient amount of funds left to cover the repair issues associated with Southern Hills Boulevard. The City took title to the entry road of Southern Hills Boulevard but did not agree to release the full value of the bond so that when there was a bond in place it would cover the completion or repair to Southern Hills Boulevard. The underlying problem was the landscaping irrigation water issue that has been resolved and completion of the road repair still is yet to be done. She pointed out that is a distinctly different issue than Phase 2 roads. The bond for Southern Hills Boulevard was one of the items in the litigation that was resolved by the settlement of approximately \$6,000,000, but regardless of the actual value of the bond, the City is only entitled to collect the cost to complete the repairs from the full face value.

Director Geiger indicated \$6,000,000 is more than what it would take to fix and do the repair work necessary today.

City Attorney Rey stated there are three (3) subdivision related components in the settlement; a bond in place for Phase 3 and 3A-1 to secure improvements to support final plat approval and Phase 1 bond was not released in its full value but reduced to \$6,000,000 to cover the Southern Hills Boulevard entry road that the City took title to. The other bond was to cover the one year maintenance period for water and sewer issues which had expired prior to the City filing suit.

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Bradburn for approval of the project prioritization as presented within the report and approval of the Professional Consultant Services Agreement Exhibit G - Task Orders 1 and 2, authorizing the City to work with the Engineer to proceed with the work outlined in said Task Orders, including preparing the construction bid documents for Phases 3A-1 and 3 and Southern Hills Boulevard repair, and putting the referenced projects out to bid; removal of sidewalks to separate line items to be bid separately; and the release of the engineer of record from Task Order #3 (Phase 2) to work with another entity to accomplish. Motion carried 5-0.

At the request of Mayor Burnett, Director Geiger explained to the home owners present that what City Council just approved was for the City to proceed in working with an engineer to put bid documents together for Phases 3A-1 and Phase 3 and Southern Hills Boulevard to move to the point where the project can be bid and brought back to City Council for subsequent approval. Any funds leftover can be put back towards Phase 2, which would be an action that City Council would take at a later time.

REGULAR COUNCIL MEETING MINUTES – NOVEMBER 21, 2011

Resolution No. 2011-14 to Florida Department of Transportation (FDOT) – Florida Blueberry Festival

Consideration of approval of resolution supporting the Florida Blueberry Festival and closing of SR50/Jefferson Street and US41/Broad Street, with authorization for Police Chief and Mayor to sign FDOT permit application.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Bernardini for approval of Resolution No. 2011-14.

City Clerk Peters read Resolution No. 2011-14 by title, as follows:

**RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA
SUPPORTING A REQUEST TO CLOSE JEFFERSON STREET
AND BROAD STREET BETWEEN MAIN STREET AND BELL
AVENUE IN DOWNTOWN BROOKSVILLE ON MAY 4 – 6, 2012;
PROVIDING FOR SEVERABILITY, CONFLICTS AND AN
EFFECTIVE DATE.**

Vice Mayor Johnston asked about the closing of the downtown during working hours on Friday. City Manager Norman-Vacha stated she would get clarification on the street closing and get back to Council on December 5, 2011.

Motion was withdrawn with the item being tabled for clarification.

Annual Holiday and Meeting Schedule

Review and consideration of proposed meeting and holiday schedule for 2012, including tentative budget workshops and public hearing dates, pursuant to City Code and Policy.

Motion:

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

Withlacoochee Regional Planning Council (WRPC) Board

Consideration of Council appointment to the WRPC Board for a term beginning December 8, 2011 through December 12, 2012.

Motion:

Motion was made by Council Member Bradburn and seconded by Council Member Hohn for approval of the reappointment of Vice Mayor Johnston to the board. Motion carried 5-0.

CITIZEN INPUT

Mayor Burnett asked for public input.

Margaret Bloomquist of 4475 Hickory Oak Drive thanked the Mayor and Council for their vote on the Southern Hills Plantation Project Phase II. She gave Council pictures of the condition of the roads.

REGULAR COUNCIL MEETING MINUTES – NOVEMBER 21, 2011

ITEMS BY COUNCIL

Robert “Butch” Battista, City Attorney

ATS Contract

Attorney Battista reviewed the contract. He recently received a letter from their attorney requesting mediation for breach of contract. After brief discussion, Council concurred.

Jennene Norman-Vacha, City Manager

Holiday Wishes

City Manager Norman-Vacha wished all a Happy Thanksgiving.

Lara Bradburn, Council Member

Holiday Wishes and City Attorney Commendation

Council Member Bradburn wished all a Happy Thanksgiving and expressed appreciation for the work City Attorney Rey has provided to Council.

Kevin Hohn, Council Member

City Attorney Commendation

Council Member Hohn reiterated appreciation for City Attorney Rey’s work.

Florida League of Cities Conference

He attended the conference in Orlando and stated the Surety Bond Issue was addressed. He commended Council Member Bradburn for her presentation of the issue to the League.

Staff Commendation and Holiday Wishes

He thanked staff for all their hard work and wished all a Happy Thanksgiving.

Holiday Gift Certificates

He asked for a list of businesses providing holiday gift certificates. Council Member Bernardini indicated there will be a list provided and it will be posted on the City’s website. City Manager Norman-Vacha will follow up with staff tomorrow and forward the information to City Council.

Joe Bernardini, Council Member

City Attorney Commendation

Council Member Bernardini thanked City Attorney Rey for her service to the City.

Joe Johnston, Vice Mayor

City Attorney Commendation

Vice Mayor Johnston thanked City Attorney Rey for her service as well.

Countdown Timers

He indicated to Public Works Director Radacky that the countdown timers on Broad and Jefferson Streets are still not installed.

Traffic Light Signals

He pointed out the traffic signal at the intersection of the Winn-Dixie Plaza and SR41; left turn green into Dunkin’ Donuts needs to be fixed.

REGULAR COUNCIL MEETING MINUTES – NOVEMBER 21, 2011

Frankie Burnett, Mayor

City Attorney Commendation

Mayor Burnett expressed appreciation to City Attorney Rey as well.

Holiday Wishes

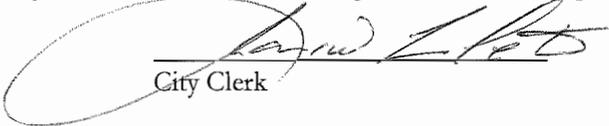
He reminded all of the Thanksgiving Holiday and asked all to research the inception of the holiday.

Staff Commendation

He thanked the City Manager for her dedication and staff for their support and hard work.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 8:33 p.m.



City Clerk

Attest: _____
Mayor



**CONSENT AGENDA ITEM
MEMORANDUM**

To: Honorable Mayor and City Council Members

Via: T. Jennene Norman-Vacha, City Manager

From: Mike Walker, Director of Parks, Recreation & Facilities
Richard Radacky, Director of Public Works

Subject: Uniform Contract

Date: April 20, 2012

GENERAL SUMMARY: The City of Brooksville is currently piggy-backing on Hernando County's bid for uniforms through Unifirst Corporation, which was not due to expire until January, 2013. However, in researching possible cost reductions, Hernando County's Purchasing and Contracts department revealed a term contract awarded by the National Joint Powers Alliance (NJPA) to Unifirst Corporation which contained items on our current contract priced below the contracted costs.

The County confirmed pricing with the vendor who agreed to renew the current term contract pricing at the current price for those items that provide the lowest cost between the two contracts for an additional year and to piggy-back the NJPA contract prices for the remaining items that are priced at lower costs. The NJPA contract was nationally advertised, competitively bid and awarded.

In accordance with piggy-backing requirements, attached are approvals from Unifirst and NJPA. Hernando County Board of County Commissioners' contract provides that other municipalities may piggy-back off their bid documents.

At their March 27, 2012 meeting, the Board of County Commissioners approved renewal of the current contract with Unifirst Corporation and the piggy-back of the NJPA contract. Renewing the piggy-back with the County's bid and approval of the piggy-back with NJPA will also result in savings to the City.

Following the Rules of Procurement listed in F.S. Chapter 287.056 staff requests authorization to continue the piggy-back on Hernando County's renewed contract with Unifirst Corporation of Ocala, Florida, adding NJPA for the remaining items not furnished by Unifirst Corporation. This would cover the city for uniform services until January 27, 2013.

BUDGET IMPACT: Monies are departmentally budgeted within the fiscal year for uniform costs.

LEGAL IMPACT: The City Council has Home Rule Authority (Art. VIII,2(b), Fla. Const./Section 166.011, F.S.) to consider matters of fiscal and intergovernmental benefit. Pursuant to Section 5.04 of the City Charter, competitive bidding is required except to the extent that Council authorizes otherwise by Ordinance.

Pursuant to Section 2-304(a)(1)and(2) of the Code of Ordinances, the amount of expenditure for which the city may obligate itself without competitive bidding by the city is increased provided: (1) The City Manager recommends to the City Council that a specific purchase be made by “piggy-backing” on an award by another governmental entity’s competitive bidding process; and the other governmental entity’s competitive bidding process provides substantially equivalent procedural guarantees of fairness and competitiveness to those of the city.

STAFF RECOMMENDATION: Authorize staff to continue the piggy-back off Hernando County’s bid with Unifirst Corporation and begin piggy-back on their award to NJPA with authorization for the Mayor to execute any necessary agreement/documentation following review by the City Attorney.

Attachments: 1. Board of County Commissioners Award Letter
2. Unifirst Piggy-back Consent Form
3. NJPA Certificate of Membership

Attachment 1

Board of County Commissioners Letter of Award

Dated 03/03/12

Board of County Commissioners

Hernando County



Purchasing and Contracts

20 N. Main Street, Room 365
Brooksville, FL 34601
(352) 754-4020
Fax: 754-4199
www.co.hernando.fl.us/pur

April 3, 2012

Unifirst, Inc.
6010 East Adamo Dr.
Tampa, FL 33619

RE: HERNANDO COUNTY CONTRACT AWARD: #12-T087 FOR UNIFORM LEASING

Dear Mr. DiRuggiero:

Please be advised that on March 27, 2012 the Hernando County Board of County Commissioners approved the renewal of Contract 8-021 and award (piggy-back) of NJPA Contract #12-P059. These two contracts combined have been re-numbered 12-T087 as above referenced to your firm. The renewal as approved is effective through January 27, 2013.

Sincerely,

J. Matt Perry, Purchasing Agent

JMP

cc: Finance
Clerk of the Court
Contract File #12-T087

Attachment 2

Unifirst Piggy-back Consent Form

City of Brooksville



352.540.3810 Phone
352.544.5424 Fax

5/1/2012

Piggy Back Consent form
Hernando County's Uniform Leasing and Cleaning Services
Contract #12-T087 effective through January 27, 2013

I confirm by the signing of this form that UniFirst Corporation will provide the City of Brooksville, Florida, all applicable services and products according to the same terms and conditions as outlined and included in Hernando County's Uniform Leasing and Cleaning Services Contract #12-T087.

A handwritten signature in black ink, appearing to be 'Russ Wetherington', written over a horizontal line.

Signature of Authorized Representative

cc: Russ Wetherington, Chief Procurement Officer,
Purchasing and Contracts Department, Hernando County
T. Jennene Norman-Vacha, City Manager
Richard Radacky, Public Works Director
Mike Walker, Parks, Facilities & Recreation Director

Attachment 3

NJPA Certificate of Membership



Official

CERTIFICATE OF MEMBERSHIP

City of Brooksville, FL
Member # 27,055

This certificate entitles the entity named above the opportunity to purchasing off of national competitively bid contracts. The entity will:

- ✓ Save time by using pre-bid contracts.
- ✓ Save money by leveraged volume pricing.
- ✓ Obtain quality products from nationally acclaimed vendors.

Duff Erholtz

Duff Erholtz, National Sales Manager

Creating an Alliance Between Buyers and Suppliers



CONSENT AGENDA ITEM MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: RICHARD RADACKY, PUBLIC WORKS DIRECTOR
MIKE WALKER, PARKS, RECREATION & FACILITIES DIRECTOR

SUBJECT: ENERGY SYSTEMS GROUP – CHANGE ORDERS 2 - 5

DATE: APRIL 30, 2012

GENERAL SUMMARY/BACKGROUND: On April 18, 2011, during Regular Session, the City Council approved contract with Energy Systems Group (ESG) for project work in the amount of \$3,333,022 and inclusive of the following:

- ✓ Replace City Hall HVAC
- ✓ Replace City Hall Roof
- ✓ Replace Public Works HVAC
- ✓ Installation of new Public Works Warehouse Lighting
- ✓ Installation of new GNT & TVP Walking Trail Lighting
- ✓ Automated/Radio Read Water Meters Replacement and Retrofits.

On August 1, 2011, City Council approved Change Order 1 to the contract, allowing for a reduction of overall project costs. The total reduction to the Energy Systems Group contract was \$1,094,876 and providing authorization for direct, City purchase of the equipment for City Hall and Public Works HVAC systems and the automated/radio read meters. With the direct purchase of the equipment, the City was able to realize a savings or reduction in the amount of \$168,194 for the project.

As the project has continued to move ahead, ESG has worked with staff to continue to find savings for the project and recommend/make adjustments necessary for unforeseen project obstacles.

We are requesting approval for Change Orders numbered 2 through 5, resulting in an additional reduction in the project of \$73,144. The Change Orders are as follows:

- #2. This Change Order is a reduction in the amount of \$134,999 due to project scope adjustments and fund balance interface within the Automated/Radio Read Meters portion of the project. Detailed information provided as Attachment 1.

- #3. This Change Order is an increase in the contract amount of \$8,251 for asbestos survey for City Hall and Public Works; with removal of asbestos at the Public Works facility. This work was not envisioned within the original contract, but became necessary as the project ensued. Detailed information provided as Attachment 2.
- #4. This Change Order is an increase in the contract amount of \$11,097 due to a relocation of the concrete pad for the HVAC units. The relocation resulted in additional lengths of refrigeration and electrical material. Relocation became necessary due to the City's actual property line in comparison to planned location of original drawings. Detailed information provided as Attachment 3.
- #5. This Change Order is an increase in the contract amount of \$42,507 due to network cabling replacement for City Hall and the Public Works facility. This work was not envisioned within the original contract, but became necessary as the project ensued. This Change Order provides for replacement of network cabling that improves cabling organization and structure with upgraded network capabilities. It also provides for the removal of previous network cabling of lesser quality, difficult to track/trace due to lack of labeling, abandonment and disorganization. Detailed information provided as Attachment 4.

BUDGET IMPACT: Approvals in Change Orders 2 – 5 will allow the City to reduce the overall project costs for our energy savings capital expenditures project. The total reduction, as a result of Change Orders 2 – 5, will be \$73,144. Coupled with the prior approved Change Order (#1), we will realize a total savings in the project of \$241,338.

In addition, staff is requesting an FY 11/12 Budget amendment in our Fund 312 (Capital Improvement Loan Fund No.312 Capital Projects Fund) for \$32,400. During the FY 11/12 Budget process, we had to estimate the energy projects capital expenditures between the two fiscal years. The energy savings projects were split between our General Fund and Water & Sewer and Solid Waste. The Change Order savings were primarily with the water meter project and the Change Order increases primarily dealt with City Hall. Therefore, our FY 11/12 Budget in Fund 312 (General Fund portion of the projects) has to be adjusted. See Budget Amendment attached as Attachment 5.

LEGAL REVIEW: The City is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes to consider matters of fiscal and intergovernmental benefit. Section 11.3 of the contract with ESG provides that all modifications, additions or replacements of the Conservation Measures or revisions to operating or other procedures shall be made by written amendment to the contract.

STAFF RECOMMENDATION: Staff recommends that the City Council approve Change Orders 2 – 5 as presented herein for a reduction of the Energy Systems Agreement with the Energy Systems Group in the amount of \$73,144 and authorize the Mayor to execute Change Orders 2 – 5 on behalf of the Council. In addition, staff recommends approval of FY 11/12 Budget Amendment as attached.

Attachment 5

Attachment 1

CHANGE ORDER #2

REVISED AMR BREAKDOWN

Description	Quantity	Labor Unit	Material	Total Unit Price	Extended	Delta
Meter Testing	1	\$25,000.00	\$0.00	\$25,000.00	\$25,000	\$25,000.00
Billing Interface	1	\$17,500.00	\$0.00	\$17,500.00	\$17,500	\$0.00
Material Handling		\$20,000.00	\$0.00	\$20,000.00	\$0	\$20,000.00
Cut Lids	1,200	\$20.00	\$0.00	\$20.00	\$24,000	\$12,000.00
5/8" x 3/4" Meter Change unknown- 2006	3,490	\$59.00	\$180.85	\$239.85	\$837,077	\$0.00
5/8 x 3/4" Retrofit (City Staff to Complete 373 of 875)	502	\$55.00	\$159.50	\$214.50	\$167,173	\$20,515.00
1" Meter Change	43	\$64.00	\$215.00	\$279.00	\$11,997	\$0.00
1" Retrofit	91	\$55.00	\$159.50	\$214.50	\$19,520	\$0.00
1.5 Meter Change	43	\$91.00	\$312.00	\$403.00	\$17,329	\$0.00
1.5 Retrofit	10	\$55.00	\$159.50	\$214.50	\$2,145	\$0.00
2" Meter Change	45	\$110.00	\$411.50	\$521.50	\$23,468	\$0.00
2" Retrofit	14	\$55.00	\$159.50	\$214.50	\$3,003	\$0.00
3" Compound Meter Change	6	\$500.00	\$1,563.70	\$2,063.70	\$12,382	\$0.00
3" Compound Retrofit	3	\$91.00	\$319.00	\$410.00	\$1,230	\$0.00
4" Compound Meter Change	2	\$1,210.00	\$2,096.88	\$3,306.88	\$6,614	\$0.00
6" Compound Meter Install	5	\$1,500.00	\$6,875.95	\$8,375.95	\$41,880	\$0.00
6" Compound Retrofit	2	\$91.00	\$319.00	\$410.00	\$820	\$0.00
8" Compound Retrofit	2	\$100.00	\$319.00	\$419.00	\$838	\$0.00
Thru Lid Antenna	1,200	\$0.00	\$39.50	\$39.50	\$47,400	\$21,600.00
Neptune, MRX920 Version II Mobile Data Collector	1	\$0.00	\$9,975.00	\$9,975.00	\$9,975	\$0.00
Neptune, MRX920 On - Site Implementation & Training	1	\$800.00	\$2,000.00	\$2,800.00	\$2,800	\$0.00
Subcontractor Bond	1	\$8,778.00	\$0.00	\$8,778.00	\$8,778	\$0.00
Subtotal					\$1,280,927	\$99,115.00
Contingency (Moved to HVAC Project)	0.0%				\$0	\$0.00
Subtotal					\$1,280,927	\$168,117.09
Overhead	15.0%				\$192,139	\$25,217.56
Subtotal					\$1,473,066	\$193,334.65
Profit	5.0%				\$73,653	\$9,666.73
Total					\$1,546,719	\$203,001.38
DPO Reduction					(\$939,814)	\$0.00
New Contract Value					\$606,905	\$203,001.38
C.O. #2						\$69,002.00 Cont. Move
						\$133,999.38

Attachment 2

CHANGE ORDER #3

CHANGE ORDER FORM

City of Brooksville Project

Change Order # **3**

Description of Change Provide Asbestos survey for the City Hall and DPW buildings prior to work commencing. Survey showed asbestos was present in the DPW that was removed before construction proceeded.

Subcontractor/Vendors

1	Apollo Environmental	\$2,075.75
2	Lang Environmental	\$4,800.00

SUBTOTAL	<u>\$6,875.75</u>
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Overhead @ 15%	\$1,031.36
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Profit @ 5%	\$343.79
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TOTAL	\$8,250.90
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Change Order # 3

Apollo Environmental

APOLLO ENVIRONMENTAL, INC.

P. O. Box 239
Gibsonton, FL 33534

e-mail: info@apolloenv.com
Tel: (813) 671-3999
Fax: (813) 677-3422

Tel.: (727) 533-0704 x2208
Fax: (812) 492-8408

October 28, 2011

Mr. Jim Carone
Energy Systems Group
17757 US Highway 19 North
Clearwater, Florida 33764-6592

RE: Limited NESHAP Renovation Asbestos Survey at the City Hall and Department of Public Works Buildings in Brookessville, FL

Dear Mr. Carone:

Apollo Environmental, Inc. (Apollo) proposes to provide a Limited, NESHAP, Renovation, Asbestos Survey at the Brookessville City Hall and Department of Public Works Buildings located at 201 Howell Avenue and 600 South Brookessville Avenue, respectively, in Brookessville, Florida. The survey will be limited to the HVAC systems, and drop ceiling panels, in both the three, and one, story buildings. Apollo will provide a certified Asbestos Surveyor to conduct the On-site Inspection and Sample Collection. Sample Analysis will be performed by Apollo's NVLAP Accredited Lab. The Final Report will detail the findings of the survey, the results of the lab analysis and the recommended response actions. Apollo will perform this work on a time and material basis, as detailed below, with a **Not to Exceed Price of \$2,500.00**:

Asbestos Survey and Sample Collection: (includes travel and time on site)	\$70.00 per hour
Sample Analysis:	\$15.00 per sample
Final Report: (includes draft, final report, LAC Review and administrative processing)	\$70.00 per hour
Mileage	\$0.45 per mile
TOTAL - NOT TO EXCEED :	\$2,500.00

Apollo will schedule the on-site inspection with Notice to Proceed, and issue the final report within 10 work days of site inspection. This quote is valid for 90 days. If this proposal meets with your approval, please sign the Notice to Proceed below and fax back to Apollo. Thank you for this opportunity to provide a proposal for this project.

Respectfully submitted,

Frank Recupero

Frank Recupero
Project Manager

Notice to Proceed:

Digitally signed by
jcarone@energysystemsgroup.com
DN: cn=jcarone@energysystemsgroup.com,
o=Energy Systems Group, ou=Energy Systems Group, email=jcarone@energysystemsgroup.com,
c=US

Client's Signature

Apollo Environmental Inc

P O Box 239
Gibsonton, FL 33534-0239

Invoice

Date	Invoice #
11/16/2011	5401

Bill To
Energy Systems Group Attn: Mr. Jim Carone 17757 U.S. Highway 19 North, Suite 210 Clearwater, FL 33764-6592

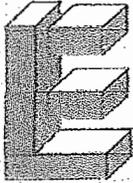
P.O. No.	Terms	Project
020-02865	Net 30	

Quantity	Description	Rate	Amount
	AD-29985 and AD-29986 Limited NESHAP Renovation Asbestos Survey Department of Public Works 600 S. Brookesville Avenue Brookesville, Florida Limited NESHAP Renovation Asbestos Survey City Hall 201 Howell Avenue Brookesville, Florida		
20	ASBESTOS TECHNICIAN - On Site November 1, 2011 Includes On Site Technician Time, Sample Collection, Write-Up, Travel, Two Copies of Final Report and Reviewed by a Florida Licensed Asbestos Consultant	70.00	1,400.00
41	BULK SAMPLE ANALYSIS	15.00	615.00
135	Round Trip Mileage	0.45	60.75
Thank you for your business.		Total	\$2,075.75

Phone #	Fax #
813-671-3999	813-677-3422

Change Order # 3

Lang Environmental



Lang Environmental, Inc.

November 29, 2011

Mr. Jim Carone
ESG Energy Systems Group
17757 U.S. Highway 19 North, Suite 210
Clearwater, Florida 33764
Via E-Mail: Jcarone@energysystemsgroup.com

Subject: Asbestos Abatement Services
City of Brooksville – Public Works Complex
600 South Brooksville Road, Brooksville, Florida
LE Proposal No. 11-AAA

Dear Mr. Carone:

Pursuant to your request, Lang Environmental, Inc. (LE) is pleased to submit this proposal to provide professional asbestos services for the above-referenced project. All work will be performed in accordance with the EPA, OSHA, State of Florida DEP, and all local County Air Quality Division regulations and ordinances. The quantities and scope of work for this proposal is based upon past project work performed by Lang Environmental at the subject site. The following section contains a detailed description of the scope of work and associated costs related to the above-mentioned project.

Scope of Work:

1. Submit an EPA Courtesy "Notice of Asbestos Removal Project" form and corresponding fee to the local County Air Quality Division office.
2. Provide a copy of all applicable "Pre-Job" submittals including, but not limited to the following; copies of LE's State of Florida Asbestos Abatement Contractor license, insurance certificates, EPA AHERA Asbestos Supervisor and Worker training certifications, and copies of OSHA-required medical surveillance/personnel clearances, respirator training, and fit testing documentation.
3. Supply and install temporary protections consisting of 6-mil polyethylene sheeting sealed with tape over the floors of the existing interior balconies, as applicable.
4. Supply and install OSHA "Asbestos Danger Signs" and Barrier Tape around the perimeter of the exterior asbestos abatement work area.
5. Supply HEPA-filtered vacuums and airless sprayers to constantly vacuum and mist the air and wet the asbestos-containing materials, respectively throughout the removal and packaging activities to control the release of fugitive airborne asbestos dust.
6. Remove and dispose of approximately 300square feet of Category 1 nonfriable asbestos-containing Duct Mastic Insulation located in the Roof Deck or Attic Area.

Environmental Remediation

- Asbestos Removal
- Lead Paint Abatement
- Indoor Environmental Quality
- Mold/Mildew/Fungus
- Environmental Demolition
- HAZMAT Clean up

General Contracting

- Health Care Construction
- Commercial Construction
- Tenant Build Out

Tampa

6418 Badger Drive.
Tampa, Florida 33610-2004
(813) 622-8311
Fax (813) 623-6012

Jacksonville

1188 Bert Road, Suite 6
Jacksonville, Florida 32211
(904) 726-9170
Fax (904) 726-9168

WWW.L-E.CC

Scope of Work:

7. Perform personal exposure monitoring of a minimum of 25% of the designated workforce for compliance with OSHA 29 CFR 1926.1101.
8. All asbestos-containing waste and debris will be transported to a State of Florida licensed "Asbestos Landfill" facility.
9. Provide a copy of all applicable "Post-Job" submittals including, but not limited to the following; copies of LEI's Daily Work logs, Exposure Logs, OSHA personal air monitoring results, and a copy of the applicable asbestos/lead waste manifest/waste shipment receipt forms (WSRs).

Work by Others:

1. Provide temporary use of restrooms, water and electric service during the entirety of all ACM abatement operations.
2. Security during non-working hours and/or installation of perimeter fencing of the work areas.
3. General Contractor to supply all required access to effectively and expeditiously complete the removal of asbestos removal.

Safety & Quality Control Program:

1. Lang Environmental has an active safety program with a dedicated safety manager who will monitor the project and conduct weekly safety meetings, as appropriate.
2. Lang Environmental has instituted a "Drug Free Work Place" Program, in accordance with State of Florida requirements.
3. Personnel air monitoring analysis will be performed by an independent testing laboratory. Lang Environmental will bear the cost of this program.
4. All personnel working on this project will have pre-employment physicals, and have the medical examinations available for your review, in accordance with OSHA requirements.
5. The supervisor for this project will have completed the one week "Asbestos Abatement Project Management and Supervision." This is in accordance with State of Florida legislation. The supervisor for the project will also have the OSHA 10 Hour Certification.
6. All personnel working on this project will have completed a training program covering the key aspects of asbestos and safe removal.
7. All personnel shall complete a respirator training program as part of their overall training. All personnel shall wear disposable protective coveralls for removal and disposal operations, and shall wear the appropriate respirator for removal.
8. All personnel will complete a certificate of worker's release form, outlining his understanding of the risks associated with asbestos removal.

*Asbestos Abatement
City of Brooksville - Public Works
Brooksville, Florida
Page 3*

Insurance:

Lang Environmental will supply a \$1 million general liability, automobile, workers compensation, and asbestos abatement occurrence policy for liability and pollution insurance as well as an additional \$5 million umbrella liability policy.

Licensing:

Lang Environmental has met all of the requirements for licensing as an asbestos and lead abatement contractor. We were one of the first companies licensed by the State of Florida as an Asbestos Contractor (CJ CO46268).

Estimated Costs:

Lang Environmental will supply all transportation, labor, materials, equipment, insurance, and disposal required to complete the above-mentioned scope of work for a total of \$2,400.

Lang Environmental appreciates the opportunity to submit this proposal to Energy Systems Group and we look forward in advance to working with you on this project. Should you have any questions, please do not hesitate to contact us at (813) 622-8311.

Sincerely,
Ronnell W. Wilson
Ronnell W. Wilson
Project Manager

Accepted By & Dated:



Florida Department of
Environmental Protection
Division of Air Resource Management

DEP Form 62-257.00(1)
Effective 10-12-08
Page 1 of 2

NOTICE OF DEMOLITION OR ASBESTOS RENOVATION

TYPE OF NOTICE (CHECK ONE ONLY): ORIGINAL REVISED CANCELLATION COURTESY
 TYPE OF PROJECT (CHECK ONE ONLY): DEMOLITION RENOVATION
 IF DEMOLITION, IS IT AN ORDERED DEMOLITION? YES NO
 IF RENOVATION:
 IS IT AN EMERGENCY RENOVATION OPERATION? YES NO
 IS IT A PLANNED RENOVATION OPERATION? YES NO

Lang Project #11-AAA-070

I. Facility Name Public Works Complex
 Address 600 South Brooksville Avenue
 City Brooksville State FL Zip 34601 County Hernando
 Site Attic Consultant Inspecting Site _____
 Building Size _____ (Square Feet) # of Floors _____ Building Age in Years _____
 Prior Use: School/College/University Residence Small Business Other State / Municipalities
 Present Use: School/College/University Residence Small Business Other State / Municipalities
 II. Facility Owner City of Brooksville Phone (352) 544-5465
 Address 600 So. Brooksville Avenue
 City Brooksville State FL Zip 34601
 III. Contractor's Name Lang Environmental, Inc. Phone (813) 622-8311
 Address 6418 Badger Drive
 City Tampa State Florida Zip 33610

Is the contractor exempt from licensure under section 469.002(4), F.S.? YES NO
 IV. Scheduled Dates: (Notice must be postmarked 10 working days before the project start date)
 Asbestos Removal (mm/dd/yy) Start: 11/28/11 Finish: 11/29/11 Demo/Renovation (mm/dd/yy) Start: _____ Finish: _____
 V. Description of planned demolition or renovation work to be performed and methods to be employed, including demolition or renovation techniques to be used and description of affected facility components. Remove asbestos by wet method mastic on duct insulation.

Procedures to be Used (Check All That Apply):

<input checked="" type="checkbox"/> Strip and Removal	<input type="checkbox"/> Glove Bag	<input type="checkbox"/> Bulldozer	<input type="checkbox"/> Wrecking Ball
<input checked="" type="checkbox"/> Wet Method	<input type="checkbox"/> Dry Method	<input type="checkbox"/> Explode	<input type="checkbox"/> Burn Down
OTHER: _____			

VI. Procedures for Unexpected RACM: Will use applicable State & Federal guidelines in accordance with Lang Environmental procedures.
 VII. Asbestos Waste Transporter: Name JVS Contracting, Inc. Phone (813) 514-8229
 Address 1608 No. 43rd Street
 City Tampa State Florida Zip 33605
 VIII. Waste Disposal Site: Name Angelo's Recycled Materials Class _____
 Address 41111 Enterprise Road
 City Dade City State Florida Zip 33525
 IX. RACM or ACM: Procedure, including analytical methods, employed to detect the presence of RACM and Category I and II nonfriable ACM.
N/A

Amount of RACM or ACM*
 _____ square feet surfacing material
 _____ linear feet pipe
 _____ cubic feet of RACM off facility components
440 300 square feet cementitious material
 _____ square feet resilient flooring
 _____ square feet asphalt roofing

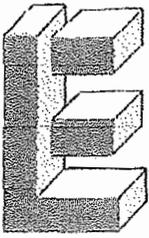
X. Fee Invoice Will Be Sent to Address in Block Below: (Print or Type)

Lang Environmental, Inc.
6418 Badger Drive
Tampa, FL 33610

*Identify and describe surfacing material and other materials as applicable: 300 SF of Non-Friable Asbestos Mastic on Duct Insulation.

I certify that the above information is correct and that an individual trained in the provisions of this regulation (40 CFR Part 61, Subpart M) will be on-site during the demolition or renovation and evidence that the required training has been accomplished by this person will be available for inspection during normal business hours.
Ronnell Wilson - Project Manager 11/22/11
 (Print Name of Owner/Operator) (Date)
 _____ 11/22/11
 (Signature of Owner/Operator) (Date)

DEP USE ONLY Postmark/Date Received ID#



Lang Environmental, Inc.

December 2, 2011

Environmental Remediation

- Asbestos Removal
- Lead Paint Abatement
- Indoor Environmental Quality
- Mold/Mildew/Fungus
- Environmental Demolition
- HAZMAT Clean Up

General Contracting

- Health Care Construction
- Commercial Construction
- Tenant Build-Outs

Energy Systems Group
 4655 Rosebud Lane
 Newburgh, IN 47630

RE: ASBESTOS ABATEMENT - City of Brooksville - Pubic Works Complex Attic
SUBCONTRACT NO. #020-02872
ESG JOB NO.: 0200692.11.C00.00.00.00

INVOICE

In accordance with our contract, the following monies are now due and payable for work performed on the above referenced project.

DESCRIPTION		% COMPLETE	AMOUNT
Original Contract Amount	\$ 2,400.00	100%	\$ 2,400.00
Additional Asbestos	\$ 2,400.00	100%	\$ 2,400.00
Total Contract	\$ 4,800.00		
TOTAL AMOUNT COMPLETED TO DATE			\$ 4,800.00
LESS AMOUNT PREVIOUSLY INVOICED			\$ -
TOTAL AMOUNT DUE THIS INVOICE			\$ 4,800.00

Please advise should you have any questions on the above.

PLEASE REMIT PAYMENT TO:
LANG ENVIRONMENTAL, INC.
6418 BADGER DRIVE
TAMPA, FLORIDA 33610

Very truly yours,

Hilde B. Villalon
 Comptroller

Tampa
 6418 Badger Drive
 Tampa, Florida 33610
 (813) 622-8311
 Fax (813) 623-6012

Jacksonville
 (904) 726-9170
 Fax (904) 726-9168

Tallahassee
 (850) 561-9031
 Fax (850) 575-2298

11-AAA-070
 HBV/mjp
 Lang Eng. FEI # 59-2802012

Attachment 3

CHANGE ORDER #4

CHANGE ORDER FORM

City of Brooksville Project

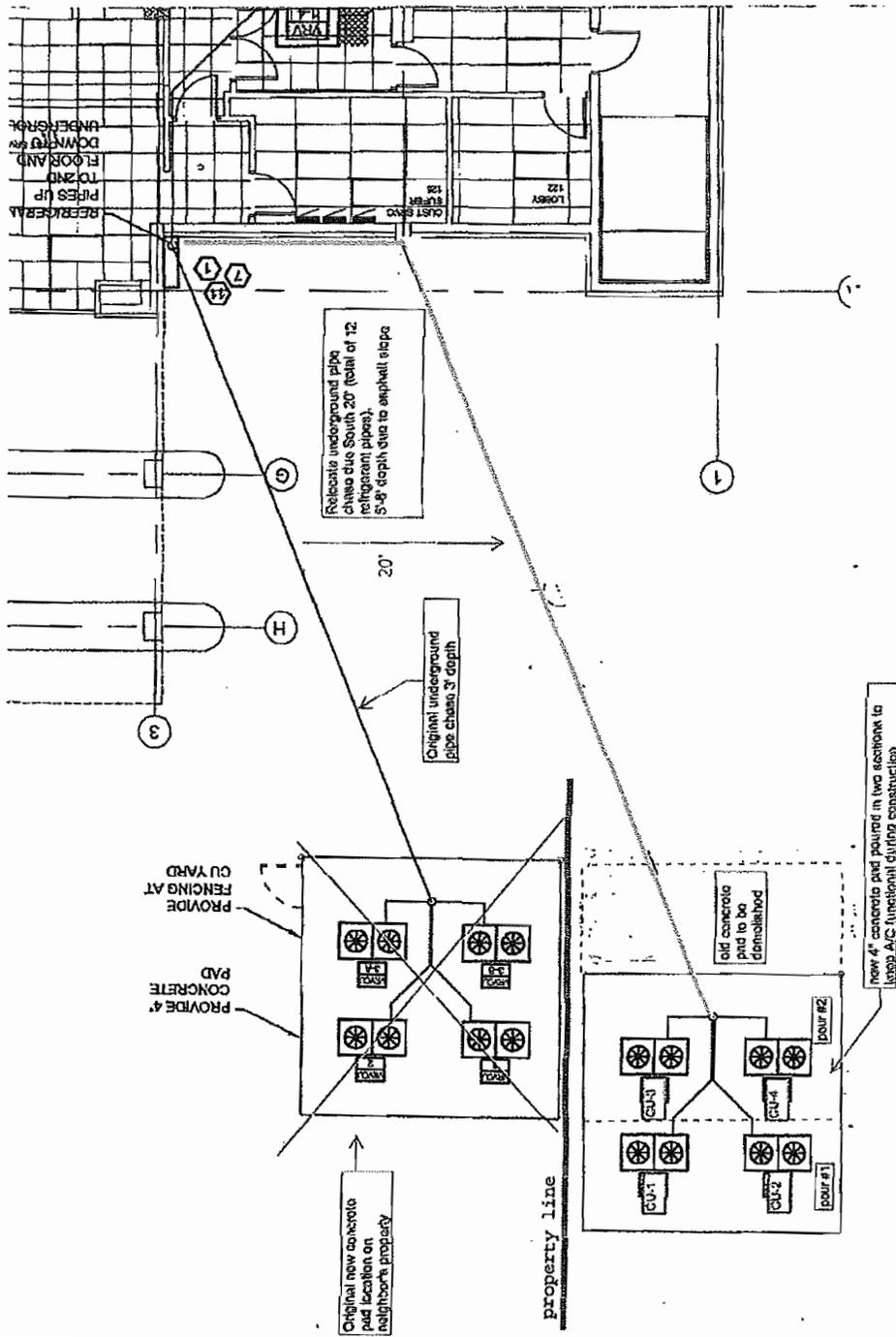
Change Order # 4

Description of Change Concrete pad for the HVAC units had to be relocated from original drawings. The new pad will be located north of the existing condenser pad which results in additional lengths of refrigeration and electrical material

Subcontractor/Vendors

1	On-The-Mark	\$8,487.77
2	Darling Electric	\$760.00
	SUBTOTAL	<u>\$9,247.77</u>
	Overhead @ 15%	\$1,387.17
	Profit @ 5%	\$462.39
	TOTAL	\$11,097.32

NORTH



Change Order # 4

On-The-Mark Mechanical



Estimate

On The Mark Heating and Air Conditioning, Inc.

17086 Cortez Blvd.
 Brooksville, Fl. 34601
 CAC1813727
 Phone: 352-799-7333
 Fax: 352-799-5444

Estimate No: 318
 Date: 12/7/2011
 Territory:
 Sales Person:



Bill To:

ENERGY SYSTEM GROUP
 4655 ROSEBUD LANE
 NEWBURGH, IN 47630
 BROOKSVILLE CITY HALL C/O

Code	Description	Qty/Hours	Rate	Amount
	SYSTEM 1	1.00	\$1,698.42	\$1,698.42
	SYSTEM 2	1.00	\$1,503.42	\$1,503.42
	SYSTEM 3	1.00	\$727.76	\$727.76
	SYSTEM 4	1.00	\$563.96	\$563.96
	PVC PIPE 12" 2 @ 10' EACH TO REACH COND LOCATION	20.00	\$15.25	\$305.00
	TREE REMOVAL DONE BY SUBCONTACTOR	1.00	\$426.00	\$426.00
	BRAZING RODS, AND WELDING GASES	1.00	\$138.00	\$138.00
	DIG TRENCH DEEPER DONE BY SUBCONTRACTOR DUE DO THE SLOPE OF DRIVEWAY PITCH MUST HAVE A LEVEL DITCH FOR OIL RETURN WHICH MAKE ONE SIDE 3 FEET AND THE OTHER 5+ FEET DEEP AND NEED SUPPORT WALL ON THAT DEPTHS PER OSHA	1.00	\$338.00	\$338.00
	ADDITIONAL 410 A FREON	75.00	\$7.38	\$553.50
	ADDITIONAL SLAB WORK DONE BY SUB CONTRACTOR	1.00	\$1,050.00	\$1,050.00
	INSTALLING TEMP WOODEN FENCE 2 1/2 LABOR NO COST ON FENCE JUST A LOANER UNTIL NEW FENCE IS INSTALLED	2.50	\$30.00	\$75.00
	G/C OVER HEAD 10%	1.00	\$737.81	\$737.81

Code	Description	Qty/Hours	Rate	Amount
	MARKUP 5%	1.00	\$368.90	\$368.90

Subtotal	\$8,484.77
Discount	0.00%
Total	\$8,484.77

Change Order # 4

Darling Electric

Richard J. Darling Electric, Inc.

15405 Vanessa Lane
 Brooksville, FL 34604



Invoice

Date	Invoice #
12/3/2011	6477

Bill To

Energy Systems Group
 17757 U.S. 19 North
 Suite 210
 Clearwater, Florida 33764-6592

		Project	
		Dept. Of Public Works	
Item #	Description	Timeline	Amount
	Change Order #		
	CU Unit #1 relocated to new extended concrete slab (North of Existing Slab). Distance to hook up power is approximately 34 feet with approximately 136 feet of wire. 34 feet of conduit, PVC connectors, PVC elbow sweeps, straps, carlflex .		380.00
	CU Unit #1 relocated to new extended concrete slab (North of Existing Slab). Distance to hook up power is approximately 34 feet with approximately 136 feet of wire. 34 feet of conduit, PVC connectors, PVC elbow sweeps, straps, carlflex .		380.00
		Total	\$760.00
		Payments/Credits	\$0.00
		Balance Due	\$760.00

Attachment 4

CHANGE ORDER #5

CHANGE ORDER FORM

City of Brooksville Project

Change Order # 5

Description of Change Provide new network cabling for both the City Hall and DPW buildings. New network cabling to improve cabling organization and structure with upgraded network capabilities. Removal of previous network cabling of lesser quality.

Subcontractor/Vendors 1 A-Tech

SUBTOTAL \$35,422.23
\$35,422.23

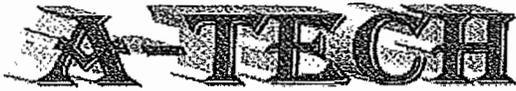
Overhead@ 15% \$5,313.13

Profit @ 5% \$1,771.11

TOTAL **\$42,507.00**

Change Order # 5

A-Tech



*** Quotation ***

3901 W. Osborne Avenue
Tampa, Florida 33614

DATE	ESTIMATE #
12/9/2011	16703
TERMS	REP

NAME/ADDRESS
Energy Systems Group 4655 Rosebud Lane Newburgh, IN 47630

DESCRIPTION	QTY	TOTAL
ATECH PROJECT NUMBER: 10667 PROJECT NAME: City Hall; New Cat6 CMP cable-plant PROJECT LOCATION: Brooksville, FL See Attachment "A" for Detailed Scope of Work LABOR: 1 7,286.69 MATERIALS: 1 8,841.50 Florida Sales Tax 6% 530.49 Subtotal This Section: 16,658.68 See Attachment "B" for Detailed Scope of Work LABOR: 1 4,434.04 MATERIALS: 1 6,177.49 Florida Sales Tax 6% 370.65 Subtotal This Section: 10,982.18 See Attachment "C" for Detailed Scope of Work ← LABOR: 1 3,282.56 MATERIALS: 1 1,743.06 Florida Sales Tax 6% 104.58 County Discretionary Sales Surtax 1% (For all three jobs) 50.00 Subtotal This Section: → 5,180.20 Florida Sales Tax 7% 1,173.34		
Scope of Work defined in Attachment A & B will be completed at a later date. Only Attachment #3 scope is part of this contract.		

Contact: Doug Darland
(P) 813-887-1178 ext 310
(Cell) 813-267-0904

TOTAL	\$33,994.40
--------------	--------------------

SIGNATURE _____ PRINT NAME AND TITLE _____ DATE _____

Signature indicates acceptance of price, referenced attachments and A-TECH's terms and conditions. *** Proposals valid for 30 days ***



ATTACHMENT C

PROJECT 10667 REV 2

OVERVIEW – City of Brooksville, FL City Hall

A-TECH proposes to install a new Category 6 Ortronics Certified Structured Cabling System (SCS) at the City of Brooksville, FL Public Works Department located at 600 South Brooksville Avenue, Brooksville, FL, 34601.

The project will consist of a demolition of low-voltage cabling & (43) new Category 6 CMR cables; broken out in the following manner:

- Abate abandon Cat5e cable-plant
- (1) Dual Workstation consisting of two Cat6 CMR cables per workstation but coiled for future use (un-terminated @ workstation end)
- (17) Dual Workstations consisting of two Cat6 CMR cables per workstation
- (7) Cat6 CMR cables to specified locations in rear of Public Works Warehouse

REFERENCE

- Walk-thru conducted with City of Brooksville IT Staff.
- Fire-escape diagram that the workstations have been manually identified during the walk-thru
- No specifications or addendums acknowledged.

CABLE SUSPENSION

The necessary cable support will be utilized to properly support the Category 6 CMR cables, as needed.

CABLE INSTALLATION

All wiring will be installed so as to prevent cutting or abrasion of insulation during the pulling of the cables. Where applicable, all cables will be pulled as multiples cables together.

COPPER HORIZONTAL CABLE

The horizontal wire designated for data is a Category 6, 4-pair, unshielded twisted-pair, CMR (non-plenum) rated with a green jacket.

PATCH PANEL

One 48-Port patch panel will be provided and will be mounted on the existing (19 in) wall-mount relay that is located in the closet designated as the MDF (Main Distribution Frame).

TELECOMMUNICATIONS FRAME

The existing wall-mount fixed 12U cabinet will be utilized and will be grounded to its respective TGB (telecommunications grounding busbar) with a 6 AWG, stranded, green-insulated wire and the connections will be compression two-hole lugs.

In addition, a primary protector grounding conductor shall be connected from the nearest electrical panel to the TGB. Final connections to electrical panel will be performed by a licensed electrical contractor. Name and license of Electrical Contractor shall be provided prior to any work being performed.



FIRESTOPPING

In each office and firewall in the hallway, a horizontal penetration must be made to facilitate installation of the horizontal Cat6 wires. Each penetration that will be made will be restored using approved materials and methods.

RACEWAYS AND ASSOCIATED EQUIPMENT

Where wire or cable cannot be concealed within the walls at the device location, surface raceway will be installed. The raceway will be office white in color and will originate above the suspended ceiling and continue down to a surface-mounted box (office white). The surface-mounted box will house the faceplate and the modular jack(s) as well as provide mechanical protection for the terminations.

FACEPLATES AND MODULAR JACKS

Ortronics faceplates will be provided in a two port configuration:

- (24) Single gang plastic, holds two keystone jacks, 2.75" x 4.5"; fog-white

Ortronics Keystone Jacks:

- (43) Category 6 jack, 8-position, 180° exit, fog white

TESTING

Each horizontal cable designated for data will be tested for compliance with TIA/EIA TSB-67 requirements using a cable analyzer. Twenty-Five Test results will be provided to client in electronic format (PDF).

"AS-BUILT" PACKAGE

Upon completion of the project, A-TECH Consulting, Inc. will provide an "as-built" package to the City of Brooksville IT Dept. that will contain the following (sent electronically via PDF document):

- Updated floor-plans; provided CAD drawing are provided (email to ddarland@cableinstall.com)
- Wire/cable routing schematic
- Horizontal cable test results
- Any photographs of the property taken by A-TECH staff.

WARRANTY

This project will be warranted for a period of fifteen (15) years from substantial completion of the installation.

SCHEDULE

We plan to perform the work with minimum impact on the staff; however, this is contingent upon no unforeseen delays during installation.

ASSUMPTIONS

- This quote assumes that all work performed shall take place during regular business hours (0800 – 1630) Monday thru Friday.
- This quote assumes that the ceiling grid will be installed; however, not the ceiling tiles.
- Includes low-voltage permit fee

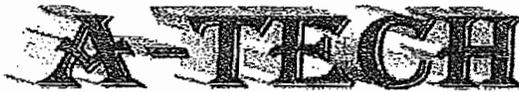


STANDARDS

A-TECH shall comply with ANSI/TIA/EIA installations standards as well as national, state, and local codes.

Note: Labor and Materials listed below are not included in this contract and are to be performed by others:

- 3/4" Backboards; painted w/ two coats of fire retardant paint
- Data Patch Cords and/or Fiber Jumpers



***** Quotation *****

3901 W. Osborne Avenue
Tampa, Florida 33614

DATE	ESTIMATE #
12/9/2011	16703
TERMS	REP.
Net 30	DD

NAME / ADDRESS
Energy Systems Group 4655 Rosebud Lane Newburgh, IN 47630

DESCRIPTION	QTY	TOTAL
ATECH PROJECT NUMBER: 10668 PROJECT NAME: Change Order; City Hall PROJECT LOCATION: Brooksville, FL		
See Attachment "A" for Detailed Scope of Work		
LABOR:	1	7,286.69
MATERIALS:	1	8,841.50T
Florida Sales Tax 6%		530.49
County Discretionary Sales Surtax 1%		50.00
Subtotal This Section:		16,708.68
See Attachment "B" for Detailed Scope of Work		
LABOR:	1	6,383.26
MATERIALS:	1	6,698.20T
Florida Sales Tax 6%		401.89
County Discretionary Sales Surtax 1%		50.00
Subtotal This Section:		13,533.35
Sales Tax - See Above		0.00

Contact: Doug Darland
(P) 813-887-1178 ext 310
(Cell) 813-267-0904

TOTAL	\$30,242.03
--------------	--------------------

SIGNATURE _____ PRINT NAME AND TITLE _____ DATE _____

Signature indicates acceptance of price, referenced attachments and A-TECH's terms and conditions. *** Proposals valid for 30 days ***



ATTACHMENT A

PROJECT 10667 REV 2

OVERVIEW – City of Brooksville, FL City Hall

A-TECH proposes to install a new Category 6 Ortronics Certified Structured Cabling System (SCS) at the City of Brooksville, FL City Hall (Floors 1 & 2) located at 201 Howell Avenue, Brooksville, FL, 34601-2041.

The project will consist of a demolition of low-voltage cabling & (100) new Category 6 CMP cables; broken out in the following manner:

- Abate abandon Cat5e cable-plant
- (1) Quad Workstation consisting of four Cat6 CMP cables per workstation
 - (1) Quad Workstation on the 1st Floor
- (47) Dual Workstations consisting of two Cat6 CMP cables per workstation
 - (20) Dual Workstations on the 1st Floor
 - (27) Dual Workstations on the 2nd Floor
- (2) Cat6 CMP cable designated for WAP (Wireless Access Point)
 - (1) WAP on the 1st Floor
 - (1) WAP on the 2nd Floor

REFERENCE

- Walk-thru conducted with City of Brooksville IT Staff.
- Fire-escape diagram that the workstations have been manually identified during the walk-thru
- No specifications or addendums acknowledged.

CABLE SUSPENSION

The necessary cable support will be utilized to properly support the Category 6 CMP cables, as needed.

CABLE INSTALLATION

All wiring will be installed so as to prevent cutting or abrasion of insulation during the pulling of the cables. Where applicable, all cables will be pulled as multiples cables together.

COPPER HORIZONTAL CABLE

(100) horizontal Category 6 CMP wires manufactured by Superior Essex; catalog number: 66-246-2B, and is a 4-pair, unshielded twisted-pair, CMP (plenum) rated with a green jacket.

PATCH PANELS

Three Ortronics Category 6 48-Port patch panels will be provided at the MDF (Main Distribution Frame) location. These patch panels will be mounted on the existing 483 mm (19 in) relay racks. The patch panels are manufactured by Ortronics (height 5.25", 3 rack units). One 12-Port patch panel will be provided in the City Hall Council Chambers (Room 125). This patch panel is also manufactured by Ortronics (with 89D mounting) and it will be mounted in a location somewhere under the Council Chambers large desk.



Your Low Voltage Cabling Partner

TELECOMMUNICATIONS FRAMES

The 2-Post Relay-Racks & 4-Post Relay Racks will be utilized in the existing MDF (Main Distribution Frame) that is located on the 2nd Floor. New vertical wire management systems will be installed on the 4-Post rack to ensure orderly installation of any cables between various components on the relay rack for future use. In addition, the 2-Post Relay-Racks will be bolted to the concrete-floor in their respective locations. Additional ladder-rack will be provided for additional support and routing of vertical horizontal cables (as they transition into the MDF). Finally, each rack will be grounded to its respective TGB (telecommunications grounding busbar) with a 6 AWG, stranded, green-insulated wire and connections will be compression two-hole lugs.

In addition, a primary protector grounding conductor shall be connected from the nearest electrical panel to the TGB. Final connections to electrical panel will be performed by a licensed electrical contractor. Name and license of Electrical Contractor shall be provided prior to any work being performed.

FIRESTOPPING

In each office and firewall in the hallway, a horizontal penetration must be made to facilitate installation of the horizontal Cat6 wires. Each penetration that will be made will be restored using approved materials and methods.

FACEPLATES AND MODULAR JACKS

Ortronics TracJack faceplates will be provided in two different sizes and are the following catalog numbers:

- (47) Ortronics 2-Port Faceplate; Single gang plastic, holds two Keystone Jacks, 2.75" x 4.5"; fog-white.
- (1) Ortronics 4-Port Faceplate; Single gang plastic, holds four Keystone Jacks, 2.75" x 4.5", fog white
- (2) Ortronics 2-Port Surface Housing (loaded with One blank insert (per Surface housing; per WAP))

Ortronics Keystone Jacks:

- (100) Ortronics Category 6 jack, 8-position, 180° exit, fog white

TESTING

Each horizontal cable designated for data will be tested for compliance with TIA/EIA TSB-67 requirements using a cable analyzer. Twenty-Five Test results will be provided to client in electronic format (PDF).

"AS-BUILT" PACKAGE

Upon completion of the project, A-TECH Consulting, inc. will provide an "as-built" package to the City of Brooksville IT Dept. that will contain the following (sent electronically via PDF document):

- Updated floor-plans; provided CAD drawing are provided (email to ddarland@cablenstall.com)
- Wire/cable routing schematic
- Horizontal cable test results
- Any photographs of the property taken by A-TECH staff.

WARRANTY

This project will be warranted for a period of fifteen (15) years from substantial completion of the installation.

SCHEDULE

We plan to perform the work with minimum impact on the staff; however, this is contingent upon no unforeseen delays during installation.



Your Low Voltage Cabling Partner

ASSUMPTIONS

- This quote assumes that all work performed shall take place during regular business hours (0800 – 1630) Monday thru Friday.
- Includes low-voltage permit fee

STANDARDS

A-TECH shall comply with ANSI/TIA/EIA installations standards as well as national, state, and local codes.

Note: Labor and Materials listed below are not included in this contract and are to be performed by others:

- 3/4" Backboards; painted w/ two coats of fire retardant paint
- Data Patch Cords and/or Fiber Jumpers



ATTACHMENT B

PROJECT 10667 REV 2

OVERVIEW – City of Brooksville, FL City Hall

A-TECH proposes to install a new Category 6 Ortronics Certified Structured Cabling System (SCS) at the City of Brooksville, FL City Hall (3rd Floor) located at 201 Howell Avenue, Brooksville, FL, 34601-2041.

The project will consist of a demolition of low-voltage cabling & (105) new Category 6 CMP cables; broken out in the following manner:

- Abate abandon Cat5e cable-plant
- (3) Quad Workstation consisting of four Cat6 CMP cables per workstation
- (29) Dual Workstations consisting of two Cat6 CMP cables per workstation
- (4) Cat6 CMP cable designated for WAP (Wireless Access Point)
- (1) Triplex terminated with (3) RJ-11 jacks (pairs will be split)
- (12) Duals terminated with (24) RJ-11 jacks (pairs will be split)
- (6) Quads terminated with (24) RJ-11 jacks (pairs will be split)
- (12) Singles terminated with (12) RJ-11 jacks (pair will be split)

REFERENCE

- Walk-thru conducted with City of Brooksville IT Staff.
- Fire-escape diagram that the workstations have been manually identified during the walk-thru
- No specifications or addendums acknowledged.

CABLE SUSPENSION

The necessary cable support will be utilized to properly support the Category 6 CMP cables, as needed.

CABLE INSTALLATION

All wiring will be installed so as to prevent cutting or abrasion of insulation during the pulling of the cables. Where applicable, all cables will be pulled as multiples cables together.

COPPER HORIZONTAL CABLE

The horizontal wire designated for data is manufactured by Superior Essex; catalog number: 66-246-2B, and is a Category 6, 4-pair, unshielded twisted-pair, CMP (plenum) rated with a green jacket.

PATCH PANELS

Two Ortronics Category 6 48-Port patch panels (height 5.25", 3 racks units) will be provided at the MDF (Main Distribution Frame) location. These patch panels will be mounted on the existing 483 mm (19 in) relay racks. Additionally, the existing Cat5e patch panel will be utilized for terminations of the cable-plant designated for voice.

TELECOMMUNICATIONS FRAMES

The 2-Post Relay-Rack will be utilized and a 3' section of 12" ladder-rack kit will be installed from the wall to the existing 2-Post 19" Relay-Rack to ensure orderly installation of customer supplied patch cords between various components on the relay rack. Finally, the rack will be grounded to its respective TGB (telecommunications



Your Low Voltage Cabling Partner

grounding busbar) with a 6 AWG, stranded, green-insulated wire and the connections will be compression two hole lugs.

In addition, a primary protector grounding conductor shall be connected from the nearest electrical panel to the TGB. Final connections to electrical panel will be performed by a licensed electrical contractor. Name and license of Electrical Contractor shall be provided prior to any work being performed.

FIRESTOPPING

In each office and firewall in the hallway, a horizontal penetration must be made to facilitate installation of the horizontal Cat6 wires. Each penetration that will be made will be restored using approved materials and methods.

FACEPLATES AND MODULAR JACKS

Ortronics TracJack faceplates will be provided in two different sizes and are the following catalog numbers:

- (29) Ortronics Single gang plastic, holds two Keystone Jacks, 2.75" x 4.5"; fog-white
- (20) Ortronics Single gang plastic, holds four Keystone Jacks, 2.75" x 4.5", fog white
- (4) Ortronics Surface Housing for Keystone Jacks loaded with One blank insert (per Surface housing; per WAP)

Ortronics Keystone Jacks:

- (74) Ortronics Category 6 jack, 8-position, 180° exit, fog white
- (63) Ortronics Category 3 jack, 6-position, 180° exit, fog white

TESTING

Each horizontal cable designated for data will be tested for compliance with TIA/EIA TSB-67 requirements using a cable analyzer. Twenty-Five Test results will be provided to client in electronic format (PDF).

"AS-BUILT" PACKAGE

Upon completion of the project, A-TECH Consulting, Inc. will provide an "as-built" package to the City of Brooksville IT Dept. that will contain the following (sent electronically via PDF document):

- Updated floor-plans; provided CAD drawing are provided (email to ddarland@cableinstall.com)
- Wire/cable routing schematic
- Horizontal cable test results
- Any photographs of the property taken by A-TECH staff.

WARRANTY

This project will be warranted for a period of fifteen (15) years from substantial completion of the installation.

SCHEDULE

We plan to perform the work with minimum impact on the staff; however, this is contingent upon no unforeseen delays during installation.

ASSUMPTIONS

- This quote assumes that all work performed shall take place during regular business hours (0800 – 1630) Monday thru Friday.

3901 West Osborne Avenue | Tampa, FL 33614
Tel: 800-500-7922 | 813-887-1178 | Fax: 813-887-5697 | Email: ddarland@atechtampa.com
State of Florida License EG13000338.



- Includes low-voltage permit fee

STANDARDS

A-TECH shall comply with ANSI/TIA/EIA installations standards as well as national, state, and local codes.

Note: Labor and Materials listed below are not included in this contract and are to be performed by others:

- 3/4" Backboards; painted w/ two coats of fire retardant paint
- Data Patch Cords and/or Fiber Jumpers

BUDGET AMENDMENT FORM

Fiscal Year 2011 - 2012

Account Name/Dept	Account Number	Approved Budget FY 2011-12		Increase	Decrease	Amended Budget FY 2011-12
Fund 312 Construction in Progress	312-009-510-55650	\$1,380,000		\$32,400		\$1,412,400
Reserves	312-000-281-30007	\$1,609,267	*		\$32,400	\$1,576,867
						\$0
						\$0
						\$0
						\$0
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						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
TOTAL		\$2,989,267		\$32,400	\$32,400	\$2,989,267

*2011/12 Fund Balance estimate at 09/30/11

Reason for Amendment: Fund #312 additional change order expenses for Asbestos Survey and removal; relocation of HVAC paid at City Hall, and network cabling replacement (see excel spreadsheet entitled 2012 SunTrust Energy Capital Improvement Loan Capital Projects Fund #312 Recap)

Department Director Signature

Date

Department Director Signature

Date

Finance Director Signature

Date

City Manager Signature

Date

Approved by City Council, during Regular Session:

Date

2012 SunTrust Energy Capital Improvement Loan
 Capital Projects Fund #312 Recap

2011/12 Budget remaining 2012 Capital improvement Loan Fund # 312 (original \$1,380,000)	394,131
Below is remaining to pay:	
City Hall roof retainage	-12,750
City Hall HVAC Renovation	-321,702
City Hall HVAC Renovation retainage	-33,599
Public Works HVAC retainage 7,500 * .35% (Street Department share)	-2,625
Walking Trail/PW lights retainage \$3,177 * 95% (Parks & Facilities and Streets)	-3,018
Budget Uncumbered balance before change orders	20,437
Change Order #3 (\$8,251)	
Asbestos survey (Apollo Environmental) \$2,491 for City Hall and DPW Buildings (split 50%) City Hall share	-1,245
Asbestos removal at DPW Buildings (Lang Environmental) \$5,760 * .35% (Streets Dept. share) = \$2,016	-2,016
Change Order #4 (\$11,097)	
Relocation of HVAC pad at City Hall	-11,097
Change Order #5 (\$42,506)	
Network Cabling replacement (A-tech) City Hall share \$36,290	-36,290
Network Cabling replacement (A-tech) DPW share \$6,216 * .35% (Streets Dept. share) = \$2,176	-2,176
Budget shortfall from 11/12 Budget Estimate for Fund 312	-32,387

MEMORANDUM

To: Honorable Mayor and City Council Members
From: *Jay A. Thompson*
Jay Thompson, Chairperson, Charter Revision Committee
Subject: CHARTER REVISION RECOMMENDATIONS
Date: April 2, 2012

As directed by City Council on January 23, 2012, and pursuant to Section 6.08 of the Charter, the Charter Review Committee (CRC) met over the past 2 months to review the current Charter to determine whether or not it needs revision and what specific revisions need to be made.

The following are changes recommended for consideration by Council. Proposed deletions are stricken through; proposed additions are underlined.

Sec. 2.02. Qualification of city council members; term of office.

- (a) Any elector who has continuously resided in the City of Brooksville for at least one (1) year, immediately prior to qualifying, shall be eligible to hold the office of city council member.
- (b) Members shall be elected for a four-year term. Consecutive terms shall be limited to ~~two~~ (2) three (3), full, four (4) year terms with a minimum of a one-year period of time out of office before being allowed to run for council subsequently.

Sec. 2.04. Disqualification and forfeiture of office.

The council shall be the judge of the disqualification of its members and of the grounds for forfeiture of their office. Forfeiture of office by a council member shall be limited to the following:

- (1) Permanent inability to perform official duties.
- (2) Conviction of a felony.
- (3) Neglect of duty for failure to attend a majority of council meetings within the immediate prior six (6) months' term of office without just cause.
- (4) Council member no longer meets residency requirements of having primary residence within the city limits.

If Council is in agreement that these revisions are valid for consideration by the voters of this community, the Charter Revision Committee respectfully requests approval of the ballot questions and that the City Attorney be authorized to draft final language for those questions for the next scheduled election on November 6, 2012.

On behalf of my fellow members of the Charter Review Committee, it has been our privilege and honor to serve on this committee representing the citizen's of this community and we thank you for giving us this opportunity to participate in this very important legislative process. If you have any questions or need additional information, please don't hesitate to contact myself or any of the other CRC Members.

CORRESPONDENCE-TO-NOTE
REGULAR COUNCIL MEETING – May 7, 2012

1. TYPE: Letter
RECEIVED: April 2, 2012
RECEIVED FROM: Firefighters' Pension Trust Fund Board of Trustees
ADDRESSED TO: Bureau of Local Retirement Systems
SUBJECT: Declaration of Returns

2. TYPE: Newsletter
RECEIVED: April 9, 2012
RECEIVED FROM: Florida Retirement System
ADDRESSED TO: FRS Employer
SUBJECT: Various

3. TYPE: Letter
RECEIVED: April 13, 2012
RECEIVED FROM: Florida Department of Law Enforcement
ADDRESSED TO: Chairman Hernando County Board of Commissioners
SUBJECT: 2012 Edward Byrne Memorial Justice Assistance Grant Program
JAG Countywide – State Solicitation

4. TYPE: Letter
RECEIVED: April 26, 2012
RECEIVED FROM: Director Department of Public Works
ADDRESSED TO: Southwest Florida Water Management District
SUBJECT: Status of Cooperative Funding Agreement (L169) 04CON000079

FIREFIGHTERS' PENSION TRUST FUND BOARD OF TRUSTEES

85 Veterans Ave, Brooksville, Fl. 34601
352-540-3840 Fax- 352-544-5462

April 2, 2012

Mr. Keith Brinkman, Actuary
Bureau of Local Retirement Systems
P.O. Box 9000
Tallahassee, Florida 32315-9000

Re: City of Brooksville Firefighters' Retirement Trust Fund- Declaration of Returns

Dear Mr. Brinkman:

On March 29, 2012, the Board of Trustees of the City of Brooksville Firefighters' Retirement Trust Fund, based on the advice of its investment professionals and/or actuary, determined that the total expected annual rate of investment return for our fund for the next year, the next several years, and the long-term thereafter, shall be 7.75%, net of investment related expenses. This determination is made in accordance with Section 112.661(9), Florida Statutes.

Sincerely,



Bradley W. Sufficool
Secretary

cc: Patrick Donlan, Actuary
✓ T. Jennene Norman-Vacha, City Manager
Scott Christiansen, Attorney

REGINA ANN MARTIN, CHAIRMAN PAUL D. BADCOCK, VICE-CHAIRMAN BRADLEY W. SUFFICOOL, SECRETARY
WILLIAM C. KAPLAN, MEMBER

CTN
05-07-12
copy: Steve Baumgardner
Christina Moser
SM



FRS EMPLOYER Newsletter

YOUR Money YOUR Choice

• April 2012 •

Legislative Update

The Florida Legislature completed its 2012 session and passed several bills affecting the Florida Retirement System. While these bills wait for the governor's signature, this newsletter contains information to help you understand the changes. Additional information can be found on the "2012 Legislation" page in the Alerts & Hot Topics box on the *MyFRS.com* home page. The effective date for these bills is July 1, 2012 unless noted otherwise.

House Bill 5005 (Contribution Rates)

FRS Employer Contribution Rates

This bill changes the employer contribution rates, as shown in Tables 1 and 2 on the next page. Employers make uniform contributions for both Investment Plan and Pension Plan members (i.e., pay the same rate for members under both plans). **No change was made to the 3% contribution rate paid by employees**, the 1.11% Health Insurance Subsidy contribution, employer contributions for Investment Plan disability benefits, and the Investment Plan 0.03% administrative and educational contribution.

The new uniform contribution rates shown in Table 2 provide for full funding of the normal cost benefits of the Investment Plan and Pension Plan, but do not provide for full funding for the Pension Plan's unfunded actuarial accrued liability. This will result in a continued overall underfunding of the Pension Plan. However, this will not affect the benefits Pension Plan participants receive.

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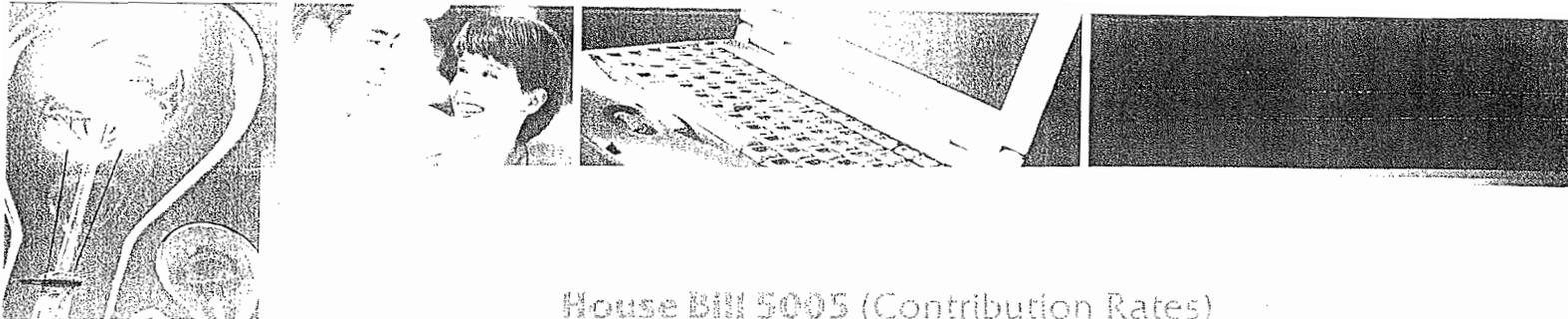
Members' Social Security Numbers

All Investment Plan members are notified of the following in every quarterly Investment Plan Newsletter:

- FRS Investment Plan member records are filed according to the member's Social Security number. The Florida State Board of Administration (SBA) collects member Social Security numbers because it is imperative for the SBA to have the ability to identify Investment Plan members properly and definitively.

Because all FRS member records are filed by Social Security number, be sure to enter your employees' Social Security numbers accurately on the monthly retirement payroll report. The number entered must be identical to the number on the employee's Social Security I.D. Card. Incorrect numbers can delay election processing, and affect the accuracy of service credit and salary history.

CTN
April 7, 2012
PAGE
State Board of Administration
John Davis



House Bill 5005 (Contribution Rates)

FRS Employer Contribution Rates – *continued*

Table 1. Current Uniform Contribution Rates

Membership Class	Retirement	Retirement	Administrative & Education	Health Insurance Subsidy	Total
Regular Class	3%	3.77%	0.03%	1.11%	7.91%
Special Risk Class	3%	12.96%	0.03%	1.11%	17.10%
Special Risk Administrative Support Class	3%	4.90%	0.03%	1.11%	9.04%
Elected Officers' Class (Judges)	3%	10.55%	0.03%	1.11%	14.69%
Elected Officers' Class (Legislature/Cabinet/Public Defender/State Attorney)	3%	7.90%	0.03%	1.11%	12.04%
Elected Officers' Class (County and Local)	3%	10.00%	0.03%	1.11%	14.14%
Senior Management Service Class	3%	5.13%	0.03%	1.11%	9.27%
DROP	0%	3.31%	0%	1.11%	4.42%

Table 2. New Uniform Contribution Rates Effective July 1, 2012

Membership Class	Paid by Employee Retirement	Retirement	Paid by Employer Administrative & Education	Health Insurance Subsidy	Total Paid by Employee and Employer
Regular Class	3%	4.04%	0.03%	1.11%	8.18%
Special Risk Class	3%	13.76%	0.03%	1.11%	17.90%
Special Risk Administrative Support Class	3%	4.77%	0.03%	1.11%	8.91%
Elected Officers' Class (Judges)	3%	10.79%	0.03%	1.11%	14.93%
Elected Officers' Class (Legislature/Cabinet/Public Defender/State Attorney)	3%	7.39%	0.03%	1.11%	11.53%
Elected Officers' Class (County and Local)	3%	9.09%	0.03%	1.11%	13.23%
Senior Management Service Class	3%	5.16%	0.03%	1.11%	9.30%
DROP	0%	4.33%	0%	1.11%	5.44%

House Bill 5005 also changes the amount paid into Investment Plan members' accounts, as shown in Tables 3 and 4 below. **No change was made to the 3% contribution rate paid by employees**, or to the employer contribution for Investment Plan disability benefits. However, the Florida Legislature **reduced** the contributions **paid by employers**, which results in an overall reduction of **30%** in total contributions paid into Investment Plan members' accounts.

Investment Plan members cannot make additional contributions to the Investment Plan. However, Investment Plan members can compensate for this 30% reduction by making voluntary employee contributions into a 457 or 403(b) plan offered by their employer.

Table 3. Current Investment Plan Contributions

Membership Class	Paid by Employee	Paid by Employer ¹	Total to Employee Account
Regular Class	3%	6.00%	9.00%
Special Risk Class	3%	17.00%	20.00%
Special Risk Administrative Support Class	3%	8.35%	11.35%
Elected Officers' Class (Judges)	3%	15.90%	18.90%
Elected Officers' Class (Legislature/Cabinet/Public Defender/State Attorney)	3%	10.40%	13.40%
Elected Officers' Class (County and Local)	3%	13.20%	16.20%
Senior Management Service Class	3%	7.95%	10.95%

Table 4. New Investment Plan Contributions Effective July 1, 2012

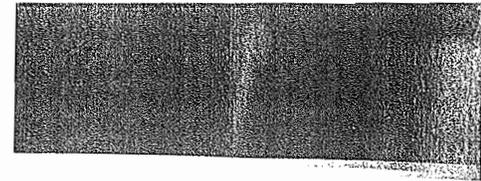
Membership Class	Paid by Employee	Paid by Employer ¹	Total to Employee Account
Regular Class	3%	3.30%	6.30%
Special Risk Class	3%	11.00%	14.00%
Special Risk Administrative Support Class	3%	4.95%	7.95%
Elected Officers' Class (Judges)	3%	10.23%	13.23%
Elected Officers' Class (Legislature/Cabinet/Public Defender/State Attorney)	3%	6.38%	9.38%
Elected Officers' Class (County and Local)	3%	8.34%	11.34%
Senior Management Service Class	3%	4.67%	7.67%

Alerts & Hot Topics

The Alerts & Hot Topics section is your best source for important information and breaking news affecting the Florida Retirement System. Located on the left hand side of the MyFRS.com home page it contains links to legislation and other items of interest. Check back often for updates.

¹ Paid by employers via the uniform contribution rates specified in Tables 3 and 4.

Continues on next page



House Bill 5005 (Contribution Rates)

FRS Employer Contribution Rates – *continued*

The reduction in Investment Plan contributions will have an impact on future Investment Plan benefits. To help Investment Plan members understand the changes and how it will affect their benefits, encourage your Investment Plan members to call the MyFRS Financial Guidance Line and speak with a financial planner. The MyFRS Financial Guidance Line number is 1-866-446-9377, Option 2.

Optional Retirement Programs Contribution Rates

This bill changes the optional programs employer contribution rates that are shown in Tables 5 and 6 below. **No change was made to the 3% contribution rate paid by employees.**

Table 5. Current Contribution Rates

Optional Programs ²	Paid by Employee		Paid by Employer		Total Paid by Employee and Employer
	Contribution	Contribution	Administrative Cost	Unfunded Actuarial Liability	
State University System Optional Retirement Program	3%	7.42%	0.01%	0.49%	10.92%
Senior Management Service Optional Annuity Program	3%	9.49%	0%	0.32%	12.81%
State Community College System Optional Retirement Program	3%	7.43%	0%	0.49%	10.92%

Table 6. New Contribution Rates Effective July 1, 2012

Optional Programs ²	Paid by Employee		Paid by Employer		Total Paid by Employee and Employer
	Contribution	Contribution	Administrative Cost	Unfunded Actuarial Liability	
State University System Optional Retirement Program	3%	5.14%	0.01%	0.49%	8.64%
Senior Management Service Optional Annuity Program	3%	6.27%	0%	0.32%	9.59%
State Community College System Optional Retirement Program	3%	5.15%	0%	0.49%	8.64%

² Rates for local annuity programs are not listed since those rates are established by local authority, per s. 121.055(1)(b)2., Florida Statutes.

House Bill 7079 (Miscellaneous Investment Plan and Pension Plan Changes)

This bill is a “glitch” bill for Senate Bill 2100 passed during the 2011 legislative session. (A “glitch” bill provides clarification or corrects an omission in a previous bill.) It makes the following miscellaneous changes:

Notes

- Clarifies that the provisions of Part I of the Florida Retirement System Act (Chapter 121, Florida Statutes) are applicable to Parts II and III of the Act to the extent the provisions are not inconsistent with or duplicate provisions of Parts II and III.
- Defines normal retirement for Investment Plan members as the later of:
 - The date a member reaches normal retirement date under the Pension Plan, or
 - The date the member is vested in the Investment Plan.
- Allows a member of the State University System Optional Retirement Program, Senior Management Service Optional Annuity Program, and State Community College System Optional Retirement Program to receive up to 10% of their account balance one calendar month



Notes

House Bill 1417 (State Board of Administration Alternative Investments)

This bill increases the amount the State Board of Administration (SBA) can invest in alternative investments from 10% to 20%. This will permit the SBA to further diversify the FRS portfolio and protect it in times of volatile markets.

House Bill 959 (State Board of Administration Proxy Voting/Investments in Cuba and Syria)

The bill provides that the SBA will vote against any proxy resolutions advocating expanded U.S. trade with Cuba or Syria. Additionally, the bill amends section 287.135, F.S. It prohibits any company that does business with Cuba or Syria from bidding on, submitting a proposal for, or entering into or renewing a contract with a state agency or local governmental entity for goods or services of \$1 million or more.

House Bill 629 (Date of Birth Exemption)

This bill adds the date of birth to the list of exempt information for certain people under section 119.071, F.S., including law enforcement personnel, judges and justices, and the spouses and children of such



FRS EMPLOYER Newsletter

FRS Employer Training Workshops

Investment Plan workshops will be conducted both in person in Tallahassee and broadcast live over the Internet. To register, call the toll-free FRS Employer Assistance Line (1-866-377-2121, Option 1), and ask for Chris Winter, Christie Petrosi, or Marc Mancuso. If you register for the online workshop, you will receive details for logging in and participating.

The Pension Plan workshops will be conducted in Tallahassee only. To register, call Kristina Corbally in the Division of Retirement's Bureau of Retirement Calculations (toll-free at 1-888-738-2252 or 850-414-7032 in the Tallahassee area).

Workshop dates are shown below. Additional information about the workshops can be found at *MyFRS.com* within the "Employers" section of the website. Or if you have a Smartphone, scan the QR code shown at right for immediate access to workshop information.

Receive Notification About FRS Financial Planning Workshops in Your Area

Do you want to know when FRS Workshops are being held in your area so you can share this information with your employees? If so, please send an email with your name, FRS agency name, email address, and ZIP code to ey.planner@ey.com. Please note that you will be notified only about those workshops that are open to the public (some workshops are closed because they are held in secure locations like correctional facilities, etc.).

2012 Date

Workshop Topic

Location

April 11

Investment Plan

SBA

April 12

Pension Plan

Division of Retirement



Keep Employees' Names and Addresses Current

Encourage your employees to report any changes to their name or mailing address to ensure they continue to receive important information from you and the FRS.

- **Active FRS Pension Plan or Investment Plan members:** Information is updated in the FRS database after you submit your agency's monthly payroll report.
- **Inactive or retired Investment Plan members:**
 - Make an address change online (name changes cannot be made online). Instructions for making an address change are found on the *MyFRS.com* home page by clicking the "?" graphic, then "Knowledge Base," then entering "address change" in the search box.
 - Request a name change form by calling the toll-free MyFRS Financial Guidance Line at 1-866-446-9377 and selecting Option 4 (Aon Hewitt). Members will need to complete and sign the form, and mail it (P.O. Box 785027, Orlando, FL 32878-5027) or fax it (1-888-310-5559) to Aon Hewitt along with a copy of the court order, marriage certificate, or driver's license reflecting the member's new name.
 - Instead of a name change form, members can mail (P.O. Box 785027, Orlando, FL 32878-5027) or fax (1-888-310-5559) a letter to Aon Hewitt. The letter must include the member's old name, new name, last four digits of their Social Security number, and a copy of the court order, marriage certificate, or driver's license reflecting the member's new name.
- **Inactive or retired Pension Plan members:**
 - Inactive members can mail their address change form to P.O. Box 9000, Tallahassee, FL 32315-9000, or contact the Division of Retirement's Calculations Section toll-free at 1-888-738-2252 (or 1-850-488-4491).
 - Retired members can change their address from their Online Services account or by contacting the Division's Retired Payroll Section toll-free at 1-888-377-7687 (or 1-850-488-4742).

Important New Hire Enrollment Deadlines

All enrollment forms must be mailed (P.O. Box 785027, Orlando, FL 32878-5027) or faxed (1-888-310-5559) directly to Aon Hewitt, the FRS Plan Choice Administrator. To be considered to have been filed in a timely manner, Aon Hewitt must receive all initial election forms by 4:00 p.m. ET on the last business day of an employee's enrollment deadline month. The 4:00 p.m. deadline is also applicable to Regular and Special Risk Class members who make their elections electronically via *MyFRS.com* or by calling the MyFRS Financial Guidance Line at 1-866-446-9377, Option 4 (TRS 711). Below are the retirement plan enrollment deadlines for new FRS employees for the next 12 months.

Enrollment Deadlines

If Hired in This Month...

December 2011
 January 2012
 February 2012
 March 2012
 April 2012
 May 2012
 June 2012
 July 2012
 August 2012
 September 2012
 October 2012
 November 2012

Retirement Plan Choice Deadline is 4:00 p.m. ET on...

May 31, 2012
 June 29, 2012
 July 31, 2012
 August 31, 2012
 September 28, 2012
 October 31, 2012
 November 30, 2012
 December 31, 2012
 January 31, 2013
 February 28, 2013
 March 29, 2013
 April 30, 2013

Employer Resources

- *MyFRS.com* website.
- Toll-free FRS Employer Assistance Line at 1-866-377-2121.
 - Ernst & Young and Aon Hewitt representatives are available from 9:00 a.m. to 3:00 p.m. ET, Monday through Friday, except holidays.
 - Division of Retirement staff is available 8:00 a.m. to 5:00 p.m. ET, Monday through Friday, except holidays.



Florida Department of
Law Enforcement

Gerald M. Bailey
Commissioner

Business Support Program
Post Office Box 1489
Tallahassee, Florida 32302-1489
(850) 410-7000
www.fdle.state.fl.us

Rick Scott, *Governor*
Pam Bondi, *Attorney General*
Jeff Atwater, *Chief Financial Officer*
Adam Putnam, *Commissioner of Agriculture*

April 6, 2012

The Honorable James Adkins
Chairman, Hernando County
Board of Commissioners
6335 Blackbird Avenue
Brooksville, FL 34613

Re: Federal Fiscal Year (FFY) 2012 Edward Byrne Memorial Justice Assistance
Grant (JAG) Program – JAG Countywide – State Solicitation

Dear Chairman Adkins:

The Florida Department of Law Enforcement (FDLE) anticipates an award from the United States Department of Justice for FFY 2012 JAG funds. FDLE will distribute these funds in accordance with the JAG Countywide distribution provisions of Chapter 11D-9, Florida Administrative Code.

FDLE has set aside \$69,663 funds for use by all units of government within Hernando County. The enclosed Program Announcement provides an overview of these funds which can be used by local units of government to support a broad range of activities to prevent and control crime and to improve the criminal justice system. Please note that the Program Announcement includes information from the U.S. Department of Justice relating several areas of national focus and its priorities to help maximize the effectiveness of the Byrne/JAG funding.

As a condition of participation in this program, the units of government in each county must reach a consensus concerning the expenditure of these funds. This consensus must include the projects to be implemented as well as the agency responsible for such implementation.

Developing such consensus will require someone to exercise leadership and assume a coordinating role in the development of applications for these funds. FDLE recommends that the Board of County Commissioners assume this responsibility. In the event the county declines to serve in this capacity, the Department will request the governing body of each municipality in the county, in descending order of population, to serve as the coordinating unit of government.

CTN
05.07.12
G. Turner
M

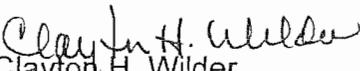
The Honorable James Adkins
April 6, 2012
Page Two

The enclosed Certificate of Participation form requests the identification of an individual coordinator. We will send this individual further information regarding the application process in FDLE's on-line grant management system. Please complete the enclosed Certificate of Participation and return it as soon as possible to:

Florida Department of Law Enforcement
Office of Criminal Justice Grants
2331 Phillips Road
Tallahassee, Florida 32308
Attention: Clayton H. Wilder, Administrator

We look forward to working with you. If you have any questions or if we can provide you with any assistance regarding the JAG Program, please contact me at (850) 617-1250.

Sincerely,


Clayton H. Wilder
Administrator

CHW/JP/st

Enclosures

cc: Mayors in Hernando County
Law Enforcement Agencies in Hernando County
Project Directors in Hernando County

**PROGRAM ANNOUNCEMENT
FEDERAL FISCAL YEAR 2012**

**Edward Byrne Memorial Justice Assistance Grant (JAG) Program
Countywide State Solicitation**

The State of Florida, Department of Law Enforcement (FDLE), anticipates an award from the United States Department of Justice (USDOJ) for \$7,386,640 in Justice Assistance Grant (JAG) funds. FDLE will distribute these funds in accordance with the JAG Countywide distribution provisions of Chapter 11D-9, Florida Administrative Code. This announcement is to notify eligible applicants of program requirements. Please note this Program Announcement includes information from the USDOJ relating several areas of national focus and its priorities to help maximize the effectiveness of the Byrne/JAG funding.

Eligible Applicants

Units of local government are eligible to receive subgrants from FDLE. "Units of local government" means any city, county, town, township, borough, parish, village, or other general-purpose political subdivision of a State and includes Native American Tribes that perform law enforcement functions as determined by the Secretary of the Interior.

Program Strategy and Purposes

JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice. Local units of government receiving JAG funding have the flexibility to implement projects in any of the seven federally approved purpose areas, listed below.

- 1) Law enforcement programs
- 2) Prosecution and court programs
- 3) Prevention and education programs
- 4) Corrections and community corrections programs
- 5) Drug treatment and enforcement programs
- 6) Planning, evaluation, and technology improvement programs
- 7) Crime victim and witness programs

Any law enforcement or justice initiative previously eligible for funding under Byrne or LLEBG is eligible for JAG funding.

Coordination Efforts

Each county is allocated a sum of money for use by all local governments within the county. This amount is determined through a funding algorithm established in the administrative rule.

Chapter 11D-9.005, Florida Administrative Code, requires that units of government in each county reach consensus concerning the expenditure of these funds, including the projects to be implemented and the agency responsible for such implementation. Maximum coordination is required to meet this program requirement, and the Department requests the county board of commissioners to serve as the coordinating unit for all local governments within the county. The Chairman, Board of County Commissioners, in each county so notified is requested to return to the Department a statement of certification indicating the county's willingness to serve. This certification must be returned within 30 days from the date of receipt of notification. In the event the county declines to serve in this capacity, the Department will request the governing body of each municipality in the county, in descending order of population, to serve as the coordinating unit of government.

Each county or coordinating unit of government is encouraged to form a criminal justice coordinating/planning group to identify and implement criminal justice priorities for the county, to plan strategies to address those priorities, to identify areas of greatest need, and to review all possible sources of revenue to make sure that funds go to the programs or issues that need them most.

Furthermore, FDLE requires that units of government in each county reach consensus concerning the expenditure of the JAG funds, including the projects to be implemented and the agency responsible for such implementation. Each county must document this consensus by submitting letters from at least 51 percent of the units of government which also represent at least 51 percent of the population located in said county.

Match Requirements

There is no match requirement under the guidelines of the JAG program.

DOJ/Bureau of Justice Assistance (BJA) Priorities

BJA wishes to ensure that recipients are aware of several areas of national focus and priority and to encourage recipients to maximize the effective use of JAG funds. The following is a brief list of key priorities:

- 1) Funding Evidence-Based Programs
- 2) Statewide Criminal Justice Planning
- 3) Recidivism Reduction and Community Corrections
- 4) Indigent Defense
- 5) Evidence-Based "Smart Policing" Programs
- 6) Officer Safety and Wellness

For more information on BJA's priorities, recipients may access: <https://www.bja.gov/Funding/12JAGLocalSol.pdf> (see pages 11-14). This is for informational purposes only; do not apply for any funds through this solicitation. Recipient must still submit application for funding through SIMON.

Application Requirements and Deadlines

Once the Certificate of Participation form designating the coordinator for your county is received, the Office of Criminal Justice Grants will send this individual further information regarding the application process.

Applicants must apply on-line using FDLE's grant management system. The deadline for the on-line submission is 5:00 P.M., Friday, July 13, 2012. In addition, applicants must print out the completed application and submit **two (2) hard copies** (both with *original signatures*) no later than 5:00 P.M., Friday, July 20, 2012. **A separate application must be submitted for each proposed project.** Applications should be mailed or hand delivered to the Florida Department of Law Enforcement, Office of Criminal Justice Grants, 2331 Phillips Road, Tallahassee, Florida 32308, Attention: Clayton H. Wilder, Administrator.

Applications must be accompanied by letters of approval representing agreement among at least 51 percent of all units of local government representing at least 51 percent of the county population as to the allocation of dollars to each project in the county.

Questions regarding this Program Announcement should be directed to Clayton H. Wilder, Florida Department of Law Enforcement, at (850) 617-1250.

City of Brooksville
Department of Public Works



352.540.3860 Phone
352.544.5470 Fax

100 South Brooks Hill Avenue
Brooksville, Florida 34609

April 26, 2012

Mr. Blake C. Guillory, P.E., Executive Director
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

Re: Status of Cooperative Funding Agreement (L169) 04CON000079

Dear Mr. Guillory:

Thank you for your letter of April 10, 2012, for an update of construction for the Brooksville Reclaimed Water Storage, Pumps and Transmission Lines, for the Cobb Road Water Reclamation Facility to the Southern Hills Development Reclaimed Water System. I am pleased to report that the Cobb Road Treatment Facility upgrades are nearing completion; startup is anticipated to begin in May, 2012. The water storage tank construction is complete and the tank is being filled with water for testing, at this writing.

The timeframe for construction completion in the SWFWMD Cooperative Funding Agreement is April 30, 2012, and the completion date is December 31, 2012. Therefore, the City of Brooksville is requesting a four (4) month extension for construction completion. The project completion date of December 31 is more than adequate time for project closeout and will not need extending. Please advise of the procedure to extend the construction completion date, if necessary.

In answer to your questions, the following is in response:

1. Do you intend to complete the project? **Yes.**
2. Are matching funds budgeted and available to complete the project? **Yes.**
3. Is the project moving forward as intended? **Yes. What are the next major milestones?? The remaining and last milestone is minor. It is delivery of reclaimed water to the storage pond which will begin in June and be completed in August 2012. This will involve construction of approximately 400 feet of piping and installation of telemetry, valves, water meter, and four (4) shallow groundwater monitor wells.**
4. When will the project be completed? **August 2012.**
5. Do you anticipate requesting additional funds for future phases of this project? **No.**

CTN
05.07.12
MN

Page 2 of 2

Status of Cooperative Funding Agreement (L169) 0-1CON000079

April 25, 2012

The City of Prooksville appreciates the assistance provided by the SWFWMD staff and appreciates the funding made available for this project. Thank you very much for your continued support of this important Prooksville project.

Sincerely,

Richard W. Radack, Director
Department of Public Works

cc: Kurt Fritsch, SWFWMD Management Services Director
Daryl Pokrana, SWFWMD Finance Bureau Chief
T. Jennene Norman-Vacha, City Manager
Bill Geiger, Community Development Director
Will Smith, Utilities Superintendent