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

AGENDA

June 1, 2015 **7:00 P.M.**

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

1. Proclamation - Code Enforcement Officer Appreciation Week
Presentation of a proclamation designating June 1 - 5, 2015, as Code Enforcement Officer Appreciation Week.

Presentation: Mayor
Attachment: Proclamation

2. 2015 Hurricane Season Update
Advisory presentation regarding predictions and preparations for the 2015 hurricane season.

Presentation: Cecilia Patella, Hernando County Director of Emergency Management

D. CITIZEN INPUT

E. CONSENT AGENDA

1. Minutes
May 18, 2015 Regular Meeting

2. Surplus/Auction of Vehicle by Police Department
Consideration to surplus

CONSENT AGENDA APPROVAL (√)

Recommendation: Approval of Consent Agenda
Action: Motion to Approve
Attachments: 1) Minutes

F. PUBLIC HEARINGS (*Board Sitting in its Legislative Capacity*)

- Entry of Proof of Publication into the Record

1. Resolution No. 2015-05 - Alcoholic Beverage License

Consideration of Alcoholic Beverage License for property located at 962 E. Jefferson Street.

Presentation:	City Planner
Recommendation:	Approval of Resolution No. 2015-05 upon roll-call vote
Attachments:	Memo from Director of Community Development & City Planner dated 06/01/15, Resolution, Application

G. REGULAR AGENDA

1. Agreement to Exchange Lands

Consideration of Agreement to exchange lands with the Brooksville Housing Authority.

Presentation:	City Attorney
Recommendation:	Approval of Agreement or Direction to Staff
Attachments:	Memo from City Attorney dated 05/27/15, Agreement, Maps

(*Board Sitting in its Quasi-Judicial* Capacity*)

- Poll Council Members for Ex-Parte Communications
- Administering of Oath to All Persons Intending to Speak [Expert Witness Credentials]
- Adoption of the Agenda Back-up Materials into Evidence

* 2. Ordinance No. 844 – Liberty Street Rezoning

Consideration to rezone approximately 7.7 acres located at the south side of E. Liberty Street approximately 265' east of its intersection with S. Saxon Avenue from the current zoning of R-3 (High Density Residential) to a zoning designation of C-4 (Neighborhood Commercial).

Presentation:	City Planner
Recommendation:	Direction to Staff or Approval of **First Reading** of Ordinance No. 844 as recommended by Staff upon roll-call vote and schedule Public Hearing of 2nd reading for 6/15/15.
Attachments:	Memo from Director of Community Development & City Planner dated 06/01/15, Proposed Ordinance, Area Map, Zoning Petition and Petitioner's Narrative, Site Survey

H. CITIZEN INPUT

I. ITEMS BY COUNCIL

J. ADJOURNMENT

CORRESPONDENCE TO NOTE

1. **Letter to Southwest Florida Water Management District**
2. **Letter to Metropolitan Planning Organization**
3. **Memo from Michael Sittig, Florida League of Cities**

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact Telina Dowdell, ADA Coordinator, no later than 48 hours in advance of the meeting at (352) 540-3810. 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.

AGENDA ITEM NO. C-1
6/01/15

City of Brooksville

Proclamation

Whereas, Code Enforcement Officers provide for the safety, health and welfare of the citizens in this community through the enforcement of building, zoning, housing, animal control, fire safety, environmental and other codes and ordinances; and

Whereas, too many times their efforts go unnoticed, even after code compliance has been accomplished due to their efforts and expertise; and

Whereas, Code Enforcement Officers are dedicated, well trained, and highly responsible individuals who take their jobs seriously and are proud of their department and the local government within which they serve; and

Whereas, the Florida Association of Code Enforcement (F.A.C.E.) has declared the first week of June be set aside by local government to honor and recognize their Code Enforcement Officers;

Now Therefore, We the Undersigned as City Council for and on Behalf of the City Of Brooksville, do hereby proclaim the week of June 1 through June 5, 2015,

Code Enforcement Officer Appreciation Week

in the City of Brooksville, in accordance with the statewide observance of the same and encourage citizens of Brooksville to join this Council in expressing appreciation for the dedication and outstanding service provided by the individual who serves as our Code Enforcement Officer.

In Witness Whereof, we have hereunto set our hand and caused to be affixed the seal of the City of Brooksville this 1st day of June, 2015.

City Of Brooksville

Frankie Burnett, Mayor

Joseph E. Johnston, III, Vice Mayor

Robert Battista, Council Member

Betty Erhard, Council Member

Natalie Kahler, Council Member

Attest:

Janice L. Peters, CMC, City Clerk

AGENDA ITEM NO. E-1
6/01/15

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

MINUTES

May 18, 2015 **7:00 P.M.**

Brooksville City Council met in regular session with Frankie Burnett, Mayor, Joseph E. Johnston, III, Vice-Mayor and Council Members Robert Battista, Betty Erhard, and Natalie Kahler in attendance. Also present were Clifford A. Taylor, City Attorney; T. Jennene Norman-Vacha, City Manager; Janice Peters, City Clerk; Bill Geiger, Community Development Director; Richard Radacky, Director of Public Works; Mike Walker, Director of Parks, Facilities & Recreation; and Tim Mossgrove, Fire Chief.

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

CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS

Margaret R. Ghiotto Improvement Award - Commercial Award

Recognition of improvements to the property owned by Gerald Marcum, located at 937 E. Jefferson Street d/b/a Town & Country, David Hawthorn, Proprietors.

Scott Renz, Beautification Board Chair, reviewed improvements to the property and will deliver the award to Mr. Hawthorn, who was not able to attend the meeting.

Mosquito Control*

Update on mosquito season.

Sandra Fisher, Mosquito Control Director gave an update on the upcoming season and their mission of Integrated Pest Management, which includes surveillance, control, education/outreach and source reduction.

Good Neighbor Trail (GNT) Alignment Update*

Presentation and update on the GNT alignment and survey for extending the trail from the existing trailhead at Main Street, heading west to U.S. Hwy. 41 continuing through McKethan and Tom Varn Parks to W. Jefferson Street.

Cliff Manuel, of Coastal Engineering gave an update on the GNT alignment, including the donation of a right-of-way along Veterans Avenue to the City by Joe Mason for the trail.

Council Member Battista advised he will be attending the MPO meeting tomorrow and one of the items is the Brooksville Trail Policy Review. The staff recommendation is for the MPO Board provide the FDOT District policy direction on the alignments and relative priorities of the GNT extension and of the proposed 50 bypass trail. Mr. Manuel advised he expects the MPO Board to take staff recommendation and prioritize the GNT as the alternative of preference. He will be prepared to show his presentation to the MPO Board with the change of the future trailhead facility reference to future trail facility.

Mayor Burnett asked for public input on the issue.

Attorney Joe Mason advised he will work with the City to donate a corner of his lot on Veterans for the GNT alignment. Mr. Mason also indicated he would also work with the City if they are interested in acquiring the lot the City currently uses as well as all the lots he owns between the park and Veterans.

Dawn Fish, GNT Advisory Board member and cyclist, commented in favor of the GNT Alignment flowing through Brooksville and provided a petition of 213 signatures in support of the GNT connector coming through Historic Brooksville. Cliff Manual asked that the signatures be entered into the record as part of his presentation*.

Lara Bradburn encouraged Council to send a strong and clear statement to the MPO asking that the GNT Alignment flow through Historic Brooksville as well.

Council Member Kahler recommended a letter of support be sent with Council Member Battista to the MPO meeting.

Motion:

Motion was made by Council Member Erhard and seconded by Council Member Kahler accepting the plans as presented and for Council Member Battista to attend the MPO Board Meeting with a letter of recommendation from the Mayor in support of the GNT coming through Historic Brooksville, not the 50 bypass. Motion carried 5-0.

CITIZEN INPUT

Mayor Burnett called for citizen input; there was none.

Joe Mason advised the Southwest Florida Water Management District (SWFWMD) is meeting tomorrow regarding moving the District Office to the City of Tampa. He reviewed the specifics and suggested Council convey their stance on the issue. Council consensus was to add the item to the agenda under the regular agenda.

Lara Bradburn thanked Council for their support of the GNT.

CONSENT AGENDA

Minutes

May 4, 2015 Regular Meeting

Brooksville Housing Authority Advisory Board Appointment

Mayoral appointment of board members with Council Consensus.

Revised FDOT Traffic Signal Maintenance and Compensation Agreement

Consideration of agreement effective July 1, 2015 through June 30, 2016.

Parks & Recreation Mower Purchase

Consideration to purchase one 2015 Gravely Pro Turn 272 Commercial Mower for the not-to-exceed amount of $8,625 from Fund 503 Equipment Replacement and approval of Budget Amendment.

Motion:

Motion was made by Council Member Kahler and seconded by Council Member Battista for approval of Consent Agenda Items 1-4. Motion carried 5-0.

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Battista for approval of moving Consent Agenda Item 5 to the Regular Agenda Item #3. Motion carried 5-0.

REGULAR AGENDA

Purchasing Card Policy and Procedures - Policy 3-1999

Consideration of changes to the Purchasing Card Policy.

Jim Delach, Assistant Finance Director reviewed the Policy change.

Motion:

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

Southwest Florida Water Management District Issue

Cliff Manuel, President of Coastal Engineering reviewed the issue of SWFWMD moving their district office to Tampa and gave a history of the Brooksville office which 53 years ago was the beginning of SWFWMD in Hernando County, spearheaded by Alfred McKethan.

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Battista for staff to construct a letter to be presented at SWFWMD's next board meeting. Motion carried 5-0.

Wayfinding Signage RFP No. CD2015-01 Award

Consideration of award of RFP to Creative Sign Designs in the not-to-exceed amount of $142,245.

Bill Geiger, Director of Community Development, reviewed the project. Discussion followed of recommended changes to the signage, as well as cost and maintenance of the banners.

Mayor Burnett advised the bid process has been processed and in order to make changes at this point the project would have to be rebid. Vice Mayor Johnston recommended proceeding as presented.

Motion:

Motion was made by Vice Mayor Johnston and seconded by Council Member Erhard for staff recommendation of award to Creative Sign Designs. Motion carried 5-0.

CITIZEN INPUT

Mayor Burnett called for citizen input.

Joe Mason advised he has been informed that Hernando County is attending the SWFWMD meeting and encouraged Council to attend.

ITEMS BY COUNCIL

Clifford Taylor, City Attorney

City Attorney Taylor updated Council on the Citizens Awareness Public Records lawsuit vs the City of Brooksville, which is being dismissed and advised Sensys has been served wit notice.

Robert Battista, Council Member

Council Member Battista asked if the City Manager has spoken with the consultant regarding the Police Pension. She advised she has called them and is awaiting a reply.

Council Member Battista reminded all of recycling on Wednesday and commented on available properties eligible for annexation as well as services to properties outside the city limits. Council consensus was to have staff review these items.

Betty Erhard, Council Member

Council Member Erhard asked for an explanation of what is next in the Sensys filing. City Attorney Taylor will keep Council updated.

Natalie Kahler, Council Member

Council Member Kahler, regarding Brooksville's history, spoke of the Brooksville Army Airfield, which opened in 1942.

Frankie Burnett, Mayor

Mayor Burnett thanked Sandra Fisher for the update on Mosquito control and everyone who presented tonight. He encouraged all to empty their containers of standing water.

ADJOURNMENT

There being no further business to bring before Council, the meeting adjourned at 9:07 p.m.

_____
City Clerk

Attest: _____
Mayor

*Materials reviewed are on file in the Office of the City Clerk.

AGENDA ITEM NO. E-2
6/01/15

CONSENT AGENDA ITEM
MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

FROM: GEORGE TURNER, POLICE CHIEF

SUBJECT: SURPLUS/AUCTION OF VEHICLE BY POLICE DEPT.

DATE: JUNE 01, 2015

GENERAL SUMMARY/BACKGROUND: The Police Department staff requests to surplus and then sell at public auction (Atkinson Realty and Auction Service) the following 2001 Chevrolet Lumina #727, VIN# 2G1WL52J011247392.

BUDGET IMPACT: Proceeds from the sale of the Chevrolet Lumina to be deposited into Fund 109 and listed as authorized expenditure to offset future police vehicle emergency equipment purchases.

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

STAFF RECOMMENDATION: Staff recommends approval to surplus, then sell at public auction through Atkinson Realty and Auction Service, the listed vehicle, with proceeds from the sale(s) deposited into the appropriate fund(s).

AGENDA ITEM NO. F-1
6/01/15

AGENDA ITEM
MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

VIA: BILL GEIGER, COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR

FROM: STEVE GOULDMAN, AICP, CITY PLANNER

SUBJECT: RESOLUTION NO. 2015-05 - AB 2015-03— FLORIDA CRACKER TRADING COMPANY, DBA FLORIDA CRACKER KITCHEN PETITION FOR ALCOHOLIC BEVERAGE PERMIT

DATE: JUNE 1, 2015

GENERAL SUMMARY/BACKGROUND: This request is for an Alcoholic Beverage Permit for property located at 962 East Jefferson Street. Specifically, the petitioner, Florida Cracker Trading Company, dba Florida Cracker Kitchen, seeks a 2-COP Alcoholic Beverage Permit to allow for the sale of beer and wine for consumption on and off the licensed premises. The subject property is zoned C2, Highway Commercial District and includes as permitted uses retail sales, offices and restaurants. It is the intention of the petitioner to utilize the site for the sale of merchandise associated with their existing restaurant located immediately adjacent to the subject property, to provide seating for patrons waiting for available tables at the restaurant and to operate a craft beer and wine pub. Craft beer from Florida breweries will be offered for package sales as well.

Staff reviewed the application in conjunction with the criteria established in Article IV of the City of Brooksville Land Development Code.

BUDGET IMPACT: The item will have no impact on the City's budget.

LEGAL REVIEW: The public hearing is required pursuant to Article IV, Section 4-8.9.of the City's Land Development Code. The public hearing is intended to provide persons having either supporting or opposing interest in the application to appear and be heard. The City Attorney has reviewed the Resolution for legal sufficiency. The petitioner submitted this application on May 13, 2015.

STAFF RECOMMENDATION: After accepting public input, it is recommended that City Council find that the petition meets the criteria of Article IV of the City of Brooksville Land Development Code for receiving a 2-COP Alcoholic Beverage Permit. Further, staff recommends City Council approve the issuance of said permit following the petitioner's submittal of the required state alcoholic beverage license.

ATTACHMENTS:
1. Resolution 2015-05
2. Alcoholic Beverage Location Permit Application

Attachment 1

RESOLUTION 2015-05

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA, APPROVING AN APPLICATION FOR BEER AND WINE FOR SALE AND CONSUMPTION ON AND OFF THE LICENSED PREMISES (2-COP) FOR PROPERTY LOCATED AT 962 EAST JEFFERSON STREET, BROOKSVILLE, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the business located at 962 E. Jefferson Street, Brooksville has applied for permission for beer and wine sale and consumption on and off the licensed premises; and

WHEREAS, Article IV, Section 4-8.9.C-1 of the City of Brooksville's Land Development Code requires that an application for permission for beer and wine sale and consumption on and off the licensed premises shall be presented to City Council and considered for approval by resolution; and

WHEREAS, the City Clerk has advertised a Notice of Public Hearing to consider this resolution to allow for the sale and consumption of beer and wine on and off the licensed premises at the subject location; and

WHEREAS, the City Council finds that this Resolution is not in conflict or inconsistent with the City of Brooksville's adopted Comprehensive Plan; and

WHEREAS, Council has considered all objections made to allowing the sale and consumption of beer and wine on and off the licensed premises at the subject location.

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

SECTION 1 This application meets the criteria for approving the use as set forth in Article IV, Section 4-8.9.C-1 of the City of Brooksville's Land Development Code.

SECTION 2 This application to permit a 2 COP license for on and off premise consumption for the property located at 962 E. Jefferson Street, Brooksville, Florida, is hereby approved.

SECTION 3 This resolution shall be effective upon adoption by the City Council of the City of Brooksville, Florida.

ADOPTED in regular session this 1st day of June, 2015.

CITY OF BROOKSVILLE

By: _____
Frankie Burnett, Mayor

ATTEST: _____
Janice L. Peters, CMC
City Clerk

VOTE OF CITY COUNCIL

Burnett	____
Battista	____
Erhard	____
Johnston	____
Kahler	____

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

_____
Thomas S. Hogan, Jr., The Hogan Law Firm, LLC
City Attorney

Attachment 2

CITY OF BROOKSVILLE

ALCOHOLIC BEVERAGE USE PERMIT APPLICATION

Land Development Code; Article IV

Permit Type (check one):

[✓] *On-site premise consumption; presented to City Council by Resolution.*

[✓] *Off-site premise consumption; administrative review only.*

[ ] *Temporary event permit; administrative review only.*

License Classification: 2 COP.

Business Location: 962. E JEFFERSON ST 34601

Legal Description: Subdivision SCARBOROUGH TOR Lot 1 Block 3

NORTH HALF OF LOT 2. [ ] See Attached

Applicant Information:

[ ] *Applicant*

Name: FLORIDA CRACKER TRADING COMPANY LLC

d/b/a: FLORIDA CRACKER KITCHEN

Address: PO BOX 385

BROOKSVILLE, FL 34605

Phone: 352-585-7276

Fax:

Email: BLAIR@MALLICKYLAS.COM

[ ] *Property Owner **

Name: MCALISTER HOLDINGS LLC

d/b/a:

Address: PO BOX 385

B'VILLE, FL 34605

Phone: 352-585-7276

Fax:

Email: BLAIR@MALLICKYLAS.COM

**If the applicant is not the property owner, submit a written consent from the owner along with this application.*

[ ] Written consent from property owner attached, if applicable. [✓] Not Applicable

[ ] Application Fee in the amount of $75.00 attached. (Per City Policy 1-90)

Applicant's Statement:

I certify that I have not been convicted of any felony under Florida law or the laws of the United States; that I have not been convicted of any misdemeanor relating to prostitution, obscenity, nuisance, indecent exposure, disorderly conduct, or gambling; and that I have not previously had a license for the sale of alcoholic beverages revoked by Florida's Department of Business & Professional Regulation, Division of Alcoholic Beverages and Tobacco.

BLAIR HONSLEY
Applicant's Name (Print or Type)

Applicant's Signature

5/13/2015..
Date

If you have any questions concerning this application, please contact the City of Brooksville Community Development Department at (352) 540-3810.

FOR DEPARTMENT USE ONLY

Administrative Review (for off-site premise consumption or for temporary event):

I have reviewed the above application for an Alcoholic Beverage Use Permit and have determined that it meets all requirements of Article IV, Part 4-8, of the City Code.

Administrator's Name (Print or Type)

Administrator's Signature

Date

Council Review (for on-site premise consumption only):

City Council hearing date: _____ Resolution No. _____

Council Recommendation: [ ] Approve [ ] Approve with conditions [ ] Deny

F:\Bgeig\Alcoholic Beverage Location Permits\Alcoholic Beverage Use Permit Application (March 2012).doc

AGENDA ITEM NO. G-1
6/1/15

AGENDA ITEM
MEMORANDUM

TO: **HONORABLE MAYOR AND CITY COUNCILMEN**

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

FROM: **The Hogan Law Firm, Clifford A. Taylor, assistant City Attorney**

SUBJECT: **Land Exchange between the City of Brooksville and the Brooksville Housing Authority**

DATE: **May 27, 2015**

GENERAL SUMMARY/BACKGROUND:
The City of Brooksville owns real property that it no longer needs for a public purpose. The Brooksville Housing Authority owns real property situated within the city limits which it no longer needs for providing public housing. (the SE corner of Hillside Estates) The City in cooperation with the local MPO would like to build a transportation corridor that could correct the City's current one way pairs through the City. The Housing Authority property would put the City in a positive position to negotiate the best route for US 41 and eliminate the current use of Broad and Jefferson streets for freight trucking transportation responsibilities.

IMPACT: There is no negative budget impact as a result of this land exchange.

LEGAL REVIEW: Pursuant to home rule authority provided for by Article VII, Section 2 of the Constitution of the State of Florida, Chapter 166, Florida Statutes, and Section 1.03 of the Charter of the City of Brooksville, the City Council has the power to conduct municipal functions and to exchange lands for a public purpose with another entity serving a public purpose.

STAFF RECOMMENDATION: Staff recommends approval by the City Council of the execution of the Exchange of Lands Agreement and the execution of the same by the Mayor. The Hogan Law Firm has reviewed the Exchange of Lands Agreement and has approved the same after consulting with counsel for the Brooksville Housing Authority and Coastal Engineering.

ATTACHMENT: Agreement to Exchange Lands, Maps of Respective Properties.

AGREEMENT TO EXCHANGE LANDS

THIS AGREEMENT TO EXCHANGE LANDS (hereinafter "Agreement") is made and entered into by and between the **City of Brooksville,** a Florida municipal corporation (hereinafter the "City"), whose address is 201 Howell Avenue, Brooksville, Florida 34601 and **Brooksville Housing Authority,** a public body created and organized pursuant to and in accordance with the laws of the State of Florida (hereinafter the "BHA"), whose address is 800 Continental Drive, Brooksville, Florida 34601.

WHEREAS, the **BHA** is the record owner of real property described as follows ("BHA Land"):

Parcel 1:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA: THENCE ALONG THE WEST BOUNDARY OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 23, N00°15'51"E A DISTANCE OF 436.97 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE ABANDONED SEABOARD COASTLINE RAILROAD; THENCE ALONG SAID ABANDONED RAILROAD RIGHT OF WAY, N70°58'15"E A DISTANCE OF 889.97 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID ABANDONED RAILROAD RIGHT OF WAY, N00°15'42"E A DISTANCE OF 552.23 FEET; THENCE ALONG SAID LINE, N89°51'21"E A DISTANCE OF 1610.37 FEET TO THE INTERSECTION OF THE NORTHERLY ABANDONED RAILROAD RIGHT OF WAY; THENCE ALONG SAID ABANDONED RAILROAD RIGHT OF WAY, S70°58'15"W A DISTANCE OF 1706.12 FEET TO THE POINT OF BEGINNING. CONTAINING 10.2 ACRES MORE OR LESS.

And

Parcel 2:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA: THENCE ALONG THE WEST BOUNDARY OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 23, N00°15'51"E A DISTANCE OF 436.97 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE ABANDONED SEABOARD COASTLINE RAILROAD: THENCE ALONG SAID ABANDONED RAILROAD RIGHT OF WAY, N70°58'15"E A DISTANCE OF 889.97 FEET; THENCE LEAVING SAID ABANDONED RAILROAD RIGHT OF WAY N00°15'42"E A DISTANCE OF 552.23 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE NORTH BOUNDARY OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 23, S89°51'21"W A DISTANCE OF 120.00 FEET; THENCE LEAVING SAID LINE, N00°15'42"E A DISTANCE OF 150.00 FEET; THENCE N89°51'21"E A DISTANCE OF 120.00 FEET; THENCE S00°15'42"W A DISTANCE OF 150.00 FEET TO THE NORTH BOUNDARY OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 23 AND THE POINT OF BEGINNING. CONTAINING 0.4 ACRES, MORE OR LESS.

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WHEREAS, the City is the record owner of real property described in that certain Warranty Deed dated November 20, 2001, and recorded in Official Record Book 1496 at Page 807; and more particularly described as follows ("City Land"):

> **THE SOUTH ½ OF THE PARCEL DESIGNATED AS "BLACKSHEAR'S LOT" ON THE PLAT OF PARSON'S ADDITION TO BROOKSVILLE, FLORIDA, AND LOT 8 AND THE EAST ½ OF LOT 9 OF SAID PARSON'S ADDITION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 17, PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, LYING IN AND BEING A PART OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 27, TOWNSHIP 22 SOUTH, RANGE 19 EAST, AND THAT PORTION OF ABBY AVENUE LYING BETWEEN LOT 8 AND LOT 9 OF PARSON'S ADDITION TO BROOKSVILLE, AS DESIGNATED IN RESOLUTION 76-3, RECORDED IN OR BOOK 380, PAGE 596, AND RESOLUTION 375 IN OR BOOK 1225, PAGE 1730, OF SAID PUBLIC RECORDS;** and

WHEREAS, the City has determined that it is in the best interest of the citizens of the City to convey the City Land in exchange for the BHA Land and that the BHA Land is to be held by the City to establish a transportation corridor along Martin Luther King Blvd. The BHA Land will be for public use that will be beneficial to the citizens of the City; and

WHEREAS, the City has determined that the property depicted as the City Land is not needed for City purposes, and has declared it to be surplus property in accordance with the laws of the State of Florida; and

WHEREAS, the City has determined that the City Land and the BHA Land are located in the same general vicinity, are equal in size, more or less, and equal as to their highest/best use; therefore the exchange contemplated by this Agreement is considered to be an even exchange with no cash consideration to be paid by either party; and

WHEREAS, it is acknowledged and agreed by the parties that the enforceability of this Agreement is wholly contingent upon the approval of this Agreement by the City Council and by the Board of Commissioners of the BHA (the "BOC") and execution of closing documents. However, all dates and timelines herein shall run from the date that the last of the parties executes this Agreement (the "Execution Date").

NOW THEREFORE, in consideration of the covenants, promises, and obligations set forth herein, together with other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

I. <u>Exchange</u>.

1.01 <u>Recitals</u>. The above Recitals are incorporated herein as if set forth in *haec verba.*

1.02 <u>City Conveyance</u>. The City agrees to convey and relinquish any and all rights, title, or interests in the City Land to the BHA.

1.03 <u>BHA Conveyance</u>. In exchange for the City conveying to the BHA the City Land, the BHA will convey and relinquish any and all rights, title, or interests in the BHA Land.

1.04 **Use of BHA Land**. The parties understand and agree that the BHA Land will be used only for the benefit of the citizens of the City and residents of the City respectively.

1.05 **Consideration**. The full consideration for the BHA Land is that parcel identified as the City Land and no cash outlays will be required. Likewise, the full consideration for the City Land is that parcel identified as the BHA Land and no cash outlays will be required.

1.06 **Documents**. The parties shall execute deeds and such other related instruments reasonably requested by the Closing Agent (as hereinafter defined), the Title Company (as hereinafter defined), the parties or the court to affect the exchange of the lands (the "Exchange") described herein no later than the Exchange Date (as hereinafter defined).

II. TITLE REQUIREMENTS, SURVEY, AND PERMITTED EXCEPTIONS

2.01. **Title Insurance.** The Closing Agent will obtain commitments for title insurance (the "**Title Commitment**") to be issued by Old Republic Title Insurance Company (the "**Title Company**"). Each party will be responsible to pay the cost of a title insurance search and a title policy for the real property being exchanged by such party. The parties will agree on an equal value for each property subject to the Exchange, which value will equal the face amount of the title insurance.

2.02. **Current Survey**. The City Land and the BHA Land are being exchanged "As Is". Each party may, at its sole expense, obtain a current survey (the "**Survey**") of the land being acquired in the Exchange without in any way affecting the "As Is" provision of this Agreement.

2.03. **Permitted Exceptions**. If the Title Commitment or Survey contains exceptions to title which are not acceptable to the acquiring party in the acquiring party's sole and absolute discretion, then the acquiring party shall notify the granting party of any and all objections to same in writing on or before seven (7) days prior to the Exchange Date. Any such objection by the acquiring party shall be deemed a "Title Defect", whether shown in the Survey or disclosed in the Title Commitment. Such notice is referred to herein as the "Notice of Title Defect". The granting party shall provide notice to the acquiring party within three (3) days of receipt of the Notice of Title Defect which, if any, of the Title Defects the granting party intends to cure prior to the Exchange Date. The granting party shall not be obligated to cure any Title Defect. If the granting party elects not to cure the Title Defects, the acquiring party shall have the right to terminate this Agreement and no Exchange shall occur without any liability to either party.

III. PROVISIONS WITH RESPECT TO CLOSING

3.01. **Exchange Date**. The parties shall exchange the deeds for the City's Land and the BHA Land as contemplated by this Agreement effective at The Hogan Law Firm, 20 South Broad Street, Brooksville, Florida 34601 (the "Closing Agent" or "Escrow Agent") or as a mail-away transaction at the election of the parties. The Exchange shall occur within ten (10) days following approval of this Agreement by the City and by the BOC, or on such other date as mutually determined by the City but not later than _____. ("**Exchange Date**")

3.02. <u>City Obligations</u>. On or before the Exchange Date, the City shall:

(a) Execute, acknowledge, and deliver to the BHA a Warranty Deed conveying the City Land, which deed shall be in statutory form for recording;

(b) Execute and deliver instruments satisfactory to the BHA reflecting the authorization for the conveyance of the City Land from the City to the BHA hereunder;

(c) Execute and deliver such other documents including an owner's affidavit as may be required by this Agreement;

(d) Pay all costs and expenses associated with the conveyance of the City Land (except those specifically identified herein as an obligation of the BHA) including but not limited to:

(i) The promulgated rate premium payable for the owner's policy of title insurance for the City Land and all costs related to the title search, examination, and related fees;

(ii) All recording fees associated with the conveyance of the City Land;

(iii) All documentary stamps in connection with the conveyance of the City Land, if any; and

(iv) The City attorneys' fees.

3.03. <u>BHA's Obligations</u>. On or before the Exchange Date, BHA shall:

(a) Execute, acknowledge, and deliver to the City a Warranty Deed conveying BHA Land, which deed shall be in statutory form for recording;

(b) Execute and deliver instruments satisfactory to the City reflecting the proper power, and authorization for the conveyance of the BHA Land from the BHA to the City hereunder;

(c) Execute and deliver such other documents, including an owner's affidavit as may be required by this Agreement.

(d) Pay all costs and expenses associated with the conveyance of the BHA Land (except those specifically identified herein as an obligation of the City) including but not limited to:

(i) The promulgated rate premium payable for the owner's policy of title insurance for the BHA Land and all costs related to the title search, examination, and related fees;

(ii) All recording fees associated with the conveyance of the BHA Land;

(iii) All documentary stamps in connection with the conveyance of the BHA Land, if any; and

(iv) The BHA's attorneys' fees.

3.04. Prorations. The parties acknowledge that the following items will not require prorating as of the Exchange Date:

(a) Property Taxes. The parties recognize that the City is a governmental entity and exempt from ad valorem taxes. Likewise, the BHA is a governmental entity and exempt from ad valorem taxes.

(b) Utilities. The parties agree that there are no utility charges, rents, and deposits or other items requiring proration.

IV. RISK OF LOSS

4.01. Casualty Risk. The risk of loss to the BHA Land by fire, casualty, or otherwise, prior to the Exchange Date, which materially and adversely affects the BHA Land, in the City's reasonable discretion (a "**Casualty**"), is assumed by the BHA. In the event of a fire or other Casualty, the City may, at its option, elect to terminate this Agreement by so notifying the BHA, whereupon this Agreement shall thereafter be null and void; or the City may elect to proceed with the transaction, in which case, at the Exchange Date, the BHA shall assign all of its interest to all insurance proceeds for the BHA Land to the City. Likewise, the risk of loss to the City Land by fire, casualty, or otherwise, prior to the Exchange Date, which materially and adversely affects the City Land, in the BHA's reasonable discretion (a "**Casualty**"), is assumed by the City. In the event of a fire or other Casualty, the BHA may, at its option, elect to terminate this Agreement by so notifying the City, whereupon this Agreement shall thereafter be null and void; or the BHA may elect to proceed with the transaction, in which case, at the Exchange Date, the City shall assign all of its interest to all insurance proceeds for the City Land to the BHA.

V. DEFAULT

5.01. Default by BHA. If the BHA fails to perform any of the covenants of this Agreement, or if the BHA otherwise defaults hereunder, the City may elect to terminate this Agreement.

5.02. Default by City. If the City fails to perform any of the covenants of this Agreement, or if the City otherwise defaults hereunder, the BHA may elect to terminate this Agreement.

VI. BROKERAGE COMMISSIONS

6.01. Broker. No brokerage commission is applicable to the Exchange.

VII. ESCROW AGENT.

7.01. Obligations of Escrow Agent. The BHA and the City authorize The Hogan Law Firm, P.O. Box 485, Brooksville, Florida 34605-0485, Telephone: (352) 799-8423, Facsimile:

(352) 799-8294, to act as "Escrow Agent" and "Closing Agent", and act as "Title Agent", to receive funds and other things and, subject to clearance, disburse them in accordance with the terms of this Agreement. Escrow Agent will deposit all funds received in a non-interest bearing escrow account. If Escrow Agent receives conflicting demands or has a good faith doubt as to Escrow Agent's duties or liabilities under this Agreement, Escrow Agent may: (i) hold the subject matter of the escrow until the parties mutually agree to its disbursement or until issuance of a court order or decision of arbitrator determining the parties' rights regarding the escrow, or (ii) deposit the subject matter of the escrow with the clerk of the circuit court having jurisdiction over the dispute. Upon notifying the parties of such action, Escrow Agent shall be released from all liability except for the duty to account for items previously delivered out of escrow. In any suit or arbitration in which Escrow Agent is made a party because of acting as agent hereunder or interpleads the subject matter of the escrow, Escrow Agent shall recover reasonable attorneys' fees and costs, which such fees and costs to be paid from the escrowed funds or equivalent and charged and awarded as court or other costs in favor of the prevailing party. The parties agree that Escrow Agent shall not be liable to any person for misdelivery to the BHA or the City of escrowed items, unless the misdelivery is due to Escrow Agent's willful breach of this Agreement or gross negligence. It is expressly understood that The Hogan Law Firm represents the City in connection with this transaction. In the event of any disputes as to which party is entitled to any funds, or in the event any disagreement shall arise as a result of this Agreement or the transaction contemplated hereby, Escrow Agent shall not be excluded from representing the City by virtue of its serving as Escrow Agent pursuant to this Agreement.

7.02. Representation of City. It is expressly understood that The Hogan Law Firm, LLC represents the City in connection with this transaction. In the event of any disputes between the parties as a result of this Agreement or the transaction contemplated hereby, Escrow Agent shall not be excluded from representing the City by virtue of its serving as Escrow Agent pursuant to this Agreement. In any action arising out of this Agreement, the BHA shall not object to, or request the disqualification of, The Hogan Law Firm, LLC as counsel for the City because it is also acting as Escrow Agent hereunder.

VIII. GENERAL.

8.01. Notice. Whenever any notice, demand or request is required or permitted hereunder, such notice, demand or request shall be made in writing and shall be personally delivered to the individuals listed below, sent via prepaid courier or overnight courier, or deposited in the United States mail, registered or certified, return receipt requested, postage prepaid, addressed to the addresses (and individuals) set forth below or communicated through electronic mail (E-Mail) with a Read Receipt. No other form of electronic communications (FaceBook, Twitter, Text) will be deemed Notice.

To City:	City of Brooksville City Manager 201 Howell Avenue Brooksville, Florida 34601	With a Copy to The Hogan Law Firm, LLC 20 So. Broad Street Brooksville, Florida 34601

To Brooksville Housing Authority:	Brooksville Housing Authority 800 Continental Drive Brooksville, Florida 34601	With a Copy to Saxon, Gilmore, Carraway & Gibbons, P.A. 201 E. Kennedy Boulevard, Suite 600 Tampa, Florida 33602
To Escrow Agent:	The Hogan Law Firm, LLC 20 So. Broad Street Brooksville, Florida 34601	

8.02. **Governing Law**. All questions, issues or disputes arising out of or under this Agreement, shall be governed by the laws of the State of Florida and State jurisdiction is hereby agreed by the parties to be in Hernando County, Florida, and Federal jurisdiction is hereby agreed by the parties to be in the Middle District of Florida and all Federal litigation shall be filed and litigated in Tampa, Hillsborough County, Florida.

8.03. **General**. Nothing contained herein will amend the City's rights or the BHA's rights under the doctrine of sovereign immunity. The invalidity of any provision of this Agreement, or any covenant herein contained, on the part of any party shall not affect the validity of any other provision, or covenant hereof or herein contained, which provision/covenant shall remain in full force and effect. Paragraph headings are provided as an organizational convenience and are not meant to be construed as material provisions of this Agreement. Whenever possible each provision and term of this Agreement will be interpreted in a manner to be effective and valid, but if any provision or term of this Agreement is held to be prohibited or invalid, then such provision or term will be ineffective only to the extent of such prohibition or invalidity, without invalidating or affecting in any manner whatsoever the remainder of such provision or term or the remaining provisions or terms of this Agreement. If any action is commenced to construe or enforce this Agreement or the rights and duties created hereunder, then the party prevailing in that action shall be entitled to recover its costs and fees in that action, the cost and fees incurred in any appeal thereof, and the costs and fees incurred in enforcing any judgment entered herein. All disputes arising out of or in connection with the Agreement shall be attempted to be settled through good-faith negotiation between the parties, followed if necessary within thirty (30) days by professionally-assisted mediation. Any mediator so designated must be acceptable to each party. The mediation will be conducted as specified by the mediator and agreed upon by the parties. The parties agree to discuss their differences in good faith and to attempt, with the assistance of the mediator, to reach an amicable resolution of the dispute. The mediation will be treated as a settlement discussion and therefore will be confidential. The mediator may not testify for either party in any later proceeding relating to the dispute. No recording or transcript shall be made of the mediation proceedings. Each party will bear its own costs in the mediation. The fees and expenses of the mediator will be shared equally by the parties. Failing resolution through negotiation or mediation, either party may file an action in a court of competent jurisdiction or other appropriate remedy available in law or equity.

IN MUTUAL AGREEMENT, the parties hereto set their hands and seals.

CITY OF BROOKSVILLE, FLORIDA

By:_____
MAYOR

_____
Witness

Name:_____
(Print or Type Name)

_____
Witness

Name:_____
(Print or Type Name)

Dated: _____

STATE OF FLORIDA
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me the ____ day of _____, 2015, by _____ as Mayor of the City of Brooksville Florida, a Florida municipality, on behalf of the City. He is personally known to me or has produced _____ as identification.

My Commission Expires:

_____
Notary Public

BROOKSVILLE HOUSING AUTHORITY

By:_____
CHAIRMAN OF THE BOARD

_____
Witness

Name:_____
(Print or Type Name)

_____
Witness

Name:_____
(Print or Type Name)

Dated: _____

STATE OF FLORIDA
COUNTY OF HERNANDO

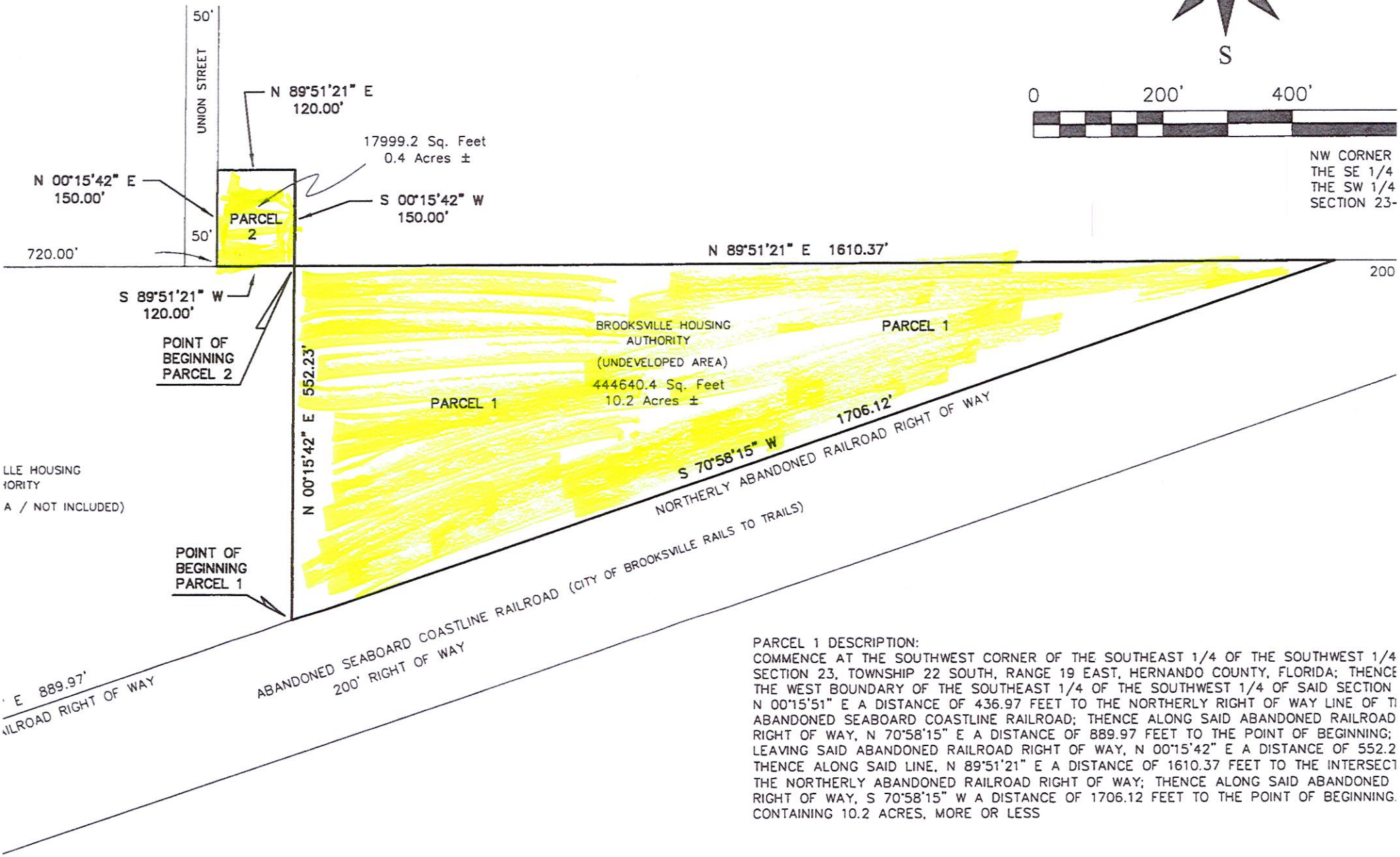
The foregoing instrument was acknowledged before me the ____ day of _____, 2015, by _____ as Chairman of the Board of the Brooksville Housing Authority, a public body created and organized pursuant to and in accordance with the laws of the State of Florida. He is personally known to me or has produced _____ as identification

My Commission Expires:

_____
Notary Public

BE BASED ON THE
EM, WEST ZONE

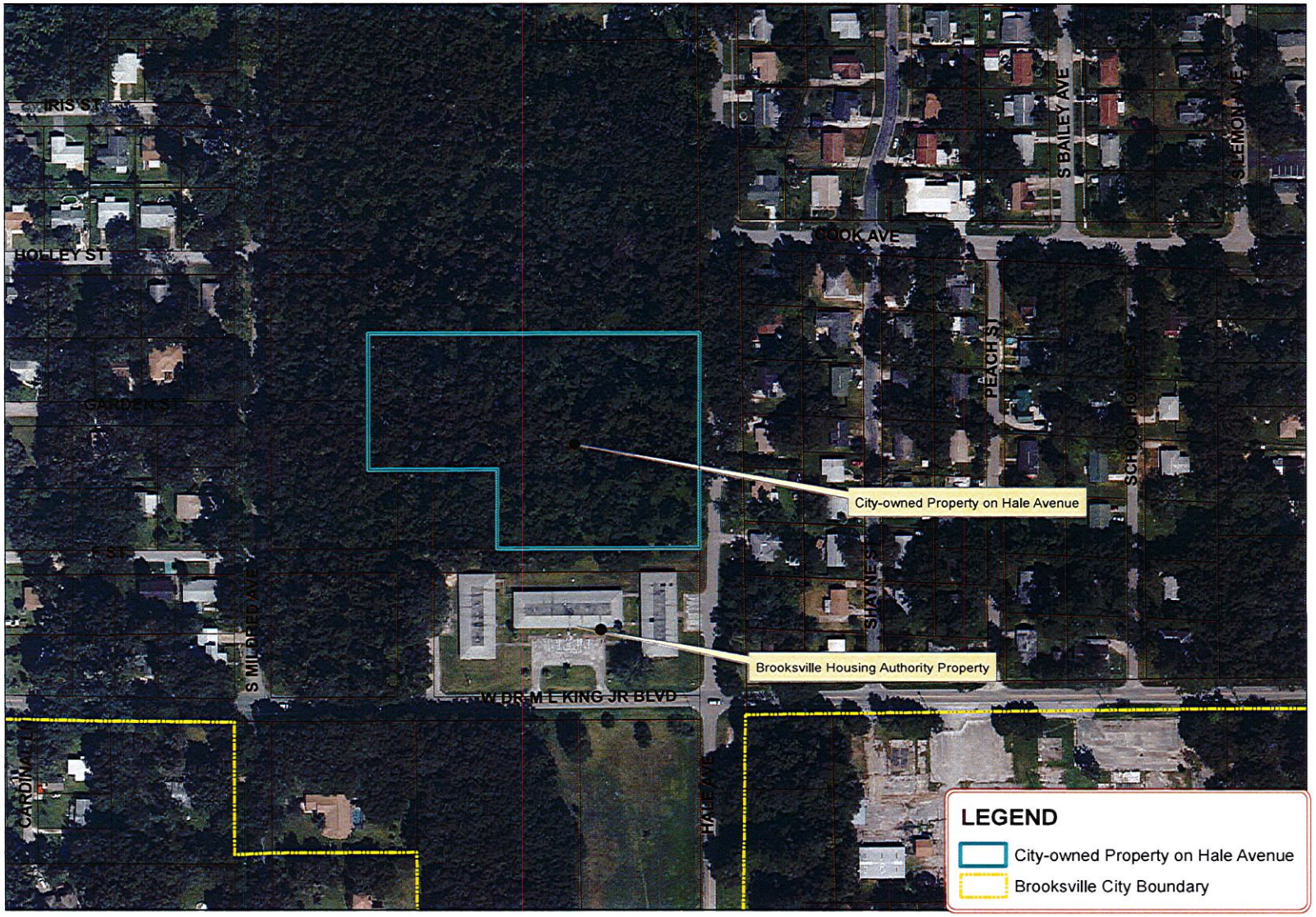
SKETCH OF DESCRIPTION
* NOT A BOUNDARY SURVEY *



PARCEL 1 DESCRIPTION:
COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
SECTION 23, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA; THENCE
THE WEST BOUNDARY OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION
N 00°15'51" E A DISTANCE OF 436.97 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF TI
ABANDONED SEABOARD COASTLINE RAILROAD; THENCE ALONG SAID ABANDONED RAILROAD
RIGHT OF WAY, N 70°58'15" E A DISTANCE OF 889.97 FEET TO THE POINT OF BEGINNING;
LEAVING SAID ABANDONED RAILROAD RIGHT OF WAY, N 00°15'42" E A DISTANCE OF 552.2
THENCE ALONG SAID LINE, N 89°51'21" E A DISTANCE OF 1610.37 FEET TO THE INTERSECT
THE NORTHERLY ABANDONED RAILROAD RIGHT OF WAY; THENCE ALONG SAID ABANDONED
RIGHT OF WAY, S 70°58'15" W A DISTANCE OF 1706.12 FEET TO THE POINT OF BEGINNING.
CONTAINING 10.2 ACRES, MORE OR LESS

PARCEL 2 DESCRIPTION:
COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4
SECTION 23, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA; THENCE
THE WEST BOUNDARY OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION
N 00°15'51" E A DISTANCE OF 436.97 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF TI
ABANDONED SEABOARD COASTLINE RAILROAD; THENCE ALONG SAID ABANDONED RAILROAD
RIGHT OF WAY, N 70°58'15" E A DISTANCE OF 889.97 FEET; THENCE LEAVING SAID ABAND
RAILROAD RIGHT OF WAY, N 00°15'42" E A DISTANCE OF 552.23 FEET TO THE POINT OF E
THENCE ALONG THE NORTH BOUNDARY OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4

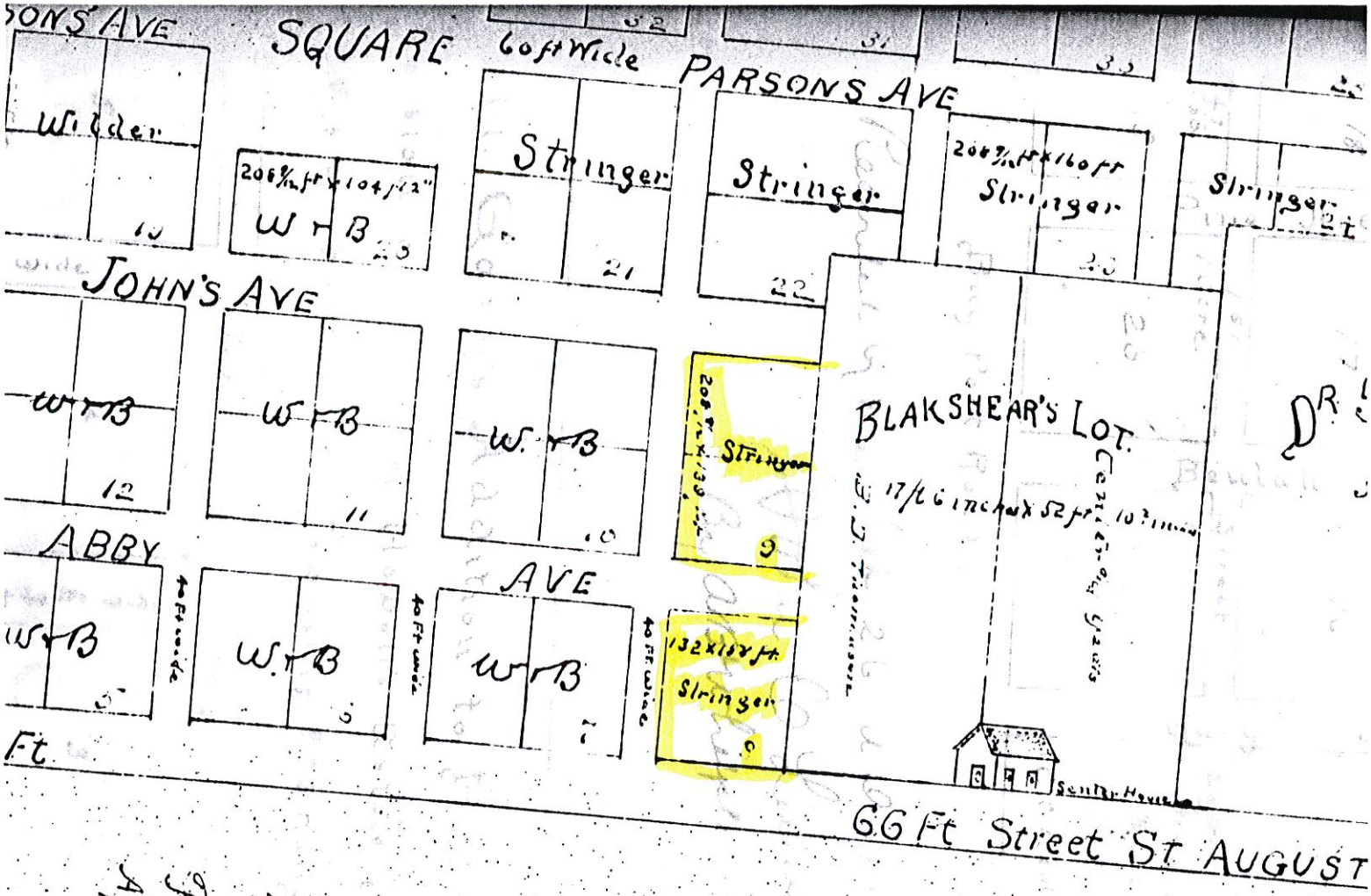
City-Owned Hale Avenue Property - Key #149084



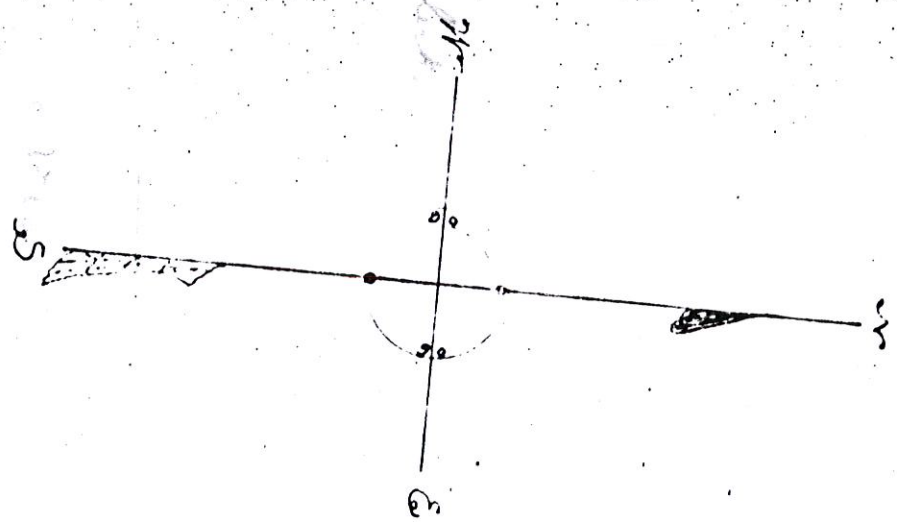
F:\ESRI\ArcMap Projects\City-owned Hale Ave Property 05282015.mxd

210 105 0 210 Feet

Base Map provided by the Hernando County Property Appraiser
Map prepared by: City of Brooksville Community Development Department
Disclaimer: This map and/or digital data was prepared for planning purposes only and should not be used to determine the precise location of any feature.
Map Revision Date: May 28, 2015



Map of Parson's addition to Brookville
Filed April 23rd, 1906 and Recorded
April 26th 1906
Frank E Saxon Clerk Ct. Ct.
B. Mist & Co



AGENDA ITEM NO. G-2
6/01/15

AGENDA ITEM
MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL

VIA: T. JENNENE NORMAN-VACHA, CITY MANAGER

VIA: BILL GEIGER, DIRECTOR OF COMMUNITY DEVELOPMENT

FROM: STEVE GOULDMAN, AICP, CITY PLANNER

SUBJECT: ORDINANCE NO. 844– GREGORY & DOROTHEA STEPHENS REZONING PETITION

DATE: JUNE 1, 2015

GENERAL SUMMARY/BACKGROUND: This petition is a request to rezone a parcel of land from R-3 (High Density Residential) to C-4 (Neighborhood Commercial). The RZ 2015-01 subject property is approximately 7.7-acres and is located on the south side of E. Liberty Street approximately 265' east of its intersection with S. Saxon Avenue. The property is adjacent to the City's Central Business/Residential District. A Comprehensive Plan Future Land Use designation change from Multi-Family/Mobile Home Residential to Commercial was approved for the parcel by City Council on April 20, 2015.

The petitioner has indicated plans to incorporate an existing 5,000 square foot barn that was recently built on the subject site to be used commercially as an additional choice for banquets and wedding receptions in conjunction with their existing wedding venue business on their adjacent property to the west. The City's existing R-3 designation on the property allows for the consideration of multi-family housing up to 18 dwelling units per acre, but would not allow the use of the barn as a commercial banquet facility. The C-4 zoning designation of the property will allow for the petitioner's proposed use.

Compatibility with Surrounding Area: As previously noted, the subject site is located on the south side of E. Liberty Street and about 265' east of its intersection with S. Saxon Avenue, adjacent to the City's Central Business/Residential District. The subject site is directly adjacent to properties with commercial land use and zoning on both its northern (vacant undeveloped land adjacent to US 41) and western (Tilted Tea Cup, former Rogers Christmas House site and Saxon Manor) sides. To the south (Brooksville Housing Authority property) and east (property FKA Brook Villas Apartments), the subject property abuts high density residential properties with multi-family land use and zoning. The property is in close proximity to the arterial road network of E. Jefferson Street (SR 50A/US 98) and N. Broad Street (US 41), and has road frontage access on E. Liberty Street to the north, Union Street to the east and Cleveland Avenue which terminates at the property line to the west. Based on the above, staff finds the proposed zoning designation is compatible with the surrounding

development pattern and the rezoning of the parcel to C-4 would be consistent with a Commercial Comprehensive Plan FLUM designation.

Public Facilities and Level of Service: The subject property will be served by City water and sewer services. Primary access to the parcel is presently from E. Liberty Street and Cleveland Avenue. This property is considered an urban infill development site in which all public facilities and services already exist to serve the development of the property. The property owner is considering a low-impact use of the site to compliment their existing wedding and events business with the incorporation of the existing barn on the subject property as a venue area. Additionally, future onsite parking and other ancillary uses to their existing "event" business may be considered for the subject property. The C-4 zoning provides for lower intensity commercial uses that are compatible with residential, mixed use areas, and would allow for the owner's anticipated uses.

Trip Generation: As noted above, the property is proposed to be a low impact use utilizing the existing barn on the site as part of the wedding event/banquet venue. The ITE Trip Generation Manual does not contain a land use code for this type of facility, most likely because the use doesn't generate significant peak hour trips in the transportation network. Given the contemplated use of the property, the normal weekend event activity will not impact the Level-of-Service for peak hour traffic on the adjacent road network.

Water: The development scenario presented above is estimated to result in the consumption of an estimated 937.5 gallons of water per day. The estimate is based on the assumption that 0.1875 gallons per day are needed for every square foot of non-residential floor space. Presently, the quantity of water required for the proposed use of this site is available and would not result in the City exceeding its allowable maximum consumption of 3.7 million gallons per day (current average daily use in the City is 1.1 MGD). An existing 6" water main runs within the public rights-of-way adjacent to the property.

Sewer: The development scenario presented above is estimated to result in 750 gallons of effluent generated per day. The estimate is based on the assumption that non-residential uses generate 0.150 gallons of effluent per day per square foot of floor space. Presently, the addition of the quantity of sanitary sewer effluent generated by the proposed use of this site can be accommodated by the City's 1.9 million gallons per day sewer treatment system capacity (current average daily use in the City is .824 MGD). An existing 6" gravity sewer line runs within the public rights-of-way adjacent to the property. Additionally, a lateral sewer line runs along the west side of the property serving the adjacent commercial properties owned by the petitioner.

Drainage: All of the property is located within the Byster Lake watershed and is located within the Special Flood Hazard Area "X," which is defined as an area exhibiting minimal flood potential (Ref. FEMA Flood Insurance Rate Maps, Hernando County, adopted 2/2/2012). Future development will be required to meet applicable SWFWMD

permitting requirements, as well as applicable City Comprehensive Plan policies relating to stormwater retention and conveyance.

Recreation Facilities: A variety of City and County parks and recreation facilities are located in proximity to the subject site. The proposed zoning and commercial use of the property will have little or no impact on the existing facilities.

Public School Facilities: The proposed zoning and commercial use of the property will not generate any students.

Natural Resources and Features: Presently, the property is occupied by one 5,000 square foot residential barn structure with a circular entry driveway to access the barn off of E. Liberty Street. The balance of the property remains heavily wooded and undeveloped. According to the SWFWMD FLUCCS codes (2011), the property is classified as an Upland Hardwood Conifer Mixed forested area. Vegetation on the property consists of a mixture of pines and hardwoods with a palmetto understory. The soil types identified within the site include Blichton Loamy Fine Sand (5 to 8% slopes) and Micanopy Loamy Fine Sand (2 to 5% slopes).

BUDGET IMPACT: Costs for processing rezoning requests are offset by applicable application fees.

LEGAL REVIEW:
Florida Statutes § 163.3202(2)(b) requires that each county and each municipality regulate the use of land and water for those land use categories included in the Comprehensive Plan Future Land Use element and ensure the compatibility of adjacent uses and provide for open space.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their May 13, 2015 meeting, the Planning and Commission concurred with the staff finding that the request is consistent with the City's Comprehensive Plan and compatible with the surrounding development pattern. The Planning and Zoning Commission therefore concurred with the staff recommendation that City Council approve the request to rezone the subject property from R-3 to C-4.

STAFF RECOMMENDATION: Staff recommends City Council approve the petitioners request to rezone the subject property from R-3 to C-4.

ATTACHMENTS:
1. Ordinance No. 844 and Area Map
2. Rezoning Petition & Narrative (As submitted by Greg and Dorothea Stephens)
3. Site Survey

Attachment 1

ORDINANCE NO. 844

AN ORDINANCE PROVIDING A ZONING CLASSIFICATION OF C-4 (NEIGHBORHOOD COMMERCIAL), FOR CERTAIN REAL PROPERTY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AS FOLLOWS:

SECTION 1. ZONING. That the following described property in the City of Brooksville, Florida is hereby zoned as a Neighborhood Commercial (C-4). Exhibit "A" provides a graphic view of the property.

Owners: Gregory W. and Dorthea Stephens
Parcel Key: # 01255091
Legal Description:
The West ½ of the NE ¼ of SW ¼ of Section 23, Township 22, Range 19 E., Hernando County, Florida, lying south of Liberty Street extension.
Location: East Liberty Street, approximately 265 feet south of South Saxon Avenue.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AS FOLLOWS:

The aforementioned property located within the City of Brooksville, Florida, is hereby assigned a zoning classification of C-4 (Professional Office) and the zoning map of the City of Brooksville shall be amended accordingly.

SECTION 2. FINDINGS. The City Council does hereby find that the proposed zoning of this property with a C-4 designation will not be inconsistent with the City's Comprehensive Plan and is compatible with existing land uses in this area.

SECTION 3. EFFECTIVE DATE. This Ordinance and zoning of the property described hereto shall take effect immediately upon its adoption.

CITY OF BROOKSVILLE

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

By:_____
Frankie Burnett, Mayor

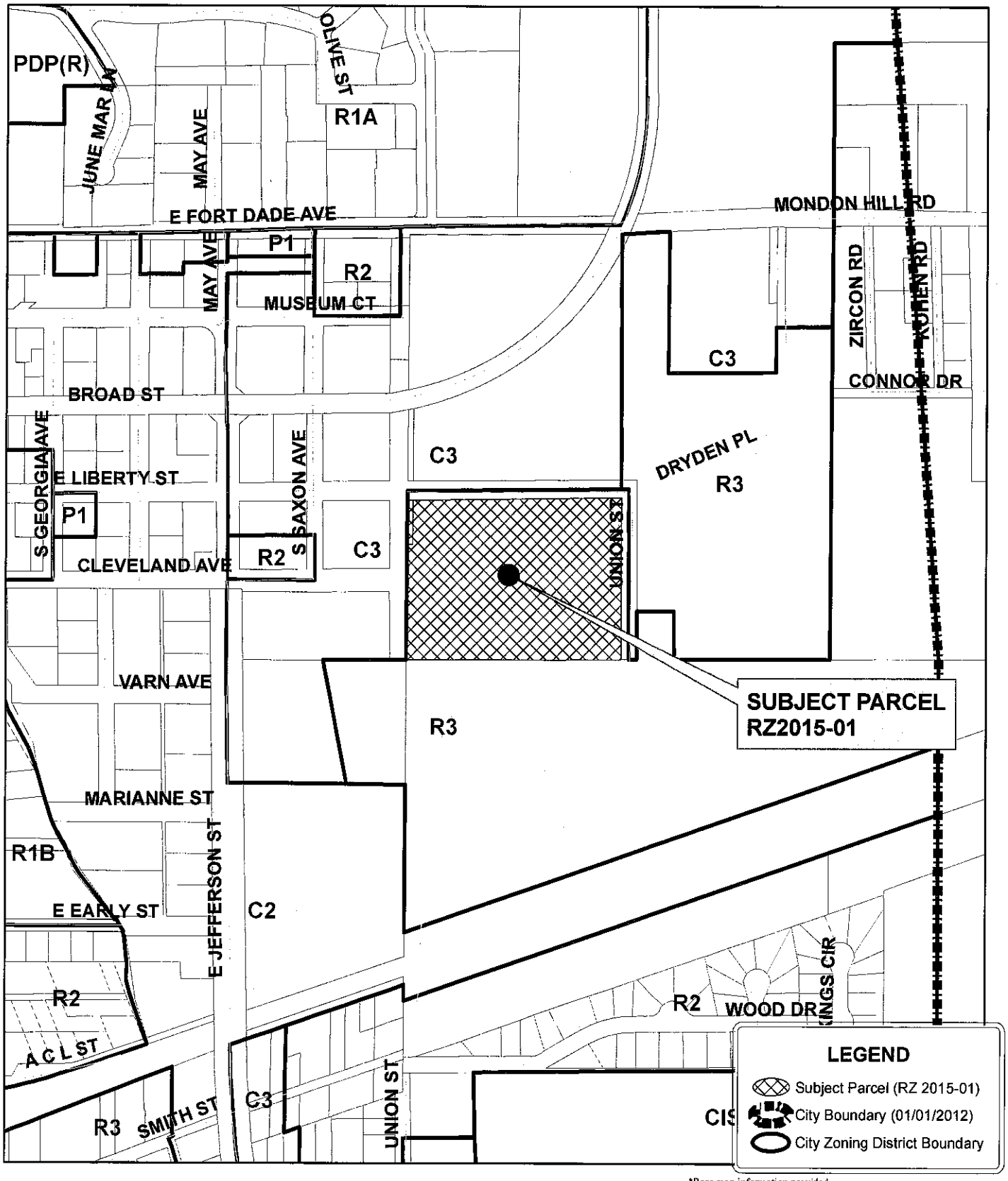
PASSED on First Reading _____
NOTICE Published on _____
PASSED on Second & Final Reading _____

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

_____
Thomas S. Hogan, The Hogan Law Firm, LLC
City Attorney

VOTE OF COUNCIL:
Battista _____
Burnett _____
Erhard _____
Johnston _____
Kahler _____

EXHIBIT "A" TO ORD. NO. 844
STEPHENS PROPERTY - RZ2015-01



Feet
0 460 920

*Base map information provided by the Hernando County Property Appraiser's office.
Map created by the Brooksville Community Development Department.
Disclaimer: This map is intended for planning purposes only, and should not be used to determine the precise location of any feature shown thereon.
g:\Esri\ArcMap Projects\Stephens Re-Zoning 02102015.mxd

Attachment 2

CITY OF BROOKSVILLE REZONING PETITION

Application for Public Hearing

Date: 3-11-15

Type all information. If you need any assistance, call the Community Development Department at (352) 540-3810.

APPLICANT:	Gregory W. and Dorothea Stephens
Mailing Address:	309 Hayes Road, Lutz, FL 33549-6101
Daytime Telephone: 813-997-7333 **FAX No:**	**E-Mail Address:** Suncoastcabinets@yahoo.com
REPRESENTATIVE:	Pamela Jo Hatley
Mailing Address:	Pamela Jo Hatley PA, 14519 N. 18th Street, Tampa, FL 33613
Daytime Telephone: 813-978-1480 **FAX No:** 813-978-1490	**E-Mail Address:** pamela@pamelajohatley.com
PUBLIC CONTACT PERSON:	Pamela Jo Hatley
Daytime Telephone: 813-978-1480 **FAX No:** 813-978-1490	**E-Mail Address:** pamela@pamelajohatley.com
Will Expert Witness be utilized during the public hearings?	Yes
Legal Description: Type below the complete legal description of the property, including street address, if any, and the names of all owners. Include Section, Township and Range; and if applicable, Subdivision Name, Lot, Block, and Unit Number. Attach additional sheet if necessary. West 1/2 of NE 1/4 of SW 1/4 of Section 23, Township 22 S., Range 19 E., Hernando County, Florida, lying South of Liberty Street extension.	
Size of Area Covered by Application:	7.70 acres
Highway and Street Boundaries:	E. Liberty Street at Cleveland Avenue, off Saxon
Current Zoning Classification:	R-3
Rezoning Requested:	C-4 Neighborhood Commercial
Proposed Use of Property:	Use of existing barn structure as a banquet and wedding reception hall in conjunction with Saxon Manor wedding venue operation.
Has a public hearing been held on this property within the past twelve months?	Not for rezoning. FLUM amendment public hearing 3-11-15

ACKNOWLEDGMENT

This acknowledgment must be signed in the presence of a Notary Public.

I, Gregory W. Stephens and Dorothea Stephens, hereby state and affirm that all information submitted within this petition is in all respects true and correct to the best of my knowledge and belief and that:

☒ We are/ ~~I am~~ the owner of the property covered under this application.

☐ I am the legal representative of the owner or lessee of the property described, which is the subject matter of this application.

Signature of Applicant or Representative

STATE OF FLORIDA
COUNTY OF ~~HERNANDO~~ Hillsborough

The foregoing instrument was acknowledged before me this 11 day of March, 20 15, by Gregory W. and Dorothea Stephens who is personally known to me or who has produced _____ as identification.

Signature of Notary Public

PAMELA JO HATLEY
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF094161
Expires 1/16/2018

Notary Seal/Stamp

APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

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

(Insert Legal Description Below)

West 1/2 of NE 1/4 of SW 1/4 of Section 23, Township 22 S., Range 19 E., Hernando County, Florida, lying South of Liberty Street extension. Property appraiser parcel key: 01255091

CITY OF BROOKSVILLE
COUNTY OF ~~HERNANDO~~ Hillsborough
STATE OF FLORIDA

I, Pamela Jo Hatley, being duly sworn, hereby depose and say Gregory W. and Dorothea Stephens ~~is~~ are the owners of the herein described property to-wit: W 1/2 of NE 1/4 of SW 1/4 of S. 23, T. 22 S., R. 19 E, Hernando County, FL, lying S. of Liberty St. extension.

Signature _____ Print Name Pamela Jo Hatley Date 3-11-15

Application for Zoning Map Amendment
Applicant: Gregory W. and Dorothea Stephens
Location: E. Liberty Street and Cleveland Avenue
Parcel key: 01255091
Request: From R-3 Residential to C-4 Neighborhood Commercial

Narrative

Introduction.

Gregory and Dorothea Stephens own the historic Saxon Scarborough House, located at 200 S. Saxon Avenue, Brooksville, where they operate a thriving destination wedding venue, Saxon Manor Weddings and Events. They also own the former Roger's Christmas House Village located at 103 S. Saxon, Brooksville. Mr. and Mrs. Stephens have leased the main area of the former Christmas House to the Tilted Teacup Tea Room and Boutique, and they use the remainder in conjunction with their wedding events business.

In November 2013 Mr. and Mrs. Stephens purchased the subject parcel, which consists of 7.7 acres of wooded land located on Liberty Street east of the Saxon House and adjoining the former Christmas House parcel. The Stephens constructed a traditional red barn structure on the property, and they wish to use the barn as an additional option for banquets and wedding receptions in conjunction with their existing wedding venue business. The proposed amendment to the City of Brooksville's Zoning Map would amend the zoning designation of the subject parcel from R-3 Residential to C-4 Neighborhood Commercial, which would accommodate commercial use of the subject parcel as a wedding banquet and reception venue.

General description of proposed amendment.

The request is for an amendment to the City of Brooksvill's Zoning Map. The subject parcel is located on E. Liberty Street at Saxon and Cleveland, and consists of 7.7 acres. The parcel is currently designated Mobile Home-Multifamily Residential on the Future Land Use Map of the City of Brooksville Comprehensive Plan. However, the Stephens have submitted an amendment application to change the land use designation of the parcel to Commercial. The Planning and Zoning Commission is scheduled to consider the Stephens' FLUM amendment request on March 11, 2015. The City Council first and second readings are scheduled for April 6, 2015 and April 20, 2015.

The subject parcel is developed with a 5,000 square-foot traditional red barn structure (see attached photographs); but is otherwise wooded and undeveloped. The Stephens intend to allow the parcel to remain wooded in order to provide a pristine natural, rustic setting for wedding banquets and receptions. Adjacent existing land uses are

commercial, undeveloped, multi-family, and vacant public housing. Adjacent zoning districts are C-3 Commercial on the north and west, and R-3 Residential on the east and south.

The existing MH-MF Residential land use designation and R-3 zoning of the subject parcel permits development of residential densities up to 18 dwelling units per acre. Pursuant to section 2-1.2. C.1.f. of the City of Brooksville's Land Development Code, "the R-3 zoning district is designed to permit higher-density single lot, principal building residential development allowing both single-family and multiple family dwellings." LDC Section 2-1.2 C.2.e. provides "the C-4 district is designed to permit the development of local commercial areas which are properly located in regard to both adjacent streets and surrounding residential areas and is intended to serve local neighborhood needs through the provision of easily accessible convenience goods and personal services." Banquet and reception halls are a permitted use in the C-4 zoning district.

The City of Brooksville Comprehensive Plan, Future Land Use Element, policy 1-5, provides that "Lands classified as commercial use shall be used for the sale, rental, and distribution of products or performance of services. The maximum allowable commercial intensity will be 0.70 floor area ratio and 70% lot coverage..." The proposed commercial use is for an existing 5,000-square foot traditional barn structure to serve as a wedding reception venue. The existing 5,000-square foot structure on the 7.7-acre subject parcel represents a floor area ratio of .015.

Mr. and Mrs. Stephens are requesting to amend the future land use designation and zoning of the subject parcel MH/MF to Commercial and from R-3 Residential to R-4 Neighborhood Commercial in order to supplement and expand their existing wedding event business. If approved, the Commercial future land use designation will support the instant C-4 commercial zoning request. In turn, C-4 zoning will accommodate expansion of the Stephens' business and their intended use of the subject parcel as a banquet and reception venue in conjunction with Saxon Manor Weddings and Events.

A. Analysis of impacts of the amendment:

1. Fiscal impact on the City's finances.

   The intended improvements and commercial use of the subject parcel will result in a higher assessed value and corresponding increased tax revenue for the City. The business expansion in the form of additional wedding reception options is expected to appeal to a broader base of potential clients. The wedding event business attracts clients from all over Florida and other states, and the Stephens' business expansion will result in bringing more out-of-town visitors to the City of Brooksville. These out-of-town visitors will represent not only additional business for the Stephens' wedding venue, but will also represent broader exposure and economic development opportunities for many other Brooksville merchants and businesses. Thus, the proposed zoning map amendment is likely to have a positive fiscal impact on the City's finances.

2. Impact on public facilities.

The subject parcel is considered an urban infill development site. Use of the subject parcel as a banquet and reception venue will require public water and sewer, which are already available to the site. A concurrency application has been submitted along with this rezoning request. Events at the barn venue will be catered by local businesses, as they currently are for such events at the existing Saxon Manor venue. The addition of the barn reception venue is not expected to result in significant impacts to public water and sewer facilities.

Use in conjunction with the Stephens' existing wedding and events business is not expected to result in significant impacts on public roadways because the new barn reception venue will only add the option of a wedding reception in a natural rustic setting at the barn instead of in an elegant Victorian setting at Saxon Manor. Even though the average number of events on an annual basis is expected to increase due to the additional choice of a barn wedding reception, the events are held on weekends and non-peak hours. Thus, the addition of the barn reception venue is not expected to result in significant impacts to public road facilities.

3. Impact on environment and natural resources.

The subject parcel is intended to be developed only minimally with the existing barn structure and any site improvements necessary to support use as a banquet and wedding reception venue. The site is heavily wooded in pines and hardwoods, with palmetto understory. There are no wetlands or other surface waters onsite. The parcel is located in Special Flood Hazard Area "X," exhibiting minimal flood potential. Drainage is provided through existing culverts located along the parcel boundary adjacent to Liberty Street. However, development will be required to meet the stormwater management permitting requirements of state agencies and the City of Brooksville. The addition of the existing barn structure as a wedding reception venue is not expected to result in significant impacts to environment and natural resources.

B. Analysis of degree of consistency with the City's comprehensive Plan.

Section 163.3194(3)(a), Florida Statutes, states that "A development order...shall be consistent with the comprehensive plan if the land uses, densities or intensities, and other aspects of development permitted by such order or regulation are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government." The instant rezoning request is compatible with and furthers the following objectives and policies of the City of Brooksville Comprehensive Plan:

Future Land Use Element, Goal 1: To ensure that the character, magnitude, and location of all land uses provide a system for orderly growth and development that achieves a balanced natural, physical, and economic environment, and enhances the quality of life of all residents.

The proposed zoning map amendment is consistent with this goal and the related objectives and policies because it will allow commercial use of the subject parcel in conjunction with the Stephens' existing business. The character, magnitude, and location of the proposed use is consistent with orderly growth and development

because it will permit the contiguous expansion of an already thriving business. The proposed use will achieve a balanced natural, physical, and economic environment because the subject parcel is adjacent to the Stephens' existing business parcels, and will create a unified, integrated site to support business expansion. The economic opportunities related to the expansion of the Stephens' existing wedding and event business will enhance the quality of life of all residents by promoting business and economic development throughout the City of Brooksville.

Future Land Use Element Policy 1-5: Commercial. Lands classified as commercial use shall be used for the sale, rental, and distribution of products or performance of services. The maximum allowable commercial intensity will be 0.70 floor area ratio and 70% lot coverage..."

The proposed commercial use is for an existing 5,000-square foot traditional barn structure to serve as a wedding reception venue. The existing 5,000-square foot structure on the 7.7-acre subject parcel represents a floor area ratio of .015, which is well under the maximum allowable commercial intensity and lot coverage.

Future Land Use Element Policy 2-9: Require central water and sewer systems for new urban developments, which are designed to be compatible with future public utility systems.

The proposed zoning map amendment is consistent with this policy because central water and sewer exist and are available to the subject parcel.

Future Land Use Element Policy 2-11: Direct urban growth by providing community facilities in prime expansion areas, and withhold these facilities from areas in which growth is to be discouraged.

The proposed zoning map amendment is consistent with this policy because the subject parcel is located in an urban infill area.

Future Land Use Element Policy 2-14: Promote development of commercial areas that are convenient to the public, and well integrated into the transportation system and surrounding land uses.

The proposed zoning map amendment is consistent with this policy because the subject parcel is well served by adjacent public roads.

Future Land Use Element Policy 2-16: Discourage commercial activities from locating in wetlands, 100-year floodplains and delineated conservation areas through the use of proper site plan procedures and adopted floodplain management policies in the Conservation Element of [the comprehensive] plan.

The proposed zoning map amendment is consistent with this policy because the subject parcel is not located in a floodplain or delineated conservation area, and has no onsite wetlands.

Future Land Use Element Policy 3-6: The development of all land uses shall be timed and staged in conjunction with provision of roads, sanitary sewer, solid waste, drainage, potable water, schools, and parks and recreation.

The proposed zoning map amendment is consistent with this policy because the subject site is adequately served by public roads, potable water, sanitary sewer, drainage, and solid waste. The proposed commercial development will have no impact on schools, and no significant impact on existing parks and recreational facilities.

Economic Development Element, Goal 5: Diversify the area's economic base, increase sales receipts and heighten business profitability. Enable growth and development within that economic base. Establish the downtown area as a focal point for the community to attract more shoppers and visitors for longer periods of time and from a wider geographic area.

The proposed zoning map amendment is consistent with this goal and the related objectives and policies because it will allow commercial use of the subject parcel, which will support expansion of the Stephens' existing wedding and event business. The wedding and event business attracts clients from a broad geographic area, both within and outside of Florida. The additional options of either a traditional rustic barn or classic Victorian reception venue will appeal to a broader base of clients. The existing wedding event business represents a unique and diverse addition to the city's economic base, and offers opportunities for the wedding parties and guests to explore the City of Brooksville and patronize other local businesses. By allowing the existing business to expand, this zoning map amendment will promote increased sales and business profitability throughout the City of Brooksville.

C. Analysis of impact of the zoning map amendment on the City's ability to provide adequate public facilities.

The Stephens' existing wedding and event business typically hosts such events only on weekends, with an average of about 75 to 100 guests per event. Impacts on the City's roadways is expected to be minimal because site usage will be on weekends and off-peak hours only. Moreover, compared to the increase in transportation impacts if the site were to be developed under its current MH/MF land use designation with up to 18 units per acre, the proposed zoning map amendment represents no negative impact on the City's ability to provide adequate transportation facilities.

The business will be served by public water and sewer, which is already available to the subject site. The proposed zoning map amendment will allow expansion of the existing business to include an additional reception venue choice. This additional reception venue is expected to generate more events because of the appeal to a broader potential client base. However, since such events are scheduled only on weekends, the number of events per calendar year is naturally constrained by the number of weekends available per year.

The Stephens' existing business generates an annual average of 4 events per month. With the expansion allowed by the proposed zoning map amendment, the Stephens goal is to increase their business to an annual average of 8 events per month; one on Saturday and one on Sunday. The average number of guests at each event is 75 to 100. With the additional events due to expansion of the business, plus landscaping irrigation on the subject parcel, water usage is expected to increase by only about 25,000 gallons per year. Thus, the impact on the City's ability to provide water and sewer services is minimal. Moreover, compared to the increase in water usage if the site were to be developed under its current MH/MF land use designation with up to 18 units per acre, the proposed zoning map amendment represents no negative impact on the City's ability to provide adequate public water and sewer facilities.

Conclusion.

Mr. and Mrs. Stephens request approval of their proposed amendment to the City of Brooksville Zoning Map, to amend the zoning of the subject parcel from R-3 Residential to C-4 Neighborhood Commercial, in order to accommodate commercial use of the subject parcel as a wedding event reception venue. The request is consistent with and furthers the goals, objectives, and policies of the City of Brooksville Comprehensive Plan.

Date: 3-11-15

Submitted by: _____
Pamela Jo Hatley, PhD, JD
Agent for Gregory and Dorothea Stephens

Attachment 3

STATE OF FLORIDA PROFESSIONAL ENGINEER No. 49997

COFFIN & McLEAN ASSOC., INC.
Professional Land Surveying
3701 Commercial Way
P.O. Box 5145
Spring Hill, FL 34611-5145
(352) 683-5993 FAX = (352) 683-9156

MAP OF SURVEY, BOUNDARY SURVEY

CERTIFIED TO THE FOLLOWING ONLY:
GREGORY W. & DOROTHEA STEPHENS

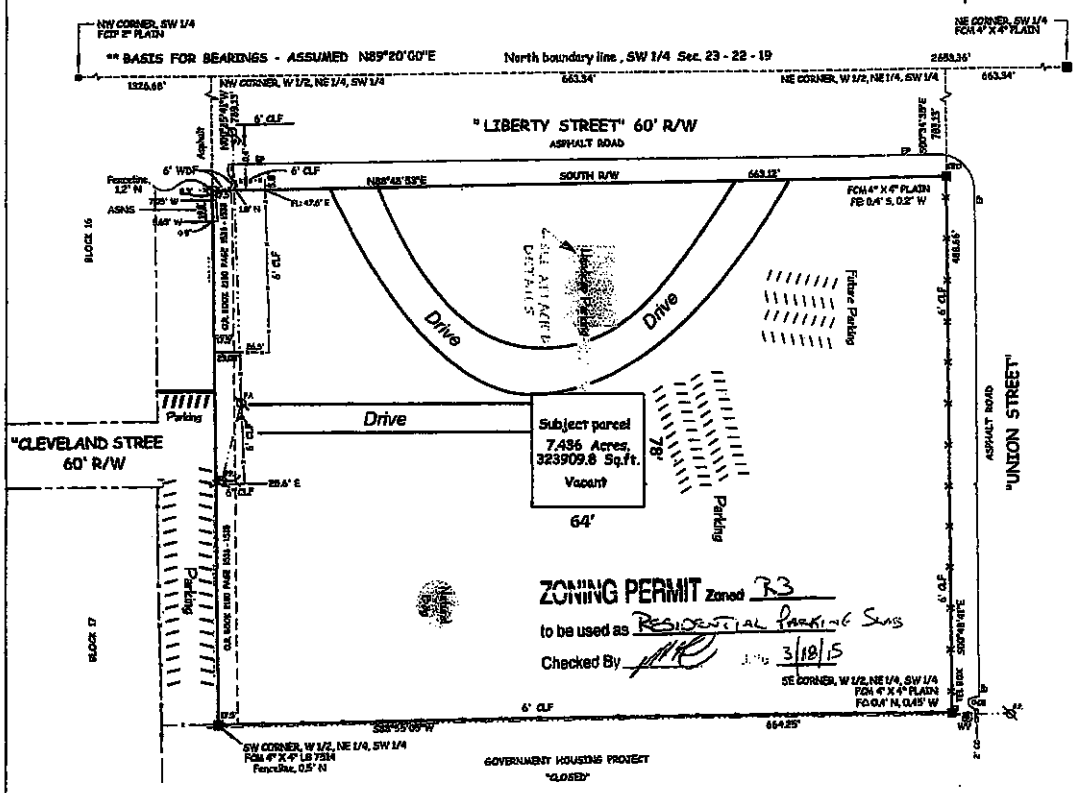
Party Chief:	J.COFFIN	W.O.	14-30
Drawn By:	GORDON	DATE:	01-27-14
Checked By:	J.COFFIN	F.B.	841 PG.74-78,78-79

SECTION: 23 TOWNSHIP: 22 S. RANGE: 19 E

SURVEY DESCRIPTION: O.R. BOOK 3054 PAGE 925

ALL THAT PORTION OF THE WEST 1/2 OF THE NE 1/4 OF THE SW 1/4 OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 19 EAST, HERNANDO COUNTY, FLORIDA, LYING SOUTH OF LIBERTY STREET EXTENSION, AS DESCRIBED IN O.R. BOOK 2180 PAGE 1536 THROUGH 1538, INCLUSIVE OF THE PUBLIC RECORDS OF HERNANADO COUNTY, FLORIDA.

SCALE: 1" = 100'



ZONING PERMIT Zoned R3
to be used as RESIDENTIAL PARKING SLAB
Checked By MKC 3/18/15

NOTE:
VERIFY FLOOD ZONE INFORMATION WITH COUNTY PRIOR TO CONSTRUCTION.

SURVEYOR NOTES

1. Survey based on the description furnished by the client and without benefit of a title search.
2. Bearings shown hereon are assumed by this Surveyor and Mapper in accordance with the Record Plat or Deed and the location of the line used for the "**BASIS FOR BEARINGS" is depicted by ** next to the bearing.
3. Underground utilities and improvements not located or shown.
4. There are no visible encroachments unless shown hereon.
5. The ownership of fences, if any, which exist on or near property lines is not known by this Surveyor and Mapper.
6. Fences located near the property line are not to scale. The distances shown as ties to said fences are correct.
7. The distances shown hereon as ties to existing occupation are at right angles to subject property line.
8. Gutters, overhangs, underground foundations and irrigation systems are not located unless shown hereon.
9. The property shown hereon may be subject to the Rules, Regulations, Ordinances and/or Jurisdictions of Local, State, and/or Federal Agencies. The requirements of said Rules, Regulations, Ordinances and/or the limits of said Jurisdictions are not shown hereon, unless stated otherwise.
10. Prior to construction and/or reliance on Flood Zone Note, the County Building Department should be contacted for verification of Flood Zone.
11. All easements shown hereon are for drainage and/or utilities unless shown otherwise.
12. The property shown hereon is subject to Reservations, Restrictions, and Easements of Record and not of Record.
13. THE TIES TO PROPERTY LINES ARE CALCULATED FROM FIELD MEASUREMENT UNLESS OTHERWISE SHOWN AND ARE PERPENDICULAR TIES.

ABBREVIATIONS LEGEND

AC Air Conditioner
ABS Abandoned Septic System
AB Above Ground Level
AIP Above Ground Pool
ALUM Aluminum
ASHS Aluminum Shed No Slab
ASOS Aluminum Shed on Slab
BLDG Building
BR Benchmark
BWF Barbed Wire Fence
C Calculated from Record Information
CI Curve #1
CATV Cable Television Box
CB Catch Basin
CBS Concrete Block Structure
CC Concrete Curb
CE Covered Entry
CLF Chain Link Fence
CLP Concrete Light Pole
CM Concrete Monument
CMP Corrugated Metal Pipe
CONC Concrete
CP Carport
CPP Concrete Porch
CPPD Concrete Pool & Deck
CR County Road
CW Concrete Walk
D DISC
DT Drop Inlet
DL Decorative Ledge
DRA Drainage Retention Area
DRW Drainage Right-of-way
DW Decorative Window
DWL Decorative Wall
EB Electric Box
EL Elevation
EOB Edge of Unbroken Road
F Field Measurement
FB Field Book
FC Found Corner
FCIP Found Capped Iron Pipe
FCIR Found Capped Iron Rod
FCM Found Concrete Monument
CE Found Cross Cut
FD Found Disc
FDH Found Drill Hole
FI Found Iron
FIP Found Iron Pipe
FIR Found Iron Rod
FL Found Nail
FPKNAIL Found PK Nail & Disk
FS Florida Seam
GP Gas Pole
GW Guy Wire
HCP Handicap Parking Sign
HWP Hay Wire Pole
JBV Junction Box Box
LAKE Lake
L-1 Line #1
LS Land Surveyor Business
LP Light Pole
LS Land Surveyor
MEF Metered End Section
MH Manhole
MOB Mail Box or Post
MP Meter Pole
N73 Not to Scale
North American Vertical Datum
NGP No Glass Pole
NGVD National Geodetic Vertical Datum
OE Overhead Electric Wire
OG Original Ground
OTV Overhead Television Wire
OTW Overhead Telephone Wire
PB Pull Box
PE Pole Power
PC Point of Curvature
POB Point of Beginning
POC Point of Commencement
PP Power Pole
PPP Pool Pump & Filter
PSC Point of Reverse Curve
PSM Professional Surveyor Mapper
PT Point of Tangency
PVMT Pavement
R Record Plat or Deed
RCP Reinforced Concrete Pipe
RIS Rod No Slab
RIS Rod on Slab
RSS Rod over Slab
ROW Road over Wheel
RZ Regional Resource Zone
R/W Right of Way
SCE Screened Covered Entry
SDS Section
SCPP Screened Enclosed Concrete Pool
SFPP Screened Enclosed Fiberglass Pool
SPP Screened Enclosed Pool
SVPP Screened Enclosed Vinyl Pool
SCP Screen Over Porch Residence
SOS Set Over Slab
SP Security Pole
SR Screen Room
SW Screen Porch
SS Septic Tank
SRCP Screened Roof Over Slab
STA Station
STY Story
SUB Subdivision
SVE Screen & Vinyl Enclosure
TBM Temporary Bench Mark
TOB Top of Bank
TOS Top of Slope
TRANS Transformer
TWP Township
TYP Typical
UGPS Underground Power Service
VP Vent Pipe
WF Wood Fence
WFS Wood Frame Shed No Slab
WFSOS Wood Frame Shed On Slab
WM Water Meter
WO Work order
WRF Wood Rail Fence
WV Water Valve
YL Yard Light

CONTROL & CORNER LEGEND

○ Set 5/8" Iron Rod LB# 5232 □ Set 4" x 4" C.M. LB# 5232

Elevations Shown Refer to: ☐ NGVD 1929 ☐ NAVD 1988 ☐ Assumed Datum.

THIS CERTIFIES THAT A SURVEY OF THE PROPERTY DESCRIBED HEREON, WAS MADE UNDER MY SUPERVISION AND THAT THE SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 (formerly 61G17-6) FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. AND, THAT THE MAP HEREON IS A TRUE AND ACCURATE REPRESENTATION THEREOF, TO THE BEST OF MY KNOWLEDGE AND BELIEF. SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

JAMES W. COFFIN,
Professional Surveyor & Mapper
Florida Registration # 3882
Coffin & McLean Assoc., Inc. LB #5232

1-28-14
DATE OF LAST FIELD WORK

OFFICE USE ONLY: C:\DWG\2014\NEW\30-14\14-30\14-30.DWG LAST PLOTTED: 02-04-14

Flood Plane Certification:
According to this F.I.R.M. Map, Community Panel: 12053C 0192 D
Dated: 02-02-12
This property appears to be in Flood Zone "X".
Contact City of Brooksville for more information.

REVISIONS	DATE

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND NOT VALID.

Disk CR5

CORRESPONDENCE-TO-NOTE
REGULAR COUNCIL MEETING – June 1, 2015

1.	TYPE:	Letter
	DATED:	May 19, 2015
	SENT BY:	Frankie Burnett, Mayor
	ADDRESSED TO:	Southwest Florida Water Management District (SWFWMD)
	SUBJECT:	SWFWMD Headquarters
2.	TYPE:	Letter
	DATED:	May 19, 2015
	SENT BY:	Frankie Burnett, Mayor
	ADDRESSED TO:	Metropolitan Planning Organization (MPO) Board Members
	SUBJECT:	Coast-to-Coast Trail Alignment Alternatives
3.	TYPE:	Memo
	DATED:	May 20, 2015
	RECEIVED FROM:	Michael Sittig, Executive Director, Florida League of Cities
	ADDRESSED TO:	Municipal Key Officials
	SUBJECT:	89th Annual FLC Conference - Voting Delegate Information

NOTE: COPIES OF ALL CORRESPONDENCE ON FILE IN THE OFFICE OF THE CITY CLERK

(1)

City of Brooksville

(352) 540-3810 Phone
(352) 544-5424 Fax

May 19, 2015

Chairman Michael A. Babb and Governing Board Members
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

VIA HAND-DELIVERY

Dear Honorable Chairman and Governing Board Members:

The headquarters/principle office of the Southwest Florida Water Management District has been located in Brooksville/Hernando County for almost 54 years. Today, with limited public knowledge or input, you are being asked to approve that the headquarters/principle office be moved from Brooksville to Tampa. This very significant change is being presented for approval through an update to the District's Business Plan.

Since the District's beginnings in 1961, the headquarters have been located in Brooksville/Hernando County. By 1964, the District built its first facility on five (5) acres of the Brooksville Army Airfield property, currently the Brooksville-Tampa Bay Regional Airport.

The requested change in the headquarters/ principle office location has not been well-publicized or noticed for public input or discussion. In fact, even the materials produced for your Board meeting do not provide a transparent or clear understanding of the proposed change in location.

Last evening, during Regular Session, the Brooksville City Council voted unanimously to ask you, the Governing Board, to take no action today regarding relocation of the District's headquarters/principle office. Please allow for this significant change to be vetted and heard in a publically noticed meeting, where the public is given the opportunity to be a part of the discussion and provide input before you make your decision.

Thank you for your consideration.

Regards,

Frankie Burnett

Frankie Burnett
Mayor

201 Howell Avenue, Brooksville, Florida 34601-2041
www.cityofbrooksville.us

CTN 06.01.15

City of Brooksville

(352) 540-3810 Phone
(352) 544-5424 Fax

May 19, 2015

Chairman Cabot McBride and
Members of the Hernando/Citrus Metropolitan Planning Organization (MPO)
20 North Main Street, Room 262
Brooksville, Florida 34601

VIA HAND DELIVERY

Dear Chair McBride and members of the Hernando/Citrus MPO:

Once again the Hernando/Citrus Metropolitan Planning Organization (MPO) is scheduled to discuss "closing the gap" alternatives through the City of Brooksville for the Coast-to-Coast Trail between the Suncoast Parkway Trail and the Good Neighbor Trail.

One of the "Brooksville" trail alignment alternatives that continues forward through the Florida Department of Transportation (FDOT) is the new design and construction of a trail along State Road 50 Truck Bypass.

Since last October, the Brooksville City Council has strongly encouraged an alternative route that would utilize the existing Good Neighbor trail and established trailhead and then continue through historic Brooksville. In a letter from Chairman Nicholas Nicholson addressed to the City of Brooksville and dated October 27, 2014, he stated the following:

> *"During the discussion on this item (Good Neighbor Trail Connector) it became clear that they City of Brooksville would like FDOT to consider an alternative alignment through the city. The Board realized the importance of an effective trail network to the City's long term vision and revitalization."* . . .
>
> *"This action was taken with the understanding and direction of the Board that the MPO would include a project in the updated LRTP for design feasibility analysis of a trail route through the City as requested."* . . . *"This action would prioritize the trail route through the City for the MPO and allow FDOT to identify potential future funding for the project."*

Chairman Nicholson's letter is provided as Attachment 1.

CTN 06.01.15

201 Howell Avenue, Brooksville, Florida 34601-2041
www.cityofbrooksville.us

On November 3, 2014, the Brooksville City Council adopted Resolution 2014-18 supporting the Hernando/Citrus Metropolitan Planning Organization's Amendment to the Long Range Transportation Plan (LRTP) and the Transportation Improvement

Program (TIP) priority list of projects to include an alternate route for connecting the Suncoast Trail to the Good Neighbor Trail trailhead as part of the State of Florida's Coast-to-Coast Trail initiative. Resolution 2014-18 is provided as Attachment 2.

On December 9, 2014, the Hernando/Citrus Metropolitan Planning Organization (MPO) Board added the "West Good Neighbor Trail (GNT) connector" to the FY2014-15 – FY2018-19 Transportation Alternatives (TA) Priority List of the Transportation Improvement Program (TIP). The MPO Chairman, Nicholas Nicholson stated the following in a letter dated December 18, 2014, directed to the Florida Department of Transportation (FDOT), District Seven Secretary:

> "The completion of this project will be a high priority for the MPO, and is vitally important to the downtown revitalization efforts of the City of Brooksville and the planned Coast-to-Coast Connector." He further stated that, "We hope that this correspondence serves to convey the MPO's commitment to the City of Brooksville's desire to enhance connectivity for the Good Neighbor Trail as part of the planned Coast-to-Coast Trail network."

Chairman Nicholson's letter is provided as Attachment 3.

Due to changes in leadership on the Brooksville City Council, Resolution 2015-02 was adopted by the Council on January 5, 2015 to reaffirm support of the Good Neighbor Trail alternative through historic Brooksville. Resolution 2015-02 is provided as Attachment 4.

The City believes that the Good Neighbor Trail alternative through historic Brooksville is the most viable, logical and affordable location for the connection of the State of Florida's Coast-to-Coast Connector Trail. This alternative will provide a desirable destination for trail riders, as contrasted with the other alternative that bypasses the city and provides riders/pedestrians a very poor view and experience of Brooksville/Hernando County trailing along the side of a six-lane concrete highway.

The city does not understand why the Florida Department of Transportation would put forward two (2) trail alignments through the City of Brooksville when one good trail in the proper location would cost less for construction and ongoing maintenance. The Good Neighbor Trail alternative through historic Brooksville provides a more desirable, safer, scenic and enjoyable trail for our city and community.

The City of Brooksville requests the MPO's continued support for the Good Neighbor Trail alternative through historic Brooksville, not only as a "priority" for FDOT funding, but also as *the only trail route through the City of Brooksville* that will "close the gap" for the Coast-to-Coast Trail between the Suncoast Parkway Trail and the Good Neighbor Trail.

Last night during Regular Session of the Brooksville City Council, Good Neighbor Trail advisory board member Dawn Fish presented over 200 signatures on petitions that advocate the Coast-to-Coast Trail connector to join the Good Neighbor Trail and continue through historic Brooksville, as opposed to it being routed around the City on State Road 50 Truck Bypass. Copies of the petitions presented are provided for your review as Attachment 5.

Please choose a scenic, safe and enjoyable trail route and do not let it bypass the City of Brooksville. Thank you for your consideration.

Regards,

Frankie Burnett
Mayor

Attachments

cc: Honorable Senator Wilton Simpson
Honorable Representative Blaise Ingoglia
Paul Steinman, District 7 Secretary - Florida Department of Transportation
Debbie Hunt, Director of Transportation Development – FDOT
Lee Royal, Government Liaison Administrator – FDOT

Attachment 1

METROPOLITAN PLANNING ORGANIZATION
HERNANDO/CITRUS

Hernando/Citrus MPO

20 N. Main Street, Room 262
Brooksville, FL 34601
352-754-4057 Fax: 352-754-4420
www.HernandoCitrusMPO.us

October 27, 2014

10-23-14 A03:53 RCVD

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

RE: Transportation Improvement Program Amendment Good Neighbor Trail Connector from the Suncoast Parkway to the Bike Path/Trail (Coast to Coast)

Dear Ms. Norman-Vacha:

The Hernando/Citrus MPO approved a Transportation Program Improvement (TIP) Amendment for FY 2015 (FY 2015-2019 TIP) on October 21, 2014 to secure funding for design of the Good Neighbor Trail connector as part of the State of Florida Coast to Coast Trail network. This action was taken at the request of the Florida Department of Transportation (FDOT) to secure state funding and ensure that Hernando County would become part of this important project. In addition, the TIP Amendment requested was consistent with the current MPO Long Range Transportation Plan (LRTP), a prerequisite for including it in the TIP. During the discussion on this item it became clear that the City of Brooksville would like FDOT to consider an alternate alignment through the city. The Board realized the importance of an effective trail network to the City's long term vision and revitalization. However, the majority of the Board desired to take advantage of this opportunity to secure funding for the project without the possibility of delay and approved the TIP amendment as requested with the City dissenting.

This action was taken with the understanding and direction of the Board that the MPO would include a project in the updated LRTP for a design feasibility analysis of a trail route through the City as requested. The MPO consultant for the updated LRTP would work with the City Staff to describe the project and include the trail route feasibility analysis in the LRTP as a high priority. This action would prioritize the trail route through the City for the MPO, and allow FDOT to identify potential funding for the project. Action on this request would be taken on December 9, 2014 when the MPO is scheduled to consider final adoption of an updated LRTP.

We hope this correspondence serves to convey the level of the MPO's commitment to an appropriate trail network through the City of Brooksville, and the City's desire to promote a long term vision. Thank you, and should you have any questions please do not hesitate to contact Dennis Dix of the MPO Staff.

Sincerely,

Nicholas Nicholson
Chairman, Hernando/Citrus MPO

cc: MPO Board
Ronald F. Pianta, AICP, MPO Executive Director
Dennis Dix, AICP, MPO Coordinator
Lee Royal, AICP, Community Liaison Administrator FDOT

Attachment 2

RESOLUTION 2014-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, SUPPORTING THE HERNANDO/CITRUS METROPOLITAN PLANNING ORGANIZATION'S (MPO) AMENDMENT TO THE LONG RANGE TRANSPORTATION PLAN (LRTP) AND THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) PRIORITY LIST OF PROJECTS TO INCLUDE AN ALTERNATE ROUTE FOR CONNECTING THE SUNCOAST TRAIL TO THE GOOD NEIGHBOR TRAIL (GNT) TRAILHEAD AS PART OF COAST-TO-COAST TRAIL INITIATIVE, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, at this past Florida legislative session, the Florida State Legislature and the Governor committed 15.9 million dollars in funding to the Coast-to-Coast "missing link" connection project, a part of which is a gap between the Good Neighbor Trail and the Suncoast Trail; and

WHEREAS, one million dollars of this amount has been allocated to Hernando County to do the planning and design work for connecting the GNT to the Suncoast Trail; and

WHEREAS, the City of Brooksville's Good Neighbor Trail Advisory Committee has been working to ultimately bring this connecting portion of the trail through the City of Brooksville, utilizing the trailhead, thereby providing a multi-use trail experience, increasing trail use and bringing much needed visibility and economic benefit to the downtown area; and

WHEREAS, the Chairman of the Florida Greenways and Trails Foundation recommends that Communities choose safe, scenic and enjoyable routes to close the gaps for the future Coast-to-Coast trail network; and

WHEREAS, at their October 21, 2014 meeting, the Hernando/Citrus Metropolitan Planning Organization approved the funding for a SR 50 connector route, which would bypass much of the City limits of Brooksville, with the caveat that they would consider an amendment to the MPO's LRTP at their next meeting to incorporate the City's proposed alternative route as a high priority preference; and

WHEREAS, the alternative route would utilize City rights-of-way and park land, providing trail users with destination points and locations within the City's park system, business and residential districts; and

WHEREAS, it is the consensus of the City Council of the City of Brooksville to support an alternate route that connects the existing Good Neighbor Trail trailhead with the Suncoast Trail along a route that is safe, scenic and enjoyable;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Brooksville, Florida, that:

SECTION 1. The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this resolution.

SECTION 2. The City Council of the City of Brooksville, Florida, strongly endorses and requests the support of the Hernando/Citrus Metropolitan Planning Organization to approve the amendments to the Hernando/Citrus MPO's LRTP and TIP to incorporate the route alternative as provided in Exhibit "A" to this Resolution, as the primary route connection through the City to close the Coast-to-Coast connector gap between the Good Neighbor Trail and the Suncoast Trail.

SECTION 3. A copy of this resolution of support shall be sent to the Hernando/Citrus MPO, State and U.S. legislative representatives for Hernando and Citrus Counties and the State and District 7 Secretaries and appropriate staff of the Florida Department of Transportation.

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

ADOPTED in regular session this 3rd day of November, 2014.

CITY OF BROOKSVILLE

By: _____
Kevin Hohn, Vice Mayor

ATTEST: _____
Janice L. Peters, CMC
City Clerk

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

_____
Thomas S. Hogan, Jr., The Hogan Law Firm, LLC
City Attorney

VOTE OF CITY COUNCIL

Bernardini	AYE
Bradburn	AYE
Burnett	AYE
Hohn	AYE
Johnston	AYE

CERTIFICATION
I certify this to be a true and correct copy of the record in my office.
WITNESSETH my hand and official seal of the City of Brooksville, Florida, this the 10th day of November 2014.
City Clerk _____

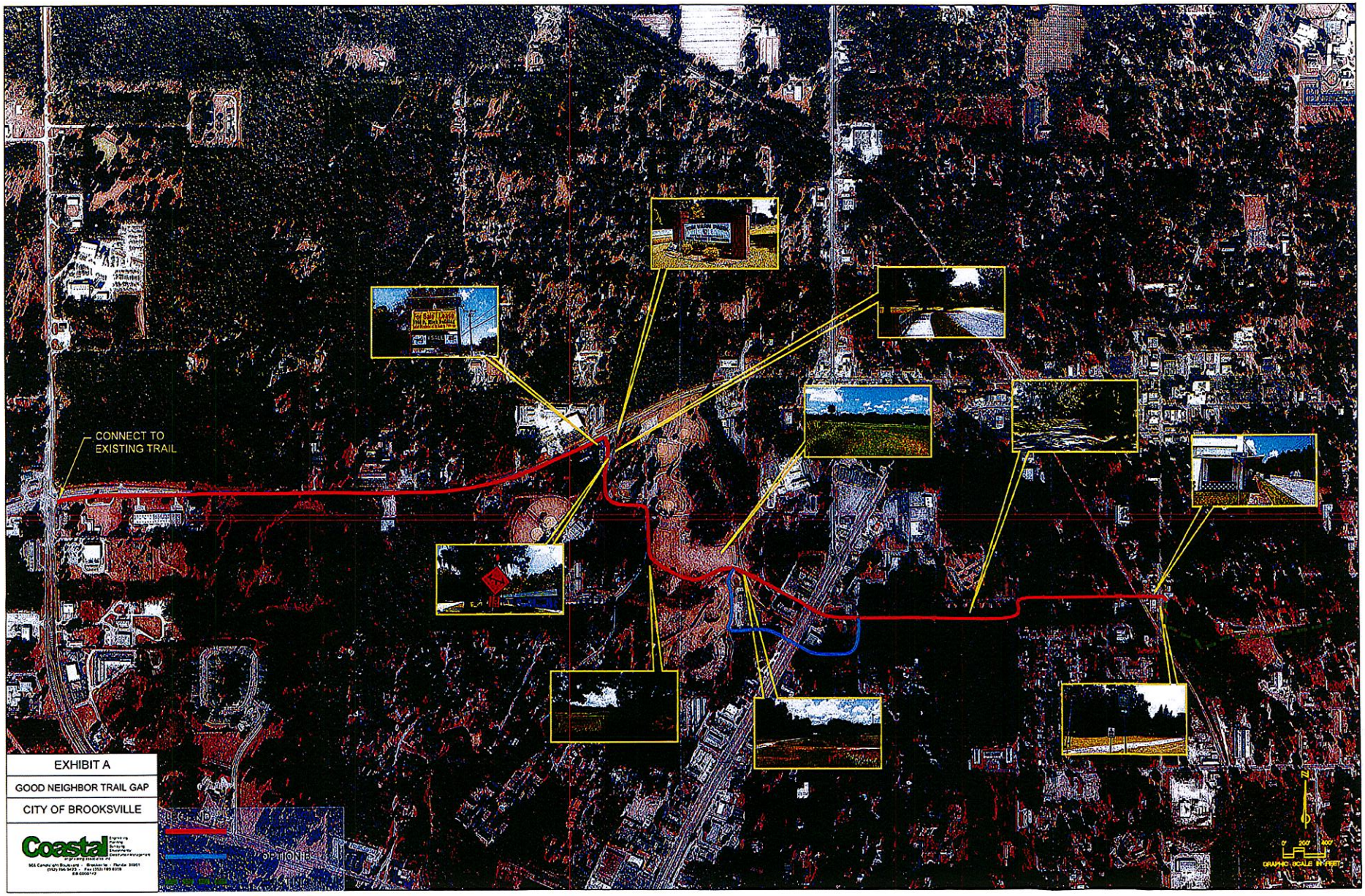


EXHIBIT A

GOOD NEIGHBOR TRAIL GAP

CITY OF BROOKSVILLE

Coastal

Attachment 3

METROPOLITAN PLANNING ORGANIZATION
HERNANDO/CITRUS

Hernando/Citrus MPO

20 N. Main Street, Room 262
Brooksville, FL 34601
352-754-4057 Fax: 352-754-4420
www.HernandoCitrusMPO.us

12-22-14 A10:44 RCVD

December 18, 2014

Mr. Paul Steinman, P.E.
FDOT District 7 Secretary
11201 N. Malcolm McKinley Drive
Tampa, Florida 33612-6403

RE: West Good Neighbor Trail (GNT) connector project

Dear Mr. Steinman:

On December 9, 2014, the Hernando/Citrus Metropolitan Planning Organization (MPO) Board added the *West Good Neighbor Trail (GNT) connector* to the FY 2014/15 - FY 2018/19 Transportation Alternatives (TA) Priority List of the Transportation Improvement Program (TIP). The project will create a multi-use trail link from the current Good Neighbor Trail trailhead in the City of Brooksville west to the multi-use trail programmed for the SR 50/Cobb Road intersection, a distance of approximately 2.4 miles. The completion of this project will be a high priority for the MPO, and is vitally important to the downtown revitalization efforts of the City of Brooksville and the planned Coast to Coast Connector.

We have received a commitment from your staff that funding will be programmed in the upcoming District 7 Work Program for a corridor analysis to determine the exact alignment and design requirements to complete this important trail link. We would also request that the District prioritize funding for the eventual design, right-of-way and construction phases of this important trail extension. We hope this correspondence serves to convey the MPO's commitment to City of Brooksville's desire to enhance connectivity for the Good Neighbor Trail as part of the planned Coast-to-Coast Trail network. If you have any questions, please contact Dennis Dix, AICP, MPO Coordinator, at 352-754-4057, Ext. 28014 or email at dennisd@hernandocounty.us.

Sincerely,

Nicholas Nicholson
Chairman, Hernando/Citrus MPO

ajg

cc: MPO Board
Ronald F. Pianta, AICP, MPO Executive Director
Dennis Dix, AICP, MPO Coordinator
Lee Royal, AICP, Government Liaison Administrator, FDOT
Debbie Hunt, Director Transportation Development, FDOT
Jennene Norman-Vacha, City Manager, City of Brooksville
Wilton Simpson, Senator, District 18, Florida Senate
Charles S. "Charlie" Dean, Sr., Senator, District 5, Florida Senate
Jimmie T. Smith, Representative, District 34, Florida House
Blaise Ingoglia, Representative, District 35, Florida House

CTN 01.05.15
pc: Bill Geiger

Attachment 4

RESOLUTION 2015-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, REAFFIRMING SUPPORT OF THE HERNANDO/CITRUS METROPOLITAN PLANNING ORGANIZATION'S (MPO) AMENDMENT TO THE LONG RANGE TRANSPORTATION PLAN (LRTP) AND THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) PRIORITY LIST OF PROJECTS TO INCLUDE AN ALTERNATE ROUTE FOR CONNECTING THE SUNCOAST TRAIL TO THE GOOD NEIGHBOR TRAIL (GNT) TRAILHEAD AS PART OF THE COAST-TO-COAST TRAIL INITIATIVE, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, at this past Florida legislative session, the Florida State Legislature and the Governor committed 15.9 million dollars in funding to the Coast-to-Coast "missing link" connection project, a part of which is a gap between the Good Neighbor Trail and the Suncoast Trail; and

WHEREAS, one million dollars of this amount has been allocated to Hernando County to do the planning and design work for connecting the GNT to the Suncoast Trail; and

WHEREAS, the City of Brooksville's Good Neighbor Trail Advisory Committee has been working to ultimately bring this connecting portion of the trail through the City of Brooksville, utilizing the trailhead, thereby providing a multi-use trail experience, increasing trail use and bringing much needed visibility and economic benefit to the downtown area; and

WHEREAS, the Chairman of the Florida Greenways and Trails Foundation recommends that Communities choose safe, scenic and enjoyable routes to close the gaps for the future Coast-to-Coast trail network; and

WHEREAS, at their October 21, 2014 meeting, the Hernando/Citrus Metropolitan Planning Organization approved the funding for a SR 50 connector route, which would bypass much of the City limits of Brooksville, with the caveat that they would consider an amendment to the MPO's LRTP at their next meeting to incorporate the City's proposed alternative route as a high priority preference; and

WHEREAS, at their December 9, 2014 meeting, the Hernando/Citrus Metropolitan Planning Organization (MPO) Board added the "West Good Neighbor Trail (GNT) connector" to the FY2014-15 – FY2018-19 Transportation Alternatives (TA) Priority List of the Transportation Improvement Program (TIP), incorporating the City's proposed alternative route as a high priority preference; and

WHEREAS, the City's alternative route would utilize City rights-of-way and publicly-owned lands, providing trail users with destination points and locations within the City's trail and park system, business and residential districts; and

WHEREAS, it is the consensus of the City Council of the City of Brooksville to reaffirm continued support of an alternate route that connects the existing Good Neighbor Trail trailhead with the Suncoast Trail along a route that is safe, scenic and enjoyable;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Brooksville, Florida, that:

SECTION 1. The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this resolution.

SECTION 2. The City Council of the City of Brooksville, Florida, strongly endorses and appreciates the support of the Hernando/Citrus Metropolitan Planning Organization amendments to the Hernando/Citrus MPO's LRTP and TIP, incorporating the City's proposed alternative route as a high priority preference.

SECTION 3. The City Council supports the alternative route as provided in Exhibit "A" to this Resolution, as the primary route connection through the City to close the Coast-to-Coast connector gap between the Good Neighbor Trail and the Suncoast Trail.

SECTION 4. A copy of this resolution of support shall be sent to the Hernando/Citrus MPO, State and U.S. legislative representatives for Hernando and Citrus Counties and the State and District 7 Secretaries and appropriate staff of the Florida Department of Transportation.

SECTION 5. This resolution shall be effective upon adoption by the City Council of the City of Brooksville, Florida.

ADOPTED in regular session this 5th day of January, 2015.

CITY OF BROOKSVILLE

By: Frankie Burnett

Frankie Burnett, Mayor

ATTEST: Janice L. Peters

Janice L. Peters, CMC
City Clerk

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

Thomas S. Hogan, Jr., The Hogan Law Firm, LLC
City Attorney

VOTE OF CITY COUNCIL

Battista	Aye
Burnett	Aye
Erhard	Aye
Johnston	Absent
Kahler	Aye

CERTIFICATION
I certify this to be a true and correct copy of the record in my office.
WITNESSETH my hand and official seal of the City of Brooksville, Florida, this the 8th day of January, 2015.
City Clerk Janice L. Peters

C2C TRAIL - DANIEL AVENUE CONNECTION OPTION

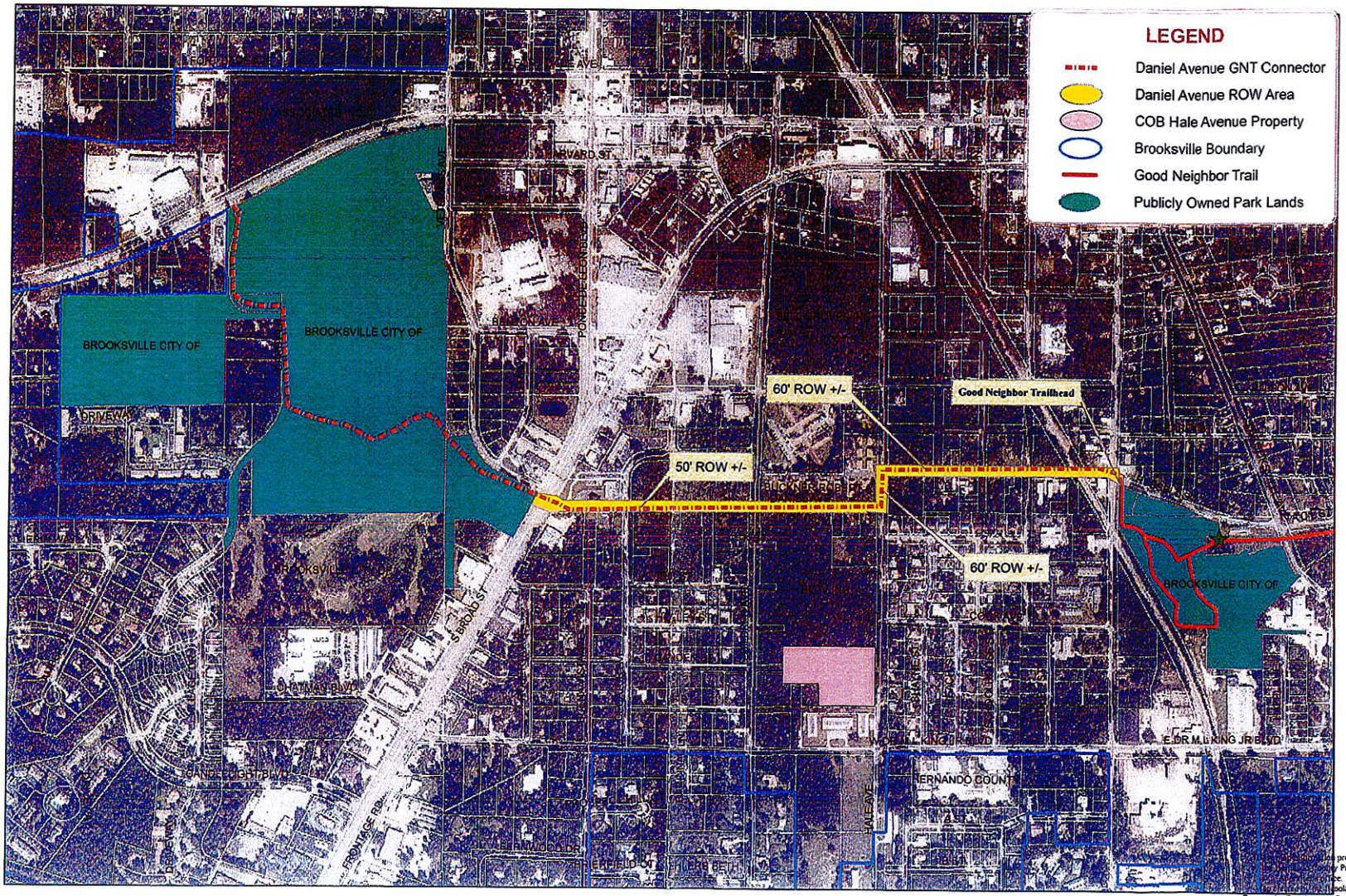


EXHIBIT "A"

provided
Property
Brooksville
Community Development Department
Disclaimer: This map is intended for planning purposes only, and should not be used to determine the precise location of any feature shown thereon.
f:\Esri ArcMap Projects\CTC - GNT Daniel Avenue TVP Route 11102014s.mxd

Attachment 5

WE NEED YOUR HELP!

PLEASE SIGN THE PETITION BELOW!!!

Please support the Coast-to-Coast Trail connector from the Suncoast Trail to the Good Neighbor Trailhead, to come through the City of Brooksville, providing trail users with destination points and locations within the City's park system and business and residential districts, as opposed to being routed around the City on the SR50 Truck Bypass. Don't let it bypass our City!

NAME	CITY/STATE	PHONE NUMBER
Regina Martin	Brooksville, Fl	352-796-3330
Elizabeth Leahy	Brooksville Fl	240-419-1929
Casey Leahy	Brooksville FL	614-302-0201
[illegible]	Brooksville FL	352-540-3810
Joel M. Metivier	Springhill FL	352-410-4210
Magda Padilla	Brooksville FL	352-942-6557
Herminio Muniz	Brooksville Fl	352-942-0863
Adam Gerala	Brooksville FL	352-346-8618
Wayne [illegible]	Brooksville FL	352 7997420
Nancy Button	BROOKSVILLE	352-797-4798
Daniel Miller	Brooksville Fl	570-362-0582
[illegible]	Brooksville FL	352-279578[illegible]
[illegible]	Brooksville Fl	352 650 9094
Bruce Cannon	BROOKSVILLE	352 796 2237
Alan Garman	" FL	352-796-7466
Roberta Schrey	Brook	352-587-8076
[illegible] Nelson	BROOKSVILLE FL	352-428-2490
Peggy Sue Arthur	Brooksville, FL	(352) 442-1693
[illegible]	Brooksville FL	352 232-0297
[illegible]	Brooksville	352-540-3860
Lindsay Morgan	Brooksville FL	352-263-1041
[illegible]	Ocala Fl	352-817-9995
[illegible]	Brooksville	727 251 7353
[illegible]	Ocala, Fl	352-633-0624
John Aitken	New Port Richey	727-376-7317

WE NEED YOUR HELP!

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NAME	CITY/STATE	PHONE NUMBER
Delia Pond	Brks Fl	352-397-3750
Joseph Alderone	Brooksville FL.	727,326,4142
Heather Lodwick	Brooksville FL	352-467-0102
Marty Rittinger	Spring Hill FL	352-5403810
Jennifer Battista	Brooksville FL	352-540-3813
[illegible]	B'ksville Fl	352-403-7534
Frasier W. Mountain	Brooksville FL	
Graham Mott	Brooksville FL	
Timothy Mossgrove	Brooksville, FL	352-585-7212
David L. Hancock	Brooksville, Fl.	352-264-6169
K Kelly	Ridge Manor Fl	813-693-0909
M. Strother	Brooksville, FL	352-945-6278
Jessica Bruns	Brooksville, FL	352-410-5711
[illegible]	Brooksville Fl	302-9038
Kelly Cranney	Brooksville, Fl	813-545-6572
Tameka Haygood	Brooksville, FL	—
Gerald Redman	" "	352-799-5626 2:49
Lester McVicker	Weeks Wachee FLA	352-8352293
Kathy Oliveira	Spring Hill FL	—
Lindsay Gulledge	Spring Hill, FL	8048781412
Charles Pebler	Brooksville FL	352-650-8546
Terri Carter	Brooksville, FL	352-942-4430
Jan Bradburn	Brooksville FL	352-796-7006
Autumn Sullivan	Brooksville Fl	352-540-3890
Frankie Burnett	B'ville, FL	—

WE NEED YOUR HELP!

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NAME	CITY/STATE	PHONE NUMBER
Gary E Schraut	Brooksville Florida	352.799.3000
Jodi V. Shinn	BROOKSVILLE, FL	352 279-7125
Tonya Penick	Brooksville, Fl	352-302-7395
Gina Cavaliero	Brooksville, Fl.	352-302-9734
Janice Peters	Brooksville, FL	352-678-8332
Loretta Lambright	Brooksville, FL	(352)232-0510
EMILIO VERGARA	BROOKSVILLE, FL	352-279-0729
JIM DISTEFANO	SPRING HILL FL	352-610-9237
Deirdre Davis	Leonardo Beach	352 345 5940
Annette Tenaglia	Spring Hill	727-686-3656
[illegible]	NPR	727 847-3582
[illegible]	Hudson	727-869-6129
[illegible]	Hudson	727-869-6129
[illegible]	[illegible]	727.218.3003
Christine Wynne	Plant City, FL	813-610-7336
Anthony Andiola	Plant City, FL	813-610-4776
Marilyn Schaffer	Spring Hill FL	352-556-5640
Ned [illegible]	Brooksville FL	352-279-4400
Melissa Cosme	Brooksville, Florida	352-650-4635
Joseph Rush	Brooksville, Fl.	352-942-1175
Susan Ryce	Brooksville, FL	352-796-8623
Wanda McVeigh	Brooksville, Fl	352-544-1269
[illegible]	Brooksville FL,	813-335-0291
SHARON FOHLE	BROOKSVILLE, FL	603-393-9948
MONDHER SAIDI	BROOKSVILLE	352-5566673

WE NEED YOUR HELP!

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	NAME	CITY/STATE	PHONE NUMBER
*	Mike Fisit	Dunnellon FL	850-210-6324
	Charlotte Fish	Weeki Wachee, FL	352-596-2567
	Donald E. Fish	Weeki Wachee FL	352-596-2567
	Sempa [illegible]	Brooksville, Fl	352-807-2120
	Donna Garrett	Brooksville, FL	352-398-6542
*	Cindy Camp	Beverly Hills, FL	352/586-1811
	Dee Frye	Brooksville, FL	352-799-3440
	[illegible]	Spring Hill, FL	352 200 6298
	[illegible]	Brooksville, FL	352-585-2459
	[illegible]	Brooksville, FL	352 678 0422
	[illegible]	Brooksville FL	~~[illegible]~~ 3525924927
	Rich Lehman	Brooksville, Fl	352-942-0372
	Alecia Kenney	Spring Hill, FL	352-203-5033
	[illegible]	Hernando Beach, FL	352-596-5983
	Andrea Burgess	Brooksville, FL	352-799-7093
	[illegible]	Weeki Wachee, FL	352-650-9542
	[illegible]	Masaryktown, FL	(352) 232-2092
	Christopher Mickels	Brooksville, FL	850-902-7186
	Leslie Jean Casey	Brooksville, FL	(352) 796 1538
	Margaret A. [illegible]	Brooksville, FL	352-796-0175
	Linda Kelley	Brooksville FL	352 796 6382
	[illegible] Kelley	Brooksville Fl	352 796 6382
	Joseph A. [illegible]	Brooksville FLA	352-796-1054
	Rob Lewis	Land O Lakes, FL	(813) 505-7844
	[illegible]	Brooksville	353-345-3577

* Withlacoochee Trail Connect - Gulf Junction Trailhead
* Connect - Withlacoochee trail Inverness / Ft Cooper

WE NEED YOUR HELP!

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NAME	CITY/STATE	PHONE NUMBER
Laura Dewitt	B'ville FL	352 293 1100
MARK Shein	Spring Hill	727-507-1775
Mr. & Mrs Watkinson	B'ville	
Jose [illegible]	BK'ville.	
Kay Lee	BV	
Maria Ayarza	Brooksville	
Gloria Lykes	Brooksville, FL	813-972-8612
Theresa Brummett	Trilby	
Angela Kapocsi	Brooksville	
[illegible]	Brooksville	596-6840
Carrie Davis	Brooksville, FL	352-796-1195
Roma Mewine	Bushnell, Fl.	
Janean Defilippo	Webster, FL	3525851827
[illegible]	Spring Hill, FL	3525442441
[illegible]	Spring Hill FL	
[illegible]	Brooksville Fl	352-397-3609
DEBORAH L. YOUNG	BROOKSVILLE, FL	813-363-9235
STEVE YOUNG	BROOKSVILLE, FL	813-363-9148
Karen Greenway	Brooksville, FL	352 345 5049
April Rhoades	Brooksville, FL	352 556 7762
LISA MINER	Brooksville FL	352 678 8143
James Greenway	Brooksville FL	352-200-0665
Lynn Marx	Spring Hill, FL	352-247-0347
Robert Broe	Brooksville, FL	352-397-3131
Jimmy McCoy	Brooksville Fl.	797-0111

WE NEED YOUR HELP!

PLEASE SIGN THE PETITION BELOW!!!

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NAME	CITY/STATE	PHONE NUMBER
Frank Guckian	Brooksville Fl	
Gary Kuchnitopp	Spring Hill	352-~~[illegible]~~-6174
Marian "	" "	352-540-6174
Arlene Tough	Spring Hill Fl.	352-942-6754
[illegible]	Brooksville FL.	352-428-2855
Angie Balderse	Springhill FL	352 540-3810
Kim BATES	Brooksville Fl	352-212-2567
Carol Anne Townsend	Spring Hill	352-556-9026
Diana J. Smith	Brooksville, FL	727-808-9330
Ronette A. Snyder	Brooksville, FL	352-544-5669
Mary Ellen Urban	Brooksville, FL	352-544-0197
W. Janet Ronsbury	Brooksville	352 3983021
[illegible]	Brooksville FL	352-746-2302
Donna Fabozzi	Spring Hill Fl.	352-666-0296
Frances Galletta	Spring Hill, FL	352-346-1267
Mike Walker	Brooksville Fl.	352 650 9644
Michael Dow	Brooksville, FLA	352-593-4061
Clifford T. Bright	Brooksville Fla	352 8486083
CLYDE HADY	BROOKSVILLE	352-799-1889
Judith McIntire	Weeki Wachee FL	207-766-5254
Blair Honsley	Brooksville Fl.	353-585-7276
Adele Van Sciver	Brooksville, FL	352 293 2240
Rikki Peterson	Brooksville, FL	813-445-1746

WE NEED YOUR HELP!

PLEASE SIGN THE PETITION BELOW!!!

Please support the Coast-to-Coast Trail connector from the Suncoast Trail to the Good Neighbor Trailhead, to come through the City of Brooksville, providing trail users with destination points and locations within the City's park system and business and residential districts, as opposed to being routed around the City on the SR50 Truck Bypass. Don't let it bypass our City!

NAME	CITY/STATE	PHONE NUMBER
Elane Rogers	Brooksville, FL	796-5617
Jackie Mays	Weeki wachee, FL	797-6349
Dave Mays	Weeki wachee, FL	797-6349
Ashley Piscpia	Brooksville, FL	908-415-1729
Linda Kelloaugh	Brooksville, Fl	799-2648
Kim Gandy	Brooksville, Fla	796-4523
Diane Kennedy	Lecanto, FL	628-4681
Adriann Stewart	Brooksville, FL	799-2240
SUSAN MOUSTED	BROOKSVILLE, FL	5934359
Jeanne Lashley	Brooksville, FL	650-9679
Jenna Dissette	Brooksville, FL	584-5826
Janie Sman	Land O' Lakes, FL.	346-1041
Merryann Orlando	Brooksville, FL	352 515 6709
Ramona Ward ☺	Brooksville, FL	277-8533
Cheryl White	Brooksville, Fla.	585-7179
Stacy Flint	Spring Hill, FL	263-1530
Bridie Jones	Brooksville, FL	813-917-3672
Sheila Ortiz	Spring Hill, Fl	352-345-2509
Cassandra Clayton	Brooksville, FL	352-238-2706

WE NEED YOUR HELP!

PLEASE SIGN THE PETITION BELOW!!!

Please support the Coast-to-Coast Trail connector from the Suncoast Trail to the Good Neighbor Trailhead, to come through the City of Brooksville, providing trail users with destination points and locations within the City's park system and business and residential districts, as opposed to being routed around the City on the SR50 Truck Bypass. Don't let it bypass our City!

NAME	CITY/STATE	PHONE NUMBER
Robert Knowles	Parks - FLA	352-200-0680
TM Bugg	Brooksville, FL.	352-544-5053
Liz Knowles	Brooksville, Fl	352-263-5193
Christie Williams	Brooksville FL	352.340.6142
Kim Ryczek	Brooksville FL	352-556-6944
Barry Ryczek	Brooksville	352-200-9200
Jack Zink	Brooksville Fl	352-303-6571
Rod Miller	Brooksville F	352-867 5095
Paul Strohm	Weeki Wachee FL	352-597-7435
[illegible]	BROOKSVILLE, FL	352-797-7481
[illegible]	BROOKSVILLE Fl	3527994230
[illegible]	Brooksville, FL	352-544-8473
William Carter	Brooksville, Fl.	352-279-0847
Michelle Carter	Brooksville Fl.	352-585-0231
Megan Ryczek	Brooksville, FL	352-556-6544

WE NEED YOUR HELP!

PLEASE SIGN THE PETITION BELOW!!!

Please support the Coast-to-Coast Trail connector from the Suncoast Trail to the Good Neighbor Trailhead, to come through the City of Brooksville, providing trail users with destination points and locations within the City's park system and business and residential districts, as opposed to being routed around the City on the SR50 Truck Bypass. Don't let it bypass our City!

NAME	CITY/STATE	PHONE NUMBER
Vivian I Humphries Hyslop	Brooksville-FL 34605	352.796-1609
ANN K. DOBROW	HERNANDO BCH, 34607	352-592-0882
Jupith A. Noble	SPRING HILL FL 34606	352-515-5246
Helen Wheat	Brooksville Fl 34601	352-799-5290
Judy Rivera	Brooksville FL 34613	352-5978619
Linda-Sue Johnson	Brooksville 34613	352 576 8495
Peggy S Mauhowes	Brooksville 34613	352 592 6889
Chris [illegible]	Brooksville Fl	352.345.3510

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NAME	CITY/STATE	PHONE NUMBER
DAVID GUNGOOR	BROOKSVILLE, FL	727-430-6369
Tonya Simmons	Tampa FL	813 833-0035
Cheyenne Sellers	Brooksville Fl.	352-584-5614
Maya Rivero	Spring Hill, FL	352-200-6718
Gregg Weiss	NPR Fl	727-808-5003
Cliff Taylor	Brooksville, FL	352-232-0850
Jordan Reeves	Brooksville, FL	727-251-4935
!! STEPHANIE PICHETA!!	BROOKSVILLE, FL	352-845-1768
Tracy Schofield	Brooksville FL.	352-263-7552
Taylor Hunnicutt	Brooksville Fl.	352-584-5614
Shawnee Sellers	Brooksville Fl.	352-232-0489
Sequoia Sellers	Brooksville Fl.	352-340-8359
owner → Catherine Reeves	Brooksville Fl	727-481-1038

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NAME	CITY/STATE	PHONE NUMBER
Sally Rice	Brooksville, FL	796 8200
Jon D. Hilton	Brooksville FL	584-6590
Lacy Forcells	Brooksville, FL	796-8200
Kay Tager.	Brooksville, FL	796-8200 x117
Karen Foster	Brooksville FL	352 247 0250
Kandee Hagulstrom	Brooksville FL	352-796-8200
Erin Zdrojewski	Brooksville FL	352-796-8200
Susan Wilder	Brooksville, FL	352-796-8200
MIKE BRIM	BROOKSVILLE, FL.	352-796-0175
Chris Scavuzzo	Hernando Beach	352-556-5689

(3)

FLORIDA LEAGUE OF CITIES, INC.

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05-26-15 A10:43 RCVD

TO: Municipal Key Official

FROM: Michael Sittig, Executive Director

DATE: May 20, 2015

SUBJECT: 89th Annual FLC Conference – *Florida Cities: A Public Conversation*
VOTING DELEGATE INFORMATION
August 13-15, 2015 – World Center Marriott, Orlando

As you know, the Florida League of Cities' Annual Conference will be held at the World Center Marriott, Orlando, Florida on August 13-15. This year the theme for this year's conference is *Florida Cities: A Public Conversation*, which will provide valuable educational opportunities to help Florida's municipal officials serve their citizenry more effectively.

It is important that each municipality designate one official to be the voting delegate. Election of League leadership and adoption of resolutions are undertaken during the business meeting. Voting delegates will also adopt the FLC 2016 Legislative Action Agenda because the 2016 Legislative Session will begin early next year. One official from each municipality will make decisions that determine the direction of the League.

In accordance with the League's by-laws, each municipality's vote is determined by population, and the League will use the Estimates of Population from the University of Florida for 2014.

Conference registration materials will be sent to each municipality in the month of June. Materials will also be posted on-line. Call us if you need additional copies.

If you have any questions on voting delegates, please call Gail Dennard at the League (850) 701-3619 or (800) 616-1513, extension 3619. **Voting delegate forms must be received by the League no later than August 7, 2015.**

Attachments: Form Designating Voting Delegate

CTN 06.01.15

President **Matthew D. Surrency,** Mayor, Hawthorne
First Vice President **Susan Haynie,** Mayor, Boca Raton • Second Vice President **Vacancy**
Executive Director **Michael Sittig** • General Counsel **Harry Morrison, Jr.**

89th Annual Conference
Florida League of Cities, Inc.
August 13-15, 2015
Orlando, Florida

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. *Municipalities do not need to adopt a resolution to designate a voting delegate.*

Please fill out this form and return it to the League office so that your voting delegate may be properly identified.

Designation of Voting Delegate

Name of Voting Delegate: _____

Title: _____

Municipality of: _____

AUTHORIZED BY:

_____
Name

_____
Title

Return this form to:

Gail Dennard
Florida League of Cities, Inc.
Post Office Box 1757
Tallahassee, FL 32302-1757
Fax to Gail Dennard at (850) 222-3806 or email *gdennard@flcities.com*

MEMORANDUM

Important Information

Submitting Resolutions for consideration by the FLC Resolutions Committee

The League's Resolutions Committee will be meeting in conjunction with the FLC Annual Conference, August 13-15, 2015. Any municipality interested in submitting resolutions for consideration must submit them to the League no later than **Wednesday, July 8, 2015**, to guarantee that they will be included in the packet of proposed resolutions to the Resolutions Committee. Resolutions are limited to federal, constitutional or commemorative issues that are of statewide concern. Attached are the procedures your municipality should follow for proposing resolutions to the League membership.

If you have questions regarding resolutions, please contact Allison Payne at apayne@flcities.com or 850-701-3602 at the League office.

FLC Legislative Policy Committee Process

With the Florida Legislature convening the 2016 Legislative Session in January instead of March 2016, the policy committee meetings will commence this June instead of September. This accelerated timeline means the proposed priorities adopted by each policy committee will then be submitted to the Legislative Committee and then ultimately the FLC membership for consideration and adoption at the FLC Annual Conference in August instead of the FLC Legislative Conference in November. These priorities then become the League's Legislative Action Agenda.

If you have questions regarding the legislative policy process, please contact Holly McPhail at hmcphail@flcities.com or 850-701-3604 at the League office.

Procedures for Submitting Resolutions
Florida League of Cities' 89th Annual Conference
World Center Marriott, Orlando, Florida
August 13 – 15, 2015

In order to fairly systematize the method for presenting resolutions to the League membership, the following procedures have been instituted:

(1) Proposed resolutions must be submitted in writing, to be received in the League office by July 8, 2015, to guarantee that they will be included in the packet of proposed resolutions that will be submitted to the Resolutions Committee.

(2) Proposed resolutions will be rewritten for proper form, duplicated by the League office and distributed to members of the Resolutions Committee. (Whenever possible, multiple resolutions on a similar issue will be rewritten to encompass the essential subject matter in a single resolution with a listing of original proposers.)

(3) Proposed resolutions may be submitted directly to the Resolutions Committee at the conference; however, a favorable two-thirds vote of the committee will be necessary to consider such resolutions.

(4) Proposed resolutions may be submitted directly to the business session of the conference without prior committee approval by a vote of two-thirds of the members present. In addition, a favorable weighted vote of a majority of members present will be required for adoption.

(5) Proposed resolutions relating to <u>state legislation</u> will be referred to the appropriate standing policy committee. Such proposals will not be considered by the Resolutions Committee at the conference; however, all state legislative issues will be considered by the standing policy committees and the Legislative Committee, prior to the membership. At that time, a state Legislative Action Agenda will be adopted.

(6) Proposed resolutions must address either federal issues, state constitutional issues, matters directly relating to the conference, matters recognizing statewide or national events or service by League officers. All other proposed resolutions will be referred for adoption to either the Florida League of Cities Board of Directors or FLC President.

Municipalities unable to formally adopt a resolution before the deadline may submit a letter to the League office indicating their city is considering the adoption of a resolution, outlining the subject thereof in as much detail as possible, and this letter will be forwarded to the Resolutions Committee for consideration in anticipation of receipt of the formal resolution.

Important Dates

May 2015
Notice to Local and Regional League Presidents and Municipal Associations regarding the Resolutions and Legislative Committees

June 2015
Appointment of Resolutions Committee Members
June 25 – Legislative Post-Session Review (2015 Session)
June 26 – Policy Committee Meetings (2016 Session)

July 2015
July 8 – Deadline for Submitting Resolutions to the League office
July 17 – Policy Committee Meetings (2016 Session)

August 2015
August 13 – Policy Committee Meetings including the finalization of proposed committee statements (FLC Annual Conference)
August 14 – Resolutions Committee Meeting
August 14 – Legislative Committee Meeting (2016 Session)
August 15 – Pick Up Voting Delegate Credentials Followed by Annual Business Session