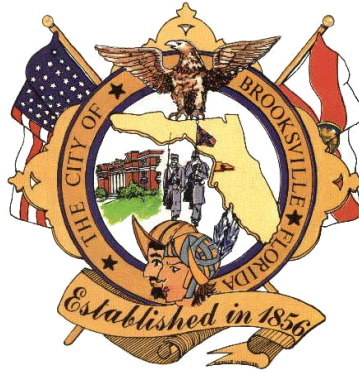


City of Brooksville

JOSEPH E. JOHNSTON, III, COUNCIL CHAMBERS
201 HOWELL AVE.
BROOKSVILLE, FLORIDA 34601-2041
(352) 540-3810

David Bailey
Council Member



Robert Battista
Vice Mayor

Blake Bell
Council Member

Betty Erhard
Council Member

Pat Brayton
MAYOR

"The City of Brooksville's mission is to provide superior municipal services in a reliable, efficient, fiscal and socially effective manner, making Brooksville a desirable City to live, work, and visit."

CITY COUNCIL AGENDA SEPTEMBER 20, 2021

REGULAR COUNCIL MEETING - 7:00 P.M

VOSE LAW FIRM, LLP
CITY ATTORNEY

RONALD SNOWBERGER
ACTING CITY MANAGER

JENNIFER J. BATTISTA, CMC
CITY CLERK

GENERAL INFORMATION AND INSTRUCTIONS

Items listed in the "Consent Agenda" will be approved by Council in their entirety by a single motion, indicated by the (✓) symbol, unless otherwise indicated by Council. Other agenda items are considered individually.

Consideration of the item identified on this agenda with an asterisk (**) is a quasi-judicial function of the Council involving land use, and the following procedures apply:

- Disclosure of any ex parte communications by Council members.
- Consideration of applications to intervene as a party, if any. "Request to Intervene/Expert Witness" forms and instructions may be obtained from the recording secretary prior to the scheduled time for consideration of the item.
- Qualification of sworn witnesses who wish to testify as an expert, based on statement of credentials made orally or set forth in application file.
- Swearing of witnesses who wish to give sworn testimony.
- Testimony of City staff witnesses, with cross-examination by applicant and party-interveners, if they request.
- Testimony of applicant and applicant's witnesses, with cross-examination by Council and party-interveners, if they request.
- Testimony of party-interveners and their witnesses, with cross-examination by Council and applicant, if they request.
- Testimony by members of the public who wish to address application. Any individual, not requesting/designated as an intervening party or expert witness may, upon being recognized by the Mayor, present information to the Council, and may be questioned by the Council but is not required to be subject to cross-examination, and need not be sworn in.
- Close of public hearing.
- Council deliberation/vote.

Items identified with a double asterisk (**) are quasi-judicial functions of the City Council other than land use; the Council Members disclose any ex parte communications.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the ADA Coordinator at 352-540-3810 no later than 48 hours in advance of the meeting. Meeting agendas and supporting documentation are available from the City Clerk's office, and online 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 an admissible verbatim record of the proceedings is made.



CITY OF BROOKSVILLE
REGULAR CITY COUNCIL MEETING
JOSEPH E. JOHNSTON III COUNCIL CHAMBERS
201 HOWELL AVENUE
7:00 pm
September 20, 2021

A. **CALL TO ORDER**

B. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Dr. David S. Thomason, Pastor, Anchor Baptist Church, Brooksville, FL

C. **APPROVAL/MODIFICATIONS OF THE AGENDA**

(Limited to City Council and Acting City Manager)

D. **CERTIFICATES AND PROCLAMATIONS**

1. Proclamation - Recognizing 25 years of Pet Luv business
2. Proclamation - Florida Manufacturing Day - October 1, 2021
3. Proclamation - Tampa Bay Buccaneers Day - September 24, 2021

E. **PRESENTATIONS AND APPOINTMENTS**

1. Presentation by Hernando County Economic Development Director, Valarie Pianta

F. **CONSENT AGENDA**

1. **Minutes** -
August 10, 2021 - Special Meeting (Budget)
August 16, 2021 - Regular Council Meeting
September 8, 2021 - First Public Budget Hearing

G. **DISCUSSION OF CONSENT AGENDA ITEMS (IF ANY)**

H. PUBLIC HEARING

1. **Quasi-Judicial - Ex-Parte procedures apply
Ordinance Number 932—RZ 2021-05 – Julian Exclusa And Dale Sieden Petition Requesting Rezoning from Hernando County R-1C To City Of Brooksville PDP-RV
(First Reading approved 9/7/21. Advertised 9/10/21)
Presentation: Steve Gouldman, Acting Community Development Director/City Planner
Recommendation: Acting City Manager recommends approval of Second Reading of Ord. 932 upon roll call vote

I. REGULAR AGENDA

1. Resolution No. 2021-14 - Honoring Dr. Dennis Howard Wilfong
Presentation: Mayor and Council Members
Recommendation: Approval of Resolution No. 2021-14 upon roll call vote
2. Approval of Resolution No. 2021-15 supporting request to close State roads in downtown Brooksville for Christmas on Main Street event (event: December 2, 2021)
Presentation: City Clerk
Recommendation: Approval of Resolution No. 2021-15 upon roll call vote
3. Approval of Engagement letter with Jimmy Crawford, Crawford, Modica & Holt, as Special Magistrate for dispute resolution (LandBuilder, LLC.)
Presentation: City Attorney
Recommendation: Approval
4. Agreement for Custodial Services Between the City of Brooksville and the Property Appraiser and authorization for Mayor to execute agreement.
Presentation: Autumn Sullivan, Finance Director
Recommendation: Approval of agreement for custodial services between the City of Brooksville and the Property Appraiser
5. Fire Department Portable Radio Purchase
Presentation: Brad Sufficool, Acting Fire Chief
Recommendation: Approval of Fire Department Portable Radio Purchase
6. Discussion of potential funding agreements for BMS and ECI (Council discussion item - no attachments)
7. Discussion of City Manager Interview Process and Review of City Manager Contract
Presentation: Kim Price, HR Director
Recommendation: Approve Interview Schedule and Process

K. CITIZEN INPUT [limited to 3 minutes per speaker]

L. **RESPONSE BY ACTING CITY MANAGER AND STAFF/COUNCIL**

M. **ITEMS BY CITY ATTORNEY**

N. **ITEMS BY ACTING CITY MANAGER**

O. **ITEMS BY COUNCIL**

P. **ADJOURNMENT**

1. **CORRESPONDENCE TO NOTE**

1. **August, 2021 Code Enforcement report**

2. **Email dated 9-9-21 from Mayor - accepting Vose Law Firm offer of 60 days continued legal services**



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: D. 1.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Jennifer Battista, City Clerk
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Proclamation - Recognizing 25 years of Pet Luv business
DATE: 09/20/2021

Attachments

PetLuv Proclamation

Form Review

Form Started By: Jennifer Battista
Final Approval Date: 09/13/2021

Started On: 09/13/2021 12:15 PM

City of Brooksville Proclamation

WHEREAS, PetLuv is a Nonprofit Spay and Neuter clinic that opened in Brooksville, Florida September 17, 1996; and,

WHEREAS, PetLuv initially opened 2 days a week, with a staff of four. The business is now open 6 days a week with a staff of thirty; and,

WHEREAS, PetLuv has partnered with Hernando County Animal Services and the Humane Society of the NATURE Coast in a kitten foster and adoption program; and,

WHEREAS, PetLuv advocated for and is an active participant in the Hernando County Trap-Neuter-Vaccinate and Return program to address the feral cat problem; and,

WHEREAS, PetLuv saves some 350 cats and kittens per year from being euthanized; and,

WHEREAS, PetLuv has altered, dewormed, defleaed, cleaned the ears and given rabies shots to thousands of local feral cats; and,

WHEREAS, PetLuv has over 80,000 clients and to date has performed 205,000 surgeries; and,

WHEREAS, PetLuv has saved local citizens literally millions of dollars in pet care costs over the years.

NOW, THEREFORE, BE IT RESOLVED, that we the Undersigned City Council for and On Behalf of the City of Brooksville do hereby recognize the

TWENTY-FIFTH ANNIVERSARY OF PETLUV

In Witness Whereof, we have hereunto set our hand and caused the seal of the City of Brooksville to be affixed this 20th day of September, 2021.

City of Brooksville

Pat Brayton, Mayor

Blake Bell, Council Member

Robert B. Battista, Vice Mayor

David Bailey, Council Member

Betty Erhard, Council Member

Attest: _____
Jennifer J. Battista, CMC, City Clerk



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: D. 2.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Jennifer Battista, City Clerk
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Proclamation - Florida Manufacturing Day - October 1, 2021
DATE: 09/20/2021

Attachments

Manufacturing Proclamation

Form Review

Form Started By: Jennifer Battista
Final Approval Date: 09/13/2021

Started On: 09/13/2021 12:16 PM

City of Brooksville Proclamation

WHEREAS, recognizing October 1, 2021, as Florida Manufacturing Day is an effective way to expand knowledge about the value manufacturing brings to Florida's economy, the importance of the industry to the nation's economic well-being, and to showcase the high-skilled, high wage manufacturing jobs available in the industry; and,

WHEREAS, by working together with educators, manufacturers are able to connect with the workforce of the future to build the next generation of skilled manufacturing employees, take charge of the public image of manufacturing, and ensure the ongoing prosperity of the industry and our country; and,

WHEREAS, the City of Brooksville along with the Hernando County Office of Economic Development, Greater Hernando County Chamber of Commerce, Career Source Pasco Hernando, Nature Coast Manufacturers Association, Pasco-Hernando State College, Hernando County Education Foundation and the Hernando County School District, support manufacturing and manufacturing careers; and,

WHEREAS, manufacturing provides more than 150 jobs in the City of Brooksville, and the 15-plus manufacturing facilities within the city makes products as diverse as transmissions, fabricated metal products, industrial signs, pavers, limestone products and ready-mix concrete.

NOW THEREFORE, WE THE UNDERSIGNED as City Council for and on Behalf of the City of Brooksville, do hereby recognize October 1, 2021 as

Florida Manufacturing Day

in the City of Brooksville, and urges all citizens to join in recognizing the value of our manufacturers and the importance they serve in our City, County, State and the Nation.

IN WITNESS WHEREOF, we have hereunto set our hand and caused to be affixed the seal of the City of Brooksville this 20th day of September, 2021.

City of Brooksville

Pat Brayton, Mayor

Blake Bell, Council Member

Robert B. Battista, Vice Mayor

David Bailey, Council Member

Betty Erhard, Council Member

Attest: _____
Jennifer J. Battista, CMC, City Clerk



**AGENDA ITEM
MEMORANDUM**

City Council
AGENDA ITEM: D. 3.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Jennifer Battista, City Clerk
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Proclamation - Tampa Bay Buccaneers Day - September 24, 2021
DATE: 09/20/2021

Attachments

Tampa Bay Buc Proclamation

Form Review

Form Started By: Jennifer Battista
Final Approval Date: 09/14/2021

Started On: 09/14/2021 02:17 PM

City of Brooksville Proclamation

WHEREAS, Tampa Bay-based A.E. Engine, a media/marketing firm, announced the launch of the 2021 Friday Night Football (FNF) Campus Tour presented by the Tampa Bay Buccaneers through the efforts of the Leopard Quarterback Club of Brooksville, Inc. the official booster association for HHS Leopard Football; and

WHEREAS, the Tampa Bay Buccaneers have set the date of September 24, 2021, to bring their 2021 Campus Tour to the Hernando High School Varsity Leopards Football home game versus Nature Coast High School Sharks which will be held at Tom Fisher Memorial Stadium in City of Brooksville; and

WHEREAS, the Tampa Bay Buccaneers spent their 45th season with the National Football League since their inception and their inaugural season in 1976; and

WHEREAS, by 1979, the Tampa Bay Buccaneers were the only team in NFL history, before free agency, to make it to the NFL Playoffs, completed under owner Hugh Culverhouse, Head Coach John McKay, Hall of Fame linebacker Lee Roy Selmon, and quarterback Doug Williams after only four seasons; and

WHEREAS, the Tampa Bay Buccaneers became a perennial playoff team under new owner Malcolm Glazer, who purchased the franchise in 1995, Hall of Fame head coach Tony Dungy, the dominating "Tampa 2" defense under Hall of Fame defensive lineman Warren Sapp, and the one-two offensive punch of 10,967 career rushing yards by runningback Warrick Dunn and the last true NFL fullback Mike "A-Train" Alstott; and

WHEREAS, the Tampa Bay Buccaneers won Super Bowl XXXVIII (38) in 2002 under the youngest Super Bowl winning head coach John Gruden, the dominant #1 NFL defense led by Hall of Famer linebacker Derrick Brooks, and a "Pound the Rock" offense led by former FSU quarterback Brad Johnson; and

WHEREAS, in 2020, the Tampa Bay Buccaneers earned the title of Super Bowl Champions for the second time under head coach Bruce Arians, the #4 NFL offense led by future Hall of Fame quarterback Tom Brady – the Greatest of All Time ("The G.O.A.T."), the #1 rushing defense led by Shaquil Barrett, and acquire the "CHAMPA BAY" mantra; and

WHEREAS, the Tampa Bay Buccaneers made history by becoming the first ever NFL team to host and play in a Super Bowl at their home stadium and to win the game; and

WHEREAS, the Tampa Bay Buccaneers accomplishments go well beyond the football field. The Tampa Bay Buccaneers Foundation's, since 2003, has had a guiding mission to uplift our community through supporting education, inspiring our youth, saluting our military services, offering player engagement programs, implementing health and wellness projects, and initiating social programs that enrich the lives of families in our region; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor of Brooksville, the City Council of Brooksville, and on behalf of the citizens of Brooksville, do hereby proclaim

September 24th, 2021 as TAMPA BAY BUCCANEERS DAY

for their unmatched athletic performances, history making win, and unparalleled community involvement which further affirms that Florida, Tampa Bay, and thus the City of Brooksville is for Winners.

IN WITNESS WHEREOF, we have hereunto set our hand and caused to be affixed the seal of the City of Brooksville this 20th day of September, 2021.

City of Brooksville

Pat Brayton, Mayor

Blake Bell, Council Member

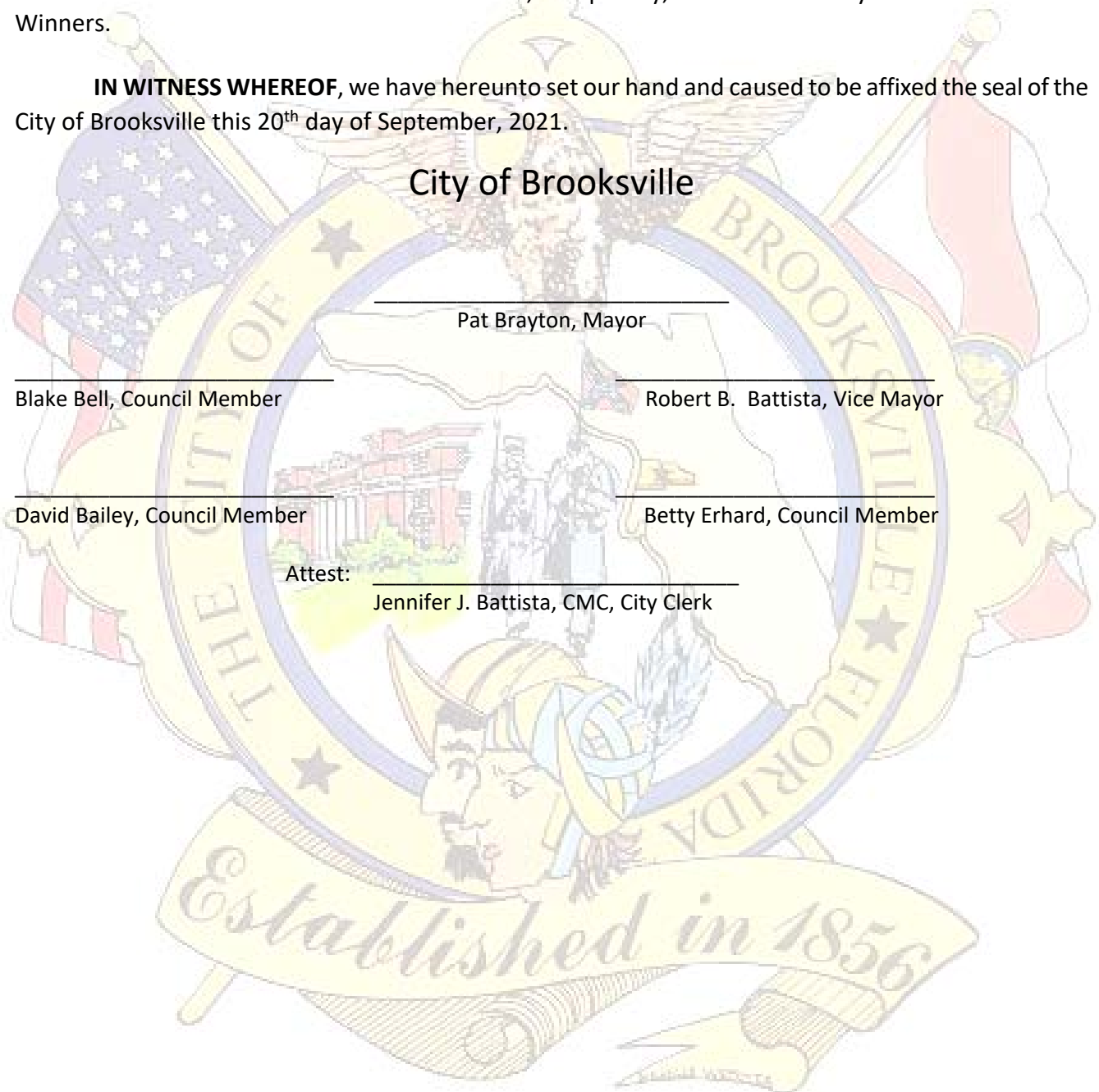
Robert B. Battista, Vice Mayor

David Bailey, Council Member

Betty Erhard, Council Member

Attest:

Jennifer J. Battista, CMC, City Clerk





AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: E. 1.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Ron Snowberger, Acting City Manager
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Presentation by Hernando County Economic Development Director, Valarie Pianta
DATE: 09/20/2021

STAFF RECOMMENDATION:

Discussion by staff.

Attachments

HC Ec. Dev. Presentation
Power Point submitted 9-20-21

Form Review

Form Started By: Jennifer Battista
Final Approval Date: 09/13/2021

Started On: 09/13/2021 03:09 PM



HERNANDO COUNTY
ECONOMIC DEVELOPMENT

“The future depends on what we do in the present.”

-Mahatma Gandhi



**OFFICE OF
ECONOMIC DEVELOPMENT**

- Economic Development Review
- Entrepreneurial Support
- Business Expansion & Relocation Tools
- Opportunities
- Discussion

“Luck is what happens when
preparation meets opportunity,”
–Roman philosopher, Seneca

Thank You

Valerie Pianta, Economic Development Director





HERNANDO COUNTY
ECONOMIC DEVELOPMENT

“The future depends on what
we do in the present.”

-Mahatma Gandhi



**OFFICE OF
ECONOMIC DEVELOPMENT**

- Economic Development Review
- Entrepreneurial Support
- Business Expansion & Relocation Tools
- Opportunities
- Discussion

Economic Development – Activities



Lead Generation

Marketing & Promotion

Partnerships & Special Projects

Community Awareness

Recruitment, Retention & Expansion





Brooksville – Tampa Bay Regional Airport & Technology Center

Eastside is Booming

WEST CENTRAL FLORIDA LOGISTICS CENTER
30373 STATE ROAD 50

± 903,000 SF | ± 58 Acres

**NEW
CONSTRUCTION**



Projects

- Current – 19
 - 3Msf; 2000+ jobs; \$264M
- Recent Projects
 - Barrette Outdoor Living
 - Jaguar Coffee
 - Delamere Industries
 - Flagstone Pavers
 - American Injectables
 - MicroMatic



DELAMERE
INDUSTRIES INC.

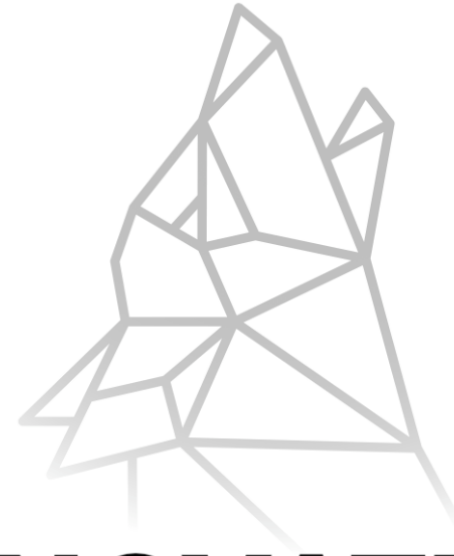


Entrepreneurial Support

Let's Grow Hernando!

Innovation Collective

- Focus on creating innovations that transform a specific industry
- Curated events to inspire and educate
- Connecting Creatives
 - Better Aging Through Technology Pitch Competition
 - Spring Summit
 - Think Big Festival
 - Coffee & Concepts, Fireside Chats, Picnics
- County invested \$475,000 for this project and supports its location in the City



INNOVATION
COLLECTIVE

THE FUTURE OF WORK

Economic Development & Airport Technical Advisory Committee



The EDA-TAC shall act in an advisory capacity to the County's economic development and airport staff regarding the economic development program for Hernando County.

The committee shall provide input, feedback and assistance on economic development and airport issues such as strategic planning, goal setting, prioritization, policies, programming, investments, and incentives.

Meet the EDA - TAC

Members

Timothy Beard
Bryan A. Blavatt
Ray T. Fuqua
Kenneth Hayden

Wayne D. Johnson
Clifford E. Manuel, Jr.
Frank Morsani
Morris R. Porton

Walter E. "Buddy" Selph
Tyler Stapleton
Sophia Watson

Staff

Jeff Rogers, P.E. Airport Manager
Valerie Pianta Christine Schmidt
Jon Jouben Kim Popke
City of Brooksville

Business Recruitment & Expansion Tools

Economic Development Investment Incentive Program

- Approved by BOCC 6/8/2021
- Provides grant awards to new or expanding targeted industries based upon:
 - Job Creation
 - Wages
 - Capital Investment
 - Tangible Property Investment
- Grant values are based upon increase to ad valorem and tangible property taxes
- Utilizes a scoring system to determine value of grant award
- Grant award period is 5 or 10 years
- Applies to projects throughout the county

Business Recruitment & Expansion Tools

EPIC Program

Expedited Permitting, Inspections & Certification

- Encompasses project start to finish
- Provides speed to market
- Sets expectations with initial meeting
- Provides introduction to all departments in County Government
- Offers a single point of contact for project
- Time is money

Opportunities for Collaboration

Marketing

- **Website**
 - Available Properties
 - Demographics/Data
 - Links to city/county
- **Trade Shows/Site Consultant Mission Trips**
 - Business Facilities LiveXChange
 - Area Development
 - Site Consultant Trips
- **Lead Generation**
 - GSLI
 - GIS Planning/Zoom Prospector
- **NextSite**

NextSite

- Tool to specifically identify growth opportunities
- County and City can invest in this program together
- Specific benefits to Tourism and Main Street Program
- Customer Journey Analytics identifies opportunities and successes
- On-Demand Research Reports
- 3-year commitment; \$90,000



A scenic landscape featuring a calm lake in the foreground, a small island with trees in the middle ground, and a dense forest in the background. The trees on the island and in the background are illuminated with a warm, golden light, suggesting a sunrise or sunset. The water of the lake is still, reflecting the trees and the sky. The overall atmosphere is peaceful and serene.

**ALONE WE ARE STRONG
TOGETHER
WE ARE STRONGER**



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: F. 1.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Jennifer Battista, City Clerk
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: **Minutes -**
August 10, 2021 - Special Meeting (Budget)
August 16, 2021 - Regular Council Meeting
September 8, 2021 - First Public Budget Hearing
DATE: 09/20/2021

Attachments

8/10/21 minutes

8/16/21 minutes

9/8/21 minutes

Form Review

Form Started By: Jennifer Battista
Final Approval Date: 09/13/2021

Started On: 09/13/2021 12:12 PM

DRAFT

**CITY OF BROOKSVILLE
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
Joseph E. Johnson III, Council Chambers
201 Howell Ave., Brooksville, FL 34601
10:00 a.m.**

ORDER OF BUSINESS

August 10, 2021

Present: Pat Brayton, Robert Battista, David Bailey, Betty Erhard

Absent: Blake Bell

Also Attending: Ron Snowberger, Acting City Manager; Becky Vose, City Attorney; Jennifer Battista, City Clerk; Lisa Morris, Deputy City Clerk; Autumn Sullivan, Finance Director; Joanne Uzzo, Assistant Finance Director; Paul Booth, Public Works Director; Jeremy Burgess, Utilities Director; Angie Whisnant, Parks and Recreation Director; Tim Grantham, IT Coordinator; Terri Carter, Administrative Assistant; Brad Sufficool, Acting Fire Chief

1. **CALL TO ORDER**

Mayor Brayton called the meeting to order at 10:00 a.m.

2. **PLEDGE OF ALLEGIANCE**

Mayor Brayton led the Pledge of Allegiance.

3. **APPROVAL/MODIFICATIONS OF THE AGENDA**

Motion made by Vice Mayor Robert Battista, seconded by Council Member David Bailey to approve the agenda as presented.

Vote: 4 - 0

4. **SPECIAL MEETING AGENDA ITEMS**

A. **Annual Presentation by Gehring Group - Employee Benefits**

Athena Erchard, Gehring Group, the City's employee benefits consultant, spoke about the employee benefits program. She advised that the current year maximum liability is \$829,000 which will be increased to \$879,000 for the upcoming plan year. She addressed reasons for those increases. Ms. Erchard and Human Resources Director Price advised that currently the HRA is funded at \$500.00 per employee and the City would like to recommend an increase of

\$750.00 per employee, \$1,000.00 for those employees with one dependent on their insurance, and \$1,250.00 with two or more dependents.

Motion made by Council Member David Bailey, seconded by Vice Mayor Robert Battista to accept and approve the employee benefit plan including the tier structure increase of the HRA benefits for employees.

Upon Roll Call Vote:

Council Member David Bailey	Aye
Council Member Betty Erhard	Aye
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 4 - 0

B. Discussion of City Manager hiring process

Human Resources Director Price explained the process used in the past for hiring a new City Manager. The position would be posted on various sites. She referred to a 2017 brochure used when soliciting the previous City Manager, which could be updated and sent to all candidates who apply. A prescreening would be conducted by the Human Resources Director to gauge their interest and to answer any questions they may have. The candidates would then go before a Candidates Submission Hiring Committee which would be City Council.

Interviews would then be set-up and interview questions would be determined. After the interviews, a background check would be conducted and once a candidate is selected, the hiring process would be conducted as in any new hire. HR Director Price informed those present that the Human Resources Director of Pasco County has volunteered her services to assist at no cost. If Council decided to pursue an outside recruiting process, it would be about \$20,000.00.

Council Member Erhard offered her preference that the applications come before Council for the hiring process. Vice Mayor Battista and Director Price both advised that Council is the hiring committee. Director Price stated that she is the advocate to disseminate information.

Vice Mayor Battista offered his opinion that the salary would need to be readdressed. He expressed support of the Pasco County Human Resource Director's assistance in reviewing the applications. The Vice Mayor offered that the City Manager candidate should have extensive Florida City Manager experience.

Mayor Brayton advised that he has been pleased with the work done by Acting City Manager Snowberger and he would like Council's consideration of hiring him as the permanent City Manager. He recalled a statement made at a previous Council meeting that the "new" Council would like to make the hiring decision in 2022 but he felt it could be made now.

Council Member Erhard expressed opposition to making that decision at this meeting and did not think it was best decision for the residents, City or Fire Department. She was concerned about whether Mr. Snowberger had knowledge of the Capital Improvement Program and she advised that he does not live in the City limits. Mayor Brayton stated that he was unaware of any written policy or code that requires that the City Manager live in the City.

Council Member Erhard offered her opinion that Council Member Bailey should recuse himself from the vote because his son works for the City's Fire Department. Council Member Bailey did not feel there was any conflict.

Vice Mayor Battista also opposed hiring Acting City Manager Snowberger at this meeting as the City Manager. The Vice Mayor supported a candidate with a broad range of municipal experiences and supported going through the hiring process to get the best qualified candidate. He further expressed support of Kim Price as the best Human Resources expert the City has had since his involvement with the City. He added that many department heads have not been here long and need someone with a wide-range of experience overseeing them. He stated that Ron Snowberger is a phenomenal Fire Chief.

Regarding a comment by the Mayor, Vice Mayor Battista felt that the new members of Council will get a chance to go through the hiring process and hire a City Manager. He stated that he would hope that the current members of Council would not be so willful as to not hire the best qualified candidate that comes before Council through the process.

Council Member Bailey requested that staff come up and give testimony on the current moral of the City under Acting City Manager Snowberger. The Mayor and Vice Mayor both expressed opposition.

Motion made by Council Member Betty Erhard, seconded by Vice Mayor Robert Battista to move forward with the recruitment process for hiring a City Manager as presented.

Vote: 3 - 1

C. FY 21/22 BUDGET - DEPARTMENT OF PUBLIC WORKS

**The following was specifically discussed by Staff and/or Council:
Local Option Gas Tax Fund 107 and 108 and Streets and Drainage**

- Fund 107 - No comments from Council

- Fund 108 - Director of Public Works Booth explained the legislative appropriation of \$175,000.00 for the jetter vac truck.
- Director Booth stated that the increase in personnel services was associated with the compensation study
- Capital outlays will include DPW's portion of the match of the jetter vac truck funding as well as the road improvements and East Ave. drainage project.
- Streets and Drainage - Director Booth reported on difficulty in hiring a part-time time crew of 5 (needed due to loss of inmate crew) as approved by Council at a previous meeting. He would suggest Council's consideration in hiring three full time employees in the FY22 budget. Council and the Acting City Manager discussed the impact of the loss of the inmate crew and what their duties were. The Vice Mayor discussed the possibility of utilizing an outside vendor such as Utilities does. Director Booth stated that he has looked at that and it is very expensive and would require staff assistance and supervision. Council Member Erhard asked if Mr. Booth had received any quotes or bids on those prices, to which Booth advised that he did not get any formal quotes.
- Council Member Erhard asked what miscellaneous revenue was and Finance Director Sullivan stated that much of it is street closures and tax reimbursement for gas.
- Director Booth confirmed the fact that there is a DPW detailed work plan as questioned by

Council Member Erhard.

- Council Member Bailey offered agreement of the request for three full time staff. He called attention to areas needing pressure-washed such as the sidewalks around the Courthouse. Director Booth stated that the City does have a pressure-washer and there are staff who can operate it but the problem is the lack of time available to commit staff resources. Bailey bought up weeds along Main Street and advised that a group of volunteers will be working on this on August 21st . He wondered if the County could be approached to dredge and fix culverts and drainage. Director Booth stated he has reach out but the County needs a detailed list of what needs to be done before considering it and he has not had the opportunity to prepare that. He reminded Council that culverts under driveways are property owner responsibility. He added that if Council wants to look at programs to replace culverts, staff would need that direction. He stated that to do this, a master stormwater plan is necessary and he advised that he did request a stormwater program that was not approved by Council.
- Council Member Erhard recalled that the stormwater program consultant was \$75,000.00 and it was taxpayers money for it to then to come back and impose a fee to taxpayers. She questioned the Public Works Director's salary. She wondered if any Council Members had driven around and seen all the recent flooding in the ditches. She supported the use of the pressure-washer.
- Donna Morin, City resident, commented on whether any new inmate crew could be utilized by the Parks Department.

Motion was made by Bailey and Erhard seconded by to proceed with three additional full time staff members and eliminating the part-time crew that Council previously approved. Council Member Erhard advised she would not support this unless staff came back with numbers. Mayor Brayton advised that this is not the final budget and those numbers would have to be included in the final budget for Council's review. Motion carried -1, as follows:

Bailey - Aye
Erhard - Nay
Battista - Aye
Brayton - Aye

BUILDING AND FACILITIES

- Director Booth addressed the increase cost due to salary compensation study and the need for a new A/C unit at City Hall. In response to Council Member Erhard's question, Director Sullivan stated that the A/C unit would be on the FY22 CIP.

FLEET MAINTENANCE

- \$150,000 is budgeted for a new fleet facility, per DPW Director Booth. This will depend on the decision on whether to pursue a new DPW facility.

UTILITIES

Water, Wastewater, Sanitation

- Jeremy Burgess, Director of Utilities, presented a PowerPoint.
- Council Member Erhard appreciated the organizational chart
- In response to Council Member Erhard's question, Director Burgess discussed outstanding accounts
- He discussed boil water notices on Facebook and the website and the door-to-door notices that are provided. Email notification of boil water notices is being pursued.
- As potential revenue, Director Burgess is exploring the ability to rent roll-off/trailers for projects

- He advised on the work order system in response to Erhard's question.
- Director Burgess gave a status update on the Cortez Lift Station and the possibility of renovating and rebuilding it to a higher piece of property. Vice Mayor Battista suggested exploring eminent domain.
- Richard Howell, did not state if he was a City resident, expressed the need for new City garbage trucks. He wondered why City and County cannot partner together. He further questioned the City boundaries and the annexation process.
- Vice Mayor advised that FDOT will be six-laning the bypass and he wondered how that will affect the frontage for the lift station. Director Burgess was not aware of that and would check with the engineer for the Cortez lift station project.
- Council Member Erhard asked about the GIS mapping and Burgess went over plans to change to a different mapping company for the shape files which will be more user-friendly, especially for employees in the field.
- The upcoming CIP includes a new garbage truck
- Money is being set aside each year to change out the jetter vac truck in the future
- The Vice Mayor commented about the test that was done to see if a two-man crew was needed on the back of trucks and he was appreciative of the detailed study of the routes. He recalled that the study showed that the south side, which includes Southern Hills, has gotten to be a much bigger route and that the routes may need to be readdressed. Director Burgess and Mike McQuown contributed that they are close to getting that finalized and are using software to assist in route efficiency. Vice Mayor Battista encouraged a strong public notice campaign before routes are changed.

SPECIAL REVENUE FUNDS

The Mayor would like to look at funds with no activity to see if they can be eliminated. Finance Director advised she could remove them.

Fund 109, Law Enforcement Investigative Fund, was addressed by City Attorney Vose, who stated that the Florida Statutes is very limited on what the money can be used for. Finance Director Sullivan asked about Fund 116, Law Enforcement Trust, as well, and the City Attorney advised that she would need to do more research on it. City Attorney Vose suggested that maybe it could be work something out with the HCSO in which they could use the money for projects in the City.

DEBT SERVICE AND CAPITAL PROJECT FUNDS

There was no discussion by Council.

TRUST AND AGENCY FUNDS

The Mayor wondered if the Cemetery perpetual care monies could be used to enhance the Cemetery.

5. Citizen's Input (limited to 3 minutes per speaker)

Acting City Manager

Kojak Burnett suggested that it was in the best interest of the City to hire Acting City Manager Snowberger as the City Manager.

Staff Retiring

Donna Morin, City Resident, asked the number of City employees retiring,

Response by Human Resources Director: At this point, no one in 2021 has officially submitted paper work.

DPW New Staffing Approved

Donna Morin wondered if the new employees hired to replace the inmate crew, could be used in the Parks.

Response by Acting City Manager: If they are needed in the Parks, a meeting between Parks and DPW would be held to make sure all personnel resources are being used where needed.

Personnel Files

Donna Morin asked if copies of CDL's are required to be put in the personnel files.

Response by Acting City Manager: He went over what is required for the job. Human Resources Director Price added that copies of the different classes of drivers' licenses are collected every year and kept in a separate file because they have identifiable pictures and should not be in personnel files.

Weed Eaters and Tools

Donna Morin wondered who would be getting some of the power tools in the budget.

Response by Acting City Manager: Will be used and maintained by DPW but can be transferred to another department if needed.

Jetter Vac Truck

Donna Morin questioned how the truck works and she questioned how it would assist with stormwater issues.

Response by Acting City Manager: He explained the use of the jetter vac truck in both utilities and in public works. It can also be used for cleaning out storm drains. Water flow in the area of Southway Estates is being further looked at in conjunction with a SWFWMD study done of that area a few years ago.

Proposed DPW complex

Mrs. Morin asked if there was an update and the Mayor advised it would be on the August 16th Council agenda.

Acting City Manager

She commended Mr. Snowberger and stated she loved him in the Fire Department.

Southern Hills Boulevard and Tax

Margaret Bloomquist, City Resident, requested that Southern Hills Boulevard be considered as part of the road improvement program. She commented on the City taxes and she wondered what services she receives from that.

6. Items by City Attorney

No items to discuss.

7. **Items by Acting City Manager**

Cortez Lift Station Property

Acting City Manager Snowberger reminded Council that the City is unable to pursue the purchase of the Goldman property that was being considered for the Cortez lift station improvements. If Council would like to pursue eminent domain, he would need consensus or a vote of Council. The current plan is to renovate it in its current location.

Current Tropical Cyclone

The City is monitoring this situation and sandbags are available at DPW.

8. **Items by Council**

Council Member Bailey

Thanked everyone for attending.

Council Member Erhard

She thanked all for coming.

Community Development

Council Member Erhard inquired about City Planner, Steve Gouldman's, current title. Snowberger advised that Mr. Gouldman is currently appointed as Acting Community Development Director. Interviews to fill that position are ongoing. Mr. Gouldman's salary was revised to include the additional responsibility. Council Member Erhard questioned why the salary of the Community Development Director was changed. Human Resources Director Price and Finance Director Sullivan advised that it has been lowered because what the previous Community Development Director was making was more than that position should make as determined in the compensation pay study. Price added that another reason it was lowered is because former Community Development Director Anderson had to also oversee the Building Division, and that has now become its own department.

Organizational Chart

She questioned when there would be an organizational chart forthcoming as she felt it would be good for budget and other purposes. Acting City Manager Snowberger advised that it is important but not a priority in his work load. It is being worked on but he did not anticipate it being done by budget time.

Employee Overtime

Council Member Erhard voiced her concern about what she viewed as an increase in overtime costs.

CIP Update

Requested a copy of the updated CIP.

Vice Mayor Battista

Report on Impact Fee Study

The Vice Mayor questioned the status of the study.

ARPA (American Rescue Act)

The Vice Mayor would like to have a copy of the ARPA correspondence received from potential consultants.

FDOT/Good Neighbor Trail extension- moving Utilities on Jefferson St.

He would like an update on this project

Organizational Chart

He remembers one done in about 2016 included in the budget.

Mayor Brayton

Stormwater assessment

The Mayor spoke about the stormwater assessment program which was not approved by Council. He stated that he has been fighting flooding in his neighborhood for years and flooding is an ongoing issue in the City and he thought that the stormwater assessment program would have been a good starting point.

Millage Rate

Mayor Brayton advised that the City is not increasing the millage rate and that it is the same as last year. However, the County is setting their tentative millage rate higher. He recounted benefits of living in the City such as the water supply and sanitation.

9. Adjournment

Motion made by Vice Mayor Robert Battista, seconded by Council Member Betty Erhard to adjourn at 12:14 p.m.

Vote: 4 - 0

Lisa Morris, CMC, Deputy City Clerk

Attest: _____
Pat Brayton, Mayor

Approved: _____

DRAFT

CITY OF BROOKSVILLE
MINUTES OF THE REGULAR CITY COUNCIL MEETING
Joseph E. Johnson III, Council Chambers
201 Howell Ave., Brooksville, FL 34601
7:00 pm

ORDER OF BUSINESS

August 16, 2021

Present: Mayor Pat Brayton; Vice Mayor Robert Battista; Council Member Blake Bell; Council Member David Bailey; Council Member Betty Erhard; Council Members Bell and Erhard who joined via phone.

Also Attending: Acting City Manager Ron Snowberger; City Attorney John Cary; City Clerk Jennifer Battista; Deputy City Clerk Lisa Morris; Public Works Director Paul Booth; Finance Director Autumn Sullivan; Parks & Recreation Director Angie Whisnant; Acting City Planner Steve Gouldman; IT Coordinator Tim Grantham; Utilities Director Jeremy Burgess; HR & Risk Management Director Kim Price; Acting Fire Chief Brad Sufficool.

A. CALL TO ORDER

Mayor Brayton called the meeting to order at 7:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation offered by Reverend Vinson Parnell, Ebenezer Baptist Church, Brooksville and was followed by the Pledge of Allegiance.

C. APPROVAL/MODIFICATIONS OF THE AGENDA

Motion made by Vice Mayor Robert Battista, seconded by Council Member Betty Erhard to approve the agenda as published.

Vote: 5 - 0

D. PRESENTATIONS AND APPOINTMENTS

1. Brooksville Main Street - Secretary of State Awards

Joanne Peck, Brooksville Main Street, discussed the Brooksville Main Street Program winning three awards, as follows: public-private partnership award, the best public improvement project award, and the 5-year award.

E. **CONSENT AGENDA**

1. Approval of Minutes: July 12, 2021 Regular City Council Meeting
2. Appointment of Member and Alternate Member to Public Risk Management of Florida (PRM) Board

Motion made by Vice Mayor Robert Battista, seconded by Council Member David Bailey to approve the consent agenda.

Vote: 5 - 0

F. **DISCUSSION OF CONSENT AGENDA ITEMS (IF ANY)**

There was no discussion held related to the items on the Consent Agenda.

G. **PUBLIC HEARING**

1. **Resolution No. 2021-11**
After public input, consideration of approving Resolution No. 2021-11 upon roll call vote for FY20/21 Fire Assessment - imposition and collection of Special Assessments to fund Fire Protection Services

City Clerk Battista read Resolution No. 2021-11 by headnote only, as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA RELATING TO THE PROVISION AND FUNDING OF FIRE PROTECTION SERVICES AND FACILITIES; IMPOSING FIRE PROTECTION ASSESSMENTS TO FUND THE PROVISION OF FIRE PROTECTION SERVICES AND FACILITIES IN FISCAL YEAR 2021-22; CONFIRMING THE METHOD OF APPORTIONING THE ASSESSMENTS AMONG BENEFITED PROPERTY; APPROVING THE FIRE PROTECTION ASSESSMENT RATES FOR FISCAL YEAR 2021-22 AND CONFIRMING THE MAXIMUM RATES WHICH MAY BE ADOPTED WITHOUT FURTHER NOTICE IN FISCAL YEARS THEREAFTER; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; APPROVING THE FIRE PROTECTION ASSESSMENT ROLL FOR FISCAL YEAR 2021-22 AND DIRECTING CERTIFICATION THEREOF TO THE TAX COLLECTOR; PROVIDING THE METHOD OF COLLECTION; AND PROVIDING AN EFFECTIVE DATE.

Peter Napoli, Stantec Consulting, came forward to present the resolution and the assessment report.

Council Discussion

Council Member Erhard asked what the increased rate would be.

Mayor Brayton noted that it was a 3% increase over the previous year.

Citizen Input

There was no citizen input.

Council Discussion

No further Council discussion was held.

City Clerk Battista noted that the item was advertised in the Hernando Sun Newspaper.

Motion made by Vice Mayor Robert Battista, seconded by Council Member David Bailey to Approve Resolution 2021-11 The Fire Protection Assessment Rates For Fiscal Year 2021-22 And Confirming The Maximum Rates Which May Be Adopted Without Further Notice In Fiscal Years Thereafter.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Nay
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 4 - 1

2. ****Quasi-Judicial - Reconsideration of Ord. 926—RZ 2020-03—Croom Road Land Holdings, LLC, – Rezoning Petition requesting rezoning from Hernando County Agricultural to City of Brooksville PDP-MU**

Cliff Manuel, Coastal Engineering and petitioner's representative, requested that the hearing be continued until September 20, 2021, City Council Meeting.

Mr. Manuel noted that he had no further presentation.

Council Discussion

Mayor Brayton inquired if the September 20th date would give staff sufficient time. Acting Community Development Director Gouldman responded that he believed it would.

Council Member Erhard questioned if the continuance would change the staff's opinion and Acting Community Development Gouldman responded that he could not say at this time.

Motion to deny continuance of Hearing made by Council Member Betty Erhard. Motion died for lack of a Second.

The Mayor passed the gavel to the Vice Mayor.

Motion made by Mayor Pat Brayton, seconded by Council Member David Bailey to continue the Reconsideration of Ord. 926—RZ 2020-03—Croom Road Land Holdings, LLC, – Rezoning Petition requesting rezoning from Hernando County Agricultural to City of Brooksville PDP-MU to the September 20, 2021 meeting.

Citizen Input

Mike Walker requested that the hearing be continued until an October meeting so that he may attend.

Vice Mayor Battista questioned if the applicant would consider moving the hearing to October.

Mr. Manuel imparted that he would accommodate whatever staff felt was appropriate.

Acting City Manager Snowberger agreed as there are still aspects of the project that need to be worked out.

Donna Morin, City resident, asked who requested a reconsideration.

Mayor Brayton responded that it was his decision to request the item to be brought back for reconsideration.

Eric Lavin spoke in opposition to the project.

Bob Cornett requested that the hearing be continued until an October meeting so that Mr. Walker can attend to speak.

Monty Floyd spoke in opposition to the project.

Pam Everett spoke in opposition to the project.

Josh Hoftstede, City resident, stated that the project should meet the needs of the community.

Council Discussion

Council Member Erhard asked if the developer made any significant progress since the last time it was considered by Council and what changes are the developer going to make. Acting Community Development Director Gouldman gave examples of some changes that the developer has made thus far.

Council Member Erhard queried how often is staff meeting with the Developer's engineer, Cliff Manuel of Coastal Engineering. She also asked if Acting Community Development Director Gouldman had driven to the property after the last big rainstorm. Council Member Erhard asked if the Acting City Manager had driven to the property after the last big rainstorm. She also asked if the other Council Members had driven to the property after the last big rainstorm.

Council Member Bailey spoke about the history of flooding at the property.

Vice Mayor Battista commented that the motion was for September 20th.

Mayor Brayton amended the motion as follows:

Motion made by Mayor Pat Brayton, seconded by Council Member David Bailey to continue the Reconsideration of Ord. 926—RZ 2020-03—Croom Road Land Holdings, LLC, – Rezoning Petition requesting rezoning from Hernando County Agricultural to City of Brooksville PDP-MU to the October 4, 2021 meeting Date Certain

Vote: 4 - 1

H. **REGULAR AGENDA**

1. **Review of Great Brooksvillian Screening Committee nominations, selection of 2021 Great Brooksvillian and approval of funds for the reception**

Great Brooksvillian Screening Committee Chairman Draper presented information related to the top three selections to forward to Council. Mr. Draper listed the Great Brooksvillian Screening Committee the selected nominees in alphabetical order as follows: Ann Mau, Mable Sims, and Joel Smith.

Council Discussion

No Council discussion was held.

Citizen Input

There was none.

Motion made by Council Member Blake Bell, seconded by Council Member Betty Erhard to select Ann Mau as the 2021 Great Brooksvillian.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Aye
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 5 - 0

2. **DRMP, Inc. Ardaman & Associates, Inc. Proposal for Bleacher Structure TVP Option 1 and ADA Compliance Alternative 5.**

Parks and Recreation Director Whisnant provided information to Council on options for repairs to the Tom Varn Park Stadium and requested that Council make a selection of one of the options. She also discussed the need for ADA compliance and accessibility. Parks and Recreation Director Whisnant noted upon selection by Council, the scope of work would be developed and then a formal bid process would be conducted for the project. She noted that in the 5-year CIP, the initial dollars that were set aside for engineering was \$100,000 this fiscal year and for construction was \$250,000 for the next fiscal year.

Vice Mayor Battista questioned if there was a discussion at the Parks & Recreation Advisory Board about the project. Parks and Recreation Director Whisnant replied that the project had not been presented to the Board. She noted that the facility was closed immediately in June when a report from DRMP was received related to the structural issues.

Council Member Erhard speculated if the city could afford to spend the money on the project and Parks and Recreation Director Whisnant responded that \$100,000 which was allocated for engineering for the project for the year has been expended. She imparted that the project had not begun the construction phase. It was noted that it was in the budget for 2022, however, the dollar amount would have to be adjusted.

Vice Mayor Battista questioned the amount of funding that would be required for the engineering and Parks and Recreation Director Whisnant expressed that the project will likely require significant additional engineering costs in addition to the construction costs. Vice Mayor Battista lamented the lack of a copy of the as-built plans. Parks and Recreation Director Whisnant relayed that it was her understanding that staff had been unable to find as-built drawings for the original project.

Council Member Bell suggested that Sam Griffin may have the plans and suggested that staff reach out to Mr. Griffin to procure the plans if he has them.

Council Member Erhard asked if it is currently monitored for shifting. Parks and Recreation Director Whisnant specified that the site has not been monitored for further shifting and that the facility has remained closed.

Council Member Bailey questioned if it was possible to salvage instead of reconstructing. He offered suggestions on ways to salvage the current structure and repair it rather than raze it and start over. Parks and Recreation Director Whisnant conveyed that is the intent.

Council Member Erhard asked why the stadium wasn't being monitored and Mayor Brayton stated that the facility was closed, so there was not a need to monitor it for shifting. Parks and Recreation Director Whisnant offered to ask the consultant if they have resources to monitor the structure should that be the direction of City Council. Council Member Erhard spelled out that the reason for asking about monitoring the structure was to determine if there was a need to begin construction sooner than later.

Vice Mayor Battista also expressed a need to look at further compensation for the engineers since they are being requested to come back before City Council.

Motion made by Vice Mayor Robert Battista, seconded by Council Member David Bailey to approve Alternative 1 retrofit/repair/rehab of Tom Varn Park Stadium Bleachers and ADA Compliance Alternative 5, and requests the consultant come back before Council to present information on the ADA compliance options.

Citizen Input

Michael Burmann, City resident, gave suggestions related to the project.

Council Discussion

Council Member Erhard asked if this was a high-priority project or could the City wait on completing the project and Parks and Recreation Director Whisnant responded it was a high-priority project due to a safety factor being involved.

Council Member Bailey liked Mr. Burmann's idea on ADA compliance. Acting City Manager Snowberger requested that Parks and Recreation Director provide Council with relevant ADA compliance information. Parks and Recreation Director Whisnant stated ADA was about inclusion and not providing a separate ADA-compliant area and that the main construction was driving the costs. She noted that it is about providing access to the same areas for all people regardless of their mobility or non-mobility and that adding a separate ADA compliant area does not meet guidelines.

Council Member Erhard requested that the motion be amended.

Vice Mayor Battista amended his motion to include a request for the consultant to come back before Council to present information on the ADA compliance options.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Aye
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 5 - 0

3. **2021 City of Brooksville Comprehensive Emergency Management Plan Update**

Acting Fire Chief Sufficool presented updated information on the City CEMP. The CEMP was approved by Hernando County Sheriff's Office and the Board of Hernando County Commissioners.

Citizen Input

Linda Grass, City resident, asked how can the EMT circuit expand its services.

Acting Fire Chief Sufficool responded that some of the issues could be addressed.

Motion made by Vice Mayor Robert Battista, seconded by Council Member David Bailey to approve the recently updated (2021) City of Brooksville Comprehensive Emergency Management Plan (CEMP).

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Aye
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 5 - 0

4. **2021 Audit Engagement Letter with CliftonLarsonAllen, LLP**

Finance Director Sullivan provided an overview of the upcoming 2021 Audit engagement letter with Clifton, Larson, Allen, LLP. She noted that the CRA did receive income over \$100,000, so there would be a need for a separate audit for an additional fee of \$3,500 for a total cost of \$63,600. Vice Mayor Battista clarified that the \$3,500 will be drawn from CRA funds and Finance Director Sullivan agreed that it would.

Motion made by Council Member Betty Erhard, seconded by Vice Mayor Robert Battista to approve the 2021 Audit Engagement letter with CliftonLarsonAllen, LLP and authorize Mayor to sign the engagement letter.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Aye

Vice Mayor Robert Battista Aye
Mayor Pat Brayton Aye

Vote: 5 - 0

5. **Fire Inspection and Monitoring Service Agreement Renewal with Siemens for the Enrichment Center**

Public Works Director Booth provided Council with information related to the renewal of the contract for Fire Inspection and Monitoring service agreement with Siemens for the Enrichment Center Building. He noted that the total cost for fire inspections is \$2,123 and the monitoring service is \$730 annually. He gave an overview of the services included.

Council Member Erhard asked who does the current inspections and Public Works Director Booth responded that Siemens does and this was just a renewal of that contract. Council Member Erhard also questioned if it was an annual contract and Public Works Director Booth confirmed that it was. Council Member Erhard inquired if the City Attorney had reviewed the contract. City Attorney Cary confirmed that it had been reviewed.

Motion made by Council Member David Bailey, seconded by Vice Mayor Robert Battista to approve renewal agreement and authorize the Mayor to sign applicable documents.

Upon Roll Call Vote as follows:

Council Member Blake Bell Aye
Council Member David Bailey Aye
Council Member Betty Erhard Aye
Vice Mayor Robert Battista Aye
Mayor Pat Brayton Aye

Vote: 5 - 0

6. **City Hall Covered Entry Repairs / Replacement**

Public Works Director Booth detailed the Proposal submitted by Property Services, GC in the amount of \$44,700.00, for roof replacement and repairs to the City Hall covered entryway to City Hall. He requested that Council award the contract to Property Services, GC and approve additional funding of \$24,7000 as only \$20,000 was allocated for the project.

Council Discussion

Council Member Bailey commented that he would like to review the specifications of the project and spoke about types of material that may be used on the project.

Council Member Erhard commented on the timing of the project and questioned the rainwater drainage. Public Works Director Booth expressed that the project was a part of the CIP for the year and that staff had been working on other projects. He noted that the area was a covered area with a parapet wall that the water does build up in and on both sides of the structure there are open scuffers that drain water as well as a drain systems that runs down through the support pilings and into the ground then out to the parking lot. He noted that this system will be changed to drain into the flower beds.

Council Member Erhard expressed disappointment that the City only received one bid during the bid process and questioned the duration of the bid process. Public Works Director Booth

communicated that the process was open for the standard two-week period.

Council Member Bailey asked about the bid process which is required to have a bid process if the purchase exceeds \$20,000. He questioned if the City collected quotes from local businesses. Public Works Director Booth explained the bid process and requirements for an open public bid. Public Works Director Booth spelled out the City does not contact specific contractors about the existence of an open bid.

Council Member Bailey made comments about concerns with the project and Council Member Erhard questioned about scuffers and Booth responded.

Citizen Input

Michael Burmann, City resident, spoke about Property Services, GC, being a good company and suggested contacting local builders during a bid process.

Steve Culp, Property Services, GC owner, spoke about bidding the project, and about being a Hernando business owner for 23 years.

Council Discussion

Council Member Erhard suggested that the bid process needs to be extended beyond 2-weeks.

Mayor Brayton questioned the reasoning behind having the cover over the walkway. He noted that there was not a cover over the entrance facing Main Street. Public Works Director Booth noted that it was there to provide cover for the entryway of the building. Mayor Brayton suggested demolishing the structure. Council Member Erhard concurred with the Mayor on the demolition of the structure.

Council Member Bell suggested that the costs for demolition and repair should be compared to determine the most cost-effective route to take.

City Attorney Cary explained that staff can bring back the bid and the estimate for demolition for Council's consideration at a future meeting to decide to accept the bid and award the contract or move forward with demolition. He stated that there was not a need to table the item until the next meeting.

Steve Culp, Property Services, GC offered to provide an estimate for the demolition.

Motion made by Council Member Blake Bell, seconded by Council Member David Bailey to have staff obtain cost for demolishing the entryway cover and bring said cost back to Council.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Aye
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 5 - 0

7. **Consideration of the Construction of a new Public Works / Municipal Utilities Facility**

Public Works Director Booth provided information and went over a PowerPoint on the potential of constructing a new public works and municipal utilities facility due to a portion of the building's ceiling collapsing in May of this year. He noted that in the current building, there is about 4,700 square feet of office space (3,100 sq. ft. of usable space and 1,600 sq. ft. of unusable space). He described other areas of the DPW compound which has a combined total of 18,375 sq. ft. of total usable space. Public Works Director Booth talked about previously providing an estimate of \$67,000 and collected a quote of \$49,774.40 which did not include any unseen structural repairs that may be needed, which will require a structural engineer to evaluate the structure. He also noted that there was no internet service in the back of the DPW complex where the maintenance shop was located. Council Member Bailey suggested an antenna or booster to provide internet access throughout the DPW complex.

Public Works Director Booth discussed the current weld and fabrication area which is outdoors in a lean-to open-air garage. He noted this area is also used for equipment storage. Public Works Director Booth went on to explain the effects of the lack of space in that the break room area has been converted to the reception area and there is now a small break room area. He also articulated that visitors must enter through the warehouse as well as meeting spaces are undersized due to having to use conference rooms as office space. He noted that this has eliminated storage space.

Public Works Director Booth imparted that staff had attempted to purchase other suitable facilities; however, the deal did not come to fruition which led to staff to consider the construction of a new building. He recommended the construction of a new facility.

Council Discussion

Council Member Bailey suggested repairing the DPW building to sell it. Public Works Director Booth noted that there were 36 wells for brownfield monitoring as well as a wash-down rack for washing sanitation trucks and heavy equipment after use and would be difficult to sell the property, and he noted the continued usage of the property until other facilities are acquired.

Council Member Bailey questioned the price of the building the City was seeking to purchase and asked if it would have suited the needs of the staff. He also suggested the construction of a building that would be a suitable building for maintenance needs and keep the administration in the current building after making repairs to it. Public Works Director Booth specified the need for a minimum of 20,000 sq. ft. for a maintenance shop alone. Acting City Manager Snowberger commented that staff is trying to keep costs down. Council Member Bailey advocated for a suitable workspace where staff and tools are protected from weather conditions.

Council Member Erhard spoke about wanting estimates from licensed contractors. She also commented on staff's presentation, and in particular, the staff recommendation. She wondered if staff estimates included cost calculations for alternatives, electrical costs, heat, plumbing, and termite damage. She inquired if the insurance company had been contacted related to repairing the building and asked what fleet area is needed. Acting City Manager Snowberger responded that the presentation provided valuable information about the current DPW building and that the building was not ADA compliant as well as that the fleet service area was deplorable and does not meet the needs of staff. He reiterated that the building was built in 1941. Council Member Bell noted there were issues that need to be addressed and would like to see the most cost-effective way to move forward. Vice Mayor Battista wanted to explore options further to look at repairing and refurbishing the current building, but he also liked the idea to build a new

facility as well.

Public Works Director Booth explained the numbers presented were estimates and suggested that staff meet with the continued-services providers to get basic costs. He noted that it would be a multi-phased process and requested direction from Council on how to proceed.

Council Member Erhard questioned why staff had not consulted one of the continued services contractors. Public Works Director Booth explained that was the purpose of the item before Council.

Vice Mayor Battista conveyed that he felt that three members of the Council would like to see the building refurbished to keep the costs down instead of building a new building. Public Works Director Booth said that staff would take that approach should that be the direction from Council, but reminded Council that staff would have to continue to work while it is being refurbished and there would be the need for an alternate facility to house Public Works, Sanitation, Fleet Services, and Municipal Utilities Departmental Staff in order to continue to provide City services. Council Member Bailey asked if staff could not continue to work in the building while it is being refurbished. Public Works Director Booth articulated that staff would have to vacate the building during restoration efforts according to the Fire Marshall and Suncoast Quality Construction, LLC which provided the bid. Public Works Director Booth explained that the entire ceiling structure needs to come down to ensure that it is in good condition, so it will not pose a future hazard. Council Member Bailey questioned why the staff was still working in the building. Public Works Director Booth responded that it is the only facility that the City has.

Council Member Bailey expressed his concern for the safety of the staff in continuing to utilize the building. Public Works Director Booth communicated that staff was not working in the front part of the building which is the most unsafe part of the building. Council Member Erhard inquired as to why repairs have not been made to that portion of the building yet. Vice Mayor Battista suggested that the Council Member who wanted to refurbish the DPW building make a motion as to the direction they want staff to proceed. Council Member Bailey requested that staff provide the cost to fix the DPW building, the cost to build a warehouse/maintenance shop only, and the cost to build a new complex. He stated he wanted actual estimates. Public Works Director Booth responded that he would have to complete a formal bid process.

Motion made by Council Member Betty Erhard, seconded by Council Member David Bailey to direct staff to hire a consultant to come back to the Council with the alternative costs for refurbishing the current DPW building, building a new complex building, and refurbishing the current building, and building a maintenance warehouse/workshop.

Citizen Input

Michael Burmann, City resident, commented on visiting the DPW building with Council Member Erhard.

Kojak Burnett said it was useless to refurbish the DPW building and the City should build a new DPW building.

Donna Morin, City resident, spoke about the construction of a new DPW building and expressed that she felt that reconstructing the stadium at the park was more important than building a new DPW complex.

Linda Grass, City resident, commented that the DPW building looks like it is going to collapse at any minute and asked if a new building would encroach on the historical train museum next

to the location.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Aye
Vice Mayor Robert Battista	Nay
Mayor Pat Brayton	Nay

Vote: 3 - 2

8. **American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Fund Agreement**

Acting City Manager Snowberger detailed the receipt of a funding agreement in the amount of \$4,289,311.00 for the American Rescue Plan Act. He requested approval for the Mayor to execute the agreement and noted the City would receive the funds in two installments of 50%, each one year apart. Acting City Manager noted that he had provided the Council with documentation of how the funds could be utilized and was looking forward to the direction Council would like to move in the utilization of the funding. He also sought the Council's approval to move forward on procurement for the administration of the Federal funds. He discussed the potential impacts of project costs over and above the funding award and no additional City funds are required for administration services. Acting City Manager recommended approval and to move forward with obtaining an administration provider.

Council Discussion

Vice Mayor Battista commented on the guideline documents and the consultant information that were provided to Council. Acting City Manager Snowberger discussed potential administrators. Vice Mayor Battista noted that he was not impressed with the unsolicited administrator proposal that was submitted to the City and suggested staff use an RFP process to procure administration services. He inquired when the City would receive the first installment. Acting City Manager Snowberger stated that it should be within 30 days of the notification. He noted that there were going to be requirements that the City would have to comply with that an administrator would be familiar with whereas staff would not necessarily be.

Acting City Manager Snowberger conveyed that water, stormwater, and sewer projects are allowable for funding with the American Rescue Plan Act funding. Council Member Bell imparted that funds would provide a great investment into the infrastructure of the City and that he would like to see much of the money go to water and sewer infrastructure. Council Member Erhard concurred with Council Member Bell. Vice Mayor Battista inquired about funding from the State and City allocated for Phase IV of the Utility program. Mayor Brayton confirmed that there was funding allocated. Vice Mayor Battista expressed that there was a significant process already ongoing. Mayor Brayton stated his belief that funds could be utilized as matching funds. Acting City Manager responded that the staff was reviewing how the funds could be utilized. He also discussed the dollar amount of grants the City has acquired in the past few months which is between \$4,000,000-\$5,000,000 via legislative funding and grants.

Motion made by Vice Mayor Robert Battista, seconded by Council Member David Bailey to approve the Mayor to execute an agreement for the American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Fund Agreement and move forward with the procurement process to obtain services for the administration of the Federal funds in the amount of \$4,289,311.00.

Citizen Input

None.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Aye
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 5 - 0

9. **Approval of City Manager Salary Range**

HR & Risk Management Director Price presented information on a competitive City Manager Salary analysis to the Council. She detailed the salary range averages and requested that Council approve the proposed salary presented. It was noted that the recommended salary range was \$84,114 - \$111,788.

Council Member Erhard asked if the Human Resources Director had ever been through the City Manager hiring process. HR & Risk Management Director Price advised that she had not. Council Member Erhard stated that she had been through some of the personnel files of the former City Manager's new hires and she discussed her concerns about Ms. Price's title and salary. Mayor Brayton did not feel that was relevant to the salary of the City Manager. Council Member expressed her opinion that it was relevant because HR & Risk Management Director Price will be going through the applications and she further was concerned about Ms. Price utilizing her former boss, Barbara Heitzman, the Human Resources Director of Pasco County, and she wondered if it was a conflict of interest.

Motion made by Vice Mayor Robert Battista, seconded by Council Member David Bailey to approve the City Manager salary range of \$84,114.00 to \$111,788.20.

Citizen Input

None.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Nay
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 4 - 1

I. **CITIZEN INPUT [limited to 3 minutes per speaker]**

DPW Building

Michael Burmann, City Resident, expressed he was glad that there was asbestos and lead testing on the DPW building after the ceiling collapse.

Dumpster in Alley

Michael Burmann, City Resident, questioned if the sanitation department was spraying the dumpsters to kill bacteria. Acting City Manager Snowberger responded that he would get an answer to Mr. Burmann. Vice Mayor Battista noted that not all commercial dumpsters were owned by the City.

Public Input and Trusting Staff

Kojak Burnett spoke about public input being very important, agreeing with staff recommendations, and having trust in the employees.

Frankie Burnett City Hall Lobby Dedication Ceremony

Kojak Burnett thanked Council for honoring Former Mayor Frankie Burnett in a ceremony prior to the Council Meeting.

Baseball Stadium at Tom Varn Park

Monty Floyd spoke about baseball stadium events planned in October and hoped that the repairs to the stadium would be completed before then.

Homelessness

Monty Floyd spoke about the homeless being dropped at the Jericho Center even though it is rarely open. He noted that there were incidents of indecent exposure in the County Library park with homeless people and his belief that homelessness is overflowing into the community due people being bused to Jericho Road Men's Shelter by other cities.

J. **RESPONSE BY ACTING CITY MANAGER AND STAFF/COUNCIL**

No response required.

K. **ITEMS BY CITY ATTORNEY**

No items to discuss.

L. **ITEMS BY ACTING CITY MANAGER**

Acting Fire Chief Sufficool spoke about a demo unit brush truck that is being offered for sale for \$128,000. He noted that there was a requirement of a Letter of intent from the City to "hold" the truck through October. It would be a replacement for a 2000 truck and that it would be significant cost savings to purchase this truck versus an economy model. The truck would be purchased from South Florida Emergency Vehicles as new with a warranty. The truck has 6,000 miles on it and has numerous extras such as a winch, phone system, and off-road package. Acting Fire Chief Sufficool stated that it was a saving of \$22,000.

Mayor Brayton asked if could be purchased directly or if an RFP or piggyback contract was needed. City Attorney Cary confirmed that it could be bought "off the shelf". Mayor Brayton if the funds were allocated in the CIP. Acting Fire Chief Sufficool confirmed that the funds were budgeted.

Motion made by Vice Mayor Robert Battista, seconded by Council Member David Bailey to execute a letter of intent to purchase a 2019 Brush Truck after October 1, 2021 for a total of \$128,000.

Vote: 5 - 0

M. **ITEMS BY COUNCIL**

Council Member Blake Bell

Proclamation in Honor of the 20th Anniversary of 9/11

Request recognition of 20-year anniversary of 9/11 and proclamation to honor first responders.

Council Member David Bailey

Sign Ordinance

Council Member Bailey discussed commercial advertising flags and signs. He requested consideration of abolishing the flag and sign ordinance. It was noted that staff could bring back information to Council on options related to the flag and sign ordinance. The mayor pointed out that any change to the sign code would have to go through the Planning and Zoning Commission.

Council Member Betty Erhard

Staff and Pay and Compensation Study

Council Member Erhard commented that she wanted to clarify for the record she was not anti-staff. She also commented on the recent Pay and Compensation study.

HR & Risk Management Director Price responded to Council Member Erhard's comments.

Vice Mayor Robert Battista

CRA Facade Grants

Vice Mayor Battista expressed the desire for the Council to consider raising CRA facade grant funding to \$20,000 maximum from \$10,000 maximum and suggested scheduling a CRA Meeting.

Mayor Pat Brayton

Budget Meeting

Mayor Brayton reminded Council that there was a Budget meeting next Monday, August 23, 2021 at 3:00 p.m.

N. **ADJOURNMENT**

Motion made by Council Member David Bailey, seconded by Vice Mayor Robert Battista to adjourn at 10:26 p.m.

Vote: 5 - 0

Lisa Morris, CMC, Deputy City Clerk

Attest: _____
Pat Brayton, Mayor

Approved: _____

DRAFT

CITY OF BROOKSVILLE
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
First Public Hearing for FY2022 Budget
Joseph E. Johnson III, Council Chambers
201 Howell Ave., Brooksville, FL 34601
5:01 pm

ORDER OF BUSINESS

September 8, 2021

Present: Mayor Pat Brayton; Vice Mayor Robert Battista; Council Member Blake Bell; Council Member David Bailey; Council Member Betty Erhard; who joined via phone.

Also Attending: Ron Snowberger, Acting City Manager; Becky Vose, City Attorney; Jennifer Battista, City Clerk; Lisa Morris, Deputy City Clerk; Paul Booth, Public Works Director; Autumn Sullivan, Finance Director; Angie Whisnant, Parks & Recreation Director; Tim Grantham, IT Coordinator; Jeremy Burgess, Utilities Director; Kim Price, HR & Risk Management Director; Brad Sufficool, Acting Fire Chief

A. CALL TO ORDER

Mayor Brayton called the meeting to order at 5:01 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Brayton.

C. APPROVAL/MODIFICATIONS OF THE AGENDA

(Limited to City Council and City Manager)

Motion made by Vice Mayor Robert Battista, seconded by Council Member Blake Bell to approve the agenda as presented.

Vote: 5 - 0

D. PUBLIC HEARING - PRESENTATION OF TENTATIVE BUDGET FOR FY 2022 BEGINNING OCTOBER 1, 2021

1. **Public Announcement - Ad Valorem Tax Rate (TRIM Notice)**

Mayor Brayton read the public announcement as follows:

The proposed ad valorem rate for the Fiscal Year 2022 was advertised to be a maximum of 7.00 mills. This millage rate would be a 21.98% increase over the current year's rolled-back rate of 5.7387 mills. After reviewing revenue projections and proposed expenditure levels for the 2022 Fiscal Year, the General Fund budget is balanced at a tentative rate of 5.9000 mills, which is 2.8107% more than the current year's rolled-back rate. This millage rate would be a 2.8107% increase over the current year's rolled-back rate of 5.7387. This means 5.9000 mills is to be levied to fund the Fiscal Year 2022 Budget.

Because the 2022 Fiscal Year Budget has been balanced utilizing the ad valorem tax millage of 5.9000 there is an increase in ad valorem tax revenues of 2.8107%.

2. **Consideration of the FY2022 Budget
Council Discussion**

Council Member Erhard stated that her understanding is that the City is giving the EIC funding of \$25,000 which includes the electric and water costs. Mayor Brayton clarified that the City was giving EIC \$25,000 as well as providing water and electricity service.

Council Member Bell noted that the City and EIC had been splitting the bill for water and electricity service in previous years, however, this year the City will be covering those costs.

Council Member Erhard questioned if the City would be asking for financial expenditure documentation from EIC and BMS. Council Member Bell imparted that he would like to see some provisions related to the City's expectations and services offered by the EIC. Vice Mayor Battista specified he would like something in the same vein as what BMS provides to the City. He noted that both entities were receiving grants of sorts and each should provide similar documentation. Council Member Erhard expressed concerns about moving forward without a contract or an agreement in place.

3. **Public Input on FY2022 proposed budget**

Increase of Taxes

Chris Kingsley (did not indicate if he is a City resident) questioned the reasoning behind the increase of tax rate and supported consideration of un-incorporation of the City. Mayor Brayton and Council Member Bell clarified that the millage rate would remain the same as the previous year.

4. **After Public Input, approval of Resolution No. 2021-13 - Fiscal Year 2022 Tentative Ad Valorem Tax Rate upon roll call vote**

City Clerk Battista read the proposed resolution by headnote only, as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, SETTING THE PROPOSED MILLAGE RATE FOR THE TENTATIVE BUDGET FOR THE FISCAL YEAR 2022 TAXING YEAR PURSUANT TO SECTION 200.065, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

Citizen Input

There was no citizen input.

Motion made by Vice Mayor Robert Battista, seconded by Council Member Blake Bell to approve, after Public Input, approval of Resolution No. 2021-13 - Fiscal Year 2022 Tentative Ad Valorem Tax Rate.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Nay
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 4 - 1

- 5. **After Public Input, approval of First Reading of Ordinance No. 933 - Recommended Budget for Fiscal Year 2022 upon roll call vote and schedule Second and Final Reading for September 22, 2021 at 5:01 p.m.**

City Clerk Battista read the proposed ordinance by headnote only, as follows:

AN ORDINANCE APPROPRIATING CERTAIN MONIES FOR THE GENERAL OPERATIONS OF THE CITY OF BROOKSVILLE, FLORIDA, FROM ITS SEVERAL FUNDS FOR THE TWELVE-MONTH PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022.

Citizen Input

There was no citizen input.

Motion made by Vice Mayor Robert Battista, seconded by Council Member Blake Bell to approve, after Public Input, approval of First Reading of Ordinance No. 933 - Recommended Budget for Fiscal Year 2022 upon roll call vote and schedule Second and Final Reading for September 22, 2021 at 5:01 p.m.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Nay
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 4 - 1

E. **Citizen's Input**

There was no citizen input.

F. **Response by Acting City Manager, Staff or Council**

No response required.

G. **Items by City Attorney**

No items to discuss.

H. **Items by Acting City Manager**

No items to discuss.

I. **Items by Council**

City Attorney Resignation

Mayor Brayton advised Council that the City had received notification of the resignation of the City Attorney. He noted that Vose Law Firm offered to continue to represent the City for 60 days while the City secured new representation.

Motion made by Vice Mayor Robert Battista, seconded by Council Member Betty Erhard to retain Vose Law firm for a period of up to 60 days while the City secures new legal representation.

Upon Roll Call Vote as follows:

Council Member Blake Bell	Aye
Council Member David Bailey	Aye
Council Member Betty Erhard	Aye
Vice Mayor Robert Battista	Aye
Mayor Pat Brayton	Aye

Vote: 5 - 0

J. **Adjournment**

Motion made by Vice Mayor Robert Battista, seconded by Council Member Blake Bell to adjourn at 5:16 p.m.

Vote: 5 - 0

Lisa Morris, CMC, Deputy City Clerk

Attest: _____
Pat Brayton, Mayor

Approved:



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: Public Hearing H. 1.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Steve Gouldman, Acting Community Development Director/City Planner
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: **Quasi-Judicial - Ex-Parte procedures apply
Ordinance Number 932—RZ 2021-05 – Julian Exclusa And Dale Sieden Petition
Requesting Rezoning from Hernando County R-1C To City Of Brooksville
PDP-RV
(First Reading approved 9/7/21. Advertised 9/10/21)
DATE: 09/20/2021

INTRODUCTION & BACKGROUND:

The petition is a request to rezone an approximately 9.40-acre tract from Hernando County R-1C to City of Brooksville PDP-RV (Planned Development Project-Recreational Vehicle). Located on the south side of East Jefferson Street and immediately west of Emerson Road, the subject parcel was annexed into the City on January 4, 2021 and a Comprehensive Plan Future Land Use designation of South Brooksville Planned Development District was assigned to the property in March 2021. The Comprehensive Plan Future Land Use designation allows for the consideration of a non-residential Floor Area Ratio (FAR) of 0.30. The requested PDP-RV zoning district is to allow for the property to be developed as a recreational vehicle park containing 53 RV lots, 1,500 square feet of convenience commercial floor space, a 1,500 square-foot manager's apartment, a 2,000 square-foot community center, a swimming pool and ball courts.

COMPATIBILITY WITH SURROUNDING AREA:

As previously noted, the subject parcel is located on the south side of East Jefferson Street and immediately west of Emerson Road. Properties immediately east, west and south of the subject site have Hernando County zoning designations of R-1A, R-1B and R-1C. A property to the immediate northeast at the intersection of Jefferson Street and Emerson Road has a Hernando County C-2 zoning designation. Properties to the north across Jefferson Street are in the City of Brooksville and are zoned C-2. Given the mixed characteristics of the general area, staff finds the proposed zoning and use compatible with the surrounding development pattern.

PUBLIC FACILITIES & LEVEL OF SERVICE:

The subject properties will be served by City water and sewer services. Primary access to the parcel will be from East Jefferson Street and Emerson Road. Based on data assumptions contained within the City's Comprehensive Plan, the analysis below depicts the impacts associated with the proposed use.

Trip Generation:

The applicant has indicated the intent is to develop the 9.40-acre parcel as a Recreational Vehicle (RV) park containing 53 vehicle spaces as well as 1,500 square feet of accessory convenience commercial floor space. According to the ITE Trip Generation Manual (8th Edition), a 53-space RV park (LUC 416) generates approximately 143 daily vehicle trips and 14 P.M. Peak Hour trips. The developer will not be required to submit a detailed traffic analysis to address the impact of new development on the level of service of the impacted road network.

Water:

If the property is developed as a 53-unit RV park, approximately 5,307 gallons of water per day would be consumed. Presently, the quantity of water required for the potential development of the facility is available and would not result in the City exceeding its allowable maximum consumption of 3.672 million gallons per day (current average daily use in the City is 1.129 MGD).

Sewer:

Development of the subject site as a 53-unit RV park would generate 4,245 gallons of effluent per day. Presently, the addition of the quantity of sanitary sewer effluent generated by the potential development 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). It must be noted that system's capacity is sometimes exceeded during heavy and/or prolonged rain events. The City is and will continue to address the inflow and infiltration issue.

Drainage:

The land area of the majority of the subject parcels is located within Flood Zone X, which is defined as an area exhibiting minimal flood potential. A small portion in the southern part of the site is located with the AE Flood Zone. The AE Flood Zone is defined as an area inundated by 1% annual chance of flooding, for which the Base Flood Elevation has been determined. Future development will be required to meet Land Development Code regulations as well as the SWFWMD 40D-4 permitting requirements and all City Comprehensive Plan policies relating to floodplains, stormwater retention, and stormwater treatment and conveyance.

Recreation Facilities:

A variety of City and County parks and recreation facilities are located in proximity to the subject site. No significant impact on the existing facilities is anticipated.

Public School Facilities:

The proposed project is not anticipated to generate any students.

NATURAL RESOURCES & FEATURES:

According to the Soil Survey of Hernando County, the soil on the property consists of Nobleton Fine Sand (0 to 5% slopes).

BUDGET STATEMENT:

Costs for processing rezoning petitions are offset by applicable application fees.

LEGAL NOTE:

Section 163.3202(2)(b), Florida Statutes requires municipalities to regulate the use of land and water in accordance with land use categories included in the Comprehensive Future Land Use Element to ensure compatibility of adjacent uses and to provide for open space. Zoning districts are established throughout the City to accomplish these objectives. The City of Brooksville Zoning Map shows zoning categories assigned to individual parcels. If a rezoning is approved, the City of Brooksville Zoning Map is updated to show the change in use of the parcel [City of Brooksville Land Development Code, Article II, Part 2-1, Secs. 2-1.1 and 2-1.2(a)]. The proposed ordinance changing the zoning category for the parcels is legally sufficient as to form and has been properly advertised.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

At their August 11, 2021 meeting, the Planning and Zoning Commission voted to unanimously recommend that City Council approve the requested rezoning. The Commissioners in attendance included Chairman Joseph P. Quinn, Vice Chairman Elmer Korbus, Ronald Lawson, George Rodriguez, Gary Sutton, Michael Dolan and John Redpath.

ACTING CITY MANAGER RECOMMENDATION:

The Acting City Manager recommends the City Council find that the proposed rezoning is consistent with the City’s Comprehensive Plan and compatible with the general development pattern in the area and that City Council approve the rezoning of this property from Hernando County R-1C to City of Brooksville PDP-RV (Planned Development Project-Recreational Vehicle), subject to the following conditions:

1. Unless otherwise specified herein, the project shall be developed in accordance with the City of Brooksville Land Development Code as well as the rules and regulations of all applicable government entities.
2. The project shall be permitted a maximum of 53 recreational vehicle spaces, 1,500 square feet of convenience commercial floor space, a 1,500 square-foot manager’s apartment, a 2,000 square-foot community center, a swimming pool and ball courts. The location of the RV spaces, convenience commercial floor space, manager’s apartment, community center, swimming pool, ball courts and parking areas shall be as generally shown on the site plan dated 12/21/20. The existing structures on the property shall be removed.
3. Lot size and dimensions:
 - Interior lots
 - Minimum lot size: 2,450 square feet
 - Minimum width: 35 feet
 - Minimum depth: 70 feet
 - Perimeter lots
 - Minimum lot size: 2,800 square feet
 - Minimum width: 35 feet
 - Minimum depth: 80 feet
4. Setbacks:
 - Minimum front yard: 20 feet
 - Minimum rear yard: 13 feet. The minimum rear yard setback for perimeter lots shall be measured from the interior required buffer area boundary, resulting in a 28-foot setback from the project boundary.

Minimum side yard: 10 feet

5. Buffering and screening:

A buffer area 15 feet in width shall be provided along the entire western project boundary, and along the rear yard boundaries of the lots located to the south of the area designated for commercial, residential and recreational components. The buffer shall contain evergreen trees a minimum of 3 inches DBH spaced at 40 feet on-center at the time of planting, a hedge a minimum of three feet in height spaced 3 feet on center at the time of planting and an opaque fence six feet in height. The fence shall be located at the property boundary. No buffering and screening is required adjacent to the wetland area.

A buffer area 10 feet in width shall be provided along the northern project boundary adjacent to Jefferson Street and the southern project boundary adjacent to the detention/retention area. The buffer shall contain evergreen trees a minimum of 3 inches DBH spaced at 40 feet on-center at the time of planting, a hedge a minimum of three feet in height spaced 3 feet on center at the time of planting.

A buffer area 5 feet in width shall be provided along the eastern project boundary adjacent to the area designated for commercial, residential and recreational components and along the eastern project boundary adjacent to Emerson Road. The buffer shall contain evergreen trees a minimum of 3 inches DBH spaced at 40 feet on-center at the time of planting, a hedge a minimum of three feet in height spaced 3 feet on center at the time of planting. An opaque fence six feet in height shall be provided adjacent to the area designated for commercial, residential and recreational components. No fence is required on the project boundary adjacent to Emerson Road.

6. Two open space areas shown as “Enhanced Natural Area/Park” shall be provided and located as generally shown on the site plan.

7. Existing trees shall, to the greatest extent possible, be preserved.

8. The project shall be permitted a maximum of two access drives located as generally shown on the site plan.

9. The petitioner/developer shall obtain all permits and meet all applicable land development regulations for construction and use of the property.

10. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District.

Attachments

Draft Ordinance 932

Application

Form Review

Inbox
Utilities

Reviewed By
Jeremy Burgess

Date
09/14/2021 02:29 PM

City Attorney
Finance Director
Acting City Manager
Form Started By: Jennifer Battista
Final Approval Date: 09/15/2021

Becky Vose
Autumn Sullivan
Ron Snowberger

09/14/2021 04:52 PM
09/14/2021 04:54 PM
09/15/2021 01:41 PM
Started On: 09/13/2021 03:22 PM

ORDINANCE NO. 932

AN ORDINANCE APPROVING THE REZONING OF APPROXIMATELY 9.4 ACRES OF PROPERTY BEARING HERNANDO COUNTY PROPERTY APPRAISER'S KEY NUMBER 357562 LOCATED ON THE SOUTH SIDE OF JEFFERSON STREET AND WEST OF EMERSON ROAD IN THE CITY OF BROOKSVILLE, FLORIDA, AND MORE PARTICULARLY DESCRIBED IN SECTION 1, FROM HERNANDO COUNTY ZONING DISTRICT CLASSIFICATION R1C TO PDP-RV (PLANNED DEVELOPMENT PROJECT-RECREATIONAL VEHICLE); 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 PDP-RV (Planned Development Project-Recreational Vehicle).

Petitioner: Julian Exclusa and Dale Sieden
ProCivil 360, LLC. as Agent

Parcel Key #s: 357562. See Exhibit "A" for the complete Legal Description _____

Location: This parcel is 9.4 acres in size and is located on the south side of Jefferson Street and west of Emerson Road. Exhibit "C" provides a graphic view of the property.

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 PDP-RV (Planned Development Project-Recreational Vehicle) and the zoning map of the City of Brooksville shall be amended accordingly. The Planned Development Project shall be subject to the following conditions:

1. Unless otherwise specified herein, the project shall be developed in accordance with the City of Brooksville Land Development Code as well as the rules and regulations of all applicable government entities.

2. The project shall be permitted a maximum of 53 recreational vehicle spaces, 1,500 square feet of convenience commercial floor space, a 1,500 square-foot manager's apartment, a 2,000 square-foot community center, a swimming pool and ball courts. The location of the RV spaces, convenience commercial floor space, manager's apartment, community center, swimming pool, ball courts and parking areas shall be as generally shown on the site plan dated 12/21/20. The existing structures on the property shall be removed.

3. Lot size and dimensions:

Interior lots

Minimum lot size: 2,450 square feet
Minimum width: 35 feet
Minimum depth: 70 feet

Perimeter lots

Minimum lot size: 2,800 square feet
Minimum width: 35 feet
Minimum depth: 80 feet

4. Setbacks:

Minimum front yard: 20 feet
Minimum rear yard: 13 feet. The minimum rear yard setback for perimeter lots shall be measured from the interior required buffer area boundary, resulting in a 28-foot setback from the project boundary.
Minimum side yard: 10 feet

5. Buffering and screening:

A buffer area 15 feet in width shall be provided along the entire western project boundary, and along the rear yard boundaries of the lots located to the south of the area designated for commercial, residential and recreational components. The buffer shall contain evergreen trees a minimum of 3 inches DBH spaced at 40 feet on-center at the time of planting, a hedge a minimum of three feet in height spaced 3 feet on center at the time of planting and an opaque fence six feet in height. The fence shall be located at the property boundary. No buffering and screening is required adjacent to the wetland area.

A buffer area 10 feet in width shall be provided along the northern project boundary adjacent to Jefferson Street and the southern project boundary adjacent to the detention/retention area. The buffer shall contain evergreen trees a minimum of 3 inches DBH spaced at 40 feet on-center at the time of planting, a hedge a minimum of three feet in height spaced 3 feet on center at the time of planting.

A buffer area 5 feet in width shall be provided along the eastern project boundary adjacent to the area designated for commercial, residential and

recreational components and along the eastern project boundary adjacent to Emerson Road. The buffer shall contain evergreen trees a minimum of 3 inches DBH spaced at 40 feet on-center at the time of planting, a hedge a minimum of three feet in height spaced 3 feet on center at the time of planting. An opaque fence six feet in height shall be provided adjacent to the area designated for commercial, residential and recreational components. No fence is required on the project boundary adjacent to Emerson Road.

6. Two open space areas shown as “Enhanced Natural Area/Park” shall be provided and located as generally shown on the site plan.
7. Existing trees shall, to the greatest extent possible, be preserved.
8. The project shall be permitted a maximum of two access drives located as generally shown on the site plan.
9. The petitioner/developer shall obtain all permits and meet all applicable land development regulations for construction and use of the property.
10. The developer will be required to construct an on-site storm water drainage control system that meets the design and performance standards as specified by the technical requirements for open and closed basins in the *Environmental Resource Permitting Information Manual, latest edition*, as published by the Southwest Florida Water Management District.

SECTION 2. FINDINGS. The City Council does hereby find that the proposed zoning of this property with a PDP designation is consistent 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 herein shall take effect immediately upon its adoption.

**CITY OF BROOKSVILLE, FLORIDA
Ordinance No. 932**

Attest: _____
Jennifer J. Battista, CMC
City Clerk

By: _____
Pat Brayton
Mayor

PASSED on First Reading:
FIRST NOTICE published on:

SECOND NOTICE published on:
PASSED on Second and Final Reading:

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

Vose Law Firm, LLP
City Attorney

VOTE OF COUNCIL:

Bailey	_____
Battista	_____
Bell	_____
Erhard	_____
Mayor Brayton	_____

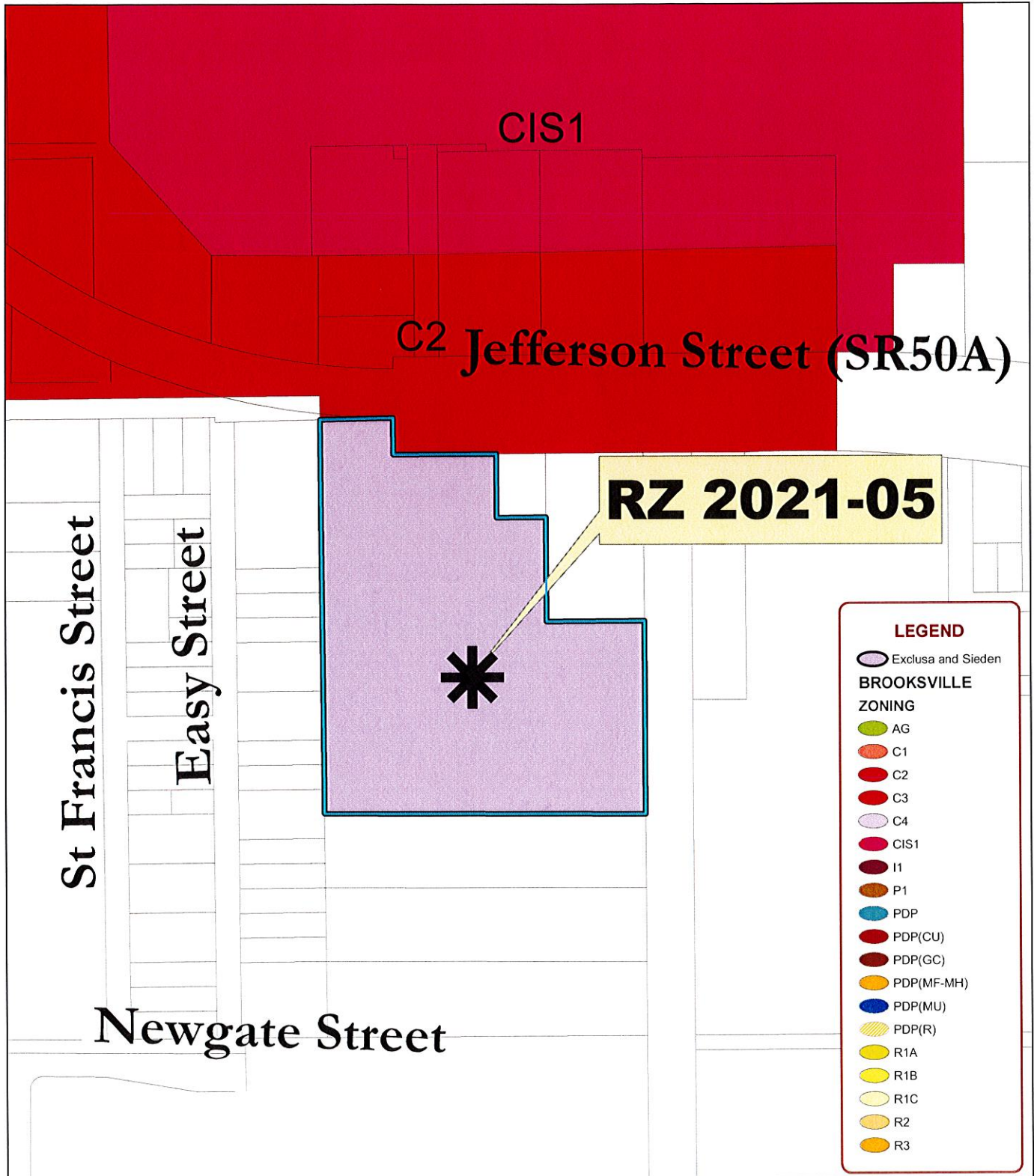
EXHIBIT "A"

LEGAL DESCRIPTION

The East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; LESS road right of way for State Road No. 50; AND LESS the East 200.00 feet of the North 500.00 feet thereof; AND LESS that lot described in Official Records Book 139, Page 440, Public Records of Hernando County, Florida; AND LESS the South 450.00 feet thereof, ALL in Section 26, Township 22 South, Range 19 East, Hernando County, Florida.



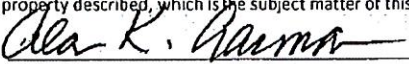
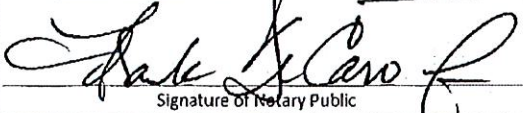
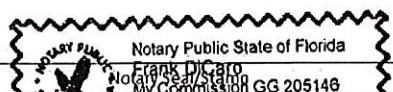
**EXHIBIT "C" TO ORDINANCE NO. 932
JULIAN EXCLUSA AND DALE SIEDEN
RZ 2021-05**



*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.
F:\Esri\ArcMap Projects\City Zoning 02192016.mxd



**CITY OF BROOKSVILLE
REZONING PETITION
Application for Public Hearing**

Shaded Area For Official Use Only	
Application Number: <u>R72021-05</u> Intake Date: <u>6-4-21</u> P & Z Hearing Date (tentative): _____	
PROPERTY OWNER: Julian Exclusa and Dale Sieden	
Mailing Address: 10352 Lightner Bridge Drive, Tampa, FL 33626	
Daytime Telephone: 813-539-5382 FAX No: _____	E-Mail Address: <u>jexclusa@icloud.com</u>
APPLICANT: Same	
Mailing Address: _____	
Daytime Telephone: _____ FAX No: _____	E-Mail Address: _____
REPRESENTATIVE: Alan K. Garman	
Daytime Telephone: 352-593-4255 FAX No: _____	E-Mail Address: <u>agarman@procivil360.com</u>
Parcel(s) Key Number(s) <u>357562 / R26-422-19-0000-0370-0000</u>	
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.	
<u>See attached deed</u>	
Size of Area Covered by Application: <u>9.4 acres</u>	
Street Address: <u>East Jefferson Street and Emerson Road</u>	
Rezoning Requested: <u>PDP</u>	
Proposed Use of Property: <u>RV Park</u>	
Has a public hearing been held on this property within the past twelve months? <u>Yes</u>	
ACKNOWLEDGMENT	
This acknowledgment must be signed in the presence of a Notary Public.	
I, <u>Alan K. Garman</u> , 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:	
<input type="checkbox"/> I am the owner of the property covered under this application. <input checked="" type="checkbox"/> I am the legal representative of the owner or lessee of the property described, which is the subject matter of this application.	
 Signature of Owner, Applicant or Representative	
STATE OF FLORIDA COUNTY OF HERNANDO	
Sworn to (or affirmed) and subscribed before me by means of <u>X</u> physical presence or _____ online notarization, this <u>11</u> day of <u>May</u> , 2021, by <u>Alan Garman</u> who is personally known to me or who has produced _____ as identification.	
 Signature of Notary Public	
	

ZONING NARRATIVE

FOR

ROSE RUSH RV PARK

MASTER PLAN APPROVAL

APRIL 2021

Project Location: The property, 9.4 AC, is adjacent to Mason Tractor to the northeast. It is located on the South side of Martin Luther King Blvd / Jefferson Street, west of Emerson road, and east of Easy Street. A vicinity map is included on the submitted plan. The parcel was previously annexed into the City of Brooksville, and received Comprehensive Plan Amendment approval.

Present Zoning: The land is presently zoned R1C.

Present Land use: The land is within the South Brooksville Planned Development District.

Desired Land use: The applicant is desirous to utilize this property as an RV Park.

Buffers: From what we can research, the City ordinance requires buffers of **35'** from all property lines to include street rights-of-way. The entire RV lot area will be fenced and secured. Where lots abut adjacent property owners, on the west and south sides, a 15' buffer with opaque fencing is planned with landscaping on the Park's inside of the fence. Additional trees of three-inch caliper will be installed on the inside of the fence, to augment the existing trees along the perimeter.

The entry, store, and receiving area will be open to residents, and potential residents. That area will not be fenced. Recreational facilities will be within the secured areas.

Setbacks: We are requesting the setbacks to be reduced: Internal and Perimeter Lots

Internal Lots:

Front: 20'

Sides: 10'

Rear: 13'

Perimeter Lots:

Front: 20'

Sides: 10'

Rear: 13' + a 15' Buffer including a fence and trees and hedges inside property

This would give the perimeter lots a total of 28' of setback. To fit a RV on these lots the lots need to be longer so the typical 35' x 70' would need to be expanded to 35' x 80' minimum. All Proposed lots along the perimeter are proposed 80'+.

Access: The project will access to Jefferson Street and Emerson Road, with the entrance being on Jefferson Street. The connection there will require an FDOT connection permit. The lots will have access from internal driveways within the RV park.

Sanitary Sewer: Sewer service will be provided by the City of Brooksville. If approved, the Owner will construct a gravity collection system within the property. A transmission system will also be required to connect to existing gravity sewers on Easy Street.

Potable Water: Water service is to be provided by the City of Brooksville. The City will determine the point of connection.

ZONING NARRATIVE

FOR

ROSE RUSH RV PARK

MASTER PLAN APPROVAL

APRIL 2021

Environmental: The existing soils and vegetation support habitat for gopher tortoise. The Developer will, prior to any construction, conduct a wildlife assessment. No other known endangered or threatened species live on the site.

In addition, there is a known wetland/surface water on the south side of this project. The limits of the jurisdictional area have already been established and included with the survey of the project.

Floodplain: The project is partially within an "AE" flood zone as determined by FEMA. This floodplain is located on the south side of the project and has a base flood elevation of **98.9'**. RV units are portable. In the event of a catastrophic flooding event, the RV units can be moved out of harm's way.

The floodplain will have little effect on development. Since the units are above ground, the infrastructure below the units is not subject to flood plain considerations. As evidenced by the plan, the flood plain on the north side of the proposed driveway covers lots where the existing grade ranges from **98.1 to 98.9**. The only lot proposed south of the driveway is at elevation **98.4**. As one can see, no fill is necessary to provide achieve unit floor elevations above the **98.9** elevation. With development of a retention area to meet local and state regulations, the flood plain volume should be increased, not decreased. This will be proven with construction plans and permitting documents if the project is approved.

Drainage: As stated previously, the development of this project should improve the storage capacities of the 100-year event. All storm water regulations require no net loss of storage volume. All storm water regulations require no increase in the rate of flow to downstream receiving areas. All of this information will be engineered and included with the construction plans and permitting.

Traffic: Based on the latest tables from the ITE manual, the proposed project will generate less than 50 peak hour trips. The project should not be subject to a traffic study, but will comply with concurrency filings. Incoming trips will be primarily routed from Jefferson Street, but will that connection will also permit exit trips. The Emerson Road connection shall be primarily for exiting. (Fyi 53 units @ 0.46 = 24 peak hour trips)

ZONING NARRATIVE

FOR

ROSE RUSH RV PARK

MASTER PLAN APPROVAL

APRIL 2021

HOW DOES THIS PROPOSED PARK AGREE OR DISAGREE WITH CURRENT CITY REGULATIONS?

CITY OF BROOKSVILLE RV PARK REGULATIONS

The following are the COB standards as we understand them, and how they compare, or differ from the plan for this development. The rule is in black, with our corresponding statement in red and bold. Requested variances to these standards are highlighted.

There are a few variance requests contained within the following.

- (1) All *recreational vehicle* parks shall include lots for at least 35 *recreational vehicles*. **This plan proposes 53 Lots.**
- (2) Each *recreational vehicle* lot shall be a minimum of 2,500 square feet in size. **This plan proposes lots that are 35' x 70' for a minimum lot size of 2450 square feet.**
- (3) The overall density of a *recreational vehicle* park shall not exceed 14 *recreational vehicles* or *recreational vehicle* lots per gross acre. **The area set aside for parking/recreation/ and a retail store is 0.75 acres. Deducting this value from the overall acreage of 9.4 acres = 53 units / 8.65 or 6.12 units per acre.**
- (4) One automobile parking space shall be provided on every *recreational vehicle* lot. In addition, one automobile parking space shall be provided in visitor common parking areas for every ten *recreational vehicle* lots provided in the *recreational vehicle* park. **1:10 = 5 additional spaces required over the ones one each lot. This plan provides in addition to the one space for every unit, 17 additional spaces for visitors, much greater than the 5 required. Now of course some of those can be attributed to the proposed retail store located in the Park, but that store is for residents, not non-residents. Even with the retail convenience store standard of 5 spaces / 1000 sf, that store would require 8 spaces, leaving 9 extra spaces which is still greater than 5.**
- (5) All *recreational vehicle* parks shall front on a street for at least 300 feet. **Frontage along main entrance on Jefferson Street is 353'. In addition, the project has 236 feet of frontage along Emerson Road.**
- (6) All *recreational vehicle* park access points on a street shall be located at least 200 feet from the intersection of any street right-of-way lines. The commission shall require wider spacing between access points and intersection street rights-of-way when the *recreational vehicle* park has more than the minimum required frontage on a street. **Along Jefferson Street, spacing between our entrance and the intersection of Jefferson and MLK to the west, exceeds 400 feet. The distance from this proposed entrance to Emerson Road or to the east, exceeds 500 feet. The distance from Emerson & Jefferson to the entrance/exit on Emerson is 576 feet.**
- (7) All *recreational vehicles* shall be located at least 75 feet from all property lines and from the right-of-way line of any street serving the *recreational vehicle* park. **All proposed units exceed the 75' setback from public rights-of-way. We are requesting the rear setback along property lines to be a total of 28' which includes an opaque fence on the property line with a 15' vegetative buffer with 3" trees every 40' on center with hedges, then a 13' rear setback on top of that. The landscaping being on the inside of the property would be more effective for future maintenance.**
- (8) No *recreational vehicle* or attachment thereto shall be located closer than 25 feet to another *recreational vehicle*. **The typical lot is 35' wide, with side setbacks of 10'. This would result in a minimum separation of 20 feet. The typical**

ZONING NARRATIVE

FOR

ROSE RUSH RV PARK

MASTER PLAN APPROVAL

APRIL 2021

RV unit is specified as 8.5 feet wide. With a pull-out room, the width may increase for a parked RV to approximately 13 feet. Typically, this separation would not be an issue. $35-13 / 2 = 24$ between units. However, with the large trees we are attempting to save, the location of the RV unit from one side line may exceed the eight-foot minimum. We are requesting a variance from the 25' separation, to 20' separation.

(9) An access road shall provide direct access to each *recreational vehicle* lot. No *recreational vehicle* shall be located any closer than ten feet to the edge of this access road. The area occupied by the access road shall not fulfill any part of the area requirements for any lot. All dead-end roads within the *recreational vehicle* park shall be designed to enable *recreational vehicles* to reverse direction without having to back more than one *recreational vehicle* length. **We have a proposed 20' setback from the edge of paving of the "Access Driveway". There is only one dead-end area near Lots 20 & 21. That access termination has been designed with a "tee-turnaround".**

(10) A landscaped separation strip, at least 35 feet in width, shall be provided along all project property lines and streets serving the *recreational vehicle* park. **Due to the size of this project, we are requesting this be reduced to 15' with landscaping and fence.**

(11) No *recreational vehicle* shall be connected to electric, gas, telephone, water, sewer or any other utility or service in, through or at another structure. All such utility and service connections shall be made directly to the *recreational vehicle* from regular utility service lines in the same manner that connections are provided to other structures within the area. **Each unit will have individual Utility connections.**

(12) All *recreational vehicle* parks shall conform with all appropriate regulatory agency regulations which prescribe standards for water supply, sewage disposal and other facilities. **Permitting of the collection, distribution, and transmission systems will be required through the City and FDEP.**

(13) One freestanding sign, not over 12 square feet in area, identifying the *recreational vehicle* park plus one attached sign not over four-square feet in area identifying each building on the premises, shall be permitted. The City Council may, however, permit additional unlighted freestanding signs not over 12 square feet in area identifying the *recreational vehicle* park on the premises when such signs are deemed necessary due to the size, location or nature of the *recreational vehicle* park. **A sign permit will be requested at a later date. The Owner intends to meet every aspect of the City's sign ordinance.**

(c) Construction permit. The Chief Administrative Officer or his designee shall not issue a building permit for an approved *recreational vehicle* park until the applicant presents construction plans bearing state health Department approval serial numbers as required. **If approved, the applicant will immediately begin the process of construction plans and permitting of such.**

(d) Operator's permit. The Chief Administrative Officer or his designee shall not issue a certificate of occupancy for an approved *recreational vehicle* park until the applicant presents a valid operator's permit from the State Health Department as required. **So noted.**

(e) Off-site *recreational vehicle* parking.

(1) No person shall park any *recreational vehicle* on any street, alley, highway or other public place, or on any tract of land owned by any person, occupied or unoccupied, within the City except as provided in this Part. **All parking of units shall be within the park. Designated areas have even been planned for temporary spaces while registering at the office.**

ZONING NARRATIVE
FOR
ROSE RUSH RV PARK
MASTER PLAN APPROVAL
APRIL 2021

(2) Emergency or temporary stopping or parking of *recreational vehicles* is permitted on any street, alley or highway for not longer than one hour, subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations for that street, alley or highway. **Understood.**

(3) No person shall park or occupy a *recreational vehicle* on the premises of a property containing a dwelling or on any lot which is situated outside an approved *recreational vehicle* park, except that the parking of one unoccupied *recreational vehicle* in an accessory private garage building or in a rear yard in any zoning district is permitted; provided, that no living quarters shall be maintained, or any business practiced in such *recreational vehicle* while it is so parked or stored. **This is not applicable.**

APPOINTMENT OF AGENT

CITY OF BROOKSVILLE
COUNTY OF HERNANDO
STATE OF FLORIDA

I, Julian Exclusa, the owner(s) in fee simple of the below described real property hereby appoint ProCivil360, LLC 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)

See attached Deed

[Handwritten Signature]
Signature of Owner

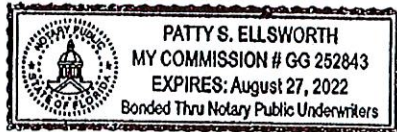
3/30/2021
Date

STATE OF FLORIDA
COUNTY OF HERNANDO

Sworn to (or affirmed) and subscribed before me this 30 day of March, 2021,
by Julian Exclusa (Print Name), who is personally known to me X or
who has produced identification DL FL, Driver's License #: E242-420-69-331-0.

[Handwritten Signature]
Signature of Notary Public

Notary Seal



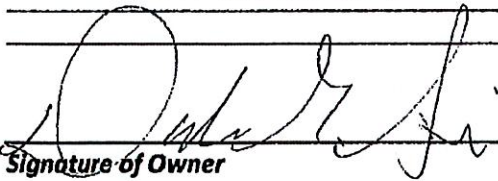
APPOINTMENT OF AGENT

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

I, Dale Seiden, the owner(s) in fee simple of the below described real property hereby appoint ProCivil360, LLC 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)

See attached deed

 6/2/2021
Signature of Owner Date

**STATE OF FLORIDA
COUNTY OF HERNANDO**

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 6 day of June, 2021, by Dale Seiden, who is personally known to me or who has produced driver's license as identification.

SEE
NOTARIAL CERTIFICATE
ATTACHED

M.V
06-02-21.

Signature of Notary Public

Notary Seal

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Los Angeles

Subscribed and sworn to (or affirmed) before me

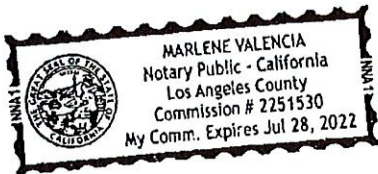
on this 2nd day of June, 2021,
 by Date Seiden
Date Month Year

(1) Date Seiden

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Marlene Valencia
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Appointment of Agent Document Date: 06-02-21
 Number of Pages: 1 Signer(s) Other Than Named Above: Date Seiden

Prepared by and return to:
Julian Exclusa
10352 Lightner Bridge Drive
Tampa, FL 33628

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 15 day of May, 2020, between Julian Exclusa, whose post office address is 10352 Lightner Bridge Drive, Tampa, FL 33628, grantor, and Julian Exclusa and Dale Gregory Selden, as Tenants In Common, whose post office address is 10352 Lightner Bridge Drive, Tampa, FL 33628, grantee:

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

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

The East 1/4 of the SE 1/4 of the NW 1/4: LESS road right of way for State Road No. 60; and LESS the East 200 feet of the North 500 feet thereof; and LESS that lot described in Official Record Book 139, Page 440, Public Records of Hernando County, Florida; and LESS the South 450 feet thereof. All lying and being situate in Section 26, Township 22 South, Range 19 East, Hernando County, Florida.

Parcel ID # R28-422-19-0000-0370-0000

Grantor hereby certifies that the property described herein is not his homestead as made and provided by the laws of the State of Florida, and is not now and never has been contiguous to Grantors homestead

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 200.

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

Signed, sealed and delivered in our presence:

Witness Name: Patty Ellsworth
Witness Name: Sheri Scherdin

Julian Exclusa
Julian Exclusa

STATE OF FLORIDA

COUNTY OF Hillsborough

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 15 day of May, 2020, by Julian Exclusa.



Patty S. Ellsworth
(Signature of Notary Public - State of Florida)
Patty S. Ellsworth
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification

Type of Identification Produced



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: I. 1.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Jennifer Battista, City Clerk
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Resolution No. 2021-14 - Honoring Dr. Dennis Howard Wilfong
DATE: 09/20/2021

ACTING CITY MANAGER RECOMMENDATION:

Approval of Resolution No. 2021-14 upon roll call vote and present ceremonial resolution to family.

REPORT IN BRIEF:

Honoring Dr. Dennis Wilfong and his contributions to the City of Brooksville.

DISCUSSION:

The City of Brooksville and City Council joining his family, friends and the community in honoring the life of Dr. Dennis Wilfong.

FISCAL IMPACT:

None

ALTERNATIVES:

None

Attachments

Res 2021-147

Form Review

Inbox	Reviewed By	Date
Finance Director	Autumn Sullivan	09/13/2021 02:49 PM
City Attorney	Becky Vose	09/13/2021 04:55 PM
Acting City Manager	Ron Snowberger	09/14/2021 09:01 AM
Form Started By: Jennifer Battista		Started On: 09/13/2021 12:21 PM
Final Approval Date: 09/14/2021		

RESOLUTION NO. 2021-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, HONORING THE MEMORY OF DR. DENNIS HOWARD WILFONG AND HIS IMPACT ON THE CITY OF BROOKSVILLE AND ITS COMMUNITY.

WHEREAS, the City of Brooksville would like to recognize the accomplishments and honor the memory of DR. DENNIS HOWARD WILFONG, who was a great advocate for the City; and,

WHEREAS, Dennis spent much of his young life in New Manchester, WV, He graduated from Oak Glen High School, received a Doctor of Humane Letters, from West Liberty State College, WV, and a Doctorate of Divinity from the International Institute & Seminary. Besides working in Weirton Steel, he volunteered in the community in many positions, including becoming Fire chief; and,

WHEREAS, Dennis and his family moved to Brooksville, Florida in 1979. There, beginning first in his garage, he designed and built his newly invented products in surge protection and founded Innovative Technology Corp. Sold worldwide, his devices and technical journals were used by America's National Defense Program, NASA, the Pentagon and many worldwide companies. After selling the company in 1997, he dedicated his life, volunteering and giving to his community and helping others any way he could.; and

WHEREAS, in January, 2009, Dennis was appointed as the City's Ambassador of Commerce and Employment (ACE) to help in the City's efforts to attract new businesses and retain existing companies in the City of Brooksville. Regarding the appointment, Dennis responded: "God only charges us one rent for the space we occupy and that is our service to our fellow man and my desire is to serve here at home"; and,

WHEREAS, Dennis brought significant economic development to the City of Brooksville by reaching out to new entrepreneurs and small business owners. He listened, guided and encouraged them to stay the course; and,

WHEREAS, Dennis was involved in many other local organizations besides being the City's Ambassador of Commerce and Employment which include the Hernando County Business Development Committee, Hernando Progress, Hernando County Aviation Authority, the Greater Hernando County Chamber of Commerce, and the Nature Coast Manufacturers' Association, Membership Chairman; and,

WHEREAS, Dennis was empowered by his walk with Christ and blessed with a generous and nurturing spirit to give endlessly to his family and the community around him. Sadly, Dennis passed away on August 26, 2021 and we join his family and friends in mourning the loss of a man who always had a bright smile on his face and a compassionate heart ready to share with others.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, that the City hereby honors the memory of DR. DENNIS HOWARD WILFONG.

PASSED AND ADOPTED THIS 20th day of September, A.D., 2021.

**CITY OF BROOKSVILLE
RESOLUTION NO. 2021-14**

By: _____
Pat Brayton, Mayor

Attest: _____
Jennifer Battista, City Clerk, CMC

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

VOTE OF COUNCIL:
Mayor Brayton _____
Battista _____
Erhard _____
Bell _____
Bailey _____

John Cary, City Attorney



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: I. 2.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Jennifer Battista, City Clerk
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Approval of Resolution No. 2021-15 supporting request to close State roads in downtown Brooksville for Christmas on Main Street event (event: December 2, 2021)
DATE: 09/20/2021

ACTING CITY MANAGER RECOMMENDATION:

Approval of Resolution No. 2021-15 upon roll call vote

REPORT IN BRIEF:

The 2021 Christmas on Main Street is scheduled for Thursday, December 2nd. The street closure will begin at 2:00 p.m. and will conclude at 10:00 p.m. Staff will need to submit a permit to the State of Florida FDOT, along with Resolution No. 2021-15 for the closure of Jefferson and Broad Street.

DISCUSSION:

The following Brooksville roadway segments would be closed for the Christmas on Main Street, from 2:00 p.m. to 10:00 p.m. on Thursday, December 2, 2021, as follows:

- Main Street, from Ft. Dade Avenue to Liberty Street, crossing Jefferson Street (S.R. 50) and Broad Street (U.S. 41)
- Jefferson Street (S.R. 50), from South Brooksville Avenue to Orange Avenue
- Broad Street (U.S. 41), from South Brooksville Avenue to Lemon Avenue

FISCAL IMPACT:

The City will be absorbing the street closure, dumpster and port a let costs as a partner with BMS in the event.

ALTERNATIVES:

None

Attachments

Res - Christmas on Main St.

Form Review

Inbox

Finance Director
City Attorney
Acting City Manager
Form Started By: Jennifer Battista
Final Approval Date: 09/15/2021

Reviewed By

Autumn Sullivan
Becky Vose
Ron Snowberger

Date

09/14/2021 04:38 PM
09/14/2021 04:51 PM
09/15/2021 01:45 PM
Started On: 09/14/2021 04:22 PM

RESOLUTION NO. 2019-15

A RESOLUTION OF THE CITY OF BROOKSVILLE, FLORIDA SUPPORTING A REQUEST TO CLOSE JEFFERSON STREET AND BROAD STREET BETWEEN LEMON AVENUE AND SOUTH BROOKSVILLE AVENUE IN DOWNTOWN BROOKSVILLE ON THURSDAY, DECEMBER 2, 2021; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City desires to promote businesses in and to bring visitors to the downtown area; and

WHEREAS, the City desires to support the Christmas on Main Street, which that brings visitors to the City and to the downtown area, and promotes commerce in the downtown area; and

WHEREAS, pursuant to the City of Brooksville Code of Ordinances, Section 74-1(b) and Section 74-165(a), the City Council may close streets for downtown events and allow temporary use of the street, sidewalk or right-of-way for the benefit of a public or private event; and

WHEREAS, the closure of public streets is necessary for the safety of the public attending the event.

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

SECTION 1. STREET CLOSURES AND USE. The City Council authorizes the closure to street traffic and the temporary use of the following Brooksville roadway segments for the Christmas on Main Street, from 2:00 p.m. to 10:00 p.m. on Thursday, December 2, 2021, as follows:

- Main Street, from Ft. Dade Avenue to Liberty Street, crossing Jefferson Street (S.R. 50) and Broad Street (U.S. 41)
- Jefferson Street (S.R. 50), from South Brooksville Avenue to Orange Avenue
- Broad Street (U.S. 41), from South Brooksville Avenue to Lemon Avenue

SECTION 2. CONFLICT. Any prior Resolution or policy of the City inconsistent with the provisions of this Resolution are hereby repealed to the extent of such inconsistency.

SECTION 3. SEVERABILITY. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction unconstitutional or invalid,

such unconstitutional or invalid part shall be considered as eliminated and in no way affects the validity of the other provisions in this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ day of _____, A.D., 2021.

**CITY OF BROOKSVILLE
RESOLUTION NO. 2021-15**

By: _____
Pat Brayton, Mayor

Attest: _____
Jennifer Battista, City Clerk, CMC

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

VOTE OF COUNCIL:
Mayor Brayton _____
Battista _____
Erhard _____
Bell _____
Bailey _____

John Cary, City Attorney



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: I. 3.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Jennifer Battista, City Clerk
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Approval of Engagement letter with Jimmy Crawford, Crawford, Modica & Holt, as Special Magistrate for dispute resolution (LandBuilder, LLC.)
DATE: 09/20/2021

ACTING CITY MANAGER RECOMMENDATION:

Approval

REPORT IN BRIEF:

This engagement letter is to authorize Jimmy Crawford of Crawford, Modica & Holt, to serve as the Special Magistrate for the 70.51 dispute resolution requested by LandBuilder, LLC.

DISCUSSION:

When a land owner has a development order denied by a local government, he or she has the option of requesting a 70.51 hearing. This hearing follows the procedures laid out in section 70.51, Florida Statutes, and is an alternative to going to court. The statute provides that when requested, the local government "must forward the request for relief to the special magistrate who is mutually agreed upon by the owner and the governmental entity." Mr. Crawford is among the top land use attorneys in this area of the state and will impartially decide on a resolution.

The City Manager would typically represent the City at the negotiation, though it is not required, and the city may appoint somebody else if desired. Following the hearing, the special magistrate will make a recommendation, which may include finding in favor of the city, finding in favor of the developer, or he may recommend one or more alternatives. The City Council will then have 45 days to accept the recommendation, modify the recommendation, or reject the recommendation. The special magistrate's decision is not binding upon the city. The City Attorney recommends approving this engagement letter and appointing the City Manager to represent the city at the hearing.

FISCAL IMPACT:

As stated in engagement letter

ALTERNATIVES:

None

Attachments

Engagement Letter

Form Review

Inbox

Finance Director
City Attorney
Acting City Manager
Form Started By: Jennifer Battista
Final Approval Date: 09/15/2021

Reviewed By

Autumn Sullivan
Becky Vose
Ron Snowberger

Date

09/15/2021 01:42 PM
09/15/2021 03:29 PM
09/15/2021 04:22 PM
Started On: 09/15/2021 12:12 PM

VOSE LAW FIRM LLP
ATTORNEYS & COUNSELORS AT LAW

September 9, 2021

Jimmy Crawford
c/o Crawford, Modica & Holt, CMH Lawyers
702 W. Montrose St.
Clermont, FL 34711

Re: City of Brooksville 70.51 Special Magistrate Engagement

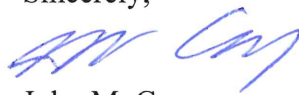
Dear Mr. Crawford:

Pursuant to the requirements of Section 70.51, Florida Statutes, the City of Brooksville provides the enclosed request for relief filed with the City of Brooksville by LandBuilder LLC, care of its attorney, Darryl Johnston, regarding the Order of the City Commission of Brooksville denying the rezoning of the property referred to in Rezoning Petition RZ-2021-04, regarding the owners' request to rezone the property.

The parties have agreed to your appointment as special magistrate. We will work together next week to schedule an appropriate date for the hearing. If satisfactory to you and to Mr. Johnston, attorney for the petitioners, the hearing may be held in the Brooksville City Hall, 201 Howell Ave., Brooksville, FL 34601.

You have already been sent the petitioner's request for relief. Attached you will find our reply. The city agrees to your rate of \$350 per hour for your services, as well as \$200 per hour for planning work and \$165 an hour for paralegal work. Thank you for your willingness to serve as Special Magistrate for this matter.

Sincerely,



John M. Cary
City Attorney
City of Brooksville, Florida

Cc: Darryl W. Johnston



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: I. 4.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Autumn Sullivan, Finance Director
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Agreement for Custodial Services Between the City of Brooksville and the Property Appraiser and authorization for Mayor to execute agreement.
DATE: 09/20/2021

ACTING CITY MANAGER RECOMMENDATION:

Approval of agreement for custodial services between the City of Brooksville and the Property Appraiser and authorize the Mayor to sign the agreement.

REPORT IN BRIEF:

The Property Appraiser leases the third floor from the city, and they have requested janitorial services three days a week (Monday, Wednesday, and Friday).

DISCUSSION:

The Property Appraiser's Office contacted the City and requested janitorial services beginning June 2021 and continuing on a month-to-month basis until October 1, 2021. Beginning October 1st the agreement will run for one year and then automatically renewal unless canceled by either party. The services are provided by the City's Custodian I along with any supplies that are needed.

FISCAL IMPACT:

The Property Appraiser will be invoiced \$354.12 per month for this service.

ALTERNATIVES:

None.

Attachments

3rd Floor Janitorial Svc Agrmt

Form Review

Inbox	Reviewed By	Date
City Attorney	Becky Vose	09/13/2021 04:55 PM
Acting City Manager	Ron Snowberger	09/14/2021 09:00 AM
Form Started By: Autumn Sullivan		Started On: 08/31/2021 02:43 PM

Final Approval Date: 09/14/2021

Agreement for Custodial Services

This agreement outlines the specifics to be provided for custodial services of the third-floor office space which is a leased property of the City of Brooksville and currently under lease to the Hernando County Property Appraiser.

The terms of the agreement and scope of services provided are listed below:

Labor Cost	3 Days a week (Mon, Wed Fri) 1 hour per day	12 Hours per month
Paper Towels	3 Rolls per Week	12 Rolls per month
Hand Soap	3 Bottles or refills per month	
Toilet Tissue	1 Case per month	
Trash Liners	1 Case per month	
Air Freshener	3 Cans per month	

The total invoice will be **\$354.12 Monthly** for services and supplies listed above, based on prices provided by the Facilities Director for the City of Brooksville.

If additional supplies are required the Property Appraiser will be billed for those additional supplies or have the option to purchase and restock the supply closet to replenish supply inventory.

The invoice shall be submitted monthly and payment is due two weeks from invoice date.

In the event a Custodian I is unavailable or on leave for whatever reason we shall have an alternate provide the service for the day as stated in this agreement.


1. **Effective Date and Term.** This Agreement shall become effective on a month to month basis starting on (Effective Date) June 1, 2021 running through September 30, 2021. Then from October 1, 2021, this Agreement shall run for one (1) year and, thereafter, shall automatically renew for one-year periods, unless cancelled by either party as provided for below, modified by mutual agreement of the parties, or terminated by operation of law.
2. **Cancellation.** This Agreement may be cancelled by either party giving the other party its written notice of its intent to cancel no less than 60 days preceding any Anniversary Date, providing that it is within the current fiscal year.

3. Amendments. This Agreement may only be amended by a document or other instrument duly signed by all parties hereto.
4. Severability. If any provision of this Agreement is declared unenforceable by a court of competent jurisdiction, then the remainder of this Agreement shall remain in full force and effect.
5. Dispute. In the event of any dispute, claim, action or appeal, the parties agree to work amicably among themselves to resolve same; each party hereto shall be responsible for their own costs and fees in connection therewith. This Agreement shall be governed by Florida law.

IN WITNESS WHEREOF, this Agreement for Custodial Services has been executed by and on behalf of the parties below.

ATTEST: HERNANDO COUNTY PROPERTY APPRAISER

W Holmes

By: 
John C. Emerson, Property Appraiser

Date: 9.2.21

Date: 9-2-2021

ATTEST: CITY OF BROOKSVILLE

By: _____
Pat Brayton, Mayor

Date: _____

Date: _____



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: I. 5.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Brad Sufficool, Acting Fire Chief
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Fire Department Portable Radio Purchase
DATE: 09/20/2021

ACTING CITY MANAGER RECOMMENDATION:

Motion to approve the purchase of the Kenwood portable radios from Highland Wireless in the amount of \$32,711.00.

REPORT IN BRIEF:

The Fire Department is requesting purchase of 10 new Kenwood portable radios, 2 six bank chargers, 4 rapid rate single chargers and 22 batteries that are P-25 compliant and with Phase 2 interoperability. The communications systems currently used are now approaching end of life, are no longer supported by the manufacturer and are not P-25 (interoperability) compliant as required by the State. Interoperability provides the ability of equipment to operate in conjunction with one another.

DISCUSSION:

The City of Brooksville applied for and was awarded the Federal Emergency Management Agency (FEMA) Assistance to Firefighter Grant (AFG). The objectives of the AFG Program are to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability and support community resilience. The award funds are to be used to replace non P-25 compliant radios. The grant award in the amount of \$31,153.33, has a matching contribution of 5% or \$1,557.67 for a total approved budget of \$32,711.00. A quote from Highland Wireless was received and was posted as sole source on BidNet Direct, in order to provide compatibility with the current equipment within the Fire Department. The Sole Source was posted for a period of 7 days as required by the Procurement Policy; the notice ended September 1, 2021 and no opposition was received.

FISCAL IMPACT:

This is a cost reimbursement grant for a total purchase of \$32,711.00. Funds in the amount of \$31,153.33 will be reimbursed by the Assistance to Firefighter Grant.

Purchase breakdown following reimbursement:
AFG Grant - \$31,153.33
City of Brooksville - \$1,557.67

ALTERNATIVES:

No alternatives at this time.

Attachments

Quote

Kenwood Viking VP6000

Viking Warranty Policy

Form Review

Inbox	Reviewed By	Date
Finance Director	Autumn Sullivan	09/13/2021 02:49 PM
City Attorney	Brad Sufficool	09/14/2021 03:52 PM
Finance Director	Autumn Sullivan	09/14/2021 04:36 PM
City Attorney	Becky Vose	09/14/2021 04:52 PM
Acting City Manager	Ron Snowberger	09/15/2021 01:41 PM
Form Started By: Brad Sufficool		Started On: 09/08/2021 03:05 PM
Final Approval Date: 09/15/2021		



Highland Wireless
 6894 NW 20th Ave
 Fort Lauderdale, FL 33309
 Phone: 954-376-7400
 Fax: 954-956-9818

QUOTATION
421000027

Bill To:
 Brooksville Fire Department
 Attn: Brad Sufficool
 85 Veterans Ave
 Brooksville, FL 34601

Ship To:
 Brooksville Fire Department
 Attn: Brad Sufficool
 85 Veterans Ave
 Brooksville, FL 34601

Date: 08/09/2021		Customer Rep: Chip McCulloch		Terms: Due Upon Receipt	
Qty	Item	Description	Unit Price	Extended	
10	VP6430GRF2	700/800 MHz, 762-806 MHz and 806-870 MHz Green, Model 2 (standard keypad)	1,806.00	18,060.00	
10	KRA-32K	KRA-32K 700/800 MHz Whip Antenna	28.90	289.00	
22	KNB-L2M	KNB-L2M Li-ion 2600mAh (Standard)	102.00	2,244.00	
10	8322000005	P25 Phase 1 Trunking	120.00	1,200.00	
10	8322000006	P25 Phase 2 TDMA	276.00	2,760.00	
10	8322000104	Viking16	500.00	5,000.00	
4	KSC-32	Rapid rate single unit charger	72.00	288.00	
2	KSC-326AK	Rapid rate 6-unit charger	645.00	1,290.00	
10	KMC-70GR	MIL-SPEC, IP67 (Immersion) Speaker Mic. Hi-Viz Green	108.00	1,080.00	
10	Programming A	Standard Programming	50.00	500.00	
10	8322000002	P25 Conventional	0.00	0.00	
Subtotal :				\$32,711.00	
Total Taxes:				\$0.00	
Total:				\$32,711.00	

Thank you for your business!

VP6000

VHF · UHF · 700/800 MHz
P25 Phase 1 & 2 · Viking16

The KENWOOD Viking 6000 series portable is specifically designed for today's public safety agencies with advanced features and ergonomics to meet the first responder's mission critical operational needs.

Features

- Mixed protocol operation (P25 Phase 1 & 2 Trunking, P25 Conventional, Viking16, FM Analog)
- Mixed protocol zones (each channel in a zone can be from a different system)
- 1024 channels (2048 and 4096 options)
- Public safety ergonomics: flare grip for control, large glove friendly knobs, large emergency button
- 1 Watt audio output for high noise environments
- Voice annunciation & custom announcement creation
- Fully ruggedized - IP67/68 & MIL-STD-810 C/D/E/F/G
- Full key models (w/ numeric keypad)
- Built-in GPS receiver/antenna for enhanced awareness¹
- MDC-1200 & GE-Star signaling
- P25 Authentication
- Bluetooth®
- Man Down
- Instant Recording Replay (IRR)
- Voice Recording
- Text Messaging
- Radio Cloning
- Bluetooth Low Energy
- Encryption
 - ARC4™ software encryption; compatible w/Motorola ADP™
 - P25/TIA defined: AES-256
 - DES-OFB
 - Over-the-Air-Rekeying (OTAR)

¹Refer to the Viking VP6000 operating manual for detailed requirements & conditions for proper GPS operation.

Accessories

Complete line of accessories including microphones, speakers & antennas. Download the accessory catalog at www.efjohnson.com/products/accessories.

We combine P25 design expertise with recognized quality & reliability along with advanced technology to make KENWOOD Viking radios simple to use & maintain.



Perpetual Software Licensing

Adds greater value to your radios by extending the life of the software into your next hardware platform — you own the software option forever, and your licenses are simple to manage with our cloud-based tool — Vault™.



Armada® Fleet Management

Update radios in a group rather than one at a time. One template programs both portables & mobiles. Supports either direct computer connection or Over-the-Air Programming (OTAP). Elite battery management enables wireless tracking of battery fleet.



TrueVoice™ Noise Cancellation

Software-based noise cancellation automatically filters out noise source frequencies and eliminates the need for extra configuration. Works in analog or digital mode and with any accessory.

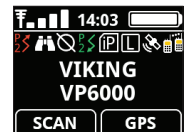


User Selectable Color Themes

- Multi-line text
- Top flip display changes text orientation for viewing while in holster
- Multiple visual indicators including battery health & signal strength
- Backlight changes for event identification
- Day & night user selectable display options (8 themes available)



Day - High Contrast



Night - High Contrast

Compatible with Multiple P25 Systems

- ATLAS® P25 Phase 1 and Phase 2 System
- Motorola Astro® 25 - P25 Phase 1 & Phase 2
- Harris VIDA® - P 25 Phase 1 & Phase 2
- Airbus (formerly Cassidian) VESTA™ Radia - P25 Phase 1 & Phase 2

VP6230/6330/6430 Portable Specifications

General		VP6230	VP6330	VP6430
Frequency Range		136-174 MHz (FCC ID K44431400)	Type 1: 450-520 MHz (FCC ID K44431500) Type 2: 380-470 MHz (FCC ID K44431501)	RX: 763-776, 851-870 MHz TX: 763-776, 793-806, 806-825, 851-870 MHz (FCC ID ALH442000)
Max. Channels Per Radio		1024 (2048 and 4096 options)		
Number of Zones		255		
Max. Channels Per Zone		255		
Channel Spacing	Analog	12.5/15/20/25*/30* kHz	12.5/25* kHz	12.5/25 kHz
	Digital	12.5 kHz	12.5 kHz	12.5 kHz
Power Supply		7.5 V DC ±20%		
Operating Temperature		-22 °F to +140 °F (-30 °C to +60 °C)		
Frequency Stability		±1.5 ppm	±1.5 ppm	±1.5 ppm
Case		Polycarbonate - black or high visibility (additional fee)		
Dimensions W(Top/Bot- tom) x H x D Projections not included	KNB-L2 (2,600 mAh)	2.76/2.28 x 5.90 x 1.73 in. (70.0/58.0 x 149.8 x 44.0 mm)		
	KNB-L3 (3,400 mAh)	2.76/2.28 x 5.90 x 1.94 in. (70.0/58.0 x 149.8 x 49.4 mm)		
Weight with Battery	KNB-L2 (2,600 mAh)	171 oz (484.5 g)		
	KNB-L3 (3,400 mAh)	18.6 oz (527.5 g)		
Receiver		VP6230	VP6330	VP6430
Sensitivity	P25 Digital (5% BER)	-119 dBm		
	Analog (12 dB SINAD)	-119 dBm		
Selectivity	P25 Digital	60 dB		
	Analog @ 12.5 kHz	65 dB		
	Analog @ 25 kHz	73 dB		
Intermodulation		73 dB		75 dB
Spurious Rejection		80 dB	75 dB	
Audio Distortion		2.5%		
Audio Output Power		500 mW/8 Ω (3% Distortion)/1,000 mW/8 Ω (5% Distortion)		
Transmitter		VP6230	VP6330	VP6430
RF Output Power		1W/6W	1W/5W	1W/3W
Spurious Emission		70 dB		
FM Hum & Noise	Analog @ 12.5 kHz	40 dB		
	Analog @ 25 kHz	45 dB		
Audio Distortion		2%		
Emission Designator		16K0F3E, 11K0F3E, 8K10F1E, 8K10F1D, 8K10F1W		16K0F3E, 14K0F3E, 11K0F3E, 8K10F1E, 8K10F1D, 8K10F1W

MIL Standard	810G
Low Pressure	500.5/ I, II
High Temperature	501.5/ I, II
Low Temperature	502.5/ I, II
Temp. Shock	503.5/ I
Solar Radiation	505.5/ I
Rain	506.5/ I, III
Humidity	507.5/ II
Salt Fog	509.5
Dust	510.5/ I
Vibration	514.6/ I
Immersion	512.5/ I
Shock	516.6/ I, IV

Encryption Options	
Supported Encryption	AES, DES-OFB, ARC4
Encryption Key/ Radio	126 Common Key Reference (CKR), 126 Physical Identifier (PID), Compatible w/ Motorola Key Variable Loader
Encryption Frame Re-sync Interval	P25 CAI 360 MSEC
Encryption Keying	External Key Loader, OTAR
Mode	OFB-Output Feedback
Encryption Type	Digital
Key Erasure	Keyboard Command
Standards	FIPS 46-3, FIPS 81, FIPS 140-2, FIPS 197

Hazardous Location Standard	
Certification Lab	CSA Group
Standard Applied	ANSI/TIA 4950-A-2014, UL913 5th Edition & ANSI/ISA-12.12.01-2011
Classification Rating	Intrinsically Safe: Classes I, II, III, Division 1, Groups D, E, F, G Non-incendive: Class I, Division 2, Groups A, B, C, D
Accessories	
Approved Battery	KNB-LS7
Approved Speaker Microphones	KMC-54WDM, KMC-70M, KMC-70GR
International Protection Standard	
Dust & Water	IP54, IP55
Immersion	IP67**, IP68***

* 25 and 30 kHz are not included in the models sold in the USA or US territories.

** IP67/IP68 - Must have the Speaker Mic UDC connector or UDC protector connected.

*** IP68 = 1m/2H

Specifications shown are typical and subject to change without notice Please check the website for the latest version.

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EF Johnson Technologies, Inc.

a JVCKENWOOD Company

1440 Corporate Drive, Irving, TX 75038-2401

Phone: 800.328.3911 · efjohnson.com



Product Warranty

The EF Johnson Technologies, Inc. group of companies, including E.F. Johnson Company, 3e Technologies International, Inc. and Transcrypt International, Inc. (hereinafter collectively referred to as "Johnson") warrants to the original purchaser for use ("Buyer") that products manufactured by Johnson ("Products") are free from defects in material and workmanship and will conform to Johnson's published technical specifications for a period of, except as noted below, one (1) year from the date of shipment to Buyer. Johnson makes no warranty with respect to the equipment not manufactured by Johnson, and any such equipment shall carry the original equipment manufacturer's warranty only. Johnson further makes no warranty as to, and specifically disclaims liability for, availability, range, coverage, grade of service or operation of the repeater system provided by the carrier or repeater operator.

If any product fails to meet the Warranty set forth above during the applicable warranty period and is returned to a location designated by Johnson, Johnson, at its option, shall either repair or replace such defective Product, directly or through an authorized service agent, within thirty (30) days of receipt of same. No Products may be returned without the prior authorization from Johnson. Any repaired or replaced Products shall be warranted for the remainder of the original warranty period. Buyer shall pay all shipping and handling charges for returning all defective products to Johnson or Johnson's authorized service agent. Buyer is also responsible for other cost and expenses of transit and delivery, including all applicable taxes and duties. Johnson will pay the returned shipping charges if the product is repaired or replaced under warranty. Repair or replacement of defective Products as set forth in this paragraph fulfills any and all warranty obligations on the part of Johnson.

This warranty is void and Johnson shall not be obligated to replace or repair any Products if (i) the Product has been used in other than its normal and customary manner (ii) the Product has been subject to misuse, accident, neglect or damage or has been used with other than Johnson approved accessories and equipment or has been improperly installed, (iii) unauthorized alterations or repairs have been made or unapproved parts have been used with the Product, or (iv) Buyer failed to notify Johnson or Johnson authorized service agent of the defect during the applicable warranty period.

THE AFORESAID WARRANTIES ARE IN LIEU OF ALL OTHER WARRANTIES, EXPRESSED AND IMPLIED, INCLUDING BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Johnson AND BUYER AGREE THAT BUYER'S EXCLUSIVE REMEDY FOR ANY BREACH OF ANY SAID WARRANTIES IS AS SET FORTH ABOVE. BUYER AGREES THAT IN NO EVENT SHALL Johnson BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL, INDIRECT, OR EXEMPLARY DAMAGES WHETHER ON THE BASIS OF NEGLIGENCE, STRICT LIABILITY OR OTHERWISE. The purpose of the exclusive remedies set forth above shall be to provide Buyer with repair or replacement of non-complying products in the manner provided above. These exclusive remedies shall not be deemed to have failed of their essential purpose so long as Johnson is willing and able to repair or replace non-complying Products in the manner set forth above.

Some states do not allow limitations or implied warranties so the above limitations may not be applicable. You may also have other rights which vary from state to state.

Exception

Thirty Day: Tuning and adjustment of portable and mobile radios



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: I. 6.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Jennifer Battista, City Clerk
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Discussion of potential funding agreements for BMS and ECI (Council discussion item - no attachments)
DATE: 09/20/2021

Form Review

Form Started By: Jennifer Battista
Final Approval Date: 09/14/2021

Started On: 09/14/2021 12:21 PM



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: I. 7.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Kimberly Price, Human Resources Director
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: Discussion of City Manager Interview Process and Review of City Manager Contract
DATE: 09/20/2021

ACTING CITY MANAGER RECOMMENDATION:

Recommendation will be that Council set forth the following:
Tentative Interview Dates/times that Council Members are available
Interview Forum (Individual interviews and/or panel interview)

REPORT IN BRIEF:

Council Members were provided a list of (12) candidates that meet the minimum requirements of the City Manager position. They are as follows in alphabetical order:

Akhimie, Vince
Bonner, Lyndon
Bridle, David
Campbell, Matthew
Crawford, Shane
Helfenberger, Joseph
Konafal, Mike
Kwiatkowski, Rebecca
Perry, Troy
Rathke, David
Snowberger, Ronald
Vazquez, Emilio

Of the (12) candidates, (5) were selected to move forward in the interview process. They are as listed below in alphabetical order:

Akhimie, Vince
Campbell, Matthew
Crawford, Shane

Helfenberger, Joseph
Snowberger, Ronald

DISCUSSION:

Discussion will be to establish an interview schedule and review the City Manager's Contract, focusing on the Residential Requirements.

FISCAL IMPACT:

There is no fiscal impact to this agenda item.

ALTERNATIVES:

Non-applicable to this agenda item.

Attachments

City Manager Draft Contract

Form Review

Inbox

Finance Director
City Attorney
Acting City Manager
Form Started By: Kimberly Price
Final Approval Date: 09/15/2021

Reviewed By

Autumn Sullivan
Becky Vose
Ron Snowberger

Date

09/14/2021 02:48 PM
09/14/2021 04:51 PM
09/15/2021 01:44 PM
Started On: 09/14/2021 11:20 AM

EMPLOYMENT AGREEMENT

The City of Brooksville, Florida

and

CITY MANAGER SELECTED CANDIDATE

DRAFT

**EMPLOYMENT AGREEMENT
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Employment Agreement

THIS EMPLOYMENT AGREEMENT ("Agreement") for City Manager Services, is made and entered into this __ day of (To be agreed upon by Employer/Employee, 2017, by and between the City of Brooksville, a Florida municipal corporation, ("Employer"), and **FINAL CANDIDATE**, ("Employee"), jointly referred to as "Parties."

Section 1: Term

This term of this Agreement shall begin on the **FIRST DATE OF EMPLOYMENT**, until terminated by the Employer or Employee as provided in Sections 9 or 11 of this Agreement.

Section 2: Duties and Authority

The Employer agrees to employ Employee as City Manager to perform the functions and duties specified in the Charter and Municipal Code of the City of Brooksville, and to perform other legally permissible and proper duties and functions as the Employer shall from time to time assign.

Section 3: Compensation

- A. Base Salary: Employer agrees to pay Employee an annual base salary of (**AGREED UPON SALARY**), payable in installments at the same time that the other management employees of the Employer are paid.
- B. This Agreement shall be automatically amended to reflect any salary adjustments that are provided or required by the Employer's compensation policies.
- C. Consideration shall also be given on an annual basis to increase compensation based on merit.

Section 4: Benefits

The Employer agrees to provide to Employee all standard benefits available to the other employees of the City of Brooksville; except as provided in section(s): section 5; section 7; section 8; and section 16.

Section 5: Paid Time Off (PTO) Leave

The Employee shall accrue PTO leave at the rate approved for employees of the City of Brooksville.

Section 6: Cell Phone Allowance

The Employer will provide the Employee with a city cell phone.

Section 7: Retirement

The Employer agrees to make all the appropriate contributions on the Employee's behalf to the Florida State Retirement System (FRS) at the Senior Management Service Class (SMSC).

Section 8: General Business Expenses

- A. Employer agrees to budget for and to pay for professional dues and subscriptions of the Employee necessary for continuation and full participation in national, regional, state, and local associations, and organizations necessary and desirable for the Employee's continued professional participation, growth, and advancement, and for the good of the Employer.
- B. Employer agrees to budget for and to pay for travel (outside of Hernando County) and subsistence expenses of Employee for professional and official travel, meetings, and occasions to adequately continue the professional development of Employee and to pursue necessary official functions for Employer, including but not limited to the ICMA Annual Conference, ICMA Certification, the State League of Cities, and such other national, regional, state, and local government groups and committees in which Employee serves as a member, when such expenses are authorized in advance by the Mayor.
- C. Employer agrees to budget for and to pay for travel (outside of Hernando County) and subsistence expenses of Employee for short courses, institutes, and seminars that are necessary for the Employee's professional development and for the good of the Employer.
- D. Employer recognizes that certain expenses of a non-personal but job-related nature are incurred by Employee for the benefit of the Employer, and Employer agrees to reimburse or to pay said general expenses, when authorized by the Mayor.
- E. The Employer acknowledges the value of having Employee participate and be directly involved in local civic clubs or organizations. Accordingly, Employer shall pay for the reasonable membership fees and/or dues to enable the Employee to become an active member in local civic clubs or organizations in Hernando County.

Section 9: Termination

For the purpose of this agreement, termination shall occur when:

- A. The majority of the governing body votes to terminate the Employee (with cause or subject to misconduct as defined in Florida Statutes, Section 11, Section 443.036(29)) in accordance with City Charter provisions at a City Council meeting.

- B. If the Employer, citizens or legislature acts to amend any provisions of the Charter or Code of Ordinances pertaining to the role, powers, duties, authority, responsibilities of the Employee's position that substantially changes the form of government, either the Employee or the Employer shall have the right to declare that such amendments constitute termination.
- C. If the Employer reduces the base salary, compensation or any other financial benefit of the Employee, unless it is applied in no greater percentage than the average reduction of all department heads, such action shall constitute a breach of this agreement and will be regarded as a termination.
- D. If the Employee resigns following an offer by a majority of the City Council to accept resignation, then the Employee may declare a termination as of the date of the offer.

Section 10: Severance

Severance shall be paid to the Employee when employment is terminated as defined in Section 9.

If the Employee is terminated, the Employer shall provide a severance payment (subject to the provisions of Section 11 below), at the then current rate of pay, based upon the phased in schedule as follows (this would include any accrued leave, car allowance, retirement contributions that would have accrued during the time period worked):

During the first 90 days of employment:	4 weeks salary
Between 91 and 180 days of employment:	8 weeks salary
Between 181 and 270 days of employment:	12 weeks salary
After 271 days of employment	16 weeks salary
After 2 years of employment	20 weeks salary

This severance shall be paid in bi-weekly installments including accrued benefits. A lump sum payment may be authorized if agreed to by both the Employer and the Employee. In addition, the Employer shall pay the cost to continue the payments for benefits as provided in Section 4 above, computed based on the number of weeks of severance as outlined above.

Section 11: Termination for Misconduct

If the Employee is terminated for misconduct, as defined in Florida Statutes, Section 443.036(29), or is terminated for a felony conviction, then the Employer shall not pay Severance as provided in Section 10 above.

Section 12: Resignation

In the event that the Employee voluntarily resigns his position with the Employer, the Employee shall provide a minimum of sixty (60) days' notice unless the parties agree otherwise. Employee shall be entitled to all accrued leave and benefits to be paid on a bi-weekly basis.

Section 13: Performance Evaluation

Employer shall annually review the performance of the Employee, on or before the end of January of each year following execution of this Agreement.

Section 14: Hours of Work

It is recognized that the Employee must devote a great deal of time outside the normal office hours on business for the Employer, and to that end Employee shall be allowed to establish an appropriate work schedule.

Section 15: Outside Activities

The employment provided for by this Agreement shall be the Employee's sole employment. Recognizing that certain outside teaching opportunities provide indirect benefits to the Employer and the community, the Employee may elect to accept limited teaching with the understanding that such arrangements shall not constitute interference with nor a conflict of interest with his responsibilities under this Agreement.

Section 16: Residence in Brooksville Required

The Employee agrees to establish his residence within the City Limits of Brooksville within 12 months of employment, and thereafter to maintain his residence within the City Limits of Brooksville during the term of his employment with the Employer.

Section 17: Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid and with return receipt, addressed as follows:

1. EMPLOYER: City of Brooksville
City Hall
201 Howell Avenue
Brooksville, Florida 34601
2. EMPLOYEE: (Name & Address of Candidate)
3. ATTORNEY: Vose Law Firm, LLP
324 W. Morse Blvd.
Winter Park, Florida 32789

Or as may be updated and maintained in the files at the City of Brooksville.

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 18: General Provisions

- A. Integration. This Agreement sets forth and establishes the entire understanding between the Employer and the Employee relating to the employment of the Employee by the Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties, by mutual written agreement only, may amend any provision of this agreement during the life of the agreement. Such amendments shall be incorporated and made a part of this agreement.
- B. Binding Effect. This Agreement shall be binding on the Employer and the Employee as well as their heirs, assigns, executors, personal representatives and successors in interest.
- C. Effective Date. This Agreement shall become effective on (To be agreed upon by Employer/Employee), 2021.
- D. Severability. The invalidity or partial invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement or judicial modification of the invalid provision.

City of Brooksville
By and through its City Council

Employee
BY:

Pat Brayton
Mayor, City of Brooksville

Approved as to form:

Gretchen R. H. "Becky" Vose, City Attorney



AGENDA ITEM MEMORANDUM

City Council
AGENDA ITEM: 1.
09/20/2021

TO: Honorable Mayor and City Council Members
FROM: Jennifer Battista, City Clerk
VIA: Ronald Snowberger, Acting City Manager
SUBJECT: **CORRESPONDENCE TO NOTE**
1. August, 2021 Code Enforcement report
2. Email dated 9-9-21 from Mayor - accepting Vose Law Firm offer of 60 days continued legal services
DATE: 09/20/2021

Attachments

Code Enforcement Report
Email regarding legal services

Form Review

Form Started By: Jennifer Battista
Final Approval Date: 09/13/2021

Started On: 09/13/2021 03:15 PM



Community Development Department Code Enforcement Report August 2021

Code Enforcement activity for the month of August 2021 includes the opening of **27** Notice of Code Violations. Violation categories include: **12** Overgrown Property, and **15** Courtesy Door Tags/Notices were issued for miscellaneous code items.

Work activity also included the issuance of **11** Lien Searches.

(NOTE: All calls/complaints that are received regarding Code Enforcement issues are fully investigated to determine disposition and action required, if any.)

Below is a list of the code violations cited and the status of each case. This list includes pending activity from open code cases initiated prior to this month.

08/01/2021 – 08/31/2021

Case Date	Case #	Parcel Address	Description	Status
8/2/2021	202100180	308 HIGHLAND ST	Ch. 38, Art. III, Sec. 38-92 (Trash, Debris, Junk)	Closed
8/2/2021	202100181	323 HIGHLAND ST	Ch. 38, Art. III, Sec. 38-92 (Overgrown)	Open
8/2/2021	202100182	322 HIGHLAND ST	Ch. 38, Art. III, Sec. 38-92 (Overgrown)	Closed
8/2/2021	202100183	720 FORT DADE AVE	Ch. 38, Art. III, Sec. 38-92 (Overgrown)	Open
8/2/2021	202100184	17 CHERRY ST	Ch. 38, Art. II, Sec. 38-53(a) (Derelict, unattended, and abandoned vehicle and personal property) (b) (INOP); Ch. 38, Art. III, Sec. 38-92 (Trash, Debris, Junk); Ch. LDC, Art. X, Sec. 10-1.4.(d)(1)a (No Permit); Sec. 10-3.1. - Standard Housing Code—Adopted	Open
8/6/2021	202100185	512 HOWELL AVE	Ch. LDC, Art. X, Sec. 10-1.4.(d)(1)a (No Permit)	Open
8/9/2021	202100187	800 STUBBS ST	Ch. 38, Art. III, Sec. 38-92 (Overgrown)	Open
8/10/2021	202100188	19410 CORTEZ BLVD	Sec. 10-2.1. - Standard Unsafe Building Abatement Code—Adopted	Open
8/16/2021	202100190	120 HIGHLAND ST	Ch. 38, Art. III, Sec. 38-92 (Overgrown)	Open
8/16/2021	202100191	208 WILSON AVE	Ch. 38, Art. II, Sec. 38-53(a) (Derelict, unattended, and abandoned vehicle and	Open

			personal property) (b) (INOP); Ch. 38, Art. III, Sec. 38-92 (Trash, Debris, Junk) (Overgrown)	
8/16/2021	202100192	OAK PARK AVE	Ch. 38, Art. II, Sec. 38-53(a) (Derelict, unattended, and abandoned vehicle and personal property) (b) (INOP); Ch. 38, Art. III, Sec. 38-92 (Overgrown)	Open
8/16/2021	202100193	490 SMITH ST	Sec 7-1.2 Unpermitted or Prohibited signs	Open
8/16/2021	202100194	1220 E JEFFERSON ST	Sec 7-1.2 Unpermitted or Prohibited signs	Open
8/16/2021	202100195	2128 FOSTERS PL	Ch. LDC, Art. X, Sec. 10-1.4.(d)(1)a (No Permit)	Open
8/16/2021	202100196	5119 NEW CROSS ST	Sec 8-2.4 Building Permit Required	Open
8/18/2021	202100197	6202 HARRY STREET	10-1.4.(d) (1)a Permits for accessory Structure or sheds	Open
8/20/2021	202100198	OAK ST	Ch. 826, Art. 8-2, Sec. 8-2.3 (Site Development Permit)	Open
8/24/2021	202100199	290 E FORT DADE AVE	Ch. 38, Art. III, Sec. 38-92 (Overgrown)	Open
8/25/2021	202100200	413 N LEMON AVE	Ch. 38, Art. III, Sec. 38-92 (Overgrown)	Open
8/25/2021	202100201	431 N LEMON AVE	Ch. 38, Art. III, Sec. 38-92 (Overgrown)	Open
8/26/2021	202100202	246 N LEMON AVE	Ch. 38, Art. III, Sec. 38-92 (Overgrown); Sec. 10-3.1. - Standard Housing Code—Adopted.	Open
8/26/2021	202100203	248 N LEMON AVE	Ch. 38, Art. III, Sec. 38-92 (Overgrown); Sec. 10-3.1. - Standard Housing Code—Adopted.	Open
8/27/2021	202100204	HAZEL AVE	Ch. 38, Art. III, Sec. 38-92 (Trash, Debris, Junk)	Open
8/30/2021	202100205	7255 WINDY WAY	Ch. 38, Art. II, Sec. 38-53(a) (Derelict, unattended, and abandoned vehicle and personal property) (b) (INOP)	Open
8/30/2021	202100206	4621 Dawngate Drive	Ch. LDC, Art. X, Sec. 10-1.4.(d)(1)a (No Permit)	Open
8/31/2021	202100208	51 W FORT DADE AVE STE A	Sec 7-1.2 Unpermitted or Prohibited signs	Open
8/31/2021	202100209	910 N BROAD ST LOT 407	Ch. LDC, Art. X, Sec. 10-1.4.(d)(1)a (No Permit)	Open

NEW BUSINESSES OPENED:

Boing US Holdco, Inc. dba Take 5 Express Carwash, 7377 Broad St Brooksville, FL 34601

Jefferson Super Saver, 1400 E Jefferson St Brooksville, FL 34601

Fraternal Order of Police Nature Coast Lodge 164, 18766 Cortez Blvd Brooksville, FL 34601

CTN 9/20/21

Notice of resignation

Pat Brayton City of Brooksville Council Member <pbrayton@cityofbrooksville.us>

Thu 9/9/2021 12:22 PM

To: bvose@voselaw.com <bvose@voselaw.com>

Cc: Ron Snowberger <rsnowberger@cityofbrooksville.us>; Jennifer Battista <JBattista@cityofbrooksville.us>

Dear Becky,

Please be advised that at the Brooksville City Council meeting of September 8, 2021, the Council made clear that we would appreciate your firm continuing to represent the City until a replacement or interim City Attorney has been appointed. We understand that this continuation will be for the duration of your sixty day notice as of September 8, 2021.

I personally want to thank you for your service for the time I have been on the Council. It has been a pleasure working with you and your staff.

Pat Brayton

Mayor

City of Brooksville, Florida

Cell: 352-345-3287

pbrayton@cityofbrooksville.us

Visit our Website: <http://www.cityofbrooksville.us>

City Hall

201 Howell Avenue

Brooksville, FL 34601