

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

**MINUTES**

**March 16, 2009**

**7:00 P.M.**

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

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

**CERTIFICATES, PROCLAMATIONS AND PRESENTATIONS**

**Margaret R. Ghiotto Beautification Award – Residential Award**

Recognition of improvements to the properties of Steve Guckian located at 604, 606, 608 and 614 Lemon Avenue.

The property was reviewed by Beautification Board Chair Sally Sperling and presented by Mayor Bernardini to Steve Guckian.

**Margaret R. Ghiotto Beautification Award - Commercial Award**

Recognition of improvements to the property owned by Terence J. McCarthy located at 725 Desoto Avenue, occupied by the business known as The Grand LLC.

The award was again reviewed by Chair Sperling and presented by Mayor Bernardini to Mr. McCarthy and the property owner.

**Beef O’Brady’s Check Presentation**

Presentation of check by Beef O-Brady’s to the City of Brooksville’s Parks and Recreation Department.

Lenny Gonzalez, managing partner of Beef O’Brady’s reviewed the fundraiser of which \$700 was donated to the City of Brooksville’s Parks & Recreation Department and accepted by Parks & Recreation Director, Mike Walker.

**Red Light Camera Project**

Verbal update on the status of the project.

Chief of Police, George Turner updated Council on the progress of the project. He stated the program will start prior to March 23 and Council will have an update prior to the 09/10 Budget process. Greg Parks of ATS indicated the program will be live this week. He advised the legislation is moving forward to share the red light camera fees with the State. In return, cameras may be placed in State right-of-way.

APPROVED BY BROOKSVILLE

CITY COUNCIL

ON 6/15/09 INITIALS RL

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John Kaputo, Director of Services stated Broad & W. MLK will be live this week followed by Broad & Wiscon & S. Cobb at West Jefferson, no later than April 23, 2009. The last two (2) sites will be N. Cobb at 50 & Broad at Cortez which will complete phase one.

Vice Mayor Bradburn asked if they could elaborate on legislation and its impact on the City. It will eliminate right of way issues and make implementation easier. He feels certain the City will be grandfathered into the program and will request a clause added to the bill. He indicated the senate bill calls for all funds to be retained by the municipality and the house bill calls for 60 percent to be retained by the municipality. There has been no discussion to elongate the amber light but there are bills in the transportation committee pertaining to that.

The permit issues include FDOT until the bill goes into effect.

Council Member Lewis recommended the notice be put on the utility bills and that signage is up. A public outreach group is working with the City to put notification on the website. City Manager Norman-Vacha stated the Public Awareness Campaign will be proceeding now that there are firm dates in place.

### CITIZEN INPUT

Mayor Bernardini asked for citizen input.

#### Sandra Nicholson

President of the Hernando County Fair Association indicated the fair is growing closer and will be April 6-12. She distributed posters and maps. She also elaborated on parking and the plans for variances for an electronic sign as well as a civic type building which is in the very early stages of planning.

Council Member Lewis asked how much of the west parcel is in the City of Brooksville. Director Geiger indicated all of it including the east parcel as well.

Ms. Nicholson indicated the Fair Association is planning upgrades to the property. She then proceeded to cover the activities at the fair this year. The fair will include a Demolition Derby, Karaoke, Monster Truck Pulls, demonstrations, raffles and contests. The theme this year is "Raising the Stakes".

Council Member Pugh asked if the current sign could be upgraded under current code. Director Geiger indicated the existing sign is being retrofitted. If it is larger and it is electronic, it must come before Council. Ms. Nicholson indicated they are looking for a sponsor for the sign.

### CONSENT AGENDA

#### Minutes

December 15, 2008 Regular Meeting

#### Mutual Aid Agreement with Hernando County Sheriff's Office

Consideration of approval of the Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement with an effective date of March 31, 2009 through March 31, 2013.

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### Southwest Florida Water Management District (SWFWMD) Reuse Reimbursement Request #5 and Repayment of City Oversizing Costs

Consideration of reimbursement from the City to Hampton Ridge Developers, LLC, in conjunction with Reuse Reimbursement #5.

Mayor Bernardini asked for an explanation of the SWFWMD Reuse Reimbursement, which City Manager Norman-Vacha reviewed as well as Director of Finance Baumgartner.

Tom Mountain of Coastal Engineering elaborated on the usage per day.

#### **Motion:**

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

### **REGULAR AGENDA**

#### **Award of Property Liability & Workman's Comp Insurance RFP No. FI2009-01 to PRM**

Consideration of awarding bid for insurance renewal to PRM

Director of Finance Steve Baumgartner reviewed the bid, indicating about twenty (20) hours was spent analyzing the coverages proposed. He referenced the matrix summarizing the four (4) proposals which were from PRM, PGIT, Travelers and FMIT.

He indicated staff recommendation is to continue with PRM for their windstorm coverage as well as their auto coverage. Another significant difference is PRM's premiums were the lowest overall. The coverage year runs April to April and the proposal will save the City \$103,000 this fiscal year. He also advised that this is the time the City would need to give notice to withdraw from the pool.

City Manager Norman-Vacha also gave an overview of the proposals as they relate to the City's needs. She felt property damage and storm damage to be the areas of greatest concern. Margin Clauses of each proposal were compared as well. She also indicated the addition of coverage for the Quarry/Enrichment Center will not result in additional premiums. Travelers is the exception with no 5 percent deductible of property values only if it is a named storm. They do require a 5 percent wind or hail deductible subject to \$250,000 minimum per occurrence for each location. Travelers' back-to-back storms coverage has total loss limitations of \$25 million combined for any one (1) event that would not cover the \$34 million in City property value. Sewer backup coverage with FMIT and PRM has the same level of coverage as general liability. PGIT limits \$1,000 per claimant or \$5,000 per occurrence and Travelers has a \$50,000 limit on negligent acts only with a \$2,500 deductible. Finance Director Baumgartner commented on margin clauses as well and pointed out there was no additional cost to add the property for the new Cobb Road plant.

Council Member Lewis asked about PRM's solvency. Director Baumgartner stated the actual liability is limited to a certain amount of money and they purchase reinsurance, the rating of which is in their proposals.

Council Member Johnston asked about the change in the dates of policies which affects the City's ability to budget. Director Baumgartner indicated it was related to hurricane season and a slight increase is normally budgeted for.

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He further indicated the attached Resolution gives the City the option of withdrawal for next year and staff will continue their annual review of coverage.

Vice Mayor Bradburn offered appreciation to staff for their work on the matrix and pointed out significant differences between PRM and Travelers proposals such as wind damage particularly in regard to coverage of a named storm only. She indicated debris removal coverage under PRM is \$5 million and up to 25 percent of paid loss. She asked if Travelers was the only provider there was to offer. City Manager Norman-Vacha indicated that Travelers partnered with PGIT.

John Church of Brown & Brown elaborated on their proposal as it relates to storm damage and their deductibles. He reminded Council they are stewards of citizens' money and does not feel PRM is treating the City fairly. He wasn't sure what happened from the time the bids were opened, at which time Brown & Brown was over \$100,000 less than PRM. He, as well as Mike Shoal, further elaborated on claims. Vice Mayor Bradburn indicated the change is in the details presented at the time of bid. Caps and omissions in the Brown & Brown proposal would raise city liability.

Director Baumgartner indicated PRM clearly stated in their proposal that their premiums would be going down and that their submittal was not the final bid amount.

City Manager Norman-Vacha clarified the process at which staff came to the final decision. She indicated staff recommendation is based on specific levels of coverage.

Council Member Lewis indicated he does not like the 1-year opt-out clause PRM requires.

Discussion continued of the bid proposal process and evaluation of the submittals. City Attorney Jennifer Rey clarified the variations for Requests for Quotes versus Requests for Proposals. If the policy allows for re-evaluation based on property rates there may be a fluctuation in the premium based on the proposals received. It is a possibility to modify some areas, to the extent that the broker and carrier would be willing to negotiate or adjust their proposal. Council Member Pugh stated an RFP allows awarding a bid based on sufficient coverage for liability exposure.

Council Member Lewis asked if an RFP or RFQ allow for price changes after opening of the bids. Attorney Rey replied the RFP document does allow for negotiation with the broker or carrier based on proposals that they provide after one has been identified as selected. She indicated during proposal review there was discussion about coverage but there was no negotiation about price reduction or coverage change. PRM intended on modifying their price in the RFP without any action or discussion or negotiation on the part of the City in that process. Mr. Lewis asked if the original RFP stated that the City would have pending negotiations. Attorney Rey replied it was asked that they declare any areas of non-compliance and notice of a firm bid and that there would not be conditions. However, every bid came in with conditions. The RFP does not state there would be negotiation in the midst of the process.

### **Motion:**

Motion was made by Vice Mayor Bradburn and seconded by Council Member Johnston for approval of staff recommendation to award bid to PRM. Motion carried 3-2 with Council Member Lewis and Council Member Pugh voting in opposition.

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**Motion:**

Motion was made by Vice Mayor Bradburn and seconded by Council Member Johnston for approval to rescind the City's opt out for the next year.

**Motion:**

Motion was made by Vice Mayor Bradburn and seconded by Council Member Johnston for approval of Resolution No. 2009-06.

City Clerk Peters read the resolution 2009-06 by headnote as follows:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BROOKSVILLE, AUTHORIZING NOTIFICATION TO  
INSURANCE PROVIDER OF POTENTIAL DISCONTINUATION  
OF PARTICIPATION IN PROGRAM.**

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

Council Member Johnston	Aye
Council Member Pugh	Nay
Council Member Lewis	Nay
Vice Mayor Bradburn	Aye
Mayor Bernardini	Aye

Council directed staff to work with the City Manager on a budget amendment to transfer the savings amount that impacts the General Fund be placed into the Capital Improvement Fund.

**ITEMS BY COUNCIL**

**T. Jennene Norman-Vacha, City Manager**

St. Patty's Day

She reminded everyone to wear green tomorrow and wished everyone a Happy St. Patty's Day.

**Joe Bernardini, Mayor**

Ponce De Leon & Jefferson Street

Mayor Bernardini asked about pedestrian and bicycle traffic violations and recommended law enforcement advise of violations. Chief Turner advised he will put out an order.

Vagrants at City Hall

He is concerned with evening hours and the safety of City employees. Chief Turner will look into.

Beef O'Brady's Contribution

Mayor Bernardini thanked them for the donation which will go into the McKethan Capital Fund.

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Crosswalk at City Hall

He spoke with the City Manager concerning pedestrian traffic in and out of City Hall to and from the parking lot.

Florida League of Cities Committees

He indicated he is having a problem making the meetings. Vice Mayor Bradburn elaborated on the meetings stating League staff alters the committees' recommendations. She will meet with the president of the league to discuss the issue.

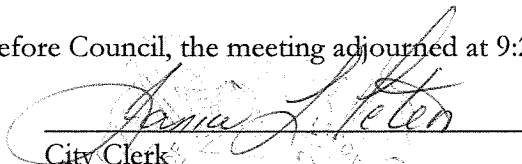
Condolences

Mayor Bernardini extended his condolences on behalf of City Council and the citizens of Brooksville to Mary Cason and her family with the recent passing of her mother.

**ADJOURNMENT**

There being no further business to bring before Council, the meeting adjourned at 9:25 p.m.

Attest:   
Mayor

  
City Clerk

