

From: Wooden-Aguilar, Helena
Sent: Wednesday, July 24, 2013 3:18 PM
To: Nieves-Munoz, Waleska
Subject: Fw: Discrimination On the Basis of Race
Attachments: Brownfield Complaint Exhibits.docx; Email Exhibit OGC Case No.docx; More Exhibits001.docx

Is this a complaint?

From: (b)(6) Privacy
Sent: Wednesday, July 24, 2013 1:45:52 PM
To: Curry, Kathleen; dupree.barbara@epa.gov; Wooden-Aguilar, Helena; paul.douglas@hernandocountynaacp.com; fburnett@cityofbrooksville.us; fburnett@ci.brooksville.fl.us;
(b)(6) Privacy
Subject: Discrimination On the Basis of Race

This is to inform the Environmental Protection Agency, specifically, the office coordinating the Brownfield Projects; Specifically, Kathleen Curry, and Barbara Dupree.

My original concerns was that the City of Brooksville, under the direction of the City Manager, and the Community Development Director were conspiring to deny the Negro citizens of South Brooksville opportunities to be included in the up front community discussions concerning the level of contaminated areas in their neighborhood. These conspiring efforts are still being instituted.

There are complaints filed with the EPA in Washington DC and Atlanta, Ga. addressing this matter, and the EPA has failed to act with any substance on these complaints, basically, because of false information and claims provided by City of Brooksville employees, that support the City of Brooksville's denial of services to the predominantly Negro Community. A denial of services that has been ongoing for over 50 years.

I am specifically asking for E. P .A's involvement because of the promises made by City of Brooksville Officials to include Negroes on the boards that make decisions affecting their community, but has reneged on that promise. The City of Brooksville in its Brownfields Program has done just the opposite of inclusion. The Community Development Director has gone to great lengths to give the impression that blacks from the South Brooksville community are or have been involved in the decisions associated with the City of Brooksville Brownfields Program, even though they have not. The City of Brooksville often claim that the sole Negro, Councilman Burnett is the sole representative for South Brooksville, even though, he is not afforded that consideration by the residents.

I have been waiting for almost a year for the City of Brooksville to appoint a so called Community Task Force. Recently, I received a letter July 18, 2013, titled, "Brooksville's Brownfields Program".

The letter was email to me July 22, 2013, and did not address me by name. Furthermore, this letter represent the same tactics that the City of Brooksville has always used when it come to allowing Negro participation in development or any community issues in their neighborhood. It states in the letter that "The task Force will be the major information conduit between the citizens of Brooksville and the Program Team." The Problem with this concept is that the Program Team has already been established and there are no Negroes on it that the majority of the South Brooksville citizen are aware of. I am not aware of any that are included on the initial Program Team. I (b)(6) Privacy, asked to be on the Program Team or Project Team The letter for being a member of the "task force" is highly ambiguous in that it is suppose to "help to identify and set priorities for site for assessment, bring any unidentified properties of concern for discussion, receive project updates that they will share wioth those whom they represent." The problem with these so called duties are that they have already been completed.

The City of Brooksville Community Development Director, steadfast, claims that the EPA will not allow anyone citizens or property owners in the City of Brooksville to become involved, initially, other than, City employees and those hired by the City. This is a clever way of denying the citizens a right to participate in identifying conditions in

their neighborhood that they have complained about for years. Now the City of Brooksville, through clever means to make it appear as though Negroes are participating, when in fact, the City of Brooksville is hiding behind one Negro City Councilman whom they have denied his full rights as a councilman since he was elected. The City of Brooksville seem to be deeply embroiled in maintaining its racist past.

The City Of Brooksville, through the same Community Development Director, has allowed county property owners, of big businesses, to annexed property from the County into the City of Brooksville and changes the zoning from agricultural to industrial all at the same time grossly violating Florida Statutes. The City of Brooksville through the Florida Municipal Taxing Unit Township 22, has the right to services an area of a 5 miles radius of the City limits. All of South Brooksville is within Township 22, and is provided services such as, fire, water and sewer, police protection, electric, only trash pickup, and the right for citizens representation is missing, yet, the City of Brooksville maintains that it is perfectly legal for the City to create and maintain an enclave.

5) *Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.*" (Emphasis supplied.)

This office has previously opined that s. 171.043 is inapplicable to parcels of land sought to be annexed pursuant to s. 171.044, voluntary annexation. Attorney General Opinion 078-121 concluded that the only conditions clearly imposed on voluntary annexation under s. 171.044 are those imposed in that section (*i.e.*, that the property be contiguous and reasonably compact and that voluntary annexation not result in the creation of enclaves). Additionally, even though s. 171.044(4) provides that "this section shall not apply to municipalities in counties with charters which provide for an exclusive method of municipal annexation," a reading of the Volusia County Charter indicates that it is silent on the subject of municipal annexation. Accord: *County of Volusia v. City of Daytona Beach Shores*, 356 So.2d 932 (1 D.C.A. Fla., 1978).

The City of Brooksville is violating the above law, and is using the Environmental Protection Agency as a vehicle to make it legal. Significant portions of the properties that are secretly included in secret Brownfields plans are properties that was annexed through voluntary annexation. A significant number of the properties listed in the project plans are lands that have already been partially clean using government funds, and now using government funds to complete the final cleanups with the cleanups benefiting any Negro residents who owns property in South Brooksville.

This is an official request that EPA carefully review the current situation, and schedule a meeting to address all of the residents in South Brooksville concerns through a public forum, and see for itself if the City of Brooksville officials are telling the truth. The City Manager, and her selected employees are attempting to deny the residents of South Brooksville due process of the law, and blame it on one person, (b)(6) Privacy. The City's Manager's and the Mayor's constant cry is "as long as (b)(6) Privacy make noise and file complaints, nothing is going to happen in south Brooksville, so stated by, the City of Brooksville Community Development Director.

Please notify me of all respondents to this official document, specifically, all documents from City of Brooksville officials.

See the attached Exhibits.

(b)(6) Privacy