



**MINUTES OF THE CITY COUNCIL SPECIAL MEETING
CITY OF NEW PORT RICHEY**

NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS

5919 MAIN STREET, NEW PORT RICHEY, FLORIDA

August 23, 2016

6:00 PM

**ORDER OF
BUSINESS**

1 Call to Order – Roll Call

The meeting was called to order by Mayor Rob Marlowe at 6:00 pm. Those in attendance were, Deputy Mayor Bill Phillips, Councilwoman Judy DeBella Thomas and Councilman Jeff Starkey. Councilman Chopper Davis arrived after the roll had been called.

Also in attendance were City Manager Debbie Manns, Interim City Clerk Judy Meyers, Finance Director Crystal Feast, Technology Solutions Director Bryan Weed, Public Works Director Robert Rivera and Acting Assistant Public Works Director Barret Doe. City Attorney Michael Davis arrived after the roll had been called.

2 Pledge of Allegiance

3 Moment of Silence

4 Business Items

a. Resolution No. 2016-23: Pavement Management Plan Final Assessment Resolution - Page 3

City Manager Manns presented the item to Council. Ms. Manns stated that the public notice lacked many of the facts that were needed for explanation and apologized that a better job was not done with the notice to property owners. Ms. Manns stated that the purpose of the meeting was to seek the public's input on the proposed Pavement Management Plan. Ms. Manns stated that staff would present an overview of the project, accept public comment, and then Council would consider options of what to do. Ms. Manns provided a history of the road paving program. She stated that Local Option Gas Tax and Penny for Pasco funds used and were assessed through a special assessment. The amount assessed was based on the frontage of the property owned. In 2015 the Genesis Group conducted a Roadway Needs Assessment study. Ms. Manns stated that the new propose plan was for preventative maintenance which would be cheaper in the long run and an equitable portion assessed to property owners. The term of the program is for five years. The amount on the property notice was the maximum amount that could be assessed and would be adjusted before final assessment was passed on to the property owner. At that point, Ms. Manns deferred to Public Works Director Robert Rivera to begin his presentation to Council.

Mr. Rivera began his presentation to Council by saying that the goal was to create a high quality transportation system, one that is sustainable and fair and equitable. He stated that the city contains 75 miles of roadways. Funding sources for road improvements were through assessments, LOGT, General Fund transfers and grants. The old program consisted of a payout of 50% for residential and 65% for collector road. Property owners received an invoice to pay in full or ten year pay back. The 2015 study reviewed the existing plan, ranked the existing inventory, provided for the first five cycles, identified efficiencies and provided recommendations. The new program is based on the pavement surface evaluation and rating by the Federal Highway Admin. Rating system 1-10 80% city streets were rated 6-8 and collector roads 5-6. Deficiencies identified varied, non-sustainable and project escalation cost. Methodology based on whole transportation system not individual road areas, cost estimate of 1.7 million and to identify a sustainable program. EAU/ERU were divided as equal factors. Average parcel is .186 acre calculated at \$31.32. ERU based on frequency of the road being used and was calculated at \$22.75 trip charge. Non-residential commercial properties provided 50% discount of trip counts. Mr. Rivera stated an example would be US19 and how people could be coming from other areas to visit local businesses. Mr. Rivera stated that the notice that property owners received contained a figure which was a worse case scenario. He pointed out that the methodology was similar to when Council sets the Millage Rate and until all the figures are in place and resources are identified, the proposed number could be decreased and that would be the case with the proposed plan. The figure on the notice to property owners was only an estimate based on the current figures and would be decreased once the final numbers were in place.

Mr. Rivera noted some changes to the Resolution primarily in Section 5 stating that the trash hauler fees were moved over from the general fund and with the inclusion of Penny for Pasco funds and LOGT there was a reduction down to \$800,000 from \$1,700,000. Mr. Rivera then noted changes to Section 10 which provided for a five year sunset clause and Section 14 regarding exemptions and the removal of the assessment for privately owned roads. Section 15 was added to provide for correction or errors and omissions along with an appeal to the city manager.

Mayor Marlowe then opened the floor for public comment. The following is the list of those who spoke and a brief summary of their comments:

Pedro Perichei - stated a previous street assessment was not paid when he purchased his property. He lives on a dead end road and did not feel it was fair to those who just paid or are still paying off their assessment. He stated with this assessment there would be an overall increase of 40% in his taxes.

Andy Hatcher - spoke against the assessment stating his 125 foot dirt road was going to be assessed \$240 a year. He also stated that on his other property there is a 15 foot ROW and the city installed an 8 inch backflow preventer and he must drive around it to reach his property. He stated his taxes will double.

Patricia Shaw - stated that the County purchased property behind her and was recently assessed. She stated she will be assessed for three different items for the same piece of property. She proposed the question of whether she was being charged the maximum amount and was it for a five year plan. She asked if it would be in writing that she would not be charged higher than the maximum amount and City Manager Manns responded by saying yes. Also questioned funding sources for the program.

Robert Howley - sought clarification that private roads are exempt. Mr. Rivera stated that the adjacent property owners were assessed because they used the transportation network. HOA's who own and maintain the roads would not be assessed again. Stated he has about 100 feet on US19 and he already pays over \$6,000 in taxes to the city. Sought confirmation of a 50% reduction in the trip charges for his property on US19.

Rocky Marcus - lives at the end of Indiana and his road is a wreck. He will be assessed over \$350 for his three properties and over \$7,500 in taxes. Stated the water drains from his road into the Cotee River. Mr. Rivera stated he recognizes the issue with the road as there is a lot of public stormwater that travels down the private road. Mr. Rivera stated that will be addressed in the stormwater Master Plan.

Ken Supernault - stated he has a half dozen assessments for different properties in the city. Stated that the lack of road improvement projects was due to the bad leadership of the city. Stated residents should look at the personal finances of City Council.

Lois Robinson - questioned how finances have been spent. She stated if this is a residential program then Massachusetts should not be included as it is city/county. She stated Warren Avenue was destroyed last year. She questioned why there was an ERU and a blanket assessment. She also believed that the city spent too much money on a new tractor and did not understand why they could not have bought one for less since she knows what tractors cost.

George Russell - wanted clarification on the assessment amount. Stated he drives on some of the roads each day. Stated businesses should pay for Main Street and the school should pay for Madison. Cannot fix flood problem on Massachusetts then do not spend money on paving.

Gilbert Jannelli - stated his property value has dropped from \$170,000 to \$103,000. The grant program was spent quickly and hopes the program will have funds again this year. He stated that a tenant is not going to be able to pay. Keep taxes low to attract businesses. Suggested to dissolve the city and go under the county authority.

Jim Schieffer - wanted to know if a transcript would be available because statements were made that were important. Stated City did not tell people what they needed to know and was not provided any details of what it was based on.

Carol Kinnard - stated the way the new program is calculated puts balance on residents to carry and asked Council to rethink the calculations.

Sidney Hinds - stated Sims Park did not need an update and that Council was spending money on a ghost town.

John Pimenidis - stated there should be a better way to improve roads without assessments. Stated should look how other cities are doing assessments.

Sharon Purviance - wanted clarification as she just sold a property that had twice as much road frontage than her other property on Grand Blvd. and wanted to know if Grand is a collection road and that people who live on a collector road should pay less. Mr. Rivera stated that was the old system and now all units are calculated the same. The only change may be if there was a size different in the parcel.

Gary Tinker - wanted to know if he can be refunded for what he did pay. He stated that the taxes have increased each year. Also owns property on US19. If keep billing commercial the businesses will be run out of town.

Unidentified gentleman- stated he does not feel it is fair to keep asking businesses along US19 to pay for Main Street. He has a tenant who has one business but is required to have two different business licenses. He stated the city is chasing businesses out of the city.

John Gallagher - stated his concern is change and how people do not understand. The EAU has residents paying for the streets of other residents when residents have already paid for the assessment on their street. He asked what would happen to all of the money if after the five year sunset provision Council decides the plan is not working. The LOGT is estimated at \$1 million a year. The last eight years was estimated at \$5.3 million. Every street he had ever lived on paid 100% of the assessment. Was the 50% on a case to case basis or is residential only ever paid 50% and the city picked up the rest? Between the Penny for Pasco funds the city should be able to give residents a break.

Mike Nurrenbrock - stated his concerns that the sunset provision could be extended for another five years and asked if there was a method to appeal if the fees were not correct. He stated after the

information is transmitted to the Property Appraiser it cannot be stopped so if the information is incorrect the resident will have to pay it. He stated there might be cause for legal action as the program did not call for a direct benefit for the property owner. He stated that there was \$2.3 million approved in 14/15 budget for road projects that did not get completed. Ms. Manns stated the sunset provision could have to be voted on to continue. Deputy Mayor stated that when the assessment goes into place that most people think that it is ad-valorem tax base but picks up other entities that do not pay ad-valorem and just wanted to clarify that point. Councilman Starkey asked Mr. Davis to look into the legality of the proposed program. Mr. Davis stated that according to Florida law there are two requirements one is that there would be a special benefit to the assessed property and the amount assessed does not exceed benefit. The other requirement is that the assessment be property apportioned between properties. He stated that the City has fulfilled the requirements by retaining the proper expert to perform the analysis needed. He stated the City does not have to use any certain type of methodology. The approach is legal under Florida law. Whether the assessment is lawful will depend on the analysis done by the experts.

Tina Pimenidis - stated that she has done many renovations to the Hercules Center. She stated that the assessment for the vacant units was high.

Heather Fiorentino - stated that she understands that the City is trying to move forward to raise property values. She questioned the \$200,000 from GR and that the formula needs to be re-evaluated. She stated it seemed more like a twenty year plan rather than a five year plan. She asked where her street would fall into this plan. When the City has done road assessments in the past the needy were considered and they were not with the new program. She said the County has SHIP and Block Grant money available. She stated that credit needs to be given to residents who have already paid their assessments. She stated her concern over taxing businesses and chasing them out of the city. She suggested creating a Citizens Advisory Board if this plan moved forward so that the funds are only used for this program and not moved elsewhere.

Tim Carr - owns a business on US19 and stated construction was completed thirty days ago. He said he is still paying on paving assessments. He asked if there was any rebate being given for those who have paid and are paying. The program needs to be done but not this way.

Mark Huba - stated he paid an assessment for a previous project. Stated it is not fair to charge again. His calculations would be about \$4,400 for two properties and that would be a sizeable investment for the next five years. Needs to be a better equitable way to figure out things as there are lots of areas that are part county and part city.

Mitch Jackson - stated he paid an assessment about ten years ago. He asked that Council re-address and take a closer look.

Steve Halkias - stated he was proud to live in the city. He does not think it is fair that people have already paid and are being asked to pay again. He did not feel it was fair to pay for someone else's road.

Dale Baptie - stated he lives in Briar Patch where the roads were done and the residents paid 50% and the City paid 50% and that there are no roads that need to be re-done. He asked where are people on fixed incomes going to get the money to pay. There are people who choose not to eat in order to keep up their home. He stated he is tired of more taxes.

Bob Carroll - asked if there was an assessment for empty space as his property is only 1/3 occupied. He stated it is very hard to rent space and that adding burdens on investment properties will not put tenants in them as they would have to absorb the costs. He asked Council to have a heart for those who want to invest in the city.

Barbara Koch - asked about Grand Blvd. being recognized as SR595. Mr. Rivera sad that it was deeded over to the City in 1983 from FDOT. She also stated that if the Council wants people to come they need to have places to eat and shop.

Jim Schieffer - stated that the statement does not say max it says proposed and that you presented materials that were not written down anywhere. Said to reassess and put out a proper proposal. Mr. Rivera stated the materials were attached to the agenda packet. Mayor Marlowe stated it was under the section marked agendas. He believed the City had not met the obligations under Florida Statutes.

Bob Langford - questioned the fairness of comparing the city to Georgia median incomes.

Kevin Vance Ray - stated he supported the program and stated there should be a rebate for those who have already paid. He stated that there are too many rentals in the city and not enough homeowners.

Michael Beam - stated between his law partner and his wife they own nine parcels within the city. He stated that he came in late to the proceedings and missed the explanation on the reduction. Mr. Rivera stated that reduction was due to the transfer of trash hauler fees. Mr. Beam referenced a 2002 report and stated there needs to be a real time assessment instead of a twelve year report.

Bruce Waters - stated every time it rains Massachusetts floods from Lenape to Congress. He said the county says it is the city and the city says it is the county's responsibility. He asked if there were stormwater drain plans for Massachusetts. Mr. Rivera stated that there were preliminary plans to grade. He suggested it could be a joint project between the city and the county.

Jamie Moody - stated every time it rains she cannot get in or out of her driveway because it floods. Did not feel it was fair to pay the assessment and there is no benefit.

Lisa Virgilio - stated her concerns over the stormwater drainage at Ohio and Forest and how it is knee deep when it rains. Mr. Rivera stated there has been historical drainage issues.

April Hanley - asked if there would be a full assessment for vacant properties. Mr. Rivera stated that there is no trip charge for vacant properties.

David Mort - urged the City to exhaust all other funding sources for road improvements. He stated that Gulf Drive needs repairs due to the serious problem with potholes. He urged the city to get out of the real estate business and asked if Main Street Landings is ever going to be back on the tax books.

Seeing no one else coming forward, Mayor Marlowe closed public comment and returned the item back to Council.

Councilwoman DeBella Thomas stated that tonight was a demonstration of democracy in action and she appreciated all of the public's input. She said that she is a city resident too and wants Council to get it right. She said staff is trying hard to make it fair and equitable to all of those involved. She stated that there is a budget to balance each year and there is no frivolous decisions.

Councilman Starkey stated that presentation is everything. He stated that the current Council is being attacked for actions by previous Councils. He stated the city is trying to move forward. He stated the presentation for this program was done very poorly but the current system is not working and the funds are not there to fix the roads. Just like insurance industry you have to spread the risk. He stated this is a good system it just needs tweaking. He would like to see more discussion at a work session. He is not in a rush to get it on the tax bill. Need to make it fair and equitable. The residents were not prepared until the meeting started.

Mayor Marlowe - had a previous assessment 10-15 years ago and it was a large assessment. People who are still paying are being asked to start paying on a new assessment. Commercial calculations need to be re-evaluated. He stated that more work needs to be done in order to make sure we have it better.

Councilman Davis - stated he wants to see it done right and not within three weeks. He stated more research needs to be done before we move forward. He stated if we are trying to bring in business we

need to put roads back in shape. He stated we are on the right path and just needs to be tweaked.

Deputy Mayor Phillips - stated he cannot support the assessment in current form. He stated there needs to be a designated funding source. He also stated that churches and the hospital do not pay taxes but do contribute to trips on the roadways. He stated that everyone stayed on point during the meeting. He stated he had disagreements with the program relating to the fact that trip generations should be looked at in a harder fashion than land size. He stated that he thought there might be information missed within the resolution relating to credit for dollars collected. He stated that Mr. Nurrenbrock brought up some very valid questions when he spoke and that if you cannot account for dollars identified in previous budgets then you cannot ask for more money. On the funding side he thought that the allocation of stormwater fees were missed. He needed to understand how to recognize the outstanding assessment fees that are already out there. He stated he was part of a group for Penny for Pasco that proved 95% of what the funds were expended on. The sunset needs to be better defined and the resolution needs to state that funds can only be spent on street paving projects. He stated that there needs to be community participation. He also said that the first Penny for Pasco could not have a rollback provided for by the County however the School Board was able to give a quarter percent rollback. He stated if the assessments were to move forward that there should be a provision for an ad-valorem rollback. Finally he stated that he looked at how this assessment would affect people in real time where the ad-valorem is at and calculated a \$43/year cost for his property. He stated he looked at the river properties and they may be in a little better position due to double exemptions. He stated that all the information needed to be on the table and that we were not there tonight.

Mayor Marlowe asked for someone to make a motion to reject this agenda item and bring it back in a work session format after the first of the fiscal year.

Motion made by Chopper Davis and seconded by Judy DeBella Thomas. The Motion Passed. 5-0.
Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

5 Communications

Councilman Starkey thanked everyone again who came out to speak. He stated that if the community comes and works together that more things can be accomplished and that his phone number is on the city website if anyone would like to call. He stated that Council is trying to make New Port Richey a better place to work, live and play.

Councilwoman DeBella Thomas stated that she had attended the Florida League of Cities Annual Conference and that overall municipalities are up 2% and there are now 412 municipalities across Florida of which 82% have a population of 5,000 or less.

Deputy Mayor Phillips wished his oldest son, Billy, a happy birthday.

Mayor Marlowe stated that his office in downtown is always open to anyone who would like to stop by and talk.

6 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:51 p.m.

(signed) _____
Judy Meyers, Interim City Clerk

Approved: _____ (date)

Initialed: _____



NEW PORT RICHEY

5919 MAIN STREET . NEW PORT RICHEY, FL 34652 . 727.853.1016

TO: City of New Port Richey City Council
FROM: Robert M Rivera, Public Works Director
DATE: 8/23/2016
RE: Resolution No. 2016-23: Pavement Management Plan Final Assessment Resolution - Page 3

REQUEST:

The request of staff for City Council, is to review and consider for approval the Final Assessment Resolution No. 2016-23 for the Pavement Management Plan.

DISCUSSION:

On the January 19, 2016 regular City Council meeting resolution #2016-03 was read by staff and approved by City Council. The approval of the resolution began the process of authorizing the use of the uniform method of collection and enforcement for non-ad valorem annual assessments for paving improvements identified in the Capital Improvement and Essential Services Procedural Assessment Ordinance No. 2012-1985, enacted on June 5, 2012. The purpose of this public meeting is to have City Council receive input from property owners who have received written notification by first class mail of this public hearing required by Ordinance No. 2012-1985.

Subsequent to staff review of the 2015 Roadway Needs Assessment Report and the City's existing pavement management plan, it was determined that the existing plan was deficient and a sustainable pavement management plan was needed for infrastructure improvements to meet the goals recommended in the report.

As City Council may recall, the 2015 Roadway Needs Assessment Introduction states that "high quality transportation systems are essential to a thriving community. Roadways are integrated into the fabric of America and their maintenance has become a significant responsibility of local government. In response to this obligation, the engineering community has developed pavement management systems to assist decision makers in finding optimum strategies for providing, evaluating, and maintaining pavements in a serviceable condition over a period of time." To accomplish these goals, staff utilized the consulting services of the Genesis Group. Their task as directed by staff, was to supply the staff with technical assistance in support of the City Manager's effort to allocate the annual roadway maintenance cost, explore different alternatives to apportion the maintenance costs and provide the associated computations. Recommendations from the Genesis Group were supplied to the City and are as follows:

- 20-year maintenance cycle.
- 3.47 miles of roadway restoration annually.
- \$1.7 million expenditure for capital and Street division operating maintenance.
- Assessment annual collection method \$1,275,000.00 - non-ad valorem and \$425,000 local option gas tax dollars.
- Equivalent Assessment Unit (EAU) based on parcel acreage and Equivalent Residential Unit (ERU) based on the vehicular trips generated by the parcel process used for assessing property owners.

Should City Council approve the resolution, it is staff's opinion based on the 2015 Roadway Needs Assessment Report, the Street Paving Assessment Methodology Report, and the Genesis Street Assessment Methodology memo dated June 15, 2016 that the proposed program is sustainable, fair and equitable to the property owners who will benefit from an improved roadway system, increased property values, and a reduction in vehicle repair bills directly related to roadway conditions.

RECOMMENDATION:

Approval of the Final Assessment Resolution #2016-23 is recommended.

BUDGET/FISCAL IMPACT:

Should Council approve the recommendation, the proposed street improvement assessment fee will be added to the Pasco County Tax Collectors Annual Property Tax Bill and be considered revenue income to the City's Street Improvement Fund # 701-0000-363-10

ATTACHMENTS:

	Description	Type
D	Street Paving Assessment Methodology Report	Backup Material
D	Genesis Street Assessment Methodology Memo	Backup Material
D	Resolution 2016-23	Backup Material

I. REPORT OBJECTIVE

This Assessment Methodology Report details the basis of the benefit allocation and assessment methodology to support the implementation of a pavement management plan consisting of a continuous process for maintaining high quality City Streets. The City has identified Street Paving Improvements in the City's Street Improvement Fund within its five-year Capital Improvement Plan. Those lands within the Assessment Area of the City of New Port Richey (City) are generally described as properties which are currently included or may in the future be included within the corporate boundaries of the City. The objective of this Report is to:

1. Identify the City's Capital Improvement Program ("CIP") needs for a continuous program that will preserve the existing City investment in paved streets and other functioning right of ways. The program will be deployed in a cyclical manner through an ongoing program of resurfacing and improvements appropriate for the sustainability of the transportation system within the City that is owned and or maintained by the City of New Port Richey. An annual budget will be recommended.
2. Determine a fair and equitable method of spreading the associated costs to the benefiting properties within the Citywide Assessment Area and ultimately to the individual real property parcels therein; and
3. Calculate and recommend the appropriate fee to be placed on an annual non-ad valorem assessment on the assessable lands within the City.

The basis of benefit received by properties within the City relates directly to the findings of the Roadway Needs Assessment Report (Engineer's Report), prepared by Genesis and issued in December of 2014. The Introduction Section of the report (attached as Exhibit A) states at the outset that; "High quality transportation systems are essential to a thriving community". The Engineer's Report identified the general condition of approximately 70 miles of paved roadways that are owned and maintained by the City. The methodology employed was based on the Pavement Surface Evaluation and Rating (PASER) system developed by the Transformation Information System of the University of Wisconsin - Madison. The PASER system focuses on the surface condition of roads using photographic standards as benchmarks for a ten point scale. The prevailing logic of Pavement Management (Street Paving Improvement) is to restore road surfaces before the ride quality drops below a good quality rating in order to reap the benefits of a consistently high quality pavement condition. The justification for the increased scheduling of periodic pavement restoration is not just for vehicle ride quality, but also to avoid the rapid decline that occurs as roads begin to drop from good to fair condition and the resulting high cost of rehabilitation maintenance which can cost up to 10 times the cost of preventative maintenance. Therefore, benefits will be derived from the use and enjoyment of a well maintained road network. Additionally, property owners will benefit economically from expected maintenance cost savings and through the sustainability of private property values attributable to the curb appeal of a quality street system.

It is the City's CIP that will establish the Pavement Management schedule for maintenance of the public transportation infrastructure that will be deployed systematically within the Assessment Area. All property owners within the City will have the ability to utilize and benefit from the streets and multi-modal corridors developed, constructed and maintained by

the City. The main objective of this Report is to establish a basis on which to quantify and allocate the special benefit provided by the Pavement Management component of the CIP to the various benefiting parcels of real property within the City

The City does not anticipate the issuance of Bonds or indebtedness to finance the Pavement Management portion of the CIP which will be scheduled in a rotating fashion in the most efficient manner practicable while prioritizing streets whose condition has dropped below a good rating.

In summary, this Methodology Report will determine the benefit of maintaining the City's network of streets that inures to the properties within the City, the recommended method of apportionment of the benefits and the resulting non-ad valorem assessments to be levied on an annual basis. The assessments will provide the financial support required for the City to perform a pavement management program that will result in improved driving surfaces and provide for the periodic pavement restoration of all streets and transportation corridors controlled by the City.

II. HISTORICAL CITY PAVEMENT ASSESSMENTS OVERVIEW

The City has historically maintained its residential streets by completing projects using a combination of City funds. Accumulated funds collected from multiple years' Gas Tax proceeds have been combined with collections from special assessments which have been applied at various levels against benefiting properties based on the front footage owned along the streets being repaved or reconstructed. Over the past 30 years, there have been 12 street paving projects using this method. Streets that are considered major arterials such as Main Street/Nebraska, portions of Grand Boulevard, Madison, Congress, Gulf, Adams, Marine Parkway and Cecelia were fully funded by the City in many cases. Recently, Pasco County conveyed the newly paved Plathe Road and the southern section of Grand Boulevard to the City along with the future maintenance responsibility.

For the last 12 street paving projects, assessments were levied and liens recorded with payback terms of ten years to include interest and direct billed by the City. Assessments were levied with construction costs supplemented by various degrees of City financial assistance against property owners who were immediately adjacent to the improvements based on front footage. This direct benefit method has been problematic in two ways. First, the variance among property owners in the length of front footage adjacent to the pavement installed often resulted in perceptions that the distribution of costs under that method was not equitable. Second, property owners share their public streets with other vehicles and some streets incur more through traffic and as such those streets may deteriorate at a faster rate. While the City made adjustments for assessments on collector roads and arterial roads, the resulting net charges to property owners over the past 30 years lack consistency. The use of limited resources to finance the street improvements and the cumbersome steps involved in forwarding paving projects have resulted in a decline in the quality of the overall street network and the need to change the City's process to protect the assets and provide a better product.

III. PROPOSED PAVEMENT MANAGEMENT PLAN IMPROVEMENTS

A report issued in 2013 by IMS Infrastructure Management Services for the City of Dunwoody, GA addressed the importance and purpose of pavement management systems as follows;

Agencies implement pavement management systems for a variety of reasons:

- The agency desires to use analytical tools and technologies to more effectively manage their assets. This need often comes to the forefront due to rapidly increased costs and rapidly deteriorating pavements.
- In some cases a pavement management system is required in order to qualify for various types of funding.
- The Governmental Accounting Standards Board (GASB) Statement 34 now requires agencies that collect taxes for the purpose of managing a long-term, fixed infrastructure assets to either:
 - Option #1 (*Standard Method*) - Implement financial-accounting controls to effectively depreciate and plan for replacement of fixed assets, or,
 - Option #2 (*Modified Method*) - Implement an asset management system that provides a mechanism to gauge and budget for the long-term rehabilitation/maintenance of an asset.

The study completed on the City's roadway network may be used as the basis for achieving their GASB 34 compliance. In the case of Option #1, this study may be used as the basis for the inventory and valuation of the roadway network. For Option #2, once implemented the study recommendations may form the core of the GASB 34 compliance.

For New Port Richey, the Roadway Needs Assessment Report identified nearly 75 miles of roadway in the City and completed a surface inspection of every roadway. The report identified 5 phases of capital improvements to be completed over a five year period which include only a portion of the street network of the City. The costs associated with the capital improvements are derived from the Engineer's Report and are estimated to include both pavement overlay to refurbish road surfaces and in cases where multiple layers have accumulated to an excess thickness or patching and other defects call for milling, the additional process to remove and replace surface materials. These costs have been projected based on current material pricing and the frequency of repaving has been targeted based on an average cycle of twenty years. It is not anticipated that the assessment will generate 100% of the street improvement costs as the City will continue to rely on other revenue sources such as local option gas taxes to supplement the assessment revenues. The Engineer has estimated that an annual allocation of approximately \$1,700,000 is a reasonable estimate of the cost to implement a resurface replacement program (the program) using a 20 year cycle to maintain the street network. In recognition that the original local option gas tax distribution to the City allows for street maintenance, the budgeted approximate \$425,000 contribution from those funds has been recommended to be applied to the program to lower the annual non-ad valorem assessments to benefiting properties. The reduced annual assessments would total \$1,275,000 if the full amount of the original gas tax allocation were to be allocated to the program. A reduced annual assessment will also serve to assure that the benefits assessed do not exceed the benefits received to individual properties within the City. Benefits will also accrue to local school and governmental or public purpose facilities for which the City Council will need to consider the appropriateness of assessing those properties.

V. ALLOCATION METHODOLOGY

The program costs and underlying benefit of a well paved road network provide two distinct types of benefits to the property owners within the City. The first benefit is the positive effect that a well maintained road system has on the value of all real estate parcels that exist within the City. The second benefit of a well maintained road system is in the actual provision of satisfactory trips that occur as a result of the active use of the system by the various types of real properties within the City. The existence of a well paved road network improves the value of all properties within the City irrespective of the frequency of use of the property whether vacant or fully developed. According to F.S. 170.02, the methodology by which valid special assessments are allocated to specifically benefited property must be determined and adopted by the governing body of the City. This authority alone gives the City latitude in determining how special assessments will be allocated to specifically benefited properties. The benefit and assessment allocation rationale recommended in this report is detailed below and provides a mechanism by which the costs, based on a determination of the estimated level of benefit conferred by the program are apportioned to the assessable lands within the City for levy and collection. The recommended assessment allocation methodology includes two components which separately address the two distinct benefits outlined above to be allocated to each property within the City. This method of benefit allocation is based on the benefit received from infrastructure improvements relative to the property's use and size in comparison to other properties within the City.

The allocation of benefits and assessments associated with the street maintenance program are demonstrated on Table 2.

EQUIVALENT ASSESSMENT UNITS (EAU) ALLOCATION:

The Equivalent Assessment Unit Allocation addresses the value enhancement type of benefit described in this report. The attached letter from the Pasco County Property Appraiser to the County Attorney (Exhibit B) included a calculation of the value enhancement to real estate for a newly paved surface (a well maintained road) as opposed to real estate where the road network was not as well maintained. Based on the analysis performed by the Property Appraiser's office, the value enhancement to a single family residence resulting from newly repaved roads in 2002 was \$5,000 to \$6,000. All assessable land within the city has been evaluated based on the parcel sizes for the various classes of properties within the City. The EAU assessment component has been assigned 50% of the total costs to be assessed annually. This portion of the assessment covers all properties regardless of the state of development on the property. Vacant lots are assessed equally to developed lots as all properties enjoy the benefits of value enhancement. The average lot size for a single family residence in the City is approximately .185 acres. One EAU is .185 acres.

EQUIVALENT RESIDENTIAL UNITS (ERU) ALLOCATION:

The remaining 50% of the total costs to be allocated are assessed based on the frequency of usage attributed to each class of property. To determine the level of relative benefit among properties based on the intensity of use of the City's road

network, this report has relied on the best available data specific to transportation. Average trip generation tables were utilized to establish “equivalent” units of measurement by product type to compare dissimilar development product types. This is accomplished through determining an estimate of the relationship between the product types, based on the transportation activity that is generated by each property class (product type) within the City’s transportation network. A discount is applied to commercial properties in recognition of the location of a majority of commercial properties on major arterial roads which are not maintained by the City. As with U.S. Highway 19 and with other commercial arterial roads however, the City anticipates making investments in the transportation network along those corridors to include multi-modal trails and other safety improvements. More importantly however, the City’s street network is impacted by the trips generated by commercial activities and the street improvement and maintenance program is intended to address the needs of the system at large and distribute those costs among all properties within the City fairly. The use of equivalent residential assessment unit methodologies is well established throughout the State as a fair and reasonable proxy for estimating the benefit received by properties within an assessment area. This methodology uses the number of daily trips generated by a single family residence to establish a single ERU and assigns ERUs to other classes of properties based on the ratio of adjusted daily trip counts to those of a single family residence. These calculations were developed by the City’s Engineering consultant subsequent to their completion of the Engineer’s Report. A single family residential unit is assigned 9.52 average daily trips.

Therefore, with the calculated annual assessment amount estimated to be \$1,275,000, one half of the assessment or \$637,000 is recommended to be generated by an assessment of \$36.26 for a single Equivalent Residential Unit (ERU). This ERU assessment is to be leveled on single family residential properties equally with some concessions for non-traditional product types or underdeveloped residential parcels. Vacant lots are not assessed for this portion of the methodology. Commercial, Industrial and other product types are assigned unique ERUs based on the size and intensity of use of those parcels.

VI. DETERMINATION OF THE ASSESSMENT

While the City has asserted that its Home Rule powers, pursuant to State Statutes 125.01 and 166.021, provide the legal basis for the non-ad valorem assessment program for street improvement and maintenance, there is other supplemental statutory authority which this report also considers in the development of the methodology. Florida Statute Chapter 197.3631 provides the non-ad valorem option for the collection of the assessments subject to the agreement of the County Property Appraiser and the County Tax Collector and Chapter 197.3632 establishes the need to provide timely notices and to hold a public hearing.

The logic for “special assessments” that is encased in Chapter 170 of the Florida Statutes is also embraced in the application of the methodology with the caveat that the imposition of the assessments on a “city wide basis” is not considered in this analysis to conflict with the broad concept of ‘special benefit’. While past assessments have been

levied on the basis of linking improvements directly to adjacent properties on the basis of front footage, this assessment is being made once again on the benefit of the overall system of transportation improvements owned and/or maintained by the City.

There are three main requirements for valid special assessments under Chapter 170. The first requirement demands that the improvements to benefited properties, for which special assessments are levied, be implemented for an approved and assessable purpose (F.S. 170.01); As a second requirement, special assessments can only be levied on those properties specially benefiting from the improvements (F.S. 170.01). Thirdly, the special assessments allocated to each benefited property cannot exceed the proportional benefit to each parcel (F.S. 170.02).

The City's Street Improvement CIP contains a "system of improvements" including the funding, construction and/or acquisition of roadway improvements all of which are considered to be for an approved and assessable purpose (F.S. 170.01) which satisfies the first requirement for a valid special assessment, as described above. Additionally, the improvements will result in all properties within the Assessment Area receiving a direct and specific benefit, thereby making those properties legally subject to assessments (F.S. 170.01), which satisfies the second requirement, above. Finally, the specific benefit to the properties is equal to or exceeds the cost of the assessments levied on the benefited properties (F.S. 170.02), which satisfies the third requirement, above.

The first requirement for determining the validity a special assessment is plainly demonstrable; eligible improvements are found within the list provided in F.S. 170.01. However, the second and third requirements for a valid special assessment require a more analytical examination. As required by F.S. 170.02, and described in the preceding section entitled "Allocation Methodology," this approach involves identifying and assigning value to specific benefits being conferred upon the various benefitting properties, while confirming the value of these benefits exceed the cost of providing the improvements. These special benefits include, but are not limited to, the added use of the property, added enjoyment of the property and the probability of increased marketability and value of the property.

The determination has been made that the duty to pay the non-ad valorem special assessments is valid based on the special benefits imparted upon the property. These benefits are derived from the resurface and replacement program which will result from the improvements in quality of the transportation system and the value enhancement that will result in a citywide high quality maintenance program.

Property within the City that currently is not, or upon future development, will not be subject to the special assessments include publicly owned (State/County/City/CDD) tax-exempt parcels such as: lift stations, road rights-of-way, waterway management systems, common areas, and certain lands/amenities owned by HOA(s). To the extent it is later determined that a property no longer qualifies for an exemption, assessments will be apportioned and levied based on calculated EAU and ERU factors as established in this report.

Because the City still has undeveloped parcels which may cause the total number of ERUs to vary as time passes, the annual assessment charge for an ERU should be reviewed every 5 years to determine if the level should be adjusted. In addition, fluctuations in material costs as well as changes in best practices should be factored into updates of the assessment methodology. Finally, lands that may become annexed into the City will become assessable upon the annexation.

I INTRODUCTION

High quality transportation systems are essential to a thriving community. Suburban roadways allow residents to participate in commerce as well as facilitating the transportation of goods to local markets. Roadways are integrated into the fabric of America and their maintenance has become a significant responsibility of local government. In response to this obligation, the engineering community has developed pavement management systems to assist decision makers in finding optimum strategies for providing, evaluating, and maintaining pavements in a serviceable condition over a period of time.

The purpose of this Roadway Needs Assessment Report is to identify the general condition of the approximately 70 miles of paved roadways owned and maintained by the City of New Port Richey (City). The 5.2 miles of right-of-way without paved roads were omitted from this study. As indicated in the project Task Order, limitations in both schedule and budget mandated that the assessment be based on visual observations and is not an exhaustive analysis utilizing field measurements and empirical data collection.

It is understood that the City will utilize this report for:

- Updating the Geographic Information System (GIS) database
- Making decisions regarding funding / assessing roadway improvements
- Prioritizing roadway maintenance / improvement projects

II METHODOLOGY



Figure 1 - Typical Roadway Grade 8 (Grand Blvd.)

The methodology employed for this evaluation was based on the Pavement Surface Evaluation and Rating (PASER) system developed by the Transportation Information System of the University of Wisconsin – Madison. The PASER system was developed as an alternative to empirical data intensive models to provide local agencies a simplified rating system focused on surface condition with which to evaluate their roads. PASER uses visual inspection to evaluate pavement surface conditions and rates the condition on a ten-point scale. The PASER manual provides

photographic standards that serve as guides to identify both the distresses as well as the numerical rating (ten-point scale). A copy of the PASER manual is provided in **Appendix A**.

There are four major categories of common asphalt pavement surface distress:

- Surface Defects – Raveling, Flushing, Polishing
- Surface Deformation – Rutting, Distortion (rippling & shoving), Settling
- Cracks – Transverse, Reflection, Slippage, Longitudinal, Block, and Alligator
- Patches and Potholes

III OBSERVATIONS

The field work was conducted over several days beginning in December 2014. The City was broken into a matrix that allowed the entire city to be depicted on a series of letter size aerial photographs (200 scale) that were provided to field personal in a binder with blank data entry forms to allow field observations to be manually recorded for each street segment evaluated. The field data sheets have been included in **Appendix G**.

As expected, very few roads were graded at the extreme ends of the continuum (either 'failed' or 'excellent'). Over 80% of the paved streets were rated between 6 and 8. Only 6% of the paved roadways within the City rated below 6. Although roadway segments were broken down to segments as small as a block, field personnel did note that there are several instances where a segment was punctuated by a relatively small strip that was completely inconsistent with the rating of the adjacent pavement. In these instances, the rating of the overall segment was based on the prevailing portion.

The Roadway Rating Map (**Appendix B**) was created to provide a graphical representation of the current pavement conditions. In order to simplify use of this map, the data was grouped using statistical break lines into four discrete groups. The first group includes the poorest rated roads (grades 1 – 4); the last group combines the highest rated segments (grades 8-10); the remaining segments are distributed throughout the remaining two groups.



Figure 2 - Typical roadway grade 2 (Queens Ln.)

IV PAVEMENT MANAGEMENT

Pavement management is the science of conducting periodic pavement restoration in order to maintain the driving surface in an acceptable condition. The service life of the asphaltic pavement is largely a function of the number of trips traveled (ESAL – Equivalent Single Axle Load), the Structural Number of the pavement section, and the impact of environmental factors like high ground water or frequent flooding. As the roadway segment ages the ride quality deteriorates at a faster and faster rate. The Federal Highway Administration (FHWA) graphic shown in Figure 3 depicts both this rate of deterioration as well as the life-cycle impact of frequent 'preventative' maintenance and less frequent 'rehabilitation' maintenance. The graphic in Figure 4 provides a generalized financial comparison between preventative and rehabilitative maintenance.

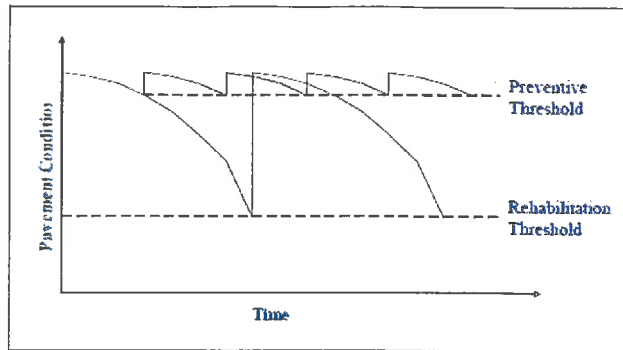


Figure 3 - Time vs. Ride Quality

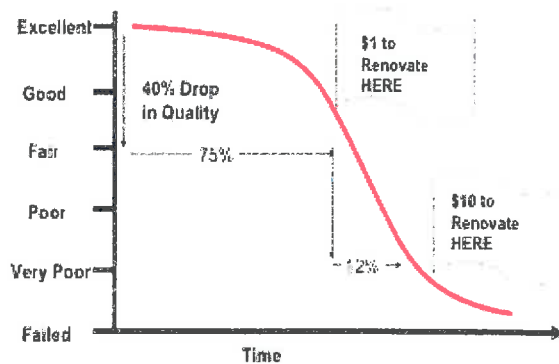


Figure 4 - Time vs. Maintenance Cost

V SIDEWALKS

While Genesis did not evaluate the existing sidewalk inventory as part of this task order, we had the opportunity to work with City staff to consolidate the data collected by the City. The GIS shape files provided by the City includes both location of existing sidewalk within the public roadway network as well as existing sidewalk width. This information was supplemented in April 2015 by City staff who evaluated the current condition of the sidewalk. Exhibits depicting both the extents and quality rating of the existing sidewalk network are included in **Appendix C**.

VI CONCLUSIONS / RECOMMENDATIONS

The City has a considerable inventory of roadways requiring deferred maintenance. Based on a projected annual maintenance budget of \$1 million dollars, it will take several maintenance

cycles in order to service the City's entire roadway inventory. That being said, the quantity of poorly rated road segments is relatively small and can be addressed during the first few maintenance cycles.

With multiple roadway segments competing for the same maintenance dollar, developing a methodology for prioritizing this maintenance is an important prerequisite to implementing any rehabilitative effort. While the simplest alternative would be to rank the roadways from worst to best, this methodology yields a very low return on investment. Case in point – the City has over five miles of unpaved alleys that were rated zero. Improving these facilities will require full roadway construction that is very expensive and would only benefit a small number of residents.

Alternatively, the list should prioritize roads with higher average daily traffic because it will benefit the greatest number of residents and the number of trips (ESAL) is one of the variables impacting pavement condition. As shown in Figure 4, the active roadways on the steep portion of the curve are degrading at a faster rate than segments at either end of the curve. Therefore, spending money to repair higher volume roads in the 'preventative threshold' is more beneficial to the citizenry than allowing these roads to slip beyond the 'rehabilitation' threshold because funding was directed toward more expensive rehabilitation projects serving a small number of residents.

A) RECOMMENDED ANNUAL MAINTENANCE PLAN

It should be noted, that ongoing small scale pavement repair is a necessary part of every municipalities annual maintenance budget. This work typically includes patching potholes and other similar critical maintenance activities. Many local highway agencies include crack sealing as part of their preventative maintenance program. Cracks up to ¾" wide are either cleaned, sawn, or routed and then sealed to prevent moisture from infiltrating the pavement structure. A successful maintenance program utilizes a multi-pronged approach that begins with repairs that directly improve the ride quality for the motoring public and ends with preventative maintenance that extends the operating life of the roadway system.

B) RECOMMENDED 5 YEAR MAINTENANCE PLAN

Genesis contacted local paving contractors to obtain current unit pricing estimates and developed an Opinion of Probable Construction Cost for a square yard of pavement based on a series of factors that include pavement condition rating, as well as the need for milling. The unit cost estimate for very poorly rated roads include significant removal and replacement of base / asphalt while the cost of more highly rated roadway segments include only small quantities of patching, leveling, and a 1.5-inch thick overlay. The spreadsheet showing these calculations is included in **Appendix D** for your review.

It should be noted that the unit cost value was developed using the best available information in a very dynamic market and is not a substitute for hard bids of detailed construction drawings. In order to account for anticipated inflation that may occur between the drafting of this report and the actual construction, Genesis consulted the FDOT Transportation Costs Reports (**Appendix D**) and applied 'Inflation Factors' to the future year maintenance plan budgets.

The following suggested maintenance plan is based primarily on roadway condition, but also considers:

- Prioritizing projects near the Preventative Threshold with high traffic volume.
- Addressing similarly rated roadways in close geographic proximity to minimize costs associated with project mobilization.
- Extending project limits to a 'logical terminus' even though segments within the project may be ranked differently.
- Balancing anticipated maintenance cost and projected maintenance budget (i.e. blending large segments and small segments to balance the budget)

The associated costs anticipated for each segment as well as graphical exhibits showing each work cycle can be found in **Appendix E**.

CYCLE ONE

SEGMENT	NAME	RATING	LENGTH (FT)
1	Congress (Massachusetts to Louisiana)	3,5,6	5,900
2	Orchid Lake (Congress to Gabriel)	3,6	1,900
3	Evies Way	4	415
4	Francine Drive	4	310
5	Rutillio Court	4	650
6	Ferguson Court	4,5	260
7	Grant Ave.	2	340
8	Drinkard Drive	5	550
9	Senate Lane	4	430

CYCLE TWO

SEGMENT	NAME	RATING	LENGTH (FT)
1	Adams (Tennessee Ave. to Louisiana Ave.)	3	575
2	Dailey Lane	5	750
3	Crest Drive (Water to Grand)	5	480
4	Char Lane	5	1,210
5	Gulf Drive (US 19 to Grand)	7	2,500
6	Gulf Drive (Charlotte to Van Doren Ave.)	5	350
7	Tennessee Ave. (Grand to Monroe)	3,5	1,800
8	Executive Drive	5	1,040
9	Main Street (Southtown to US 19)	5	885
10	Lincoln Street (Montana to Missouri)	6	450
11	Azalea Drive (Marine Pkwy. To Foster Blvd.)	4,6,7	1,825

CYCLE THREE

SEGMENT	NAME	RATING	LENGTH (FT)
1	Wyoming Ave. (Rio to Van Buren)	5,6	4,300
2	Main Street (Grand Blvd. to Harrison St.)	6	3,225

CYCLE FOUR

SEGMENT	NAME	RATING	LENGTH (FT)
1	Grand Blvd. (Mass. Ave. to Virginia Ave.)	6	1,875
2	Main Street (River Rd. to Grand Blvd.)	5,6	1,425
3	Louisiana Ave (Rio to Grand)	5	1,250
4	Rio (Illinois to Louisiana)	5,7	1,475
5	Riverview Drive (Rio/Louisiana to Grand)	5	1,475
6	Oakridge Ave. (Riverview to Grand)	6	750
7	Madison Street (Nebraska to Louisiana)	6,7	2,750

CYCLE FIVE

SEGMENT	NAME	RATING	LENGTH (FT)
1	Main Street (US 19 to River Rd.)	6	1,050
2	Massachusetts (Grand to Davis St.)	6	3,560
4	Kentucky Ave. (Forest Ave. to Davis St.)	6	1,350
5	Kentucky Ave. (Congress to Hills Dr.)	6,7	975
6	Kentucky Ave. (Hills Dr. to Hills Dr.)	7	925
7	William Tell Dr.	6	575



Mike Wells
Pasco County Property Appraiser

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 (813) 929-1260 (Land O' Lakes)
 (727) 847-8151 (New Port Richey)
 Fax: (352) 521-4411/(813) 929-1264/(727) 847-8013
 Please reply to: Post Office Box 401, Dade City, FL 33526-0401

February 20, 2002

Mr. Robert Sumner
 Pasco County Attorney
 7530 Little Road
 New Port Richey, FL 34654-5598

Dear Mr. Sumner:

You asked if it would be possible to quantify the effects that paving may have on property values. This question was extended to include those properties that while not actually fronting on newly paved surfaces may benefit due to ingress and egress patterns. In trying to answer your questions, the entire county paving and repaving projects for 1999, 2000, and 2001 were requested. In reviewing the information received, it became apparent that the amount of actual work was limited and thusly the amount of actual market determined data was limited. However even with the limitations, a multiple regression analysis was conducted and the outline and results follow:

Neighborhood 1:

Basic model employed:

$$SP = k + AMS + TS + AYS + \text{Dummy Paved}$$

Where:

SP	=	Sale price as indicated by purchased documentary stamps on recorded deeds
K	=	Constant returned by model
AMS	=	Age of sale in months
TS	=	Total adjusted area of structure
AYS	=	Age of structure in years
Dummy Paved	=	Was road surface that property fronts paved or resurfaced 1 = yes, 0 = no

In this neighborhood there were only parcels that enjoyed the repaving and those that did not. The secondary benefit from ingress or egress while not fronting on a resurfaced street did not exist. The indicated benefit was is \$5,653 per home or about 3.9 percent of market value.

Mr. Robert Sumner
February 20, 2002
Page 2

Neighborhood 2:

Basic model employed:

$$SP = k + AMS + TS + AYS + \text{Dummy Paved} + \text{Dummy TS}$$

Where:

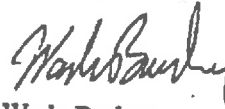
SP	=	Sale price as indicated by purchased documentary stamps on recorded deeds
K	=	Constant returned by model
AMS	=	Age of sale in months
TS	=	Total adjusted area of structure
AYS	=	Age of structure in years
Dummy Paved	=	Was road surface that property fronts paved or resurfaced 1 = yes, 0 = no
Dummy TS	=	Was road work completed prior to the sale date 1 = yes, 0 = no

In this neighborhood there were both parcels that enjoyed repaving frontage and those used repaved ingress and egress. Interestingly when the parcel fronted on resurfaced road and the paving work was complete at the time of sale (a condition that is analogous to having resurfaced frontage in neighborhood 1), the value enhancement was \$5,874 or 15 percent. The value enhancement of non-frontage but ingress and egress benefit is \$1,569 or about 26 percent of the total benefit.

This analysis, while in my opinion statistically sound, relies on two neighborhoods to measure the effects of paving on value. Still, a reasonable mind should conclude that \$5,000 to \$6,000 is reasonable price to pay for a well-paved road. Likewise, it is reasonable to conclude that passage on a paved road increases value at a lesser rate than paved road frontage, making the \$1,500 seem reasonable.

If you have any questions please feel free to contact me.

Sincerely,



Wade Barber
Chief Deputy Property Appraiser

WB/caa



Civil Engineering
Landscape Architecture
Transportation
Urban Design
Planning
CEI

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June 23, 2016

Ms. Crystal Feast
Finance Director
City of New Port Richey
5919 Main Street
New Port Richey, FL 34652

RE: STREET ASSESSMENT METHODOLOGY

Dear Ms. Feast:

The following analysis and recommendations are to be considered as supporting documentation to the Street Improvement Assessment Methodology Report previously prepared by New Port Richey staff. Over the last six months GENESIS worked City staff in the development of a pavement management program to include a plan to identify the necessary funding anticipated to implement the pavement management program.

In May 2015, GENESIS prepared a Roadway Needs Assessment Report (Report) for the City of New Port Richey that evaluated the general condition of approximately 69.4 miles of paved roadways owned and maintained by the City. This goal of this evaluation was to establish a baseline condition for the purposes of developing a future pavement management program that the City could implement. Pavement management is the science of conducting periodic pavement restoration in order to maintain the driving surface in a condition that supports a quality ride for the user. Roadway ride quality declines with age and when graphed vs. time begins nearly flat and grows increasingly steep (downward) as the pavement nears the end of its serviceable life (See Section IV of referenced Report). As indicated in Figure 4 of the Report, it is generally accepted that ride quality has dropped by 40% once the pavement reaches 75% of its lifespan. Pavement lifespan will vary from segment to segment because of variables including annual number of trips, percentage of heavy truck traffic, existing roadway pavement section (structural number), proximity to groundwater, etc. but is commonly designed for 20 years of service.

As indicated in the Report, restoration costs are anticipated to be \$479,850 per mile (assuming every roadway is 24' wide and 1/3 of the project requires milling and 2/3 is overlay only). In order to complete the maintenance cycle for all City maintained streets in 15 years, an average of 4.63 miles per year needs to be restored at an estimated cost of \$2.2 million (2016 dollars). After discussing City staff's experience with roadway lifespan, it was agreed that utilizing a more 'cost affordable' 20-year maintenance cycle is appropriate. The 20-year maintenance cycle reduces the annual length of roadway restoration to 3.47 miles and \$1.7 million.

Historically, it is our understanding that the roadway restoration projects within the City of New Port Richey were funded by levying a special assessment on the properties adjacent to the affected right-of-way. The special assessment for each property was based on the length of the right-of-way frontage of that property. Implementation of a viable citywide pavement management program requires a commitment to a continuing restoration effort which requires an ongoing funding source. In an effort to identify an equitable funding

methodology, GENESIS worked with City staff to develop a reoccurring non-ad valorem assessment fee to assist funding of the City’s Capital Improvement Program (CIP). The team explored alternative cost allocation methodologies including length of property fronting public right-of-way, parcel area, computing Equivalent Residential Units based on the maximum number of single family residential units allowed under the predominant residential zoning requirements for the assessment area, and number of access points.

The recommended methodology for computing the required assessment consists of the Equivalent Assessment Unit (EAU) and the Equivalent Residential Unit (ERU), each contributing half of the total citywide non-ad valorem assessment. The EAU portion of the allocation is based on the referenced parcel’s acreage compared to the total acreage within the assessment area. It should be noted that Right-of-Way Streets Ditch, Rivers and Lakes Submerged Lands, and Sewage Disposal Waste Lands Swamp (DOR codes 94, 95, and 96) were omitted from the assessment area.

The second half of the assessment fee has been identified as the ERU and is based on the vehicular trips generated by the parcel. This was accomplished by identifying land uses in the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition) that correspond to the DOR Code assigned to each parcel. Trip generation rates for various land uses could then be applied to compute the number of trips generated by each parcel within the City. Vacant parcels were computed based on the underlying land use and then discounted 100% based on the vacant status. Similarly, it was agreed that commercial parcels be discounted 50% to account for non-local customers that largely utilize State and County roadways to reach their destination.

As indicated above, implementation of the ‘cost affordable’ plan is anticipated to cost \$1.7 million per year. It is expected that the City will designate \$425,000 per year from the local option gas tax to the program leaving \$1,275,000 to be funded via non-ad valorem assessment. The EAU component is computed at a rate of \$264.52 per acre. Therefore, an average 0.186 acre single-family home will be assessed \$49.16. Likewise, the ERU is computed at a rate of \$3.81 per trip. An average single-family home generates 9.52 trips per day and will be assessed an ERU fee of \$36.26. The combined assessment for the average single-family home is \$85.42 per year. It should be noted that these cost estimates fluctuate based on material costs, labor, insurance, and events that may effect this estimate.

The ERU and EAU totals associated with each DOR classification is shown on the following summary table:

1 ERU = 9.52 trips/day = \$36.26 1 EAU = 0.185 acre = \$48.91											
Property Appraiser Data				Trip Fee (ERU)			Area Fee (EAU)			Total Fees	
Class	Class Desc (DOR Code)	Units Total	Parcels Total	Avg. ERU per parcel	Avg. Trip Fee Per parcel	Avg. Trip Fee Per unit	Avg. EAU per parcel	Avg. Area Fee per parcel	Avg. Area Fee Per Unit	Total Fees	Avg. Fee Per Unit
0	Vacant Residential	539	539	0.0	\$0.00	\$0.00	1.9	\$93.60	\$93.60	\$50,449.18	\$93.60
1	Single Family	4134	4113	1.0	\$36.44	\$36.26	1.0	\$49.16	\$48.91	\$352,065.22	\$85.16
2	Mobile Homes	259	259	1.0	\$36.26	\$36.26	0.4	\$22.00	\$22.00	\$15,088.78	\$58.26
3	Multi-Family -10 units or more	846	22	26.9	\$973.88	\$25.33	10.2	\$501.94	\$13.05	\$32,468.09	\$38.38
4	Condominium	1099	1099	0.6	\$22.13	\$22.13	0.0	\$0.08	\$0.08	\$24,401.60	\$22.20
8	Multi-Family -fewer than 10 units	1361	480	2.0	\$71.81	\$25.33	1.3	\$65.90	\$23.24	\$66,101.49	\$48.57
9	Residential Common Elements/Areas	24	24	0.2	\$5.45	\$5.45	4.1	\$200.29	\$200.29	\$4,937.88	\$205.74
10	Vacant Commercial	111	111	0.0	\$0.00	\$0.00	3.3	\$162.53	\$162.53	\$18,040.43	\$162.53
11	Retail Stores One Story	133	105	20.9	\$756.46	\$597.21	4.2	\$207.74	\$164.01	\$101,241.66	\$761.22

1 ERU = 9.52 trips/day = \$36.26 1 EAU = 0.185 acre = \$48.91											
Property Appraiser Data				Trip Fee (ERU)			Area Fee (EAU)			Total Fees	
Class	Class Desc (DOR Code)	Units Total	Parcels Total	Avg. ERU per parcel	Avg. Trip Fee Per parcel	Avg. Trip Fee Per unit	Avg. EAU per parcel	Avg. Area Fee per parcel	Avg. Area Fee Per Unit	Total Fees	Avg. Fee Per Unit
12	Stores Office SFR -mixed use	98	91	3.8	\$136.27	\$126.54	1.1	\$53.46	\$49.65	\$17,265.80	\$176.18
13	Department Stores	2	2	116.2	\$4,213.14	\$4,213.14	46.9	\$2,304.33	\$2,304.33	\$13,034.93	\$6,517.46
14	Supermarkets	1	1	251.9	\$9,132.73	\$9,132.73	25.9	\$1,275.19	\$1,275.19	\$10,407.91	\$10,407.91
16	Shopping Centers Community	5	5	141.6	\$5,132.35	\$5,132.35	27.2	\$1,336.03	\$1,336.03	\$32,341.93	\$6,468.39
17	1 Story Office	73	57	2.7	\$96.17	\$75.09	2.5	\$121.33	\$94.73	\$12,397.36	\$169.83
18	Multi-Story Office	24	24	5.2	\$188.50	\$188.50	2.5	\$125.34	\$125.34	\$7,531.97	\$313.83
19	Professional Service Buildings	96	96	5.8	\$208.56	\$208.56	1.1	\$52.42	\$52.42	\$25,053.28	\$260.97
21	Restaurants cafeterias	21	21	32.6	\$1,181.63	\$1,181.63	4.4	\$213.92	\$213.92	\$29,306.42	\$1,395.54
22	Drive-In Restaurants	5	5	73.3	\$2,657.24	\$2,657.24	3.3	\$164.56	\$164.56	\$14,108.98	\$2,821.80
23	Financial Institutions (banks saving & loan mortgage credit co)	8	8	129.3	\$4,688.61	\$4,688.61	6.2	\$302.92	\$302.92	\$39,932.28	\$4,991.53
25	Service Shops Non-Automotive	14	14	14.2	\$514.36	\$514.36	3.5	\$172.34	\$172.34	\$9,613.81	\$686.70
27	Auto Sales Service etc.	22	22	13.5	\$488.53	\$488.53	5.3	\$262.28	\$262.28	\$16,517.76	\$750.81
28	Rental MH/RV Parks parking lots (commercial or patron)	655	13	0.3	\$9.67	\$0.19	48.9	\$2,403.64	\$47.71	\$31,373.02	\$47.90
30	Florist Greenhouses	1	1	3.1	\$112.41	\$112.41	1.2	\$60.85	\$60.85	\$173.26	\$173.26
32	Theaters auditoriums enclosed	2	2	25.6	\$926.91	\$926.91	1.3	\$66.14	\$66.14	\$1,986.11	\$993.05
33	Night Clubs Bars lounges	5	5	2.7	\$98.43	\$98.43	1.1	\$52.91	\$52.91	\$756.69	\$151.34
39	Hotels Motels	616	7	37.8	\$1,369.02	\$15.56	12.7	\$625.12	\$7.10	\$13,958.98	\$22.66
40	Vacant Industrial	3	3	0.0	\$0.00	\$0.00	3.7	\$184.31	\$184.31	\$552.93	\$184.31
41	Light Manufacturing	3	3	0.9	\$31.52	\$31.52	2.3	\$113.76	\$113.76	\$435.84	\$145.28
48	Warehousing (Block or Metal)	56	56	1.9	\$68.30	\$68.30	5.2	\$255.49	\$255.49	\$18,132.36	\$323.79
70	Vacant Institutional	11	11	0.0	\$0.00	\$0.00	4.9	\$242.19	\$242.19	\$2,664.13	\$242.19
71	Churches	26	24	8.0	\$289.91	\$267.61	23.3	\$1,144.01	\$1,056.01	\$34,414.07	\$1,323.62
72	Schools Colleges Private	9	9	5.3	\$193.42	\$193.42	2.2	\$107.59	\$107.59	\$2,709.05	\$301.01
73	Hospitals Private	390	1	200.8	\$7,281.37	\$18.67	31.6	\$1,555.62	\$3.99	\$8,836.99	\$22.66
74	Homes for the Aged	898	12	13.5	\$490.18	\$6.55	8.9	\$437.85	\$5.85	\$11,136.39	\$12.40
76	Mortuaries Cemeteries crematoriums	1	1	0.5	\$18.83	\$18.83	11.2	\$552.93	\$552.93	\$571.76	\$571.76
77	Clubs Lodges Union Halls	8	8	16.6	\$602.72	\$602.72	7.5	\$370.39	\$370.39	\$7,784.83	\$973.10
82	Forests Parks recreational areas	127	127	0.2	\$5.79	\$5.79	8.7	\$425.28	\$425.28	\$54,744.99	\$431.06
83	Schools Public	8	8	46.0	\$1,668.80	\$1,668.80	58.0	\$2,850.98	\$2,850.98	\$36,158.26	\$4,519.78
85	Hospitals Public	155	1	182.2	\$6,606.50	\$42.62	76.3	\$3,748.83	\$24.19	\$10,355.33	\$66.81
86	Other County	39	10	23.1	\$835.74	\$214.29	4.7	\$231.49	\$59.36	\$10,672.26	\$273.65
87	Other State	9	9	0.0	\$0.00	\$0.00	56.5	\$2,778.19	\$2,778.19	\$25,003.68	\$2,778.19
88	Other Federal	2	2	53.8	\$1,951.03	\$1,951.03	10.7	\$525.15	\$525.15	\$4,952.37	\$2,476.18
89	Other Municipal	151	63	24.7	\$894.10	\$373.03	9.9	\$488.64	\$203.87	\$87,112.37	\$576.90
91	Utilities	5	5	39.4	\$1,429.94	\$1,429.94	4.1	\$202.12	\$202.12	\$8,160.30	\$1,632.06
94	Right-of-Way Streets Ditch	7	7								
95	Rivers and Lakes Submerged Lands	6	6								
96	Sewage Disposal Waste Lands Swamp	26	26								
99	Non-AG (Over 20 Acres)	1	1	1.0	\$36.26	\$36.26	203.7	\$10,011.00	\$10,011.00	\$10,047.25	\$10,047.25

1 ERU = 9.52 trips/day = \$36.26 1 EAU = 0.185 acre = \$48.91											
Property Appraiser Data				Trip Fee (ERU)			Area Fee (EAU)			Total Fees	
Class	Class Desc (DOR Code)	Units Total	Parcels Total	Avg. ERU per parcel	Avg. Trip Fee Per parcel	Avg. Trip Fee Per unit	Avg. EAU per parcel	Avg. Area Fee per parcel	Avg. Area Fee Per Unit	Total Fees	Avg. Fee Per Unit
	Grand Total									\$1,275,000	

Should you have any questions or need any additional information, please don't hesitate to contact me at (813) 331-0956.

Sincerely,

GENESIS



David B. Fleeman, P.E.
 Senior Project Manager

cc: File (5565-037)

RESOLUTION NO. 2016-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY NEW PORT RICHEY, FLORIDA, RELATING TO THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS TO FUND A PORTION OF THE ANNUAL COSTS ASSOCIATED WITH ADMINISTRATION OF THE CITY'S PAVEMENT MANAGEMENT PLAN; PROVIDING AUTHORITY AND DEFINITIONS; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR COLLECTION OF THE ASSESSMENTS PURSUANT TO THE UNIFORM ASSESSMENT COLLECTION ACT; PROVIDING FOR THE EFFECT OF THIS RESOLUTION; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to Article VIII, Section 2, Florida Constitution, Chapter 166, Florida Statutes, Section 197.3632, Florida Statutes, City Ordinance No. 2012-1985, and other applicable provisions of law.

SECTION 2. DEFINITIONS. As used in this Resolution, capitalized terms not otherwise defined herein shall have the meanings set forth in the Assessment Ordinance. In addition, the following terms shall have the following meanings, unless the context hereof otherwise requires.

"Assessed Property" means Tax Parcels included in the Assessment Roll and subject to the Paving Assessments contemplated hereunder.

"Assessment" or **"Paving Assessment"** means an annual special assessment, sometimes referred to as a non-ad valorem assessment, imposed against Tax Parcels included on the Assessment Roll to fund a portion of the costs incurred by the City in administering the Paving Management Plan.

"Assessment Coordinator" means the person designated by the City Manager to administer and coordinate Assessments, or such person's designee.

"Assessment Ordinance" means City Ordinance No. 2012-1985.

"Assessment Report" means the Street Paving Assessment Methodology Report

prepared by Genesis, including any drafts thereof and supplements thereto.

"**Assessment Roll**" means a non-ad valorem assessment roll relating to the City of New Port Richey and related expenses.

"**Council**" means the City Council of the City of New Port Richey, Florida.

"**City**" means the City of New Port Richey, Florida.

"**City Manager**" means the chief executive officer of the City or such person's designee.

"**Collection Cost**" means the estimated cost to be incurred by the City during any Fiscal Year in connection with the collection of Assessments which may include but are not limited to fees imposed by the Tax Collector and Property Appraiser, expenses associated with public notice and such amounts as may be necessary to account for any early payment discounts associated with collection of the Assessments pursuant to the Uniform Assessment Collection Act.

"**Equivalent Assessment Unit**" or "**EAU**" means one of the two Assessment Units utilized by the City to apportion the Paving Assessments among Tax Parcels specially benefitted by the paving services and improvements contemplated hereunder. The EAU unit of measurement is based on the size of Tax Parcels as measured by acreage. One EAU is .185 acres, the average lot size for a single family residence in the City.

"**Equivalent Residential Unit**" or "**ERU**" means one of the two Assessment Units utilized by the City to apportion the Paving Assessments among Tax Parcels specially benefitted by the paving services and improvements contemplated hereunder. The ERU unit of measurement is based on the number of vehicular trips generated by each Tax Parcel. One ERU is equal to 9.52 average daily trips.

"**Fiscal Year**" means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the fiscal year for the City.

"**Government Property**" means Tax Parcels owned by the United States of America, the State of Florida, a sovereign state or nation, a county, a special district, a municipal corporation, or any of their respective agencies or political subdivisions.

"**Pavement Management Plan**" means the City plan providing for street and right of way maintenance services and related paving improvements as described in the Assessment Report.

"Paving Assessed Cost" means the portion of the costs associated with administering the Pavement Management Plan to be funded through imposition of the Paving Assessments contemplated hereunder.

"Property Appraiser" means the Pasco County Property Appraiser.

"Tax Parcel" means a parcel of property to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

"Tax Roll" means the real property ad valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

"Uniform Assessment Collection Act" means Sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

SECTION 3. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Resolution; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 4. LEGISLATIVE FINDINGS. It is hereby ascertained, determined and declared that:

(A) The Council enacted the Assessment Ordinance to provide a home rule procedure for the imposition and collection of special assessments to fund Essential Services and Capital Improvements.

(B) Pursuant to the provisions of the Assessment Ordinance, the Council is required to adopt an Initial and Final Assessment Resolution providing for the imposition and collection of Assessments to fund Essential Services and Capital Improvements, with such provisions as the Council deems appropriate after hearing comments and receiving objections of all interested parties.

(C) In accordance with the Assessment Ordinance and Florida law, the Council has conducted a public hearing to consider comments and objections of all interested persons concerning imposition of the Paving Assessments, approval of the Assessment Roll and collection of the Assessments on the annual property tax bill

administered by the Tax Collector pursuant to the Uniform Assessment Collection Act.

(D) Notice of such public hearing has been published and mailed to each property owner proposed to be assessed notifying such property owner of the assessments and method of collection and providing them with the opportunity to be heard concerning the Assessments.

(E) The Assessment Roll has been prepared and has been made available for inspection by the public in the office of the City Manager, as required by the Assessment Ordinance.

(F) Assessed Property is specially benefitted by the provision of paving services and improvements. The benefits conveyed thereby include, but are not limited to, access to a publicly owned and maintained roadway system providing improved conditions for ingress and egress to all Tax Parcels, an increase in market valuation, enhanced development/re-development potential, enhanced overall aesthetics of Tax Parcels, and enhance value, use, enjoyment attractiveness, viability and marketability of Assessed Property.

(G) Such benefits are reasonably anticipated to exceed the amount of the Assessments contemplated herein.

(H) It is in the best interests of the City and the real property specially benefitted by the paving services and improvements to fund a portion of the costs associated therewith through the levy of Assessments.

(I) The Council hereby finds and determines that the Assessments to be imposed in accordance with this Resolution provide an equitable method of funding the provision of paving services and improvements by fairly and reasonably allocating a portion of the costs associated therewith to specially benefitted property based upon the relative degree of benefit attributable to each parcel.

SECTION 5. PAVING ASSESSED COST. As described in the Assessment Report, the estimated annual cost to administer the Pavement Management Plan is \$1,700,000. Of that amount, \$425,000 will be funded through proceeds of the local option gas tax distribution received by the City or any other legally available funds. The balance of \$1,275,000 shall be the Paving Assessed Cost funded by the Paving Assessments contemplated hereunder.

SECTION 6. APPORTIONMENT METHODOLOGY. The Council hereby approves and adopts the Assessment Report and the apportionment

methodology set forth therein. Such report, the apportionment methodology and description of the special benefits conveyed by paving services and improvements set forth therein are hereby incorporated herein by reference. Accordingly, one half of the Paving Assessed Cost (\$637,000) shall be allocated among Assessed Property based on the assignment of EAUs at the rate of \$49.16 per EAU, and the other half (\$637,000) shall be allocated among Assessed Property based on the assignment of ERUs at the rate of \$36.26 per ERU. Parcel size and the number of trips generated by parcel use are fair and reasonable factors for allocating the Paving Assessed Cost among Assessed Property which bear a reasonable relationship to the benefit conveyed by paving services and improvements. The methodology based upon such factors as described in the Assessment Report was utilized by the City in preparing the Assessment Roll.

SECTION 7. ADOPTION AND CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION. This Resolution shall constitute both the Initial Assessment Resolution and the Final Assessment Resolution, as contemplated under the Assessment Ordinance. The Council hereby finds that notice by mail to each property owner subject to the Assessment and by publication has been provided in accordance with the Assessment Ordinance, the Uniform Assessment Collection Act and Florida law. All prior actions of the Council associated with the imposition and collection of the Paving Assessments are hereby ratified and confirmed.

SECTION 8. ASSESSMENTS TO BE IMPOSED THROUGHOUT CITY. In accordance with Section 2.02 of the Assessment Ordinance, the Paving Assessments shall be imposed throughout the entire area of the City.

SECTION 9. APPROVAL OF ASSESSMENT ROLL. The Assessment Roll, a copy of which is currently on file in the office of the City Manager and incorporated herein by reference, is hereby approved.

SECTION 10. IMPOSITION OF ASSESSMENTS TO FUND THE PAVING MANAGEMENT PLAN.

(A) The Tax Parcels described in the Assessment Roll are hereby found to be specially benefited by the provision of paving services and improvements comprising the Paving Management Plan in the amount of the annual Assessment set forth in the Assessment Roll. The methodology for computing the annual Assessments is hereby approved and found to be a fair and reasonable method of apportioning the Paving Assessed Cost among Tax Parcels specially benefitted by the paving services and improvements.

(B) The annual Assessments computed in the manner set forth herein are hereby levied and imposed on all Tax Parcels described in the Assessment Roll.

(C) Upon adoption of this Final Assessment Resolution, the Assessments shall constitute a lien against the assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims until paid. The lien shall be deemed perfected upon adoption by the Council of this Final Assessment Resolution.

SECTION 11. COLLECTION OF ASSESSMENTS. The Assessments shall be collected pursuant to the Uniform Assessment Collection Act, beginning with the tax bill to be sent in November 2016. The City Manager is authorized and directed to take such actions as may be necessary or desirable in order to effectuate collection of the Assessments pursuant to the Uniform Assessment Collection Act, including but not limited to certifying the Assessment Roll to the Tax Collector for collection and delivering to the Tax Collector a Certificate of Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix A. Amounts included on the Assessment Roll as certified to the Tax Collector shall include a pro rata share of Collection Costs.

SECTION 12. EFFECT OF FINAL ASSESSMENT RESOLUTION. As provided in Section 2.09 of the Assessment Ordinance, the adoption of this Final Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method by which the Assessments are computed, the Assessment Roll, the annual Assessment amount, the levy and lien of the Assessments, and the special benefit to assessed property) unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of the Council's adoption of this Final Assessment Resolution.

SECTION 13. EXCLUDED PARCELS.

(A) Certain Tax Parcels do not receive a special benefit from the provision of paving services and improvements or are infeasible or impractical to assess, and therefore shall not be subject to the Paving Assessments contemplated hereunder. Such excluded parcels include the following as indicated by Florida Department of Revenue property usage codes:

- (1) Rights of way.
- (2) Rivers/lakes.

- (3) Wasteland/dump.
- (4) Lift stations.
- (5) DOR Codes indicative of common elements, notes parcels, headers, etc.

(B) The foregoing classifications of properties are reasonably determined to be inappropriate, infeasible or impracticable to assess, benefit marginally or create a lesser or nominal demand or burden on the costs associated with providing emergency medical services and facilities, and do not merit the expenditure of public funds to impose or collect the Paving Assessments. The City manager may extend the determination as to whether a Tax Parcel should be excluded hereunder based upon the presentation of competent substantial evidence by the owner thereof.

SECTION 14. EXEMPTIONS.

(A) Government Property provides facilities and uses to the community, local constituents and the public in general that serve a legitimate public purpose and provide a public benefit, and is therefore exempt from the Paving Assessments contemplated hereunder.

(B) Tax Parcels owned by housing authorities or their corporate affiliates, common elements or common areas of residential subdivisions, condominiums and/or cooperative forms of ownership are exempt from the Paving Assessments contemplated hereunder.

(C) Privately-owned or privately maintained streets, roads and rights of way are exempt from the Paving Assessments contemplated hereunder.

(D) Jurisdictional wetlands as recognized by a regulatory agency and areas associated with wetland mitigation.

(E) Stormwater treatment ponds in excess of one acre.

(F) 100 year flood plan compensation areas in excess of one acre.

(G) The City manager may extend the determination as to whether a Tax Parcel should be exempted hereunder based upon the presentation of competent substantial evidence by the owner thereof.

(H) If the use or ownership of a Tax Parcel changes over time such that the

Tax Parcel no longer qualifies for exemption hereunder, such Tax Parcel shall be included in the Assessment Roll approved by an Annual Assessment Resolution in accordance with Section 2.08 of the Assessment Ordinance.

(I) Using legally available funds other than the proceeds of the Paving Assessments, the City shall fund or contribute an amount equal to the Paving Assessments that would have been otherwise derived from Tax Parcels exempted hereunder

(J) Notwithstanding anything herein to the contrary, the Council reserves the right and ability in the future to impose Paving Assessments against Tax Parcels determined to be exempt hereunder to the extent permitted by law or otherwise in the event required or directed to do so by a court of competent jurisdiction.

SECTION 15. CORRECTION OF ERRORS AND OMISSIONS. The City Manager shall have the authority, at any time, upon her or his own initiative or in response to a petition from the owner of any Tax Parcel subject to a Paving Assessment, to reclassify Tax Parcels or correct or revise the number of assessment units attributed to Tax Parcels, based upon presentation of competent and substantial evidence (which may include Property Appraiser data, site inspection, aerial photographs, etc.), and correct any error in applying the apportionment method approved herein to any particular Tax Parcel not otherwise requiring the provision of notice pursuant to Section 2.08 of the Assessment Ordinance. Any such correction shall be considered valid ab initio and shall in no way affect the enforcement of the Paving Assessment imposed hereunder. All requests from affected property owners for any such changes, modifications or corrections shall be referred to, and processed by, the City Manager and not the Property Appraiser or Tax Collector.

[Remainder of Page Intentionally Left Blank]

SECTION 16. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED THIS _____ DAY OF _____, 2016.

CTY OF NEW PORT RICHEY, FLORIDA

By: _____
Mayor

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM AND
CORRECTNESS

By: _____
City Attorney

APPENDIX A

**FORM OF CERTIFICATE
OF NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that I am the City Manager and authorized agent of City of New Port Richey, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for road paving services (the "Non-Ad Valorem Assessment Roll") is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act set forth in Section 197.3632, Florida Statutes, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Pasco County Tax Collector by September 15, 2016.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Pasco County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this ____ day of _____, 2016

CITY OF NEW PORT RICHEY, FLORIDA

By: _____
City Manager