



MINUTES OF THE CITY COUNCIL REGULAR MEETING
CITY OF NEW PORT RICHEY
NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS
5919 MAIN STREET, NEW PORT RICHEY, FLORIDA
March 19, 2019
7:00 PM

ORDER OF
BUSINESS

1. Call to Order – Roll Call

The meeting was called to order by Mayor Rob Marlowe at 7:00 pm. Those in attendance were, Deputy Mayor Jeff Starkey, Councilman Chopper Davis, Councilman Peter Altman and Councilman Matt Murphy.

Also in attendance were City Manager Debbie Manns, City Attorney Timothy Driscoll, City Clerk Judy Meyers, Finance Director Crystal Feast, Fire Chief Chris Fitch, Economic Development Director Mario Iezzone, Public Works Director Robert Rivera, Library Director Andi Figart,, Development Director George Romagnoli, Human Resources Manager Bernie Wharran, Lt. Lauren Letona and Assistant Parks and Recreation Director Chris Bornfleth.

2. Pledge of Allegiance

3. Moment of Silence

4. Approval of March 5, 2019 Work Session and Regular Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Chopper Davis and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

5. Proclamation - Florida Loquat Day

Mayor Marlowe presented the parchment to Marilyn deChant.

6. Proclamation - Water Conservation Month (By Title Only)

Mayor Marlowe read the proclamation by title only.

7. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

Mayor Marlowe opened the floor for public comment. Don Morrison came forward and read from a prepared statement regarding his company's termination from the Wayfinding Signage Project. He stated he felt the termination was retribution for his company pointing out deficiencies in the project.

John Kane came forward to thank City Manager Manns for her solution regarding toddler swings at Sims Park. He stated that more citizens would come to speak if the electric timer was not always used. Finally he stated Senator John McCain was a great man.

John Glenzer came forward and stated that the City had a staunch ally in Arete regarding the Wayfinding Project. He stated new posts were constructed for wind loads. The changes were done at cost with no mark up. He stated Arete was not contracted for design and engineering on the project. He stated the City Manager continued to make changes up and until the day of termination. He is requesting that the City waive the liquidated damages and reimburse the company in an amount of \$12,000.

Henry Fernandez came forward to speak about distracted motorists. He spoke about students who use crosswalks to get to schools. He recommended an RRFB be added to the crosswalk in front of Gulf Middle School. The School Board would contribute to the cost.

Jenny Camereri came forward to speak about the alley at Wyoming and Tennessee. The alleys have not been maintained for many years. It is important to rectify this situation before the next hurricane season begins.

Judith Allen came forward and stated there are at least three alleys on the west side of Grand that are completely blocked. Some of the fences look like they have gone over the assessments. There is also one alley on the east side of Grand.

MJ Faqouseh came forward and stated that he was informed today that he was disqualified as a candidate. He asked Council to grant permission for a petition to re-enter the race.

Dan Dede came forward to talk about a proposal for traffic changes along Circle Boulevard. He thanked Council for approving the four-way stop sign at Adams and Pennsylvania. He also asked about what kind of drainage will be imposed regarding the new apartments being built.

Chris Williamson came forward to reiterate the traffic concerns on Circle Boulevard that Mr. Dede spoke to.

With no one else coming forward for public comment, Mayor Marlowe closed Vox Pop.

8 Consent Agenda

Motion was made to accept the Consent Agenda. Councilman Davis asked about the donations to the Library and Recreation Center. Finance Director Crystal Feast stated that information was purposely left off as some donors wish to remain anonymous. She stated she would provide the information to City Manager Manns to be included in this week's City Manager's report.

Motion made by Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

- a Consideration of Amendments to the FY19 Adopted Budget
- b Library Advisory Board Minutes - November 2018 and January 2019
- c Purchases/Payments for City Council Approval

9 Public Reading of Ordinances

a Second Reading, Ordinance No. 2019-2148: Permitted Uses in Highway Commercial Zoning District

City Attorney Driscoll read the proposed ordinance by title only. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the ordinance upon its second and final reading.

Motion made by Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

b Second Reading, Ordinance No. 2019-2159: Rezoning Application – 5838 Main Street

City Attorney Driscoll read the proposed ordinance by title only. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the ordinance upon its second and final reading.

Motion made by Chopper Davis and seconded by Jeff Starkey. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

c Second Reading, Ordinance No. 2019-2152: Approval of Oyster Bayou Planned Development District Ordinance Amendment

City Attorney Driscoll read the proposed ordinance by title only. Upon opening the floor to public comment, Ron Orchard came forward with questions regarding drainage. The streets there do flood now. Councilman Davis asked if property owners need to be responsible for drainage and Mr. Romagnoli stated yes.

David Maharaj came forward and stated this property sits right at the entrance to Peninsular Paradise. He stated this will be an eyesore and will deter tourists. There have been four murders over the last four to five years in RV's on that road. Lisa Maharaj stated she has seen the changes over the last few years. She stated homes would be a better option for the area. Deputy Mayor Starkey asked for the picture to be put up to show that it will be townhouse with RV parking. He stated it will be a high end development.

John Kane came forward and stated that he has friends who live out there and it looks like it will be a nice project.

Chris Chadwick came forward with concerns about the layout. They are asking for a variance to go from 62 to 66 units.

Anthony Marfione came forward and stated his main concern is big vehicles coming out of the park with the flooding. His other concern was more cars and people as some could also live in the RV's and the homes. He stated tourists use the area frequently.

Cherry Smith came forward and stated there may be a legality issue. She stated she would live in the RV and rent the house out on Air BnB. It is something the City should consider.

Chris and Nicole Dufach came forward to address the concerns that were raised. Mr. Dufach stated that the average network of those buying these homes are in the three to four million range. The average price will be in the \$200,000 range. Deputy Mayor Starkey asked what drew them to the sight. Mr. Dufach stated they were able to pick up the land for a lot less than what it was appraised for. Councilman Murphy asked if there was going to be an association and Mr. Dufach stated yes. There will be management onsite.

Jessica Dubberly came forward and asked if there will be any boat docks. Mr. Dufach said made there

is a plan for waterfront but no desire to dredge.

Mr. Wu came forward to ask when the project will be complete. Mr. Dufach stated eight to twelve months.

With no one else coming forward Mayor Marlowe returned the floor to Council. Motion was made to approve the ordinance upon its second and final reading.

Motion made by Jeff Starkey and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

10 Business Items

a 2019 Craft Beer and Wine Festival

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve an ABSEP for the New Port Richey Rotary Club's 2019 Craft Beer and Wine Festival to be held in Sims Park on May 18, 2019 from 5PM until 8PM. Upon opening the floor to public comment, Greg Smith came forward and stated they started a community Rotaract Club with their main project to raise funds that will put lending libraries around the county. This is a good event to kickoff their fundraiser. Frank Grey came forward to speak about the Rotaract Club. He stated they understand the importance of literacy. This will support a great cause. With no one else coming forward Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey asked City Attorney Driscoll that since he was a member of the Rotary Club would it be a conflict to vote and City Attorney Driscoll stated no. Motion was made to approve the item as presented.

Motion made by Matt Murphy and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

b 2019 Cotee River Bike Fest - Alcoholic Beverage Special Event

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve an ABSEP for the 2019 Cotee River Bike Fest to be held in Sims Park and downtown New Port Richey October 11-13, 2019. Event organizers wish to sell beer and wine on Friday, October 11, 2019 from 5PM-11PM, Saturday, October 12, 2019 from Noon-11PM and Sunday, October 13, 2019 from 1PM-5PM. Upon opening the floor to public comment, Jeff Wright came forward and stated he would like to not see Main Street closed so regular customers can come and do business. Councilman Davis stated Ms. Farrell came around and talked to businesses last year before they opened and he was sure she'll come around again this year. City Manager Manns stated that she will make sure the map is either brought back before Council or will include it in the City Manager's report. Deputy Mayor Starkey stated that when we are looking at events we cannot look at expanding street closures when the acreage downtown is shrinking. His concern is when will it happen. City Manager Manns stated the item could be tabled and brought back at the April 2nd City Council meeting.

Frank Starkey came forward and stated it is all of the businesses that would be impacted. It is not the event itself but the function of the event that takes over the downtown. With no one else coming forward Mayor Marlowe returned the floor to Council.

Councilman Altman made a motion to approve the plan with a road plan to be presented by August 1st. Mayor Marlowe stated that they are prohibited from advertising until application is approved and waiting until August would be detrimental. Motion failed due to lack of a second. Councilman Altman then made another motion to approve the plan as long as the road plan is submitted within sixty days. Councilman Davis seconded the motion. Mayor Marlowe stated he believes it is a mistake moving forward. Tina Farrell came forward and stated that road closures were discussed at their first meeting with staff. She stated she had an alternate plan for street closures and she was told no. Deputy Mayor Starkey asked City Attorney Driscoll if Council approved the item tonight so they can proceed with

their planning and then within sixty days we do not approve the street plan is what they approved tonight null and void and City Attorney Driscoll stated it is subject to what street closure plan that is approved. Street closures is a separate item to be taken up in sixty days.

Motion made by Pete Altman and seconded by Chopper Davis. The Motion Passed. 4-1. Ayes: Altman, Davis, Murphy, Starkey Nays: Marlowe

c Recreation and Aquatic Center - 90 Days of Summer Membership Drive

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a sale on three month memberships at the Recreation & Aquatic Center. The sale would run from April 14, 2019 through May 11, 2019 at a 20% discount and the passes will be good for the entire summer from May 12, 2019 through August 11, 2019. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Chopper Davis and seconded by Pete Altman. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

d Resolution No. 2019-06: Authorization of Extension of City's Utility System and Public Comment on Utility Rate Increase RE: Orangewood Lakes Services Inc. Utility System Purchase

City Attorney Driscoll read the resolution by title only. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Matt Murphy and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

e 2016 Street Improvements Project - ITB No. 18-001 - Closeout

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the final pay request in the amount of \$129,961.60 and a deductive change order in the amount of \$53,645.09 to D.A.B. Constructors, Inc. for the completion of the 2016 Street Improvements Project ITB No. 18-001. Mr. Rivera stated this was part of Cycle 1 group of streets that were done and there were some additional streets that were added. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey stated we are going to keep up on the maintenance on the streetscape. He brought up the small stop signs on the multi-use path. He asked if they are required. Mr. Rivera stated yes. He instructed the sign technician to tilt them more into the path. Councilman Altman asked if we could put a little bicycle under the sign to designate they are for bicycles and not vehicles. Mr. Rivera stated they would look into the matter. Motion was made to approve the item as presented.

Motion made by Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

f 2017 City Hall Renovations Project Closeout

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a deductive change order in the amount of \$2,765.46 and a final pay request in the amount of \$47,841.98 for The Hayes Construction Company, Inc. for the completion of the 2017 City Hall Renovations (Glass Block Replacement) Project. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was

made to approve the item as presented.

Motion made by Pete Altman and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

g 2017 Limit Dr. Potable Water Interconnect Upgrades Phase 2 - Consideration for Approval

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to approve a proposal from Schaer Development of Central Florida, Inc. in an amount not to exceed \$46,435.45 for the 2017 Limit Dr. Potable Water Interconnect Upgrades Phase 2. The proposal also includes an owner's contingency in the amount of \$3,997.89. The scope of the project includes the demolishing of the existing in-ground vault and interconnect as well as the rebuilding of the interconnect above ground, the replacement of the existing standard potable bulk meter with a smart bulk meter, the installation of a pressure sustaining valve, a by-pass connection, and a concrete pad with bollards. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Pete Altman and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

h Interlocal Agreement between the City of New Port Richey and Pasco County RE: Lafayette Street Parking Lot

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve entering into an Interlocal Agreement with Pasco County for the Lafayette Street Parking Lot. She stated that for some time now she has been in discussions with the County Administrator regarding the parking lot behind their building on Main Street adjacent to the lot currently owned by the City. The proposal included a redesign of all of the parking areas to increase the number of spaces from 71 to 102 and enhanced landscaping. The proposal also included the provision that 30 spaces would be reserved for County owned vehicles. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey stated that since Kazu opened the lot is full. The only issue he has is why can't the County park their 30 vehicles at their property on Sunset. City Manager Manns stated she has had some discussion regarding that issue and the County may do that for special events but not on a daily basis. They are expected to vacate the building within a year. Deputy Mayor Starkey stated he would reach out to the Commissioners. Councilman Altman stated the property owner adjacent to the County building wants to build and move on. He stated when last talking to Commissioner Wells and the County Administrator the County seemed interested in selling the building or swapping land for the ball fields. He stated that would solve the issue. Councilman Altman stated the reality is that the ball field serves county residents. Mayor Marlowe concurred with the comments regarding the parking of city vehicles. Mayor Marlowe stated if we get control of the bank building he knows a group who is interested in turning it into a children's museum. Motion was made to approve the item as presented.

Motion made by Jeff Starkey and seconded by Matt Murphy. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

i City Manager Performance Evaluation

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to conduct the annual evaluation of her performance as City Manager. She stated her original contract began on May 14, 2014 and will expire on June 2, 2019. In 2016 a two year extension was added and another two years in 2017. She asked another year be added and so the contract would lapse on June 2, 2024. In addition, she requested to amend vacation day pay out to 45 days. City Manager Manns stated that in 2015 she was given a 3% salary increase, a 2% increase in 2016, a 1.75% increase in 2017 and she had requested a no increase in 2018. This year she is requesting a 3% increase which would coincide with her anniversary date of June 2nd. Upon opening the floor to

public comment, no one came forward therefore Mayor Marlowe returned the floor to Council.

Deputy Mayor Starkey stated that City Manager Manns killed it during her interview. He stated asking your bosses how she is doing publicly is not easy. He stated we are blessed and fortunate to have her as our city manager. Almost everything starts and ends with City Manager Manns. She has led the city in a very positive direction. She respects everyone.

Councilman Davis stated he has been happy with her and meets with her at least once a week. He has no issues with the items she is requesting.

Councilman Murphy stated he has gotten the opportunity to get to know her over the past year. It is not an easy job. Any time he has met with her she has been helpful and informative. It has always been a positive thing. Everything he has seen she has done phenomenally. He has no issues with what she is requesting.

Councilman Altman stated he spoke to City Manager Manns in private and expressed he was not ready to fill out the form. He has been an advocate about expressing differences of opinion when they are up on the dais. He would support motion but wanted to add that were 14-15 employees shy in Public Works. He wanted to suggest that we offer the right salaries to attract quality workers.

Mayor Marlowe stated we are all trying to make the city the best we can. He stated the only section that was rated less than outstanding was the section on the audit and Tyler implementation. He is very pleased with her performance. He stated City Manager Manns was the best City Manager he has worked with.

Motion was made to increase vacation days from 36 to 45 days, extending contract term an additional year and a three percent pay increase.

Motion made by Jeff Starkey and seconded by Chopper Davis. The Motion Passed. 5-0. Ayes: Altman, Davis, Marlowe, Murphy, Starkey

j Three Minute Report: Finance Department

11 Communications

Mayor Marlowe stated he attended another meeting with TB Water. He had someone ask about the small grants for painting and they were under the impression they were going away. City Manager Manns stated that was not the case. He stated that NPRMS does seem to be coming back from the dead. He feels they missed their calling by jumping back into special events. As far as adopting certain events that have no visible means of support such as the Christmas parade he has no objection. His concern is that if they just say they are non-profit that costs could be exponential. He is not willing to buy that. He thinks it is a mistake. If we agree in advance that we will sponsor that is all well and good. He is excited for Chasco. They are well aware they will have an issue with the carnival next year and will be providing park and ride options for this year. We are encouraging them to think outside the box.

Deputy Mayor Starkey wanted to point out that Chasco was a city event and it has grown to be an event the City hosts. He has talked with members of the Steering Committee and they are not happy with the costs for the parade but there are tens of thousands of people in the downtown who attend. It gets rowdy along the parade route. Police are needed. The City gives \$30k of in-kind support for the entire event. He is more than happy to sit down with Chasco Steering Committee and have a work session. He has been told we cannot have a Chasco event without a carnival as that is where the money is made. He had no idea that there were structures built on the alleyways and he stated that is unacceptable. They are right-of-ways. We need to come up with an understanding that if your property backs up to alleyways property owners have to be responsible.

Councilman Davis asked Council to look at the Publix in Islamorada. It is something he would like to see along out gateway. He would like to look at the speed limit on Circle and Sims. He stated people

cannot just put signs out to advertise their business. He stated that there needs to be an increase in the penalties for violators.

Councilman Altman stated that he had previously spoke about a provision in repealed Ordinance No. 1494. The applicant may negotiate on fees for special events. He read from the ordinance, "Organizations that are exempt from paying taxes shall be exempt from reimbursements." The Chasco and Christmas parades have gone on forever. The issue is money. He is requesting that if an event did not make money they would not be pursued for the reimbursement of funds. He would like to see this recognized that this is the City's event. He would like to revisit the ordinance. He wanted to reiterate the redevelopment of Main and US19 and that he is all for incentivizing but that corner needs to draw attention as our downtown goes all the way out to US19. There is a potential to really try to do something out there. He stated all the venues in the downtown were busy for St. Patrick's Day. There was a police presence to make sure good decisions were being made and he complimented the police department.

Councilman Murphy stated he met with Liz Misemer and asked if at some point can we have another work session with NPRMS. He wants to make sure we are all on the same page.

City Manager Manns thanked Council for their comments on her performance and for granting her requests. She stated it is a pleasure to serve as their City Manager. She stated that we could not have had the successes over the last year without the Council's support and staff's hard work. She reminded everyone of the Smithsonian Exhibit at the Business Incubator.

12 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 9:42 p.m.

(signed) _____
Judy Meyers, CMC, City Clerk

Approved: _____ (date)

Initialed: _____

Debbie,

I want to memorialize our meeting of January 10, 2018 and our position regarding Phase 2 termination.

Events Leading Up to the Meeting

1. On December 17, 2018, Arete received a letter from NPR stating among other things Arete was behind schedule on Phase 1 of the Wayfinding Project. Neither Gary nor Adam was copied on the letter.
2. On or about that same date Jim Slanina talked to Adam about the status of our project. Adam requested we take pictures of all the work in process in our shop and forward those pictures to him.
3. On December 22, 2018 I sent a letter to you stating I was out of town and requested a meeting after the holidays to address your concerns. There was no response to my letter.
4. On January 3, 2019, Arete receives letter from NPR terminating Phase 2 of the Wayfinding Project due to several factors "including performance and timeliness".
5. On or about that same date I left you a voicemail requesting a meeting since I had not received a response to my December 22 email.

January 10, 2019 Meeting

- Arete reviewed its prepared Exhibit/Timeline List noting that it was receiving several changes to previously approved designs even up and until the date of the project cancellation letter.
- Arete restated its position (and is demonstrated in the timeline) that the majority of the project delay was attributed to:
 - Being misdirected by NPR personnel regarding wind load specifications for the project.
 - Provided with severely inadequate designs that would not pass any Florida wind load codes.
 - Arete was contracted to "manufacture and install" not "design and engineer" which took a significant amount of time, effort and cost. None of which has been reimbursed by the city.
- Stone veneer which was to be selected by NPR several months prior (requested in February 2018) wasn't approved until November 20, 2018.
- NPR changed the height of the Library sign monument 3 times from its original agreed height – all in November of 2018.
- Police Station sign changed to Police Department on November 27, 2018 after approval given for production. Affects Police monument and S.02.09 and S2.2.10.

In summary, it is Arete's position that the majority of the delays were caused by NPR, including changes being made up to the termination letter date. Additionally, the June 20, 2018 Notice to Proceed date was arbitrary as NPR had not given Arete accurate wind load specifications until July 19, 2018. It is also our position we have been required to perform duties and tasks that are outside our contract requirements. We do take ownership of not sending a formal communication letter regarding the project delays but believe the schedule changes would have been intuitively obvious as most of the issues and changes were NPR initiated and, also, discussed in the numerous meetings with the City. Additionally, we agree we did not provide pictures of completed signs as per the contract requirements, however, we promptly sent the pictures of the product in our shop upon receipt of your request in December and have subsequently taken pictures of the installed signs and are being sent to the City.

At this stage, we believe it is in the City's and our best interests to continue to discuss a mutually beneficial resolution to this matter. Our plan is to complete Phase 1 of this project (weather permitting) no later than January 25, 2019 and will work with the new vendor to provide a smooth project transition for Phase 2. Without limiting the foregoing, we would expect the City to withdraw its prior request for liquidated damages now that the City is fully aware of all underlying facts. We would also expect to be made whole and otherwise seek compensation for all project design and engineering costs, as well as performance bond costs related to Phase 2, given the fact that we were required to perform these extra duties that were not originally part of the contract and bid specifications.

I am attaching a modified Exhibit/Timeline List to include the Notice of Proceed Letter and the Phase 2 Termination Letter, as otherwise discussed in detail with you and your team on January 10, 2019.

Sincerely,

Donald Morrison, CEO
Arete Industries

Arete Industries

New Port Richey Wayfinding Sign Project

Exhibit/Timeline List

Modified 1/14/19 to Include Notice to Proceed Letter and Phase 2 Termination Letter.

1. December 22, 2017 – Notification of Bid Tabulation for Wayfinding Sign Project.
2. January 3, 2018 – Email from Chad Williams for project items review.
3. February 8, 2018 – First draft of NPR Wayfinding Contract sent to Arete.
4. February 13, 2018 – Email from Lisa Fierce stating wind load calculations “are a gray area but meeting 140 mph would be satisfactory”.
5. March 22, 2018 – NRP Wayfinding Contract Signed – Not Included. Noted for time reference only.
6. April 13, 2018 – Pre Construction Meeting.
7. April 17, 2018 – Email from Travis Trotter, Brandon Industries that questions use of aluminum posts for specification.
8. April 20, 2018 – Updated CD Design Package from KMA.
9. April 26, 2018 – Email from Travis Trotter, Brandon Industries, stating ID of 5” x .188” posts is 4.25”. The 4.5” post as identified by KMA will not work.
10. April 30, 2018 – Email from Darren Antle, PE that identifies failure of all posts as defined in the bid/design document.
11. May 1, 2018 – RFI #5 to NPR. Response to RFQ item 1 – “The signs must be 142mph per Jim Evett’s”. Arete investigates post and panel solutions that meet the NPR stated wind load requirements.
12. June 20, 2018 – Design review discussing options for meeting 142MPH wind load.
13. June 20, 2018 – Notice to Proceed Letter.
14. July 19, 2018 - Letter from Gary Peterson giving approval to use FDOT 2017-2018 for signs in City’s Right of Ways. Effective wind load 110 mph instead of 142 mph. Between July 19, 2018 and September 7, 2018, Arete and Darren Antle PE, developed and tested designs that were capable of meeting wind load requirements and met original design intent (excluding ST14).
15. August 21, 2018 - Design review meeting. The following was discussed:
 - a. Design of .25” wall x 5” aluminum posts – die cost and lead times
 - b. Design of special attachment bracket – pattern cost and lead times.
 - c. Panel designs including “hurricane” straps.
 - d. Discussed revision changes to bid document from 11/18/17 to 4/20/18 revised packet. These were not identified for Arete. Chandler Walton from Arete identified approximately 64 changes. Debbie Mann from NPR requested to see those documented.
16. August 28, 2018 – Changes in bid document were identified in RFI #11 and sent to NPR & KMA per Debbie Mann’s request.
17. September 4, 2018 - Cast Saddle tooling and parts ordered
18. September 7, 2018 – Submittal of Stamped Approved Designs (excluding ST14) to meet all wind load requirements – Includes Phase 1 and Phase 2.
19. September 8, 2018 – Partial approval of signs with prismatic letters – others need NPR review before approving

20. September 13, 2018 - NPR changes quantity and sign types in Phase 1 and Phase 2
21. September 14, 2018 – NPR emails saying verbiage on all ST15 signs types is changing
22. September 19, 2018 – Email from KMA for submittal 2.1 of changes by NPR.
23. September 25, 2018 – New sign cost for wind load designs submitted – NPR requested formal Field Order
24. September 29, 2018 Post & Tooling ordered – Note before approval of field order.
25. October 3, 2018 On site meeting at Library with all outside contractors, Deb Kempker, Jim Slanina, Adam Jessen, and OPTEC Sign Rep. Specifications of footing height, electrical hookup and placement were discussed.
26. October 4, 2018 - Field Order approved for 5" posts, custom brackets and other design changes to meet revised wind load requirements.
27. October 5, 2018 - Prismatic Letters ordered -Library prototype released and expedited.
28. October 29, 2018 – Removal of Library sign begins
29. October 30, 2018 - NPR informs Arete that originally specified brick for ST16 and ST17 sign types will need to be changed to match ST05 sign type. NPR request samples of ST05 type stone specified on original document and scheduled for Phase 2 installation.
30. November 1, 2018 - ST05 stone samples are rejected by NPR.
31. November 2, 2018 – Several alternative samples are ordered by Arete.
32. November 5, 2018 - Samples arrive and are delivered to NPR.
33. November 8, 2018 – Library prismatic letters received
34. November 8, 2018 – New stone type is picked out by NPR – Arete orders new stone
35. November 9, 2018 – Footing height changes several times after forms and rebar installed
36. November 16, 2018 – Cast Saddles received
37. November 19, 2018 –New Stone arrives from vendor. JWS informs NPR new stone is thicker and overhang will not be the same as specified. NPR emails to hold on brickwork
38. November 20, 2018 – NPR emails to proceed with new stone
39. November 21, 2018 - Stonework for Library Starts
40. November 26, 2018 – Demo for Public Works is stopped – NPR states temporary signs are needed while new signs are being worked on. This was discussed in August meeting that NPR would take care of temporary signs if needed.
41. November 27, 2018 – NPR request Police Station gets changed to Police Department. Arete puts prismatic letter order on hold with vendor.
42. November 29, 2018- Don sends email to NPR with new Police Department sign layout. Email to KMA and NPR states that this change will effect prismatic letters delivery dates as all letters are on one order with vendor.
43. December 3, 2018 – 5" Post received
44. December 10, 2018 – JWS send Adam revised schedule reflecting time needed for changes.
45. December 10, 2018 – NPR notifies Arte that any sign type that has "Police Station" should be changed to "Police Department" as well. Effects two – ST02 sign types.
46. December 17, 2018 – Don Morrison receives performance letter from NPR
47. December 18, 2018 – In- process photos of signs sent to Adam at his request.
48. December 20, 2018 – Arete request no digs for all ST15 sign types
49. December 26, 2018 – Don responds to letter dated December 17, 2018
50. December 27, 2018 – Prismatic letters received including "Department" letters

51. December 27, 2018 - Sign 02.2.09 & 02.2.10 new copy submitted to KMA and NPR showing changes from "Station" to "Department"
52. December 28, 2018 – Approval to modify Police Station footing.
53. January 3, 2019, Phase 2 termination letter sent.
54. January 3, 2019 – Police Station footing poured – KMA request letter spacing changes to recent submittal for sign 02.2.09 & 02.2.10
55. January 4, 2019 – Sign 02.2.09 & 02.2.10 sent back to KMA with changes requested – spacing issues.
56. January 5, 2019 – All ST15 sign types are completed and installed
57. January 8, 2019 – Stone work process begins on Police Department sign.
58. January 8, 2018 – KMA sends final approval of copy on sign 02.2.09 & 02.2.10
59. January 9, 2019 – Installation of ST02 type signs begin. Stone work on Police Department completed
60. January 15, 2019 Termination of Agreement for Wayfinding Sign Project with liquidated damages claim.
61. January 23, 2019 – Letter from attorney Ryan Doddridge, Arete counsel, addressed to Debbie Manns and Tim Driscoll.

3/19/2019

Address to the New Port Richey city council:

The reason I am here is that I understand that there is an attempt to vacate the alley between Wyoming and Tennessee.

I have photos that prove that Duke Energy cannot access the power lines, because fences, sheds and other buildings block access to the utilities easement.

The utilities easement cannot be vacated and access for repairs must be maintained. However, the alleys have not been maintained for many years.

This has created an unsafe situation for all homeowners on that grid, not just the homeowners that back up to the alleys.

Personally, I have been unable to get permits for a pool because of confusion for where the lot line and easement set backs are.

During hurricane Irma and Hermine, trees and power lines were damaged and Duke Energy was unable to access the utility easement to repair the damage.

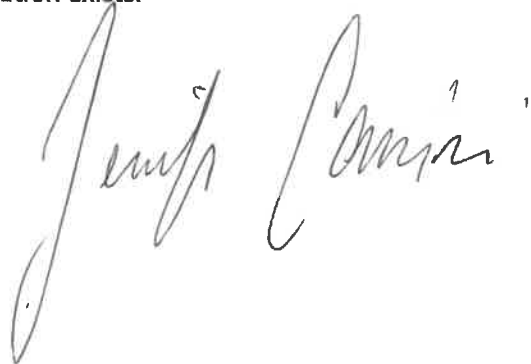
Many of our residents are dependent on electricity for oxygen and other medical necessities to sustain life.

It is imperative for this city council to rectify this situation before the next hurricane, which will be inevitable.

I know that this city council was not responsible for the decisions that created this situation. Lack of foresight and lack of maintenance has created this problem for years. However, this city council needs to correct this problem.

I have photos and permit denials that prove that this situation exists.

Thank you for your attention.

A handwritten signature in black ink, appearing to read "Jerry Comini". The signature is written in a cursive style with a large, looped initial "J".





Thank you for contacting National Pools of Pasco for your estimate! Please see attached 3D Renderings of your proposed project, along with a Blueprint showing some measurements. Please review them at your convenience. The last attached file is your custom quote. The layout is subject to final approvals if submitted for a permit from the City. I did contact them Monday about a "platted lot lines" showing on your survey....it looks like two lots overlap. The got back to me yesterday and said that it is old lot lines. They were looking into seeing if there was an vacate of easement from the alleyway. I don't know what the actual setback is from the alley but they seemed slightly concerned. (Setbacks are a pre-determined distance by city or county, that we have to stay out of when building, such as an easement for utilities, drainage, road, golf course, etc.) I told them we didn't want to tell you that we can definitely build this in this area when we are



PROPOSED TRAFFIC PATTERN FOR CIRCLE BLVD

TRAFFIC AROUND CIRCLE BLVD. NORTHBOUND ONLY THRU SIMS LANE AND NORTH ON GRAND BLVD ALONG THE RIVER.

SOUTHBOUND TRAFFIC FROM PORT RICHEY CAN BE DIVERTED AT MASSACHUSETTS EAST TO ADAMS OR MADISON AND SOUTH TO MAIN STREET AND DOWNTOWN.

SOUTH OF MASSACHUSETTS ALONG GRAND BLVD SHOULD BE OPEN TO LOCAL TRAFFIC ONLY FOR NORTH AND SOUTH TRAFFIC AND SHOULD END AT INDIANA AVE.

TRAFFIC ON CENTRAL AVE TRAVELING EAST CAN GO NORTH OR SOUTH AT CIRCLE BLVD IN ORDER TO ACCESS DOWNTOWN AND SIMS PARK. THE PORTION OF CIRCLE BLVD FROM GRAND TO CENTRAL WILL REMAIN TWO WAY.

THIS TRAFFIC PATTERN PROPOSAL WOULD ALLOW PARKED CARS ON CIRCLE BLVD TO GET IN AND OUT OF THEIR CARS WITHOUT THE HIGH POSSIBILITY OF BEING HIT BY TRAFFIC WHILE LOADING AND UNLADING CHILDREN AND STROLLERS. IT WOULD ALSO MAKE IT EASIER FOR PADESTRIANS TO CROSS THE ROAD AND ONLY HAVE TO DEAL WITH ONE WAY TRAFFIC

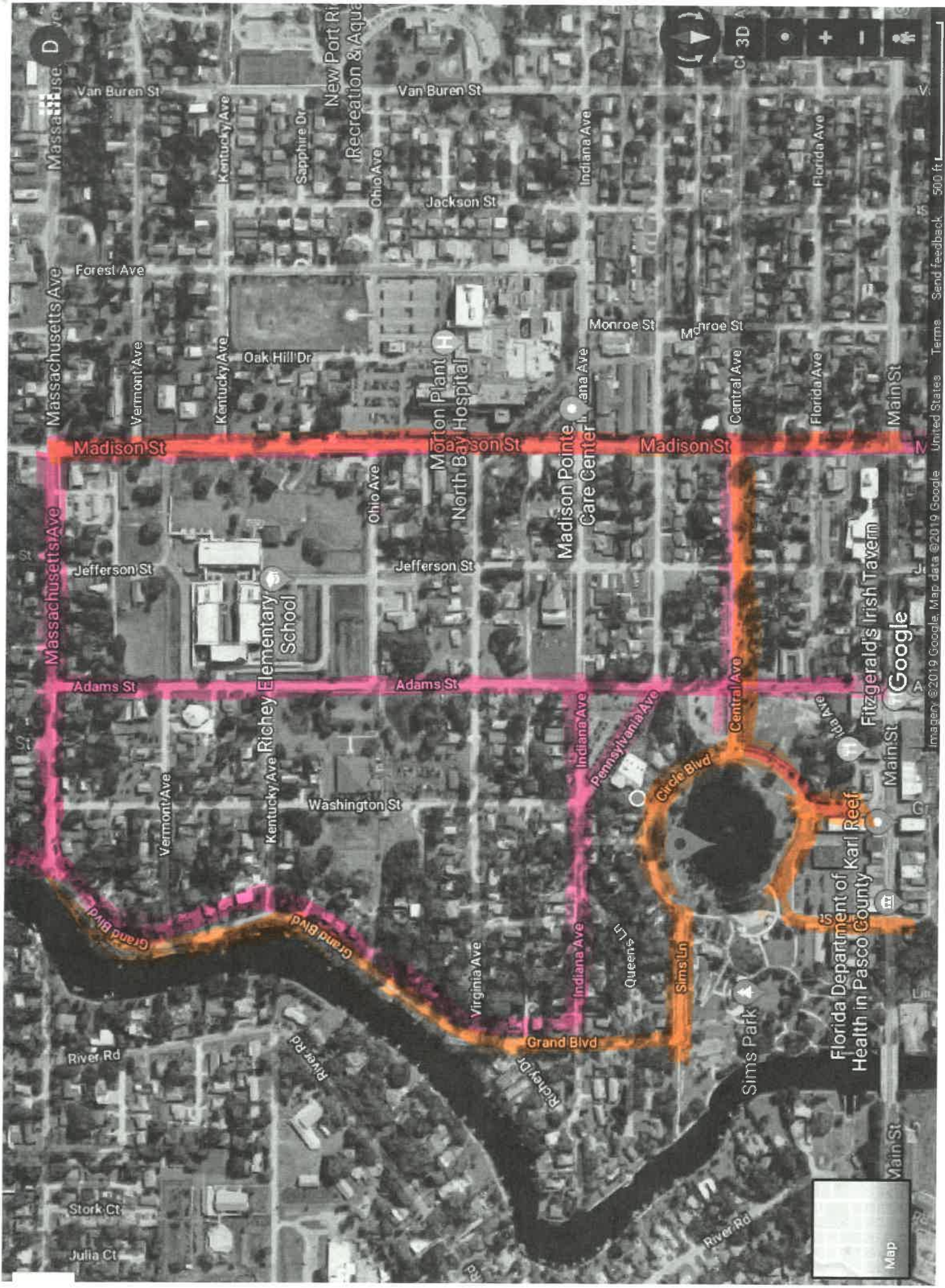
SUBMITTED BY

DAN DEDE

6545 CIRCLE BLVD

North Band

South Band



New Port Richey Rotaract

Frank Grey

President

fgrey317@gmail.com

(727) 992-5579

Michael Houk

Vice President

michaelhouk@live.com

(727) 277-6936

Our Club's Mission

New Port Richey Rotaract's first mission is literacy for children in Pasco. We decided this would be our first focus as a new club full of experienced educators and others who have devoted our time to work with children. Why did we choose this? We noticed the issue of a startling lack of availability of books for children, especially for children from lower socioeconomic backgrounds. Our Solution - Little Lending Libraries! We are setting up, building, or rehabilitating little lending libraries in our area. Children can bring a new or used book they own and exchange it for another book. We have had early success with our pilot project. With the proceeds from this festival, we can put up more bookshelves throughout the community.

The Craft Beer and Wine Festival

When - May 18, 2019 from 5 PM to 8 PM

Where - Sim's Park in Downtown New Port Richey

What is it? - A relaxing night sipping and tasting craft beer, wine, and delicious food from leading local breweries, bars, and restaurants.

How - Spread the word by sharing the word or allowing us to send you posters, go to the event yourself (it costs \$25 for your ticket), or become a sponsor or vendor and join the ranks of companies like Big Storm Brewery, Capital Tacos, Culver's, Cotee River Brewing Company, and others.

The club and myself feel very appreciative to have the support of the City Council and the community. Please let me know of any questions or comments at my email or personal phone number. Also, you can contact myself and other club members at the sites below. Thank you for allowing us to tell you all about our exciting projects!

OUR SITE: <https://sites.google.com/view/npr-rotaract-club/>

CRAFT BEER AND WINE FESTIVAL SUBPAGE: <https://sites.google.com/view/npr-rotaract-club/craft-beer-wine-fest>

FOLLOW ON FACEBOOK: Search "New Port Richey Rotaract" and share our posts about the festival.



FREE

LOVE'S
The Complete Science, Mindset Counters Free!
EYEWITNESS BOOKS DINOSAUR

NEW PORT RICHEY ROTARACT
**LITTLE
LENDING
LIBRARY**
**GIVE A BOOK,
TAKE A BOOK!**
Come back and see us again!



99106716

ORDINANCE NO. 1494

Rcpt: 352268 Rec: 46.50
DS: 0.00 IT: 0.00
08/23/99 Dpty Clerk

AN ORDINANCE AMENDING CHAPTER 23, ARTICLE VI, OF THE CITY CODE REGARDING SPECIAL EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a public hearing, as required by law, was held in City Council Chambers, City of New Port Richey City Hall, 5919 Main Street, New Port Richey, Florida 34652, relating to the above described subject matter under the terms and provisions of Section 1-7, City of New Port Richey City Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA:

Section 1. Amendment

JED PITTMAN, PASCO COUNTY CLERK
08/23/99 03:21p 1 of 10
OR BK 4211 PG 1958

Article VI, entitled "Special Events", Chapter 23 of the New Port Richey City Code is hereby amended to read as follows:

ARTICLE VI. SPECIAL EVENTS

Sec. 23-126. Title.

This article shall be known and may be cited as the "Special Events Ordinance of the City of New Port Richey."

Sec. 23-127. Definitions.

The following words, terms and phrases, when used in this article, shall have meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant. Any person applying for a special event permit under the terms of this article.

Chief of Police. The chief of police of the City of New Port Richey.

DRC. The development review committee of the city.

Permittee. The person (as defined herein) to whom a special event permit is issued.

Person. Includes any person, firm, partnership, association, corporation, company or organization of any kind.

Special event. Any preplanned event, sponsored by a person other than the city, occurring on city property, including city streets which involve fifty (50) or more persons and/or vehicles as participants, exhibitors or exhibitions and which event is open to the

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public. However, a special event shall not include any event which ~~that~~ is held completely within an enclosed, non-temporary structure. Special events include, but are not limited to events which:

1. Require street closings;
2. Utilize the city's Orange Lake area;
3. Occur on the Pithlachascotee River; or
4. Require traffic control even though the public facility is not completely utilized for the special event.

A special event does not include block parties in residential neighborhoods or other types of activities restricted to a specific group and planned to exclude the public as a whole.

Special event grounds. All real property utilized by the permittee to conduct the special event.

Special event permit. Written permission to utilize City property for a special event issued only upon fulfillment of the application requirements set forth in this article.

Sec. 23-128. Permit required.

No person shall engage in, participate in, aid, form or start any special event, unless a special event permit shall have been obtained from the City ~~council~~ Manager. The following are excepted from the requirements of this section:

1. Persons conducting events not falling within the scope of the definition of special events but which utilize the city's park or recreation facilities shall be required only to obtain a parks and recreation reservation permit;
2. Funeral processions;
3. Governmental agency functions.

Sec. 23-129. Application for permit.

A person seeking issuance of a special event permit shall file an application with the City Manager on forms provided by the City Manager. An application for a special event permit shall be filed with the City Manager not less than thirty (30) days and not more than twelve (12) months before the proposed special event date. The applicant shall provide the following information with their application:

1. A specific site plan detailing the City property to be used for the special event including the type of use thereof, planned parking for the event, pedestrian traffic routing, alternative routing for traffic if the event requires a street closing and if the

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special event is a parade, the proposed route to be traveled including the starting point and termination point of the parade and any assembly grounds.

2. The name, address and telephone number of the person planning to conduct the special event.
3. If the special event is proposed to be conducted for, or on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and the names, addresses and telephone numbers of the officers of the organization. ~~The name, address, telephone number and type of sponsoring organization.~~
4. The name, address and telephone number of the individual who will be the special event chairman and who will be in charge of its conduct.
5. The date and time(s) ~~that~~ the special event is to will be conducted.
6. The approximate number of persons, animals and vehicles who will be involved in the special event and the description of the type of animals and vehicles proposed to be in the special event.
7. The proposed hours for the special event.
8. A certificate of insurance providing proof of liability insurance in the amounts required by this article and naming the City as an additional insured, if required.
9. An executed agreement with the City in the form provided by the City. A statement setting forth the ultimate use of the net proceeds derived from the special event.
10. The application and other fees and deposits provided for in this article.
11. A separately executed hold-harmless agreement.
12. Proof of notice sent to property owners and/or tenants along any streets to be closed during the special event.
13. Any other permits required for the conduct of the type of event.
14. A statement whether the event will have food and drinks and whether or not such food and drinks will be sold or otherwise dispersed, who will be supplying such food and drinks, and who will receive the funds obtained from the sale of such food and drinks.
15. A statement whether admission fees will be charged or prizes given and the dollar amounts involved.

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Sec. 23-130. Filing of application.

The applicant shall file his application with the City Manager ~~not less than sixty (60) days prior to the date of the special event.~~ The application shall be reviewed for completeness and ~~the site plan shall be reviewed by the development review committee~~ for compliance with the minimum safety standards. Applicant may make such changes as the DRC directs in order to obtain a ~~recommendation of approval.~~ ~~The site plan and application shall be presented to the city council with a recommendation from the development review committee within three (8) weeks of applicant's filing.~~ The city council ~~may grant a waiver of the sixty (60) day advance application upon request of applicant.~~

Sec. 23-131. Approval and permit issuance.

The City ~~council~~ Manager shall review the permit application and after considering DRC's recommendations, and the applicant's presentation, shall issue the permit if applicant has met the requirements of this article. The City Manager shall render a decision on the permit application within 21 days after the application is filed. If the ~~council~~ Manager finds a permit application fails to meet the terms and conditions of this article, the applicant shall have thirty (30) days within which to submit an amended application without incurring an additional application fee. Amended applications submitted after expiration of the thirty-day period shall be subject to a new application fee.

The permit for the special event shall be granted unless one or more of the following conditions is found to exist:

1. The application is incomplete in a material respect.
2. The application has been fraudulently completed or contains any false or misleading information.
3. A prior permit has already been issued for the same area and date requested.
4. The application is not for a public area.
5. An adjacent area has already been scheduled for use at the same time and simultaneous uses cannot be accommodated.
6. The estimate of the anticipated attendance is in excess of the maximum designated for the area.

When denial occurs by reason of the conditions set forth above, the City Manager shall inform the applicant of the existence of a reasonable equivalent site, if available and uncommitted, which shall be held for the applicant for a period of five (5) business days, pending reapplication by the applicant for the alternate site.

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Sec. 23-132. Appeal of Denial

An applicant denied a permit under this article may appeal the decision of the City Manager to the City Council by filing a written notice of appeal with the office of the City Manager within five (5) business days after the decision of the City Manager. Such appeal shall be heard and decided by the City Council within fifteen (15) business days after the appeal is filed. The applicant shall be notified at least 24 hours before the hearing. Such applicant may appear at the hearing in person or be represented by counsel. Evidence on the applicant's behalf may be presented at the hearing. The City Manager shall state the reasons for the denial and provide any other evidence supporting the denial. The decision of the City Council shall be final.

Sec. 23-1323. Minimum safety standards.

The minimum safety standards which will apply to every site plan submitted in conjunction with a special event permit application are as follows: those applicable provisions of the NFPA Codes, Building, Plumbing and Electrical Codes adopted by the City of New Port Richey.

1. New Port Richey Fire Prevention and Protection Code;
2. Current Standard Building Code;
3. Vehicular and pedestrian safety; including adequacy of alternate routes due to detours as a result of road closures, etc. and parking facilities including the proper signs, barricades, markings, etc. shall be in accordance with Part VI of the Manual on Uniform Traffic Control Devices for Streets and Highways, 1988 Edition.
4. Adequate permits and/or licensing from appropriate governmental agencies such as, but not limited to, the Pasco County Public Health department's permits for food safety.
5. Such other standards as may be applicable and appropriate to the special event.

Sec. 23-134. Financial responsibility.

(a) The applicant, by filing the application does represent, stipulate, contract and agree that he will jointly and severally indemnify and hold the City harmless against injury to or death of persons arising out of or resulting from the issuance of the permit or the conduct of the special event or its participants. In addition, the applicant shall indemnify and hold the city harmless for any property damage, real or personal or actions in inverse condemnation arising from the granting of the permit or the conduct of the special event.

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(b) The applicant agrees that review by the development review committee and approval by the City Council Manager in no way guarantees that the conduct of the special event is in accordance with all safety standards and that the City, its employees or agents, assume no responsibility for the conduct of the event or the safety of the persons therein because of its review and issuance of the permit. It shall be the sole responsibility of the applicant and persons conducting the event to ensure the safety of the participants in the event.

(c) In addition to the requirements of paragraph (a) above, no permit shall be issued unless the applicant therefore shall obtain comprehensive general liability insurance, issued by an insurance company authorized to do business in the state for coverage that includes all areas of the special event, including any areas to which traffic is rerouted. The city shall be named as an additional insured on such policy. The policy limits of the insured shall not be less than:

- (1) ~~Property damage, one hundred thousand dollars (\$100,000.00) for each occurrence.~~
- (2) ~~Bodily injury or death, one hundred thousand dollars (\$100,000.00) for each person or two hundred thousand dollars (\$200,000.00) for each occurrence.~~

Five hundred thousand dollars (\$500,000) combined single limit for Property Damage, Bodily Injury or death. In addition, events involving the sale or distribution of food or alcoholic beverages shall include product liability coverage in the same amount. Events involving the sale or distribution of alcoholic beverages shall include liquor liability coverage in the same amount.

(d) Upon filing the application for the special event permit, satisfactory proof that the insurance required by paragraph (c) has been obtained shall be presented to the City Manager. The requirement for satisfactory proof shall be ~~complied with by presenting the policy or a copy of the policy to the City Manager.~~ **a certificate of coverage naming the City as an additional insured.**

(e) In the alternative, the City Council may waive the insurance requirements of paragraphs (c) and (d) upon good cause shown by the applicant ~~and/or the City may purchase insurance. All or a portion of the costs of insurance may be charged to the applicant or all costs may be waived.~~ For purposes of this section cause shall mean when an applicant demonstrates that such applicant lacks the ability to purchase the insurance and imposing this requirement would result in the inability of the applicant to conduct the special event, which special event otherwise meets the requirements of this article.

Sec. 23-135. Rules and regulations for conduct of special events.

(a) ~~No special event permit will be issued for a block party which is defined as a private party not open to the public in general.~~ **The applicant shall provide a report**

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within four weeks subsequent to the special event containing receipts, disbursements, number of participants, and other data included on the application.

- (b) Permittee must remove all equipment from the City facility within twenty-four (24) hours after the event has ended.
- (c) The City exercises control over the set-up of any equipment or materials on the site of the special event ~~through its development review process~~. Accordingly, all site plans shall include identification of areas to be used for parking including non-paved surfaces. The City reserves the right to refuse a special event permit if the parking of the vehicles will substantially interfere with or destroy vegetation on City property.
- (d) The sale or consumption of alcoholic beverages ~~in the street~~ is prohibited during the special event, unless an alcoholic beverage special event permit shall have been obtained from the City Council.
- (e) Permittee shall be responsible for all supervision of the event including traffic and crowd control to the satisfaction of the chief of police or his designee and shall be responsible for any costs thereof.
- (f) Permittee is responsible for returning the city's property in good condition. Cleanup of the public facilities shall occur within twenty-four (24) hours of the special event's conclusion.
- (g) Permittee shall provide appropriate adult supervision for any minor participants in the special event.
- (h) The city's Recreation Department ~~and maintenance department~~ shall have priority over activities of the user.
- (i) Any special request for work not provided by the City in its normal course of business or for special preparations by the City, must have prior approval of the City. Special work includes, but is not limited to, additional police or maintenance personnel and setting up or constructing new facilities. The person must allow adequate time for the City to carry out such approved work, and such work shall be at the expense of the person unless specifically waived in writing by the City. The person organizing the event accepts the responsibility of obtaining any legal permits that may be required to carry on the intended activity.
- (j) The city reserves the right to impose additional regulations not herein set forth, if in its judgement such additional regulations are deemed necessary in relation to the special event. The permittee hereby agrees to acknowledge and abide by any and all such regulations.

Sec. 23-136. Contents of permit.

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Upon approval by the City ~~council~~ Manager as set forth in section 23-131, each special event permit issued pursuant to this article shall include the following information:

- (1) The date of the special event.
- (2) The time and termination of the special event.
- (3) The areas of the city's facilities to be utilized by the special event.
- (4) ~~The number of persons, animals and or motor vehicles that will be involved in the special event.~~
- (5) Such other information and/or conditions as the City ~~council~~ Manager shall find necessary to the enforcement of this article.

Sec. 23-137. Conditions upon permit.

The following conditions are a part of each permit and the permittee is subject to these conditions as if the conditions were specifically included in the permit:

1. The conduct of the special event shall not substantially interrupt the safe and orderly movement of other traffic contiguous to the special event grounds.
2. The conduct of the special event shall not require the diversion of so great a number of police officers of the City to prevent normal police protection to the city.
3. The conduct of the special event shall not require the diversion of so great a number of ~~ambulances~~ fire rescue units as to prevent normal ~~ambulance~~ emergency medical or fire service to portions of the City other than that to be occupied by the special event and the areas contiguous thereto.
4. The concentration of persons, animals and or motor vehicles at the special event's grounds shall not unduly interfere with proper fire and police protection of or ambulance service to areas contiguous to the special event grounds.
5. The conduct of the special event shall not interfere with the movement of fire fighting equipment in route to a fire.
6. The conduct of the special event shall not be likely to cause injury to persons or property, to provoke disorderly conduct or to create a disturbance.
7. The special event, if a parade, shall be scheduled to move from its point of origin to point of termination expeditiously and without unreasonable delays in route.

Sec. 23-138. Possession of permit.

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The special event chairman or other person heading or leading the special event shall carry the special event permit issued pursuant to this article upon his person during the conduct of the special event.

Sec. 23-139. Revocation of permit.

The chief of police or his designee shall have the authority to revoke a special event permit issued pursuant to this article upon violation of any condition as described in this article or special conditions as described in the contents of the permit.

Sec. 23-140. Fees and deposits.

(a) A fee of ~~twenty-five dollars (\$25.00)~~ one hundred (\$100.00) to cover the costs incident to processing an application for a special event permit shall be paid by the person applying for such permit at the time of the filing of the application.

(b) The applicant may negotiate with the City for provision of supervision and traffic and crowd control during the special event. Should the City agree to provide such services, the applicant shall remain responsible for the costs thereof and shall deposit with the City prior to issuance of the special event permit an amount deemed reasonably necessary to cover the costs of such services. Within thirty (30) days after completion of the special event, the City shall refund any overpayment or invoice the permittee for any additional costs, including ~~police or fire department~~ staff overtime or assistance with setup and cleanup. The permittee shall remit any additional costs to the City within ten (10) days of receipt of the invoice thereon. Nonpayment of such costs shall be enforced in the same manner as enforcement of Land Development Code violations as provided elsewhere in this Code, which may include proceedings before the code enforcement board, alternative enforcement proceedings in county court, or injunctive relief.

(c) Organizations which are exempt from payment of occupational license taxes as provided elsewhere in this Code may request that the city provide supervision and traffic and crowd control and shall be exempt from any ~~deposit or reimbursement requirements upon the following conditions:~~

(1) ~~Such exempt organization agrees, as a condition of the special use permit, that the net proceeds, if any, shall be deposited into an account controlled and managed by the city or one of its approved representatives or entities, including but not limited to the New Port Richey Community Cooperative or the Community Redevelopment Agency; and~~

(2) ~~Such net proceeds are utilized for the exclusive use and benefit of the businesses and residents of New Port Richey.~~

(d) The City Council shall have the right to waive the fees and deposits provided for in this section for cause. ~~As used in this section, cause shall mean when the applicant demonstrates that such applicant lacks the ability to make the payments and imposing the~~

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~~fees and deposits would result in the inability of the applicant to conduct the special event, provided that such special event otherwise meets the requirements of this article. Any waiver of such fees and deposits shall be subject to the provisions of subparagraph (c) above.~~

Sec. 23-141. Penalties for violations.

1. Violation of any provision of this article is subject to punishment as provided in section 1-14 of the New Port Richey Code.
2. The City may obtain injunctive relief to restrain or prohibit violation of this article.
3. In the alternative, the City may prosecute this action through its code enforcement board as provided by City ordinance.

Section 2. Severability.

If any phrase or portion of this ordinance or the particular application, thereof, shall be held invalid or unconstitutional by any court administrative agency or other body with appropriate jurisdiction, the remaining sections, sub-sections, sentences, clauses, or phrases and their application shall not be affected thereby.

Section 3. Effective Date.

This ordinance shall become effective when enacted in accordance with Section 166.041, Florida Statutes.

The above and foregoing Ordinance was read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this 18th day of May, 1999.

The above and foregoing Ordinance was read and approved on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this 1st day of June, 1999.



ATTEST:

City Clerk

[Handwritten signature]

[Handwritten signature]

Peter A. Altman
Mayor-Councilman

Approved as to Form.
[Handwritten signature]

Thomas K. Morrison, Esquire

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