



**CITY COUNCIL REGULAR MEETING**  
**CITY OF NEW PORT RICHEY**  
**NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS**  
**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**  
**July 18, 2017**  
**7:00 PM**

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**AGENDA**

ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE LAW DOES NOT REQUIRE THE CITY CLERK TO TRANSCRIBE VERBATIM MINUTES; THEREFORE, THE APPLICANT MUST MAKE THE NECESSARY ARRANGEMENTS WITH A PRIVATE REPORTER (OR PRIVATE REPORTING FIRM) AND BEAR THE RESULTING EXPENSE (F.S.286.0105)

**ORDER OF**  
**BUSINESS**

1. Call to Order – Roll Call
2. Pledge of Allegiance
3. Moment of Silence
4. Approval of July 5, 2017 Regular Meeting Minutes Page 3
5. Presentation of Flags for Sims Park by the VFW Post 79
6. Swearing-In of New Firefighters: Robert McCarthy, Corbin Mitchell and John Webber
7. Swearing-In of New Police Officers: Jessica Hauck, Tyler Sabo and Patrick Volpe
8. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda
9. Consent Agenda
  - a. Environmental Committee Minutes - May 24, 2017 Page 11
  - b. Firefighters' Pension Board Minutes - March 14, 2017 Page 14
  - c. Parks and Recreation Advisory Board Minutes - May 9, 2017 Page 18
  - d. Police Pension Board Minutes - April 25, 2017 Page 21

e.	Purchases/Payments for City Council Approval	Page 27
10.	Public Reading of Ordinances	
a.	First Reading, Ordinance No. 2017-2117 Flood Damage Prevention	Page 29
b.	Second Reading, Ordinance No. 2017-2120 Temporary Moratorium on Wireless Facilities in Public Rights-of-Way	Page 35
11.	Business Items	
a.	Annual Membership Drive - Recreation & Aquatic Center	Page 40
b.	Alcoholic Beverage Special Event - Caribbean Food & Music Fest	Page 42
c.	2016/2017 Sanitary Sewer Gravity Lining Project Close Out	Page 62
d.	Wastewater Treatment Plant/Water Treatment Plant Bulk Chemicals Purchases	Page 68
e.	Resolution No. 2017-21 & No. 2017-22, Initial Assessment Resolutions - Stormwater Utility & Street Lighting	Page 76
f.	Proposed Pavement Management Plan	Page 158
g.	Three Minute Report: Fire Department	
12.	Communications	
13.	Adjournment	

Agendas may be viewed on the City's website: [www.citynpr.org](http://www.citynpr.org). This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, all persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk, 727-853-1024, not later than four days prior to said proceeding.



# NEW PORT RICHEY

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

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**TO:** City of New Port Richey City Council  
**FROM:** Judy Meyers, City Clerk  
**DATE:** 7/18/2017  
**RE:** Approval of July 5, 2017 Regular Meeting Minutes

**REQUEST:**

The request is for City Council to approve the minutes from the July 5, 2017 regular meeting.

**DISCUSSION:**

City Council conducted its regularly scheduled meeting on July 5, 2017. The minutes from that meeting are attached for Council's review and approval.

**RECOMMENDATION:**

Staff recommends that City Council approve the minutes from the July 5, 2017 regular meeting as submitted.

**BUDGET/FISCAL IMPACT:**

No funding is required for this item.

**ATTACHMENTS:**

Description	Type
☐ July 5, 2017 Regular Meeting Minutes	Backup Material



**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**

**July 5, 2017**  
**7:00 PM**

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**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 Bill Phillips and Councilwoman Judy DeBella Thomas. Councilman Chopper Davis was excused.

Also in attendance were City Manager Debbie Manns, City Attorney Timothy Driscoll, City Clerk Judy Meyers, Chief of Police Kim Bogart, Finance Director Crystal Feast, Development Director Lisa Fierce, Fire Chief Chris Fitch, Economic Development Director Mario Iezzoni, Public Works Director Robert Rivera, Library Director Andi Figart, Parks and Recreation Director Elaine Smith, Technology Solutions Director Bryan Weed and Human Resources Manager Bernie Wharran.

2 Pledge of Allegiance

3 Moment of Silence

4 Approval of June 20, 2017 Work Session and Regular Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Judy DeBella Thomas and seconded by Jeff Starkey. The Motion Passed. 4-0.  
Ayes: DeBella Thomas, Marlowe, Phillips, Starkey Absent: Davis

5 Proclamation - Parks and Recreation Month (by title only)

Mayor Marlowe read the proclamation declaring the month of July as Parks and Recreation Month by title only.

6 Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

Mayor Marlowe opened the floor for public comment. No one came forward therefore Mayor



Marlowe closed Vox Pop.

7 Consent Agenda

Motion was made to accept the Consent Agenda.

Motion made by Bill Phillips and seconded by Judy DeBella Thomas. The Motion Passed. 4-0.  
Ayes: DeBella Thomas, Marlowe, Phillips, Starkey Absent: Davis

- a Purchases/Payments for City Council Approval

8 Public Reading of Ordinances

- a First Reading, Ordinance No. 2017-2120 Temporary Moratorium on Wireless Facilities in Public Rights-of-Way

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to impose a 180 day moratorium on wireless communication facilities in public rights-of-way due to recent legislation that was passed in order to allow staff time to prepare any code amendments as may be necessary. The new legislation provides privileges to small wireless facilities without control by the local municipality. City Manager Manns reminded Council that they passed a resolution in April stating their opposition to this legislation when it was still HB687.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Mayor Marlowe stated wireless does not have to be big or bulky. The problem is the legislature blocked out ability to deal with anything including equipment boxes that could be attached to utility poles.

Councilwoman DeBella Thomas stated that FLC was opposed to this legislation as well and provided pictures of what they could look like. Home rule is definitely under attack. Not much leeway to do anything.

Councilman Phillips asked the City Attorney if the January 3rd date was when the ordinance was in effect and he replied that January 3rd is approximately 180 days. Councilman stated that the legislature created a revenue stream of about \$150/pole. It appears in the language that there are other utilities that have poles in the city and they may be required to replace them. Over and above we have to allow them to use the infrastructure. City Attorney Driscoll stated one thing the legislation is trying to do is limit our control on how many can go on one pole. He stated we can't make them be separate but can make them ADA compliant and aesthetic restrictions but not much else. Councilman Phillips stated he would like to see how the other municipalities approach this legislation and the impacts.

Deputy Mayor Starkey stated he had seen the FLC pictures and asked the City Attorney when will we find out how big they will be. City Attorney Driscoll replied we will find the answer to that after more research is done.

Motion was made to approve the ordinance upon its first reading.

Motion made by Jeff Starkey and seconded by Bill Phillips. The Motion Passed. 4-0. Ayes: DeBella Thomas, Marlowe, Phillips, Starkey Absent: Davis

- b Second Reading, Ordinance No. 2017-2114 Amending Section 23-46 to Remove Circle Blvd. from One-Way Street Listing

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 Bill Phillips and seconded by Judy DeBella Thomas. The Motion Passed. 4-0.  
Ayes: DeBella Thomas, Marlowe, Phillips, Starkey Absent: Davis

9 Business Items

a Sims Park Shelter Installations Phase 2 Project Close-Out

City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to authorize payment to closeout the new shade structures at Sims Park. The work is complete and Hennessy Construction has requested the final pay request in the amount of \$145,712. City Manager Manns also stated that there is a deductive change order in the amount of \$5,860.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips stated he would like to see the funds stay on the Sims Park side of the project as there will be additional expenses or projects that may want to be done. Councilwoman DeBella Thomas stated that she agreed with Councilman Phillips and see the money stay in place for Sims Park. Deputy Mayor Starkey stated he was walking through the park last weekend and he saw areas that need to have the landscaping replaced. Use event deposit money to help with the damages. Mayor Marlowe also agreed that the money should stay with Sims Park. Next year's budget should include other items. Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Judy DeBella Thomas. The Motion Passed. 4-0.  
Ayes: DeBella Thomas, Marlowe, Phillips, Starkey Absent: Davis

b Approval of the Parks and Recreation Master Plan

City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to adopt the Parks and Recreation Master Plan. She stated that Parks and Recreation Director Elaine Smith worked very hard with Barth & Associates to create the plan. She also thanked the public for all of their input in the process. The Plan specifies improvements for each of the City's parks. Adopting the plan will allow opportunities for grant funding.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips stated that it's fortunate but unfortunate in other ways that you have to have a Master Plan to cover a ten year plan that may in two or three years may not be the path you want to take but in order to go after funding you need to prove your due diligence. He enjoyed the process and there is a big wish list and if could do them all that would be great. The Plan overall was well done. Penny for Pasco funds along with State funding. At end of the day we will be able to address many needs. He still has issues with Plummer Field. The facility is undersized and creates many challenges to operate that facility in that location.

Councilwoman DeBella Thomas stated she is delighted to have this in place and on the city's website. Taken this step in creating a product we can look to and taking good care of our parks. Participated in Earth Days and River Cleanups and this lends to the same mentality that we are taking care of our parks. We have residents that do not realize what we have in the city. She is proud and pleased to have taken this step in the right direction. There are elements from across the country we can bring back and share with our city. Positive thing to recognize how important the parks are. Fortunate to have the kinds of activities in the parks that we do and how they can blend into our daily life.

Deputy Mayor Starkey stated that the Plan needed to be created for funding. He agreed with Councilman Phillips about Plummer Field and it will be a challenge. He is a competitive soccer coach and he looks at other fields. Look at countywide plan for better sports facilities. Need to make sure we are providing facilities. Work with the County for long term goals.

Mayor Marlowe stated the Plan was extraordinarily done and hopefully use it to take advantage of

grant opportunities to further improve our parks.

Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Judy DeBella Thomas. The Motion Passed. 4-0.

Ayes: DeBella Thomas, Marlowe, Phillips, Starkey Absent: Davis

c Request to Purchase Subscription for Extra-Duty Management Web-based Software

City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to authorize the purchase of a subscription for web-based software to be used by the police department for extra-duty scheduling. Funding is through equitable sharing funds. She then introduced Chief Bogart who presented the item to Council. He stated that for many years the police department has used software that was created by an employee. Complicated process to schedule coverage for other areas that are in need of extra duty policing. When the new website was up the software was removed. Software used by most of the neighboring agencies. Got rave reviews by other departments. No direct cost to the department.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips stated that this kind of tool to manage information is important. Having an updated tool will allow you to take care of the extra-duty. Good product to have.

Councilwoman DeBella Thomas stated that she was stunned in how the department has been running. Intuitive software to manage employees. She felt that the unavailability of a product that was an option for us. Surely this was not out of the ordinary for the police department to do. She was also stunned by the cost and the maintenance fee. She stated that she appreciated the due diligence. Chief Bogart replied that unlike the other software this is a web-based software where officers can access anytime and anywhere.

Deputy Mayor Starkey stated that once cloud-based and web-based it will be continuously monitored.

Mayor Marlowe stated he was not shocked by cost he thought it was very reasonable. He has one that is comparable in cost and he has another one that costs \$12k year to manage. He stated that if it does what you need it to do it is money well spent.

Motion was made to approve the item as presented.

Motion made by Bill Phillips and seconded by Judy DeBella Thomas. The Motion Passed. 4-0.

Ayes: DeBella Thomas, Marlowe, Phillips, Starkey Absent: Davis

d Presentation of Budget Process, Estimated Revenues, and Proposed Millage Rate

City Manager Manns introduced the item to Council. She stated that for some time now have been working on the proposed budget process and have begun to formulate what will be presented to you on July 11th. Tonight's presentation is to show where we are in the process, proposed revenues and millage. She then introduced Finance Director Crystal Feast who made a presentation to Council.

Ms. Feast stated that as we end the current fiscal year we have begun preparations for the next fiscal year. Tonight's presentation will provide an overview of the process. In March 2017 began the budget process. In April, each department went through their expenditures and completed their workbooks and presented their proposed budget to the City Manager in May. Last month preliminary taxable values were provided by the property appraiser. This month we will receive the final taxable values from the county. Next month will establish the TRIM notice and propose millage rate. In September the CRA Board will approve the CRA budget and Council will approve the City budget. The positives for the upcoming budget year include that revenue trends are increasingly slightly and property values have increased. The challenges include slight overall increase in pension costs, slight increase in FRS

rates, anticipated 5% increase in general liability, property and flood insurance, anticipated health insurance costs and proposed COLA 2%.

Under revenue sources, property tax revenue showed a 1.79% increase in taxable values which allows for a slightly lower millage rate of 8.995 mills. The last three years the City has worked to lower the millage. State revenues have increased by 3% and include communication sales tax, alcohol and half cent sales tax. Licenses and permits have increased by 7% due to the anticipated launch of the Residential Rental Inspection Program. Service charges increased by 6% due to off-duty services and fully functioning Rec & Aquatic Center. Fines and forfeitures include court fines, RLC, code enforcement and impound lot. Special assessments increase is due to new stormwater and streetlighting rates and anticipated approval of PMP. The City is expected to received \$2,401,340 in Penny for Pasco Funds which is an increase of 8.9%. CRA funds to be received by the County are estimated to be about \$785k. Water and sewer services increased 4% due to annual rate increase. Potential growth by acquiring smaller utility systems. LOGT funds are estimated to be \$775,930. Next steps include first part of department budget presentations along with proposed first budget draft on July 11th and second half of department budget presentations on July 18th. The meeting on August 1st will include Certification of Taxable Value and proposed Millage Rate. August 15th will be the second budget draft. September 5th will be first public hearing and September 25th the second hearing and adoption of budget.

Councilwoman DeBella Thomas asked Ms. Feast to forward a copy of the power point presentation to Council.

Councilman Phillips stated he had a few points to talk about. The first point was the status of the audit and asked to provide a report next Tuesday. The taxable value was disappointing as part of our overall process is to help foster the taxable value to increase. Some thoughts we need to have is what is done with the budget and with the PMP and ad valorem and how it can help across the board for taxable value to rise. CRA meeting for the budget overall rebooting of the CRA. CIP analysis is important but would like to see it reign it in and site specific. Need to understand that police pension will go down but may only be for a year or two since we had money that we are being credited for under the new contract. Part of the police pension being down is due to staffing. He stated he would like to see what would it be if fully staffed and what impact is dollar shifting with proposed PMP. Garbage hauling fees will increase as everyone needs to have service. No real reference to annexation plan and the impact it will have on upcoming years. LOGT will be challenged and formulas shifted. Economic Development budget and CRA go hand in hand. Finally he asked what kind of carryover dollars will we have and how does it reset the required funds.

Mayor Marlowe stated that on LOGT he would like us to make sure how we implement PMP that we get maximum benefit on LOGT. The City is big enough to turn tables back on County if we do it correctly. The expenditures on PMP in such a way so that it maximizes the amount the County owes us.

Councilwoman DeBella Thomas thanked Ms. Feast for the timeline dates and time for meetings. If she read correctly we are anticipating a millage drop and it is significant to remember that we are looking at that and knowing what we have done over the last ten years.

Upon opening the floor to public comment, Sali B. came forward to speak regarding mobile homes and the quality of our drinking water. She stated that staff had relayed to her that mobile homes are not eligible for the grant program. She wanted to know what makes them not eligible. She also stated that she read that the water is not good for drinking. Florida is state with a high contamination. City Manager Manns stated that the funding source that City relies on is provided by HUD and they have restrictions on the type of housing that monies can be used. Mobile homes do not fit that criteria. Mayor Marlowe stated he is representative on Tampa Bay Water board and that water quality is good in the Tampa Bay area. He stated that newspaper articles talk in general terms for the state.

Councilman Phillips stated that she made some good point on mobile homes. It seems that there is an area of housing in the city that we haven't paid attention to. They get calculated into the CRA and

population. A number of mobile homes are rental properties but not in every case. A very nice manufactured home kept well is a benefit to the city. Over time the grant program has been re-evaluated. End of the day look at mobile home elements.

e Three Minute Report: Technology Solutions

10 Communications

Mayor Marlowe stated that his business closes at 5:00 so that a 5:00 work session start time is difficult. Walking back from the park on Saturday a neighbor stopped him with concerns about lighting at Central and Jefferson. Saturday night was amazing and he did not recall seeing so many people as were around Orange Lake. The Old Baptist Church property had hundreds of cars parked on it and all the way eastward on Central. The Red Apple lots were full and the Methodist Church was full. Parked up and down alleyways. He stated that he knows the City is looking at a parking study and that it may need to get a garage going sooner than later. There is a People Places event next Monday at 5:30 for ROL update. Surfing around the internet he discovered that Tesla has been giving away free charging stations and he forwarded it to staff to look at and apply. He stated that Volvo announced today that in 2019 they will have no cars that are not using electric. This is changing quickly. He stated that there are a regular series of complaints about individuals that are inhabiting Southgate and asked Chief Bogart to look into the matter.

Deputy Mayor Starkey stated he is not personally opposed to starting at 6:00 on just a work session night. If before regular meeting then 5:00 p.m. As far as parking goes, he agreed with the Mayor's comments but it is a slippery slope. He stated he wants to see a parking garage built to accommodate those that come to town on a daily basis or live in the area. Need to be careful on what we do. If continue large events look into shuttle services. Received a text message from a resident who pays \$8,700 a year in taxes and there is a property in front of his home that is city owned that is not maintained properly. Large brush piles being placed there. Serious problem with commercial dumping. Have to come up with a solution for debris pickup. Urge residents that are watching to take pictures and send to code enforcement. Having negative impact on all of our neighborhoods. Still ongoing issues near Van Doren and Leisure Lane.

Councilman Phillips stated that the 5:00 meeting time hinders public input. He is not opposed to 6:00 start time. Places a burden on those that want to attend and speak. He did make it by KIAFest before the rain began Friday night. He is anxious to look at budget process and obviously see how we can implement it forward into key areas of neighborhoods. He stated we need to do more to enhance neighborhoods as it provides a net benefit across the board. Boost in ad valorem is a plus for us. Ad valorem funds key operations of the city. He would like to get a behind the scenes tour of MSL and the developments going on there. He has been asked by Gulf High alumni about the availability of using the lower floor at Hacienda next year. He agreed with Deputy Mayor's comments regarding the yard debris.

Councilwoman DeBella Thomas stated her schedule was flexible with time. If 7:00 p.m. meeting then make the agenda manageable so we are not here until 1:00 a.m. She attended FLC meeting last week and they request participation from municipalities to attend the legislative session they will pay for you to attend. FLC meetings are the third Friday of each month and we will be hosting in September. She stated that FLC encourages to invite the business community. She volunteered at KIAFest and it was heartwarming to see staff do such a wonderful job and she applauded the police and fire for participating in trolley pull. She also thanked everyone who participated this weekend. She stated that she is amazed by staff's response to social media. She stated that she had received a message about a slippery place on splash pad and sent it to Robert and she was amazed at how quickly it was addressed and that made us look like heroes. She thanked Ms. Feast for the detail of the budget process. In

regards to Deputy Mayor's comments about commercial debris, she stated that we need to let residents know that the reality is that we have the pickup because we can do it but that may not always be the case.

11 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:45 pm.

(signed) \_\_\_\_\_  
Judy Meyers, City Clerk

Approved: \_\_\_\_\_ (date)

Initialed: \_\_\_\_\_



# NEW PORT RICHEY

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

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**TO:** City of New Port Richey City Council  
**FROM:** Judy Meyers, City Clerk  
**DATE:** 7/18/2017  
**RE:** Environmental Committee Minutes - May 24, 2017

**REQUEST:**

The request is for City Council to review the minutes from the Environmental Committee meeting on May 24, 2017.

**DISCUSSION:**

The Environmental Committee met for its regularly scheduled meeting on May 24, 2017. The minutes from those meetings are attached for Council's review.

**RECOMMENDATION:**

No formal action is required by City Council for this item.

**BUDGET/FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Description	Type
□ Environmental Committee Minutes - May 24, 2017	Backup Material

**City of New Port Richey Environmental Committee  
Minutes for May 24, 2017**

Meeting called to order at 4:06 pm.

1. **Vox Pop** - None.
2. **In attendance:** Present were Committee Chair Dell deChant, Secretary Jon Tietz, Cindy Cadle, Barbara Sullo, Rex Phelps, and City Liaison Barret Doe. No guests were present. Kira Atkinson and Vice Chair Rose Mohr were absent.
3. **Vox Pop.**
4. **Approval of the minutes from April.** A motion to make amendments to the March minutes was made by Cindy Cadle and seconded by Rex Phelps. The minutes will be changed according to a request by Chair Dell deChant to change the minutes to reflect that the action item for Dell deChant of drafting duties for the community garden manager to be instead noted as the responsibility of Cindy Cadle and Penelope Phelps. A second motion was made to approve the minutes with those changes which was proposed by Rex Phelps and seconded by Jon Tietz. The motion passed unanimously.

**Business of the Committee - Ongoing**

5. **Vox Pop.** None.
6. **Facebook Page Noted.** Cindy Cadle said that she had come across a Facebook page called [Non-toxic Communities](#) that talks about improving and keeping toxins out of populations. Jon said that he had heard about a problem at the Gulf Harbors Association and their purchase of a playground which has come up with a higher than normal amount of arsenic contamination. Rex offered that he thought the Association should look for a "cattle pit" where previous landowners may have used arsenic to cleanse cows of parasites.
7. **Vox Pop.** None.
8. **Community Gardens Ordinance for the County.** Dell said that he had heard from the County that the ordinance he has discussed with them has been approved to be brought before the County Commission. Dell said he has also received a Community Food System Assessment which was provided to the County for free and reviews food acquisition and creation for Pasco County and makes recommendations as to what needs. Dell said that report would be made public soon.
9. **Vox Pop.** None.
10. **City Liaison Report.** Barret Doe said that he has gotten his schedule and the meeting time does not need to be changed. Dell said that his schedule may conflict and Barbara offered that perhaps the committee should meet at 5 pm instead. Dell said that reviewing the membership the committee is now full but there are two alternate positions open which he expects to be filled soon. Dell said that he wanted both Jon and Cindy should move forward with their applications for renewal of their positions as early as possible.
11. **Vox Pop.** None.



- 12. Report on Green City Initiative Charette - June 24, 4:00 PM.** Barret said that the meeting time is confirmed but will be held in the Avery Room at the library due to carpeting work. Barret said also that after going through a second pass on the paperwork, the City still needs to find 35 points to qualify for Bronze status.
- 13. Vox Pop.** None.
- 14. Update on “additional responsibilities” for Garden Facilitator.** Barret said that regarding adding positions or adding responsibilities to an existing position would need to be brought directly to the city manager. Cindy asked for clarification regarding the committee requesting from the city manager rather than from the city council. Dell said that he wanted to clarify that the city council had already seen this and responded positively but now the specifics must be addressed with the city manager. Rex wanted to know regarding proposals and recommendations to the city council whether a mechanism is present to formalize the opinion of the city council on that issue at the time in order to more effectively direct staff.  
Dell said that he developed a list of responsibilities for the part time gardener. Dell wanted the committee to comment on the responsibilities. Without objection the responsibilities were approved.
- 15. Vox Pop.** None.
- 16. Update on “additional responsibilities” as arborist. Action item:** Rex Phelps and Jon Tietz developed a list of responsibilities which will be reorganized by Dell for recommendation to the City Manager’s office. Jon will provide a copy of the list of responsibilities at the next meeting. The responsibilities list was approved without objection.
- 17. Vox Pop.** None.
- 18. Urban Agriculture Permits.** Jon provided an updated form including three different types of community garden. After reviewing the documents, the committee approved the new format unanimously.
- 19. Vox Pop.** None.
- 20. Approval of Received Community Garden Permits.** Two applications for renewal of community garden permits were received. The first was for 5721 Grand Boulevard, noted as “Grand Gardens.” This permit was approved unanimously. Dell deChant and Jon Tietz recused themselves as being involved with the property financially. The second permit was for 6119 Illinois Avenue. Dell deChant and Jon Tietz recused themselves as Dell owns the property and Jon is involved with the property financially. The permit was approved unanimously.  
**Action Item:** Jon will file the permits with the City’s development department.
- 21. Additional Items.** None.

#### **Additional Items Discussed.**

- 22. Adjournment.** Without objection the committee stands adjourned at 6:06 PM. The next meeting is Wednesday, June 28, 2017 at 4 PM at the New Port Richey Public Library.



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Judy Meyers, City Clerk  
**DATE:** 7/18/2017  
**RE:** Firefighters' Pension Board Minutes - March 14, 2017

**REQUEST:**

The request is for City Council to review the minutes from the March 14, 2017 quarterly meeting of the Firefighters' Pension Board.

**DISCUSSION:**

The Firefighters' Pension Board conducted its regularly quarterly meeting on March 14, 2017. The minutes from that meeting are attached for Council's review.

**RECOMMENDATION:**

No formal action is required on behalf of City Council for this agenda item.

**BUDGET/FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Description	Type
☐ Firefighters' Pension Board Minutes - March 14, 2017	Backup Material

## MINUTES OF NEW PORT RICHEY FIREFIGHTERS PENSION BOARD MEETING

HELD ON MARCH 14, 2017, NPR FIRE ADMINISTRATION, CITY HALL, NPR, FL

A regular meeting of the New Port Richey Firefighters Pension Board of Trustees was held on the above date. The meeting began at 5:00 PM. The following Board members were present: Joe Fiorentino, Chairman; Adam Darling; Keith Bauer; Matt Potter. Also in attendance were Attorney Lee Dehner; Brendon Vavrica with AndCo Consulting; Laurie Watson with Great Lakes Advisors; Crystal Dunn Assistant Finance Director for the City of New Port Richey; Karen Lauer. Board Member Bob Langford was unable to attend.

### ITEM #1 - PUBLIC COMMENTS

None

### ITEM # 2 – APPROVAL OF MINUTES FROM NOVEMBER 15, 2016 REGULAR MEETING

Adam Darling made a motion to approve the minutes. Motion was seconded by Keith Bauer. Motion passed unanimously.

### ITEM #3 – RENEWAL OF BOARD TERM – ADAM DARLING

Karen advised that an email was sent to all members of the Fire Department, asking if anyone was interested in running for the board seat. There were no responses to the request. Adam retains his seat by acclimation.

### ITEM #4 – GREAT LAKES ADVISORS PRESENTATION

Laurie Watson advised that the local office of Great Lakes Advisors has moved to Rocky Point in Tampa. The new office number is on the cover of her presentation. Laurie presented the report for the fourth quarter of 2016. Page 4 reflects a strong equity market; the election had an impact on that Large cap appreciated \$99,000. Laurie also brought a sheet with updated values since 12/31/16. Fixed income was down a bit, but should go up as rates are raised. Large cap is up 9.89 % year to date. Smid cap is up 9.02%. Both are above the benchmark. Page 5 shows performance detail. Page 12 & 13 reflect value vs. growth, value is leading and Great Lakes has made a shift to take advantage of that. They are actively managing risk factors. Laurie advised that all in all it was a good quarter.

### ITEM #5 – THE BOGDAHN GROUP PRESENTATION – BRENDON VAVRICA

Matt Potter asked Brendon how funds are allocated between fixed, smid cap and large cap. Brendon advised that it is a Board level decision, with restrictions on international investments (25% of total fund). The Board has discretion on the range of investment percentages. Matt asked if Brendon has an opinion on the percentage in fixed income. Brendon advised that the pie chart on page 14 of his report shows 29.4% of the total fund in in fixed income. 25% of that fund is with Great Lakes and 5% is convertibles. Brendon does not suggest going significantly lower than where it is now, as fixed income is the anchor of the portfolio. He would suggest maybe decreasing it by 5%, if at all. Brendon will do an asset allocation analysis of what the effect would be at various levels. Attorney Dehner advised that there are state and ordinance restrictions on the investments. State statute requires no more

than 25% in international investments. City Ordinance requires 70% equity at cost and no more than 10% in real estate.

Brendon next discussed a necessary transfer from the fund to the Fiduciary Trust account to cover expenses. Per page 12 of the report, Vanguard S&P is overweight. Board approval is needed to move funds from that account. The Board asked what the impact would be to take the funds from fixed income instead of Vanguard. Brendon advised that taking the funds from fixed income would lower it below the target which does not adhere to the investment policy. It would however be okay to deviate as long as it is documented in the minutes and the investment plan was adjusted accordingly. This was confirmed by Attorney Dehner. The Board discussed and agreed to transfer the funds from fixed income. Laurie stated she has no problem with this. Motion made by Matt Potter to transfer funds from fixed income to the Fiduciary Trust account. Motion was seconded by Adam Darling and approved unanimously. Karen, Brendon and Laurie will send necessary emails to process the transfer.

Brendon concluded by referring to page 15 of his report which shows that the portfolio outperformed for the quarter.

#### ITEM #5 – UPDATE ON CITY/UNION AGREEMENT PERTAINING TO STATE MONIES

No update available at this time.

#### ITEM #6 – ACTUARIAL VALUATION – FOSTER & FOSTER

Patrick Donlan from Foster & Foster did not attend the meeting – item removed

#### ITEM #7 – UPDATE ON CITY/UNION AGREEMENT PERTAINING TO STATE MONIES

Per Keith Bauer, there is no current update on this item. Contract negotiations are ongoing. There has been no mutual consent on state monies to date. Per Attorney Dehner, monies will continue to go into the pension fund unless agreed otherwise.

#### ITEM #8 – ATTORNEY BUSINESS

- a. Legislative Update – Attorney Dehner thinks that we will be unscathed this session. The current session convened on March 7<sup>th</sup>. Some bills were pre-filed. House Bill 143 and Senate Bill 158 add cancer for firefighters. Senate Bill 306 deals with what a trustee needs to do to abstain from voting if an issue would affect gain or loss personally. No real change there. Senate Bill 632 addresses what the Board can do with actuarial rates of return.
- b. Financial Disclosures – Attorney Dehner reminded Board Members that the disclosures must be filed with Supervisor of Elections by July 1<sup>st</sup>.

#### ITEM #9 – FIDUCIARY TRUST AGREEMENT RE: INTERNATIONAL INVESTMENT TAXES

No discussion was needed. The forms requested by Fiduciary Trust were previously executed.

#### ITEM #10 – FINANCIAL & ACCOUNTING SERVICES

- a. Approval of 12/31/2016 Financial Statement – Matt Potter has some questions as to how the accountant arrives at some of the figures used in the report, specifically relating to Receivables and accounts payable. Karen will contact the accountant for an explanation. Per Attorney Dehner, Board approval of the statement is not needed.

#### ITEM #11 – OTHER BUSINESS AND/OR COMMUNICATION

- a. Payments from the fund – Karen reviewed payments made from the fund since the last meeting. Motion made by Matt Potter to approve, seconded by Keith Bauer. Motion passed unanimously.
- b. Fire Department Resignations – Karen advised that Sean Pipp Andrews resigned in February. Also, Assistant Chief Tim Exline retired and terminated his DROP in February.
- c. Any other business and/or communications – Karen advised that the laptop has a broken hinge that will need to be replaced. The board agreed that due to the cost of the repair and the age of the laptop, it would be best to purchase a new one. Karen will price out a new laptop and bring to the next meeting. Motion made by Adam to okay a purchase up to \$500. The motion was seconded by Keith Bauer and passed unanimously

Motion to adjourn was made by Joe Fiorentino, seconded by Keith Bauer. Motion passed unanimously. The meeting was adjourned at 6:15PM.



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Elaine D. Smith, CPRP, Director of Parks and Recreation  
**DATE:** 7/18/2017  
**RE:** Parks and Recreation Advisory Board Minutes - May 9, 2017

**REQUEST:**

The request before City Council is to review the attached Minutes from the May 2017 Parks and Recreation Advisory Board Meeting.

**DISCUSSION:**

The Parks and Recreation Advisory Board meets monthly. The attached Minutes from the May 9, 2017 meeting were approved at the June 13, 2017 Advisory Board Meeting. The Minutes were submitted for the next available City Council Meeting on July 18, 2017.

**RECOMMENDATION:**

The recommendation before City Council is to review and accept the attached Minutes.

**BUDGET/FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Description	Type
May Advisory Board Minutes	Cover Memo

# **PARKS & RECREATION BOARD MEETING**

May 9, 2017

The regular meeting of the Parks & Recreation Advisory Board was called to order at the Recreation & Aquatic Center at 7:30am on Tuesday, May 9, 2017. Chairman David Schrader, and Board Members Carolyn Marlowe, Dana Suiters, Justin Billings, and staff liaison Elaine Smith were in attendance.

The April 11, 2017 minutes were unanimously approved.

## **OLD BUSINESS:**

- Easter Event at Recreation & Aquatic Center – The event went very well and was well attended. The egg hunts were free, and patrons could swim and use the inflatables for a reduced daily fee.
- Earth Day Event at Frances Avenue Park – Flowers were planted, trash was picked up, and graffiti was removed from picnic tables. Students from the middle school are being encouraged to take care of their park (the Principal of the school is also working with the students).
- Parks Master Plan – Thank You for Efforts on the Project – The final document will be brought before City Council this week. (Members on the Steering Committee thanked Elaine for providing food at the meetings.)
- Recreation Center Expansion Project – Construction is scheduled to begin on May 22, so this is the last meeting in the Conference room. Construction Brochure (hand-out) was created to disseminate information to the public. (Rob Oman entered the meeting.) The front of the building will be fenced off, existing offices will be moved, the side gate will be opened for easier access to the pool for the Aquatic Exercise class, the parking lot will remain open, and classes will be held in the Birch room only. Camp has been capped at 80 participants. Operating hours will remain as normal. The next P & R Advisory Board Meeting will be held at Peace Hall. The bike racks will be moved. Construction is expected to be completed by the end of the year (offices by 6 months).
- Kids to Parks Day Event – Carolyn and the Mayor were at the event held at James E Grey Preserve. There were approximately 200-300 in attendance; a Scavenger Hunt through the park, crafts, making bird houses and some healthy snacks. There was information on display regarding the new park expansion; received positive comments; and plenty of volunteers on hand for the event.

- Whales Tales (7 Schools) – This is a program geared for younger children that introduces them to pool safety; throw, don't go. 7 Schools have/will come here to learn and practice these water safety skills and enjoy the pool afterwards. We also have the older children attend field trips from school to the RAC; some of the instructors do mini-classes or demos for the children, staff will also lead in some activities, and the children learn about the RAC (All of this is usually done in May each year).

#### NEW BUSINESS:

- P & R Web Page Demo – The IT Department is not here to do the demo. We will go live with this soon.
- Department Budget – There has been a 2% cut in the budget for operation & personnel.
- "90 Days of Summer" Sale – 3-month Memberships are on sale through the end of June.
- \*Winners were invited to the Future of the Region Awards by the Tampa Bay Planning Council – Sims Park won an Award for Design and 1<sup>st</sup> place for Built Environment.

#### SPECIAL EVENTS

- NPR Rock Painting Event – May 20<sup>th</sup>: 6-8pm
- Family Movie Night – May 20<sup>th</sup>: 8pm
- City Clean-up Day – June 3<sup>rd</sup>
- Summer Concert (Beach Boys Tribute)– June 3<sup>rd</sup>: 7-8:30pm The theme is Surf's Up Tour. Beach Balls and sunglasses will be given away.
- First Day of Summer Camp – June 5<sup>th</sup>
- RAP River Run – June 10<sup>th</sup>

#### VOX POP

Members were reminded to hand out the Construction Brochures. Justin reminded everyone that he would be gone until after Labor Day in September.

Next meeting will be held Tuesday, June 13<sup>th</sup> at 7:30am at Peace Hall. The meeting was then adjourned.  
Respectfully submitted,

Carolyn Marlowe  
P & R Adv. Bd. Secretary

BMB: dcf





# NEW PORT RICHEY

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**TO:** City of New Port Richey City Council  
**FROM:** Judy Meyers, City Clerk  
**DATE:** 7/18/2017  
**RE:** Police Pension Board Minutes - April 25, 2017

**REQUEST:**

The request is for City Council to review the minutes from the April 25, 2017 quarterly meeting of the Police Pension Board.

**DISCUSSION:**

The Police Pension Board conducted its regularly quarterly meeting on April 25, 2017. The minutes from that meeting are attached for Council's review.

**RECOMMENDATION:**

No formal action is required on behalf of City Council for this agenda item.

**BUDGET/FISCAL IMPACT:**

N/A

**ATTACHMENTS:**

Description	Type
☐ Police Pension Board Minutes - April 25, 2017	Backup Material



# NEW PORT RICHEY POLICE PENSION SYSTEM



## Minutes

Of a Quarterly meeting of the Board of Trustees  
Meeting at 6739 Adams Street, Police Station,  
New Port Richey, Florida 34652  
Tuesday, the 25<sup>th</sup> day of April 2017, at 5:00 P.M.

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The meeting was called to order by Mr. Pratt at 5:11 PM.

Trustees Present:

Mr. Glen Pratt  
Mr. Edward Beckman  
Mr. William Bennett  
Sergeant Chris Trapnell

Trustee Absent:

Officer Steve Wade

Consultants Present:

Mr. Dana Stewardson  
Mr. Brendon Vavrica

Administrator:

Mr. T. Scott Baker

Others present:

Ms. Crystal Feast

**ITEM #1 -- Approval of the minutes of the meetings on March 22, 2017  
and March 28, 2017**

The minutes for the meeting on March 28, 2017 were not complete.

**Motion:** Sgt. Trapnell made a motion to approve the minutes of the meeting for March 22, 2017. Mr. Beckman seconded the motion. The motion passed without opposition.

**ITEM #2 -- Open Public Comment**

There was no public comment.

### **ITEM #3 -- Logan Capital Investment Manager Quarterly Report**

Mr. Stewardson welcomed everyone and said that the fund year to date, including today, is up about 13% versus the index which is up 11%. He said from the market's perspective and the economy's perspective things are better in Washington than they have been in a long time. He said what this is doing is allowing Growth companies the ability to raise some prices and give great results. He said he also thinks there is a lot of doubt as to what's going on in this market, and he said he thinks the Growth market is going to do very well. He said they are more positive now than they've been in a long, long time.

Mr. Stewardson said the portfolio is right around \$8 ½ million, and at the end of the year it was around \$8.2 million. He asked for any questions. Mr. Pratt asked if they were seeing it continue expanding and not slowing down. Mr. Stewardson said there could be bumps but said the most important thing from where they sit within the plan is shooting for capital appreciation in great Growth names. Mr. Pratt asked if they expect interest rates to continue to rise. Mr. Stewardson said they will but will not be tremendous rises. Mr. Pratt asked if their sector weighting would change and Mr. Stewardson said that they would pretty much stay the same. Mr. Pratt said he noticed they purchased Dick's Sporting Goods, and said other sporting goods companies were going out of business. Mr. Stewardson said he thought Dick's was leader in the business and would do well.

### **ITEM #4 -- Performance Monitor Report – Brendon Vavrica**

#### **- Determination of Investing in Passive Index Fund (per motion in last Quarterly meeting)**

Mr. Vavrica started covering his quarterly report on page 2, there are graphs showing the different markets for the quarter. He said it was another very strong quarter. He said the portfolio doesn't have any international exposure but that market had the best performance ranging from a 7 to 11% increase. He said the Domestic Stocks did well, ranging from the S & P up 6 ½% to Small Cap, up 2 ½%. In looking at the 1 year graph, Mr. Vavrica said Fixed Income was essentially flat, but the equity indices were all up.

Moving to page 3, Mr. Vavrica said the quarter performance graph shows a complete reversal from the prior quarter where Growth outperformed Value this quarter, as Value had outperformed Growth the previous quarter. He went to page 9 that shows the Treasury Yield Curve graph and said the direction or slope of the yield curve is how the bond market thinks of the future economic activity. So the steeper it is, the better the bond market feels about the future, and if it's flat or inverted it starts thinking negatively about the economy. He said last quarter the curve was steep and this quarter it has flattened.

Mr. Vavrica continued to page 12 and said the graph shows on a net basis the plan has had about \$6.3 million contributed to it and as of the end of the quarter there was \$25.2 million in it. He said the difference of the two amounts is the amount of investment growth over that time. He said as of the close of business yesterday the fund is at \$25.5 million, which is up about \$300,000 from 03/31.

Continuing to page 17, Mr. Vavrica covered the returns. He said it was a fantastic quarter, up 5.1% versus the market at 4.06% and placed in the 11<sup>th</sup> percentile. He said

despite the underperformance last quarter (1<sup>st</sup> quarter in new fiscal year) the fund is up 6.5% versus the market at 6%, so overall the fund is outperforming for the 6 month period and placing in the 12<sup>th</sup> percentile. He said for the 5 year period the fund's return is 9.54% versus the market at 9.46% and placing in the 5<sup>th</sup> percentile. In looking at each manager, he said 361 Capital had a return for the quarter of 4.2% versus the market at 3.2% and placing in the 42<sup>nd</sup> percentile. He said they are a bit behind for the fiscal year at 8.7% versus 10.1%, and the deficit is still there in the one year return of 14.9% versus 19.2%. He said Logan's return for the quarter was 11.2% versus the market at 8.9% and placing in the 10<sup>th</sup> percentile. For the fiscal year their return is 10.4% versus 10%, and for the one year 18.1% versus 15.7% and placing in the 20<sup>th</sup> percentile.

Mr. Vavrica said Fixed Income, Garcia Hamilton, was essentially in line with the index for the quarter at 75 basis points versus 78, they were negative .7% versus negative 1.3% for the fiscal year, 1.04% versus .42% for the year period, and for the five year 3.6% versus a 1.9%. Mr. Vavrica said Intercontinental Real Estate was essentially in line with the index for the quarter, returning 1.7% versus the market at 1.77%, with the fiscal year at 7 ½% versus 3 ½%, and the three year return at 13.7% versus 10.6%. He said he always likes to remind the Board, the money, had it not been put in Real Estate, would have stayed in Fixed Income, earning 2.9% instead of 13.7%. Mr. Vavrica went to page 21 and discussed risk in the portfolio.

Mr. Vavrica began discussing a second handout, which he said is a follow-up to the conversation from last quarter. He said essentially there have been only 3 managers over the last 3 years that have beat the index for Large Cap Growth. He said there have actually been 7, but 4 of the 7 are enhanced index funds, so they don't really count from that standpoint. He went to page 4, showing the holdings of the three managers. Most of which are all large companies with good returns. Mr. Vavrica said he wanted to show how difficult it is for an active manager and what has happened over the last couple of years. He said that as seen in the reports things seem to have turned a corner the past 3-6 months and are headed in a much better direction.

#### **ITEM #5 -- Updates on Benevolent Fund (Johnny Cash Fund)**

Sgt. Trapnell said he reached out to the Suncoast PBA on the 501(3)(c) and said they have not gotten back with him. Mr. Baker said he received a letter from Morgan Stanley advising the check is overdue and asked if a new check was needed. Mr. Baker asked Mr. Beckman if he had spoken to Chip Wright regarding placing of the funds. He said he has not seen him at Rotary, but would try to reach out to him.

#### **ITEM #6 -- Acceptance approval of Member Retirement/DROP issues**

- **Lieutenant Michael Anderson, Entering DROP**
- **Deputy Chief Steven Kostas, Leaving DROP**

Mr. Baker said that Michael Anderson started with the city on 05/04/1997 and will be entering DROP on 05/05/2017. All necessary paperwork has been submitted. Mr. Pratt said a motion was not necessary to approve the retirement/DROP.

Mr. Baker said he had the Actuary complete a Final DROP Statement as of Steven Kostas' last date of employment, May 26, 2017. He said that the payment cannot be made

until after that date. Mr. Baker said Kostas will be receiving a DROP payment in the amount of \$334,239.27 and the paperwork has not been turned in as to where he wants the money to go, however Mr. Baker said an approval of the total amount can be made so that when the paperwork is received the payments can be made.

**Motion:** Mr. Beckman made a motion to make a DROP disbursement to Steven Kostas totaling \$334,239.27. Mr. Bennett seconded the motion. The motion passed without opposition.

Mr. Vavrica said that amount of money is typically more cash than what is normally held in the plan. He said the money would be taken from a heavier weighted manager and said he could evaluate the assets at that time.

**ITEM #7 -- Acknowledgement of new member(s)**  
**- Officer Ryan Warner**

Officer Ryan Warner was acknowledged as a member into the plan.

**ITEM #8 -- Legal Report – Lee Dehner**

This item was cancelled due to Mr. Dehner being ill and not being present.

**ITEM #9 -- Approval of expenditures**

Mr. Baker said there were 6 Distribution Authorizations that were approved by the Board of Trustees for payment: : \$11,432.00 to 361 Capital LLC for Investment Management Fees for the quarter ending 03/31/2017, \$12,343.00 to Logan Capital Management for Investment Management Fees for the quarter ending 03/31/2017, \$3,956.31 to Garcia Hamilton for Investment Management Fees for the quarter ending 03/31/2017, \$4,720.32 to AndCo Consulting for performance monitoring for the quarter ending 03/31/2017, \$7,128 to GRS (Gabriel Roeder Smith & Co.) for Actuary fees for the quarter ending 03/31/2017, and \$2,399.42 to Christiansen & Dehner, P.A. for Attorney's fees.

**Motion:** Mr. Bennett made a motion to approve the expenditures. Sgt. Trapnell seconded the motion. The motion was passed without opposition.

**ITEM #10 -- Any other business**

Mr. Baker said he was having a delay on the payment of Kaller's disability. He said that the figures took some time to receive from the Actuary and when it was received there was only one option, 10 years certain, for Kaller to choose. Mr. Dehner had said before that there would be different options for him to choose. Mr. Baker said he did finally get ahold of Mr. Dehner who said that 185.18(6) FL State Statute covers disability pensions and the different optional forms of benefits available. Mr. Baker said that he has e-mailed Mr. Wilson and advised him what Mr. Dehner had advised, however he has not heard back from Mr. Wilson.

Mr. Baker said he has provided some requested information to City Council consisting of all manager contracts and the Investment Policy Statement. He asked Ms. Feast if they had requested any further information. Ms. Feast said that a City Council Member had made a request for the pension investment managers to attend a city council meeting. Mr.

Pratt said that he had responded to the e-mail and suggested the council member attend a quarterly board meeting, as there would be less cost to the city. Ms. Feast said that Mr. Baker had also made this suggestion to her and said she was waiting for further response from council.

**Motion:** Mr. Beckman made a motion to adjourn. Mr. Bennett seconded the motion. The motion passed without opposition. The meeting was adjourned at 6:00 PM.



# NEW PORT RICHEY

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

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**TO:** City of New Port Richey City Council  
**FROM:** Crystal S. Feast, Finance Director  
**DATE:** 7/18/2017  
**RE:** Purchases/Payments for City Council Approval

**REQUEST:**

The City Council is asked to review the attached list of purchases and expenditures and authorize payment.

**DISCUSSION:**

Section 2-161 of the City's Code of Ordinances requires approval by the City Council for purchases and payments in excess of \$25,000.

**RECOMMENDATION:**

It is recommended that the City Council authorize the payment of the attached list of purchases and expenditures.

**BUDGET/FISCAL IMPACT:**

The purchases and expenditures presented have already been budgeted for. Expenditures will be included in the fiscal year-end reporting.

**ATTACHMENTS:**

Description	Type
☐ Purchases/Payments for City Council Approval	Exhibit

PURCHASES/PAYMENTS FOR CITY COUNCIL APPROVAL

(No Pay Requests at this time)

RECURRING EXPENDITURES OVER \$25,000

Fiduciary Trust Intl. of the South (Police Pension - 06/29/2017)	\$37,231.52
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# NEW PORT RICHEY

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**TO:** City of New Port Richey City Council  
**FROM:** Lisa L. Fierce, Development Director  
**DATE:** 7/18/2017  
**RE:** First Reading, Ordinance No. 2017-2117 Flood Damage Prevention

**REQUEST:**

City Council is to conduct a first public hearing of the ordinance.

**DISCUSSION:**

In 2014, the City adopted Chapter 22, Flood Damage Prevention, which established minimum requirements to safeguard the public health, safety, and general welfare and to minimize losses due to flooding. In order to maintain the City's excellent flood insurance rating as determined by the National Flood Insurance Program's Community Rating System (CRS), the City seeks to continually refine its local floodplain management regulations.

At the conclusion of the most recent CRS five-year certification review of the City's floodplain management regulations, the City confirmed the regulations would be amended to indicate that final plats would show delineated flood hazard areas, floodway boundaries and flood zones, and design flood elevations. The City has concluded it would also be prudent to show this information on re-plats as well.

The City staff proposes to amend the regulations as follows:

22.11.02 Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats, final plats and re-plats;

This is a very simple amendment; the proposed new language is shown with underlining.

**Compatibility with Comprehensive Plan:**

The proposal is consistent with the following Comprehensive Plan objectives and policies:

- Coastal Management Element Objective 2.4 - Reduce the risks to human life and public and private property from natural disasters through implementation of hazard mitigation measures.
- Coastal Management Element Policy 2.4.2 - The City shall continue to implement hazard mitigation programs, such as building codes, floodplain management regulations, stormwater management regulations, land use regulations, as well as proper siting and management of public facilities in accordance with the Comprehensive Plan.
- Future Land Use Element Policy 1.1.1 - The City shall continue to implement and enforce regulations which recognize the limitations of development in the coastal zone (e.g., vulnerability of tropical storms, topography and soil conditions).
- Future Land Use Element Policy 1.1.2 - To implement this Comprehensive Plan, the City shall continue to implement land development regulations that contain specific and detailed provisions which, at minimum, shall:
  - a. Regulate the subdivision of land;

- f. Ensure that all development and/or redevelopment is consistent with Federal flood insurance regulations;
- Future Land Use Element Policy 1.2.1 - The Land Development Code shall be enforced to ensure that:
  - a. Residential areas are located and designed to protect life and property from natural and manmade hazards such as flooding, excessive traffic, subsidence, noxious odors and noise;
- Intergovernmental Coordination Element Policy 1.1.4 - The City shall continue to communicate and coordinate with the District School Board of Pasco County, Tampa Bay Regional Planning Council, Tampa Bay Water, Southwest Florida Water Management District, Pasco County Metropolitan Planning Organization, Municipal Association of Pasco and state and federal agencies, as appropriate, to address issues or proposed actions concerning an agency's jurisdiction or resources or proposals that are multi-jurisdictional in nature.

**RECOMMENDATION:**

Staff recommends approval of the ordinance. The Land Development Review Board recommended approval at its June 22nd meeting.

**BUDGET/FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Description	Type
❑ Ordinance #2017-2117	Ordinance
❑ LDRB Minutes June 22, 2017	Backup Material

ORDINANCE #2017-2117

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA; AMENDING CHAPTER 22 OF THE CITY LAND DEVELOPMENT CODE, FLOOD DAMAGE PREVENTION, BY AMENDING SECTION 22.11.02, SUBDIVISION PLATS, TO ADDRESS DELINEATION OF FLOOD HAZARD AREAS ON FINAL PLATS AND RE-PLATS; PROVIDING FOR INCLUSION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City is granted the authority, under section 2(b), Article VIII of the Florida Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, there are properties in the City's jurisdiction that are located in flood hazard areas; and

WHEREAS, Chapter 166, Florida Statutes, authorizes the City Council acting for the City of New Port Richey, Florida, to adopt Ordinances and Resolutions necessary for the exercise of its powers and prescribe fines and penalties for the violation of Ordinances in accordance with law; and

WHEREAS, the City's Land Development Code was amended on August 19, 2014 by Ordinance No. 2014-2035 to include Chapter 22, Flood Damage Prevention, to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas; and

WHEREAS, to maintain the City's excellent flood insurance rating as determined by the National Flood Insurance Program's Community Rating System, the City seeks to adopt and enforce effective local floodplain management regulations; and

WHEREAS, it is prudent to require preliminary plats, final plats and re-plats to delineate flood hazard areas, floodway boundaries and flood zones, and design flood elevations; and

WHEREAS, this Ordinance is in the best interests of the health, welfare, and safety of the citizens of the City of New Port Richey, Florida.

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

**SECTION I.** Section 22.11.02, Subdivision plats, of the New Port Richey Code of Ordinances are hereby amended to read as follows:

22.11.02 Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats, final plats and re-plats;
- (2) Where the subdivision base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with section 22.05.02(1) of this chapter; and
- (3) Compliance with the site improvement and utilities requirements of section 22.12.00 of this chapter.

**Section II.** This Ordinance shall be incorporated into the City of New Port Richey Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the

foregoing. Grammatical, typographical, and like errors may be corrected and additions, alternations, and omissions, not affecting the construction or meaning of this ordinance and the City Code may be freely made.

**Section III.** If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reasons, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**Section IV.** This Ordinance shall become effective immediately upon its adoption.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2017 and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

By: \_\_\_\_\_  
Judy Meyers  
City Clerk

By: \_\_\_\_\_  
Robert Marlowe  
Mayor-Council Member

(Seal)

APPROVED AS TO FORM  
for the sole reliance of the City of New Port Richey

By: \_\_\_\_\_  
Timothy P. Driscoll, City Attorney



# NEW PORT RICHEY

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## Land Development Review Board (LDRB) - Minutes

**Date:** June 22, 2017  
**Time:** 2:00 pm  
**Location:** City Council Chambers  
First Floor, City Hall, 5919 Main Street, New Port Richey, FL 34652

Any person desiring to appeal any decision made by the LDRB, with respect to any matter considered at any meeting or hearing, will need a record of the proceedings and may need to insure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based. The law does not require that the Secretary transcribe verbatim minutes, therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense (FS 286.0105).

### **I. Roll Call& Pledge of Allegiance:**

#### Members Present:

Dr. Cadle, Jr., Vice Chairperson  
Greg Smith  
Dan Maysilles  
Judy Michel  
Bob Smallwood, Alternate Member (voting in absence of Mr. Grey)  
Nancy MacDonald, Alternate Member (voting in absence of Ms. Moran)

#### Members Absent:

John Grey, Chairperson  
Mary Moran  
Louis Parrillo

#### Others Present:

Lisa L. Fierce, Development Director  
Chris Mettler, Senior Planner  
Timothy P. Driscoll, City Attorney  
Melanie Tyler, Permit Technician

### **II. Approval of Minutes:**

Dr. Cadle chaired the meeting. Mr. Maysilles made the motion to approve the April 20, 2017 minutes as presented which was seconded by Mr. Smith. The motion carried and the Board approved the minutes (6-0).

### **III. Code Amendment COD2017-04**

Case: Code Amendment COD2017-04 – Chapter 22, Flood Damage Prevention  
Applicant: City of New Port Richey, Debbie L. Manns, City Manager, 5919 Main Street, New Port Richey, FL 34652  
Request: Review and recommendation on an amendment to the Land Development Code in Chapter 22, Flood Damage Prevention (Ordinance #2017-2117)  
Staff Contact: Chris Mettler, Senior Planner, 727-853-1044, [mettlerc@cityofnewportrichey.org](mailto:mettlerc@cityofnewportrichey.org)

Mr. Mettler said the City is a voluntary participant in the National Flood Insurance Program's Community Rating System or "CRS." Every five years the City's regulations and activities are reviewed for compliance with the program and the CRS rating is re-assessed. This is a minor amendment to address an issue raised during the most recent five-year certification review. The Land Development Code requires preliminary plats to show flood hazard areas, floodway boundaries, flood zones and flood elevations. The amendments will require the same information on final plats and re-plats. He said the amendment will help the City maintain its excellent flood insurance rating.

Mr. Smith asked if staff had observed any changes to the flood delineations on any recently submitted plats. Mr. Mettler said that staff had not reviewed any plats in the past two years and therefore could not say.

Mr. Maysilles asked if the flood terms were defined and if those definitions were to be changed. Mr. Mettler said they were defined and this amendment would not change those definitions; the proposed code amendment subjects final plats and re-plats to the same requirements as preliminary plats.

Ms. Fierce reiterated that this change to the Land Development Code was requested as part of the recent five-year CRS review.

Mr. Maysilles made the motion to recommend approval of the code amendment, which was seconded by Ms. Michel. Roll call vote: Ms. Michel, yes; Mr. Smallwood, yes; Dr. Cadle, yes; Mr. Smith, yes; Mr. Maysilles, yes; and Ms. MacDonald, yes. The motion carried (6-0).

#### **IV. Adjourn:**

Ms. Fierce thanked the Board Members for attending the meeting. She said the next meeting will be held on Thursday, July 20, 2017.

The meeting adjourned at 2:05 p.m.

Respectfully submitted,



---

Chris Mettler, Senior Planner



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Debbie L. Manns, City Manager  
**DATE:** 7/18/2017  
**RE:** Second Reading, Ordinance No. 2017-2120 Temporary Moratorium on Wireless Facilities in Public Rights-of-Way

## REQUEST:

The request is for City Council to conduct a second and final reading on Ordinance No. 2017-2120 to impose a temporary moratorium on wireless facilities in public rights-of-way.

## DISCUSSION:

As you may recall, the "Advanced Wireless Infrastructure Deployment Act" was signed into law by Governor Scott on July 1, 2017. The new law establishes a process by which wireless providers may place certain "small wireless facilities" on, under, within, or adjacent to certain utility poles or wireless support structures within public rights-of-way that are under the jurisdiction and control of an "authority" (i.e., a county or municipality.) The law provides that the City may not prohibit, regulate, or charge for the collocation of small wireless facilities in the public rights-of-way, except as specified in the legislation.

Due to the impacts that this new law may have in our community, staff requested that City Council adopt and ordinance which would impose a temporary moratorium for 180 days in order to allow staff sufficient time to study the new legislation and prepare any amendments to the City's Code of Ordinances as needed. The ordinance was presented to City Council for first reading on July 5, 2017 and is being presented for second reading and adoption.

## RECOMMENDATION:

Staff recommends that City Council conduct the second and final reading of Ordinance No. 2017-2120 imposing a temporary moratorium on wireless facilities in public rights-of-way and adopt the ordinance as submitted.

## BUDGET/FISCAL IMPACT:

No funding is required for this item.

## ATTACHMENTS:

Description	Type
□ Ordinance No. 2017-2120 Temporary Moratorium on Wireless Facilities in Public Rights-of-Way	Ordinance

**ORDINANCE NO. 2017-2120**

**AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA ESTABLISHING AND IMPOSING A TEMPORARY MORATORIUM WITHIN THE CITY ON THE ACCEPTANCE AND/OR PROCESSING OF APPLICATIONS FOR COLLOCATION ON EXISTING, OR CREATION OF NEW, UTILITY POLES IN THE RIGHTS-OF-WAY TO SUPPORT SMALL WIRELESS FACILITIES OR MICRO WIRELESS FACILITIES, UNTIL JANUARY 3, 2018; PROHIBITING ANY AND ALL APPROVALS DURING THE MORATORIUM PERIOD FOR ANY RIGHT-OF-WAY LOCATED WITHIN THE CITY IN ORDER TO ALLOW AN OPPORTUNITY FOR THE CITY TO DEVELOP AN ORDINANCE, AS APPROPRIATE, RELATING TO THE IMPACTS OF RECENT LEGISLATION; PROVIDING FOR NON-CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 2017-136 Laws of Florida creates the "Advanced Wireless Infrastructure Deployment Act" (which legislation has also been referred to by local government advocates as the "Wireless Giveaway"); and

**WHEREAS**, the legislation establishes a process by which wireless providers may place certain "small wireless facilities" on, under, within, or adjacent to certain utility poles or wireless support structures within public rights-of-way that are under the jurisdiction and control of an "authority" (i.e., a county or municipality); and

**WHEREAS**, the law provides that the City may not prohibit, regulate, or charge for the collocation of small wireless facilities in the public rights-of-way, except as specified in the legislation; and

**WHEREAS**, the legislation became effective on July 1, 2017; and

**WHEREAS**, City staff has not had adequate time to evaluate the impacts or address local issues that are presented by the legislation; and

**WHEREAS**, this Ordinance is enacted pursuant to the home rule powers of the City as set forth at Article VIII, Section 2, of the Constitution of the State of Florida; Chapter 166, Florida Statutes, and other applicable controlling law; and

**WHEREAS**, the City has determined that it is in the best interest of the citizens of the City to protect the general public health, safety, and welfare by studying and planning for this new technology, including how to best support this new technology and address potential impacts on the quality of life for the surrounding community.

**NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY**



## **ORDAINS:**

### **SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.**

- a. The City has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.
- b. The foregoing recitals (whereas clauses) are hereby ratified, affirmed and confirmed as being true and correct and are hereby made a part of this Ordinance.

### **SECTION 2. STUDY AND REVIEW PROCESS.**

- a. During the temporary moratorium period designated in Section 3 of this Ordinance, the City staff, are hereby directed to study Section 2017-136 Laws of Florida.
- b. The essential purpose of such a review and study by the City staff is to develop and propose to the City Council amendments to the City's codes and ordinances as may be necessary and appropriate to provide a framework of authorized regulation and fee structure as to implementing the legislation.

### **SECTION 3. IMPOSITION OF TEMPORARY MORATORIUM.**

- a. All activity relating to the acceptance of applications for, the processing of, and the issuance of permits, orders or any other official action of the City permitting or having the effect of permitting, in the rights-of-way, the siting of utility poles and collocation with existing utility poles to support small wireless facilities and micro wireless facilities, as defined in Section 2017-136 Laws of Florida is temporarily suspended in order for the City to have the time and opportunity necessary to provide a framework of authorized regulation and fee structure as to implementing said legislation.
- b. Based upon the legislative findings, purpose, and intent set forth herein, there is hereby imposed a temporary moratorium on all matters regulated by Section 2017-136 Laws of Florida.
- c. During the time that the moratorium imposed by this Ordinance is in effect, no applications will be accepted with regard to the matters regulated by the provisions of Section 2017-136 Laws of Florida that pertain to activities proposed to occur within the City Limits of the City.

#### **SECTION 4. GEOGRAPHIC AREA COVERED.**

This Ordinance applies to all areas within the City Limits of the City of New Port Richey.

#### **SECTION 5. DURATION OF MORATORIUM.**

- a. The temporary moratorium established by this Ordinance has taken effect upon first reading of this Ordinance (under the zoning in progress doctrine) and shall terminate on January 3, 2018.
- b. No applications for approvals subject to the moratorium will be accepted by the City until the moratorium has expired.
- c. The temporary moratorium set forth in this Ordinance shall expire prior to the termination date set forth herein if the City Council enacts an ordinance addressing the matters regulated by the provisions of Section 2017-136 Laws of Florida.

#### **SECTION 6. IMPLEMENTING ADMINISTRATIVE ACTIONS.**

- a. The City Manager is hereby authorized and directed to implement the provisions of this Ordinance and with regard to the implementation of the matters regulated by the provisions of Section 2017-136 Laws of Florida by the promulgation of rules and the development and usage of forms and processes all as may be deemed necessary or appropriate by the City Manager.
- b. The City Manager and City Attorney are also hereby authorized and directed to generally implement the provisions of this Ordinance and to take any and all necessary administrative actions to bring into effect the provisions of this Ordinance in accordance with controlling law as such officers may deem appropriate in their respective roles and functions under the City Charter.

#### **SECTION 7. SAVINGS.**

The prior actions of the City in terms of the matters relating to the regulation of rights-of-way, as well as any and all related matters, are hereby ratified and affirmed.

#### **SECTION 8. CONFLICTS.**

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

#### **SECTION 9. SEVERABILITY.**

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate

or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise to be invalid, unlawful, or unconstitutional.

**SECTION 10. NON-CODIFICATION.**

- a. The provisions of this Ordinance shall not be included and incorporated within the Code of Ordinances or Land Development Code of the City, and neither the Land Development Code nor the Code of Ordinances of the City shall be revised to accommodate such inclusion.
- b. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

**SECTION 11. EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon passage and adoption.

The foregoing Ordinance was duly read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 5<sup>th</sup> day of July, 2017, and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this 18<sup>th</sup> day of July, 2017.

ATTEST:

By: \_\_\_\_\_  
Judy Meyers, City Clerk

(Seal)

By: \_\_\_\_\_  
Robert Marlowe, Mayor-Council Member

APPROVED AS TO FORM AND LEGALITY FOR THE  
SOLE USE AND RELIANCE OF THE CITY OF NEW  
PORT RICHEY, FLORIDA:

\_\_\_\_\_  
Timothy P. Driscoll, City Attorney



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Elaine D. Smith, CPRP, Director of Parks and Recreation  
**DATE:** 7/18/2017  
**RE:** Annual Membership Drive - Recreation & Aquatic Center

**REQUEST:**

The request before City Council is to review and approve the Membership Drive for Annual Memberships to the Recreation and Aquatic Center.

**DISCUSSION:**

Each December and January, the Recreation and Aquatic Center conducts a Membership Drive. This practice has proven to be an effective marketing tool for the facility. Staff is requesting approval of a 20% reduction on Annual Memberships again this year. The Membership Drive will be offered from December 18, 2017 through January 14, 2018 to encourage new membership purchases and renewals. The attached flyer identifies the details of the proposed sale.

**RECOMMENDATION:**

The recommendation before City Council is to approve the Membership Drive on Annual Memberships to the Recreation and Aquatic Center from December 18, 2017 through January 14, 2108 as identified on the attachment.

**BUDGET/FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Description	Type
☐ Membership Drive Flyer	Cover Memo

# 20% Off

## Annual Membership Special

### December 18th - January 14th

<b>Annual Membership</b>	<b>20% Off Fee</b>	<b>20% Off Resident Discount</b>
<b>Youth</b>	<b>\$134.40</b>	<b>\$108.00</b>
<b>Senior</b>	<b>\$168.00</b>	<b>\$134.40</b>
<b>Adult</b>	<b>\$201.60</b>	<b>\$161.60</b>
<b>Household</b>	<b>403.20</b>	<b>\$322.40</b>



Follow us on Twitter!  
ParksandRecNPR

Like us on Facebook!  
NPRParksandRec



6630 Van Buren St.  
New Port Richey,  
FL 34653  
(727)841-4560  
Citynpr.org



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Elaine D. Smith, CPRP, Director of Parks and Recreation  
**DATE:** 7/18/2017  
**RE:** Alcoholic Beverage Special Event - Caribbean Food & Music Fest

**REQUEST:**

The request before City Council is to review and approve the Alcoholic Beverage Special Event Permit for the International Caribbean Food & Music Fest.

**DISCUSSION:**

The International Caribbean Food & Music Fest will be held in Sims Park on Saturday, August 26, 2017, with beer and wine being sold from 12:00p.m. - 11:00p.m. by the African Literacy Foundation, INC. The Special Event Team reviewed the application on May 16th and recommended approval. A map located in the application packet identifies the areas that beer and wine will be sold.

**RECOMMENDATION:**

The recommendation before City Council is to approve the International Caribbean Food & Music Fest in Sims Park on Saturday, August 26, 2017, with beer and wines to be sold from 12:00p.m. - 11:00p.m.

**BUDGET/FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Description	Type
Alcoholic Beverage Special Event Application	Cover Memo



## ALCOHOLIC BEVERAGE SPECIAL EVENT PERMIT APPLICATION

City of New Port Richey  
Development Department  
City Hall, 5919 Main Street, 1<sup>st</sup> Floor  
New Port Richey, FL 34652  
Phone (727) 853-1039 Fax (727) 853-1052

CASE # \_\_\_\_\_  
SET Date: \_\_\_\_\_  
Council Date: \_\_\_\_\_  
Date Received: \_\_\_\_\_

*\* Please print legibly or use fillable form \**

- ☐ Submit original signed and notarized application
- ☐ Submit \$250 application fee
- ☐ Submit at least 45 days prior to the proposed special event
- ☐ Submit with separate Special Event application (Case # \_\_\_\_\_)

### ABSEP GENERAL INFORMATION:

Name of Event: INTERNATIONAL CARIBBEAN FOOD & MUSIC FEST  
Date(s) of Event: AUGUST 26<sup>th</sup> 2017 (Limited to three days for alcohol sales)  
Location of Event: SIMS PARK  
Applicant: AFRICAN LITERACY FOUNDATION INC.  
Mailing Address: 10516 BERMUDA ISLE DRIVE TAMPA FL 33647  
(Street, City, State, Zip Code)  
Daytime Phone Number: 813 362 5747 Fax Number: \_\_\_\_\_  
Email or Alternate Contact Information: Hoticej03@yahoo.com  
Authorized Person in Charge: EMEKA EZIAKONWA  
If an organization, names, addresses, phone numbers of all Officers: (may attach as addendum)  
EMEKA EZIAKONWA  
10516 BERMUDA ISLE DRIVE TAMPA FL 33647  
813 362 5747  
Who is the PRIMARY contact for this application? EMEKA EZIAKONWA

### ABSEP SUBMITTAL REQUIREMENTS:

List Alcohol to be Sold: BEER WINE  
(Limited to beer and wine)  
List Alcohol to be Given Away: \_\_\_\_\_  
Time of Alcohol Sales: 12 NOON to 11 PM  
(Limited to Monday through Saturday, 12:00 noon to 11:00 p.m. and Sunday, 1:00 p.m. to 9:00 p.m.; events limited to three days in duration)  
List ABSEP applications approved for your organization this calendar year: None  
(Limited to three permits per year, per applicant; eight per year total City-wide)

Attach approved alcoholic beverage license from Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco (1313 N. Tampa Road, Suite 909, Tampa, 33602; 813-272-2610.)

Attach general liability and other insurance as required by the provisions of Florida Statutes for the sale or consumption of alcoholic beverages.

Attach IRS Tax Exemption Form 501(c)(3) or (6), if nonprofit organization.

### APPLICANT'S ACKNOWLEDGEMENT OF REQUIREMENTS:



1. Any business that obtains a permit allowing for outdoor consumption of alcoholic beverages on its premises shall provide an off-duty officer for security during all times that consumption is permitted.
2. The person responsible for conducting the event on behalf of the applicant must meet State minimum age licensing requirements and cannot have been convicted of a felony or crime involving moral turpitude. The applicant must obtain all necessary federal, state and local permits to engage in the proposed sale and/or consumption activity.
3. City Council may require any nonprofit civic organization that desires to hold an event on or in public property at which alcoholic beverages will be served, to enter into a written lease agreement and/or an indemnification agreement to indemnify and save harmless the City from any and all liability which may arise as a result of any such function and may further require any such organization to secure public liability insurance coverage from an insurance company, and in the amount acceptable to City Council, but providing coverage for each event 1) for personal injury of not less than \$1,000,000 per person and \$2,000,000 per occurrence, and 2) for property damage of not less than \$1,000,000.
4. Nonprofit civic organizations shall: 1) Have tax exempt status under Section 501(c)(3) or (6) of the 1986 IRS Code; 2) Operate an office in the City or be a nationally-recognized organization that conducted business as a nonprofit in the City; and 3) Promote or stimulate community and economic development within the City.
5. Only beer and wine shall be permitted to be served. The proposed sales and/or consumption activity must be associated with a public event. Alcoholic beverages shall be served in plastic containers only. No cans or glass containers shall be permitted.
6. Access points of the serving area shall be marked with signs notifying patrons that alcoholic beverages are not to be taken past the perimeter of the area shown on the site plan, and the applicant shall staff the entrance with as many personnel as necessary to enforce this requirement.
7. The proposed sales and/or consumption activity will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation. It will also not entail extraordinary or burdensome expense or police operation by the City. The use of alcoholic beverages is not expected to result in violence, crime or disorderly conduct.
8. The consumption and possession of alcoholic beverages upon a public street may be permitted as part of a special event subject to other conditions. No permits will be issued for special events within any City park except Sims Park or Orange Lake Park.
9. The sale, possession and consumption of alcoholic beverages shall be confined to designated and secured areas. The perimeter of the designated area shall be secured for the entire event. It is unlawful for any person to carry alcoholic beverages into the secured areas. Any person violating this shall be subject to ejection and arrest.
10. No person under the age of 21 shall be permitted to possess, consume or distribute any alcoholic beverages at the permitted event. After displaying the proper proof of legal age, the person wishing to purchase, possess or consume alcohol shall receive a wristband from the applicant (or agent) which shall be attached to his/her wrist and worn at all times of possession/consumption.
11. Hours of sales and/or consumption shall be limited to Monday through Saturday, noon to 11:00 p.m., and Sunday, 1:00 to 9:00 p.m. The applicant shall be responsible for enforcing the hours of operation and shall be liable for the failure to enforce.
12. The applicant shall pay all costs of police and other City services attributable to the sale or consumption of alcohol during the activity. For events at Sims Park, City Council may require an off-duty officer stationed at the playground, at the applicant's expense.
13. The applicant understands that the event must meet or exceed all applicable codes, laws and regulations.

#### **ATTENDANCE AT MEETINGS:**

The applicant or applicant's representative needs to be present at the SET and City Council meetings.



**ATTENDANCE AT MEETINGS:**

The applicant or applicant's representative needs to be present at the DRC and City Council meetings.

**AUTHORIZATION FOR OWNER'S REPRESENTATIVE(S):**

I Emeka Eziakonwa, the applicant, hereby authorize Nelson Okoro to act as my representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Applicant(s): [Signature]

Date: 03/29/17

Subscribed and sworn to before me this 29 day of March, 20 17 who is personally known to me and/or produced ST of FL D/L as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public [Signature]  
Mika L. Caruana



MIKA L. CARUANA  
MY COMMISSION # FF 221946  
EXPIRES: June 5, 2019

My Commission Expires: June 05, 2019

**APPLICANT'S AFFIDAVIT:**

I Emeka Eziakonwa, applicant or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge.

Signature of Applicant: [Signature]

Date: 03/29/17

Subscribed and sworn to before me this 29 day of March, 20 17 who is personally known to me and/or produced ST of FL D/L as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public [Signature]  
Mika L. Caruana



MIKA L. CARUANA  
MY COMMISSION # FF 221946  
EXPIRES: June 5, 2019

My Commission Expires: June 05, 2019

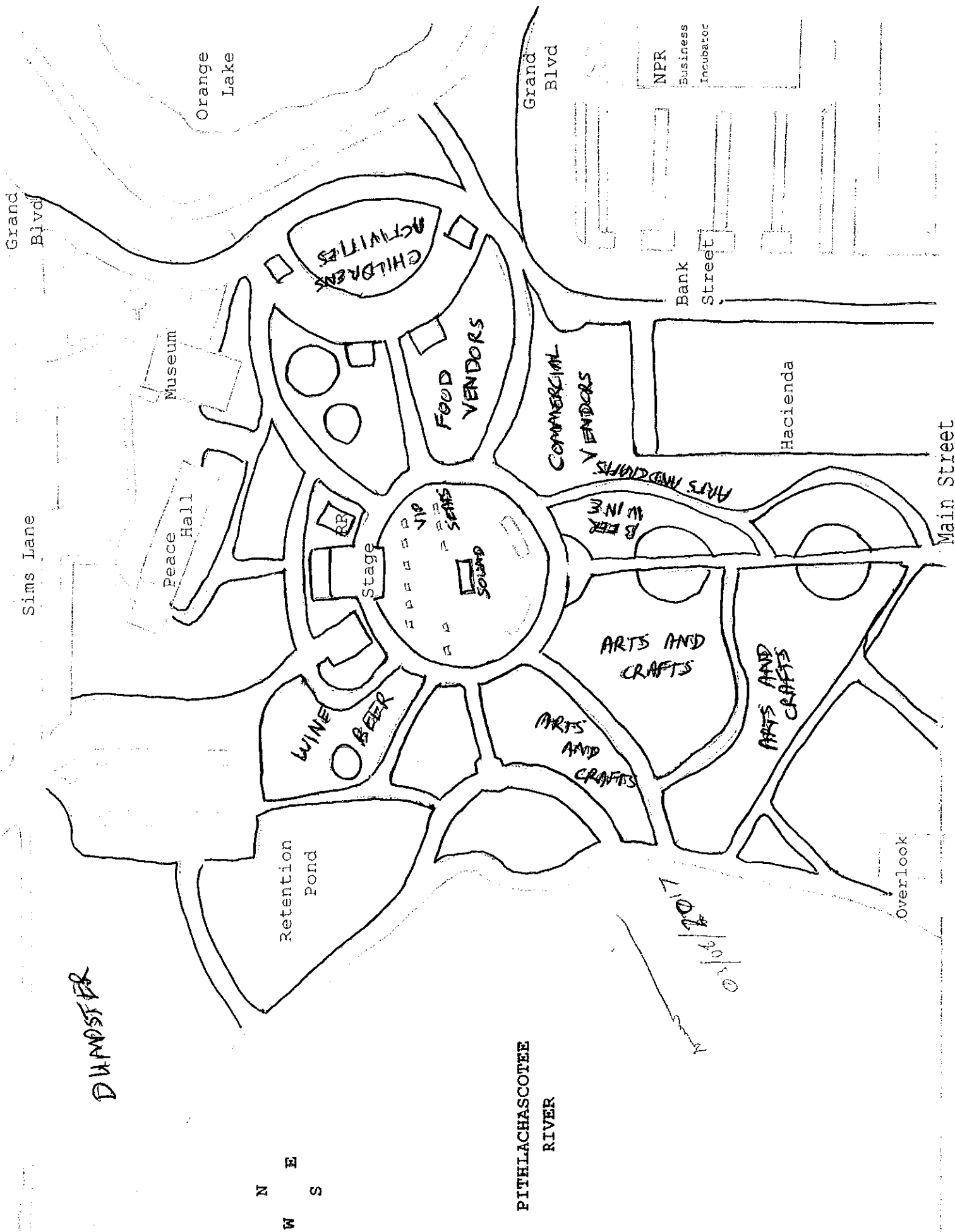
FOR STAFF USE ONLY:

- ☐ Date completed application received \_\_\_\_\_
- ☐ Application fee paid

\_\_\_\_\_ Cash

\_\_\_\_\_ Check #

- ☐ Approval from Business and Professional Regulation
- ☐ General liability or other insurance attached
- ☐ No more than three approvals for this applicant verified
- ☐ DRC meeting date \_\_\_\_\_
- ☐ City Council approval date \_\_\_\_\_





STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
PO BOX 1286  
RANCHO CORDOVA CA 95741-1286

In reply refer to  
755:AFF:ARJ

February 16, 2011

AFRICAN LITERACY FOUNDATION INC  
EMEKA EZIAKONWA  
10516 BERMUDA ISLE DR  
TAMPA FL 33647-2720

Purpose : CHARITABLE  
Code Section : 23701d  
Form of Organization : Corporation  
Accounting Period Ending: December 31  
Organization Number : 3019946

#### EXEMPT ACKNOWLEDGEMENT LETTER

This letter acknowledges that the Franchise Tax Board (FTB) has received your federal determination letter that shows exemption under Internal Revenue Code (IRC) Section 501(c)(3). Under California law, Revenue and Taxation Code (R&TC) Section 23701d(c)(1) provides that an organization is exempt from taxes imposed under Part 11 upon submission of the federal determination letter approving the organization's tax-exempt status pursuant to Section 501(c)(3) of the IRC.

The effective date of your organization's California tax-exempt status is 07/31/2007.

R&TC Section 23701d(c)(1) further provides that the effective date of an organization's California tax-exempt status is the same date as the federal tax-exempt status under IRC Section 501(c)(3).

Under R&TC Section 23701d(c), any change to your organization's operation, character, or purpose that has occurred since the federal exemption was originally granted must be reported immediately to this office.

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: APR 17 2008

AFRICAN LITERACY FOUNDATION  
C/O EMEKA EZIAKONWA  
PO BOX 53411  
SAN JOSE, CA 95153-0411

Employer Identification Number:  
26-0641759  
DLN:  
17053018327008  
Contact Person:  
DEL TRIMBLE ID# 31309  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
170(b)(1)(A)(vi)  
Form 990 Required:  
Yes  
Effective Date of Exemption:  
July 31, 2007  
Contribution Deductibility:  
Yes  
Advance Ruling Ending Date:  
December 31, 2011  
Addendum Applies:  
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

## ARTICLES OF INCORPORATION

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

## I

JUL 31 2007

The name of this corporation is African Literacy Foundation Inc.

## II

A. This corporation is a nonprofit PUBLIC BENEFIT CORPORATION and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes.

B. The specific purpose of this corporation is to provide access to basic education in Sub Saharan Africa through scholarships, school supplies, infrastructure, and teacher training programs.

## III

The name and address in the State of California of this corporation's initial agent for service of process is:

Legalzoom.com, Inc.

## IV

A. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code.

B. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

## V

The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer, or member thereof or to the benefit of any private person. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code.



City of New Port Richey  
Parks and Recreation Department  
Special Event Application

\*All applications must be submitted at least 45 days prior to the event, but no more than 12 months before the event.

Submit original signed and notarized application along with \$100 application fee to the following:

City of New Port Richey  
Parks and Recreation Department  
6630 Van Buren Street  
New Port Richey, FL 34653

**APPLICANT**

Name of Applicant: NELSON OHIHOIN

Title (if applicable): PRESIDENT

Name of Organization: DULCET RESTAURANT & LOUNGE

Is your organization tax exempt? ☐ Yes ☒ No If yes, please attach documentation.

Is your organization a non-profit? ☐ Yes ☒ No If yes, please attach documentation.

Mailing Address: 6220 GRAND BLVD.  
Street Address

NEW PORT RICHEY FL 34652  
City State Zip Code

Phone: 727 4947654 727 5341318  
Daytime Phone Cell Phone

Email: nelson@theDulcet.com

**EVENT**

Name of Event: INTERNATIONAL CARIBBEAN FOOD & MUSIC FEST

Description of Event (Include purpose):

MUSIC FEST FEATURING LIVE CARIBBEAN AND  
INTERNATIONAL BANDS. FOOD VENDORS WITH AN  
AN INTERNATIONAL CARIBBEAN CUISINE SHOWCASING NPR

Location of Event: SIMS PARK

Event/Organization Web Address: WWW.THEDULCET.COM

Event Date(s) & Time(s):

Date	Day of the Week	Start Time	End Time
<u>AUG 26<sup>th</sup> 2017</u>	<u>SATURDAY</u>	<u>11 AM</u>	<u>11 PM</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>	<u> </u>

Setup Date(s): FRIDAY & SATURDAY AUG 25<sup>th</sup> & August 26<sup>th</sup> 2017

Setup Time(s): 12 PM FRIDAY to SATURDAY 10 AM

Cleanup Date(s): AUGUST 26<sup>th</sup> 2017 SATURDAY 12 MIDNIGHT  
AUGUST 28<sup>th</sup> DUMFRIES



Cleanup Time(s): 11 PM to 1:00 AM

Will this be an annual event? ☒ Yes ☐ No If yes, next year's date(s) August 25<sup>th</sup>

### **EVENT LOGISTICS**

1. Estimated Attendance (Includes event crew, participants, and spectators):

1500 800  
This Year Last year

Maximum number at peak time: 1000

2. Will alcohol be served or sold? Served ☐ Sold ☒ No Alcohol ☐

3. Approximate number of food vendors: 7

\*Event promoter is responsible for obtaining copies of all licenses and insurance from each vendor and providing the same to the City. All vendors must be listed on the site plan.

4. Approximate number of all other vendors along with type i.e. crafts, sponsors, informational

\*May need to provide copy of certificate of insurance in a form acceptable to the City for each vendor:

CRAFTS: 10 SPONSORS/COMMERCIAL 10  
INFORMATIONAL 10

5. Will electricity be required?: ☒ Yes ☐ No Source \_\_\_\_\_

Location of electricity SIMS PARK

\*City electric is available around the Sims Park Circle, panel box near the river, and the North and South side of Orange Lake. If an event requires additional locations, the event must provide an alternative.

6. List event equipment (Include things such as seating, tents, booths, and trucks. These should all be listed on site map as well.) \_\_\_\_\_

CHAIRS, TENTS, TRUCKS, INFLATABLES, BOOTHS

7. List entertainment type (bands, DJ, dancers, clowns, etc.): BANDS, DJS

If yes complete the following:

Date(s) of street closure:      Begin \_\_\_\_\_      End \_\_\_\_\_

Time of street closure:      Begin \_\_\_\_\_      End \_\_\_\_\_

List street(s) to be closed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\*A letter must be delivered to all residents that will be directly impacted by a road closure.  
Attach letter along with addresses to this application.

**14.** Will there be a parade? ☐ Yes      ☒ No

If yes complete the following:

Street(s) that will be utilized for parade route: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Time assembly to begin: \_\_\_\_\_

Time parade starts: \_\_\_\_\_

Total number of units in parade: \_\_\_\_\_

Number of people in the parade: \_\_\_\_\_

Number of vehicles in the parade: \_\_\_\_\_

Number of animals in parade: \_\_\_\_\_

Number of floats: \_\_\_\_\_

Number of bands: \_\_\_\_\_

\*Attach parade route map to application.

**15.** Will there be a running/walking/biking/water event?      ☐ Yes      ☒ No

If yes answer the following:

Time assembly to begin: \_\_\_\_\_

Time event starts: \_\_\_\_\_

Estimated ending time: \_\_\_\_\_

Event will be conducted on ☐ Streets ☐ Sidewalks ☐ Body of water

\*Attach route map to application

**16.** Will a City dock be used for the event? ☐ Yes ☒ No

If yes, hours of use: \_\_\_\_\_

Location of dock: \_\_\_\_\_

List vendors who will use the dock: \_\_\_\_\_

\*Any dock used for the event will need to remain open to the public during the event.

**17.** Please check the additional facilities you plan on using.

- ☐ Pavillion(s)
- ☐ Gazebo
- ☒ Amphitheatre (requires an additional rental fee)
- ☐ Peace Hall (requires an additional rental fee)

8. List dates and times of music and/or amplified sound: August 26<sup>th</sup>

11:00 AM — 11:00 PM

9. Will private security be provided? ☒ Yes ☐ No

If yes, list organization: OFF DUTY POLICE

10. Will portable restrooms be used? ☐ Yes ☒ No

If yes answer the following and list on site plan:

How many: \_\_\_\_\_ Installation Date: \_\_\_\_\_ Removal Date: \_\_\_\_\_

11. Event holders are responsible for trash removal, and must provide their own dumpsters.

Please list your plan. DUMPSTER ON SITE

Will dumpsters be used? ☒ Yes ☐ No

If yes please include on site plan and answer the following:

How many: 1 Sizes: 8 YARD

Installation Date: AUG 25<sup>th</sup> Removal Date: AUG 28<sup>th</sup>

12. Please list any admission charges, donations, parking, registration or other fee and how much.

FREE

13. Does the event require street closures? ☐ Yes ☒ No

As the applicant, I hereby accept and understand the responsibility to oversee all contractors, vendors, or parties affiliated with the event and to insure compliance with the event policy and procedure manual, the resolution and City ordinance pertaining to Special Events, the event rules, guidelines, requirements, for tents and all policies, rules, regulations, and code provisions of the City of New Port Richey. I understand that any violations may result in immediate cancellation and revocation of the Event Permit. I further certify that all facts contained in this request are accurate.

For events on public property, I agree to obtain and furnish the City of New Port Richey with a certificate of general liability insurance in the amount of \$500,000.00 or greater as deemed by the City Risk Manager. The insurance must name the City of New Port Richey as an additional insured.

I understand incomplete applications or any outstanding financial obligations with any department within the City of New Port Richey may result in a denial of my request.

Signature of Applicant or Authorized Representative: \_\_\_\_\_

Date: 03-29-2017

Subscribed and sworn to before me this 29 day of March, 2017  
Who is personally known to me and/or produced N/A as  
identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: Mika L. Caruana  
Mika L. Caruana

My Commission expires: June 05, 2019



# Hold Harmless Agreement

I NELSON OHIHONI, agree to protect the City of New Port Richey, Florida against all losses arising out of claims, in connection with the USE OF SIMS PARK

Without limiting the generality of the foregoing, and all workmanship, actual or alleged infringement of any patent, trademark, copyright (or application for any thereof) or of any other violation of any applicable statute, ordinance, administrative order, rule or regulation, or decree of any court, shall be included in the indemnity hereunder. The \_\_\_\_\_

Further agrees to investigate, handle, respond to, provide defend any such claims, etc., at its sole expense and agrees to bear all other costs and expenses related thereto, even if it (claims etc.) is groundless, false or fraudulent.

In any case in which such indemnification would violate any applicable legal prohibition, the foregoing provisions concerning indemnification shall not be construed to indemnify the City for damage arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the City or its employees.

**Certification:**

I NELSON OHIHOM do certify that I am PRESIDENT (DULCET)  
of DULCET RESTAURANT & LOUNGE,  
and that I am authorized to issue this hold harmless agreement; and that this hold harmless agreement  
is defined as an insured contract under a commercial general liability insurance policy currently in  
effect for the entity/organization.

Signature of applicant: [Signature]

Date: 03-29-2017

STATE OF FLORIDA, COUNTY OF PASCO



MIKA L. CARUANA  
MY COMMISSION # FF 221946  
EXPIRES: June 5, 2019

Notary Public Mika L. Carvanga - Mika L. Carvanga

My Commission Expires: June 05, 2019



WASTE CONNECTIONS  
*Connect with the Future®*

GREATER NEW PORT RICHEY,

Nelson:

We at Waste Connections Are confirming the 8 yd container to be delivered Friday August 25<sup>th</sup>, 2017 and removed Monday August 28<sup>th</sup>, 2017 for The international Caribbean Music and Food Festival being held in Sims Park New Port Richey.

Sincerely,

*Nick Chieco*

NICK CHIECO



### Event Organizer Responsibilities

Event: 2017 International Caribbean Food & Music Fest. Event Date: 8/26/17

[Signature] Event Organizer must submit to the City of NPR Event Coordinator, a final map with the entire vendor layout and a corresponding list of all vendors with the type of vendors identified such as: (crafts, food, etc.) a minimum of one week prior to the event date. Once this list and map are submitted, no revision by the Event Organizer will be permitted.

[Signature] Event Organizer will complete a pre-inspection of all vendors prior to the City Inspection to ensure compliance and a smooth and easy City Inspection process.

[Signature] Event Organizer is responsible for the attendance of ALL vendors at the time of inspections.

[Signature] No Vendor Set-Up will be allowed after the following date and time: 9am 8/26/17.

[Signature] Event Organizer will meet City Staff on 9am at Sims Park and will accompany City Staff for the entire duration of the vendor inspections.

[Signature] No Vendor Inspection will begin without the Event Organizer present.

[Signature] No Vendor may sale any items or services prior to passing the Vendor Inspection conducted by City Staff.


[Signature] Event Organizer must obtain the required permits from the Development Department in City Hall prior to the Event. (Permit Fees List from the Development Department is attached.)


[Signature] Event Organizer must collect signed Vendor Agreements from the City and keep all copies on hand at the time of inspections. (Copy Attached).


[Signature] Copy of the City Special Event Rules & Regulations was received by the Event Organizer.

4/17/17

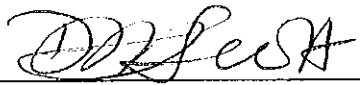


 Event Organizer understands that not complying with the City Rules & Regulations may result in vendors not being allowed to open for business, delayed start time of the event, and/or cancellation of the event.

 It is recommended that each event has a recycling plan in place. Local waste collection providers all participate in recycling. Please consider contacting your waste collection agency and request a recycling dumpster and/or receptacles.

 Alcoholic Beverage Special Event Application will go before NPR City Council on:  
JULY 18, 2017 7pm

Print Name DOREEN SCOTT

Signature 

Date 5/16/17



# 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:** 7/18/2017  
**RE:** 2016/2017 Sanitary Sewer Gravity Lining Project Close Out

## REQUEST:

Attached for your review and consideration for approval is a deductive change order in the amount of (\$25,991.00) and the final pay request in the amount of \$45,483.50 from Layne Inliner, LLC for sanitary sewer gravity main rehabilitation project completion.

## DISCUSSION:

As Council is aware, this type of project has been included annually in the Public Works Capital Improvement Program as a continual proactive approach to rehabilitate an aging infrastructure. This type of rehabilitation method has a considerable reduction in cost from traditional pipe laying construction because it eliminates the cost of restoration and allows the existing facilities to remain in place with no disruptions to the general public.

The areas included in this project were the East Madison, North Park and North River Neighborhoods, Glengarry, Magnolia Valley, the Meadows Subdivisions, Brandywine Condominiums, the Downtown area, and the US Hwy 19 Corridor. All of the gravity mains lined contained extensive cracking that resulted in infiltration of water, sand, and root intrusion. These pipe conditions, if left uncorrected would continue to result in higher sewer lift station pump run times which increase the utilities operating and maintenance cost for equipment repair and treatment of effluent.

## RECOMMENDATION:

Approval of the deductive change order and final pay request is recommended.

## BUDGET/FISCAL IMPACT:

The annual program is identified in the City's current Capital Improvement Program. Funding is available in the Water & Sewer Revenue Fund Account No. 405-0965-535-63-81.

## ATTACHMENTS:

Description	Type
<input type="checkbox"/> Deductive Change Order	Backup Material
<input type="checkbox"/> Final Pay Request	Backup Material
<input type="checkbox"/> Site Map	Backup Material

**CONTRACT MODIFICATION**  
(FINAL CHANGE ORDER-DEDUCTIVE)

**Contract Modification No.: 1**

**Date: 06/28/2017**

**Project Name:** 2017-Sanitary Sewer Gravity Lining

**Owner:** City of New Port Richey, City Council

**Contractor:** Layne Inliner

**Engineer:**

**This is a final Deductive Change Order to the Contract Amount and the Following Modifications to the Contract are hereby ordered:**

**Contract Amount**

**Contract Time (Cal. Days)**

Original Contract Amount	\$ <u>297,553.00</u>	Original Duration	<u>0</u> Days
Previous Change Orders (Add/Deduct)	\$ <u>0.00</u>	Previous Change Orders (Add)	<u>0</u> Days
This Change Order (Deduct)	\$ <u>(25,991.00)</u>	This Change Orders (Add)	<u>0</u> Days
Revised Contract Amount	\$ <u>271,561.50</u>	Revised Contract Time	<u>0</u> Days

The Final Contract Completion Date is:

June 20, 2017

**Contractor's Certification**

By executing this Change Order, the contractor acknowledges and agrees that the stipulated price and/or time adjustment includes the costs and delays for all work contained in the Change order, including costs and delays associated with the interruption of schedules, extended overheads, delay, and cumulative impacts or ripple effect on all other non-effected work under this contract. Signing of the Change order constitutes full changes and constitutes full and mutual accord and satisfaction for the adjustment in contract price or time as a result of increases or decreases in costs and time or performance caused directly and indirectly from the change, subject to the current scope of the entire work as set forth in the contract documents.

**Recommended By:**

Engineer \_\_\_\_\_  
By: \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

Contractor \_\_\_\_\_  
By: [Signature]  
Title PROJECT MANAGER  
Date: 6/29/17

Public Works Director \_\_\_\_\_  
By: [Signature]  
Date: 07/05/2017

Project Manager/Inspector \_\_\_\_\_  
By: [Signature] ZACHARY THUN  
Date: 6/28/2017

Public Works Department  
Construction Management

**CITY OF NEW PORT RICHEY, FLORIDA  
CONTRACTOR'S APPLICATION FOR PAYMENT**

**Gray Areas To Be Filled In By Contractor**

Bid No. 041-14 Date 6/6/2017 Payment Number 2 - FINAL  
 Application Period From April 8, 2017 To June 20, 2017  
 Project Name 2016/2017 Sanitary Sewer Gravity Lining Project  
 Account Number 405-0965-535-83-81  
 Owner: City of New Port Richey Phone No. 727-841-4536  
 Engineer: \_\_\_\_\_ Phone No. \_\_\_\_\_  
 Contractor: Layne Inliner Phone No. 727-530-7577

Contract Data

Bids Received 11/15/2016  
 Contract Start Date 12/20/2016  
 Notice to Proceed: 12/20/2016  
 Calendar Days for Completion \_\_\_\_\_  
 Original Completion Date 6/20/2017  
 Days Extension to Date 0  
 New Completion date \_\_\_\_\_

Change Orders

No.	Date	Time	Amount
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Summary of Project Status

Original Contract Amount	\$ <u>300,000.00</u>	Total Work Completed	\$ <u>271,561.50</u>
Adjustments to Date	\$ <u>-</u>	Material Stored on Site	\$ <u>-</u>
Revised Contract Amount	\$ <u>271,561.50</u>	Total Earned to Date	\$ <u>271,561.50</u>
Percentage Complete (\$)	<u>91.26%</u>	Less Retainage	\$ <u>-</u>
Percentage Complete (Time)	<u>92.31%</u>	Balance	\$ <u>271,561.50</u>
Percentage Complete (Work)	<u>90.52%</u>	Less Previous Payments	\$ <u>226,078.00</u>
		Amount Due this Period	\$ <u>45,483.50</u>

**CERTIFICATION OF CONTRACTOR**

According to the best of knowledge and belief, I certify that this is a true and correct statement of work performed and materials delivered for the applications period stated above. I further certify that the Contractor has good title for all materials delivered under this Application for Payment, and there are no vendor liens, or other liens or rights to liens against this project, and that all previous payment requests received under this Contract have been applied to discharge in full all of the Contractor's obligations reflected in prior Applications for Payment, and that hourly wages paid to all employees on this project for the period of this Application are in accordance with the requirements of the Contract Documents.

**Submitted for Payment:**

By: J. Alan Smith (Contractor)  
 (Signature)  
 Name: J ALAN SMITH  
 (Print or type)  
 Date: 6/29/17

**Recommended for Payment:**

By: \_\_\_\_\_ (Design Professional)  
 (Signature)  
 Name: \_\_\_\_\_  
 (Print or type)  
 Date: \_\_\_\_\_

**Recommended for Payment:**

City of New Port Richey  
 (Inspector)  
 By: Zachary Thue  
 (Signature)  
 Name: ZACHARY THUE  
 (Print or type)  
 Date: 6/29/2017

**Approved for Payment:**

City of New Port Richey  
 (Owner)  
 By: Robert M. Richey  
 (Signature)  
 Name: Robert M. Richey  
 (Print or type)  
 Date: 07/05/2017

Date: **June 20, 2017**

**Billed To:** City of New Port Richey  
6132 Pine Hill Road  
Port Richey, FL 34668

**ATTN.:** Zachary Thull, Operations Manager

PERIODIC ESTIMATE FOR PAYMENT NO:

6/8/17	through	6/20/17

SHEET 1 of 2

**OWNER: City of New Port Richey**

**PROJECT: New Port Richey 2017**

CONTRACT:

Purchase Order:

PROJECT NO.: 44264

PERCENT COMPLETE: 91.26%

In accordance with this Contract and the attached Estimate for Payment, the Contractor is entitled to payment in the amount stipulated below. The present status of the account for this Contract is as follows:

Change Order	Additions	Deletions	Original Contract Sum:	Current	Total
			Change Order (Net Change):	\$297,553.00	\$297,553.00
				\$0.00	\$0.00
			Contract Sum to Date:	\$297,553.00	\$297,553.00
			Total Completed to Date:	\$45,483.50	\$271,561.50
			Retainage:	\$0.00	\$0.00
			Total Earned Less Retainage:	\$45,483.50	\$271,561.50
			Less Previous Estimates:		\$226,078.00
			Total Due This Estimate:		\$45,483.50
Net Change:	\$0.00		Balance Remaining:		
					\$25,991.50

**CERTIFICATION OF CONTRACTOR:**

In the submission of this estimate, I certify that all quantities are correct and documented. This is verified by signature of the inspector acting as the Owner's agent.

**Contractor: Layne Inliner, LLC**

Date: June 20, 2017

Remittance Address Effective 04.27.15:

by Mail: Layne Inliner, LLC  
by Courier: PNC Bank, NA c/o Layne Inliner, LLC

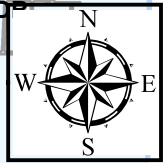
**P O Box 677801**

Dallas, TX 75267-7801  
1200 E Campbell Rd Suite 108

Richardson, TX 75081-1963

14413 62<sup>nd</sup> Street North, Clearwater, FL 33760 | Office: 727-530-7577 | Fax: 727-530-7790 | [layne.com](http://layne.com)

[illegible]







# 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:** 7/18/2017  
**RE:** Wastewater Treatment Plant/Water Treatment Plant Bulk Chemicals Purchases

## **REQUEST:**

Attached for your review and consideration by Council are the results of the bids received for the bulk purchase of chemicals used in the treatment of wastewater and raw water.

## **DISCUSSION:**

On April 17, 2017 Invitation to bid No. 17-010 was advertised by the City requesting proposals from vendors who could supply various chemicals in bulk for the purpose of raw water and wastewater treatment. Sealed bids were received by the City Clerk on June 1, 2017 and opened on June 2, 2017. The results of the bid tabulation identified the apparent low bidders as Allied Universal Corporation of Miami Florida for Sodium Hypochlorite at \$0.495 a gallon, Hawkins Inc. of Apopka, Florida for Sodium Hydroxide at \$2.72 a gallon, Thatcher Company Incorporated of Salt Lake City Utah for Alum at \$0.5063 a gallon and finally, Sterling Water Technologies of Croydon, Pennsylvania for Polymer at \$1.0936 a pound. Subsequent to the bid tabulation, tests were performed by staff on June 28, 2017 to verify performance standards describe in the bid documents. The chemical test results for Sodium Hypochlorite, Sodium Hydroxide, and Alum met the minimum standards and were approved by staff. The test results for Polymer did not meet the minimum standards resulting in a disqualification of the bid submitted by Sterling Water Technologies. The second lowest bidder for Polymer was Fort Bend Services of Stafford Texas at \$1.10 per pound.

## **RECOMMENDATION:**

The recommended action by staff of Council is to approve the bid tabulation and approve the purchase of bulk chemicals from Allied Universal Corporation, Chemtrade Chemicals, Fort Bend Services, and the disqualification of Sterling Water Technologies bid.

## **BUDGET/FISCAL IMPACT:**

Funding for the purchases is budgeted and available in the Water Pollution Control No. 401-0112-535-52-21, Reclaimed Water-Production No. 401-0111-535-52-21, and Water Production Operating Fund No. 401-0105-533-52-21.

## **ATTACHMENTS:**



Description	Type
☐ WPC/Reuse Operations Manger Memo	Backup Material
☐ Simple Bid Tabulation	Backup Material
☐ Polymer Chemical Test Sheet	Backup Material
☐ Polymer Chemical Test Result Summary	Backup Material



## City of New Port Richey WWTP

# Memo

**To: Robert Rivera, DPW Director**

**From: Roger Goodwin, WPC/Reuse Operations Manager**

**CC:**

**Date:** 6/6/2017

**Re: WWTP & WT Chemicals**

---

Robert,

Attached for your review and City Council consideration are the bid results for "Water Treatment Chemicals".

**Background:**

The Water Reclamation Facility and the Water Treatment Plant currently purchase a variety of chemicals for use in the treatment process. Our current contracts expire on 6/24/17. The City advertized for bid on 4/30/17 then opened and publicly read aloud chemical bids from 9 different companies. The overall results were favorable to the City with a slight increase in sodium hydroxide and slight decreases in polymer and Aluminum Sulfate. Sodium hypochlorite rates stayed the same. A new bidder had the lowest price for polymer. Performance testing will be done to insure that the overall cost of this chemical is the most economical for the operation. Unit prices are not always representative of the overall cost. A cheaper product may require a much higher dosage resulting in an actual increase in operational costs. The bid award for Polymer will be subject to and contingent upon the performance testing results. A final decision on polymer is expected within 2 weeks.

**Recommendation:**

No single bidder can supply all the chemicals listed therefore the contracts will be awarded to the low bidder for each of the chemicals as follows.

Allied Universal Corp. Miami, FL	Sodium Hypochlorite	\$0.495
Thatcher Company, UT	Alum	\$0.5063
Sterling Water Technologies, TN	Polymer	\$1.0936
Hawkins Inc. FL	Sodium Hydroxide	\$2.72



# NEW PORT RICHEY

N STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

**TO:** Debbie L. Manns, City Manager  
**FROM:** Judy Meyers, City Clerk  
**CC:** Roger Goodwin, Water Pollution Control Operations Manager  
Joseph Palazzolo, Chief of Plant Operations  
Susan Marshall, Finance Specialist  
**DATE:** June 2, 2017  
**RE:** Bid Opening: ITB17-010, Wastewater Treatment Plant Chemicals

Bids for ITB17-010, Wastewater Treatment Plant Chemicals were received by 2:00 pm on Thursday, June 1, 2017. The bid opening took place on Friday, June 2, 2017 at 2:00 pm in City Hall Council Chambers.

Present were Chief of Plant Operations Joseph Palazzolo, Finance Specialist Susan Marshall, and City Clerk Judy Meyers.

Bids were announced and opened from the following entities:

BIDDERS	BID	
	GALLON/POUND	
Allied Universal Corp. 3901 NW 115 Ave. Miami, FL 33178	Sodium Hypochlorite	\$.495/gl
	Sodium Hydroxide	\$2.85/gl
	Alum	NO BID
	Polymer	NO BID
C & S Chemicals 4180 Providence Road Marietta, GA 30062	Sodium Hypochlorite	NO BID
	Sodium Hydroxide	NO BID
	Alum	\$.68/gl
	Polymer	NO BID
Chemtrade Chemicals 90 East Halsey Road Parsippany, NJ 07054	Sodium Hypochlorite	NO BID
	Sodium Hydroxide	NO BID
	Alum	\$.5376/gl



# NEW PORT RICHEY

N STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

	Polymer	NO BID
Florida Chemical Supply 6810 East Chelsea Street Tampa, FL 33610	Sodium Hypochlorite	NO BID
	Sodium Hydroxide	\$2.90/gl
	Alum	NO BID
	Polymer	NO BID
Fort Bend Services 13303 Redfish Lane Stafford, TX 77477	Sodium Hypochlorite	NO BID
	Sodium Hydroxide	NO BID
	Alum	NO BID
	Polymer	\$1.10/lb \$1.15/lb
GEO Specialty Chemicals 9213 Arch Street Pike Little Rock, AR 72206	Sodium Hypochlorite	NO BID
	Sodium Hydroxide	NO BID
	Alum	NO BID
	Polymer	NO BID
Hawkins, Inc. 2263 Clark Street Apopka, FL 32703	Sodium Hypochlorite	NO BID
	Sodium Hydroxide	\$2.72/gl
	Alum	\$2.05/gl
	Polymer	\$1.22/lb



# NEW PORT RICHEY

N STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

Odyssey Manufacturing 1484 Massaro Blvd. Tampa, FL 33619	Sodium Hypochlorite	\$.525/gl
	Sodium Hydroxide	NO BID
	Alum	NO BID
	Polymer	NO BID
Sterling Water Technologies 3015 State Road Croydon, PA 19021	Sodium Hypochlorite	NO BID
	Sodium Hydroxide	NO BID
	Alum	NO BID
	Polymer	\$1.0936/lb
Thatcher Company 1905 Fortune Road Salt Lake City, UT 84104	Sodium Hypochlorite	NO BID
	Sodium Hydroxide	NO BID
	Alum	\$.5063/gl
	Polymer	NO BID

The bid opening concluded at 2:21 pm.

**City of New Port Richey WWTP**  
**Test Sheet**

Date	Feed	Feed	Run	Feed	Polymer	Polymer	Dry Sludge	Dry Sludge	Poly.	Dewatered	Fort Bend	
April	Gallons	%solids	Time	GPM	Gal.	Pounds/Ton	Pounds/Hr	Pounds	Cost/Ton	% Solids	% solids pre test	17.00
1	7515	1.31	0.75	167	1.16	24	1095	821	\$26.50	16.31	Fort Bend	
2	7515	1.31	0.75	167	1.16	24	1095	821	\$26.50	15.65	% solids post test	17.04
3	6750	1.31	0.75	150	1.16	27	983	737	\$29.50	16.39		
4	6750	1.31	0.75	150	1.25	29	983	737	\$31.86	16.83	Fort Bend	
5											Poly.	
6											Cost/Ton	\$26.70 at 17.04% solids
7												
8											Sterling	
9											Poly.	
10											Cost/Ton	\$31.86 at 16.83% solids
11												
12												
13												
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31												
AVG.	7132.5	1.31	0.75	158.5	1.18	26.14	1039.01	779.25	\$28.59	16.30		

**From:** [Roger Goodwin](#)  
**To:** [Robert Rivera](#)  
**Cc:** [Amanda Grisko](#); [Barret Doe](#); [john chambers](#); [Joseph Palazzolo](#)  
**Subject:** Polymer test  
**Date:** Wednesday, June 28, 2017 3:15:23 PM  
**Attachments:** [Belt Press Performance 6-27-2017.xls](#)

---

Robert,

The polymer test were completed today. Even though Sterling had a lower unit price Fort Bend had the lowest overall operational cost in actual polymer cost per ton of sludge. Fort Bend also out performed Sterling in % solids. Sterling failed to get over 17%. Award the bid to Fort Bend our current supplier. Our guys did a great job on the testing.

Thanks

Roger Goodwin  
City of New Port Richey  
Water Pollution Control  
Operations Manager  
727-841-4568

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Crystal S. Feast, Finance Director  
**DATE:** 7/18/2017  
**RE:** Resolution No. 2017-21 & No. 2017-22, Initial Assessment Resolutions - Stormwater Utility & Street Lighting

## REQUEST:

The City Council is being asked to separately approve Resolution No. 2017-21, Stormwater Service Assessment – Initial Assessment Resolution, and Resolution No. 2017-22, Street Lighting Service Assessment – Initial Assessment Resolution.

## DISCUSSION:

The City Council established a Stormwater Utility Assessment and Street Lighting Assessment in September 2001 and 2003, respectively. The City has found that the use of a non-ad valorem assessment is the most equitable method of providing the necessary funding for providing street lighting services within the City and improvements and extensions of the City's stormwater utility system.

The rate studies used to support the current assessment rates for the Stormwater Utility Assessment and Street Lighting Assessment were approved by City Council on June 20, 2017. The rate studies included a change in methodology for both assessments. The assessments will now include undeveloped parcels, where before they did not. The assessment rates have also been increased to \$80.00/ERU and \$38.71/ERU, respectively. Because of these changes, new Initial Assessment Resolutions have been prepared for your approval.

Once approved, the next step in the assessment process is to hold a public hearing on each assessment and then present Final Resolutions for the Council's approval.

## RECOMMENDATION:

The City Council is being asked to separately approve Resolution No. 2017-21, Stormwater Service Assessment – Initial Assessment Resolution, and Resolution No. 2017-22, Street Lighting Service Assessment – Initial Assessment Resolution.

## BUDGET/FISCAL IMPACT:

Approval of the Initial Assessment Resolutions have no budget or fiscal impact. Once the Final Resolutions are approved, the rates will be factored into next year's operating budget for the Stormwater Utility Fund and Street Lighting Fund.

## ATTACHMENTS:

Description	Type
☐ Resolution No. 2017-21, Initial Assessment Resolution - Stormwater Utility	Resolution Letter
Resolution No. 2017-22, Initial Assessment Resolution -	





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**CITY OF NEW PORT RICHEY, FLORIDA**

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**STORMWATER SERVICE ASSESSMENT  
INITIAL ASSESSMENT RESOLUTION**

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**ADOPTED JULY 18, 2017**

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## **RESOLUTION NO. 2017 - 21**

**A RESOLUTION OF THE CITY COUNCIL OF NEW PORT RICHEY, FLORIDA, RELATING TO THE ANNUAL FUNDING OF STORMWATER SERVICES IN THE CITY THROUGH THE IMPOSITION OF SPECIAL ASSESSMENTS; APPROVING THE STORM WATER ASSESSMENT RATE STUDY PREPARED BY AYRES AND ASSOCIATES; ADOPTING THE METHODOLOGY FOR APPORTIONING STORMWATER ASSESSMENTS SET FORTH THEREIN; PROVIDING FOR THE IMPOSITION OF STORMWATER ASSESSMENTS WITHIN THE ENTIRE ARE OF THE CITY; ESTIMATING THE SERVICE COST TO PROVIDE STORMWATER RELATED ESSENTIAL SERVICES, FACILITIES, EQUIPMENT AND IMPROVEMENTS; DIRECTING THE CITY MANAGER TO PREPARE A PRELIMINARY STORMWATER ASSESSMENT ROLL FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2017; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE STORMWATER ASSESSMENTS; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

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

### **ARTICLE I**

#### **INTRODUCTION**

**SECTION 1.01. AUTHORITY.** This Resolution of the City of New Port Richey, Florida is adopted pursuant to City Ordinance No. 2012-1985 (the "Assessment Ordinance"), Sections 166.021, 166.041 and 197.3632, Florida Statutes, and other applicable provisions of law.

**SECTION 1.02. DEFINITIONS.** All capitalized words and terms not otherwise defined herein shall have the meaning set forth in the Assessment Ordinance. As used in this Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires.

**"Assessed Property"** means all parcels of real property included in the Stormwater Assessment Roll that receive a special benefit from Stormwater Management Services.

**"Assessment Ordinance"** means City Ordinance No. 2012-1985, as may be amended from time to time, or its successor in function.

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

**"City Clerk"** means the clerk of the City Council.

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

**"City Manager"** means the chief administrative officer of the City, or such person's designee responsible for coordinating calculation and collection of Assessments as provided herein.

**"Class Code"** means the class or usage code assigned to each Tax Parcel by the Property Appraiser or by the City Manager after verification and/or field research.

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

**"Developed Property"** means Tax Parcels that are developed entirely or in part with Impervious Area.

**"Development"** means the process or result of construction, reconstruction, site

improvement, installation of improvements, establishment of a temporary or accessory use or structure, or other modification to land or a body of water.

**"Equivalent Residential Unit"** or **"ERU"** means the Assessment Unit described in Section 3.03 hereof. The ERU is the standard unit used to express the stormwater burden generated or special benefit received by Assessed Property through the provision of Stormwater Management Services.

**"Exempt Property"** means property expressly exempted from Stormwater Assessments by this Resolution.

**"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.

**"Fiscal Year 2017-18"** means the Fiscal Year commencing October 1, 2017.

**"General Parcels"** means Tax Parcels other than Single Family Residential Parcels.

**"Government Property"** means property 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.

**"Impervious Area"** means hard surfaced areas resulting from Development which either prevent or severely restrict the entry of water into the soil mantle and/or cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions prior to Development. Impervious Areas include, but are not

limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, tennis courts, athletic courts, swimming pools with impervious bottoms, storage areas, and other surfaces which similarly affect the natural infiltration and runoff pattern which existed prior to Development.

**"NPDES"** means the National Pollution Discharge Elimination System.

**"Rate Study"** means the Storm Water Assessment Rate Study dated June 20, 2017 prepared by Ayres Associates.

**"Single Family Residential Parcels"** means Tax Parcels assigned a Class Code of 01, 02 or 04, including single family residential parcels, mobile home parcels and condominium parcels.

**"Stormwater"** means the flow of water which results from, and which occurs following, a rainfall event.

**"Stormwater Improvement"** means land, capital facilities, and improvements acquired or provided to detain, retain, convey, or treat stormwater.

**"Stormwater Management Service"** means (A) management and administration of the Stormwater System, including applying for, maintaining and renewing NPDES or other applicable permits; (B) stormwater program engineering; (C) development, modification and implementation of any stormwater master plan; (D) Stormwater Improvements anticipated to be acquired or constructed during a single Fiscal Year; (E) operating and maintaining of the City's capital facilities and programs for stormwater

management, including extraordinary maintenance; (F) equipment and consumables, (G) billing and collection of Stormwater Service Assessments, including customer information services and reserves for statutory discounts; (H) permitting, inspecting, and reviewing of plans; and (I) legal, engineering, and other consultant services.

**"Stormwater Service Assessment"** or **"Assessment"** means a special assessment (sometimes characterized as a non-ad valorem assessment) levied by the Council to fund the Stormwater Management Service Cost.

**"Stormwater Service Assessment Roll"** means the roll created pursuant to Section 2.04 of the Assessment Ordinance and described in Section 2.02 hereof that includes a summary description of each Tax Parcel subject to Stormwater Service Assessments, the name of the owner of each Tax Parcel as shown on the Tax Roll, and the number of Equivalent Residential Units attributable to each Tax Parcel.

**"Stormwater Management Service Cost"** means the estimated amount for any Fiscal Year of all expenditures and reasonable reserves that are properly attributable to Stormwater Management Service provided under generally accepted accounting principles.

In the event the City also imposes an impact fee upon new growth or development for stormwater related capital improvements, the Stormwater Management Service Cost shall not include costs attributable to capital improvements necessitated by new growth or development which were included in the computation of such impact fee or which are otherwise funded by such impact fee.



**"Stormwater System"** means the appurtenances, facilities, equipment, and services, including Stormwater Management Service and Stormwater Improvements, necessary for the collection, treatment, storage, and conveyance of storm and surface waters.

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

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

**"Technical Memorandum"** means URS Corporation Southern's June 2001 Stormwater Utility Implementation Program, Technical Memorandum Change Order 1 Parcel Characterization.

**"Undeveloped Property"** means Tax Parcels which contain no Impervious Area.

**"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 1.03. 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 1.04. FINDINGS.** It is hereby ascertained, determined and declared that:

(A) The City is authorized by Article VIII, Section 2 of the State Constitution, Section 166.021, Florida Statutes, the Assessment Ordinance, the Uniform Assessment Collection Act, and other applicable provisions of law, to provide for the imposition and collection of charges in the form of Assessments.

(B) The Stormwater Management Services contemplated herein are Essential Services which possess a logical relationship to the use and enjoyment of, and relieve a burden created by and provide a special benefit to Assessed Property by treating and controlling Stormwater generated by Assessed Property or contaminated by improvements constructed on Developed Property which resulted in the alteration of such property from its natural state, and the costs associated with such services may be recovered, in whole or in part, through the imposition and collection of Stormwater Service Assessments.

(C) Stormwater Management Services provide for the proper and safe collection, storage, control, management, treatment, and conveyance of the Stormwater burden generated by Assessed Property.

(D) In 2017, the City engaged Ayres Associates to review the City's stormwater assessment program and prepare the Rate Study, a copy of which is attached hereto as

Appendix C and incorporated herein by reference, which provides recommendations regarding the program and the assessment rates necessary to pay for street lighting services and facilities through Fiscal Year 2021-22.

(E) The Rate Study has been considered by the Council in adopting this Resolution. The apportionment methodology and rate classification system described in the Rate Study and based upon the impervious area of Developed Parcels and the square footage of Undeveloped Property is reasonable and equitable, and will continue to be so as properties within the City develop and change; and it is also manageable and capable of being fairly implemented from year to year without wasteful or extraordinary consumption of resources.

(F) The special benefit conveyed to Assessed Property by Stormwater Management Services includes but is not limited to:

- (1) The provision of storm water management services and the availability and use of facilities or improvements by owner and occupants of such property to properly and safely detain, retain, convey or treat storm water discharged from such property;
- (2) Stabilization of or the increase of property values;
- (3) Increased safety and better access to property;
- (4) Improved appearance;

- (5) Rendering property more adaptable to a current or reasonably foreseeable new and higher use;
- (6) Alleviation of the burdens caused by storm water runoff and accumulation associated with the present or projected use of property; and
- (7) Fostering the enhancement of environmentally responsible use and enjoyment of the natural resources within the City such as Pithlachascotee River and Orange Lake.

(G) The Stormwater runoff generated by Assessed Property and sent to the Stormwater System represents that property's proportionate share of the burden of creating and maintaining the Stormwater System. The amount of runoff from a given Tax Parcel is largely determined by the amount of Impervious Area contained on that parcel, and the greater the runoff, the greater the cost of treatment.

(H) The value of a given Tax Parcel does not determine the scope of the required Stormwater Management Services. The potential demand for Stormwater Management Services by Developed Property is driven by the amount of Impervious Area located on such property and by the size of Undeveloped Property.

(I) Accordingly, the apportionment of Stormwater Service Assessments on the basis of ERUs premised upon Impervious Area is a fair and reasonable method for allocating potential demand for Stormwater Management Services and the special benefit conveyed thereby among Assessed Property.

(J) Apportioning the Stormwater Management Service Costs attributable to Single Family Residential Parcels on a per parcel basis is a fair and reasonable method of apportionment based on statistical data contained in the Technical Memorandum.

(K) It is also fair and reasonable to assess all mobile homes on a residential unit basis, such that Tax Parcels assigned a Class Code 28 shall be treated as residential parcels and assigned one (1) ERU per mobile home space.

(L) The Rate Study and Technical Memorandum have been considered by the Council in adopting this Resolution. The apportionment methodology and rate classification system described in the Rate Study and based upon Impervious Area is reasonable and equitable, and will continue to be so as properties within the City develop and change; and it is also manageable and capable of being fairly implemented from year to year without wasteful or extraordinary consumption of resources which could better be expended to address stormwater related issues.

(M) The apportionment method described in the Rate Study and adopted in Section 3.03 hereof bears a reasonable relationship to the cost of providing Stormwater Management Services, including stormwater generated by Government Property.

(N) It is fair and reasonable to impose Stormwater Service Assessments upon Assessed Property, apportioned in the manner set forth in Section 3.03 hereof, to fund the Stormwater Management Service Cost.

## **ARTICLE II**

### **NOTICE AND PUBLIC HEARING**

#### **SECTION 2.01. ESTIMATED STORMWATER MANAGEMENT SERVICE COST.**

(A) The estimated Stormwater Management Service Cost to be recovered through Stormwater Service Assessments for Fiscal Year 2017-18 is \$1,300,000. The Stormwater Management Service Cost will be funded through the imposition of Stormwater Service Assessments, as provided herein.

(B) The estimated Stormwater Service Assessments established in this Initial Assessment Resolution shall be the estimated assessment rates applied by the City Manager in the preparation of the preliminary Stormwater Service Assessment Roll as provided in Section 2.02 of this Initial Assessment Resolution.

**SECTION 2.02. STORMWATER ASSESSMENT ROLL.** The City Manager is hereby directed to prepare, or cause to be prepared, a preliminary Stormwater Service Assessment Roll for Fiscal Year 2017-18, in the manner provided in Section 2.04 of the Assessment Ordinance. The Stormwater Service Assessment Roll shall include all Tax Parcels within the City which are not otherwise exempted from payment of the Stormwater Service Assessments hereunder. The City Manager shall apportion the estimated Stormwater Management Service Cost to be recovered through Stormwater Service Assessments in the manner set forth in this Initial Assessment Resolution. A copy of this

Initial Assessment Resolution and the preliminary Stormwater Service Assessment Roll shall be maintained on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the preliminary Stormwater Service Assessment Roll be in printed form if the amount of the Stormwater Service Assessment for each parcel of property can be determined by the use of a computer terminal or internet access available to the public.

**SECTION 2.03. PUBLIC HEARING.** There is hereby established a public hearing to be held at 6 p.m. on August 1, 2017, in City Council Chambers of City Hall, 5919 Main Street, New Port Richey, Florida, at which time the Council will receive and consider any comments on the Stormwater Service Assessments from the public and affected property owners and consider imposing Stormwater Service Assessments and authorizing an alternative manner of collection.

**SECTION 2.04. NOTICE BY PUBLICATION.** The City Manager shall direct the publication of a notice of the public hearing authorized by Section 2.03 hereof in the manner and time provided in Section 2.05 of the Ordinance. The notice shall be published at least twenty (20) days prior to the public hearing, in substantially the form attached hereto as Appendix A.

**SECTION 2.05. NOTICE BY MAIL.** The City Manager shall direct the mailing of notice of the public hearing authorized by Section 2.03 hereof in the manner and time

provided in Section 2.06 of the Ordinance. The notice shall be mailed at least twenty (20) days prior to the public hearing, in substantially the form attached hereto as Appendix B.

[Remainder of page intentionally left blank]



**ARTICLE III**  
**ASSESSMENTS**

**SECTION 3.01. STORMWATER ASSESSMENTS TO BE IMPOSED THROUGHOUT CITY.** Pursuant to Section 2.02 of the Assessment Ordinance, Stormwater Service Assessments are to be imposed throughout the entire area within the boundaries of the City.

**SECTION 3.02. IMPOSITION OF ASSESSMENTS.** Stormwater Service Assessments shall be imposed against property located within the City, the annual amount of which shall be computed for each Tax Parcel in accordance with this Article III. When imposed, the Assessment for each Fiscal Year shall constitute a lien upon the Tax Parcels located within the City pursuant to the Assessment Ordinance.

**SECTION 3.03. APPORTIONMENT APPROACH; DETERMINATION OF EQUIVALENT RESIDENTIAL UNITS.**

(A) The Rate Study is hereby approved and adopted. The apportionment method based upon Equivalent Residential Units as described in the Rate Study is fair and reasonable and is hereby approved and adopted as the apportionment method for the Stormwater Service Assessments.

(B) As described in the Rate Study, the typical single family Impervious Area identified in the Rate Study is 2,629 square feet, which shall constitute one (1) ERU (one

ERU = 2,629 square feet) for purposes of calculating the Assessment for each Single Family Residential Parcel and General Parcel.

(C) Each Single Family Residential Parcel shall be assigned one (1) ERU.

(D) The number of ERU's attributed to each General Parcel shall be calculated as follows:

$$\frac{\text{Total Impervious Area (in sq. ft.)}}{1 \text{ ERU (in sq. ft.)}} = \text{Number of ERU's}$$

(E) Mobile home parcels assigned a Class Code 28 shall be attributed one (1) ERU per mobile home space.

(F) As set forth in the Rate Study, the number of ERU's attributed to Undeveloped Property shall be determined by dividing the total area of the parcel by the average size of a Single Family Residential Parcel in the City (7,204 sq. feet), and multiplying the result by .35 (which is the Undeveloped Parcel Runoff Percentage described in the Rate Study).

(G) The determination of whether a Tax Parcel is Developed Property or Undeveloped Property shall be made using best available data prior to adoption of the Final Assessment Resolution or Annual Assessment Resolution (e.g. Property Appraiser information, aerial images or data deemed reliable by the City or its consultants.)

(H) The Assessment rate of \$80.00 per ERU shall be utilized by the City Manager in preparing the Stormwater Service Assessment Roll for Fiscal Year 2017-18.

(I) The maximum rate of assessment which may be used in the preparation of the Stormwater Service Roll for subsequent Fiscal Years is \$80.00 per ERU.

(J) It is hereby ascertained, determined, and declared that the method of determining the Stormwater Service Assessments as set forth in this Initial Assessment Resolution is a fair and reasonable method of apportioning the Stormwater Management Service Cost among Assessed Property.

**SECTION 3.04. APPLICATION OF ASSESSMENT PROCEEDS.** Proceeds derived by the City from the Stormwater Service Assessments shall be utilized for the provision of Stormwater Management Services. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund stormwater related services, facilities, improvements and programs.

**SECTION 3.05. COLLECTION OF ASSESSMENTS.** Stormwater Service Assessments shall be collected pursuant to the Uniform Assessment Collection Act unless otherwise determined by the Council.

**SECTION 3.06. MITIGATION.** The mitigation credit authorized by Chapter 24, Article V of the City Code shall apply, under the same terms and conditions applicable to stormwater utility fees as set forth therein, to the Stormwater Service Assessments contemplated hereunder.

**SECTION 3.07. EXEMPTION.** The following are Exempt Properties and not subject to the Stormwater Service Assessment:

- (A) Public rights-of-way.
- (B) Lakes and submerged land.

[Remainder of page intentionally left blank]

## ARTICLE IV

### GENERAL PROVISIONS

**SECTION 4.01. CONFLICTS.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4.02. SEVERABILITY.** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

**SECTION 4.03. EFFECTIVE DATE.** This Initial Assessment Resolution shall take effect immediately upon its passage and adoption.

**PASSED, ADOPTED AND APPROVED** this 18th day of July, 2017.

**CITY COUNCIL OF  
NEW PORT RICHEY, FLORIDA**

By: \_\_\_\_\_  
Rob Marlowe, Mayor

(SEAL)

Attest:

By: \_\_\_\_\_  
Judy Meyers, City Clerk

## **APPENDIX A**

### **FORM OF NOTICE TO BE PUBLISHED**

To be published at least twenty (20) days prior to the public hearing

(Map of New Port Richey)

#### **NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS**

Notice is hereby given that the City Council of New Port Richey, Florida, will conduct a public hearing to consider adoption of a final assessment resolution related to the City of New Port Richey (the "City") and its stormwater system. The stormwater final assessment resolution will provide for the imposition of special assessments, sometimes characterized as non-ad valorem assessments, against property located within City limits and collection of the assessments by the Pasco County Tax Collector pursuant to the tax bill collection method described in Section 3.01 of City Ordinance No. 2012-1985. The assessment is an annual assessment that will continue from year to year. The hearing will be held at 6 PM on August 1, 2017 at City Council Chambers of City Hall, City Hall, 5919 Main Street, New Port Richey, Florida 34652. All affected property owners have a right to appear at the hearing and to file written objections with the City Council within twenty (20) days of this notice.

The assessments have been proposed to fund stormwater related essential services, facilities, equipment and improvements throughout the City. The assessment will be based upon the number of Equivalent Residential Units ("ERUs") attributable to each tax parcel as of the date the assessments are imposed. If approved by City Council, the stormwater assessment will be imposed at a rate not to exceed \$80.00 per ERU. A more specific description of the stormwater related services and the method of computing the assessment for each parcel of property are set forth in Resolution No. 2017-21 (the "Initial Assessment Resolution") adopted by the City Council on July 18, 2017. Copies of the Initial Assessment Resolution and the preliminary Stormwater Service Assessment Roll are available for inspection at the office of the City Clerk, located at City Hall, 5919 Main Street, New Port Richey, Florida 34652. If you have any questions, please contact the City Clerk's Office at (727) 853-1024.

ANY PERSON WISHING TO ENSURE THAT AN ADEQUATE RECORD OF THE PROCEEDINGS IS MAINTAINED FOR APPELLATE PURPOSES IS ADVISED TO MAKE THE NECESSARY ARRANGEMENTS FOR RECORDING AT HIS OR HER OWN EXPENSE. PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (727) 853-1024.

## **APPENDIX B**

### **FORM OF NOTICE TO BE MAILED**

NEW PORT RICHEY, FLORIDA

[date], 2017

[Property Owner Name]

[Street Address]

[City, State and Zip]

Re: Tax Parcel Number [Insert Number]

Dear City of New Port Richey Property Owner:

As required by Section 197.3632, Florida Statutes, and City Ordinance No. 2012-1985 (the "Assessment Ordinance"), notice is given by the City of New Port Richey that an annual assessment for stormwater services may be levied on your property for Fiscal Year October 1, 2017 - September 30, 2018 and each fiscal year thereafter. **THIS IS NOT A NEW ASSESSMENT PROGRAM; THE STORMWATER ASSESSMENT HAS BEEN IMPOSED SINCE 2001.** In 2001, in response to public demand and increased federal regulations, the City initiated efforts to improve stormwater management services and provide a dedicated funding source for these services by creating a stormwater assessment program to generate revenues. The original stormwater assessments were imposed and collected on the November 2001 tax bill and subsequent years. However, since the City recently updated the stormwater assessment program it must provide this notice to all property owners of the updated assessment program.

Stormwater assessments are based upon the estimated amount of stormwater runoff generated by impervious surface on your property. Impervious surfaces include the rooftop, patios, driveways, parking lots and similar areas. Undeveloped property will also be subject to the stormwater assessments based the size of the parcel. The City has determined that the average single-family residence in the Stormwater Service Area includes 2,629 square feet of impervious surface, which is the value of one "equivalent residential unit" ("ERU"), the unit of measurement to be applied against each parcel to determine the assessment. Single-family residential units, mobile home units and residential condominium units are charged one ERU. For general parcels, such as commercial parcels, the number of ERUs has been calculated individually for each parcel of property by dividing the impervious surface area by 2,629 square feet. A more specific description of the stormwater related services and the method of computing the assessment for each parcel of property are set forth in Resolution No. 2017-21 (the "Initial Assessment Resolution") adopted by the City Council on July 18, 2017.

The annual Stormwater Service Assessment rate for Fiscal Year 2017-18 will be \$80.00 for each ERU which is also the maximum Stormwater Service Assessment rate that can be imposed without further mailed notice for future fiscal years. It is estimated that the City will collect \$1,300,000 from



the Stormwater Service Assessments for Fiscal Year 2017-18. The above-referenced parcel has been assigned the following ERUs and assessment amounts:

Number of Equivalent Residential Units (ERUs): [insert]

The FY 2017-18 annual stormwater assessment for the above parcel is: \$[insert]

The maximum annual stormwater assessment that can be imposed without further notice for future fiscal years is \$[insert]

The City Council will hold a public hearing at 6 p.m., or soon thereafter, on August 1, 2017 in the City Council Chambers located at City Hall, 5919 Main Street, New Port Richey, Florida. Comments will be received on the proposed Stormwater Service Assessments, including their collection on the ad valorem tax bill. You are invited to attend and participate in the hearing. You may also file written objections with the City Council within twenty (20) days of the date of this notice. Please include your name, parcel number, and the reason you object to the assessment on all written objections. Objections should be forwarded as follows: City Clerk; Objections to Stormwater Non-ad Valorem Assessments; 5919 Main Street, New Port Richey, Florida 34652. If you decide to appeal any decision made by the City Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, if you need a special accommodation or an interpreter to participate in this proceeding, please contact the City Clerk at (727) 853-1024 at least 4 days prior to the date of the hearing. If there is a mistake on this notice, it will be corrected. If you have any questions regarding the number of ERUs assigned to your property or the amount of the Stormwater Service Assessment, please contact Customer Service by telephone at (727) 853-1061.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Council action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Assessment Ordinance, the Initial Assessment Resolution, and the preliminary assessment roll are available for inspection at the City Clerk's office in City Hall, located at 5919 Main Street, New Port Richey, Florida, or on the City website at [cityofnewportrichey.org](http://cityofnewportrichey.org). The Stormwater Service Assessment will be collected by the Tax Collector of Pasco County, pursuant to Chapter 197, Florida Statutes; Florida law provides that failure to pay the Stormwater Service Assessment will cause a tax certificate to be issued against the assessed property which may result in a loss of title.

**\*\*\*\*\*DO NOT SEND PAYMENT - THIS IS NOT A BILL\*\*\*\*\***

## **APPENDIX C**

### **RATE STUDY**

# Storm Water Assessment Rate Study



**Prepared for:**

**City of New Port Richey  
Florida**

**June 20, 2017**

## Storm Water Assessment Rate Study



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Eau Claire, WI 54701-7698  
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Ayres Associates Project No. 65-0145.02  
File: v:\tampa-bc\projects\65-0145.00 npr contracts\65-0145.02 npr stormwater rate study\t16ahq conpr rate studies\ci- stormwater\final  
storm water assessment rate study.docx

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## Introduction

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The City of New Port Richey has retained Ayres Associates to review and update the Storm Water Assessment Study utilized to determine the applicable assessment rates necessary to fund their Storm Water Utility. The previous Storm Water Assessment Rate Study was prepared by Government Services Group in May of 2012. That report covered a 5-year projection through Fiscal Year 2016-17 (FY 17).

### Scope of Services: Study Update

- **Project Initiation** – Evaluate data and information regarding the provision of storm water services and facilities in the City including, but not limited to engineering information, public works data, existing legal documents and reports.
- **Review the Current Methodology** – Review documents and information relative to the current rate structure of the existing storm water assessment program and discuss with staff any problems or concerns with the current methodology; provide recommendations to update the current assessment rate methodology, if applicable.
- **Identify Full Costs (Revenue Requirements) of the Storm Water Program** – Evaluate the full cost of the storm water management system using the City's most current financial information and the storm water planning documents, which will include (i) the costs of maintaining and operating the City's storm water system based on the level of funding required by the City, (ii) the costs of capital projects, debt service and required reserves, (iii) indirect and/or administrative costs and (iv) billing and collection costs associated with the Uniform Method of collection; develop projections for annual revenue requirements for the City's storm water operations and maintenance, capital projects, debt service and required reserve and determine a method of increasing revenue and adjustments of assessment rates on an annual basis or as desired by the City.
- **Evaluate Vacant Lands** – Evaluate the magnitude that storm water generated by vacant lands is contributing to the storm water system. Based on that impact assign ERU's.
- **Calculate Preliminary Proforma Schedule of Rates** – Using the total units derived from the preliminary assessment roll developed by the City and the inclusion of the additional vacant land units, calculate a proforma schedule of rates based on the apportionment methodology and revenue requirements for the assessment program.
- **Address Issues** – Research and present recommendations on any outstanding issues that may arise from the assessment program.
- **Prepare and Present Assessment Report** – Prepare a draft report that includes documentation of the storm water costs and proforma rates; After City staff review, prepare and present the final version of the Assessment Report.



# Overview of City's Existing Storm Water Rates and Apportionment Methodology

---

## Existing Storm Water Assessment Rates

The City initially implemented a storm water utility fee in 2001 which was collected on the Tax Bill. The fees charged were based on an Equivalent Residential Unit (ERU) whereby an ERU equals an average number of square feet of impervious area.

The storm water assessment rates adopted in 2001 were \$40.32 per ERU. In Fiscal Year 2011-12, the storm water assessments generated approximately \$525,000 in revenue; however, the City's storm water expenditures for that year were approximately \$825,020 thus creating an operating deficit. If 100% of those expenses were funded by the storm water utility, the rate would have been \$61.35 per ERU.

In 2012 the City reviewed the utility rates and costs, and developed a 5 year projection of revenue and expenses, whereby the rate necessary to cover the projected costs was **\$77.36 per ERU**. That rate was adopted and has not changed since that time. In Fiscal Year 2016-17 (FY 17) the revenue expected to be generated by this rate is \$1,047,099. The anticipated expenditures for budget year 2016-17 was \$1,238,380.

In addition to budgeted storm water assessments, additional revenues are sought through outside funding sources in order to be able to do large capital expenditure projects. The existing storm water budgets allocate an average of \$200,000 annually for infrastructure maintenance and betterment projects.

## Existing Apportionment Methodology

The City's existing apportionment methodology consists of an impervious area model which is the most common rate model. The impervious area model is based on the observation that storm water runoff is largely related to the amount of impervious surface on a specific parcel. A given parcel's share of costs is proportionate to the impervious surface of the parcel relative to that generated by a typical base unit (i.e. Equivalent Residential Unit (ERU)). The impervious area model has a solid theoretical base - on most parcels the amount of impervious area is clearly the primary determinant regarding the quantity of runoff generated and, to a lesser degree, the potential amount of non-point source pollutants that could originate on that parcel. This methodology does not take into account that undeveloped parcels, though to a lesser degree than developed parcels, still contribute runoff and non-point source pollutants to the storm water system.

## Existing Parcel Apportionment

The City's parcel apportionment is accomplished through the development of a base-billing unit, called an Equivalent Residential Unit (ERU). Based on URS, Inc.'s June 2001 Storm Water Utility Implementation Program, Technical Memorandum Change Order 1 Parcel Characterization (Technical Memorandum), the **ERU value is equal to 2,629 square feet** which represents the average amount of impervious area for single family parcels in the City.



## Existing Rate Classes

Each property use within the City on the ad valorem tax roll was assigned by the City to a rate class based on its assignment of use by the Pasco County Property Appraiser or verification of use obtained through field research. A listing of Class Codes and associated property use category is provided as Appendix A.

Using the Class Codes, the specific methodology for the parcel apportionment within each category of property use is generally described below.

**Single Family Residential Parcels** – Single family residential parcels, are parcels to which the Property Appraiser assigned a Use Code 01, 02, 04, 09 or 28. All single family residential parcels were assigned one (1) ERU per dwelling unit. Mobile home and RV parks were assigned 1 ERU per individual site within the park.

**General Parcels** – General parcels are all other parcels with improvements which were not classified as single family residential parcels or undeveloped parcels. Impervious areas for all general parcels were computed as the sum of the structure area and the pavement area. The number of ERUs attributable to each General Parcel is determined by dividing the impervious area of the General Parcel by the ERU value identified in the Existing Parcel Apportionment section above.

**Undeveloped Parcels** – Undeveloped parcels are not currently being charged a storm water assessment unless there are impervious areas present on the parcel. If there are impervious surfaces on an undeveloped parcel, the parcel is then treated as a General Parcel for storm water purposes.

## Storm Water Programs in Florida

Source: Florida Storm Water Association 2016 Storm Water Utility Report Narrative

*“In 2016, Florida had 67 counties and over 410 cities. It is difficult to determine exactly how many storm water utilities exist in the state, but FSA’s best estimate is that there were approximately 165 local governments that established storm water utilities pursuant to Chapter 403, Florida Statutes, or their own home rule powers. One hundred and twenty-four storm water utilities responded to the 2016 survey questionnaire. FSA expects the number of storm water utilities to continue to increase for several reasons:*

- *The Florida Supreme Court has consistently upheld the validity of such fees;*
- *There is (generally) more public support for funding programs with user fees as opposed to ad valorem or other general taxes; and,*
- *The process of implementing the multi-billion dollar Total Maximum Daily Loads and Numeric Nutrient Criteria programs in Florida is now beginning to take full effect.*

*Also, to the extent that recently adopted measures reduce the amount of property tax revenues available in the city or county general fund, local governments will be more inclined to consider storm water user fees or increases therein as a way to fund water quality programs. As one might expect, service areas dedicated exclusively to the city constituted a significant majority of storm water utilities in part reflecting the relative ease of attaching a user charge onto an existing billing mechanism. Most storm*

*water utilities are located within a department of public works and have used impervious area as the basis for calculating the fee.*

*As in earlier surveys, revenue generated from storm water utilities represents a significant source of funds to address storm water pollution and flooding problems, but it still falls short of being able to address long-term, capital needs. Most jurisdictions report that utility charges are adequate to meet most administrative costs but not for needs associated with capital improvement programs. Whether storm water utility fees can be raised at a rate to keep pace with the costs of TMDLs remains to be seen.”*

The City, in order to comply with the new nutrient limitation mandates of the National Pollutant Discharge Elimination System (NPDES) permit, utilizes the storm water utility to administer the policies and ordinances necessary.

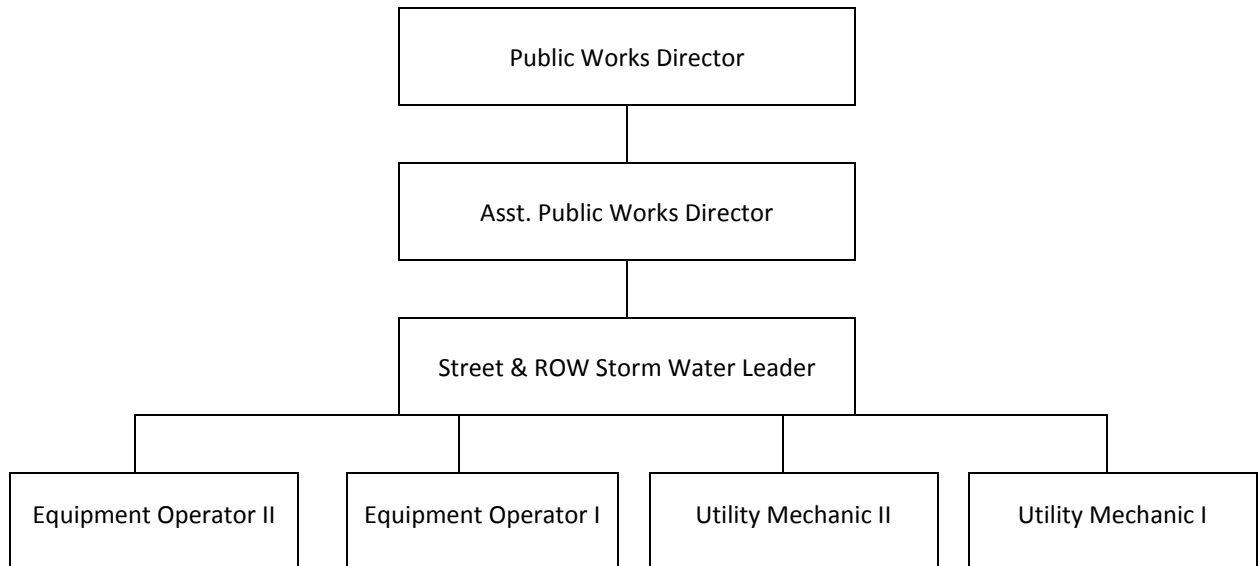
In 2011, approximately 59% of the survey respondents did not charge undeveloped parcels. That percentage is declining. The 2016 survey results showed only approximately 55% of the respondents did not charge undeveloped parcels, meaning that more and more utilities are charging both developed and undeveloped parcels.

## Service Description and Cost Calculations

---

Storm water services are currently provided to residential and non-residential properties within the City. Storm water services are provided through the City's Public Works Department and consists of five full-time employees dedicated to the provision of storm water services throughout the City. The following is an organizational chart for the City's Storm Water Utility.

**City of New Port Richey, Florida**  
**Storm Water Utility Organizational Chart**



## Assessable Cost Calculations

To develop a 5-year proforma assessable budget, Ayres utilized the City's Fiscal Year 2016-2017 (FY 17) Storm Water Utility Fund Budget as well as the Capital Improvement Program Storm Water Utility Fund 5-year FY 18 – FY 22 Revenue and Expense Model.

The total assessable cost calculations were developed using the following assumptions:

### Expenditures

- Begin with Fiscal Year 2016-17 (FY 17) Storm Water Utility Fund Budget provided by the City.
  - Increase personnel services 2.5% annually.
  - Increase operating expenses 3% annually.
- The infrastructure maintenance and betterment projects are contingent upon the City's ability to obtain additional outside funding to help defray costs. This amount from the utility is budgeted to increase each year for a five year average of \$339,400 annually.
- Indirect Costs are transfers to the General Fund for costs due to administration, legal and other support services provided to the storm water utility by other City departments.
  - This cost is budgeted at \$130,000 annually.
- The City has no existing storm water utility debt service.
- The contingency reserves are set to resume in FY 18 and increase 2.5% annually.
- The Renewal & Replacement (R&R) reserve is based on the Equipment Purchases annualized costs in the Capital Improvement Program (CIP).

### Revenues

- Revenues are shown as a reduction in the total assessable expenditures. Due to current and historic low interest rates, interest revenues are shown as remaining constant.
- The City has no recurring grants. Grants have historically been project specific. The following grants have been utilized to provide funding for capital projects: Penny for Pasco (P4P), and South West Florida Water Management District Cooperative Funding Grant (SWFWMD).

### Miscellaneous Assessment Expenditures

- The Miscellaneous Assessment Expenditures portion of the budget include costs associated with this Rate Study, implementation costs and annual program maintenance. These costs are reimbursable through the assessment program.
- Pursuant to section 197.3632, Florida Statutes, the tax collector and property appraiser may each enter into an agreement with the local government for reimbursement of necessary administrative costs incurred from the collection of the non-ad valorem assessment. Accordingly, if any such fee(s) is charged, the fee may be recouped as an add-on to the total assessable costs for the year.
  - Collection Costs (TC) reflects reimbursement for the collection costs associated with the non-ad valorem assessment incurred by the Tax Collector (TC). Pursuant to section 197.3632, Florida Statutes, a municipal government shall only compensate the tax collector for the actual costs of collecting the non-ad valorem assessments, not to exceed 2%, on the amount of special assessments collected and remitted. The collection cost has been assumed to be 2%.

- Property Appraiser Costs are the costs for services relating to providing notice of the storm water assessment in the annual TRIM notices.
- Statutory Discount reflects a 95% collection of the Storm Water Assessment to cover the 4% statutory discount allowed by the Uniform Method and 1% reserve for under collection. Accordingly, the statutory discount is budgeted at 5% of the total assessable costs.

Table 1 shows the City's Fiscal Year 2016-17 Storm Water Utility Operating Fund Budget.

**Table 1 – City Storm Water Utility Operating Fund Fiscal Year 2016-2017 (FY 17) Budget**

<b>Expenditures</b>		<b>Budget FY 17</b>
<b>Code</b>	<b>Personnel Services</b>	
12-99	Regular Full-Time Wages	137,230
14-11	Overtime Wages	12,160
15-11	Employee Incentives	250
15-16	Health Insurance Waiver Stipend	-
15-22	Education Incentive Pay	600
15-27	Standby Time	7,140
15-29	Meal Allowance	-
21-11	Social Security Matching	12,180
22-11	Florida Retirement System	11,770
23-11	Health Insurance	37,290
23-12	Life Insurance	250
23-13	Accidental Death & Disab Insurance	100
23-15	Net OPEB Obligation Expense	-
24-33	Workers Comp - Irrigation Workers/Oper/Drivers (0251)	8,470
<b>Total Personnel Services</b>		<b>227,440</b>
<b>Operating Expenses</b>		
31-29	Engineering Services - Misc	35,000
31-99	Professional Services - Misc	35,000
34-33	Lawn Maintenance	50,000
34-38	Lab Test	10,000
34-99	Contractual Services - Misc	35,000
40-11	Travel & Training	2,390
41-21	Telephone - Local	1,300
41-34	Data Lines	2,000
41-41	Pager Services	100
42-11	Postage	50
43-11	Electric - City Facilities	14,240
43-31	Trash Removal	12,500
43-73	Street Light Fee	40
43-81	Stormwater Assessment	80
44-19	Rent - Equipment/Software	5,000
45-11	Liability Insurance - Comp. General	3,330
45-21	Building & Contents Insurance	3,300
45-22	Pollution Insurance	4,400
45-23	Automobile & Truck Insurance	750
46-11	Maintenance & Repairs - Bldg & Grounds	15,000

**Table 1 – City Storm Water Utility Operating Fund Fiscal Year 2016-2017 (FY 17) Budget (Continued)**

<b>Operating Expenses</b>		<b>Budget FY 17</b>
46-21	Maintenance & Repairs - Equipment	400
46-31	Maintenance & Repairs - Central Garage	7,500
49-83	Permit Fees	2,500
49-99	Other Current Charges - Misc	2,000
51-11	Office Supplies - General	1,000
51-21	Maps & Charts	300
51-41	Small Tools & Implements	7,000
52-11	Fuel	20,000
52-25	Software License Support	400
52-31	Clothing & Apparel	1,500
52-43	Computer/Operating Supply	1,400
52-47	First Aid Supplies	200
52-89	Automotive Parts	20,000
52-99	Operating Supplies - Misc	13,800
53-21	Signs & Sign Material	5,000
53-31	Pipe/Culvert Material	10,000
53-41	Sod/Seed	10,000
53-99	Road Materials - Misc	10,000
54-11	Dues & Memberships	200
54-61	Books & Publications	200
<b>Total Operating Expenses</b>		<b>342,880</b>
<b>Transfers</b>		
91-51	Transfer to General Fund	329,030
91-52	Transfer to Street Improvement Fund	56,030
91-53	Transfer to Capital Improvement Fund	283,000
<b>Total Transfer</b>		<b>668,060</b>
<b>Total Stormwater Utility Fund</b>		<b>1,238,380</b>

Table 2 shows the City's Five (5) Year Capital Improvement Program Summary for Fiscal Years 2017-18 (FY 18) through 2021-22 (FY 22).

**Table 2 – City Five (5) Year Capital Improvement Program Summary**

	FY 18	FY 19	FY 20	FY 21	FY 22	5-Year
	FY 2017-18	FY 2018-19	FY2019-20	FY2020-21	FY 2021-22	Average
<b>63-XX Flood Control</b>						
Flood Control/Water Quality Projects	317,000	330,000	340,000	350,000	360,000	339,400
<b>TOTAL</b>	<b>317,000</b>	<b>330,000</b>	<b>340,000</b>	<b>350,000</b>	<b>360,000</b>	<b>339,400</b>
<b>64-13 Data Processing Equipment</b>						
Laptop Computer	-	-	-	2,400	-	480
Desktop Computer	-	-	2,800	-	-	560
<b>Total</b>	<b>-</b>	<b>-</b>	<b>2,800</b>	<b>2,400</b>	<b>0</b>	<b>1,040</b>
<b>64-15 Trucks and Trailers</b>						
(#114) Service Truck w/ Crane (R&R)	5,000	5,000	5,000	5,000	5,000	5,000
(#110) Service Truck w/ Liftgate (R&R)	5,000	5,000	5,000	5,000	5,000	5,000
(#96) Flatbed (R&R)	5,000	5,000	5,000	5,000	5,000	5,000
Vacuum Line Cleaning Truck (R&R)	50,000	50,000	50,000	50,000	50,000	50,000
(#69) Water Tanker Truck (R&R)	7,000	7,000	7,000	7,000	7,000	7,000
<b>Total</b>	<b>72,000</b>	<b>72,000</b>	<b>72,000</b>	<b>72,000</b>	<b>72,000</b>	<b>72,000</b>
<b>64-16 Heavy Equipment</b>						
(#11) Clam Shell (R&R)	5,000	5,000	5,000	5,000	5,000	5,000
(#102) Street Sweeper (R&R)	17,500	17,500	17,500	17,500	17,500	17,500
<b>Total</b>	<b>22,500</b>	<b>22,500</b>	<b>22,500</b>	<b>22,500</b>	<b>22,500</b>	<b>22,500</b>
<b>64-31 Special Purpose Equipment</b>						
Sand Bag Station (R&R)	10,000	-	-	-	-	2,000
Portable Pumping System (R&R)	3,000	3,000	3,000	3,000	3,000	3,000
<b>Total</b>	<b>13,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>5,000</b>
<b>TOTAL STORMWATER UTILITY CIP</b>	<b>424,500</b>	<b>427,500</b>	<b>440,300</b>	<b>449,900</b>	<b>457,500</b>	<b>439,940</b>

Table 3 shows the five-year proforma assessable budget based on the above stated assumptions for the provision of storm water services in the City.

**Table 3 – Storm Water Five – Year Proforma Assessable Budget FY 18 through FY 22**

	FY 17 Budget FY 2016-17	FY 18 FY 2017-18	FY 19 FY 2018-19	FY 20 FY2019-20	FY 21 FY2020-21	FY 22 FY 2021-22	5-Year Average
<b>Expenditure Summary</b>							
Personal Services	227,440	233,126	238,954	244,928	251,051	257,327	245,077
Operating Expenses	342,880	353,166	363,761	374,674	385,914	397,492	375,002
Infrastructure Maintenance & Betterment	283,000	317,000	330,000	340,000	350,000	360,000	339,400
Indirect Costs	329,030	130,000	130,000	130,000	130,000	130,000	130,000
Existing Debt Service	-	-	-	-	-	-	-
Reserves	-	15,000	15,375	15,759	16,153	16,557	15,769
R&R Reserves	-	107,500	97,500	97,500	97,500	97,500	99,500
<b>TOTAL EXPENDITURES</b>	<b>1,182,350</b>	<b>1,155,792</b>	<b>1,175,591</b>	<b>1,202,862</b>	<b>1,230,619</b>	<b>1,258,877</b>	<b>1,204,748</b>
<b>Revenue</b>							
Interest S.B.A.	500	500	500	500	500	500	500
Interest FMIvt	450	450	450	450	450	450	450
<b>TOTAL REVENUES</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>
<b>TOTAL EXPENDITURES</b>	<b>1,182,350</b>	<b>1,155,792</b>	<b>1,175,591</b>	<b>1,202,862</b>	<b>1,230,619</b>	<b>1,258,877</b>	<b>1,204,748</b>
<b>TOTAL REVENUES</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>	<b>950</b>
<b>TOTAL NET EXPENDITURES</b>	<b>1,181,400</b>	<b>1,154,842</b>	<b>1,174,641</b>	<b>1,201,912</b>	<b>1,229,669</b>	<b>1,257,927</b>	<b>1,203,798</b>
<b>Miscellaneous Assessment Expenditures</b>							
Study Costs	19,420	-	-	-	-	-	-
Annual Assessment Roll Maintenance	2,500	2,500	2,500	2,500	2,500	2,500	2,500
First Class Notices	10,000	-	-	-	-	-	-
Collection Costs (TC)	26,096	24,892	25,318	25,905	26,501	27,109	25,945
Property Appraiser Costs	150	150	150	150	150	150	150
Statutory Discount (4% early payment & 1% non-collection)	65,240	62,231	63,295	64,761	66,254	67,773	64,863
<b>Total Misc. Assessment Expenditures</b>	<b>123,406</b>	<b>89,773</b>	<b>91,263</b>	<b>93,316</b>	<b>95,405</b>	<b>97,532</b>	<b>93,458</b>
<b>TOTAL ASSESSABLE COSTS</b>	<b>1,304,806</b>	<b>1,244,615</b>	<b>1,265,904</b>	<b>1,295,228</b>	<b>1,325,074</b>	<b>1,355,459</b>	<b>1,297,256</b>

## Determination of Storm Water Services Demand

### Special Assessment Benefit Assumptions

The following assumptions support a finding that the storm water services provided by the City provide a special benefit to the assessed parcels.

- The provision of storm water management services and the availability and use of facilities or improvements by owner and occupants of such property to properly and safely detain, retain, convey or treat storm water discharged from such property;
- Stabilization of or the increase of property values;
- Increased safety and better access to property;
- Improved appearance;
- Rendering property more adaptable to a current or reasonably foreseeable new and higher use;
- Alleviation of the burdens caused by storm water runoff and accumulation associated with the present or projected use of property; and



- Fostering the enhancement of environmentally responsible use and enjoyment of the natural resources within the City such as Pithlachascotee River and Orange Lake.

## **Cost Apportionment Assumptions**

The cost apportionment exercise addresses two fundamental questions; Who pays; and for what services?

Defining the benefit or service area is a geographically precise process. Based on a parcel specific evaluation, it was determined that the entire geographic area of the City benefits from the storm water management services.

## **Parcel Apportionment Assumptions**

Parcel apportionment focuses on the question, “How is each parcel’s share of recoverable costs to be determined?” The following assumptions support findings that the recommended parcel apportionment is fair, reasonable, and equitable.

- The amount of runoff generated by a parcel and sent to the storm water system represents that parcel’s proportionate share of the burden of creating and maintaining the storm water system.
  - The amount of runoff from a developed parcel is largely determined by the amount of impervious area (hard surfaces through which water does not easily pass) contained on a parcel – the more the impervious area, the more the runoff, the more the cost of treatment and the more the charge to the parcel.
  - The amount of runoff from an undeveloped parcel (though less than a developed parcel) is largely determined by the size of the parcel.
    - the larger the parcel, the more the runoff, the more the cost of treatment and the more the charge to the parcel.
- The value of the parcel does not determine the scope of the required storm water management services. The potential demand for storm water services by developed property is driven by either the amount of impervious area located on a developed parcel or the size of an undeveloped parcel.
- Apportioning the assessed costs for storm water services attributable to the single family residential property use category on a per parcel basis is a fair and reasonable method of parcel apportionment based upon statistical data contained in the Technical Memorandum and in this study.

## **Proposed Developed Parcel Apportionment**

Parcel apportionment is accomplished through the development of a base billing unit, called an Equivalent Residential Unit (ERU). An ERU is a measure that serves as a common index to compare runoff generated by different sized properties with different storm water generation characteristics. The ERU value for developed parcels of 2,629 square feet of impervious area as defined in the Technical Memorandum is still a valid measure and no change is proposed.

## Proposed Undeveloped Parcel Apportionment

The City has recognized that undeveloped parcels also contribute to the storm water systems. This is to a lesser degree since the impervious area is less, but nonetheless, runoff and non-point source pollutants are still generated by undeveloped properties which the storm water utility must account for. A common nationwide recognized storm water software program HydroCAD, developed by HydroCAD Software Solutions, LLC, is based on the United States Department of Agriculture (USDA) Urban Hydrology for Small Watersheds Technical Release 55 (TR55). The following is an excerpt from the preface of this document – *“TR-55 presents simplified procedures to calculate storm runoff volume, peak rate of discharge, hydrographs, and storage volumes required for floodwater reservoirs. These procedures are applicable in small watersheds, especially urbanizing watersheds, in the United States. First issued by the Soil Conservation Service (SCS) in January 1975, TR-55 incorporates current SCS procedures”*. This document has been the standard for estimating runoff volumes and rates.

Utilizing the methodology of TR55, one can estimate the runoff for a typical single family residential parcel as well as from a undeveloped parcel. The following is a summary of that evaluation for the City of New Port Richey.

**Average Residential Parcel Size** – Utilizing the year end 2016 Pasco County tax roll database for the City of New Port Richey, the total number of single family residential parcels (see Rate Class category below for Use Codes) is 5,479 parcels. The tax roll shows that the total square footage of those parcels is 39,470,942 square feet. Dividing these two numbers shows that the average residential parcel size is **7,204 square feet**.

Dividing the average residential impervious area (see Developed Parcel Apportionment above) by the average residential parcel size equals 36.5% impervious.

TR55 developed standard Curve Numbers (CN) for various land covers based on the specific hydrologic soil group (Type A – Type D) developed by the Soil Conservation Service (SCS). According to the SCS Soil Survey for Florida, The City of New Port Richey is predominately dominated by Type A soils. Fully Developed Urban Area Residential Districts with ¼ acre lot size, 38% imperviousness, Type A soils, have a CN of 61. Conversely, Fully Developed Urban Area Open Spaces with grass cover >75%, Type A soils, have a CN of 39.

Time of concentration is defined at the time required for runoff to travel from the most hydrologically distant point of an area to the point of collection. Conservatively assuming an average residential lot is approximately 120 feet deep, the time of concentration for sheet flow through mowed grass is 12 minutes.

Rainfall events typical for the region and storm intensity are then used to predict the runoff. In 2014, the National Oceanic and Atmospheric Association (NOAA) updated the rainfall tables to more accurately reflect the intensity and magnitude of the typical model storm (ATLAS14). For this evaluation, the ATLAS14 rainfall table for Pasco County Florida was used.

These curve numbers along with the time of concentration, the average residential parcel size, and the rainfall table are used in the HydroCAD model to predict the runoff from the average residential parcel and an equivalent size undeveloped parcel for various typical storm event. Table 4 below shows the comparison based on these storm events.

**Table 4 – Storm Water Runoff Summary**

Storm	1-Year	2-Year	5-Year	10-Year	25-Year	50-Year	100-Year	Total
Rainfall (Inches)	4.25	5.00	6.75	8.00	9.00	10.00	11.50	
Average Residential Runoff (cubic feet)	506	742	1386	1904	2343	2800	3511	13192
Average Undeveloped Runoff (cubic feet)	31	94	348	606	850	1122	1576	4627
Percent of Residential	6%	13%	25%	32%	36%	40%	45%	35%

**Undeveloped Parcel Runoff Percentage** – Based on the sum of all the storm events, an equivalent size undeveloped parcel will contribute approximately **35 percent** of the runoff of an average residential parcel.

## Proposed Rate Classes

Using the data from the Pasco County Tax Rolls, there are approximately 7,481 parcels within the City, each with a unique property use code as assigned by the Pasco County Property Appraiser. The City has then assigned a Rate Class Code to each of the parcels based on that use code. A listing of Rate Class Codes and associated property use categories is provided as Appendix A.

Using the Rate Class Codes, the specific methodology for the parcel apportionment within each category of property use is generally described below.

**Single family Residential Parcels** – Single family residential parcels are parcels to which the Property Appraiser has assigned a Use Code 01, 02, 04, 09 or 28. All single family residential parcels are assigned one (1) ERU per dwelling unit. Mobile home and RV parks are charged 1 ERU per individual site within the park.

**General Parcels** – General parcels are all other parcels not classified as single family residential parcel, undeveloped parcels or not charged parcels. Impervious areas for all general parcels are computed as the sum of the structure area and the pavement area. The number of ERUs attributable to each General Parcel is determined by dividing the impervious area of the General Parcel by the ERU value defined in the Proposed Developed Parcel Apportionment section above.

**Undeveloped Parcels** – Undeveloped parcels are vacant parcels to which the Property Appraiser has assigned a Use Code of 00, 10, 40, or 70. The number of ERUs attributable to each Undeveloped Parcel is determined by dividing the total area of the parcel by the Average Residential Parcel size and then multiplying that by the Undeveloped Parcel Runoff Percentage.

**Not Charged** – Not Charged parcels are those parcels to which the Property Appraiser has assigned a Use Code of 94, 95, 96, or 99. These codes will not be utilized in ERU calculations or storm water assessments.

Based on the foregoing methodology, Table 5 provides the total number of ERUs by rate class.

**Table 5 – Total Number of ERU's by Rate Class**

<b>Rate Class</b>	<b>Parcel Count</b>	<b>ERUs</b>
Single Family Residential Parcels	5,479	6,355
General Parcels	1,319	7,050
Undeveloped Parcels	643	2,812
Not Charged	40	-
<b>Total</b>	<b>7,481</b>	<b>16,216</b>

Source: Utility Assessment Roll and Pasco County Parcel Data Roll

## Preliminary Storm Water Assessment Rates

Based on the costs of providing storm water services and the number of ERUs, Table 6 summarizes the recommended storm water rates after application of the storm water methodology for Fiscal Year 2017-18 at 100 percent of the assessable costs.

**Table 6 – Preliminary Rates Fiscal Year 2017-18 (FY 18)**

<b>100% of Assessable Costs =</b>	<b>\$</b>	<b>1,244,615</b>
Total Assessable Costs	\$	1,244,615
Total Number of ERU's		16,216
<b>Rate Per ERU</b>	<b>\$</b>	<b>76.75</b>

Table 7 reflects the annual rates at 100 percent of the 5 year average assessable costs.

**Table 7 – Preliminary Rates 5-Year Average**

<b>100% of Assessable Costs =</b>	<b>\$</b>	<b>1,297,256</b>
Total Assessable Costs	\$	1,297,256
Total Number of ERU's		16,216
<b>Rate Per ERU</b>	<b>\$</b>	<b>80.00</b>

Table 8 reflects the rates at 100 percent of Fiscal Years 2017-18 through 2021-22 assessable costs.

**Table 8 – Preliminary Rates Fiscal Years 2017-18 (FY 18) through 2021-22 (FY 22)**

**100% of Assessable Costs**

	<b>FY 17-18 Proforma Budget</b>	<b>FY 18-19 Proforma Budget</b>	<b>FY 19-20 Proforma Budget</b>	<b>FY 20-21 Proforma Budget</b>	<b>FY 21-22 Proforma Budget</b>	<b>5 Year Average Budget</b>
Total Assessable Costs	\$ 1,244,615	\$ 1,265,904	\$ 1,295,228	\$ 1,325,074	\$ 1,355,459	\$ 1,297,256
Total Number of ERU's	16,216	16,216	16,216	16,216	16,216	16,216
<b>Rate Per ERU</b>	<b>\$ 76.75</b>	<b>\$ 78.06</b>	<b>\$ 79.87</b>	<b>\$ 81.71</b>	<b>\$ 83.59</b>	<b>\$ 80.00</b>
<b>Collections</b>						<b>Total</b>
Over/(Under) @ \$77.36	9,890	(11,399)	(40,722)	(70,569)	(100,953)	(42,751)
Over/(Under) @ \$80.00	52,701.15	31,413	2,089	(27,758)	(58,142)	61

## Computation of Storm Water Charges

Parcel charges are calculated on a two-step basis:

- ERU –
  - The amount of developed impervious area relative to the base-billing unit is calculated by dividing the impervious area on a developed parcel by the ERU impervious value defined in the Proposed Developed Parcel Apportionment above;
  - The undeveloped parcel size relative to the base-billing unit is calculated by dividing the square footage of an undeveloped parcel by the Average Residential Parcel Size and then multiplying that by the Undeveloped Parcel Runoff Percentage.
- Mitigation Credits – This is necessary where simple impervious area or undeveloped parcel size does not adequately account for relative runoff for a give parcel. It is applied as simple factors multiplied against the ERUs.

### Mitigation Credit

Mitigation credits reflect the fact that given two identically situated parcels with identical improvements, the parcel with on-site private storm water treatment facilities will generate less volume of runoff, runoff at a slower rate, and/ or less polluted runoff than the parcel without comparable facilities.

The City's current mitigation policy is outlined in the City's Storm Water Utility Service Charge Credit Technical Manual.

## Methodology Revisions

### Item 1: Acceptance of Undeveloped Parcel Methodology & Use Codes

### Item 2: Treating Use Code 87 Other State as General instead of Not Charged

## Implementation Schedule

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To implement the updated storm water assessment rates and methodology presented in this Rate Study beginning in Fiscal Year 2017-18, the City of New Port Richey must complete the following tasks:

### Critical Events Schedule

Event	Date
Workshop Re: Methodology and Rates	May 16, 2017
City Provides Direction on Rates	May 16, 2017
City Approves Final Rate Studies	June 20, 2017
City Passes Assessment Resolutions	September 2017
Appear on Residents' Tax Bill	October, 2017

**Appendix A**  
**Pasco County Use Codes vs Rate Class Codes**

## Pasco County Use Codes vs Rate Class Codes

Use Code	Description	Rate Class Code
00	Vacant Residential	Undeveloped
01	Single Family	Residential
02	Mobile Homes	Residential
03	Multi-Family - 5 or more units	General
04	Condominium	Residential
08	Multi-Family - less than 5 units	General
09	Residential Common Elements/Areas	Residential
10	Vacant Commercial	Undeveloped
11	Retail Stores, One Story, All Types	General
12	Stores, Office, SFR	General
13	Department Stores	General
14	Supermarket	General
16	Shopping Center Community	General
17	1 Story Office	General
18	Multi-Story Office	General
19	Professional Service Building	General
21	Restaurants	General
22	Drive-In Restaurants	General
23	Financial Institutions	General
25	Service Shops Non-Automotive	General
26	Service Stations	General
27	Auto Sales, Service, etc.	General
28	Rental MH/RV Park	Residential
29	Wholesale MFG., etc.	General
30	Florist, Greenhouses	General
32	Theaters, Enclosed	General
33	Night Clubs, Bars, etc.	General
39	Hotels, Motels	General
40	Vacant Industrial	Undeveloped
41	Light Manufacturing	General
48	Warehousing (Block or Metal)	General
70	Vacant Institutional	Undeveloped
71	Churches	General
72	Schools, Colleges, Private	General
73	Hospitals, Private	General
74	Homes for the Aged	General
76	Mortuaries, Cemeteries, etc.	General
77	Clubs, Lodges, Halls	General
78	Out Patient Clinics	General
82	Forests, Parks, etc.	General
83	Schools, Public	General
85	Hospitals, Public	General
86	Other County	General
87	Other State	General
88	Other Federal	General
89	Other Municipal	General
91	Utilities	General
94	Right-of-Way, Streets, Ditch	Not Charged
95	Rivers and Lakes, Submerged Lands	Not Charged
96	Sewage Disposal, Waste Lands, Swamp	Not Charged
99	Acreage not zoned agricultural – with/without extra features	Not Charged



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**CITY OF NEW PORT RICHEY, FLORIDA**

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**STREET LIGHTING ASSESSMENT  
INITIAL ASSESSMENT RESOLUTION**

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**ADOPTED JULY 18, 2017**

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## **RESOLUTION NO. 2017-22**

**A RESOLUTION OF THE CITY COUNCIL OF NEW PORT RICHEY, FLORIDA, RELATING TO THE ANNUAL FUNDING OF STREET LIGHTING SERVICES IN THE CITY THROUGH THE IMPOSITION OF SPECIAL ASSESSMENTS; APPROVING THE STREET LIGHTING ASSESSMENT RATE STUDY PREPARED BY AYRES ASSOCIATES; ADOPTING THE METHODOLOGY FOR APPORTIONING STREET LIGHTING ASSESSMENTS SET FORTH THEREIN; PROVIDING FOR THE IMPOSITION OF STREET LIGHTING ASSESSMENTS WITHIN THE ENTIRE AREA OF THE CITY; ESTIMATING THE SERVICE COST TO PROVIDE STREET LIGHTING RELATED ESSENTIAL SERVICES, FACILITIES, EQUIPMENT AND IMPROVEMENTS; DIRECTING THE CITY MANAGER TO PREPARE A PRELIMINARY STREET LIGHTING ASSESSMENT ROLL FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2017; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE STREET LIGHTING ASSESSMENTS; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

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

### **ARTICLE I**

#### **INTRODUCTION**

**SECTION 1.01. AUTHORITY.** This Resolution of the City of New Port Richey, Florida is adopted pursuant to City Ordinance No. 2012-1985 (the "Assessment Ordinance"), Sections 166.021, 166.041 and 197.3632, Florida Statutes, and other applicable provisions of law.

**SECTION 1.02. DEFINITIONS.** All capitalized words and terms not otherwise defined herein shall have the meaning set forth in the Assessment Ordinance. As used in this Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires.

**"Assessed Property"** means all parcels of real property included in the Street Lighting Assessment Roll that receive a special benefit from Street Lighting Services.

**"Assessment Ordinance"** means City Ordinance No. 2012-1985, as may be amended from time to time, or its successor in function.

**"Buildings"** means any structure, whether temporary or permanent, built for support, shelter or enclosure of persons, chattel, or property of any kind, including mobile homes. This term shall also include the use of land in which lot or spaces are offered for use, rent or lease for the placement of mobile homes, travel trailers or the like for residential purposes.

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

**"City Clerk"** means the clerk of the City Council.

**"City Manager"** means the chief administrative officer of the City, or such person's designee responsible for coordinating calculation and collection of Assessments as provided herein.

**"Class Code"** means the class or usage code assigned to each Tax Parcel by the Property Appraiser or by the City Manager after verification and/or field research.

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

**"Developed Property"** means Tax Parcels that are improved entirely or in part with Buildings.

**"Equivalent Residential Unit" or "ERU"** means the Assessment Unit described in Section 3.03 hereof. The ERU is the standard unit used to express the special benefit received by Assessed Property through the provision of Street Lighting Services.

**"Exempt Property"** means property expressly exempted from Street Lighting Assessments by this Resolution.

**"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.

**"Fiscal Year 2017-18"** means the Fiscal Year commencing on October 1, 2017.

**"General Parcels"** means Tax Parcels other than Single Family Residential Parcels.

**"Rate Study"** means the Street Lighting Assessment Rate Study dated June 20, 2017, prepared by Ayres Associates.

**"Single Family Residential Parcels"** means Tax Parcels assigned a Class Code of 01, 02 or 04, including single family residential parcels, mobile home parcels and condominium parcels.

**"Street Lighting Assessment"** or **"Assessment"** means a special assessment (sometimes characterized as a non-ad valorem assessment) levied by the Council to fund the Street Lighting Service Cost.

**"Street Lighting Assessment Roll"** means the roll created pursuant to Section 2.04 of the Assessment Ordinance and described in Section 2.02 hereof that includes a summary description of each Tax Parcel subject to Street Lighting Assessments, the name of the owner of each Tax Parcel as shown on the Tax Roll, and the number of Equivalent Residential Units attributable to each Tax Parcel.

**"Street Lighting Improvements"** means land, appurtenances, facilities, equipment and improvements (including but not limited to light poles and luminaries) necessary for the provision of street lighting.

**"Street Lighting Service Cost"** means the estimated amount for any Fiscal Year of all expenditures and reasonable reserves that are properly attributable to Street Lighting Service provided under generally accepted accounting principles, including but not limited to billing and collection of Street Lighting Assessments, including customer information services and reserves for statutory discounts.

**"Street Lighting Services"** means the acquisition, lease, rental, operation, maintenance or installation of Street Lighting Improvements and the provision of and payment for electrical services and current used in the provision of street lighting.

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

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

**"Undeveloped Property"** means Tax Parcels which contain no Buildings.

**"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 1.03. 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 1.04. FINDINGS.** It is hereby ascertained, determined and declared that:

(A) The City is authorized by Article VIII, Section 2 of the State Constitution, Section 166.021, Florida Statutes, the Assessment Ordinance, the Uniform Assessment Collection Act,

and other applicable provisions of law, to provide for the imposition and collection of charges in the form of Assessments.

(B) The Street Lighting Services contemplated herein are Essential Services which possess a logical relationship to the use and enjoyment of, and provide a special benefit to, real property and the costs associated with such services may be recovered, in whole or in part, through the imposition and collection of Street Lighting Assessments.

(C) The City has imposed special assessments to fund street lighting services and facilities since 2003 and has undertaken periodic review and updating of the street lighting assessment program, including in 2012, to ensure that the assessment rates are sufficient to fund the annual Street Lighting Service Cost incurred by the City.

(D) In 2017, the City engaged Ayres Associates to review the City's street lighting assessment program and prepare the Rate Study, a copy of which is attached hereto as Appendix C and incorporated herein by reference, which provides recommendations regarding the program and the assessment rates necessary to pay for street lighting services and facilities through Fiscal Year 2021-22.

(E) The Rate Study has been considered by the Council in adopting this Resolution. The apportionment methodology and rate classification system described in the Rate Study and based upon the square footage of land and Buildings is reasonable and equitable, and will continue to be so as properties within the City develop and change; and



it is also manageable and capable of being fairly implemented from year to year without wasteful or extraordinary consumption of resources.

(F) As described therein, the provision of Street Lighting Services specially benefits all parcels, whether residential or non-residential, developed or undeveloped property uses, by protecting and enhancing their value, use and enjoyment.

(G) The provision of Street Lighting Services and the operation and maintenance of street lights provides better property identification and recognition, and enhances the safe accessibility to property.

(H) The apportionment of Street Lighting Assessments in the manner set forth in the Rate Study is a fair and reasonable method for allocating the special benefit conveyed by Street Lighting Services.

(I) The assignment of one (1) ERU to each Single Family Residential Parcel is a fair and reasonable method of apportionment which recognizes the substantially similar benefit conveyed by Street Lighting Services to such parcels.

(J) It is also fair and reasonable to assess all mobile homes on a residential unit basis, such that Tax Parcels assigned a Class Code 28 shall be treated as residential parcels and assigned one (1) ERU per mobile home space.

(K) The apportionment method described in the Rate Study bears a reasonable relationship to the cost of providing Street Lighting Services.

(L) It is fair and reasonable to impose Street Lighting Assessments upon Assessed Property, apportioned in the manner set forth in Section 3.03 hereof, to fund the Street Lighting Service Cost.

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## **ARTICLE II**

### **NOTICE AND PUBLIC HEARING**

#### **SECTION 2.01. ESTIMATED STREET LIGHTING SERVICE COST.**

(A) The estimated Street Lighting Service Cost to be recovered through Street Lighting Assessments for Fiscal Year 2017-18 is \$486,000. The Street Lighting Service Cost will be funded through the imposition of Street Lighting Assessments, as provided herein.

(B) The estimated Street Lighting Assessments established in this Initial Assessment Resolution shall be the estimated assessment rates applied by the City Manager in the preparation of the preliminary Street Lighting Assessment Roll as provided in Section 2.02 of this Initial Assessment Resolution.

**SECTION 2.02. STREET LIGHTING ASSESSMENT ROLL.** The City Manager is hereby directed to prepare, or cause to be prepared, a preliminary Street Lighting Assessment Roll for Fiscal Year 2017-18, in the manner provided in Section 2.04 of the Assessment Ordinance. The Street Lighting Assessment Roll shall include all Tax Parcels within the City which are not otherwise exempted from payment of the Street Lighting Assessments hereunder. The City Manager shall apportion the estimated Street Lighting Service Cost to be recovered through Street Lighting Assessments in the manner set forth in this Initial Assessment Resolution. A copy of this Initial Assessment Resolution and the preliminary Street Lighting Assessment Roll shall be maintained on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require

that the preliminary Street Lighting Assessment Roll be in printed form if the amount of the Street Lighting Assessment for each parcel of property can be determined by the use of a computer terminal or internet access available to the public.

**SECTION 2.03. PUBLIC HEARING.** There is hereby established a public hearing to be held at 6 p.m. on August 1, 2017, in City Council Chambers of City Hall, 5919 Main Street, New Port Richey, Florida, at which time the Council will receive and consider any comments on the Street Lighting Assessments from the public and affected property owners and consider imposing Street Lighting Assessments and authorizing an alternative manner of collection.

**SECTION 2.04. NOTICE BY PUBLICATION.** The City Manager shall direct the publication of a notice of the public hearing authorized by Section 2.03 hereof in the manner and time provided in Section 2.05 of the Ordinance. The notice shall be published at least twenty (20) days prior to the public hearing, in substantially the form attached hereto as Appendix A.

**SECTION 2.05. NOTICE BY MAIL.** The City Manager shall direct the mailing of notice of the public hearing authorized by Section 2.03 hereof in the manner and time provided in Section 2.06 of the Ordinance. The notice shall be mailed at least twenty (20) days prior to the public hearing, in substantially the form attached hereto as Appendix B.

**ARTICLE III  
ASSESSMENTS**

**SECTION 3.01. STREET LIGHTING ASSESSMENTS TO BE IMPOSED THROUGHOUT CITY.** Pursuant to Section 2.02 of the Assessment Ordinance, Street Lighting Assessments are to be imposed throughout the entire area within the boundaries of the City.

**SECTION 3.02. IMPOSITION OF ASSESSMENTS.** Street Lighting Assessments shall be imposed against property located within the City, the annual amount of which shall be computed for each Tax Parcel in accordance with this Article III. When imposed, the Assessment for each Fiscal Year shall constitute a lien upon the Tax Parcels located within the City pursuant to the Assessment Ordinance.

**SECTION 3.03. APPORTIONMENT APPROACH; DETERMINATION OF EQUIVALENT RESIDENTIAL UNITS.**

(A) The Rate Study is hereby approved and adopted. The apportionment method based upon square footage and Equivalent Residential Units as described in the Rate Study is fair and reasonable and is hereby approved and adopted as the apportionment method for the Street Lighting Assessments.

(B) As described in the Rate Study, the typical single family residence in the City contains 1,860 square feet, which shall constitute one (1) ERU (one ERU = 1,860 building

square feet) for purposes of calculating the Assessment for each Single Family Residential Parcel and General Parcel.

(C) Each Single Family Residential Parcel shall be assigned one (1) ERU.

(D) The number of ERU's attributed to each General Parcel shall be calculated as follows:

$$\frac{\text{Total Building Square Footage}}{1 \text{ ERU (in sq. ft.)}} = \text{Number of ERU's}$$

(E) Mobile home parcels assigned a Class Code 28 shall be attributed one (1) ERU per mobile home space.

(F) As set forth in the Rate Study, the number of ERU's attributed to Undeveloped Property shall be determined by dividing the total area of the parcel by the average size of a Single Family Residential Parcel in the City (7,204 sq. feet), and multiplying the result by .26 (which is the ratio derived by dividing the total land value in the City by the total parcel value in the City).

(G) The determination of whether a Tax Parcel is Developed Property or Undeveloped Property shall be made using best available data prior to adoption of the Final Assessment Resolution or Annual Assessment Resolution (e.g. Property Appraiser information, aerial images or data deemed reliable by the City or its consultants.)

(H) The Assessment rate of \$38.71 per ERU shall be utilized by the City Manager in preparing the Street Lighting Assessment Roll for Fiscal Year 2017-18.

(I) The maximum rate of assessment which may be used in the preparation of the Street Lighting Assessment Roll for subsequent Fiscal Years is \$38.71 per ERU.

(J) It is hereby ascertained, determined, and declared that the method of determining the Street Lighting Assessments as set forth in this Initial Assessment Resolution is a fair and reasonable method of apportioning the Street Lighting Service Cost among Assessed Property.

**SECTION 3.04. APPLICATION OF ASSESSMENT PROCEEDS.** Proceeds derived by the City from the Street Lighting Assessments shall be utilized for the provision of Street Lighting Services. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund Street Lighting related services, facilities, improvements and programs.

**SECTION 3.05. COLLECTION OF ASSESSMENTS.** Street Lighting Assessments shall be collected pursuant to the Uniform Assessment Collection Act unless otherwise determined by the Council.

**SECTION 3.06. EXEMPTION.** The following are Exempt Properties and not subject to the Street Lighting Assessment:

- (A) Public rights-of-way.
- (B) Lakes and submerged land.

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**ARTICLE IV**  
**GENERAL PROVISIONS**

**SECTION 4.01. CONFLICTS.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4.02. SEVERABILITY.** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

**SECTION 4.03. EFFECTIVE DATE.** This Initial Assessment Resolution shall take effect immediately upon its passage and adoption.

**PASSED, ADOPTED AND APPROVED** this 18th day of July, 2017.

**CITY COUNCIL OF  
NEW PORT RICHEY, FLORIDA**

(SEAL)

By: \_\_\_\_\_  
Rob Marlowe, Mayor

Attest:

By: \_\_\_\_\_  
Judy Meyers, City Clerk



## **APPENDIX A**

### **FORM OF NOTICE TO BE PUBLISHED**

[To be published at least twenty (20) days before the public hearing]

(Map of New Port Richey)

#### **NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS TO FUND STREET LIGHTING SERVICES**

Notice is hereby given that the City Council of New Port Richey, Florida, will conduct a public hearing to consider adoption of a final assessment resolution related to the City of New Port Richey (the "City") and the provision by the City of street lighting services. The Street lighting final assessment resolution will provide for the imposition of special assessments, sometimes characterized as non-ad valorem assessments, against property located within City limits and collection of the assessments by the Pasco County Tax Collector pursuant to the tax bill collection method described in Section 3.01 of City Ordinance No. 2012-1985. The assessment is an annual assessment that will continue from year to year. The hearing will be held at 6 PM on August 1, 2017 at City Council Chambers of City Hall, City Hall, 5919 Main Street, New Port Richey, Florida 34652. All affected property owners have a right to appear at the hearing and to file written objections with the City Council within twenty (20) days of this notice.

The assessments have been proposed to fund street lighting related essential services, facilities, equipment and improvements throughout the City. The assessment will be imposed against developed and undeveloped parcels based upon the number of Equivalent Residential Units ("ERUs") attributable to each parcel as of the date the assessments are imposed. If approved by City Council, the street lighting assessment will be imposed at a rate not to exceed \$38.71 per ERU. A more specific description of the street lighting related services and the method of computing the assessment for each parcel of property are set forth in Resolution No. 2017-22 (the "Initial Assessment Resolution") adopted by the City Council on July 18, 2017. Copies of the Initial Assessment Resolution and the preliminary Street Lighting Assessment Roll are available for inspection at the office of the City Clerk, located at City Hall, 5919 Main Street, New Port Richey, Florida 34652. If you have any questions, please contact the City Clerk's Office at (727) 853-1024.

ANY PERSON WISHING TO ENSURE THAT AN ADEQUATE RECORD OF THE PROCEEDINGS IS MAINTAINED FOR APPELLATE PURPOSES IS ADVISED TO MAKE THE NECESSARY ARRANGEMENTS FOR RECORDING AT HIS OR HER OWN EXPENSE. PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (727) 853-1024.

## **APPENDIX B**

### **FORM OF NOTICE TO BE MAILED**

NEW PORT RICHEY, FLORIDA

[date], 2017

[Property Owner Name]

[Street Address]

[City, State and Zip]

Re: Tax Parcel Number [Insert Number]

Dear City of New Port Richey Property Owner:

As required by Section 197.3632, Florida Statutes, and City Ordinance No. 2012-1985 (the "Assessment Ordinance"), notice is given by the City of New Port Richey that an annual assessment for street lighting services may be levied on your property for Fiscal Year October 1, 2017 - September 30, 2018 and each fiscal year thereafter. **THIS IS NOT A NEW ASSESSMENT PROGRAM; THE STREET LIGHTING ASSESSMENT HAS BEEN IMPOSED SINCE 2003.** The original street lighting assessments were imposed and collected on the November 2003 tax bill and subsequent years. However, since the City recently updated the street lighting assessment program it must provide this notice to all property owners of the updated assessment program.

Street Lighting assessments are based upon the parcel's classification and total number of "equivalent residential units" or "ERUs" attributable to that parcel. The City has determined that the average single-family residence in the City includes 1,860 square feet, which is the value of one ERU, the unit of measurement to be applied against each parcel to determine the assessment. Single-family residential units, mobile home units and residential condominium units are charged one ERU. For general parcels, such as commercial parcels, the number of ERUs has been calculated individually for each parcel of property by dividing the total building square footage by 1,860 square feet. The number of ERUs attributed to undeveloped parcels will be calculated by dividing the total area of the parcel by the size of the average single family residential parcel in the City (7,204 sq. ft.), and then multiplying by .26. A more specific description of the street lighting services and the method of computing the assessment for each parcel of property are set forth in Resolution No. 2017-22 (the "Initial Assessment Resolution") adopted by the City Council on July 18, 2017.

The annual Street Lighting Service Assessment rate for Fiscal Year 2017-18 will be \$38.71 for each ERU which is also the maximum Street Lighting Service Assessment rate that can be imposed without further mailed notice for future fiscal years. It is estimated that the City will collect \$486,000 from the Street Lighting Service Assessments for Fiscal Year 2017-18. The above referenced parcel has been assigned the following ERUs and assessment amounts:

Number of Equivalent Residential Units (ERUs): [insert]

The FY 2017-18 annual street lighting assessment for the above parcel is: \$[insert]

The maximum annual street lighting assessment that can be imposed without further notice for future fiscal years is \$[insert]

The City Council will hold a public hearing at 7:00 p.m., or soon thereafter, on August 1, 2017, in the City Council Chambers located at City Hall, 5919 Main Street, New Port Richey, Florida. Comments will be received on the proposed Street Lighting Service Assessments, including their collection on the ad valorem tax bill. You are invited to attend and participate in the hearing. You may also file written objections with the City Council within twenty (20) days of the date of this notice. Please include your name, parcel number, and the reason you object the assessment on all written objections. Objections should be forwarded as follows: City Clerk; Objections to Street Lighting Non-ad Valorem Assessments; 5919 Main Street, New Port Richey, Florida 34652. If you decide to appeal any decision made by the City Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, if you need a special accommodation or an interpreter to participate in this proceeding, please contact the City Clerk at (727) 853-1024 at least 4 days prior to the date of the hearing. If there is a mistake on this notice, it will be corrected. If you have any questions regarding the number of ERUs assigned to your property or the amount of the Street Lighting Service Assessment, please contact Customer Service by telephone at (727) 853-1061.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Council action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Assessment Ordinance, the Initial Assessment Resolution, and the preliminary assessment roll are available for inspection at the City Clerk's office in City Hall, located at 5919 Main Street, New Port Richey, Florida, or on the City website at [cityofnewportrichey.org](http://cityofnewportrichey.org). The Street Lighting Service Assessment will be collected by the Tax Collector of Pasco County, pursuant to Chapter 197, Florida Statutes. Florida law provides that failure to pay the Street Lighting Service Assessment will cause a tax certificate to be issued against the assessed property which may result in a loss of title.

**\*\*\*\*\*DO NOT SEND PAYMENT - THIS IS NOT A BILL\*\*\*\*\***

## **APPENDIX C**

### **RATE STUDY**

# Street Lighting Assessment Rate Study



**Prepared for:**

**City of New Port Richey, Florida**

**June 20, 2017**



## Street Lighting Assessment Rate Study



3433 Oakwood Hills Parkway  
Eau Claire, WI 54701-7698  
715.834.3161 • Fax: 715.831.7500  
[www.AyresAssociates.com](http://www.AyresAssociates.com)

Ayres Associates Project No. 65-0145.03  
File: v:\tampa-bc\projects\65-0145.00 npr contracts\65-0145.03 npr streetlight rate study\t16ahq conpr rate studies\ci- street lighting\final  
street lighting assessment rate study.docx

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## Introduction

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The City of New Port Richey has retained Ayres Associates to review and update the Street Lighting Assessment Study utilized to determine the applicable assessment rates necessary to fund the Street Lighting Utility. The previous Street Lighting Assessment Rate Study was performed by Government Services Group in May of 2012. That report covered a 5-year projection through Fiscal Year 2016-17 (FY 17).

### Scope of Services: Study Update

- **Project Initiation** – Obtain and evaluate data and information regarding the provision of street lighting services and facilities in the City.
- **Review of Current Methodology** – Review documents and information relative to the current rate structure of the existing street lighting assessment program and discuss with staff any problems or concerns with the current methodology; provide recommendations to update the current assessment rate methodology, if applicable.
- **Identify Full Costs (Revenue Requirements) of the Street Lighting Program** – Evaluate the full cost of the street lighting services using the City's most current financial information, which will include (i) the costs of maintaining and operating the City's street lighting system based on the level of funding required by the City, (ii) indirect and/or administrative costs and (iii) billing and collection costs associated with the Uniform Method of collection; develop projections for annual revenue requirements for the City's street lighting operations and maintenance and determine a method of increasing revenue and adjustments of assessment rates on an annual basis or as desired by the City.
- **Evaluate Vacant Lands** – Evaluate the benefit received by vacant lands from the street lighting system. Based on that benefit assign ERU's.
- **Calculate Preliminary Proforma Schedule of Rates** – Using the total units derived from the preliminary assessment roll developed by the City, calculate a proforma schedule of rates based on the apportionment methodology and revenue requirements for the assessment program.
- **Address Issues** - Research and present recommendations on any outstanding issues that may arise from the assessment program.
- **Prepare and Present Assessment Report** – Prepare a draft report that includes documentation of the street lighting costs and proforma rates; after City staff review, prepare and present the final version of the Assessment Report.

### Service Description and Cost Calculations

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Street lighting services are currently provided to residential and non-residential properties within the City and the City's Utility Service area. Duke Energy (formerly Progress Energy) owns and installs the lighting fixtures, performs the maintenance, pays the power consumption, and then leases them back to the City. Services include several different types of luminaires and poles throughout the City and the services are consistent throughout the City. The Florida Department of Transportation (FDOT) provides a portion of the funding for street lights abutting US HWY 19.

## Overview of City's Existing Street Lighting Assessment Program

In 2003, the City implemented a street lighting assessment program based on the apportionment methodology identified in Burton & Associates August 2003 Street Lighting Services Assessment Program Final Report (Burton's Report). The street lighting assessment was imposed on all developed properties and established rates for residential and non-residential rate categories.

The Fiscal Year 2011-12 (FY 12) adopted street lighting assessment rate was \$26.07 per ERU and generated approximately \$244,122 in revenue. This created an operating deficit of approximately \$68,044. If the City would have funded 100% of the street lighting assessable costs for Fiscal Year 2011-12 (FY 12), the street lighting assessment rate would have been \$33.34 per ERU.

The analysis conducted by Burton established an Equivalent Residential Unit (ERU) based on the average single family residence in the City. The ERU value established by Burton was 1,860 square feet. Based on that ERU value, tiers were developed for residential parcels (which includes single family, mobile homes, condominiums, and multi-family) and non-residential parcels (non-church and church) with a non-residential cap of 300,001 square feet. Vacant parcels were not charged a street lighting assessment.

City staff felt the tier structure was complicated and confusing to explain to property owners in that there were seven (7) residential rate tiers and 33 non-residential tiers with varying progression of tier sizes. Primarily due to the complexity of the tier structure, City staff also found that it was very difficult and time consuming to maintain the street lighting assessment roll.

In 2012, the City reviewed the utility rates, costs and structure and developed a 5-year projection of revenue and expenses whereby the rate necessary to cover the projected costs was **\$36.24 per ERU**. Also, the tier structure was condensed to a Single Family Residential unit and a General unit. Undeveloped Parcels are not being charged. That rate and structure was adopted and has not changed since that time. In FY 2016-17 (FY 17) the revenue expected to be generated by this rate is \$392,198. The anticipated expenditures for budget year 2016-17 was \$371,900. The anticipated expenditures did not account for administrative, legal and other support services provided to the street lighting utility by other City departments.

## Assessable Cost Calculations

To develop a 5-year proforma assessable budget, Ayres utilized the City's Fiscal Year 2016-17 (FY 17) Street Lighting Fund Budget.

The total assessable cost calculations were developed using the following assumptions:

- Begin with FY 2016-17 (FY 17) street lighting fund budget provided by the City:
  - Increase electricity costs by 4% annually.
  - Increase the street light rental and maintenance costs by 4% annually.
  - Include an annual Renewal & Replacement (R&R) reserve for street lighting, equipment, and installation of additional street lights.
  - Increase the US HWY 19 street light operation and maintenance costs by 4% annually.
  - Added Indirect Costs. These are transfers to the General Fund for costs due to administration, legal and other support services provided to the street lighting utility by

other City departments. An initial budget of \$50,000 was used and increased 2.5% annually.

- Revenues are shown as a reduction in the total assessable expenditures. The revenues remained constant since they are established by Florida Department of Transportation (FDOT).
- The Miscellaneous Assessment Expenditures portion of the budget includes costs associated with this Rate Study, implementation costs, and annual program maintenance. These costs are reimbursable through the assessment program.
- Pursuant to section 197.3632, Florida Statutes, the tax collector and property appraiser may each enter into an agreement with the local government for reimbursement of necessary administrative costs incurred from the collection of the non-ad valorem assessment. Accordingly, if any such fee(s) is charged, the fee may be recouped as an add-on to the total assessable costs for the year.
  - Collection Costs (TC) reflects reimbursement for the collection costs associated with the non-ad valorem assessment incurred by the Tax Collector (TC). Pursuant to section 197.3632, Florida Statutes, a municipal government shall only compensate the tax collector for the actual costs of collecting the non-ad valorem assessments, not to exceed 2%, on the amount of special assessments collected and remitted. We have assumed a 2% collection cost.
  - Property Appraiser Costs are the costs for services relating to providing notice of the street lighting assessment in the annual TRIM notices.
- Statutory Discount reflects a 95% collect of the Street Lighting Assessment to cover the 4% statutory discount allowed by the Uniform Method and 1% reserve for under collection. Accordingly, the statutory discount is budgeted at 5% of the total assessable costs.

Table 1 shows the City's Fiscal Year 2016-17 (FY 17) street lighting budget.

**Table 1 – City FY 2016-17 (FY 17) Street Lighting Budget**

Code	Expenditures	Budget FY 17
43-11	Electricity - City Facilities	70,000
43-72	Street Light Rental & Maintenance	250,000
43-74	US-19 Street Lighting O&M	50,000
52-52	Misc. Lighting Elements	15,000
	<b>Total Expenditures</b>	<b>385,000</b>
	<b>Reserves</b>	
94-21	Reserves - Contingency	23,150
	<b>Total Reserves</b>	<b>23,150</b>
	<b>Revenues</b>	
334-50	St. Hwy Lighting & Main Agreement	(35,000)
361-10 & 35	Interest	(1,250)
	<b>Total Revenues</b>	<b>(36,250)</b>
	<b>Total Net Street Lighting Fund</b>	<b>371,900</b>

Table 2 shows the 5-year proforma assessable budget based on the above stated assumption for the provision of street lighting services in the City.

**Table 2 – 5-Year Proforma Assessable Budget FYI 2017-18 (FY 18) through FY 2021-22 (FY 22)**

	FY 17 BUDGET FY 2016-17	FY 18 FY 2017-18	FY 19 FY 2018-19	FY 20 FY2019-20	FY 21 FY2020-21	FY 22 FY 2021-22	5-Year Average
<b>Expenditure Summary</b>							
Electricity - City street Lights	70,000	74,800	77,792	80,904	84,140	87,505	81,028
Street Light Rental & Maintenance	250,000	270,500	281,320	292,573	304,276	316,447	293,023
R&R Reserves	10,000	40,000	10,000	10,000	10,000	10,000	16,000
US 19 Street Light Operation & Maintenance	50,000	52,000	54,080	56,243	58,493	60,833	56,330
Indirect Costs		50,000	51,250	52,531	53,845	55,191	52,563
<b>TOTAL EXPENDITURES</b>	<b>380,000</b>	<b>487,300</b>	<b>474,442</b>	<b>492,251</b>	<b>510,753</b>	<b>529,975</b>	<b>498,944</b>
<b>Revenue</b>							
Inerest	1,250	1,250	1,250	1,250	1,250	1,250	1,250
FDOT Reimbursement	35,000	35,000	35,000	35,000	35,000	35,000	35,000
<b>TOTAL REVENUES</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>
<b>TOTAL EXPENDITURES</b>	<b>380,000</b>	<b>487,300</b>	<b>474,442</b>	<b>492,251</b>	<b>510,753</b>	<b>529,975</b>	<b>498,944</b>
<b>TOTAL REVENUES</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>	<b>36,250</b>
<b>TOTAL NET EXPENDITURES</b>	<b>343,750</b>	<b>451,050</b>	<b>438,192</b>	<b>456,001</b>	<b>474,503</b>	<b>493,725</b>	<b>462,694</b>
<b>Miscellaneous Assessment Expenditures</b>							
Study Costs	14,550	-	-	-	-	-	-
Legal Costs	-	-	-	-	-	-	-
Annual Assessment Roll Maintenance	717	717	717	717	717	717	717
First Class Notices	10,000	-	-	-	-	-	-
Collection Costs (TC)	7,939	9,719	9,442	9,825	10,223	10,636	9,969
Property Appraiser Costs	150	150	150	150	150	150	150
Statutory Discount (4% early payment & 1% non-collection)	19,848	24,297	23,605	24,563	25,558	26,591	24,923
<b>Total Misc. Assessment Expenditures</b>	<b>53,204</b>	<b>34,882</b>	<b>33,914</b>	<b>35,255</b>	<b>36,648</b>	<b>38,094</b>	<b>35,759</b>
<b>TOTAL ASSESSABLE COSTS</b>	<b>396,954</b>	<b>485,932</b>	<b>472,106</b>	<b>491,256</b>	<b>511,151</b>	<b>531,820</b>	<b>498,453</b>

## Determination of Street Lighting Services Demand

### Special Assessment Benefit Assumptions

The following assumptions and legislative declarations support a finding that the Street Lighting Assessment Program confers a special benefit on all parcels in the City.

- The provision of street lights specially benefits all parcels, whether residential or non-residential, developed or undeveloped property uses, by protecting and enhancing their value, use and enjoyment.
- The provision of street lights and the operation and maintenance of those lights provides better property identification and recognition, and enhanced safety access to property.

### Cost Apportionment Assumptions

The cost apportionment exercise addresses two fundamental questions: Who pays; and for what services?

Defining the benefit or service area is a geographically precise process. Based on a parcel-specific evaluation conducted by the City, it was determined that the entire geographic area of the City benefits from the street lighting services.

## Proposed Developed Parcel Apportionment

Parcel apportionment is accomplished through the development of a base billing unit, called an Equivalent Residential Unit (ERU). The base billing unit is defined as the size of the average single-family residence in the City. An ERU is a measure that serves as a common index to compare each parcel's benefit of use derived from the availability of street lighting services. Generally, developed parcels of property that have a larger building area, receive proportionately more benefit than developed parcels with smaller building areas. As identified in Burton's Report, the **ERU value is 1,860 square feet of building area**. This is still a valid measure and no change is proposed.

## Proposed Undeveloped Parcel Apportionment

The City has recognized that undeveloped parcels also benefit from street lighting systems. Generally, larger undeveloped parcels of property receive proportionately more benefit than smaller undeveloped parcels and undeveloped parcels of property receive less of a benefit than developed parcels of property because there are no improvement values to protect, just the land values.

Utilizing the year end 2016 Pasco County tax roll database for the City of New Port Richey, the average number of single family residential parcels (see Rate Class category below for Use Codes) is 5,479 parcels. The tax rolls show the total value of those parcels to be \$356,575,524, the total land value of those parcels to be \$92,780,985 and the total square footage of those parcels to be 39,470,942 square feet. Using the total value and dividing by the total number of parcels shows the average single family residential developed parcel value to be \$65,080. Using the total land value and dividing by the total number of parcels shows the average single family developed parcel land value is \$16,934. Dividing the average land value by the average parcel value yields an **Average Single Family Land Value Ratio of 26%** of the average total value. Dividing the total square footage by the total number of parcels shows the average single family residential parcel size is **7,204 square feet**.

In order to calculate a uniform benefit for undeveloped parcels, it is proposed to take the total undeveloped parcel square footage and divide it by the average single family residential parcel size and then multiply it by the land value to total value percentage ratio.

## Rate Classes

Using the data from the Pasco County Tax Rolls, there are approximately 7,481 parcels within the City, each with a unique property use codes as assigned by the Property Appraiser. The City has then assigned a Rate Class Code to each of the parcels based on that use code. A listing of Rate Class Codes and associated property use categories is provided as Appendix A.

Using the Rate Class Codes, the specific methodology for the parcel apportionment within each category or property use is generally described below.

**Single Family Residential Parcels** – Single Family residential parcels are parcels to which the Property Appraiser has assigned a Use Code 01, 02, 04, 09, or 28. All single family residential parcels are assigned

1 ERU per dwelling unit. Mobile home and RV parks are assigned 1 ERU per individual site within the park.

**General Parcels** – General parcels are all other developed parcels not classified as single family residential parcels, as Undeveloped Parcels or as not charged parcels. The number of ERUs attributable to each general parcel is determined by dividing the sum of the building square footage for each parcel by the ERU value identified above.

**Undeveloped Parcels** – Undeveloped parcels are vacant parcels to which the Property Appraiser has assigned a Use Code of 00, 10, 40, or 70. The number of ERUs attributable to each Undeveloped Parcel is determined by dividing the total area of the parcel by the Average Residential Parcel size and then multiplying that by the Average Single Family Land Value Ratio defined in the section above.

**Not Charged** – Not charged parcels are those parcels to which the Property Appraiser has assigned a Use Code of 94, 95, 96, or 99. These codes will not be utilized in ERU calculations or lighting assessments.

Based on the foregoing methodology, Table 3 provides the total number of ERUs by rate class.

**Table 3 – Total Number of ERUs by Rate Class Code**

Rate Class	Parcel Count	ERUs
Residential Parcels	5,479	6,371
General Parcels	1,319	4,416
Undeveloped Parcels	643	2,090
Not Charged	40	-
<b>Total</b>	<b>7,481</b>	<b>12,878</b>

Source: Utility Assessment Roll

## Calculation of Assessment Rates

Based on the costs of providing the street lighting services and the number of ERUs in the city, Table 4 summarizes the recommended assessment rates after application of the proposed assessment methodology for Fiscal Year 2017-18 (FY 18) at 100 percent of the assessable costs.

**Table 4 – Preliminary Rates Fiscal Year 2017-18 (FY 18)**

<b>100% of Assessable Costs =</b>	<b>\$</b>	<b>485,932</b>
Total Assessable Costs	\$	485,932
Total Number of ERU's		12,878
<b>Rate Per ERU</b>	<b>\$</b>	<b>37.73</b>

Table 5 reflects the annual rates at 100 percent of the 5-year average assessable costs.

**Table 5 – Preliminary Rates 5-Year Average**

**100% of Assessable Costs = \$ 498,453**

Total Assessable Costs	\$	498,453
Total Number of ERU's		12,878
<b>Rate Per ERU</b>	<b>\$</b>	<b>38.71</b>

Table 6 reflects the rates at 100 percent of Fiscal Years 2017-18 (FY 18) through 2021-22 (FY 22) assessable costs and an annual comparison of total revenue excess or (shortfall) by year based on the 5-year average rate and the current assessment rate.

**Table 6 – Preliminary Rates Fiscal Years 2017-18 (FY 18) through 2021-22 (FY 22)**

	<b>FY 17-18 Proforma Budget</b>	<b>FY 18-19 Proforma Budget</b>	<b>FY 19-20 Proforma Budget</b>	<b>FY 20-21 Proforma Budget</b>	<b>FY 21-22 Proforma Budget</b>	<b>5 Year Average Budget</b>
Total Assessable Costs	\$ 485,932	\$ 472,106	\$ 491,256	\$ 511,151	\$ 531,820	\$ 498,453
Total Number of ERU's	12,878	12,878	12,878	12,878	12,878	12,878
<b>Rate Per ERU</b>	<b>\$ 37.73</b>	<b>\$ 36.66</b>	<b>\$ 38.15</b>	<b>\$ 39.69</b>	<b>\$ 41.30</b>	<b>\$ 38.71</b>
<b>Collections</b>						<b>Total</b>
Over/(Under) @ \$38.71	\$ 12,561	\$ 26,387	\$ 7,237	\$ (12,658)	\$ (33,327)	\$ 200
Over/(Under) @ \$36.24	\$ (19,247)	\$ (5,421)	\$ (24,571)	\$ (44,465)	\$ (65,135)	\$ (158,839)

## Methodology Revisions

### Item 1: Acceptance of Undeveloped Parcel Methodology

### Item 2: Acceptance of Adding Indirect Costs

### Item 3: Treating Use Code 87 Other State as General instead of Not Charged

## Implementation Schedule

To implement the update street lighting assessment rates and methodology presented in this Rate Study beginning in Fiscal Year 2017-18 (FY 18), the City of New Port Richey must complete the following tasks:

### Critical Events Schedule

Event	Date
Workshop Re: Methodology and Rates	May 16, 2017
City Provides Direction on Rates	May 16, 2017
City Approves Final Rate Studies	June 20, 2017
City Passes Assessment Resolutions	September 2017
Appear on Residents' Tax Bill	October 2017

**Appendix A**  
**Pasco County Use Codes vs Rate Class Codes**



## Pasco County Use Codes vs Rate Class Codes

Use Code	Description	Rate Class Code
00	Vacant Residential	Undeveloped
01	Single Family	Residential
02	Mobile Homes	Residential
03	Multi-Family - 5 or more units	General
04	Condominium	Residential
08	Multi-Family - less than 5 units	General
09	Residential Common Elements/Areas	Residential
10	Vacant Commercial	Undeveloped
11	Retail Stores, One Story, All Types	General
12	Stores, Office, SFR	General
13	Department Stores	General
14	Supermarket	General
16	Shopping Center Community	General
17	1 Story Office	General
18	Multi-Story Office	General
19	Professional Service Building	General
21	Restaurants	General
22	Drive-In Restaurants	General
23	Financial Institutions	General
25	Service Shops Non-Automotive	General
26	Service Stations	General
27	Auto Sales, Service, etc.	General
28	Rental MH/RV Park	Residential
29	Wholesale MFG., etc.	General
30	Florist, Greenhouses	General
32	Theaters, Enclosed	General
33	Night Clubs, Bars, etc.	General
39	Hotels, Motels	General
40	Vacant Industrial	Undeveloped
41	Light Manufacturing	General
48	Warehousing (Block or Metal)	General
70	Vacant Institutional	Undeveloped
71	Churches	General
72	Schools, Colleges, Private	General
73	Hospitals, Private	General
74	Homes for the Aged	General
76	Mortuaries, Cemeteries, etc.	General
77	Clubs, Lodges, Halls	General
78	Out Patient Clinics	General
82	Forests, Parks, etc.	General
83	Schools, Public	General
85	Hospitals, Public	General
86	Other County	General
87	Other State	General
88	Other Federal	General
89	Other Municipal	General
91	Utilities	General
94	Right-of-Way, Streets, Ditch	Not Charged
95	Rivers and Lakes, Submerged Lands	Not Charged
96	Sewage Disposal, Waste Lands, Swamp	Not Charged
99	Acreage not zoned agricultural – with/without extra features	Not Charged



# 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:** 7/18/2017  
**RE:** Proposed Pavement Management Plan

## REQUEST:

Staff requests City Council review and consider for approval, the pavement management plan.

## DISCUSSION:

As City Council is aware, on June 20, 2017 staff presented to City Council the proposed pavement management plan (PMP) created by the Genesis Group, City Staff, and the Citizens Advisory Committee (CAC). The presentation included current and historical assessment methodologies as well as three PMP options and their proposed methodology for assessments. As City Council may recall, the options or plans were voted on by the CAC. Option two (2) PMP was based on a 20 year design criteria the committee voted in favor of staff recommending to City Council by a six (6) to one (1) margin.

Subsequent to the conclusion of the presentation and open discussion, City Council directed staff to review several items for possible inclusion into the proposed option two (2) PMP. Those items are as follows:

1. Review the possibility of adding a multi-use category.
2. Review the possibility of adding tier sizes in 5,000' increments to address the multi-use category.
3. Review the proposed church classification and submit to City Council an appropriate classification.
4. Review the possibility of reclassifying Indiana Ave. from Madison St. to Congress St. to an arterial/collector (A/C) road.
5. Review the possibility of reclassifying Van Buren St. from Main St. to Massachusetts Ave. to an A/C road.
6. Review the possibility of reclassifying Forest Ave. from Massachusetts Ave. to Indiana Ave. to an A/C road.

## RECOMMENDATION:

Approval of the PMP is recommended.

## BUDGET/FISCAL IMPACT:

There is no budget impact.

## ATTACHMENTS:

Description	Type
❏ PMP Final Report	Backup Material





# 2017 Pavement Management Plan

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**APPENDICES**

- A. Roadway Needs Assessment Report
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## **I. INTRODUCTION**

Genesis began working closely with City staff to develop a Pavement Management Program (PMP) in the spring of 2016. The methodology for the PMP was initially utilizing ITE trip generation rates. This resulted in a plan that was somewhat complex to understand and implement. During the August 23, 2016 City Council meeting, Council recommended that a Citizens Advisory Committee (CAC) be formed to assist with the refinement of the PMP methodology. This committee met five (5) times between January and April 2017 to discuss the procedures that the City had previously utilized for the PMPs. The CAC also analyzed the draft recommendations regarding the proposed PMP. The following report is a product of this collaborative effort. Genesis would like to acknowledge these citizens who contributed their time to improve this proposed plan:

### **Citizens**

- Peter Altman
- Michael Beam
- Ronald Capalongo
- Heather Fiorentino
- John Gallagher
- Steve Halkias
- Anderson Hatcher
- Lois Robinson

### **City Staff**

- Robert Rivera
- Crystal Feast
- Barret Doe

## **II. REPORT OBJECTIVE**

This Pavement Management Plan Assessment Report details the basis of the benefit allocation and assessment methodology to support the implementation of a Pavement Management Plan (PMP), consisting of a continuous process for maintaining the 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. The City, through its Capital Improvement Program (CIP), has established a goal for a continuous program that will preserve the City's investment in its existing paved streets and other functioning rights-of-way. The program will be deployed in an annual 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. Review the methodology utilized for previous street improvement project assessments to establish historical context for proposed assessment methodology.
3. Establish a methodology of allocating the associated costs to the benefiting properties within the Citywide Assessment Area and ultimately to the individual real property parcels.
4. Calculate and recommend the appropriate assessment fee that can be recorded on an annual non-ad valorem assessment on assessable lands within the City.
5. Create a recommendation of an appropriate credit for property owners who have been assessed for prior street improvement projects.

### **III. PAVEMENT MANAGEMENT PLAN**

The basis of benefits 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 Appendix A) states at the outset that "High quality transportation systems are essential to a thriving community". The 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 Transportation 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 evaluation scale. The prevailing logic of Pavement Management (Street Paving Improvement) is to restore road surfaces before the ride quality drops below a quality rating of "good" to reap the benefits of a consistently high-quality pavement condition. The benefit resulting from the increased scheduling of periodic pavement restoration includes vehicle ride quality, but also to avoid the rapid decline that occurs when the condition of the roadway surface begins to drop from good to fair. This rating reduction results in a high corresponding increase in cost of rehabilitation maintenance (which can add up to 10 times the cost of preventative maintenance).

The engineer's report identified the initial five (5) phases or cycles of capital improvements to be completed over a five-year period (which includes only a portion of the City's total street network). As coordinated with staff, each phase was limited to a \$1,000,000 construction budget. The engineer's opinion of probable construction cost was based on 2014 material pricing and included both pavement overlay (refurbish road

surfaces) and milling/paving (cases where multiple layers have accumulated to an excess thickness, or patching and other defects exist).

Subsequent to completion of the engineer's report, Genesis and City staff took a historical look at roadway maintenance and learned that 12 roadway restoration projects have been completed during the last 30 years. Since the generally accepted industry standard average life span of a paved roadway is 20 years, it appears that the City's roadway network has a considerable amount of 'deferred maintenance'. Genesis and City staff have developed a Pavement Management Plan (PMP) that is designed to complete a maintenance cycle of all City maintained roadways within 20 years. An allocation of approximately \$1,700,000 (2017 dollars) is a reasonable estimate of the cost to implement a surface replacement program (the program) using a 20-year life cycle.

A maintained road network provides 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. Well maintained roadways provide safer travel and reduced vehicle maintenance costs for users. 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. 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.

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 asset to either:*
  - *(Standard Method) - Implement financial-accounting controls to effectively depreciate and plan for replacement of fixed assets, or*
  - *(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 may be used as the basis for achieving the City's GASB 34 compliance. In the case of the *Standard Method*, this study may be used as the basis for the inventory and valuation of the roadway network. For the *Modified Method*, once implemented the study recommendations may form the core of the GASB 34 compliance.

The City's CIP will establish the Pavement Management Plan schedule for maintenance of the public transportation infrastructure that will be deployed systematically within the assessment area. Issuing of bonds or utilizing indebtedness as a mechanism to accelerate the maintenance is generally discouraged since the current Local Option Gas Tax (LOGT) distribution formula rewards municipalities that have reoccurring, consistent roadway maintenance programs. Every year that the maintenance is accelerated will result in a year with diminished LOGT funds at the end of the pavement lifespan. Interest paid for the benefit of the acceleration will likely result in less capital to be invested to the roads. 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 improved transportation corridors controlled by the City.

The CIP should direct staff to schedule roadways for maintenance in the most efficient manner possible while prioritizing streets whose condition has dropped below a good rating. Since Arterial/Collector (A/C) streets are critical to providing efficient commerce, emergency services, and municipal services, the A/C should have a priority status.



#### **IV. HISTORICAL CITY PAVEMENT MANAGEMENT PLAN OVERVIEW**

The City, it appears, has historically maintained its residential streets by completing projects using funding from a combination of sources. Accumulated funds collected from multiple years' Gas Tax proceeds have been combined with collections from special assessments which have been applied to the benefiting properties located adjacent to the street being improved at various levels and different methodologies. The 2009 Street Assessment Project used a calculation of three (3) assessment amounts. Property owners were classified into three classifications, Single-Family Home (SFH), Commercial/Multi-Family (CMF), and a Special Streets/Arterial/Collector Streets Class (SS/AC). The total cost for the project was divided by the number of properties associated with the SFH, CMF, and SS/AC classes resulting in the total dollar amount for each assessment per property. The City's Board of Equalization then approved funding contributions by the City for each class based on a percentage. SFH class had a 65% contribution by the City and a 35% cost share by the property owner. The CMF class had a 35% contribution by the City and a 65% cost share by the property owner. The SS/AC class had a 75% contribution by the City and a 25% cost share by the (SFH) property owners while the (CMF) percentage remained at the 35% contribution by the City and 65% contribution by the property owner. Over the past 30 years, there have been 12 street paving projects. Most of these projects were funded utilizing some form of assessment of directly affected property owners. However, there have been exceptions, as streets that are considered arterial/collectors such as Main St., Madison St., Congress St., Gulf Dr., Plathe Rd., and most recently Circle Blvd. which were paved and funded at 100% by the City.

The most recent street paving projects, assessments were levied and liens recorded to the directly affected property owner, with payback terms of ten years including interest. The assessments were directly billed by the City. The construction costs of these paving projects were subsidized to various degrees by the City, and the balance of the costs borne by the immediately adjacent property owners. Those owners were assessed based on either road footage or classification. This direct benefit method has been problematic in two ways. First, the variance among property owners in the length of 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 deteriorate at a faster rate. While the City typically made adjustments for assessments on arterial/collector roads, the resulting net charges to property owners over the past 30 years lacked consistency. The use of limited resources to finance the street improvements and the cumbersome steps involved in advancing paving projects have resulted in a decline in the overall quality of the City's

street network. The need to establish a better process to preserve the transportation assets and provide a better quality of life was identified.

## **V. PROPOSED PAVEMENT MANAGEMENT PLAN**

The Citizen's Advisory Committee (CAC) recommends that the following funds be committed to the pavement maintenance program annually to lower the non-ad valorem assessment required from benefiting properties:

- \$425,000 (Local Option Gas Tax)
  - \$75,000 (Solid Waste Franchise Fees)
  - \$200,000 (Penny for Pasco (2))
  - \$200,000 (General Funds Transfer)
- \$900,000

A reduced annual assessment will also serve to assure that the assessment amounts do not exceed the benefits received to individual properties within the City. Assessments will include local schools, state and county governmental, and public purpose facilities because they receive special benefits included in the proposed program. City facilities will not be charged as the City is contributing over 50% funding of the program.

### **Methodology (As Clarified by the City Attorney)**

According to FS 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. It seems that this authority alone gives the City the ability to determine 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 was developed after several meetings with the Citizen's Advisory Committee (CAC) where specific elements of prior assessment

programs and proposed programs were evaluated. Reoccurring themes of the meetings included the recommendation that the final assessment allocation methodology should:

- not be overly burdensome to neighborhood businesses,
- consider the city as an interconnected network of streets,
- include every residential dwelling unit, and
- include consideration for parcels that are not contiguous to City maintained local roadways.

### **Property Owner Classifications**

In response to the CAC's desire to 'simplify' the assessment methodology, each parcel within the Pasco County Property Appraiser's database is classified as either residential or non-residential. The residential land uses Department of Revenue (DOR) Codes 0, 1, 2, 3, 4, 8, and 28 are recommended to be assessed per individual dwelling unit. The non-residential land uses are proposed to be assessed on a per parcel basis with a distinction made based upon total buildings size.

- 0 – 4,999 sf building(s) [base non-residential rate]
- 5,000 – 9,999 sf building(s) [2X base non-residential rate]
- 10,000 – 24,999 sf building(s) [3X base non-residential rate]
- 25,000+ sf building(s) [4X base non-residential rate]

It should be noted that the assessments are determined using the Pasco County Property Appraiser's database. This database does not identify the quantity of dwelling units on mixed-use projects, so these projects are proposed to be assessed using the tiered total building square footage method described above. Likewise, developments that include multiple parcels of land will receive an assessment for each individual parcel of land based on the buildings reported on that parcel.

Parcels owned by the City of New Port Richey, as well as those that are exclusively ditches, wetlands, private right-of-way, etc. (DOR Codes 9, 91, 94, 95, and 96), were excluded from the dataset (A/C assessment list). (The Property Appraiser's NAL (DOR) Class Codes reference table is included in Appendix B.)

### **Arterial/Collector Roads**

The recommended assessment allocation divides the City roadway network into two categories - 'Arterial/Collector Roads' and 'Local Roads'. Arterial/Collector (A/C) roads are generally higher volume roadways that connect to other A/C, County, or State roadways. They encourage 'through traffic,' generally have higher speeds, increased degree of access control, and frequently make-up 20-35% of the roadway network. These roadways are commonly used by residents to make longer trips and are vital to providing timely public services throughout the community (i.e., police, fire, medical, public works, etc.). Since every parcel relies on the A/C roadway network (Appendix C), each of the included parcels will be assessed based on its designated classification. The annual maintenance cost was established as 1/20 of the engineer's opinion of probable maintenance cost for the A/C network. After allowing for a \$200,000 contribution by the City, the remainder of \$258,400 per year must be raised.

After establishing the residential dwelling unit contribution at \$15, the non-residential parcels were computed based on the multiplier described above and are listed below:

- \$15.00 Residential
- \$104.05 Non-Residential, 0 – 4,999 sf building(s)
- \$208.10 Non-Residential, 5,000 – 9,999 sf building(s)
- \$312.14 Non-Residential, 10,000 – 24,999 sf building(s)
- \$416.19 Non-Residential, 25,000 + sf building(s)

### **Local Roads**

Local roads are considered to be all City-owned roadways that are neither arterial/collector roads nor alleys. These roadways do not encourage 'through traffic' and are characterized by lower speeds, limited connectivity, decreased access control and comprise the bulk of the network's lane miles. While local roads are an integral part of the overall roadway network, they provide special benefit to the residents that are physically located adjacent to the local roads. Therefore, the recommended assessment methodology begins with the A/C assessment list (described above) and excludes parcels that are not contiguous to a city-owned/maintained local roadway. The members of the modified list (local road assessment list) are then assessed based on the same property owner classifications used to assess the A/C roadways. The annual maintenance cost was determined by subtracting the A/C maintenance cost from the \$1.7 million dollar per

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**CITY OF NEW PORT RICHEY**  
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year citywide maintenance estimate. After the City allocates LOGT, solid waste franchise fees, Penny for Pasco (2), and general revenue transfers, the difference of \$541,600 per year must be generated. The City and CAC determines that an assessment to the network of beneficiaries is recommended. After establishing the residential dwelling unit contribution at \$70, the non-residential parcels were computed based on the multiplier described above and are listed below:

- \$70.00 Residential
- \$115.45 Non-Residential - 0 – 4,999 sf building(s)
- \$230.91 Non-Residential - 5,000 – 9,999 sf building(s)
- \$346.36 Non-Residential - 10,000 – 24,999 sf building(s)
- \$461.81 Non-Residential - 25,000 + sf building(s)

It should be noted that if a parcel is located adjacent to a local City owned roadway it would be responsible for paying both the “Local” and “A/C” assessments. However, if the subject parcel is located adjacent to only A/C, State/County, or privately owned/maintained roadways it would only be subject to the A/C component of the assessment.

**Example**

Single-family residence on a local road:

\$15 (Arterial/Collector)  
\$70 (Local Road)  
\$85 (Total)

Small non-residential (<5,000 sf) contiguous to a local road:

\$104.05 (Arterial/Collector)  
\$115.45 (Local Road)  
\$219.50 (Total)

Non-residential (5,000 – 9,999 sf) contiguous to a local road:

\$208.10 (Arterial/Collector)  
\$230.91 (Local Road)  
\$439.01 (Total)

Non-residential (10,000 – 24,999 sf) contiguous to a local road:

\$312.14 (Arterial/Collector)

\$346.36 (Local Road)

\$658.50 (Total)

Large non-residential (>25,000 sf) contiguous to a local road:

\$416.19 (Arterial/Collector)

\$461.81 (Local Road)

\$878.00 (Total)

## **VI. PROPOSED PAVEMENT MANAGEMENT PLAN DETERMINATION OF THE ASSESSMENT (Legal Qualifications as Clarified by City Attorney)**

While the City has asserted that its Home Rule powers, pursuant to State Statute 166.021, provides the legal basis for a non-ad valorem assessment program for street improvements, there is other supplemental statutory authority which this report also considers in the development of the proposed methodology. It is our understanding that Florida Statute (FS) 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. FS Chapter 197.3632 establishes the need to provide timely notices and to hold a public hearing. Chapter 170 of the Florida Statutes describes that “special assessments” also supported the application of the methodology with the caveat that the imposition of the assessments on a “citywide basis” is not considered in this analysis to conflict with the broad concept of ‘special benefit’. While past assessments have been levied based on linking improvements directly to adjacent properties based on road footage and assessment categories, this assessment is to the benefit of the overall system of transportation improvements owned and/or maintained by the City. In considering special benefit, the question of geographic proximity must be considered. Specifically, *“Can a special benefit be derived from the road project by all properties within the road network even if all properties are not adjacent to all of the specific reconstruction of roads to be funded by the assessment?”* The Florida Supreme Court ruled that, *“Although a special assessment is typically imposed for a specific purpose designed to benefit a specific area or class of property owners, this does not mean that the cost of services can never be levied throughout a community as a whole. Rather, the validity of a special assessment turns on the benefits received by the recipients of the services and the appropriate apportionment of the cost thereof. This is true regardless of whether the*

*recipients of the benefits are spread throughout an entire community or are merely located in a limited, specified area within the community.”*

There are three main requirements for valid special assessments under Chapter 170:

1. The improvements to benefited properties, for which special assessments are levied, be implemented for an approved and assessable purpose (FS 170.01).
2. Special assessments can only be levied on those properties specially benefiting from the improvements (FS 170.01).
3. The special assessments allocated to each benefited property cannot exceed the proportional benefit to each parcel (FS 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 (FS 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 (FS 170.01), which addresses the second requirement above. The third requirement is met by that the specific benefit to the properties is equal to or exceeds the cost of the assessments levied on the benefited properties (FS 170.02).

The first requirement for determining the validity of a special assessment is established within the list provided in FS 170.01. However, the second and third requirements for a valid special assessment require a more analytical examination. As required by FS 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 Pavement Management Plan.

## **VII. PROPOSED PAVEMENT MANAGEMENT PLAN EXEMPTIONS AND APPEALS**

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, rivers/lakes, jurisdictional wetlands, 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 the methodology established in this option. Because the City still has undeveloped parcels which may cause the total number and class of participants to vary as time passes, the annual assessment charge for each class should be reviewed every five (5) years to determine if the level should be adjusted. Finally, lands that may become annexed into the City will become assessable upon the annexation.

All appeals shall be in writing addressed to the City Manager's Office, 5919 Main St., New Port Richey, Florida 34652. The City Manager or his/her designee shall have 30 business days to respond in writing to the appellant. The City Manager's or his/her designee's decision shall be final. Appeals shall be based solely on methodology application such as, but not limited to, misclassification, exemption status, and mathematical errors. Requests for assessment exemption will not be permissible.

## **VIII. PROPOSED PAVEMENT MANAGEMENT PLAN CREDITS AND COLLECTIONS**

In order to credit those residents that have already paid for previous street assessments, the City considered street improvements project assessments over the past 20 years. During this time, there have been six (6) street improvements project assessments.

To calculate a credit for previously paid street improvements project assessments, the City will identify the assessment amount each individual resident received and divide it by the useful life of the improvement made to the street, which is based on a 20-year design lifespan, to determine the annual value of assessment paid.

$$\frac{\text{Assessment Amount}}{\text{Useful Life of Improvement (20 Years)}} = \text{Annual Value of Assessment Paid}$$

The annual value of assessment paid will be multiplied by the remaining useful life of the improvement to determine the credit.



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Remaining Useful Life = 20 Year Useful Life of Improvement - (2017 [Current Year] - First Year of Assessment)

Annual Value of Assessment Paid x Remaining Useful Life = ***Credit Amount***

As an example, let's assume that a resident was assessed \$2,000 in the 2008 street improvements. Below is how the credit amount would be calculated:

$$\begin{array}{rcl} \frac{\text{Assessment Amount (\$2,000)}}{\text{Useful Life of Improvement (20 Years)}} & = & \$100 \text{ (Annual Value of Assessment Paid)} \\ 20 \text{ Year Useful Life} - (2017 \text{ [Current Year]} - 2008 \text{ [First Year of Assessment]}) & = & 11 \text{ Years (Remaining Useful Life)} \\ \$100 \text{ (Annual Value of Assessment Paid)} \times 11 \text{ Years (Remaining Useful Life)} & = & \mathbf{\$1,100 \text{ Credit Amount}} \end{array}$$

For those property owners who have already paid their past street assessment, the calculated credit would be applied to the new annual Pavement Management Plan Street Assessment each year until the credit is exhausted. For those property owners who still owe the City for the past street assessments, the calculated credit would reduce the amount still owed to the City. The City would still collect any unpaid assessment.

## **IX. ALLEYS**

There are approximately 5.2 miles of alleyways located in the City limits of which two (2) miles are improved. These facilities are not an integral part of the City's roadway network and the benefit of improving them would be limited to the adjacent property owners. Historically, property owners adjacent to alleys have two types of opinions on the condition of their alleys. Some are in favor of improving them due to the dust created by vehicles traveling in the alley, which prevents the residents from opening their house windows to enjoy the weather at certain times of the year. These property owners also express the frustration of not being able to keep their vehicles clean because of the dust and mud. Other property owners are not in favor of improving their alleys and only want minimal maintenance performed. They feel as though if the alleys were improved, traffic volumes and speeds would increase greatly. It is therefore the recommendation of the Citizens Advisory Committee that alleys be excluded from the above-mentioned pavement management plan.

It is the recommendation of this report that the City create an Alley Improvement Policy and Guideline Criteria Manual to address future alley improvement requests.

**APPENDIX A**  
**ROADWAY NEEDS ASSESSMENT REPORT**

## 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 personnel 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**.



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

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.

## 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 preventive and rehabilitative maintenance.

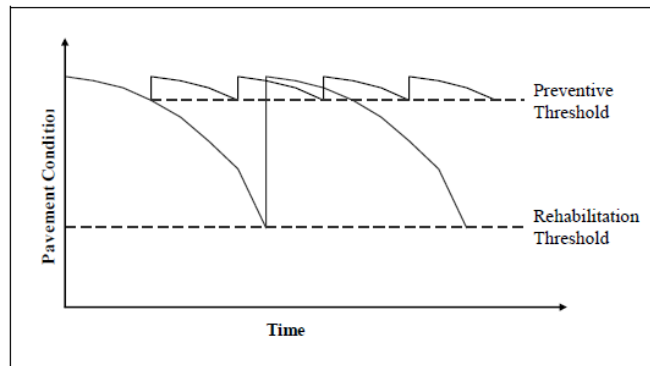


Figure 3 - Time vs. Ride Quality

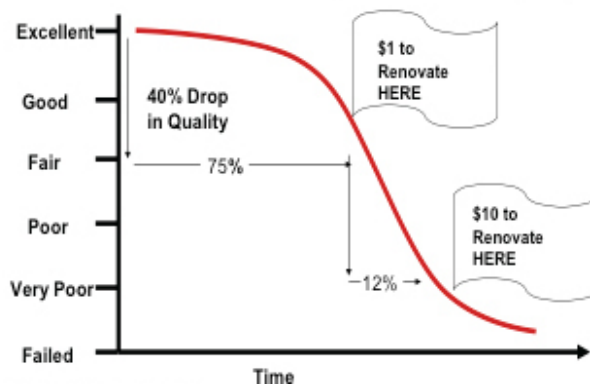


Figure 4 - Time vs. Maintenance Cost

## 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

**Note:**

Subsequent to issuing the Roadway Needs Assessment Report Madison Street was added to Cycle 1

**APPENDIX B**  
**PROPERTY APPRAISER NAL(DOR) CLASS CODES**





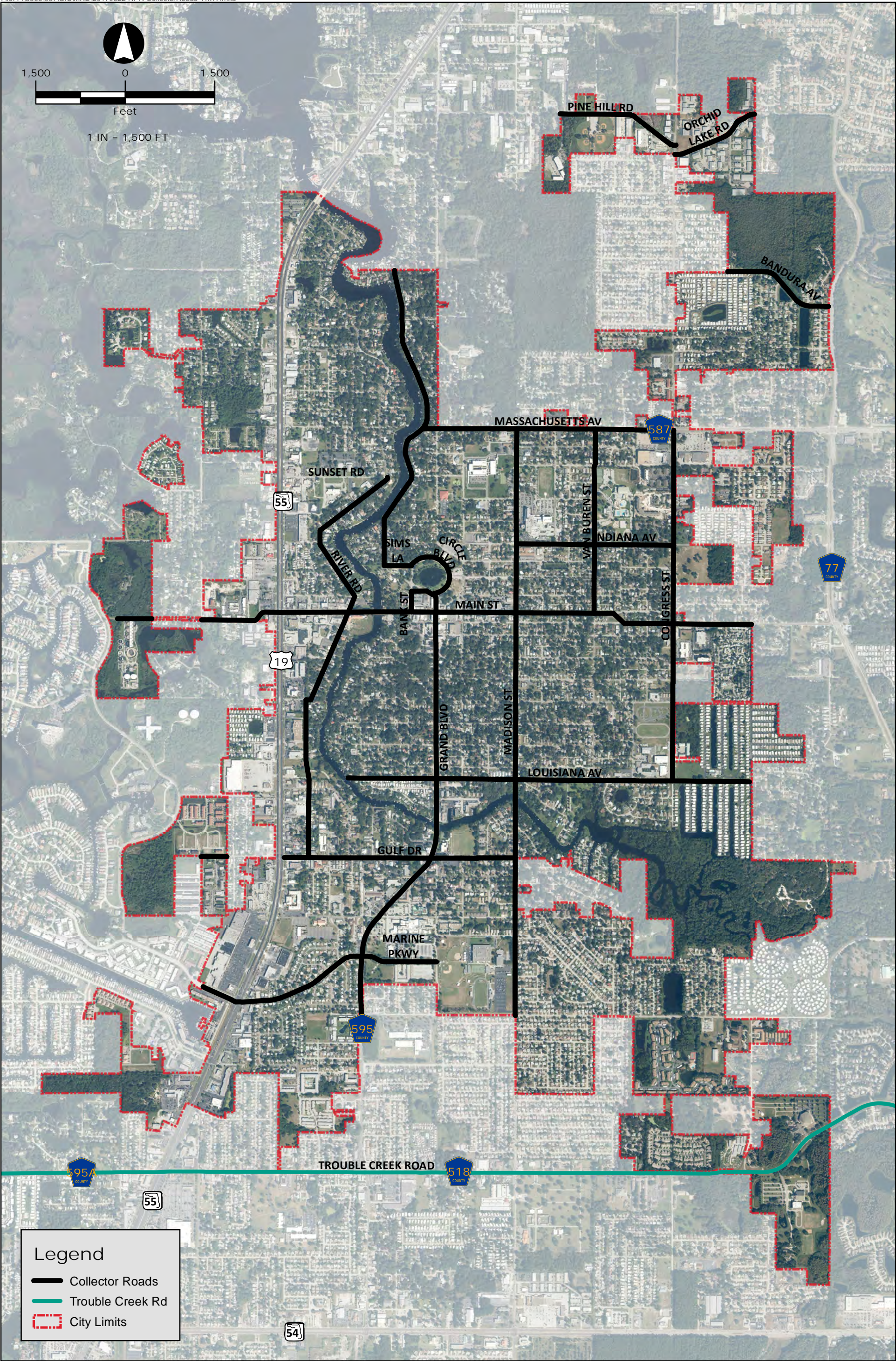
## Reference Codes

NAL(DOR) Class Codes	
Code	Description
00	Vacant Residential
01	Single Family
02	Mobile Homes
03	Multi-Family -10 units or more
04	Condominium
05	Cooperatives
06	Retirement Homes not eligible for exemption
07	Miscellaneous Residential(migrant-boardng homes)fna Villa Homes
08	Multi-Family -fewer than 10 units
09	Residential Common Elements/Areas
10	Vacant Commercial
11	Retail Stores, One Story
12	Stores, Office, SFR -mixed use
13	Department Stores
14	Supermarkets
15	Shopping Centers Regional
16	Shopping Centers Community
17	1 Story Office
18	Multi-Story Office
19	Professional Service Buildings
20	Airports, bus terminals, piers marinas
21	Restaurants, cafeterias
22	Drive-In Restaurants
23	Financial Institutions (banks,saving & loan,mortgage,credit co)
24	Insurance Company Offices
25	Service Shops Non-Automotive
26	Service Stations
27	Auto Sales, Service, etc.
28	Rental MH/RV Parks, parking lots (commercial or patron)
29	Wholesale manufacturing outlets, produce houses
30	Florist, Greenhouses
31	Theaters Drive-In, open stadiums
32	Theaters auditoriums enclosed
33	Night Clubs, Bars, lounges
34	Bowling Alleys, skating rinks, pool halls, enclosed arenas
35	Tourist Attractions, fairgrounds (privately owned)
36	Camps
37	Race Tracks
38	Golf Courses, driving ranges
39	Hotels, Motels
40	Vacant Industrial
41	Light Manufacturing
42	Heavy Industrial

43	Lumber Yards, sawmills
44	Packing Plants
45	Breweries, Wineries, distilleries, canneries
46	Food Processing
47	Mineral Processing
48	Warehousing (Block or Metal)
49	Open Storage, junk yards, fuel storage
50	Improved agricultural rural homesite
51	Cropland Class I
52	Cropland Class II
53	Cropland Class III
54	Timber - Site Index I
55	Timber - Site Index II
56	Timber - Site Index III
57	Timber - Site Index IV
58	Timber - Site Index V
59	Timber - Not Classified by site index to Pines
60	Grazing Land Class I
61	Grazing Land Class II
62	Grazing Land Class III
63	Grazing Land Class IV
64	Grazing Land Class V
65	Grazing Land Class VI
66	Orchard Groves
67	Poultry, Bees, etc.
68	Dairies, Feed Lots
69	Ornamentals
70	Vacant Institutional
71	Churches
72	Schools, Colleges, Private
73	Hospitals, Private
74	Homes for the Aged
75	Orphanages, other non-profit or charitable services
76	Mortuaries, Cemeteries, crematoriums
77	Clubs, Lodges, Union Halls
78	Out Patient Clinics, Sanitariums, convalescent, rest homes
79	Cultural organizations, facilities
80	Vacant Governmental (municipal,counties,state,federal,dot,swfwmd)
81	Military
82	Forests, Parks, recreational areas
83	Schools, Public
84	Colleges Public
85	Hospitals Public
86	Other County
87	Other State
88	Other Federal
89	Other Municipal
90	Leasehold Interests (government owned non government lessee)
91	Utilities
92	Mining lands, petroleum or gas lands
93	Subsurface rights
94	Right-of-Way, Streets, Ditch
95	Rivers and Lakes, Submerged Lands
96	Sewage Disposal, Waste Lands, Swamp
97	Outdoor Rec./Parkland, High-Water Recharge
98	Centrally Assessed Railroad
99	Non-AG (Over 20 Acres)

**APPENDIX C**  
**COLLECTOR/ARTERIAL ROADWAY NETWORK MAP**





Legend

Collector Roads

Trouble Creek Rd

City Limits