



**CITY COUNCIL REGULAR MEETING**  
**CITY OF NEW PORT RICHEY**  
**NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS**  
**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**  
**September 19, 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 August 29, 2017 Special Meeting Minutes and September 5, 2017 Special and Regular Meeting Minutes Page 3
5. Proclamation - Boulevard Beef & Ale 20th Anniversary Page 28
6. Swearing-In of New District Chiefs: Robert Gupton and Scott Burford Page 29
7. Presentation by the Library Advisory Board RE: Long Range Plan
8. Presentation of Florida Recreation and Park Association Award Page 31
9. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda
10. Consent Agenda
- a. Purchases/Payments for City Council Approval Page 32
11. Public Reading of Ordinances

- a. Second Reading, Ordinance No. 2017-2118: Brewpubs and Microbreweries

Page 34

12. Business Items

- a. 2017 Report on Repetitive Loss Floodplain Management Plan
- b. Three Minute Report: Parks and Recreation

Page 43

13. Communications

14. 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

**TO:** City of New Port Richey City Council

**FROM:** Judy Meyers, City Clerk

**DATE:** 9/19/2017

**RE:** Approval of August 29, 2017 Special Meeting Minutes and September 5, 2017 Special and Regular Meeting Minutes

**REQUEST:**

The request is for City Council to approve the minutes from the August 29, 2017 special meeting and September 5, 2017 special and regular meetings.

**DISCUSSION:**

On August 29, 2017 City Council conducted a special meeting to hear public comment on the proposed stormwater and streetlight assessments. Then on September 5, 2017, City Council conducted another special meeting to accept public comment for the proposed FY17-18 budget prior to their regularly scheduled meeting. The minutes from all three meetings are attached for Council's review and approval.

**RECOMMENDATION:**

Staff recommends that City Council approve the minutes from the August 29, 2017 special meeting and September 5, 2017 special and regular meetings as submitted.

**BUDGET/FISCAL IMPACT:**

No funding is required for this item.

**ATTACHMENTS:**

Description	Type
☐ August 29, 2017 Special Meeting Minutes	Backup Material
☐ September 5, 2017 Special Meeting Minutes	Backup Material
☐ September 5, 2017 Regular Meeting Minutes	Backup Material



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

**NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS**  
**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**

**August 29, 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, Councilwoman Judy DeBella Thomas and Councilman Chopper Davis.

Also in attendance were City Manager Debbie Manns, City Attorney Timothy Driscoll, City Clerk Judy Meyers, Finance Director Crystal Feast, Public Works Director Robert Rivera, Technology Solutions Director Bryan Weed and Assistant Public Works Director Barret Doe.

**2 Pledge of Allegiance**

**3 Moment of Silence**

**4 Business Items**

**a. Public Hearing - Stormwater Utility Assessment - Page 3**

City Manager Manns introduced the item to Council. She stated there are three funding revenues which provide services and benefits for residents. Tonight we will be discussing assessments. Benefit assessments fund flood control, streetlight benefits. There was a work session on May 16, 2017 to discuss the stormwater and streetlight systems. On June 20, 2017 approved final rate studies. Tonight will approve the resolutions for the stormwater and streetlight assessment fees. Implemented fee in 2001 at \$40.32 per ERU and remained the same until 2012. \$77.36 per ERU since then.

City Manager Manns introduced Michael Stoffel with Ayres Associates who then made a presentation to Council. Mr. Stoffel began his presentation by providing an overview of the stormwater utility and rate study findings. In the 2016 stormwater utility survey 70% use the impervious area methodology. 45% charged for undeveloped lands. Past rate was \$77.36 and proposed rate is \$80. Grant programs help to offset costs. Residential parcels continue to be charged as 1 ERU, general parcel charged 1 ERU per 2,629 sf. and undeveloped charged 35% of 1 ERU per average residential parcel size. City Attorney Driscoll then read the proposed resolution by title only.

Upon opening the floor to public comment, Andy Hatcher came forward and spoke about property that was annexed into the city. He asked to be exempt from the fees.

Glenna Summerall came forward and asked about the charge for a duplex. She stated there is no drainage on her street. Why is she paying extra when there are only a few streetlights on her road. She doesn't mind paying but wants to have the benefit of service.

Mark Sipes came forward and asked why is it being assessed on the tax bill and why not on their water bill that way it could be charged in lesser increments over the year. City Manager Manns stated it is not permissible by law to put a benefit assessment on the water bill. She stated there is a tax payment program offered by Pasco County with a zero interest loan.

Robin Knight came forward and stated last year when there was a test of the fire hydrant the water didn't go down so crews came with a machine that cleaned out the drain. She stated she has come up with ways to help the flooding.

James Tillman came forward and asked why the assessments are growing. He asked for clarity tax payment versus the nickel and dime. May address individual needs but does not see an explanation. With a tax program you can get a write off. Mayor Marlowe stated the paving is to get all the roads on a twenty year plan. The stormwater assessment is to keep our system up to date and improve it so there is no flooding like there is in Holiday or Port Richey. We have been working hard on streetlight program. City Manager Manns noted that tonight's proposed rate is for five years and will remain constant.

Russell Sipes came forward and stated he lives on Hemlock Drive and it floods. He noticed there are quite a few streets that have no drainage. He stated there is an angle parking lot near his home that drains into his road. Mr. Rivera reiterated his comments that a retention pond will be built near Hemlock. Councilman Phillips asked if this was Jasmine Heights area and Mr. Rivera stated yes. Councilman Phillips stated we have identified the areas.

Vance Ray asked how much the rate study cost. Mr. Rivera stated it was about \$14,000. Councilman Phillips stated we have to go back and reassess. For ten years past Councils just passed the ball down. These two funds were taking away funds from the general fund. Had to figure out the new baseline back in 2012 as we need to continue to address the flood areas.

With no one else coming forward Mayor Marlowe returned the floor to Council. Councilman Phillips stated we are trying to not take it away from tax base. There are certain times you can resolve flooding. Enhance the value of property and aesthetic of city. Confident and happy to support. Every time a property does not flood speaks well how we have moved from point a to b to c.

Councilman Davis stated when you hear about flooding in New Port Richey it is in county areas. Continue to address this issue. Out driving today and notice water off the street.

Deputy Mayor stated it is not easy to assess residents. Been tasked with hard decisions but it is something we have to do.

Councilwoman DeBella Thomas stated it is important to hear the questions and an opportunity to get the information out to the community. She was also out today and there are still some pocket areas that can't take the water but through this process we are being diligent and addressing the problem areas. We are all hard working and we have to be as diligent as we can.

Mayor Marlowe of all things we spend money on stormwater is most critical. Not perfect and still have areas to be addressed but confidence staff can manage it. Much better than some unincorporated areas of Pasco County that have mass flooding.

Motion was made to approve the item as presented.

\*\*\*It should be noted that there were several objections received by the City Clerk for this agenda item. The objections are attached to these minutes and hereby made an official part of this proceeding.\*\*\*

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

b. Public Hearing - Street Lighting Assessment - Page 17

City Attorney Driscoll read the proposed resolution by title only. City Manager Manns introduced the item to Council. She stated that in 2003 the city started to implement benefit assessment for streetlight. Only for developed properties. Changed in 2012 after rate structure and analysis. The rate necessary was \$36.24 per ERU has not changed since that time. Recent study covers actual and projected cost for streetlights with \$38.71 per ERU covers 2018-2022. Mr. Stoffel came forward and made a presentation to Council. He highlighted the history of the city's program. From 2003-2012 the rate was \$26.07 then 2013-2017 \$36.24. The adopted rate is \$38.71. Previously not charged to undeveloped parcels. Staff has gone through and recognized the dark areas in the city and new lights will be installed. Residential parcel charged 1 ERU and general parcels charged 1 ERU per 1,860 sf. of building area. Undeveloped will not be charged 26% of 1 ERU. Mayor Marlowe asked for clarification about the LED light cost. Mr. Rivera stated that we don't own the LED lights. One of the benefits of paying just maintenance to Duke is that there are no costs incurred. As technology progresses rates will go down. We are charged per fixture.

Upon opening the floor to public comment, Andy Hatcher came forward stated his property does not have a streetlight and he does not want a streetlight. He doesn't want to pay for someone else's light. The city paid for the lights the whole time he worked here. The city gets a franchise fee and the fees should come out of that.

Vance Ray came forward and stated there has to be other revenue sources that can be used.

With no one else coming forward Mayor Marlowe returned the floor to Council. Deputy Mayor Starkey stated he has a hard time charging undeveloped lands for streetlighting when no one is living there.

Councilman Phillips stated that it is at a reduced percentage. He advocated for this in 2012 as he felt that the vacant property owners were getting a benefit as streetlighting was keeping things from happening on their property. The streetlights benefit occupied and unoccupied property. At the end of the day he felt that if everyone was together with the fees it would have a positive impact. Shared cost across the board. He asked how many additional lights were to be added. Mr. Rivera stated he could not remember off hand but would get the information but he thought maybe 68.

Councilman Davis stated he has a lot on Oleander and for \$10 year he would pay to make sure mischief does not happen.

Deputy Mayor Starkey would like to see lights in and around the vacant lots. Mr. Rivera stated he would take a look at the areas called in and look at it at night to see if light is needed or perhaps trees are covering the light. He asked Mr. Rivera to contact FDOT about the lights on US19.

Councilman Phillips asked if we adopt tonight and take care of dark spots can we look at this a year from now or is it locked in for five years. One more additional year of study of the dark spots. Let's see how impact is during the next year and that we are effectively using the funds collected. Trying to give surety that we are looking at a net benefit.

Mayor Marlowe agreed that we should look at it in the spring and get a report of where we are with the dark spots.

Councilwoman DeBella Thomas stated one of her concerns about the change in streetlights is the lack of lighting in the neighborhoods. The lights are high and almost hidden in the tree canopies. Asked to

discuss with Duke streets south of Main. We would welcome participation in the observation and refer dark areas to Public Works. The lighting currently have is addressed so we can see the change in the community.

Motion was made to approve the item as presented.

\*\*\*It should be noted that there were several objections received by the City Clerk for this agenda item. The objections are attached to these minutes and hereby made an official part of this proceeding.\*\*\*

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

5 Communications

Councilman Phillips asked to invite the City Manager from Port Richey to come visit and share what they are doing regarding BP funding and dredging. What they do at the mouth of the river will have dramatic effect downstream. New Facebook page that Eric from Gil Dawg called The "New" Port Richey and it looks like it is coming from us.

Councilwoman DeBella Thomas stated the Hacienda event was an excellent opportunity of where we can go with that building. Sorry could not attend the Community Art Show awards and thanked the artists who participated.

Deputy Mayor stated it was an honor to attend Hacienda event.

6 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:15 pm.

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

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

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

August 14, 2017

Mayor Rob Marlowe  
Deputy Mayor Bill Phillips  
Councilperson, Jeff Starkey  
Councilperson, Chopper Davis  
Councilperson, Judy Debella Thomas

Re: Proposed Increase in Streetlight fee, Stormwater, Solid Waste, & Paving Assessment

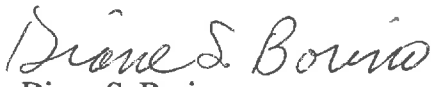
Please be advised I am against any increases in above proposals. I am a senior citizen, age 73, and have lived in New Port Richey for 18 years. I was against the first 3 proposals back when they were first proposed. And now am adamantly against the additional Paving Assessment of \$85.00 for my property. I live in a condominium on a dead end street and get very little traffic. I live on a very small fixed income, which has been reduced 15% this past year. If these proposals go through, my real estate tax bill will go from \$161.34 to \$251.45, a 55.85% increase.

I am against the street paving assessment because I believe that as a resident, I should not have to pay for tourists, snowbirds, & others who come to Florida for several months and use our roads.

I barely have enough money for food each month after my bills are paid. Food is the only expense that I can cut.

I would hope that as my city council members, you could consider other fairer means for the above assessments. How about adding to the sales tax or gas tax so that all who come & live in Florida pay their fair share. Thank you for your consideration, I would appreciate it.

Yours truly,

  
Diane S. Borino  
4747 Azalea Dr, #230  
New Port Richey, FL 34652  
ph 727 848 8992





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I OBJECT TO THESE  
ASSESSMENTS. I LIVE ON  
A FIXED INCOME OF ONLY  
\$1069/MONTH. I AM  
DISABLED + ELDERLY + CAN  
NOT AFFORD THE \$204  
TOTAL FOR ALL OF THESE  
ASSESSMENTS. I PAY ENOUGH  
IN TAXES AND CAN NOT  
AFFORD MORE.

VIRGINIA LEMKUL  
PARCEL # 16-26-16-0520-000004290



Y169346  
FLOR  
Ms Virginia M Lemkul  
4853 Elmwood St  
New Port Rchy, FL 34653

11 JUL 2017  
PORT RICHY, FL 34653  
PORT RICHY, FL 34653



SHR412



CITY - CLARK  
OBJECTIONS TO PAVING, STREET LIGHTS,  
+ STORMWATER NON-AD VALUATION  
ASSESSMENTS  
5919 MAIN ST.  
NEW PORT RICHY, FL 34652

Diana Liedtke Thorpe 5419 Waters Edge DR New Port Richey FL 34653

08/08/17

Ref: Letter to residents for notice date 26 Aug 2016 adoption of storm water assessment

Tax parcel number 09-26-16-0040-00000-0360

I received the letter on 04 Aug 17. The letter stated that the meeting to discuss the letter was to take place on 01 Aug 17.

I do not have a problem paying for the storm water assessment. However, here are my concerns. I have only lived in the home since August 2016.

- Public works has already had to fix the storm drain next to my yard.
- NPR water department has had to replace and raise my water meter
- EVERY time it rains the street in front of my home and half way into the neighbor's home on both sides floods
- Home owners and delivery trucks must slow down due to the water that DOES NOT DRAIN into the storm drains to ensure that the car can make it thru the depth of the water
- Mosquito growth is terrible
- I am unable to mow the area across the street from my home as the area is so wet my lawn mower has had to be fixed. The mower is less than a year old.
- The road has sunk since I have lived here

I have spoken with the Public Works department gentleman when they have been working in the area and was told that there is a plan to fix this area. However, the men said that the plan had no date

I have called the Water Department since the meter was replaced as it has sunk again. I was told someone would come and evaluate the concern. I do not know if this has happened.

Please have the Public Works Department fix the road in front of the three homes.

Please have the Public Works Department fix or enlarge the storm drain across the street from my home

Encl: photo of water in front of tax parcel 09-26-16-0040-00000-0360



Diana L Liedtke Thorpe









Street in front of  
5419 Waters Edge Dr

Richard Stewart

Tax Parcel Number: 09-26-16-0160-00100-0071

5538 Frances Avenue

New Port Richey FL 34653

City Clerk

08/15/2017

Objections to Stormwater Non-ad Valorem Assessments

5919 Main Street

New Port Richey, FL 34652

To whom it may concern;

This correspondence shall serve as our written objection to the City Council to the proposed street lighting service assessments, including their collection on the ad valorem tax bill. It is my understanding that street lighting services are already included in our current tax bill. Therefore, this tax would be levied twice on our property for each fiscal year. I do not consume any services from the City being that I am retired and have no dependents. I live on a set income, and currently pay higher taxes than most other jurisdictions within the same area.

v/r



Richard Stewart

## East Richey Square Center, Inc.

6137 State Road 54  
New Port Richey, FL 34653

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Phone: 727-847-2036  
Fax: 727-842-5388

August 23, 2017

City of New Port Richey

RE: Non-Ad Valorem Stormwater Fees  
East Richey Square Center  
6502 Massachusetts Avenue  
Parcel ID # : 04-26-16-0010-00700-0000

To the Honorable City Council Members:

This letter comes as a response to the proposed increase for stormwater assessment fees within the New Port Richey City limits.

Please do not pass this proposal!

The stormwater assessment is increasing at a rapid rate and there are also the basic tax millages as well. The shopping center assessment for streetlights alone, for the year 2017 shall be \$1,416.20. Typically, these are fees which are passed down to the Tenants of the shopping center as part of their CAM and real estate tax pro rata shares. At East Richey Square Shopping Center, we have only one nationally recognized name store, with the majority of the center being "mom and pop" type entrepreneurs-as well as a church. Because this section of New Port Richey is home to many assisted living and lower income residents, the Tenants of the shopping center are already faced with a declining clientele of shoppers, leaving them struggling to keep their businesses open. (We have been unable to lease two units for several years due to the economics and the deterioration of this section of New Port Richey even with having hired an outside real estate broker for assistance.)

In this troubled economy, as Landlords, we have been giving out rent concessions and even renewing leases at significantly lower base rent costs to help Tenants remain in business, at a cost to the property owners. Applying an additional increase to the stormwater assessment will impact not only these Tenants, but all small businesses in town. We cannot bear higher taxes at this point. We would hope that in these difficult times, the government would do their part to help lessen the burden.

Again, please vote no to this assessment.

*Sue Wieman*  
Sincerely,  
Sue Wieman  
East Richey Square Center  
Owner's Representative

Richard Stewart

Tax Parcel Number: 09-26-16-0160-00100-0071

5538 Frances Avenue

New Port Richey FL 34653

City Clerk

08/15/2017

Objections to Street Lighting Non-ad Valorem Assessments

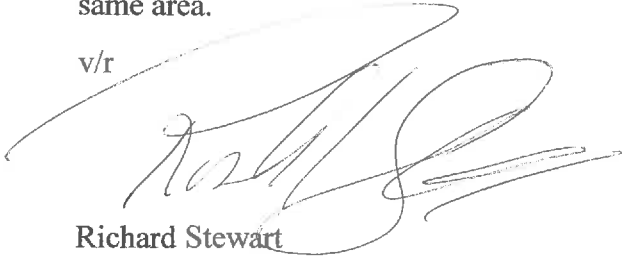
5919 Main Street

New Port Richey, FL 34652

To whom it may concern;

This correspondence shall serve as our written objection to the City Council to the proposed stormwater service assessments, including their collection on the ad valorem tax bill. It is my understanding that stormwater services are already included in our current tax bill. Therefore, this tax would be levied twice on our property for each fiscal year. Furthermore, the city does not maintain the stormwater at the end of my driveway when it does flood every time we get a hard rain. I do not consume any services from the City being that I am retired and have no dependents. I live on a set income, and currently pay higher taxes than most other jurisdictions within the same area.

v/r

A handwritten signature in black ink, appearing to read 'Richard Stewart', is written over a light blue circular stamp. The signature is fluid and cursive.

Richard Stewart

## East Richey Square Center, Inc.

6137 State Road 54  
New Port Richey, FL 34653

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Phone: 727-847-2036  
Fax: 727-842-5388

August 23, 2017

City of New Port Richey

RE: Non-Ad Valorem Streetlight Fees  
East Richey Square Center  
6502 Massachusetts Avenue  
Parcel ID #: 04-26-16-0010-00700-0000

To the Honorable City Council Members:

This letter comes as a response to the 38.71 % proposed increase for streetlight assessment fees within the New Port Richey City limits.

Please do not pass this proposal!

The shopping center tax assessment for streetlights alone, for the year 2010 was \$911.95 and the estimated fee for 2017 shall be \$1,416.20. The stormwater assessment is nearly SIX times this fee and then there are the basic tax millages as well. Typically, these are fees which are passed down to the Tenants of the shopping center as part of their CAM and real estate tax pro rata shares. At East Richey Square Shopping Center, we have only one nationally recognized name store, with the majority of the center being "mom and pop" type entrepreneurs-as well as a church. Because this section of New Port Richey is home to many assisted living and lower income residents, the Tenants of the shopping center are already faced with a declining clientele of shoppers, leaving them struggling to keep their businesses open. (We have been unable to lease two units for several years due to the economics and the deterioration of this section of New Port Richey even with having hired an outside real estate broker for assistance.)

In this troubled economy, as Landlords, we have been giving out rent concessions and even renewing leases at significantly lower base rent costs to help Tenants remain in business, at a cost to the property owners. Applying an additional increase to the streetlight assessment will impact not only these Tenants, but all small businesses in town. We cannot bear higher taxes at this point. We would hope that in these difficult times, the government would do their part to help lessen the burden.

Again, please vote no to this assessment.

*Sue Wieman*  
Sincerely,  
Sue Wieman  
East Richey Square Center  
Owner's Representative





**MINUTES OF THE CITY COUNCIL SPECIAL MEETING**  
**CITY OF NEW PORT RICHEY**  
**NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS**  
**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**  
**September 5, 2017**  
**6:00 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 6:00 pm. Those in attendance were, Councilman Bill Phillips, Councilwoman Judy DeBella Thomas and Councilman Chopper Davis. Deputy Mayor Jeff Starkey arrived after roll call.

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 Business Items

a. First Public Hearing - FY2017-2018 Operating Budget & Capital Improvement Program - Page 3

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to conduct a first public hearing on the proposed budget for the upcoming fiscal year. She stated we have conducted four work session on the upcoming budget. Significant assumptions include being conservative and increases in property tax value, preserving target funds, review of fees for revenue adjustments, wage adjustment of 2%, 3% increase for benefits and a decrease in millage. The amount of the proposed budget for the general fund is \$21,448,550 and \$8,891,000 for the capital improvement budget. The directives previously provided by Council are currently being implemented and will be in the final budget presentation on September 25th. City Attorney Driscoll then read Resolution 2017-29 tentatively adopting the millage rate.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas asked if the proposed millage rate is the final value. City Manager Manns stated we are basing the budget on numbers provided by the County.

Councilman Phillips stated he was a little disappointed that no one from the public showed up to speak. We have another three weeks to go through the budget and final vote on September 25th. He still has a number of items that dovetail into the previous public hearing on assessments. There are items in the general fund and CIP budget that do not align. He is trying to look at this and take the CRA charette comments that the ad valorem is too high and with that he is trying to find a way to look at the budget to see if there is any way to significantly reduce the millage rate. He believes 8.995 is still too high. He wants to talk to staff.

Councilman Davis stated he was at the FLC conference and there was emphasis on voting down the new homestead exemption. Addressing that is a big factor. An increase in fees and assessments will only make everyone's rent go up. He wanted the millage somewhere in the 8's last year but that did not happen. Need to sharpen pencils and have aggressive program to address the new homestead exemption.

Councilwoman DeBella Thomas asked if the vote tonight was final and the millage rate could not be changed and City Attorney Driscoll stated that it was just the opposite that Council needed to set the tentative millage tonight and it could be reduced by final hearing.

Councilman Phillips stated the Finance Director had compiled some information for him regarding numbers that would calculate to a lower millage rate and asked for that to be included in this week's City Manger's report.

Motion was made to approve Resolution 2017-29 setting the tentative millage rate at 8.995 mils as presented. Motion made by Councilwoman DeBella Thomas and seconded by Deputy Mayor Starkey. Motion passed 5-0 at 6:20 p.m.

City Attorney Driscoll then read Resolution 2017-28 adopting the tentative budget by title only. Motion was made to approve Resolution 2017-28 adopting the tentative budget as presented. Motion made by Councilman Chopper Davis and seconded by Deputy Mayor Starkey. Motion passed 5-0 at 6:21 p.m.

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

5 Communications

None

6 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 6:21 pm.

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

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

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



**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**

**September 5, 2017**

**7:00 PM**

---

**ORDER OF**  
**BUSINESS**

**1. Call to Order – Roll Call**

The meeting was called to order by Mayor Rob Marlowe at 7:00 p.m. Those in attendance were, Deputy Mayor Jeff Starkey, Councilman Bill Phillips, Councilwoman Judy DeBella Thomas and Councilman Chopper Davis.

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 August 15, 2017 Regular Meeting Minutes, August 22, 2017 CIP Work Session Minutes and August 24, 2017 Special 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. 5-0.  
Ayes: Davis, DeBella Thomas, Marlowe, Phillips, Starkey

**5 Introduction of New Police Officer Bobby Lubrido**

Chief Bogart introduced new officer Bobby Lubrido to Council.

**6 Proclamation-Library Card Sign-up Month**

Library Director Andi Figart accepted the parchment for Library Card Sign-up Month from Mayor

Marlowe.

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

Mayor Marlowe opened the floor for public comment. Judith Allen came forward to speak about an incident that happened in her yard on August 17th regarding the removal of landscaping in front of her home.

Bob Langford came forward and wanted to express gratitude on behalf of the Friends of the Hacienda for the wonderful event on August 26th. He thanked public works, police and fire department staff for all of their hard work.

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

8 Consent Agenda

Motion was made to accept the Consent Agenda.

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

a Parks and Recreation Advisory Board Minutes - June 2017

b Purchases/Payments for City Council Approval

9 Public Reading of Ordinances

a Second Reading, Ordinance No. 2017-2118: Brewpubs and Microbreweries

City Manager Manns announced that this item would be withdrawn from tonight's agenda and presented to Council for second reading at their September 19, 2017 regular meeting.

10 Business Items

a Alcoholic Beverage Special Event - Cotee River Bike Fest

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve an ABSEP for the Cotee River Bike Fest. Organizers are seeking to sell alcohol on Friday, October 13th from 5:00 p.m. to 11:00 p.m., Saturday, October 14th from noon to 11:00 p.m. and Sunday, October 15th from 1:00 p.m. to 7:00 p.m.

Upon opening the floor to public comment, Chip Wichmanowski and Liz Misemer came forward and stated over 40,000 attended bike fest last year and were looking forward to another great event. With no one else coming forward therefore Mayor Marlowe returned the floor to Council. Councilman Davis said bike fest has a whole other image today than in the past. Deputy Mayor Starkey stated the park needs to be left in the same condition as it was found in and also to let the vendors know that the park is open and not closed as there were some complaints from residents last year. Motion was made to approve the item as presented.

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

b Request for Variance from the West Pasco Chamber of Commerce RE: Early Alcohol Sales at Cotee River Bike Fest

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a request for a variance from the West Pasco Chamber of Commerce to begin selling

alcohol at 11:00 a.m. on Sunday, October 15th as part of the Cotee River Bike Fest. Staff is recommending denial of this request.

Upon opening the floor to public comment, Chip Wichmanowski came forward and stated that for the last several years as the event has opened on Sunday many have mentioned would like to get a beer at 11:00 a.m. and told them to go to an establishment. This year they would like to be able to offer it. With no one else coming forward Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas stated she talked to the City Attorney this afternoon as she thought the County had moved the time to 11:00 a.m. At that time a hiccup occurred regarding special events in the park. We created a dilemma when there is a wet zone that includes the downtown. She knows it does create confusion for event organizers.

Deputy Mayor Starkey stated he disagreed and if you want alcohol before 11:00 a.m. then go to an establishment. Since it is a city park should offer after 1:00 p.m.

Councilman Phillips asked if the ordinance talks about the Hacienda or the parking lot across the street. City Manager Manns stated that yes it does for the Hacienda but not the parking lot. Councilman Phillips stated we opened Pandora's box and could that we could have events not open until 1:00 p.m. Wanted to see what areas are defined in the ordinance. Making a wet zone much larger than we normally do. Once it is done it will be opened for everyone.

Councilman Davis stated this needs to be addressed as well. He stated there were other issues including the dog dining and food trucks that also need to be addressed. Would like to see it more uniformed across the board.

Mayor Marlowe stated he would not like to see alcohol sold in the park at all. He stated he was not in favor of approving this.

Motion was made to deny the request as recommended by staff.

Motion made by Jeff Starkey and seconded by Bill Phillips. The Motion Passed. 3-2. Ayes: Marlowe, Phillips, Starkey Nays: Davis, DeBella Thomas

c Selection of Firms for Continuing Service Agreements for Landscape Architect RFQ 17-014

City Manager Manns introduced Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to consider for approval the selection of architects for continuing services agreements. He stated that five firms met the qualifications.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas asked if Council approved the firms will it not have to go to bid. Mr. Rivera stated that this would alleviate the RFQ process and allow to go to each firm to get a scope of work and then they would submit a task order. Mr. Rivera stated each of the firms have different expertise.

Councilman Davis asked if this precludes the bidding of the project. Mr. Rivera stated no this is only for professional services and that the bidding process is completely different. These firms would assist with the preparing the bid documents.

Councilman Phillips asked if we have experience with all five. Mr. Rivera stated some but not all five.

Motion was made to approve the item as presented.

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

d Purchase of Pine Hill Road Property

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the purchase of two parcels along Pine Hill Road. The parcels will be used for additional parking for Plummer Field. The total price to purchase the properties is \$28,000 (\$14,000 per parcel) with WPLL paying \$2,000 towards each parcel as earnest deposit.

Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips asked what the amount budgeted was last year for this. We are creating a risk by purchasing this property across from the ball field. We need to take safety precautions. If not using all funds budgeted for purchase then use remaining funds for safety precautions. He stated it was hard for him to believe that there was no contamination found in the site as it was close to a previous landfill. Larger conversation that needs to be done in the future. Great reservations on the functionality of the property.

Councilwoman DeBella Thomas asked who owns the property that the current fields are on. City Manager Manns stated the city owns the property but it is maintained by the county. She asked how many parking spaces. City manager Manns stated estimated at fifty.

Deputy Mayor Starkey stated that it was definitely not optimum doing this and maybe bring this up during joint work session with the County in October. So much funds are going to east Pasco. Kids in west Pasco need affordable sport activities. Families are parking along Pine Hill Road and that is more dangerous. He suggested looking into seeing if we can put in a crosswalk.

Councilwoman DeBella Thomas stated she does not think this is money well spent. She stated she can appreciate that it is for the kids and the deposit amount. The County has TDC money and is all about sports would have like to see funds from them.

Mayor Marlowe stated it would be wonderful to find a different place for them to play ball and repurpose these fields.

Motion was made to approve the item as presented.

Motion made by Chopper Davis and seconded by Bill Phillips. The Motion Passed. 4-1. Ayes: Davis, Marlowe, Phillips, Starkey Nays: DeBella Thomas

e Board Re-Appointment: Jon Tietz, Environmental Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the re-appointment of Mr. Jon Tietz to the Environmental Committee. Mr. Tietz currently serves as the Committee's Secretary. City Manager Manns stated his current term is due to expire on September 17, 2017 and if approved, Mr. Tietz's term will be for two years and will be up for renewal on September 17, 2019. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas noted the members of the Environmental Committee are very passionate and is one of the most full of committees. Motion was made to approve the item as presented.

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

f Board Re-Appointment: Rachel Hagenbaugh, Cultural Affairs Committee

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the re-appointment of Rachel Hagenbaugh to the Cultural Affairs Committee. Ms. Hagenbaugh currently serves as the Committee's Chair. City Manager Manns stated that Ms. Hagenbaugh's current term expired on August 18, 2017 and she has submitted her application seeking

re-appointment for Council's consideration. If approved, Ms. Hagenbaugh's term will be for two years and will be up for renewal on September 5, 2019. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

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

g Board Appointment: Mark Vandenbroek, Library Advisory Board

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the appointment of Mark Vandenbroek as a member of the Library Advisory Board. She stated that recently staff was notified that two members had submitted their resignation from the Board therefore, staff was requesting that City Council approve the appointment of Mr. Vandenbroek to member status to fill one of the vacant member positions.

Upon opening the floor to public comment, Joan Nelson Hook came forward to thank Council for this appointment. With no one else coming forward Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

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

h Three Minute Report: Police Department

Report was deferred to a future Council meeting date to be determined.

11 Communications

Mayor Marlowe sat in on the last part of a conference call with the County. It is a serious situation. Take it with healthy dose of respect. This thing is a big deal. There is nowhere in the city limits that will be safe.

Deputy Mayor Starkey stated he spent his day talking to everyone about the hurricane. If this comes up the state or the west coast we are in big trouble. If you are going to evacuate do it now.

Councilman Phillips much appreciate Ms. Allen's residency since 1969 as much as his family's residency since 1962. Been consistent about Grand Boulevard and referenced an adventure in October to create a bike path on Grand Blvd. Over and above that the right-of-way belongs to the City of New Port Richey. Wanted to be very clear that all we are talking about is our property not her property. He wanted Grand Blvd. to be more picturesque. The houses were well maintained along Grand when he was growing up. Looking to make it more consistent with other areas of improvement in the city. That end of New Port Richey connects to the downtown. We did not unduly target her.

Councilwoman DeBella Thomas stated she wanted to refer back to Ms. Allen's comments from Vox Pop. She did respond back to her. She had a follow up conversation with City Manager thought there to move plants. City Manager Manns stated she tried several times to connect with Ms. Allen but she never responded. Councilwoman DeBella Thomas offered the name of a group to help with the plants.

Councilman Davis cautioned everyone to be very diligent keeping eye on the storm.

12 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:10pm.

After the CRA meeting was adjourned, Mayor Marlowe reconvened the regular meeting at 8:16 p.m. in order to adopt Resolution number 2017-30 which declared a local state of emergency effective at 12:01 am on Thursday, September 7, 2017 for seven days due to Hurricane Irma. Motion was made to approve the resolution as presented. Motion made by Deputy Mayor Starkey and seconded by Councilman Davis. Motion passed 5-0. Meeting was adjourned at 8:18 pm.

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

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

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

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





# NEW PORT RICHEY

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

August 28, 2017

Ms. Judith Allen  
5940 Grand Blvd.  
New Port Richey, FL 34652

Dear Ms. Allen,

I have attempted to contact you personally via telephone several times and unfortunately was not able to reach you. The reason I am contacting you is to discuss the removal of your plant materials in the public right-of-way. Please call my office at (727) 853-1021 at a time that is convenient for you to discuss.

Sincerely,

A large, stylized handwritten signature in blue ink, which appears to read "Debbie L. Manns".

Debbie L. Manns  
City Manager

RESOLUTION NO: 2017-30

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA DECLARING A LOCAL STATE OF EMERGENCY DUE TO HURRICANE IRMA AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on September 4, 2017, Florida Governor Rick Scott issued Executive Order No. 17-235 declaring a state of emergency due to Hurricane Irma; and

WHEREAS, Executive Order No. 17-235 includes numerous counties within the storm's forecast cone including Pasco County; and

WHEREAS, the City of New Port Richey has already begun preparations for the impending emergency weather conditions, and has determined that a severe threat exists to the life, health, property, and the welfare of the residents of the City of New Port Richey; and

WHEREAS, Hurricane Irma poses a severe threat to the City of New Port Richey and may cause extensive damage to public utilities, public buildings, public streets and roads, public drainage systems, and commercial and residential buildings and areas; and

WHEREAS, the City Council hereby authorizes the City through the implementation of the City Manager to enter into a state of emergency pursuant to its home rule authority; and

WHEREAS, Chapter 252, Florida Statutes, and specifically Section 252.38, Florida Statutes, provides authority for a municipality such as the City of New Port Richey to declare a state of local emergency for a period of time up to seven (7) days, which may be extended as necessary in seven (7) day increments, and to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

- a. Performance of public works projects including taking whatever prudent action is necessary to ensure the health, safety and welfare of the community;
- b. Entering into contracts;
- c. Incurring obligations;
- d. Employment of permanent and temporary workers;
- e. Utilization of volunteer workers;
- f. Rental of equipment;
- g. Acquisition and distribution, with or without compensation, of supplies, materials and facilities; and
- h. Appropriation and expenditure of public funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of New Port Richey that Hurricane Irma poses a serious threat to public infrastructure and the life, health,

property, and welfare of the City of New Port Richey and its residents, and that a state of local emergency is hereby declared effective at 12:01 a.m. 9/7/17 for a period of time up to seven (7) days, which time period may be extended as necessary in additional seven (7) day increments by subsequent resolution, and all territory within the legal incorporated boundaries of the City of New Port Richey, Pasco County, Florida shall be embraced by the provision of this emergency resolution;

BE IT FURTHER RESOLVED that the City Council hereby exercises its home rule and statutory authority and waives the procedures and formalities required by law of a political subdivision, as provided in Chapter 252, Florida Statutes; and

BE IT FURTHER RESOLVED that the City Council hereby designates the City Manager as the declaring official for all purposes necessary to implement the provisions of this resolution including but not limited to expenditure of funds and implementation of an emergency curfew.

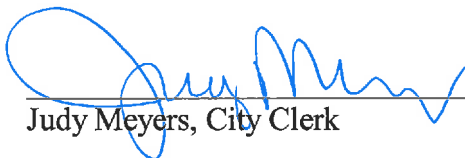
All public officials and employees of the City of New Port Richey are hereby directed to exercise the utmost diligence in discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations and directives, both state and local.

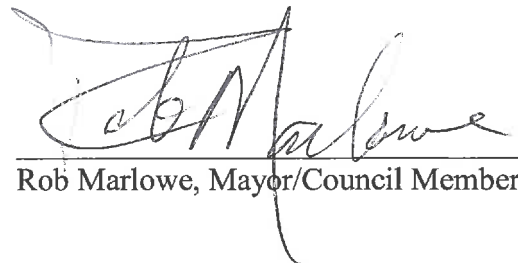
All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and civil emergency/disaster service forces in executing emergency operational plans, and to obey and comply with the lawful directions of properly identified public officers.

DATED THIS 5<sup>th</sup> of September, 2017.

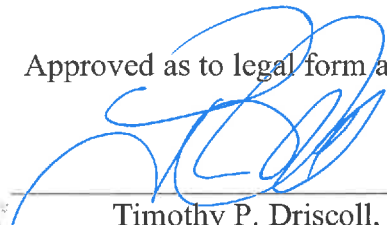
ATTEST:

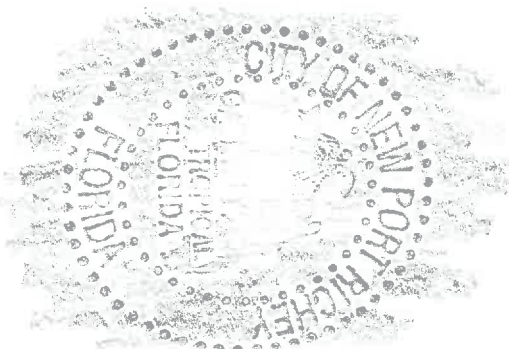
CITY OF NEW PORT RICHEY, FLORIDA

  
Judy Meyers, City Clerk

  
Rob Marlowe, Mayor/Council Member

Approved as to legal form and content:

  
Timothy P. Driscoll, Esq.  
City Attorney





Office of the Mayor

City Of New Port Richey

# Proclamation

***WHEREAS,** Boulevard Beef and Ale has been a fixture along Grand Boulevard in Downtown New Port Richey since 1997; and*

***WHEREAS,** when the doors opened for the first time there were only ten seats in the whole restaurant; and*

***WHEREAS,** the restaurant has grown over the years and now seats fifty with patio seating that accommodates seventy-five; and*

***WHEREAS,** the City of New Port Richey deems it proper and necessary to congratulate Boulevard Beef and Ale on such a momentous occasion.*

***NOW, THEREFORE,** I, Rob Marlowe, Mayor of the City of New Port Richey, do hereby congratulate*

*Boulevard Beef and  
Ale*

*on their twenty year anniversary in beautiful Downtown New Port Richey and encourages all residents to visit and have a bite to eat at one of our city's greatest treasures.*



*In witness whereof I have hereunto set my  
hand and caused this seal to be affixed.*

ATTEST: \_\_\_\_\_

DATE: \_\_\_\_\_



## Certificate of Appointment

### STATE OF FLORIDA, PASCO COUNTY, CITY OF NEW PORT RICHEY:

This is to certify that on the 19th day of September, 2017 Robert Gupton was duly appointed District Chief for the New Port Richey Fire Department, in and for the City of New Port Richey, according to the laws of the State of Florida and ordinances in such cases made and provided.

**IN WITNESS AND RATIFICATION THEREOF**, we have hereunto set our hands and the Seal of said City, this 19th day of September, 2017.

Mayor: \_\_\_\_\_

Deputy Mayor: \_\_\_\_\_

Council Member: \_\_\_\_\_

Council Member: \_\_\_\_\_

Council Member: \_\_\_\_\_

City Manager: \_\_\_\_\_

### STATE OF FLORIDA, PASCO COUNTY, CITY OF NEW PORT RICHEY:

I, Robert Gupton, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the City of New Port Richey, and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida. And, that I will honestly, faithfully, and impartially discharge the duties of my trust as Firefighter, New Port Richey Fire Department, in and for said City of New Port Richey, according to the law and to the best of my knowledge and ability, so help me God.

\_\_\_\_\_  
Robert Gupton

Subscribed and sworn to before me this 19th day of September, 2017.

\_\_\_\_\_  
Judy Meyers  
City Clerk



## Certificate of Appointment

### STATE OF FLORIDA, PASCO COUNTY, CITY OF NEW PORT RICHEY:

This is to certify that on the 19th day of September, 2017 Scott Burford was duly appointed District Chief for the New Port Richey Fire Department, in and for the City of New Port Richey, according to the laws of the State of Florida and ordinances in such cases made and provided.

**IN WITNESS AND RATIFICATION THEREOF**, we have hereunto set our hands and the Seal of said City, this 19th day of September, 2017.

Mayor: \_\_\_\_\_

Deputy Mayor: \_\_\_\_\_

Council Member: \_\_\_\_\_

Council Member: \_\_\_\_\_

Council Member: \_\_\_\_\_

City Manager: \_\_\_\_\_

### STATE OF FLORIDA, PASCO COUNTY, CITY OF NEW PORT RICHEY:

I, Scott Burford, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the City of New Port Richey, and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida. And, that I will honestly, faithfully, and impartially discharge the duties of my trust as Firefighter, New Port Richey Fire Department, in and for said City of New Port Richey, according to the law and to the best of my knowledge and ability, so help me God.

\_\_\_\_\_  
Scott Burford

Subscribed and sworn to before me this 19th day of September, 2017.

\_\_\_\_\_  
Judy Meyers  
City Clerk



# 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:** 9/19/2017  
**RE:** Presentation of Florida Recreation and Park Association Award

**REQUEST:**

The request before City Council is to recognize the City of New Port Richey Parks and Recreation Department for the Florida Recreation and Park Association Award they received for Agency Excellence in Economic Impact.

**DISCUSSION:**

At the recent Florida Recreation and Park Association State Conference held in Orlando, the City of New Port Richey Parks and Recreation Department was presented with the Agency Excellence Award for Economic Impact. The award is presented each year to one parks and recreation department that excels at positioning themselves as key participants and providers in the category of Economic Impact. The award is open to all Parks and Recreation Departments in the State and is not divided into categories based on population and budget size. Therefore, smaller cities such as the City of New Port Richey, compete against larger agencies such as Miami-Dade with a \$200 million dollar department budget.

A DVD of the State Awards Presentation will be shown during the Council Meeting.

**RECOMMENDATION:**

The recommendation before City Council is to recognize the Parks and Recreation Department for the State Award.

**BUDGET/FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Description	Type
No Attachments Available	



# 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:** 9/19/2017  
**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

<u>Hennessy Construction Services</u>	\$239,790.45
---------------------------------------	--------------

Project: Recreation & Aquatic Center Improvement Project  
36% work complete  
Services thru 08/31/2017  
Pay Request #3

<u>Certified Value, Inc.</u>	30,559.80
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Project: Recreation & Aquatics Center Improvement Project  
50% complete  
Purchase of Indoor Playground  
Pay Request #1

RECURRING EXPENDITURES OVER \$25,000

Tampa Bay Water (Supplied water per contract for August 2017)	\$135,502.57
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Duke Energy (August Services)	43,019.91
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Fiduciary Trust of the South (Police Pension 09/07/2017)	41,147.75
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# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Lisa L. Fierce, Development Director  
**DATE:** 9/19/2017  
**RE:** Second Reading, Ordinance No. 2017-2118: Brewpubs and Microbreweries

## REQUEST:

Council is to conduct a second public hearing of the ordinance.

## DISCUSSION:

Since the first public hearing on August 1, the ordinance has been amended to include additional uses and definitions that relate to the beer brewing industry including beer gardens, tap rooms, nanobreweries and breweries. The distinguishing factors between all of the uses relates to the sales, consumption and manufacturing components. Tap rooms and beer gardens are primarily restaurants or bars (sales and consumption use) and brewpubs are a mix of sales/consumption and ancillary manufacturing. Nanobreweries, microbreweries and breweries are considered manufacturing uses; some also include the sales and consumption function. The industry standards for nanobreweries are similar to microbreweries, although smaller in scale.

For simplicity, the following table shows each use and where they are proposed to be permitted in the commercial, industrial and downtown zoning districts. All districts permit sales and consumption, but only the intensive commercial and industrial districts permit the manufacturing component.

	Use Component	C-2, General Commercial	Downtown	Highway Commercial	Light Industrial
<b>Tap room</b>	Sales & Consumption	Permitted	Permitted	Permitted	Permitted
<b>Beer garden</b>	Sales & Consumption	Permitted	Permitted	Permitted	Permitted
<b>Brew pub</b>	50% Sales & Consumption; 50% Manufacturing	Permitted	Permitted	Permitted	Permitted
<b>Nano brewery</b>	25% Sales & Consumption; 75% Manufacturing	Not Permitted	Not Permitted	Permitted	Permitted
<b>Micro brewery</b> <i>*May include nanobrewery</i>	25% Sales & Consumption; 75% Manufacturing	Not Permitted	Not Permitted	Permitted	Permitted
<b>Brewery</b>	Minor Sales & Consumption; 100% Manufacturing	Not Permitted	Not Permitted	Permitted	Permitted

*Consideration of nano or microbreweries in the Downtown zoning district requires amending the Downtown*

*Core future land use category of the Comprehensive Plan for manufacturing use.*

Staff reviewed regulations from cities within Pasco and Pinellas Counties, as well as each County, to determine the appropriate location for brewpubs and microbreweries in the City. The City of Winter Garden, the Florida Brewer's Guild and Florida Brewer's Association were also consulted. Staff has also had many discussions with several prospective businesses planning to open in the Downtown. The proposed standards are most similar to those in Safety Harbor.

The proposed new language is shown with underlining and deleted language is shown with ~~strikethrough~~.

**Compatibility with Comprehensive Plan:**

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

- 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...
- Future Land Use Element Objective 1.3 - Design commercial development that is compatible with environmental and economic resources, enhances access and circulation, results in a positive and attractive built environment and will be in keeping with the needs and character of the community.
- Future Land Use Element Policy 1.3.2 - The City shall promote commercial development that serves to maintain or enhance the economic health of the City, and to increase job opportunities, per capita income and convenience for residents.

**RECOMMENDATION:**

Staff recommends approval of the request. The Land Development Review Board recommended approval at its July 20, 2017 meeting.

**BUDGET/FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Description	Type
☐ LDRB Minutes - July 20, 2017	Backup Material
☐ Ordinance # 2017-2118	Ordinance

Ms. Moran asked about the narrow right-of-way on Gulf Drive. Ms. Pierce noted that right-of-way would be adequate and noted that the site plan shows a wider apron to accommodate the delivery trucks departing westbound on Gulf Drive.

Ms. MacDonald made the motion to recommend approval of the rezoning application, which was seconded by Mr. Grey. Roll call vote: Dr. Cadle, yes; Mr. Grey, yes; Ms. MacDonald, yes; and Ms. Moran, yes. The motion carried (4-0).

#### **V. Code Amendment COD2017-05**

Case: Code Amendment COD2017-05 – Brewpubs and Microbreweries  
Applicant: City of New Port Richey, Debbie L. Manns, City Manager, 5919 Main Street, New Port Richey, FL 34652  
Request: Review and recommendation of an amendment to the Land Development Code adding Brewpubs and Microbreweries as Permitted Uses in Multiple Commercial Zoning Districts (Ordinance #2017-2118)  
Staff Contact: Chris Mettler, Senior Planner, 727-853-1044, [mettlerc@cityofnewportricher.org](mailto:mettlerc@cityofnewportricher.org)

Mr. Mettler said this is an ordinance amending the Land Development Code to allow brewpubs and microbreweries as permitted uses in multiple commercial zoning districts. He said the ordinance would allow brewpubs in the C-2, Highway Commercial, Downtown and Light Industrial Zoning Districts. The more intensive microbreweries would be allowed as permitted uses in the Highway Commercial and Light Industrial Zoning Districts. He reviewed the definitions for brewpubs and microbreweries.

Mr. Grey asked if operators of brewpubs and microbreweries would still need licenses from the State. Mr. Mettler said yes. Dr. Cadle asked for clarification that microbreweries would not be allowed Downtown. Mr. Mettler said yes, only brewpubs would be allowed Downtown.

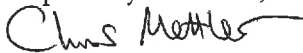
Dr. Cadle made the motion to recommend approval of the code amendment, which was seconded by Ms. Moran. Roll call vote: Ms. MacDonald, yes; Dr. Cadle, yes; Mr. Grey, yes; and Ms. Moran, yes. The motion carried (4-0).

#### **VI. Adjourn:**

Ms. Pierce thanked the Board Members for attending the meeting. She said the next meeting will be held on Thursday, August 17, 2017. She informed the Board that Ms. Michel has resigned from the Board, due to a relocation out of state.

The meeting adjourned at 2:55 p.m.

Respectfully submitted,



---

Chris Mettler, Senior Planner

ORDINANCE # 2017-2118

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 7.08.01, PERMITTED USES IN THE C-2, GENERAL COMMERCIAL DISTRICT, TO ADD BREWPUBS AS A USE; AMENDING SECTION 7.09.01, PERMITTED USES IN THE HIGHWAY COMMERCIAL DISTRICT, TO ADD BREWPUBS ~~AND~~, MICROBREWERIES, **TAP ROOMS AND BEER GARDENS** AS USES; AMENDING SECTION 7.11.01, PERMITTED USES IN THE DOWNTOWN DISTRICT, TO ADD BREWPUBS AS A USE; AMENDING SECTION 7.12.01, PERMITTED USES IN THE LIGHT INDUSTRIAL DISTRICT, TO ADD BREWPUBS ~~AND~~, MICROBREWERIES, **TAP ROOMS AND BEER GARDENS** AS USES; AMENDING SECTION 2.01.00, DEFINITIONS, TO ADD DEFINITIONS FOR **“BEER GARDEN,” “BREWERY,” “BREW PUB,”** ~~AND “MICROBREWERY,” “NANOBREWERY” AND “TAP ROOM”~~; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulation Act, Section 163.3161, et seq., Florida Statutes, requires local governments to adopt land development regulations to implement their adopted Comprehensive Plan, and which contain all land development regulations for the City; and

WHEREAS, the City Council has heretofore adopted Ordinance #1221 establishing land development regulations in the City and several amendments thereto (Land Development Code); and

WHEREAS, the City Council recognizes the growing economic impact of the craft beer industry in Florida, estimated to be ranked 8<sup>th</sup> nationwide by the Brewers Association and generating \$2.056 million in 2014; and

WHEREAS, the City Council recognizes the growing manufacturing impact of the craft beer industry in Florida, estimated to be ranked 6<sup>th</sup> nationwide by the Brewers Association and producing 1.255 million gallon in 2014; and

WHEREAS, the City Council desires to amend the land development regulations to allow brewpubs and microbreweries in the appropriate commercial zoning districts.

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

SECTION I. That Section 7.08.01, Permitted uses in the C-2, General Commercial District, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.08.01 Permitted uses

1. All uses in the C-1 light general commercial zoning district to the maximum density.
2. Restaurants that provide dancing and live entertainment.
3. Establishments that provide sales of on-site and off-site consumption of alcoholic beverages.

4. Bowling alleys within a building. These bowling alleys shall not be within five hundred (500) feet of a residentially zoned district, unless such building can be constructed as to prevent the emission of sounds and vibrations that are emitted from such uses.
5. Garages and/or mechanical services.
6. Gas stations;
7. Restricted personal services;
8. Regional and community shopping centers and malls;
9. Music, radio and television stores and repair shops;
10. Swimming pools (commercial and private);
11. Churches, synagogues, temples or similar places of worship and their accessory uses;
12. Telecommunications towers; provided that such towers have not been abandoned (see Chapter 17 of the Land Development Code);
13. Other uses that are consistent and compatible with the intentions of this district, as approved by the development review committee.
14. All permitted uses in the office zoning district.
15. Urban agriculture (indoor crop production prohibited).
16. Beer gardens, tap rooms and Brewpubs.

SECTION II. That Section 7.09.01, Permitted uses in the Highway Commercial District, of the New Port Richey Land Development Code is hereby amended to read as follows:

#### 7.09.01 Permitted uses

In the Highway Commercial District, the following land uses are permitted:

1. Hotels, theaters, businesses and professional offices, private or public schools, auto sales, repair and service establishments.
2. Any retail or wholesale business not specifically restricted or prohibited under this code.
3. Manufacturing and/or industrial business operations which are not prohibited under the provisions of this section.
4. Churches, synagogues, temples or similar places of worship and their accessory uses;
5. Restricted personal service uses.
6. Urban agriculture (indoor crop production prohibited).
7. Beer gardens, tap rooms, Brewpubs, nanobreweries, microbreweries and breweries.
8. ~~Microbreweries.~~

89. All uses which further the adopted comprehensive plan, upon approval by the development review committee. The applicant shall demonstrate that the use is consistent with the comprehensive plan.

SECTION III. That Section 7.11.01, Permitted uses in the Downtown District, of the New Port Richey Land Development Code is hereby amended to read as follows:

#### 7.11.01 Permitted uses

A building or premises shall be used only for the following purposes:

- (1) Apparel stores, including consignment;
- (2) Antique shops;
- (3) Art studios and galleries;
- (4) Bakeries;
- (5) Banks and financial institutions;
- (6) Barber and beauty shops;
- (7) Bed and breakfast operation as regulated under Section 7.23.00 et seq. of this Code. Such use may be allowed only upon approval for a special exception by the city council in accordance with this Code;

- (8) Bookstore/stationery stores/newsstand;
- ~~(9)~~ Beer gardens, taprooms and Brewpubs;
- ~~(109)~~ Business and professional offices;
- ~~(1140)~~ Card shops;
- ~~(1244)~~ Copying services;
- ~~(1312)~~ Convention and conference centers;
- ~~(1413)~~ Dance studios;
- ~~(1514)~~ Dental labs;
- ~~(1615)~~ Dental office;
- ~~(1716)~~ Drug stores;
- ~~(1817)~~ Florist shops;
- ~~(1918)~~ Fruit and vegetable markets;
- ~~(2019)~~ Gift shops;
- ~~(2120)~~ Governmental offices;
- ~~(2224)~~ Grocery stores;
- ~~(2322)~~ Hardware stores;
- ~~(2423)~~ Health clubs;
- ~~(2524)~~ Hobby and collectable shops;
- ~~(2625)~~ Home furnishing stores (new merchandise only);
- ~~(2726)~~ Hotels;
- ~~(2827)~~ Hypnotherapy (by a state licensed health care professional or supervised by same);
- ~~(2928)~~ Ice cream/confectionary;
- ~~(3029)~~ Jewelry stores and repair;
- ~~(3130)~~ Laundry and dry cleaning shops;
- ~~(3234)~~ Locksmith shops;
- ~~(3332)~~ Massage therapy (state licensed);
- ~~(3433)~~ Medical office;
- ~~(3534)~~ Medical supply stores (includes repair of electric-powered equipment sold on site);
- ~~(3635)~~ Mobile vendors. Such vendors must be permitted uses under the Downtown District and must comply with section 7.11.07;
- ~~(3736)~~ Museums;
- ~~(3837)~~ Musical instrument sales;
- ~~(3938)~~ News publishers;
- ~~(4039)~~ Office supply stores;
- ~~(4140)~~ Package sales of wine and malt beverages;
- ~~(4244)~~ Parking garages and lots;
- ~~(4342)~~ Parks and recreation facilities;
- ~~(4443)~~ Pet stores;
- ~~(4544)~~ Performing arts and cultural center;
- ~~(4645)~~ Photography stores and studios;
- ~~(4746)~~ Places of worship;
- ~~(4847)~~ Repair shop (other than motor vehicles, motorized watercraft and other motorized equipment);
- ~~(4948)~~ Residential uses. Such residential use must follow the requirements of the MF-14 zoning district. The maximum residential density permitted in this district shall be consistent with the applicable future land use category;
- ~~(5049)~~ Restaurants, grills, cafes, taverns and similar eating and drinking establishments, but excluding drive-in restaurants;
- ~~(5150)~~ Shoe stores and repair shops;
- ~~(5254)~~ Single-family dwellings with customary accessory uses as regulated in the city's R-1, R-2 and R-3 zoning classifications;
- ~~(5352)~~ Spa;
- ~~(5453)~~ Sporting goods and rental/repair stores;

- (5554) Tailor shops;
- (5655) Theaters; ~~and~~
- (5756) Travel agencies; ~~and~~
- (5857) Urban agriculture (indoor crop production prohibited).

SECTION IV. That Section 7.12.01, Permitted uses in the Light Industrial District, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.12.01 Permitted uses

1. Manufacturing;
2. Research and development;
3. Wholesaling/distributing;
4. Indoor storage and/or warehousing;
5. Indoor retail sales;
6. Restaurants to serve businesses located in and around the light industrial zoning district;
7. Accessory uses as permitted in chapter 12.00.00 of this land development code.
8. Adult use establishments, as defined, in section 1.4, Definitions of the Adult Use Ordinance Number 1335 [Chapter 13, Article X, Section 13-224], provided that said adult use establishment meets the following or minimum requirements:
  - a. The establishment as measured from its property line, must be a minimum of five hundred (500) feet from any school, church, house of worship or public recreational area whether within or outside the incorporated limits of the city and must be a minimum of five hundred (500) feet from the property line of any residentially zoned property bearing the city's zoning classification of R-1, R-2, R-3, MF-10, MF-14, MF-30, RO, ROR, RPDD or MHP or bearing the county's zoning classification of ER, ER-2, RMH, R-1MH, R-2MH, R-1, R-2, R-3, R-4, MF-1, MF-2, MF-3. A property bearing a planned unit development classification which includes residential shall also be considered residentially zoned property only as to those properties within the planned unit which are actually to be used as residential. These restrictions apply only to uses or zoning classifications in existence at the time of application for adult use permit.
  - b. Said adult use establishment will acquire an adult use license from the City of New Port Richey, provided, however, a locational permit or zoning approval is not contingent upon obtaining an adult use license.
  - c. Said adult use establishment will be located at least two hundred (200) feet from any other existing adult use establishment as measured from each property line.
  - d. When measuring an adult use establishment's property lines for purposes of determining the existence of other incompatible uses, if an adult use is part of a multiple tenancy structure, the lines shall be measured from the premises of the adult use establishment.
  - e. For purposes of this subsection of the land development code which allows for adult use establishments in Light Industrial Zones, the words found herein shall have the same meaning as defined in the Adult Use Ordinance Number 1335 [Chapter 13, Article X], as amended.
9. Telecommunications towers; provided that such towers have not been abandoned (see Chapter 17 of the Land Development Code).
10. Urban agriculture.
11. Beer gardens, tap rooms, Brewpubs, nanobreweries, microbreweries and breweries.
- ~~12. Microbreweries.~~
1243. All other uses as determined by the development review committee which further the intent of the adopted comprehensive plan.



SECTION V. That Section 2.01.00, Definitions, of the New Port Richey Land Development Code is hereby amended to read as follows:

2.01.00 Definitions

Beer garden: An open air, roofed or unroofed area where beer and/or other alcoholic beverages are served or consumed.

Brewery: An establishment with an annual beer production of between 15,000 and 6,000,000 barrels. A brewery may include a beer garden or taproom as an accessory use. For the purposes of this Code, a brewery shall constitute a manufacturing use.

Brewpub: An establishment that is primarily a restaurant or bar, but which includes the brewing of beer as an accessory use and where 50% or more of the beer produced on site is sold (retail) for consumption on or off the premises. A brewpub produces only enough beer for consumption on the premises or for retail carryout sale in containers commonly referred to as growlers, which is an individual container that holds 32, 64, or 128 ounces. Brewpubs may sell beer in an unlimited number of keg containers larger than a U.S. gallon for special events, the primary purpose of which is the exposition of beers brewed by brewpubs and microbreweries. All mechanical, which include the participation of at least three such brewers; and for City co-sponsored events where the purpose of the event is not for commercial profit and where the beer is not wholesaled to the event co-sponsors but is instead dispensed by employees of the brewpub.

Microbrewery: An establishment that is primarily a brewery, which produces no more than 15,000 barrels (465,000 U.S. gallons) of beer per year, with 75% or more of the beer produced is sold off-site and may includes either a restaurant, bar, beer garden or taproom as an accessory use. A microbrewery may also include a beer garden as an accessory use. A microbrewery may include a nanobrewery. A microbrewery sells to the general public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer for consumption on the premises or for retail carryout sale.

Nanobrewery: A microbrewery that produces no more than three barrels of beer in one batch and produces fewer than 2,000 barrels annually.

Tap room: A room that is ancillary to the production of beer at a brewery, microbrewery and brewpub where the public can purchase and/or consume alcoholic beverages.

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

SECTION VII. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall be codified and made a part of the New Port Richey City Code, and that the sections of this Ordinance may be renumbered to accomplish such codification, and that the word Ordinance may be changed to "section" to accomplish such codification.

SECTION VIII. This Ordinance shall become effective immediately upon its adoption. The above and foregoing Ordinance was read and approved on first reading at duly convened meeting of the City Council of the City of New Port Richey, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

The above and foregoing Ordinance was read and approved on second reading at duly convened meeting of the City Council of the City of New Port Richey, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

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

\_\_\_\_\_  
Rob Marlowe, Mayor-Council Member

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

By: \_\_\_\_\_  
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:** Lisa L. Fierce, Development Director  
**DATE:** 9/19/2017  
**RE:** 2017 Report on Repetitive Loss Floodplain Management Plan

## **REQUEST:**

Council is asked to approve the report as required annually for credit under the National Flood Insurance Program and Community Rating System.

## **DISCUSSION:**

This progress report was prepared, and is submitted, for continued credit under the National Flood Insurance Program's (NFIP) Community Rating System (CRS). The CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. It is designed to provide an annual update and report on accomplishments toward continual implementation of the City's floodplain management activities.

The City's floodplain management plan is the Repetitive Loss Plan (RLP). The Plan was originally prepared in 1998 and was updated in 2002. The report shows how the City continues to operate under the adopted objectives of the Comprehensive Plan, relative to floodplain management. The City has had 40 repetitive loss properties since the 1990s, 12 of which have been mitigated. A repetitive loss property is a property that has received two or more insured flood losses of \$1,000 or more over a 10-year period.

The goals of the CRS are to reduce flood damages to insurable property, strengthen and support the insurance aspects of the NFIP, and encourage a comprehensive approach to floodplain management. The CRS has been developed to provide incentives in the form of premium discounts for communities to go beyond the minimum floodplain management requirements. The discounts run in five percent increments, from five percent to 45 percent. Class ratings range from 10 to 1. The higher the flood protection activity, the lower the rating. A Class 1 community would receive a 45 percent premium discount, while a Class 9 community would receive a five percent discount. A Class 10 does not participate in the CRS and receives no discount.

The City has consistently managed the floodplain "above and beyond" the minimum standards of the NFIP. The City's Class 6 rating provides for a flood insurance discount of up to a 20 %, representing \$200,000 in savings for the community.

## **RECOMMENDATION:**

Staff recommends approval.

## **BUDGET/FISCAL IMPACT:**

None

**ATTACHMENTS:**

	Description	Type
▣	2017 Report on Repetitive Loss Floodplain Management Plan	Backup Material



## 2017 Report on Repetitive Loss Floodplain Management Plan

All communities in the State of Florida are required to maintain a Comprehensive Plan which addresses, among other things, floodplain protection. The City's Repetitive Loss Floodplain Management Plan is comprised of goals, objectives and policies from the New Port Richey Comprehensive Plan. The City continues to operate under these objectives. The following is a list of the adopted objectives with a short narrative addressing implementation practices:

### Future Land Use Element:

Policy FLU 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). *Through its participation in the National Flood Insurance Program, the City continues to strictly enforce Federal Emergency Management Agency construction regulations within the 100-year floodplain*

Policy FLU 1.10.7 – The City, through the implementation of the Land Development Code, shall promote appropriate land use practices compatible with floodplain areas and provide for performance standards which, at a minimum, require that: a) To the maximum extent legally possible, new development shall not be located in river floodways, the area of highest velocity during flow; b) New development permitted in the flood fringe, the area of the floodplain outside the floodway, shall be required to meet flood hazard construction requirements; c) Development along the Pithlachascotee River floodplain shall be low density residential with adequate setbacks to maintain any existing areas of natural habitat; and d) The prevention of erosion, retardation of runoff and protection of natural functions and values of the floodplain be considered while promoting public usage. *The Development Review Committee reviews all projects as part of the development review process.*

Policy FLU 1.10.8 – The City shall require development/redevelopment proposals to be consistent with the performance standards regulating development within the designated floodplain. *The City has adopted regulations consistent with the Comprehensive Plan and continues to implement/enforce these regulations.*

Policy FLU 1.13.6 – In recognition of the importance of the Pithlachascotee River to the overall health and welfare of the City, close coordination with Pasco County and its planning efforts regarding the river shall be encouraged. *The City works with neighboring governmental entities in clean-up programs and in sharing planning efforts. The City has held clean-up efforts in November, 2017 and June, 2017. There were 70 tons of debris collected and removed by volunteer groups which included old tires, paint, appliances, computers, batteries, household chemicals and fluorescent bulbs.*

Policy FLU 3.1.1 – The City shall judiciously expend public dollars in the Coastal High Hazard Areas (CHHA) for the maintenance and improvement of its infrastructure system. *The City of New Port Richey is essentially a built-out community and continues to maintain the infrastructure necessary to serve the community. Density has been maintained and in many instances reduced in the special flood hazard area.*

Policy FLU 3.1.4 – The risk of exposure of human life and public and private property to natural disasters shall be reduced through preparedness planning and implementation of hazard mitigation measures. *The City strictly enforces Federal Emergency Management Agency (FEMA) construction standards and tracks redevelopment of structures built prior to the Flood Insurance Rating Map program. The City purchased over 80 acres of flood-prone property as a passive waterfront park and a 10-acre parcel in the CHHA to remain as a natural and beneficial floodplain area. Additional land was purchased in 2016 in a flood prone area which will be used for passive parkland.*

### Coastal Transfer of Development Rights Program:

Objective FLU 3.2 - The City of New Port Richey shall continue to implement the adopted Coastal Transfer of Development Rights program to:

- Assist suitable redevelopment within the Coastal High Hazard Area;
- Protect environmentally-sensitive lands within the Coastal High Hazard Area;

- Redistribute residential development rights allocated by the Future Land Use Map in accordance with objectives CME 2.1, CME 2.2, CME 2.3, and CME 3.4 and their supporting policies; and
- Implement hazard mitigation strategies.

FLU 3.2.4 - Development rights authorized by the Future Land Use Map on lands owned by the City within the Coastal High Hazard Area are transferable to designated receiving lands within the Coastal High Hazard Area.

FLU 3.2.5 - The residential development rights allocated by the Future Land Use Map in the Coastal High Hazard Area shall not be exceeded.

FLU 3.2.6 - In no case shall residential development rights from areas outside the Coastal High Hazard Area (CHHA) be transferred into the Coastal High Hazard Area. *In August 2016, The City transferred development rights from a site adjacent to the Grey Preserve to Main Street Landing, a mixed use multi-family downtown development. This transfer of development rights will help protect environmentally-sensitive land in the CHHA.*

Policy FLU 3.3.2 – The City will continue to be a participating local government in the Pasco County Local Mitigation Strategy (LMS). *The City regularly attends LMS meetings and participates in LMS updates.*

Objective FLU 3.1 – Coordinate population densities in the coastal high hazard area with the Pasco County hurricane evacuation plan. *The City coordinates hurricane evacuation efforts with the Pasco County Office of Emergency Management (OEM). The City's disaster plan is updated and reviewed by the County annually. The City has several staff members that are part of the local emergency management center.*

#### Infrastructure Element:

Policy INF 4.1.6 – The City shall regulate the use of floodplains in accordance with the New Port Richey Land Development Code and to comply with Federal requirements under the National Flood Insurance Program. *The City regulates floodplains as required.*

Policy INF 4.1.7 – The City shall require that all proposed buildings within the 100-year flood plain shall be constructed so that finished floor elevation shall be at the base floor elevation of the 100-year flood, as indicated by the Federal Insurance Rate Map in effect at the time of building permit application or as established by site survey. *Through its participation in the National Flood Insurance Program, the City continues to strictly enforce Federal Emergency Management Agency construction regulations within the 100-year floodplain.*

Policy INF 4.2.1 – The land development regulations shall contain, at minimum, the following provisions to protect the functions of natural drainage features and natural groundwater recharge areas: a) Minimization of impervious surface areas; b) Maintenance of the flood-carrying and flood storage capacity of the 100-year floodplain; c) To the extent legally possible, prohibition of new development in river floodways, the area of highest velocity during flow; and d) Requirement that new development permitted in the flood fringe meet flood hazard construction requirements; Requirement that development within the Pithlachascotee River floodplain be low density residential with adequate setbacks to maintain any existing areas of natural habitat; Prevention of erosion, retardation of runoff and protection of natural functions and values of the floodplain in conjunction with public usage. *An amendment to the flood hazard regulations and Flood Insurance Rate Maps was adopted in 2014. The City reviews all land development projects for compliance with the Land Development Code and advises developers of all applicable regulatory agency permits or authorizations required.*

Objective INF 4.3 – Maintain, and where necessary improve, the stormwater drainage system located within the municipal boundaries. *The City's 2013 Stormwater Master Drainage Plan (10-Year update) is used to identify stormwater capital improvement projects. All projects identified in the Master Drainage Plan include flood control and water quality elements. The projects currently under construction or have been constructed include 2015/2016 Stormwater System Improvements, Warren Avenue drainage, stormwater pipe lining, & Russ Park drainage. The projects designed to be constructed next year include 2016/2017 Stormwater System improvements, Grand Boulevard and Homecrest drainage, Richey Drive drainage & Maple Street drainage.*

Objective INF 4.5 – Maintain a financially sound stormwater management capital improvements program through matching annual expenditures with annual stormwater management utility revenues. *The City maintains a Five-Year Capital Improvement Program (CIP) which is driven by the Comprehensive Plan. The CIP is a budget mechanism that identifies projects that help to alleviate level of service deficiencies and water quality. The City published a new CIP which*

*covers FY 2016-17 through FY 2020-21. Projects include stormwater system improvements and upgrades, along with closed landfill pond rehabilitation. The City's stormwater utility is expected to fund these capital projects.*

Coastal Management Element:

Policy CME 2.2.1 – The City shall maintain or reduce allowable density in the Coastal High Hazard Area (CHHA) consistent with the Future Land Use Map of the Comprehensive Plan. *Densities have been maintained in the CHHA and, whenever possible, have been reduced through development review. In the past few years, City purchased a seven-acre site along the Pithlachascotee River which will be used for passive recreation. It has entitlements for residential density that will not be utilized.*

Policy CME 2.3.1 – The City shall coordinate with FDOT, Pasco County MPO and Pasco County to ensure that major evacuation routes are adequately signed and maintained and, as conditions warrant, improved to increase the rate of evacuation. *The City continues to participate with the Pasco County Office of Emergency Management in evacuation plans.*

Policy CME 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. *The City implements hazard mitigation programs as required.*

Policy CME 2.4.4 – The City shall ensure that the hazard mitigation considerations in the Pasco County Local Mitigation Strategy that are applicable to the City are implemented, when feasible. *The City implements hazard mitigation by enforcing the elevating of new construction, flood proofing and miscellaneous stormwater improvements.*

Capital Improvements Element:

Policy CIE 1.2.1 - The City shall judiciously expend public dollars in the Coastal High Hazard Area (CHHA) for the maintenance and improvement of its infrastructure system. *The City funds projects in the CHHA that maintain existing or adopted levels of service. The City is obligated to maintain a budget and to stay within it; this includes the CIP.*

Objective CIE 1.1 - Provide capital improvements to correct existing deficiencies, accommodate desired future growth, and replace worn out or obsolete facilities, as indicated in the Five-Year Schedule of Capital Improvements. *All development undergoes a concurrency review to determine that there is adequate infrastructure available to serve that development. The concurrency review standards are based on adopted levels of service. In FY 2016-17, the Orange Lake Restoration Project was approved and funds have been allocated to the project. The project is part of the City's overall infrastructure plan. It will improve the water quality and overall function of Orange Lake and provide additional capacity for drainage in the Orange Lake area.*

**City of New Port Richey, Florida**  
**Local Mitigation Strategy Plan**  
**Progress Report 2017 (120232 NIFP Community Number)**

The State of Florida, Department of Community Affairs, and the Pasco County Board of County Commissioners (BCC) entered into a Contractual Services Agreement on April 7, 1998, to develop the Local Mitigation Strategy (LMS). On July 14, 1998, the BCC approved subcontracts with the cities of Dade City, New Port Richey, Port Richey, San Antonio, St. Leo and Zephyrhills to develop a single, unified Local Mitigation Strategy. The purpose of the LMS is to establish an ongoing process that will make hazard mitigation part of the daily functioning of the entire community. The objective of this LMS is to make Pasco County and the City of New Port Richey a safer, more disaster-resistant community.

The LMS was developed and approved by the overall Hazard Mitigation Committee (HMC) by establishing a planning schedule, establishing goals and objectives for the LMS, identifying the hazards, analyzing mitigation policies and programs. The HMC will reconvene annually in January to review and amend (as necessary) the LMS. City Resolution 2015-01, dated October 7, 2014, adopted the August 2014, Revision of the Local Mitigation Strategy.

Mitigation Responsibilities:

- City Clerk: The City Clerk records and documents all official action taken and emergency decisions made by the City Council during and after disaster operations.
- City Manager: The City Manager acts as the Executive Director to the City Council for all disaster operations including natural disaster planning and the training of all designated City departments.
- Development Department: The Development Department addresses actions to be taken and policies to be developed before a disaster, in order to reduce damage to buildings and property and conducts damage assessment surveys after an incident to ensure proper disposition of unsafe or damaged structures. The Development Department also provides information to help Pasco County maintain the City's GIS database and manage the City's Repetitive Loss Program.
- Finance Department: The Finance Department enters into agreements with other locations for backup support data functions and financial records and maintains financial records in support of any natural disaster.
- Fire Department: The Fire Department develops the concept, identifies resources, coordinates procedures and conducts operations to provide fire suppression, emergency medical services and search and rescue and plans and organizes the needs assessment effort for determining the impact of damage occurring during and after a disaster.
- Parks & Recreation Department: The Recreation and Aquatic Center was built in 2007 and is the designated City Emergency Operations Center in disaster situations.
- Police Department: The Police Department develops procedures for evacuation and early warning of citizens in areas of potential danger and establishes traffic control and maintains law and order throughout a disaster situation.
- Public Works Department: The Public Works Department plans, coordinates and manages various duties including debris clearance and repair of City streets and evacuation routes and maintenance of water and wastewater production and distribution equipment and facilities. The Public Works facility was built to exceed the 130 mile an hour wind load, per Florida Building Code 2004.

Community Guiding Principles:

The City continues to work toward fulfilling the goals/objectives of the LMS Guiding Principles, with these efforts:

- Increase public awareness through outreach project mailings, hand-outs, and flood hazard section in the library and on City website and participation in the annual Hurricane Exposition;
- Offer flood services to insurance agents, citizens, and realtors and advertise this service;
- Ensure new development and redevelopment complies with all applicable regulations;
- Regulate all new development and redevelopment to reduce property damage caused by flooding;
- Regulate on-site management of stormwater run-off;



- Require all new development and redevelopment projects to regulate stormwater run-off and not allow infill without drainage study/report;
- Maintain and improve existing stormwater and drainage facilities;
- Inform citizens and assist in flood mitigation assistance grant projects for mitigation of repetitive loss properties within the City;
- Develop, implement, and update the Stormwater Master Drainage Plan;
- Provide evacuation and shelter information to citizens;
- Encourage purchase of flood insurance through outreach projects;
- Administer business continuity plan to minimize post-disaster business interruptions and apply for grant assistance to develop a Post-disaster Redevelopment Plan and Recovery and Reconstruction Ordinance;
- Continue to participate in a statewide mutual aid agreement;
- Participate in the annual review and update of the Local Mitigation Strategy as a member of the Hazard Mitigation Planning Committee;
- Update and coordinate the local Comprehensive Land Use Plan, Land Development Code (LDC), and local ordinances;
- Continue to identify and pursue available grant funds and other funding sources for hazard mitigation activities;
- Use the LDC and Comprehensive Plan to encourage protection of natural resources and resolution of stormwater quantity and quality problems; and
- Enforce building codes to require wind load structural design standards for new construction.

#### Repetitive Loss Areas:

The City of New Port Richey documented 51 Repetitive Loss properties from 1993 – 2016. Eleven of these properties have been mitigated. It is the City's policy to encourage property owners to mitigate Repetitive Loss properties through demolition or elevation.

#### Implementation and Maintenance of the LMS:

The City continues to work on drainage improvements and pursue FEMA mitigation grants to elevate homes as ways to mitigate flooding problems in the City. In order to ensure public awareness, the City continues its outreach efforts through its newsletters, mailings, and hand-outs available at City Hall.

#### Mitigation Project/Programs:

None at this time

#### Recommendations:

The City should continue to work toward the goals and objectives of the LMS Guiding Principles. It should determine feasible projects and improvements, and continue to work with Pasco County to identify and pursue available grant fund and other funding sources to assist in accomplishing mitigation efforts. It should continue outreach efforts to increase public awareness of stormwater issues, local hazards, and types of assistance currently available.

This report is being sent to the local media. Copies of the report and the LMS Plan are available for review at City Hall, Development Department, 5919 Main Street. A notice of its availability will be posted on the City's website and at City Hall. This Progress Report was presented to, and accepted by, the City Council of the City of New Port Richey, Florida this 19th day of September, 2017.

ATTEST:

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Judy Meyers, City Clerk

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Rob Marlowe, Mayor