



**CITY COUNCIL REGULAR MEETING**  
**CITY OF NEW PORT RICHEY**  
**NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS**  
**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**  
**August 1, 2017**  
**7:00 PM**

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**AGENDA**

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

**ORDER OF**  
**BUSINESS**

1. Call to Order – Roll Call
2. Pledge of Allegiance
3. Moment of Silence
4. Approval of July 18, 2017 Work Session and Regular Meeting Minutes Page 3
5. Swearing-In of New Firefighters: Robert McCarthy, Corbin Mitchell and John Webber
6. Introduction of New Police Officers: Jessica Hauck, Tyler Sabo and Patrick Volpe
7. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda
8. Consent Agenda
  - a. Purchases/Payments for City Council Approval Page 21
9. Public Reading of Ordinances
  - a. Second Reading, Ordinance No. 2017-2117: Flood Damage Prevention Page 23
  - b. First Reading, Ordinance No. 2017-2116: Medical Cannabis Dispensaries Page 29
  - c. First Reading, Ordinance No. 2017-2118: Brewpubs and Microbreweries Page 41

d.	First Reading, Ordinance No. 2017-2119: Rezoning - 5425 Grand Boulevard	Page 49
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#### 10. Business Items

a.	Resolution No. 2017-24, Establish Tentative Millage Rate for TRIM	Page 68
b.	Resolution No. 2017-23, Initial Assessment Resolution - Pavement Management Plan	Page 70
c.	2017 Broadway Ave. & Washington St. Potable Water Interconnect Project Phase I	Page 71
d.	Orange Lake Dredging Project Bid Award	Page 75
e.	2017 City Hall Interior Carpet Removal and Replacement	Page 81
f.	George Street Transfer of Ownership - Interlocal Agreement	Page 91
g.	Alcoholic Beverage Special Event - Freedom Fest	Page 105
h.	Three Minute Report: Finance Department	

#### 11. Communications

#### 12. 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:** 8/1/2017  
**RE:** Approval of July 18, 2017 Work Session and Regular Meeting Minutes

**REQUEST:**

The request is for City Council to approve the July 18, 2017 work session and regular meeting minutes.

**DISCUSSION:**

City Council conducted its first budget work session on July 18, 2017. The minutes from that work session are attached for Council's review and approval. Also on July 18th, City Council met for its regularly scheduled meeting. Those minutes are also attached for Council's review and approval.

**RECOMMENDATION:**

Staff recommends that City Council approve the July 18, 2017 work session and regular meeting minutes as submitted.

**BUDGET/FISCAL IMPACT:**

No funding is required for this item.

**ATTACHMENTS:**

Description	Type
☐ July 18, 2017 Work Session Minutes	Backup Material
☐ July 18, 2017 Regular Meeting Minutes	Backup Material



**MINUTES OF THE CITY COUNCIL WORK SESSION**  
**CITY OF NEW PORT RICHEY**

**NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS**

**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**

**July 18, 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, Deputy Mayor Jeff Starkey, Councilman Bill Phillips, Councilwoman Judy DeBella Thomas and Councilman Chopper Davis.

Also in attendance were City Manager Debbie Manns, City Clerk Judy Meyers, Finance Director Crystal Feast, Development Director Lisa Fierce, Fire Chief Chris Fitch, Technology Solutions Director Bryan Weed, Human Resources Manager Bernie Wharran and Assistant to the City Manager Martin Murphy.

**DISCUSSION ITEMS**

**2**      **Review of Proposed FY18 Department Budgets - Page 2**

City Manager Manns introduced the item to Council. She stated the purpose of the work session was to present the proposed budget for the upcoming fiscal year. Municipal budget as presented provides sufficient funding so that same level of service can be made. She thanked staff for the preparation of the budget document and to Council for their commitment to the community. Ms. Manns stated that property values increased by 1.79%, the proposed millage would be 8.9950 and the balance in the general fund is \$21,448,550. She then introduced Finance Director Crystal Feast who then made a presentation to Council.

Ms. Feast began her presentation by stating the proposed budget totals \$57,564,110. The general fund revenue total expenditures, budgets and transfers totals \$19,452,790 with additional misc expenditures which exceeds revenue. Carryover balance of \$990,670 which is estimated based on where we are with the audit. Ms. Feast then broke down the different categories that make up the general revenue fund sources. Public Works, Police and Fire make up most of the expenditures. The proposed budget does include new positions for Recreation & Aquatics and Public Works. At the conclusion of Ms. Feast's presentation, the following



departments then made their presentation to Council for the upcoming fiscal year: Human Resources, Fire Department, City Manager/Council/Clerk, Assistant to the City Manager, Development Department and Technology Solutions.

The following is a summary of each department/division budget:

Human Resources:

- 31-11 labor attorney services decreased due to ongoing union negotiations
- 31-99 pre-employment drug and background screenings stay at current amount
- 49-15 advertising increase to cover advertising costs
- 34-13 employee support increase to launch employee suggestion and award program
- 45-11 45-21 45-22 45-23 insurance account increases of 5% per policy. Only minimal in health insurance rates.

Councilwoman DeBella Thomas asked for clarification on the new employee suggestion program. City Manager Manns stated that the program will allow employees to submit suggestions which if result in a savings to the city they can be rewarded for them.

Development Department:

- reduction in wages by moving inspector to the Fire Department
- taken on p/t receptionist.
- 31-81 professional services for planning reduced \$15,000
- 49-52 slight increase in housing CDBG
- 64-11 increase to refurbish lobby chairs and tables and finance area
- 64-18 increase to improve Adobe software

Councilman Phillips stated in regards 34-99 contract services he thought we were out for some additional contracting services to deal with permitting elements as well as an up tick in development and if we get favorable news from our economic development director at some point in the next year wouldn't it be prudent to or are we going to use contingency funds Ms. Manns. City Manager Manns asked for clarification on the question. Councilman Phillips then stated he thought last year we were going through some contractual services to deal with our permitting process and one of the major things we hear on a collective basis is the relationship that our customers have when they come into Development or for projects. So one is the contractual services we need to expedite or improve that level of service. He is anticipating that we have had an up tick in the number of businesses that are coming in and different services are being asked for and if we happen to see an up tick with some positive news from the Marine District, are we going to fund any costs out of the contingency budget or would it be prudent for us to at least have dollars in this account to deal with what may come with those positive steps forward. City Manager Manns stated she believes that we have budgeted appropriately for the permitting process and fund services through the Development Services budget and not on the contingency. Councilman Phillips asked that before we go to final budget could we highlight what some of those additional improvements are going to be in the Development Department as it relates to processing and interaction with public. He stated he just wanted to make sure that they can tell their constituents that in this budget we are allocating funds so that we can further enhance that department. City Manager Manns replied that yes that can be done before we get to final budget.

City Manager:

- increase in 40-11 will cover ICMA this year in October and September 2018. All other expenses with exception at same level. Operating supplies reduced by \$500

City Council:

- professional services reduced to \$5,000 as not spending as much in that category or in

50-11 and computer operating supplies.

Councilman Phillips asked about the settlement agreement as he thought it was close to complete. City Manager Manns replied that this is the final year of the Allen agreement payment. Councilwoman DeBella Thomas asked what all was in Professional Services and City Manager Manns replied an example would be the facilitator that was brought in for the strategic planning session.

City Clerk:

- 40-11 increase to go forward to obtain Municipal credentials and
- 51-11 for filing cabinet.

Councilman Phillips asked for the City Attorney to look at the ordinance regarding the city clerk's position to make sure that we were not in violation by combining the two positions.

Assistant to the City Manager:

- only adjustment in personnel due to full year of employment.
- 40-11 increase
- decreased 7-99 51-11 52-31 52-43
- 54-11 increased

Fire Department:

Division 71

- budget stayed consistent
- 12-99 increase due to addition of f/t residential rental administrative assistant
- 13-11 p/t eliminated
- 22-13 pension went up due to actuary
- 34-99 contractual services increased for reporting software annual support
- 40-11 increase for new assistant fire chief training opportunities
- 41-34 data lines slight increase
- postage increase due to mailing out inspection notices
- 46-23 eliminated as copier is rental
- computer operating supply to purchase new computer
- memberships for new membership rates

Councilman Phillips asked that what CAD does in the trucks and what liability it protects us from. Chief Fitch stated that all police and fire vehicles are dispatched through CAD and if they loose internet capabilities then they will loose information to the call. Councilwoman DeBella Thomas asked about the increase in postage and if they could coordinate inspections with a notice on water bills. Chief Fitch replied that fire inspections are only on commercial properties. City Manager Manns stated that letters are mailed to schedule inspection. Councilman Phillips asked to look into private ambulance service how can we be self sufficient.

Division 73

- budget stayed consistent with previous years
- 13-14 dropped by average of what was actually used in years past
- 14-13 overtime for the two inspectors
- 22-13 increase by the actuary
- 46-49 maintenance and repair increased to cover accessories for new radios
- fuel increased increased due to residential rental inspectors
- bunker gear decreased as it is anticipated ordering one less set of gear
- clothing for new residential inspectors
- purchase new computer in fire station

Councilman Phillips asked if whether in the next twelve months we can come to some kind of understanding on what the actual levels of service needs are so we can move that project along in CIP and is there a truck unit/equipment that is out there that would serve better or as good as not running our large fire truck on Main Street for calls on US19. Chief Fitch replied that the problem if not run Class A engine then we lose availability if another call comes in and the vehicle needed is not available. There are a lot of back to back calls. Need all EMS and extrication equipment for calls on US19. Difficult to go to a smaller vehicle. City Manager Manns stated that there are a number of variables still under consideration before we can make a recommendation on CIP questions the first has to do with annexation study which is currently under consideration and the level of service demands would change with annexation. We want to continue with the same ISO level. She truly expects it to be in short term for recommendation and assured them that it is a priority project and we will identify funding source.

3 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 6:49 pm.

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

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

\_\_\_\_\_ (signed)

Judy Meyers, City Clerk



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

**NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS**

**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**

**July 18, 2017**

**7:00 PM**

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**ORDER OF**  
**BUSINESS**

**1. Call to Order – Roll Call**

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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, Human Resources Manager Bernie Wharran and Assistant to the City Manager Martin Murphy.

**2 Pledge of Allegiance**

**3 Moment of Silence**

**4 Approval of July 5, 2017 Regular Meeting Minutes**

Councilwoman DeBella Thomas stated that a correction needed to be made in the minutes from the Communications section of the City Council meeting from July 5, 2017. Reference was made to the Florida League of Cities (FLC) when it should have referenced Suncoast League of Cities (SLC.) Motion was made to approve the minutes with the noted correction.

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

**5 Presentation of Flags for Sims Park by the VFW Post 79**

Mayor Marlowe and Public Works Director Robert Rivera accepted the American, State of Florida and POW flags from Ed White and John Herig of the American Legion Paradise Post 79 to be flown in Sims Park.

**\*\*The flags were donated by the American Legion Paradise Post 79 and not the VFW Post 79 as stated on the agenda\*\***

- 6 Swearing-In of New Firefighters: Robert McCarthy, Corbin Mitchell and John Webber

This item was deferred until the August 1, 2017 regular City Council meeting.

- 7 Swearing-In of New Police Officers: Jessica Hauck, Tyler Sabo and Patrick Volpe

This item was withdrawn from the agenda.

- 8 Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

Mayor Marlowe opened the floor for public comment. No one came forward to speak therefore Mayor Marlowe closed Vox Pop.

- 9 Consent Agenda

Motion was made to accept the Consent Agenda.

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

- a Environmental Committee Minutes - May 24, 2017
- b Firefighters' Pension Board Minutes - March 14, 2017
- c Parks and Recreation Advisory Board Minutes - May 9, 2017
- d Police Pension Board Minutes - April 25, 2017
- e Purchases/Payments for City Council Approval

- 10 Public Reading of Ordinances

- a First Reading, Ordinance No. 2017-2117 Flood Damage Prevention

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to in relation to national flood insurance rating system and to continue our good rating. A recent audit was done and recommendation made that we change some language to include delineation of flood areas in final plats and re-plats. The proposed ordinance was approved by LDRB on June 22nd. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas stated that this was very timely due to the recent weather we have been having. Motion was made to approve the ordinance upon its first reading.

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

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

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns presented the item to Council. She stated that the purpose of this agenda item was to conduct a second reading of an ordinance which would place a 180 day moratorium on wireless communication facilities in public rights-of-way in order to allow staff time to study the new legislation and prepare code amendments as

needed. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the ordinance upon its second and final reading.

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

11 Business Items

a Annual Membership Drive - Recreation & Aquatic Center

City Manager Manns introduced Parks and Recreation Director Elaine Smith who presented the item to Council. She stated the purpose of this agenda item was to authorize the annual sale of memberships for the Recreation & Aquatic Center. The request is to approve a 20% reduction on annual memberships from December 18, 2017 through January 14, 2018. This agenda item is being presented early in order to increase marketing efforts. Mayor Marlowe asked how will this timeline fit in with the completion of the expansion project and Ms. Smith replied that the full project will be done by December and that we would remain open as we are now and will coincide with the grand re-opening along with promoting gift certificates for the holidays. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilwoman DeBella Thomas stated that she was at the Rec Center the other day and there is a level of excitement. Deputy Mayor Starkey stated he wanted to see a marketing emphasis on the improvements and childcare area. Ms. Smith stated that yes there will be an emphasis along with promoting the private party rooms. Councilwoman DeBella Thomas stated the Chamber has a new resident packet and perhaps we can insert the parks guide into that. Councilman Phillips asked if there was an opening date in December or a range of time. Ms. Smith replied that we are anticipating January as December is busy with the holidays. It will be more like an open house event on a Saturday to tour and meet instructors and buy memberships. Councilman Phillips suggested splitting it up into a three day function Friday, Saturday and Sunday and target residents to come and coordinate with utility billing customers. Motion was made to approve the item 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

b Alcoholic Beverage Special Event - Caribbean Food & Music Fest

City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to authorize an alcoholic beverage special event permit for a Caribbean Food & Music Fest hosted by Dulcet. The organizers are requesting to sell alcohol on Saturday August 26th from noon-11PM. This is the second year for the event. The SET team has reviewed the event and approved.

Upon opening the floor to public comment, Nelson Ohioin came forward and stated the whole point is to make New Port Richey more attractive. Last year there was about 500 people and anticipating a larger crowd this year as there is no charge for the event. With no one else coming forward therefore Mayor Marlowe returned the floor to Council. Councilman Davis asked for the event to be put up on the LED screens in Sims Park. Deputy Mayor Starkey stated he was happy to hear it will be family friendly and asked what kind of beer will be served whether it was craft beer. Councilwoman DeBella Thomas stated it was well done 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

c 2016/2017 Sanitary Sewer Gravity Lining Project Close Out

City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to approve a deductive change order in the amount of \$25,991 and a final pay request in the amount of \$45,483.50. This is an annual maintenance program. Upon opening the floor to public comment, no

one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips stated that this is a pretty substantial savings and if we have dollars why not come back and do another series or gauge add on. He asked how it could be better use of contractor and staff time. Mr. Ribera replied that we do not have staff or equipment to devote for a big cost project where a contractor could stay here for longer time. This is piggybacked off other municipal contracts. Motion was made to approve the item as presented.

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

d Wastewater Treatment Plant/Water Treatment Plant Bulk Chemicals Purchases

City Manager Manns introduced the item to Council. She stated the purpose of this agenda item was to award bids to cover four chemicals used at the WWTP. The four bids are recommended based on low cost and that we have verified the performance standards of what we are purchasing. Asking to award Allied Universal, Thatcher Company Incorporated, Hawkins Inc. and to reject Sterling's bid based on failed performance standards as specified in the bid documents and award to Fort Bend Services instead. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was made to approve the item as presented.

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

e Resolution No. 2017-21 & No. 2017-22, Initial Assessment Resolutions - Stormwater Utility & Street Lighting

City Attorney Driscoll read both resolutions by title only. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the initial resolutions for the stormwater and streetlight assessments. Rate studies were presented in June. This item will be followed by public hearing to consider the assessments. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Councilman Phillips stated as we finish the budget process with the lighting we had the dark areas that are covered and in both accounts if any rollover dollars to have them identified as this is much like a user fee like Penny 4 Pasco funds so people know that the money collected is reinvested. Mayor Marlowe reminded staff of the dark area at Jefferson and Central. Motion was made to approve the resolutions as presented.

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

f Proposed Pavement Management Plan

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to request moving forward with the implementation of the proposed Pavement Management Plan (PMP). We have been studying this matter since December 2014. Fair and equitable method to share the cost. Prioritize roadway maintenance improvement. Staff brought recommendation June 20, 2017 but may not have represented all the variables so staff revised recommendations. She then turned the presentation of the item over to Public Works Director Robert Rivera. He stated that variables that were looked at since the work session included reviewing the multi-use category, tier levels, church classification, review Indiana as arterial/collector road, Van Buren as arterial/collector road, Forest Avenue as arterial/collector road.

David Fleeman from Genesis then made a presentation to Council on the updated plan. He began his presentation by stating the objectives of the PMP. He then discussed the history of the old paving assessment program. He stated that the Board of Equalization varied from project to project and

created inequality over time. The Citizens Advisory Committee's directive was to simplify the methodology, not burden neighborhood businesses, consider city as interconnected roadways and include every residential unit. Land use changed to residential and non-residential. Four levels included less than 5,000, 5,000-9,999, 10,000-24,999 and over 25,000. Non-residential includes mixed use, non-profit, retail/commercial, office and warehouse. Roadway divided into arterial/collector and local roads. Arterial/collector annual maintenance 1 is /20 of engineer's opinion then deduct \$200,000 and LOGT dollars. City Council then discussed the classifications for apartment complexes and Main Street Landings. Mr. Fleeman then continued his presentation and discussed the exemption and appeal to City Manager however pointed out that appeal would be to reviewing methodology application. Mr. Fleeman also stated that a credit would be given based on remaining useful life of roadway provided to parcels who participated in prior street assessment program. It would be a prorated cost. Councilman Phillips stated the appeal process to City Manager is fine but needs to be process to come to Council. At the end of day Council sets policy. There has been inadequacy over the last thirty years. He asked if there will be an assessment for local road incremental charge back to homeowner for local street. He staed getting to a set revenue stream important. Catch up on things that haven't been done. Mr. Fleeman continued by saying that alleys are special circumstance and should be excluded from plan. No consensus among residents. Create an alley improvement policy and guideline criteria to address improvements. Councilman Phillips complimented the maps used in the agenda packet which shows the boundaries.

Upon opening the floor to public comment, Lisa Tinker came forward and stated that this is another tax don't want it to be like the lottery. The money using towards the roads that it is going to stay there. Mayor Marlowe replied Pasco County changed allocation for gas tax and if we don't spend money on roads we don't get money in the next year. Need to show road projects being done. Can't take assessment money and spend on other city departments and projects. Councilman Phillips stated he would like to put in ordinance form instead of resolution. Utilize this to drive down ad valorem rate for this year. Want to give peace of mind. With no one else coming forward, Mayor Marlowe returned the floor to Council.

Deputy Mayor Starkey agreed with Councilman Phillips that residents should be able to come to Council to seek relief. He thanked Genesis and the Citizens Advisory Committee for all of their hard work. The initial plan did not address issues.

Mayor Marlowe stated that roads were the big issue in his re-election campaign and this gives opportunity to address concerns. He agreed with Deputy Mayor Starkey that mixed use gets charged for commercial. Disagreed that business have no responsibility for local and collector. Need to pay their fair share. Agreed with appeal process.

Councilman Davis stated that the only thing that can appeal is residential, multi use or commercial. Decided at County level can't really appeal anything. City Attorney Driscoll stated they can show evidence they are classified incorrect. Councilman Davis stated he did not want to go any further without mixed use being addressed.

Councilwoman DeBella Thomas stated kicking alley situation down the road. If explore options will everyone have to agree. Mr. Rivera stated that they will start working on guidelines and it will be a priority. Councilwoman stated she was curious to know how many streets have alley issues.

Councilman Phillips stated that alleyways needs assessment to identiy conditions. Identify those residents who have captured the end of the alleyway and have turned it into their yard as there are a few on Lafayette and the one that dead ends at apartment complex on Indiana. Unique classifications for dead end areas.

Councilman Davis stated he wanted to reiterate that 100% of the tax money is going to roads. City Attorney Driscoll corrected that this is a fee and not a tax as Council can only impose a fee and not a tax.

Motion was made to approve the item as presented.



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

g Three Minute Report: Fire Department

12 Communications

Communications and reports were deferred until after the conclusion of the CRA meeting.

13 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:19 pm.

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

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

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



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

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**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**

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

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**ORDER OF**  
**BUSINESS**

**1. Call to Order – Roll Call**

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

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

**2 Pledge of Allegiance**

**3 Moment of Silence**

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

Motion was made to approve the minutes as presented.

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

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

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

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

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

Marlowe closed Vox Pop.

7 Consent Agenda

Motion was made to accept the Consent Agenda.

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

- a Purchases/Payments for City Council Approval

8 Public Reading of Ordinances

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

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

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

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

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

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

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

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

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

City Attorney Driscoll read the proposed ordinance by title only. Upon opening the floor to public comment, no one came forward therefore Mayor Marlowe returned the floor to Council. Motion was

made to approve the ordinance upon its second and final reading.

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

9 Business Items

a Sims Park Shelter Installations Phase 2 Project Close-Out

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

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

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

b Approval of the Parks and Recreation Master Plan

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

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

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

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

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

grant opportunities to further improve our parks.

Motion was made to approve the item as presented.

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

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

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

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

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

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

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

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

Motion was made to approve the item as presented.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

e Three Minute Report: Technology Solutions

10 Communications

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

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

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

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

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

11 Adjournment

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

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

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

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





# NEW PORT RICHEY

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

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**TO:** City of New Port Richey City Council  
**FROM:** Crystal S. Feast, Finance Director  
**DATE:** 8/1/2017  
**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 Listing	Exhibit

PURCHASES/PAYMENTS FOR CITY COUNCIL APPROVAL

<u>Morelli Landscaping, Inc.</u>	\$97,512.75
Project: 2015 Downtown Landscaping Improvement Project	
43% work is complete	
Services thru June 30, 2017	
 <u>Tyler Technologies</u>	 \$50,764.69
Annual Support & Update Licensing	
 <u>Thomas Sign and Awning Company, Inc.</u>	 \$39,635.20
Project: Sims Park Improvements, Phase II	
Purchase of 2 <sup>nd</sup> LED Screen (2 of 2 payments)	

RECURRING EXPENDITURES OVER \$25,000

Tampa BayWater (supplied water, per contract, for June 2017)	\$135,066.27
Public Risk Management	\$109,387.00
(Property, Liability, Workers' Comp. Coverage - Quarterly Invoice )	
Pasco County Board of County Commissioners	\$92,116.00
(Annual City Fee for Animal Control Services)	
Duke Energy (Utility Services, May 2017)	\$39,657.79
Merrell Bros., Inc. (June 2017 Sludge Hauling – Per Contract)	\$25,782.42



# 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:** 8/1/2017  
**RE:** Second Reading, Ordinance No. 2017-2117: Flood Damage Prevention

## REQUEST:

City Council is to conduct a second public hearing on the ordinance.

## DISCUSSION:

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

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

The City staff proposes to amend the regulations as follows:

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

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

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

## Compatibility with Comprehensive Plan:

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

- Coastal Management Element Objective 2.4 - Reduce the risks to human life and public and private property from natural disasters through implementation of hazard mitigation measures.
- Coastal Management Element Policy 2.4.2 - The City shall continue to implement hazard mitigation programs, such as building codes, floodplain management regulations, stormwater management regulations, land use regulations, as well as proper siting and management of public facilities in accordance with the Comprehensive Plan.
- Future Land Use Element Policy 1.1.1 - The City shall continue to implement and enforce regulations which recognize the limitations of development in the coastal zone (e.g., vulnerability of tropical storms, topography and soil conditions).
- Future Land Use Element Policy 1.1.2 - To implement this Comprehensive Plan, the City shall continue to implement land development regulations that contain specific and detailed provisions which, at minimum, shall:
  - a. Regulate the subdivision of land;
  - f. Ensure that all development and/or redevelopment is consistent with Federal flood insurance regulations;
- Future Land Use Element Policy 1.2.1 - The Land Development Code shall be enforced to ensure that:

- a. Residential areas are located and designed to protect life and property from natural and manmade hazards such as flooding, excessive traffic, subsidence, noxious odors and noise;
- Intergovernmental Coordination Element Policy 1.1.4 - The City shall continue to communicate and coordinate with the District School Board of Pasco County, Tampa Bay Regional Planning Council, Tampa Bay Water, Southwest Florida Water Management District, Pasco County Metropolitan Planning Organization, Municipal Association of Pasco and state and federal agencies, as appropriate, to address issues or proposed actions concerning an agency's jurisdiction or resources or proposals that are multi-jurisdictional in nature.

**RECOMMENDATION:**

Staff recommends approval of the ordinance. The Land Development Review Board recommended approval at its June 22, 2017 meeting.

**BUDGET/FISCAL IMPACT:**

None

**ATTACHMENTS:**

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

ORDINANCE #2017-2117

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ATTEST:

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

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

(Seal)

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

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



# NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • (727) 853.1016

## Land Development Review Board (LDRB) - Minutes

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

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

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

#### Members Present:

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

#### Members Absent:

John Grey, Chairperson  
Mary Moran  
Louis Parrillo

#### Others Present:

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

### II. Approval of Minutes:

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

### III. Code Amendment COD2017-04

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

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

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

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

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

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

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

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

The meeting adjourned at 2:05 p.m.

Respectfully submitted,



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Chris Mettler, Senior Planner





# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Lisa L. Fierce, Development Director  
**DATE:** 8/1/2017  
**RE:** First Reading, Ordinance No. 2017-2116: Medical Cannabis Dispensaries

## REQUEST:

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

## DISCUSSION:

The State of Florida has legalized medical cannabis with the passage of Amendment 2 in November 2016. The State legislation authorizes licenses for another ten growers (in addition to the current seven) and caps the number of dispensaries allowed for each grower at 25. It allows patients to use cannabis pills, oils, edibles and vaporizer pens with a doctor's approval, but bans smoking.

City Council held two workshops discussing medical cannabis prior to the finalization and passage of the State legislation. At the conclusion of the second workshop, the Council requested that the Staff prepare an ordinance allowing dispensaries as a conditional use in the C-1, C-2, Highway Commercial and Office Districts, not including the Downtown District, and providing regulations regarding the use. Following these meetings, the Legislature adopted implementation laws which allow the local jurisdictions to either ban medical cannabis dispensaries or treat them as pharmacies.

As a result, the proposed ordinance allows medical cannabis dispensaries as a permitted use in the zoning districts in which pharmacies are permitted. These include C-1, C-2, Highway Commercial, Office and Light Industrial Districts. It defines "medical cannabis dispensary" as "an entity that sells, distributes, dispenses, or administers medical cannabis, products containing cannabis, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Department of Health. This does not include the cultivation or processing of medical cannabis." Staff will prepare a companion ordinance to follow this, if approved, which includes development standards for both medical cannabis dispensary and pharmacy uses.

The Land Development Code allows pharmacies (or "drug stores") as a permitted use; the ordinance removes this use in the Downtown District because this would be inappropriate considering the prohibition on drug paraphernalia. The proposed ordinance also amends the restricted personal service use definition to no longer include cannabis uses.

A six-month moratorium (Ordinance #2017-2104) on cannabis uses was adopted on February 21, 2017. The moratorium ends August 21<sup>st</sup>. The proposed ordinance repeals the moratorium.

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 ordinance. The Land Development Review Board reviewed the proposal at its July 20, 2017 meeting, but was unable to reach consensus on a recommendation. Several motions were made including one to approve the ordinance with an allowance of pharmacies/medical cannabis in the Downtown; the members in attendance voted 2-2 to approve. The result is that no action was taken.

**BUDGET/FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Description	Type
▣ Ordinance #2017-2116	Ordinance
▣ LDRB Minutes - July 20, 2017	Backup Material

ORDINANCE # 2017-2116

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 7.07.01, PERMITTED USES IN THE C-1, LIGHT GENERAL COMMERCIAL DISTRICT, TO ADD MEDICAL CANNABIS DISPENSARIES AS A USE; AMENDING SECTION 7.08.01, PERMITTED USES IN THE C-2, GENERAL COMMERCIAL DISTRICT, TO ADD MEDICAL CANNABIS DISPENSARIES AS A USE; AMENDING SECTION 7.09.01, PERMITTED USES IN THE HIGHWAY COMMERCIAL DISTRICT, TO ADD MEDICAL CANNABIS DISPENSARIES AS A USE; AMENDING SECTION 7.10.01, PERMITTED USES IN THE OFFICE DISTRICT, TO ADD MEDICAL CANNABIS DISPENSARIES AS A USE; AMENDING SECTION 7.11.01, PERMITTED USES IN THE DOWNTOWN DISTRICT, TO REMOVE DRUG STORES AS A USE; AMENDING SECTION 7.12.01, PERMITTED USES IN THE LIGHT INDUSTRIAL DISTRICT, TO ADD MEDICAL CANNABIS DISPENSARIES AS A USE; AMENDING SECTION 2.01.00, DEFINITIONS, TO AMEND THE “RESTRICTED PERSONAL SERVICE USES” DEFINITION TO DELETE CANNABIS DISPENSING/PROCESSING/CULTIVATION ENTERPRISES AND TO ADD A DEFINITION FOR “MEDICAL CANNABIS DISPENSARY”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE REPEAL OF ORDINANCE #2017-2104, ESTABLISHING A MORATORIUM ON CANNABIS CULTIVATION, PROCESSING AND DISPENSING.

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 has adopted Ordinance #2016-2072 in 2016, which amended the Land Development Code to define and regulate restricted personal service uses, which included by definition “cannabis dispensing/processing/cultivation enterprises”; and

WHEREAS, the City Council desires to amend the land development regulations to distinguish medical cannabis dispensaries from restricted personal service uses; and

WHEREAS, the City Council desires to accommodate the legalization of medical cannabis as a result of the passing of Amendment 2, Use of Marijuana for Debilitating Medical Conditions, of 2016; and

WHEREAS, the State Legislature adopted Senate Bill 8-A which regulates medical cannabis dispensaries and pharmacies; and

WHEREAS, the City Council desires to allow and regulate medical cannabis dispensaries as a permitted use in the City's commercial zoning districts.

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

SECTION I. That Section 7.07.01, Permitted uses in the C-1, Light General Commercial District, of the New Port Richey Land Development Code is hereby amended to read as follows:

7.07.01 Permitted uses:

1. Retail sales for local and neighborhood needs;
  - a. The sale of baked goods and pastries, candies and similar products, dairy and ice cream products, meats, produce, fruit, and similar food stuffs;
  - b. The sale of books, magazines, newspapers, tobacco, gifts, etc.;
2. Eating establishments, including lunchrooms, restaurants, and cafeterias, and places for the sale and consumption of soft drinks and juices, but excluding fast food establishments as defined in the glossary of this code and places that provide on-site consumption of all hard liquor as defined in the glossary of this code and places that provide entertainment and/or dancing.
3. Service establishments, including barber and beauty shops, laundry and tailor shops, self-service laundry, shoe repair, dry-cleaning and florist shops, and other service and retail establishments as approved by the development review committee (DRC).
4. ACLF's and residential care facilities; with the number of beds not to exceed twenty (20) per acre;
5. Public services such as police and fire substations;
6. Churches, synagogues, temples or similar places of worship and their accessory uses.
7. Telecommunications towers; provided that such towers have not been abandoned (see Chapter 17 of the Land Development Code).
8. All permitted uses in the office zoning district.
9. Urban agriculture (indoor crop production prohibited).
10. Medical cannabis dispensaries.

SECTION II. 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. Medical cannabis dispensaries.

SECTION III. 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. Medical cannabis dispensaries.
8. 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 IV. That Section 7.10.01, Permitted uses in the Office District, of the New Port Richey Land Development Code is hereby amended to read as follows:

#### 7.10.01 Permitted uses

1. Offices directly related to medical services:
  - a. All doctor's offices;
  - b. Pharmaceutical stores;
  - c. Retail establishments that specialize in medical related supplies;
  - d. Walk-in clinics;
  - e. Medical cannabis dispensaries; and
  - f. All other uses as approved by the development review committee (DRC).
2. Legal offices;
3. Architectural and engineering, drafting and related services/supplies;
4. Consultant services;
5. Real estate offices;
6. Title and abstract services;
7. Banks, investment and financial services, stockbroker and all other services as approved by the development review committee;
8. Churches, synagogues, temples or similar places of worship and their accessory uses;
9. Business and professional offices that are primarily engaged in general administration, overall management, general supervisory functions, such as executive, personnel, finance, legal and sales activities. Business offices carrying on no retail trade with the general public and have no stock of goods

maintained for sale to customers, except such as are incidental or accessory to the principal permitted use;

10. Accessory buildings and uses customarily incidental to the above listed uses;
11. Schools (as defined in section 13-224 of the New Port Richey Code of Ordinances) and daycare facilities, with submittal of a controlled student drop-off and pick-up plan, with dismissal and arrival times and implementation oversight by the school principal/operations director;
12. Personal services.
13. Urban agriculture (indoor crop production prohibited; on-site wholesale and retail sales prohibited).

SECTION V. 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) Business and professional offices;
- (10) Card shops;
- (11) Copying services;
- (12) Convention and conference centers;
- (13) Dance studios;
- (14) Dental labs;
- (15) Dental office;
- ~~(16) Drug stores;~~
- ~~(16)~~ Florist shops;
- ~~(17)~~ Fruit and vegetable markets;
- ~~(18)~~ Gift shops;
- ~~(19)~~ Governmental offices;
- ~~(20)~~ Grocery stores;
- ~~(21)~~ Hardware stores;
- ~~(22)~~ Health clubs;
- ~~(23)~~ Hobby and collectable shops;
- ~~(24)~~ Home furnishing stores (new merchandise only);
- ~~(25)~~ Hotels;
- ~~(26)~~ Hypnotherapy (by a state licensed health care professional or supervised by same);
- ~~(27)~~ Ice cream/confectionary;
- ~~(28)~~ Jewelry stores and repair;
- ~~(29)~~ Laundry and dry cleaning shops;
- ~~(30)~~ Locksmith shops;
- ~~(31)~~ Massage therapy (state licensed);
- ~~(32)~~ Medical office;

- (~~3334~~) Medical supply stores (includes repair of electric-powered equipment sold on site);
- (~~3435~~) Mobile vendors. Such vendors must be permitted uses under the Downtown District and must comply with section 7.11.07;
- (~~3536~~) Museums;
- (~~3637~~) Musical instrument sales;
- (~~3738~~) News publishers;
- (~~3839~~) Office supply stores;
- (~~3940~~) Package sales of wine and malt beverages;
- (~~4041~~) Parking garages and lots;
- (~~4142~~) Parks and recreation facilities;
- (~~4243~~) Pet stores;
- (~~4344~~) Performing arts and cultural center;
- (~~4445~~) Photography stores and studios;
- (~~4546~~) Places of worship;
- (~~4647~~) Repair shop (other than motor vehicles, motorized watercraft and other motorized equipment);
- (~~4748~~) 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;
- (~~4849~~) Restaurants, grills, cafes, taverns and similar eating and drinking establishments, but excluding drive-in restaurants;
- (~~4950~~) Shoe stores and repair shops;
- (~~5051~~) Single-family dwellings with customary accessory uses as regulated in the city's R-1, R-2 and R-3 zoning classifications;
- (~~5152~~) Spa;
- (~~5253~~) Sporting goods and rental/repair stores;
- (~~5354~~) Tailor shops;
- (~~5455~~) Theaters; and
- (~~5556~~) Travel agencies.
- (~~5657~~) Urban agriculture (indoor crop production prohibited).

**SECTION VI.** 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. Medical cannabis dispensaries.
  12. All other uses as determined by the development review committee which further the intent of the adopted comprehensive plan.

SECTION VII. 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

Medical cannabis dispensary: an entity that sells, distributes, dispenses, or administers medical cannabis, products containing cannabis, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Department of Health. This does not include the cultivation or processing of medical cannabis.

Restricted personal service uses: Commercial retail and service uses, including, blood plasma centers, body piercing establishments, check cashing stores, day labor establishments, pawn shops, ~~and~~ tattoo parlors ~~and cannabis dispensing/processing/cultivation enterprises which may tend to have a blighting and/or deteriorating effect upon surrounding areas and that may need to be dispersed from other similar uses to minimize their adverse impacts.~~

SECTION VIII. 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 IX. 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 X. 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.

SECTION XI. Ordinance #2017-2104, establishing a moratorium on cannabis cultivation, processing and dispensing, is hereby repealed.

ATTEST:

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

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

(Seal)

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

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



# NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • (727) 853.1016

## Land Development Review Board (LDRB) - Minutes

**Date:** July 20, 2017  
**Time:** 2:00 pm  
**Location:** City Council Chambers  
First Floor, City Hall, 5919 Main Street, New Port Richey, FL 34652

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

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

#### Members Present:

John Grey, Chairperson  
Dr. Cadle, Jr., Vice Chairperson  
Mary Moran  
Nancy MacDonald, Alternate Member

#### Members Absent:

Dan Maysilles  
Judy Michel  
Louis Parrillo  
Bob Smallwood, Alternate Member  
Greg Smith

#### Others Present:

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

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

Mr. Grey chaired the meeting. Dr. Cadle made the motion to approve the June 22, 2017 minutes as presented which was seconded by Ms. Moran. The motion carried and the Board approved the minutes (4-0).

Ms. Fierce noted that the rezoning applicant's representative is not present in the Chamber and suggested the Board hear the medical cannabis dispensary code amendment first. The Board concurred.

### **III. Code Amendment COD2017-03**

**Case:** Code Amendment COD2017-03 – Medical Cannabis Dispensaries  
**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 Medical Cannabis Dispensaries as a Permitted Use in Multiple Commercial

Zoning Districts and Removing Drug Stores as a Permitted Use in the Downtown  
Zoning District (Ordinance #2017-2116)

Staff Contact: Chris Mettler, Senior Planner, 727-853-1044, [mettlerc@cityofnewportrichey.org](mailto:mettlerc@cityofnewportrichey.org)

Mr. Mettler said that medical marijuana had been legalized in the State of Florida via Amendment 2, the constitutional amendment approved by the electorate in November 2016. He said the City Council held two public workshops to discuss the issue, ultimately directing staff to draft an ordinance allowing medical cannabis dispensaries as conditional uses, subject to public hearings and development standards, in the C-1, C-2, Highway Commercial and Office Districts. They did not request dispensaries in the Downtown District. However, the State bill the Governor signed allows local jurisdictions to either ban medical cannabis dispensaries or allow them, with regulations no more restrictive than those governing pharmacies.

He said the proposed ordinance would allow medical cannabis dispensaries in the C-1, C-2, Highway Commercial, Office and Light Industrial Zoning Districts (all districts that allow pharmacies). The ordinance would remove “drug stores” as a use in the Downtown District, which also prohibits drug paraphernalia.

He reviewed the definition for “medical cannabis dispensary,” the change to the definition of “restricted personal service use” to no longer include cannabis uses and the repeal of the cannabis moratorium. He said the staff would, if the ordinance was approved, later draft an ordinance providing development standards for dispensaries and pharmacies.

Ms. MacDonald asked for clarification that a local jurisdiction could ban the use. Mr. Mettler said that was an option provided by the State legislation. She said she did not think the City should allow the use. Mr. Grey asked if this meant no pharmacies or dispensaries would be allowed Downtown. Mr. Mettler said existing pharmacies would become legally nonconforming uses. Mr. Grey asked if Walgreen’s is in the Downtown District and, if so, could it be rezoned. Mr. Mettler said that it is and rezoning the property would be an option.

Dr. Cadle asked for the rationale for not allowing the uses in the Downtown District. Mr. Mettler said that was the direction provided by the Council at the last workshop and, also, the Code prohibits drug paraphernalia in the zoning district. Dr. Cadle questioned whether medical marijuana could be classified as drug paraphernalia and if the recommendation from the Board can include an amendment to the ordinance. Ms. Fierce affirmed that the recommendation could include an amendment to the ordinance.

Denise Huston, Virginia Avenue, said she was a resident, a cancer survivor, and has been prescribed medical cannabis. She described the complex process for getting a medical cannabis prescription. She questioned why dispensaries would be prohibited Downtown when there were already so many bars. She recommended that dispensaries be allowed in the Downtown District.

Greg Smithwick, 12734 First Isle, Hudson, Florida, said the drug paraphernalia concern was not applicable as medical cannabis cannot be smoked per the State legislation and the use is medical not recreational.

Mary Young, 6518 Trouble Creek Road, said she was a resident and will want to have dispensaries close by so she does not have to travel far to one or have it delivered. Ms. Fierce said that there are many locations where the use will be permitted, based on the proposed ordinance.

Mr. Driscoll noted that while there are no development standards proposed, the State legislation prohibits dispensaries within 500 feet of a school.

Dr. Cadle said he wants pharmacies Downtown to be in walking distance for Downtown residents. He asked if he needed to recuse himself because his sister had been prescribed medical cannabis. Mr. Driscoll said he did not need to recuse himself.

Dr. Cadle made the motion to recommend approval of the code amendment, amended to allow pharmacies and medical cannabis dispensaries in the Downtown District, which was seconded by Ms. Moran. Roll call vote: Ms. Moran, yes; Mr. Grey, no; Ms. MacDonald, no; and Dr. Cadle, yes. The motion failed (2-2).

Mr. Grey asked if they could except existing Downtown pharmacies in a motion. Mr. Driscoll said no.

Ms. MacDonald made the motion to recommend denial of the code amendment, which failed due to lack of a second.

Dr. Cadle made the motion to recommend approval of the code amendment, with comments to be shared with the Council that two Board members would recommend an amendment allowing pharmacies and medical cannabis dispensaries in the Downtown District, which was seconded by Ms. Moran. Roll call vote: Ms. Moran, yes; Mr. Grey, no; Ms. MacDonald, no; and Dr. Cadle, yes. The motion failed (2-2). Mr. Driscoll said the vote meant no action had been taken.

#### **IV. Rezoning Application REZ2017-02**

Case: Rezoning Application REZ2017-02 – 5425 Grand Boulevard – Family Dollar  
Property Location: 1.02 acres located west of Grand Boulevard, south of Gulf Drive and north of Crest Street.  
Applicant: Ross Mor Trust (Michael Guju, Trustee) and Frank Kontis Revocable Trust (Frank Kontis, Trustee).  
Request: Rezoning from Office District to C-2, General Commercial District (Ordinance #2017-2119).  
Proposed Use: A Family Dollar retail store.  
Staff Contact: Chris Mettler, Senior Planner, 727-853-1044, [mettlerc@cityofnewportriches.org](mailto:mettlerc@cityofnewportriches.org).

Mr. Mettler reminded the Board that this rezoning case is to receive a quasi-judicial hearing. The Board members affirmed they had no ex-parte communications to disclose. Mr. Mettler provided a powerpoint presentation. He said the site is a 1.02-acre property located west of Grand Boulevard, south of Gulf Drive and north of Crest Street. The request is to rezone the property from the Office Zoning District to C-2, General Commercial Zoning District. The proposed use is a Family Dollar retail store, which is not allowed in the Office Zoning District. He said the area is characterized with office and retail commercial uses, and vacant buildings. He showed photographs of the site and the surrounding area. He said the site plan has been approved by DRC, subject to the approval of this rezoning. He reviewed the proposed site layout and building elevations. The entrance is oriented to the north, with access to Gulf Drive and Grand Boulevard.

Mr. Mettler asked the Board to recommend approval with a condition that the City enter into a development agreement with the applicant to address the City's surrender of mineral rights on the property and to establish development standards. He said the proposed rezoning is consistent with the comprehensive plan, the Future Land Use Map designates the site with the General Commercial Category.

Dr. Cadle asked about the traffic study. Mr. Mettler said the traffic study indicated the local roadways could accommodate the additional trips.

Ms. MacDonald said she thought the proposed use would be useful to residents and workers in the area.

Ms. Moran asked for clarification regarding the building construction. Chris Stephens, the applicant's representative, described the building materials, including the combination of steel and stemwall with a brick look, utilized to keep costs down and keep the project financially feasible. Ms. MacDonald said this would be the most attractive Family Dollar store. Ms. Moran asked if the side facing Grand Boulevard is metal and if it could have cement panels. Mr. Stephens said it is not financially feasible to do so. Ms. Fierce noted that building would be partially screened with foundation plantings.

Dr. Cadle noted the proposed path for the delivery trucks and asked if these would be semi-trucks. Mr. Stephens said they had modeled the trucks' turns on the site in order to design the access point to accommodate the trucks. He noted it was a challenging site and the prototype building to be developed on the site was the smallest Family Dollar allows. Mr. Stephens said Family Dollar expects to do well at this location.



# NEW PORT RICHEY

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**TO:** City of New Port Richey City Council  
**FROM:** Lisa L. Fierce, Development Director  
**DATE:** 8/1/2017  
**RE:** First Reading, Ordinance No. 2017-2118: Brewpubs and Microbreweries

## REQUEST:

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

## DISCUSSION:

Brewpubs and microbreweries have become a popular industry throughout the country. This is associated with the “locavore” movement (farm-to-table, locally-sourced ingredients, etc.). Historically, larger manufacturers of alcohol have been classified as industrial uses in local and state regulations. Local interest in these uses has generated the need to amend these rules, as smaller versions of these businesses contribute towards tourism, nighttime economy and enticing visitors to the City.

Staff reviewed regulations from Pinellas County to determine the appropriate location for brewpubs and microbreweries in the City. The ordinance amends the Land Development Code to allow brewpubs and microbreweries as permitted uses in multiple zoning districts. Brewpubs are considered a retail commercial use with an ancillary light manufacturing (brewing) component. They are proposed as permitted uses in the C-2, Highway Commercial, Downtown and Light Industrial Zoning Districts. Microbreweries are considered to have a more considerable brewing operation and are proposed as permitted uses in the Highway Commercial and Light Industrial Zoning Districts.

The ordinance also provides definitions for brewpubs and microbreweries. Brewpubs are defined as “(a)n establishment that is primarily a restaurant or bar, but which includes the brewing of beer as an accessory use. 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, 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.” A microbrewery is defined as “(an establishment that is primarily a brewery, which produces no more than 15,000 barrels (465,000 U.S. gallons) of beer per year, and includes either a restaurant, bar or taproom as an accessory use. A microbrewery may also include a beer garden as an accessory use. 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.”

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
▣ Ordinance #2017-2118	Ordinance
▣ LDRB Minutes - July 20, 2017	Backup Material

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 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 AS USES; AMENDING SECTION 2.01.00, DEFINITIONS, TO ADD DEFINITIONS FOR “BREWPUB” AND “MICROBREWERY”; 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. 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. Brewpubs.
8. Microbreweries.
9. 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) Brewpubs;
- (10) Business and professional offices;
- (11) 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;
- (~~4241~~) 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. Brewpubs.
12. Microbreweries.
13. 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

Brewpub: An establishment that is primarily a restaurant or bar, but which includes the brewing of beer as an accessory use. 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, 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, and includes either a restaurant, bar or taproom as an accessory use. A microbrewery may also include a beer garden as an accessory use. 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.

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

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

(Seal)

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

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

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.

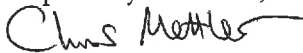
Dr. Cadle made the motion to recommend approval of the code amendment, which was seconded by Ms. Moran. Roll call vote: Ms. MacDonald, yes; Dr. Cadle, yes; Mr. Grey, yes; and Ms. Moran, yes. The motion carried (4-0).

#### **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,



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Chris Mettler, Senior Planner



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Lisa L. Fierce, Development Director  
**DATE:** 8/1/2017  
**RE:** First Reading, Ordinance No. 2017-2119: Rezoning - 5425 Grand Boulevard

## **REQUEST:**

Council is to conduct a first public hearing of the ordinance under the quasi-judicial proceedings.

## **DISCUSSION:**

### **Analysis:**

#### **Existing Conditions:**

The site is 1.02 acres and is located west of Grand Boulevard, south of Gulf Drive and north of Crest Street. The site is vacant and has an irregular shape. The site has 239 feet of frontage along Grand Boulevard, 149 feet of frontage along Gulf Drive and 31 feet of frontage along Crest Street. The area is characterized by a mix of office and retail commercial uses, and vacant buildings.

#### **Proposal:**

The applicant proposes to develop the site with a Family Dollar retail store. The use is not a permitted use in the Office District. The proposed use requires rezoning the property to the C-2, General Commercial District, which permits retail, office and service uses. It is consistent with the property's future land use designation which is General Commercial Category.

The City and the applicant are working on a development agreement to transfer mineral rights that the City owns to the applicant. A request to authorize the City Manager to execute the agreement and a quit claim deed for access to the rights will be provided to Council at second reading of this case. The agreement also establishes minimum development standards for the proposed store, addressing building color, materials, landscaping and parking. Staff has been successful in negotiating an enhanced site plan through the development review process.

The site plan features an 8,320-square foot building oriented towards Gulf Drive. Access is provided by curb cuts along Gulf Drive and Grand Boulevard. Parking will be located along the north, east and south sides of the building. A dry retention pond will be constructed east of the parking lot, along Grand Boulevard. The site will be landscaped with required perimeter and interior plantings, in addition to those abutting the building foundation. The architecture of the building includes a main entrance along the north elevation. It will feature a flat overhanging canopy. The east elevation will include faux windows with shutters and awnings. The proposed wall and ground signs will be architecturally integrated into the overall design.

#### **Concurrency Review:**

To ensure that the rezoning will meet concurrency standards, an availability and demand analysis is performed for the maximum potential development. Concurrency is determined by comparing the available capacity of a public facility/service with the total demand of the subject site, which is measured by determining the potential demand minus the demand generated by the existing uses.

- **Traffic:**

The Land Development Code requires a transportation study for proposed projects that generate more than 50 trips per day in the PM peak hour of operation. The retail commercial use will generate 57 trips per day in the PM peak hour of operation. A traffic study has been provided, which indicates minimal impacts to traffic

operations in the area are expected. A northbound, left-turn deceleration lane is proposed on Grand Boulevard to accommodate delivery trucks accessing the property.

- Sanitary Sewer:

Sanitary sewer treatment will be provided by the City's wastewater treatment facility, which is designed to handle 7.5 million gallons per day (gpd). From the 7.5 million gpd, Pasco County is allotted a capacity of 3.0 million gpd, which leaves the City with a capacity of 4.5 million gpd. The total daily flow is approximately 5.0 million gpd, allowing for a 2.5 million gpd surplus capacity. The proposed rezoning is expected to generate demand of 832 gpd which is serviceable by the City.

- Potable Water:

The City of New Port Richey will provide water service and the City is supplied water by Tampa Bay Water. The present design of the City's water treatment facility is 11.1 million gpd. The approximate average daily flow is 3.5 million gpd with a surplus of 7.6 million gpd. The proposed rezoning is expected to generate demand of 832 gpd which is serviceable by the City.

- Solid Waste:

The City does not provide solid waste service. This is provided through franchise agreements with independent haulers. The City has an interlocal agreement with Pasco County for solid waste disposal and the County is responsible for providing adequate dumping sites. The site will feature two trash dumpsters, one of which will be dedicated to empty delivery boxes.

- Drainage:

The City handles drainage demand through the development review process at the time such development occurs. Post-development drainage patterns cannot exceed pre-development patterns. The run-off from the proposed development will be contained by on-site stormwater detention areas.

- Recreation:

According to the adopted level of service for future recreation needs (Tables 8 and 9, Recreation and Open Space Element, Comprehensive Plan), the City of New Port Richey has a surplus of facilities for a population of 20,000 and over, depending on the type of facility. The proposed retail commercial use will not impact the City's recreation infrastructure.

- Fire & Emergency Medical Services:

Fire and emergency medical services will be provided to this property by Station #2, located at 6121 High Street. The Fire Department will continue to serve this property and the rezoning will not adversely affect fire and EMS service and response time.

- Police:

The City of New Port Richey administers police service. There are currently 44 officers that offer police protection to the residents of the City. Community policing service will be provided through the City's zone system and officers in the field.

**Compatibility with Comprehensive Plan:**

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

- Future Land Use Element Table 1.1.3 – (The purpose of the General Commercial Category is to) designate areas appropriate for the development and maintenance of a general commercial environment. This land use category is designed to support a wide variety of retail, consumer-oriented and general commercial uses and activities and professional and personal services in close proximity to major thoroughfares and residential concentrations.
- Future Land Use Element Objective 1.3 - Design commercial development that is compatible with environmental and economic resources, to enhance 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.

- Future Land Use Element Policy 1.3.3 - Commercial land uses shall be located in a manner which ensure the compatibility with the type and scale of surrounding land uses and where existing or programmed public facilities shall not be overburdened.
- Future Land Use Element Policy 1.3.4 - The Land Development Code shall ensure that all commercial areas are located and designed so as to enhance safety by providing adequate off-street parking and loading areas and by separating pedestrian and vehicular traffic.

**RECOMMENDATION:**

Staff recommends approval of the ordinance with the condition that the Development Agreement be executed. The Land Development Review Board recommended approval at its July 20, 2017 meeting.

**BUDGET/FISCAL IMPACT:**

None.

**ATTACHMENTS:**

Description	Type
❑ Ordinance #2017-2119	Ordinance
❑ Aerial Location Map	Backup Material
❑ Rezoning Application	Backup Material
❑ Landscape Plan	Backup Material
❑ Building Elevations	Backup Material
❑ 5425 Grand Boulevard - Existing Zoning Map	Backup Material
❑ 5425 Grand Boulevard - Proposed Zoning Map	Backup Material
❑ LDRB Minutes - July 20, 2017	Backup Material

ORDINANCE # 2017-2119

AN ORDINANCE REZONING APPROXIMATELY 1.02 ACRES OF PROPERTY GENERALLY LOCATED WEST OF GRAND BOULEVARD, SOUTH OF GULF DRIVE AND NORTH OF CREST STREET FROM: OFFICE TO: C-2, GENERAL COMMERCIAL; FURTHER DESCRIBED HEREIN AND IN EXHIBIT A; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Growth Management Act of 1985 requires that each municipality in the state shall prepare and adopt a Comprehensive Plan of the type and in the manner set out in the act; and

WHEREAS, the City of New Port Richey has adopted a Comprehensive Plan pursuant to the Growth Management Act of 1985; and

WHEREAS, the Land Development Review Board (Local Planning Agency) and the City Council of New Port Richey has reviewed this rezoning as REZ2017-02, also attached as Exhibit A, as set forth under Chapter 163 F.S. and Chapter 166 F.S.; and

WHEREAS, the City Council of the City of New Port Richey finds and declares that this rezoning, also attached as Exhibit A, is consistent with the adopted Comprehensive Plan;

NOW, THEREFORE THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

SECTION I.

That the real property described in Exhibit A and further described herein is hereby rezoned as follows:

The following described real property referred to as REZ2017-02 in Exhibit A and generally located west of Grand Boulevard, south of Gulf Drive and north of Crest Sreet; New Port Richey, Florida is hereby amended from: Office District to: C-2, General Commercial District;

Legal Description:

- Parcel 1: 08-26-16-0240-00400-0060 - C E CRAFTS SUBDIVISION UNIT 3 PB 2 PG 41 LOTS 3 4 5 & 6 BLOCK 4 OR 7563 PG 410.
- Parcel 2: 08-26-16-0240-00400-0070 - CRAFTS-3 MB 2 PG 41 LOT 7 BLK 4 OR 4556 PG 881 OR 9530 PG 564.
- Parcel 3: 08-26-16-0240-00400-0080 - C E CRAFTS SUBDIVISION NO 3 PB 2 PG 41 LOTS 8 & 9 BLK 4 EXC FOLL DESC POR THEREOF FOR RD R/W COM AT SE COR OF SAID LOT 9 FOR POB TH ALG WLY R/W LN OFSOUTH BLVD N42DG 32' 31"E 30 FT TH S66DG 23' 11"W 54.88 FT TO N R/W LN OF PALM DR TH ALG SAID N R/W LN S89DG 46' 09"E 30 FT TO POBOR 4556 PG 881 OR 9530 PG 564.

Containing 1.02 Acres more or less.

SECTION II. Severability.

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



thereby.

SECTION III. Effective Date.

This Ordinance shall become effective as provided by law.

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

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

ATTEST:

CITY OF NEW PORT RICHEY,  
FLORIDA

(SEAL)

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

\_\_\_\_\_  
Rob Marlowe, Mayor - Councilmember

APPROVED AS TO LEGAL FORM AND CONTENT

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

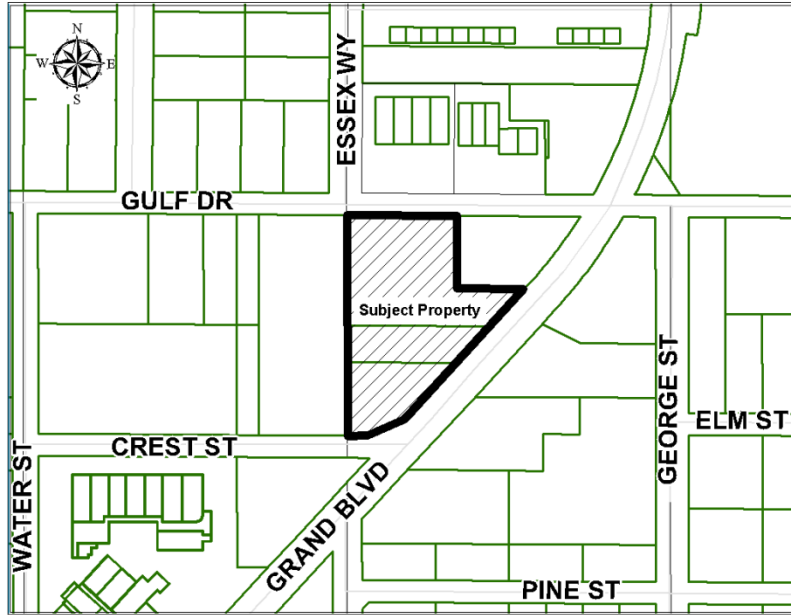
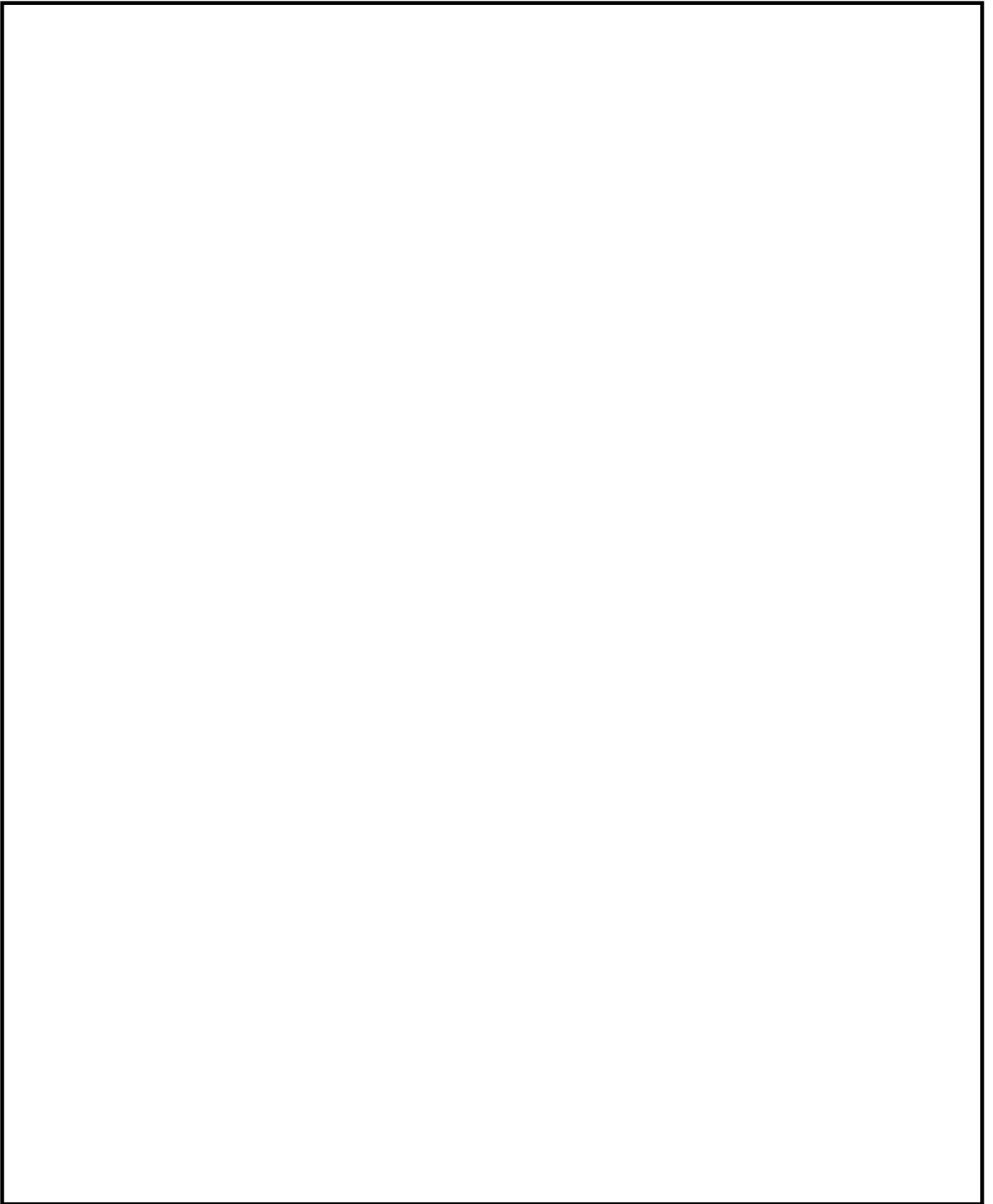


EXHIBIT A



**Development Department**  
City of New Port Richey, Florida

**Case:**

**Address:**

**Owner:**



Not to Scale



## LAND USE PLAN AMENDMENT & REZONING APPLICATION

City of New Port Richey  
Development Department  
City Hall, 5919 Main Street, 1<sup>st</sup> Floor  
New Port Richey, FL 34652  
Phone (727) 853-1047\* Fax (727) 853-1052

Case #: REZ 2017-02

- ☐ Land Use Plan Amendment  
☐ Send copy to Pasco County, if w/in 1 mile  
☐ Send to Pasco Schools, if residential  
☒ Rezoning

DRC Date: \_\_\_\_\_ LDRB Date: \_\_\_\_\_

Date Received: \_\_\_\_\_

RECEIVED

MAY 15 2017

DEVELOPMENT DEPARTMENT  
CITY OF NEW PORT RICHEY

FILE COPY

- ☒ Submit original signed and notarized application (plus nine copies)  
☒ Submit original signed and sealed survey (plus nine copies)  
☒ Submit **10** complete sets of submittal information (stapled application with addenda, collated and folded surveys/site plan, etc.)  
☒ Submit application fees: \$750 for land use plan amendment; \$750 for rezoning (checks made payable to the *City of New Port Richey*)

### Property Owner and Representative Information:

Current Property Owner(s): <i>Ross Mor Trust- Michael Guju, Frank Kontis</i>		Phone: <i>727-526-3529</i>
Owner Address: <i>31564 US Highway 19 N. Palm Harbor, Fl 34684</i>		
Owner Email Address: <i>kmarchelle@bbhs.flpg (Kristy marchell)</i>		
Owner's Representative(s): <i>Stephens Barrios c/o Barrios Engineering LLC</i>	Relationship to Owner: <i>Developer</i>	
Representative Mailing Address: <i>606 Delaney Ave. Orlando Fl. 32801</i>		
Representative Email Address: <i>salikhan@stephensbarrios.com</i>	Phone: <i>407-286-2610 ext. 307</i>	
Primary contact: ( <i>This is the <u>one</u> person to whom the City will send all communication regarding this application</i> ) <i>Shanna Alikhan</i>		

### Property Information:

Site Address: <i>5425 Grand Blvd. New Port Richey, FL 34652</i>		
General Location: <i>Located at the intersection Gulf Drive and Grand Blvd.</i>		
Size of Site:	Square Feet: <i>44,851</i>	Acres: <i>1.02</i>
Legal Description of Subject Property: (*An electronic copy of the legal description, in Word format, is required as part of this application submittal) <i>see CD with Word Document of Legal Description</i>		

Parcel Number(s): <b>08-26-16-0240-00400-0060, 08-26-16-0240-00400-0070, 08-26-16-0240-00400-0080</b>	
Existing Zoning District (check with Development Department): <b>C-1 Office</b>	Proposed Zoning District (check with Development Department): <b>C-2 9 Retail</b>
Existing Future Land Use Category (check with Development Department): <b>C-1 Office</b>	Proposed Future Land Use Category (check with Development Department): <b>General Commercial</b>
Existing Use (Include number of residential units/and or square footage of non-residential uses): <b>Vacant Land</b>	Proposed Use (Include number of residential units/and or square footage of non-residential uses): <b>General Commercial- 8230 sf Single Use Retail</b>
<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 2px solid blue; padding: 5px; transform: rotate(-2deg); font-weight: bold; color: blue;">FILE COPY</div> <div style="border: 1px solid blue; padding: 5px; text-align: center;"> <div style="color: blue; font-size: 1.5em; font-weight: bold;">RECEIVED</div> <div style="color: red; font-weight: bold;">MAY 15 2017</div> <div style="color: blue; font-size: 0.8em;">DEVELOPMENT DEPARTMENT CITY OF NEW PORT RICHEY</div> </div> </div>	
<p>How is proposal consistent with the goals and objectives of the Comprehensive Plan?</p> <p><i>The proposed infrastructure will be in place to serve current and future residents. According to the Comprehensive Plan Evaluation and Appraisal Report (LEAR), the community's preferences on the FLU, Considered or desired more retail businesses for the City. Please refer to the Future Land Use Element, pg. 6.</i></p>	

**Consistency with Concurrency:** The following calculations shall be used to **determine the projected demand** of the proposed project on the applicable public facility/service. The calculations are listed by facility/service type. *(Please fill in blanks.)*

<p><b>POTABLE WATER</b> - Adopted level of service (LOS) = 152 gal/day/capita (nonresidential uses are included in the adopted LOS).</p> <p><b>Residential:</b></p> <p><b>Single-family:</b> 152 gal × 2.12 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Multi-family:</b> 152 gal × 1.90 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Commercial:</b> See Table I below from the Land Development Code for estimated water/sewage flows. <b>832 gal/day/capita</b></p>	<p><b>WASTEWATER</b> - Adopted level of service (LOS) = 114 gal/day/capita (nonresidential uses are included in the adopted LOS).</p> <p><b>Residential:</b></p> <p><b>Single-family:</b> 114 gal × 2.12 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Multi-family:</b> 114 gal × 1.90 persons/household × _____ units = _____ gal/day/capita (demand)</p> <p><b>Commercial:</b> See Table I below from the Land Development Code for estimated water/sewage flows. <b>832 gal/day/capita</b></p>
<p><b>SOLID WASTE</b> - Adopted level of service (LOS) = 6.3 lbs/day/capita (nonresidential uses are included in the adopted LOS).</p> <p><b>Residential:</b></p> <p><b>Single-family:</b> 6.3 lbs × 2.12 persons/household × _____ units = _____ lbs/day/capita (demand)</p> <p><b>Multi-family:</b> 6.3 lbs × 1.90 persons/household × _____ units = _____ lbs/day/capita (demand)</p> <p><b>Commercial:</b> See Table I below from the Land Development Code for estimated water/sewage flows. <b>32 lbs/day/capita</b></p>	<p><b>RECREATION/OPEN SPACE</b> - Refer to the New Port Richey Comprehensive Plan for adopted level of service standards.</p> <p><b>Single-family:</b> <u>N/A</u> units × 2.12 persons/household = <u>N/A</u> (population projection)</p> <p><b>Multi-family:</b> <u>N/A</u> units × 1.90 persons/household = <u>N/A</u> (population projection)</p> <p>Sites over five acres in area and zoned MF-30 District shall provide five percent of the total net acreage of the development for recreational purposes. Refer to Section 7.06.07 of the Land Development Code.</p>

**Stormwater Management.** Refer to the Stormwater Management and Erosion Control Policy and Procedures Manual for standards necessary to comply: LOS = 25-year, 24-hour storm event.

**Transportation.** Refer to the New Port Richey Comprehensive Plan for the adopted Level of Service Standards. Refer to the Land Development Code for the **requirements of a Transportation Study.**

1. Determine the number of trips generated by the proposed project during the **PM PEAK** hour using the most recent edition of the ITE "Trip Generation" report with no adjustments for internal capture or passerby trips. **Include your calculation(s) here:** 57.
2. If the total number of trips is equal to or greater than 50 trips, then a transportation study shall be prepared. The report shall be signed and/or sealed by either a registered professional engineer or a member of the American Institute of Certified Planners.
  - a. If no study is required, the applicant is required to provide only the existing directional **PM PEAK** hour traffic volumes and level of service for the roadways link to which project driveways connect. This information shall include project traffic. **Provide this information here:** N/A.
  - b. The data shall be in conformance with Notes 3a and 3b of "Existing Conditions" contained in the Land Development Code.
3.
  - a. Existing directional **PM PEAK** hour traffic volumes and LOS on all existing collectors/arterials in study area. **Provide information here:** refer to Traffic Study pg. 5, Fig. 2.
  - b. Existing turning movement volumes at the impacted intersection(s) and intersection LOS.

#### **Process:**

A pre-application meeting will be held with City Staff to ensure the application is complete. Applications must be submitted on Friday by 10:00 am. Once deemed complete, the application will be scheduled for review by the Development Review Committee (DRC). The DRC will review the application for compliance with codes and regulations. Changes may be suggested and additional reviews by the DRC may be necessary. Following the DRC, the case will be scheduled for review by the Land Development Review Board (LDRB) and City Council.

The hearing process to review this application is considered quasi-judicial and operates much like a court of law. The LDRB and City Council members act in a similar capacity as a judge and must govern themselves in accordance with the basics of due process in making decisions. Contact with any of these members about my application should be avoided. These members have been instructed to avoid all such conversations with applicants or people in opposition to or support of any Land Use Plan Amendment/Rezoning Application. Decisions will be made based on evidence and testimony that is presented at scheduled public hearings and not on information gathered outside of these hearings.

#### **Attendance at meetings:**

The applicant or applicant's representative needs to be present at all meetings including DRC, LDRB and/or City Council. Call Development Department Staff at 727-853-1039 to find out when this case will be scheduled for these meetings.

#### **Submittal Information Authorization to visit the property:**

Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes the City representatives to visit, photograph and post a notice on the property described in this application.

**FILE COPY**



**ATTENDANCE AT MEETINGS:**

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

**AUTHORIZATION TO VISIT THE PROPERTY:**

Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes the City representatives to visit, photograph and post a notice on the property described in this application.

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

I Stephens Barrios LLC, the owner, hereby authorize to act as my representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner(s): \_\_\_\_\_

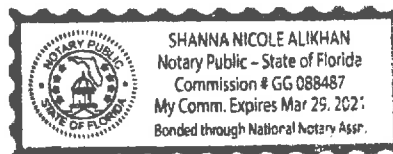
Date: 5/11/17

Subscribed and sworn to before me this 11 day of MAY, 2017 who is personally known to me and/or produced FL Drivers License as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public Sh. N. Ali Khan

My Commission Expires: 3-29-21

**APPLICANT'S AFFIDAVIT:**

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

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

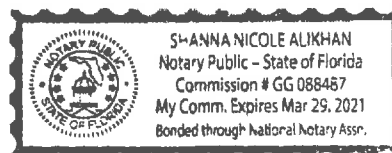
Date: 5-11-17

Subscribed and sworn to before me this 11 day of MAY, 2017 who is personally known to me and/or produced FL Drivers License as identification.

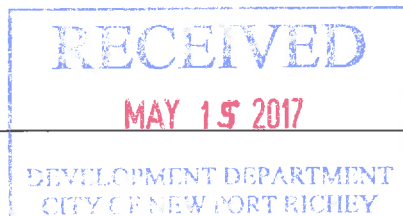
STATE OF FLORIDA, COUNTY OF PASCO

Notary Public Sh. N. Ali Khan

My Commission Expires: 3-29-21



11 COPY





**ATTENDANCE AT MEETINGS:**

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

**AUTHORIZATION TO VISIT THE PROPERTY:**

Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as notarized below, hereby authorizes the City representatives to visit, photograph and post a notice on the property described in this application.

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

I, The Trustee Company as Trustee of The RossMor Trust, the owner, hereby authorize Stephens Barrios Development, LLC /Barrios Engineering, LLC to act as my representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner(s): [Signature], President

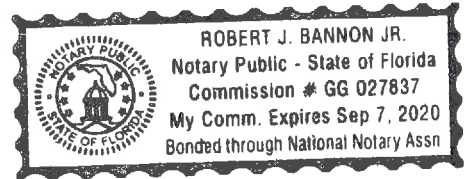
Date: 5-26-17

Subscribed and sworn to before me this 26 day of MAY, 20 17  
who is personally known to me and/or produced \_\_\_\_\_ as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public Robert J. Bannon Jr.

My Commission Expires: 9/7/2020

**APPLICANT'S AFFIDAVIT:**

I, The Trustee Company as Trustee of The RossMor Trust, the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge.

Signature of Owner or Authorized Representative: [Signature], President

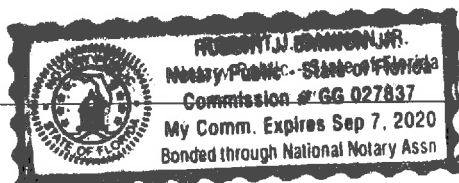
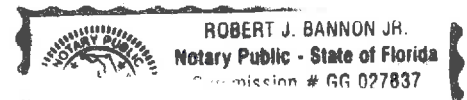
Date: 5-26-17

Subscribed and sworn to before me this 26 day of MAY, 20 17  
who is personally known to me and/or produced \_\_\_\_\_ as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public Robert J. Bannon Jr.

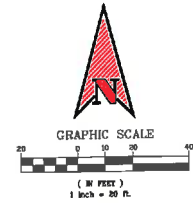
My Commission Expires: 9/7/2020







New Port Richey



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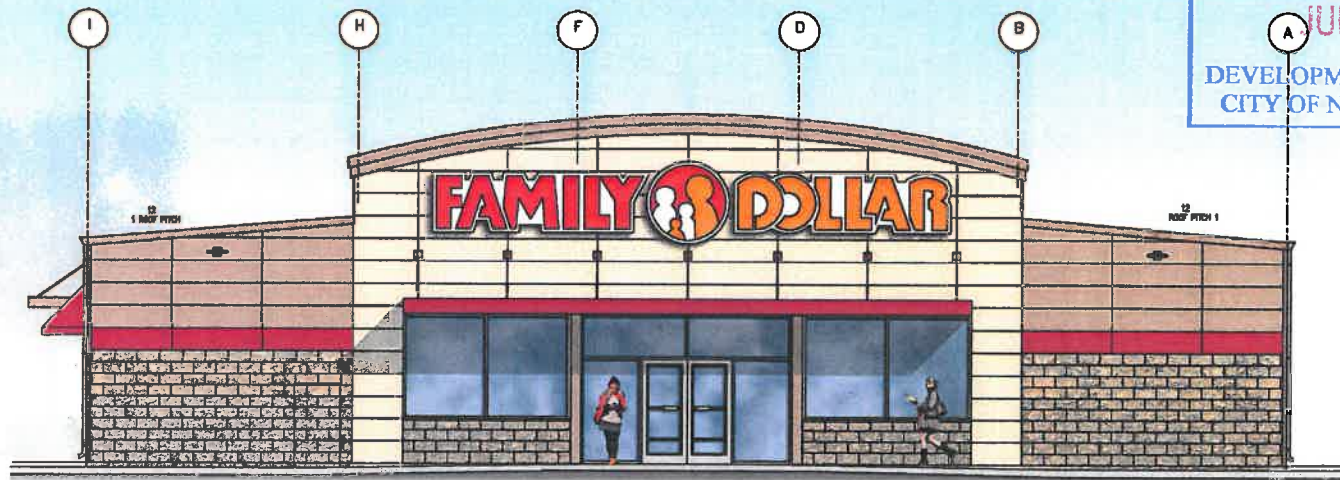
**JUL 14 2017**

**DEVELOPMENT DEPARTMENT  
CITY OF NEW PORT RICHEY**

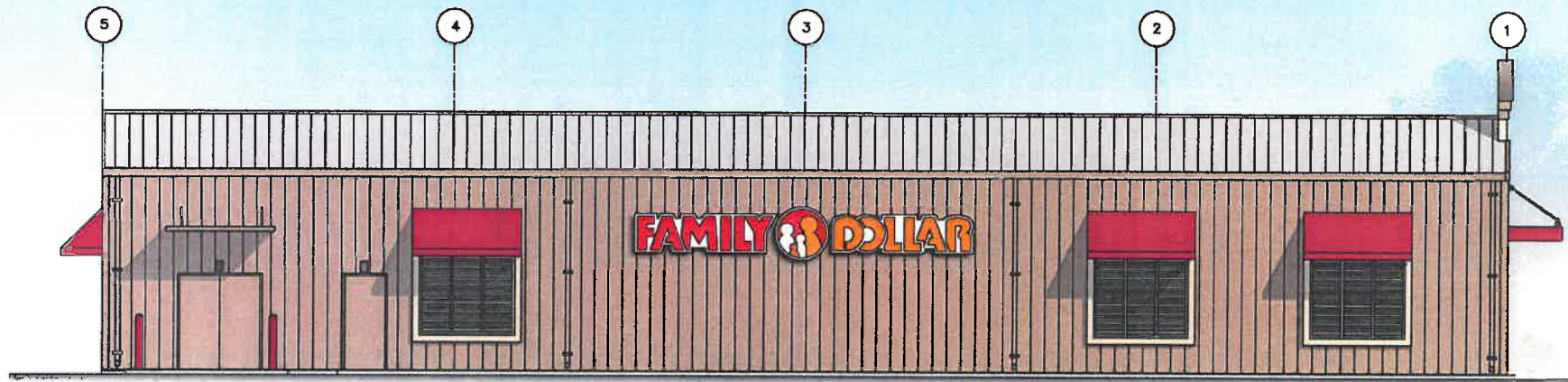
RECEIVED

JUL 13 2017

DEVELOPMENT DEPARTMENT  
CITY OF NEW PORT RICHEY



FRONT (NORTH) ELEVATION



SIDE (EAST) ELEVATION



NICHIHA  
Fiber Cement Panels  
Tuscan



NUCOR  
Siding, Trim, D.S.  
Sagebrush Tan



NICHIHA  
Fiber Cement Panels  
Light Sand



BENJAMIN MOORE  
Accent Panels, Louvers  
Light Sand



NICHIHA  
Fiber Cement Panels  
Safety Red



Metal Roof  
Standing Seam  
Galvalume Silver



NICHIHA  
Fiber Cement Panels  
Cinder Block - Brown



Store # 715423  
2425 Grand Blvd, New Port Richey, FL

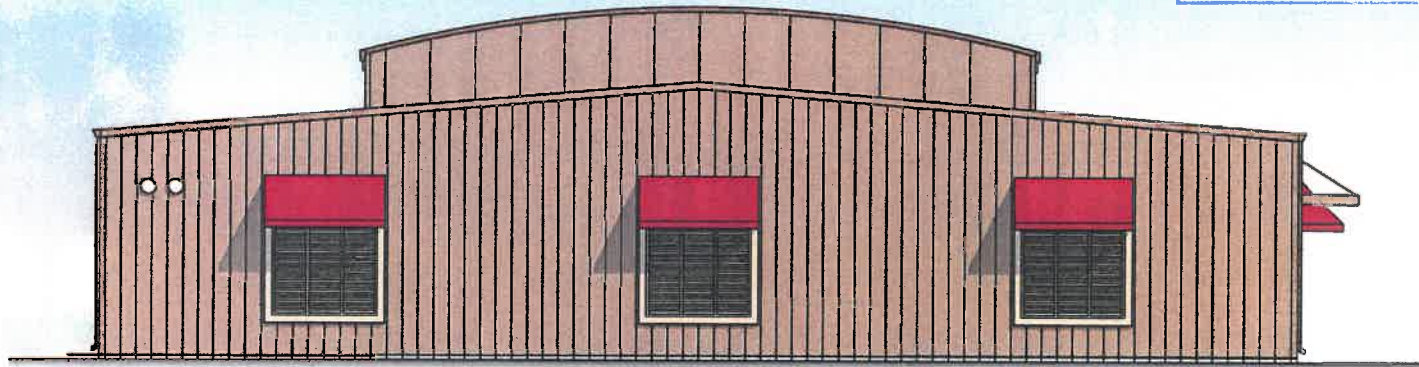
LIS, LLC AA26002040  
07.10.2017  
PROJECT NO. 2017 078



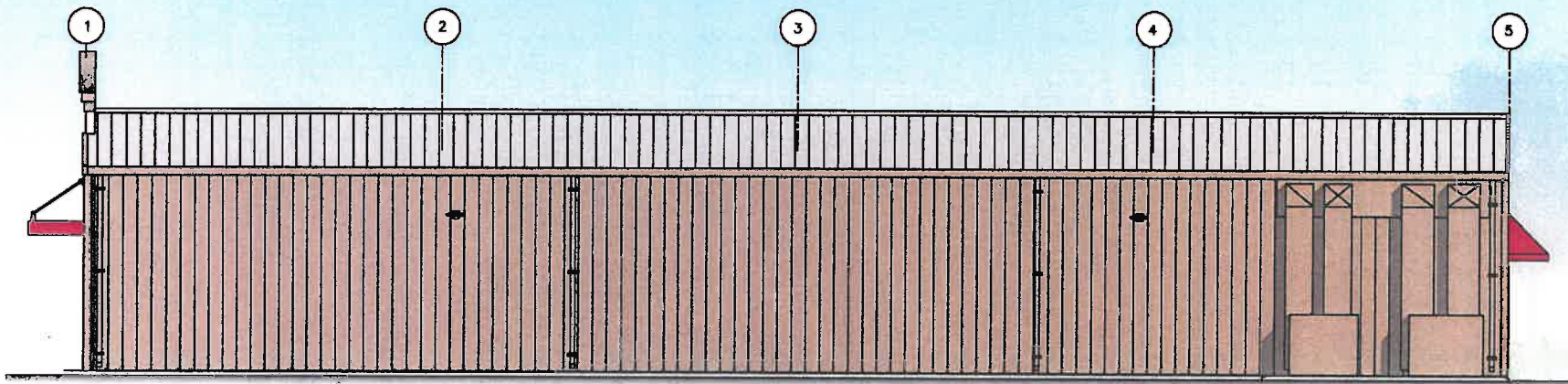
RECEIVED

JUL 13 2017

DEVELOPMENT DEPARTMENT  
CITY OF NEW PORT RICHEY



REAR (SOUTH) ELEVATION



SIDE (WEST) ELEVATION



NICHIHA  
Fiber Cement Panels  
Tuscan



NUCOR  
Siding, Trim, D.S.  
Sagebrush Tan



NICHIHA  
Fiber Cement Panels  
Light Sand



BENJAMIN MOORE  
Accent Panels, Louvers  
Light Sand



NICHIHA  
Fiber Cement Panels  
Safety Red



Metal Roof  
Standing Seam  
Galvalume Silver

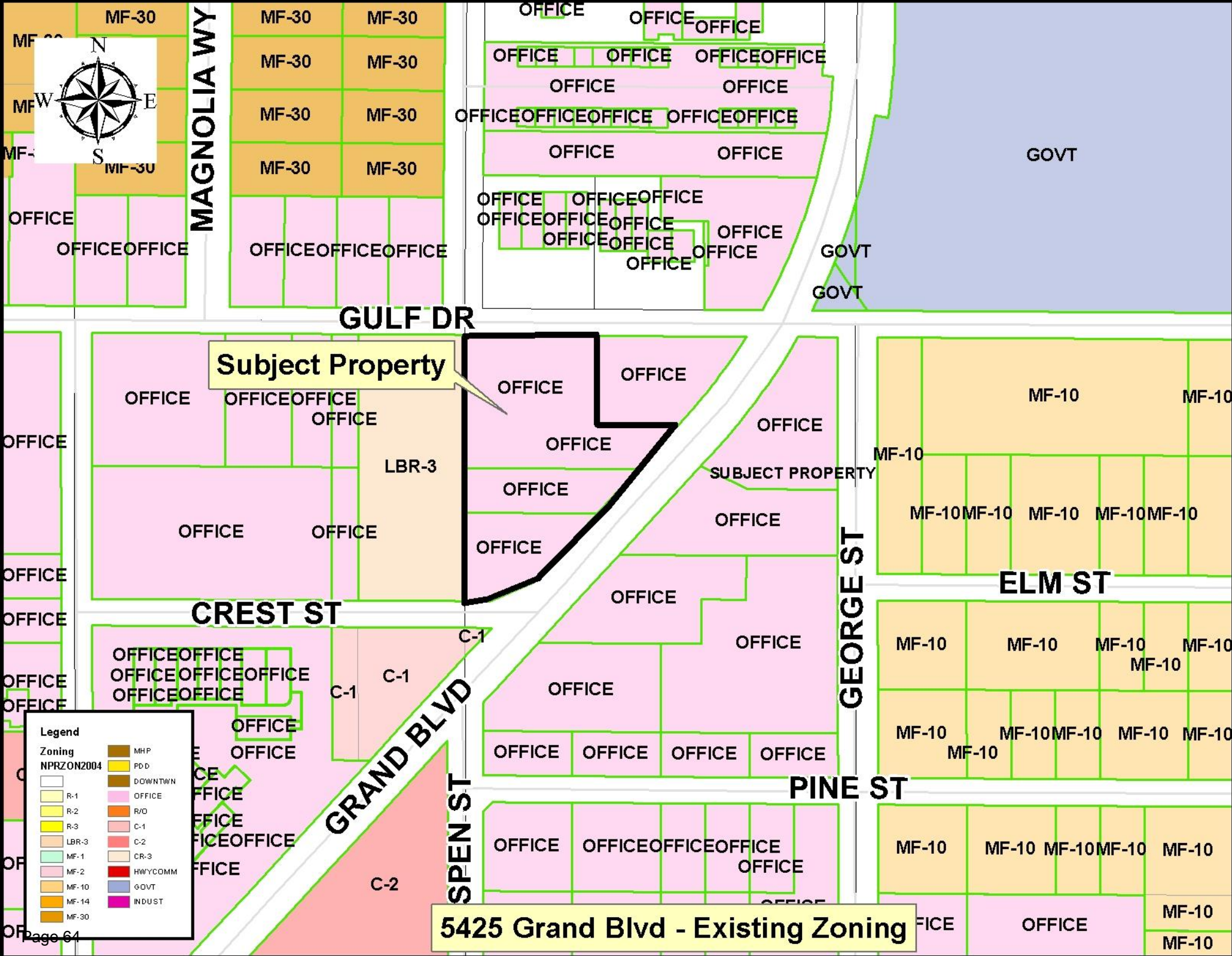


NICHIHA  
Fiber Cement Panels  
Cinder Block - Brown

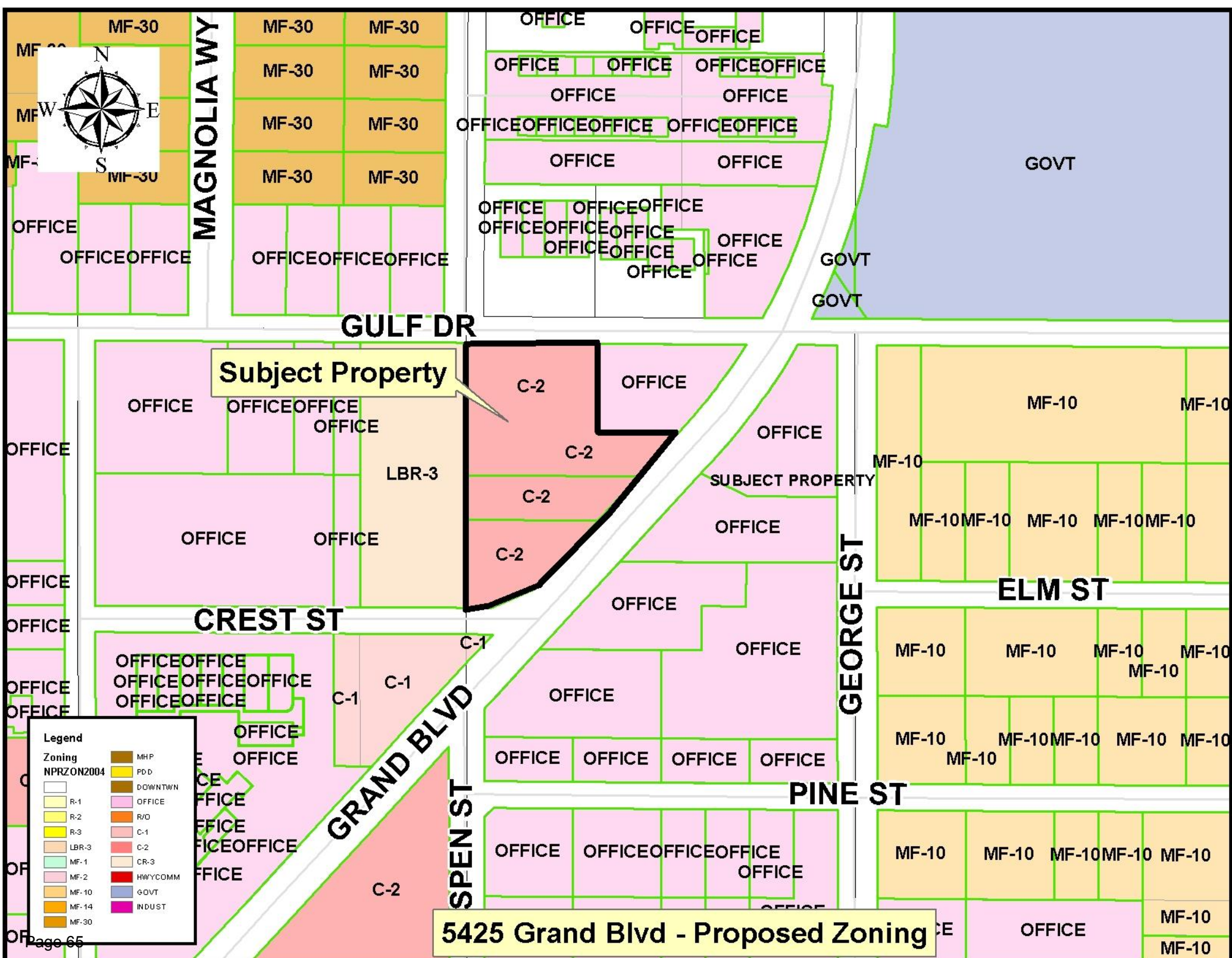
**FAMILY DOLLAR**  
any family. any family dollar.

Store # 715423  
2425 Grand Blvd, New Port Richey, FL

LIS, LLC AA26002040  
07.10.2017  
PROJECT NO. 2017.078







Mr. Grey asked if they could except existing Downtown pharmacies in a motion. Mr. Driscoll said no.

Ms. MacDonald made the motion to recommend denial of the code amendment, which failed due to lack of a second.

Dr. Cadle made the motion to recommend approval of the code amendment, with comments to be shared with the Council that two Board members would recommend an amendment allowing pharmacies and medical cannabis dispensaries in the Downtown District, which was seconded by Ms. Moran. Roll call vote: Ms. Moran, yes; Mr. Grey, no; Ms. MacDonald, no; and Dr. Cadle, yes. The motion failed (2-2). Mr. Driscoll said the vote meant no action had been taken.

#### **IV. Rezoning Application REZ2017-02**

Case: Rezoning Application REZ2017-02 – 5425 Grand Boulevard – Family Dollar  
Property Location: 1.02 acres located west of Grand Boulevard, south of Gulf Drive and north of Crest Street.  
Applicant: Ross Mor Trust (Michael Guju, Trustee) and Frank Kontis Revocable Trust (Frank Kontis, Trustee).  
Request: Rezoning from Office District to C-2, General Commercial District (Ordinance #2017-2119).  
Proposed Use: A Family Dollar retail store.  
Staff Contact: Chris Mettler, Senior Planner, 727-853-1044, [mettlerc@cityofnewportrichey.org](mailto:mettlerc@cityofnewportrichey.org).

Mr. Mettler reminded the Board that this rezoning case is to receive a quasi-judicial hearing. The Board members affirmed they had no ex-parte communications to disclose. Mr. Mettler provided a powerpoint presentation. He said the site is a 1.02-acre property located west of Grand Boulevard, south of Gulf Drive and north of Crest Street. The request is to rezone the property from the Office Zoning District to C-2, General Commercial Zoning District. The proposed use is a Family Dollar retail store, which is not allowed in the Office Zoning District. He said the area is characterized with office and retail commercial uses, and vacant buildings. He showed photographs of the site and the surrounding area. He said the site plan has been approved by DRC, subject to the approval of this rezoning. He reviewed the proposed site layout and building elevations. The entrance is oriented to the north, with access to Gulf Drive and Grand Boulevard.

Mr. Mettler asked the Board to recommend approval with a condition that the City enter into a development agreement with the applicant to address the City's surrender of mineral rights on the property and to establish development standards. He said the proposed rezoning is consistent with the comprehensive plan; the Future Land Use Map designates the site with the General Commercial Category.

Dr. Cadle asked about the traffic study. Mr. Mettler said the traffic study indicated the local roadways could accommodate the additional trips.

Ms. MacDonald said she thought the proposed use would be useful to residents and workers in the area.

Ms. Moran asked for clarification regarding the building construction. Chris Stephens, the applicant's representative, described the building materials, including the combination of steel and stemwall with a brick look, utilized to keep costs down and keep the project financially feasible. Ms. MacDonald said this would be the most attractive Family Dollar store. Ms. Moran asked if the side facing Grand Boulevard is metal and if it could have cement panels. Mr. Stephens said it is not financially feasible to do so. Ms. Fierce noted that building would be partially screened with foundation plantings.

Dr. Cadle noted the proposed path for the delivery trucks and asked if these would be semi-trucks. Mr. Stephens said they had modeled the trucks' turns on the site in order to design the access point to accommodate the trucks. He noted it was a challenging site and the prototype building to be developed on the site was the smallest Family Dollar allows. Mr. Stephens said Family Dollar expects to do well at this location.

Ms. Moran asked about the narrow right-of-way on Gulf Drive. Ms. Fierce 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.

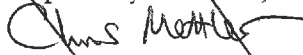
Dr. Cadle made the motion to recommend approval of the code amendment, which was seconded by Ms. Moran. Roll call vote: Ms. MacDonald, yes; Dr. Cadle, yes; Mr. Grey, yes; and Ms. Moran, yes. The motion carried (4-0).

**VI. Adjourn:**

Ms. Fierce 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



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Crystal S. Feast, Finance Director  
**DATE:** 8/1/2017  
**RE:** Resolution No. 2017-24, Establish Tentative Millage Rate for TRIM

## REQUEST:

The attached Resolution will establish a tentative millage rate and the date, time, and place of the first public hearing on the levy of the proposed FY 2017-2018 Budget for the purpose of public notification under the Florida TRIM Statutes. The Pasco County Property Appraiser must be given this information on or before August 4, 2017.

## DISCUSSION:

Under the TRIM (Truth in Millage) Statute, all property owners are to be notified of this proposed levy by a mailing from the Pasco County Property Appraiser. The City Council may subsequently reduce this millage, but cannot increase the levy without an additional public notification to all City property owners. Practically, this resolution establishes the maximum property tax levy for the next fiscal year.

Staff recommends setting the tentative millage at 9.0500, which accomplishes the City Council's goal of a guaranteed lower millage rate. The current millage rate is 9.1500. The estimated ad valorem tax revenue presented to City Council on July 5, 2017, was estimated based on a millage rate of 8.9950.

The first public hearing on the tentative budget and millage rate has been tentatively scheduled for Tuesday, September 5, 2017 at 6 p.m., in the City Council Chambers, 5919 Main Street, New Port Richey, FL 34652, which will not conflict with School Board and County public hearing dates. Although not required to be included with the Property Appraiser's notice to taxpayers, the second public hearing is tentatively scheduled to be on Tuesday, September 25, 2017 at 6 p.m.

## RECOMMENDATION:

It is recommended the City Council approve the tentative millage rate of 9.0500 mills and establish the first public hearing on September 5, 2017 at 6 p.m., as proposed by way of ratification of Resolution No. 2017-24.

## BUDGET/FISCAL IMPACT:

No effect at this time. Once a final millage rate is adopted, the determined rate will have a fiscal impact on the FY17-18 Budget.

## ATTACHMENTS:

Description	Type
☐ Resolution No. 2017-24, Establish Tentative Millage Rate for TRIM	Resolution Letter



**RESOLUTION NUMBER 2017-24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA  
ESTABLISHING THE TENTATIVE MILLAGE RATE FOR INCLUSION ON THE  
PASCO COUNTY TRIM NOTICE.**

The City Council of the City of New Port Richey, Florida, in a meeting held August 1, 2017, resolves as follows:

1. **WHEREAS**, the City Council of New Port Richey, Florida, wishes to comply with the legal requirements of the Truth In Millage notification to property owners; and

2. **WHEREAS**, such millage rate for the City of New Port Richey, Florida is computed to be 9.0500 mills; and

3. **WHEREAS**, the public hearing on establishment of the final millage rate will be held on Tuesday, September 5, 2017 at 6 pm in the City Council Chamber 5919 Main Street.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA DOES RESOLVE:**

The City Council authorizes the notification of the Pasco County Property Appraiser of the tentative millage rate of 9.0500 mills and for use in the Truth in Millage Notices.

**INTRODUCED AND PASSED** by the City Council of the City of New Port Richey, Florida on the 1st day of August, 2017.

(SEAL)

(ATTEST)

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

\_\_\_\_\_  
Rob Marlowe  
Mayor-Councilmember

**APPROVED AS TO LEGAL FORM AND CONTENT**

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:** Crystal S. Feast, Finance Director  
**DATE:** 8/1/2017  
**RE:** Resolution No. 2017-23, Initial Assessment Resolution - Pavement Management Plan

## REQUEST:

The City Council is being asked to approve Resolution No. 2017-23, Pavement Management Assessment – Initial Assessment Resolution.

## DISCUSSION:

On January 16, 2016, the City Council approved Resolution No. 2016-03, which authorized the use of a uniform method of collection and enforcement of non-ad valorem annual assessments for paving improvements, as provided under Chapter 22, Article V of the City's Code of Ordinances and Section 197.3631 of the Florida Statutes.

On July 18, 2017, the City Council approved a pavement management plan that detailed the need of a plan, identified service costs, and established a methodology for assessment.

Ordinance No. 2012-1985, *Capital Improvement and Essential Services Procedural Assessment Ordinance*, requires that "the initial proceeding for imposition of an assessment shall be the Council's adoption of an Initial Assessment Resolution." The Initial Assessment Resolution will lay the foundation by:

- Describing the proposed Assessment Area;
- Describing the essential services proposed for funding from proceeds of the Assessment;
- Estimating the service cost;
- Establishing a maximum assessment rate; and
- Describing the proposed method of apportioning the service cost among parcels of property

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

## RECOMMENDATION:

The City Council is being asked to approve Resolution No. 2017-23, Pavement Management Assessment – Initial Resolution.

## BUDGET/FISCAL IMPACT:

Approval of the Initial Assessment Resolution has no budget or fiscal impact. Once the Final Resolution is approved, the pavement management plan will be incorporated into next year's operating budget for the Street Improvement Fund.

## ATTACHMENTS:

Description

Type

No Attachments Available



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Robert M Rivera, Public Works Director  
**DATE:** 8/1/2017  
**RE:** 2017 Broadway Ave. & Washington St. Potable Water Interconnect Project Phase I

## REQUEST:

The request of staff for City Council is to review and consider the attached proposal in the not to exceed amount of \$43,730.63 from Schaer Development of Central Florida, Inc. for the 2017 Broadway Ave. & Washington St. Potable Water Interconnect Project Phase 1. Included in the proposal is an owner's contingency in the amount of \$3,765.01. The pricing and contract documents are in accordance with the City's current As-Needed Miscellaneous Pipe Construction ITB#16 - 009.

## DISCUSSION:

The scope of work for this proposed project consists of demolishing the existing in-ground vault and interconnect. The rebuilding of the interconnect above ground, the replacement of the existing standard potable bulk meter with a smart bulk meter, the installation of a pressure sustaining valve, a by-pass connection, and a concrete pad with bollards. This project is the first of several phases to complete upgrades to the City's interconnections with Port Richey and Pasco County. These interconnects contain antiquated meter technology as well as valve and by-pass systems that have served their useful life and are no longer dependable.

## RECOMMENDATION:

Approval of the do not exceed proposal is recommended.

## BUDGET/FISCAL IMPACT:

Funding for this project is made available in the Water and Sewer Capital Construction Program line item #405-0953-63-81.

## ATTACHMENTS:

Description	Type
❑ Proposal	Backup Material
❑ Site Map	Backup Material
❑ Scope of Work	Backup Material

# SCHAER DEVELOPMENT

## OF CENTRAL FLORIDA, INC.

P.O. BOX 1610 - LAND O' LAKES, FLORIDA 34639-1610  
(813) 949-6926 FAX (813) 948-2106

Scott Fish  
City of New Port Richey  
6132 Pine Hill Road  
Port Richey, FL 34668

DATE: July 18, 2017

PROJECT: 5718 Broadway  
Master Meter Installation

Scott,

The scope of work and cost to complete the installations is as follows:

ITEM	DESCRIPTION
1.	Demo existing vault
2.	Haul away debris
3.	Furnish and place fill dirt
4.	Barricades / traffic control
5.	Demo existing meter assembly
6.	Install above ground master meter assembly complete per detail sheet 009
7.	Protection bollards – 9 each (not on detail)
8.	Sod work area
9.	Clean up work site
	Sub-Total \$37,650.15
	Contingency 10% of sub-total \$ 3,765.01
	Mobilization 5% of sub-total \$ 1,882.50
	Bond allowance \$ 432.97
	<b>TOTAL \$43,730.63</b>

### Notes and exclusions:

1. Red line as-builts only
2. Sensus meter supplied by NPR
3. Water shut down and notifications by NPR

If there are any questions, don't hesitate to call.

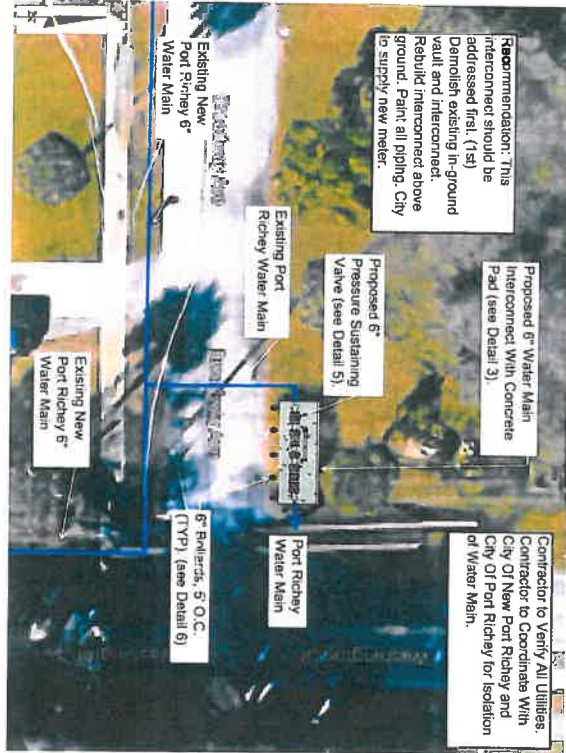
Sincerely,

  
Arthur L. Schaer, President  
Schaer Development of Central Florida, Inc.

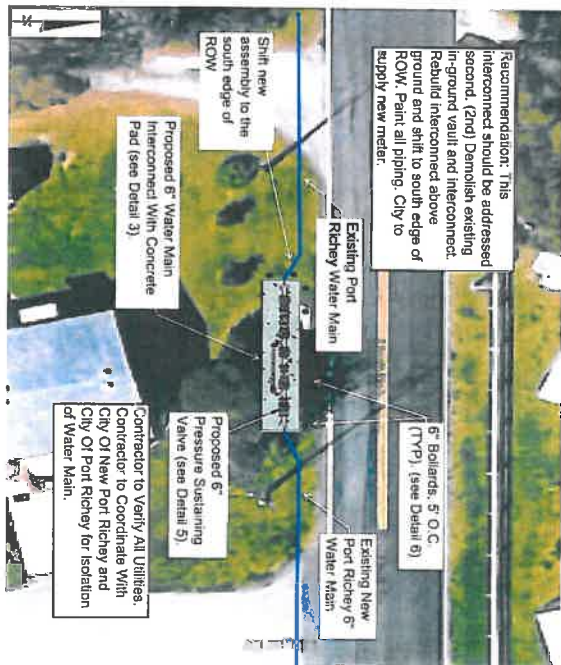


[illegible]

Contractor to remove existing assembly from in-ground vault and replace with above ground assembly (First priority)



Contractor to remove existing assembly from in-ground vault and replace with above ground assembly (Second priority)



## PROPOSED SITE PLANS

### Washington Street & Broadway Avenue Interconnect

### Limit Drive Interconnect



006





# NEW PORT RICHEY

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

---

**TO:** City of New Port Richey City Council  
**FROM:** Robert M Rivera, Public Works Director  
**DATE:** 8/1/2017  
**RE:** Orange Lake Dredging Project Bid Award

**REQUEST:**

The request from staff for City Council is to review and consider for approval the attached low bid in the amount not to exceed \$333,200.00 from Energy Resources, Inc for the dredging of Orange Lake.

**DISCUSSION:**

As City Council is aware, the proposed Orange Lake Restoration Project design includes three (3) elements mandated by the City's National Pollutant Discharge Elimination System (**NPDES**) permit. These elements are Water Quality, Flood Control, and Public Outreach. Historically, Orange Lake has discharged stormwater into the river with minimal treatment. In an effort to satisfy the water quality element of the City's permit and grant agreements, the dredging of the lake to remove sediments was proposed by the City and approved by the appropriate environmental agencies. Several other water quality elements were included in the Orange Lake Restoration Project such as the installation of several pollution control boxes, the installation of a diffusion system, littoral zone creations, slide gates for flood control, and installation of boardwalks on the west and east sides of the lake as part of the outreach portion overlooking the littoral zone creations. Due to the special nature of dredging, it was the recommendation of the design engineer to City staff that the dredging of the lake be performed as a stand-alone project or phase 1 of the improvements to the lake.

On Thursday, July 13, 2017 four sealed competitive bids were opened by the City. Bids ranged from the apparent low bid of \$333,200.00 to a high bid of \$768,173.00. Subsequent to the bid opening, the design engineer verified documents submitted by the apparent low bidder Energy Resources, Inc. for errors and submissions. References were contacted and verified and discussions were held with the contractor verifying the scope of work expected by the City. The design engineer has attached the engineering recommendation for City Council's review and consideration for approval to award the bid and enter into a contract for the dredging of the lake with Energy Resources Inc.

**RECOMMENDATION:**

Approval of the bid award to Energy Resources Inc. is recommended.

**BUDGET/FISCAL IMPACT:**

Funding for the project is identified as \$100,000.00 Restore Act, and \$233,200 Stormwater Utility Fee Dollars.

**ATTACHMENTS:**

Description	Type
☐ Bid Opening Minutes	Backup Material
☐ Bid Tabulation Sheet	Backup Material
☐ Engineer's Bid Recommendation Memo	Backup Material





# NEW PORT RICHEY

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

**TO:** Debbie L. Manns, City Manager  
**FROM:** Judy Meyers, City Clerk  
**CC:** Robert Rivera, Public Works Director  
Martin Field, Construction Inspector  
Susan Marshall, Finance Specialist  
**DATE:** July 13, 2017  
**RE:** Bid Opening: ITB17-011, Orange Lake Dredging Project

---

Bids for ITB17-011, Orange Lake Dredging Project were received by 2:00 pm on Wednesday, July 12, 2017. The bid opening took place on Thursday, July 13, 2017 at 2:00 pm in City Hall Council Chambers.

Present were Finance Specialist Susan Marshall, Construction Inspector Martin Field, City Clerk Judy Meyers, Brent Heath from Stroud Engineering Consultants and Curtis Franklin from Pasco County.

Bids were announced and opened from the following entities:

BIDDERS	BID
Energy Resources 2206 Samuel Stuart Court Chesterfield, MO 63005-6810	\$333,200
Gator Dredging 13650 50 <sup>th</sup> Way North Clearwater, FL 33760	\$421,608
Merrell Bros., Inc. 8811 West 500 North Kokomo, IN 46901	\$768,173
Roberts Site Development 12469 West St. Rd. 100 Lake Butler, FL 32054	\$733,646

The apparent low bidder was Energy Resources for \$333,200. The bid opening concluded at 2:11 pm.



# NEW PORT RICHEY

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



## BIDS RECEIVED


BID ITEM: Orange Lake Dredging Project  
BID NUMBER: ITB 17-011  
BID OPENING: July 13, 2017 at 2:00 pm, City Council Chambers  
DEPARTMENT: Public Works

NUMBER OF BIDS: 4

BIDDERS	BID	BID BOND	NON- COLLUSION	PUBLIC ENTITY	DRUG FREE
Energy Resources 2206 Samuel Stuart Court Chesterfield, MO 63005-6810	\$333,200	✓	✓	✓	✓
Gator Dredging 13650 50 <sup>th</sup> Way North Clearwater, FL 33760	\$421,608	✓	✓	✓	✓
Merrell Bros., Inc. 8811 West 500 North Kokomo, IN 46901	\$768,173	✓	✓	✓	✓
Roberts Site Development 12469 West St. Rd. 100 Lake Butler, FL 32054	\$733,646	✓	✓	✓	✓

Only offers received timely as of the deadline for receipt of bid are accepted. All others submitted in response to this solicitation, if any, are hereby rejected as late.

WITNESSED BY:


**BID NO. 17-011**  
**ORANGE LAKE RESTORATION DREDGING**  
**7/13/17 2:00PM**

BID ITEMS		QUANTITY	UNIT	ENERGY RESOURCES, INC.		GATOR DREDGING		ROBERTS SITE DEVELOPMENT, INC.		MERRELL BROS.	
Item No.	Description of Items With Price Bid in Words			UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST
1	Mobilization/Demobilization	1.00	LS	\$ 13,000.00	\$ 13,000.00	\$ 15,000.00	\$ 15,000.00	\$ 12,500.00	\$ 12,500.00	\$ 29,650.00	\$ 29,650.00
2	Maintenance of Traffic	1.00	LS	\$ 3,000.00	\$ 3,000.00	\$ 15,000.00	\$ 15,000.00	\$ 3,125.00	\$ 3,125.00	\$ 9,725.00	\$ 9,725.00
3	Environmental Protection	1.00	LS	\$ 4,000.00	\$ 4,000.00	\$ 45,000.00	\$ 45,000.00	\$ 9,375.00	\$ 9,375.00	\$ 11,430.00	\$ 11,430.00
4	Construction Survey	1.00	LS	\$ 7,000.00	\$ 7,000.00	\$ 25,000.00	\$ 25,000.00	\$ 31,250.00	\$ 31,250.00	\$ 14,700.00	\$ 14,700.00
5	Dredge and Dewater Sediment	3600.00	CY	\$ 55.00	\$ 198,000.00	\$ 44.40	\$ 159,840.00	\$ 158.86	\$ 571,896.00	\$ 148.84	\$ 535,824.00
6	Hauling of Dewatered Material to Landfill	3600.00	CY	\$ 15.00	\$ 54,000.00	\$ 34.38	\$ 123,768.00	\$ 12.50	\$ 45,000.00	\$ 28.63	\$ 103,068.00
7	Landfill Disposal Fee	3600.00	CY	\$ 9.50	\$ 34,200.00	\$ 5.00	\$ 18,000.00	\$ 11.25	\$ 40,500.00	\$ 12.16	\$ 43,776.00
8	Owner's Allowance	1.00	LS	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
					\$ 333,200.00		\$ 421,608.00		\$ 733,646.00		\$ 768,173.00

July 18, 2017

Mr. Robert M. Rivera  
Public Works Director  
City of New Port Richey  
6420 Pine Hill Road  
Port Richey, Florida 34668

RE: Bid Recommendation – Orange Lake Restoration Dredging

Mr. Rivera:

On July 13, 2017 at 2:00 PM local time, bid proposals were opened for the above referenced project. Attached are the bid tabulation results containing the bidders' names and the bid prices.

From the bid tabulation results, there were a total of four (4) bids. The distribution of bids, between the highest and lowest varies considerably with the highest bid being \$768,173.00 and the lowest bid being \$333,200.00. The lowest and second lowest bids were consistent with the project estimate and we believe these bids are accurate for the work to be performed.

The lowest bid of \$333,200.00 was submitted by **Energy Resources, Inc.** The City has not worked with this company before, but has verified their dredging work quality through discussions with their current client references. I have discussed the bid with **Energy Resources, Inc.** and have been assured that they understand the bid documents and are comfortable with their bid amount and the work that is expected by the City.

Therefore, I am confident that **Energy Resources, Inc.** is qualified and capable of performing all of the work described in the bid documents and recommend that the City of New Port Richey award this project to them in the amount of three hundred thirty three thousand two hundred dollars (\$333,200.00).

Sincerely,



Brent A. Heath, P.E.  
Senior Engineer



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Robert M Rivera, Public Works Director  
**DATE:** 8/1/2017  
**RE:** 2017 City Hall Interior Carpet Removal and Replacement

**REQUEST:**

The action requested of City Council is to review and consider the approval of the attached deductive change order in the amount of (\$1,221.00) and the final pay request from Prodigy Flooring Inc., in the amount of \$79,831.12.

**DISCUSSION:**

In the last few years City Council has approved several building improvement projects for City owned facilities. For City Hall these projects have included the repaving and LED light conversion of the adjacent parking lot, roof replacement, chiller replacement, energy efficient upgrades, exterior and interior painting. This project included removal and replacement of the interior carpet. The existing carpet's condition was in decline and did not represent the standard City Council has set for a City facility used to conduct business by the Public, City Council, and City Staff.

This project was completed ahead of schedule and below the not to exceed amount of \$81,052.12 approved by City Council.

**RECOMMENDATION:**

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

**BUDGET/FISCAL IMPACT:**

This project is budgeted in the Development Services Department Operating Account No. 001-0081-515-62-99 Building Improvements.

**ATTACHMENTS:**

Description	Type
❑ Deductive Change Order	Backup Material
❑ Final Pay Request	Backup Material
❑ Certificate of Substantial Completion	Backup Material
❑ Final Release of Lien	Backup Material

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

**Contract Modification No.: 1**

Date: 07/19/2017

**Project Name:** 2017-City Hall Carpet Removal and Replacement

**Owner:** City of New Port Richey, Development Dept.

**Contractor:** Prodigy Flooring

**Engineer:** N/A

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

**Contract Amount**

**Contract Time (Cal. Days)**

Original Contract Amount	\$ <u>81,052.12</u>	Original Duration	<u>N/A</u>	Days
Previous Change Orders (Add/Deduct)	\$ <u>0.00</u>	Previous Change Orders (Add)	<u>0</u>	Days
This Change Order (Deduct)	\$ <u>(1,221.00)</u>	This Change Orders (Add)	<u>0</u>	Days
Revised Contract Amount	\$ <u>79,831.12</u>	Revised Contract Time	<u>N/A</u>	Days

The Final Contract Completion Date is:

July 21, 2017

**Contractor's Certification**

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

Recommended By:

Engineer \_\_\_\_\_

By: N/A \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Contractor Prodigy Flooring

By: Tony Sciacca 

Title Account Executive

Date: 7/20/2017

Public Works Director \_\_\_\_\_

By: 

Date: 07/20/2017

Project Manager/Inspector \_\_\_\_\_

By: Gordon Carr

Date: July 19, 2017

Public Works Department  
Construction Management



**PRODIGY FLOORING**  
**5515 PIONEER PARK BLVD**  
**TAMPA, FL 33634**  
**Telephone: 813-971-8300 Fax: 813-971-1199**

Page 1

PF002708

**INVOICE**

**Sold To**

CITY OF NEW PORT RICHEY  
 6132 PINE HILL RD  
 PORT RICHEY, FL 34668

**Ship To**

NPR CITY HALL - COUNCIL ROOM  
 NJPA CONTRACT #121715-MAC  
 5919 MAIN ST  
 NEW PORT RICHEY, FL

Invoice Date	JOB PHONE	PO Number	Order Number
07/12/17			PF002708

Inventory	Style/Item	Color/Description	Quantity Units	Price	Extension
	DEMO BROADLOOM		320.00 SY	2.49	796.80
	LABOR TO REMOVE EXISTING BROADLOOM				
	CARPET DISPOSAL		320.00 SY	1.00	320.00
	TO DISPOSE OF CARPET PER THE EPA GUIDELINES				
TRANSITION ALLOWANCE	TRANSITION ALLOWANCE	TBD	24.00 LF	1.50	36.00
	TO FURNISH VINYL TRANSITIONS WHERE CARPET MEETS OTHER FINISHES				
	FLOOR PREP		2,546.00 SF	0.46	1,171.16
	LABOR TO PREP FLOOR TO MAKE READY FOR NEW CARPET TILE				
	SEATING REMOVE/REPLACE		336.00 SY	7.00	2,352.00
	LABOR TO LIFT FURNITURE/PARTITIONS IN CUBICLE AREA AND REMOVE/REPLACE FILING CABINETS.				
<p>*** PLEASE NOTE - ALL LATERAL FILING CABINETS MUST BE EMPTIED AND BOXED BY OTHERS PRIOR TO INSTALL. VERTICAL FILING CABINETS MAY REMAIN FULL. PRODIGY FLOORING IS NOT RESPONSIBLE FOR DAMAGE TO LOCKS, HANDLES, INTERIOR ARMS, ETC. ON FILING CABINETS. DUE TO THE WEIGHT OF FILES, SOME MOVING PARTS MAY BE DAMAGED WHEN FULL FILING CABINETS ARE MOVED.</p>					
4000034123	ATTITUDES WINDOWPANE 36" C+	CLEAR BLUE	336.00 SY	30.69	10,311.84
	TO FURNISH SPECIFIED CARPET TILE				
3000109853	ADH, NONREACTIVE STND ADHES - 4 GAL	CARPET TILE ADHESIVE	3.00 EA	129.71	389.13
	TO FURNISH MANUFACTURER'S RECOMMENDED ADHESIVE				

Sales Representative(s):  
 TONY SCIACCA

Thank you for your patronage

**INVOICE TOTAL: \$19,081.09**  
**Less Payment(s): 0.00**  
**BALANCE DUE: \$19,081.09**





**PRODIGY FLOORING**  
**5515 PIONEER PARK BLVD**  
**TAMPA, FL 33634**  
**Telephone: 813-971-8300 Fax: 813-971-1199**

Page 2

PF002708

**INVOICE**

Sold To	Ship To
CITY OF NEW PORT RICHEY 6132 PINE HILL RD PORT RICHEY, FL 34668	NPR CITY HALL - COUNCIL ROOM NJPA CONTRACT #121715-MAC 5919 MAIN ST NEW PORT RICHEY, FL

Invoice Date	JOB PHONE	PO Number	Order Number		
07/12/17			PF002708		
Inventory	Style/Item	Color/Description	Quantity Units	Price	Extension
	CARPET TILE LABOR		336.00 SY	4.30	1,444.80
LABOR TO	INSTALL CARPET TILE				
PF0027080011	SENDAL	SEN 120 DARN BACKWARDS	24.00 SY	29.09	698.16
TO FURNISH	BROADLOOM FOR THE FACE OF THE STAGE				
BROADLOOM	BROADLOOM ADHESIVE	BROADLOOM ADHESIVE	1.00 EA	72.76	72.76
ADHESIVE					
TO FURNISH	MANUFACTURER'S RECOMMENDED ADHESIVE				
	STAGE FACE LABOR		1.00 LS	350.00	350.00
LABOR TO	INSTALL CARPETTILE ON THE FACE OF THE STAGE IN THE COUNCIL ROOM				
RCN-40-A	SOLID COLOR FLEXIBLE VINYL STAIR	BLACK	48.00 LF	13.49	647.40
	NOSINGS				
TO FURNISH	AND INSTALL STAIR TREADS FOR STAIRS				
CARPET TILE	CARPET TILE OVERAGE (5%)		16.00 SY	30.69	491.04
OVERAGE (5%)					
UP TO 5% OVERAGE	ASSOCIATED WITH THE PRODUCTION OF CARPET TILE				

Sales Representative(s):  
 TONY SCIACCA

Thank you for your patronage

**INVOICE TOTAL: \$19,081.09**  
 Less Payment(s): 0.00  
**BALANCE DUE: \$19,081.09**





**PRODIGY FLOORING**  
**5515 PIONEER PARK BLVD**  
**TAMPA, FL 33634**  
**Telephone: 813-971-8300 Fax: 813-971-1199**

Page 1

PF002707

**INVOICE**

**Sold To**

CITY OF NEW PORT RICHEY  
 6132 PINE HILL RD  
 PORT RICHEY, FL 34668

**Ship To**

NPR CITY HALL  
 NJPA CONTRACT #121715--MAC  
 5919 MAIN ST  
 NEW PORT RICHEY, FL 34652

Invoice Date	JOB PHONE	PO Number	Order Number
07/12/17			PF002707

Inventory	Style/Item	Color/Description	Quantity Units	Price	Extension
	DEMO BROADLOOM		986.00 SY	2.49	2,455.14
LABOR TO REMOVE EXISTING BROADLOOM					
	FURNISH/INSTALL VINYL BASE		2,520.00 LF	1.75	4,410.00
LABOR TO INSTALL VINYL BASE IN AREAS THAT ARE RECEIVING NEW CARPET.					
	FURNITURE REMOVE/REPLACE		554.00 SY	4.00	2,216.00
LABOR TO REMOVE AND REPLACE STANDARD FURNITURE. ALL COMPUTERS, FAX MACHINES, PRINTERS, ETC. MUST BE UNPLUGGED BY OTHERS PRIOR TO INSTALLATION. ALL DESK TOPS AND SHELVES MUST BE CLEARED AND BOXED UP BY OTHERS PRIOR TO INSTALLATION.					
	CARPET DISPOSAL		986.00 SY	1.00	986.00
TO DISPOSE OF CARPET PER THE EPA GUIDELINES					
CTA-63-A	CARPET TO TILE ADAPTOR	BURNT UMBER	48.00 LF	1.13	54.00
TO FURNISH VINYL TRANSITIONS WHERE CARPET MEETS OTHER FINISHES					
	FLOOR PREP		8,794.00 SF	0.45	3,957.30
LABOR TO PREP FLOOR TO MAKE READY FOR NEW CARPET TILE					
	CUBICLES/FILE CABINETS		432.00 LS	7.00	3,024.00

Sales Representative(s):  
 TONY SCIACCA

Thank you for your patronage

**INVOICE TOTAL: \$60,750.03**  
**Less Payment(s): 0.00**  
**BALANCE DUE: \$60,750.03**



**PRODIGY FLOORING**  
**5515 PIONEER PARK BLVD**  
**TAMPA, FL 33634**  
**Telephone: 813-971-8300 Fax: 813-971-1199**

Page 2

PF002707

**INVOICE**

Sold To	Ship To
CITY OF NEW PORT RICHEY 6132 PINE HILL RD PORT RICHEY, FL 34668	NPR CITY HALL NJPA CONTRACT #121715--MAC 5919 MAIN ST NEW PORT RICHEY, FL 34652

Invoice Date	JOB PHONE	PO Number	Order Number
07/12/17			PF002707

Inventory	Style/Item	Color/Description	Quantity Units	Price	Extension
LABOR TO LIFT FURNITURE/PARTITIONS IN CUBICLE AREA AND REMOVE/REPLACE FILING CABINETS.					
*** PLEASE NOTE - ALL LATERAL FILING CABINETS MUST BE EMPTIED AND BOXED BY OTHERS PRIOR TO INSTALL. VERTICAL FILING CABINETS MAY REMAIN FULL. PRODIGY FLOORING IS NOT RESPONSIBLE FOR DAMAGE TO LOCKS, HANDLES, INTERIOR ARMS, ETC. ON FILING CABINETS. DUE TO THE WEIGHT OF FILES, SOME MOVING PARTS MAY BE DAMAGED WHEN FULL FILING CABINETS ARE MOVED.					
4000034123	ATTITUDES - WINDOWPANE 36"	CLEAR BLUE	1,148.00 SY	30.69	35,232.12
TO FURNISH SPECIFIED CARPET TILE					
3000109853	ADH, NONREACTIVE STND ADHES - 4 GAL	CARPET TILE ADHESIVE	11.00 EA	129.71	1,426.81
TO FURNISH MANUFACTURER'S RECOMMENDED ADHESIVE					
	CARPET TILE LABOR		1,148.00 SY	4.30	4,936.40
LABOR TO INSTALL CARPET TILE					
	ADDITIONAL CARPET DEMO		200.00 SF	1.00	200.00
ADDITIONAL LABOR REQUIRED TO DEMO 2 LAYERS OF CARPET IN FIRE DEPT OFFICES.					
CARPET TILE	CARPET TILE OVERAGE (5%)		54.00 SY	30.69	1,657.26
OVERAGE (5%)					
UP TO 5% OVERAGE ASSOCIATED WITH THE PRODUCTION OF CARPET TILE					
CCA-63	CARPET TO CERAMIC ADAPTOR	BURNT UMBER	60.00 LF	1.50	90.00
TO FURNISH VINYL TRANSITIONS WHERE CARPET MEETS OTHER FINISHES					

Sales Representative(s):  
 TONY SCIACCA

Thank you for your patronage

**INVOICE TOTAL: \$60,750.03**  
**Less Payment(s): 0.00**  
**BALANCE DUE: \$60,750.03**



PRODIGY FLOORING  
5515 PIONEER PARK BLVD  
TAMPA, FL 33634  
Telephone: 813-971-8300 Fax: 813-971-1199

Page 3

PF002707

INVOICE

Sold To

CITY OF NEW PORT RICHEY  
6132 PINE HILL RD  
PORT RICHEY, FL 34668

Ship To

NPR CITY HALL  
NJPA CONTRACT #121715--MAC  
5919 MAIN ST  
NEW PORT RICHEY, FL 34652

Invoice Date	JOB PHONE	PO Number	Order Number		
07/12/17			PF002707		
Inventory	Style/Item	Color/Description	Quantity Units	Price	Extension
ADDITIONAL VCT DEMO	ADDITIONAL VCT DEMO		210.00 SF	0.50	105.00
VCT DEMO REQUIRED IN HR AREA DUE TO VCT UNDER EXISTING CARPET					

Sales Representative(s):  
TONY SCIACCA

Thank you for your patronage

INVOICE TOTAL: \$60,750.03  
Less Payment(s): 0.00  
BALANCE DUE: \$60,750.03

## CERTIFICATE OF SUBSTANTIAL COMPLETION

---

PROJECT: City Hall Carpet Removal and Replacement

DATE OF ISSUANCE: 7-20-2017

---

OWNER: City of New Port Richey, Development Department

OWNER's Contract number: N/A

CONTRACTOR: Prodigy Flooring      ENGINEER: N/A

---

This Certificate of Substantial Completion applies to all Work under the Contract Documents or to the following specified parts thereof:

1). City Hall Carpet Removal and Replacement

TO: City of New Port Richey, Development Department  
(OWNER)

And To: Prodigy Flooring  
(CONTRACTOR)

The Work to which this Certificate applies has been inspected by authorized representatives of OWNER, CONTRACTOR, and ENGINEER, and that Work is hereby declared to be substantially complete in accordance with the Contract Documents on: 7-7-2017

(DATE OF SUBSTANTIAL COMPLETION)

A tentative list of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include an item in it does not alter the responsibility of CONTRACTOR to complete all the Work in accordance with the Contract Documents. The items in the tentative list shall be completed or corrected by CONTRACTOR within **25** days of the above Substantial Completion.

From the date of Substantial Completion the responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance, warranties, and guarantees shall be as follows:

#### RESPONSIBILITIES

OWNER: City of New Port Richey, Department of Public Works: security, operation, safety, maintenance, heat, utilities, insurance

CONTRACTOR: Prodigy Flooring: warranties, guarantees,  
Flooring installation to be sound and free from defect.

---

The following documents are attached to and made a part of this Certificate:  
Contract Modification (Change Order Deduct), Final Lien Release, Warranty Letter

---

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of CONTRACTOR's obligation to complete the Work in accordance with the Contract Documents.

---

Executed by Engineer on: N/A, 2017

N/A

ENGINEER

By: N/A

(Authorized Signature)

CONTRACTOR acceptance on: July 20th, 2017

Prodigy Flooring  
CONTRACTOR

By: 

(Authorized Signature)

OWNER acceptance on: 07/20, 2017

CITY OF NEW PORT RICHEY  
OWNER

By: 

(Authorized Signature)

Public Works Department  
Construction Management

SUPPLEMENTAL CONDITIONS

FINAL RELEASE OF LIEN

STATE OF FLORIDA

COUNTY OF Hillsborough

KNOW ALL MEN BY THESE PRESENTS, that The City of New Port Richey

for and in consideration of the sum of Seventy nine, eight hundred and thirty one dollars  
and twelve cents Dollars (\$ 79,831.12)

paid to Prodigy Flooring

by The City of New Port Richey

which is hereby acknowledged do (as) hereby release and quit-claim to

The City of New Port Richey

rights, claims, or demands

of any kind whatsoever which Prodigy Flooring

now has

(have) or might have against the property, building, and/or improvements, on account of labor performed, material furnished,  
and/or for any incidental expense for the construction of

2017 City Hall carpet removal and replacement

thereon or in otherwise improving said property situated as above-described.

WITNESSES:

Mary Sherman

SIGNED: [Signature]

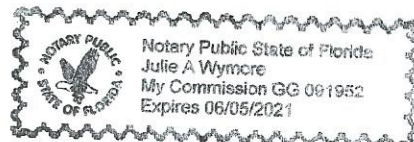
TITLE: Account Executive

SWORN AND SUBSCRIBED TO BEFORE ME THIS 20th day of July 2017

Julie A Wymore  
Notary Public

My Commission Expires: \_\_\_\_\_

\*\*\*\*\*





# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Robert M Rivera, Public Works Director  
**DATE:** 8/1/2017  
**RE:** George Street Transfer of Ownership - Interlocal Agreement

## REQUEST:

The request of staff for City Council is to review and consider for approval the attached inter-local agreement transferring the ownership and maintenance of George St. south of School Rd. to Cecelia Dr. from Pasco County to New Port Richey.

## DISCUSSION:

Subsequent to the relocation of HCA Hospital and structure demolition, a private public partnership was created by HCA, E2Iholdings, and the City of New Port Richey in an attempt to secure the proposed Veterans Administration (VA) hospital development on the existing HCA former hospital site located east of Grand Blvd., south of High St., north of Cecelia Dr., and west of George St. As part of the package submittal to the VA requires the City to have ownership of all right of ways and easements inside and adjacent to the site. Currently all roads adjacent to the site are owned by the City except for a portion of George St. As City Council may recall, the City owns and maintains George St. from School Rd. north to Gulf Dr. and Pasco County owns George St. from School Rd. south to Cecelia Dr. adjacent to the east of Gulf High School. In addition to the VA requirement, dual ownership of George St. has created several issues between the County, the City, and City residents over the years such as permit delays for City construction projects, permit delays for utility repairs, restoration delays due do inspections, conflicting policies such as animal DOA pickups, roadway closure due to storm events, and maintenance of roadway services.

Subsequent to discussion between City and County staff, it was agreed that a transfer of ownership would solve or eliminate the utility issues as well as the confusion experienced by City residents who owned property along the roadway and expected the same roadway maintenance level of service received by other residents, in addition to fulfilling the VA requirement.

## RECOMMENDATION:

Approval of the inter-local agreement is recommended.

## BUDGET/FISCAL IMPACT:

There is no budget impact at this time.

## ATTACHMENTS:

Description	Type
❑ BOCC ILA Agenda Item	Backup Material
❑ 1978 Warranty Deed	Backup Material
❑ Inter-Local Agreement	Backup Material
❑ Site Maps	Backup Material

# AGENDA SUMMARY SHEET



**Meeting Type:** Pasco County Commission

**Department:** Public Works

**Memorandum Number:** PW17-093

**Subject:** Interlocal Agreement - City of New Port Richey - Transfer Jurisdiction of a Portion of George Street - No Funding Required

**Recommendation:** Approve





**BOARD OF COUNTY COMMISSIONERS  
AGENDA MEMORANDUM**

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**COMMISSION DISTRICT:** 4

**FILE NO.:** PW17-093

**DATE:** 6/16/17

**SUBJECT:** Interlocal Agreement - City of New Port Richey - Transfer Jurisdiction of a Portion of George Street – No Funding Required

**THRU:** Don L. Rosenthal, M.B.A., Assistant County Administrator (Development Services)

**FROM:** Michael J. Garrett, P.E., Public Works Director

**STAFF:** Paul D. Dean, M.P.A., Public Works Program Administrator

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**RECOMMENDED BOARD ACTION:**

Approve the proposed Interlocal Agreement to transfer jurisdiction of a portion of George Street to the City of New Port Richey. Authorize the Chairman to execute one original of the Interlocal Agreement provided and direct the Board Records Department to distribute, as set forth under the Distribution section below.

**BACKGROUND SUMMARY/ALTERNATIVE ANALYSIS:**

The City of New Port Richey has proposed to enter into an Interlocal Agreement with the County, for the transfer of jurisdiction over a certain portion of George Street to the City of New Port Richey, which will allow the City to assume maintenance responsibility of the road.

Section 163.01, Florida Statutes, authorizes the County and the City to enter into an Interlocal Agreement; and Section 335.0415(3), Florida Statutes, governs the transfer of jurisdiction of public roads within their respective road systems by mutual agreement of the governmental entities.

**FISCAL IMPACT/COST/REVENUE STATEMENT:**

Funding is not required for this recommendation.

**DISTRIBUTION:**

Board Records Department to distribute as set forth below:

1. Mail the original Interlocal Agreement to the City of New Port Richey, to:

City Manager  
City of New Port Richey  
5919 Main Street  
New Port Richey, FL 34652

Upon execution by the City of New Port Richey, the City will return the Interlocal Agreement to the County for recording in the Official Records by the Board Records Department, without further action by the Board of County Commissioners.

2. One fully executed copy to Michael Garrett, Public Works, [mgarrett@pascocountyfl.net](mailto:mgarrett@pascocountyfl.net).
3. One fully executed copy to Nicki Spirtos, County Attorney's Office, [nsirtos@pascocountyfl.net](mailto:nsirtos@pascocountyfl.net).

**ATTACHMENTS:**

1. Interlocal Agreement
2. Location Map

DLR/MJG/PDD/PW17-093 Agenda Interlocal Agreement City of NPR Transfer Jurisdiction Portion of George St



**This Warranty Deed** Made and executed the 8th day of August A. D. 19 78 by

COMMUNITY HOSPITAL OF NEW PORT RICHEY, INC.

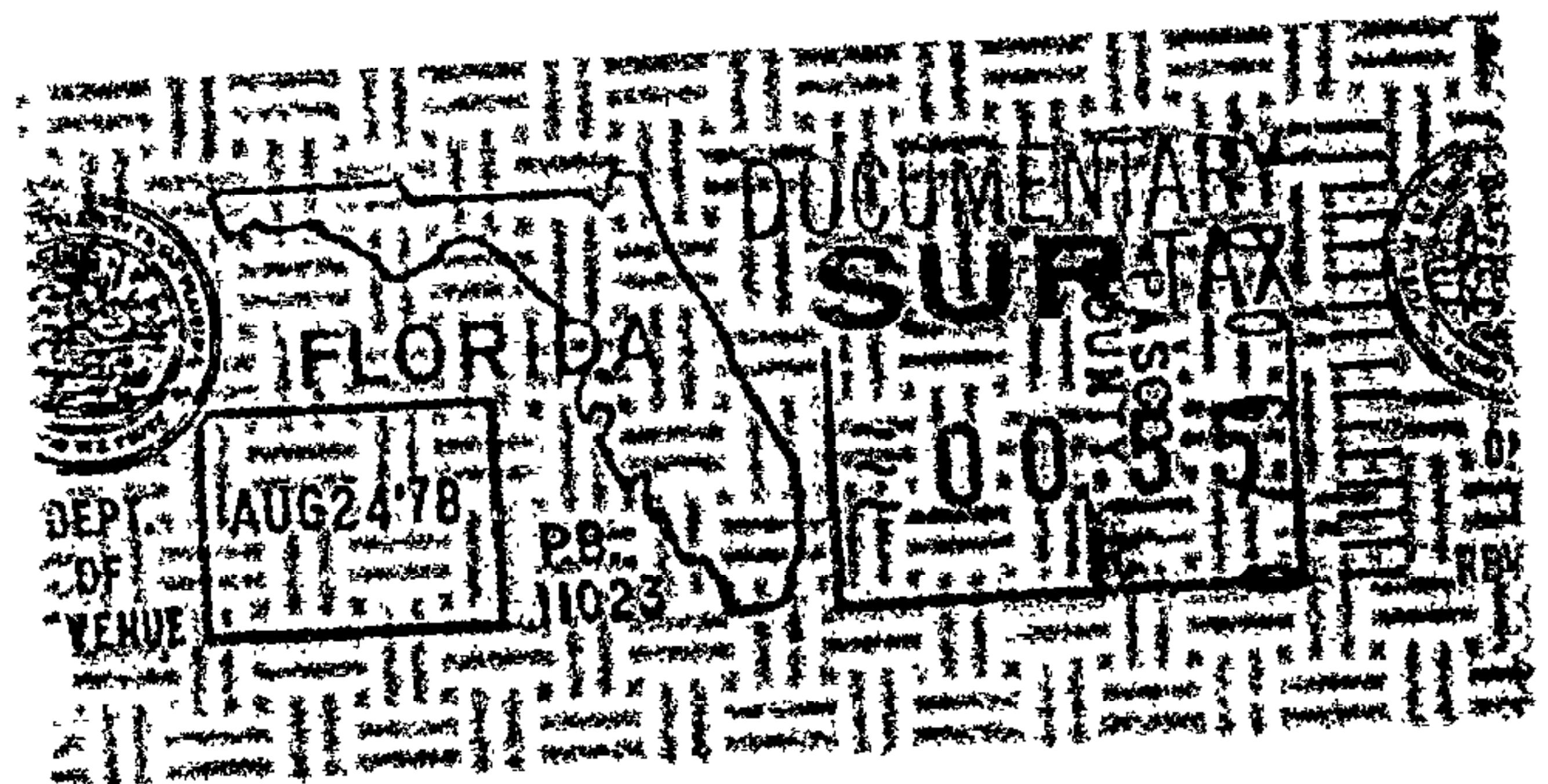
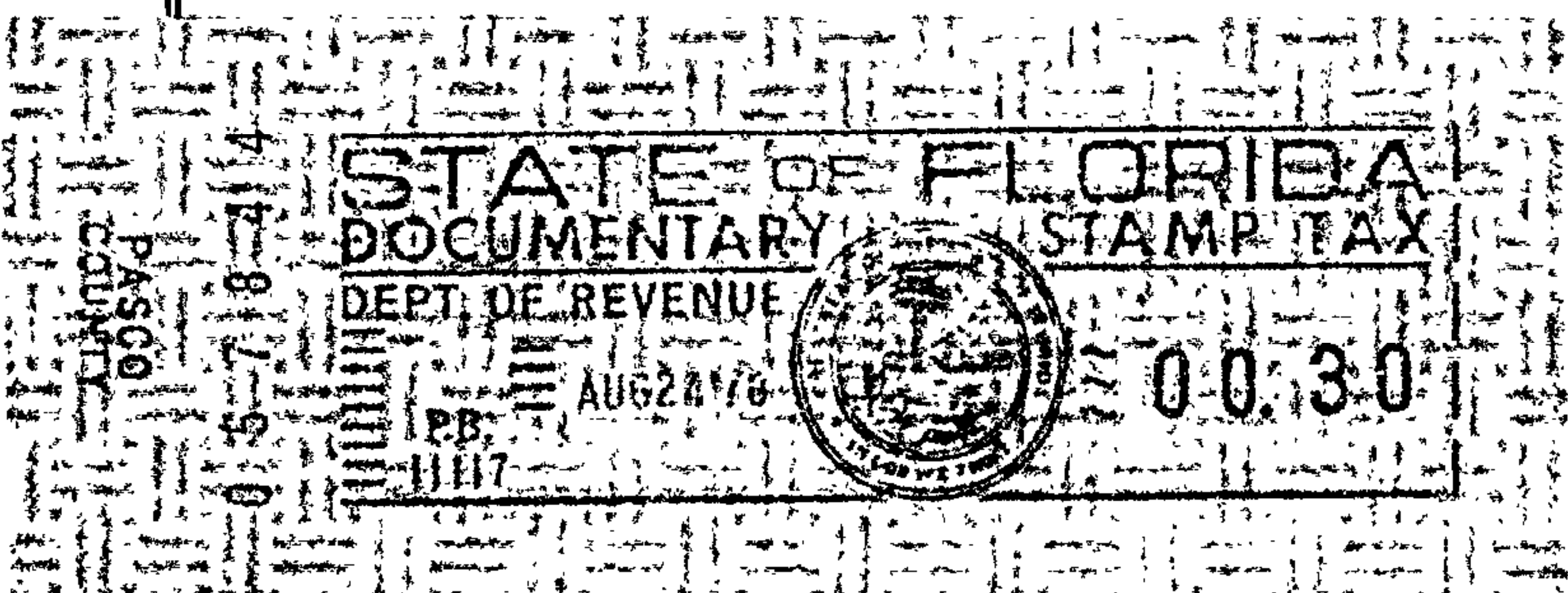
a corporation existing under the laws of Florida, and having its principal place of business at 205 High Street, New Port Richey, Florida 33552 hereinafter called the grantor, to

**R** PASCO COUNTY, a Political Subdivision of the State of Florida whose postoffice address is Pasco County Courthouse, Dade City, Florida 33525 hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth:** That the grantor, for and in consideration of the sum of \$ 1.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Pasco County, Florida, viz:

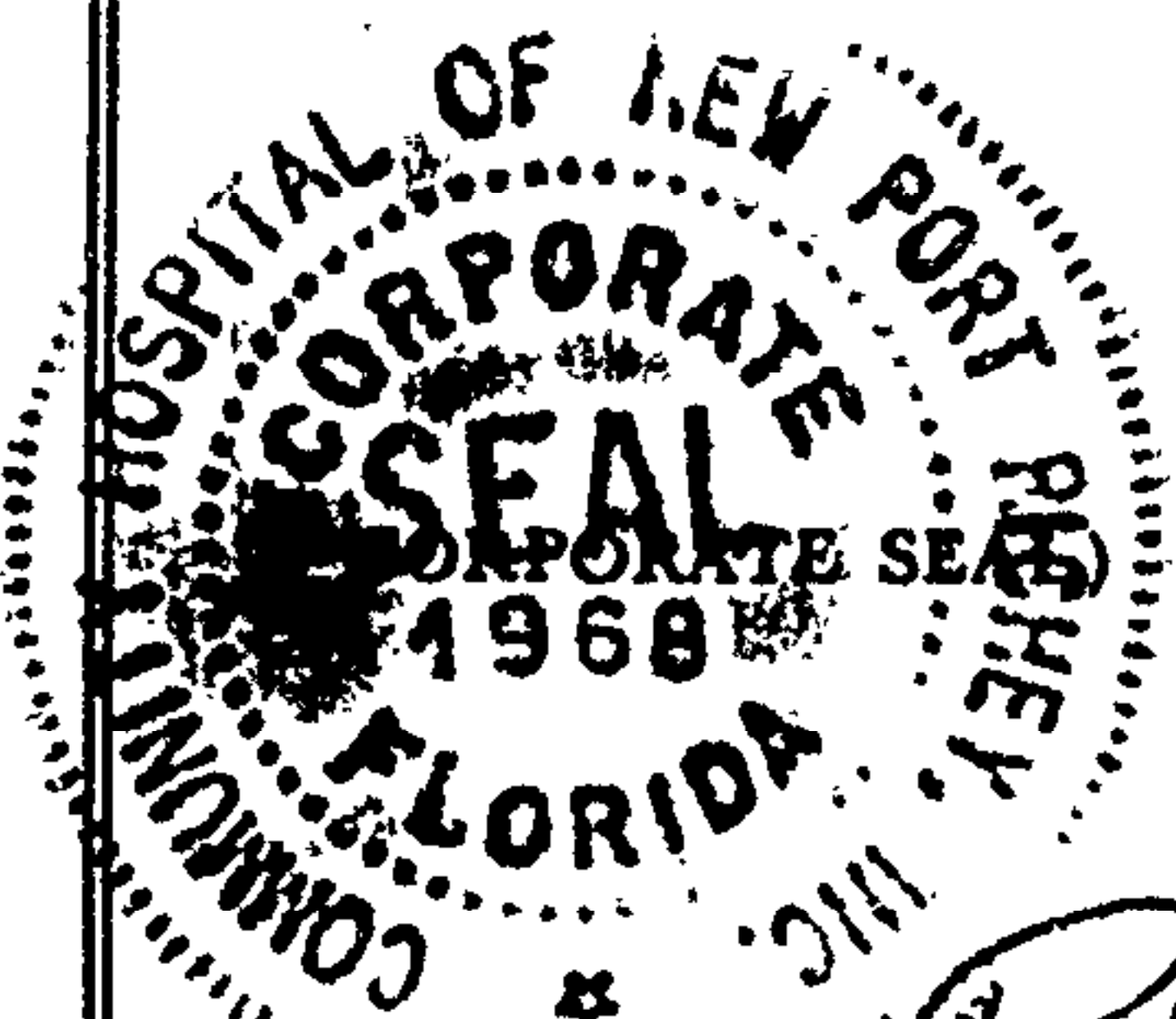
SEE EXHIBIT "A"  
ATTACHED HERETO AND  
MADE A PART HEREOF BY  
REFERENCE



**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any-wise appertaining.

**To Have and to Hold,** the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances



**In Witness Whereof**

the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: Robert N. Larson  
Secretary

COMMUNITY HOSPITAL OF  
NEW PORT RICHEY, INC.

Signed, sealed and delivered in the presence of:

Jack B. McHenry  
Nancy McHenry

By Andrew Oravec, Jr.  
President

STATE OF FLORIDA  
COUNTY OF PASCO }

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared **ANDREW ORAVEC, JR. and ROBERT N. LARSON**

well known to me to be the President and Secretary respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 8th day of August

OFF REC 962 PAGE 1460

This Instrument prepared by:  
Address

Arthur Lynch, R/W Agent  
Pasco County Public Works Dept.  
Engineering Division  
Custom Commerce Center  
Port Richey, Florida 33568

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES AUGUST 24, 1978  
BONDED THRU GENERAL INSURANCE UNDERWRITERS.



EXHIBIT "A"

That portion of Tracts 45 and 48 of Tampa-Tarpon Springs Land Company Subdivision of Section 8, Township 26 South, Range 16 East as shown on plat recorded in Plat Book 1, pages 68, 69 and 70 of the Public Records of Pasco County, Florida, lying within 25.00 feet of the following described centerline: Commence at the Southwest corner of the Southeast  $\frac{1}{4}$  Section 8 and run thence South  $89^{\circ}52'00''$  East along the South boundary of said Section 8, a distance of 1,343.45 feet to a point, said point being 25.00 feet East of the Southeast corner of Silver Oaks Hill Subdivision as shown on plat recorded in Plat Book 8, page 18 of the Public Records of Pasco County, Florida, for a Point of Beginning; thence North  $0^{\circ}15'32''$  West parallel to and 25.00 East of the most Eastern boundary of said Silver Oaks Subdivision, 483.02 feet to an intersection with an Easterly extension of the South right-of-way line of Ridgewood Drive; thence along a curve to the left which chord bears North  $10^{\circ}26'26''$  West, a distance of 70.71 feet, arc equals 71.08 feet and radius equals 200.00 feet; thence along a curve to the right which chord bears North  $10^{\circ}26'26''$  West, a distance of 70.71 feet, arc equals 71.08 feet and radius equals 200.00 feet to a point on the East Boundary of Tract 48 of Tampa-Tarpon Springs Land Company Subdivision of said Section 8, thence North  $0^{\circ}15'32''$  West along said East Boundary of said Tract 48, a distance of 403.80 feet; thence along a curve to the left which chord bears North  $10^{\circ}26'26''$  West, a distance of 70.71 feet, arc equals 71.08 feet and radius equals 200.00 feet; thence along a curve to the right which chord bears North  $10^{\circ}26'26''$  West, a distance of 70.71 feet, arc equals 71.08 and radius equals 200.00 feet to a point which is 25.00 feet West of the East boundary of Tract 45 of said Tampa-Tarpon Springs Land Company Subdivision of said Section 8, thence North  $0^{\circ}15'32''$  West parallel to said East boundary of said Tract 45, a distance of 150.00 feet to a point on the North boundary of said Tract 45, same being the North boundary of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 8 to Point of Terminus.

The purpose of this conveyance is to provide right-of-way for George Street.



This deed is subject to the reservation that said right-of-way shall be used for all water and sewerage transmission lines, lift stations and other appurtenances relating thereto which shall be necessary and required in order to serve Community Hospital of New Port Richey with water and sewer service from the City of New Port Richey, Florida.

This deed is subject to the further reservation that said right-of-way may also be used by General Telephone Company and Florida Power Corporation for the erection and/or construction of its poles, lines, conduits and other appurtenances that may be required by said utility companies.

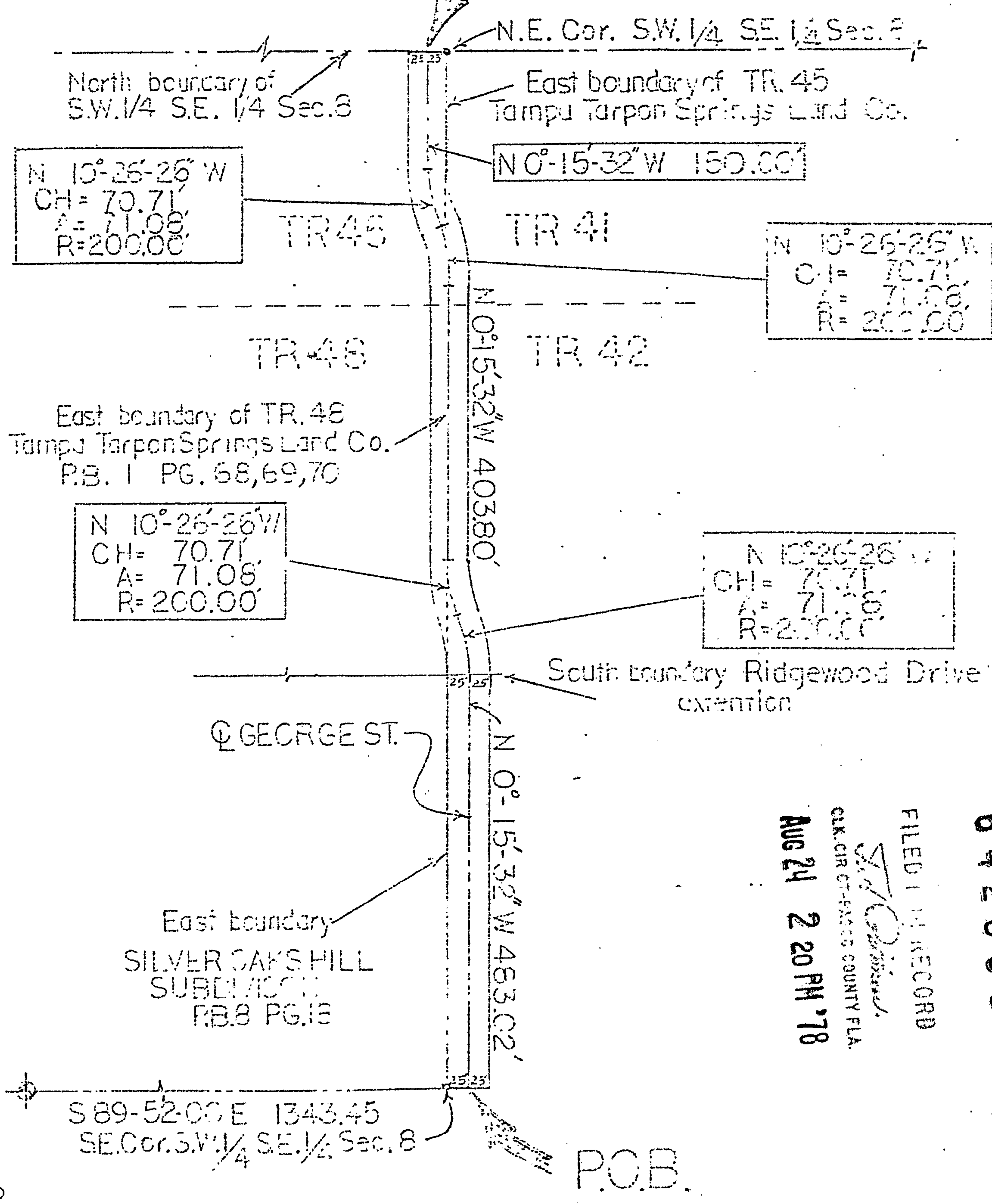
EXHIBIT "A"

# GEORGE STREET

50' R/W

MEMO Legibility of writing, typing or printing unsatisfactory in this document when presented for recording.

POINT OF TERMINUS



642839  
FILED IN RECORD  
AUG 24 2 20 PM '78  
CLK. CIR. OF HARRIS COUNTY FLA.

**INTERLOCAL AGREEMENT BETWEEN PASCO COUNTY  
AND THE CITY OF NEW PORT RICHEY TO TRANSFER JURISDICTION OF A  
CERTAIN PORTION OF GEORGE STREET, TO THE CITY OF NEW PORT RICHEY**

**THIS INTERLOCAL AGREEMENT** is made and entered into by and between **PASCO COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as "COUNTY," and the **CITY OF NEW PORT RICHEY**, a municipal corporation organized and existing under the laws of the State of Florida, hereinafter referred to as "CITY."

**W I T N E S S E T H**

**WHEREAS**, the County and the City have authority pursuant to Section 163.01, Florida Statutes, to enter into interlocal agreements; and

**WHEREAS**, the COUNTY and the CITY have each identified the need for the continued maintenance of a portion of George Street, which lies within the respective boundaries of both the COUNTY and the CITY; and,

**WHEREAS**, the COUNTY and the CITY have jurisdiction pursuant to Section 335.0415(1), Florida Statutes, over public roads within their respective road systems; and

**WHEREAS**, any change of the jurisdiction of a public road after July 1, 1995, is governed by Section 335.0415, Florida Statutes; and

**WHEREAS**, the COUNTY and the CITY have authority pursuant to Section 335.0415(3), Florida Statutes, to transfer jurisdiction of public roads within their respective road systems by mutual agreement of the governmental entities; and

**WHEREAS**, all roads which are open and available for use by the public and dedicated to public use, according to law or by prescription, are declared to be and established as, pursuant to Section 335.01, Florida Statutes, public roads; and

**WHEREAS**, the CITY desires to maintain, control, and have responsibility over a certain section of George Street, which is further described in Official Records Book 962, page 1460 of the Public Records of Pasco County, Florida, and attached as Exhibit "A."

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions contained herein, the parties hereto agree as follows:

1. Recitals. The foregoing recitals are true and correct and are hereby incorporated herein by reference.

2. Transfer of Jurisdiction of the Road.

A. Subject to Section 3 below, jurisdiction over the Road is hereby transferred to the CITY, and shall become a part of the CITY street system.

3. CITY's Jurisdiction over the Road.



A. The CITY's jurisdiction over the Road includes the authority to own (or accept dedication of), maintain, control, repair, or improve the Road, and to regulate, warn, or guide traffic on the Road, regardless of any future alteration, realignment, construction, extension, widening, or renaming of the Road, and to pay all costs associated therewith.

C. Except as set forth below, the COUNTY shall not have any further or continuing jurisdiction, rights or responsibilities with regard to the Road.

D. For the Road that is in the possession of the COUNTY by dedication, the COUNTY hereby dedicates to the CITY, and the CITY hereby accepts such right-of-way.

4. Notice. Any notice, statement, demand, or other communication required or permitted to be delivered or served or given by either party hereto to the other, shall be deemed delivered or served or given when sent, if mailed in any general or branch United States Post Office enclosed in a registered or certified envelope, with a copy via electronic mail, addressed to the respective parties as follows:

COUNTY: County Administrator  
West Pasco Government Center  
8731 Citizens Drive, Suite 340  
New Port Richey, FL 34654  
pcadmin@pascocountyfl.net

CITY: City Manager  
City of New Port Richey  
5919 Main St.  
New Port Richey, FL 34652  
MannsD@cityofnewportrichey.org

Notwithstanding the foregoing, each party shall be entitled to change such address by notice given pursuant to this paragraph.

5. Effective Date. This Interlocal Agreement shall become effective on the date of execution by the COUNTY or the date of execution by the CITY, whichever date is later.

6. Miscellaneous.

A. This Interlocal Agreement constitutes and contains the entire agreement of the parties and shall supersede any and all prior negotiations, correspondence, undertakings, and agreements among the parties.

B. This Interlocal Agreement may be executed in any number of counterparts, each of which shall be an original, but which taken together shall constitute one and the same instrument.

C. This Interlocal Agreement in all respects shall be governed by the laws of the State of Florida, including the State of Florida's conflicts law.

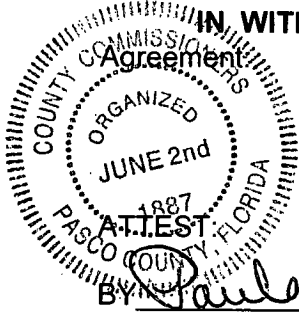
D. If any part of this Interlocal Agreement is found invalid or unenforceable by any court, such invalidity or unenforceability shall not affect the other parts of this Interlocal Agreement and to that end, this Interlocal Agreement is declared severable.



E. The rights, benefits, duties, and obligations of this Interlocal Agreement may not be assigned to any person or political subdivision without the expressed written permission of the non-assigning party.

7. Recording and Effective Date. This Interlocal Agreement and any subsequent modification hereto, shall be effective upon signing by both of the parties and recording with the County Clerk of the Circuit Court as provided by Section 163.01(11), Florida Statutes.

**IN WITNESS WHEREOF**, the parties hereto have executed the foregoing Interlocal



BY Paula S. O'Neil  
PAULA S. O' NEIL, Ph.D.  
CLERK & COMPTROLLER

**BOARD OF COUNTY COMMISSIONERS  
OF PASCO COUNTY, FLORIDA**

BY [Signature]  
MIKE MOORE, CHAIRMAN

APPROVED  
IN SESSION

DATE: JUL 11 2017

PASCO COUNTY  
BCC

**CITY OF NEW PORT RICHEY**

(SEAL)

ATTEST:

JUDY MEYERS, CITY CLERK

ROB MARLOWE, MAYOR

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

## **Exhibit A – George Street Legal Description**

That portion of Tracts 41, 42, 45 and 48 of Tampa-Tarpons Springs Land Company Subdivision of Section 8, Township 26 South, Range 16 East as shown on plat recorded in Plat Book 1, pages 68, 69, and 70 of the public records of Pasco County, Florida, lying within 25.00 feet of the following described centerline: Commence at the Southwest corner of the Southeast  $\frac{1}{4}$  section 8 and run thence South  $89^{\circ} 52'00''$  East along the South boundary of said Section 8, a distance of 1,343.45 feet to a point, said point being 25.00 feet East of the Southeast corner of Silver Oaks Hill Subdivision as shown on plat recorded in Plat Book 8, page 18 of the Public Records of Pasco County, Florida, for a Point of Beginning; thence North  $0^{\circ} 15' 32''$  West parallel to and 25.00 East of the most Eastern boundary of said Silver Oaks Subdivision, 483.02 feet to an intersection with an Easterly extension of the South right-of-way line of Ridgewood Drive; thence along a curve to the left which chord bears North  $10^{\circ} 26' 26''$  West, a distance of 70.71 feet, arc equals 71.08 feet and radius equals 200.00 feet; thence along a curve to the right which chord bears North  $10^{\circ} 26' 26''$  West, a distance of 70.71 feet, arc equals 71.08 feet and radius equals 200.00 feet to a point on the East Boundary of Tract 48 of Tampa-Tarpon Springs Land Company Subdivision of said Section 8, thence North  $0^{\circ} 15' 32''$  West along said East Boundary of said Tract 48, a distance of 403.80 feet; thence along a curve to the left which chord bears North  $10^{\circ} 26' 26''$  West, a distance of 70.71 feet, arc equals 71.08 feet and radius equals 200.00 feet; thence along a curve to the right which chord bears North  $10^{\circ} 26' 26''$  West, a distance of 70.71 feet, arc equals 71.08 and radius equals 200.00 feet to a point which is 25.00 feet West of the East boundary of Tract 45 of said Tampa-Tarpons Springs Land Company Subdivision of said Section 8, thence North  $0^{\circ} 15' 32''$  West parallel to said East boundary of said Tract 45, a distance of 150.00 feet to a point on the North boundary of said Tract 45, same being the North boundary of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 8 to Point of Terminus.



George St.

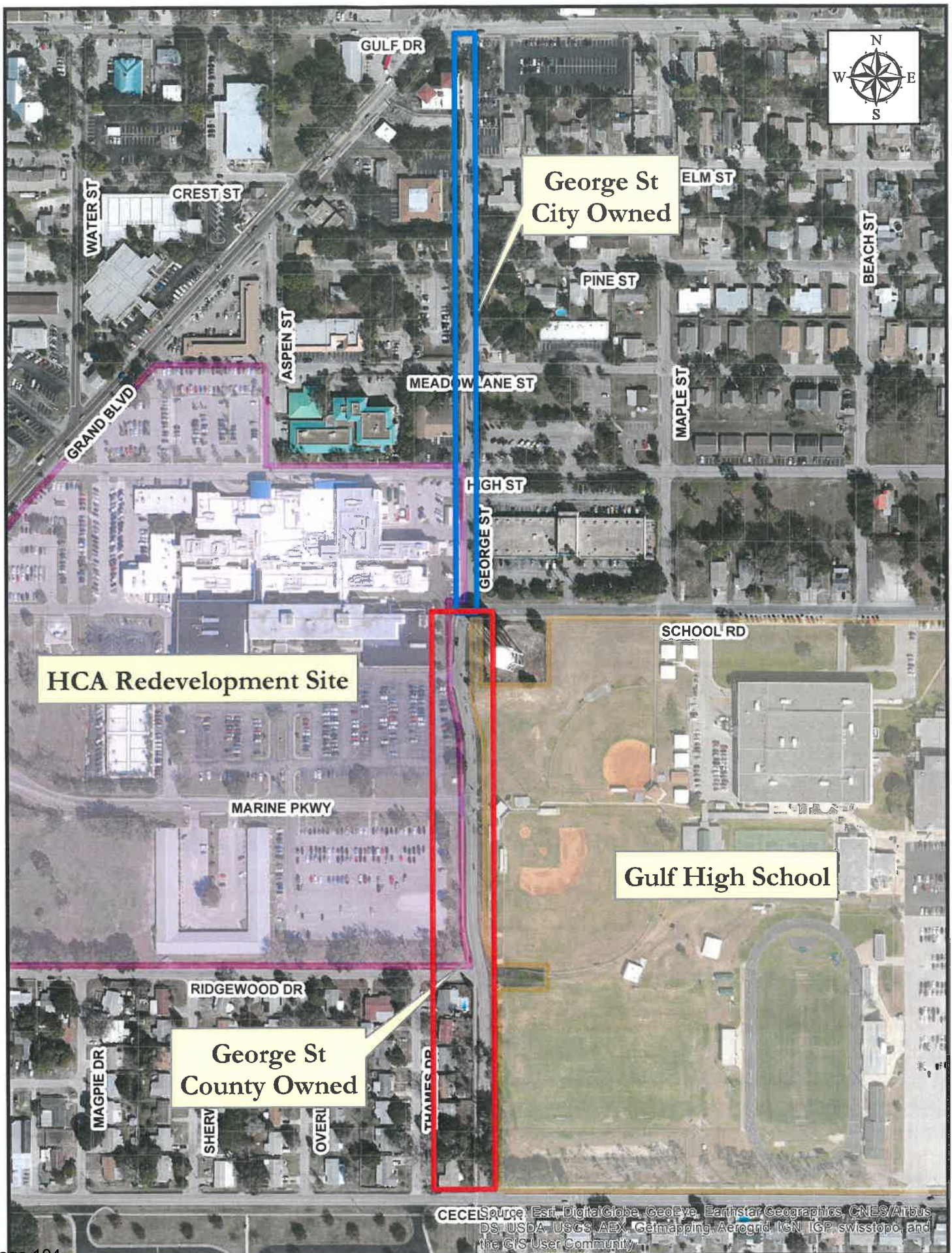
25' R/W

0 100 200 400 Feet





# George Street Transfer of Ownership Site Map





# 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:** 8/1/2017  
**RE:** Alcoholic Beverage Special Event - Freedom Fest

**REQUEST:**

The request before City Council is to review and approve the 2017 Veterans Alternative Freedom Fest Alcoholic Beverage Special Event in Sims Park on November 10 and 11, 2017.

**DISCUSSION:**

The Special Event Team reviewed the Freedom Fest Application on July 18, 2017. The request is for beer and wine to be distributed in Sims Park on Friday, November 10th from 4:00p.m. - 10:30p.m. and on Saturday, November 11th from 4:00p.m. - 10:30p.m. The Special Event and Alcoholic Beverage Special Event Applications are attached as well as a map that identifies the event plan.

**RECOMMENDATION:**

The recommendation before City Council is to approve the 2017 Veterans Alternative Freedom Fest Alcoholic Beverage Special Event in Sims Park on November 10 and 11, 2017.

**BUDGET/FISCAL IMPACT:**

The applicant has requested that the charges for city services for the parade be provided in-kind. The estimated charges are \$6022.50.

**ATTACHMENTS:**

Description	Type
☐ Freedom Fest Event Application	Cover Memo
☐ Freedom Fest Map	Cover Memo
☐ Freedom Fest Alcoholic Beverage Event Application	Cover Memo





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

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

\* Do not advertise our event until you receive an approved event permit.

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

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

**APPLICANT**

Name of Applicant: Amy Anderson

Title (if applicable): Event Coordinator

Name of Organization: Veterans Alternative

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

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

Mailing Address: 1750 Arcadia Rd  
Street Address

Holiday City FL State 34653 Zip Code

Phone: 727-939-8387 Daytime Phone 727-858-8254 Cell Phone

Email: amy@veteransalternative.org

**EVENT**Name of Event: 2017 Veterans Alternative Inaugural Freedom Fest

Description of Event (Include purpose):

Freedom Fest is a first of its kind event to bring the community together to help Honor our Nation's Heroes! Activities include the Freedom Fighter's Feast, the Freedom Fest Parade, the 3rd Annual Boxing Throwdown, live entertainment, food, drinks, crafts, vendors and fireworks. (see attached for more.)

Location of Event: Downtown New Port Richway and Sims Park

Event/Organization Web Address: \_\_\_\_\_

Event Date(s) &amp; Time(s):

Date	Day of the Week	Start Time	End Time
<u>Nov 10th</u>	<u>Friday</u>	<u>6pm</u>	<u>1030pm</u>
<u>Nov 11th</u>	<u>Saturday</u>	<u>12pm</u>	<u>1030pm</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Setup Date(s): Friday, Nov 10thSetup Time(s): 9am to 12pmCleanup Date(s): November 12th



Cleanup Time(s): Fri 11/10 7-1130pm to Sun 11/12 am if needed  
Sat 11/11 3pm-12am

Will this be an annual event? ☒ Yes ☐ No If yes, next year's date(s) Nov 10, 11, 2018

### EVENT LOGISTICS

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

2500  
This Year Last year

Maximum number at peak time: 2500

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

3. Approximate number of food vendors: 8-10

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

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

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

5 - patriotic crafts, 5-10 sponsors

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

Location of electricity Sims Park Circle

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

6. List event equipment (Include things such as seating, tents, booths, and trucks. These should all be listed on site map as well.) tables & chairs Fri & Sat, sound system

Fri & Sat, boxing ring Sat, VIP tent Sat, barricades Fri & Sat

7. List entertainment type (bands, DJ, dancers, clowns, etc.): 3 Flamenco dancers, singer Keri Thomas and

Page 3 of 11



band, locally recognized band for Sat 11/11 8-1030pm

8. List dates and times of music and/or amplified sound: 11/10 6pm to 11pm

11/11 music may start as early as 4pm and last as late as 1030pm

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

If yes, list organization: provided by off duty police officers as required by Alcohol Licensing & Permit Regulations

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

If yes answer the following and list on site plan:

How many: 5-10 Installation Date: 11/10 Removal Date: 11/13

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

Please list your plan. plan to obtain a 30yd dumpster to be delivered on Thursday 11/9 and picked up Monday 11/13.

Will dumpsters be used? ☒ Yes ☐ No

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

How many: 1 Sizes: 30yd.

Installation Date: 11/9 Removal Date: 11/13

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

\$50 parade registration, \$25 for nonprofits & educational agencies  
\$100 vendor fee + 15% proceeds, \$100 vendor fee for commercial vendors  
\$50 vendor fee for craft vendors

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

If yes complete the following:

Date(s) of street closure: Begin 11/1 End 11/1  
Time of street closure: Begin 1130am End 430pm  
*\* with instruction from P.D.*

List street(s) to be closed: Streets west of Grand Blvd between Main St.  
and Gulf Dr. and Dailey Lane east of Grand Blvd.

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

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

If yes complete the following:

Street(s) that will be utilized for parade route: Gulf & Grand, N. on Grand, cross Main St.,  
Lt. on Circle Blvd., Lt. on Bank St., Rt. on Main, Main to US 19, parade  
participants disperse on 19. (see map)

Time assembly to begin: 12pm

Time parade starts: 3pm

Total number of units in parade: 50 entries

Number of people in the parade: TBD

Number of vehicles in the parade: TBD

Number of animals in parade: TBD

Number of floats: TBD

Number of bands: TBD

\*Attach parade route map to application. *see attachment.*

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



If yes answer the following:

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

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

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

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

\*Attach route map to application

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

If yes, hours of use: hours of event (see page 2)

Location of dock: City dock @ Sims Park

List vendors who will use the dock: Miss Daisy

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

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

☒ Pavillion(s)

☒ Gazebo

☒ Amphitheatre (requires an additional rental fee)

☒ Peace Hall (requires an additional rental fee)

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

For events on public property, I agree to obtain and furnish the City of New Port Richey with a certificate of general liability insurance in the amount of \$1,000,000.00 or greater as deemed by the City Risk Manager. The insurance must name the City of New Port Richey as an additional insured.

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

Print Name of Applicant or Authorized Representative: Amy Anderson

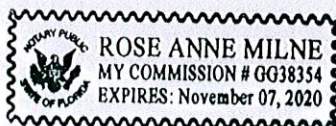
Signature of Applicant or Authorized Representative: *Amy Anderson*

Date: July 13, 2017

Subscribed and sworn to before me this 13 day of July, 2017  
Who is personally known to me and/or produced PERSONALLY known as  
identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public: *Rose Anne Milne*

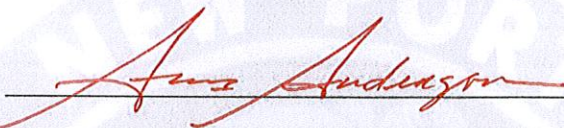


My Commission expires: \_\_\_\_\_



## Authorization for Applicant's Representative(s)

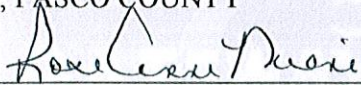
I Amy Anderson with Veterans Alternative, applicant, hereby authorize Patricia Frud to act as my representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representatives and agreements made by the designated representative.

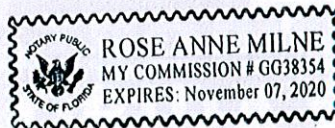
Signature of Applicant(s): 

Date: 07/13/2017

Subscribed and sworn to before me this 13 day of July, 20 17  
Who is personally known to me and/or produced PERSONALLY KNOWN as  
identification.

STATE OF FLORIDA, PASCO COUNTY

Notary Public: 



My Commission expires: \_\_\_\_\_

# Hold Harmless Agreement

I Veterans Alternative, agree to protect the City of New Port Richey, Florida against all losses arising out of claims, in connection with the 2017 Veterans Alternative Freedom Fest.

Without limiting the generality of the foregoing, and all workmanship, actual or alleged infringement of any patent, trademark, copyright (or application for any thereof) or of any other violation of any applicable statute, ordinance, administrative order, rule or regulation, or decree of any court, shall be included in the indemnity hereunder. The Veterans Alternative Further agrees to investigate, handle, respond to, provide defend any such claims, etc., at its sole expense and agrees to bear all other costs and expenses related thereto, even if it (claims etc.) is groundless, false or fraudulent.

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

## Certification:

I Patricia Fried do certify that I am Director of Administration of Veterans Alternative and that I am authorized to issue this hold harmless agreement; and that this hold harmless agreement is defined as an insured contract under a commercial general liability insurance policy currently in effect for the entity/organization.

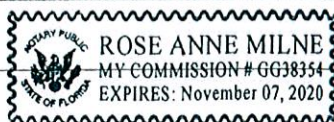
Signature of applicant: [Signature]

Date: 7/19/17

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public Rose Anne Milne

My Commission Expires: \_\_\_\_\_



Page 9 of 11



# Site Plan Checklist

The following items should be on your site plan if applicable.

- Food Vendors • *Frankie's +*
- Additional vendors/sponsors •
- Electrical locations
- Event equipment
- Portable restrooms •
- Dumpsters •
- Street closures • *and letter*
- Parade route •
- Beer trucks •
- Alcohol area
- Fencing/barricades • *at stage*
- Bounce houses •
- Tents *VIP tent*
- First Aid •
- Command Center
- ~~Carnival~~
- Any additional elements that will be on site for your event  
*boxing ring*

# Attachments

Please make sure the following items are submitted with your application.

- Site plan
- Pasco County Health Department Application for Temporary Event Sanitation
- If the event includes a parade or street closure, attach a proof of notice to property owners along the route and the addresses of where the letters will be delivered.
- If the event includes a parade attach the route.
- If the event includes a running/walking/biking/water component attach the route.
- Flyer/brochure if available
- If the event includes music or live performances, attach a copy of the music license from BMI and ASCAP.
  - BMI (Broadcast Music Inc.) 1-888-689-5264
  - ASCAP (American Society of Composers, Authors and Publishers) 1-800-505-4052
- It is recommended that each event has a recycling plan in place. Local waste collection providers all participate in recycling. Please consider contacting your waste collection agency and request a recycling dumpster and/or receptacles.

Once approved you will need to submit the following:

- Certificate of Insurance naming the City of New Port Richey as an additional insured

The special event permit does not include additional permits such as tent permit, electrical permits, or gas permits. To apply for additional permits go to the Development Department in City Hall located at 5919 Main Street, New Port Richey. For questions call (727) 853-1045.



(Attached)

Description of Event (Include purpose): The 2017 Veterans Alternative Freedom Fest is a first of its kind event to bring the community together to help Honor our Nation's Heroes! The Veterans Alternative will bring its 3<sup>rd</sup> Boxing Throw Down on Veterans Day to Sims Park with the addition of a variety of festivities to attract and entertain our growing Veteran supporting community.

Activities include the Freedom Fighters Feast, the Freedom Fest Parade, the 3<sup>rd</sup> Annual Boxing Throwdown, live entertainment, food and drinks, crafters, vendors, and fireworks.

Festivities will begin Friday, November 10<sup>th</sup> in the evening at Sims Park with a meal for 50 Veterans and their spouses/significant others, catered by Columbia Restaurant in Tampa. Entertainment consists of 3 Flamenco dancers provided by Columbia Restaurant, as well as singing and storytelling by Keni Thomas, an American country music singer and former United States Army Ranger. Thomas was a member of Task Force Ranger as part of Operation Restore Hope in Somalia, and served in the Battle of Mogadishu, that was made famous by the movie depiction, Blackhawk Down.

The Freedom Fest Parade will commence at 3pm on November 11<sup>th</sup>, giving participants time to attend any 11 o'clock hour engagements. The Boxing Throw Down will take place following the parade along with music/DJ entertainment from approximately 530 to 8pm. Live entertainment will continue until about 1030pm at the Sims Park stage, ending with 9pm fireworks.

In addition, we plan to include activities for children, main course food provided by Frankie's Patriot BBQ, a variety of specialty food and beverage vendors, cold beer and wine for those over 21, as a 501c3, the Veterans Alternative will acquire license; as well as an assortment of arts and craft vendors.

This Veterans Alternative Freedom Fest will take place each year on Veterans Day, November 11<sup>th</sup>.

## ***2017 Veterans Alternative Freedom Fest*** ***"A Salute to Our American Heroes"***

July 13, 2017

Hello Everyone!

The Veterans Alternative will be celebrating their 3<sup>rd</sup> birthday this Veteran's Day, November 11<sup>th</sup>! We are a nonprofit organization that provides alternative therapies to military and Veteran populations to help treat post-traumatic and transitional stress. Evaluations of our programs have shown a 46.3% reduction in PTS symptomology. That is amazing! We want to thank you as a community for supporting us, watching and helping us grow, and sending Veterans or active duty service men and women our way so we can help as many Warriors as possible!

The Veterans Alternative and the City of New Port Richey have teamed up to plan a celebration to honor our Nation's Veterans for all the sacrifices they have made for our freedoms! The Veterans Alternative has a Boxing Thrown Down each Veterans Day, but this year, we decided to make it a celebration!

We plan to have a parade at 3pm on November 11<sup>th</sup>, allowing time for the community to attend any 11am ceremonies.

With this we will have road closings due to increased congestion to the area, and the parade procession. There will be temporary street closures between 1130am and 430pm on those streets west of Grand Blvd. between Main St. and Gulf Dr. and Dailey Lane east of Grand Blvd. during the actual parade.

The Veterans Alternative wants to thank you for your continued support and patience with these temporary inconveniences and hope that you all join us in enjoying the festivities!

Sincerely,

The Veterans Alternative  
***2017 Veterans Alternative Freedom Fest***



2017 Veteran's Day Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	Date Delivered
6313	Adams St		
6315	Adams St		
6317	Adams St		
6320	Bank St		
6322	Bank St		
6431	Circle Blvd		
6501	Circle Blvd		
6503	Circle Blvd		
6505	Circle Blvd		
6509	Circle Blvd		
6515	Circle Blvd	Williams	
6525	Circle Blvd		
6533	Circle Blvd		
6538	Circle Blvd		
6541	Circle Blvd		
6545	Circle Blvd		
6549	Circle Blvd		
6577	Circle Blvd		
5733	Daily Lane		
5838	Daily Lane		
5627-5640	Daily Lane	River Mist Condominiums	
5749-5805	Daily Lane		
5813-25	Daily Lane		
5829-5841	Daily Lane		
5843-53	Daily Lane		
5510	Delaware Ave		
5515	Delaware Ave		
5522	Delaware Ave		
5523	Delaware Ave		
5525	Delaware Ave		
5536	Delaware Ave		
5539	Delaware Ave		
5546	Delaware Ave		
5607	Delaware Ave		
5609	Delaware Ave		
5610	Delaware Ave		
5614	Delaware Ave		
5615	Delaware Ave		
5618	Delaware Ave		
5623	Delaware Ave		
5624	Delaware Ave		
5634	Delaware Ave		
5635	Delaware Ave		
5637	Delaware Ave		
5638	Delaware Ave		



2017 *Veteran's Day* : Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5639	Delaware Ave		
5640	Delaware Ave		
5641	Delaware Ave		
5642	Delaware Ave		
5643	Delaware Ave		
5644	Delaware Ave		
5646	Delaware Ave		
5647	Delaware Ave		
5649	Delaware Ave		
5650	Delaware Ave		
5651	Delaware Ave		
5652	Delaware Ave		
5702	Delaware Ave		
5703	Delaware Ave		
5704	Delaware Ave		
5705	Delaware Ave		
5708	Delaware Ave		
5710	Delaware Ave		
5734	Delaware Ave		
5736	Delaware Ave		
5743	Delaware Ave		
5746	Delaware Ave		
5747	Delaware Ave		
5800	Delaware Ave		
5801	Delaware Ave		
5803	Delaware Ave		
5804	Delaware Ave		
5805	Delaware Ave		
5809	Delaware Ave		
5907	Franklin St		
6008	Franklin St		
6010	Franklin St		
6011	Franklin St		
6016	Franklin St		
5339	Georgia Ave		
5423	Georgia Ave		
5432	Georgia Ave		
5433	Georgia Ave		
5435	Georgia Ave		
5447	Georgia Ave		
5450	Georgia Ave		
5511	Georgia Ave		
5512	Georgia Ave		
5514	Georgia Ave		
5515	Georgia Ave		



2017 *Veteran's Day* Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5520	Georgia Ave		
5524	Georgia Ave		
5525	Georgia Ave		
5528	Georgia Ave		
5529	Georgia Ave		
5530	Georgia Ave		
5534	Georgia Ave		
5535	Georgia Ave		
5536	Georgia Ave		
5549	Georgia Ave		
5550	Georgia Ave		
5551	Georgia Ave		
5552	Georgia Ave		
5602	Georgia Ave		
5603	Georgia Ave		
5604	Georgia Ave		
5609	Georgia Ave		
5610	Georgia Ave		
5611	Georgia Ave		
5616	Georgia Ave		
5617	Georgia Ave		
5624	Georgia Ave		
5625	Georgia Ave		
5627	Georgia Ave		
5637	Georgia Ave		
5638	Georgia Ave		
5639	Georgia Ave		
5645	Georgia Ave		
5648	Georgia Ave		
5649	Georgia Ave		
5653	Georgia Ave		
5700	Georgia Ave		
5703	Georgia Ave		
5704	Georgia Ave		
5707	Georgia Ave		
5709	Georgia Ave		
5717	Georgia Ave		
5746	Georgia Ave		
5747	Georgia Ave		
5750	Georgia Ave		
5751	Georgia Ave		
5802	Georgia Ave		
5803	Georgia Ave		
5805	Georgia Ave		
5807	Georgia Ave		

2017 *Veteran's Day* Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5809	Georgia Ave		
5810	Georgia Ave		
5811	Georgia Ave		
5813	Georgia Ave		
5815	Georgia Ave		
5824	Georgia Ave		
5825	Georgia Ave		
5827	Georgia Ave		
5829	Georgia Ave		
5833	Georgia Ave		
5840	Georgia Ave		
5842	Georgia Ave		
5843	Georgia Ave		
5846	Georgia Ave		
5848	Georgia Ave		
5849	Georgia Ave		
5850	Georgia Ave		
5853	Georgia Ave		
5903	Georgia Ave		
5915	Georgia Ave		
5925	Georgia Ave		
5933	Georgia Ave		
5939	Georgia Ave		
5947	Georgia Ave		
5535	Grand Blvd		
5636	Grand Blvd		
5644	Grand Blvd		
5718	Grand Blvd		
5721	Grand Blvd		
5733	Grand Blvd		
5734	Grand Blvd		
5740	Grand Blvd		
5750	Grand Blvd		
5752	Grand Blvd		
5753	Grand Blvd		
5800	Grand Blvd		
5802	Grand Blvd		
5804	Grand Blvd		
5805	Grand Blvd		
5812	Grand Blvd		
5815	Grand Blvd		
5816	Grand Blvd		
5820	Grand Blvd		
5821	Grand Blvd		
5824	Grand Blvd		



2017 *Veteran's Day* Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5825	Grand Blvd		
5830	Grand Blvd		
5838	Grand Blvd		
5839	Grand Blvd		
5845	Grand Blvd		
5852	Grand Blvd		
5903	Grand Blvd		
5906	Grand Blvd		
5909	Grand Blvd		
5920	Grand Blvd		
5926	Grand Blvd		
5927	Grand Blvd		
5935	Grand Blvd		
5936	Grand Blvd		
5939	Grand Blvd		
5940	Grand Blvd		
6006	Grand Blvd		
6007	Grand Blvd		
6016	Grand Blvd		
6017	Grand Blvd		
6024	Grand Blvd		
6025	Grand Blvd		
6034	Grand Blvd		
6035	Grand Blvd		
6044	Grand Blvd		
6103	Grand Blvd		
6112	Grand Blvd		
6113	Grand Blvd		
6114	Grand Blvd		
6118	Grand Blvd		
6119	Grand Blvd		
6124	Grand Blvd		
6125	Grand Blvd		
6136	Grand Blvd		
6141	Grand Blvd		
6145	Grand Blvd		
6210	Grand Blvd		
6211	Grand Blvd	Jimmys	
6212	Grand Blvd		
6213	Grand Blvd		
6215	Grand Blvd		
6217	Grand Blvd		
6220	Grand Blvd		
6229	Grand Blvd		
6231	Grand Blvd		

2017 *Veteran's Day* Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
6232	Grand Blvd		
6233	Grand Blvd		
6236	Grand Blvd		
6238	Grand Blvd		
6307	Grand Blvd	Karl Reef	
6327	Grand Blvd	Richey Suncoast Theatre	
6329	Grand Blvd		
6332	Grand Blvd	Bissi	
6337	Grand Blvd	Williams	
6341	Grand Blvd	Williams	
6502	Grand Blvd		
6507	Grand Blvd		
6509	Grand Blvd		
5610-5620	Grand Blvd		
6214-16	Grand Blvd		
6331-35	Grand Blvd		
5423	Illinois Ave		
5444	Illinois Ave		
5510	Illinois Ave		
5522	Illinois Ave		
5523	Illinois Ave		
5530	Illinois Ave		
5546	Illinois Ave		
5549	Illinois Ave		
5601	Illinois Ave		
5602	Illinois Ave		
5605	Illinois Ave		
5608	Illinois Ave		
5610	Illinois Ave		
5611	Illinois Ave		
5615	Illinois Ave		
5621	Illinois Ave		
5626	Illinois Ave		
5635	Illinois Ave		
5638	Illinois Ave		
5643	Illinois Ave		
5646	Illinois Ave		
5649	Illinois Ave		
5650	Illinois Ave		
5651	Illinois Ave		
5652	Illinois Ave		
5702	Illinois Ave		
5703	Illinois Ave		
5704	Illinois Ave		
5708	Illinois Ave		



2017 *Veteran's Day* Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5710	Illinois Ave		
5801	Illinois Ave		
5802	Illinois Ave		
5804	Illinois Ave		
5805	Illinois Ave		
5806	Illinois Ave		
5810	Illinois Ave		
5745	Lafayette		
5747	Lafayette		
5853	Lafayette		
5907	Lafayette		
5920	Lafayette		
5929	Lafayette		
5931	Lafayette		
5935	Lafayette		
6005	Lafayette		
6006	Lafayette		
6014	Lafayette		
6022	Lafayette		
6025	Lafayette		
6031	Lafayette		
6040	Lafayette		
6043	Lafayette		
6104	Lafayette		
6114	Lafayette		
6119	Lafayette		
6120	Lafayette		
6123	Lafayette		
6125	Lafayette		
6129	Lafayette		
6139	Lafayette		
6141	Lafayette		
6145	Lafayette		
6147	Lafayette		
6149	Lafayette		
6201	Lafayette		
6205	Lafayette		
6215	Lafayette		
6225	Lafayette		
6230	Lafayette		
6210	Lincoln		
6231	Lincoln		
6241	Lincoln		
5625	Louisiana Ave		
5743	Louisiana Ave		

2017 *Veteran's Day* Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5751	Louisiana Ave		
5803	Louisiana Ave		
5811	Louisiana Ave		
5834	Louisiana Ave		
5835	Louisiana Ave		
5841	Louisiana Ave		
5842	Louisiana Ave		
5843	Louisiana Ave		
5849	Louisiana Ave		
5903	Louisiana Ave		
5906	Louisiana Ave		
5913	Louisiana Ave		
5919	Louisiana Ave		
5925	Louisiana Ave		
5928	Louisiana Ave		
5929	Louisiana Ave		
5930	Louisiana Ave		
5933	Louisiana Ave		
5939	Louisiana Ave		
5942	Louisiana Ave		
5945	Louisiana Ave		
5948	Louisiana Ave		
5300	Main Street	Dr. Paul Cox	
5303	Main Street		
5307	Main Street		
5308	Main Street		
5313	Main Street		
5320	Main Street		
5323	Main Street		
5326	Main Street		
5331	Main Street		
5332	Main Street		
5333	Main Street		
5335	Main Street		
5337	Main Street		
5346	Main Street		
5347	Main Street		
5401	Main Street		
5403	Main Street		
5404	Main Street		
5405	Main Street		
5407	Main Street		
5409	Main Street		
5411	Main Street		
5412	Main Street		



2017 *Veteran's Day* Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5413	Main Street		
5414	Main Street		
5415	Main Street		
5417	Main Street		
5418	Main Street		
5419	Main Street		
5421	Main Street		
5422	Main Street		
5423	Main Street		
5424	Main Street		
5425	Main Street		
5426	Main Street		
5435	Main Street		
5640	Main Street		
5645	Main Street		
5647	Main Street		
5653	Main Street		
5701	Main Street		
5703	Main Street		
5709	Main Street		
5713	Main Street		
5723	Main Street		
5728	Main Street	Pontlitz	
5731	Main Street		
5732	Main Street	Tri-Arts	
5743	Main Street		
5748	Main Street		
5749	Main Street	Mezzaluna's	
5752	Main Street		
5800	Main Street		
5801	Main Street		
5804	Main Street	Dry Cleaners	
5805	Main Street		
5810	Main Street		
5811	Main Street	The Arcade	
5821	Main Street		
5620	Missouri Ave		
5622	Missouri Ave		
5624	Missouri Ave		
5628	Missouri Ave		
5630	Missouri Ave		
5632	Missouri Ave		
5634	Missouri Ave		
5638	Missouri Ave		
5640	Missouri Ave		

2017 *Veteran's Day* : Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5650	Missouri Ave		
5736	Missouri Ave		
5738	Missouri Ave		
5740	Missouri Ave		
5743	Missouri Ave	Verizon	
5744	Missouri Ave	Red Cross	
5808	Missouri Ave	Emerald Isle Apts	
5812	Missouri Ave		
5544	Montana Ave		
5548	Montana Ave		
5549	Montana Ave		
5600	Montana Ave		
5601	Montana Ave		
5602	Montana Ave		
5610	Montana Ave		
5614	Montana Ave		
5617	Montana Ave		
5620	Montana Ave		
5625	Montana Ave		
5631	Montana Ave		
5635	Montana Ave		
5637	Montana Ave		
5640	Montana Ave		
5641	Montana Ave		
5644	Montana Ave		
5650	Montana Ave		
5738	Montana Ave		
5740	Montana Ave		
5741	Montana Ave		
5743	Montana Ave		
5745	Montana Ave		
5748	Montana Ave		
5749	Montana Ave		
5753	Montana Ave		
5800	Montana Ave		
5802	Montana Ave		
5803	Montana Ave		
5805	Montana Ave		
5806	Montana Ave		
5807	Montana Ave		
5808	Montana Ave		
5810	Montana Ave		
5811	Montana Ave		
5929	Montana Ave		
5939	Montana Ave		



2017 *Veteran's Day* : Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5641	Nebraska		
5645	Nebraska		
5339	Oak Ridge		
5423	Oak Ridge		
5432	Oak Ridge		
5433	Oak Ridge		
5435	Oak Ridge		
5447	Oak Ridge		
5450	Oak Ridge		
5514	Oak Ridge		
5515	Oak Ridge		
5524	Oak Ridge		
5529	Oak Ridge		
5530	Oak Ridge		
5535	Oak Ridge		
5536	Oak Ridge		
5550	Oak Ridge		
5551	Oak Ridge		
5603	Oak Ridge		
5604	Oak Ridge		
5609	Oak Ridge	Cotee River Park HO Assn	
5610	Oak Ridge		
5627	Oak Ridge		
5638	Oak Ridge		
5639	Oak Ridge		
5648	Oak Ridge		
5649	Oak Ridge		
5703	Oak Ridge		
5704	Oak Ridge		
5707	Oak Ridge		
5709	Oak Ridge		
5717	Oak Ridge		
5750	Rio Dr		
5767	Rio Dr		
5809	Rio Dr		
5817	Rio Dr		
5823	Rio Dr		
5827	Rio Dr		
5833	Rio Dr		
5837	Rio Dr		
5848	Rio Dr		
5851	Rio Dr		
5852	Rio Dr		
5857	Rio Dr		
5858	Rio Dr		

2017 *Veteran's Day* : Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5904	Rio Dr		
5924	Rio Dr		
5925	Rio Dr		
5932	Rio Dr		
5935	Rio Dr		
5941	Rio Dr		
5946	Rio Dr		
5947	Rio Dr		
5951	Rio Dr		
5339	Riverview Dr		
5423	Riverview Dr		
5432	Riverview Dr		
5433	Riverview Dr		
5435	Riverview Dr		
5447	Riverview Dr		
5450	Riverview Dr		
5514	Riverview Dr		
5515	Riverview Dr		
5524	Riverview Dr		
5528	Riverview Dr		
5529	Riverview Dr		
5530	Riverview Dr		
5534	Riverview Dr		
5535	Riverview Dr		
5536	Riverview Dr		
5538	Riverview Dr		
5542	Riverview Dr		
5548	Riverview Dr		
5550	Riverview Dr		
5551	Riverview Dr		
5603	Riverview Dr		
5604	Riverview Dr		
5609	Riverview Dr		
5610	Riverview Dr		
5616	Riverview Dr		
5624	Riverview Dr		
5627	Riverview Dr		
5630	Riverview Dr		
5636	Riverview Dr		
5638	Riverview Dr		
5639	Riverview Dr		
5642	Riverview Dr		
5648	Riverview Dr		
5649	Riverview Dr		
5656	Riverview Dr		

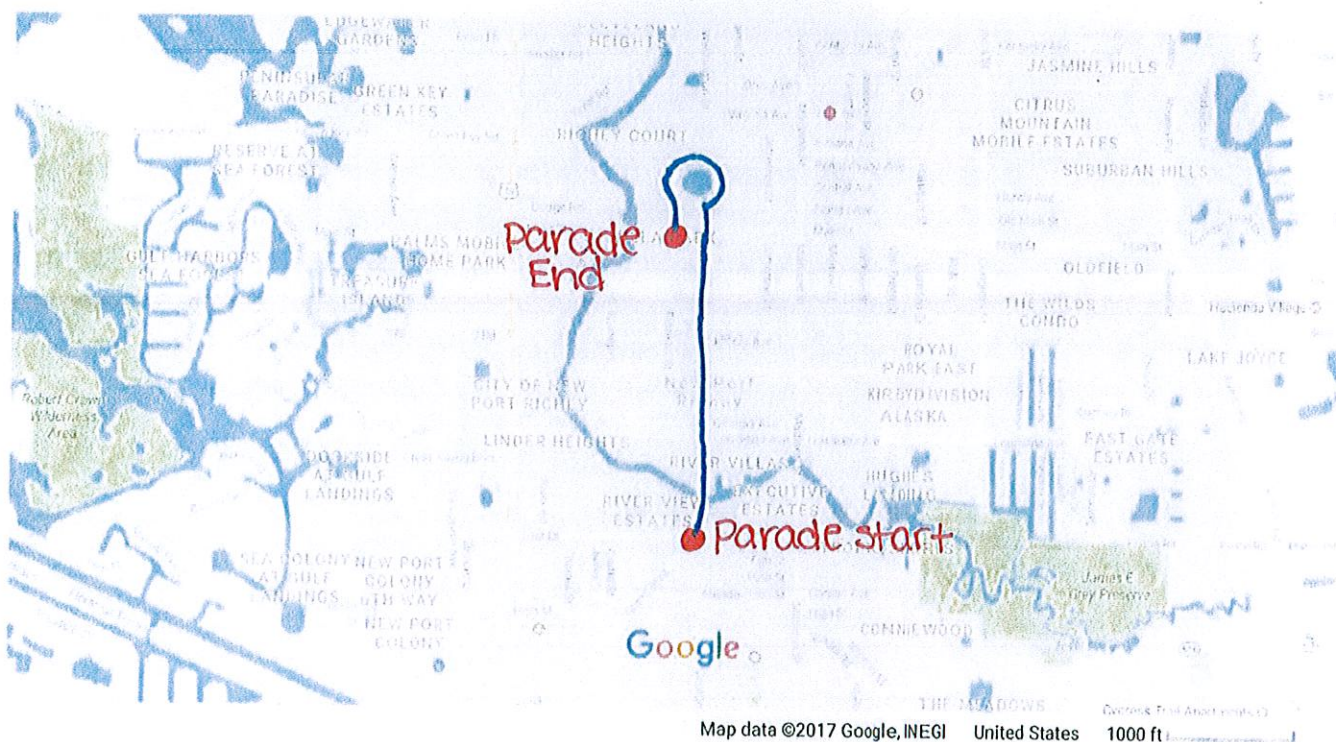


2017 *Veteran's Day* Lt Parade  
Road Closing Notice Addresses

Street Number	Street Name	Complex Name	
5648	Wyoming Ave		
5650	Wyoming Ave		
5702	Wyoming Ave		
5703	Wyoming Ave		
5709	Wyoming Ave		
5742	Wyoming Ave		
5743	Wyoming Ave		
5747	Wyoming Ave		
5749	Wyoming Ave		
5750	Wyoming Ave		
5802	Wyoming Ave		
5806	Wyoming Ave		
5807	Wyoming Ave		
5808	Wyoming Ave		
5809	Wyoming Ave		
5810	Wyoming Ave		
5811	Wyoming Ave		
5812	Wyoming Ave		
5813	Wyoming Ave		
5814	Wyoming Ave		
5815	Wyoming Ave		
5910	Wyoming Ave		



# Google Maps 2017 Freedom Fest Parade Route- Parade Starts at 3pm on November 11th.



**PASCO COUNTY HEALTH DEPARTMENT  
TEMPORARY EVENT SANITATION APPLICATION**

This form is to be completed and submitted to:  
Pasco County Health Department  
Environmental Health Services

5640 Main Street  
New Port Richey, FL., 34652  
(727) 841-4425 ext. 5  
FAX (727) 816-1956

13941 15<sup>th</sup> Street  
Dade City, FL., 33525  
(352) 521-1450 ext. 5  
FAX (352) 523-6913

1. Name of Event: Veterans Alternative Freedom Fest
2. Sponsor/Applicant/Agent Name: Amy Anderson - Veterans Alternative
3. Mailing Address (for the above): 1750 Arcadia Rd. Holiday FL 34690
4. Telephone (for the above): 727-939-8387, 727-858-8254
5. Location of Event: downtown New Port Richey: Sims Park  
(copy of site plan required)
6. Expected Number of attendance (per day): \_\_\_\_\_
7. Duration of Event (days/dates/times): Nov 10-11 11/10 5pm-11pm 11/11 3pm-11pm
8. Will Overnight Camping Be Allowed: YES \_\_\_\_\_ NO ☒
9. Toilet service provided by: \_\_\_\_\_  
(copy of contract required)
10. Dumpsters/Trash pick-up provided by: \_\_\_\_\_  
(copy of contract required)
11. Handwashing sinks provided by: \_\_\_\_\_  
(copy of contract required)
12. Will Food Service be provided: YES ☒ NO \_\_\_\_\_ (if Yes provide a list of vendor names)

The above ( ) does ( ) does not comply with the minimum requirements of Chapter 64E-6.010 of the Florida Administrative Code.

When this form is completed, fee paid and Pasco County Health Department has signed off, return to:

Pasco County Government Complex  
Development Review Division

OR

City Government Complex  
(that the event is being held in)

\_\_\_\_\_  
Signature of Applicant/Agent/Sponsor

\_\_\_\_\_  
Pasco CHD Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

FEE: \$30 / \$60.00

Date Paid: \_\_\_\_\_

Receipt# \_\_\_\_\_

**Florida Department of Health – Pasco County**  
Environmental Health Services  
5640 Main Street, New Port Richey, Florida 34652  
PHONE: 727/841-4425 ext. 5 • FAX 727/816-1956





## Consumer's Certificate of Exemption

DR-14  
R. 04/11

Issued Pursuant to Chapter 212, Florida Statutes

85-8016741764C-3	05/06/2015	05/31/2020	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Category

This certifies that

VETERANS ALTERNATIVE INC  
1750 ARCADIA RD  
HOLIDAY FL 34690-6052

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



## Important Information for Exempt Organizations

DR-14  
R. 04/11

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.038, Florida Administrative Code (F.A.C.).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. This exemption applies only to purchases your organization makes. The sale or lease to others of tangible personal property, sleeping accommodations, or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, F.A.C.).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third-degree felony. Any violation will require the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Account Management at 800-352-3671. From the available options, select "Registration of Taxes," then "Registration Information," and finally "Exemption Certificates and Nonprofit Entities." The mailing address is PO Box 6480, Tallahassee, FL 32314-6480.

## City of New Port Richey and Veterans Alternative

### **Veterans Day Parade & Celebration November 10, 11**

The First Annual *VETERANS DAY PARADE & CELEBRATION* will offer a variety of activities to attract and entertain both attendees and participants who will come to an exceptional event for New Port Richey.

Unique to this event is a dinner under the stars to honor our Local Warriors, a street parade to honor our Veterans; it will include the *3rd annual Veterans Day Boxing Throw Down*, a classic car cruise-in, Military Vehicle show, crafters, vendors, and live musical entertainment. The event is situated on the banks of the Pithlachascotee (Cotee) River in beautiful, award winning Sims Park.

Live music begins the weekend on Friday evening with a special performance by Keni Thomas - an American country music singer and former United States Army Ranger. Thomas was a member of Task Force Ranger as a part of Operation Restore Hope in Somalia, and served in the Battle of Mogadishu.

In addition, the event will include activities and games for kids; 30-45 minute boat tours up the Cotee River in charming Downtown New Port Richey aboard the 40 passenger *Miss Daisy* pontoon boat; a wide variety of food and beverage vendors of water, soft drinks and with cold beer and wine for those over 21; as well as an arts and crafts fair featuring a myriad of art forms.

The annual ***Veterans Day Parade & Celebration*** will take place each year on Veterans Day, November 11th.





### Event Organizer Responsibilities

Event: Veterans Alternative Freedom Fest Event Date: Nov 10<sup>th</sup>, 11<sup>th</sup>

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

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

☒ Event Organizer is responsible for the attendance of ALL vendors at the time of inspections.

☒ No Vendor Set-Up will be allowed after the following date and time: 11/10/17 3pm.

☒ Event Organizer will meet City Staff on 3pm <sup>Friday</sup> 11/10/17 at Sims Park and will accompany City Staff for the entire duration of the vendor inspections.

☒ No Vendor Inspection will begin without the Event Organizer present.

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

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

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

☒ Copy of the City Special Event Rules & Regulations was received by the Event Organizer.

6/13/17

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

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

☒ No vendors or cooking are permitted under or near the shade canopies at Sims Park.

☒ Event Organizer understands that the estimate initial costs may vary from the final costs billed to me by the City of New Port Richey.

☒ Event Organizer has received and acknowledge that they must comply with the Requirements for Special Events Document issued by the City of New Port Richey Fire Dept.

☒ Alcoholic Beverage Special Event Application will go before NPR City Council on:  
8/1/17

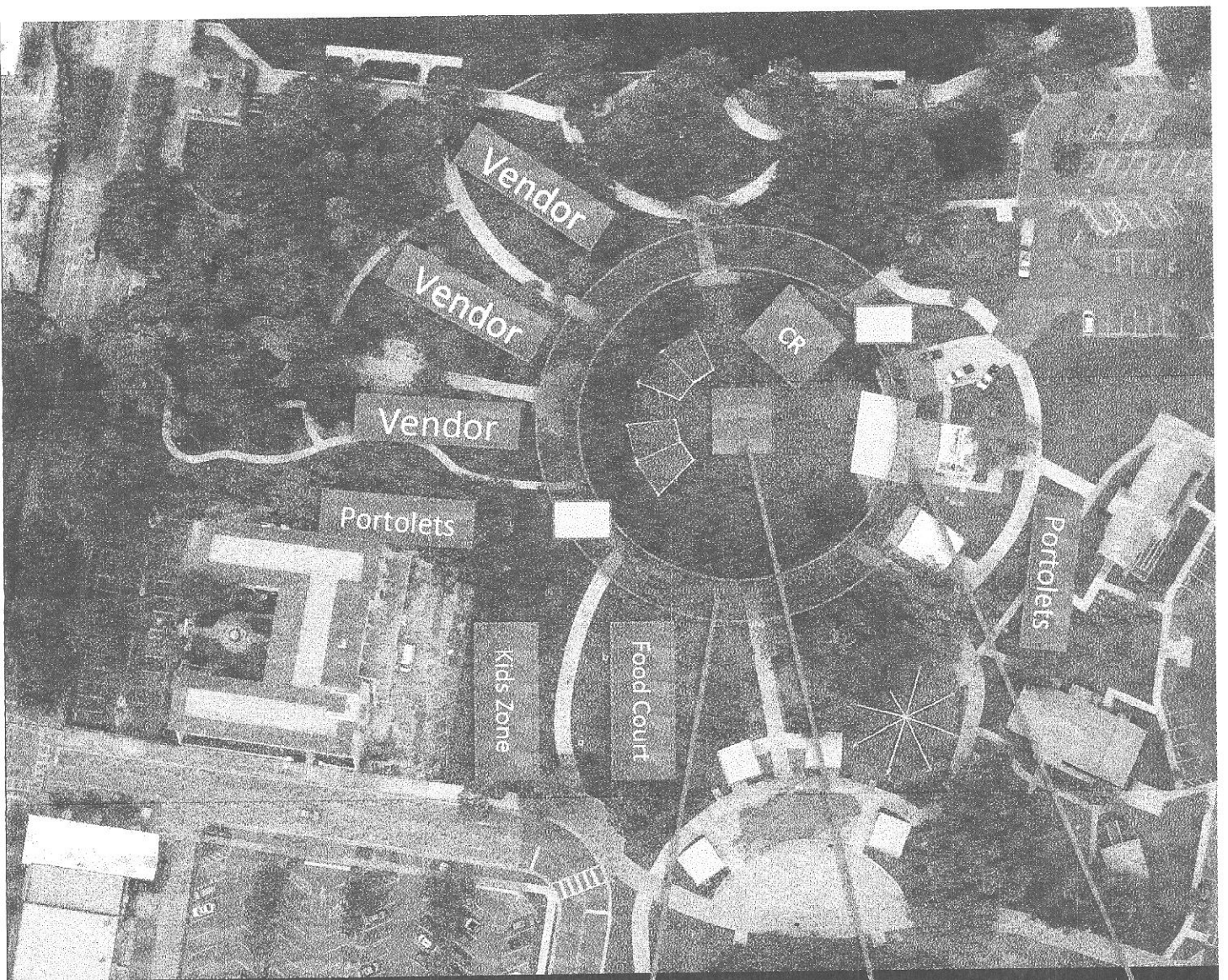
Print Name Patricia Fryd

Signature [Signature]

Date 7/18/17

Event organizer present will be Amy Anderson





The stage will have monitors and sound for both Friday and Saturday.

Beer sales

Saturday morning the boxing ring will be set up in the bowl and tables and chairs will be set around the ring.

The bowl will have barriers around both Friday and Saturday. Chairs and tables will be set up for the Freedom Fighters' Feast Friday night.

Columbia Restaurant  
(Friday Night Only)



## ALCOHOLIC BEVERAGE SPECIAL EVENT PERMIT APPLICATION

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

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

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

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

### ABSEP GENERAL INFORMATION:

Name of Event: 2017 Veterans Alternative Freedom Fest  
Date(s) of Event: November 10-11, 2017 (Limited to three days for alcohol sales)  
Location of Event: downtown New Port Richey : Sims Park  
Applicant: Veterans Alternative  
Mailing Address: 1750 Arcadia Rd Holiday FL 34690  
(Street, City, State, Zip Code)  
Daytime Phone Number: 727-939-8387, 727-858-8254 Fax Number: \_\_\_\_\_  
Email or Alternate Contact Information: amy@veteransalternative.org  
Authorized Person in Charge: Amy Anderson - Event Coordinator  
If an organization, names, addresses, phone numbers of all Officers: (may attach as addendum)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Who is the PRIMARY contact for this application? Amy Anderson 727-858-8254

### ABSEP SUBMITTAL REQUIREMENTS:

- List Alcohol to be Sold: beer and wine  
(Limited to beer and wine)
- List Alcohol to be Given Away: Sangria provided by Columbia Restaurant to Veterans
- Time of Alcohol Sales: 11/10 4-1030pm, 11/11 4-1030pm  
(Limited to Monday through Saturday, 12:00 noon to 11:00 p.m. and Sunday, 1:00 p.m. to 9:00 p.m.; events limited to three days in duration)
- List ABSEP applications approved for your organization this calendar year: \_\_\_\_\_  
(Limited to three permits per year, per applicant; eight per year total City-wide)
- ☐ Attach approved alcoholic beverage license from Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco (1313 N. Tampa Road, Suite 909, Tampa, 33602; 813-272-2610.)
  - ☐ Attach general liability and other insurance as required by the provisions of Florida Statutes for the sale or consumption of alcoholic beverages.
  - ☐ Attach IRS Tax Exemption Form 501(c)(3) or (6), if nonprofit organization.

### APPLICANT'S ACKNOWLEDGEMENT OF REQUIREMENTS:



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

#### ATTENDANCE AT MEETINGS:

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

## Authorization for Applicant's Representative(s)

I Amy Anderson with Veterans Alternative, applicant, hereby authorize Patricia Frid to act as my representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representatives and agreements made by the designated representative.

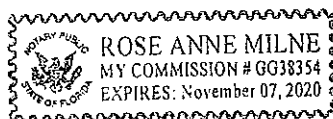
Signature of Applicant(s):

Date: 07/13/2017

Subscribed and sworn to before me this 13 day of July, 20 17  
Who is personally known to me and/or produced PERSONALLY KNOWN as  
identification.

STATE OF FLORIDA, PASCO COUNTY

Notary Public:



My Commission expires:

☐ Date completed application received \_\_\_\_\_

☐ Application fee paid

\_\_\_\_\_ Cash

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

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

## ***2017 Veterans Alternative Freedom Fest*** ***"A Salute to Our American Heroes"***

July 13, 2017

Hello Everyone!

The Veterans Alternative will be celebrating their 3<sup>rd</sup> birthday this Veteran's Day, November 11<sup>th</sup>! We are a nonprofit organization that provides alternative therapies to military and Veteran populations to help treat post-traumatic and transitional stress. Evaluations of our programs have shown a 46.3% reduction in PTS symptomology. That is amazing! We want to thank you as a community for supporting us, watching and helping us grow, and sending Veterans or active duty service men and women our way so we can help as many Warriors as possible!

The Veterans Alternative and the City of New Port Richey have teamed up to plan a celebration to honor our Nation's Veterans for all the sacrifices they have made for our freedoms! The Veterans Alternative has a Boxing Thrown Down each Veterans Day, but this year, we decided to make it a celebration!

We plan to have a parade at 3pm on November 11<sup>th</sup>, allowing time for the community to attend any 11am ceremonies.

With this we will have road closings due to increased congestion to the area, and the parade procession. There will be temporary street closures between 1130am and 430pm on those streets west of Grand Blvd. between Main St. and Gulf Dr. and Dailey Lane east of Grand Blvd. during the actual parade.

The Veterans Alternative wants to thank you for your continued support and patience with these temporary inconveniences and hope that you all join us in enjoying the festivities!

Sincerely,

The Veterans Alternative

***2017 Veterans Alternative Freedom Fest***



The stage will have monitors and sound for both Friday and Saturday.

■ Beer sales

Saturday morning the boxing ring will be set up in the bowl and tables and chairs will be set around the ring.

The bowl will have barriers around both Friday and Saturday. Chairs and tables will be set up for the Freedom Fighters' Feast Friday night.

⊗ Columbia Restaurant (Friday Night Only)

