



CITY COUNCIL REGULAR MEETING
CITY OF NEW PORT RICHEY
NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS
5919 MAIN STREET, NEW PORT RICHEY, FLORIDA
April 2, 2024
6:00 PM

Please note the meeting times for regular city council meetings has been changed to 6:00 p.m. effective for all meetings after April 1, 2024.

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 March 19, 2024 Regular Meeting Minutes Page 3
5. Official Centennial Celebration Logo
6. Presentation of Years of Service Award to Mike Peters
7. Proclamation - Alcohol Awareness and Power Talk 21 Month Page 10
8. Proclamation - Water Conservation Month (By Title Only) Page 11
9. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda
 - a. Speakers must identify themselves prior to speaking by stating their name and full address for the record. Speakers shall address the City Council as a whole and refrain from addressing individual members of the City Council or the City staff. Speakers shall afford the utmost courtesy to the City Council, to City employees, and to the public, and shall refrain at all times, from rude and derogatory remarks, reflections as to integrity,

abusive comments, and statements as to motives and personalities.

10. Consent Agenda

- | | | |
|----|--|---------|
| a. | Parks and Recreation Advisory Board Minutes - January 2024 | Page 12 |
| b. | Purchases/Payments for City Council Approval | Page 15 |

11. Public Reading of Ordinances

- | | | |
|----|---|---------|
| a. | Second Reading, Ordinance No. 2024-2293: Amending Chapter 7 of the LDC to Create an R-4 Coastal Cottage Zoning District | Page 17 |
|----|---|---------|

12. Business Items

- | | | |
|----|--|---------|
| a. | Consideration of Disposal of Surplus Vehicles/Equipment for Auction | Page 25 |
| b. | Resolution No. 2024-05: Adopting a Neighborhood Improvement and Community Enhancement Program (NICE) | Page 29 |
| c. | Approval of Agreement for Lien Foreclosure Services w/Matthew Weidner, PA | Page 38 |

13. Communications

14. Adjournment

Agendas may be viewed on the City's website: 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, 727-853-1021, 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, CMC, City Clerk
DATE: 4/2/2024
RE: Approval of March 19, 2024 Regular Meeting Minutes

REQUEST:

The request is for City Council to approve the minutes from the March 19, 2024 regular meeting.

DISCUSSION:

City Council met for their regularly scheduled meeting on March 19, 2024. The minutes from that meeting are attached for Council's review and approval.

RECOMMENDATION:

Staff recommends that City Council approve the minutes from the March 19, 2024 regular meeting as submitted.

BUDGET/FISCAL IMPACT:

No funding is required for this item.

ATTACHMENTS:

Description	Type
☐ March 19, 2024 Regular Meeting Minutes	Backup Material



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

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

March 19, 2024

7:00 PM

ORDER OF
BUSINESS

1. Call to Order – Roll Call

The meeting was called to order by Mayor Chopper Davis at 7:00 p.m. Those in attendance were Deputy Mayor Matt Murphy, Councilman Peter Altman, Councilman Mike Peters and Councilwoman Kelly Mothershead.

Also in attendance were City Manager Debbie L. Manns, City Attorney Timothy Driscoll, City Clerk Judy Meyers, Finance Director Crystal Dunn, Fire Chief Chris Fitch, Public Works Director Robert Rivera, Police Chief Bob Kochen, Library Director Andi Figart, Technology and Innovations Director Robert Greene, Assistant City Manager Gregory Oravec and Human Resources Director Arnel Wetzel.

2 Pledge of Allegiance

3 Moment of Silence

4 Approval of March 5, 2024 Regular Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Matt Murphy and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

5 Swearing-In of New Police Officer Jeff Losinski

6 Proclamation - Florida Loquat Day

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

Mayor Davis opened the floor for public comment. The following people came forward to speak:

- Nathan Pollock, 6153 Massachusetts Ave., NPR spoke regarding billing for his solid waste

pickup.

- Michael Cox, 5709 Tidal Wave Dr., NPR spoke regarding the improvements made within the city over the last eight years.

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

- a Speakers must identify themselves prior to speaking by stating their name and full address for the record. Speakers shall address the City Council as a whole and refrain from addressing individual members of the City Council or the City staff. Speakers shall afford the utmost courtesy to the City Council, to City employees, and to the public, and shall refrain at all times, from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

8 Consent Agenda

Motion was made to accept the Consent Agenda.

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

- a Purchases/Payments for City Council Approval

9 Public Reading of Ordinances

- a First Reading, Ordinance No. 2024-2288: Land Use Amendment for 6727 Trouble Creek Rd.

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns stated this is part of a three part request. She stated that the purpose of this agenda item was to conduct a first reading of an ordinance to amend the Future Land Use Map from General Commercial (GC) to Light Industrial (LI) for the property located at 6727 Trouble Creek Rd. Both DRC and LDRB recommended denial of this request. She then introduced Lisa Algiere who then made a presentation to Council. Ms. Algiere began her presentation by highlighting all three requests which included a change in land use, rezoning and conditional use. She then highlighted the uses surrounding the property. Ms. Algiere then highlighted the request for rezoning. She then highlighted the permitted uses for Light Industrial. Ms. Algiere then highlighted the criteria for a conditional use. DRC determined that all three requests are inconsistent with the Comp Plan and/or did not meet the criteria needed.

Todd Pressman on behalf of the applicant came forward to make a presentation to Council. Mr. Pressman began his presentation by stating that this request would be for heavy equipment storage and not only limited to RV's. Mr. Pressman spoke regarding a current facility for storage, the wetlands and C2. He then spoke regarding current allowed uses. He stated there has been no opposition by any neighboring property owners. He stated that predominate uses are outdoor storage. Mr. Pressman stated this is a storage facility so the vehicles would not be coming in or out on a daily basis. He stated there would be no additional vehicle traffic.

Councilman Peters asked about fencing and landscaping for the project. Mr. Byrne stated it would be three tiered landscaping. Councilwoman Mothershead asked about the landscaping along the front. Mr. Pressman stated that trees would be installed every 10ft. There would be ground cover, shrubs and then trees for buffer. Councilman Peters asked about the size of the parking spaces. Mr. Byrne stated he has operated his pressure washing business out of the storage space across the street. He stated he has done everything possible to go about doing this the right way. Deputy Mayor Murphy asked about the storage across the street and City Manager Manns stated that the property owner is looking to build a storage building that when finished would block the outdoor storage. She stated it would significantly improve the appearance of the property. Mayor Davis asked if you can see the RV's and boats from Vorhees and City Manager Manns stated yes. She stated this is a classic example of spot zoning.

Upon opening the floor to public comment, the following people came forward to speak:

- Laurie Baker, 5853 Lafayette St., NPR asked about the difference between a junk yard and an outdoor storage facility. Mr. Pressman explained the difference.

With no one else coming forward Mayor Davis returned the floor to Council. City Attorney Driscoll stated there are three applications that are all inter-related. He stated if the land use is denied then Council cannot approve either of the other two. He stated this is a quasi-judicial proceeding. He stated the land use decision is a legislative decision and is the one Council has the most discretion over. Mr. Driscoll stated that this is classic spot zoning. He stated there is no Light Industrial anywhere on the map for the city but in the county. Councilwoman Mothershead stated that there is a storage facility down from her that has landscaping vehicles and pressure washing vehicles coming and going every day. Councilman Altman asked if the compactness is relevant to this and Mr. Driscoll stated this does make is a small-scale amendment. Councilman Altman stated what makes it difficult for him is the county zoning. He stated if you drive Trouble Creek from Little Road there are a number of these types of properties. He stated he does not see the residential activity. Councilman Peters stated that LDRB voted 5-0 to deny. He stated that he is empathetic but does not believe that is a use for that area.

Motion was made by Councilman Peters to deny the item as presented. Motion died for lack of second. Councilman Altman made a motion to approve the land use change. Motion died for lack of second. Motion made by Councilman Peters to postpone this item until the meeting on April 2, 2024. Seconded by Councilwoman Mothershead. Motion passed.

Motion made by Mike Peters and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

- b First Reading, Ordinance No. 2024-2289: Rezoning for 6727 Trouble Creek Rd.

City Attorney Driscoll read the proposed ordinance by title only. Motion made to postpone this item until the April 2, 2024 meeting.

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

- c First Reading, Ordinance No. 2024-2290: Conditional Use for 6727 Trouble Creek Rd.

City Attorney Driscoll read the proposed ordinance by title only. City Attorney Driscoll read the proposed ordinance by title only. Motion made to postpone this item until the April 2, 2024 meeting.

Motion made by Mike Peters and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

- d First Reading, Ordinance No. 2024-2293: Amending Chapter 7 of the LDC to Create an R-4 Coastal Cottage Zoning District

City Attorney Driscoll read the proposed ordinance by title only. City Manager Manns introduced Senior Planner Lisa Algiere who then presented the item to Council. She stated that the purpose of this agenda item was to conduct a first reading of an ordinance to amend Chapter 7 of the Land Development Code to create an R-4 Coastal Cottage Zoning District. The City's Land Development Code provides minimum development standards for residential lots including minimum lot size. Ms. Algiere stated that the City is in the process of annexing an area where the lots do not meet the City's minimum standards. The R-4 zoning district would create a district that would establish minimum lot size and development standards that would allow property owners to build on their lots without obtaining a variance. Ms. Algiere then highlighted the proposed development standards. She stated that Habitat owns quite a few lots and have built homes that meet some of our standards. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the ordinance upon its first reading.

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

10 Business Items

a 2022 N. River Neighborhood Streetscape Improvements Project Close Out

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to approve a deductive change order in the amount of \$57,034.92 and a final pay request in the amount not to exceed \$92,005.70 to Keystone Excavators, Inc. for the completion of the 2022 N. River Neighborhood Streetscape Improvements Project. The improvements included:

1. Removal and replacement of the existing sidewalk on the east side of N. River Road.
2. The milling and narrowing of the existing roadway.
3. Roadway lane, stop bar, and pedestrian crossing striping.
4. Decorative street lighting.
5. Landscape and hardscape.
6. The removal and replacement of existing traffic signage.
7. The straightening of the intersection located at N. River Road and Veterans Drive.

Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

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

b 2024 Sims Park Playground Surface Replacement Project Close Out

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to approve a deductive change order in the amount of \$4,000 and the final pay request in the amount of \$115,152.83 from Top Line Recreation Incorporated for the 2024 Sims Park Playground Surface Replacement Project. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Kelly Mothershead and seconded by Mike Peters. The Motion Passed. 5-0. Ayes: Altman, Davis, Mothershead, Murphy, Peters

c Request to Purchase Gravity - Cloud Based Platform

Finance Director Crystal Dunn introduced the item to Council. She stated that the purpose of this agenda item was to approve the purchase of the Gravity Cloud Based Platform to assist in budget planning and debt management. This is a budgeted item proposed in the 23/24 Capital Software budget of the Finance Department. The estimated amount is not to exceed \$63,964.12 which covers software implementation and annual licensing. The purchase would be made through a 3rd party vendor, SHI International, a reseller for software purchasing, using a piggyback agreement on an existing NASPO Cloud Solutions Contract #AR2488. This purchase is to streamline the budgeting process by allowing multiple users across the organization to participate in the budgeting process. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

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

11 Communications

Councilwoman Mothershead stated that Chasco is off to a roaring start. She has heard many positive

comments. Attendance is definitely up this year. She stated that she loves that so many people are involved in the centennial celebration. She stated she wanted to correct a comment made that she took her name off a business last year. Deputy Mayor Murphy agreed that Chasco is off to a great start. Councilman Peters stated that it was different not to have Chasco kick off with the street parade. He stated he wanted to extend his thanks to the City Manager and all of the staff for their hard work so far for Chasco. Councilman Altman stated it is always great to get the paid events through without any weather events. He stated that he was encouraged to have a room full of people that seemed happy to hear about all of the expansion projects in the city. He stated there is an election coming up and this group that has activated in the community has gotten all of the candidates involved with the project. He stated he hopes that contract negotiations continue and we will be able to close. He suggested looking to see if it could be extended to four years. He stated multi-family is not in the vision for the property. City Manager Manns stated she has asked for additional time as we will be doing some planning and visioning. Councilman Peters stated that he was taken aback from 2019 to now of all the projects that have been completed or near completion. Mayor Davis stated that the group that was here has roots here longer than he has. He stated we still have a lot to do. He stated that 90% of the volunteer work is done by 10% of the people.

12 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:39 p.m.

(signed) _____
Judy Meyers, CMC, City Clerk

Approved: _____ (date)

Initialed: _____



March 19, 2024

Patriot Stogies
6153 Massachusetts Ave.
New Port Richey, FL 34653

Attn: Nathan Pollock
Re: Service Level

Dear Mr. Pollock,

It has been a pleasure talking to you over the past couple of months as we work through the transition of the waste collection services in New Port Richey from an open market enterprise to a franchise system. We truly appreciate your patronage as a JD Parker customer before the transition and we will work tirelessly to make this new system successful for your business application going forward.

As we spoke when I delivered your new cart the other month, this 96-gallon wheeled cart is designed to accommodate approximately a week's worth of normal waste for small businesses. It is about 3x larger than the normal 32-gallon Rubbermaid container that most businesses usually set out and it has a lid to keep materials securely inside the container until serviced. The wheels make it easier to handle and more functional in small business setting, by taking up less space than the normal Rubbermaid containers.

Due to the increased size of the 96-gallon cart than previously being used before in the small business settings in New Port Richey, we have found most of the small businesses now will only need to utilize our service collection on one day a week, instead of the previous two days a week that most were receiving. We realize that you occasionally will have special functions and need additional service, we will still be able to collect extra materials set with the cart either in boxes or bags as before.

The monthly rate for the one time a week service level as described above will be \$26.36/month.

We feel that this level will be appropriate for your needs, based upon your past usage and our conversations. We will work with you, under the guidance of the new City contract, to address any concerns as we move forward.

Please feel free to reach out to me to discuss your needs in further detail.

Sincerely,



Dave Parker

Division Manager

Cell: 727-271-5052

Email: jdparker@wasteprousa.com



Office of the Mayor
City Of New Port Richey
Proclamation

WHEREAS, the City of New Port Richey recognizes the importance of parents talking with their teens about alcohol and drugs in order to reduce the risks and dangers posed to teens and communities; and

WHEREAS, high school students who use alcohol or other substances are five times more likely to drop out of school or believe good grades are not important; and

WHEREAS, 21.1% of Pasco County high school and 5.3% of Pasco County middle school students report past 30-day alcohol use. High school 30-day use is higher than the state average of 15.5%. 3.4% of high school students reported drinking before and during school; and

WHEREAS, underage drinking contributes to more than 4,300 deaths among people below the age of 21 in the United States each year; and

WHEREAS, PowerTalk 21[®] was created by Mothers Against Drunk Driving (MADD) in 2011 as a day to encourage parents and caregivers to embrace their important role in influencing America's youth and their decisions about drinking alcohol; and

WHEREAS, during the month of April, MADD and Pasco ASAP encourage parents to use PowerTalk21[®], as a part of the Power of Parents[®] program to create a sustained and prolonged conversation about underage drinking and other drugs among middle school and high school students.

NOW THEREFORE, I, Chopper Davis, Mayor of the City of New Port Richey, do hereby proclaim the month of April as:

*Alcohol Awareness and
PowerTalk 21[®] Month*

in the City New Port Richey and urge all citizens to join in the local and national efforts to raise awareness of the importance of parents and teens talking together about alcohol to reduce the risks and dangers posed to teens and our community.



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

ATTEST: _____

DATE: _____



Office of the Mayor
City Of New Port Richey
Proclamation

WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, The State of Florida, Water Management Districts and The City of New Port Richey are working together to increase awareness about the importance of water conservation; and

WHEREAS, The City of New Port Richey and the State of Florida have designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, The City of New Port Richey has always encouraged and supported water conservation, through various educational programs and special events; and

WHEREAS, every business, industry, school and citizen can make a difference when it comes to conserving water; and

WHEREAS, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community; and

NOW, THEREFORE, I, Chopper Davis, Mayor of the City of New Port Richey, do hereby proclaim the month of April as

Water Conservation Month

New Port Richey, Florida is calling upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

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

ATTEST: _____

DATE: _____



NEW PORT RICHEY

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

TO: City of New Port Richey City Council
FROM: Andre Julien, Director for Parks and Recreation
DATE: 4/2/2024
RE: Parks and Recreation Advisory Board Minutes - January 2024

REQUEST:

The request before the City Council is to review and approve the Parks and Recreation Advisory Board minutes for January 14th, 2024.

DISCUSSION:

The Parks and Recreation Advisory Board meets monthly. At the February meeting, the Parks and Recreation Advisory Board approved minutes from their January 14th meeting. The next Parks and Recreation Advisory Board meeting is scheduled for March 12th, 2024, at 7:00am in the Oak Room at the New Port Richey Recreation and Aquatic Center, which is located at 6630 Van Buren Street. The public is invited to attend.

RECOMMENDATION:

The recommendation before the City Council is to review and accept the January 14th, 2024, City of New Port Richey Parks and Recreation Advisory Board meeting minutes.

BUDGET/FISCAL IMPACT:

No impact

ATTACHMENTS:

Description	Type
□ January Meeting Minutes	Backup Material

PARKS & RECREATION ADVISORY BOARD MEETING MINUTES

January 9, 2024

The regular meeting of the Parks & Recreation Advisory Board was held at the Recreation & Aquatic Center and called to order at 7:04am on Tuesday, January 9, 2024. Board Members Chairman David Schrader, Carolyn Marlowe, Rob Oman, and Stephen Blanchard were in attendance. Launi Schmutz-Harden and Bertell Butler were not in attendance.

APPROVAL OF MINUTES

The December 12, 2023 minutes were unanimously approved.

OLD BUSINESS:

- Non-resident Advisory Board members
A discussion was had regarding non-residents being a part of the advisory board. A motion was made to include non-residents; however, there was no second and the motion failed. Advisory Board members and staff discussed ideas for recruiting potential members. Staff and board members will continue to work towards filling the vacant seats with residents. The topic will be revisited if it becomes too difficult to find interested residents.

NEW BUSINESS:

- Next issue of the Bridge – Friends of the Rec Center Group
An update on Friends of the Rec Center group will be coming out in the next issue of The Bridge.
- Application for grant for Grey Preserve discussion
The application for the grant for Grey Preserve is ongoing. The next meeting it will be an agenda item and an update will be given with more details on what is proposed to be done.
- Update on Meadows Dog Park
At the next meeting there will hopefully be a completion date to report.
- Sims Park playground surface replacement discussion
At the last City Council meeting, the playground surface replacement project in Sims Park was approved.
- Frances Avenue Park improvements
The City is entering into a contract to have improvements done in the park. Chairman Schrader asked where the boardwalk is going to be.
- Future P&R Advisory Board meetings discussion

The Board members were not in favor of changing the frequency of the P&R Board meetings. The board felt that with the current amount of content for the meetings, it was best to keep meeting monthly. The board was open to reevaluating this topic at a later date.

- Items not on the agenda

A discussion was had regarding the Special Event permitting process. Board members discussed about how it was done in the past. Staff provided information about the current process and that a Special Event Team (S.E.T team) meets to review these permits. The Board asked to be informed about upcoming Special Events.

Chairman Schrader mentioned that 2024 is the 100-year celebration for the City of New Port Richey and that he is participating with some of the planning.

Staff provided event recaps:

- Dec. 15th (Sleighed It!)

Friendly competition in replicating holiday desserts! Max of 20 participants. Top 6 contestants get prizes. For ages 11-17. We had 14 signups for this event. This was the 3rd year we have now done the event.

- Dec. 16th (Toys for Tots)

Staff recognized Chairman Schrader for volunteering. We helped over 2500 children and distributed tons of toys. We had volunteers from the local High School JROTC groups assist with the organization and distribution for this program. This year we helped the highest number of families and children yet.

- Dec. 26th – Jan. 5th (Winter Camp)

40 campers spent their holiday break here at the facility. Campers were broken up by age (5-8 & 9-12). We took 15 more campers this year than in previous years. We took the campers to Stop N Play and Astro Skate for field trips.

SPECIAL EVENTS:

Staff provided a general overview of the upcoming events.

- Kids Night Out – Sat., Jan. 13, 2024, 6:00pm – 9:00pm
- Arbor Day Celebration @ Frances Ave. Park. Fri., Jan. 19, 2024, 2:00pm – 3:00pm
- Concert in the Park (Pat Benatar tribute “All Fired Up”) – Sat., Jan. 27, 2024, 7pm
- Valentine’s Family Dance – Sat., Feb. 10, 2024, 5:30pm – 8:00pm
- Concert in the Park (Journey tribute band “Girl Can’t Help It”) – Saturday, February 17, 2024, 7pm

The meeting adjourned at 7:45am.

Respectfully submitted,
Krista J. Schiano



NEW PORT RICHEY

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

TO: City of New Port Richey City Council
FROM: Crystal Dunn, Finance Director
DATE: 4/2/2024
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 \$25,000 and over.

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	Backup Material

PURCHASES/PAYMENTS FOR CITY COUNCIL APPROVAL

E & L Construction Group	\$152,506.54
NPR Fire Station 2	

Stroud Engineering Consultants Inc.	\$26,130.00
Fleet Maintenance & Warehouse Facility	
Final Design and Construction Phase Services	

RECURRING EXPENDITURES OVER \$25,000

Tampa Bay Water	\$116,799.58
City of NPR February 2024 Usage	

Public Risk Management	\$26,614.00
Insurance Coverage	



NEW PORT RICHEY

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TO: City of New Port Richey City Council

FROM: Debbie L. Manns, ICMA-CM, City Manager

DATE: 4/2/2024

RE: Second Reading, Ordinance No. 2024-2293: Amending Chapter 7 of the LDC to Create an R-4 Coastal Cottage Zoning District

REQUEST:

The request is for City Council to conduct a second and final reading of an ordinance to amend Chapter 7 of the Land Development Code to create an R-4 Coastal Cottage Zoning District.

DISCUSSION:

The City's Land Development Code provides minimum development standards for residential lots including minimum lot size. The City is in the process of annexing an area where the lots do not meet the City's minimum standards. The R-4 zoning district would create a district that would establish minimum lot size and development standards that would allow property owners to build on their lots without obtaining a variance.

The Land Development Review Board approved this item at the regular meeting on August 17, 2023.

RECOMMENDATION:

Staff recommends that City Council conduct the second and final reading as requested.

BUDGET/FISCAL IMPACT:

No funding is required for this item.

ATTACHMENTS:

Description	Type
▣ Ordinance No. 2024-2293: Amending Chapter 7 of the LDC to Create an R-4 Coastal Cottage Zoning District	Ordinance
▣ LDRB Minutes - August 17, 2023	Backup Material
▣ Zoning District Design Chart with R-4	Backup Material

ORDINANCE NO. 2024-2293

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE, PERTAINING TO ZONING DISTRICT REGULATIONS; PROVIDING FOR A NEW SECTION 7.03.10 CREATING THE R-4 RESIDENTIAL COASTAL COTTAGE ZONING DISTRICT; PROVIDING FOR PERMITTED USES, PROHIBITED USES, AND DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there are residential lots within the city that do not meet the minimum lot size necessary for constructing a typical single-family dwelling;

WHEREAS, the City's Comprehensive Plan Housing Policy HOU 1.1.2 provides that the City shall review ordinances, codes, regulations and the permitting process for the purpose of eliminating excessive requirements, and amend or establish other requirements in order to increase private sector participation in meeting the housing needs of the City while continuing to ensure the health, welfare and safety of residents;

WHEREAS, the City's Comprehensive Plan Housing Policy HOU 1.1.5 provides that the City shall continue to allow a variety of residential densities and housing types through the Future Land Use Map and the Land Development Code;

WHEREAS, the current Land Development Code does not provide a zoning district for undersized lots;

WHEREAS, the City Council wishes to create an R-4 residential coastal cottage zoning district to provide development standards and uses for areas of the city having undersized lots;

WHEREAS, this ordinance has been reviewed by the Land Development Review Board as required by law;

WHEREAS, notice of this ordinance has been provided as required by applicable law; and

WHEREAS, the New Port Richey City Council finds it necessary to implement these regulations to promote the health, safety, and welfare of the citizens of New Port Richey.

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

SECTION 1. Chapter 7 of the New Port Richey Land Development Code, pertaining to zoning district regulations is hereby amended to create the R-4 Residential Coastal Cottage Zoning

District, designated as Section 7.03.10, as follows (strikeout text is deleted and underlined text is added):

7.03.10 - R-4 Residential Coastal Cottage District

7.03.10.01 Permitted land uses

Land uses permitted in the R-4 residential coastal cottage district shall be as follows:

1. A detached single-family house with a minimum area of nine hundred (900) square feet of living area exclusive of open porches, open breezeways or carports; and
2. Detached buildings for accessory uses, including those auxiliary structures customarily incidental to private residences.

7.03.10.02 Prohibited land uses

All land uses not specifically permitted in the R-4 residential coastal cottage district are prohibited.

7.03.10.03 Development standards

1. Minimum lot sizes

Minimum lot sizes shall be as follows:

- a. Minimum lot sizes shall not be less than two thousand eight hundred fifty (2,850) square feet; and
- b. Minimum lot width at the front building line shall not be less than thirty-eight (38) linear feet.

2. Minimum setback

Minimum setbacks of detached dwellings and accessory structures from avenues or streets and from all other lot boundaries shall be as follows:

- a. Minimum setback of the front building line from main artery and/or thoroughfare right-of-way for the primary structure shall be eighteen (18) feet, measured to the nearest permanent part or projection of the dwelling;
- b. Minimum setback of the rear building line of primary structures from rear property line shall be ten (10) feet;
- c. Minimum setback of side building lines on all lots, shall be five (5) feet from the side boundary line thereof to the nearest permanent wall or corner of the dwelling erected

thereon; provided, however, that the roof of any permanent overhang shall not exceed eighteen (18) inches. The setback requirement in the case of a lot which has a side boundary line that abuts on a main or arterial street shall be seven (7) feet from the main or arterial right-of-way to the nearest permanent wall or corner of the dwelling erected thereon; provided, however, that the roof of any permanent overhang shall not exceed eighteen (18) inches; and

- d. Minimum setback of building lines for detached accessory structures shall be five (5) feet, except where the rear or side of a building lot abuts an avenue or street in which case a detached accessory structure shall be no closer to the rear or side property line than seven (7) feet.

3. Maximum dwelling height

The maximum dwelling height shall be as follows:

- a. The maximum height for single family structures shall not exceed 25' or two (2) stories; and
- b. The maximum height of an accessory structure shall not exceed fifteen (15) feet.

4. Landscaping

All lots shall contain one tree and foundation plantings at the front of the primary structure at time of new construction.

5. Parking

All primary structures shall provide a minimum of one (1) parking space underneath the primary structure.

6. Architectural Elements

The following architectural elements shall be required:

- a. All primary structures and accessory structures shall be constructed in a manner reflecting a coastal cottage style of architecture; and
- b. All primary structures shall contain a front porch and may not be altered to form enclosed or air-conditioned living spaces.

7. Impervious Surface Ratio

No more than seventy (70) percent of the lot shall be covered with paving or other types of impervious surfaces, including structures.

SECTION 2. 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 3. Any ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. 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 5. This ordinance shall become effective immediately upon its adoption as provided by law.

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 19th day of March, 2024.

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 2nd day of April, 2024.

ATTEST:

Judy Meyers, CMC, City Clerk

Alfred C. Davis, Mayor-Council Member

APPROVED AS TO FORM

By: _____
Timothy P. Driscoll, City Attorney
CA Approved 3-6-24



**Land Development Review Board (LDRB) – Minutes
New Port Richey City Hall, Council Chambers
5919 Main Street, New Port Richey, Florida 34652
August 17, 2023**

Call to Order – Roll Call

Chairman John Grey called the July 20, 2023, Land Development Review Board (LDRB) public meeting and hearing to order at 2:00 pm.

Mr. Grey led the pledge of allegiance.

Mr. Grey requested a roll call of members present be conducted and Brittany Love stated the following persons were in attendance constituting a quorum.

Members in Attendance

John Grey, Chairman
Dr. Donald Cadle
Louis Parrillo
Allan Safranek
Beverly Barnett
Marilyn deChant

Staff in Attendance

Lisa Algieri, Senior Planner
Chris Bowman, Planner
Brittney Love, Development Tech
Gina Drake, Development Clerk
Dale Hall, Director Development

Minutes

Dr. Cadle made a motion to approve the July 20, 2023 minutes. Mr. Parrillo seconded the motion. The motion was approved unanimously 6-0.

Case:	VARIANCE #23-06-0013
Owner/Applicant:	Leigh Williams
Property Location:	5409 Cotee River Drive
Request:	Reduce rear yard setback from 40' to 13'6"

Lisa Algieri presented the staff report. She informed the Board that the applicant is proposing to build a swimming pool. The required setback for the rear yard is 40' when located on the river. The request is to build the pool 13'6" from the rear property line. Ms. Algieri noted that the house was built 1944 close to the river. The Development Review Committee found that the position of the house created a hardship and recommended approval of the request.

Ms. Leigh Williams the applicant spoke in favor of her request. Board members asked if a cage was part of the proposed construction. Ms. Algieri informed them that it was not. Dr. Cadle made a motion to approve the variance request to reduce the rear yard setback from 40' to 13'6". Mr. Parrillo

seconded the motion. The motion was approved unanimously 6-0.

Case: VARIANCE #23-07-0014
Owner/Applicant: Trinity Church of Christ LLC
Property Location: 5413 George Street
Request: Increase the distance for off-street parking

Lisa Algiere presented the staff report. She informed the board that the applicant plans purchase 5413 George Street to use for a church. The number of parking spaces at this property does not meet the required number of spaces for an assembly. The applicant is proposing to purchase two vacant lots (Parcel ID#s 08-26-16-0240-00100-0010 & 08-26-16-0240-00100-0150) approximately 306' from the proposed church site to use for additional parking. The two lots will be unified if the variance is approved. Section 11.05.00(1) of the Land Development Code allows for off-site parking when the property is located within 200' of the primary site. The applicant is asking for a variance to extend the distance to approximately 306'. Ms. Algiere informed the board that the City Attorney is recommending that if approved a condition be placed on the land that it cannot be sold as long as the church is in operation. The Development Review Committee could not find a hardship and recommended denial of the request.

Ms. Christina Hudson representing the applicant spoke in favor of the request. She informed the board that a development pattern of off-site parking lots already exists in the area and that the off-site parking lot would only be used one day a week.

Mr. Grey noted that the distance of 306' is not difficult for pedestrians since there a large parking lots for schools, hospitals and shopping centers that have parking spaces greater than 300' from the door of the business. Dr. Cadle made a motion to approve the variance request with the city attorney's recommendation. Mr. Parrillo seconded the motion. The motion was approved unanimously 6-0.

Since the Development Review Committee and Land Development Review Board decisions are different, the matter will be forwarded to the City Council for a final decision.

Case: Ordinance Creating R-4 Residential Coastal Cottage Zoning District

Ms. Algiere presented the staff report. She informed the board that the city and county are in discussions for the city to annex an island west of US Highway 19 that includes a residential neighborhood on Leisure Lane and Van Doren Avenue. The lots are small and do not meet the minimum lot size for the city's residential districts. The proposed ordinance will allow for small homes to be built on small lots. Ms. Algiere presented the proposed development standards and discussion ensued on the height, number of stories and parking.

Board members discussed the height of the buildings and its effects on small lots. They agreed that a single story house (attached and detached) not to exceed 25' would be aesthetically appropriate to the neighborhood. They also agreed that there should be parking underneath the structure since each unit would be required to elevate due to the flood zone.

Dr. Cadle made a motion to recommend approval of the proposed ordinance with the noted changes. Mr. Parrillo seconded the motion. The motion was approved unanimously 6-0.

Meeting adjourned at 2:43 pm.

RESIDENTIAL ZONING DISTRICT DESIGN STANDARDS

Zoning District	use	min lot size (sq ft)	min lot width (sq ft)	min home size or floor area	max height	front setback	side setback	side abutting street	rear setback	river bank	rear easement	accessory structure setbacks:			
												side	abutting st	rear	river bank
R-1	single family	7,500	60	1,500	35' or 2.5	25*	10	25**	25	40		10	25	5	40
R-2 platted after 5/19/81	single family	6,000	60	1,200	35' or 2.5	25*	7.5**	25**	20	40		5	25	5	40
R-2 platted on or before 5/19/81	single family	5,000	50	1,000	35' or 2.5	25*	5**	25**	10	40		5	25	5	40
R-3	single family	5,000	50	900	35' or 2.5	25*	5**	25**	10	40		5	25	5	40
R-4	single family	2,850	38	900	25' or 2	18	5	7	10			5	7	5	
MF-10	single family (use R-3)	5,000	50	900	35' or 2.5	25*	5**	25**	10	40		5	25	5	40
MF-10	duplex	5,500	none	600	not specified	25	5**	25**	10	40		not specified			
MF-10	triplex	8,000	none	500	not specified	25	5**	25**	10	40		not specified			
MF-10	apts, condos, THs	15,000	100	400, 500, 650	3-5 stories	20	8 (20 total)	8 (20 total)	F+R= 50	not specified		not specified			
MF-14	single family (use R-3)	5,000	50	900	35' or 2.5	25*	5**	25**	10	40		5	25	5	40
MF-14	duplex	5,500	not specified	600	not specified	25	5**	25**	10	40		not specified			
MF-14	triplex	8,000	not specified	500	not specified	25	5**	25**	10	40		not specified			
MF-14	apts, condos, THs	15,000	100	400, 500, 650	3-5 stories	25	8 (20 total)	8 (20 total)	F+R= 50	not specified	20	not specified			
MF-30	single family (use R-3)	5,000	50	900	35' or 2.5	25*	5**	25**	10	40		5	25	5	40
MF-30	duplex	5,500	not specified	400, 500, 650	not specified	25	5**	25**	10	40		not specified			
MF-30	triplex	8,000	not specified	400, 500, 650	not specified	25	5**	25**	10	40		not specified			
MF-30	apts, condos, THs	160,000	200	400, 500, 650	5 stories	25	10	10	F+R=200	not specified	20	not specified			

*Front porches may extend 10 feet into front setback. See Ordinance #2016-2077.

**Roof overhang no more than 18 inches.



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: 4/2/2024
RE: Consideration of Disposal of Surplus Vehicles/Equipment for Auction

REQUEST:

The request of staff for Council is to review the attached Fleet Maintenance Supervisor's attached memorandum identifying seven (7) vehicles/equipment and declare the vehicles/equipment **"Surplus Equipment"** and authorize staff to process the vehicles/equipment for auction using the services of The Public Group, LLC.

DISCUSSION:

In order to control operational costs and maintain an economical size of the City's vehicle fleet and equipment inventory, items that are worn out and have served their useful life due to high mileage, high maintenance costs, obsolete parts availability, and other factors determined by the Fleet Maintenance Supervisor, a list is compiled for Council to review and declare the items surplus equipment to allow staff to auction off the identified items.

As City Council may recall, since 2016 the City's Public Works Department holds a vehicle and equipment auction utilizing The Public Group, LLC. AKA Public Surplus online services. These services were approved by City Council prior to the initial auction being held. The only expense for the City is the cost to place an ad in a major newspaper notifying the general public of the online auction. Once an item is sold the buyer is required to pay an auction fee of seven percent (7%) of the purchase price. The City collects all of the funds and distributes the seven percent (7%) to Public Surplus as part of the auction agreement. Minimum purchase prices for the vehicles are identified and set by the City's Fleet Maintenance Supervisor using the Kelly Blue Book. The majority of the vehicles sold online have exceeded the minimum set bid making this type of auction more successful than the Tampa Bay Auction the City utilized for over twenty years. Subsequent to staff review, it has been determined The Public Group, LLC. auction terms and conditions have not changed and remain the same as the previous agreement with the City.

RECOMMENDATION:

The action recommended by staff to Council is to approve the request to declare the vehicles and equipment **"Surplus Equipment"** and authorize staff to process the equipment/vehicles for auction using the services of The Public Group, LLC.

BUDGET/FISCAL IMPACT:

Funds collected for the sale of the vehicles/equipment will be considered revenue to the City.

ATTACHMENTS:

Description	Type
☐ FMS "Surplus Vehicle" recommendation memorandum	Backup Material
☐ NPR PP, T&C	Backup Material

TO: Robert Rivera, Public Works Director

FROM: Joseph Savinsky – Fleet Supervisor

DATE: March 22nd, 2024

RE: Decommissioned Vehicles ready for auction awaiting council approval

In order to control operational costs and maintain an economical size of our fleet, the below vehicles need City Council approval for sale at auction.

UNIT#	ASSET#	VIN#	YEAR	MAKE	MODEL	DEPT	MILEAGE
132	8636	2C3CDXAG7DH715840	2013	Dodge	Charger	Police	80,050
134	8769	1FM5K8AR4FGB75326	2015	Ford	Explorer	Police	104,652
135	8770	1FM5K8AR6FGB75327	2015	Ford	Explorer	Police	84,781
137	8780	1FAHP2L88FG165263	2015	Ford	Taurus	Police	100,207
143	8785	1FM5K8AR7GGB73636	2016	Ford	Explorer	Police	85,458
144	8784	1FM5K8AR9GGB73637	2016	Ford	Explorer	Police	94,976
167	9592	JN8AZ18U49W019916	2009	Nissan	Murano	Police	52,846

The first six of the above listed vehicles have been replaced with new units from our Enterprise lease program due to age, mileage, and cost of due repairs needed to keep them in service. The seventh one is police impound that was used as an undercover surveillance vehicle being replaced with a newer impound. They have been decommissioned and are ready for sale on Public Surplus Auction. I am requesting permission for sale from The City Council.

Joseph K. Savinsky

Division Head

Public Works Director

Terms and Conditions

ONLINE SALES – TERMS AND CONDITIONS

Guarantee Waiver. All property is offered for sale “as-is, where-is.” *City of New Port Richey* makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect, or consequential.

Description Warranty. *City of New Port Richey* warrants to the Buyer that the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property. If *City of New Port Richey* confirms that the property does not conform to the description, *City of New Port Richey* will keep the property and refund any money paid. The liability of *City of New Port Richey* shall not exceed the actual purchase price of the property. Please note that upon removal of the property, **all sales are final.**

Inspection. Most items offered for sale are used and may contain defects not immediately detectable. Bidders may inspect the property prior to bidding. Bidders must adhere to the inspection dates and times indicated in the item description or contact the person listed to schedule an inspection.

Consideration of Bid. *City of New Port Richey* reserves the right to reject any and all bids and to withdraw from sale any of the items listed.

Notice of Award. Successful bidders will receive a Notice of Award by email from PublicSurplus.com

Payment. Payment in full is due not later than **10 working** days from the time and date of the Notice of Award. Payment shall be in the form of:

Currency

Cashier's Check

Certified Check

Money Order

Checks shall be made payable to: *City of New Port Richey*. Payments shall be made at the location listed in the Notice of Award.

Removal. All items must be removed within **10 working** days from the time and date of issuance of the Notice of Award. Purchases will be released only upon receipt of payment as specified. Successful bidders are responsible for loading and removal and any and all property awarded to them from the place where the property is located as indicated on the website and in the Notice of Award. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will *City of New Port Richey* assume responsibility for packing, loading or shipping. Property may be removed between the hours of and, Monday through Friday, excluding legal holidays. For additional information, please contact **Joe Savinsky, (727) 853-1276, savinskyj@cityofnewportrichey.org**.

Vehicle Titles. *City of New Port Richey* will issue a title or certificate upon receipt of payment. Titles may be subject to any restrictions as indicated in the item description on the website. Open titles cannot be issued. *City of New Port Richey* will not issue replacement titles.

Default. Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all items within the specified time.

Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, ***City of New Port Richey*** may exercise such rights and may pursue such remedies as are provided by law.

Acceptance of Terms and Conditions. By submitting a bid, the bidder agrees that they have read, fully understand and accept these Terms and Conditions of Online Sales, and agree to pay for and remove the property, if the bid is accepted, by the dates and times specified.

State/Local Sales and/or Use Tax. ***City of New Port Richey*** will collect sales tax on non vehicles if applicable.



NEW PORT RICHEY

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

TO: City of New Port Richey City Council

FROM: Robert Kochen, Chief of Police

DATE: 4/2/2024

RE: Resolution No. 2024-05: Adopting a Neighborhood Improvement and Community Enhancement Program (NICE)

REQUEST:

The request is for the City Council to adopt Resolution No. 2024-05 which would establish the Neighborhood Improvement and Community Enhancement Program (NICE). Staff also requests that City Council approve the corresponding budget amendment to fund the NICE program for the remainder of this fiscal year.

DISCUSSION:

The NICE grant program established by Resolution No. 2024-05 is an innovative approach to assist lower-income to lower-moderate income person(s) in obtaining a city grant to correct outstanding code violations. These outstanding code violations have a negative impact on the property/residence and the surrounding community. The goal of the NICE grant program is to assist homeowners unable to achieve code compliance on their own for reasons of financial hardship or physical limitations. Moreover, this grant program can help to improve the quality of life for the resident(s) obtaining the grant and the surrounding community.

Resolution No. 2024-05 outlines the elements of the NICE grant program in the following sections:

- Section 2 - Eligibility
- Section 3 - Application process
- Section 4 - Funding
- Section 5 - Administration

City Attorney Tim Driscoll reviewed the resolution and approved it as to form.

RECOMMENDATION:

The recommendation is for the City Council to adopt Resolution No. 2024-05 which would establish the Neighborhood Improvement and Community Enhancement Program (NICE) and approve the corresponding budget amendment to fund the NICE program for the remainder of this fiscal year as submitted.

BUDGET/FISCAL IMPACT:

Budget Impact:

- Account number 001065-44968 - (code enforcement division), add \$17,000.00 from code enforcement fines for F.Y. 24 NICE program.
- Account number 001-354100 - (code enforcement fines), transfer \$17,000.00 to code enforcement budget for F.Y. 24 NICE program.
- Above budget transfers are outlined in the attached budget amendment.

ATTACHMENTS:

	Description	Type
▣	Resolution No. 2024-05: Neighborhood Improvement & Community Enhancement (NICE) program	Backup Material
▣	NICE Program Budget Amendment	Backup Material

RESOLUTION NO. 2024-05

A RESOLUTION OF THE CITY OF NEW PORT RICHEY, FLORIDA
ESTABLISHING THE NEIGHBORHOOD IMPROVEMENT COMMUNITY
ENHANCEMENT GRANT PROGRAM FOR ELIGIBLE HOMEOWNERS;
PROVIDING FOR FUND ELIGIBILITY; PROVIDING FOR PROCEDURES
NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION;
PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, city code violations exist on various residential properties within the City;

WHEREAS, outstanding code violations diminish the public health, safety and welfare
of the community;

WHEREAS, many homeowners may be financially or physically unable to adequately
correct outstanding code violations;

WHEREAS, the enforcement of uncorrected code violations may lead to financial
hardships for some residential homeowners due to repair costs, or imposed fines or liens authorized
by law;

WHEREAS, the City Council of the City of New Port Richey wishes to create a program
to assist eligible residential homeowners in correcting code violations and bringing the violations
into compliance with city codes;

WHEREAS, the City of New Port Richey wishes to encourage and assist eligible
homeowners in bringing their property with existing code violations into compliance with the city
codes;

WHEREAS, the City Council desires to establish this home improvement program to be
known as the Neighborhood Improvement Community Enhancement (“NICE”) program as set
forth in this resolution in order to assist eligible homeowners in the City of New Port Richey;

WHEREAS, the City Council has found that the use of public funds to support the
Neighborhood Improvement program serves a public purpose by improving the overall quality of
life in the City by improving properties which might otherwise remain in violation of city codes;
and

WHEREAS, the City Council finds that establishing the Neighborhood Improvement
Community Enhancement program promotes the public health, safety, and welfare of the citizens
of the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY HEREBY
RESOLVES:

SECTION 1. Establishment. There is hereby created within the City of New Port Richey a program to be known as the “Neighborhood Improvement Community Enhancement” (“NICE”) program in order to provide financial assistance to residential homeowners within the City having outstanding code violations on their property.

SECTION 2. Eligibility. In order to qualify for a grant award under this program, an applicant and property must meet the following qualifications:

- A. The property shall be owned by and titled in the name of a natural person or persons;
- B. The property shall be designated as the owner(s)’ homestead on the records of the Pasco County Property Appraiser and meet all criteria for such designation;
- C. The property shall contain only a single-family home, a mobile home or a manufactured home, titled to the owner of the land on which said home is located;
- D. The property shall have one or more of the following code violations in need of repair, as determined by the City’s Code Enforcement Officers or the Building Official:
 - 1. The dwelling roof, including all soffits and fascia, has curling, broken, missing or leaking shingles, tiles, other coverings or elements;
 - 2. The dwelling has broken or substantially damaged windows, entry doors, or garage doors;
 - 3. The dwelling has damaged, loose or falling gutters, siding or other treatments;
 - 4. The dwelling has substantially peeling, cracking, rotten or spauling paint, stucco, wood or other treatments;
 - 5. The yard contains a tree of at least 10 inches diameter at breast height that is dead or diseased, in danger of falling, which meets the criteria for removal by law as established by a certified arborist or landscape architect;
 - 6. A fence which is damaged, in disrepair, or has significant leaning or sagging of sections;
 - 7. A driveway with substantial cracking, rutting, unevenness, or otherwise in substantial disrepair;
 - 8. The property has a substantial amount of debris or items outdoors that would require a minimum ten (10) yard temporary dumpster to remove;
 - 9. Exterior landscaping is unmaintained, dead or dying, or otherwise in need of maintenance; or
 - 10. Any appurtenances in disrepair including walkways, porches, stairs, railings, sheds, carports, accessory buildings, chimneys, outdoor lighting fixtures or mailboxes.
- E. The property shall not be subject to or eligible for an order to demolish under the criteria provided by City Code;
- F. A City Code Enforcement Officer or the Building Official shall have designated the appropriate City Code or Building Code section which pertains to the eligible violation;

- G. The applicant(s) and all owners of the property shall each meet the federal poverty level guidelines for combined income from all sources and from all household members or owners as established annually by the U.S. Department of Health and Human Services;
- H. The just value of the property as established by the Pasco County Property Appraiser, less the outstanding balance of all mortgages against the property, shall be no more than \$100,000.00 or the amount established by the City Council from time to time;
- I. All ad valorem property taxes, non-ad valorem assessments, code enforcement liens, and all utility charges of the City pertaining to the property shall be paid in full or current, or the release of such charges must be provided for in an agreement with the City upon completion of the repair work associated therewith; and
- J. No mortgage or lien foreclosure action shall be pending pertaining to the property.

SECTION 3. Application. Each applicant for funding under the program shall provide the following:

- A. A completed application for funding on a form provided by the City;
- B. Complete tax returns or an affidavit of no income for each member of the household of the applicant, pertaining to the two (2) tax years immediately prior to the filing of the application;
- C. The identity, age and employment status of each member of the household of the applicant;
- D. The address of the property which is the subject of the application;
- E. An itemized estimate for completion of the work for which the funding is requested prepared by a qualified, and if required, licensed contractor and showing all labor, materials and costs for the performance of the work, along with a detailed description of the scope of work to be performed;
- F. Documents establishing proof of the applicant(s)' available funds to fully fund the completion of the work in excess of the amount of the funds applied for under the program;
- G. An acknowledgement signed by each applicant regarding the application of Florida's Public Records Act to all documents submitted by the applicant(s);
- H. An affidavit of eligibility for the program;
- I. Three (3) bids for the work provided by vendors on the City's vendor list; and
- J. Proof of homeowner's insurance on the property.

SECTION 4. Funding. Program funding shall be provided as follows:

- A. Funds for the grant program shall be limited to the amount budgeted by City Council each fiscal year from code enforcement fines received by the City equal to ten percent (10%) of the total prior year code enforcement fines collected;
- B. Each grant award shall be limited to no more than \$5,000.00 from the available budgeted grant funds, and any permit fees required shall be waived;
- C. Grant awards shall only be given to eligible applicants;
- D. Grant awards shall only be given for applications where the total project cost does not exceed the amount of grant funds available up to the maximum grant award, plus the applicant(s)' funds established by the proof of funds supplied with the application;
- E. Each applicant for a grant shall enter into a grant agreement in a form provided by the City prior to receiving any grant;
- F. Grant funds shall be paid directly to the applicant(s)' contractor upon completion of the work, unless the applicant(s) submits proof of prior payment to said contractor;
- G. Grant funds shall only be paid upon inspection by the City's Building Official or Code Enforcement Officer certifying proper completion of the work and remediation of the code violation; and
- H. All grant awards shall be made for each grant application until all grant funds for the subject fiscal year are exhausted for all applications received by the City in the prior ninety (90) day period, based upon the following rank order:
 - 1. Applications shall first be ranked by the scope of work in the order set forth in Section 2D of this resolution;
 - 2. Next, the applications shall be ranked by the percentage of the total work being funded by the grant, from highest to lowest;
 - 3. Next, the applications shall be ranked by the percentage by which the amount set forth in Section 2H of this resolution exceeds the value of the subject property after deducting outstanding mortgages, from highest to lowest;
 - 4. Next, the applications shall be ranked by the percentage by which the amount set forth in Section 2G of this resolution exceeds the combined income of the members of the household, from highest to lowest; and
 - 5. Finally, the applications shall be ranked by the date and time of receipt by the City.

SECTION 5. Administration. The city manager shall take any actions necessary to implement the program provided pursuant to this resolution and shall have final authority over all grants made under this program in accordance with the terms hereof. A project sign shall be placed on the

property by the city manager and the same shall remain thereon for a period of two (2) weeks after the completion of the project. Volunteers may be used to provide labor to assist in completion of the work at any property, including members of the household on said property. All improvements shall be maintained by the property owner after completion. The owner of the property shall execute a waiver of liability and hold harmless agreement relieving the city of any liability for the work performed on the property. The city manager may maintain a vendor list to assist homeowners in finding vendors to provide the services required, which list shall be open to any and all vendors requesting to be placed on said list that are qualified and licensed for the type of work provided by category of work. A contract for the work to be performed shall be executed by the property owner and the lowest, responsible bidder and provided to the city. The property owner and contractor shall each enter into an agreement with the City on the form provided by the City. Payment of the grant award shall be paid directly to the contractor on the terms approved by the City. The City may require any funds to be contributed by the property owner be placed in an escrow account at the time of the award of the grant. The contractor shall obtain all required city permits for the work to be performed and provide proof of worker's compensation insurance. If any dispute arises between the vendor and the property owner over the work performed, the city may withhold payment to the vendor until the dispute is resolved, but shall not be obligated to do so. At the conclusion of the work, the property owner shall execute an acknowledgement of the completion of the work and authorization to pay the vendor.

SECTION 6. Effective Date. This resolution shall take effect immediately upon adoption according to law.

DONE AND RESOLVED on the ____ day of _____, 2024.

ATTEST:

Judy Meyers, City Clerk

Alfred C. Davis, Mayor

Approved as to form:

Timothy P. Driscoll, City Attorney



BUDGET AMENDMENT REQUEST

Date 4/2/2024

NO. _____

INCREASE

Account No.	Division	Description	Budget Current	Change	Proposed Budget
001065 44968	General	NICE Program Expenses	-	17,000	17,000
001 354100	General	Code Enforcement Fines	80,000	17,000	97,000
					-
					-
					-
					-
					-
					-

DECREASE

Account No.	Division	Description	Budget Current	Change	Proposed Budget

Explanation: recognize Code Enforcement Funds received in excess of the FY24 budget and
allow spending of those funds for costs associated with the Neighborhood Improvement and Community
Enhancement Program.

Requested By: Robert Kochen
Department Head

Approved By:
Finance Director Crystal Dunn
City Manager _____

Council Action Required ☒ Yes ☐ No (If Yes, Date Approved _____)

Date Posted _____ Current Month _____ Posted By: _____



NEW PORT RICHEY

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

TO: City of New Port Richey City Council
FROM: Robert Kochen, Chief of Police
DATE: 4/2/2024
RE: Approval of Agreement for Lien Foreclosure Services w/Matthew Weidner, PA

REQUEST:

The request is for the City Council to approve the lien foreclosure retainer agreement contract with Matthew Weidner PA.

DISCUSSION:

Currently the City of New Port Richey has active outstanding liens on dilapidated unoccupied/non-homestead homes and vacant land. These homes and/or vacant land are a detriment to areas where they are located and degrade the quality of life for the surrounding residents and/or businesses.

To bring closure to these code enforcement cases/liens, and to help redevelop and enhance the quality of life in these areas, the strategy is:

- Administratively assess the code cases one by one and rank them based on the condition of the unoccupied home/vacant land and its negative impact on the area.
- Use a foreclosure attorney to foreclose on non-homesteaded/unoccupied properties and vacant land.
- Repurpose the properties for productive reuse as workforce housing.

In hiring an attorney that specializes in foreclosures, our city can streamline foreclosure proceedings on our code enforcement liens. Foreclosed properties will then be redeveloped to increase home ownership and improve the quality of life in these neighborhoods. Attorney Weidner is an expert on foreclosures and has active contracts with the City of St. Petersburg, City of Largo, City of Clearwater, City of Bradenton, City of Fort Pierce, and City of Yankeetown. Mr. Weidner has been practicing law since 1999 and is an active participant with the Florida Association of Code Enforcement and the Florida City and County Management Association. The fees associated with this retainer agreement are outlined therein.

City Attorney Tim Driscoll reviewed the retainer agreement and approved it as to form.

RECOMMENDATION:

Approve the foreclosure retainer agreement contract with Matthew Weidner PA so we can begin the process of addressing some of our worst properties with outstanding liens.

BUDGET/FISCAL IMPACT:

Currently there is no budget impact.

ATTACHMENTS:

Description	Type
❏ Foreclosure Attorney Agreement	Backup Material

CITY OF NEW PORT RICHEY LIEN FORECLOSURE
ATTORNEY RETAINER AGREEMENT

The City of New Port Richey (hereinafter “Client” or “City”) has approved Matthew D. Weidner, Esq. and his firm, Matthew D. Weidner, PA, (hereinafter collectively called “Weidner” or “Attorney”) as outside counsel to serve the City for the limited purposes set forth herein and no other purpose. All communication with the City by the Attorney related to the matters herein shall be through the City Manager or with any employee designated by the City Manager. In consideration of the legal services to be rendered by Attorney for any claims that the City may have related to the collection of code enforcement, lot clearing, demolition, or any other kind of liens (hereinafter these may also be referred to collectively as “cases”) which will be assigned to Attorney in writing by the City, the parties agree to the following terms:

1. The City Manager or her designee will assign cases to Weidner which are suggested as appropriate for foreclosure and collection of amounts owed to the City. Weidner will carefully review each case for appropriateness and may accept or reject any case for further pursuit for any reason or no reason whatsoever. Likewise, the City Manager may rescind the assignment of any case at any time at which time Weidner shall deliver a copy of the complete file to the City Attorney and take no further action in representing the Client related to that case. In cases rescinded, the City will pay all hard costs Weidner expended.

2. **Attorney’s Fees.** As and for his compensation for such lien collection work, Weidner will receive:

a. Prior to a lawsuit being filed

1. 20% of any recovery up to \$1 million; plus
2. 10% of any portion of the recovery between \$1 million and \$2 million; plus
3. 5% of any portion of the recovery exceeding \$2 million.

b. Before the filing of an answer or the demand for appointment of arbitrators or, if no answer is filed or no demand for appointment of arbitrators is made, the expiration of the time period provided for such action:

1. 20% of any recovery up to \$1 million; plus
2. 10% of any portion of the recovery between \$1 million and \$2 million; plus
3. 5% of any portion of the recovery exceeding \$2 million.

c. After the filing of an answer or the demand for appointment of arbitrators or, if no answer is filed or no demand for appointment of arbitrators is made, the expiration of the time period provided for such action, through the entry of judgment:

1. 20% of any recovery up to \$1 million; plus
2. 10% of any portion of the recovery between \$1 million and \$2 million; plus
3. 5% of any portion of the recovery exceeding \$2 million.

d. An additional 5% of any recovery after institution of any appellate proceeding is filed or post-judgment relief or action is required for recovery on the judgment.

With respect to any of the above fees, to the extent that actual attorney's fees awarded by a court or agreed to by opposing counsel exceed those amounts listed above, Attorney shall be entitled to whichever is greater.

3. **Costs and Expenses.** Weidner will advance all costs and expenses which are related to litigation including filing fees, title search, service of process and other costs or expenses which are necessary in pursuit of the case. Attorney will be reimbursed by Client for all expenses and costs associated regardless of whether a case is brought to judgment. Expenses are to be deducted from the recovery as follows (mark one):

 X Before the contingent fee is calculated

_____ After the contingent fee is calculated

In the case of a foreclosure final judgment, the Attorney will provide details of all costs and expenses incurred to the court and seek to have all costs and expenses incorporated into any

final judgment entered by the court. It is expected that any case brought to foreclosure auction should include recovery of any compensable costs and expenses recoverable by the client after issuance of the final judgment. Weidner will coordinate the City's participation in bidding in any foreclosure auction. After every public auction, Attorney will provide a written invoice to the City Attorney which will detail the results of the public auction and which shall include a check from the public auction, if any, along with a copy of the final judgment showing all costs and expenses awarded. This written invoice will serve as Weidner's request for payment, which invoice will be paid in a timely manner by city.

4. Weidner will make a demand for payment of attorney's fees and costs in all cases in which they may be awarded. Attorney shall be entitled to any such fees awarded by the court or agreed to by opposing parties for each case assigned to Attorney. In any case in which a foreclosure action is filed by Attorney and the City obtains title to the property, but court-awarded or settlement fees are not available, Attorney shall be entitled to recover those attorney's fees awarded by the court in addition to actual costs as awarded by the court but in no case shall the fees due to the Attorney exceed \$2,000.00 per case when the city takes title to the property. The Client acknowledges that the Attorney has explained that the Client could bear Defendant costs and attorney's fees if the Defendant prevails. An example of this outcome would be if liens the Client has directed Attorney to foreclosure have already been paid or satisfied.

5. The Client agrees not to compromise any claim which has been forwarded to Attorney without notifying the Attorney and the Attorney is not authorized to compromise any claim without the Client's consent.

6. Attorney agrees and acknowledges that there may be certain issues that arise in a case that, while not essential to resolution of the foreclosure action, may address important collateral issues that the Client wishes to address before the courts. The Attorney agrees to work with the City

Attorney's office to identify such issues and allocate responsibility for handling such issues when they arise.

7. The undersigned Client has, before signing this Agreement, received and read the Statement of Client's Rights, and understands each of the rights set forth therein. The undersigned Client has signed the Statement and this Agreement and received signed copies to keep and to refer to while being represented by the undersigned Attorney.

8. This Agreement may be terminated by Client at any time by written notification to the Attorney. If terminated within 3 business days of the date the Agreement was signed, as shown below, the Client shall not be obligated to pay any fees to the Attorney for any work performed during that time. If terminated after three business days, the Client and the Attorney shall discuss the status of each case and, after reviewing the factors for attorney's fees set forth above, the Client in its' sole discretion shall determine whether to pay Attorney any attorney's fees and the amount thereof. Attorney may terminate this representation after providing reasonable notice to the City in writing and shall not be entitled to any attorney's fees for any work. If the Attorney has paid any approved costs or expenses in the representation of the Client in any case, the Attorney is entitled to be reimbursed for such amounts that the Attorney has reasonably advanced on behalf of the Client.

9. Non appropriation. The obligations of the City as to any funding required pursuant to this Agreement shall be limited to an obligation in any given year to budget, appropriate and pay from legally available funds, after monies for essential City services have been budgeted and appropriated, sufficient monies for the funding that is required during that year. Notwithstanding the foregoing, the City shall not be prohibited from pledging any legally available non-ad valorem revenues for any obligations heretofore or hereafter incurred, which pledge shall be prior and

superior to any obligation of the City pursuant to this Agreement.

10. Attorney shall comply with all applicable federal, state, and local laws, ordinances, rules and regulations, the federal and state constitutions, and orders and decrees of any lawful authorities having jurisdiction over the matter at issue including but not limited to Florida Public Records laws (e.g., Chapter 119, Florida Statutes, and specifically Chapter 119.0701(2)(a)-(d)). In the event that Attorney receives public records request pursuant to Chapter 119, Florida Statutes, Attorney shall immediately notify the City Attorney's Office in writing. Attorney shall obtain written approval from the City Attorney's Office prior to releasing or disclosing public records because exemptions may apply. Attorney shall also comply with instructions of the City Attorney's Office and all City policies and procedures regarding public records. The Attorney shall retain all records maintained by Attorneys for each case and make them available to Clients within three (3) days of request.

By execution of this Agreement, the parties agree to be bound by the terms and conditions as set forth herein.

11. Public Records. Upon request from City's custodian of public records, Vendor shall provide City a copy of any requested public records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in the Florida Public Records Act or as otherwise provided by law. Vendor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of this Agreement and following completion of this Agreement if Vendor does not transfer the records to City. Upon completion of this Agreement, Vendor shall transfer, at no cost to City, all public records in the possession of Vendor or keep and maintain public records required by City to perform the services

provided in this Agreement. If Vendor transfers all public records to City upon completion of this Agreement, Vendor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If Vendor keeps and maintains public records upon completion of this Agreement, Vendor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to City, upon request from City's custodian of public records, in a format that is compatible with the information technology systems of City.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (727) 853-1024, MANNSD@CITYOFNEWPORTRICHEY.ORG, AND 5919 MAIN STREET, NEW PORT RICHEY, FLORIDA 34652.

Date: _____

Date: _____

By:
For: City

Matthew D. Weidner, Esq.
Weidner Law, P.A.,
250 Mirror Lake Dr. N.,
St. Petersburg, FL 33701

STATEMENT OF CLIENT'S RIGHTS

Before you, the prospective client, arrange a contingent fee agreement with a lawyer, you should understand this statement of your rights as a client. This statement is not a part of the actual contract between you and your lawyer, but, as a prospective client, you should be aware of these rights:

1. There is no legal requirement that a lawyer charge a client a set fee or a percentage of money recovered in a case. You, the client, have the right to talk with your lawyer about the proposed fee and to bargain about the rate or percentage as in any other contract. If you do not reach an agreement with one lawyer, you may talk with other lawyers.

2. Any contingent fee contract must be in writing and you have three (3) business days to reconsider the contract. You may cancel the contract without any reason if you notify your lawyer in writing within three (3) business days of signing the contract. If you withdraw from the contract within the first three (3) business days, you do not owe the lawyer a fee although you may be responsible for the lawyer's actual costs during that time. If your lawyer begins to represent you, your lawyer may not withdraw from the case without giving you notice, delivering necessary papers to you, and allowing you time to employ another lawyer. Often, your lawyer must obtain Court approval before withdrawing from a case. If you discharge your lawyer without a good cause after the three-day period, you may have to pay a fee for work the lawyer has done.

3. Before hiring a lawyer, you, the client, have the right to know about the lawyer's education, training and experience. If you ask, the lawyer should tell you specifically about the lawyer's actual experience dealing with cases similar to yours. If you ask, the lawyer should provide information about special training or knowledge and give you this information in writing if you request it.

4. Before signing a contingent fee contract with you, a lawyer must advise you whether the lawyer intends to handle your case alone or whether other lawyers will be helping with the case. If your lawyer intends to refer the case to other lawyers, the lawyer should tell you what kind of fee sharing arrangement will be made with the other lawyers. If lawyers from different law firms will represent you, at least one lawyer from each law firm must sign the contingent fee contract.

5. If your lawyer intends to refer your case to another lawyer or counsel with other lawyers, your lawyer should tell you about that at the beginning. If your lawyer takes the case and later decides to refer it to another lawyer or to associate with other lawyers, you should sign a new contract that includes the new lawyers. You, the client, also have the right to consult with each lawyer working on your case and each lawyer is legally responsible to represent your interests and is legally responsible for the acts of the other lawyers involved in the case.

6. You, the client, have the right to know in advance how you will need to pay the expenses and the legal fees at the end of the case. If you pay a deposit in advance for costs, you may ask reasonable questions about how the money will be or has been spent and how much of it remains unspent. Your lawyer should give a reasonable estimate about future necessary costs. If your lawyer agrees to lend or advance you money to prepare or research the case, you have the right to know periodically how much money your lawyer has spent on your behalf. You also have the right to decide, after consulting with your lawyer, how much money is to be spent to prepare a case. If you pay the expenses, you have the right to decide how much to spend. Your lawyer should also inform you whether the fee will be based on the gross amount recovered or on the amount recovered minus the costs.

7. You, the client, have the right to be told by your lawyer about possible adverse consequences if you lose the case. Those adverse consequences might include money that you might have to pay to your lawyer for costs, and liability you might have for attorney's fees to the other side.

8. You, the client, have the right to receive and approve a closing statement at the end of the case before you pay any money. The statement must list all of the financial details of the entire case, including the amount recovered, all expenses, and a precise statement of your lawyer's fee. Until you approve the closing statement, you need not pay any money to anyone including your lawyer. You also have the right to have every lawyer or law firm working on your case sign this closing statement.

9. You, the client, have the right to ask your lawyer at reasonable intervals how the case is progressing and to have these questions answered to the best of your lawyer's ability.

10. You, the client, have the right to make the final decision regarding settlement of a case. Your lawyer must notify you of all offers of settlement before and after the trial. Offers during the trial must be immediately communicated and you should consult with your lawyer regarding whether to accept a settlement. However, you must make the final decision to accept or reject a settlement.

11. If at any time, you, the client, believe that your lawyer has charged an excessive or illegal fee you have the right to report the matter to The Florida Bar, the agency that oversees the practice and behavior of all lawyers in Florida. For information on how to reach The Florida Bar, call 1-850-561-5600 or contact the local bar association. Any disagreement between you and your lawyer about a fee can be taken to Court and you may wish to hire another lawyer to help you resolve this disagreement. Usually, fee disputes must be handled in a separate lawsuit.

Date: _____

Date: _____

By:
For: City

Matthew D. Weidner, Esq.
Weidner Law, P.A.,
250 Mirror Lake Dr. N.,
St. Petersburg, FL 33701