



**CITY COUNCIL REGULAR MEETING**  
**CITY OF NEW PORT RICHEY**  
**NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS**  
**5919 MAIN STREET, NEW PORT RICHEY, FLORIDA**  
**July 16, 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.\***

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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 2, 2024 Regular Meeting Minutes Page 3
5. 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.
6. Consent Agenda
  - a. Cultural Affairs Committee Minutes - March through May 2024 Page 8
  - b. Library Advisory Board Minutes - March through May 2024 Page 64

c.	Purchases/Payments for City Council Approval	Page 89
7.	Public Reading of Ordinances	
a.	First Reading, Ordinance No. 2024-2303: Amendments to Chapter 22, Code of Ordinances RE: Flood Damage Prevention	Page 91
8.	Business Items	
a.	Appeal of Order to Demolish: Heino Luts, 6220 Maplewood Drive	Page 109
b.	Board Re-Appointment: Kelly Smallwood, Cultural Affairs Committee	Page 132
c.	Board Appointment: Vincent Gaddy, Cultural Affairs Committee	Page 137
d.	Consideration of Disposal of Surplus Property for Auction	Page 145
e.	Public Works Operations Center HVAC Project Close Out	Page 147
f.	Ratifying IAFF Contract	Page 150
9.	Communications	
10.	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, 727-853-1021, not later than four days prior to said proceeding.



# NEW PORT RICHEY

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

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**TO:** City of New Port Richey City Council  
**FROM:** Judy Meyers, CMC, City Clerk  
**DATE:** 7/16/2024  
**RE:** Approval of July 2, 2024 Regular Meeting Minutes

**REQUEST:**

The request is for City Council to approve the minutes from the July 2, 2024 regular meeting.

**DISCUSSION:**

City Council met for their regularly scheduled meeting on July 2, 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 July 2, 2024 regular meeting as submitted.

**BUDGET/FISCAL IMPACT:**

No funding is required for this item.

**ATTACHMENTS:**

Description	Type
☐ July 2, 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**

**July 2, 2024**  
**6:00 PM**

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**ORDER OF**  
**BUSINESS**

**1. Call to Order – Roll Call**

The meeting was called to order by Mayor Chopper Davis at 6:00 p.m. Those in attendance were Deputy Mayor Kelly Mothershead, Councilwoman Matt Murphy, Councilman Peter Altman and Councilman Bertell Butler, IV.

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 Solutions Director Mike Miller, Assistant City Manager Gregory Oravec and Human Resources Director Arnel Wetzel.

**2 Pledge of Allegiance**

**3 Moment of Silence**

**4 Approval of June 18, 2024 Work Session and Regular Meeting Minutes**

Councilman Butler stated he would like to suggest two corrections to the minutes. The first was on page 7 it was missing the developer amount of 62 and page 9 he stated he had a meeting on the sign ordinance but not on the order. Motion was made to approve the minutes as amended.

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

**5 Presentation - Environmental Committee Annual Report**

Environmental Committee Chairman Dell deChant provided an introduction and then former-Mayor Rob Marlowe highlighted the committee's recommendations.

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

City Attorney Driscoll read aloud the rules governing Vox Pop. Mayor Davis then opened the floor for



public comment. The following people came forward to speak:

- Robin Burdick, 5417 US Highway 19, NPR spoke regarding the opening of her new restaurant, Ribticklers, in the Southgate Shopping Center and opportunities for better signage and marketing.
- Judith Allen, 5940 Grand Blvd., NPR spoke regarding her violation for logs and Special Magistrate on July 16th.

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.

## 7 Consent Agenda

Motion was made to accept the Consent Agenda.

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

- a Purchases/Payments for City Council Approval

## 8 Public Reading of Ordinances

- a Second Reading, Ordinance No. 2024-2302: Creating the Flood Risk and Preparedness Public Information Committee

City Attorney Driscoll read the proposed ordinance by title only. 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 second and final reading.

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

## 9 Business Items

- a Board Appointments: Tad Clements and Kevin Robinson, Parks & Recreation Advisory Board

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the appointments of Tad Clements and Kevin Robinson as members to the Parks & Recreation Advisory Board. If approved, their terms would be for three years and will be up for renewal on July 2, 2027. 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 Bertell Butler and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

- b Request to Purchase Sanitary Sewer Smart Manhole Covers

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 consider for approval the a proposal from Hadronex Incorporated aka SmartCover Systems in the not to exceed amount of \$66,701 for the purchase of smart sanitary sewer manhole covers. He stated this project was an in-kind project related to a consent order issued by FDEP regarding three unauthorized discharges which were due to sewer force-main breaks. 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 Matt Murphy and seconded by Kelly Mothershead. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

c Grand Blvd. Bridge Water and Wastewater Utility Relocation - Engineering Services

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 Task Order from Stroud Engineering, Consultants Inc. in the amount not to exceed \$91,650.00 for the proposed Grand Blvd. Bridge Water and Wastewater Utility Relocation Project. He stated that the task order includes design, permitting, plan preparation and bid documents. 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 Bertell Butler and seconded by Pete Altman. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

d Resolution No. 2024-14: Opioid Settlement Matters

City Attorney Driscoll read the proposed resolution by title only. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was twofold. First, it is to establish a claim against The Kroger Co. related to a settlement proposal to pay \$1.2 billion to states and local governments in the states where it does business to resolve the opioid claims against them. City Manager Manns stated that the Florida Attorney General has opted out of the settlement and the execution of a Participation Agreement would preserve the City's right to participate in the Kroger settlement if the Attorney General changes her mind. Secondly, the agenda item is requesting for Council to authorize the City Manager to serve on the City's behalf on all matters requiring a decision on the city's opioid claims and litigation. 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 Pete Altman. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

e Resolution No. 2024-15 Travel Expenses Clarification for City Council Members

City Attorney Driscoll read the proposed resolution by title only. City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to extend the definition of travel expenses for members of City Council in the performance of official duties specifically regarding mileage. She stated that a question was raised in respect to mileage reimbursement for attendance at ceremonial functions. She stated that the Per Diem and Travel Expense Policy does not contemplate the attendance of City Council members at events other than business meetings even though attendance at such can be said to be inherent to their responsibilities. The proposed resolution would provide eligibility for travel related expenses for attendance at either an event or function as a city representative. 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 Bertell Butler and seconded by Pete Altman. The Motion Passed. 5-0. Ayes: Altman, Butler, Davis, Mothershead, Murphy

10 Communications

Councilman Butler stated that in regards to the Environmental Committee there is a group forming for finding positive ways to influence the discouragement of polystyrene/styrofoam. Councilman Altman stated the County has voted to add two non-ad valorem assessments for roads and parks & recreation maintenance to tax bills this year. He stated we are servicing a greater group. He stated he spoke to the PA about the assessment but it is too late for the City to do anything this year but the City could negotiate with the County next year. Councilman Altman then spoke about the library issue and stated that we could consider embracing letting another County use their logo next to ours to generate

revenue. He stated he had no knowledge of a class action lawsuit in Dade City. He is looking forward to the Main Street Conference next week. Deputy Mayor Mothershead stated she thought the polystyrene/styrofoam idea was great and it could be suggested to Chasco and the other organizations who hold events. She stated we can't mandate it but can ask. She stated she had her first TDC meeting last week and the focus is on the west side of the county. She stated there was the soft opening for the resource center and they will do great things working with the city and other community organizations. She stated the Hometown Extravaganza was well attended and was a great event. She asked about the Richey Plaza sign being demolished and City Manager Manns stated that was untrue. Councilman Murphy also complimented the Hometown Extravaganza event. He stated he met with MPO staff and the City Manager and went over some target list items and got some good direction. Mayor Davis stated the events offered for the kids for the Hometown Extravaganza were great. City Manager Manns thanked Andre Julien and his staff. City Manager Manns announced that Deputy Mayor Mothershead won Public Servant of the Year at the Chamber Dinner.

11 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 7:03 p.m.

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

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

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



# NEW PORT RICHEY

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

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

**FROM:** Andrea Figart, New Port Richey Public Library Director

**DATE:** 7/16/2024

**RE:** Cultural Affairs Committee Minutes - March through May 2024

## REQUEST:

The request before City Council is to review and consider approving the attached minutes from the March 20, April 17, and May 15, 2024, Cultural Affairs Committee Meetings.

## DISCUSSION:

The Cultural Affairs Committee makes recommendations and advises the City Council regarding financial sponsorship and the creation of activities promoting City residents' cultural education and appreciation.

The Cultural Affairs Committee holds monthly meetings to discuss upcoming cultural events and opportunities in our community. The committee also makes funding recommendations to City Council in support of bringing cultural events to those who live, work, and visit New Port Richey.

For your consideration and review, please find the attached minutes and agenda packets from the March - May Cultural Affairs Committee Meetings.

The Cultural Affairs Committee will meet next on Wednesday, July 17, 2024, at which time they will review the minutes from their June 27, 2024, meeting.

The meeting will be held at the New Port Richey Public Library, and the public is invited to attend.

## RECOMMENDATION:

The recommendation before City Council is to review and accept the minutes from the March 20, April 17, and May 15, 2024, Cultural Affairs Committee Meetings.

## BUDGET/FISCAL IMPACT:

None

## ATTACHMENTS:

Description	Type
☐ Cultural Affairs Committee 6.26.24 Agenda Packet, including 5.15.24 Meeting Minutes	Backup Material
☐ Cultural Affairs Committee 5.16.24 Agenda Packet including 4.17.24 Minutes	Backup Material
☐ Cultural Affairs Committee 4.17.24 Agenda Packet, including 3.15.24 Minutes	Backup Material

## **NEW PORT RICHEY CULTURAL AFFAIRS COMMITTEE MEETING**

**June 26, 2024 - 6:30 p.m.**

**NPR Public Library**

### **AGENDA**

ANY PERSON DESIRING TO APPEAL ANY DECISION, 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 TRANSCRIBED 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)

*Please be conscientious of the time to assist with maintaining 1-1.5 hour overall meeting length.*

- I. WELCOME and ROLL CALL**
- II. REVIEW and APPROVAL OF MINUTES** from May 15, 2024
- III. VOX POP-** Three minutes per speaker for items not on the agenda

#### **V. NEW BUSINESS**

- A. Mural Ordinance Updates

#### **IV. CONTINUING BUSINESS**

- A. **Funding Balance Update-** Andi Figart, City Liaison
- B. **Florida Speakers Grant** – Cultural Events
- C. **Centennial Events**

#### **VI. ANNOUNCEMENTS/OTHER**

- A. **Culture in our Community:** News and Updates

- VII. NEXT MEETING:** Wednesday, July 17<sup>th</sup>, 6:30 pm

#### **VIII. ADJOURNMENT**

# NEW PORT RICHEY CULTURAL AFFAIRS COMMITTEE MEETING

May 15, 2024 - 6:30 p.m.

NPR Public Library

## MINUTES

ANY PERSON DESIRING TO APPEAL ANY DECISION, 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 TRANSCRIBED 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)

### 1. WELCOME and ROLL CALL

Eric Mullins, Kim Brust, Beth Fregger, Kelly Smallwood, Chairperson - Rich Melton, City Liaison - Andi Figart. Guests: Aaron Tullo, Ty Maner, Gary Robles, Hailey Schalmo, Debbie Manns, John Gillis, Greg Oravec

**REVIEW and APPROVAL OF MINUTES** from April 16, 2024 - Minutes were approved as read. Kim Brust made a motion to approve the minutes. Second - Beth Fregger. Motion approved.

### 2. NEW BUSINESS

- City News and Updates presented by City Manager Debbie Manns
  - New Sign project at U.S. 19 and Main. It is a 4-part project with the large sign and the electronic sign completed and a plaza and landscaping to be completed.
  - River Gate Palm District needs some clean up – City’s plan for this area includes streetscaping and public infrastructure.
  - City is planning to build a boat ramp on next to the existing boat ramp on River Road.
- The Public Art Fund was discussed. Debbie Manns and Greg Oravec stated that the Public Art Ordinance is under review. There may be changes as to how money is collected. Administration will be work with CAC to revise the ordinance. As of May15th, there is \$148,100.00 in the Public Art Fund.
- **Public Art Project:** Consideration of a New Port Richey Main Street – City of New Port Richey “Tides of Time” Sculpture Series: presented by Gregory Oravec, Assistant City Manager/Economic Development Director.
  - The Main Street organization has requested partnership for public art project and requested funds to support the partnership.
  - Project includes 10 buildings which will have a bronze statue depicting some history of each building.
  - It was suggested to add a clause in contract to deal with a case of a building being sold.
  - Greg Oravec is requesting CAC approval of \$27,500 or ½ of cost to produce and mount the 10 sculptures.

A motion was made to approve \$27,500 from Public Art Fund for Tides of Time partnership by Kelly Smallwood, Second by Eric Mullins. Motion approved.

- **Public Art Project:** Consideration of a proposed mural for the Verizon-Frontier Building: Proposed by Gregory Oravec, Assistant City Manager/Economic Development Director.
  - Railroad Square is being transformed into a walkable shaded mall.
  - Aaron Trullo and Ty Maner presented ideas for a mural for the west side of the Verizon building. The mural will tell the story of the area.
  - Greg Oravec asked the committee their opinion on two different murals. Committee preferred the mural that showed an indigenous father and son making a boat as well as famous individuals that called our area home.

Motion made by Beth Fregger, seconded by Kelly Smallwood to approve recommending mural #1. Motion approved.

- **Public Art Project:** Consideration of a proposed bike rack for the City Hall/Library Complex: Proposed by Andi Figart, Library Director. Director Figart gave a presentation on purchasing new bike racks for the area between city hall and the library.
  - There was some discussion as to whether bike racks were considered public art and it was explained the bike racks fall into the category of functional art.
  - It was decided to come up with 3 custom images that depict our area. Some ideas are: Monarch Butterflies, oak or palm trees, pelican or heron and the City of New Port Richey logo. The cost for this should be \$8,851.

Kim Brust made a motion to approve \$8851 for bike racks, Second by Kelly Smallwood. Motion approved.

### 3. CONTINUING BUSINESS

- Florida Speakers Grant Draft Application: Letters of support, Review of Grant Application, and confirmation of Presentation Dates.
  - We have collected various letters of support throughout the community.
  - Grant is ready and will be sent after final review.
  - Presentation dates were reviewed and will be confirmed with presenters by the next meeting.

### 4. ANNOUNCEMENTS/OTHER

- Culture in our Community: News and Updates - Film Festival is getting a lot of publicity and is being promoted on social media with inquiries from throughout the country.
- The current mural ordinance was discussed. City Manager Manns suggested that if the Cultural Affairs Committee has recommended changes to the ordinance the proper procedure is to have Director Figart present their recommendations to Council at a future meeting.

**5. ADJOURNMENT** - Kim Brust made a motion to adjourn the meeting. Kelly Smallwood made second.

Meeting was adjourned at 8:10pm

**PLEASE NOTE NEXT MEETING: Wednesday, June 26, 2024, at 6:30 pm**

Respectfully submitted,

Beth Louise Fregger



**ORDINANCE NO. 2021-**

**AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, AMENDING SECTION 7.22.04 OF CHAPTER 7 OF THE LAND DEVELOPMENT CODE, PERTAINING TO REGULATION OF MURALS; PROVIDING FOR REVISION OF THE DEFINITION OF MURALS TO EXCLUDE THOSE APPLIED TO WINDOWS; PROVIDING FOR REQUIREMENTS FOR PAINTS USED IN MURALS; PROVIDING FOR ALLOWANCE OF MURALS IN ALL COMMERCIAL AND MIXED USE BUILDINGS THROUGHOUT THE CITY; PROVIDING FOR PROHIBITION OF INAPPROPRIATE IMAGES IN MURALS; PROVIDING AUTHORITY FOR THE OWNER TO REMOVE MURALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the application of murals to buildings within the City enhances the aesthetics and culture of the City;

WHEREAS, murals are currently allowed only in limited areas of the City;

WHEREAS, the City Council wishes to expand the areas where murals may be placed throughout the City, and revise the regulations to address other matters deemed appropriate and necessary to the proper application of murals within the City;

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.** Section 7.22.04, of Chapter 7, of the New Port Richey Land Development Code, pertaining to regulation of murals, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

*7.22.04. Regulation of murals.*

1. *Definitions.* The following definitions apply to this section:

*Commercial* shall mean concerned with, or related to, commerce or a business.

*Mural* shall mean any non-commercial picture or graphic design painted on, or otherwise applied to, the exterior of a building or structure ~~or painted on, or otherwise applied to, the interior or exterior of a window.~~

*Non-commercial* shall mean not having a relationship to a commercial objective.

2. *Applicant information.* No person shall create a mural without first obtaining an approval from the City Council. Applicants shall provide the following information to the City Manager:
  - a. The name and address of the applicant;
  - b. The name and address of the building or structure owner;
  - c. The full legal description of the subject property;
  - d. The street address of the subject property;
  - e. A drawing, sketch, photograph or graphical representation showing the proposed location of the mural;
  - f. A drawing, sketch or graphical representation of the proposed mural;
  - g. A description of the proposed mural, including dimensions, colors, a description of the type and quality of paint, which shall be mold resistant exterior grade paint, and top coat to be used on the proposed mural, or if application of media other than painting is proposed, the method of application and materials to be used, and a description of the procedures for preparation of the wall on which the mural is to be located;
  - h. The building owner's notarized signature authorizing the specific proposed mural on the subject building or structure.
3. *Review procedure.* All proposals will be reviewed by the Main Street organization design committee or other similar advisory board assembled for the purpose of conducting a technical review of the mural proposal. The technical review shall include, but shall not be limited to, an analysis of the preparation of the wall on which the proposed mural shall exist, the type and quality of paint and top coat to be used on the proposed mural and whether the mural complies with all of the requirements of this section. The recommendation shall not be based on the content of the mural that otherwise complies with all of the requirements of this section. The committee shall submit its analysis and recommendation to the City Council within thirty (30) days of submission of the proposal to the City Manager's office. The City Council shall approve or deny the proposal for a mural within sixty (60) days of submission of the proposal to the City Council Manager's office, based on its compliance with the requirements of this section. The decision to approve or deny the mural shall not be based on the content of a mural that otherwise complies with all of the requirements of this section.
4. *Mural location.* Murals ~~may shall only~~ be located anywhere within the city upon buildings lawfully used for commercial purposes or for mixed commercial and residential purposes ~~area designated with the Downtown and Downtown Core Future Land Use Categories on the Future Land Use Map of the City's Comprehensive Plan.~~
5. *Subject matter.* Murals ~~should shall~~ depict images, ~~including but not limited to those that~~ relate to either the history or culture of the City of New Port Richey or of its sister City or of

West Pasco County or to the natural environment of any of them. Text, including the artist's signature, is limited to two percent of the total mural area. Murals shall not depict images that are violent, obscene, vulgar or sexual in nature.

6. *Maintenance and preservation.* Once a mural is complete, the owner of the building on which the mural is installed shall be required to maintain and preserve the mural. This duty includes taking measures to prevent fading, peeling, bubbling or other noticeable wear; repairing any damage including, but not limited to, graffiti; and keeping the mural reasonably clean and in a good and presentable state. Failure to comply with the requirements of this section shall constitute a violation of the City Code subjecting the owner to code enforcement proceedings. Nothing contained herein shall be construed to limit the building owner's right to remove or completely obscure the entire mural at any time.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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 \_\_\_\_\_, 2021.

ATTEST:

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

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

APPROVED AS TO FORM

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

The Cultural Affairs would like to propose a few changes to the Ordinance application process, to read, as follows:

**7.22.04. Regulation of murals.**

1. *Definition.* The following definitions apply to this section:

*Commercial* shall mean concerned with, or related to, commerce or a business.

*Mural* shall mean any non-commercial picture or graphic design painted on, or otherwise applied to, the exterior of a building or structure.

*Non-commercial* shall mean not having a relationship to a commercial objective.

2. *Applicant information.* No person shall create a mural without first obtaining approval. Applicants shall provide the following information to the Director of the Parks & Recreation Department:

- a. The name and address of the applicant;
- b. The name and address of the building or structure owner;
- c. The full legal description of the subject property;
- d. The street address of the subject property;
- e. A drawing, sketch, photograph or graphical representation showing the proposed location of the mural;
- f. A drawing, sketch or graphical representation of the proposed mural;
- g. A description of the proposed mural, including dimensions, colors, a description of the type and quality of paint, which shall be mold resistant exterior grade paint, and top coat to be used on the proposed mural, or if application of media other than painting is proposed, the method of application and materials to be used, and a description of the procedures for preparation of the wall on which the mural is to be located.

3. *Review procedure.* All proposals will be reviewed by the Cultural Affairs Committee. The review shall include, but shall not be limited to, an analysis of the preparation of the wall on which the proposed mural shall exist, the type and quality of paint and top coat to be used on the proposed mural; and whether the mural complies with all of the requirements of this section. The recommendation shall not be based on the content of the mural that otherwise complies with all of the requirements of this section. The committee shall submit its analysis and recommendation to the City Manager within sixty (60) days of submission of the proposal to the Parks & Recreation Director's office. The City Manager shall approve or deny the proposal for a mural within thirty (30) days of submission of the proposal to the Cultural Affairs Committee, based on its compliance with the requirements of this section. The decision to approve or deny the mural shall not be based on the content of a mural that otherwise complies with all of the requirements of this section. A reason for denial shall be given in order for an opportunity for remediation and re-submission of the proposed mural.

4. *Mural location.* Murals may be located anywhere within the City, upon buildings lawfully used for commercial, industrial, or institutional purposes or for mixed residential purposes.

5. *Subject matter.* Murals should depict images, (including but not limited to those) that relate to either the history or culture of the City of New Port Richey or of its sister City or of West Pasco County, or to the natural environment of any of them. Text, including the artist's signature, is limited to two percent

of the total mural area. Murals shall not depict images that are violent, obscene, vulgar, political, or sexual in nature.

6. *Maintenance and preservation.* Once a mural is complete, the owner of the building on which the mural is installed shall be required to maintain and preserve the mural. This duty includes taking measures to prevent fading, peeling, bubbling or other noticeable wear; repairing any damage including, but not limited to, graffiti; and keeping the mural reasonably clean and in a good and presentable state. Failure to comply with the requirements of this section shall constitute a violation of the City Code subjecting the owner to code enforcement proceedings. Nothing contained herein shall be construed to limit the building owner's right to remove or completely obscure the entire mural at any time.

(The remainder of the Ordinance is not included in the proposed changes/revisions.)

dch

### **City Code mural procedure:**

#### **Application for permit.**

No person shall create a mural without first obtaining a permit from the city manager. Applications shall be made on a form provided for that purpose which shall be made available at the office of the city manager and which shall contain:

- a. The name and address of the applicant;
- b. The name and address of the building owner;
- c. The full legal description of the subject property;
- d. The street address of the subject property;
- e. A drawing, sketch, photograph or graphical representation showing the proposed location of the mural;
- f. A drawing, sketch or graphical representation of the proposed mural;
- g. A description of the proposed mural, including dimensions, colors, a description of the type and quality of paint and top coat to be used on the proposed mural, and a description of the procedures for preparation of the wall on which the mural is to be located;
- h. Payment of the application fee as indicated on the form.

#### **Review procedure.**

All applications will be reviewed by the mural committee of Main Street organization or other similar advisory board assembled for the purpose of conducting a technical review of the mural application. The technical review shall include, but shall not be limited to, an analysis of the preparation of the wall on which the proposed mural shall exist and the type and quality of paint and top coat to be used on the proposed mural. The committee shall submit its analysis to the development review committee within forty-five (45) days of submission of the application to the city manager's office. The development review committee shall submit a report and recommendation to city council within ninety (90) days of submission of the application. The city council shall approve or deny the application for a permit within one hundred and twenty (120) days of submission of the application to the city manager's office. If the city council fails to approve or deny the application for a permit within one hundred and twenty (120) days of submission of the application to the city manager's office, the city manager shall issue the permit upon submission of the application fee to the city manager's office, as described herein, by the applicant. The city manager shall issue a permit upon approval by the city council and upon the submission of an application fee, as described herein, by the applicant.

#### **Mural location.**

A permit shall only be issued for murals that will be located within the downtown district.

#### **Sign regulations.**

A permit shall not be issued for a mural that would be constructed in a manner so as to contravene, extend, expand or modify the city's existing signage regulations, or modifications thereto, as further set forth in chapter 13 of appendix A of the city's land development code:

*No sign shall be erected so as to obstruct any fire escape, required exit, window, or door opening intended as a means of egress.*

*No sign shall be erected which interferes with any opening required for ventilation.*

*Signs shall maintain a minimum of six (6) feet horizontal and twelve (12) feet vertical clearance from electrical conductors and from all communications equipment or lines located within the city.*

*Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Furthermore, placement shall not interfere with natural or artificial drainage or surface or underground water.*

*No sign shall be attached to a standpipe, gutter, drain or fire escape, nor shall any sign be installed so as to impair access to a roof.*

**Subject matter.**

A permit shall only be issued for murals that depict an image that relates to either the history or culture of the City of New Port Richey or of its sister city or of West Pasco County or to the natural environment of any of them.

**Maintenance and preservation.**

Once a mural is complete, the owner of the building on which the mural is installed shall be required to maintain and preserve the mural. This duty includes taking measures to prevent fading, peeling, bubbling or other noticeable wear; repairing any damage including, but not limited to, graffiti; and keeping the mural reasonably clean and in a good and presentable state. Failure to comply with the requirements of this section shall constitute a violation of the City Code subjecting the owner to code enforcement proceedings.

## FY 24 Spending

FY24 Budget			\$12,000	
DESCRIPTION	YEAR	AMOUNT	VDR NAME/ITEM DESC	COMMENTS
Cultural Affairs	2024	\$1,000	ASHTRAY MONUMENT LLC	MARKETING REIMBURSEMENT FOR MO
Cultural Affairs	2024	\$1,300	JOSHUA SCOTT	CATERING FOR MONUFEST
Cultural Affairs	2024	\$1,000	JOLIE LINDHOLM	PERFORMANCE FOR MONUFEST
Cultural Affairs	2024	\$250	KURTIS P WERNER	STAGE AND AUDIO SERVICES FOR M
Cultural Affairs	2024	\$350	ENRICO P CATALINO	LIVE SOUND SERVICES FOR MONUFE
Cultural Affairs	2024	\$505	PRICE PORTABLES INC	PORTABLES TOILETS FOR MONUFEST
Cultural Affairs	2024	\$1,600	PHILLIP BARNETT	STAGE AND EQUIPMENT FOR MONUFE
Cultural Affairs	2024	\$1,225	NPR PUBLIC LIBRARY	FILM FESTIVAL SPONSORSHIP

FY24 YTD Spend \$7,230

**Remaining FY24 Balance \$4,770**



# City of New Port Richey CENTENNIAL MASQUERADE Ball & Follies

**OCTOBER 25TH 2024**

RESERVE TICKETS AND SPONSORSHIPS

**SPARTAN MANOR**

6121 Massachusetts Ave. New Port Richey, FL 34653

Learn more and make reservations at:

**100NPR.ORG**



# CENTENNIAL MASQUERADE Sponsorship Opportunities

Sponsor The Masquerade Ball and Follies to celebrate the City of New Port Richey's 100th anniversary. Support 100 minutes of entertainment, acts, and more follies with Master of Ceremonies, Mr. John Timpanelli to celebrate our 100 years!

## Dr. Avery Gold – \$5,000

- 2 tables (16 seats) at event
- Recognition at Ball
- Logo on all event media
- Full-page inside cover program ad
- Digital marketing, social media, and email blasts
- Exclusive title sponsorship and media opportunities

## George Sims Silver – \$2,500

- 1 table at event
- Recognition at Ball
- Full-page program ad
- Social media and email blast

## Meighan Follies Bronze – \$1,000

- 4 seats at the event
- Recognition at Ball
- ½ page program ad
- Thank you on social media

## DeVries Master of Ceremonies – \$500

- 2 event registrations
- Signage at the event
- ¼ page program ad

## Centerpieces – \$250

- Business cards on all tables
- 3.5x2 program ad

## Additional Sponsorships – \$500

- Auction Sponsor
- Red Carpet Sponsor
- Appetizer Sponsor
- Valet Sponsor
- Print Sponsor
- Bar Sponsor

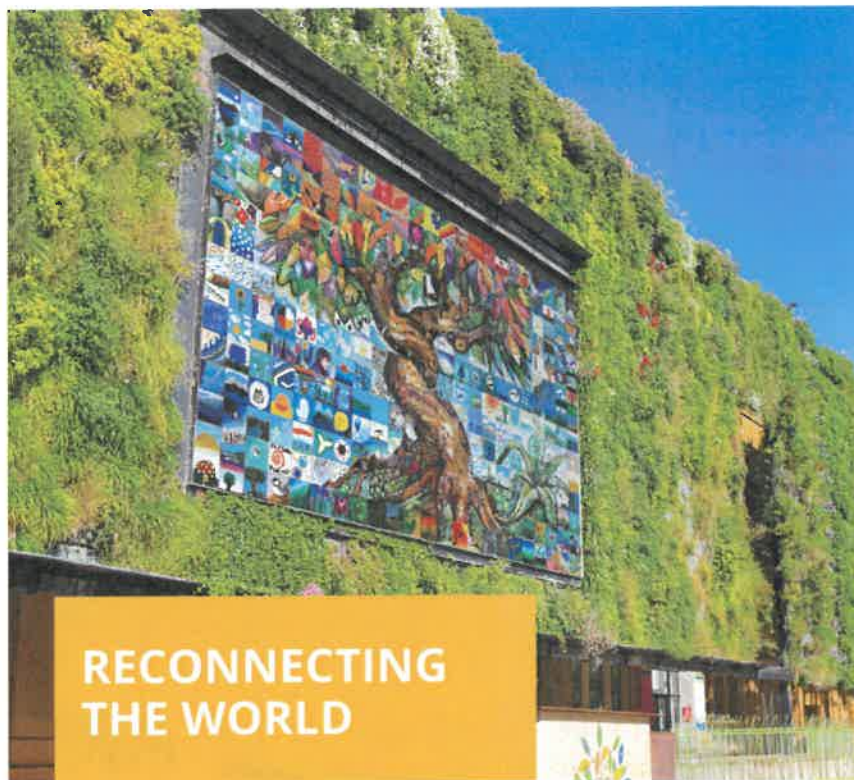
## Photo Area – \$150

- Signage in the photo area
- 3.5x2 program ad



Learn more and sponsor our City's Centennial!





Experience the power of art and connection with Mural Mosaic's Global Roots Project. This groundbreaking initiative is bringing communities together, one painted tile, one tree, and one country at a time. Led by acclaimed artist Lewis Lavoie, we are creating stunning mural mosaics that symbolize unity and connection.

Imagine being part of a global art movement that transcends borders and connects people from all walks of life. With each tile beautifully painted by individuals like you, we are weaving together stories, cultures, and emotions into one breathtaking masterpiece.

Join us on this incredible journey as we spread the joy and inspiration of painting. Whether it's your local community, your family, or your long-distance loved ones, the Global Roots Project bridges the gaps and fosters meaningful connections.

Be a part of something extraordinary. As the project 'plants' these remarkable mosaic trees country by country, watch as this artistic movement grows around the world. Together, let's create a legacy that celebrates our shared humanity through the universal language of art.

Come paint a tile and get involved in Mural Mosaic's Global Roots Project today to leave your mark on this awe-inspiring collaborative artwork. Together, we can make the world a more connected and vibrant place, one painted tile at a time.





### 1 Participant Tile Painting Kit

- 6x6 Inch Canvas to paint yourself or gift to somebody special
- 1 set of Palette Specific Acrylic Paints – custom mixed so that your tile fits in the final mosaic
- Participant Guide with Instructions for Your Tile to fit in the Mosaic
- 1 set of 2 Brushes
- 1 Mini wooden easel to display your canvas

## ART WITH PURPOSE



Every Global Roots Mosaic Mural engages participants in the process of painting a tile representing their connection to community, country, colleagues, team, family and even the world!


Each tile is painted with loving care to represent an important and iconic image that holds meaning to its participant.

Participants of every age and skill level are welcome to paint in these collaborative mosaic murals.

Completed tiles are collected digitally, then our artist and design teams work their magic to create each mosaic mural.

As all the completed tiles connect, a united image of a tree emerges representing both the contributions of individual participants and the collective group artwork – a true reflection of unity through diversity.

Participants return over and over again to reflect on their experience and show others their painted tile contribution to the mural.

Global Roots murals are an awe inspiring legacy of a moment in time we want to celebrate connection around the world. 

## **NEW PORT RICHEY CULTURAL AFFAIRS COMMITTEE MEETING**

**May 15, 2024 - 6:30 p.m.**

**NPR Public Library**

### **AGENDA**

ANY PERSON DESIRING TO APPEAL ANY DECISION, 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 TRANSCRIBED 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)

*Please be conscientious of the time to assist with maintaining 1-1.5 hour overall meeting length.*

- I. WELCOME and ROLL CALL**
- II. REVIEW and APPROVAL OF MINUTES** from April 16, 2024
- III. VOX POP-** Three minutes per speaker for items not on the agenda
- V. NEW BUSINESS**
  - A. **City News and Updates:** Debbie Manns, City Manager
  - B. **Public Art Project: Consideration of a New Port Richey Main Street – City of New Port Richey “Tides of Time” Sculpture Series:** presented by Gregory Oravec, Assistant City Manager/  
Economic Development Director
  - C. **Public Art Project: Consideration of a proposed mural for the Verizon-Frontier Building:**  
proposed by Gregory Oravec, Assistant City Manager/Economic Development Director
  - D. **Public Art Project: Consideration of a proposed Bike Rack for the City Hall/Library Complex:**  
proposed by Andi Figart, Library Director
- IV. CONTINUING BUSINESS**
  - A. **Florida Speakers Grant Draft Application:** Letters of support, Review of Grant Application,  
and confirmation of Presentation Dates.
  - B. **Funding Balance Update-** Andi Figart, City Liaison
- VI. ANNOUNCEMENTS/OTHER**
  - A. **Culture in our Community:** News and Updates
- VII. NEXT MEETING:** Wednesday, June 26, 2024, at 6:30 pm
- VIII. ADJOURNMENT**

## **NEW PORT RICHEY CULTURAL AFFAIRS COMMITTEE**

**May 15, 2024**

### **MEETING MINUTES**

The regular meeting of the Cultural Affairs Committee was held at the New Port Richey Public Library at 6:30 pm on Wednesday, April 17, 2024. Board members in attendance: Kim Brust, Beth Fregger, Eric Mullins, Anna Mae McNally, David Folds, Library Director Andrea Figart, Chairperson, Richard Melton

**APPROVAL OF MINUTES** – March 20, 2024 meeting minutes were unanimously approved.

**VOX POP** - No Speakers

### **CONTINUING BUSINESS**

1. An updated roster of the Cultural Affairs Committee members was handed out.
2. Library Director Figart reported the CAC has \$4,775 remaining in their current budget for the 23-24 fiscal year.
3. Summer film festival updates from Library Director Figart.
4. Discussion regarding inviting Economic Development Director Greg Oravec to a meeting in order to discuss the mural ordinance.
5. Grant Updates:
  - Florida Talks Speaker Grant - Committee has secured speakers for the summer speakers' event. All speakers will be scheduled to speak at approximately 6 p.m. Events will take place in the Magnolia Room. Andi will confirm room for Elliot Kleinberg and Chris Kahl, David Morton will speak at RST
    - David Morton - Florida Film Historian - Either 8/2
    - Elliot Kleinberg - Florida Author -9/25
    - Chris Kahl - Florida Folk Singer and Storyteller - 8/16 or 9/6 Kim Brust will confirm date
  - As grant is being written it was suggested to get letters of recommendation from the RST, New Port Richey Main Street, West Pasco Historical Society, business owner Eric Mullins and Mayor Chopper Davis. These recommendations will benefit us in trying to win the grant.
    - The following people will help facilitate these letters
      - Main Street - Kim Brust
      - RST - Rich Melton
      - Historical Society - Beth Fregger
      - Mayor - Rich Melton
6. Public Art Fund – discussion re: inviting City Manager Debbie Manns to a future meeting to explain the Public Art Fund and answer CAC questions.

### **NEW BUSINESS**

1. NPR Film Festival - Eric Mullins will reach out to his film industry contacts to gauge potential for hosting a workshop as part of the film festival. Eric will contact Library Programming Specialist Tomas Monzon, to discuss further.

### **ANNOUNCEMENTS**

Main Street is looking for subjects for their Podcast series.

**ADJOURNMENT-** A motion to adjourn the meeting was made by Kim Brust and seconded by Anna Mae McNally. The motion was approved unanimously, and the meeting was adjourned at 7:32 p.m.

Respectfully submitted,  
*Beth Louise Fregger*

West Pasco Historical Society Museum and Library  
P.O Box 1904  
New Port Richey, FL 34656

May 2, 2024,

To: Florida Humanities Grants Committee  
Re: Letter of support for New Port Richey Cultural Affairs Committee's  
Application for Florida Humanities Speaker Program




Dear Florida Humanities Awards Committee,

The Cultural Affairs Committee is an official committee of the City of New Port Richey whose dedicated board members work tirelessly to support activities, exhibits, presentations, and performances that promote the community's opportunities to learn about, explore, and participate in enriching activities that aid in the appreciation and understanding of cultural, historical, and fine arts related subjects. Although the Cultural Affairs Committee does not have any budgetary funding, it makes funding recommendations to the City Council, and the committee members request support through monetary, resource, and "sweat ethic" donations from various business owners and local organizations. The West Pasco Historical Society has seen their efforts to bring more educational and entertaining cultural opportunities to our community, which is why we proudly consider ourselves a partner of both the Cultural Affairs Committee and the New Port Richey Public Library and were happy to write this letter of support for their Florida Talks Grant Application.

The City of New Port Richey will celebrate its Centennial Birthday in October, and if awarded this Grant, the Cultural Affairs Committee plans to have scholarly fine arts and historical presentations that relate to and bring attention to the city's connection to the film industry and the silent film stars, like Thomas Meighan. Over 100 years ago, New Port Richey was once touted as the "Hollywood of the East." To further tie in with the City's Centennial Events and to extend the celebratory events and enrichment offered by the Florida Humanities Speakers, the library will also be teaching basic film editing workshops and hosting an original short-film contest and related Film Festival at the Richey Suncoast Theatre, a well-known historical building where the silent films were shown years ago.

The West Pasco Historical Society is pleased to offer in-kind support by helping promote the informative presentations made possible through the *Florida Talks* Grant. It would be a pleasure to further the work of the Florida Humanities Organization to help ensure quality informative presentations like these continue to occur and enlighten our community.

Sincerely,

  
Bob Langford, President  
West Pasco Historical Society, Inc.  
Rao Musunuru, MD Museum & Library



April 23, 2024

To: Florida Humanities

Attn: April Myerscough

Dear Ms. Myerscough,

I would like to personally recommend that you consider the grant application for the Cultural Affairs Committee of New Port Richey.

Over the last few years, different committees and groups in the City of New Port Richey has worked together to create an environment conducive to the arts. We have provided opportunities for our residents of both the city and the local area to participate in entertaining and educational events.

Currently, the community is working on a local film festival. One of the speakers, the committee wants to use, speaks about Florida Film. He has agreed that he would be there for the final night to hand out the awards.

This event is just one of the events that different groups will support to make a success. As the director of Main Street New Port Richey, we will assist in getting the word out to our many followers. The Library will assist in providing a location. The Cultural Arts Committee will assist with additional funds used to compensate the speakers.

Your consideration of the grant will be greatly appreciated.

Sincerely,

Tina Gordon  
Program Director  
New Port Richey Main Street, Inc.  
5415 Main Street  
New Port Richey, FL 34652  
Cell. 727.377 1673  
Email: [director@NPRMainStreet.com](mailto:director@NPRMainStreet.com)  
[www.NPRMainStreet.com](http://www.NPRMainStreet.com)



Dear Members of the Florida Humanities Grants Committee,

As we celebrate the centennial anniversary of our beloved city of New Port Richey, I am filled with pride for our community's rich history and vibrant culture. It is with this sense of celebration and reflection that I extend my enthusiastic support for the Cultural Affairs Committee's application for funding for the Speaker Series program.

For a hundred years, our city has been a beacon of resilience, progress, and diversity. As we embark on our next century, it is imperative that we continue to cultivate opportunities for intellectual exploration and cultural exchange. The Speaker Series program proposed by the Cultural Affairs Committee embodies this commitment by offering our residents access to engaging discussions and presentations on a wide array of topics.

This program not only honors our past but also lays the groundwork for a future filled with curiosity, understanding, and unity. By investing in initiatives like the Speaker Series, we not only enrich the lives of our citizens but also strengthen the fabric of our community.

On this momentous occasion of our hundredth anniversary, I urge you to join us in commemorating our past while investing in our future. Your support for the Speaker Series program will leave a legacy of intellectual enrichment and cultural appreciation for generations to come.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chopper Davis', with a stylized flourish at the end.

Chopper Davis Mayor of New Port Richey

Wednesday, May 15, 2024

Dear Florida Humanities Grant Committee,

I am writing to express my full support for funding the Florida Talks grant to support Florida speakers through your esteemed organization. As the Chairman of the Cultural Affairs Committee, I have witnessed firsthand the immense value that cultural exchange and dialogue bring to our communities.

Florida boasts a rich tapestry of voices, perspectives, and talents that deserve to be shared and celebrated on a broader stage. Through this grant, we can amplify the voices of Florida speakers, enriching cultural conversations, fostering understanding, and promoting diversity.

Having worked closely with many Florida-based speakers and cultural organizations, I can attest to their dedication, expertise, and passion for their craft. They possess unique insights, experiences, and stories that have the power to inspire, educate, and unite audiences from all walks of life.

By providing financial support for Florida speakers, we invest in their professional development and empower them to continue making meaningful contributions to our cultural landscape. From thought-provoking lectures and workshops to captivating performances and presentations, these speakers have the ability to captivate and engage audiences, igniting curiosity and sparking important conversations.

Furthermore, funding Florida speakers aligns perfectly with our committee's mission to promote cultural diversity, artistic excellence, and community engagement. It reinforces our commitment to nurturing local talent, fostering collaboration, and fostering a vibrant cultural ecosystem that reflects the rich diversity of our state.

In conclusion, I urge you to consider this grant proposal favorably, recognizing the tremendous impact it will have on our cultural community. Supporting Florida speakers is not just an investment in their individual endeavors but an investment in the collective enrichment of our society.

Thank you for your attention to this matter, and I look forward to the positive impact this grant will undoubtedly facilitate.

Sincerely,

Richard Melton  
Chairman, Cultural Affairs Committee





# NEW PORT RICHEY

CLASSIC. FLORIDA. CURRENT.

**To:** Cultural Affairs Committee  
**Via:** Debbie L. Manns, City Manager/Executive Director  
**From:** Gregory J. Oravec, Assistant City Manager/Economic Development Director  
**Date:** May 10, 2024  
**Re:** Public Art Project, entitled "Tides of Time," proposed by New Port Richey Main Street, Inc.

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## REQUEST

This request is for the Cultural Affairs Committee's consideration of a public art project, entitled "Tides of Time," proposed by New Port Richey Main Street, Inc.

## DISCUSSION

According to Section 2-68 of the City's Code of Ordinances, the purpose of the Cultural Affairs Committee (CAC) is to make recommendations and to advise the City Council on the financial sponsorship and creation of cultural activities for the education and recreation of the citizens. Additionally, as set forth by the City's Public Art Ordinance, the CAC shall make recommendations "to the [C]ity [C]ouncil the amount of monies to be allocated for selection, commissioning, acquisition and installation of individual works of art to be incorporated as part of the municipal construction project for which the monies were appropriated."

As reflected in the attached letter of March 4, 2024, from Beth Louise Fregger, Design Committee Vice Chairperson, and Tina Gordon, Program Director, of New Port Richey Main Street, Inc. (NPR Main Street), NPR Main Street is proposing a multifaceted public art project which would help celebrate the City's Centennial, our community's history, and our historic downtown buildings through the commissioning of several small bronze statues that would be affixed to landmark buildings/locations in downtown and create an interactive downtown art adventure. Since the transmittal of the aforementioned letter, the project has continued to grow and evolve. As of the date of this writing, key components of the project include:

- In celebration of the City's Centennial, small permanent bronze sculptures would be commissioned for each of up to 12 landmark buildings/locations in downtown.
  - The currently identified locations are: Richey Suncoast Theater, Leeston-Smith Building, The Hacienda Hotel, Havens-Chasco Inn, Clark Building, The Burnette Arcade, Swafford Building, New Port Richey Land Company Office, Morey-Bowman Building, Pasco Building, and First Bank of NPR.
- The sculptures are anticipated to be projecting from a plaque mount attached to the building face or directly to a building face accompanied by a mounted plaque.
  - The plaque would include a QR Code, which would link interested parties to an online landing page that identifies the piece of art and artist, the current building name and owner, history of each landmark, and the project sponsors.

- NPR Main Street has entered into an agreement with accomplished sculptor Gillian Harper (<https://gillianharper.com/About>).
- The proposed project has many sources of inspiration, including:
  - The Public Art Ordinance and our community's continuing commitment to maintaining and enhancing our public art program.
  - Celebrating our Centennial by recognizing our landmarks and remembering our history.
  - The Figurines of Boras (More information available at [www.atlasobscura.com/places/figurines-of-boras](http://www.atlasobscura.com/places/figurines-of-boras)).
  - The Hidden Mini Statutes of Budapest (More information available at <https://budapestflow.com/hidden-mini-statues-budapest/>).
  - Connecting the permanent plaques to dynamic online educational programming.
  - Creating a participatory art adventure that can generate arts-related tourism and give our citizens another fun thing to do downtown.
  - Increase business and contribute to economic development.
- Estimated Cost of Project is \$55,000.
- City funding of \$27,500. The balance of funding, \$27,500, to be provided by private sponsors secured through NPR Main Street.
- The current schedule calls for completion by end of calendar year 2024.

As noted above, the project is currently estimated to cost \$55,000. It is important to highlight that NPR Main Street had originally estimated the cost at \$43,000 and sought a City sponsorship of \$20,000. However, wanting to recommend utilization of the Public Art Fund for this request and recognizing several notable requirements of the Public Art Ordinance, as set forth below, our administrative team is recommending City support of the project through a 50/50 partnership, through which the City would work with NPR Main Street to secure use licenses from each of the building's/landmark's property owners for the placement of the art, thereby making those locations (limited to where the art is placed) public places, and providing for the City to own, maintain, and insure the artwork in accordance with the Public Art Ordinance.

*Notable Requirements of the Public Art Ordinance*

- 27-3(c) Monies on deposit in the public art fund shall be budgeted and appropriated by city council solely to pay the cost of...works of art installed in public places [emphasis added]. Monies derived from a municipal building project may be utilized for the installation of works of art on the project site or on such other city owned property as the city council may designate.
- 25-5 (a) Ownership of all works of art paid for with monies from the public art fund shall be vested in the city which shall obtain title to each such work of art.

## RECOMMENDATION

Staff recommends that the CAC recommend approval of the proposed public art project, including the use of \$27,500 from the Public Art Fund, and/or to provide other feedback as it sees fit.

## BUDGET/FISCAL IMPACT

Approval of this request would impose a one-time cost of \$27,500 and minimal recurring costs for maintenance and insurance, which are still to be determined.

The current available balance of the Public Art Fund is approximately \$148,100.

## Attachments

c: Andrea Figart, Library Director



March 4, 2024

Dear City Manager and City Council,

New Port Richey Main Street is planning a public art project in recognition of the city's upcoming 100<sup>th</sup> anniversary with permanent mini bronze sculptures throughout our downtown district associated with a historical building or site. These pieces would be permanently placed on the building and secured by a plaque with a QR code. The QR code would be directed to our website, [www.nprmainstreet.com](http://www.nprmainstreet.com), where there would be a specific landing page identifying each statue, provide the current building name and owner, history of each landmark or building, identify the Artist, and also provide room for a list of sponsors. The artwork will be arched coming out of the plaque or a plaque mounted alongside the miniature sculpture. The sculptures would be approximately 8"-10" in length and something visitors would need to look for thus being a "hidden figure". We are modeling these after some of the city art displayed on Atlas Obscura <https://www.atlasobscura.com/places/figurines-of-boras>, other miniature sculptures, such as Budapest <https://budapestflow.com/hidden-mini-statues-budapest>, and other examples of these "hidden figures" in other popular cities. The artist highly suggests pouring all 10 statues at the same time to save on cost to produce and our goal is to have raised enough funds to have these ready for presentation and mounting by the Fall or end of 2024.

We have identified several locations of interest throughout the city and below are the landmarks or historical sites we have approached:

**Richey Suncoast Theater** - Originally built by Clark, Leeston-Smith, and Grey and was originally named after Thomas Meighan, a silent film star, who had dreams of making New Port Richey the "Hollywood of the South" – unfortunately the depression put an end to his dream. But throughout the past 40 years, the theater continues to strive and offer live theater and movies.

**Leeston - Smith Building** - Built by city leader, E. A. Leeston-Smith in 1926, for decades housed a series of bars, lounges, and restaurants such as Miller's Café from the 1930s to 1970s. In its early days, the building contained Holmes Hardware and Furniture Company, A & P Grocery, and Bailey Five and Ten Cents Store. Zen Kitchen & Bar and Sip On Grand currently house this beautiful building.

**The Hacienda Hotel** - One of the original "Pink Hotels of Florida", built during the roaring 20's and was operated as a hotel and event space hosting numerous silent and early 20<sup>th</sup> century actors and actresses until it closed in 1976. The hotel was restored to its original beauty in 2022 and now a main centerpiece of New Port Richey.

**Havens - Chasco Inn** - The oldest commercial building in downtown served as a hotel and a post office during its heyday. Currently houses Gone Juicing Cafe, Herschel's Scratch Kitchen and other professional offices.

**Clark Building** - Currently the location of Bourbon on Main built in 1922 and was the drug store and Pasco Hardware.

**The Burnette Arcade** - The first first enclosed mall built in 1927 and housed the post office and library. Currently it houses Maharajh Acupuncture & Herb Shoppe and Antique Center on Main Street.

**Swafford Building** - This building was the original firehouse, library, and city hall and currently the location of Social NPR, Dang Good on Main and Ordinance One.

**New Port Richey Land Company Office** - Located at the corner of Main and Grand was built as the original land company holding the majority of the deeds to all parcels in Port Richey and New Port Richey, but never opened due to the financial market crash.

**Morey - Bowman Building** - Renamed "The Blvd Building" and currently the location of Downtown Hair Lounge, Mullins Music and Lis's Pieces, it was originally the "Pearl of the West" Lodge No. 146, a Masonic Lodge in the 1920's.

**Pasco Building** - Built by George Sims, the Father of New Port Richey, in 1924, originally had six commercial spaces with tile and plate glass fronts and twelve offices on the second floor. Currently housed by Rose's Bistro, Boulevard Beef and Ale, Pink Brick Boutique and the White Heron Tea Room.

**First Bank of NPR** - This was the first formal bank and currently houses the attorney offices of McPhearson-Thomas P.A.

As noted above, we have begun contacting the property owners of these buildings for approval to mount the statues on their buildings and also include a sustainability plan for maintaining them for the next 10 years. We are happy to say we have signed approval agreements from 9 property owners.

Once the project is complete, we intend to submit it to **Atlas Obscura** to be listed in their travel destination website. We expect this listing on this international travel website will increase the city's visibility to a larger audience worldwide.

We estimate this project will cost \$43,000.

New Port Richey Main Street, Inc. and the 100<sup>th</sup> Anniversary Art Project Committee would like to offer the City of New Port Richey the Lead Sponsorship for this project with your pledge of \$20,000. In return of this pledge, the city will receive "naming rights" for the entire project with the city name and logo placed prominently on all marketing materials. Marketing materials include all NPRMS, Inc. social media platforms, collateral material, signage and a NPRMS, Inc. web page dedicated to the project. The City of New Port Richey will also be mentioned as the lead sponsor on all narrations on the project website.

As a matter of process, having all the funding in place will allow the project to complete in a timely manner. This letter and confirmation of lead sponsorship allows us to better insure a prompt delivery of the finished statues.

Thank you for your consideration.

Please let me know if you have any questions or need any additional information about the project or the sponsorship.

Cordially,

***Beth Louise Fregger***

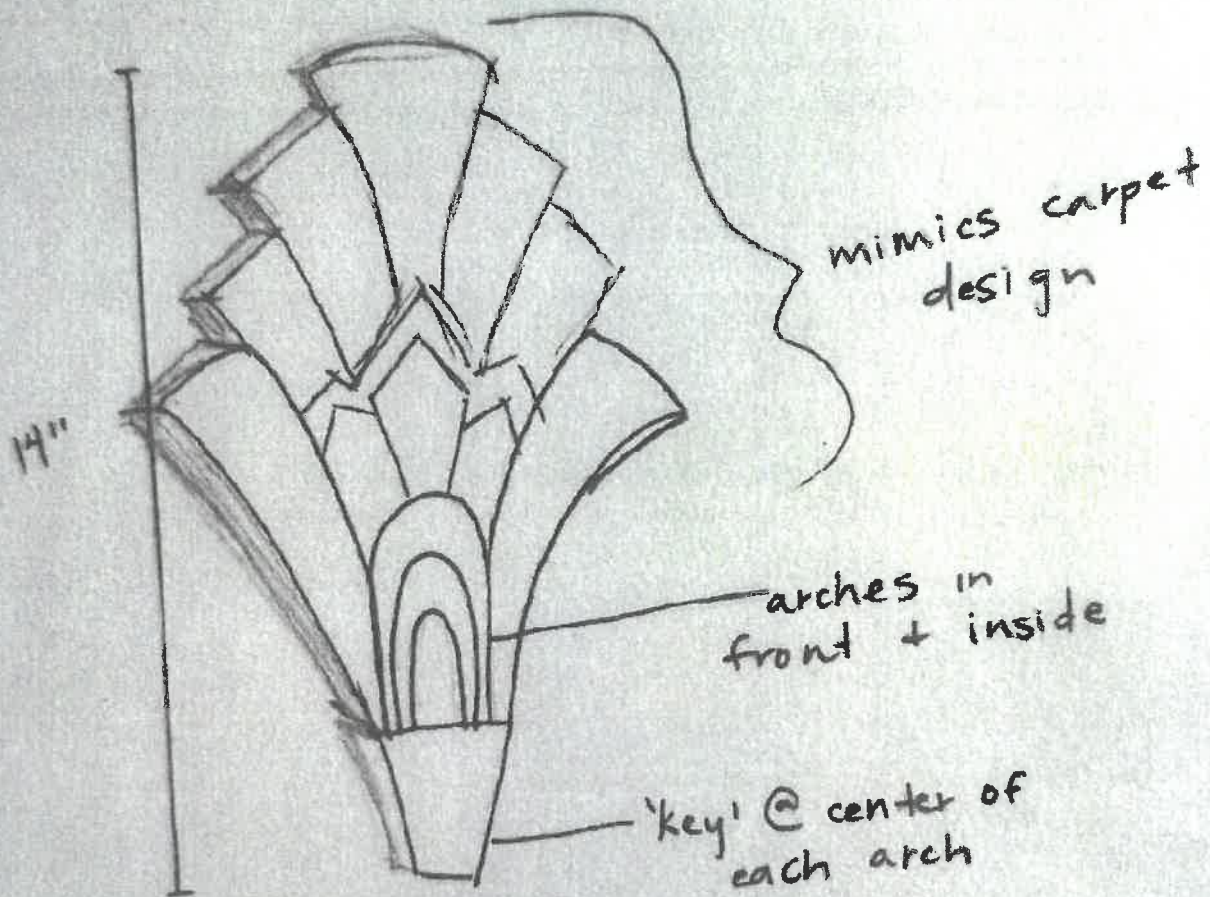
Beth Louise Fregger  
Design Committee Vice Chairperson  
New Port Richey Main Street, Inc.

***Tina Gordon***

Tina Gordon  
Program Director  
New Port Richey Main Street, Inc.



# Suncoast Theatre





<https://gillianharper.com/About>

### Artist Statement

Gillian Harper is a sculptor currently based in Saint Petersburg, Florida. Through a variety of materials including cast iron, bronze, aluminum, steel, wood, found objects, and organic matter she employs a range of techniques to create art. She is particularly drawn to the fascinating complexities of nature that surround her. Through repetition, tangled lines, organic forms, and color, Gillian constructs work to connect with environment and people.

Many photos by [Nikolaus James](#) and by [Charlie Champagne](#)

<https://gillianharper.com/Resume>

### Large Scale



**Ongoing Life**  
2019, Cast Iron



**Bike Rack**  
2019, Cast Iron



**Ceann-Daorich**  
2019, Cast Iron



**Giraffe**  
2019, Cast Iron



**Sgt. Crackers**  
2019, Cast Iron



**To:** Cultural Affairs Committee  
**Via:** Debbie L. Manns, City Manager/Executive Director  
**From:** Gregory J. Oravec, Assistant City Manager/Economic Development Director  
**Date:** May 10, 2024  
**Re:** Proposed Mural for the Verizon-Frontier Building as part of the Railroad Square Project

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#### REQUEST

This request is for the Cultural Affairs Committee's recommendation on a proposed mural for the Verizon-Frontier Building as part of the Railroad Square Project.

#### DISCUSSION

According to Section 2-68 of the City's Code of Ordinances, the purpose of the Cultural Affairs Committee (CAC) is to make recommendations and to advise the City Council on the financial sponsorship and creation of cultural activities for the education and recreation of the citizens. Additionally, as set forth by the City's Public Art Ordinance, the CAC shall make recommendations "to the [C]ity [C]ouncil the amount of monies to be allocated for selection, commissioning, acquisition and installation of individual works of art to be incorporated as part of the municipal construction project for which the monies were appropriated."

As set forth by the City's Capital Improvements Program and in accordance with the Adopted Community Redevelopment Plan and associated "Downtown and Highway 19 Corridor Master Plan," the City and CRA are working on the Railroad Square Project, which is intended to transform Nebraska Avenue (from Adams Street to the riverfront) from an underwhelming and underutilized alleyway into an active and beautiful pedestrian plaza that creates a destination community gathering place, can host special events, celebrates our history, showcases arts and culture, and still serves the vehicular access needs of our local businesses.

As part of the Phase 1 Project (Nebraska from Adams to Grand), which is currently nearing design completion, Cavalaire Square will be renovated and a new pocket park will be added to the west side of the large brick Verizon-Frontier Building (the Building). In conceptualizing the Phase 1 Project and in seeing many opportunities to incorporate public art, the City Manager and our team looked upon the large blank wall of the Building's western elevation as a blank canvas and a big opportunity. Accordingly, the City Manager and our team began collaborating with two accomplished muralists, Aaron Tullo and Ty Maner of Field Day Art Company, to imagine how we might use that canvas to celebrate who we are as a community and to level up our newest destination community gathering place.

Attached, please find information about the artists and excerpts of their portfolio. Also attached, please find two dueling mural concepts for your review and consideration. It is anticipated that the Artists will be available at your meeting to answer any questions you may have about themes, inspiration, the application process, maintenance, and other matters. However, you may find that each mural concept speaks for itself and reinforces core aspects of our community identity. Concept 1 beautifully plays on the word "Pithlachascotee," celebrates our golden age, and recognizes that "Railroad Square" used to be literal. Concept 2 is similar to Concept 1 but places greater emphasis on some of our natural resources.

#### RECOMMENDATION

Staff recommends that the CAC consider the two mural concepts, rank them, and provide additional feedback as the CAC sees fit. Additionally, staff requests the CAC's consensus on the utilization of public art funds for the proposed mural project.

#### BUDGET/FISCAL IMPACT

The final price for the mural project is yet to be determined. Based upon preliminary cost estimates, adequate funding will be available in the Public Art Fund and/or Adopted CRA Budget.

#### Attachments

c: Andrea Figart, Library Director

SITE LOCATION MAP

RAILROAD SQUARE, PHASE 1



PROJECT LOCATION

NEBRASKA AVE. FROM THE WEST SIDE OF GRAND BLVD TO THE EAST SIDE OF ADAMS ST. INCLUDING THE PUBLIC PARKING LOTS TO THE EAST AND WEST OF 5751 MISSOURI AVE. AND INCLUDING 5744 MISSOURI AVE (CAVALAIRE SQUARE.)





## PROPOSED MURAL LOCATION



Building face is approximately 30 feet in height by 120 running linear feet.



## Concept 1



## Concept 2







## About Field Day Art Co: Celebrating Creativity One Wall at a Time

Field Day Art Co was born out of a shared passion for art and a desire to transform ordinary spaces into vibrant reflections of creativity. Founded in 2023 by artists Aaron and Ty, our company brings together a dynamic blend of talent, vision, and dedication to craft captivating murals that breathe life into any environment.

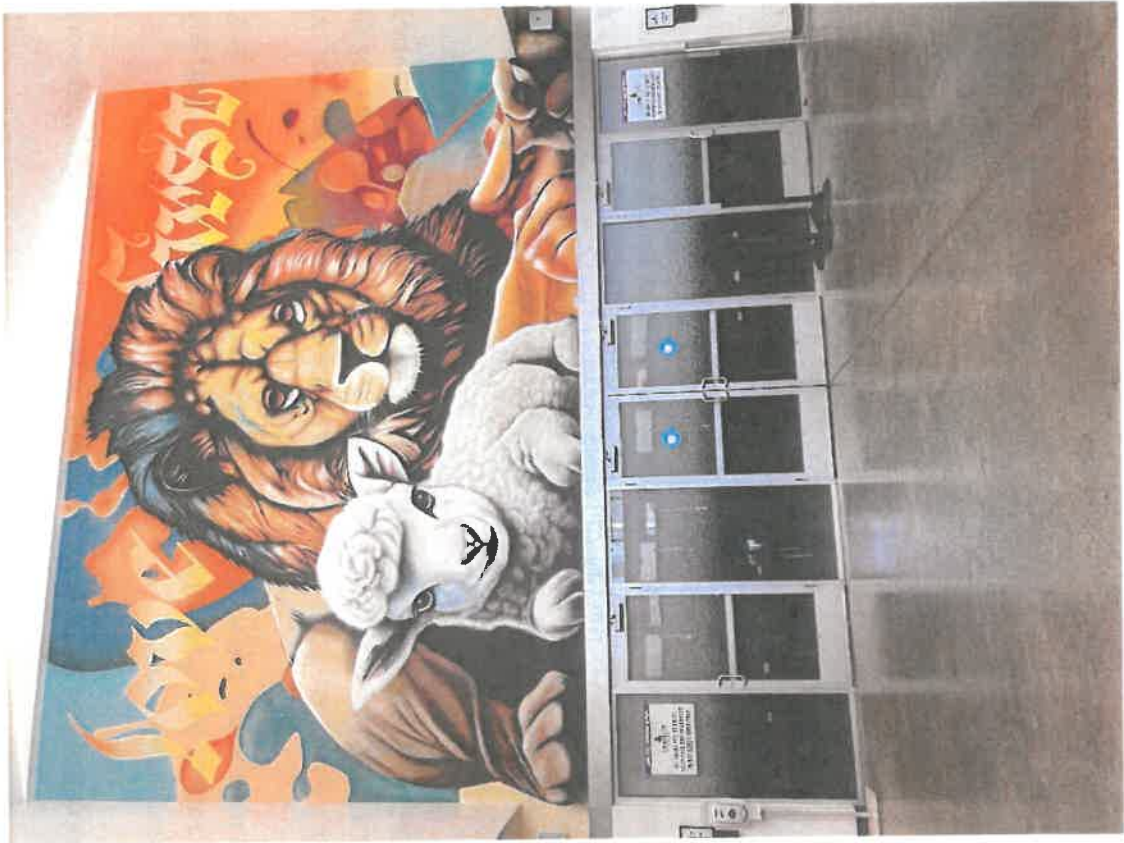
The journey of Field Day Art Co traces back to our humble beginnings, where Aaron and Ty first crossed paths while working at a renowned art company in West Tampa. It was amidst the hustle and bustle of creative collaboration that a unique bond formed between them, fueled by a mutual appreciation for the power of art to inspire, uplift, and transform.

Driven by a shared vision to create art that speaks volumes, Aaron and Ty set out on a mission to establish a mural company that not only showcases their individual talents but also celebrates the diverse narratives woven into the fabric of our communities. Drawing inspiration from the world around them, they infuse each project with a distinctive blend of creativity, craftsmanship, and storytelling, ensuring that every mural they create is a testament to the beauty of human expression.

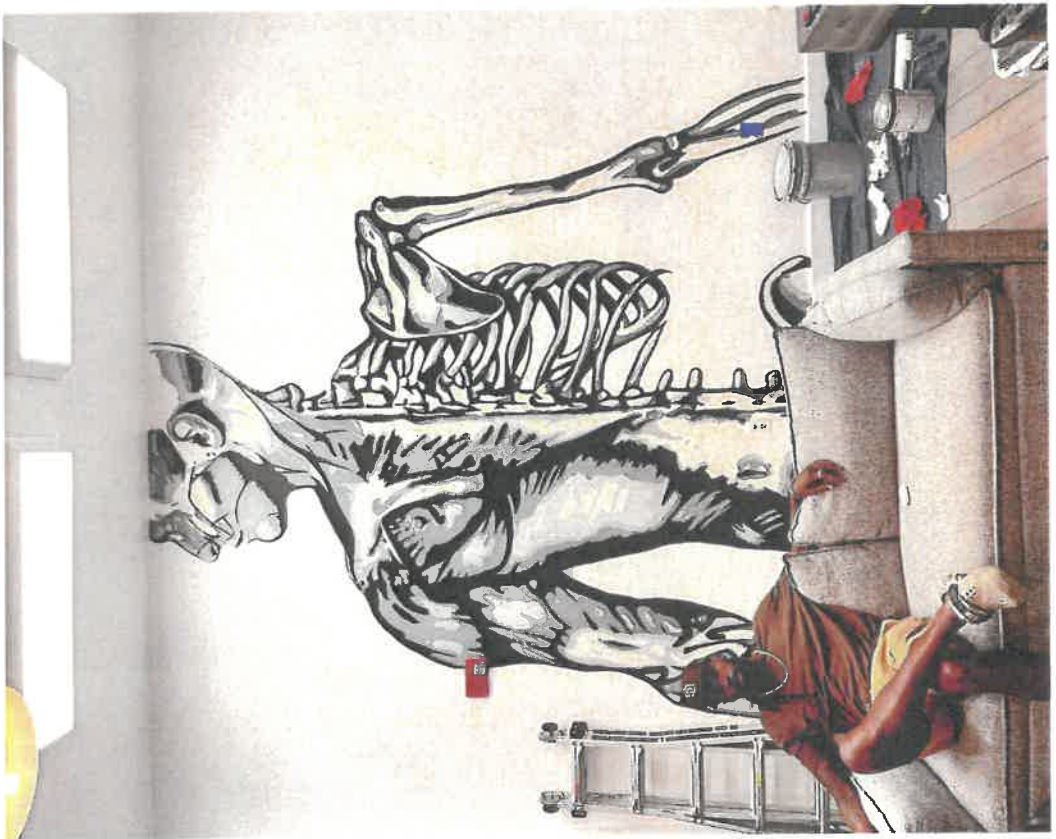
At Field Day Art Co, we believe in the transformative power of art to transcend boundaries and connect people on a deeper level. Whether it's revitalizing urban landscapes, sparking conversations, or simply bringing joy to passersby, our murals are more than just paint on walls – they're vibrant expressions of our shared humanity.

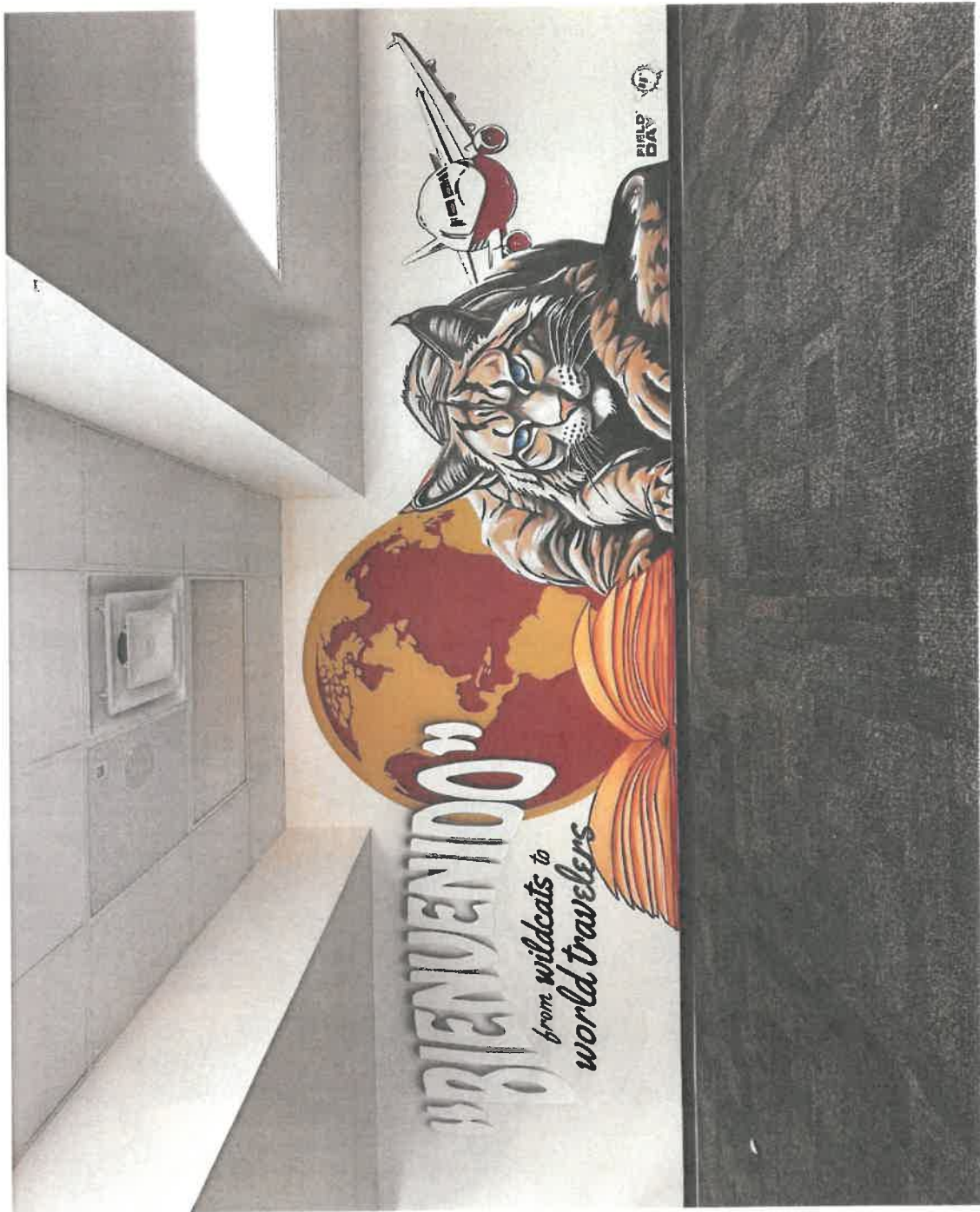
With a commitment to excellence and a passion for pushing the boundaries of artistic innovation, Aaron and Ty invite you to join them on a journey of exploration, inspiration, and celebration. Together, let's turn every day into a field day of creativity and expression.

Please find below some examples of our prior work together as well as our individual works of art. Thank you.













# NEW PORT RICHEY PUBLIC LIBRARY

**To:** Cultural Affairs Committee  
**Via:** Debbie L. Manns, City Manager  
**From:** Andrea Figart, Library Director  
**Date:** Monday, May 13, 2024  
**Re:** Public Art Fund Proposal: Artistic Bike Racks for City Hall/ Library Complex

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## REQUEST

This request is for the Cultural Affairs Committee's consideration of a public art project, proposed by the Library Director.

## DISCUSSION

According to Section 2-68 of the City's Code of Ordinances, the purpose of the Cultural Affairs Committee (CAC) is to make recommendations and to advise the City Council on the financial sponsorship and creation of cultural activities for the education and recreation of the citizens. Additionally, as set forth by the City's Public Art Ordinance, the CAC shall make recommendations "to the [C]ity [C]ouncil the amount of monies to be allocated for selection, commissioning, acquisition, and installation of individual works of art to be incorporated as part of the municipal construction project for which the monies were appropriated."

The Library proposes a project that falls into the category of applied or practical art, or a category of the arts in which artistic items are created with the dual purpose of aesthetics and usefulness. Objects of applied art are created with a specific practical purpose in mind and are often found in commercial and utilitarian projects, where they add beauty and functionality.

In this case, the Library proposes purchasing nine (9) Madrax bicycle racks to replace the temporary rack currently in use as well as the two irreparably damaged bike racks that were removed earlier this year. As you are aware, the City of New Port Richey's Strategic Plan includes goals such as extending the Grand Avenue bike path, widening/repairing sidewalks, and installing crosswalks and traffic calming devices--all of which assist with New Port Richey being identified as a *walkable city* and easily traversed by foot, bike, or golf cart. Furthermore, providing colorful, sturdy bike racks also supports the City's Strategic goal of having a well-informed citizenry, as the secure bike racks will make it easier for the public to access the wide range of resources and services provided by the Library and other Departments located within City Hall.



# PUBLIC ART FUNDS PROJECT PROPOSAL

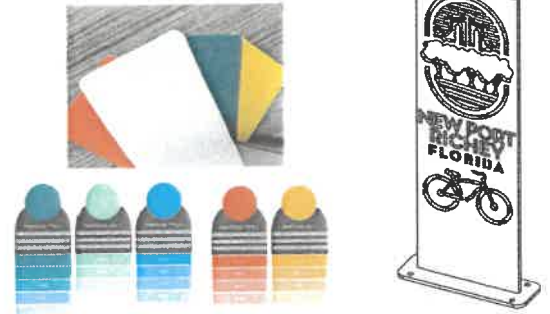
MADRAX BICYCLE RACKS

CITY HALL / LIBRARY COMPLEX

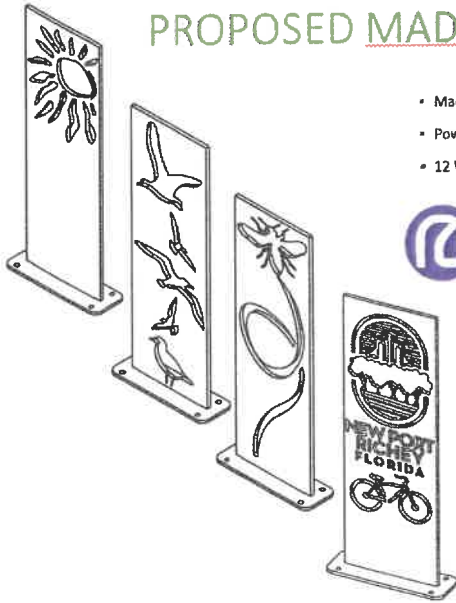
## PROPOSED LOCATIONS



## PROPOSED MADRAX BIKE RACKS



## PROPOSED MADRAX BIKE RACKS



- Made in Wisconsin
- Powder Coated
- 12 Weeks from order to delivery



Items	Per Item	Item Total
Shadow Sun	519	1557 (2)
Seagull	519	1557 (2)
Bee	519	1557 (2)
Custom NPR	799	2397 (3)
Concrete Anchor	9.39	84.51
Shipping	830	830
<b>Estimated Total</b>		<b>7,982.50</b>





# **NEW PORT RICHEY CULTURAL AFFAIRS COMMITTEE MEETING**

**April 17, 2024**

**@ NPR Public Library**

**6:30 pm**

## **AGENDA**

ANY PERSON DESIRING TO APPEAL ANY DECISION, 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 TRANSCRIBED 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)

- I. WELCOME and ROLL CALL**
- II. REVIEW and APPROVAL OF MINUTES** from March 20, 2024
- III. VOX POP-** Three minutes per speaker for items not on the agenda

### **IV. CONTINUING BUSINESS**

- A. Membership - Updated Board Roster
- B. Funding Balance Update- Andi Figart, City Liaison
- C. Review of City Council's 4/16/24 Approval for CAC Film Festival Sponsorship
- D. Discussion Updates related to March's Cultural Affairs Committee Meeting
  - 1. Confirm space availability on 8/16 or 9/6 for folk singer/storyteller– City Liaison
  - 2. Public Art Fund Discussion – City Liaison
- E. Committee Updates-
  - Centennial Steering Committee News and Updates

### **V. NEW BUSINESS**

- A. NPR Film Festival – Professional contacts who may be potential instructors
- B. Florida Speakers Grant Draft Application

### **VI. ANNOUNCEMENTS**

- VII. NEXT MEETING:** Wednesday, May 15, 2024, at 6:30 pm

### **VIII. ADJOURNMENT**

# NEW PORT RICHEY CULTURAL AFFAIRS COMMITTEE

March 20, 2024  
MEETING MINUTES

The regular meeting of the Cultural Affairs Committees was held at the New Port Richey Public Library at 6:30 pm on Wednesday, March 20, 2024. Board members in attendance: Kim Brust, Beth Fregger, Kelly Smallwood, Eric Mullins, City Liaison - Andrea Figart, Chairperson - Richard Melton

**APPROVAL OF MINUTES** - The February 21, 2024 meeting minutes were unanimously approved.

**VOX POP** - No Speakers

## CONTINUING BUSINESS

1. Membership  
Andi passed out a new roster for CAC members. Changes will be made to update addresses for Rich Melton and Eric Mullins
2. Update to meeting schedule. CAC June meeting will fall on the federal holiday Juneteenth. It was decided to move meeting to June 26.
3. Andi Figart reported that the CAC funds have not changed; we have \$6000 in our budget for 2024.
4. Mural Ordinance update. Greg Oravec the EDD for NPR will come to a future meeting with CAC regarding murals.
5. Grant updates

### **COMMITTEE INCLUDES: Kim Brust, Rich Melton and Andi Figart**

- a. Florida Talks Speaker Grant - Committee has secured speakers for the Summer Speakers event  
All speakers will be scheduled to speak at approximately 6pm.
    - i. David Morton - Florida Film Historian - Either 8/21
    - ii. Elliot Kleinberg - Florida Author - 9/25
    - iii. Chris Kahl - Florida Folk Singer and Storyteller - 8/16 or 9/6
  - b. Andi passed out a sample grant application to use as reference in preparing grant
6. The Library presented a request for sponsorship for the upcoming film festival. Upon discussion it was decided to give \$1,225 to help sponsor the event.

**OTHER** - The NPR Public Art Fund was brought up and CAC has questions about the availability of the funds how does one access them and how much money is in the fund.

## ANNOUNCEMENTS

Volunteer Appreciation Dinner will be held April 23, 2024 at Spartan Manor

**ADJOURNMENT**- A motion to adjourn the meeting was made by Kelly Smallwood and seconded by Kim Brust. The motion was approved unanimously, and the meeting was adjourned at 7:41 pm

Respectfully submitted,

***Beth Louish Fregger***



## CITY OF NEW PORT RICHEY BOARDS/COMMITTEES

### Cultural Affairs Committee

7 regular members and 2 alternate members; at least 5 members are residents and registered voters. The 2 remaining members must be registered voters and must either own/operate a city business or be employed in the city. Two-year term.

1. **Richard Melton (Chair)** Through 08.15.25  
6851 Hills Drive  
New Port Richey, FL 34653  
(h) (352) 610-2352  
[Artman011@yahoo.com](mailto:Artman011@yahoo.com)
2. **Kelly Smallwood** Through 06.07.24  
7124 Meighan Court  
New Port Richey, FL 34652  
(c) 727-267-5189  
[smallwood.kelly@gmail.com](mailto:smallwood.kelly@gmail.com)
3. **Anna Mae McNally** Through 09.03.25  
5926 Madison Street  
New Port Richey, FL 34652  
(518) 491-0559  
[oneofthewonders@gmail.com](mailto:oneofthewonders@gmail.com)
4. **David Folds III** Through 03.05.26  
5743 Delaware Ave.  
New Port Richey, FL 34652  
(772) 708-6803  
(727) 816-1150  
[davepfolds@aol.com](mailto:davepfolds@aol.com)
5. **Kimberly Brust (Secretary)** Through 11.01.24  
6545 Circle Blvd.  
New Port Richey, FL 34652  
(727) 919-1429  
[kimbrust@me.com](mailto:kimbrust@me.com)
6. **Beth Fregger (City business owner)** Through 11.01.24  
8040 Island Dr.  
Port Richey, FL 34668  
(727) 505-4930  
[blfmedia23@gmail.com](mailto:blfmedia23@gmail.com)
7. **Eric Mullins** Through 11.15.24  
5830 Grand Blvd.  
New Port Richey, FL 34652  
(727) 777-2214  
[eric@mullinsmusic.org](mailto:eric@mullinsmusic.org)

**Alternates (2):**

1. OPEN
2. OPEN

**Staff Liaison: Andi Figart**

**City code:** \_\_\_\_\_

**DIVISION 3. CULTURAL AFFAIRS COMMITTEE**

**Sec. 2-68. Created.**

The city council hereby creates the cultural affairs committee.

The purpose of the cultural affairs committee is

- to make recommendations and to advise the city council on the financial sponsorship and creation of cultural activities for the education and recreation of the citizens.

**Sec. 2-69. Duties and responsibilities.**

The cultural affairs committee shall

1. review all requests made to the city for co-sponsorship of cultural events and shall
2. offer a recommendation to the city council regarding the level of financial support for such events. In addition, the cultural affairs committee may
3. offer recommendations to the city council for the initiation and promotion of new events to be sponsored either in full or in part by the city.

**Sec. 2-70. Membership.**

(a) There shall be seven (7) regular members and two (2) alternate members composing the cultural affairs committee. The alternate will serve as a member in the absence of a regular appointed member. At least five (5) members of the cultural affairs committee shall be resident electors of the city. The two (2) remaining members need not be residents of the city, but must be resident electors of the state and must either own or operate a business or be employed in the city. A quorum shall consist of four (4) members.

(b) The appointment of members to serve on the cultural affairs committee will be for two (2) years. The city council shall select the board members by a majority vote. The city council, by a majority vote, may remove any member with or without cause. If available, vacancies shall be filled from the alternate positions.

(c) A board member who misses two (2) consecutive meetings shall be deemed to have resigned unless the absence has been excused by the chairman prior to the meeting. The chairman of the committee shall notify the city clerk of the member's resignation.  
(Ord. No. 1463, § 1, 8-4-98; Ord. No. 1533, § I, 8-15-2000)

**Sec. 2-71. Officers.**

The voting members of the cultural affairs committee shall elect one of their members to serve as chairman, one of their members to serve as vice-chairman, and one of their members to serve as secretary. The chairman shall submit an annual report to the city council. The city manager shall provide clerical and administrative staff assistance as may be reasonably required by the cultural affairs committee for the proper performance of its duties.  
(Ord. No. 1463, § 1, 8-4-98)

**Sec. 2-72. Voting authority.**

All members and alternates, as well as the public, shall have a voice pertaining to the business brought before the cultural affairs committee. Only members are entitled to vote on all proceedings.

Alternates may not vote unless taking the place of an absent member. Members of the board shall not vote if they have a conflict of interest pursuant to Florida Statutes.  
(Ord. No. 1463, § 1, 8-4-98)

**Sec. 2-73. Meeting schedule.**

The cultural affairs committee shall meet once every ninety (90) days, unless it determines to meet more frequently. All meetings of the cultural affairs committee shall be open to the public in conformance with F.S. § 286.011, otherwise known as the Government in the Sunshine Law. All meetings shall be conducted in accordance with Robert's Rules of Order. The date, time, place and the agenda of the meeting shall be posted by the city clerk in city hall one (1) week prior to the meetings unless an emergency exists.  
(Ord. No. 1463, § 1, 8-4-98)

**Sec. 2-74. Funding.**

The city council shall include a line item allocation in its annual budget to provide for cultural activities or similar purposes. All expenditures made from this appropriation shall be used for cultural events reviewed and approved by the city council.  
(Ord. No. 1463, § 1, 8-4-98)

**Sec. 2-75. Compensation.**

The members of the board shall serve without compensation but may receive reimbursement for travel expenditures in accordance with Florida Statutes.  
(Ord. No. 1463, § 1, 8-4-98)

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**Sec. 27-3. Public art fund.**

- (a) There is hereby created a public art fund which shall be a separate account of city created hereby to receive monies earmarked for the purchase of artworks to be displayed in public places.
- (b) The city shall budget, appropriate and deposit to the public art fund:
  - (1) A sum equal to the lesser of one-half (0.5) percent of the construction cost of each municipal building project as bid or one hundred thousand dollars (\$100,000.00) per project, contracted and accepted by the city after the effective date of this chapter provided, however, that city council may, in its discretion notwithstanding the one hundred thousand dollar (\$100,000.00) limitation, increase the expenditure for projects of exceptional size or unique function up to a maximum of one-half (0.5) percent of the project cost; and
  - (2) All funds donated to the city by private developers/owners or by others for the purchase of works of art shall be deposited to the public art fund;
  - (3) Any other sums that may be budgeted and appropriated by city council, in their discretion, for deposit to the public art fund; and
  - (4) All sums paid by the owners of commercial structures constructed and installed after the effective date of this chapter as provided in section 27-4.
- (c) Monies on deposit in the public art fund shall be budgeted and appropriated by city council solely to pay the cost of selection, commissioning, acquisition, installation, maintenance, administration and insurance of works of art installed in public places. Monies derived from a municipal building project may be utilized for the installation of works of art on the project site or on such other city owned property as the city council may designate.
- (d) The cultural affairs committee shall recommend to the city council the amount of monies to be allocated for selection, commissioning, acquisition and installation of individual works of art to be incorporated as a part of the municipal construction project for which the monies were appropriated.

(Ord. No. 1844, § 1, 12-5-2006)



Rept: 1055470 Rec: 35.50  
 DS: 0.00 IT: 0.00  
 12/07/06 Dpty Clerk

ORDINANCE NO. 1844

*City of New Port Richey*  
*'The Gateway To Tropical Florida'*

5919 Main Street • New Port Richey, Florida 34652

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PERTAINING TO ART IN PUBLIC PLACES; AMENDING THE CITY CODE TO CREATE CHAPTER 27 ENTITLED "PUBLIC ART"; PROVIDING DEFINITIONS; CREATING A PUBLIC ART FUND; PROVIDING FOR APPROPRIATION OF FUNDS; PROVIDING FOR COMMERCIAL CONSTRUCTION PARTICIPATION; PROVIDING FOR MAINTENANCE OF PUBLIC ART; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of New Port Richey desires to enhance the aesthetic appearance of its streets and residential and commercial areas.

WHEREAS, the City of New Port Richey desires to encourage private developers and owners of commercial properties to commission art for each new development or mall or structure or, in lieu thereof, to donate monies to the city for public art.

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

Section 1. The City Code of the City of New Port Richey is hereby amended to add Chapter 27, which shall read to read as follows:

# PUBLIC ART

JED PITTMAN, PASCO COUNTY CLERK  
 12/07/06 10:30am 1 of 4  
 OR BK 7299 PG 624

## Sec. 27-1. Intent.

The intent of this chapter is to establish a policy for the city, in keeping with the vitality for which it is nationally recognized, to enhance its aesthetic environment, to encourage private developers/owners of commercial properties to commission art for each new development or mall or structure or, in lieu thereof, to donate monies to the city for public art. Private developers/owners should be inspired to invest time, effort and money in providing art for public display on their sites, recognizing that the art not only will become integral, lasting components of the cityscape, but will be of intrinsic value to their developments. Further, the city, desiring to expand public experience and exposure to culture through various art forms and to enhance the appearance of public facilities and improve the environment of the city on behalf of its citizens, intends to provide for the incorporation of visual art in the design and construction of public facilities within the city.



**Sec. 27-2. Definitions.**

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

(a) *Commercial structure* means any building or structure, all or part of which is to be used as an auditorium, private convention center, professional or commercial office, bank, private library (other than school), manufacturing plant, factory, assembly plant, processing plant, mill, warehouse, shopping mall, store, shop market, hotel, storage building, freight depot, and private automobile parking structure which is not connected to or incorporated in other structures.

(1) "Commercial structure" shall include developmental projects that involve more than one (1) phase of construction.

(2) "Phase" shall mean that portion of a developmental project which represents a completed portion of the entire commercial structure.

(b) *Construction costs* means the total cost of the construction of, or reconstruction work on, commercial structures as determined by the city building inspector at the time of issuance of a building permit for the construction or reconstruction. Costs of construction shall include, without limitation, architectural and engineering fees, site work and contingency allowances. It does not include land acquisition or subsequent changes to the construction contract. All construction costs shall be calculated as of the date the contract is executed.

(c) *Municipal construction project* means any project to be paid for wholly or in part by the city, regardless of the source of the monies to construct, remodel or reconstruct any public buildings, decorative or commemorative structures, parking facilities and parks, or any portion of any of such buildings, structures, facilities or parks, belonging to the city within its geographical boundaries as they now exist or shall exist in the future.

(d) *Reconstruction* means alterations or repairs made to a commercial or municipal structure within any twelve-month period, which alterations or repairs exceed fifty (50) percent of the value of the existing structure, such that such structure is required to conform to the requirements for new buildings pursuant to Chapter 6 of this Code.

(e) *Works of art or artworks* means tangible creations by artists exhibiting the highest quality of skill and aesthetic principles, including but not limited to paintings, sculptures, stained glass, statues, bas reliefs, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, tapestries, photographs, drawings, monuments and fountains. Decorative accents, cutouts, colors, or adornments integrated into structural components shall not be considered works of art or artworks for the purposes of this Chapter.

**Sec. 27-3. Public Art Fund.**

(a) There is hereby created a public art fund which shall be a separate account of city created hereby to receive monies earmarked for the purchase of artworks to be displayed in public places.

(b) The city shall budget, appropriate and deposit to the public art fund:

(1) a sum equal to the lesser of one half percent (0.5%) of the construction cost of each municipal building project as bid or \$100,000 per project, contracted and accepted by the city after the effective date of this ordinance provided, however, that city council may, in its discretion notwithstanding the \$100,000 limitation, increase the expenditure for projects of exceptional size or unique function up to a maximum of one half percent (0.5%) of the project cost; and

(2) all funds donated to the city by private developers/owners or by others for the purchase of works of art shall be deposited to the public art fund;

(3) any other sums that may be budgeted and appropriated by city council, in their discretion, for deposit to the public art fund; and

(4) all sums paid by the owners of commercial structures constructed and installed after the effective date of this ordinance as provided in Section 27-4.

( ) Monies on deposit in the public art fund shall be budgeted and appropriated by city council solely to pay the cost of selection, commissioning, acquisition, installation, maintenance, administration and insurance of works of art installed in public places. Monies derived from a municipal building project may be utilized for the installation of works of art on the project site or on such other city owned property as the city council may designate.

( ) The Cultural Affairs committee shall recommend to the city council the amount of monies to be allocated for selection, commissioning, acquisition and installation of individual works of art to be incorporated as a part of the municipal construction project for which the monies were appropriated.

**Sec. 27-4. Commercial Construction Participation.**

(a) Any private developer or owner who applies to the city for a building permit to either (1) construct a commercial structure, or (2) reconstruct, renovate or repair a commercial structure so that either (i) the size of the structure is increased by 50% or greater, or (ii) 50% or greater of the existing structure is reconstructed, renovated or repaired, shall be advised by the Building Official of the city's public art program and public art fund and shall be notified by the Building Official that the city encourages the developer or owner to expend a sum at least equal to one-half of one percent (.5%) of the cost of construction or reconstruction renovation or repair on the acquisition and installation of works of art to be located in a place on the exterior of the project that is readily visible to the public from adjacent public streets and sidewalks. In lieu of installing works of art on the project site, the developer may contribute such sum to the city's

public art fund up to but not limited to the amount of \$100,000. The works of art should be installed, or the contribution to the public art fund should be paid, pro-rata as the respective phases of the commercial construction project are completed.

(b) The Building Official shall notify the Cultural Affairs Committee of each building permit issued by the city for a commercial construction project and the Cultural Affairs Committee shall contact the permittee and shall advise it of the existence of the city's public art program and public art fund and shall encourage the permittee to either install works of art or to make a contribution to the public art fund as contemplated by Section 27-4(a).

**| Sec. 27- . Ownership and Maintenance.**

(a) Ownership of all works of art paid for with monies from the public art fund shall be vested in the city which shall obtain title to each such work of art.

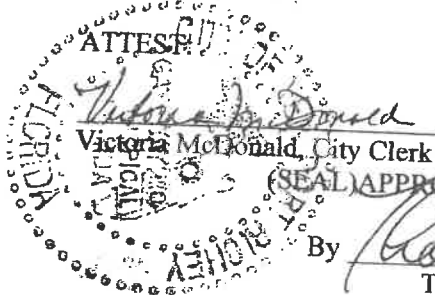
(b) Artists, as a part of any contractual agreement with the city for the provision of a work of art, shall be required to submit to the a "Maintenance and Inventory Sheet," including annual cost projections which detail the estimated cost of maintenance and ongoing care of the artwork and all necessary and recommended maintenance.

Section 2. This Ordinance shall become effective immediately upon its adoption.

Section 3. 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 4. 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 4 day of November 2006.

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 5 day of December 2006.



Dan Tipton  
Dan Tipton, Mayor-Council Member

(SEAL) APPROVED AS TO LEGAL FORM AND CONTENT

By Thomas K. Morrison  
Thomas K. Morrison, 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:** Andrea Figart, New Port Richey Public Library Director

**DATE:** 7/16/2024

**RE:** Library Advisory Board Minutes - March through May 2024

**REQUEST:**

The request before City Council is to review and consider approving the attached minutes from the March 25, April 22, and May 20, 2024, Library Advisory Board meetings.

**DISCUSSION:**

The Library Advisory Board advises and assists the Library Director with library long-range planning, preparation of policies and procedures for the library, and submits reports to the Library Director and the City Council upon request.

For your consideration and review, please find the attached minutes and agenda packets from the March 25, April 22, and May 20, 2024, Library Advisory Board Meetings.

The Library Advisory Board holds regular meetings, with the most recent meeting occurring on June 24, 2024. The next meeting will take place on August 26, 2024, at the New Port Richey Public Library. The meeting will begin at 9:30 a.m. and the public is invited to attend.

**RECOMMENDATION:**

Staff recommends that City Council reviews and accepts the minutes from the March 25, April 22, and May 20, 2024, NPRPL Library Advisory Board Meetings.

**BUDGET/FISCAL IMPACT:**

No funding is required for this item.

**ATTACHMENTS:**

Description	Type
❑ Library Advisory Board 6.24.24 Agenda Packet, including 5.20.24 Meeting Minutes	Backup Material
❑ Library Advisory Board 5.20.24 Agenda Packet, including 4.22.24 Meeting Minutes	Backup Material
❑ Library Advisory Board 4.22.24 Agenda Packet, including 3.25.24 Meeting Minutes	Backup Material



NEW PORT RICHEY  
**PUBLIC  
LIBRARY**

## LIBRARY ADVISORY BOARD

### AGENDA

**Monday, June 24, 2024**  
**New Port Richey Public**  
**Library**  
**Magnolia Room**  
**9:30 a.m.**

\*Enter by ringing doorbell  
at staff door, located near  
handicap parking.

- I. Call to Order/Quorum
- II. Review and Approval of May Minutes
- III. Public Comment
- IV. Officer/Committee Report
  - a. Pasco County Library Advisory Board & Library Cooperative Board (Ron Becker)
  - b. Friends of the Library (Nancy Cote)
  - c. Library Director's Update (Andi Figart)
    - FLA-Florida Library Fun Facts
- V. New Business
  - a. DLIS State Libraries Funding Update
  - b. Mobile Library Branch Initiative
- VI. Continuing Business
  - a. City Centennial Updates
  - b. Little Free Libraries
  - c. Circulation and Programming Statistics, May
- VII. Next Meeting July 29, 2024
- VIII. Adjournment

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.

ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE ADVISORY BOARD, 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 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)

**Library Advisory Board**  
**Meeting Minutes**  
**May 20, 2024**

**In Attendance:** Ron Becker, Nancy Cote, Nicholas Pacini, Renee Tyner, Jayne Brewin, Joyce Haasnoot, Youth Librarian Jessica Meredith, Joan Nelson Hook, Marci Mihall, Lewis Curtwright and Andi Figart were absent.

- I. **Call to Order:** 9:36 a.m. by Ron Becker. A quorum was met.
- II. **Minutes:** The April 2024 minutes were unanimously accepted.
- III. **Public Comment:** None
- IV. **Officer/Committee Reports:**
  - Pasco County Library Advisory Board & Library Cooperative (Nancy Cote)
    - Nancy Cote attended the last meeting in place of Ron Becker. Updated on any Sunshine Law rules that they reviewed at the meeting.
  - The Friends of the New Port Richey Library (Nancy Cote)
    - Nancy reported that the Friends made approximately \$90 and recruited one new member at the Main Street Wine Stroll.
    - Updated on Friends events coming up. Bookish Tea Party, Volunteering at Kids to Parks Day.
  - Library Director's Update (Jessica Meredith)
    - Reviewed upcoming activities hosted by the library. Including the summer kick off Touch-a-Truck event on June 1<sup>st</sup>.
    - Reviewed the upcoming film festival.
- V. **Continuing Business:**
  - The Little Free Libraries are still doing well and books are always needed. If anyone has space to store books let FOL know as their current storage space is limited.
  - Bonnie Martin gave updates on the City Centennial planning. Events are being solidified and will be added to the city calendar.
  - Nicholas Pacini reviewed the social media statistics. There was a brief discussion on adding a year-to-date chart to the statistics. Clarification was asked regarding the checkouts listed on the chart:
    - Normal = Check out at the Circulation Desk
    - Self-Checkout= Check out by the person at the kiosk
    - In Library = Anything scannable that is not checked out. For example, a book taken off the shelf and read here in the library.
    - In Library (Bulk) = Seed Library checkouts
- VI. **New Business:**
  - Jessica Meredith gave additional clarification on the new social media policy for the city. She informed the board that comments are not allowed on any social media posts and staff cannot reply to direct messages. As a result, the library

social media statistics will continue to decrease. Only individual event pages that are created as well as paid boost posts, will allow for comments. The city has set up an automatic reply message with our phone number and who to contact if they need specific information. It was suggested to pin the social media policy to the library social media pages.

- The Reconsideration Policy was reviewed and approved. There were two additions. The updated form asks if the person completing the form is a city resident and includes additional verbiage on the policy while the library material is under review. Nick Pacini motioned for approval, Bonnie Martin seconded.

**VII. Communications:**

- The next meeting will be June 24, 2024, at 9:30 a.m. at the library.

**VIII. Adjournment**

- The meeting was adjourned at 10:45 a.m.

## Florida Library Facts

**Floridians love their libraries.** Over 57 percent of Floridians have library cards. That's more than 12.3 million people. *2018-19 - Florida Department of State.*

**Floridians really enjoy reading.** Florida libraries circulated over 99 million items – books, cds, dvds, etc., in 2018-19.

**Books, music and movies.** There are over 41 million items in Florida public libraries. Of these, over 10.4 million are e-books, 1.6 million are audio and 3.4 million are video.

**Floridians vote for libraries with their feet.** Florida residents visited public libraries about 62.6 million times in 2018-19 for an average of over 2.9 visits per person.

**Libraries help children learn and prepare them for school.** Libraries help young children learn to read and help parents and caregivers learn to support that learning. Florida libraries conducted over 116,240 programs for children in 2018-19 with over 3.3 million children attending – and children checked out over 31 million items!

**Floridians come to libraries for technology and job search.** There are over 17,290 public access computers available in Florida libraries. Floridians used these computers 13.2 million times in 2018-19 and over 2.9 million Floridians received technology instruction in libraries. Frequently use is for job seeking! Many libraries offer free wireless access.

**Many Floridians use libraries from their home, school or office.** Floridians visited library websites over 74.8 million times in 2018-19, using services like the Florida Electronic Library that offer electronic information and online help.

**Librarians help you find what you're looking for.** Library staff answered over 18.4 million reference questions in 2018-19 and 427,000 of those questions were answered using online reference services.

**For many, the library is their lifeline to essential government services.** Library staff help the public transact their E-Government business using library computers for services including Unemployment Compensation, Medicare, Fla. Dept. of Children and Families, immigration, and the IRS. Library staff are important members of disaster management teams and following disasters, library computers help survivors locate family members and apply for insurance and assistance.

**91% of Americans say public libraries are important to their communities.** "Library Services in the Digital Age," *Pew Internet & American Life Project, January 2013.*

**Florida libraries are efficient.** Florida libraries served the public at an average cost of \$28.89 per person in 2018-19 compared with a national average of \$44.89 2019. *IMLS.*

**Good return on investment.** Florida's public libraries return at least \$10.18 for every \$1 invested. 2013 - *Florida Department of State.*



# Circulation and Programming Stats

Data taken from 5/1 - 5/31



NEW PORT RICHEY  
PUBLIC LIBRARY

## Circulation / Reserve Statistics

Started: Friday, June 21, 2024 at 12:15:35 PM EDT

Finished: Friday, June 21, 2024 at 12:15:37 PM EDT

Duration: 2 seconds

### Report criteria:

- Data Type: Circulations.
- Date: Wednesday May 1 2024 through the end of Friday May 31 2024.
- Time Division: Month.
- By Circulation Type.
- Include In-Library.
- Exclude Renewals.
- By Checked Out.

## Circulation Results

	5/2024	Totals
Normal	2818	2818
Self-Check	2571	2571
In-Library	333	333
In-Library (Bulk)	444	444
	6166	6166



## Program Statistics

### Passive Programs:

3 Programs

321 Participants

### In-Person Programming:

71 Programs

1,719 Attendees

### Door Count:

8,231 people



NEW PORT RICHEY  
**PUBLIC  
LIBRARY**

# LIBRARY ADVISORY BOARD

## AGENDA

**Monday, May 20, 2024**  
**New Port Richey Public**  
**Library**  
**Magnolia Room**  
**9:30 a.m.**

**\*Enter by ringing doorbell**  
**at staff door, located near**  
**handicap parking.**

- I. Call to Order/Quorum
- II. Review and Approval of April Minutes
- III. Public Comment
- IV. Officer/Committee Report
  - a. Pasco County Library Advisory Board & Library Cooperative Board (Nancy Cote)
  - b. Friends of the Library (Nancy Cote)
  - c. Library Director's Update (Andi Figart)
- V. New Business
  - a. City's Revised Social Media Policy
  - b. Reconsideration Policy Update
- VI. Continuing Business
  - a. City Centennial Updates
  - b. NPR Film Festival Updates
  - c. Little Free Libraries
  - d. Circulation and Programming Statistics, April
- VII. Next Meeting June 24, 2024
- VIII. Adjournment

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## **Library Advisory Board**

### **Meeting Minutes**

**April 22, 2024**

**In Attendance:** Ron Becker, Nancy Cote, Nicholas Pacini, Renee Tyner, Jayne Brewin, Joyce Haasnoot, Andi Figart, Joan Nelson Hook, Marci Mihall, Lewis Curtwright was absent.

- I. Call to Order:** 9:35 a.m. by Ron Becker. A quorum was met.
- II. Minutes:** The March 2023 minutes were unanimously accepted.
- III. Public Comment:** None
- IV. Officer/Committee Reports:**
  - Pasco County Library Advisory Board & Library Cooperative (Ron Becker)
    - Ron Becker let the board know that May 9<sup>th</sup> is a Strategic Planning breakfast for the Pasco County Library System.
  - The Friends of the New Port Richey Library (Nancy Cote)
    - Reported that the Friends made approximately \$450 at the rummage sale, and recruited one new member.
    - Friends received \$90 in donations and recruited 3 new members at a Gulf Harbors event.
  - Library Director's Update (Andi Figart)
    - Reviewed upcoming activities hosted by the library. Including the summer kick off Touch-a-Truck event on June 1<sup>st</sup>.
    - Reviewed the upcoming film festival and thanks the Board for their donations toward guest speakers and prizes. The intention is to have several guest speakers through the weeks leading up to the festival.
    - The library is waiting on notification from DLIS regarding this year's round of funding. The state aid this year is \$17.3 million to be split among the libraries. Once the Governor signs off, barring any cuts, funding will be sent through. This is also the same for the mobile book branch funding that went through the Florida House.
    - Board member Bonnie Martin complimented the library in regards to how quickly and with success, the goals set in the Strategic Plan have been completed. She also suggested a puzzle contest to go along with the popular puzzle swaps.
- V. Continuing Business:**
  - The Little Free Libraries are still doing well and books are always needed. The Friends of the Library has a box that will be at local businesses to collect children's books. Joan Hook and Nancy cote received a large donation from a local teacher and will need to find space to store the books.
  - Nicholas Pacini reviewed the social media statistics. Library Director Figart let the board know that the city has changed their official social media policy and comments and interaction with public has been limited. We should expect to see a decrease in the numbers.

**VI. New Business:**

- There will be a new Little Free Library at Frances Avenue Park and will be monitored by Bonnie Martin.

**VII. Communications:**

- The next meeting will be May 20, 2024, at 9:30 a.m. at the library.

**VIII. Adjournment**

- The meeting was adjourned at 10:34 a.m.

CITY OF NEW PORT RICHEY  
CITY MANAGER'S OFFICE



## SOCIAL MEDIA POLICY CITY ADMINISTRATIVE POLICY **(REVISED)**

### PURPOSE

This City Administrative Policy rescinds CAP-IT-001 in its entirety in order to establish revised guidelines, procedures, limitations and responsibilities relating to the City of New Port Richey's use of social media. Social media is considered to be any online platform where you may be interacting with others.

### OUTLINE

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#### STATEMENT OF POLICY:

City departments may use certain social media platforms to promote City programs, services, events, and activities if it is determined that the use of a specific site will serve the public interest and portray the City in a positive manner. Subject to the terms and conditions set forth in this policy, social media may be used for City marketing, promotional, and general information only and only to convey information that is useful to, or will further the goals of, the City.

#### PROCEDURES FOR CITY SOCIAL MEDIA ACCOUNTS:

1. Employees must be authorized to create and maintain any social media account by the Department Director and the Technology Solutions Director. Administration of social media accounts may be assigned to any department employee by the requesting Department Director who has a complete understanding of this policy and has appropriate content and technical experience and who will supervise such administration. The Technology Solutions Department shall oversee all City of New Port Richey's presence on social media platforms and reserves the right to regulate the accounts as needed.
2. Under no circumstance shall any city board or committee, individually or collectively as the appointed board or committee, create or maintain any social media account

that represents the board or committee they are appointed to on any social media platform.

3. Social media accounts used by the City of New Port Richey will be limited to outbound communication only and shall not allow for any reply postings.
4. Wherever possible, City social media accounts should make clear that they are maintained by the City and follow this Social Media Policy with links that direct users back to the City's website for more information, forms, documents or online services necessary to conduct business with the City of New Port Richey.
5. Employees authorized to represent the City in an official capacity via social media platforms must conduct themselves at all times as representatives of the City of New Port Richey in accordance with the City's Personnel Rules and Regulations Policy Manual.
6. City social media sites are subject to the public records laws of the State of Florida. Any content maintained in a social media format that is related to City business, including a list of subscribers, posted communication and communication submitted for posting, may be subject to public disclosure. All such content shall be maintained in accordance with Florida law and retention schedules. E-Discovery laws may also apply to social media content and, therefore, content must be able to be managed, stored, and retrieved to comply with these laws.

#### **LINKS TO OTHER SOCIAL MEDIA AND/OR EXTERNAL WEBSITES PROVIDED ON CITY SOCIAL MEDIA SITES**

The City of New Port Richey may select links to other social media sites and outside websites that offer helpful resources for users. Once an individual links to another page or site, the City's policies no longer apply and the individual becomes subject to the policies of that page or site.

#### **LINKS BY OTHER ENTITIES TO CITY SOCIAL MEDIA SITES**

It is not necessary to get advance permission to link to the City of New Port Richey social media sites; however, entities and individuals linking to the City of New Port Richey social media sites should not in any way suggest that the City of New Port Richey has any relationship or affiliation with the organization or that the City endorses, sponsors or recommends the information, products, or services of that site. Furthermore, social media sites should not make use of the City seal or use the name of any department, committee or board as its name.

## **COPYRIGHT POLICY**

All information and material generated by the City of New Port Richey and provided on City of New Port Richey social media sites are the property of the City of New Port Richey. The City retains copyright on all text, graphic images and other content that was produced by the City of New Port Richey and found on the page. You may print copies of information and material for your own non-commercial use, provided that you retain the copyright symbol or other such proprietary notice intact on any copyrighted material you copy. Please include a credit line reading: "credit: City of New Port Richey (insert name of social media platform page)" or "Courtesy of City of New Port Richey."

Commercial use of text, City logos, photos and other graphics is prohibited without the express written permission of the City of New Port Richey. Use of the City logo is prohibited for any non-governmental purpose. Any person reproducing or redistributing a third-party copyright must adhere to the terms and conditions of the third-party copyright holder. If you are a copyright holder and you feel that City of New Port Richey did not use an appropriate credit line, please notify the Technology Solutions Director with detailed information about the circumstances so that the copyright information can be added or the material in question can be removed.

## **COMPLIANCE**

The Technology Solutions Director will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner. Any exception to the policy must be approved by the Technology Solutions Director in advance. An employee found to have violated this policy may be subject to disciplinary action in accordance with the City of New Port Richey's Policies and Procedures Manual.

This policy shall take effect immediately and rescinds CAP-IT-001 issued on January 23, 2014 in its entirety.

**APPROVAL**

Approved by Debbie L. Manns, City Manager

(Initials)



## Request for Reconsideration of Library Resources

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Are you a resident of New Port Richey? \_\_\_\_\_ Yes \_\_\_\_\_ No

Do you represent yourself? \_\_\_\_\_ Yes \_\_\_\_\_ No

Do you represent an organization? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please specify : \_\_\_\_\_

Type of resource on which you are commenting:

\_\_\_\_\_ Book (e-book) \_\_\_\_\_ Movie \_\_\_\_\_ Magazine \_\_\_\_\_ Audio Recording

\_\_\_\_\_ Digital Resource \_\_\_\_\_ Game \_\_\_\_\_ Newspaper \_\_\_\_\_ Other

Title: \_\_\_\_\_

Author/Producer: \_\_\_\_\_

What brought this resource to your attention? \_\_\_\_\_

Have you examined the entire resource? \_\_\_\_\_ Yes \_\_\_\_\_ No

If not, what sections did you review?

Are you aware of the guidelines set out in the Library's collection development policy,  
which is available on request to any interested Library member? \_\_\_\_\_ Yes \_\_\_\_\_ No

If this work is fiction, what do you think is the theme? \_\_\_\_\_

If non-fiction, what do you think is the purpose of this work? \_\_\_\_\_

Is there anything in this work that any Library members would find of use or value?



What concerns you about the resource? Please state your comments, suggestions, or criticisms as specifically as possible. Please use additional paper if necessary.

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What action are you requesting the Library staff consider?

Removal from the Library \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please state why you believe people should not have access to this work in the New Port Richey Public Library: \_\_\_\_\_

---

Restricted to some members? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, to which members? \_\_\_\_\_

Please state why this work is suitable for those members only: \_\_\_\_\_

---

Why do you think the Library placed this work in the collection?

---

Please recommend another work that could fill the same role in the collection.

---

Are there other resource(s) you can suggest to provide additional information and/or other viewpoints on this topic?

---

Your Signature: \_\_\_\_\_ Date: \_\_\_\_\_

City Residents who wish to formally recommend removing or reclassifying a resource after speaking with Library staff may submit the Request for Reconsideration form in person, by mail, or by emailing it to the Library Director. The Library Director and administrative staff will evaluate the request within the context of the Library's Mission Statement and Development Collection Policy. During this process, the resource will remain accessible to all Library members. The Library Director or designee will respond by letter within 30 days of receiving the formal request.

Please return the completed form to: Library Director, 5939 Main St., New Port Richey, FL, 34652.  
E-mail: [figarta@cityofnewportrichey.org](mailto:figarta@cityofnewportrichey.org)

# Circulation and Programming Stats

Data taken from 4/1 - 4/30



NEW PORT RICHEY  
PUBLIC LIBRARY

## Circulation / Reserve Statistics

Started: Wednesday, May 15, 2024 at 9:20:00 AM EDT  
Finished: Wednesday, May 15, 2024 at 9:20:01 AM EDT  
Duration: 1 second

### Report criteria:

- Data Type: Circulations.
- Date: Monday April 1 2024 through the end of Tuesday April 30 2024.
- Time Division: Month.
- By Circulation Type.
- Include In-Library.
- Exclude Renewals.
- By Checked Out.

## Circulation Results

	4/2024	Totals
Normal	2793	2793
Self-Check	2887	2887
In-Library	387	387
In-Library (Bulk)	491	491
	6558	6558



## Program Statistics

### Passive Programs:

5 Programs  
283 Participants

### In-Person Programming:

86 Programs  
2,528 Attendees

### Door Count:

8,544 people



NEW PORT RICHEY  
**PUBLIC  
LIBRARY**

# LIBRARY ADVISORY BOARD

## AGENDA

Monday, April 22, 2024  
New Port Richey Public  
Library  
Magnolia Room  
9:30 a.m.

\*Enter by ringing doorbell  
at staff door, located near  
handicap parking.

- I. Call to Order/Quorum
- II. Review and Approval of March Minutes
- III. Public Comment
- IV. Officer/Committee Report
  - a. Pasco County Library Advisory Board & Library Cooperative Board (Ron Becker)
  - b. Friends of the Library (Nancy Cote)
  - c. Library Director's Update (Andi Figart)
- V. New Business
  - a. NPR Film Festival Sponsorship
  - b. DLIS State Libraries Funding Update
- VI. Continuing Business
  - a. City Centennial Updates
  - b. Little Free Libraries
  - c. Circulation and Programming Statistics, 2<sup>nd</sup> Quarter
- VII. Next Meeting May 20, 2024
- VIII. Adjournment

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.

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New Port Richey Library Advisory Board  
Meeting Minutes  
March 25, 2024

Members in attendance: Chairman Ron Becker, Marci Mihall, Vice Chairman Nicolas Pacini, Bonnie Martin, Joan Nelson Hook, Director Andi Figart, Renee Tyner, Nancy Cote, Secretary Lewis Curtwright. Jayne Brewin was absent.

AGENDA

I. Call to Order/Quorum 9:37am called to order. A quorum was met.

II. Review and Approval of February Minutes. Joan Hook moved to approved the minutes which were accepted by the committee.

III. Public Comment. None took place.

IV. Officer/Committee Report

Pasco County Library Advisory Board; Library Cooperative (Ron Becker)

- Chairman Becker stated the Regency Library completed renovations and is due to open soon. Groundbreaking for Wesley Chapel will be April 12, 2024.

Friends of the Library (Nancy Cote).

- The Friends recently hosted a table at the Main Street Chalkfest and secured 3 new memberships.
- Saturday the 20th, the friends will be at the Gulf Harbors Market off of Floramar Terrace / Hwy 19.
- Friends are hosting a Bookish Tea party on 6/2/24 with entertainment by Jon Timpanelli.
- A \$1,000 check was donated for the bookmobile from Lisa Tinker.

Library Director's Update (Andi Figart)

- Director Figart explained about the upkeep of the solar panels and the energy saved since installation on 12/23/21. The solar energy used has saved 182,000 carbon dioxide pounds from being released into the atmosphere.
- The library is hosting their annual Touch a Truck for the summer library challenge on June 1st. The library is looking for volunteers that have cars that can be showcased at the event and inf interested, contact Director Figart.
- Interlibrary Loan Processor Alecz Sorrell began an ongoing project where she has a map indicating locations of all the ILL requests that she has processed or received on behalf of the library from around the country during this fiscal year of 2024.

V. Continuing Business:

a. Little Free Libraries.

- Chairman Becker thanked Marci Mihall for her help with the success of his local free library and Nicholas Pacini updated the Board on the status of the Recreation Center Little Free Library.
- Bonnie Martin discussed a book drive that has begun specifically for children's books and presented the process for donations.
- Joan Hook inquired about who is responsible for each Little Free Library throughout the City. Chairman Becker and Director Figart stated there are placards that clarify this on each of the Little Free Libraries. The following Little Free Libraries and their respective point of contact are:
  - James E Reserve - Betty Condi.

- Jasmine Park - Jane Brewin.
- North Bay Hospital - Betty Condi.
- Recreation & Aquatic Center - Vice Chairman Nicolas Pacini / McKenna
- Cotee Park - Chairman Becker.
- Roses Cafe - Betty Condi.

b. Circulation and Programming Statistics, February.

- A flyer was included in the agenda and reviewed by Chairman Becker.
- April's meeting will include a quarter 2 report.

VI. New Business:

a. City Centennial Updates.

- Bonnie Martin gave an update about the subcommittee and their ideas for the centennial. The kickoff program has not been decided yet; July to October is when the events are slated to begin. October 25-27 will be the exact dates to coincide with the city's 100th birthday.

b. City Hosted Volunteer Appreciation Dinner for City Boards will be held April 23rd.

c. National Library Week, April 17th

- April 7-13, the theme this year is Ready. Set, Library. The chair of the committee said it illustrates that libraries give us a green light to focus on what matters most in our always online world.
- National Library Week started in the mid 1950s.
- The National Book Committee was founded in 1954 in conjunction with the ALA. Their first theme in 1958 was wake up and read.

VII. Next Meeting: April 22, 2024.

- The May meeting will be a week earlier than usual due to Memorial Day.

VIII. Adjournment. Vice Chairman moved to adjourn; seconded by Marci Mihall. Adopted at 10:52am.

Respectfully submitted,  
 Lewis Curtwright  
 Secretary



# NEW PORT RICHEY FILM FESTIVAL

## SPONSORSHIP PROPOSAL

### ADULTS

First Place: \$400  
Second Place: \$200  
Third Place: \$100  
**Total: \$700**

### TEENS

Ages 13-17  
First Place: \$200  
Second Place: \$100  
Third Place: \$50  
**Total: \$350**

### YOUTH

Ages 12 and Under  
First Place: \$100  
Second Place: \$50  
Third Place: \$25  
**Total: \$175**

### Help us launch New Port Richey's first film festival!

The New Port Richey Public Library is seeking sponsors for our Summer Film Festival. The festival will celebrate the city's upcoming centennial, with films exploring New Port Richey's past, present, and future.

Marquee sponsors will be featured in all of the advertising for the festival, both online and on print collateral. They will also have prize categories named in their honor. All sponsors will be highlighted during our awards ceremony at the Richey Suncoast Theatre on Sat, Aug. 3.

### We also need assistance with the following:

- Trophies and swag bags
- TV, radio, print and social media advertisements
- Volunteer instructors for our video production camps
- Equipment for video production camps (cameras, lighting, props, etc.)

For more information, please contact Tomás Monzón at [monzont@cityofnewportrichey.org](mailto:monzont@cityofnewportrichey.org)



NEW PORT RICHEY  
**PUBLIC LIBRARY**

# QUARTERLY REPORT: FY 2024 Q2

## Circulation and Programming

Data taken from 1/1 - 3/31 (2024)



NEWPORT RICHEY  
PUBLIC LIBRARY

### Circulation / Reserve Statistics

Started: Wednesday, April 17, 2024 at 10:04:58 AM EDT

Finished: Wednesday, April 17, 2024 at 10:04:58 AM EDT

Duration: 0 seconds

#### Report criteria:

- Data Type: Circulations.
- Date: Monday January 1 2024 through the end of Sunday March 31 2024.
- Time Division: Month.
- By Circulation Type.
- Include In-Library.
- Exclude Renewals.
- By Checked Out.

### Circulation Results

	1/2024	2/2024	3/2024	Totals
Normal	2719	2663	2606	7988
Self-Check	3650	3414	3166	10230
In-Library	337	254	312	903
In-Library (Bulk)	514	823	610	1947
	7220	7154	6694	21068

### Program Statistics (March)

#### Passive Programs:

3 Programs  
296 Participants

#### In-Person Programming:

81 Programs  
2,380 Attendees

### Program Statistics (Q1)

#### Passive Programs:

7 Programs  
439 Participants

#### In-Person Programming:

252 Programs  
7,063 Attendees

**Door Count:** January: 8,583 February: 8,414 March: 8,260 **Total: 25,257**



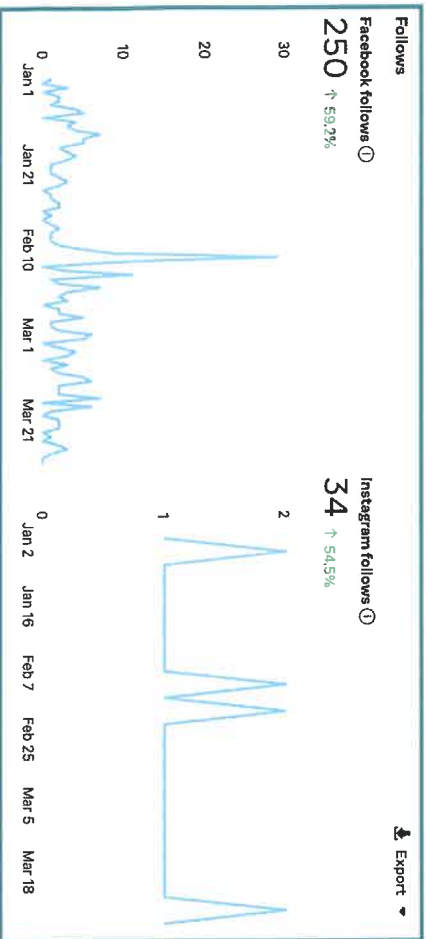
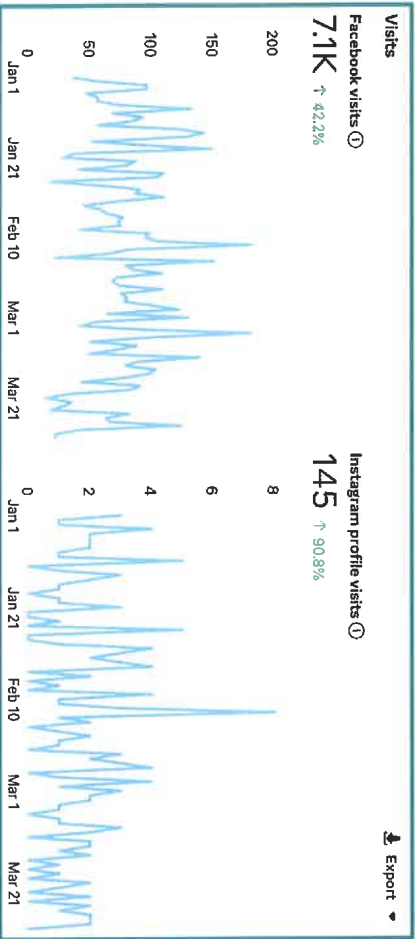
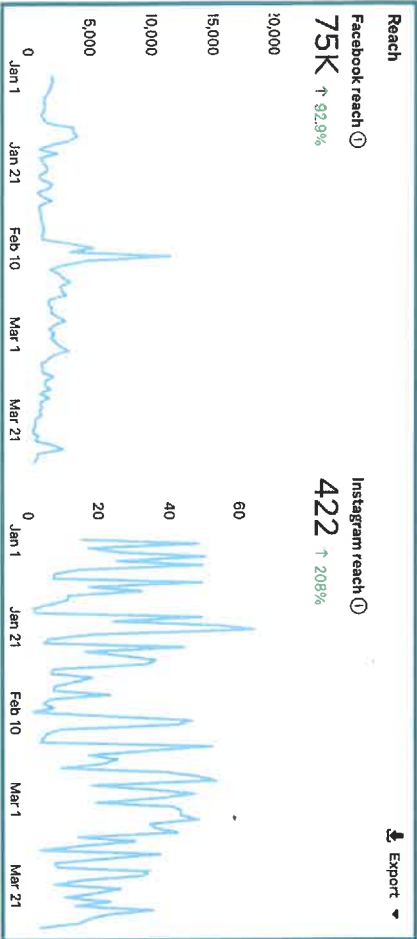
# QUARTERLY REPORT: FY 2024 Q2

## Social Media (Facebook and Instagram)

Data taken from 1/1 - 3/31 (2024)



NEW PORT RICHEY  
PUBLIC LIBRARY



### Audience

Current audience

Potential audience

Facebook followers ①

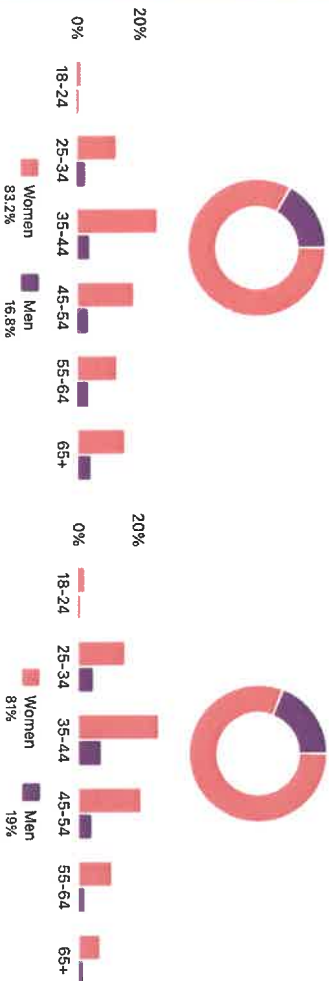
4,277

Instagram followers ①

1,794

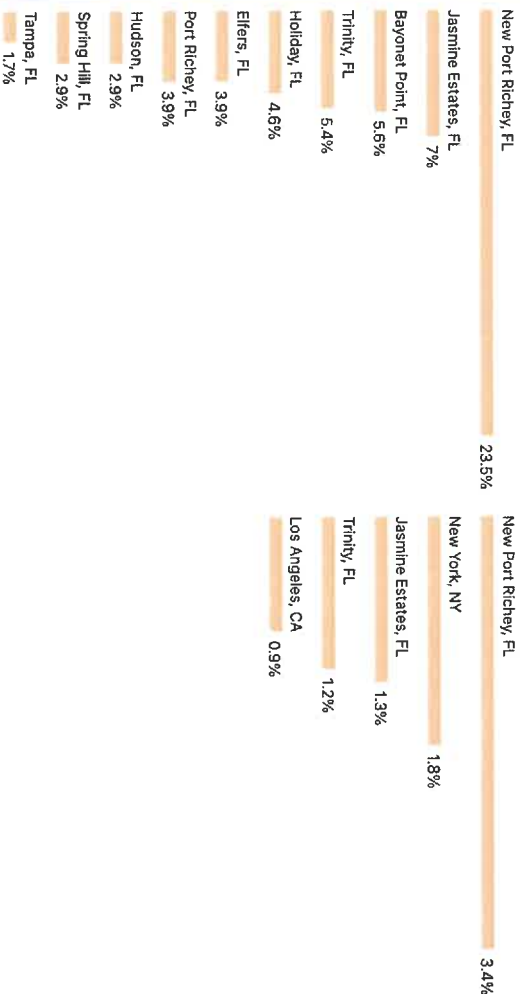
Age & gender ①

Age & gender ①



### Top cities

### Top cities



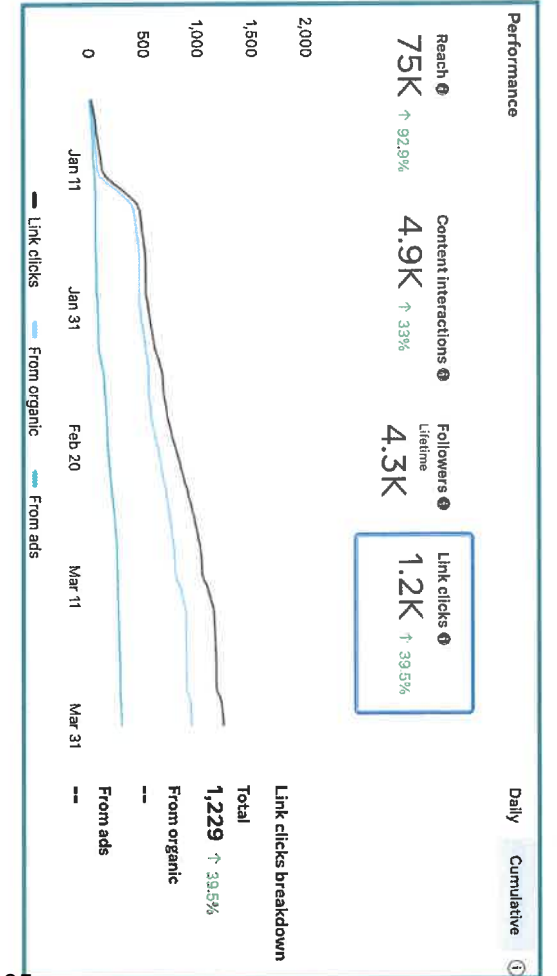
# QUARTERLY REPORT: FY 2024 Q2

## Social Media (Facebook and Instagram)

Data taken from 1/1 - 3/31 (2024)



NEW PORT RICHEY  
PUBLIC LIBRARY



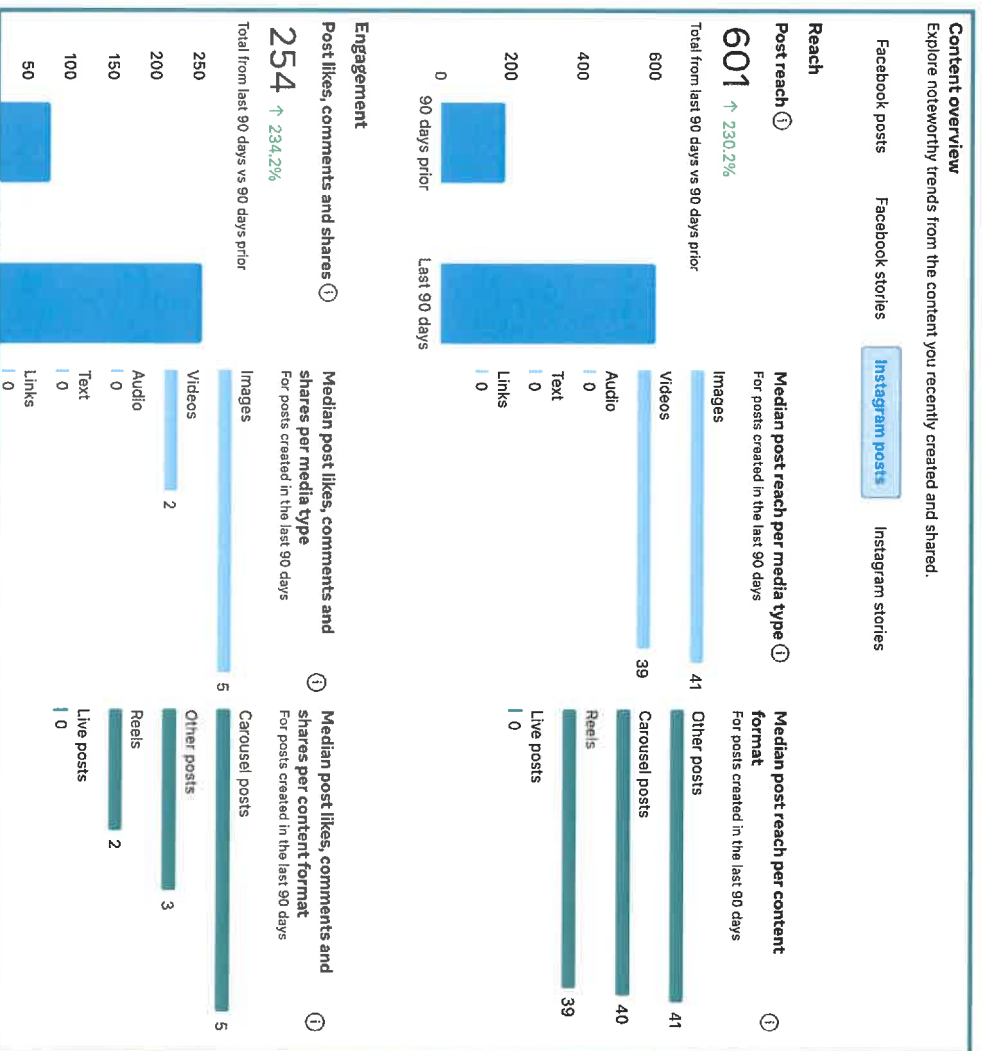
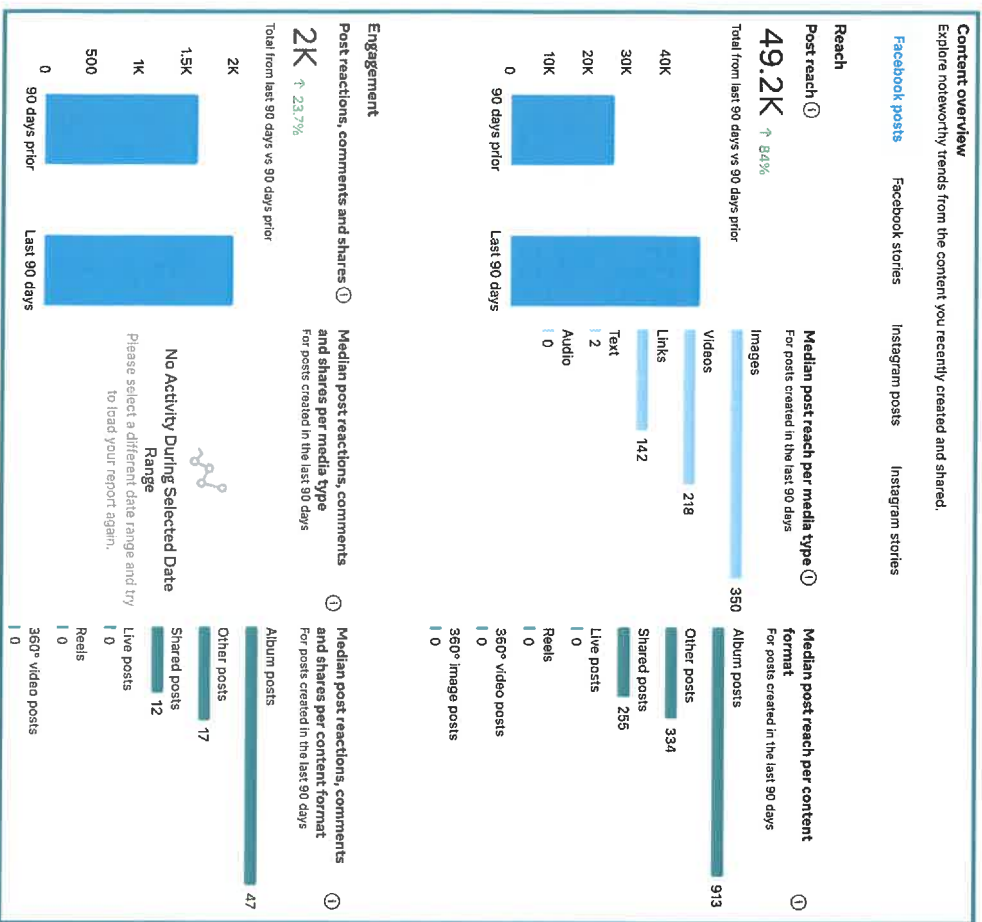
# QUARTERLY REPORT: FY 2024 Q2

## Social Media (Facebook and Instagram)

### Data taken from 1/1 - 3/31 (2024)



NEW PORT RICHEY  
PUBLIC LIBRARY



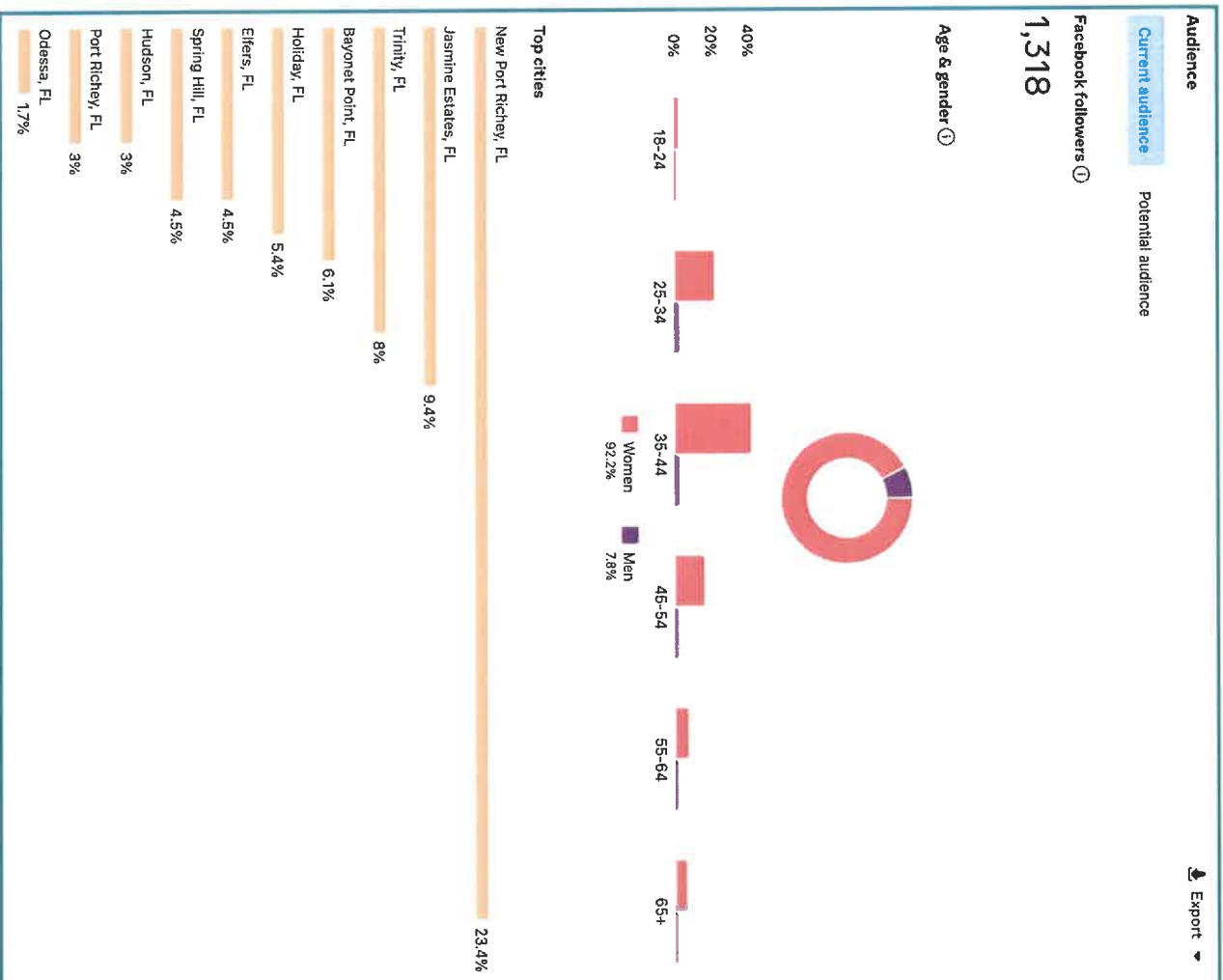
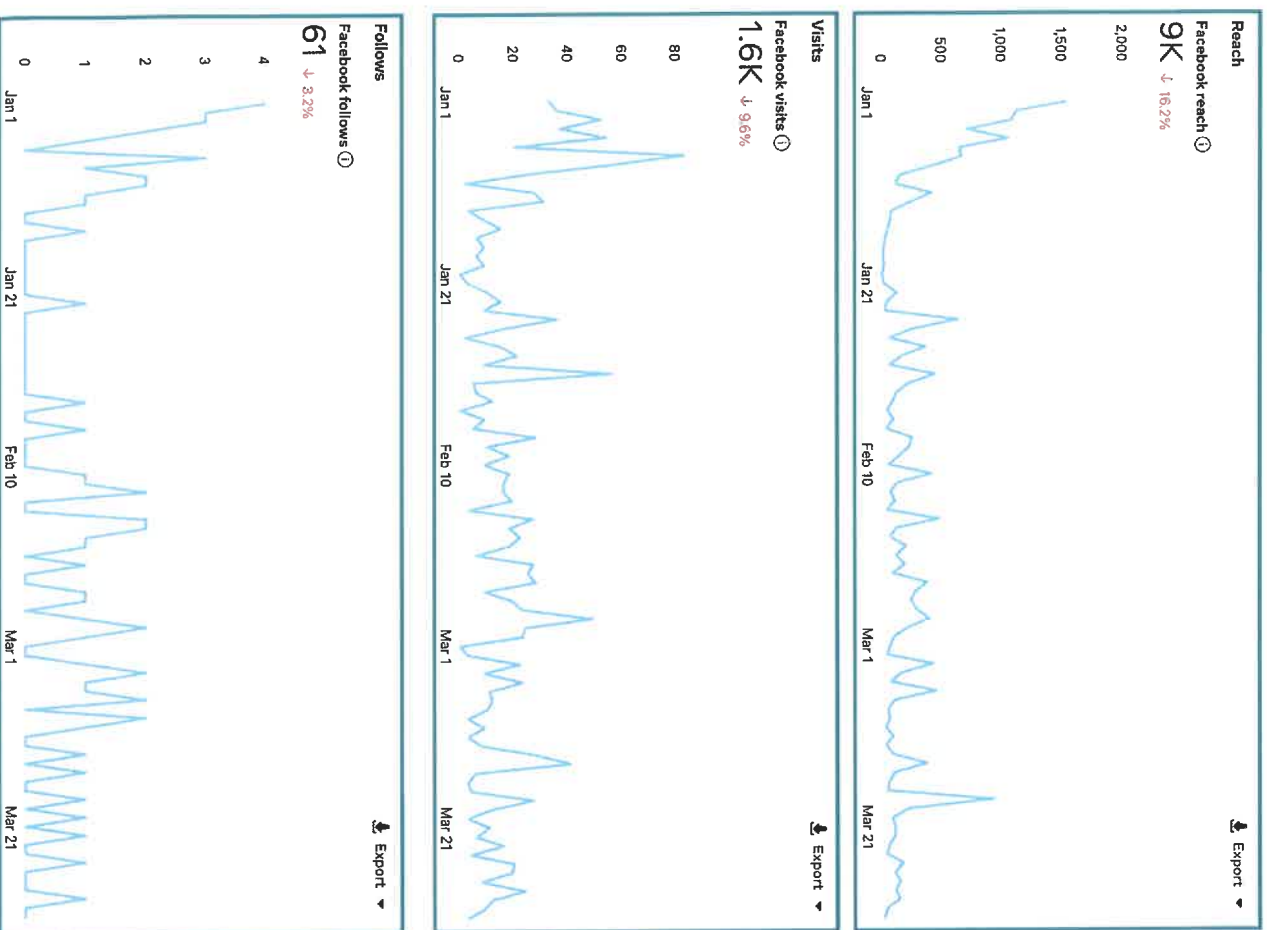
# QUARTERLY REPORT: FY 2024 Q2

## Social Media (Youth Facebook)

Data taken from 1/1 - 3/31 (2024)



NEW PORT RICHEY  
PUBLIC LIBRARY





# QUARTERLY REPORT: FY 2024 Q2

## Social Media (Youth Facebook)

### Data taken from 1/1 - 3/31 (2024)



NEW PORT RICHEY  
PUBLIC LIBRARY

#### Content overview

Explore noteworthy trends from the content you recently created and shared.

Facebook posts

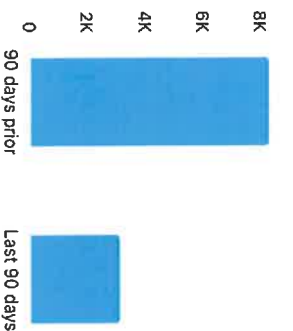
Facebook stories

#### Reach

##### Post reach ①

3.1K ↓ 62.7%

Total from last 90 days vs 90 days prior



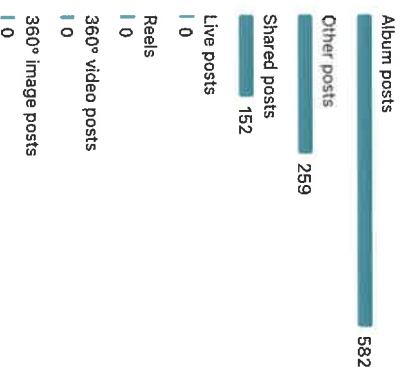
##### Median post reach per media type ①

For posts created in the last 90 days



##### Median post reach per content format ①

For posts created in the last 90 days

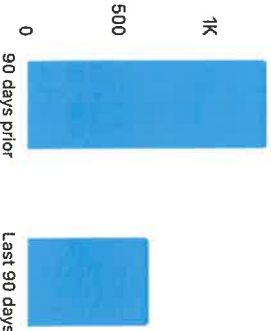


#### Engagement

##### Post reactions, comments and shares ①

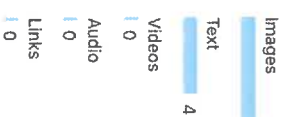
659 ↓ 49.7%

Total from last 90 days vs 90 days prior



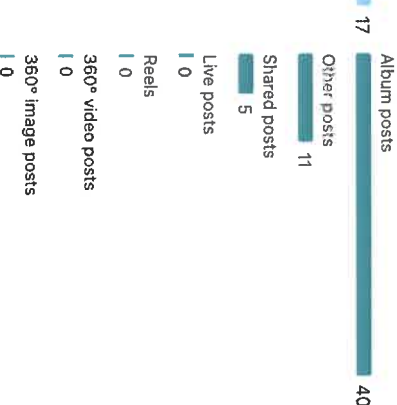
##### Median post reactions, comments and shares per media type ①

For posts created in the last 90 days



##### Median post reactions, comments and shares per content format ①

For posts created in the last 90 days





# 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 M. Dunn, Finance Director  
**DATE:** 7/16/2024  
**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

Ajax Paving Street Improvement Project	\$133,181.41
Qualis General Contractors RAC Locker Room Renovation	\$115,476.71
Environmental Consulting & Technology Astor & Palmetto Drainage	\$27,232.50

RECURRING EXPENDITURES OVER \$25,000

Duke May 2024 Usage	\$142,990.96
Waste Pro of Florida Solid Waste Collection Fee – May 2024	\$149,645.85





# NEW PORT RICHEY

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

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

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

**DATE:** 7/16/2024

**RE:** First Reading, Ordinance No. 2024-2303: Amendments to Chapter 22, Code of Ordinances RE: Flood Damage Prevention

## REQUEST:

The request is for City Council to conduct a first reading of an ordinance which amends Chapter 22 of the Code of Ordinances regarding flood damage prevention.

## DISCUSSION:

As Council will recall, the City participates in the National Flood Insurance Program (NFIP) and participates in the NFIP's Community Rating System (CRS), a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements. Currently, the City has achieved a CRS rating of Class 7, making citizens who purchase NFIP flood insurance policies eligible for premium discounts. In 2020, the NFIP Community Rating System established certain minimum prerequisites for communities to qualify for or maintain class ratings of Class 8 or better. In order for the City to satisfy the prerequisite and for maintain its current CRS rating, all manufactured homes installed or replaced in special flood hazard areas must be elevated to or above at least the base flood elevation plus 1 foot, which necessitates modification of the existing requirements.

Chapter 553, Florida Statutes, allows for local administrative and technical amendments to the Florida Building Code that provide for more stringent requirements than those specified in the Code and allows adoption of local administrative and local technical amendments to the Florida Building Code to implement the National Flood Insurance Program and incentives. Therefore, it is the request of staff that City Council adopt a local amendment to the Florida Building Code to require foundations for one-family and two-family dwellings in flood hazard areas to be designed by registered design professionals.

The Land Development Review Board discussed this item at their meeting on June 27, 2024 and unanimously recommended approval.

## RECOMMENDATION:

Staff recommends that City Council conduct a first reading of an ordinance which amends Chapter 22 of the Code of Ordinances regarding flood damage prevention as submitted.

## BUDGET/FISCAL IMPACT:

No funding is required for this item.

## ATTACHMENTS:

Description	Type
First Reading, Ordinance No. 2024-2303: Amendments to Chapter 22, Code of Ordinances RE: Flood Damage Prevention	Ordinance
LDRB Draft Minutes - June 27, 2024	Backup Material



## **ORDINANCE NO. 2024-2303**

**AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF CHAPTER 22 OF THE LAND DEVELOPMENT CODE, PERTAINING TO FLOOD DAMAGE PREVENTION; PROVIDING FOR AMENDEMENT OF SECTION 22.02.00, PERTAINING TO AN UPDATED FLOOD INSURANCE STUDY; PROVIDING FOR AMENDEMENT OF SECTION 22.05.02, PERTAINING TO STANDARDS IN FLOOD HAZARD AREAS WITHOUT BASE FLOOD ELEVATIONS; PROVIDING FOR AMENDEMENT OF SECTION 22.07.05, UPDATING THE FLORIDA BUILDING CODE REFERENCE; PROVIDING FOR AMENDEMENT OF SECTION 22.09.04, PERTAINING TO DEFINITIONS OF TERMS USED IN THE FLOOD REGULATIONS; PROVIDING FOR AMENDEMENT OF SECTION 22.10.00, PROVIDING FOR BUILDING CODE AMENDMENTS; PROVIDING FOR AMENDEMENT OF SECTION 22.12.01, PERTAINING TO COMPENSATORY FILL; PROVIDING FOR AMENDEMENT OF SECTION 22.12.06, PERTAINING TO EXEMPTIONS ON PLACEMENT OF FILL IN FLOOD AREAS; PROVIDING FOR AMENDEMENT OF SECTION 22.13.00, PERTAINING TO ELEVATION OF MANUFACTURED HOMES IN FLOOD AREAS; PROVIDING FOR AMENDMENT OF SUBSECTION (5) OF SECTION 22.16.01, PERTAINING TO ADDITIONAL ELEVATION OF MECHANICAL, PLUMBING AND ELECTRICAL SYSTEMS IN FLOOD AREAS; PROVIDING FOR A NEW SECTION 22.18.00, PERTAINING TO PROHIBITION OF HAZARDOUS MATERIALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of New Port Richey participates in the National Flood Insurance Program (NFIP) and participates in the NFIP's Community Rating System (CRS), a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements;

WHEREAS, the City has achieved a CRS rating of class seven (7), making citizens who purchase NFIP flood insurance policies eligible for premium discounts;

WHEREAS, in 2020 the NFIP Community Rating System established certain minimum prerequisites for communities to qualify for or maintain class ratings of Class 8 or better;

WHEREAS, to satisfy the prerequisite and for the City to maintain the current CRS rating, all manufactured homes installed or replaced in special flood hazard areas must be elevated to or above at least the base flood elevation plus 1 foot, which necessitates modification of the existing requirements;

WHEREAS, the City Council has determined that it is in the public interest to amend the floodplain management regulations to better protect manufactured homes and to continue participating in the Community Rating System at the current class rating;

WHEREAS, Chapter 553, Florida Statutes, allows for local administrative and technical amendments to the *Florida Building Code* that provide for more stringent requirements than those specified in the Code and allows adoption of local administrative and local technical amendments to the Florida Building Code to implement the National Flood Insurance Program and incentives;

WHEREAS, the City Council is hereby adopting a local amendment to the Florida Building Code to require foundations for one-family and two-family dwellings in flood hazard areas to be designed by registered design professionals;

WHEREAS, the City Council previously adopted local amendments to the Florida Building Code and is reformatting those amendments as part of the floodplain management regulations;

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.** Section 22.02.00, of Chapter 22, of the New Port Richey Land Development Code, pertaining to the basis for establishing flood hazard areas, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

*22.02.03 Basis for establishing flood hazard areas.* The Flood Insurance Study for Pasco County, Florida and Incorporated Areas dated June 5, 2020~~September 26, 2014~~, and all subsequent amendments and revisions, and the accompanying flood insurance rate maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Development Department, located at 5919 Main Street, New Port Richey, FL 34652.

**SECTION 2.** Section 22.05.02, of Chapter 22, of the New Port Richey Land Development Code, pertaining to the flood hazard areas without base flood elevations, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

*22.05.02 Information in flood hazard areas without base flood elevations (approximate Zone A).* Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the floodplain administrator shall:

- (1) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices;:-
- (2) Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source;:-
- (3) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the floodplain administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
  - (a) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
  - (b) Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) ~~three (3)~~ feet;:-
- (4) Where the base flood elevation data are to be used to support a letter of map change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

**SECTION 3.** Section 22.07.05, of Chapter 22, of the New Port Richey Land Development Code, pertaining to flood regulation variances for historical buildings, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

*22.07.05 Historic buildings.* A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter 124 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

**SECTION 4.** Section 22.09.04, of Chapter 22, of the New Port Richey Land Development Code, pertaining to definitions used in the flood regulations, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

22.09.04 Definitions. The terms in this section shall have the meanings thereafter provided.

*Alteration of a watercourse.* A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

*Appeal.* A request for a review of the floodplain administrator's interpretation of any provision of this chapter ~~or a request for a variance.~~

*ASCE 24.* A standard titled Flood Resistant Design and Construction that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

*Base flood.* A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "one-percent-annual chance flood."

*Base flood elevation.* The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the flood insurance rate map (FIRM). [Also defined in FBC, B, Section 1612.2.]

*Basement.* The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]

*Critical facility.* Hospitals, nursing homes, police stations, fire stations, and emergency operation centers that are needed for flood response activities before, during, or after a flood; and public and private utility facilities that are vital to maintaining or restoring normal services to flooded areas before, during, and after a flood; and structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic and/or water-reactive materials. The term includes facilities that are assigned Risk Category III and Risk Category IV pursuant to the Florida Building Code, Building.

*Coastal construction control line.* The line established by the State of Florida pursuant to F.S. § 161.053, and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

*Coastal high hazard area.* A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on flood insurance rate maps (FIRM) as Zone V1-V30, VE, or V. [Note: The FBC, B defines and uses the term "flood hazard areas subject to high velocity wave action" and the FBC, R uses the term "coastal high hazard areas."]

*Compensatory storage.* An excavated, hydraulically equivalent volume of storage within the special flood hazard area used to balance the effects of proposed fill and development on the flood hazard area (no net loss of natural flood storage capacity)

*Design flood.* The flood associated with the greater of the following two (2) areas: [Also defined in FBC, B, Section 1612.2.]

- (1) Area with a floodplain subject to a one (1) percent or greater chance of flooding in any year; or
- (2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

*Design flood elevation.* The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two (2) feet. [Also defined in FBC, B, Section 1612.2.]

*Development.* Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

*Encroachment.* The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

*Existing building and existing structure.* Any buildings and structures for which the "start of construction" commenced before August 17, 1981. [Also defined in FBC, B, Section 1612.2.]

*Existing manufactured home park or subdivision.* A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before August 17, 1981.

~~*Expansion to an existing manufactured home park or subdivision.* The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

*Federal Emergency Management Agency (FEMA).* The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

*Flood or flooding.* A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

- (1) The overflow of inland or tidal waters; or,
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Flood damage-resistant materials.* Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

*Flood hazard area.* The greater of the following two (2) areas: [Also defined in FBC, B, Section 1612.2.]



- (1) The area within a floodplain subject to a one (1) percent or greater chance of flooding in any year; or;
- (2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

*Flood insurance rate map (FIRM).* The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 1612.2.]

*Flood insurance study (FIS).* The official report provided by the Federal Emergency Management Agency that contains the flood insurance rate map, the flood boundary and floodway map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

*Floodplain administrator.* The office or position designated and charged with the administration and enforcement of this chapter (may be referred to as the floodplain manager).

*Floodplain development permit or approval.* An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this chapter.

*Floodway.* The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 1612.2.]

*Floodway encroachment analysis.* An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

*Florida Building Code.* The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

*Functionally-dependent use.* A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

*Highest adjacent grade.* The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

*Historic structure.* Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 124 Historic Buildings.

*Letter of map change (LOMC).* An official determination issued by FEMA that amends or revises an effective flood insurance rate map or flood insurance study. Letters of map change include:

- (1) *Letter of map amendment (LOMA)*: An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective flood insurance rate map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area;:-
- (2) *Letter of map revision (LOMR)*: A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features;:-
- (3) *Letter of map revision based on fill (LOMR-F)*: A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations; and:-
- (4) *Conditional letter of map revision (CLOMR)*: A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective flood insurance rate map or flood insurance study; upon submission and approval of certified as-built documentation, a letter of map revision may be issued by FEMA to revise the effective FIRM.

*Light-duty truck*. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at eight thousand five hundred (8,500) pounds gross vehicular weight rating or less which has a vehicular curb weight of six thousand (6,000) pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle;:-~~or~~
- (2) Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

*Lowest floor*. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

*Manufactured home*. A structure, transportable in one (1) or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

*Manufactured home park or subdivision*. A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

*Market value.* ~~The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this chapter, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, is the actual cash value (in-kind replacement cost depreciated for age, wear and tear, neglect and quality of construction) determined by a qualified independent appraiser, or tax assessment value adjusted to approximate market value by a factor provided by the county property appraiser.~~

*New construction.* For the purposes of administration of this chapter and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after August 17, 1981 and includes any subsequent improvements to such structures.

~~*New manufactured home park or subdivision.* A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after August 17, 1981.~~

*Park trailer.* A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in F.S. § 320.01.]

*Recreational vehicle.* A vehicle, including a park trailer, which is: [See F.S. § 320.01.]

- (1) Built on a single chassis;
- (2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Sand dunes.* Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

*Special flood hazard area.* An area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 1612.2.]

*Start of construction.* The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within one hundred eighty (180) days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns. Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not

occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

*Substantial damage.* Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 1612.2.]

*Substantial improvement.* Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a five-year period, the cumulative cost of which equals or exceeds fifty (50) percent of the market value of the structure before the improvement or repair is started. For each building or structure, the five-year period begins on the date of the first improvement or repair of that building or structure subsequent to May 4, 1993. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include: 1. ~~Any~~ project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

*Variance.* A grant of relief from the requirements of this chapter, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this chapter or the Florida Building Code.

*Watercourse.* A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

**SECTION 5.** Section 22.10.00, of Chapter 22, of the New Port Richey Land Development Code, pertaining to flood resistant buildings and structures, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

## **22.10.00 Buildings and structures.**

*22.10.01 Design and construction of buildings, structures and facilities exempt from the Florida Building Code.* Pursuant to section 22.04.03 of this chapter, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of section 22.16.00 of this chapter.

*22.10.02 Buildings and structures seaward of the coastal construction control line.* If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

- (1) Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code, Building Section 3109 and Section 1612 or Florida Building Code, Residential Section R322; and.

- (2) Minor structures and non-habitable major structures as defined in F.S. § 161.54, shall be designed and constructed to comply with the intent and applicable provisions of this chapter and ASCE 24.

22.10.03 Amendments to the Florida Building Code.

- (1) The definition for the term “Substantial Improvement” shall be as provided in Section 22.09.04 of this chapter.
- (2) The interior portions of enclosures below elevated buildings shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. The limitation on partitions does not apply to load bearing walls interior to perimeter wall (crawl space) foundations.
- (3) Construction documents for one and two-family dwellings in flood hazard areas shall include documentation prepared and sealed by a registered design professional that the foundation design accounts for site-specific flood loads.

**SECTION 6.** Section 22.12.01, of Chapter 22, of the New Port Richey Land Development Code, pertaining to minimum requirements for site improvements and utilities in flood areas, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

*22.12.01 Minimum requirements.* All proposed development shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; ~~and~~
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures; and;
- (4) Compensatory storage is provided at hydraulically equivalent volumes at a ratio of 1:1 or greater. Fill shall not be allowed to be placed in the flood hazard area without an equivalent volume of soil removed to compensate for the loss of the flood storage. Compensatory storage is to be determined by the volume of material removed above the ordinary high-water table and below the base flood elevation established for that area. The floodplain administrator may waive the requirement for compensatory storage if the applicant demonstrates that the development or fill will not increase the base flood elevation on adjacent properties.

**SECTION 7.** Section 22.12.06, of Chapter 22, of the New Port Richey Land Development Code, pertaining to limitations on placement of fill in flood areas, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

*22.12.06 Limitations on placement of fill.* ~~Subject to the limitations of this chapter~~ Where permitted, fill shall be designed to be stable under conditions of flooding, including rapid rise and

rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the Florida Building Code. Fill shall not be placed on any property within the SFHA, except when compensatory storage is provided in accordance with Section 22.12.01(4). The following exemptions may be permitted:

- (1) Fill may be placed for the purpose of constructing a stem wall, provided that the fill is completely contained within the stem wall boundaries; and
- (2) Fill may be placed for the purpose of re-establishing a natural grade where substantial erosion has occurred. This exemption shall be subject to all other sections of this chapter, the Florida Building Code, and is subject to review and may be denied by the Floodplain Manager and Building Official.

**SECTION 8.** Section 22.13.00, of Chapter 22, of the New Port Richey Land Development Code, pertaining to manufactured homes in flood areas, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

### **22.13.00 Manufactured homes.**

*22.13.01 General.* All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to F.S. § 320.8249, and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this chapter. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.

*22.13.02 Limitations on installation of new manufactured homes.* Installation of new manufactured homes shall not be permitted in floodways or in coastal high hazard areas (Zone V) except in an existing manufactured home park or subdivision.

*22.13.03 Foundations.* All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

- (1) In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.2 and this chapter; and-
- (2) In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the Florida Building Code, Residential Section R322.3 and this chapter.

*22.13.04 Anchoring.* All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

*22.13.05 Elevation.* All ~~M~~manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3

(Zone V and Coastal A Zone) shall comply with section 22.13.06 or 22.13.07 of this chapter, as applicable.

~~22.13.06 General elevation requirement. Unless subject to the requirements of section 22.13.07 of this chapter, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V).~~

~~22.13.07 Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to section 22.13.06 of this chapter, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:~~

- ~~(1) Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V); or~~
- ~~(2) Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than thirty-six (36) inches in height above grade.~~

~~22.13.068 Enclosures.~~ Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential Section R322 for such enclosed areas, as applicable to the flood hazard area.

~~22.13.079 Utility equipment.~~ Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322, as applicable to the flood hazard area.

**SECTION 9.** Subsection (5) of section 22.16.01, of Chapter 22, of the New Port Richey Land Development Code, pertaining to mechanical, plumbing and electrical systems in flood areas, is hereby amended, as follows (strikeout text is deleted and underlined text is added):

- (5) Have mechanical, plumbing, and electrical systems above the design flood elevation plus one (1) foot, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

**SECTION 10.** Chapter 22, of the New Port Richey Land Development Code, pertaining to flood damage prevention, is hereby amended by adding Section 22.18.00 thereto, as follows (strikeout text is deleted and underlined text is added):



**22.18.00 Hazardous Materials.**

22.18.01 Manufacture and storage of hazardous materials. Structures used for the manufacture or storage of hazardous materials shall not be permitted in any floodplain or floodway.

22.18.02 Discharge of hazardous materials. It shall be unlawful for any person to discharge, cause to be discharged, or allow to be discharged any hazardous materials within any floodplain or floodway.

**SECTION 11.** The fiscal impact of this ordinance has been reviewed in accordance with Section 553.73(4) Florida Statutes. In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. Therefore, in terms of lower potential for flood damage, there will be continued savings and benefits to consumers and property owners.

**SECTION 12.** 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 13.** Any ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 14.** 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 15.** 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 \_\_\_\_\_ day of \_\_\_\_\_, 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 \_\_\_\_\_ day of \_\_\_\_\_, 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 6-25-2024



LAND DEVELOPMENT REVIEW BOARD - MINUTES  
CITY OF NEW PORT RICHEY  
NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS  
5919 MAIN STREET, NEW PORT RICHEY, FLORIDA  
June 27, 2024  
2:00 PM

---

Chairman John Grey called the June 27, 2024 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 Lisa Algiere stated the following persons were in attendance constituting a quorum.

Members in Attendance

John Grey  
Alan Safranek  
Robert Smallwood  
Don Cadle  
Dan Maysilles  
George Romagnoli  
Marilyn deChant

Staff in Attendance

Lisa Algiere, Senior Planner  
Corey Holycross, Planner  
Tammy Ledford  
Alec Remiesiewicz

Mr. Smallwood made a motion to approve the minutes as presented. Mr. Safranek seconded the motion. The motion was approved unanimously.

**Case: Ordinance – Amending Chapter 22 of the Land Development Code**

Lisa Algiere informed the board that the City is currently going through a five year review of the Community Rating System that establishes a rating that determines the amount of discount for flood insurance.

Alec Remiesiewicz presented the staff report. He informed the board that the city currently has a rating of 7 which provides a discount of 15% to flood insurance. The city is trying to achieve a rating of 5 which will increase the discount to 25%. Mr. Remiesiewicz highlighted the sections of Chapter 22 that are proposed for changes. There was discussion among the board members about the definition of hazardous materials. It was determined that there is a lack of definition in the Land Development Code.

Dr. Cadle mad a motion to recommend approval of the ordinance as presented with staff providing a definition for hazardous materials to be added to the Land Development Code at a later date. Mr. Maysilles seconded the motion. The motion was approved unanimously 7-0.

Meeting adjourned at 2:34 pm

DRAFT



# NEW PORT RICHEY

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

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

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

**DATE:** 7/16/2024

**RE:** Appeal of Order to Demolish: Heino Luts, 6220 Maplewood Drive

## REQUEST:

This is an appeal to an Order to Demolish a single-family home located at 6220 Maplewood Drive. The order is predicated on the Building Officials' determination that the structure meets the criteria for demolition as set forth in Section 6-185 of the Code. The City Council is being asked to hear and consider all facts material to the appeal and may affirm, modify or reverse the Order to Demolish. The matter shall be handled as a quasi-judicial hearing.

## DISCUSSION:

The subject property as noted above is located at 6220 Maplewood Drive. The property is 0.14 acres in size with a 912 sq. ft. single-family structure contained on the property which was built in 1972. As a matter of record, it should be noted that there have been several code violations found at this property over the years.

An investigation was conducted by the city's Building Official on April 8, 2024, for potential demolition of slum and blight because of several outstanding code issues i.e. replacement of roof and trusses, and replacement of structural supports under the front porch area. At the conclusion of the investigation the findings of the Building Official affirmed that the structure should be demolished under the following conditions:

- Section 6-185 (2) – The structure is so unsanitary or so utterly fails to provide the amenities essential to decent living that it is manifestly unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to life, health or safety of the general public or occupant “Amenities essential to decent living” include but are not limited to the availability of potable water, at least one working toilet, and protection from exposure to the elements.
- Section 6-185 (3) – The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.

Under Section 6-190 of the City's Code of Ordinances, the owner or any interested party may appeal an Order to Demolish. On May 2, 2024 Mr. Heino Luts, property owner submitted an appeal along with the requisite \$400.00 filing fee.

Under the provisions set forth in Section 6-190 in order to appeal to City Council a petitioner must be able to demonstrate the following:

- That the structure does not meet the criteria for demolition as set out in Section 6-185,
- That the structure cannot be demolished within the time specified in the order, or
- That the structure can be reconstructed, repaired or restored.

If a petitioner is appealing under the third provision the petitioner must along with the written petition for appeal, submit the following documentation regarding the proposed reconstruction, repair or restorations:

- A list of the proposed work
- The estimated cost of the work
- A timetable for obtaining permits; and

- A timetable for completion of the work.

Mr. Luts did not comply with the conditions associated with the submittal of his appeal and therefore his appeal was administratively denied. In order to assist the petitioner on June 4, 2024, the petitioner was provided a list of work that would need to be completed in order for the structure to be fit for human habitation and an extension was granted to him in order to receive an estimate for the work. On June 24, 2024, a quote was received from Trustville Construction LLC in the amount of \$131,500 for the rehabilitation of the structure. The petitioner has not provided an executed contract with Trustville or any other contractor as of this writing.

It should be noted that denial of the appeal by City Council would result in an order for the petitioner to remove the structure within 30 days. Failure to do so would result in demolition of the structure and clearing of the site, by the city, without further Notice of Hearing. Demolition and clearance will include all tangible personal property left on the site such as vehicles, appliances etc.

#### **RECOMMENDATION:**

The recommendation is to deny the appeal based on the following sections of the City's Code of Ordinances: Section 6-185(2) and Section 6-185(3).

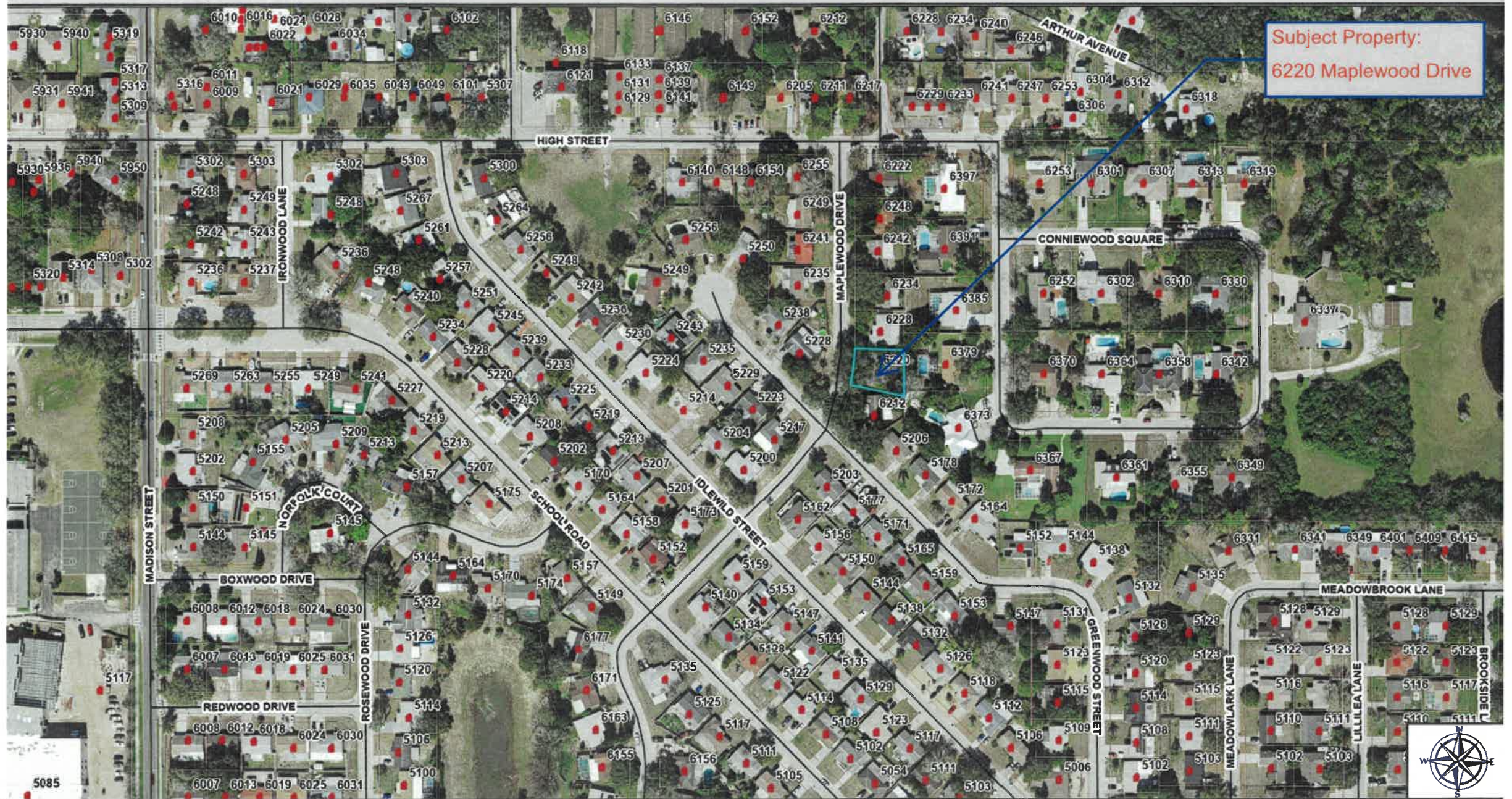
#### **BUDGET/FISCAL IMPACT:**

None.

#### **ATTACHMENTS:**

Description	Type
❑ Map of Subject Property	Backup Material
❑ Property Photos	Backup Material
❑ Investigation Form, Case History and Notices	Backup Material
❑ Property Appraiser Parcel Information	Backup Material



















# DEMOLITION OF SLUM OR BLIGHTED STRUCTURES INVESTIGATION FORM

City of New Port Richey  
Development Department  
City Hall, 5919 Main Street, 1<sup>st</sup> Floor  
New Port Richey, FL 34652  
Phone (727) 853-1016 Fax (727) 853-1052

## SITE DETAILS

Parcel ID No: 09-26-16-019A-00000-0060

Address: 6220 MAPLEWOOD DRIVE, NEW PORT RICHEY, FL 34653

Owner Name HEINO ALFRED LUTS II

Structure Type: ☒ Residential ☐ Mobile ☐ Commercial ☐ Historical

Electric Meter and Wires Active/Inactive/Pulled: 4/11/24 Meter No. \_\_\_\_\_

Water Service Active/Discontinued/Meter Pulled: 2/2/23 Gas: \_\_\_\_\_

## CRITERIA

**NPR Code of Ordinances Chapter 6 - Article VI - Div. 5 - Sec 6-185:** In determining whether a slum or blighted structure should be demolished, the building official or licensed building inspector working under the supervision of the building official must find the existence of one or more of the following criteria:

- ☐ The structure or a portion thereof has been extensively damaged by fire, flood, wind, or other natural phenomena such that the building or structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant.
- ☒ The structure is so unsanitary or so utterly fails to provide the amenities essential to decent living that it is manifestly unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health, or safety of the general public or occupant "Amenities essential to decent living" include, but are not limited to, the availability of potable water, at least one working toilet, and protection from exposure to the elements.
- ☒ The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.
- ☐ The condition of the structure, or a portion thereof, poses an immediate threat to life or property by fire or other causes.
- ☐ The site to be cleared by demolition consists of the remains, debris, wall, chimney, or floors of or left from a building or structure that has partially or completely collapsed, fallen, or been torn down.
- ☐ There is a serious and substantial falling away, hanging loose; or loosening of the siding, block, brick, or other building material creating a hazard for occupants or the public.
- ☐ The structural parts have become so dilapidated, decayed, or deteriorated, or there is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.

## COMMENTS / FINDING

Inspector Comments (including description of the state of the structure as well as other hazardous structures located on this site):

Inspector: \_\_\_\_\_ Signature \_\_\_\_\_ Date: \_\_\_\_\_

As the Building Official for the City of New Port Richey it is my opinion that the above findings constitutes the condition of a slum or blighted structure, and therefore declare the structure condemned. It is additionally my recommendation that this case be further processed toward voluntary or involuntary demolition of the structure.

Building Official: \_\_\_\_\_ Signature \_\_\_\_\_ Date: April 8, 2024





THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

**NOTICE TO DEMOLISH SEUM/BLIGHTED STRUCTURE**

TO BE FILED IN THE PUBLIC RECORDS IN AND FOR PASCO COUNTY, FL

Prepared by and when recorded return to:  
City of New Port Richey, Florida  
Code Enforcement Department  
6739 Adams Street, New Port Richey, FL 34652

INSTR# 2024059628 BK 10989 PG 3026  
04/09/2024 09:42am Page 1 of 1  
Rcpt: 2689305 Rec: 10.00  
DS: 0.00 IT: 0.00  
Nikki Alvarez-Sowles, Esq.  
Pasco County Clerk & Comptroller

APRIL 8, 2024

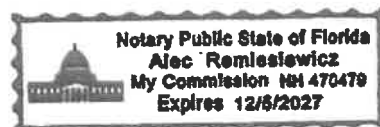
Name: HEINO ALFRED LUTS II  
Address: 6220 MAPLEWOOD DRIVE, NEW PORT RICHEY, FL 34653  
Parcel ID: 09-26-16-019A-00000-0060  
Legal Description: TANGLEWOOD TERRACE UNIT 1 PB 10 PGS 124-126 LOT 6 OR 9038 PG 3647  
OR 9038 PG 3776 OR 9055 PG 2032

The City of New Port Richey Building Official has determined that one (1) or more structure(s) located on the above referenced property meets the criteria for demolition under Article VI, Chapter 6, Division 5 of the New Port Richey City Code. At the time of filing this notice, the determination of the Building Official is not final and can be appealed. The City of New Port Richey, through its Code Enforcement Department, is following the process outlined in Article VI, Chapter 6, Division 5 of the New Port Richey City Code, to obtain a final order authorizing demolition of the structure(s). Inquiries may be directed to the Code Enforcement Department at 6739 Adams Street, New Port Richey FL 34652, or by calling 727-232-8946.

Bill Larder, Building Official

The foregoing instrument was acknowledged before me on April 8 2024, by Bill Larder, who is the Building Official of the City of New Port Richey, Florida and (X) who is personally known to me or ( ) who has produced \_\_\_\_\_ as identification.

Notary Public





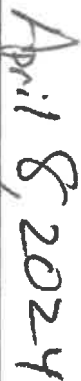
## ORDER TO DEMOLISH SLUM OR BLIGHTED STRUCTURE

This structure located at 6220 MAPLEWOOD DRIVE, NEW PORT RICHEY, FL 34653 has been found by the City of New Port Richey to be a slum or blighted structure that shall be demolished pursuant to Article VI, Division 5 of the of the City of New Port Richey Code of Ordinances. THIS STRUCTURE SHALL BE VACATED AND SHALL NOT BE OCCUPIED. The owner(s) of this structure shall demolish this structure and clear the entire site within 60 days of date of this order or the City of New Port Richey will cause the structure to be demolished and cleared at the owner(s) expense. Demolition and clearance will include all tangible personal property on the site, such as vehicles, appliances, etc. THE OWNER OR ANY OTHER INTERESTED PARTY MAY APPEAL THIS FINDING WITHIN 30 DAYS OF THE DATE INDICATED BELOW BY SUBMITTING A WRITTEN PETITION TO: Development Director, 5919 Main Street, New Port Richey, FL 34652, Telephone 727-232-8946. CAUTION: FAILURE TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THIS STRUCTURE WITHIN 60 DAYS WILL RESULT IN THE DEMOLITION OF THIS STRUCTURE WITHOUT FURTHER NOTICE OR HEARING. IT IS UNLAWFUL TO REMOVE OR TO MUTILATE THIS NOTICE UNTIL THE DEMOLITION ORDER IS COMPLIED WITH. FAILURE OF THE OWNER OR AN INTERESTED PARTY TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THIS STRUCTURE WITHIN 60 DAYS IS A VIOLATION OF THE CITY OF NEW PORT RICHEY'S ORDINANCES.



Bill Larder  
Building Official

Date





THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

TO BE FILED IN THE PUBLIC RECORDS IN AND FOR PASCO COUNTY, FL

Owner(s) Names: HEINO ALFRED LUTS II  
Case No.: 4787-2024  
Site Address: 6220 MAPLEWOOD DR, NEW PORT RICHEY FL 34653  
Parcel ID: 09-26-16-019A-00000-0060  
Legal Description: TANGLEWOOD TERRACE UNIT 1 PB 10 PGS 124-126 LOT 6 OR 9038 PG 3647 OR 9038 PG 3776 OR 9055 PG 2032  
Date of Posting Order to Demolish: APRIL 8, 2024

Pursuant to Article VI, Division 5 of the New Port Richey Code, the Order to Demolish posted on the Property on the above referenced date, a copy of which follows, has become a final order to demolish. The recording of this final order shall constitute constructive notice to any subsequent purchasers, transferees, grantees, mortgagors, mortgages, lessees, lienors, and all persons having, claiming, or acquiring any interest in the property described therein, or affected thereby.

**ORDER TO DEMOLISH SLUM OR BLIGHTED STRUCTURE**

This structure located at 6220 MAPLEWOOD DRIVE, NEW PORT RICHEY, FL 34653 has been found by the City of New Port Richey to be a slum or blighted structure that shall be demolished pursuant to Article VI, Division 5 of the City of New Port Richey Code of Ordinances. THIS STRUCTURE SHALL BE VACATED AND SHALL NOT BE OCCUPIED. The owner(s) of this structure shall demolish this structure and clear the entire site within 60 days of date of this order or the City of New Port Richey will cause the structure to be demolished and cleared at the owner(s) expense. Demolition and clearance will include all tangible personal property on the site, such as vehicles, appliances, etc. THE OWNER OR ANY OTHER INTERESTED PARTY MAY APPEAL THIS FINDING WITHIN 30 DAYS OF THE DATE INDICATED BELOW BY SUBMITTING A WRITTEN PETITION TO: Development Director, 5919 Main Street, New Port Richey, FL 34652, Telephone 727-232-8946. CAUTION: FAILURE TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THIS STRUCTURE WITHIN 60 DAYS WILL RESULT IN THE DEMOLITION OF THIS STRUCTURE WITHOUT FURTHER NOTICE OR HEARING. IT IS UNLAWFUL TO REMOVE OR TO MUTILATE THIS NOTICE UNTIL THE DEMOLITION ORDER IS COMPLIED WITH. FAILURE OF THE OWNER OR AN INTERESTED PARTY TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THIS STRUCTURE WITHIN 60 DAYS IS A VIOLATION OF THE CITY OF NEW PORT RICHEY'S ORDINANCES.

*[Signature]*  
Bill Lander  
Building Official

Date: April 8, 2024

Debbie L. Manns, City Manager

The foregoing instrument was acknowledged before me on \_\_\_\_\_,  
by \_\_\_\_\_, who is \_\_\_\_\_ of the City of New Port  
Richey, Florida and ( ) who is personally known to me or ( ) who has produced \_\_\_\_\_ as identification.

Notary Public



THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

**Notice to Owner/Interested Parties  
Demolish Slum or Blighted Structure  
Article VI, Chapter 6 of the Code of Ordinances**

SENT VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

4/9/2024

To Owners and Interested Parties:

The structure located at 6220 MAPLEWOOD DRIVE, NEW PORT RICHEY, FL 34653 has been determined by the City of New Port Richey Building Official to be a slum or blighted structure that meets the criteria for demolition in accordance with Article VI, Chapter 6, New Port Richey Code. This structure poses an immediate and manifest danger to life, health or safety of the general public or occupant.

Owners of Property and Interested Parties as reflected in the Public Records of Pasco County:

LUTS HEINO A II  
6220 MAPLEWOOD DR  
NEW PORT RICHEY, FL 34653 4738

CITY OF NEW PORT RICHEY  
5919 MAIN ST  
NEW PORT RICHEY FL 34652

MIKE FASANO  
TAX COLLECTOR  
PO BOX 276  
DADE CITY FL 33523

Parcel ID: 09-26-16-019A-00000-0060

Legal Description: TANGLEWOOD TERRACE UNIT 1 PB 10 PGS 124-126 LOT 6 OR 9038 PG 3647 OR 9038 PG 3776 OR 9055 PG 2032

**THE STRUCTURE SHALL BE VACATED AND SHALL NOT BE OCCUPIED**

- Section 6-185(2) – The structure is so unsanitary or so utterly fails to provide the amenities essential to decent living that it is manifestly unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health or safety on the general public or occupant. “Amenities essential to decent living” include, but are not limited to, the availability of potable water, at least one (1) working toilet, and protection from exposure to the elements.
- Section 6-185(3) - The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.



THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

The attached order will be posted on the property on 4/9/2024. The owner(s) of this structure shall demolish this structure and clear the entire site by 6/8/2024 (60 days from posting the order). The owner(s) or any other interested party may appeal this finding within 30 days of the date the order is posted (by 5/6/2024). The appeal shall be by written petition to: Development Director, 5919 Main Street, New Port Richey, FL 34652 (727-232-8946) and must be accompanied by the required \$400 filing fee or a sworn financial statement showing inability to pay the filing fee, and include all submittal requirements as provided in Code Section 6-190 (a) – (c). Only completed appeal applications are accepted.

Failure to appeal within 30 days or demolish within 60 days will cause the City of New Port Richey to have this structure demolished and cleared at the owner(s) expense without further notice or hearing. Demolition clearance will include all tangible personal property on the site.

Sincerely,

Alec Remiesiewicz  
Slum and Blight Coordinator

Copy: Development Department  
City Attorney  
City Manager  
Code Enforcement

Enclosures: Order to Demolish Slum or Blighted Structure



## ADMINISTRATIVE APPEAL APPLICATION

City of New Port Richey  
Development Department  
City Hall, 6919 Main Street, 1<sup>st</sup> Floor  
New Port Richey, FL 34852  
Phone (727) 853-1039 Fax (727) 853-1052

# RECEIVED

MAY 02 2024

DEVELOPMENT DEPARTMENT  
CITY OF NEW PORT RICHEY

Council Date:  
Date Received:

\* Please print legibly or use fillable form \*

- ☐ Submit original signed and notarized application  
☐ Submit \$500 application fee  
\$400

### PETITIONER AND REPRESENTATIVE INFORMATION:

Petitioner(s): Hernandez  
Mailing Address: 6220 Maplewood Dr New Port Richey FL 34853  
(Street, City, State, Zip Code for all owners)  
Daytime Phone Number: 801 297 7600 Fax Number: \_\_\_\_\_  
Email or Alternate Contact Information: hernandez21@gmail.com  
Representative(s) of Petitioner(s): \_\_\_\_\_  
Relationship to Petitioner(s): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
(Street, City, State, Zip Code)  
Daytime Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Email or Alternate Contact Information: \_\_\_\_\_  
Who is the PRIMARY contact for this application? Hernandez

### SUBJECT PROPERTY INFORMATION:

General Location: Maplewood Terrace  
Street Address: 6220 Maplewood Dr  
Size of Site: 102 square feet 1100 acres  
Legal Description: Single family home  
Parcel Number(s): 09-16-16-0147-00000-0060  
Existing Categories: Zoning District: N/A Land Use Category: N/A  
Existing Use and Size: N/A  
(Existing number of dwelling units or square footage of non-residential use on the property)

**REQUESTED APPEAL:**

I am petitioning the City of New Port Richey to consider an appeal of an administrative decision made by:

New Port Richey Code Enforcement  
(state title and/or position, i.e. Building Official, City Manager, etc.)

This decision involves (state nature of decision) condemnation because  
need new roof

This decision was made on 4th April 20 21. My appeal has been submitted within 30 days from that decision.

The basis of the appeal is as follows (attach additional sheets as necessary):

I have inheritance settlement <sup>other</sup> property  
in court May 14th closing then etc.  
will have money to fix roof  
been free up in court 1 1/2 years  
cannot force judge to expedite case

**NOTE FOR QUASI-JUDICIAL PROCEEDINGS:**

I understand the hearing process to review this application is considered quasi-judicial and operates much like a court of law. Board 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. I understand that contact with any of these members about my application should be avoided. I also understand these members have been instructed to avoid all such conversations with applicants or people in opposition to or support the case. I further understand that decisions will be made based on evidence and testimony that was presented at scheduled public hearings and not on information gathered outside of these hearings.

**ATTENDANCE AT MEETINGS:**

The petitioner or petitioner's representative needs to be present at all meetings. Call Development Department Staff 727-853-1039 to find out when this case will be scheduled.

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

I \_\_\_\_\_, petitioner, hereby authorize \_\_\_\_\_ to act as my representative(s) in all matters pertaining to the processing of this application. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Petitioner(s): \_\_\_\_\_

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

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

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public \_\_\_\_\_

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

**PETITIONER'S AFFIDAVIT:**

I Hanna A. Lutz, petitioner or authorized representative, certify that I 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. (Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.)

Signature of Petitioner or Authorized Representative: [Signature]

Date: 5/1/24

Subscribed and sworn to before me this 1st day of May, 2024 who is personally known to me and/or produced [Signature] as identification.

STATE OF FLORIDA, COUNTY OF PASCO

Notary Public Tiffany A. Schreck

My Commission Expires: 9/25/25





6220 Maplewood Dr  
Newport Richmond VA  
May 2, 2024

Dear The Remiss Lewis and council members

I AM writing this plan from the nursing facility where I am recuperating.

As you told me my application did not include a plan for renovation I had to renovate the house from numerous known years ago & owned in Hattiesburg MS.

- 1) Buy blue tarp for whole roof and take down
- 2) rent large dumpster for shingles and rotten plywood
- 3) Buy or purchase rolling scaffold if mine stolen by govt or
- 4) remove shingles and rotten plywood
- 5) inspect rafters for mold and integrity
- 6) Bleach and coat with kilz good rafters, replace bad ones
- 7) replace bad plywood with extra approved plywood
- 8) put new underlayment on whole house
- 9) Shingle roof (whole)
- 10) replace rotten fascia board

I presently need to replace 8 sheets of steel roof perhaps more.

I would like to hire my own crew, and a the buyer of materials I presently have nail gun, nails some under payment and air compressor (step ladder and rolling scaffold (Airstation) and shingle shovel

from the hardware and buy new ladder and magnet for nails

My court real estate case comes on hearing May 14th in order miss and closing soon thereafter

My money health and legal issues have delayed this causing me 10 days incarceration at Land of Lakes whatever I can't accomplish I will contract out but to fan on S.S. and pension on backcourt I was hindered from staying

Your kind advice and help Appreciable

Sincerely

24 LL



# NEW PORT RICHEY

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

May 3, 2024

Heino Luts  
6220 Maplewood Dr  
New Port Richey FL 34653

Subject: Appeal submittal (6220 Maplewood Dr, New Port Richey, FL 34653)

Dear Mr. Luts:

On May 2, 2024 the City of New Port Richey came into receipt of an appeal submittal, via the UPS, and a supplemental statement, via fax, for an appeal of the order to demolish the subject property. Upon review, it was determined the submittal to be incomplete. In accordance with Section 6-190 of the City Code, if the basis of the appeal is to reconstruct, repair or restore the property, the petitioner must submit, with the written petition for appeal, the following documentation regarding the reconstruction, repair or restoration: list of proposed work to the structure; estimated cost; timetable for obtaining permits, and timetable for completion of the work.

In opposition with the code the supplemental material was not submitted along with the application. Based on the required level of repair, the Building Official has established a requirement that the following items be prepared by a licensed contractor:

1. Proposed scope of work,
2. Estimated costs,
3. Timetable for obtaining permits, and
4. Timetable for completion of work.

Therefore in the absence of the required documentation the appeal has been denied.

The owner of this property shall demolish this structure and clear the site by June 8, 2024, as per the Notice to Demolish dated April 8, 2024. Failure to demolish and clear the site by June 8, 2024, will cause the City of New Port Richey to have the structure demolished and site cleared at the owner's expense without further notice. Demolition clearance will include all tangible personal property on the site.

Should you have any questions, please call 727-232-8946.

Sincerely,

  
Debbie L. Manns  
City Manager/  
Acting Development Director



THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

June 4, 2024

Heino Luts  
6220 Maplewood Dr  
New Port Richey FL 34653

RE: Appeal Submittal May 14, 2024 – Slum or Blight Order 4787-2024

Mr. Luts,

On May 14, 2024, the City of New Port Richey came into receipt of supplemental appeal information regarding the Slum or Blight Order against your property. After review, it has been determined that the received quote from True Roofers is insufficient to satisfy the outstanding violations that caused your property to be deemed as a Slum or Blighted property.

The City is willing to extend a **FINAL** opportunity to obtain permits for the remediation of the structure. A proposal must be delivered to the Building Department no later than end of business on **JUNE 21, 2024**. This proposal must be prepared by a Certified General Contractor, a Certified Building Contractor, or a Certified Residential Contractor. This proposal must include the following;

1. A detailed plan for the remediation of the entire roof structure including; shingles, underlayment, sheathing, any damaged or rotten trusses, soffit, fascia, venting and relocation or any electrical, insulation, or HVAC.
2. A detailed plan for structural supports under the front porch area.
3. A detailed plan for all exterior surfaces including; any holes in the stucco or facade, mildew removal and paint as necessary.
4. A detailed plan for the remediation of any non-weathertight windows and doors.
5. A detailed interior plan including; drywall, flooring, plumbing as necessary, electrical as necessary and fixtures.



THE CITY OF  
**NEW PORT RICHEY**  
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

Failure to submit the foregoing proposal requirements by June 21, 2024 will cause the City to commence demolition proceedings on the property without further notice to the property owner.

\_\_\_\_\_  
Bill Larder, Building Official

\_\_\_\_\_  
Heino Luts, Property Owner

STATE OF FLORIDA

COUNTY OF PASCO

The foregoing instrument was acknowledged before me by means of physical presence, who is  
( ) personally known to me or ( ) who produced \_\_\_\_\_ as identification this  
\_\_\_\_ day of June 2024.

\_\_\_\_\_  
Notary

Print, Type, or Stamp Commissioned  
Name of Notary Public



Florida - CRC 1333286

Client : H Luts / House Area 912 SF  
Location of work : 6220 Maplewood Dr , New Port Richey , FL 34653

Quote for Home Repair - Major Repair  
Date : 06-21-2024

The below items are based on the inspection made to the house on 06/20/2024 jointly in presence of the home owner and Building Official - New Port Richey City.

No.	Description	Amount - \$	Remarks
1	Planning, preperation of the necessary drawings (all trades) with the current site conditions, secure building permits / approval for design.	12,000.00	
2	Cleaning for all hoarding and hazard materials inclduing pest, rodent control.	10,150.00	
3	Demolition and haul-away	15,000.00	
4	Trusses Installation Works	23,000.00	
5	Roof Installation Works	13,200.00	
6	Rough Carpentry Works	11,800.00	
7	Finish Carpentry Works	13,000.00	
8	Soffit and Fascia Works	8,000.00	
9	Flooring Works	9,000.00	
10	Electrical Works	10,000.00	
11	Plumbing Works	6,000.00	Excluding external drainage works.
<b>Total Items above</b>		<b>131,150.00</b>	
<b>Payment Summary</b>			
<b>Advanced Payment, upon acceptance (20% of Total)</b>			
<b>Paid Total</b>			
<b>Remaining Amount</b>			

<b>Parcel ID</b>		09-26-16-019A-00000-0060 (Card: 1 of 1)							
<b>Classification</b>		00100-Single Family							
<b>Mailing Address</b>				<b>Property Value</b>					
LUTS HEINO A II				<b>Just Value</b>		<b>\$170,880</b>			
6220 MAPLEWOOD DR				Ag Land		\$0			
NEW PORT RICHEY, FL 34653-4738				Land		\$36,831			
<b>Physical Address</b>				Building		\$133,736			
6220 MAPLEWOOD DRIVE, NEW PORT				Extra Features		\$313			
RICHEY, FL 34653									
<b>Legal Description (First 200 characters)</b>						<b>Non-School</b>		<b>School</b>	
<a href="#">See Plat for this Subdivision</a>				Assessed		\$66,370		\$66,370	
TANGLEWOOD TERRACE UNIT 1 PB 10 PGS 124-				Homestead Exemption		-\$41,370		-\$25,000	
126 LOT 6 OR 9038 PG 3647 OR 9038 PG 3776 OR				Additional Exemptions		-\$0		-\$0	
9055 PG 2032									
<b>Jurisdiction</b>				<b>Taxable Value</b>		<b>\$25,000</b>		<b>\$41,370</b>	
<a href="#">CITY OF New PORT RICHEY</a>									
<b>Community Dev District</b>				<b>Warning: A significant taxable value increase may occur when sold.</b>					
N/A				<b>Click <a href="#">here</a> for details and info. regarding the posting of exemptions.</b>					
<b>Community Redevelopment Area</b>									
New Port Richey 2002									
<b>Land Detail (Card: 1 of 1 )</b>									
<b>Line</b>	<b>Use</b>	<b>Description</b>	<b>Code</b>	<b>Zoning</b>	<b>Units</b>	<b>Type</b>	<b>Price</b>	<b>Condition</b>	<b>Value</b>
1	0100R	SFR	LP1-1	00R2	5950.000	SF	\$6.19	1.00	\$36,831
<b>Additional Land Information</b>									
<b>Acres</b>	<b>Tax Area</b>	<b>FEMA Code</b>	<b>Subsidence Activity</b>				<b>Neighborhood Code(s)</b>		
0.14	<a href="#">NP</a>	X	None Reported				<a href="#">NPRY</a>		
<a href="#">View Sketch</a> <b>Building Information - Use 0100-Single Family Residential (Card: 1 of 1 )</b>									
<b>Year Built</b>	1973		<b>Stories</b>		1.0				
<b>Exterior Wall 1</b>	Concrete Block Stucco		<b>Exterior Wall 2</b>		None				
<b>Roof Structure</b>	Gable or Hip		<b>Roof Cover</b>		Asphalt or Composition Shingle				
<b>Interior Wall 1</b>	Plastered		<b>Interior Wall 2</b>		None				
<b>Flooring 1</b>	Terrazzo Monolithic		<b>Flooring 2</b>		None				
<b>Fuel</b>	Electric		<b>Heat</b>		Forced Air - Ducted				
<b>A/C</b>	Central		<b>Baths</b>		2.0				
<b>Line</b>	<b>Code</b>	<b>Description</b>	<b>Sq. Feet</b>		<b>Value</b>				
1	FOP01	FINISHED OPEN PORCH	120		\$3,671				
2	BAS01	LIVING AREA	912		\$111,589				
3	FGR01	FINISHED GARAGE	378		\$18,476				
<b>Extra Features (Card: 1 of 1 )</b>									
<b>Line</b>	<b>Code</b>	<b>Description</b>	<b>Year</b>	<b>Units</b>	<b>Value</b>				
1	RDWSWC	DRVWAY/SIDEWALK CONC	1973	366	\$181				
2	RCONPTO	CONCRETE PATIO	1973	266	\$132				
<b>Sales History</b>									
<b>Previous Owner:</b>			LUTS HEINO A II						
<b>Month/Year</b>	<b>Book/Page</b>	<b>Type</b>	<b>DOR Code</b>	<b>Condition</b>	<b>Amount</b>				
7/2014	<a href="#">9055 / 2032</a>	Order determining Homestead Real Estate	<a href="#">11</a>	I	\$0				
5/2014	<a href="#">9038 / 3776</a>	Quit Claim Deed	<a href="#">11</a>	I	\$0				
5/2014	<a href="#">9038 / 3647</a>	Executor's Deed (Personal Representative)	<a href="#">19</a>	I	\$25,000				
11/1988	<a href="#">1759 / 0340</a>	Executor's Deed (Personal Representative)		I	\$23,000				
1/1972	0649 / 0277			V	\$1,500				



# NEW PORT RICHEY

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

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

**FROM:** Andrea Figart, New Port Richey Public Library Director

**DATE:** 7/16/2024

**RE:** Board Re-Appointment: Kelly Smallwood, Cultural Affairs Committee

## REQUEST:

The request is for City Council to approve the re-appointment of Kelly Smallwood as first alternate member to the Cultural Affairs Committee.

## DISCUSSION:

Mrs. Kelly Smallwood has been a valued member of the Cultural Affairs Committee since 2016. Her current term expired on June 7, 2024. Mrs. Smallwood has submitted an application seeking re-appointment to the Committee however she is requesting that she be re-appointed as first alternate member instead of regular member. If approved, Mrs. Smallwood's term would be for two years and would up for renewal on July 16, 2026.

## RECOMMENDATION:

Staff recommends that City Council approve the re-appointment of Kelly Smallwood as first alternate member to the Cultural Affairs Committee and accept the attached updated membership roster.

## BUDGET/FISCAL IMPACT:

No funding is required for this item.

## ATTACHMENTS:

Description	Type
❑ Application - Kelly Smallwood	Backup Material
❑ Updated Cultural Affairs Committee Roster	Backup Material





## City Board and Committee Re-Appointment Application

I, Kelly Smallwood do hereby submit my request for re-appointment to  
the:

(alternate  
position)

- ☒ Cultural Affairs Committee (term length 2 years)
- ☐ Environmental Committee (term length 2 years)
- ☐ Firefighters Pension Board (term length 4 years)
- ☐ Historic Preservation Board (term length 2 or 3 years depending on appointment)
- ☐ Land Development Review Board (term length 3 years)
- ☐ Library Advisory Board (term length 3 years)
- ☐ Parks and Recreation Advisory Board (term length 3 years)
- ☐ Police Pension Board (term length 4 years)

By signing this application, I certify that I meet the requirements set forth in the ordinance that governs the respected board or committee that I am a member of.

Kelly Smallwood  
Signature

6/26/2024  
Date

Kelly Smallwood  
Printed Name

It is the policy of this organization to provide equal opportunities without regard to race, color, religion, national origin, gender, sexual preference, age, or disability.

Thank you for completing this application form and for your interest in continuing to volunteer with us. Please return the completed form back to Judy Meyers, City Clerk, City of New Port Richey, 5919 Main Street, New Port Richey, Florida, 34652. You may also send it via e-mail to [meyersj@cityofnewportrichey.org](mailto:meyersj@cityofnewportrichey.org). If you have any questions or need any further information please contact the City Clerk's Office at (727) 853-1021.

FOR INTERNAL USE ONLY

DATE CURRENT TERM EXPIRES/EXPIRED: \_\_\_\_\_



## CITY OF NEW PORT RICHEY BOARDS/COMMITTEES

### Cultural Affairs Committee

7 regular members and 2 alternate members; at least 5 members are residents and registered voters. The 2 remaining members must be registered voters and must either own/operate a city business or be employed in the city. Two-year term.

1. **Richard Melton (Chair)** Through 08.15.25  
6851 Hills Drive  
New Port Richey, FL 34653  
(h) (352) 610-2352  
[Artman011@yahoo.com](mailto:Artman011@yahoo.com)
2. **Anna Mae Petokas McNally** Through 09.03.25  
5926 Madison Street  
New Port Richey, FL 34652  
(518) 491-0559  
[oneofthewonders@gmail.com](mailto:oneofthewonders@gmail.com)
3. **Kimberly Brust** Through 11.01.24  
6545 Circle Blvd.  
New Port Richey, FL 34652  
(727) 919-1429  
[kimbrust@me.com](mailto:kimbrust@me.com)
4. **Beth Fregger (City business owner) (Secretary)** Through 11.01.24  
8040 Island Dr.  
Port Richey, FL 34668  
(727) 505-4930  
[blfmedia23@gmail.com](mailto:blfmedia23@gmail.com)
5. **Eric Mullins** Through 11.15.24  
7325 Royal Palm Drive  
New Port Richey, FL 34652  
(727) 777-2214  
[eric@mullinsmusic.org](mailto:eric@mullinsmusic.org)
6. **David P. Folds, III** Through 03.05.26  
5743 Delaware Avenue  
New Port Richey, FL 34652  
(727) 816-1150  
[davepfolds@aol.com](mailto:davepfolds@aol.com)
7. **Vincent Gaddy** Through 07.16.26  
5522 Executive Drive  
New Port Richey, FL 34652  
(c) 727-226-0102  
[Vgaddy132@gmail.com](mailto:Vgaddy132@gmail.com)

**Alternates (2):**

1. **Kelly Smallwood**  
7124 Meighan Court  
New Port Richey, FL 34652  
(c) 727-267-5189  
[smallwood.kelly@gmail.com](mailto:smallwood.kelly@gmail.com)

**Through 07.16.26**

2. **OPEN**

**Staff Liaison: Andi Figart, Joyce Haasnoot**

**City code:** \_\_\_\_\_

**DIVISION 3. CULTURAL AFFAIRS COMMITTEE**

**Sec. 2-68. Created.**

The city council hereby creates the cultural affairs committee.

The purpose of the cultural affairs committee is

- to make recommendations and to advise the city council on the financial sponsorship and creation of cultural activities for the education and recreation of the citizens.

**Sec. 2-69. Duties and responsibilities.**

The cultural affairs committee shall

1. review all requests made to the city for co-sponsorship of cultural events and shall
2. offer a recommendation to the city council regarding the level of financial support for such events. In addition, the cultural affairs committee may
3. offer recommendations to the city council for the initiation and promotion of new events to be sponsored either in full or in part by the city.

**Sec. 2-70. Membership.**

(a) There shall be seven (7) regular members and two (2) alternate members composing the cultural affairs committee. The alternate will serve as a member in the absence of a regular appointed member. At least five (5) members of the cultural affairs committee shall be resident electors of the city. The two (2) remaining members need not be residents of the city, but must be resident electors of the state and must either own or operate a business or be employed in the city. A quorum shall consist of four (4) members.

(b) The appointment of members to serve on the cultural affairs committee will be for two (2) years. The city council shall select the board members by a majority vote. The city council, by a majority vote, may remove any member with or without cause. If available, vacancies shall be filled from the alternate positions.

(c) A board member who misses two (2) consecutive meetings shall be deemed to have resigned unless the absence has been excused by the chairman prior to the meeting. The chairman of the committee shall notify the city clerk of the member's resignation.  
(Ord. No. 1463, § 1, 8-4-98; Ord. No. 1533, § I, 8-15-2000)

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The voting members of the cultural affairs committee shall elect one of their members to serve as chairman, one of their members to serve as vice-chairman, and one of their members to serve as secretary. The chairman shall submit an annual report to the city council. The city manager shall provide clerical and administrative staff assistance as may be reasonably required by the cultural affairs committee for the proper performance of its duties.

(Ord. No. 1463, § 1, 8-4-98)

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(Ord. No. 1463, § 1, 8-4-98)

**Sec. 2-73. Meeting schedule.**

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(Ord. No. 1463, § 1, 8-4-98)

**Sec. 2-74. Funding.**

The city council shall include a line item allocation in its annual budget to provide for cultural activities or similar purposes. All expenditures made from this appropriation shall be used for cultural events reviewed and approved by the city council.

(Ord. No. 1463, § 1, 8-4-98)

**Sec. 2-75. Compensation.**

The members of the board shall serve without compensation but may receive reimbursement for travel expenditures in accordance with Florida Statutes.

(Ord. No. 1463, § 1, 8-4-98)



# NEW PORT RICHEY

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

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

**FROM:** Andrea Figart, New Port Richey Public Library Director

**DATE:** 7/16/2024

**RE:** Board Appointment: Vincent Gaddy, Cultural Affairs Committee

## REQUEST:

The request before City Council is to approve the appointment of Vincent Gaddy as a regular member of the Cultural Affairs Committee.

## DISCUSSION:

Mr. Vincent Gaddy has submitted an application seeking membership on the Cultural Affairs Committee. If approved, Mr. Gaddy's term will be for two years and will be up for renewal on July 16, 2026. Staff has verified that Mr. Gaddy meets the requirements set forth in the City's Code of Ordinances to serve on this committee. With this appointment, that leaves one alternate member position open on this committee.

## RECOMMENDATION:

Staff recommends that City Council approve the appointment of Vincent Gaddy as a regular member of the Cultural Affairs Committee as submitted and accept the attached updated membership roster.

## BUDGET/FISCAL IMPACT:

No funding is required for this item.

## ATTACHMENTS:

Description	Type
□ Application - Vincent Gaddy	Backup Material
□ Updated Cultural Affairs Committee Roster	Backup Material

## Board and Committee Membership Application

City of New Port Richey  
5919 Main Street  
New Port Richey, FL 34652  
(727) 853-1016  
www.citynpr.org



### Applicant Information

Name Vincent Gaddy  
Street Address 5522 Executive dr  
City, State, Zip New Port Richey, FL 34652  
Home Phone \_\_\_\_\_  
Alternate Phone 727 226 0102  
E-Mail Address VGaddy132@gmail.com  
(attach copy of DL for  
residency verification)

### Boards and Committees

Please describe why you are interested in serving on a board or committee for the City of New Port Richey:

*To see and help be part of the change in a city  
which I live and own a bussiness in.*

Please choose which board or committee you are interested in serving on:

- ☒ Cultural Affairs Committee (meets on the third Wednesday of each month)
- ☐ Environmental Committee (meets on the second Monday of each month)
- ☐ Firefighters Pension Board (meets on a quarterly basis)
- ☐ Historic Preservation Board (meets on the second Monday of the month)
- ☐ Land Development Review Board (meets on the fourth Thursday of the month)
- ☐ Library Advisory Board (meets on the fourth Monday of the month)
- ☐ Parks and Recreation Advisory Board (meets on the second Tuesday of the month)
- ☐ Police Pension Board (meets on the fourth Tuesday of the month)

Have you attended any meetings of the board or committee on which you want to serve?

✓ Yes             No      If yes, how many have you attended? 3

#### Previous Board or Committee Experience

Have you ever served on a board or committee with any governmental unit? If so, please describe:

No I have not

#### Previous Volunteer or Community Service Experience

Summarize your previous volunteer or community service experience.

No experience

#### Special Skills, Interests and/or Qualifications

Summarize special skills, interests and/or qualifications you possess which you feel would be beneficial to the board or committee you are applying for membership to.

Just a people person thats able to relate to all walks of life.

#### Employment/Experience

Job Title: Barber/owner

Employer: self

5919 Trouble Creek Rd

Address Line 1:

Address Line 2:

New Port Richey

FL

City:

State:

34652

Pasco

Zip Code:

County:

727 807-5652

Work Phone:



Professional licenses held:

Barber  
Barber shop owner - Mind Not Yours Barbershop LLC  
Food Truck lic. - Mind Not Yours Food LLC

Previous employment or experience:

Memberships in professional, civic organizations or government boards or committees:

N/A

### Personal References

Please provide three (3) references other than relatives. List name, phone number and relationship to you.

Name (printed)	Phone Number	Relationship
Farris Roach	614 886 8383	
Josh Scott	607 316 9204	
Uhuru	678 596 8741	

### Eligibility Verification

To serve on a City Board or Committee you must either be a current resident of the city or own a business within the city limits. You must also be a registered voter. Please check all that apply.

☒  
☐

I currently live within the city limits.

I am a registered voter in Florida

☒

I own a business within the city limits

(attach copy of voter identification card)

Have you ever been convicted, pleaded guilty or no lo contendere to any criminal offense? (A yes answer to the above question does not automatically preclude you from being considered. The circumstances, timeframe and relevant factors are considered on an individual basis.)

☒ Yes ☐ No

If yes, please explain (including date):

Almost 10 years since being convicted of charges  
and on a mission to be apart of a positive avenue.

### Agreement and Signature

By submitting this application, I affirm that the facts set forth in it are true and complete. I understand that if I am accepted as a Board or Committee member, any false statements, omissions, or other misrepresentations made by me on this application may result in my immediate dismissal.

Name (printed)

Vincent Cuddly

Signature



Date

June 26, 2024

### Selection Process

Once your application has been reviewed and your eligibility to serve has been verified, you will be contacted by the City Clerk to appear at an upcoming City Council meeting so that Council may address any questions they may have regarding your application. Applications are valid for one year from the date they are submitted.

### Our Policy

It is the policy of this organization to provide equal opportunities without regard to race, color, religion, national origin, gender, sexual preference, age, or disability.

Thank you for completing this application form and for your interest in volunteering with us. Please return the completed form back to Judy Meyers, City Clerk, City of New Port Richey, 5919 Main Street, New Port Richey, Florida, 34652. You may also send it via e-mail to [meyersj@cityofnewportrichey.org](mailto:meyersj@cityofnewportrichey.org). If you have any questions or need any further information please contact the City Clerk's Office at (727) 853-1021.

### FOR INTERNAL USE ONLY:

Date Application Received:

Type of Application: New Member

Renewal



## CITY OF NEW PORT RICHEY BOARDS/COMMITTEES

### Cultural Affairs Committee

7 regular members and 2 alternate members; at least 5 members are residents and registered voters. The 2 remaining members must be registered voters and must either own/operate a city business or be employed in the city. Two-year term.

1. **Richard Melton (Chair)** Through 08.15.25  
6851 Hills Drive  
New Port Richey, FL 34653  
(h) (352) 610-2352  
[Artman011@yahoo.com](mailto:Artman011@yahoo.com)
2. **Anna Mae Petokas McNally** Through 09.03.25  
5926 Madison Street  
New Port Richey, FL 34652  
(518) 491-0559  
[oneofthewonders@gmail.com](mailto:oneofthewonders@gmail.com)
3. **Kimberly Brust** Through 11.01.24  
6545 Circle Blvd.  
New Port Richey, FL 34652  
(727) 919-1429  
[kimbrust@me.com](mailto:kimbrust@me.com)
4. **Beth Fregger (City business owner) (Secretary)** Through 11.01.24  
8040 Island Dr.  
Port Richey, FL 34668  
(727) 505-4930  
[blfmedia23@gmail.com](mailto:blfmedia23@gmail.com)
5. **Eric Mullins** Through 11.15.24  
7325 Royal Palm Drive  
New Port Richey, FL 34652  
(727) 777-2214  
[eric@mullinsmusic.org](mailto:eric@mullinsmusic.org)
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# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Robert M Rivera – Public Works Director  
**DATE:** 7/16/2024  
**RE:** Consideration of Disposal of Surplus Property 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



# NEW PORT RICHEY PUBLIC WORKS

COMMITTED TO SERVICE

OUR MISSION: TO PROVIDE RESPONSIVE, PROFESSIONAL, AND COURTEOUS SERVICE TO THE PUBLIC

6132 PINE HILL ROAD • PORT RICHEY, FL 34652 • 727.841.4536

**TO:** Robert Rivera, Public Works Director

**FROM:** Joseph Savinsky, Fleet Supervisor

**DATE:** June 11, 2024

**RE:** Replaced 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
107	8693	1FDUF5GT2EEB47150	2014	Ford	F-550 Dump	Water Dist.	34,954
110	8765	1FT7X2A64FEC55626	2015	Ford	F-250 P/U	Sewer	49,955
113	8687	1FT7X2A62EEB42613	2014	Ford	F-250 P/U	Stormwater	85,808
115	8767	1FTMF1C82FKD30789	2015	Ford	F-150 P/U	Water Prod.	71,340
PD37	7604	1FTNX21L84EB72128	2004	Ford	F-250	Police	66,748
Trailer 311	5862	J5965 TAG 68355	1992	Fitz Simmons	Well Rig Trailer	Water Distribution	N/A
Trailer 315	8157	70701 TAG XA3647	2007	Acme pump	6" Trash Pump	Sewer	N/A

The above listed vehicles have been replaced with new units from our Enterprise lease program. Some are in better condition than others, however they all need mechanical repairs at some level to continue reliable use in service. The well rig would require a complete overhaul and is not needed anymore for our services, and the trailered trash pump needs parts that are obsolete/unavailable. They are currently stored at the Fleet garage awaiting de-commission to be 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





# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Robert M Rivera – Public Works Director  
**DATE:** 7/16/2024  
**RE:** Public Works Operations Center HVAC Project Close Out

## REQUEST:

The request of staff for City Council is to review and consider for approval the attached final pay request in the amount not to exceed \$41,250.00 and the attached deductive change order in the amount of (\$3,750.00) from Air Mechanical and Service Corporation (AMSCO), for the replacement of one (1) 25-ton split system HVAC condensing unit.

## DISCUSSION:

Subsequent to the 2023 PWOC HVAC System Evaluation report performed by Volt Air Consulting Engineers, it was concluded that the Air Handling Unit-2 and Condensing Unit-2 systems are approaching the end of their useful life as defined by ASHRAE and manufacturer's literature for the anticipated life of the equipment. The executive summary of recommendations by category are as follows:

1. The upgrade of the existing direct digital controls (DDC) system. This system upgrade converted the HVAC system into a total automated system where one central computer can control system operations of components, collect data for trend implementation, monitor system for failures, and submit automated notifications of the failures for the appropriate remediation to the system.
2. The replacement of the existing 25-ton split system condensing unit-2, included piping, valves, and support systems.
3. Replacement of electrical breakers associated with unit system two.
4. The replacement of air handling unit-2, including ductwork and damper in the mechanical room.

## RECOMMENDATION:

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

## BUDGET/FISCAL IMPACT:

Funding for the project is identified as Water and Sewer Revenue Dollars.

## ATTACHMENTS:

Description	Type
❏ Final Pay Request	Backup Material
❏ Deductive Change Order	Backup Material

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

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

Bid No. _____	Date <u>7/5/2024</u>	Payment Number <u>No.2-Final</u>
Application Period From <u>12/20/23</u> To <u>06/22/24</u>		
Project Name <u>2024 PW HVAC Replacement Project</u>		
Account Number _____		
Owner: <u>City of New Port Richey</u>	Phone No. <u>(727) 841-4536</u>	
Engineer: _____	Phone No. _____	
Contractor: <u>David Ruby, Air Mechanical &amp; Service Corp.</u>	Phone No. <u>(813) 363-2993</u>	

**Contract Data**

**Change Orders**

Bids Received	No. <u>1</u>	Date <u>7/5/2024</u>	Time _____	Amount \$ <u>(3,750.00)</u>
Contract Start Date	No. _____	Date _____	Time _____	Amount _____
Notice to Proceed:	No. _____	Date _____	Time _____	Amount _____
Calendar Days for Completion	No. _____	Date _____	Time _____	Amount _____
Original Completion Date	No. _____	Date _____	Time _____	Amount _____

Days Extension to Date	_____
New Completion date	<u>6/22/2024</u>
Original Contract Amount	\$ <u>85,000.00</u>
Adjustments to Date	\$ <u>(3,750.00)</u>
Revised Contract Amount	\$ <u>81,250.00</u>
Percentage Complete (\$)	<u>95.59%</u>
Percentage Complete (Time)	<u>107.03%</u>
Percentage Complete (Work)	<u>100.00%</u>

**Summary of Project Status**

Total Work Completed	\$	<u>81,250.00</u>
Material Stored on Site	\$	<u>-</u>
Total Earned to Date	\$	<u>81,250.00</u>
Less Retainage <u>0%</u>	\$	<u>-</u>
Balance	\$	<u>81,250.00</u>
Less Previous Payments	\$	<u>40,000.00</u>
<b>Amount Due this Period</b>	<b>\$</b>	<b><u>41,250.00</u></b>

**CERTIFICATION OF CONTRACTOR**

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

**Submitted for Payment:**

AIR MECHANICAL & SERVICECORP. (AMSCO)  
 (Contractor)  
 By: DAVID RUBY  
 (Signature)  
 Name: DAVID RUBY  
 (Print or type)  
 Date: JULY 5, 2024

**Recommended for Payment:**

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

**Recommended for Payment:**

City of New Port Richey  
 (Project Manager)  
 By: \_\_\_\_\_  
 (Signature)  
 Name: \_\_\_\_\_  
 (Print or type)  
 Date: \_\_\_\_\_

**Approved for Payment:**

City of New Port Richey  
 (Owner)  
 By: \_\_\_\_\_  
 (Signature)  
 Name: \_\_\_\_\_  
 (Print or type)  
 Date: \_\_\_\_\_

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

**Contract Modification No.: 1**

Date: 07/5/2024

**Project Name:** 2024 PW HVAC Replacement Project

Project No:

**Owner:** City of New Port Richey

**Contractor:** Air Mechanical and Services Corp.

**Engineer:**

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

**Contract Amount**

**Contract Time (Cal. Days)**

Original Contract Amount	\$ <u>85,000.00</u>	Original Duration	<u>120</u>	Days
Previous Change Orders (Add/Deduct)	\$ <u>0.00</u>	Previous Change Orders (Add)	<u>0</u>	Days
This Change Order (Deduct)	\$ <u>(3,750.00)</u>	This Change Orders (Add)	<u>0</u>	Days
Revised Contract Amount	\$ <u>81,250.00</u>	Revised Contract Time	<u>0</u>	Days

The Final Contract Completion Date is:

June 22, 2024

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 N/A

Contractor AIR MECHANICAL & SERVICE CORP. (AMSCO)

By: \_\_\_\_\_

By: DAVID RUBY

Title \_\_\_\_\_

Title SENIOR ACCOUNT MANAGER

Date \_\_\_\_\_

Date: JULY 5, 2024

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

Project Manager \_\_\_\_\_

By: \_\_\_\_\_

By: Martin Field

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

Date: 7/5/2024



# NEW PORT RICHEY

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

**TO:** City of New Port Richey City Council  
**FROM:** Arnie Wetzel, Director of Human Resources  
**DATE:** 7/16/2024  
**RE:** Ratifying IAFF Contract

## REQUEST:

The request before you this evening is for City Council to vote affirmatively in favor of ratifying the proposed collective bargaining agreement between the City of New Port Richey and the International Association of Firefighters (IAFF), Local 1158 for the period spanning from October 1, 2023 through September 30, 2026.

## DISCUSSION:

After several months of respectful and positive discussions with the firefighters, Staff is pleased to present to you a proposed final agreement with respect to the collective bargaining agreement for the term as indicated above. Below is a summary of the terms and conditions that have been agreed upon by the Union and the City's negotiating teams. They are as follows:

### Language:

There is the clean-up and updating of language where such throughout the agreement was outdated or no longer relevant to practice.

### Grievance Procedure:

Provide consistent language and increase the number of business days in which to respond to a grievance at each step by 5.

### Holidays:

Officially list the addition of Juneteenth as a holiday in the contract.

### Wages:

Step Increases

For each year of the agreement, bargaining unit members will be eligible for step increases. Each bargaining unit member is eligible for no more than one step increase per fiscal year.

1. For Fiscal Year 2023-24, effective the beginning of the first payroll period of the fiscal year, the steps reflected in Appendix A shall be increased by 5.5% from the Fiscal Year 2022-2023 steps.
2. For Fiscal Year 2024-2025, increases to each step, if any, will be established through reopener negotiations.
3. For Fiscal Year 2025-2026, increases to each step, if any, will be established through reopener negotiations.

### City Fire Safety Inspection Program:

The City will establish a pilot Fire Safety Inspection Program in consultation with the Union. Firefighters eligible to participate in the program will be paid time and one-half their regular rate when conducting off duty inspections under the program. The City may discontinue the program at its discretion, and the discontinuation shall not be grievable.

### Personnel Practices:

Employees hired on or after October 2, 2023 must obtain State of Florida Paramedic Certification within three (3) years of their date of hire. The Fire Chief may grant an extension of up to one (1) additional year at their discretion; however, denial of an extension shall not be grievable.

### Seniority, Lay-Offs and Recall:

Consistency of lay-off and recall notice language to reflect the same number of days for each (10 business days).

### Leave of Absence:

Increase designated Union representative time off to deal with Union business, conferences and training from 24 hours to 72 duty hours per fiscal year.

### Uniform Issue:

Fire Chief may allow a member who achieves normal retirement to keep their City-issued helmet upon retirement.

**RECOMMENDATION:**

The recommendation from Staff is for City Council to vote in favor of the terms and conditions as identified in the proposed labor agreement.

**BUDGET/FISCAL IMPACT:**

The financial impact associated with this agenda item will be covered through use of the FY 2023-2024 general fund budget. The funding required to cover all of the expenses in the succeeding fiscal years will be appropriately budgeted for.

**ATTACHMENTS:**

Description	Type
▣ IAFF Contract 2024	Backup Material

**Agreement**  
Between  
*The City of*  
*New Port Richey*  
And  
**I.A.F.F.**  
**Local 1158**

**For Fiscal Years**

**2023-2024**

**2024-2025**

**2025-2026**

**ARTICLE 1**  
**RECOGNITION**

**Section 1.** The Employer recognizes the Union as the exclusive bargaining representative in accordance with Chapter 447.307, Florida Statutes.

INCLUDED: All persons in the classifications designated in PERC Certification Number 1238, shall be in the bargaining unit.

EXCLUDED: All others shall be excluded.

**Section 2.** The IAFF hereby recognizes the City Manager or his representative as the Public Employer's representative for the purpose of collective bargaining.

**Section 3.** Should the City establish new job classifications or positions within the Fire Department, the City shall provide 30 days' notice to the Union of the establishment of such classification or position. If the parties cannot agree as to the proper placement of the classification or position within or outside the bargaining unit, either party may file the appropriate petition with PERC to resolve the issue.



**ARTICLE 3**  
**GRIEVANCE PROCEDURE**

**Section 1.** A “grievance” shall be defined as any dispute involving the interpretation, application or alleged violation of a specific clause or provision of this Agreement. No other matter shall be considered a grievance or shall be the subject of arbitration.

All time limits in this article are binding and considered of the essence. If a grievance is not advanced to the next step by the grieving party in a timely manner as required by this article, it shall be considered waived at that step. If the responding party fails to respond in the required time limit, the grievance shall be automatically advanced to the next step. Time limits may be extended by mutual written consent between the appropriate parties at each step.

**Section 2.** An employee covered by this Agreement shall present his complaint within ten (10) business days of the day on which the complaint arose in the following manner:

An employee shall present his complaint in writing to the Captain in charge of his/her station with or without the presence of a steward. The Captain shall attempt to resolve the complaint and shall indicate in writing the date of the discussion and the result of that discussion within ten (10) business days.

**Step 1:**

If the complaint is not resolved through the meeting with the Captain a grievance may be submitted in written form by the employee to the District Chief within ten (10) business days of the meeting between the employee and the Captain.

The written grievance should set forth the following:

1. A statement of the grievance and the facts upon which it is based.
2. The alleged violations of this Agreement. (citing specific article(s) and/or section(s))
3. The remedy or adjustment requested.
4. The signature of the grievant.

The District Chief will discuss the grievance with the employee with or without a Union Steward present and give his answer, in writing, within ten (10) business days of receiving the written complaint by the submitting employee.

**Step 2:**

If the matter is not resolved, the employee may appeal the grievance in writing to the Fire Chief or his/her designee within ten (10) business days from the date that the District Chief signed the grievance for step 2. A meeting between the Fire Chief or his/her designee and

the grievred employee with or without a Union Steward shall be held within ten (10) business days after the referral to the Fire Chief or his/her designee. The Fire Chief or his/her designee shall give his/her written answer within ten (10) business days after meeting with the aggrieved employee.

**Step 3:**

If the matter is not resolved, the aggrieved employee may appeal the grievance in writing to the City Manager within ten (10) business days after having received a written answer from the Fire Chief. The City Manager shall give his/her answer within ten (10) business days after receiving the appeal.

**Step 4:**

If the matter is not resolved as provided in step 3, the Union shall within fifteen (15) business days of the City Manager's answer provide the City Manager written notice of the intent to arbitrate and request a Florida sub-regional list of seven (7) arbitrators to be provided by the Federal Mediation and Conciliation Services. After the receipt of the list, representatives of the parties shall select an arbitrator through alternate striking of the names on the list. A flip of the coin shall determine who shall strike the first name, and then the other party shall strike a name. The process shall then be repeated until one name remains and the remaining name shall be the arbitrator selected and the Federal Mediation and Conciliation Services shall be notified of his/her selection as arbitrator.

The Arbitrator's decision shall be final and binding as provided by law. The arbitrator's decision shall be given within thirty (30) calendar days after having received the arbitration briefs from Employer and the Union. The Arbitrator may not substitute his/her judgment for that of the Department, nor add to, delete from, modify or alter this contract.

**Section 3.** The costs of the arbitrator shall be borne equally by the parties, except that each party shall bear the costs of its attorneys and the cost of any transcripts desired by that party.

**Section 4.** An employee covered by this Agreement shall have the right to be represented, or refrain from exercising the right to be represented in the determination of a grievance arising under the terms and conditions of employment covered by this Agreement. Nothing in this Article shall be construed so as to prevent any employee from presenting, at any time, his/her own grievances, and having such grievances adjusted without the intervention of the bargaining agent. However, if an employee chooses to process his/her own grievance, the Union must be invited to attend any meeting where the resolution of the grievance may occur. (FS 447.301(4)).

**Section 5.** Newly hired probationary employees, and the Union on their behalf, shall not have access to this Grievance Procedure for any matter except for matters directly relating to the wages and benefits addressed in this Agreement.

**Section 6.** The Arbitrator shall be limited to considering only those issues and articles allegedly violated that are presented at the Step 3 level.

**Section 7.** Nothing contained herein shall prohibit the employee from utilizing the process included in the Personnel Rules and Regulations – Human Resources Policy Manual except that once an employee proceeds according to the steps in this Agreement he/she shall not have access to that procedure for the resolution of the grievance. The employee shall make his/her selection in writing at Step 1.

**Section 8.** Grievances arising out of discharge, demotion or suspension shall be commenced within ten (10) business days of the action giving rise to the grievance and shall commence at Step 2 of the grievance procedure unless the employee elects to use the process included in the City's Personnel Rules and Regulations – Human Resources Policy Manual.

**Section 9.** For purpose of computing time limits herein, all complaints must be filed with the Station Captain to which the aggrieved employee is assigned, and a business day shall be considered to end at 11:59 p.m. In computing the time limits for all grievance Steps, but only for those Steps, a business day for purposes of filing shall be considered to include until 4:30 p.m. on any day during which the Administration office is open. The time limits for all Steps of this article shall include only days in which the administrative office is open. Grievances may be processed during working hours by the aggrieved employee and union steward with prior approval of the Fire Chief or his/her designee.

**ARTICLE 7**  
**HOLIDAYS**

**Section 1.** The following legal holidays shall be observed on stipulated days recognized by the City:

New Year's Day	Martin Luther King Day
Good Friday	Memorial Day
Juneteenth	Independence Day
Labor Day	Veterans Day
Thanksgiving Day	Day after Thanksgiving
Christmas Day	

Four (4) Floating Holidays (8 Hours each) eligible after twelve (12) months of employment  
One (1) Personal Leave Day (8 Hours) eligible after twelve (12) months of employment  
One Additional Personal Leave Day (8 Hours) after five (5) year's seniority.

**Section 2. Eligibility for Holiday Pay**

- A. The above listed holidays shall be paid in the following manner: 24-hour shift employees working the holiday will be compensated with twelve (12) hours of straight time pay, those employees off duty shall receive eight (8) hours of straight time pay. 24-hour shift employees on scheduled leave on a designated holiday shall receive 8 hours of holiday pay and be charged their designated leave time. The 24-hour shift employee on leave will not receive the additional four (4) hour holiday pay for working that day
- B. 24-hour shift employees will receive holiday pay based on the actual holiday dates. 8- hour shift employees will receive holiday time (the day off) based on the observed holiday. The observed holiday, unless stipulated differently by the City for a specific holiday when a holiday falls on a Saturday, the preceding Friday shall be observed as the official holiday for that year. When a holiday falls on a Sunday, the following Monday shall be observed as the official holiday. The City agrees to publish a list of dates of designated holidays at the start of each calendar year.
- C. The City Manager shall determine when any department, operation or section or any portion thereof will be closed in observance of the holiday.
- D. An employee must be on active pay status for his/her entire scheduled hours of duty or work his/her normal scheduled hours, on his/her regularly scheduled working day immediately prior to a holiday and his/her regularly scheduled working day immediately following a holiday in order to qualify for holiday pay. The intent of this section is to minimize the amount of unscheduled absences immediately before and/or immediately following a holiday identified in Section 1 of this Article.
- E. Employees, who are scheduled and required by their supervisor to work on the day observed as a holiday, must work that day to be eligible to earn holiday pay. An

employee who is scheduled to work on the day observed as a holiday and reports sick on that day will be charged sick leave for the day and be ineligible for holiday pay for that day. An employee who takes a partial day off as sick leave shall have their holiday pay reduced on an hour for hour basis for any hours used as sick leave up to the full amount of holiday pay.

- F. Fire Department employees who are on military leave, jury duty, funeral leave or any other scheduled leave with pay shall receive holiday pay in lieu of any time off credit should the holiday occur during such leave.
- G. Employees working overtime on the observed holiday shall be eligible for up to four (4) additional holiday pay hours providing they meet the requirements of letter D and E in this section. If an employee does not meet the requirements of letter D and E and works the holiday they would not receive any holiday pay even though they worked overtime on the holiday. If an employee works a twelve (12) hour overtime shift (outside of their normally scheduled shift) on the holiday they shall receive two (2) additional hours of holiday pay. If an employee works the entire twenty-four (24) hour overtime shift (outside of their normally scheduled shift) they shall receive the additional four (4) hours of holiday pay. No other incremental hours shall be considered for additional holiday pay hours.

### **Section 3. Floating Holidays**

- A. The employee will give seventy-two (72) hours' notice for the scheduling of Floating Holiday Time.
- B. Floating Holiday time must be scheduled in at least four (4) hour increments.
- C. Fire Chief or his designee(s) are responsible for the approval of floating holiday requests.

### **Section 4. Personal Leave**

Personal Leave hours will be subtracted from annual sick leave. In the event an employee does not have credited sick leave hours, he/she shall not be eligible for personal leave until sufficient hours are accrued.

- A. Personal Leave shall not be accrued. Personal Leave must be used in the anniversary year in which it is earned or the hours will remain credited as sick leave hours.
- B. Use of Personal Leave will not affect the Medical Incentive Leave award.
- C. Personal Leave will be scheduled at least 72 hours in advance of the leave Requests of emergency leave with less than 72 hours' notice may be granted by the Fire Chief.

- D. Personal Leave is allowed to be taken in four (4) hour increments.
- E. Fire Chief or his designee(s) are responsible for the approval of personal leave.

**Section 5. Payment for Unused Leave**

Employees who voluntarily leave employment (retirement, resignation) shall be reimbursed for unused accrued vacation time at the rates and manner as described in the City Rules and Regulations manual in effect at the time of ratification of this contract.

**ARTICLE 9**  
**WAGES and COMPENSATION**

**Section 1. Wages**

**A. Step Increases**

1. For each year of this Agreement (FY 2023-24, 2024-25, and 2025-26) bargaining unit members will be eligible for step increases. Each bargaining unit member is eligible for no more than one step increase per fiscal year.

2. All future step increases, after the expiration of this Agreement, are subject to negotiation and agreement upon the reopening of this Article (9) in a successor agreement by the parties prior to being paid.

3. The actual step construction referenced in Article 10 Section 5 and Appendix A & B shall be as follows:

For Fiscal Year 2023-24, effective the beginning of the first payroll period of the fiscal year, the steps as reflected in Appendix A, which have been increased by 5.5% from the Fiscal Year 2022-23 steps, shall apply.

b. For Fiscal Year 2024-25, increases to each step, if any, will be established through reopener negotiations.

c. For Fiscal Year 2025-26, increases to each step, if any, will be established through reopener negotiations.

***For Fiscal Years 2024-25, and 2025-26, the parties will append to this Agreement revised versions of Appendix A that reflect any increases to the steps for those fiscal years.***

**B.** Should an employee receive less than a satisfactory annual evaluation on their annual review, then that employee shall be re-evaluated in 90 calendar days from the date of the annual review and then if found satisfactory shall be eligible for any wage increase at that time. If still found to be less than satisfactory, the employee shall not be eligible for a wage increase until their next annual evaluation.

**C.** The current pay plan for Firefighters and Captains shall continue with the following addition:

1. Any FFII & above classified employee who successfully completes and becomes a State Certified Fire Inspector and are so designated by the Fire Chief, shall be eligible to receive an additional \$1200 annually distributed as additional pay biweekly.

2. Those employees who complete and maintain USAR (Urban Search and Rescue)



certification shall receive an additional \$25.00 per month while they maintain their certification and continue participation in the required training. Should they miss required training for a period of in excess of one month the pay shall cease until such training is made-up.

- a. Time spent on department mandated training may be counted as time worked toward the computation of overtime subject to the approval of the Fire Chief.
- b. Should an employee need to schedule make-up training other than that provided by the department, the employee may be responsible for that training and may not be eligible for compensation.

**Section 2.** The Department shall pay to employees, who are State Certified as Paramedic, \$1800.00 annually, such payment to be paid incrementally on a bi-weekly basis and shall be pension eligible earnings. Paramedic's eligibility to receive "Paramedic Compensation" shall be determined by the Fire Chief, and shall be based on the paramedic's ability to function as a paramedic as determined by the EMS Coordinator.

- A. Employees, mandated to attend training off duty for the purpose of maintaining their EMS certifications, shall be entitled to compensation for all hours spent in such training.
- B. Employees who are eligible for this compensation may elect to receive such compensation as compensatory time credited at the appropriate rate dependent on their FLSA status.
- C. If the employee fails the Department Paramedic Protocol Exam, employee will not be eligible to take the exam for 30 days from the date of the initial exam.
- D. If the employee cannot pass the Department Paramedic Protocol Exam after two attempts the employee will be discharged due to failure to comply with Employment Agreement.
- E. If the employee does not successfully fulfill the Department Paramedic Internship Training, employee will be discharged due to failure to comply with Employment Agreement.

**Section 3.** Time spent in court or a judicial hearing, while not on duty, on behalf of the City, is the actual time required to report as stated on the subpoena or as scheduled continuing until released by the judge or other officer of the court. When an employee is required to respond, under subpoena, he/she shall receive a minimum of two (2) hours' pay at time and a half of their regular hourly rate. Should said appearance go beyond the two (2) hour minimum, the employee shall be compensated for actual hours spent in attendance at time and a half of their regular hourly rate.

**Section 4.** The Employer shall provide an annual allowance of \$650.00 for repair, replacement and servicing clothing articles. The City agrees to pay this as per current practice.

**Section 5. Christmas or Holiday Bonus**

Members of the bargaining unit are eligible for any discretionary Christmas or holiday bonus that may be given to other employees.

**Section 6. Coordinator Pay**

- A. The City shall pay Fifty Dollars (\$50.00) per month for an employee designated as Breathing Apparatus Repair Coordinator.
- B. Emergency Medical Coordinators QA (Quality Assurance) Forty dollars (\$40) per month. The department will provide up to three persons to serve as Emergency Medical Coordinators QA (Quality Assurance). The Emergency Medical Services Coordinator will be a District Chief and no longer receive compensation for this position and will be assigned as part of their responsibility within the department.
- C. Coordinator positions shall be re-evaluated annually and may be re-assigned, re-titled or eliminated by the Fire Chief if it is determined that the Department's need for the position has changed. Should the Fire Chief decide that it is necessary to change, eliminate, or remove the employee from the position, employee will be given 30 days' notice if possible.

**Section 7. Mandatory Meetings**

Off-duty FF's attending Department mandated meetings will be compensated at their time and one-half hourly rate.

**Section 8. City Fire Safety Inspection Program**

The City shall establish a pilot Fire Safety Inspection Program in consultation with the Union. Employees eligible to participate in the Program shall be paid time and one-half their regular rate of pay when conducting off-duty inspections under the Program. The City may discontinue the Program at its discretion and the discontinuation shall not be grievable.

**ARTICLE 10**  
**PERSONNEL PRACTICES**

**Section 1. Promotional Exams**

It is understood that the Fire Chief, may due to budgetary concerns, not fill a promotional vacancy. The Fire Chief will inform the Union, as soon as possible, if there is a delay in filling the promotional vacancy.

- A.** For competitive promotions to positions covered by this agreement outside agencies may, at the discretion of the Fire Chief, be used to participate in the department's promotional examination process.
- 1.** It is the responsibility of the Fire Chief or his/her designee to make the necessary arrangements for any outside agencies participating.
  - 2.** Promotional Examinations will be held on the date established by the Fire Chief.
  - 3.** The Fire Chief may extend any promotional examination due to budgetary constraints, and/or lack of eligible or qualified applicants within the department for which the exam is to be held.
  - 4.** The Fire Chief may, at his discretion, determine the need to conduct a Promotional Exam for the purpose of making an eligibility list. This list may be created for the following reasons:
    - a.** Anticipation of vacancies,
    - b.** To fill current vacancies,
    - c.** To fill newly created position(s).
    - d.** Promotional exams should be held within 120 days of a vacancy.
- B.** Should the Fire Chief determine that a Promotional Examination is required, a public announcement shall be posted for the position and shall state:
- 1.** The intended promotional rank,
  - 2.** The minimum qualifications required for the position prior to the exam date,
  - 3.** Closing Date – set by the Fire Chief or his/her designee,
  - 4.** The general scope of the promotional process.

- C.** The Fire Chief will establish criteria to assist in determining an applicant's eligibility for testing or promotion.
- 1.** Points or credits used in evaluating applicant eligibility may be adjusted from time to time by the Fire Chief, but shall be uniformly applied to any single process.
  - 2.** Should the Fire Chief determine that no employees meet the minimum qualifications, the Fire Chief may open the examination to other qualified persons.
  - 3.** Employees must have five years as a New Port Richey Firefighter to be eligible to take the examination for the position of Captain. The Fire Chief may waive up to two years of this requirement based on the level of training and experience of the applicant.
  - 4.** The Fire Chief may consider experience, education and/or years of service in a career Fire Department for eligibility to sit for promotional examinations or filling of vacant positions.

**D.** Disqualification's of Applicants

The Fire Chief may reject the application of any person for admission to any examination or refuse to examine any applicant if, in his opinion:

- 1.** The applicant fails to meet the established qualification requirements for the position; or
- 2.** The application was not filed on or before the closing date for receipt of applications specified in the public announcement; or
- 3.** The applicant has made false statements to practice deception or fraud including but not limited to misrepresenting credentials in his application or in securing eligibility or appointment. This provision shall be interpreted to include the use of any name other than the legal applicant's name in making application; or
- 4.** The applicant has been guilty of a felony or any other crime considered infamous, notorious or conduct that is disgraceful; or
- 5.** The applicant has a record of previous unsatisfactory service in employment; or
- 6.** Has received a discharge other than honorable from the armed forces.
- 7.** The applicant has two (2) sustained disciplinary actions in a twelve (12) month period.

8. Any denial may be appealed to the City manager whose decision shall be final and binding.

**E.** In the event that there are insufficient qualified applicants for a particular position or vacancy, the Fire Chief may at his/her discretion, postpone the testing for that position to a later date.

**F.** Scope and Character of Examination

Provisions that apply to promotional exams covered under this section

1. Depending on the position or promotion which is being tested for, the examination may consist of any, all or a combination of the following:

- a. Written test
- b. Oral Review Board
- c. Performance Assessment
- d. Evaluations
- e. Education
- f. Work History
- g. Disciplinary History

2. Some of these tests or evaluations may be given separately or grouped together into what is sometimes referred to as an Assessment Center.

3. Tests or evaluations may be scheduled on the same day or spread over several days, as determined by the Fire Chief.

**G.** Rating of Examinations

The earned credit rating of each candidate shall be determined by the weighted average of earned credit ratings, established and announced by the Fire Chief, or his/her designee, before the examination. The minimum-passing grade for any examination shall be eighty percent (80%).

**H.** Notification of Results

Each candidate shall be notified in writing of his/her name being placed on an eligibility list or his/her failure to attain a place on the list. Any candidate may, within five (5) business days following the mailing date of his notice of results, request permission to review his/her examination results with the Fire Chief, or his/her designee, and may be given reasonable opportunity to do so.

## **Section 2. Promotional Lists**

Promotion and Appointment Lists - The names of all personnel who may be lawfully appointed and who have attained a minimum passing grade of eighty percent (80%) on a promotional examination shall be placed on the appropriate promotional or appointment list in the order of their final grade. The names of two or more eligible personnel having the same final grade shall be placed on the list by arranging the names in order of seniority.

## **Section 3. Appointments**

- A.** In certifying from a promotional list for the filling of a vacancy in a regular position, the Fire Chief shall certify the names of the eligible candidates based on the following:
  - 1.** Ranking of applicant's list
  - 2.** Fire Chief's discretion – to pick from the top three (3) candidates.
- B.** Any promotions shall raise the employee's base pay to the appropriate rate in the new position at the probationary rate.

Duration of Lists - All promotional eligibility lists resulting from examinations shall be established for the term and period of one (1) year from the date of the examination which may be extended for an additional period of one (1) year at the Fire Chief's discretion.

## **Section 4. Probationary period**

- A.** Probationary period for all entry positions shall be for one (1) year in duration. Probationary period for all promotional positions shall be for six (6) months in duration. Before or at the expiration of the probationary period of any entry or promotional employee, the Fire Chief may, by presenting to the employee reasons for such action in writing, dismiss an employee serving an entry probationary period, or in the case of an employee serving a probation following promotion, return such employee to his former position. A copy of such notice shall be filed with the Fire Chief. Any employee who shall have completed the prescribed Probationary period without having been dismissed or returned to his former position shall be deemed to have regular status in his class position.
- B.** If as a condition of employment for newly hired personnel or as a requisite of promotion, an employee is required to complete educational requirements and or Certifications: (such as but not limited to Paramedic, or Captain), the Fire Chief may at his discretion extend the probation in order for the employee to complete the requirements. However, upon extension, the Fire Chief and the employee will meet and a date of completion will be established beyond which the employee may

be subject to the provisions of paragraph A. above for failure to successfully complete their probationary period. For promotions a period of extension may be up to 6 months, but shall not extend past that point.

- C. Employees hired on or after October 1, 2023, must obtain State of Florida Paramedic Certification within three (3) years of their hire date. The Fire Chief may grant an extension of up to one (1) additional year; however, the denial of the extension shall not be grievable.

## **Section 5. Career Ladder Program**

- A. The completion of a Career Ladder exam shall be required for the positions of Firefighter 1 (FF1), Firefighter II (FF2), For all personnel hired after October 1, 2005; in order to be eligible for advancement in the Career Ladder Program, the candidate must have completed their initial probation and have completed any educational requirements or certifications which were a condition of hiring (see Section 4B). All personnel hired after October 1, 2007 must have completed one of the required Pump Operator courses prior to becoming a Firefighter III (FF3). All personnel hired after October 1, 2007 must have completed the requirements and have attained a State Pump Operators Certification prior to becoming a Firefighter IV (FF4). Attainment of the certification shall be equivalent to testing for the position.
- B. All candidates for promotion to Captain must have completed the Fire Officer I certification, Fire Safety Inspector I, ICS 300 & 400 as a condition of eligibility to qualify for examination. Additionally, candidates must attain Incident Safety Officer certification within six (6) months of their promotion and must attain Incident Safety Officer certification as a condition of eligibility to qualify for examination unless exempted at the discretion of the Fire Chief.
- C. Career Ladder positions above Firefighter III shall be attained upon completion of the requisite number of years in the previous position, in addition to completion of a recognized class or testing if the educational requirement had already been accomplished. Each class to be considered for FF V through FFVIII shall be pre-approved by the Fire Chief for a specific step increase.
- D. The responsibility for preparing and scheduling career ladder exams rests with the employee.
  - 1. A copy of the Career Ladder Program Resource List for exam preparation will be maintained at each Fire Station.
    - a. It is the employee's responsibility to acquire the resources for studying.

- b. A copy of each required reference material shall be made available by Fire Administration.
  2. Any changes to the Career Ladder Program Resource List must be in effect at least 60 days for use in any scheduled examination.
  3. Employees must schedule a Career Ladder Program Examination at least 30 days prior to the requested date for the examination to be taken.
- E.** Employees must schedule Career Ladder Program Examinations to be taken prior to their anniversary date.
1. Employees may schedule the Career Ladder Program Examination any time after nine (9) months in their current step, or 3 months prior to their eligibility date once they are in the FFIII position or above.
  2. Firefighters must be in the career ladder steps as follows:
    - Probationary FF for minimum of 12 months
    - FFI for 12 months
    - FFII 18 months
    - FFIII for 18 months
    - FFIV for 2 years
    - FFV for 2 years
    - FFVI for 30 months
    - FFVII for 3 years
    - FFVIII indefinite

*(The intent is that an employee may schedule and complete the examination for the next step to be effective upon the anniversary date of the employee.)*

**See Appendix B attached at the end of this Agreement**

3. Captains must be in the career ladder steps as follows:
  - Probationary Captain for minimum of 6 months (12 months\_for Captains hired from outside the City)
  - Captain I for 3 years
  - Captain II for 3 years
  - Captain III for 3 years
  - Captain IV indefinite

*(The intent is that an employee may schedule and complete the examination for the next step to be effective upon the anniversary date of the employee.)*



**See Appendix C attached at the end of this Agreement**

4. If the employee fails the Career Ladder Program Examination, it may be retaken after 60 calendar days.
  5. Effective the beginning of the first pay period after ratification of this Agreement, employees who have already qualified for advancement to a higher step in the career ladder program as modified by this Agreement will be advanced to the appropriate higher step. Employees who meet the time requirements for a higher step, but who have not satisfied the examination requirements for that step, will not be advanced to the higher step in the career ladder program until they successfully complete the examination requirements for that step.
- F.** Employees must pass the Career Ladder Program Examination in order to be eligible to receive the next step increase.
1. If the employee has successfully passed the Career Ladder Program Examination prior to the employee's anniversary date, the anniversary date shall be the effective date for the Step Increase.
  2. Should the employee not successfully pass the Career Ladder Program Examination prior to the employee's anniversary date then the Step Increase shall be effective the following payroll after the successful completion of the examination. The effective date shall become the new date for eligibility for the subsequent steps in the Career Ladder Program.
- G.** In lieu of completion of a Career ladder Examination, the Fire Chief may consider successful completion of a pre-approved 45-hour class as equivalent to passing the career ladder examination.
- 1 Each class to be considered shall be pre-approved by the Fire Chief for a specific step increase.
  - 2 Classes must be passed with a grade of B or better (80%), "pass" for pass/fail classes, and satisfactory completion for non-graded courses.
  - 3 Pre-approved classes must be completed at least 30 days prior to the anniversary date of the employee where the particular anniversary date is associated with the class. The class must be successfully completed within a year of the step date. All time limits contained within this section shall be tolled for the length of time the career ladder is frozen.
  - 4 The step increase will take place on the employee's anniversary date that is associated with the course completed.

5 The Department shall post a current list of approved courses and associated steps.

**H.** Evaluations by the District Chief or Captain will be required for all career ladder advancement.

**ARTICLE 15**  
**SENIORITY, LAY-OFFS AND RECALL**

**Section 1. Seniority.**

- A. City seniority is an employee's length of city service in continuous permanent status employment or reemployment from the first day of continuous permanent employment, including prescribed probationary periods. City seniority shall be used for vacation and sick leave accruals, service awards and other matters based on length of City service. This date changes if the employee is in a non-pay status for one pay period or more; the anniversary date is then deferred by an equivalent amount.
- B. Classification seniority is the length of continuous service in classification. After successful completion of the probationary period, the length of time in classification reverts to the date of entry, transfer or promotion to the present classification. The classification seniority date shall be used in connection with merit reviews, layoff consideration and promotional eligibility opportunities. This date will be adjusted an equivalent amount for a leave of absence with pay or disciplinary suspension for one pay period or more.
- C. Employees shall lose all seniority as a result of any one of the following:
  - 1. Resignation
  - 2. Retirement
  - 3. Termination
  - 4. Absent without permission or authorized leave for three (3) consecutive working days.
  - 5. Layoff exceeding two (2) years.
  - 6. Failure to report to the Human Resources Department intentions of returning to work within five (5) days after receipt of certified notice of Recall.
  - 7. Failure to return from military leave within the time limits provided by law.

**Section 2. Probationary Periods**

- A. The probationary period shall be for a period of one (1) year from the first day of work for all new hires.
- B. When an employee successfully completes the probationary period, he/she will be placed on permanent status.
- C. If a newly hired probationary employee is found to be unqualified to perform, or will not properly perform the duties of the position, the employee may be dismissed.

The City may, at its sole discretion, terminate any employee during his initial probationary period. This does not apply to promotional probationary periods.

- D. The probationary period for an employee accepting a position as a result of a promotion shall be one hundred-eighty (180) days. The Fire Chief may extend a promotional probationary period an additional sixty (60) days providing he gives written notice to the employee and the Human Resources Department specifying the reasons for the extension of the probationary period beyond one hundred-eighty (180) days.
- E. If an employee serving a probationary trial period as a result of a promotion is found to be unqualified to perform the duties of the higher position, he/she shall be returned to the position and status held immediately prior to promotion unless there is just cause for discipline or discharge.

### **Section 3. Layoff**

- A. Whenever it becomes necessary to separate employees from City's service, the City Manager shall determine the organizational units and classifications to be affected. The order of layoff is as follows:
  - 1. Employees serving initial probationary period.
  - 2. Probationary employees promoted from a lower classification shall be returned to such lower class.
  - 3. Non-probationary employees based on seniority.
- B. Employees shall be laid off on the basis of the following factors: classification, seniority, performance ratings and the recommendation of the Fire Chief. In these circumstances the needs of the City and the Firefighter's respective skills and qualifications will also be considered.
- C. When the Fire Chief believes that a certain permanent employee is essential to the efficient operation of the Fire Department because of special skills or abilities, and wishes to retain this individual, the Fire Chief must submit a written request to the City Manager for permission to do so. Only if the City Manager approves the request, may the individual be retained under this exception.
- D. Any employee who is to be laid off will be given ten (10) business days' notice or as much advance notice as possible depending upon the circumstances at the time.
- E. Duties performed by an employee laid off may be reassigned to other employees already working.

**Section 4. Recall**

- A. Probationary employees laid off shall have their names placed on the eligible register from which they came in order of the respective ranking for no more than one year.
- B. Permanent Non-probationary employees who are laid off shall have their names placed on the layoff section of the eligible list for no more than one (1) year. They shall be given first opportunity for re-employment in the class from which they were laid off in the reverse order of ranking from which the layoffs occurred. The City Manager may, at his/her sole discretion, extend the eligible list for one (1) additional year.
- C. Laid off employees who are re-employed within six (6) months from the date of layoff shall be credited with the medical leave balance accrued at the time of layoff, shall not have their eligibility for earning annual leave interrupted and shall be placed in the same pay grade and pay rate they were in at the time of layoff. If changes of grade have occurred during the time of layoff, appropriate adjustments shall be made for the individual upon return to work.
- D. The City will offer recall to laid off employees by certified mail to the last known address. Within ten (10) business days of the certified receipt date, laid off employees must signify their intention of returning to work to the Human Resources Office.
- E. Recall will be offered to laid off employees provided they can demonstrate they are physically and otherwise qualified to perform the duties of the job.

**ARTICLE 18**  
**LEAVES OF ABSENCE**

**Section 1: Sick Leave for Family Illness**

An employee may utilize his accumulated sick time due to an illness in his immediate family under the guidelines of the Family Medical Leave Act.

**Section 2: Funeral Leave**

An employee shall be allowed up to two (2) shifts off with pay in the event of a death in the immediate family to attend services and to assist in the personal affairs of the deceased if necessary, which shall be limited to spouse, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, sister-in-law, brother-in-law, stepfather, stepmother, stepbrother, stepsister, grandparents, grandson and granddaughter. The definition of immediate family shall not be more restrictive than the definition in the City Personnel Policy Manual. The mere fact of a listed relative dying does not automatically grant an employee paid funeral leave. The concept of funeral leave is for the purposes of attendance at the funeral service, mourning and/or putting the affairs of the deceased relative in order. This is not chargeable to sick leave. Any employee availing himself/herself of this section shall notify the Fire Chief or his designee of such intent as soon as possible. The employee shall provide proof of death in his immediate family as defined in this section before the compensation is approved.

**Section 3: Military Leave**

The Employer shall grant military leave as required by applicable federal and state law.

**Section 4: Union Time Off**

The designated Union representative may, upon request, be allowed 72 duty hours per fiscal year to be excused for Union business, conferences, and training. Any such request must be initiated in writing 72 hours in advance by the designated Union representative to the Fire Chief. Time off from duty under this provision must be approved by the Fire Chief or his/her designee and must be taken in not less than two (2) hour increments. In no situation shall the time off from duty result in the computation of or the payment of overtime.

**ARTICLE 22**  
**MISCELLANEOUS**

**Section 1. Safety Committee**

The Union will select a representative to be on the Fire Department's Safety Committee. The committee shall meet pursuant to Florida State Statute 633.810.

**Section 2. Pension Plan**

The City of New Port Richey and the employee organization IAFF Local 1158 recognize that the New Port Richey Firefighter Retirement System is administered under the current plan document adopted by the City, Article III, Chapter 17, Code of Ordinances. This document may be amended from time to time by amendment adopted by the City Council. The City and Union understand that pension is a mandatory subject of bargaining and can choose to bargain the pension benefit or changes to the plan or in place of bargaining both parties can agree to work through the pension board and make specific recommendations concerning the plan to the City Council. This section may be re-opened at any time during the life of this agreement upon the request of either party.

The City of New Port Richey Firefighter Retirement System provides as follows:

A. Compensation

Salary means total cash remuneration paid by the City for services rendered, but overtime payments up to three hundred hours (300). Salary does not include payments for accrued sick leave. Salary includes all tax deferred, tax sheltered or tax-exempt items of income derived from elective employee payroll deductions or salary reductions. Compensation in excess of limitations set forth in section 401(a)(17) of the code shall be disregarded.

B. Employee contribution

Each member of the System shall contribute six and one-half (6.5) percent of his or her Salary to the fund. In any year in which the City's net actuarially required contribution is less than six and one-half (6.5) percent of covered payroll, the City's and members' contributions will be adjusted so that both the City and the member's share equally in the reduction (e.g., if the City's net required contribution is scheduled to be \$20,000 less than 6.5%, then the City's contribution will be \$10,000 less than 6.5% and the members' contribution will be \$10,000 less than 6.5%).

C. Normal retirement

A member's normal retirement date shall be the first day of the month coincident with, or the next following the date he or she attains age 52 and completes ten (10)

years or more of credited service or the date he or she completes 23 years of creditable service. Tom Christian shall retain their current normal retirement date (20 years and age 50).

D. Normal Retirement Benefit

The monthly retirement benefit shall equal three and one-half (3 1/2) percent of average final compensation, for each year of credited service accrued through September 30, 2013. The monthly retirement benefit shall equal three (3) percent of Average Final Compensation for each year or part thereof of credited service accrued after September 30, 2013 through the effective date upon the adoption by the City of an ordinance implementing these amendments. The monthly retirement benefit shall equal three and one-quarter (3.25) percent of Average Final Compensation for each year or part thereof of credited service accrued after the effective date upon the adoption by the City of an ordinance implementing these amendments. The monthly retirement benefit for any member shall not exceed seventy-five (75) percent of average final compensation.

E. Early Retirement

A member shall be eligible for early retirement upon attainment of age fifty (50) and the completion of ten (10) years of credited service. Credited service and average final compensation shall be determined as of the early retirement date, but actuarially reduced to take into account the member's younger age and the earlier commencement of retirement income payments not to exceed three (3) percent for each year by which the member's age at retirement preceded the member's normal retirement age.

F. Accumulated excess Chapter 175 premium tax monies

The parties mutually consent and agree that the total amount of accumulated excess Chapter 175 premium tax monies held in reserve as of the effective date of this Agreement shall be applied to reduce the City's annual required contribution to the Firefighter Retirement System.

G. Future excess Chapter 175 premium tax revenues

The parties mutually consent and agree that the total amount of future excess Chapter 175 premium tax monies shall be applied to reduce the City's annual required contribution to the Firefighter Retirement System.

H. Share Plan

A Defined Contribution ("Share Plan") will be created by the City in consultation with the Union to implement the provisions of Section 175.351(6), Florida Statutes,



subject to the provisions of paragraphs F and G of this Section.

**I. DROP**

Going forward from the effective the date of the Ordinance's amendment, members shall be eligible to enter the DROP under the terms of Section 17-50.17 of the Firefighters' Retirement System, except that members shall be limited to a one-time irrevocable option of being credited with either interest at an effective rate of 1.5% per annum or the Retirement System's net investment

**Section 3: Insurance Plan**

The City shall provide bargaining unit employees health insurance under the same plan and terms as the City's other non-management employees. Should the employee premiums be increased by 10% or more, the Union shall have the right to reopen this Section for negotiations.

**Section 4. Inspection of Personnel Records**

Each employee shall have the right to inspect his/her own personnel records maintained by the Department and those records maintained by the Human Resources Department, during normal business hours. Employees shall also have the right to insert a written response to any negative item (disciplinary action, letter of complaint, etc.) which has been placed in their file. This response must be accomplished within 15 days of the entry of such negative item. For those items, which are placed in file without the employee's knowledge the fifteen (15) day period shall commence upon the inspection of the records when said item was found.

**Section 5. City Reimbursement for new hire expenses:**

Any employee that leaves the employ of the City prior to completion of his/her probation shall reimburse the City for all costs incurred as a result of preparing the employee for employment with the City. This includes, but is not limited to New Employment Physicals and Hepatitis Series Injections. However, this shall not apply if the employee is laid-off or terminated by the department.

**Section 6. Employment Agreements:**

The Union recognizes all employment agreements as binding for newly hired personnel currently in effect, as well as newly issued agreements to new employees (of the same nature as current agreements) as necessary due to hiring of new personnel.

**ARTICLE 23**  
**UNIFORM ISSUE**

**Section 1: I.A.F.F. Pins**

All members of the bargaining unit may wear one (1) I.A.F.F. pin, approved by the Fire Chief, on their Class A uniform.

**Section 2: Uniforms**

**A. Initial Issue**

The following items will be issued to employees upon hire, or as soon as possible thereafter. Employees will sign an inventory list for their initial issue.

<b><u>Item</u></b>	<b><u>Quantity</u></b>
City ID Badge	1
Key Fob	1
Collar Brass	1 set
Name Tag	1
Badge	1
Dress Shirt (Class A)	2
Pants	3
T Shirts	3
Firefighting Boots	1 pair
Suspenders	1 set
Bunker Pants	1 pair
Bunker Coat	1
Firefighting Gloves	1 pair
Helmet	1
Nomex Hood	1
Air Mask	1
Polo shirt	2

**B. Replacement of Initial Issue:**

The Fire Chief may issue replacements to worn out uniforms on an annual basis. The Fire Chief shall determine what uniforms are issued on an annual basis. The Fire Chief shall determine when uniforms are issued. Only items on the initial issue list that become unserviceable through normal wear and use may be replaced on an annual basis. Any items not scheduled for annual replacement shall be the responsibility of the employee to replace. The employee shall be responsible for the cost of replacement of uniforms in excess of annual replacement. (Example: *The City is seeking to purchase 3 T-shirts, but the employee desires to receive 6 T-shirts. The cost of the additional 3 T-shirts shall be the employee's*

*responsibility.)*

**C. Misuse or Neglect of Initial Issue**

Employees will not be held personally responsible for initial issue items that become worn or unserviceable through no fault of their own. However, if in the opinion of the Fire Chief, a piece of initial issue is damaged due to abuse, carelessness or the negligent care of the employee, the employee will be personally liable for either the replacement cost or the fair market value of the item, whichever is less.

**D. Turn-in of Initial Issue**

Employees who retire, are terminated, or leave the employment of the Department, will return their initial issue items prior to obtaining their final paycheck. The City reserves the right to withhold an amount from the final paycheck that is sufficient to reimburse it for the cost of all initial issue items not returned. The Fire Chief shall have the right to allow a member who achieves normal retirement to keep their City-issued helmet upon their date of retirement.

**Section 3 Subsequent Issue**

From time to time, the City may, in its sole discretion, issue subsequent items to employees. Subsequent issue items will be categorized as “City Permanent Issue” or “Employee Permanent Issue” at the time of issue.

- A.** “City Permanent Issue Items” are those that must be returned to the City upon termination, separation or retirement. These items will be added to the employee’s initial issue inventory. Sections 2 B, C, and D of this Article will apply to these items.
- B.** The following items are defined as ‘Subsequent Issue Items’ and are to be added to the employee’ inventory list, when issued, and shall be designated as “City Permanent Issue.”

<u>Item</u>	<u>Quantity</u>
Sweatshirt	1
Long Sleeve Dress Shirt	1
Light Jacket	1
Dress Pants	1
Dress Shoes	1
Polo Shirt	up to 3 for officers up to 3 for FF up to 2 for part-time
Tee Shirts Long Sleeve and/or Short Sleeve	2 for career 1 for part-time

Tactical Pants	up to 3 pairs for career 1 pair for part-time
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- C. "Employee Permanent Issue Items" are items that need not be returned to the City upon termination, separation or retirement. These items do become part of the employee's uniform; however, turn in of these items will not be required.

#### **Section 4.**

##### **A. Station Footwear**

The Fire Chief will approve footwear and provide this information to the employees, based on recognized standards. Employees shall have the option of (1) purchasing the footwear designated on this approved list without Fire Chief's approval or (2) prior to purchasing footwear not on the list, obtaining the approval of the Fire Chief. The Fire Chief or his designee shall approve footwear (black in color) that meets ANSI Z41-1991 & ANSI Z41-1999 Footwear Standards and appearance. The employee is required to wear an approved shoe during all work-related on-shift duties.

##### **B. Fire Helmets**

The Fire Chief may authorize employees to utilize a non-issue Fire Helmet if in the opinion of the Fire Chief, the helmet meets or exceeds the helmet issued by the Department with regards to safety and appearance. The Fire Chief reserves the right to require employees to revert back to the initial issue helmet at any time, for any reason. The City shall not be responsible for the initial cost or any replacement cost of said helmet. Only Department issued decals shall be placed on the helmet. Any changes shall require Fire Chief's approval.

#### **Section 5. Procedures**

- A. Additional equipment issues, not defined above will no longer occur unless authorized by the Fire Chief.
- B. Initial Issue items or Subsequent Issue items will not be changed in any manner that will cause them to vary from standards.
- C. Uniforms will be worn only when on duty and/or when representing the Department or the City with permission of the Fire Chief's office. At no time will any uniform or parts of uniform clothing be worn off duty without the express permission of the Fire Chief's office.
- D. All uniform clothing items will be laundered at the station except as specifically noted elsewhere. The City assumes the responsibility for cleaning Bunker Gear. If a uniform becomes dirty or damaged due to the carelessness, neglect or fault of the

employee, the employee will assume the responsibility and cost for professionally cleaning or replacing the item.

- E.** Any item or clothing worn on duty or as part of any class of uniform that is not issued must be approved by the Fire Chief's office.
- F.** Any non-issued approved uniform items or clothing worn on duty must meet all infectious requirements and guidelines before they can be removed from the station.
- G.** Employees are subject to periodic checks of their initial issue and subsequent issue items to ensure that they are serviceable, presentable and are in their possession.
- H.** The following items will not be issued to individuals, but will be maintained as community property within the Department.

- Rain Coats
- Safety Goggles
- Window Punch
- Heavy Jackets
- Pocket Spanner

**ARTICLE 32**  
**DURATION, MODIFICATION, AND TERMINATION**

**Section 1.** This Agreement shall be effective upon ratification by both parties and shall continue in full force and effect until the 30<sup>th</sup> day of September 2026, **subject to the reopeners listed in this Contract.** At least one hundred and twenty (120) days prior to the expiration of this Agreement, either party hereto shall notify the other in writing, of its intentions to modify, amend, or terminate this Agreement.

**Section 2.** Subject to the restrictions contained within the specific articles of this agreement, each party may re-open up to two (2) Articles in the second and third years of this agreement.

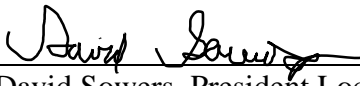
**ATTESTATION**

Executed this \_\_\_\_ day of \_\_\_\_\_, 2024 in Pasco County, Florida

**For the City of New Port Richey,**

**For Clearwater Firefighters Association, Florida  
Local 1158, IAFF**

\_\_\_\_\_  
Debbie L. Manns, City Manager

  
\_\_\_\_\_  
David Sowers, President Local 1158

Judy Meyers, City Clerk

  
Corbin Mitchell, Vice Pres. Local 1158

\_\_\_\_\_  
Alfred Davis, Mayor

**Appendix A Career Ladder**  
**New Port Richey Fire Dept. Career Ladder Step Plan Effective 10/01/2023**

<b>FF/EMT</b>			
	<b>Career Step</b>	<b>Hourly Rate</b>	<b>Est Annual</b>
	Prob FF	16.2048	\$48,614.40
	FFI	17.3759	\$52,127.55
	FFII	18.5047	\$55,514.10
	FFIII	19.8762	\$59,628.60

<b>FF/Paramedic</b>			
	<b>Career Step</b>	<b>Hourly Rate</b>	<b>Est Annual</b>
	Prob FF	18.9584	\$56,875.20
	FFI	20.2033	\$60,609.90
	FFII	21.4587	\$64,376.10
	FFIII	23.2522	\$69,756.60
	FFIV	25.2356	\$75,706.80
	FFV	25.7209	\$77,162.70
	FFVI	26.1324	\$78,397.20
	FFVII	26.5438	\$79,631.40
	FFVIII	26.9553	\$80,865.90

<b>Captain /Paramedic</b>			
	<b>Career Step</b>	<b>Hourly Rate</b>	<b>Est Annual</b>
	Prob. Capt.	25.8053	\$77,415.90
	Capt. I	26.2062	\$78,618.60
	Capt. II	26.9869	\$80,960.70
	Capt. III	28.2846	\$84,853.80
	Capt. IV	29.8776	\$89,632.80

<b>Part-time Firefighter/EMT</b>	
<b>Current</b>	<b>New</b>
<b>Hourly Rate</b>	<b>Hourly Rate</b>
\$15.00	\$15.83

<b>Part-time Firefighter/Paramedic</b>	
<b>Current</b>	<b>Proposed</b>
<b>Hourly Rate</b>	<b>Hourly Rate</b>
\$16.50	\$17.41



## APPENDIX B

### FIREFIGHTER CAREER LADDER PROGRAM

<b>Designation</b>	<b>Time requirements</b>	<b>Educational Requirements</b>	<b>Testing Information</b>
Probationary Firefighter	From hire through one year	any conditions of employment	Exam may be scheduled just prior to their anniversary date
Firefighter I	Completion of probation	Department Information, SOGs any conditions of employment	May be scheduled 3 months prior to their anniversary date (in previous step)
Firefighter II	Completion of 12 months as FF I	Tested by Department	May be scheduled 3 months prior to their anniversary date (in previous step)
Firefighter III	Completion of 18 months as FF II	Completion of one of the required Pump Operators Courses or any other 40 hr approved class	No test upon satisfactory completion of course
Firefighter IV	Completion of 18 months as a FF III	Completion and Certification as a Pump Operator by the State	State Certification Test for Pump Operator
Firefighter V	Completion of 2 Years as a FF IV	Courses as approved by the Fire Chief; replaced with Fire Officer I Certification by State effective 10/1/25	May be scheduled 3 months prior to their anniversary date (in previous step) or Satisfactory completion of an approved class; replaced with Fire Officer I effective 10/1/25
Firefighter VI	Completion of 2 Years as a FF V	Courses as approved by the Fire Chief	May be scheduled 3 months prior to their anniversary date (in previous step) or Satisfactory completion of an approved class
Firefighter VII	Completion of 30 months as a FF VI	Courses as approved by the Fire Chief	May be scheduled 3 months prior to their anniversary date (in previous step) or Satisfactory completion of an approved class
Firefighter VIII	Completion of 3 Years as a FF VII	Courses as approved by the Fire Chief	May be scheduled 3 months prior to their anniversary date (in previous step) or Satisfactory completion of an approved class

**Appendix C**  
**Fire Captains Career Ladder**

Designation	Time requirements	Educational Requirements	Testing Information
Probationary Captain	Minimum 6 months for promotions; minimum 12 months for new hires	Any conditions of employment for the position	No test upon satisfactory completion of probation
Fire Captain I	Completion of probation	Florida Incident Safety Officer Certification	Task Book/Performance Evaluation
Fire Captain II	3 years as a Fire Capt I	Florida Fire Service Instructor I Certification by State	State Exam/Performance Evaluation
Fire Captain III	3 years as a Fire Capt II	Fire Officer II	Fire Officer II
Fire Captain IV	3 years as a Fire Capt III	Fire and Lifesafety Educator Certification by State	State Exam/Performance Evaluation