



NOTICE
A SPECIAL MEETING OF THE CITY COUNCIL OF
THE CITY OF NEW PORT RICHEY

WILL BE HELD ON

Monday, October 21, 2024 AT 4:30 PM
NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS
5919 MAIN STREET, NEW PORT RICHEY, FLORIDA

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. (ES.286.0105)

TO THE MEMBERS OF THE CITY COUNCIL OF NEW PORT RICHEY, FLORIDA

TO THE CITY MANAGER, TO THE CITY CLERK, TO THE DEPARTMENT HEADS, TO THE CITY ATTORNEY, TO THE CITY ENGINEER OF SAID CITY

Notice is hereby given that I, Alfred C. Davis, Mayor-Councilmember of New Port Richey, Florida, do hereby call a SPECIAL MEETING of the City Council of New Port Richey, Florida at 4:30 PM on Monday, October 21, 2024, at City Hall, 5919 Main Street, New Port Richey, Florida.

ORDER OF
BUSINESS

1. Call to Order – Roll Call
2. Pledge of Allegiance
3. Moment of Silence
4. Public Reading of Ordinances
 - a. Emergency Ordinance No. 2024-2312: Consider Approving an Emergency Ordinance to Provide for the Definition of Substantial Improvement - Page 3
5. Business Items
 - a. Resolution No. 2025-06: Extending Local State of Emergency for Hurricane Milton - Page 7
6. Communications
7. Adjournment



Alfred C. Davis, Mayor-Council Member

Agendas may be viewed on the City's website: www.citynpr.org This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, all persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk, 727-853-1021, not later than four days prior to said proceeding.



NEW PORT RICHEY

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

TO: City of New Port Richey City Council
FROM: Debbie L. Manns, ICMA-CM, City Manager
DATE: 10/21/2024
RE: Emergency Ordinance No. 2024-2312: Consider Approving an Emergency Ordinance to Provide for the Definition of Substantial Improvement - Page 3

REQUEST:

The request is for City Council to adopt an emergency ordinance to provide for the definition of substantial improvement.

DISCUSSION:

This agenda item will be presented to you in detail at your special meeting on October 21, 2024.

RECOMMENDATION:

Staff recommends that City Council adopt the emergency ordinance as submitted.

BUDGET/FISCAL IMPACT:

No funding is required for this item.

ATTACHMENTS:

Description	Type
□ Emergency Ordinance No. 2024-2312: Consider Approving an Emergency Ordinance to Provide for the Definition of Substantial Improvement	Ordinance

EMERGENCY ORDINANCE NO. 2024-2312

AN EMERGENCY ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF SECTION 22.09.00 OF ARTICLE II OF CHAPTER 22 OF THE LAND DEVELOPMENT CODE, PERTAINING TO DEFINITIONS OF TERMS IN THE FLOOD DAMAGE PREVENTION CODE; PROVIDING FOR AMENDMENT OF THE DEFINITION OF SUBSTANTIAL IMPROVEMENT; PROVIDING FOR REDUCTION OF THE REVIEW PERIOD FOR SUBSTANTIAL IMPROVEMENTS FROM FIVE (5) YEARS TO TWO (2) YEARS; PROVIDING FOR FURTHER REVIEW OF THE PROVISIONS HEREOF AS A NON-EMERGENCY ORDINANCE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of New Port Richey has experienced two (2) hurricanes in a short span of time known as Hurricane Helene and Hurricane Milton;

WHEREAS, the hurricanes have caused catastrophic damage to many properties in the City;

WHEREAS, on September 23, 2024 the Governor of Florida declared a state of emergency in Executive Order No. 24-208 due to the impacts of Hurricane Helene;

WHEREAS, on September 24, 2024 the City Council approved Resolution Number 2025-02 declaring a local state of emergency due to the impacts of Hurricane Helene;

WHEREAS, on October 4, 2024 the Governor of Florida declared a state of emergency in Executive Order No. 24-214 due to the impacts of Hurricane Milton;

WHEREAS, on October 7, 2024 the City Council approved Resolution Number 2025-04 declaring a local state of emergency due to the impacts of Hurricane Milton;

WHEREAS, the local state of emergency has been extended by the City Council;

WHEREAS, the City Council has found numerous properties in the City have suffered damage from these two hurricanes, and those property owners will be profoundly impacted by any consideration of repairs or improvements to their property made over two (2) years ago;

WHEREAS, including repairs or improvements made to properties more than two (2) years ago for calculation of substantial improvement for floodplain management purposes will

inordinately burden many property owners throughout the city who have suffered serious losses from these storm events;

WHEREAS, the City Council hereby finds that the matters contained within this ordinance constitute an emergency that must be addressed to assist property owners, many of whom will be unable to reside in their homes otherwise;

WHEREAS, this ordinance has been approved by a two-thirds majority of the City Council in accordance with Section 166.041(3)(b) Florida Statutes; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police powers.

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

SECTION 1. Amendment. Section 22.09.00 of Article II of Chapter 22 of the Land Development Code of Ordinances, pertaining to the definition of substantial improvement and providing as set forth hereafter, is hereby amended as follows (strikeout text is deleted and underlined text is added):

Substantial improvement. Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a two-year ~~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.

SECTION 2. Enforcement. The provisions of this Ordinance shall be enforced as otherwise provided in the Code of Ordinances.

SECTION 3. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

SECTION 4. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

SECTION 5. Effective Date. This ordinance shall take effect immediately on October 21, 2024 after its adoption as provided by law.

SECTION 6. Further Review. The provisions of this ordinance shall be further reviewed through the regular process of adoption of zoning code amendments and may be repealed or extended through said process.

The foregoing Ordinance was duly read and approved on October 21, 2024.

ATTEST:

By: _____
Judy Meyers, MMC, City Clerk

By: _____
Alfred C. Davis, Mayor-Council Member

(Seal)

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

Timothy P. Driscoll, City Attorney CA Approved 10-18-24



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: 10/21/2024
RE: Resolution No. 2025-06: Extending Local State of Emergency for Hurricane Milton - Page 7

REQUEST:

The request is for City Council to approve a resolution which extends the local state of emergency due to Hurricane Milton.

DISCUSSION:

On October 4, 2024, Florida Governor Ron DeSantis issued Executive Order No. 24-214 which declared a state of emergency across several counties, of which Pasco County was included, in advance of Hurricane Milton. On October 7, 2024, City Council conducted a special meeting to declare a local state of emergency due to the impending storm. The local state of emergency went into effect as of 12:01 a.m. on October 8, 2024 for seven days. City Council conducted a special meeting on October 14, 2024 to extend the local state of emergency as the City is still in its recovery efforts from not only Hurricane Milton but the previous Hurricane Helene. As such, staff is requesting that City Council approve another extension on the local state of emergency pursuant to the provisions of Section 252.38(3)(a)(5), Florida Statutes, which states that a municipality has the authority to declare a state of local emergency for a period of time up to seven (7) days, which may be extended as necessary in seven (7) day increments. The attached resolution shall go into effect as of 12:01 on Tuesday, October 22, 2024 and shall remain in effect until 12:00 a.m. on Monday, October 28, 2024.

RECOMMENDATION:

Staff recommends that City Council approve a resolution which extends the local state of emergency due to Hurricane Milton until 12:00 a.m. on Monday, October 28, 2024 as submitted.

BUDGET/FISCAL IMPACT:

No funding is required for this item.

ATTACHMENTS:

Description	Type
☐ Resolution No. 2025-06: Extending Local State of Emergency for Hurricane Milton	Backup Material

RESOLUTION NO. 2025-06

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA DECLARING AND EXTENDING A LOCAL STATE OF EMERGENCY DUE TO THE IMPACTS ASSOCIATED WITH HURRICANE MILTON WHICH MOVED ACROSS THE STATE OF FLORIDA; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on October 4, 2024, Florida Governor Ron DeSantis issued Executive Order No. 24-214 declaring a state of emergency due to the impacts associated with Hurricane Milton which moved across the State of Florida;

WHEREAS, on October 7, 2024 City Council approved Resolution No. 2025-04 which declared a local state of emergency due to the impacts associated with Hurricane Milton, which was subsequently extended on October 14, 2024 by Resolution No. 2025-05; and

WHEREAS, pursuant to the provisions set forth in Section 252.38(3)(a)(5), Florida Statutes, a municipality has the authority to declare a state of local emergency for a period of time up to seven (7) days, which may be extended as necessary in seven (7) day increments, and to waive the procedures and formalities otherwise required of political subdivisions by law pertaining to:

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of New Port Richey that the state of local emergency is hereby extended for a period of time up to seven (7) days effective as of 12:01 a.m. October 22, 2024, at which time the period may be extended as necessary in additional seven (7) day increments for a period of time up to seven (7) days by subsequent resolution, and all territory within the legal incorporated boundaries of the City of New Port Richey, Pasco County, Florida shall be embraced by the provision of this emergency resolution.

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

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

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

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

DATED THIS 21st day of October, 2024.

ATTEST:

Judy Meyers, MMC, City Clerk

Alfred C. Davis, Mayor

Approved as to form:

Timothy P. Driscoll, City Attorney