



CITY COUNCIL WORKSHOP
JANUARY 12, 2010 – 6:30 P.M.

CALL TO ORDER – Mayor Richard Rober

ROLL CALL – City Clerk Shirley Dresch

AGENDA

1. Discussion on Noise Regulations
 - a. Decibels
 - b. Loud Speakers
 - c. Disturbing the Peace

CITY COUNCIL WORKSHOP
JANUARY 12, 2010

AGENDA ITEM NO. 1 DISCUSSION ON NOISE REGULATIONS

 INFORMATION ONLY

 x **ACTION REQUESTED**

ISSUE: This item was requested by Council at a previous meeting

- ATTACHMENTS:**
1. Copy of notices to businesses
 2. Minutes from November 10, 2009 Council meeting
 3. Copy of Draft for section of Noise Ordinance regarding Loudspeakers and Amplifiers
 4. Copy of current City Code on Noise
 5. Copy of ordinances and decibel levels from other jurisdictions

ANALYSIS: N/A



CITY COUNCIL MEETING
TUESDAY, JANUARY 12, 2010 – 7:30 P.M.
COUNCIL CHAMBERS/CITY HALL

CALL TO ORDER – Mayor Richard Rober

INVOCATION – Pastor Ellis Bond, First Baptist Church of Port Richey

PLEDGE OF ALLEGIANCE – Mayor Richard Rober

ROLL CALL – City Clerk Shirley Dresch

APPROVE COUNCIL MINUTES – Workshop & Council Meeting of 12/08/09

ANNOUNCEMENTS – City Manager, City Attorney & Chief of Police (CPOP)

COMMENTS FROM THE GENERAL PUBLIC

COMMENTS FROM THE MAYOR & CITY COUNCIL

AGENDA

PROCLAMATIONS

Albinism Awareness Month

REPORTS OF BOARDS & COMMITTEES

1. Port Authority Board
2. Charter Review Committee Report

MISCELLANEOUS

3. Update on TraffiPax – Brent Edwards, TraffiPax Project Manager
4. Dredging
 - A. Authorize expenditure for Dredging – Chemical Analysis
 - B. Authorize expenditure for Government Services Group (information requested by Councilman Abts – if Council deems appropriate)
5. Appointment & Filling of Vacancies on Boards & Committees
6. Award Broker of Record for Insurance
7. Consider BOA recommendation on Variance for 5711 Regis Ave.
8. Modification No. 7 to Subgrant Agreement with DCA (5105 Bay Blvd. – Czilak)
9. Modification No. 5 to Subgrant Agreement with DCA (Warfel)
10. Discussion on Resolution No. 09-13 – Special Assessment Non-Ad Valorem Tax
11. Discussion on Potential Dredge disposal sites
12. Discussion of Current Dredge Permits

13. Discussion on City Newsletter
14. Employee Health Insurance
15. Discussion on City Manager communication with Council
16. Discussion on Council Policy for requesting Agenda Items
- 17 Approval of purchase of police car funded by DOT grant

ORDINANCES & RESOLUTIONS FOR PUBLIC HEARING

18. Ordinance No. 10-445-B - Ballot Language for 3 Year Term of Office
19. Ordinance No. 10-445-C - Ballot Language for Super Majority Vote
20. Ordinance No. 10--613 - Emergency Status
21. Resolution No. 10-01 - Support for National Guard & Reserve

ADJOURN

If a person decides to appeal any decision made by a board or council with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727 816-1900, ext. 111 or fax a written request to 727 816-1916 with a twenty-four (24) hour notice.

City Council Meeting
JANUARY 12, 2010

AGENDA ITEM NO. 1: PORT AUTHORITY BOARD REPORT

INFORMATION ONLY

ACTION REQUESTED

ISSUE: No report due at this time. The December meeting was cancelled.
The next meeting is scheduled for January 19, 2010.

ATTACHMENTS: N/A

ANALYSIS: N/A

**City Council Meeting
JANUARY 12, 2010**

AGENDA ITEM NO 2: CHARTER REVIEW COMMITTEE REPORT

INFORMATION ONLY

ACTION REQUESTED

ISSUE: No report due. January 6, 2010 meeting was cancelled due to lack of a quorum. The next meeting is scheduled for Wednesday, February 3, 2010.

ATTACHMENTS: N/A

City Council Meeting
JANUARY 12, 2010

AGENDA ITEM NO 3: UPDATE ON TRAFFIPAX

X INFORMATION ONLY

 ACTION REQUESTED

ISSUE: The City Manager and the Council have requested that TraffiPax provide an update at each Council meeting until the completion of the installation of the cameras takes place.

ATTACHMENTS: None –Brent Edwards, TraffiPax Project Manager will provide a verbal report

**City Council Meeting
JANUARY 12, 2010**

**AGENDA ITEM NO 4: DREDGING – UPDATE BY JOSEPH WAGNER OF
TAYLOR ENGINEERING**

- A. Authorize expenditure for Dredging – Chemical Analysis
- B. Authorize expenditure for Government Services Group
(information requested by Councilman Abts – if Council
deems appropriate)

 INFORMATION ONLY

 x ACTION REQUESTED

ISSUE: City Manager Posivach requests approval of expenditure for Item A.

ATTACHMENTS: 1. For Item A. Copy of e-mail & Work Order No. 5 from Taylor Engineering.

ISSUE: Councilman Abts requests approval of expenditure for Item B
(see B under Item #1 in Councilman Abts e-mail request of 1/4/10.
(This item is not recommended at this time by Joe Wagner of Taylor
Engineering.)

ATTACHMENTS: 1. For Item B. Copy of Council Meeting Minutes from
July 28, 2009 outlining presentation by Government
Services Group.
2. Copy of e-mail from Councilman Abts dated 1/4/10

**CITY COUNCIL MEETING
JANUARY 12, 2010**

**AGENDA ITEM NO 5: APPOINTMENT & FILLING OF VACANCIES ON
BOARDS AND COMMITTEES**

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Charter requires that in October of each year, the City Council consider the appointments for the various boards and committees.

ATTACHMENTS:

1. List of remaining committees with vacancies
2. Copies of legislation outlining number of required members

**CITY COUNCIL MEETING
JANUARY 12, 2010**

AGENDA ITEM NO 6: AWARD BROKER OF RECORD FOR INSURANCE

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Council will consider proposals for a Broker of Record.

ATTACHMENTS:

- . Wells Fargo Insurance Services Proposal
- . Gehring Group Proposal
- . The Bailey Group Proposal
- . Nelson Benefits Group Proposal

ANALYSIS: The City issued an RFP on October 6, 2009 for a Broker of Record. Currently, the City utilizes Wells Fargo Insurance Services as the City's Insurance Broker for the various employee insurance benefits (i.e., medical, dental, AD&D, life, short term disability and vision).

The City received four (4) proposals in response to the RFP for Broker of Record. A panel of three (3) staff members evaluated the proposals based on seven (7) specific criteria points as listed in the RFP. The panel also felt it was necessary to obtain references in order to finalize their recommendation.

STAFF RECOMMENDATION: Staff recommends the Gehring Group to serve as the City's Broker of Record.

**CITY COUNCIL MEETING
JANUARY 12, 2010**

**AGENDA ITEM NO 7: **CONSIDER BOA RECOMMENDATION ON VARIANCE
FOR 5711 REGIS AVENUE****

___ INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: Beverly Trudell request for a variance to reduce the required 25 ft. Setback from the front property line to a minimum of 6.9 ft. from the Front property line for the purpose of completing the construction of a 14 ft. X 16 ft. free standing deck/carport.

ATTACHMENTS: 1. Copy of Resolution No. 09-14 – BOA recommendation
2. Copy of Minutes from BOA meeting of December 21, 2009
3. Copy of Variance Application with attachments

**City Council Meeting
JANUARY 12, 2010**

**AGENDA ITEM NO 8: MODIFICATION NO. 5 TO DCA SUBGRANT AGREEMENT
#FMA-PJ-04-FL-2005-020 (Contract Agreement 07-FM-
71-68-61-02-117– 5105 Bay Blvd. (Czilak)**

 X INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Council will consider a time extension modification to a previously approved Subgrant Agreement between the Florida Department of Community Affairs (DCA) - Division of Emergency Management and the City of Port Richey, Florida, for flood mitigation to Rosemary Czilak's residential property at 5105 Bay Blvd.

- ATTACHMENTS:**
1. **Copy of the Modification Agreement** (Please note the original contract was not included within the Council's packet due to its size, but is available upon request)
 2. E-Mail from Paige Johnson at the Dept. of Community Affairs requesting approval of the proposed modification.

ANALYSIS: Currently, the City participates in the Federal Emergency Management Agency (FEMA) Flood Mitigation program to assist City homeowners that have had repetitive flood damage (2 or more claims valued at more than \$1,000 each). This program provides eligible homeowners to apply for grant funding to assist with mitigating (elevating) their home to protect from further flooding. The FEMA grant program provides the eligible homeowner with 75% of the migration costs provided that the homeowner contributes the remaining 25%.

Following funding approval by FEMA, the State of Florida (DCA) administers the mitigation grant funding program and enters into a Federally Funded Subgrant Agreement with the City to oversee the approved mitigation project's construction. The City then enters into a separate Secondary Agreement with the homeowner/recipient to protect the City and provide grant funding distribution. During the mitigation construction process, the homeowner/recipient is responsible for providing construction receipts that are then forwarded to the FDCA for validation and reimbursement. Once

FDCA provides reimbursement approval, the DCA forwards the reimbursement to the City to then be distributed to the homeowner/recipient. The City acts as a pass through for the mitigation grant funding from FEMA and the DCA.

The City in August of 2006, entered into a Subgrant Agreement with DCA for mitigation of several residential properties within the City, which included the Czilak residential property. Periodically, the mitigation process results in requirements for extension of the time limits of the grant in order for the property owner to secure the necessary 25% funding required under the grant to complete the project. The DCA has notified the City that there are remaining funds in the original grant and they are willing to consider an additional extension of time in order to provide that the property owner achieves receipt of a Certificate of Occupancy before the grant is closed out. They have authorized a modification to the existing Subgrant Agreement with the City. The City will not be required to amend its Secondary Agreement with the property owner as a result of this modification.

**City Council Meeting
JANUARY 12, 2010**

**AGENDA ITEM NO 9: MODIFICATION NO. 5 TO DCA SUBGRANT AGREEMENT
#FMA-PJ-04-FL-2006-005 (Contract Agreement 07-FM-
72-08-61-02-407 – 5426 Miles Blvd. - Warfel**

_ ___ INFORMATION ONLY

X ___ ACTION REQUESTED

ISSUE: The City Council will consider a time extension modification to a previously approved Subgrant Agreement between the Florida Department of Community Affairs (DCA) - Division of Emergency Management and the City of Port Richey, Florida, for flood mitigation to Mark & Kelly Warfel's property at 5426 Miles Blvd.

ATTACHMENTS: 1. **Copy of the Modification Agreement** (Please note the original contract was not included within the Council's packet due to its size, but is available upon request)
2. E-Mail from Paige Johnson at the Dept. of Community Affairs requesting approval of the proposed modification.

ANALYSIS: Currently, the City participates in the Federal Emergency Management Agency (FEMA) Flood Mitigation program to assist City homeowners that have had repetitive flood damage (2 or more claims valued at more than \$1,000 each). This program provides eligible homeowners to apply for grant funding to assist with mitigating (elevating) their home to protect from further flooding. The FEMA grant program provides the eligible homeowner with 75% of the migration costs provided that the homeowner contributes the remaining 25%.

Following funding approval by FEMA, the State of Florida (DCA) administers the mitigation grant funding program and enters into a Federally Funded Subgrant Agreement with the City to oversee the approved mitigation project's construction. The City then enters into a separate Secondary Agreement with the homeowner/recipient to protect the City and provide grant funding distribution. During the mitigation construction process, the homeowner/recipient is responsible for providing construction receipts that are then forwarded to the FDCA for validation and reimbursement. Once FDCA provides reimbursement approval, the DCA forwards the reimbursement to the City to then be distributed to the homeowner/recipient. The City acts as a pass through for the mitigation grant funding from FEMA and the DCA.

The City in August of 2006, entered into a Subgrant Agreement with DCA for mitigation of several residential properties within the City, which included the Warfel residential

property. Periodically, the mitigation process results in requirements for extension of the time limits of the grant in order for the property owner to secure the necessary 25% funding required under the grant to complete the project. The DCA has notified the City that there are remaining funds in the original grant and they are willing to consider an additional extension of time in order to provide that the property owner achieves receipt of a Certificate of Occupancy before the grant is closed out. They have authorized a modification to the existing Subgrant Agreement with the City. The City will not be required to amend its Secondary Agreement with the property owner as a result of this modification.

**City Council Meeting
JANUARY 12, 2010**

**AGENDA ITEM NO 10: DISCUSSION ON RESOLUTION NO. 09-13 –SPECIAL
ASSESSMENT NON-ADVALOREM TAX**

INFORMATION ONLY

ACTION REQUESTED

ISSUE: Councilman Phil Abts requested this item.

- ATTACHMENTS:**
- 1. Copy of e-mail dated 1/4/2010 from Councilman Abts.**
 - 2. Copy of Resolution No. 09-13**
 - 3. Response from City Manager on #B, also see Agenda No. 4 for copy of Minutes of July 28, 2009, Government Services Group presentation regarding implementation of a special assessment for a non ad-valorem tax**
 - 4. Copy of map detailing areas affected by resolution**
 - 5. Copy of responses from City Manager**

**City Council Meeting
JANUARY 12, 2010**

AGENDA ITEM NO 11: DISCUSSION ON POTENTIAL DREDGE DISPOSAL SITES

___ INFORMATION ONLY

___ ACTION REQUESTED

ISSUE: Councilman Phil Abts requested this item.

ATTACHMENTS:

1. Copy of list proposed by the Port Authority Board
2. Copy of responses from the City Manager

**City Council Meeting
JANUARY 12, 2010**

AGENDA ITEM NO 12: DISCUSSION ON CURRENT DREDGE PERMITS

___ INFORMATION ONLY

___ ACTION REQUESTED

ISSUE: Councilman Phil Abts requested this item.

- ATTACHMENTS:**
1. Copy of list of current permits issued provided by Taylor Engineering
 2. Copies of responses from City Manager

**City Council Meeting
JANUARY 12, 2010**

AGENDA ITEM NO 13: DISCUSSION ON CITY NEWS LETTER

INFORMATION ONLY

ACTION REQUESTED

ISSUE: Councilman Phil Abts requested this item.

ATTACHMENTS:

1. Copy of two city News Letters
2. Copy of response from City Manager

**City Council Meeting
JANUARY 12, 2010**

AGENDA ITEM NO 14: EMPLOYEE HEALTH INSURANCE

___ INFORMATION ONLY

___ ACTION REQUESTED

ISSUE: Councilman Phil Abts requested this item.

ATTACHMENTS:

1. “ List of all Agent Applicants with resumes” See list provided with Agenda Item No. 6 “Award Broker of Record for Insurance”
2. Copy of response from City Manager

**City Council Meeting
JANUARY 12, 2010**

**AGENDA ITEM NO 15: DISCUSSION ON CITY MANAGER COMMUNICATION
WITH COUNCIL**

___ INFORMATION ONLY

___ ACTION REQUESTED

ISSUE: Councilman Phil Abts requested this item.

ATTACHMENTS 1. Copy of City Manager's list of active projects is being updated and will be e-mailed to Council on Monday, January 11, 2010

**City Council Meeting
JANUARY 12, 2010**

**AGENDA ITEM NO 16: DISCUSSION ON COUNCIL POLICY FOR REQUESTING
AGENDA ITEMS**

INFORMATION ONLY

ACTION REQUESTED

ISSUE: Councilman Perry Bean requested this item.

ATTACHMENTS: None

City Council Meeting
JANUARY 12, 2010

**AGENDA ITEM NO 17: APPROVAL OF PURCHASE OF POLICE CAR FUNDED BY
DOT GRANT**

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The Police Department was recently awarded a grant in the amount \$103,000 to be utilized for the purchase of a police car and manpower.

ATTACHMENTS: None

**City Council Meeting
JANUARY 12, 2010**

**AGENDA ITEM NO 18: ORDINANCE NO. 10-445-BALLOT LANGUAGE FOR 3
YEAR TERM OF OFFICE – 1ST READING**

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The Charter Review Committee recommended that the City Council consider placing the question of a 3 year term of office for council members on the April, 2010 ballot. On December 8, 2009, the City Council directed the City Attorney to draw up an ordinance to allow the question to be placed on the ballot by the Pasco County Supervisor of Elections. This is the first reading. The second and final reading will take place on Tuesday, January 26, 2010.

ATTACHMENTS: 1. Copy of Ordinance No. 10-445-B

**City Council Meeting
JANUARY 12, 2010**

**AGENDA ITEM NO 19: ORDINANCE NO. 10-445-C – BALLOT LANGUAGE FOR
SUPER MAJORITY VOTE- 1ST READING**

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The Charter Review Committee recommended that the City Council place the question of an amendment to the City Charter on the April, 2010 ballot that would require a super majority vote to initiate a dissolution ordinance and referendum. On December 8, 2009, the City Council directed the City Attorney to draw up an ordinance to have the Supervisor of Elections place the question on the ballot. This is the first reading. The second and final reading will take place on Tuesday, January 26, 2010.

ATTACHMENTS 1. Copy of Ordinance No. 10-445-C

City Council Meeting
JANUARY 12, 2010

AGENDA ITEM NO 20: ORDINANCE NO. 10-613 - EMERGENCY
MANAGEMENT POWERS - 1st Reading

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: City Manager Ellen Posivach requested this item.

ATTACHMENTS: 1. Copy of ordinance with revisions discussed on
December 8, 2009.

**City Council Meeting
JANUARY 12, 2010**

**AGENDA ITEM NO 21: RESOLUTION 01-01 – SUPPORT FOR NATIONAL GUARD
& RESERVE TROUPS**

- INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: This item was requested by the Florida Support of the Guard & Reserve,
P.O. Box 1008, St. Augustine, FL 32085-1008

- ATTACHMENTS**
1. Copy of Resolution No. 10-01
 2. Copy of Statement of Support
 3. Copy of sample resolution from the City of Coral Gablest