



CITY COUNCIL MEETING ZEPHYRHILLS, FLORIDA

**Monday, August 22, 2022
6:00 PM**

The City of Zephyrhills will maintain a quorum at the dais and host a GoToMeeting to allow the public to attend remotely.

**Please join the GoToMeeting
from your computer, tablet or smartphone:
<https://meet.goto.com/162398861>
or dial in using your phone:**

+1 (408) 650-3123 - Access Code: 162-398-861

(Please mute your phone unless you wish to speak on a specific item).

**Zephyrhills
City Hall**

**Council
Chambers**

Call to Order – Council President Jodi Wilkeson

Roll Call – City Clerk Lori Hillman

Invocation – Pastor Steve Ezra Zephyrhills First United Methodist Church

Pledge of Allegiance – Council President Jodi Wilkeson

1. CONSENT ITEMS

1.1 Approval of May 23, 2022 Regular Meeting Minutes

1. M05-23-2022
2. M05-23-2022 Exhibit 1
3. M05-23-2022 Exhibit 2
4. M05-23-2022 Exhibit 3a
5. M05-23-2022 Exhibit 3b
6. M05-23-2022 Exhibit 4

1.2 Approval of July 25, 2022 Regular Meeting Minutes

1. M07-25-2022

1.3 Approval of August 8, 2022 Regular Meeting Minutes

1. M08-08-2022

1.4 Request Approval of Quit-Claim Deed from City of Zephyrhills to Lucille Plummer

1. Request for Quit Claim Deed

1.5 Special Event Alcohol Permit for Paulie Palooza

1. Special Event Application Form (1)
2. COI - Paulie Palooza (2)
3. SKM_C36822081711290

1.6 Special Event Alcohol Permit for Music and Motorcycles

1. M&M2022 Event Appl

2. BUSINESS ITEMS/PUBLIC HEARING

2.1 Second Reading **Ordinance No. 1440-22 - ORDINANCE NO. 1440-22 "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, CHANGING THE FUTURE LAND USE CLASSIFICATION FROM CITY MU (MIXED USE) TO RU (RESIDENTIAL URBAN) AND AMENDING THE CITY'S OFFICIAL ZONING MAP, CHANGING THE ZONING DESIGNATION FROM C3 (GENERAL COMMERCIAL) TO R3 (MEDIUM DENSITY RESIDENTIAL, FOR A PORTION OF PARCELS 14-26-21-0010-03000-0100 AND 14-26-21-0010-03000-0101; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

- A. Council President opens Public Hearing**
- B. Council President closed Public Hearing**
- C. City Council considers Ordinance No. 1440-22 on the Second Reading**

1. Ordinance 1440-22 Hood Family Trust FLU Amendment and Rezoning of 38624 B. Avenue
2. Existing Zoning (1) (1)
3. Hood_EFLUMap (1)
4. Location Map_Hood (1)
5. STAFF REPORT-HOOD (1)

3. CITIZEN COMMENTS

3.1 Nick Walton - Sarah Vande Berg Tennis and Wellness Center - 2nd Annual Raise a Racquet Fundraiser

MAYOR ANNOUNCEMENTS

CITY MANAGER ANNOUNCEMENTS

CITY ATTORNEY ANNOUNCEMENTS

CITY COUNCIL COMMENTS

4. NOTED ITEMS

4.1 Depository Deposit Listing

1. City of Zephyrhills Bank Depository

ADJOURN

*** PLEASE NOTE: This is a Public Meeting. Should any interested party seek to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. F.S. 286.0105. If you are a person with a disability which requires reasonable accommodation in order to participate in this meeting, please contact the City Clerk at 813/780-0000 at least 48 hours prior to the public hearing. A.D.A. and F.S. 286.26.**

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on May 23, 2022 at 6:00 p.m. in the Council Chambers of City Hall.

President Wilkeson called the meeting to order at 5:59 p.m. Roll call was taken. Present were members Kenneth Burgess, Alan Knight, Charles Proctor, Lance Smith, Jodi Wilkeson and Mayor Whitfield. City Manager William Poe was present and City Attorney Matthew Maggard attended via GoToMeeting + 1 (408) 650-3123 – Access Code: 335-865-557.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, Finance Director Ted Beason, Public Information Officer Kevin Weiss, IT Director Mike Panak, Police K9 Officer Emile Limoges, Senior Planner Rodney Corriveau, Historic Preservation Specialist and Community Planner Audrey McGuire, GIS Technician and Community Planner Kevin Kelley, Finance Supervisor Jessica Carter and City Clerk Lori Hillman.

Pastor Nick Deford delivered the innovation. The Pledge of Allegiance followed.

1. UNFINISHED BUSINESS/PUBLIC HEARING

1.1 First Reading RESOLUTION NO. 791-22 – “A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS RELATED TO HEIGHT; APPROVING A CONDITIONAL USE TO EXCEED THE HEIGHT LIMITATIONS OF THE R4 (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICT ON PARCEL NO. 35-25-21-0010-04400-0000; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE; AND PROVIDING AN EFFECTIVE DATE.”

City Attorney Matthew Maggard read Resolution No. 791-22 by title. Historic Preservation Specialist and Community Planner Audrey McGuire said this property is approximately 12 acres located at the northwest corner of Pretty Pond and Wire Roads zoned R4 (Multi-Family Residential). The applicant is requesting to exceed the two story height limitation. The City’s Land Development Code (LDC) allows for heights in excess of the maximum established for the R4 zoning district to be considered as a conditional use. A four story mid-rise structure requires an increase in the setback of one additional foot for each additional two feet of building height above 30 feet and the applicant has met the setback on the proposed conceptual plan. The applicant will submit information to the Federal Aviation Administration (FAA) to assure the proposed buildings do not exceed the height limitations determined to protect the approach and clear zones of the Zephyrhills Municipal Airport. Staff did not find any adverse impacts contributing to the deterioration of quality of life or property values in the immediate neighborhood based on the character of the existing land use patterns of single-family residential which included the three story Zephyr Commons Apartments, the three story American House Assisted Living facility and the three-story Grand Reserve Apartments. The proposed conditional use will not create or excessively increase traffic or parking congestion or otherwise affect public safety. The site has suitable drainage, access, ingress and egress, off-street parking and loading areas. Signage and lighting will not affect surrounding areas and it is not considered to be a negative impact to health, safety or welfare of the surrounding community area. The applicant has agreed to conditions for additional landscape buffering, enhanced architectural features, turn lanes at the project entrances and will contribute to the Wire Road and Pretty Pond Road intersection improvements. Staff recommended Council’s approval.

A public hearing was held and applicant’s attorney, Clark Hobby, with Hobby and Hobby, P.A. – 109 N. Brush Street – Tampa, FL submitted supplemental documents to City Clerk Lori Hillman to be entered into the record (Part 5.04.00 Transportation System Level of Service marked as Exhibit 1, Part 5.01.00 Consistency and Concurrency marked as Exhibit 2, Staff Report for Nick Apartments Conditional Use dated March 9, 2022 marked as Exhibit 3a, March 28, 2022 Regular Council Meeting Minutes marked as Exhibit 3b, and Resolution 778-21 marked as Exhibit 4.

Lance Smith moved to receive and file the supplemental documents submitted into the record by the applicant’s attorney, Clark Hobby. Seconded by Alan Knight. Motion passed unanimously.

Spoke from the floor Clark Hobby - Hobby and Hobby, P.A. – 109 N. Brush Street – Tampa, FL

Attorney Hobby said the applicant is requesting a conditional use relating to height. He stressed that every site is different and the extra height on this site will allow the applicant to create large setbacks that will benefit the surrounding properties. He highlighted a conceptual plan depicting a front setback of 94 feet in lieu of 40 feet, 116 feet on the east in lieu of 20 feet, 67 feet on the west in lieu of 20 feet and 229 feet on the north in lieu of 25 feet, noting the northern boundary is adjacent to the largest amount of single-family residential homes. He said a transportation study is not required based on the maximum number of units and is deemed de minimis under the City's Land Development Code (LDC). However, the applicant has agreed to fund one quarter of the roundabout at Pretty Pond Road and Wire Road for intersection improvements. This is an offsite improvement and the City has no legal ability to extract that from the applicant but in an effort to be a good neighbor, the applicant wants to make sure they are not creating traffic issues. This is not fee credible and is out of the applicant's pocket. While traffic work shows there is no requirement for a left turn lane into the site, the applicant will build left turn lanes in the amount of \$300,000, approximately, for transportation improvements not required by the City. He requested a change to condition 6D - hardy board construction siding changed to stone on the bottom level and stucco construction above to make an architectural commitment. The tone has already been set for this area which is a very dense and intense area. He said this area of Zephyrhills is not suburbanizing, it's urbanizing.

Spoke from the floor: Elizabeth Rodriguez – 18156 Sandy Point Drive – Tampa, FL

Ms. Rodriguez said the applicant is not required to perform a full traffic study based on the number of daily trips and is deemed de minimis but the applicant will be making a proportionate share contribution toward the roundabout and will build two turn lanes above and beyond what is required by the City.

Spoke from the floor: Civil Engineer Cody Boggart – New Kirk Engineering – 1230 N. US 1 – Ormond Beach, FL

Mr. Boggart said the site plan was originally designed with ten foot buffers around the project and recently enlarged to 15 Type B for more plantings. He said the site has suitable drainage, access, ingress, egress, off street parking and loading areas and the applicant is providing the screening and buffering to prevent any interference with the surrounding uses in the area. Safe circulation has been provided internally through the site with added turn lanes and safe external traffic functions. He said there will be positive outfall for drainage to the south and the applicant will maintain a lack of adverse impacts to the southern properties by assuring there is no point discharging.

Councilman Burgess said development is the life blood of the City and Council has to make sure they are mitigating growth. He said developers and their representatives want to maximize the number of units on a piece of property for the most efficient price. The City has an ordinance that states no more than two stories on building height. He said he would not be supportive of a four story conditional use. He said his issue is simply density and he has to manage growth by adhering to the City's ordinances.

Spoke from the floor Clark Hobby - Hobby and Hobby, P.A. – 109 N. Brush Street – Tampa, FL

Attorney Hobby said this project is in the Euclidean zoning area and the maximum density is determined by the City's code; this is solely an issue with the height.

Council Vice President Smith said under the Euclidean code, the City may have a project that follows the code to a T without an applicant willing to build turn lanes or contribute to the roundabout. The City would have the impact of the project without any benefit of transportation and buffer improvements. The development is not increasing density and will create apartments needed for hospital employees. If there is any place in Zephyrhills the City would build a four story building, this would be the area. He said if he has to make a choice between an apartment

complex of 120 with no road improvements, no roundabout, with smaller buffers, it's an easy decision.

Signed up to Speak from the floor: Kevin Bahr – 37545 Skyridge Circle – Dade City, FL
Mr. Bahr said he is on the Planning Commission and voted in favor of this project but did not sleep the night he made the decision. He said the City of Zephyrhills has a limited amount of land and are in a critical time right now with projects they are approving. He said the Planning Commission has requested staff lower the density from 20 to 14 units per acre for future development.

Council President Wilkeson agreed that Council needs to look at reducing the density and increasing lot sizes to 50' instead of 40'. She also thinks that Council needs to talk seriously about tapping the breaks on future development.

Lance Smith moved to approve Resolution No. 791-22 on the First Reading. Seconded by Alan Knight. Motion passed 3-2, Councilman Burgess and Councilman Proctor were opposed.

2. CONSENT ITEMS

2.1 Approval of May 9, 2022 Regular Meeting Minutes

2.2 Approval of May 9, 2022 Workshop Minutes

2.3 Award Bid No. 11-22-02 and Simons Road-Phase 2 Construction Agreement No. 25-22-03 to B.R.W. Contracting, Inc.

2.4 Request Approval to Extend Current Agreement with RCM Utilities

2.5 Request Council Approval to Extend Current Agreement with Killebrew Construction

2.6 Approval of Planning Commission Board Members

Lance Smith moved to pull Consent Item 2.3 for further discussion. Seconded by Charles Proctor. Motion passed unanimously.

Charles Proctor moved to approve Consent Items 2.1, 2.2, 2.4, 2.5 and 2.6. Seconded by Kenneth Burgess. Motion passed unanimously.

CONSENT ITEM 2.3

Award Bid No. 11-22-02 and Simons Road-Phase 2 Construction Agreement No. 25-22-03 to B.R.W. Contracting, Inc.

Public Works Director Shane LeBlanc said this is a drainage prone area. He is working with Engineer Craig Cornelison on value engineering to replace box culverts that are specified with a 28 week lead time to elliptical pipe with a 14 week lead time that are less expensive. He said the drainage is complex with guardrails, gravity walls, and retaining walls. The contractor, B.R.W. Contracting is looking at 240 days completion.

Lance Smith moved to approve Consent Item 2.3. Seconded by Kenneth Burgess. Motion passed unanimously.

3. BUSINESS ITEMS/PUBLIC HEARING

3.1 Sarah Vande Berg Tennis Center Housing Developer's Agreement No. 41-22-01 First Reading SVB Housing, LLC's Healthier Stay Planned Unit Development (PUD) consists of approximately 10.15 Acres MOL (Parcel No's. 04-26-21-0000-00200-0012 and 04-26-21-0000-00200-0011) and is generally located on the west side of Simons Road, north of Crestview Landing Way. Estimated Population Density of the Development is 6.8 persons per acre. Proposed uses include: a mix single-family and townhomes at 14.0 units per acre and a maximum height of 2 stories; a 32,235 sq. ft. dormitory building (29 units) with a maximum height of 3 stories; a +/- 22,500 sq. ft. mixed-use medical/office/residential building with a maximum height of 48 feet; and

a +/-27,300 sq. ft. Indoor Multi-Purpose Recreation/Tennis Facility with a maximum height of 48 feet.

City Attorney Matthew Maggard read the Sarah Vande Berg Tennis Center Housing Developer's Agreement No. 41-22-01 by title. A public hearing was held and there were no comments from the floor.

City Manager William Poe said the Developer's Agreement sets forth specific obligations of the parties including but not limited to:

- City will provide \$176,000 in impact fee credits (transportation, park and utility impact fees);
- Developer will dedicate just over 1.6 acres to the City of which 1.083 acres will be for the construction of the SVB indoor facility, proposed as Phase II, a 27,000 square foot multi-purpose facility;
- Developer shall dedicate .542 acres of right-of-way along Simons Road;
- Developer shall be responsible for the design, engineering, and construction of the roadway improvements;
- Developer and the City will enter into a separate cross parking agreement;
- Developer shall be responsible for the design and installation of all water and sewer infrastructure. The plan is for the system to be private;
- Developer will take ownership and ongoing maintenance of lift station #69 located at the SVB Tennis Center. The lift station will be upgraded, if needed, to handle all flow from the SVB Tennis Center, SVB indoor facility, and all phases of the SVB Housing project;
- City will remove SCADA controls, panel, and tower from the lift station;
- The Developer shall be responsible for the design, engineering, and construction of all stormwater infrastructure improvements serving the project and all parking areas for the SVB indoor facility;
- City agrees to design the exterior of the indoor facility to be consistent with the SVB Tennis Center and SVB Housing development.

City Manager William Poe said there are two public hearings required for the subject Developers Agreement. The affected property owners have been noticed and the Developers Agreement has been appropriately advertised. The total impact fee credits of \$176,000 will be applied to the project over Phase I, II and III. The Developers Agreement is in compliance with the City's Land Development Code (LDC) and Florida Statutes. Staff and the City Attorney have reviewed the Developers Agreement and request Council's approval and direction to advertise the Developers Agreement for a second public hearing. He said the improvements at Eiland Blvd. and Simons Road will be a signalized intersection tied to the developer's agreement for Abbott Square. The intersection improvements are under design with construction to begin when the 100th certificate of occupancy is issued. There will be dedicated right hand turn lane along Simons Road. He said the state appropriated \$4.665M to Phase II Construction of the SVB Indoor Facility. He said the intent is for Tennis Pro Florida, who currently operates the Tennis Facility, to operate the indoor facility as well.

Kenneth Burgess moved to approve the SVB Developer's Agreement No. 41-22-01 on the First Reading. Seconded by Lance Smith. Motion passed unanimously.

4. FINANCE DIRECTOR'S REPORT

4.1 Presentation of 2021 Audit – Comprehensive Annual Financial Report

Finance Director Ted Beason introduced Marcie Reutimann with Bodine Perry who has completed the City's 2021 Fiscal Year Audit.

Spoke from the floor: Marcie Reutimann – Bodine Perry – 6815 Dairy Road – Zephyrhills, FL

Ms. Reutimann presented an overview of the 2021 Audit and stated the opinion is an

unqualified opinion which means the Financial Statements presented are materially correct. The City had a state single audit this year to assure the City is complying with grant requirements. She directed Council to their audit binder and highlighted the Independent Auditors' Report, Management's Discussion and Analysis, Statement of Net Position, Statement of Activities, Proprietary Funds, Notes to the Financial Statements, Required Supplementary Information (Auditors' Report on Internal Control), and Management Letter. She presented slides of Total Government Funds – Revenue, Total Governmental Funds Expenditures, Undesignated/Unreserved General Fund Balance, Total Proprietary Funds – Revenue, Total Proprietary Funds – Expenses and Net Assets by Activity Type. In closing, she said the City's finances look good.

Lance Smith moved to approve the 2021 Audit – Comprehensive Annual Financial Report. Seconded by Alan Knight. Motion passed unanimously.

4.2 Berry Dunn McNeil & Parker, LLC Consulting Contract No. 37-22-06

Finance Director Ted Beason said staff is recommending outside assistance to evaluate the City's Utility Billing System. A couple of years ago, the City had an emergency and moved from Fathom to Munibilling. Staff would like to evaluate the progress made servicing utility customers, the option to bring services inhouse and improve current practices. He requested the City Manager have authority to approve the task orders.

Council President Wilkeson clarified the purpose of this agreement is for the City to receive a baseline to make sure the City is adhering to best practices and this will be a onetime expense, not an ongoing expense.

Lance Smith moved to approve the Berry Dunn McNeil & Parker, LLC Consulting Contract No. 37-22-06 with authority for City Manager to approve Task Orders. Seconded by Kenneth Burgess. Motion passed unanimously.

5. **PLANNING DIRECTOR'S REPORT**

5.1 LDC AMENDMENT Section 7.09.16, Mini-Warehousing & Storage Units

Amendment to the Land Development Code, Section 7.09.16 Pertaining to Supplemental Standards for Mini-Warehouse and Self-Storage Use.

Planning Director Todd Vande Berg presented a proposed Land Development Code (LDC) Text Amendment for indoor storage facilities; Section 7.09.16 – Mini-Warehousing & Storage Units. The current text in the LDC is outdated and refers to the older one story mini-warehouses of metal construction. The current market is changing dramatically in terms of height, scale and design/architectural elements. Staff has received a couple inquires for indoor storage facilities that would exceed the current code standards. He highlighted the proposed changes to include adding a Type B buffer around the perimeter with wall and/or fence enhancements; all loading bays shall be screened from view; and increased screening with a defined decorative, solid masonry wall or aluminum with solid pillars at equal intervals. A masonry wall should be architecturally finished to match the buildings. Unfinished concrete block will be prohibited. Building height will be 15 feet or one story in the Community Redevelopment area (CRA) and Form Based Code (FBC). Outside these districts would require a conditional use for an increase in height. He said language can be added for additional fence height to be considered as part of the conditional use process. He said indoor storage facilities do not generate a lot of traffic or use a lot of water. Staff requested Council's approval and direction for City Attorney to create an ordinance.

Lance Smith moved to approve LDC Amendment to Section 7.09-16 Mini-Warehousing & Storage Units. Seconded by Charles Proctor. Motion passed unanimously.

5.2 RZ-0012-22 Application to Rezone

Application submitted by North American Development Group (NADG) to rezone approximately 0.73 acres of real property generally located +/-238 feet east of the intersection of Kossik Road and US Hwy. 301 on the north side of Kossik (Parcel/Tax ID No. 26-25-21-0130-00000-0130) from City PUD to City C2 (Community Commercial).

Historic Preservation Specialist and Community Planner Audrey McGuire said the subject property was originally approved as part of the Zephyr Lakes (Abbott Park) PUD Master Plan for residential use and subsequently sold to Zephyr Commons LLC. The property is still zoned PUD. The applicants are requesting to rezone from PUD (Planned Unit Development) to C2 (Community Commercial). The rezoning is consistent with the parcel directly west of the subject property as well as the property directly to the south. The C2 zoning is consistent with the future land use category of MU (Mixed Used).

Lance Smith moved to approve Business Item 5.2. Seconded by Charles Proctor. Motion passed unanimously.

5.3 ANX-0008-22 Heyl Trucking Annexation

Application submitted by Heyl Truck Lines, Inc. for simultaneous review of a request for annexation, future land use map amendment, and rezoning of approximately 12.92 acres of real property, generally located at 4904 Kitty Hawk Drive (Parcel/Tax ID No. 18-26-21-0010-01100-0000).

Historic Preservation Specialist and Community Planner Audrey McGuire said this property is located off Chancey Road in the jurisdictional boundaries of Pasco County but is contiguous to the City's boundaries. The applicant requests to amend the future land use classification from Pasco County IL (Industrial-Light) to City IN (Industrial) with a zoning amendment from Pasco County L1 (Light Industrial Park) to City LI (Light Industrial). This is consistent with the City's Land Development Code (LDC), Comprehensive Plan and Florida Statutes Chapter 171 that provides criteria for annexation and is not expected to impact the water and sewer system in any negative manner. Staff and the Planning Commission recommended Council's approval.

Kenneth Burgess moved to approve Business Item 5.3. Seconded by Lance Smith. Motion passed unanimously.

6. CITIZEN COMMENTS

Spoke from the floor: Faye Geiger – 36645 Paddock Lane - Zephyrhills, FL

Ms. Geiger said she, her family, and neighbors came to every meeting relating to the paving and construction of Simons Road to explain the impact development would have on schools, roads, the community, livestock and wild life. She said they were told the City had to bring in development to pay for the infrastructure upgrades our town desperately needed. In the end, we got a paved road that everyone treats as a racetrack. She said she requested a stop sign at the entrance to her driveway and got a roundabout that teenagers use as a drifting track. Our classrooms are overcrowded, buses are packed, and the School Board has ended the two mile courtesy transportation. Our children will now be walking to school and home in the dark without street lights, sidewalks or cross walks. She said parks are showing their age, shelters are in disrepair and are being used by our homeless. The family-friendly atmosphere our town used to have has disappeared. Our long-time residents can no longer afford to live here and it is not safe for our children. She addressed Council and said the community needs you to become more proactive.

Spoke from the floor: James Laferrier – 38928 Cambridge Drive – Zephyrhills, FL

Mr. Laferrier presented his Eagle Scout Project for Troop 72 and narrated a PowerPoint slideshow highlighting the Flag Retirement Box outline, budget, and photographs. The Flag Retirement Box will be placed at the Fraternal Order of the Eagles location to collect old, tattered flags.

Spoke from the floor: Warren Earle – 3822 Florida Ranch Blvd. – Zephyrhills, FL

Mr. Warren Earle volunteered to donate \$200 toward the project's cost. Council concurred to donate \$100 each individually. City Attorney Matthew Maggard volunteered to split the \$200 with Mr. Earle and donate \$100 on behalf of Shumaker Law.

Spoke from the floor: Mike Door – 5125 Second Street – Zephyrhills, FL
Mr. Door said the City has to quit worrying about quantity and quality that comes into this town and ask developers what they are going to do for Zephyrhills.

MAYOR ANNOUNCEMENTS – N/A

CITY MANAGER ANNOUNCEMENTS – N/A

CITY ATTORNEY ANNOUNCEMENTS – City Attorney Matthew Maggard thanked Council for allowing him to attend the meeting virtually.

CITY COUNCIL COMMENTS - Councilman Proctor said he would like to revisit lot sizes.

Council Vice President Smith thanked Faye Geiger for sitting through the long meeting. He agreed that zoning needed to be reviewed. He said Council receives information, deciphers the information and makes a decision but they are not infallible. He said we live in a state with the best weather in the nation with a crop of baby boomers retiring to Florida. Until they shut the gates at the state line, we are going to have to deal with growth.

Councilman Burgess thanked the people who sat through the meeting.

Council President Wilkeson said she believes in smart development and believes the City can make a difference in improving the quality of life for the people who live in our community.

Councilman Knight reminded those in attendance to remember and honor Memorial Day Monday, May 30, 2022 and thanked all the servicemen.

7. NOTED ITEMS

7.1 COZ Depository Deposit Listing

Meeting adjourned: 8:16 p.m.
Submitted by Lori Hillman

PART 5.04.00 TRANSPORTATION SYSTEM LEVEL OF SERVICE

The traffic circulation element of the City's Comprehensive Plan contains the following level of service requirements for roadways in the city:

Type of Facility	Peak Hour Level of Service
Local streets	LOS "D" peak hour
Minor and major arterials	LOS "D" peak hour

(Ord. 998-08, passed 2-11-2008)

§ 5.04.01 DETERMINATION OF PROJECT IMPACT.

An application for a Comprehensive Plan amendment, a rezoning or site plan approval of a proposed development shall determine the impact of the project by the following procedures:

(A) A traffic impact analysis shall be prepared by the developer or his or her designee that includes a projection of the gross daily trips to be generated by the project and the distribution of the trips onto adjacent streets. Institute of Traffic Engineers trip generation rates or another approved source shall be used as the basis for trip generation calculations.

(B) A development may be defined as de minimus if the development is anticipated to generate less than 1,200 gross daily trips. No additional concurrency analysis will be required for de minimus developments.

(C) A traffic study is required if the development is anticipated to generate more than 1,200 gross daily trips. If a traffic study is required, the traffic study analysis should be conducted following the procedures defined in Table 1: Traffic Study Requirements/Guidelines and Table 2: Traffic Study Assumptions.

(D) Both de minimus projects and projects requiring a traffic study shall provide, at a minimum, the following level of service calculations at each project access point during the p.m. peak hour:

(1) A determination of need and length of turn lanes at project driveways consistent with the city's Land Development Code; and

(2) A determination of need for traffic signals or other traffic control devices at project driveways.

(E) Traffic analysis shall be conducted consistent with Table 2: Traffic Study Assumptions and shall be prepared using generally accepted traffic analysis standards and guidelines.

(Ord. 998-08, passed 2-11-2008)

§ 5.04.02 METHODS OF COMPLIANCE.

(A) Where the capacity exists to serve the proposed development as shown by comparing existing and proposed levels of service, the project shall be found in compliance with the transportation level of service.

(B) Where there is an existing or anticipated deficiency, one of the following requirements shall be met:

(1) Improvements to the affected roadways will increase the capacity of the roadway(s) such that the level of service requirement shall be met on or before occupancy of the development (or where applicable the first phase of the development). Capacity shall be ensured through one of the following:

(a) Improvements are under construction at the time of application and are sufficient to maintain the adopted level of service. Where improvements are under construction, the level of service may be degraded during that period of time between occupancy of the development and completion of construction; the occurrence shall not constitute noncompliance;

(b) A contract has been executed for improvements necessary to maintain the adopted level of service. The schedule of the contract shall be reasonably expected to provide the capacity at the time of occupancy. However, the level of service may be degraded during that period of time between occupancy and completion of construction; the occurrence shall not constitute noncompliance; or

(c) Funds are budgeted and appropriated by the city, county or the FDOT for improvements necessary to maintain the adopted level of service. Funds shall be for actual construction and not for preliminary planning, design or engineering. The anticipated construction schedule shall be reasonably expected to provide the capacity at the time of occupancy or within two years following occupancy. The temporary degradation of level of service under this paragraph shall not constitute noncompliance.

(2) Where no improvements are to be provided as described in division (B)(1) above, the following methods may be used to maintain adopted level of service:

(a) The project owner or developer may provide the necessary improvements to maintain level of service. In such case the application shall include appropriate plans for roadways improvements, documentation that the improvements are designed to provide the capacity necessary to maintain the level of service and recordable instruments guaranteeing the construction. Documentation that improvements are designed to provide the necessary capacity shall be prepared and sealed by a professional traffic engineer, registered in the state. The provision of improvements shall be reasonably scheduled to provide the capacity at the time of occupancy; however, a temporary degradation of the level of service may be allowable and shall not constitute noncompliance. A temporary degradation may be allowable for a period not to exceed one year and may be allowable only if construction is taking place. Failure to meet this provision shall constitute violation of the development order and may result in cancellation of the development order and discontinuance of project construction and/or further occupancy.

(b) The developer may contribute funds to the city necessary to provide roadway improvements needed to maintain or achieve the adopted level of service. Contribution of funds shall result in an appropriate budget amendment by the city in order to implement the needed roadway improvements. Approval of the development project shall be delayed until all appropriate government action has occurred necessary to meet one of the requirements above.

(3) The proposed project may be altered such that projected level of service is no less than the adopted level of service.

(C) The proposed development shall dedicate necessary right-of-way for roadway improvements on adjacent roadways and within the project site.

(D) All roads and roadway improvements shall be constructed in compliance with standards and specifications of city regulations.

§ 5.04.03 PROPORTIONATE FAIR-SHARE TRANSPORTATION MITIGATION PROGRAM.

§ 5.04.03.01 PURPOSE AND INTENT.

Pursuant to Fla. Stat. Ch. 163.3177(10)(h), public facilities and services needed to support development shall be available concurrent with the impacts of the development. The Florida Administrative Rule implementing this statute, Rule 9J-5.0055, mandates the adoption of concurrency management systems by a local government to ensure that the level of service standards adopted through the Comprehensive Plan are maintained. Concurrency is a finding that the public facilities and services necessary to support a proposed development are available or will be made available, concurrent with the impact of development. The provisions of this article are designed to provide a systematic process for the review and evaluation of all proposed development for its impact on basic public facilities and services in order to meet the requirements of statutory concurrency requirements. The purpose of the proportionate fair-share option is to establish a method whereby the impacts of development on transportation facilities may be mitigated by the cooperative efforts of the public and private sectors, to be known as the Proportionate Fair-Share Program, as required by and in a manner consistent with Fla. Stat. Ch. 163.3180(16). (Ord. 973-07, passed 3-12-2007)

§ 5.04.03.02 PROPORTIONATE FAIR-SHARE TRANSPORTATION MITIGATION PROGRAM.

(A) General requirements.

(1) The Proportionate Fair-Share (PFS) Transportation Mitigation Program shall only apply to developments in the city that have been notified of a lack of capacity to satisfy transportation concurrency.

(2) An applicant may choose to satisfy the transportation concurrency requirements of the city by making a proportionate fair-share contribution, pursuant to the following requirements:

(a) A determination by the city that the proposed development is consistent with the Comprehensive Plan and applicable land development regulations; and

(b) A determination by the city that the five-year schedule of capital improvements in the city capital improvement element (CIE) or county capital improvement program (CIP) or FDOT Work Program includes a transportation improvements) that, upon completion, will satisfy the requirements of the city transportation concurrency. The provisions of § 5.04.03.02(A)(3) may apply, at the discretion of the city, if a project or projects needed to satisfy concurrency are not presently contained within the city CIE, county CIP or FDOT Work Program.

(3) (a) The city may choose to allow an applicant to satisfy transportation concurrency through the Proportionate Fair-Share Program by contributing to an improvement that, upon completion, will satisfy the requirements of the city transportation

concurrency, but is not contained in the five-year schedule of capital improvements in the city CIE, county CIP or FDOT Work Program where one of the following apply:

1. The city adopts, by resolution or otherwise, a commitment to add the improvement to the five-year schedule of capital improvements in the CIE no later than the next regularly scheduled update. To qualify for consideration under this section, the proposed improvement must be reviewed by the city's engineer or his or her designee and be determined to be financially feasible, to be consistent with the Comprehensive Plan and to be in compliance with the provisions of this code.

2. The county adopts, by resolution or otherwise, a commitment to add the improvement to the five-year schedule of capital improvements in its CIP no later than the next regularly scheduled update. To qualify for consideration under this section, the proposed improvement must be reviewed by the County Engineer or his or her designee and be determined to be financially feasible and the city must determine that the improvement is consistent with the city's Comprehensive Plan and in compliance with the provisions of this code.

3. The FDOT accepts a proportionate fair-share payment (as demonstrated by an executed agreement between the developer, the FDOT and the city) and the city determines the improvement is consistent with the city's Comprehensive Plan and in compliance with the provisions of this code.

4. If the funds allocated for the five-year schedule of capital improvements in the city CIE are insufficient to fully fund construction of a transportation improvement required to meet concurrency. The city may still enter into a binding proportionate fair-share agreement with the applicant authorizing construction of that amount of development on which the proportionate fair-share is calculated if the proportionate fair-share amount in the agreement is sufficient to pay for one or more improvements which will, in the opinion of the city, in consultation with the agency maintaining the facility, significantly benefit the impacted transportation system.

- (b) The improvement or improvements funded by the proportionate fair-share payment must be adopted into the five-year capital improvements schedule of the maintaining agency receiving the payment at their next annual capital improvements update.

- (4) Any improvement project proposed to meet the developer's fair-share obligation must meet design standards of the improved facility's maintaining agency.

- (B) Intergovernmental coordination.

- (1) Pursuant to policies in the intergovernmental coordination element of the city Comprehensive Plan, the city shall coordinate with affected jurisdictions, including FDOT, regarding mitigation to impacted facilities not under the jurisdiction of the city. An interlocal agreement may be established with other affected jurisdictions for this purpose.

- (2) In addition to the city and the applicant, proportionate fair-share agreements may include other maintaining agencies, including, but not limited to, Pasco County and FDOT. Proportionate fair-share payments for non-city facilities shall be made to the appropriate maintaining agency.

- (C) Application process.

(1) Upon notification of a lack of capacity to satisfy transportation concurrency, the applicant shall also be notified in writing of the opportunity to satisfy transportation concurrency through the Proportionate Fair-Share Program pursuant to the requirements of § 5.04.03.02(A).

(2) Prior to submitting an application for a proportionate fair-share agreement, a pre-application meeting shall be held to discuss eligibility, application submittal requirements, potential mitigation options and related issues. If the impacted facility is maintained by another party (e.g., Pasco County or FDOT) they will be notified and invited to participate in the pre-application meeting.

(3) Eligible applicants shall submit an application to the city that, at a minimum, includes the following:

- (a) Name, address and phone number of owner(s), developer and agent;
- (b) Copy of completed concurrency application and traffic impact analysis (TIA) (if a TIA was required);
- (c) Copy of the concurrency test results form; and
- (d) Description of requested proportionate fair-share mitigation method(s), including documentation of improvement cost estimates prepared, signed and sealed by a registered professional engineer.

(4) The city's engineer or his or her designee shall review the application and certify that the application is sufficient and complete within 14 business days. If an application is determined to be insufficient, incomplete or inconsistent with the general requirements of the Proportionate Fair-Share Transportation Mitigation Program as indicated in § 5.04.03.02(A), then the applicant will be notified in writing of the reasons for the deficiencies within ten business days of submittal of the application. If the deficiencies are not remedied by the applicant within 30 days of receipt of the written notification, then the application will be deemed abandoned. The Director of Development or his or her designee, in his or her discretion, may grant an extension of time not to exceed 60 days to cure the deficiencies, provided that the applicant has shown good cause for the extension and has taken reasonable steps to effect a cure.

(5) Proposed proportionate fair-share mitigation for development impacts to facilities on the FDOT Strategic Intermodal System (SIS) (as determined by a city approved traffic impact analysis) requires the concurrence of the FDOT. The applicant shall submit evidence of an agreement between the applicant and the FDOT for inclusion in the proportionate fair-share agreement.

(6) When a proportionate fair-share application is deemed sufficient, complete and eligible, the applicant shall be advised in writing and a proposed proportionate fair-share obligation and binding agreement will be prepared by the city or the applicant with direction from the city and delivered to the appropriate maintaining parties (e.g., Pasco County or FDOT) for review, no later than 60 days from the date at which the applicant received the notification of a sufficient application and no fewer than 14 days prior to the Council meeting when the agreement will be considered.

(7) The city shall notify the applicant regarding the date of the Council meeting when the agreement will be considered for final approval. No proportionate fair-share agreement will be effective until approved by the Council.

(D) Determining proportionate fair-share obligation.

(1) Proportionate fair-share mitigation for concurrency impacts may include, without limitation, separately or collectively, private funds, contributions of land and construction and contribution of facilities.

(2) A development shall not be required to pay more than its proportionate fair-share. The fair market value of the proportionate fair-share mitigation for the impacted facilities shall not differ regardless of the method of mitigation.

(3) The methodology used to calculate an applicant's proportionate fair-share obligation shall be as follows:

(a) "The cumulative number of p.m. peak hour peak direction trips from the proposed development expected to reach roadways during p.m. peak hour from the complete build out of a stage or phase being approved, divided by the change in the peak hour peak direction maximum service volume (MSV) of roadways resulting from construction of an improvement necessary to maintain the adopted LOS, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted LOS."; or

(b) Proportionate Fair-Share = $\frac{[(\text{Development Tripsi}) (\text{SV Increase}_i)] \times \text{Cost}_i}{\text{Where:}}$

Development Tripsi = Those trips from the stage or phase of development under review that are assigned to roadway segment "i" and have triggered a concurrency deficiency.

SV Increase_i = Service volume increase provided by the eligible improvement to roadway segment per § 5.04.03.02(A).

Cost_i = Adjusted cost of the improvement to segment "i". Cost shall include all improvements and associated costs, such as design, right-of-way acquisition, planning, engineering, inspection and physical development costs directly associated with construction at the anticipated cost in the year it will be incurred.

(4) For the purposes of determining proportionate fair-share obligations, the city shall determine improvement costs based upon the actual cost of the improvement as obtained from the city CIE, the County's CIP or the FDOT Work Program. Where the information is not available, improvement cost shall be determined using a generally accepted engineering method approved by the city's Consultant Engineer or his or her designee or the city's Consultant Engineer or his or her designee with concurrence from the maintaining agency.

(5) If the city has accepted an improvement project proposed by the applicant, then the value of the improvement shall be determined using one of the methods provided in this section.

(6) If the city has accepted right-of-way dedication for the proportionate fair-share payment, credit for the dedication of the non-site related right-of-way shall be based on the fair market value established by an independent appraisal approved by the city and at no expense to the city. The applicant shall supply a drawing and legal description of the land and title insurance for the land to the city at no expense to the city. If the estimated value of the right-of-way dedication proposed by the applicant is less than the city estimated total proportionate fair-share obligation for that development, then the applicant must also pay the difference. Prior to purchase or acquisition of any real estate or acceptance of

donations of real estate intended to be used for the proportionate fair-share, public or private partners should contact the FDOT for essential information about compliance with federal law and regulations.

(E) Impact fee credit for proportionate fair-share mitigation.

(1) Proportionate fair-share contributions to the city shall be applied as a credit against city impact fees to the extent that all or a portion of the proportionate fair-share mitigation is used to address the same capital infrastructure improvements contemplated by the city's impact fee ordinance.

(2) City impact fee credits for the proportionate fair-share contribution will be determined when the transportation impact fee obligation is calculated for the proposed development. City impact fees owed by the applicant will be reduced per the Proportionate Fair-Share Agreement. If the applicant's proportionate fair-share obligation is less than the development's anticipated city road impact fee for the specific stage or phase of development under review, then the applicant or its successor must pay the remaining city impact fee amount to the city pursuant to the requirements of the city impact fee ordinance.

(3) Major projects not included within the city's impact fee ordinance or created under § 5.04.03.02(A)(3)(a)-(d) which can demonstrate a significant benefit to the impacted transportation system may be eligible at the city's discretion for impact fee credits.

(4) The proportionate fair-share obligation is intended to mitigate the transportation impacts of a proposed development at a specific location. As a result, any city road impact fee credit based upon proportionate fair-share contributions for a proposed development cannot be transferred to any other location.

(F) Proportionate fair-share agreements.

(1) Upon City Council approval of a proportionate fair-share agreement (PFS Agreement) the applicant shall receive a city certificate of concurrency approval. Should the applicant fail to receive final site plan approval within 12 months of the execution of the PFS Agreement, then the PFS Agreement shall be considered null and void and the applicant shall be required to reapply if he or she elects to pursue his or her development.

(2) Payment of the proportionate fair-share contribution is due in full within 90 days of approval of the site plan or upon issuance of the building permit, whichever occurs first and shall be non-refundable. If the payment is submitted more than six months from the date of execution of the PFS Agreement, then the proportionate fair-share cost may, at the city's discretion, be recalculated at the time of payment based on the best estimate of the construction cost of the required improvement at the time of payment, pursuant to § 5.04.03.02(D) and adjusted accordingly.

(3) All developer off-site improvements authorized under the ordinance codified in this section must be completed prior to issuance of a building permit or as otherwise established in a binding agreement that is accompanied by a security instrument acceptable to the City Attorney that is sufficient to ensure the completion of all required improvements within three years from the issuance of a building permit.

(4) Dedication of necessary right-of-way for facility improvements pursuant to a proportionate fair-share agreement must be completed prior to issuance of the final site plan approval or the final plat.

(5) Any requested change to a development project subsequent to a development order may be subject to additional proportionate fair-share contributions to the extent the change would generate additional traffic that would require mitigation.

(6) Applicants may submit a written request to withdraw from the Proportionate Fair-Share Agreement at any time prior to the execution of the Agreement.

(7) The city may enter into proportionate fair-share agreements for selected improvements to facilitate collaboration among multiple applicants on improvements to a shared transportation facility.

(8) Projects not pursued during the pendency of a valid site plan and/or building permit shall be entitled to a credit of 85% of funds paid where the city has not constructed or entered into an agreement with a third party to construct the identified improvement which credit shall be applied to the proportionate share requirement of subsequent project(s); where the identified improvement has been constructed or committed to be constructed no credit shall be given except to the extent a new project would require the same improvements and then not to exceed 85% of the previous payment.

(G) Appropriation of fair-share revenues.

(1) Proportionate fair-share revenues received by the city shall be placed in the appropriate project account for funding of scheduled improvements in the city CIE or as otherwise established in the terms of the proportionate fair-share agreement. At the discretion of the city, proportionate fair-share revenues may be used for operational improvements prior to construction of the capacity project from which the proportionate fair-share revenues were derived.

(2) In the event a scheduled facility improvement is removed from the CIE, then the revenues collected for its construction may be applied toward the construction of another improvement within that same corridor or sector that would, in the opinion of the city, mitigate the impacts of development.

(3) Where an impacted regional facility has been designated as a regionally significant transportation facility in an adopted regional transportation plan, the city may coordinate with other impacted jurisdictions and agencies to apply proportionate fair-share contributions and public contributions to seek funding for improving the impacted regional facility under the FDOT Transportation Regional Incentive Program (TRIP). Such coordination shall be ratified by the city through an interlocal agreement that establishes a procedure for earmarking of the developer contributions for this purpose.

(4) Where an applicant constructs a transportation facility that exceeds the applicant's proportionate fair-share obligation calculated under § 5.04.03.02(D), the city shall reimburse the applicant for the excess contribution using one or more of the following methods:

(a) An impact fee credit account may be established for the applicant in the amount of the excess contribution, a portion or all of which may be assigned and reassigned under the terms and conditions acceptable to the city;

(b) The excess capacity may be reserved by the city and an account may be established for the applicant for the purpose of reimbursing the applicant for the excess contribution with proportionate fair-share payments from future applicants on the facility;

(c) The city may compensate the applicant for the excess contribution through payment or some combination of means acceptable to the city and the applicant; or

(d) Impact fee credits must be utilized within five years from the date of acceptance by the city and reserved express capacity must be utilized consistent with the time limits for capacity reservations.

(H) Cross jurisdictional impacts. In the interest of intergovernmental coordination and to reflect the shared responsibilities for managing development and concurrency, the city may enter into a cross jurisdictional impact agreement with one or more adjacent local governments or the Florida Department of Transportation, to address cross jurisdictional impacts of development on regional transportation facilities. The agreement shall identify the methodology for addressing cross jurisdictional transportation impacts. The city shall notify the applicant if the applicant's transportation concurrency determination is subject to assessing cross jurisdictional impacts and the applicant shall be subject to the requirements of the applicable cross jurisdictional impact agreement.

(Ord. 973-07, passed 3-12-2007)

§ 5.04.04 EXEMPTIONS FOR CONCURRENCY TEST.

(A) The following development orders and permits are exempt from this article and may commence development without applying for concurrency review:

- (1) Any addition to a residence;
- (2) Interior completion of a shell-only structure for uses with same or less intensity as identified on an approved site plan;
- (3) Interior renovations with equal or less impact on public facilities;
- (4) Accessory structure to a residence;
- (5) Storage addition to a nonresidential use;
- (6) Replacement structure except for a nonconforming use in accordance with land development code provisions on nonconforming uses;
- (7) Temporary construction trailers;
- (8) Wells and septic tanks;
- (9) Driveway or resurfacing, parking lot paving and similar paving projects (i.e. loading docks);
- (10) Re-roofing of structures;
- (11) Demolitions;
- (12) Occupational license for a change in tenant space similar to the previous business tenant in that space with equal or less impact on public facilities;
- (13) Single-family and duplex residences on lots which are platted;
- (14) The following conditional use category items:
 - (a) Public utility and service structures;
 - (b) Attached or detached guest house to a residence;
 - (c) Accessory parking for passenger vehicles when intended for a permitted adjacent commercial use;

(15) Change of use(s) which is determined by the city to cause less impacts on public facilities than the existing use;

(16) Accessory use to an existing use/structure which is determined by the city to cause no added impacts on public facilities;

(17) Minor plats that do not increase density or intensity; and

(18) Development that creates “de minimus” impact on public facilities.

(Ord. 973-07, passed 3-12-2007)

§ 5.04.05 LEVEL OF SERVICE STANDARDS FOR REQUIRED SERVICES AND FACILITIES.

The adopted level of service standards for those public facilities for which concurrency is required shall be as established in the city’s Comprehensive Plan, City Plan 2010, under the following cited policies:

Potable water: PUB 1-2-1

Sanitary sewer: PUB 2-4-1

Solid waste collection: PUB 3-2-3

Parks and recreation: REC 1-1-1

Drainage: PUB pg. 8

Roads: TRA 1-1-1

(Ord. 973-07, passed 3-12-2007)

PART 5.01.00 CONSISTENCY AND CONCURRENCY

§ 5.01.01 CONSISTENCY WITH COMPREHENSIVE PLAN.

(A) No development activity may be approved unless it is found that the development is consistent with the city's Comprehensive Plan and that the provision of certain public facilities will be available at the prescribed levels of service concurrent with the impact of the development on those facilities.

(B) If a development proposal is found to meet all the requirements of this code, it shall be presumed to be consistent with the Comprehensive Plan in all respects except for compliance with the concurrency requirements. City staff, public officials or any citizen may, however, question the consistency of a development proposal with the Comprehensive Plan. If a question of consistency is raised, the Site Plan Review Committee shall make a determination of consistency or inconsistency and support that determination with written findings.

§ 5.01.02 LEVEL OF SERVICE MAINTENANCE REQUIREMENTS.

(A) In order to establish that the concurrency requirements of Fla. Stat. Ch. 163, Part II and Rule 9J-5.055, Florida Administrative Code, have been met, this section describes the requirements for maintaining the level of service adopted in the city's Comprehensive Plan. In general, state law requires that no development be approved for which services and facilities are not available concurrent with development. It is the intent of this section to describe those level of service requirements for each system.

(B) This section provides the basis for determining level of service compliance required, for the purposes of reviewing and approving applications for development approval.

PART 5.02.00 POTABLE WATER LEVEL OF SERVICE

The potable water subelement of the city's Comprehensive Plan contains the following level of service requirements for the distribution of potable water:

Minimum average daily flow	200 gal per dwelling unit
Minimum peak daily flow	300 gal per dwelling unit
Pressure of development	As required by ISO for specific types

§ 5.02.01 METHODS OF COMPLIANCE.

An application for a proposed development approval or a building permit shall indicate that one of the following requirements has been met:

(A) Capacity exists at the site to serve the project or the first phase of the project. Determination of the existence of capacity shall be based upon estimated demand by the project, consideration of other approved but not built developments to be served by the same facility in the same time period and total capacity of the facility; or

(B) Capacity will exist at the site at the time of occupancy of the project based upon plans for expansion of capacity. Capacity shall be ensured through one of the following:

- (1) The existence of valid contracts for construction; or
- (2) The existence of funds budgeted and appropriated for construction.



STAFF REPORT

To: City Council
From: Audrey McGuire, Historic Preservation Specialist & Community Planner
RE: USE-0005-21_Conditional Use (Nick Apartments)
Date: March 9, 2022

1. BACKGROUND & INFORMATION

Application for a conditional use submitted by D32 Invest, LLC to exceed the height threshold of the R4 (Multi-Family Residential) zoning district, for the proposed construction of 4-story apartments on 10.63 acres of real property generally located at 6655 Fort King Road. The current zoning of the subject property permits a density of up to 20 dwelling units per acre.

APPLICANT OWNER:	Nick Apartments, LLC (D32 Invest, LLC) 7988 Via Dellagio Way, Suite 206, Orland, FL 32819
LOCATION:	6655 Fort King Road
PARCEL TAX ID #:	03-26-21-0010-02000-0010
ACREAGE:	10.63 Acres MOL
CURRENT LAND USE:	Vacant/Undeveloped
FLU CLASSIFICATION:	RU (Residential Urban, 7.5 to 20 du/ga)
ZONING DESIGNATION:	R4 (Multi-Family Residential, Max. 20 du/ga)
PROPOSED DENSITY:	144 Units (approximately 13.5 du/ga)

2. DATA & ANALYSIS

Height Regulations (LDC Subsection 7.01.01.04) Applicants are requesting to exceed the 2-story (30-foot) height limitation of the R4 zoning district to construct 4-story apartment buildings. A 4-story building falls under the classification of a "mid-rise structure," defined by the Land Development Code (LDC), Subsection 7.01.01.04 as buildings of 3 to 5 stories inclusive. Mid-rise structures may be permitted, exceeding the height limitations of a zoning district, as a conditional use, subject to the following:

- A. Mid-rise structures, when permitted, may be erected to a height not exceeding 75 feet if the building is set back from each setback line at least one additional foot for each 2 feet of building height above 30 feet.
- *The minimum setback of the R4 zoning district is 30 feet in the front, 10 feet on the sides and 15 feet in the rear. The conceptual site plan provided by the applicants (see Attachment) shows the required minimum setbacks with the increase required by this condition.*
- B. In no case shall a structure exceed the height limitations determined to protect the approach and clear air zones established for the Zephyrhills Municipal Airport, as currently adopted or subsequently amended.
- *All applicants for site development / construction plan approvals and permits are required by City Ordinance to complete the FAA's online notice criteria tool. Verification from the FAA that a project is not of concern or a possible obstruction is required to be provided to the city prior to the issuance of any permits. Should a project be determined to be of concern, the FAA will require an extended review process on their end. The subject 4-story buildings proposed in this application for conditional use are not expected to be of concern as there is an existing 4-story building on the property immediately to the south of the subject property.*
- C. Compliance with Resolution # 147 (attached) is required.
- *City Resolution No. 147 primarily pertains to the allowance of mid-rise structures and additional conditions related to the Fire Department. All plans shall meet the adopted building code and fire code standards, as well as any additional standards which may be required by Pasco County Fire Rescue.*

Conditional Use Requirements (LDC Part 11.10.00)

- A. The proposed conditional use will not adversely affect or contribute to the deterioration of life or property values in the immediate neighborhood.
- *The proposed construction of 4-story mid-rise structures are consistent with other multi-family developments in the immediate neighborhood and along this block of Fort King Road. It is not anticipated the construction of 4-story mid-rise structures would adversely affect or contribute to the deterioration of quality of life or property values in the neighborhood.*
- B. The proposed conditional use is consistent with the character of and existing land use patterns in the surrounding area.
- *The proposed construction of 4-story mid-rise structures is not out of scale or character with the surrounding developed area, which includes Summerset Apartments (a 4-story complex) immediately to the south of the subject property; and Fort King Colony (a 3-story complex) immediately to the east. The mobile home park to the north will be buffered and separated from the proposed apartment buildings by the existing wetland/pond area, a new stormwater pond, and landscape buffering (see attached conceptual site plan).*
- C. The proposed conditional use will not create or excessively increase traffic or parking congestion or otherwise affect public safety.
- *The City requires traffic studies to be submitted at the time of site development plan review. The applicants have submitted a traffic methodology report which has been approved by the*

city's traffic engineering consultants, Kimley-Horn and shows anticipated gross daily trips of less than 1,200 which requires a De Minimus traffic study to assess alternate traffic control. The installation of turn lane(s) on Fort King Road has been recommended by the Planning Commission.

- D. The site upon which the proposed conditional use is to be located has suitable drainage, access, ingress and egress, off-street parking and loading areas.
 - *The subject site is proposed to have 2 ingress/egress points onto Fort King Road. Common parking is proposed throughout the complex at a rate of 2 parking spaces per dwelling unit (consistent with LDC minimum requirements for residential projects). Wetland setbacks will be provided and additional stormwater retention is proposed on the northern piece of the property. A drainage report is under review by Kimley-Horn (the city's consultants).*
- E. The site upon which the proposed conditional use is to be located has or may have screening or buffering to prevent interference with the enjoyment of surrounding areas.
 - *Perimeter buffer/screening will be provided as required by the LDC. The applicants are proposing tree preservation along Fort King Road, the existing wetland area and the southern piece of the property which will be worked into the overall landscape plan. No interference with the enjoyment of the area is expected.*
- F. The proposed site meets applicable requirements of the zoning district in which it is located.
 - *The subject site is approximately 10.68 acres, exceeding the minimum lot area requirements of 6,000 square feet for the R4 zoning district. The proposed density of approximately 13.5 units per gross acre (144 total units) is consistent with allowed density of 20 units per acre in the R4 zoning district. The applicants have submitted site development plans which are currently undergoing review by city staff to ensure compliance with all land development code regulations.*
- G. Any existing or proposed signs or lighting will not adversely affect surrounding areas or vehicular traffic.
 - *Proposed signage shall be consistent with the city's standards as outlined in the LDC Article VIII at the time of permitting. Parking lot and pedestrian lighting shall be designed not to spill onto adjacent roadways or properties, and will be approved at the time of site development plan review, if consistent with LDC minimum requirements.*
- H. The proposed conditional use will not interfere with or adversely affect the health, safety or welfare of the surrounding community area.
 - *There is no indication that the proposed conditional use to exceed the height limitations of the zoning district will negatively impact the health, safety or welfare of the surrounding community.*

3. RECOMMENDATION

Site Plan Review Committee – The SPRC recommended approval of the conditional use to exceed the height limitations of the R4 zoning district at its regularly scheduled monthly meeting on January 1, 2022.

Planning Commission – The Planning Commission recommended approval of the conditional use, with the condition that turn lanes be added to Fort King, at its regularly scheduled meeting on February 15, 2022.

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on March 28, 2022 at 6:00 p.m. in the Council Chambers of City Hall.

President Knight called the meeting to order. Roll call was taken. Present were members Kenneth Burgess, Alan Knight, Charles Proctor, Lance Smith, Jodi Wilkeson and Mayor Whitfield. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, IT Director Mike Panak, Airport Manager Nathan Coleman, Building Official Bill Burgess, Finance Director Ted Beason, Public Information Officer Kevin Weiss, Senior Planner Rodney Corriveau, Historic Preservation Specialist and Community Planner Audrey McGuire, GIS Technician and Community Planner Kevin Kelley, Water Superintendent C.J. Funnell, Water Treatment Plant Operator Eric Martin, Water Treatment Plant Operator Cody Bowden, Water Treatment Plant Operator Trainee Tommy Sheffler and City Clerk Lori Hillman.

Alan Knight asked for a moment of silence for the people of Ukraine prior to delivering the Invocation. The Pledge of Allegiance followed.

1. MAYOR

1.1 Water Conservation Proclamation

City Clerk Lori Hillman read aloud a Water Conservation Proclamation that was presented to John Bostic by Mayor Whitfield.

1.2 Presentation of Plant Operations Excellence Award

Mayor Whitfield presented a 2021 Plant Operations Excellence Award to Utilities Director John Bostic, Water Superintendent C.J. Funnell, Water Treatment Plant Operator Eric Martin, Water Treatment Plant Operator Cody Bowden and Water Treatment Plant Operator Trainee Tommy Sheffler in recognition of outstanding operation through dedicated professionalism.

1.3 Tartan Day Proclamation

City Clerk Lori Hillman read aloud a Tartan Day Proclamation that was presented to Cliff McDuffie by Mayor Whitfield.

2. CONSENT ITEMS

2.1 Amendment No. 1 Nieman Electric Motor Co. Agreement No. 41-22-06

2.2 Amendment No. 1 Ferguson Enterprises, Inc. Piggyback Agreement No. 41-21-23

2.3 Infotect Design Solutions Inc. Agreement No. 41-22-12 Piggyback with Tampa-Hillsborough County Expressway Authority for General Information Technology Network Support Services

2.4 Approval of B.R.W. Contracting, Inc. Change Order No. 1 for Reclaimed Water Pipeline Extension – Phase I

Lance Smith moved to approve the Consent Items. Seconded by Jodi Wilkeson. Motion passed unanimously.

BUSINESS ITEMS

3. PUBLIC HEARING

3.1 First Reading **RESOLUTION NO. 790-22 - "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS RELATED TO HEIGHT; APPROVING A CONDITIONAL USE TO EXCEED THE HEIGHT LIMITATIONS OF THE R4 (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICT ON PARCEL NO. 03-26-21-0010-02000-0010; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE; AND PROVIDING AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Resolution No. 790-22 by title. Historic Preservation Specialist and Community Planner Audrey McGuire said the applicant is requesting a four story building on the west side of Fort King Road, directly north of the existing four story

Summerset Apartments. The current height limitations are two story or 30 feet in the R4 zoning district. The City's Land Development Code (LDC), Subsection 7.01.01.04, allows for heights in excess of the maximum established for the zoning district to be considered as a conditional use for mid-rise structures between three and five stories. A four story mid-rise structure requires an increase in the setback of one additional foot for each additional two feet of building height above 30 feet and the applicant has provided a concept plan with the required setbacks. The applicant will submit information to the Federal Aviation Administration (FAA) to make sure the proposed buildings do not exceed the height limitations determined to protect the approach and clear zones of the Zephyrhills Municipal Airport. Staff has reviewed the conditional use and applicable zoning district standards as well as suitable access, drainage, parking, and screening / buffering of the site and found no adverse effects to the health, safety and welfare to the surrounding community. Four (4) conditions were added to Resolution No. 790-22 to include screening and buffering enhancements, the creation of a Conservation Easement on the wetlands and storm water areas, turn lanes on Fort King Road into the proposed site and turn lane improvements at the intersection of Fort King Road and Eiland Blvd. Staff recommended approval.

Councilman Burgess stated his position in opposition of all conditional use and variances moving forward until he receives additional information. He said he understands these items can be approved on a project by project basis but is concerned that approval will facilitate more requests. He said the City increased units per acre from 14 to 20 a few years ago to conform with market conditions and proposed reverting back to 14 units per acre. He said the City's height requirement are in conflict with the 20 units per acre allowed and the City is sending mix messages.

Historic Preservation Specialist and Community Planner Audrey McGuire stated the developer's initial plan was approved for 166 two story townhome units. The proposed project is for 144 four story apartments units which equates to 13.4 units per acre.

Councilwoman Wilkeson said she prefers the proposed concept over the original design. She said the rendering depicts open space between the four story apartment buildings and the Valleydale Community to the north. She said the developer is entitled to 166 units per acre and are proposing 144 units, which is less density. She said the benefit of allowing a taller building is the ability to negotiate for increased buffering, improved landscaping plans, screening for parking and turn lanes.

Councilman Smith said the City needs market rate apartments for young people and employees to live local.

Councilman Proctor said he has approved every conditional use that has come before Council but is concerned with solving serious issues prior to moving forward.

City Attorney Matthew Maggard said from a legal standpoint, the developer is requesting to change code and they are not entitled to a conditional use. He said if Council approves a conditional use, it will not set precedent in his opinion from a legal perspective. He reminded Council although there are concerns with future water use and growth, the conditional use is strictly for height. A formal site plan will be brought to Council at a future date for final approval.

Spoke from the floor: Civil Engineer Christine Hall - EXO Limited - 4776 New Broad Street, Suite 100 - Orlando, Florida 32814

Christine was available to answer questions and stated the developer has agreed to transportation upgrades and will visit a school bus stop on site.

A public hearing was held and the following individuals spoke from the floor: Margaret Coughlin of 6772 Erin Circle in Zephyrhills, Florida read aloud a prewritten letter (attached to minutes) in opposition to Nick Apartments; Randy York of 6764 Erin Circle in Zephyrhills, Florida read aloud a prewritten letter (attached to minutes) in opposition to Nick Apartments; Kevin Bahr of 37545 Sky Ridge Circle in Dade City, Florida said he is on the Planning Commission and approved the height for this conditional use and said he appreciates the developer lowering the density. He said it is time for the City to dictate what they will allow and thanked Council for what they do and the decisions they are facing.

City Manager William Poe clarified comments made during the Public Hearing. He said not all residents of Valleydale received letters about the proposed project as only those residents living within 400 feet of the proposed development are required to receive notification. The gopher tortoises and wetlands will be addressed in accordance with the environmental plan. The onsite bus stop will be a conversation with the developer's engineer and the Pasco County School Board in coordination with their transportation department. He said a comment was made that the density would double if the developer was allowed to build a four story building and said that was not the case. He said the original plan was approved for 166 two story townhome units and the proposed plan is for 144 four story apartment units. The density and the number of cars will not increase.

Lance Smith moved to approve Resolution No. 790-22 with conditions. Seconded by Jodi Wilkeson. Motion passed 3-2, opposed Kenneth Burgess and Charles Proctor.

3.2 First Reading RESOLUTION NO. 791-22 - "A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS RELATED TO HEIGHT; APPROVING A CONDITIONAL USE TO EXCEED THE HEIGHT LIMITATIONS OF THE R4 (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICT ON PARCEL NO. 35-25-21-0010-04400-0000; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE; AND PROVIDING AN EFFECTIVE DATE."

City Attorney Matthew Maggard advised the developer has requested to postpone this item to April 25, 2022.

Councilwoman Wilkeson moved to postpone Resolution No. 791-22 to April 25, 2022. Seconded by Lance Smith. Motion passed unanimously.

CITIZEN COMMENTS

MAYOR ANNOUNCEMENTS – N/A

CITY MANAGER ANNOUNCEMENTS – N/A

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilwoman Wilkeson commended Main Street on their recent downtown market and community art project in Transplant Park, and advised the Rotary Club had a great turnout for their Rotary Reading in the Park. She said serving as a councilmember is not an easy job and thanked fellow Councilmembers for working hard to protect the interests of the City, residents and business owners.

Councilman Proctor said tonight's decision was not an easy decision. He has never been against growth but feels the City needs to address some serious issues.

Councilman Smith said this was a difficult decision and respects everyone's opinion on Council. He acknowledged Main Street for doing a great job.

Councilman Burgess said he is a big believer in discussing issues. He acknowledged Main Street for the continuous activity on 5th Avenue and said Hercules Park and the Little But Loud venue discussed at the CRA Meeting will be great additions to the City.

Councilman Knight said when Council makes a decision like this evening, Council receives flack because everyone wants to go back to 1960 but those days are gone.

4. NOTED ITEMS

4.1 March 7, 2022 Council/Planning Commission Workshop Minutes

4.2 Mary Cypert Proclamation

4.3 Provide reconfiguration Flight Inspection of the PAPI on Runway 01 through Department of Transportation Federal Aviation Administration Agreement 41-22-13

Meeting adjourned: 7:19 p.m.
Submitted by Lori Hillman

Attachments: Valleydale Opposition Letters - Margaret Coughlin / Randy York

PLEASE SUBMIT THIS LETTER TO THE PLANNING COMMISSION AND CITY
COUNCIL AND HAVE COMMENTS READ INTO THE RECORD

SUBJECT: NICK APARTMENTS #03-26-21-0010-02000-0010

As one of many fulltime Valleydale residents of Zephyrhills, my concerns for this registered project proposal are as follows:

Valleydale is a resident owned community. Each household is a member of the Association. An equal owner of the land. Not all owners received a letter regarding this proposal. Only owners near the proposed site received letters and this proposal effects all owners who use Fort King Road. We all should have received the notice letters.

I heard at one time this property in question contains a gopher tortoise habitat and considered a wet land.? Is that true? I know they are protected under State Law Regulations.

I do not want another multifamily housing established on Fort King Road.

It is already a hazard for our residents on this road. Emergency vehicles cannot get through when vehicles are in both lanes of this road.

We have this year we have already noticed an increase in vehicles (heading for Eiland Blvd.) often backed up in front of our park entrance with the result of delay entering Fort King Road due to the amount of traffic and the lights on Eiland Blvd.

There are two school bus stops on this road as well as a transit bus stop as well creating delays.

The chance of fire or other emergency responses multiply when such multifamily residents exist. How are the cars going to move off the road to allow emergency vehicles through? That puts all residents at risk.

With all the traffic, I am sure due to the backups accidents will happen. Such as people cutting into the bank entrance off Eiland Blvd. to miss the traffic light, people exiting and turning into the other multifamily apts. Or all going and coming from the fitness center, the bushel-stop during traffic light changes and not to mention, the VA Clinic traffic that will develop soon.

It was my understanding we did not receive letters because this project it would not affect us, but it is now and will grow worse.

Our tiny part of Fort King Road is already congested and additions like this will decrease safety for current residents of Zephyrhills. I do not think these proposed changes will make any Improvements to our lives. We pay taxes and are proud of the downtown changes made and the growth of our city.

Focus should be made to cleanup areas at all the entrances to our city that need changes to present a progressive, clean, growing city and compliment the downtown. We all want a city to be proud of.

Regards, 
Maggie Coughlin, 6772 Erin Circle

March 28, 2022

Re: Nick Apartments 03-26-21-0010-02000-0010

Please submit this letter to the Planning Commission and City Council, and have comments read into the record of public testimony

Dear Planning and Zoning Department,

We, the undersigned residents of Valleydale RO Association, located at 37501 Martindale Avenue, Zephyrhills, want to express our opposition to the approval of a zoning variance "building height increase" proposed for Parcel No. 03-26-21-0010-02000-0010 by D32 Invest, LLC for Nick Apartments located at approximately 6655 Fort King Road.

After viewing the conceptual project plans which show three "four-story" apartment structures/parking lots and related amenities and buildings, we feel the project is too dense for the property size and surrounding area. Some serious concerns are listed below.

- Entering and exiting Valleydale Park already proposes significant wait times, and more importantly, oftentimes dangerous traffic conditions. Increasing the density of this project from a 2-story height to a 4-story height greatly multiplies the number of cars entering/exiting and traveling on this section of Fort King Road.
- Parking areas for the project would be significant at 2 stories. Doubling the number of units will necessitate creating more impermeable surface, more storm water runoff, tighter parking spaces, less usable open space, and a less attractive project overall. Other road issues that will undoubtedly surface are the need for sidewalks along Fort King Road, potential school bus stops, and pedestrian safety measures. These issues need further discussion and an action plan.
- Traffic noise and light pollution generated from three large buildings needs to be addressed.
- There are no details concerning adequacy landscape buffers around the entire project, which and how many historic oak trees would/could be preserved, and generally how the overall appearance of the project, as experienced from Valleydale Park, will be considered and addressed.

We respectfully ask that the commission deny the height variance and maintain the currently permitted 2-story zone. Alternatively, if the commission approves the 4-story variance, we ask that the number of buildings be reduced to two, but preferably one. We also ask that a high growing, coniferous evergreen tree border be placed around the entire northwestern portion of the project.

Respectfully submitted,

Royce and Randy York
6764 Erin Circle

[Handwritten signatures and names of residents:]
Bonnie Lewis
Judy Mahony
Sandy Taibell
Linda Duffin
Margaret Loughlin
Ann Crown
Mimi Higgins
Ramon Harris
Bet Robinson
Paul Marshall
Carol York
Bernadette May
Sue Blakeslee
Doug Blakeslee
(SEE REVERSE)

Richard Gough

Rico Adler

Carol Smiron

Peter Smith

Carol LaCourse

Darryl LaCourse

JoAnn Walls

Dean Walls

Gene McMane

Al + Holly Schave

George + Libby Ketchum

Sandra R. Hauner

Don K 94

Catherine Shipley

Henry Finley

Gwen Ochensider

Larry Lunn

Dyinda Price

Thomas Price

Lela MacLeod

Cheri Wade

Ann Stranger

~~Donald T. Kuch~~

Mary Webster

Ruth Peterson

Nancy Deal

Elizabeth Ketchum

George Keator

Margaret Johnson

Mike

Sandra Rendall

Margaret Summers

Linda A. Corson

Clayton Beard

Don A. Corson

Pam M'Lann

Linda Blodgett

Rose Henry

Sandra K. Corson

Richard Z. Zann

4

RESOLUTION NO. 778-21

**A RESOLUTION RELATED TO HEIGHT; APPROVING A
CONDITIONAL USE TO EXCEED THE HEIGHT
LIMITATIONS OF THE ZONING DISTRICT IN THE
ZEPHYR COMMONS SHOPPING CENTER ON PROPERTY
ZONED R4, MULTI-FAMILY RESIDENTIAL; FINDING
CONFORMITY WITH THE COMPREHENSIVE PLAN;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, an application was filed by SF Zephyr Commons Outparcels LP for a conditional use to exceed the height limitations of the R4 zoning district to allow four-story mid-rise apartment buildings to be located on property within Zephyr Commons with the parcel ID no. 35-25-21-0010-00700-0000; and

WHEREAS, the subject property zoning is R4 (Multi-Family Residential) which allows up to 20 units per gross acre of land and a maximum height of two stories; and

WHEREAS, the City of Zephyrhills Land Development Code, Subsection 7.01.01.04 allows for heights in excess of the zoning district to be considered as a conditional use in accordance with the following:

1. Mid-rise structures (between three and five stories) may be erected if all applicable conditional requirements of a conditional use are met; and
2. Mid-rise structures, when permitted, may be erected to a height not exceeding 75 feet if the building is set back from each setback line at least one additional foot for each additional two feet of building height above 30 feet; and
3. In no case shall a structure exceed the height limitations determined to protect the approach and clear air zones established for the Zephyrhills Municipal Airport, as currently amended or subsequently adopted.

WHEREAS, the application for a conditional use to exceed the height limitations of the zoning district has been found to be in compliance with the requirements of Subsection 7.01.01.04 and the conditional requirements of a conditional use outlined in Part 11.10.00 of the City of Zephyrhills Land Development Code; and

WHEREAS, the granting of a conditional use shall be subject to the following:

1. The holder of a conditional use permit shall be authorized to utilize the site or location of the use only in a manner specified in the written approval and conditions specified therein. Any substantial expansion, alteration or change in the conditional use authorized by the written approval must be reviewed by City Council in the same manner in which the original conditional use was reviewed.
2. An expansion, alteration or change of a conditional use shall be deemed to exist where a substantial modification of the standards provided for in number 1 above, results from activity associated with the conditional use or a substantial change of circumstances or conditions arise.
3. The conditions and stipulations shall become part of the written approval and must be informed to and followed by the applicant or any successor in interest.
4. The conditional use shall run with the subject property.
5. The applicant shall obtain an approved site development plan and necessary permits from the Building Department, and shall pay all related impact fees.
6. The applicant shall be permitted to construct multi-family apartments to a height not exceeding four stories in accordance with the standards of Subsection 7.01.01.04 of the City of Zephyrhills Land Development Code pertaining to mid-rise structures.

7. The applicant shall construct the multi-family apartments in accordance with the City of Zephyrhills Land Development Code, Building Code, and any applicable codes, ordinances, and policies adopted by the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA:

- Section 1. The foregoing findings are incorporated herein by reference and made a part thereof.
- Section 2. The application to exceed to the height limitations of the R4 zoning district for the construction of mid-rise apartments, not to exceed a height of 4 stories, on property with the parcel ID no. 35-25-21-0010-00700-0000 is hereby approved.
- Section 3. The conditional use is approved for the benefit of the applicant and applicant's successors and/or assigns and for the use as specified within the application only, subject to the conditions herein. The character or benefit of this conditional use shall not change but may be transferred without City Council approval by resolution.
- Section 4. The City Council does hereby expressly find that the provisions of this resolution are in conformity with the Comprehensive Plan of the City of Zephyrhills, as amended.

This Resolution No. 778-21 shall run with the subject property and shall inure to the benefit of and be binding upon SF Zephyr Commons Outparcels LP and its successors and assigns. All references to "applicant" herein shall mean SF Zephyr Commons Outparcels LP and its successors and assigns.

The foregoing Resolution No. 778-21 was read and passed, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 28th day of June, 2021.

Attest:

Lori L. Hillman
Lori L. Hillman, City Clerk

W. Alan Knight
W. Alan Knight, Council President

The foregoing Resolution No. 778-21 was approved by me this 28th day of June, 2021.

Gene Whitfield
Gene Whitfield, Mayor

Approved as to legal form and legal content
for the sole reliance of the City of Zephyrhills

Matthew E. Maggard
Matthew E. Maggard, City Attorney

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on July 25, 2022 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (872) 240-3311 - Access Code: 505-707-173.

Council President Wilkeson called the meeting to order. Roll call was taken. Present were members Kenneth Burgess, Alan Knight, Charles Proctor, Jodi Wilkeson, Lance Smith and Mayor Whitfield. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Lieutenant Matthew Hillen, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, Building Official Bill Burgess, CRA Director Gail Hamilton, Public Information Officer Kevin Weiss, IT Director Mike Panak, Senior Planner Rodney Corriveau and City Clerk Lori Hillman.

Director East Pasco Meals on Wheels Beth Aker delivered the innovation. The Pledge of Allegiance followed.

1. CONSENT ITEMS

1.1 Approval of July 11, 2022 Regular Meeting Minutes

1.2 29-22-01 Reassignment of ANGELA LAND, LLC's Interest (Assignor) to B&H CONSTRUCTION OF CENTRAL FLA, INC. (Assignee) – 40420 Free Fall Avenue

1.3 8-4-2022 Municipal Association of Pasco Resolution No. 796-22

RESOLUTION NO 796-22 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS, FLORIDA, AUTHORIZING THE CITY COUNCIL OF THE CITY OF ZEPHYRHILLS TO PARTICIPATE IN A JOINT MEETING OF THE MUNICIPAL ASSOCIATION OF PASCO TO DISCUSS MATTERS OF MUTUAL INTEREST; AND PROVIDING FOR AN EFFECTIVE DATE.

1.4 Asphalt Paving Systems, Inc. Piggyback Agreement No. 41-22-23 with Polk County for Cold Inplace Recycling for 7th Street Resurfacing (5th Avenue to North Avenue)

1.5 D.C. Johnson Agreement No. 41-22-24 Survey – Zephyr Park

1.6 Request Council Approval of Change Order #3 to BRW for the Reclaim Water Project

Lance Smith moved to pull Consent Item 1.4 for discussion. Seconded by Kenneth Burgess. Motion passed unanimously.

CONSENT ITEM 1.4

Public Works Director Shane LeBlanc said the City performed corings on 7th Street and determined the base was the cause of asphalt failure. Staff chose to resurface 7th Street with Cold Inplace Recycling which is an expense process but more cost effective than reconstructing the entire road and presented a video of the Cold Inplace Recycling process. He said the process shown will be complete within three days and residents will be able drive on the road for a week with temporary paint. A 1 ½" lift of asphalt will then be applied followed by an additional 1" lift of asphalt for a total of 2 ½" of asphalt on the base.

City Manager William Poe reiterated there will be a week where the road is dusty and doesn't look complete with no work being done. This is part of the process of allowing traffic to drive on the road to assist with compaction. Crews will return to add asphalt to the base.

Alan Knight moved to approve Consent Items 1, 2, 3, 4, 5 and 6. Seconded by Charles Proctor. Motion passed unanimously.

2. BUSINESS ITEMS/FINANCE DIRECTOR'S REPORT

2.1 Set Tentative Millage Rate

Finance Director Ted Beason requested Council's approval of a 6.25 millage rate be added to the TRIM Notices which is lower than the previous 6.35 millage rate. He said Public Hearings on the proposed Millage and FY 22/23 Budget will be held on Tuesday, September 13th at 6:00 p.m. and Monday, September 26th at 6:00 p.m. He said the City cannot overlap meetings dates with the Pasco County School Board so the City has moved the regularly scheduled Council Meeting from Monday, September 12th to Tuesday, September 13th for taxpayers to attend both meetings, if interested.

Council President Wilkeson referred to a line item in the budget relating to Park funding in the amount of \$340,000 and requested Council consider earmarking \$30,000 or 10% for the restoration of Gunner Park.

Lance Smith moved to approve the 6.25 proposed millage rate with public hearings scheduled on Tuesday, September 13th at 6:00 p.m. and Monday, September 26th at 6:00 p.m. Seconded by Kenneth Burgess. Motion passed unanimously.

3. **PLANNING DIRECTOR'S REPORT**

3.1 Application to Rezone/Amend the Future Land Use at 38624 B Avenue

Planning Director Todd Vande Berg said an application was received for a small scale future land use map amendment and rezoning of 38624 B Avenue. The property is located on the south side of 8th Street and B Avenue and extends to the north side of C Avenue. The property is currently a split future land use classification of MU (Mixed Use) and RU (Residential Urban) with a split zoning designation of C3 (General Commercial) and R3 (Medium Density Residential). The applicant is requesting a future land use classification of RU (Residential Urban) with a zoning designation of R3 (Medium Density Residential) for consistency of the entire property. Staff and the Planning Commission have reviewed the application and concur with the proposed future land use and zoning amendments. Council were in majority agreement for the City Attorney to proceed with drafting an ordinance.

Councilman Kenneth Burgess recused himself from voting on the item below and left Council Chambers.

3.2 Townes at Autumn Palm Final Plat – Lennar Townhomes

Planning Director Todd Vande Berg said this property consists of approximately 9.77 acres located on the west side of Autumn Palm Drive, south of SR-54. The applicant is proposing 94 single-family attached homes. The infrastructure on this development has not been completed and the necessary performance bonds and associated engineer's estimates have been submitted by the applicant. The future land use classification of R4 (Residential Urban) and zoning designation of R4 (Multi-Family Residential) are appropriate for the type of development. Staff has reviewed the final plat to ensure compliance with Florida Statutes and the City's Land Development Code on platting and subdivisions. The City's surveyor of record has reviewed the plat which he found to be in compliance with Florida Statutory requirements for plats. Staff and the Site Plan Review Committee reviewed the final plat and recommended approval. If approved, a mylar was available and ready for signature along with a subdivider's agreement.

Lance Smith moved to approve the Townes at Autumn Palm Final Plat. Seconded by Charles Proctor. Motion passed unanimously.

Councilman Kenneth Burgess returned to Council Chambers.

4. **CITY MANAGER'S REPORT**

4.1 37-22-08 First Amendment to the Amended Tennis Pro Florida, LLC Agreement

City Manager William Poe said staff and the City Attorney met with Pascal Collard to draft the First Amendment being proposed for the management of the SVB Tennis Center. He presented two proposed amendments:

Article 3 – Term. He said the current language states a twenty (20) year agreement with two (2) subsequent ten (10) year extensions with a renewal of a minimum of six (6) months advance notice of the expiration date of intent to extend the agreement. The proposed language will require a minimum of two (2) years advance notice of the expiration date to ensure a smooth transition if a change occurs and will also allow programs to be expanded if the agreement is extended.

Article 13 – Miscellaneous – 13.4. The current language requires Pascal Collard to retain 51% ownership of Tennis Pro Florida, LLC. He said Pascal is looking to bring in additional investors and proposed new language to state Pascal Collard must remain CEO of Tennis Pro Florida, LLC, remain Operations Manager of SVB Tennis Center and remain responsible for the day-to-day operations of SVB Tennis Center. Should Pascal Collard no longer be CEO or Operating Manager, the City has the opportunity to deem this a breach of contract and immediately terminate the agreement. Staff recommended approval of the proposed amendments.

Lance Smith moved to approve the First Amendment to the Amended Tennis Pro Florida, LLC Agreement. Seconded by Kenneth Burgess. Motion passed unanimously.

4.2 Kim Earle – 37741 Phelps Road Update

City Manager William Poe stated Kim Earle addressed Council on July 11th regarding the flooding that occurred on July 1st during a heavy rain event. The complaint was that the water from the adjacent property, Trotter's Crossing, flooded Ms. Earle's property causing damage to her fence and Florida Room in the back of her house. Council voted to issue a stop work order until measures were put in place to stop future flooding. Since that time, the contractor has reinstalled a silt fence, repaired damaged fence posts, constructed a berm and trench along the southern portion of Trotter's Crossing, and dug a retention basin at the low point on the property as directed by engineer Craig Cornelison. The National Pollutant Discharge Elimination System (NPDES) permit was expected to be issued on July 21st but did not occur. The stop work order will not be lifted until the NPDES permit is issued. He said his understanding is that Ms. Earle and AMH Development are currently in discussions relating to the damage to Ms. Earle's Florida room and Ms. Earle is working on securing quotes from contractors to continue conversations for repairs. In closing, he said he received a call from Pasco County in response to a washout complaint on Phelps Road.

Spoke from the Floor: Kim Earle – 37741 Phelps Road – Zephyrhills, FL

Ms. Earle said when she left her house for the meeting at 5:00 o'clock, crews were on the back of the property working. She said there is currently a mountain of dirt behind the property and if you stand on the top and look down, there is a retention pond 25-30 feet deep.

Council President Wilkeson read aloud the conclusion from Engineer Craig Cornelison's email addressing Trotter's Crossing drainage dated July 12, 2022. She said this is not the City's responsibility technically but morally, she has to do what is right and wants to be sure Ms. Earle has the leverage needed to negotiate her compensation. She also wants to be fair to the developers.

Spoke from the Floor: Joe Guttuso – 2927 Pointview Drive – Tampa, FL

Joe said the site is self-explanatory. He said there will be a berm behind Ms. Earle's backyard that will remain in place. He said he received confirmation from Tallahassee today of their receipt of the NPDES application that he forwarded to Joel Bacon in Code Enforcement. He said he contacted the contractor in response to Ms. Earle's statement of crews working on the north side of the property and confirmed crews were knocking down piles of dirt. He said he has thrown out bales of hay to double / triple silt screen in an effort to protect the back side of the property. He said he and the contractor will make a decision to compensate Ms. Earle.

Council Vice President Smith thanked Joe for attending the meeting and asked that he diligently watch the berm to make sure there is no breach.

Kenneth Burgess clarified the ongoing construction was mitigation to correct the problem.

City Manager William Poe said staff has construction plans and will reach out to Ms. Earle to schedule a time to review the plans.

5. CITIZEN COMMENTS

Spoke from the floor: Eileen Westermann – 5522 17th Street – Zephyrhills, FL

Ms. Westermann said she received plans for Trotter's Crossing from the Environmental Protection Agency with the number of houses proposed. She said these are rental homes that no one will ever be able to own and said Zephyrhills was a joke. She asked Council if housing projects with wall-to-wall houses was the City's legacy. She said the City needs developers who provide extra setbacks and landscaping who care about keeping the environment and limiting white pollution. She thanked everyone for their hard work and said the rolling hills between Zephyrhills and Dade City need to be preserved.

City Manager William Poe said a 270 foot buffer to the north was created as a conservation area. He said with the houses condensed into one location, the 270 foot deep area to the north that stretches the length of the project provides open space for the neighborhood.

Council President Wilkeson said Ms. Westermann made a valid point. She said there is a trend for these Airbnb type projects due to the demand from out of state workers and people who cannot qualify to own their own homes. She agreed that they diminish the character of the City.

Planning Director Todd Vande Berg said staff has begun work on a North 301 Corridor Vision Land Use Strategy to preserve the hills and view sheds in the area between Kossik Road and Dade City. The top of the hill will be preserved as open space for access and enjoyment by the neighborhood and will be placed under a conservation easement that will be deeded as such. He said City and County staff are currently working with consultant Tammy Vrana to ensure the unique northern area and qualifying criteria is identified with language in the comprehensive plan.

MAYOR ANNOUNCEMENTS – Mayor Whitfield thanked those in attendance.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe said each Councilmember received a copy of the draft budget that includes a \$500 flat rate bonus for all employees. He said the budget includes an addition of \$102,000 for the purchase of tasers and body camera upgrades for ZPD but the bottom line budget remains the same. He said the connection of Simons Road to Fort King Road (Simons Road Phase II) began today, a 240 day project. He said once the project has been completed, the City will go out to bid for the Simons Road and Eiland Blvd. intersection signalization. He said the North Star Place Marketing and Branding project has begun.

CITY ATTORNEY ANNOUNCEMENTS - N/A

CITY COUNCIL COMMENTS – Councilman Knight echoed what the Mayor said and thanked everyone for attending the meeting. He said the City of Zephyrhills is the largest City in Pasco County and he is proud of the decisions made by Council.

Councilman Proctor thanked Ms. Earle for conveying her flooding situation to Council and thanked Joe and Greg with AMH for their attendance. He said it is important that this issue get resolved.

Council Vice President Smith thanked Joe, Greg and Ms. Earle for attending the meeting. He said the small town Zephyrhills is gone but we need to keep the core. He said he met today with an engineer from Jones Edmunds to get a grasp on the City's water situation. He said data was input into the GIS system and modeling has begun. He said it is Council's responsibility to make sure the nature of the growth is reflective of the character of the community. He said Council has the best interest of the community in their hearts when making decisions.

City Manager William Poe addressed the modeling that Council Vice President Smith spoke about and said he will be receiving an executive summary to use as a cheat sheet with a map of the proposed projects that he will share with Council.

Councilman Burgess said a number of projects approved by Council have come to fruition. He saw crews working this morning on Simons Road and said the 7th Street resurfacing project is a major artery through the City that will keep traffic moving.

Council President Wilkeson thanked Ms. Earle for attending the meeting. She addressed Ms. Westermann's statement that Zephyrhills is a joke and said she disagreed. She said when she first served on the Planning Commission in 2002, Mr. Vande Berg was the City Planner and she felt comfortable the City had the right person for the position, a well-educated, knowledgeable, and driven individual to make the right decisions. He is now creating a legacy of thoughtful people who want to help the City move into the next century and think outside the box with tiny homes and creating different environments for young people. She said this is important in retaining the vibrancy of a community. She acknowledged the dedicated Main Street board members and volunteers who support the community. She recognized Chamber of Commerce CEO Melonie Monson who will be retiring and thanked for her years of service to the community. Ms. Monson will be replaced by Ms. Vicki Wiggins and Dr. Stovall will continue to steady the ship during the transition.

6. NOTED ITEMS

- 6.1 Special Warranty Deed – 38410 6th Avenue – 11-26-21-0010-15300-0200
- 6.2 Special Warranty Deed – 6907 Dairy Road – 02-26-21-0010-01000-0000
- 6.3 Letter of Support for Continued SNAP Grant Funding
- 6.4 Depository Deposit Listing

Meeting adjourned: 7:14 p.m.
Submitted by Lori L. Hillman

REGULAR COUNCIL MEETING

A Regular Council Meeting was held on August 8, 2022 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (224) 501-3412 - Access Code: 445-565-325.

Council President Smith called the meeting to order. Roll call was taken. Present were members Kenneth Burgess, Alan Knight, Charles Proctor, Jodi Wilkeson, Lance Smith and Mayor Whitfield. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Police Chief Derek Brewer, Public Works Director Shane LeBlanc, Planning Director Todd Vande Berg, Finance Director Ted Beason, Airport Manager Nathan Coleman, Public Information Officer Kevin Weiss, IT Director Mike Panak, Historic Preservation Specialist and Community Planner Audrey McGuire and City Clerk Lori Hillman.

Councilman Alan Knight delivered the innovation. The Pledge of Allegiance followed.

1. CONSENT ITEMS

1.1 Approval of June 13, 2022 Regular Meeting Minutes

1.2 Approval of June 27, 2022 Regular Meeting Minutes

1.3 Approval of July 18, 2022 Workshop Minutes

1.4 Appoint David Inman to Airport Authority Board

1.5 Approval of RCM Agreement No. 41-22-21 Three Year Renewal for Water & Wastewater Miscellaneous Construction/Maintenance Services

1.6 Approval of Killebrew Agreement No. 41-22-20 Three Year Renewal for Water & Wastewater Miscellaneous Construction/Maintenance Services

1.7 Approval of Ferguson Piggyback with Lee County Agreement No. 41-22-26 Three Year Extension for Water/Sewer/Irrigation Supplies

1.8 2022 Audit Engagement Letter with Bodine Perry – One Year Extension

Lance Smith moved to approve the Consent Items. Seconded by Charles Proctor. Motion passed unanimously.

2. BUSINESS ITEMS/PLANNING DIRECTOR'S REPORT

2.1 COMP Plan 2035 Presentation

Planning Director Todd Vande Berg introduced Consultant Tammy Vrana who is assisting staff to update the City's Comprehensive Plan. He said Ms. Vrana will present an overview of strategies moving forward and the vision for the community as the City continues to grow and develop.

Spoke from the floor: Tammy Vrana – Vrana Consulting – Safety Harbor, Florida

Ms. Vrana said the Comprehensive Plan is a written long-range plan for the City that explains the community's shared vision for the future, goals, objectives and policies that help protect valued places and promote economic prosperity. She narrated a PowerPoint presentation of slides highlighting the Comprehensive Plan's required topics, population projections, housing affordability, and the Comprehensive Plan update process. Since late June 2022, eight (8) community meetings were held and one (1) on-line survey to solicit feedback. A word cloud slide (visual representation of results) was shown in response to the three questions asked on-line and at community meetings. In closing, she said "How Shall We Grow" Community Visioning Workshops will be held in the Fall and she encouraged citizen involvement.

Councilman Knight said failure to plan is planning to fail. He said the City of Zephyrhills is exploding and the City has to plan for the future.

3. CITY MANAGER'S REPORT

3.1 Award Bid No. 11-22-06 for Dairy Road Extension Guardrail and Retaining Wall Construction

City Manager William Poe said the City distributed Bid No. 11-22-06 for a second time on June 26, 2022 as the first solicitation did not yield any bidders. The solicitation was

distributed through BidNet Direct online with thirteen (13) contractors downloading the bid package. One (1) response was received on July 22, 2022 from B.R.W. Contracting, Inc. in the amount of \$223,500.00 with a 10% contingency of \$22,350.00 for a total of \$245,850.000. He stated this bid award is in addition to the construction of Dairy Road and explained when the Piggyback Agreement with Zephyr Lakes CDD was awarded to B.R.W. Contracting, Inc. for paving services of Dairy Road, staff was unaware of the drastic elevation change and issues with the connection between Dairy Road and Zephyr Commons. Once staff became aware of the situation, guardrail and retaining wall line items were not included in the agreement. Staff requested Council award Bid No. 11-22-06 to B.R.W. Contracting, Inc. in the amount of \$245,850.00. This project will be funded using Transportation Impact Fees.

Spoke from the floor: Public Works Director Shane LeBlanc

Mr. LeBlanc said the estimated cost of the project was in line with the bid amount with a slight escalation in construction prices. Staff will work with the contractor to keep the contingency intact. He said the award of this bid to B.R.W. Contracting, Inc. will benefit the City with only having to work with one contractor on the construction and extension of Dairy Road.

Lance Smith moved to Award Bid No. 11-22-06 to B.R.W. Contracting, Inc. Seconded by Charles Proctor. Motion passed unanimously.

3.2 Approval of Agreement No. 25-22-04 with B.R.W. Contracting, Inc. for Dairy Road Extension Guardrail and Retaining Wall Construction

City Manager William Poe requested Council's approval of Agreement No. 25-22-04 with B.R.W. Contracting, Inc. not to exceed \$245,850.00 with a 180 day completion.

Lance Smith moved to approve Agreement No. 25-22-04 with B.R.W. Contracting, Inc. Seconded by Charles Proctor. Motion passed unanimously.

4. CITY ATTORNEY'S REPORT

4.1 First Reading **Ordinance No. 1440-22 - ORDINANCE NO. 1440-22 "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, CHANGING THE FUTURE LAND USE CLASSIFICATION FROM CITY MU (MIXED USE) TO RU (RESIDENTIAL URBAN) AND AMENDING THE CITY'S OFFICIAL ZONING MAP, CHANGING THE ZONING DESIGNATION FROM C3 (GENERAL COMMERCIAL) TO R3 (MEDIUM DENSITY RESIDENTIAL, FOR A PORTION OF PARCELS 04-26-21-0010-03000-0100 AND 14-26-21-0010-03000-0101; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

City Attorney Matthew Maggard read Ordinance No. 1440-22 by title. Historic Preservation Specialist and Community Planner Audrey McGuire said the subject property currently has a split future land use classification of MU (Mixed Use) and RU (Residential Urban) and a split zoning designation of C3 (General Commercial) and R3 (Medium Density Residential). The applicant is requesting to amend the future land use classification to RU (Residential Urban) and the zoning designation to R3 (Residential Urban) for consistency of the property. The applicant's intended use is one single family home. Staff and the Planning Commission have reviewed the amendment and recommended Council's approval.

Lance Smith moved to approve Ordinance No. 1440-22 on the First Reading. Seconded by Charles Proctor. Motion passed unanimously.

5. CITIZEN COMMENTS

Kim Earle – 37741 Phelps Road Update

Ms. Earle said a meeting was held on Friday, August 5, 2022 and all her concerns were addressed but once she returned home and reviewed the plans, she noticed a water line running along her easement. She said another concern she has is with the swale at the back of her property. She said they have decided to dig a swale 4' deep and backfill with sand to allow the swale to drain quickly and not overflow. She said she has large Oak trees in this area that create privacy from the adjacent property and she is concerned that digging will disturb the roots and she does not want to lose the trees.

City Manager William Poe said the National Pollutant Discharge Elimination System (NPDES) permit was issued and the stop work order was lifted on the project. He said he met with Ms. Earle, representatives for the developer, Engineer Craig Cornelison and Code Enforcement Officer Joel Bacon on Friday, August 5th. He said water that historically flowed through the property will now flow around the property and the developer will over excavate a 4' swale and backfill with clean beach sand to help the water percolate. He said the plans show a water main along the entrance to Trotter's Crossing with a water main running along the easement next to Ms. Earle's property. He said staff will have a conversation with the developer and engineer to discuss the easement and preservation of the Oak trees.

Spoke from the floor: Warren Earle – 3822 Florida Ranch Blvd. – Zephyrhills, FL

Mr. Earle said he had one of seven letters written in July 2014 by the City's Planning and Zoning department inviting people to attend a meetings to discuss what he referred to as Trotter's Troubles. He said eight years later, the City, County and State are still not done with this project and all the problems. He said the project still needs water, sewer and there is no driveway. He said there are issues with traffic and fire, police, garbage and school bus access. He thanked Council for allowing him to speak.

Spoke from the floor: Geoff Dale – 5730 8th Street – Zephyrhills, FL

Mr. Dale said he has lived in the City for 15 years and takes a new street every couple of days to walk the City. He was happy to hear the sidewalk project had begun. He addressed Council about the safety of children walking to school and their access to schools. He requested Council implement a plan with sidewalks to include lights for children walking to school in the dark. He thanked Council for making Zephyrhills awesome.

Council President Wilkeson encouraged Mr. Dale to put his thoughts in writing and share the information with the Public Works Director Shane LeBlanc. She also encouraged Mr. Dale to schedule a meeting to speak with Mr. LeBlanc about the City's plan of action.

Spoke from the floor: Andrew W. Nagy – 5548 23rd Street – Zephyrhills, FL

Mr. Nagy said he is the treasurer of the Zephyrhills Historical Association and thanked Council and the Mayor for allowing him to speak. He said the City's history is founded on Captain Jeffries, a Union Veteran Soldier, and requested the City seriously consider naming the Veterans area of Zephyr Park, the Captain Jeffries Memorial Park. He said when he was the Veteran Council President, he attended a community meeting for remodeling Zephyr Park where they were proposing removing roughly a third of the Veterans area from the park. He said the Veterans Council vehemently opposes touching that area. He said citizens have paid money for dedicated benches and bricks in honor of military veterans.

MAYOR ANNOUNCEMENTS – Mayor Gene Whitfield recognized the Public Works Department for assisting the Agricultural Department.

CITY MANAGER ANNOUNCEMENTS – City Manager William Poe congratulated Public Information Officer Kevin Weiss on his achievements through the 2022 Florida Press Association (FPA) Weekly Newspaper Contest. Kevin took 1st Place in Business Reporting Division A, "A Closer Look at Pasco County's Economic Growth"; 1st Place in Education Feature, Division A, "Renowned Educator Discusses Racial Equity"; and 2nd Place in Health, Medical & Science Reporting, Division A "Local Stakeholders Seek Solutions To Opioid Crisis" while employed with the Laker/Lutz News. He said a Municipal Association of Pasco (MAP)

meeting was held at the Sarah Vande Berg Tennis and Wellness Center on Thursday, August 4th to showcase the facility. He reminded everyone that school starts on Wednesday, August 10th, with extra buses and children walking to school early in the morning.

CITY ATTORNEY ANNOUNCEMENTS – N/A

CITY COUNCIL COMMENTS – Councilman Burgess congratulated Public Information Officer Kevin Weiss on his awards. He suggested information about Captain Jeffries be posted at Tina and Joe’s Café, the location of the Captain Jeffries House.

Council Vice President Smith referred to the 2035 Comprehensive Plan and said the City needs affordable housing to encourage homeownership. He acknowledged the presence of Government Liaison Amber Smith with the Southwest Florida Water Management District (SWFWMD). He encouraged everyone to slow down on Wednesday, August 10th when school reopens and acknowledged Tyler Williams for his work on the Employee Satisfaction Survey.

Councilman Proctor thanked Mr. Earle for attending meetings regularly and his generosity.

Councilman Knight gave a shout out to the Gentlemen’s Quarters who had 20 volunteer barbers and Hair Designs by Jay who provided free haircuts to children in the community.

Council President Jodi Wilkeson acknowledged the Gentlemen’s Quarters and Hair Designs by Jay who had four volunteer stylists and distributed \$250 in school supplies. She said there are some really great things going on in our community. She said the City has tremendous business owners and a beloved Public Works Department who make our downtown look fabulous that is unique to the heart of our City.

6. NOTED ITEMS

6.1 Depository Deposit Listing

Meeting adjourned: 7:07 p.m.
Submitted by Lori L. Hillman

CONSENT ITEMS 1.4

Request Approval of Quit-Claim Deed from City of Zephyrhills to Lucille Plummer

Issue:

Quit-Claim Deed from the City of Zephyrhills to Lucille Plummer.

Background:

It appears Joseph Poblick, previous City Attorney, prepared a Deed for Helen Lewis Blackwell for the property located at 7134 El Greco Street - Zephyrhills, FL. In that deed, he included language that left the property to Blackwell to have a life estate with the remainder to the City.

Three years later, he prepared the deed at issue for Winnifred Hall for the property located at 3240 Osage Drive, Zephyrhills, FL, located in Pasco County. In the subsequent deed, it appears he used the same deed for Ms. Blackwell as a form and left in the language giving Blackwell a life estate with the remainder to the City which appears to be a mistake. The Quit-Claim Deed provided by Steve Carle resolves the issue.

Attachment(s):

1. Request for Quit Claim Deed

Fiscal Impact:

N/A

Staff Recommendation:

Staff requests Council's approval of the Quit-Claim Deed prepared by Attorney Stehen D. Carle of Hodges & Carle, P.A.

HODGES & CARLE, P.A.
ATTORNEYS AT LAW
38410 NORTH AVENUE
POST OFFICE BOX 548
ZEPHYRHILLS, FLORIDA 33539-0548

STEPHEN D. CARLE
Wills, Trusts, Probate, Elder Law,
and Medicaid Planning

RAYMOND H. HODGES
(1915-1999)

COPY

TELEPHONE 782-7196
FAX 782-1026
AREA CODE 813

July 8, 2022

The Honorable Jodi Wilkeson
City Council President
5335 8th Street
Zephyrhills, FL 33542

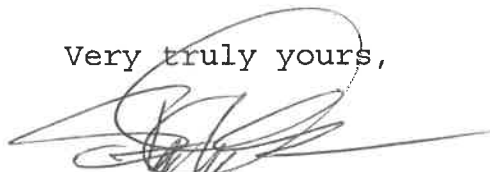
In re: Request For Quit Claim Deed From City of Zephyrhills

Dear Madam President:

I had written to Matt Maggard earlier about this matter but not received a response. I enclose for you, as I think the current Council President, a quit claim deed from the City of Zephyrhills to my client, Lucille Plummer. I also enclose a copy of the correspondence I had earlier sent to Matt to give you the details of this matter.

I do not think this is in any way adversarial but rather just a scrivener's error in the prior deed. I would appreciate your running this matter through the proper channels so that title can be cleared up for Mrs. Plummer. Obviously, if you or anyone else has any questions, please just let me know, and we will provide you any information or documentation you may request.

Very truly yours,

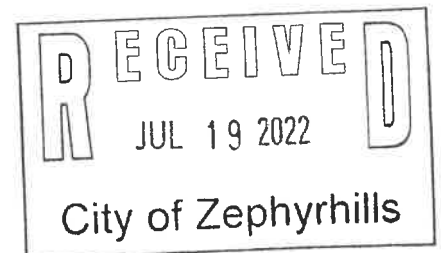


STEPHEN D. CARLE

SDC:kb

Enclosures

cc, without enclosures: Mrs. Lucille Plummer



Return to:
HODGES & CARLE, P.A.
P.O. Box 548
Zephyrhills, FL 33539-0548

This instrument prepared by:
STEPHEN D. CARLE of
HODGES & CARLE, P.A.
38410 North Avenue
P. O. Box 548
Zephyrhills, FL 33539-0548

QUIT CLAIM DEED

THIS INDENTURE Made this day of , 2022, between

CITY OF ZEPHYRHILLS, a Florida municipal corporation,
whose mailing address is 5335 Eighth Street, Zephyrhills, FL 33542,
grantor*, and

LUCILLE PLUMMER, single,
whose mailing address is 62 Bradford Lane, South China, ME 04358,
grantee*.

WITNESSETH, That said grantor, for and in consideration of the sum of -----TEN AND 00/100 DOLLARS----- and other good and valuable considerations to said grantor in hand paid by grantee the receipt of which is hereby acknowledged, has remised, released, and quit claimed, and by these presents, does remise, release and quit claim to the grantee all the right, title, interest, claim and demand which the grantor has in and to the following described land, situate, lying and being in the County of Pasco, State of Florida, to wit:

Lot 214, TIPPECANOE VILLAGE, unrecorded: The South 55 feet of the North 1203 feet of the West 105 feet of the East 122 feet of the NW 1/4 of the SE 1/4 of Section 19, Township 26 South, Range 21 East, Pasco County, Florida. Subject to a utility easement over the West and South 6 feet and the East 10 feet thereof.

TOGETHER with a 1978 ROKE mobile home Vehicle Identification No. R11021373A, Florida Title No. 15209507 and 1978 ROKE mobile home Vehicle Identification No. R11021373B, Florida Title No. 15209508.

Property Appraiser's Parcel I.D. No. 19-26-21-0020-00000-2140.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the use and benefit of the grantee.

*"Grantor" and "grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

CITY OF ZEPHYRHILLS, a Florida municipal corporation

Sign name on line above

By: _____
JODI WILKESON, City Council President

Print name on line above

Sign name on line above

Print name on line above

STATE OF FLORIDA)
COUNTY OF PASCO)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this _____ day of _____, 2022, by JODI WILKESON, City Council President, on behalf of the City of Zephyrhills, a Florida municipal corporation,
[] who is personally known to me, OR
[] who has produced _____ as identification.

Signature of Notary Public

Typed/Printed Name of Notary Public
NOTARY PUBLIC
Serial Number (if any): _____
My commission expires: _____

I hereby certify that I prepared this instrument from information given to me by the parties hereto. I have made no examination as to the marketability of the title and therefore assume no responsibility for the accuracy of the description or condition of title.

STEPHEN D. CARLE

K

HODGES & CARLE, P.A.
ATTORNEYS AT LAW
38410 NORTH AVENUE
POST OFFICE BOX 548
ZEPHYRHILLS, FLORIDA 33539-0548

STEPHEN D. CARLE
Wills, Trusts, Probate, Elder Law,
and Medicaid Planning

TELEPHONE 782-7196
FAX 782-1026
AREA CODE 813

RAYMOND H. HODGES
(1915-1999)

March 30, 2022

Mr. Matthew Maggard
13134 US Highway 301
Dade City, FL 33525

In re: Request For Quit Claim Deed From City of Zephyrhills

Dear Matt:

Enclosed is a quit claim deed from the City of Zephyrhills to Lucille Plummer which I would ask you to have Alan Knight sign after you determine the appropriateness of this action.

I was doing estate planning work for Mrs. Plummer when I reviewed the deed whereby Winnifred Hall placed the property in joint tenancy with right of survivorship with Mrs. Plummer. I have marked the language that creates a cloud on title. It would appear that although the deed indicates it was prepared by Winnifred Hall, it would appear that Joe Poblick actually prepared the deed while he was City Attorney. Somehow he picked up language from a prior deed, a copy of which I also enclose, and which was intended to give the City of Zephyrhills a remainder interest in the property that other deed described.

I enclose a death certificate for Winnifred E. Hall. I also enclose a death certificate for Helen Lewis Blackwell, who you will note died prior to the deed to my client.

In any event, I believe you will agree that the City of Zephyrhills was never intended to have any interest in Lot 214 at Tippecanoe Village and that the language in the March 22, 2011, deed recorded in OR Book 8528, Page 2949, of the Public Records of Pasco County, Florida, was simply a scrivener's error.

I further believe that the quit claim deed I have enclosed for the City Council President to sign will fully rectify the error.

Mr. Matthew Maggard
March 30, 2022
Page 2

Accordingly, I would ask that you review the situation with City Council and if agreed, have the enclosed quit claim deed signed and returned to me for recording.

If you have any questions, please just let me know.

Very truly yours,

STEPHEN D. CARLE

SDC:kb

Enclosures

R S/H

Prepared by and Return to:
Winnifred Hall
3240 Osage Dr.
Zephyrhills, Florida 33541



Rept: 1357962 Rec: 10.00
DS: 0.70 IT: 0.00
03/23/11 C. Cook, Dpty Clerk
PAULA S. O'NEIL, Ph.D. PASCO CLERK & COMPTROLLER
03/23/11 02:15pm 1 of 1
OR BK 8528 PG 2949

QUIT CLAIM DEED

Made this 22 day of March, 2011 A.D. Winnifred Hall, hereinafter called the grantor, whose mailing address is 3240 Osage Dr., Zephyrhills, Florida, 33540, to the following persons as indicated, Winnifred Hall and Lucille Plummer, whose mailing address is 165 Winsor Rd., South China, Maine, 04538, as Joint Tenants with Right of Survivorship called the grantees.

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

Witnesseth, that the grantor, for and in consideration of the sum of \$10.00, and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee, Helen Lewis Blackwell, for use during her lifetime, then to grantee, City of Zephyrhills, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Pasco County, Florida, viz:

Lot 214, TIPPECANONE VILLAGE, unrecorded: The South 55 feet of the North 1203 feet of the West 105 feet of the East 122 feet of the NW ¼ of the SE ¼ of Section 19, Township 26 South, Range 21 East, Pasco County Florida. Subject to an utility easement over the West and South 6 feet and the East 10 feet thereof.

Together with a 1978 ROKE ID R11021373A&B and R125624 & 5.

Parcel Identification No. 19-26-21-0020-00000-2140

The preparer of this deed relied solely on the representations of the grantor(s), without the benefit of title examination.

Together with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Winnifred Hall, Grantor

Witness Name: Duane I. Mahon

Witness Name: Patricia A. Tzer

State of Florida
County of Pasco

The foregoing instrument was acknowledged before me this 22nd day of March, 2011, by Winnifred Hall, who is personally known to me or who has produced a state driver's license as identification.

Notary Public

JOSEPH POBLOK
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE008235
Expires 7/5/2014





Prepared by and Return to:
City of Zephyrhills
5335 8th St.
Zephyrhills, Florida 33542



Rcpt: 1243280 Rec: 10.00
DS: 0.70 IT: 0.00
05/15/09 09:11AM 1 of 1
Dpty Clerk

PAULA S. O'NEIL, PASCO CLERK & COMPTROLLER
05/15/09 09:11AM 1 of 1
OR BK 8085 PG 189

QUIT CLAIM DEED

Made this 1st day of MAY, 2009 A.D. Helen Lewis Blackwell, hereinafter called the grantor, whose mailing address is 7134 El Greco St., Zephyrhills, Florida, 33541, to The City of Zephyrhills, a municipal corporation, whose mailing address is 5335 8th St., Zephyrhills, Florida 33542 hereinafter and Helen Lewis Blackwell called the grantee.

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

Witnesseth, that the grantor, for and in consideration of the sum of \$10.00, and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee, Helen Lewis Blackwell, for use during her lifetime, then to grantee, City of Zephyrhills, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Pasco County, Florida, viz:

Lot 359, Spanish Trails Village, a condominium, according to Plat Book 13, Pages 59 and 60, Public Records of Pasco County, Florida, and being further described in that certain Declaration of Condominium filed September 25, 1974, Page 445, as Clerk's Instrument No. 413898, Public Records of Pasco County, Florida; together with an undivided share in the common elements appurtenant thereto, and an interest in the limited common elements, in any, appurtenant to said unit.

A perpetual and non-exclusive easement in common with, but not limited to, all other owners of undivided interest in the improvements upon the land above described for ingress and egress and use of all public passageways as well as common areas and facilities upon the land above described.

Together with: 1978 single wide Mobile Home ID#R11021590

Parcel Identification No. 34-25-21-0050-00000-3590

Together with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Helen Lewis Blackwell, Grantor

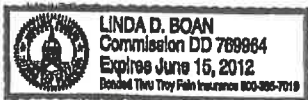
Witness Name: Joseph Pablick

Witness Name: VICKI S. ELKINS

State of Florida
County of Pasco

The foregoing instrument was acknowledged before me this 1st day of MAY, 2009, by HELEN LEWIS BLACKWELL, who is personally known to me or who has produced a state driver's license as identification.

Notary Public



STATE OF MAINE

INSTR# 2022070532 BK 10580 PG 1239

03/28/2022 02:34pm

Page 1 of 1

Rcpt: 2435188

Rec: 10.00

DS: 0.00

IT: 0.00

Nikki Alvarez-Sowles, Esq.

Pasco County Clerk & Comptroller

Name Known to Physician (a.k.a)		Department of Health and Human Services		118-2016-504144	
		Certificate of Death		State File Number	
1a. First Name Winnifred		1b. Middle Name E.		1c. Last Name Hall	
2. Date of Death Actual date of death April 13, 2016		3. Sex Female		4. Social Security Number 006-20-4640	
5a. Age (yrs) 95 Last Birthday		5b. Under 1 Year Months Days		5c. Under 1 Day Hours Minutes	
7. Birthplace Thorndike, Maine		8. Was Decedent Ever in U.S. Armed Forces? No		9. Place of Death Decedent's Home	
10. Facility Name Decedent's Home		11. County of Death Kennebec		12. City or Town of Death Winthrop	
13. Marital Status at Time of Death Widowed		14. Surviving Spouse/Partner		15. Decedent's Usual Occupation Self Employed	
16. Kind of Business / Industry Hairdresser		17. Education High School graduate or GED completed		18. Ancestry American	
19. Race White		20. Residence State Maine		21. Residence County Kennebec	
22. Residence City or Town Winthrop		23. Residence Street and Number 74 Pineland Drive		24a. Parent First Name Henry	
24b. Middle Name C.		24c. Last Name Prior to First Marriage McCorison		24d. Suffix Unknown	
25a. Parent First Name Elizabeth		25b. Middle Name Unknown		25c. Last Name Prior to First Marriage Frye	
25d. Suffix Unknown		26. Informant Name Cheryl G. Vinton		27. Mailing Address 74 Pineland Drive Winthrop, Maine 04364	
28. Method of Disposition Temporary Storage		29. Date of Disposition April 18, 2016		30. Was Body Embalmed? Yes	
31a. Place of Disposition Lawry Brothers Vault		31b. Location (City or town, state) Fairfield, Maine		32a. Signature of Funeral Practitioner or Authorized Person → Omar C Wheeler Signature Electronically Authenticated	
32b. Name and Address of Facility or Authorized Person Lawry Brothers Funeral Home (Windsor) 207 Windsor Neck Rd, Windsor, Maine 04363		33a. Signature and Title of Certifier → - To the best of my knowledge, death occurred at the time, date, and place, due to the cause(s) and manner as stated. /s/ Bruce W Kenney Doctor of Osteopathy		33b. Date Signed April 18, 2016	
33c. Name and Address of Certifier Bruce W Kenney 76 High Street, Lewiston, Maine 04240		34. Was Body Viewed After Death? No		37. Medical Examiner Case Number	
35. Time of Death 07:05 AM Actual time of death		36. Manner of Death Natural		38. Part I.	
Immediate Cause of Death (Final disease or condition resulting in death)		a. malignant arrhythmia Due to (Or as a consequence of):		Approximate Interval Between Onset and Death 60 seconds	
Sequential list of other conditions, if any, leading to immediate cause. The underlying cause (Disease or injury which initiated events resulting in death) is entered last.		b. hypoxia Due to (Or as a consequence of):		1 hour	
		c. pulmonary edema Due to (Or as a consequence of):		1 day	
		d. systolic congestive heart failure		years	
Part II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I.					
39. Signature of Registrar → Roberta L. Fogg, Deputy State Registrar Signature Electronically Authenticated		40. Date Filed April 22, 2016			

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE ABSTRACT OR COPY OF A CERTIFICATE OR RECORD WHICH IS IN MY OFFICIAL CUSTODY.

TOWN OF:

DATE ISSUED: APR 22 2016

ATTEST:

Roberta L. Fogg
DEPUTY STATE REGISTRAR

STATE REGISTRAR/MUNICIPAL CLERK

VS-31 R092015

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar





2010125450

S/H

OFFICE of VITAL STATISTICS

CERTIFIED COPY

FLORIDA CERTIFICATE OF DEATH

Rept: 1323635 Rec: 10.00
DS: 0.00 IT: 0.00
09/01/10 C. Cook, Dpty ClerkTYPE IN
PERMANENT
BLACK INK

LOCAL FILE NO.

1. DECEASED'S NAME (First, Middle, Last, Suffix) Helen Cornelia Blackwell		2. SEX Female	
3. DATE OF BIRTH (Month, Day, Year) January 31, 1930		4. AGE - Last birthday (Years) 80	
5. UNDER 1 YEAR Months _____ Days _____		6. DATE OF DEATH (Month, Day, Year) July 23, 2010	
7. BIRTHPLACE (City and State, or Foreign Country) Walden, New York		8. COUNTY OF DEATH Pasco	
9. PLACE OF DEATH (Check only one) HOSPITAL: _____ NON-HOSPITAL: ☒ Hospice Facility _____ Emergency Room/Outpatient _____ Nursing Home/Long Term Care Facility _____ Decedent's Home _____ Other (Specify) _____			
10. FACILITY NAME (If not institution, give street address) Gulfside Center for Hospice Care		11a. CITY, TOWN, OR LOCATION OF DEATH Zephyrhills	
12. MARITAL STATUS (Specify) ☒ Married ☐ Married, but Separated ☐ Widowed ☐ Divorced ☐ Never Married		13. SURVIVING SPOUSE'S NAME (If wife, give maiden name) None	
14a. RESIDENCE - STATE Florida		14b. COUNTY Pasco	
14c. STREET AND NUMBER 7134 El Grecco Street		14d. CITY, TOWN, OR LOCATION Zephyrhills	
14e. APT. NO. None		14f. ZIP CODE 33542	
15a. DECEASED'S USUAL OCCUPATION (Indicate type of work done during most of working life.) Office Manager		15b. KIND OF BUSINESS/INDUSTRY Construction	
16. DECEASED'S RACE (Specify the race/ethnicity to indicate what decedent considered himself/herself to be. More than one race may be specified.) ☒ White ☐ Black or African American ☐ American Indian or Alaskan Native (Specify tribe) ☐ Asian Indian ☐ Chinese ☐ Filipino ☐ Japanese ☐ Korean ☐ Vietnamese ☐ Other Asian (Specify) _____ ☐ Native Hawaiian ☐ Guamanian or Chamorro ☐ Samoan ☐ Other Pacific Is. (Specify) _____ Other (Specify) _____			
17. DECEASED OF HISPANIC/LATIN ORIGIN? (Specify if decedent was of Hispanic or Latino Origin.) ☐ Yes (If Yes, specify) ☒ No ☐ Mexican ☐ Puerto Rican ☐ Cuban ☐ Central/South American ☐ Haitian ☐ Other Hispanic (Specify) _____			
18. DECEASED'S EDUCATION (Specify the decedent's highest degree or level of school completed at time of death.) ☒ 8th or less ☐ High school but no diploma ☐ High school diploma or GED ☐ College degree (Specify): _____ Associate _____ Bachelor's _____ Master's _____ Doctorate _____			
19. WAS DECEASED EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No			
20. FATHER'S NAME (First, Middle, Last, Suffix) Enoch Lewis		21. MOTHER'S NAME (First, Middle, Last, Suffix) Jeannette Bennett	
22a. INFORMANT'S NAME Ann Marie Stephens		22b. RELATIONSHIP TO DECEASED Friend	
23a. CITY OR TOWN Zephyrhills		23b. STREET ADDRESS 3846 Michelle Lane	
23c. ZIP CODE 33541		24. PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) Palm State Crematory	
25a. LOCATION - STATE Florida		25b. LOCATION - CITY OR TOWN Clearwater	
26. METHOD OF DISPOSITION ☐ Burial ☐ Entombment ☒ Cremation ☐ Donation ☐ Removal from State ☐ Other (Specify) _____			
27a. IF CREMATION, DONATION OR BURIAL AT SEA, WAS MEDICAL EXAMINER APPROVAL GRANTED? ☒ Yes ☐ No			
27b. LICENSE NUMBER (for Licensees) F046201		27c. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH <i>[Signature]</i>	
28. NAME OF FUNERAL FACILITY Whitfield Funeral Home			
29a. CITY OR TOWN Zephyrhills		29b. STREET ADDRESS 5008 Gall Boulevard	
29c. ZIP CODE 33542		29d. FACILITY'S MAILING - STATE Florida	
30. CERTIFIER: ☒ Certifying Physician - To the best of my knowledge, death occurred at the time, date and place, and due to the cause(s) and manner stated. (Check one) ☐ Medical Examiner - On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date and place, due to the cause(s) and manner stated.			
31a. (Signature and Title of Certifier) <i>[Signature]</i>		31b. DATE SIGNED (month/day/year) 7/26/2010	
31c. TIME OF DEATH (24 hr.) 1111		32. MEDICAL EXAMINER'S CASE NUMBER 1111	
34a. LICENSE NUMBER (for Certifier) ME 0070811		34b. CERTIFIER'S NAME Ali S. Safdar, M.D.	
35a. NAME OF ATTENDING PHYSICIAN (If other than Certifier) None		36. NAME OF ATTENDING PHYSICIAN (If other than Certifier) None	
37. CERTIFIER'S - STATE Florida		37b. CITY OR TOWN Zephyrhills	
37c. STREET ADDRESS 37900 Daughtery Road		37d. ZIP CODE 33541	
38. SUBREGISTRAR - Signature and Date <i>[Signature]</i> August 2, 2010			

PAULA S. O'NEIL, Ph.D. PASCO CLERK & COMPTROLLER
09/01/10 10:43am 1 of 1
OR BK 8410 Pg 164

VOID IF ALTERED OR ERASED

VOID IF ALTERED OR ERASED

R VICKIE ELKINS

Marilyn C. Griffin
CHIEF DEPUTY REGISTRAR

AUG 2 2010

WARNING:

THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH A WATERMARK OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARK. THE DOCUMENT FACE CONTAINS A MULTI-COLORED BACKGROUND AND GOLD EMBOSSED SEAL. THE BACK CONTAINS SPECIAL LINES WITH TEXT AND SEALS IN THERMOCHROMIC INK.

DH FORM 1947 (08/04)

36847248

CERTIFICATION OF VITAL RECORD



* 3 6 8 4 7 2 4 8 *



Return to:
HODGES & CARLE, P.A.
P.O. Box 548
Zephyrhills, FL 33539-0548

This instrument prepared by:
STEPHEN D. CARLE of
HODGES & CARLE, P.A.
38410 North Avenue
P. O. Box 548
Zephyrhills, FL 33539-0548

QUIT CLAIM DEED

THIS INDENTURE Made this day of , 2022, between
CITY OF ZEPHYRHILLS, a Florida municipal corporation,
whose mailing address is 5335 Eighth Street, Zephyrhills, FL 33542,
grantor*, and
LUCILLE PLUMMER, single,
whose mailing address is 62 Bradford Lane, South China, ME 04358,
grantee*.

WITNESSETH, That said grantor, for and in consideration of the sum of -----TEN AND 00/100
DOLLARS----- and other good and valuable considerations to said grantor in hand paid by grantee the receipt
of which is hereby acknowledged, has remised, released, and quit claimed, and by these presents, does remise,
release and quit claim to the grantee all the right, title, interest, claim and demand which the grantor has in
and to the following described land, situate, lying and being in the County of Pasco, State of Florida, to wit:

Lot 214, TIPPECANOE VILLAGE, unrecorded: The South 55 feet of the North 1203 feet of
the West 105 feet of the East 122 feet of the NW 1/4 of the SE 1/4 of Section 19, Township
26 South, Range 21 East, Pasco County, Florida. Subject to a utility easement over the West
and South 6 feet and the East 10 feet thereof.

STATE OF FLORIDA)
COUNTY OF PASCO)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this _____ day of _____, 2022, by W. ALAN KNIGHT, City Council President, on behalf of the City of Zephyrhills, a Florida municipal corporation,
[] who is personally known to me, OR
[] who has produced _____ as identification.

Signature of Notary Public

Typed/Printed Name of Notary Public
NOTARY PUBLIC
Serial Number (if any): _____
My commission expires: _____

I hereby certify that I prepared this instrument from information given to me by the parties hereto. I have made no examination as to the marketability of the title and therefore assume no responsibility for the accuracy of the description or condition of title.

STEPHEN D. CARLE

CONSENT ITEMS 1.5

Special Event Alcohol Permit for Paulie Palooza

Issue:

Permission for the sale, distribution and consumption of alcoholic beverages (beer and wine only).

Background:

Gulfside Healthcare Services are requesting permission for the sale, distribution and consumption of alcoholic beverages (beer and wine) along 5th Avenue from 7th to 9th Streets, between 4th and 6th Avenues during the annual Paulie Palooza event. The event is scheduled for Saturday, October 22, 2022 from 12:00 PM to 8:00 PM. The applicants have met with city staff and the police department to discuss the event.

Attachment(s):

1. Special Event Application Form (1)
2. COI - Paulie Palooza (2)
3. SKM_C36822081711290

Fiscal Impact:

N/A

Staff Recommendation:

Staff recommends approval.

SPECIAL EVENT PERMIT

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



TERMS & CONDITIONS

1. Applications must be filed with the City of Zephyrhills Planning Department no less than 60 days and no more than 12 months prior to an event. Permits for recurring events may be applied for and approved annually.
2. The grant of a permit shall constitute the issuance of a limited license, and shall not create a property right, or entitle the applicant to violate any general city rules, or regulations applicable to the use of public property adopted by ordinance.
3. The applicant shall be responsible for the payment of fees, deposits, or reimbursement of costs where a request is made to use City services, equipment, or property for a special event. In addition, the applicant shall be responsible for all costs incurred should inspection services be required in order ensure compliance with City ordinances. **Any costs of repairs to or restoration of public facilities caused by the event shall be charged to the applicant.**
4. It is the applicant's responsibility to contact the City of Zephyrhills Police Department immediately upon the occurrence of any criminal activity or medical incidents where fire rescue is called or treatment is given. In addition, the applicant shall document all incidents in the Post-Event-Report to be provided to the City of Zephyrhills a minimum of 1 week after the event.
5. All forms contained in this packet are required to be completed. Please refer to the checklist contained in this packet for additional documents required for submittal. Incomplete applications will not be accepted.

*Event Contact Person

*Phone

*Email

*Organization Name

*Date Incorporated

*Employer ID # (EIN)

☐ ACTIVE

☐ INACTIVE

*Event Name

*Event Date

*Event Times

Entry Fee

Co-Sponsor

*Type of Event

☐ Run / Walk

☐ Parade

☐ Festival

☐ Other

*Has this event taken place in Zephyrhills before?

☐ Yes – Annual Event

☐ Yes – Once

☐ No

*Requested City Facility – Mark All that Apply (\$\$ symbol indicates associated fees).

☐ Zephyr Park

☐ Downtown 5th Ave.

☐ Krusen Park

☐ Airport Venue \$\$

☐ Alice Hall @ Zephyr Park \$\$

☐ Clock Plaza on 5th Ave.

☐ Skate Park

☐ Veteran's Memorial Park

☐ Wickstrom Stage @ Zephyr Park

☐ Gunner Paw Park

☐ Shepard Park

*Estimated Attendance

Estimated Number of Vendors

Number of Parade or Run/Walk Entries (if applicable)

SPECIAL EVENT PERMIT

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



***City Street or Avenue Closure Request?**

☐ Yes (indicate location below) ☐ No

***State Highway Closure (FDOT Lane Closure Permit Required)**

☐ Yes (indicate location below) ☐ No

***Equipment to be brought on City property (mark all that apply)**

- ☐ Tents (smaller than 10' x 10')
- ☐ Tents (larger than 10' x 10' – requires fire rating certificate)
- ☐ Vehicles
- ☐ Stage
- ☐ Start / Finish Line
- ☐ Signs

☐ Tables

☐ Porta lets

☐ Bounce – House / Inflatables (requires own COI)

☐ Sound Equipment

☐ People Barricades (City does not own or provide)

☐ Other (please list below)

***Requested City equipment / utilities for event (mark all that apply)**

☐ Bathroom Facilities

☐ Electricity (5th Avenue Median)

☐ Electricity (Stage Areas)

☐ Garbage Cans

☐ Cones / Barricades

☐ Other (please list below)

***Brief Description of Event**

I/We agree to obtain and maintain the required liability insurance and secure all necessary local, state and federal permits and to comply with all terms and conditions applicable to the conduct of special events, as set forth in Ordinance No. 943.06, as amended.

I/We certify that the information contained in this application is complete, true and accurate to the best of my/our knowledge. As applicant for the event, I/we agree to release and hold harmless the City of Zephyrhills from liability of any kind for any and all damages arising out of any loss or injury resulting from the conduct of this event and for any and all losses or injury arising while conducting the event using City of Zephyrhills facilities or property and for any and all losses or injury to persons attending this special event.

I/We certify that individuals will not be barred from participation in this event due to race, creed, color, national origin, sex, age or physical impairment.

I/We fully understand, acknowledge and agree to all terms and conditions of this form and that failure to meet the terms and conditions shall result in cancelation of the event.

Signature:

Date:

Print Name:

ALCOHOLIC BEVERAGE CONSUMPTION PERMIT

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



TERMS & CONDITIONS

1. Applications for Consumption of Alcoholic Beverages in conjunction with Special Events must be approved by City Council. Applications must be filed with the City Manager not less than 2 months prior to an event.
2. Events including the consumption of alcoholic beverages must attach proof of liability insurance in the amount of \$2,000,000 (Two Million Dollars) naming the City of Zephyrhills as an additional insured (Certificate Holder).
3. No applicant shall be issued more than 3 (three) permits per year, and no permitted events may exceed two days in duration.

Required Supportive Materials

1. Diagram / map depicting specific, clearly identifiable, designated and secure areas within the event venue where beverage sales and consumption are to occur.
2. Documentation of appropriate applications for State Alcoholic Beverage licensing for the event.

*Event Name

*Event Date(s)

*Event Time(s)

*Please provide a general description of how the use of alcohol will be incorporated into the proposed event. *Attach extra sheets if necessary.*

*Provide a description of how security and beverage law compliance will be provided, including hours of sale and consumption during the event. *Attach extra sheets if necessary.*

*Provide a description of the types(s) of beverages(s) and beverage containers to be used in conjunction with the event. *Attach extra sheets if necessary.*

By signing below, the applicant fully understands, acknowledges and agrees to all terms and conditions stated on this form. Failure to meet the terms and conditions stated above shall result in a void of permit for alcoholic beverages.

*Event holder signature

*Date

CITY USE ONLY

Submittal Date

Approval Date

Signature

INSURANCE REQUIREMENTS

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



Applicants are required to provide proof of insurance in the amount of One Million Dollars (\$1,000,000) per occurrence. For events with alcoholic beverage consumption, liability insurance coverage requirements increase to Two Million Dollars (\$2,000,000) per occurrence. The City of Zephyrhills shall be named as an additional insured on coverage for all events. Please note that it is also the applicant's responsibility to ensure that all food/beverage vendors and attraction vendors involved in the event provide valid proof of insurance meeting the minimum requirements stated above. Proof of coverage shall be submitted to the city no less than one week prior to the event or the event runs the risk of cancellation. An example Certificate of General Liability Insurance form is provided in this packet for informational purposes only.

, here on known as the APPLICANT shall, at its sole cost and expense, procure and maintain throughout the term of this contract, Comprehensive General Liability insurance, with the minimum policy amounts of \$1,000,000 Combined Single Limits for passive events or \$2,000,000 Combined Single Limits for events with alcoholic beverage consumption, or to the extent and in such amounts as required and authorized by Florida law, and will provide endorsed certificates of insurance generated and executed by a licensed insurance broker, brokerage or similar licensed insurance professional evidencing such coverage, and naming the CITY OF ZEPHYRHILLS as a named, additional insured, as well as furnishing the CITY OF ZEPHYRHILLS with a certified copy, or copies, of said insurance policies. Certificates of insurance and certified copies of these insurances policies must accompany this signed contract. Said insurance coverages procured by the APPLICANT as required herein shall be considered, and the APPLICANT agrees that said insurance coverages it procures as required herein shall be considered, as primary insurance over and above any other insurance, or self-insurance, available to the CITY OF ZEPHYRHILLS, and that any other insurance, or self-insurance available to the CITY OF ZEPHYRHILLS shall be considered secondary to, or in excess of, the insurance coverage(s) procured by the APPLICANT as required herein.

Nothing herein shall be construed to extend the CITY OF ZEPHYRHILLS' liability beyond that provided in section 768.28, Florida Statutes.

Applicant Signature

Date

Printed Name

Name of Affiliated Entity

Representative Capacity of Person Signing

INDEMNITY AGREEMENT

Hold Harmless

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



, here on known as the APPLICANT shall indemnify and hold harmless the CITY OF ZEPHYRHILLS and all of the CITY OF ZEPHYRHILLS' officers, agents, and employees from and against all claims, liability, loss and expense, including reasonable costs, collection expenses, attorneys' fees, and court costs which may arise because of the negligence (whether active or passive), misconduct, or other fault, in whole or in part (whether joint, concurrent, or contributing), of the APPLICANT, its officers, agents or employees in performance or non-performance of its obligations under the Agreement. The APPLICANT recognizes the broad nature of this indemnification and hold harmless clause, as well as the provision of a legal defense to the CITY OF ZEPHYRHILLS when necessary, and voluntarily makes this covenant and expressly acknowledges the receipt of such good and valuable consideration provided by the CITY OF ZEPHYRHILLS in support of this indemnification, legal defense and hold harmless contractual obligations in accordance with the laws of the State of Florida. This clause shall survive the termination of this Agreement. Compliance with any insurance requirements required elsewhere within this Agreement shall not relieve the APPLICANT of its liability and obligation to defend, hold harmless and indemnify the CITY OF ZEPHYRHILLS as set forth in this article of the Agreement.

Nothing herein shall be construed to extend the CITY OF ZEPHYRHILLS' liability beyond that provided in Section 768.28, Florida Statutes.

Applicant Signature

Date

Printed Name

Name of Affiliated Entity

Representative Capacity of Person Signing

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/14/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh & McLennan Agency Bouchard Region 101 N. Starcrest Drive Clearwater, FL 33765	CONTACT NAME: Certificate Department PHONE (A/C, No, Ext): 727 447-6481 FAX (A/C, No): E-MAIL ADDRESS: clicerts@marshmma.com																					
INSURED Gulfside Healthcare Services, Inc. 2061 Collier Parkway Land O'Lakes, FL 34639	<table border="1"> <thead> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr> </thead> <tbody> <tr> <td colspan="2">INSURER A : National Union Fire Ins Co of Pittsburg</td><td>19445</td></tr> <tr> <td colspan="2">INSURER B : Accident Fund Insurance Co. of America</td><td>10166</td></tr> <tr> <td colspan="2">INSURER C :</td><td></td></tr> <tr> <td colspan="2">INSURER D :</td><td></td></tr> <tr> <td colspan="2">INSURER E :</td><td></td></tr> <tr> <td colspan="2">INSURER F :</td><td></td></tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A : National Union Fire Ins Co of Pittsburg		19445	INSURER B : Accident Fund Insurance Co. of America		10166	INSURER C :			INSURER D :			INSURER E :			INSURER F :		
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INSURER D :																						
INSURER E :																						
INSURER F :																						

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☒ CLAIMS-MADE ☐ OCCUR ☒ Professional Liab GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		VHNUHG000154402	01/17/2022	01/17/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$50,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$3,000,000 PRODUCTS - COMP/OP AGG \$3,000,000 \$
A	AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			VHNUHA000156102	01/17/2022	01/17/2023	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☐ OCCUR ☒ EXCESS LIAB ☒ CLAIMS-MADE DED RETENTION \$			VHNUHX000156402	01/17/2022	01/17/2023	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☒ Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N	N / A	UHWCP10000021501	01/17/2022	01/17/2023	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$100,000 E.L. DISEASE - EA EMPLOYEE \$100,000 E.L. DISEASE - POLICY LIMIT \$500,000

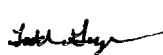
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Named Insured Schedule:

Gulfside Healthcare Services, Inc.
 Gulfside Hospice, Inc.
 Gulfside Home Health, LLC
 Gulfside Palliative Care, LLC
 (See Attached Descriptions)

CERTIFICATE HOLDER

CANCELLATION

The City of Zephyrhills 5335 8th St Zephyrhills, FL 33542	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

DESCRIPTIONS (Continued from Page 1)

Certificate holder is additional insured as respects General Liability only if required by written contract, and subject to the terms, conditions and exclusions as specified in the policy

Event: Paulie Palooza

General Liability policy includes Host Liquor Liability coverage. No Exclusions apply under the Umbrella policy for Host Liquor Liability.

FLORIDA DEPARTMENT OF HEALTH – PASCO COUNTY
TEMPORARY EVENT SANITATION APPLICATION

This form is to be completed and submitted to:
Florida Department of Health – Pasco County (DOH-Pasco)
Environmental Health Services

5640 Main Street
New Port Richey, FL, 34652
(727) 841-4425 opt. 5
FAX (727) 484-3866

13941 15th Street
Dade City, FL., 33525
(352) 521-1450 opt. 5
FAX (727) 484-3866

1. Name of Event: Paulie Palooza
2. Sponsor/Applicant/Agent Name: Gulfside Healthcare Services
3. Mailing Address (for the above): 2061 Collier Parkway, Land O' Lakes, FL 34639
4. Telephone (for the above): 727-845-5707
5. Location of Event: (copy of site plan required): Main Street Zephyrhills, 5th Avenue, Zephyrhills, FL
6. Expected Number of attendance (per day): 500+ throughout a 9 hour event
7. Duration of Event (days/dates/times): 10/22/2022 from 12pm to 9pm
8. Will Overnight Camping Be Allowed: YES _____ NO x
9. Toilet service provided by: (copy of contract required): City of Zephyrhills and local restaurants on 5th Avenue
10. Dumpsters/Trash pick-up provided by: (copy of contract required): City of Zephyrhills
11. Handwashing sinks provided by: (copy of contract required): City of Zephyrhills and local restaurants on 5th Avenue
12. Will Food Service be provided: YES x NO _____ (if Yes provide a list of vendor names)
13. Would you like for this event to be 100% smoke/tobacco free? YES _____ NO x If yes, how many tobacco/smoke free signs will be needed? _____
14. If you don't wish for your event to be 100% smoke/tobacco free, would you be interested in having a designated smoking area(s)? YES _____ NO x If yes, please let us know how many designated areas you will need. _____

When this form is completed, fee paid and DOH-Pasco has signed off, return to:

Pasco County Government Complex
Development Review Division

OR

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

Digitally signed by Leesa Fryer
DN: cn=Gulfside Healthcare Services, c=US, email=fryer@leesa.com
Leesa Fryer
Signature of Applicant/Agent/Sponsor

Ken Scott
Pasco CHD Representative

07/26/2022

Date

9 AUG 2022
Date

FEE: \$30 / \$60.00

Date Paid: 8/8/2022

Receipt # 6088191

17082658

Florida Department of Health – Pasco County
Environmental Health Services

5640 Main Street, New Port Richey, Florida 34652

PHONE: 727/ 841- 4425 opt. 5 • FAX (727) 484 -3866

*leesa.fryer @
gulfside.org*

Rds
8am - 10:00 pm



October 22
12pm - 9pm



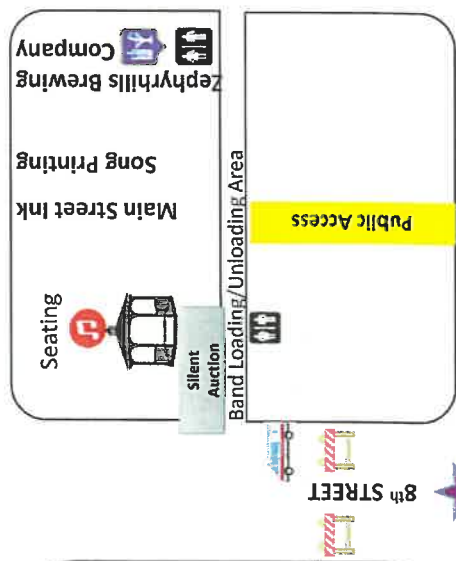
- Pasco Sheriff's Mounted Posse
- Barricades/Road Closure
- Public Parking
- Alcohol Sales
- Public Restrooms
- Medfleet Ambulance Services
- Vendor Entrance



51 50 49 48 47 46 45 44 43 42 41 40
1 2 3 4 5 6 7 8 9 10 11 12 13 14



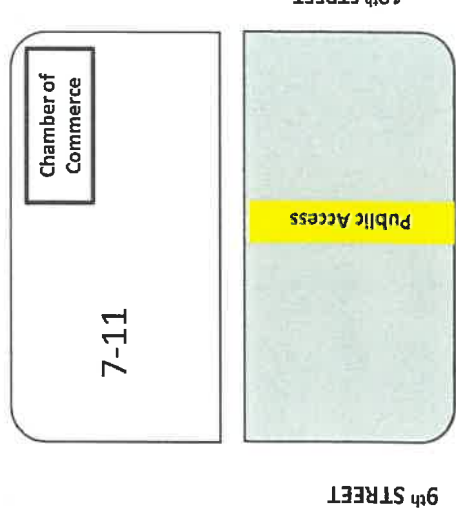
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39 38 37 36 35 34 33 32 31 30 29 28
15 16 17 18 19 20 21 22 23 24 25 26 27



5TH AVENUE & MAIN STREET



CONSENT ITEMS 1.6

Special Event Alcohol Permit for Music and Motorcycles

Issue:

Permission for the sale, distribution and consumption of alcoholic beverages (beer and wine only)

Background:

Main Street Zephyrhills is requesting permission for the sale, distribution and consumption of alcoholic beverages (beer and wine) along 5th Avenue from US Highway 301 to 10th Street, between 4th and 6th Avenues during the annual Music & Motorcycles event. The event is scheduled for Saturday, September 17, 2022 from 4:00 PM to 9:00 PM. The applicants have met with cit staff and the police department to discuss the event.

Attachment(s):

1. M&M2022 Event Appl

Fiscal Impact:

N/A

Staff Recommendation:

Staff recommends approval.

SPECIAL EVENT PERMIT

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



TERMS & CONDITIONS

1. Applications must be filed with the City of Zephyrhills Planning Department no less than 60 days and no more than 12 months prior to an event. Permits for recurring events may be applied for and approved annually.
2. The grant of a permit shall constitute the issuance of a limited license, and shall not create a property right, or entitle the applicant to violate any general city rules, or regulations applicable to the use of public property adopted by ordinance.
3. The applicant shall be responsible for the payment of fees, deposits, or reimbursement of costs where a request is made to use City services, equipment, or property for a special event. In addition, the applicant shall be responsible for all costs incurred should inspection services be required in order ensure compliance with City ordinances. **Any costs of repairs to or restoration of public facilities caused by the event shall be charged to the applicant.**
4. It is the applicant's responsibility to contact the City of Zephyrhills Police Department immediately upon the occurrence of any criminal activity or medical incidents where fire rescue is called or treatment is given. In addition, the applicant shall document all incidents in the Post-Event-Report to be provided to the City of Zephyrhills a minimum of 1 week after the event.
5. All forms contained in this packet are required to be completed. Please refer to the checklist contained in this packet for additional documents required for submittal. Incomplete applications will not be accepted.

*Event Contact Person

Gail K Hamilton

*Phone

813-780-0202

*Email

ghamilton@ci.zephyrhills.fl.us

*Organization Name

Main Street Zephyrhills

*Date Incorporated

*Employer ID # (EIN)

☐ ACTIVE

☐ INACTIVE

*Event Name

18th Annual Music & Motorcycles

*Event Date

09172022

*Event Times

4 to 9 p.m.

Entry Fee

Co-Sponsor

City of Zephyrhills

*Type of Event

☐ Run / Walk

☐ Parade

☒ Festival

☐ Other

*Has this event taken place in Zephyrhills before?

☒ Yes – Annual Event

☐ Yes – Once

☐ No

*Requested City Facility – Mark All that Apply (\$\$ symbol indicates associated fees).

☐ Zephyr Park

☒ Downtown 5th Ave.

☐ Krusen Park

☐ Airport Venue \$\$

☐ Alice Hall @ Zephyr Park \$\$

☒ Clock Plaza on 5th Ave.

☐ Skate Park

☐ Veteran's Memorial Park

☐ Wickstrom Stage @ Zephyr Park

☐ Gunner Paw Park

☐ Shepard Park

*Estimated Attendance

3 to 5 thousand

Estimated Number of Vendors

50 food merchandise ve

Number of Parade or Run/Walk Entries (if applicable)

SPECIAL EVENT PERMIT

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



***City Street or Avenue Closure Request?**

☒ Yes (indicate location below) ☐ No

5th Avenue

***State Highway Closure (FDOT Lane Closure Permit Required)**

☐ Yes (indicate location below) ☐ No

***Equipment to be brought on City property (mark all that apply)**

- ☒ Tents (smaller than 10' x 10')
- ☐ Tents (larger than 10' x 10' – requires fire rating certificate)
- ☒ Vehicles
- ☐ Stage
- ☐ Start / Finish Line
- ☒ Signs

☒ Tables

☒ Porta lets

☐ Bounce – House / Inflatables (requires own COI)

☒ Sound Equipment

☐ People Barricades (City does not own or provide)

☐ Other (please list below)

***Requested City equipment / utilities for event (mark all that apply)**

- ☒ Bathroom Facilities
- ☒ Electricity (5th Avenue Median)
- ☒ Electricity (Stage Areas)
- ☒ Garbage Cans
- ☒ Cones / Barricades
- ☐ Other (please list below)

***Brief Description of Event**

street festival

I/We agree to obtain and maintain the required liability insurance and secure all necessary local, state and federal permits and to comply with all terms and conditions applicable to the conduct of special events, as set forth in Ordinance No. 943.06, as amended.

I/We certify that the information contained in this application is complete, true and accurate to the best of my/our knowledge. As applicant for the event, I/we agree to release and hold harmless the City of Zephyrhills from liability of any kind for any and all damages arising out of any loss or injury resulting from the conduct of this event and for any and all losses or injury arising while conducting the event using City of Zephyrhills facilities or property and for any and all losses or injury to persons attending this special event.

I/We certify that individuals will not be barred from participation in this event due to race, creed, color, national origin, sex, age or physical impairment.

I/We fully understand, acknowledge and agree to all terms and conditions of this form and that failure to meet the terms and conditions shall result in cancelation of the event.

Signature:

Gail K Hamilton

Date:

08152022

Print Name:

Gail K Hamilton

ALCOHOLIC BEVERAGE CONSUMPTION PERMIT

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



TERMS & CONDITIONS

1. Applications for Consumption of Alcoholic Beverages in conjunction with Special Events must be approved by City Council. Applications must be filed with the City Manager not less than 2 months prior to an event.
2. Events including the consumption of alcoholic beverages must attach proof of liability insurance in the amount of \$2,000,000 (Two Million Dollars) naming the City of Zephyrhills as an additional insured (Certificate Holder).
3. No applicant shall be issued more than 3 (three) permits per year, and no permitted events may exceed two days in duration.

Required Supportive Materials

1. Diagram / map depicting specific, clearly identifiable, designated and secure areas within the event venue where beverage sales and consumption are to occur.
2. Documentation of appropriate applications for State Alcoholic Beverage licensing for the event.

*Event Name

18th Annual Music & Motorcycles

*Event Date(s)

09172022

*Event Time(s)

4 tp 9 pm

*Please provide a general description of how the use of alcohol will be incorporated into the proposed event. *Attach extra sheets if necessary.*

Main Street will sell beer wine as the only vendor to do so on the street, all other alcohol must be consumed within businesses.

*Provide a description of how security and beverage law compliance will be provided, including hours of sale and consumption during the event. *Attach extra sheets if necessary.*

Will have officier at the beer tent, identification will be checked no exceptions before selling alcohol

*Provide a description of the types(s) of beverages(s) and beverage containers to be used in conjunction with the event. *Attach extra sheets if necessary.*

Beer on tap, plastic event cups.

By signing below, the applicant fully understands, acknowledges and agrees to all terms and conditions stated on this form. Failure to meet the terms and conditions stated above shall result in a void of permit for alcoholic beverages.

*Event holder signature

*Date

08152022

CITY USE ONLY

Submittal Date _____

Approval Date _____

Signature _____



Applicants are required to provide proof of insurance in the amount of One Million Dollars (\$1,000,000) per occurrence. For events with alcoholic beverage consumption, liability insurance coverage requirements increase to Two Million Dollars (\$2,000,000) per occurrence. The City of Zephyrhills shall be named as an additional insured on coverage for all events. Please note that it is also the applicant's responsibility to ensure that all food/beverage vendors and attraction vendors involved in the event provide valid proof of insurance meeting the minimum requirements stated above. Proof of coverage shall be submitted to the city no less than one week prior to the event or the event runs the risk of cancellation. An example Certificate of General Liability Insurance form is provided in this packet for informational purposes only.

Main Street Zephyrhills Inc.

_____, here on known as the APPLICANT shall, at its sole cost and expense, procure and maintain throughout the term of this contract, Comprehensive General Liability insurance, with the minimum policy amounts of \$1,000,000 Combined Single Limits for passive events or \$2,000,000 Combined Single Limits for events with alcoholic beverage consumption, or to the extent and in such amounts as required and authorized by Florida law, and will provide endorsed certificates of insurance generated and executed by a licensed insurance broker, brokerage or similar licensed insurance professional evidencing such coverage, and naming the CITY OF ZEPHYRHILLS as a named, additional insured, as well as furnishing the CITY OF ZEPHYRHILLS with a certified copy, or copies, of said insurance policies. Certificates of insurance and certified copies of these insurances policies must accompany this signed contract. Said insurance coverages procured by the APPLICANT as required herein shall be considered, and the APPLICANT agrees that said insurance coverages it procures as required herein shall be considered, as primary insurance over and above any other insurance, or self-insurance, available to the CITY OF ZEPHYRHILLS, and that any other insurance, or self-insurance available to the CITY OF ZEPHYRHILLS shall be considered secondary to, or in excess of, the insurance coverage(s) procured by the APPLICANT as required herein.

Nothing herein shall be construed to extend the CITY OF ZEPHYRHILLS' liability beyond that provided in section 768.28, Florida Statutes.

Applicant Signature

Date _____

Printed Name

Name of Affiliated Entity

Representative Capacity of Person Signing

INDEMNITY AGREEMENT

Hold Harmless

City of Zephyrhills
Planning Department
5335 8th Street, Zephyrhills, FL 33542
www.ci.zephyrhills.fl.us
813-780-0000



Main Street Zephyrhills Inc.

, here on known as the APPLICANT shall indemnify and hold harmless the CITY OF ZEPHYRHILLS and all of the CITY OF ZEPHYRHILLS' officers, agents, and employees from and against all claims, liability, loss and expense, including reasonable costs, collection expenses, attorneys' fees, and court costs which may arise because of the negligence (whether active or passive), misconduct, or other fault, in whole or in part (whether joint, concurrent, or contributing), of the APPLICANT, its officers, agents or employees in performance or non-performance of its obligations under the Agreement. The APPLICANT recognizes the broad nature of this indemnification and hold harmless clause, as well as the provision of a legal defense to the CITY OF ZEPHYRHILLS when necessary, and voluntarily makes this covenant and expressly acknowledges the receipt of such good and valuable consideration provided by the CITY OF ZEPHYRHILLS in support of this indemnification, legal defense and hold harmless contractual obligations in accordance with the laws of the State of Florida. This clause shall survive the termination of this Agreement. Compliance with any insurance requirements required elsewhere within this Agreement shall not relieve the APPLICANT of its liability and obligation to defend, hold harmless and indemnify the CITY OF ZEPHYRHILLS as set forth in this article of the Agreement.

Nothing herein shall be construed to extend the CITY OF ZEPHYRHILLS' liability beyond that provided in Section 768.28, Florida Statutes.

Applicant Signature

Date

Printed Name

Name of Affiliated Entity

Representative Capacity of Person Signing



Special Event Application Checklist

EVENT CHECKLIST

- ☐ City of Zephyrhills Special Event Application Form
- ☐ Venue Layout Map showing Vendors, Parking, Activity Area, etc.
- ☐ Certificate of Liability Insurance \$1,000,000.00 per occurrence naming the City of Zephyrhills as the Additional Insured. *For events with alcohol, this amount increases to \$2,000,000.00 per occurrence.*
- ☐ Contact City of Zephyrhills Police Department, Public Works Department and Fire Department pertaining to personnel requirements for the event.
- ☐ List of Food / Beverage Vendors and any Bounce House / Inflatables and their proof of insurance in the amount of \$1,000,000.00 per occurrence naming the City of Zephyrhills as an additional insured.
- ☐ Pasco County Sanitation Permit *(if applicable)*
- ☐ City of Zephyrhills Banner Application Form *(if applicable)*
First-come, first-served. Banners may be hung two weeks prior to the event.

RUN / WALK OR PARADE ADDITIONAL CHECKLIST (IF APPLICABLE)

- ☐ Route Map
- ☐ FDOT Lane Closure Permit *(if applicable)*
Timely application period, please apply to FDOT more than a month in advance of event.
- ☐ Pedestrian Barricades *(if applicable)*.
City of Zephyrhills does not own or provide pedestrian barricades.

ALCOHOLIC BEVERAGE ADDITIONAL CHECKLIST (IF APPLICABLE)

- ☐ Certificate of Liability Insurance in the amount of \$2,000,000.00 per occurrence naming the City of Zephyrhills as an additional insured. *This coverage requirement is in lieu of the one stated above in the event checklist.*
- ☐ Temporary Alcohol License from the Florida Department of Business and Professional Regulation (DBPR).
- ☐ Alcoholic Beverage Consumption Application form to be submitted to City Council for review and approval. *Please note, alcoholic beverage consumption can only be approved for an event by the City of Zephyrhills City Council. Requests must be submitted at least two months prior to the event.*
- ☐ Diagram / map depicting specific, clearly identifiable, designated and secure areas within the event venue where beverage sales and consumption are to occur.

Venue Pricing



ALICE HALL @ ZEPHYR PARK

Weekends

\$40.00 per hour plus tax (6.85%) and
\$100.00 non-refundable security deposit

Weekend rental requirement = 4 hour minimum
Must be PAID IN FULL prior to event

Fee must be paid in the City Clerk's office.

Weekdays

\$40.00 per hour plus tax (6.85%)

Weekday rental requirement = 2 hour minimum
Must be PAID IN FULL prior to event

Fee must be paid in the City Clerk's office.

WICKSTROM STAGE @ ZEPHYR PARK

Free – No rental fee

Waiver form must be filled out in the City Clerk's office prior to use

AIRPORT VENUE

	ATTENDEES				
	0-500	501-1,000	1,000-5,000	5,000-10,000	10,000 +
Clean Up	\$160.00	\$240.00	\$360.00	\$480.00	\$600.00
Fire Fighters	\$0.00	\$0.00	\$260.00	\$400.00	\$600.00
Police	\$0.00	\$130.00	\$260.00	\$520.00	\$680.00
Electric	\$20.00	\$20.00	\$35.00	\$35.00	\$35.00
Airport Labor	\$100.00	\$100.00	\$250.00	\$300.00	\$500.00
Fixed Asset Usage	\$20.00	\$100.00	\$100.00	\$200.00	\$200.00
EVENT TOTAL	\$300.00	\$590.00	\$1,265.00	\$1,935.00	\$2,615.00
Refundable Security Deposit	\$200.00	\$200.00	\$500.00	\$1,000.00	\$1,000.00
TOTAL DUE BEFORE EVENT	\$500.00	\$790.00	\$1,765.00	\$2,935.00	\$3,615.00
Alcoholic Beverage Surge Charge	\$60.00	\$120.00	\$250.00	\$390.00	\$520.00
TOTAL DUE BEFORE EVENT W/ ALCOHOL	\$560.00	\$910.00	\$2,015.00	\$3,325.00	\$4,135.00

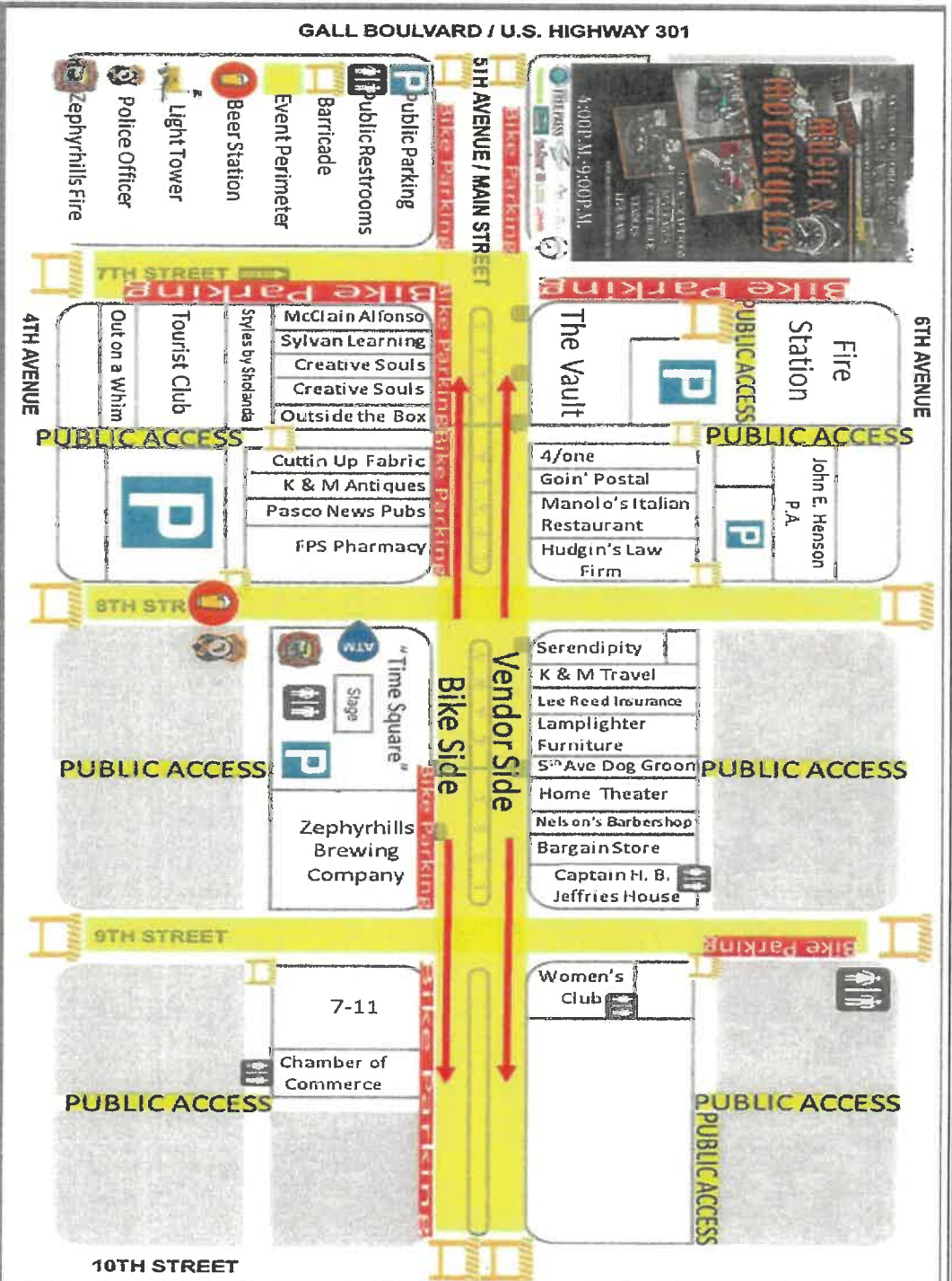
SECTION 5 – DESCRIPTION OF PREMISES TO BE LICENSED AB&T AUTHORIZED SIGNATURE REQUIRED

Business Name (D/B/A) or Name of Event
Main Street Zephyrhills Inc.

Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises where the event will be held. A multi-story building where the entire building is to be licensed must show the details of each floor.

- We value being a well-respected and responsible member of the Zephyrhills community. For this reason, we have adopted the following important policies regarding the sale and service of alcohol within our event:
- ANYONE wishing to purchase, possess and/or consume an alcoholic beverage must be 21 years of age or older and is required to provide proof of such age.
 - ANYONE wishing to possess and/or consume an alcoholic beverage must be wearing a Main Street Zephyrhills issued Alcohol Wristband. Alcohol can only be served and consumed in specified plastic ware authorized and issued by Main Street Zephyrhills.
 - Alcohol Wristbands must be placed there only by an authorized member of Main Street and visible at all times
 - No alcohol may be brought into or out of the event perimeter. (see map)
 - No more than one (1) Alcohol Drink can be sold to a guest at one time.
 - Any guest displaying any signs of intoxication, at the sole discretion of Main Street and/or The Zephyrhills Police Department will have alcohol service immediately discontinued and may be required to leave the premise.
 - Main Street Zephyrhills reserves the right to refuse alcohol service to any one at any time for any reason.

***NO COOLERS**



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

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

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

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

1. Name of Event: MUSIC AND MOTORCYCLES
2. Sponsor/Applicant/Agent Name: MAIN STREET ZEPHYRHILLS INC.
3. Mailing Address (for the above): 3544 9TH ST. SUITE 105 ZEPHYRHILLS, FL. 33542
4. Telephone (for the above): 813-780-1414
5. Location of Event: 5TH AVENUE, DOWNTOWN ZEPHYRHILLS
(copy of site plan required)
6. Expected Number of attendance (per day): 3,000
7. Duration of Event (days/dates/times): SEPTEMBER 17. 2022 4PM-9PM
8. Will Overnight Camping Be Allowed: YES _____ NO X
9. Toilet service provided by: JIMMYS SANITATION SERVICE
(copy of contract required)
10. Dumpsters/Trash pick-up provided by: CITY OF ZEPHYRHILLS
(copy of contract required)
11. Handwashing sinks provided by: CITY OF ZEPHYRHILLS
(copy of contract required)
12. Will Food Service be provided: YES X NO _____ (If Yes provide a list of vendor names)

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

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

Pasco County Government Complex
Development Review Division

OR

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

Forrest Wilson
Signature of Applicant/Agent/Sponsor

07.08.22

Date

John J. ...
Pasco CHD Representative

11/9/2022
Date

FEE: \$30 / \$60.00

Date Paid: 7/8/2022 ✓2747

Receipt # 5891526

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

Email: director@mainstreetzephyrhills.org

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
GENERAL USE PERMIT

Date: 6/30/2022 Permit No.: 2022-K-798-00017

Name of Applicant or Authorized Agent: FAITH WILSON

Entity (if applicable): MAIN STREET ZEPHYRHILLS INC

(If entity, furnish contact information for responsible representative)

Address: 5344 9TH ST, SUITE 105 Zip Code: 33542

City/State: ZEPHYRHILLS, Florida Telephone No.: (813) 780-1414 ext. _____

Email Address: director@mainstreetzephyrhills.org

Activity / Project Site

County: Pasco State Road: SR 39 Section: 050, 000

From Mile Post: 4.729 to Mile Post: 5.438

Construction Proposed or Underway: Yes ☐ No ☐ FM Project No.: _____

Name of Municipality if Work is within Limits: _____

Description of Work Activity:
LEFT TURN LANE CLOSED FOR SPECIAL EVENT. HWY 301 TO REMAIN OPEN

General Provisions

1. Attach any pertinent plans or drawings.
2. Attach notification letters sent to any Utilities both aerial and underground that will be potentially impacted.
3. The designated FDOT Engineer shall be notified 48 hours prior to beginning of work.
 Contact James Meyer at 3528482610.
4. All work, materials and equipment shall be subject to inspection and approval by FDOT. Applicants certification of work at completion is required.
5. The permittee shall be responsible to place and display safety devices and proper maintenance of traffic in accordance with the latest version of the Department's Design Standards, index series 600, or an alternative plan signed and sealed by a professional Engineer and attached with the permit.
6. All FDOT property shall be restored to its original condition. Any damage to FDOT property as a result of this work shall be repaired and restored in a manner acceptable to the FDOT at the sole expense of the permittee.

Approved
 2022-K-798-00017
 James Meyer
 8/11/2022

Special Provisions

Contact FDOT James Meyer 48 hours before working in FDOT R/W 352-848-2610, to activate permit

Conditions

1. In the event the permittee fails to meet any of the requirements of this permit by the FDOT, the permitted activity must cease until brought into compliance. If compliance can not be met, then the permit will be rendered void and said work shall be removed from the right of way at no cost to the FDOT.
2. Work shall commence within 30 days of permit approval.
Work shall be completed by 9/17/2022.
(Date)
3. The rights and privileges herein set out are granted only to the extent of the State's right, title and interest in the land to be entered upon and used by the permittee, and the permittee will, at all times, and to the extent permitted by law, assume all risk of and indemnify, defend and save harmless the State of Florida and the FDOT from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise or attempted exercises by said permittee of the aforesaid rights and privileges.

Applicant

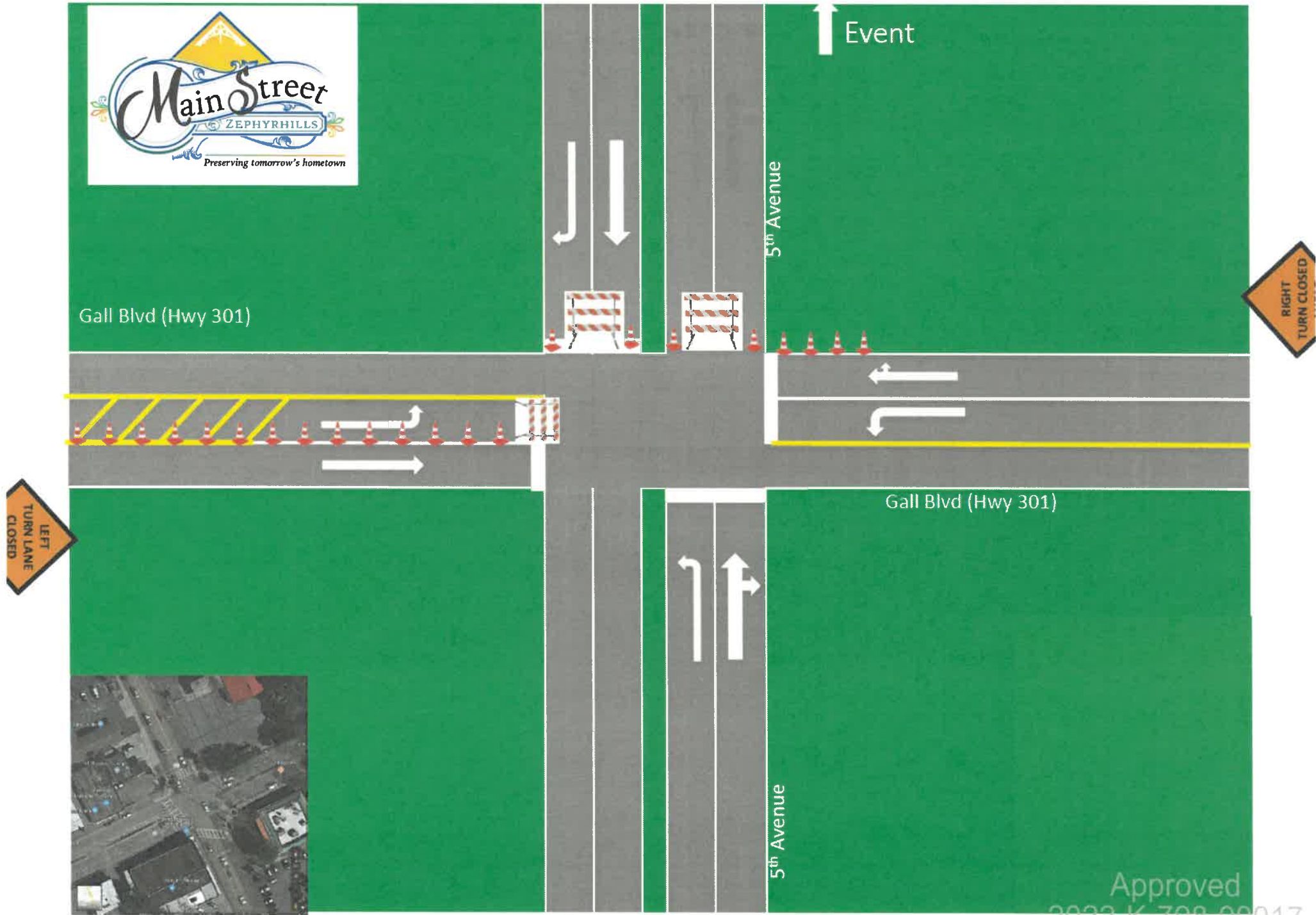
I hereby agree to comply with all terms and conditions set forth and described in this permit.

FAITH WILSON, Coordinator FAITH WILSON 6/30/2022
Printed or Typed Name and Title Signature Date

FDOT

Approved By: James Meyer James Meyer 8/11/2022
Print Designated Engineer Signature Date
MAINTENANCE MANAGER/PERMITS
Title

Approved
2022 K 798-00017
James Meyer
8/11/2022



Closing both eastbound turn lanes on US Highway 301 at intersection of 5th Avenue & US 301 for Special Event.



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 4/1/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Maury, Donnelly & Parr 24 Commerce St. Baltimore, MD 21202	CONTACT NAME: PHONE (A/C, No, Ext): (410) 685-4625 FAX (A/C, No): (410) 685-3071 E-MAIL ADDRESS: 														
INSURED Main Street Zephyrhills Inc. 38537 5th Avenue Zephyrhills, FL 33542	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A : American Casualty Co. of Reading, PA</td> <td>20427</td> </tr> <tr> <td>INSURER B : Continental Casualty Company</td> <td>20443</td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : American Casualty Co. of Reading, PA	20427	INSURER B : Continental Casualty Company	20443	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER A : American Casualty Co. of Reading, PA	20427														
INSURER B : Continental Casualty Company	20443														
INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X		5091542091	3/5/2022	3/5/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$ 10,000	X		6072387438	3/5/2022	3/5/2023	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 PER STATUTE ☐ OTH-ER ☐ E.I. EACH ACCIDENT \$ E.I. DISEASE - EA EMPLOYEE \$ E.I. DISEASE - POLICY LIMIT \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 The Florida Department of Transportation is the additionally insured as required by permit or contract.

CERTIFICATE HOLDER

CANCELLATION

FDOT Brooksville Operations
 16411 Spring Hill Drive
 Brooksville, FL 34604

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Approved
 2022-K-798-00017
 James Meyer

BUSINESS ITEMS/PUBLIC HEARING 2.1

Second Reading **Ordinance No. 1440-22 - ORDINANCE NO. 1440-22 "AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN, CHANGING THE FUTURE LAND USE CLASSIFICATION FROM CITY MU (MIXED USE) TO RU (RESIDENTIAL URBAN) AND AMENDING THE CITY'S OFFICIAL ZONING MAP, CHANGING THE ZONING DESIGNATION FROM C3 (GENERAL COMMERCIAL) TO R3 (MEDIUM DENSITY RESIDENTIAL, FOR A PORTION OF PARCELS 14-26-21-0010-03000-0100 AND 14-26-21-0010-03000-0101; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE."**

- A. Council President opens Public Hearing**
- B. Council President closed Public Hearing**
- C. City Council considers Ordinance No. 1440-22 on the Second Reading**

Issue:

Applications submitted by Gordon L. Hood to amend the Comprehensive Plan, Future Land Use Map and Official Zoning Map for a portion of property generally located at 38624 B Avenue (Parcels 14-26-21-0010-03000-0010 & 14-26-21-0010-03000-0101).

Background:

The Subject Property currently has a split FLU classification of MU (Mixed Use) & RU (Residential Urban), and a split zone of C3 (General Commercial) and R3 (Medium Density Residential). The existing location of the C3 zoning district is in conflict with a portion of the RU FLU classification assigned. The applicants are requesting to amend the Future Land Use Map, changing the MU portion of the Subject Property to RU, consistent with the remainder of the property. The applicants are also requesting to amend the Zoning, changing the designation of the C3 portion of the property to R3, consistent with the remainder of the property.

Attachment(s):

1. Ordinance 1440-22 Hood Family Trust FLU Amendment and Rezoning of 38624 B. Avenue
2. Existing Zoning (1) (1)
3. Hood_EFLUMap (1)
4. Location Map_Hood (1)
5. STAFF REPORT-HOOD (1)

Fiscal Impact:

N/A

Staff Recommendation:

Staff Recommends Approval.

The Planning Commission Recommended Approval at its July 19th, 2022 Meeting.

ORDINANCE NO. 1440-22

AN ORDINANCE OF THE CITY OF ZEPHYRHILLS, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY’S COMPREHENSIVE PLAN, CHANGING THE FUTURE LAND USE CLASSIFICATION FROM CITY MU (MIXED USE) TO RU (RESIDENTIAL URBAN) AND AMENDING THE CITY’S OFFICIAL ZONING MAP, CHANGING THE ZONING DESIGNATION FROM C3 (GENERAL COMMERCIAL) TO R3 (MEDIUM DENSITY RESIDENTIAL, FOR A PORTION OF PARCELS 14-26-21-0010-03000-0100 AND 14-26-21-0010-03000-0101; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council has been given authority by the State of Florida pursuant to Chapter 163, Florida Statutes, to amend the Future Land Use Map of the City’s Comprehensive Plan upon written consent of the land owners, together with the approval of the City Council for said Future Land Use Map amendment duly expressed by Ordinance; and

WHEREAS, the City Council has been given authority by the State of Florida pursuant to Chapters 163 and 166, Florida Statutes, to rezone property within the City Limits upon receipt of written consent of the land owner, together with the approval of the City Council for said rezoning duly expressed by Ordinance; and

WHEREAS, the Planning Commission, sitting as the Local Planning Agency, did hold public hearing on the 19th day of July, 2022 to consider the Future Land Use Map Amendment and Rezoning; and

WHEREAS, due public notice of hearing on the proposed Future Land Use Map Amendment and Rezoning was given by the City Council on August 11, 2022, as required by the Zephyrhills Land Development Code, as amended, and Chapters 163 and 166, Florida Statutes; and

WHEREAS, the Future Land Use Map Amendment meets the criteria of a small scale map amendment pursuant to Chapter 163, Florida Statutes, and is consistent with the goals, objectives and policies of the Comprehensive Plan; and

WHEREAS, the City has determined that the RU (Residential Urban) Future Land Use classification would be appropriate and consistent with the City’s Comprehensive Plan; and

WHEREAS, the City Council has determined that the R3 (Medium Density Residential) Zoning designation would be appropriate, would be consistent with the RU Future Land Use classification, and would promote the general welfare and encourage proper development within the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Zephyrhills, Florida, as follows:

Section 1. The Whereas clauses above are true and accurate and are incorporated by reference and made a part of this Ordinance.

Section 2. The following lands, lying and being situated in Pasco County, Florida to-wit:

Parcel/Tax ID No.: 14-26-21-0010-03000-0100; 14-26-21-0010-03000-0101

Physical Address: 38624 B Avenue; No Address Assigned

Legal Description(s): See Exhibits “A” and “B”

Acreage: 1.52 Acres (MOL)

the Future Land Use classification is hereby amended to RU (Residential Urban) and the Zoning designation is hereby changed to R3 (Medium Density Residential) and included within the boundaries of the City of Zephyrhills, Florida.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. That if any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

Section 5. This Ordinance shall become effective thirty-one (31) days after the adoption if no challenge is filed, as provided in the City Charter and Chapter 163, Florida Statutes.

The foregoing Ordinance No. 1440-22 was read and passed on the first reading in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 8th day of August, 2022

Attest: _____
Lori L. Hillman, City Clerk

Jodi Wilkeson, Council President

The foregoing Ordinance No. 1440-22 was read and passed on the second reading, following a public hearing, in an open and regular meeting of the City Council of the City of Zephyrhills, Florida, on this 22nd day of August, 2022.

Attest: _____
Lori L. Hillman, City Clerk

Jodi Wilkeson, Council President

The foregoing Ordinance No. 1440-22 was approved by me this 22nd day of August, 2022.

Gene Whitfield, Mayor

Approved as to legal form and content for the sole
reliance of the City of Zephyrhills

Matthew E. Maggard, City Attorney

EXHIBIT "A"

Legal Description

Parcel No.: 14-26-21-0010-03000-0100

MOORES FIRST ADDITION TO THE TOWN OF ZEPHYRHILLS PB 1 PG 57 WEST 1/2 OF BLOCK 30 LESS RAILROAD R/W; & MOORES FIRST ADDITION TO THE TOWN OF ZEPHYRHILLS PB 1 PG 57 POR OF FORMER SEABOARD AIRLINE RR R/W BEING DESC AS A STRIP OF LAND 100 FT IN WIDTH IE 50 FT WIDE ON EACH SIDE OF CENERLINE SAID STRIP TO EXTEND FROM N LN OF AVE B TO N LN OF AVE C LESS AND EXC PARCEL PER OR 10234 PG 2321 DESC AT COM AT SE CORNER OF LOT 9 BLOCK 18 OF SAID MOORES FIRST ADDITION TH N89DEG59'54"E 110.67 FT TO NELY R/W LN OF SAID SEABOARD AIRLINE RAILROAD TH S25DEG21'51"E 66.41 FT TO NW COR OF LOT 16 BLOCK 30 OF SAID MOORES FIRST ADDITION TH N89DEG56'16"W 89.30 FT TH S00DEG08'43"E 45.41 FT TO PT OF SWLY R/W LN OF SEABOARD AIRLINE RAILROAD TH N25DEG21'51"W 116.55 FT TO POB & LESS & ESC PARCEL PER OR 10068 PG 737 BEING DESC AS COM AT SE COR OF LOT 7 BLOCK 30 OF MOORES FIRST ADDITION TO TOWN OF ZEPHYRHILLS PB 1 PG 57 TH W 109.98 FT MOL TO ELY R/W LN OF FORMER SEABOARD COASTLN RR R/W BING FURTHER DESC AS COM AST SE COR OF BLOCK 31 MOORES FIRST ADDITION TO TOWN OF ZEPHYRHILLS PB 1 PG 57 TH ALG N R/W LN OF C AVE EAST 10 FT FOR POB TH N00DEG01'00"W 89.80 FT TH WEST 10.00 FT TO NE COR OF LOT 6 IN SAID BLOCK 31 TH N00DEG01'00"W 157.20 FT TO SLY BDY OF FORMER SEABOARD COASTLIN RR TH ALG SAID BDY S25DEG40'46"E 138.13 FT MOL TO W LN OF BLOCK 30 OF SAID MOORES FIRST ADD TH S25DEG21'51"E ALG SWLY R/W LN OF SEABOARD AIRLINE RR 116.55 FT FOR POB TH S25DEG21'51"E 49.33 FT TH N89DEG59'18"W 21.02 FT TH N00DEG08'43"W 44.57 FT TO POB; LESS & EXC POR OF FORMER SEABOARD AIRLINE RR R/W LYING WITHIN LOTS 1 & 2 BLOCK 31 MOORES FIRST ADDITION TO TOWN OF ZEPHYRHILLS PB 1 PG 57 DESC AS COM AT NE COR OF LOT 1 BLOCK 31 OF SAID MOORES FIRST ADDITION TH S89DEG56'16"E 21.42 FT FOR POB TH S89DEG56'16"E 89.30 FT TO NELY R/W LN OF SAID RR ALSO BEING NW COR OF LOT 16 BLOCK 30 TH S00DEG08'43"E 149.92 FT TH N89DEG56'16"W 67.26 FT TH N00DEG04'52"E 57.36 FT TH N25DEG21'51"W 2.95 FT TH N89DEG59'18"W 21.02 FT TH N00DEG08'43" 89.98 FT TO POB

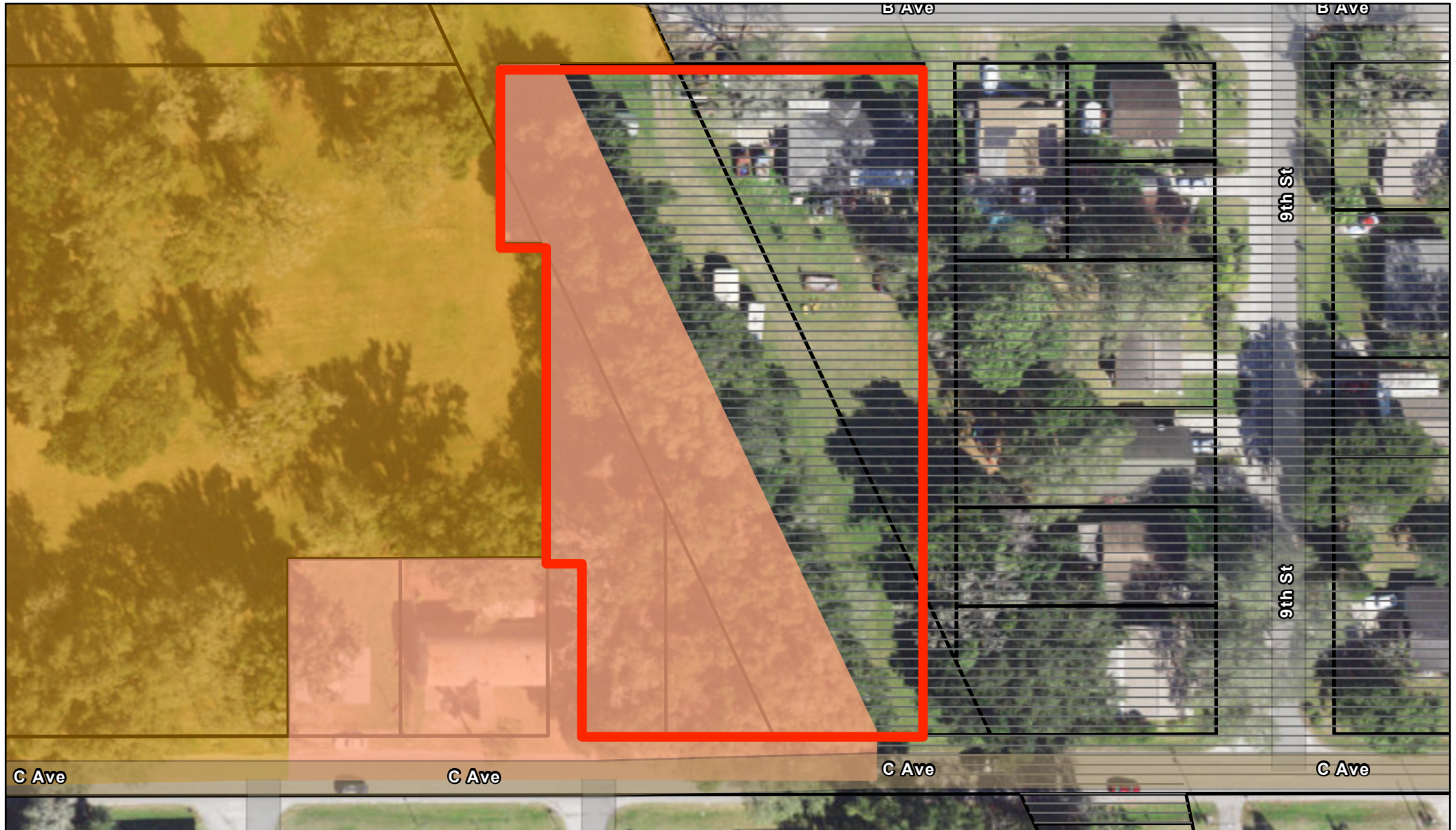
EXHIBIT "B"

Legal Description

Parcel No.: 14-26-21-0010-03000-0101

POR OF FORMER SEABOARD AIRLINE RR R/W LYING WITHIN MOORES FIRST ADDITION TO TOWN OF ZEPHYRHILLS AND POR OF LOTS 1 & 2 BLOCK 31 MOORES FIRST ADDITION TO TOWN OF ZEPHYRHILLS PB 1 PG 57 DESC AS COM AT NE CORNER OF LOT 1 BLOCK 31 OF SAID MOORES FIRST ADDITION TH S89DEG56'16"E 21.42 FT FOR POB TH S89DEG56'16"E 89.30 FT TO NELY R/W LN OF SAID RR ALSO BEING NW COR OF LOT 16 BLOCK 30 TH S00DEG08'43"E 149.92 FT TH N89DEG56'16"W 67.26 FT TH N00DEG04'52"E 57.36 FT TH N25DEG21'51"W 2.95 FT TH N89DEG59'18"W 21.02 FT TH N00DEG08'43"W 89.98 FT TO POB

EXHIBIT C: Existing Zoning



7/14/2022

CITY_WIDE_EUCLIDEAN_ZONING  Zhills_Parcels_EnGov

 R3

 C3

 PUD

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

30cm Resolution Metadata

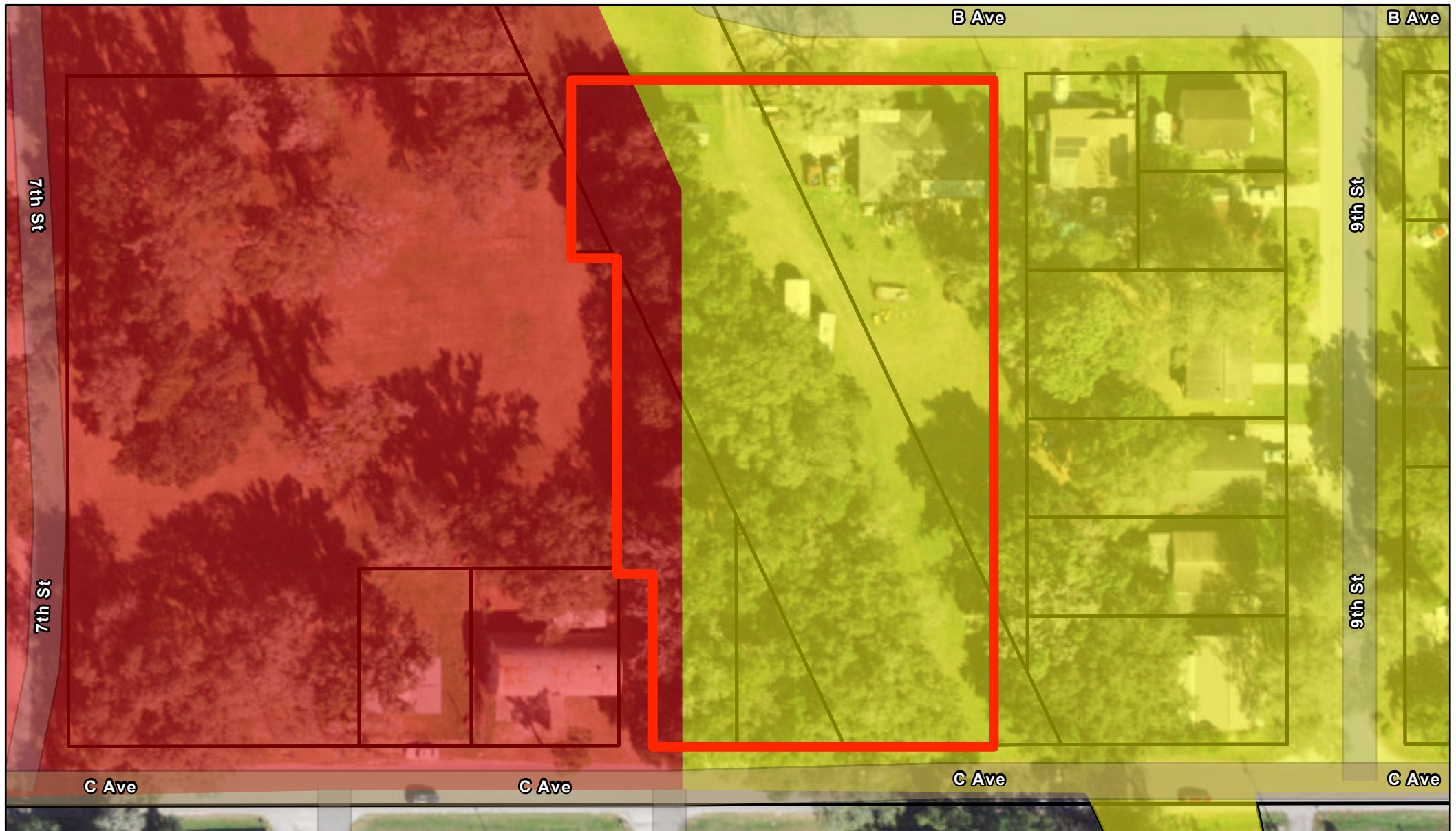


1:915
0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, State of Florida, Maxar, Microsoft

EXHIBIT B: Existing FLU



7/14/2022

CITY_WIDE_FUTURE_LAND_USE



Residential Urban



Mixed Use



Zhills_Parcels_EnGov

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

30cm Resolution Metadata



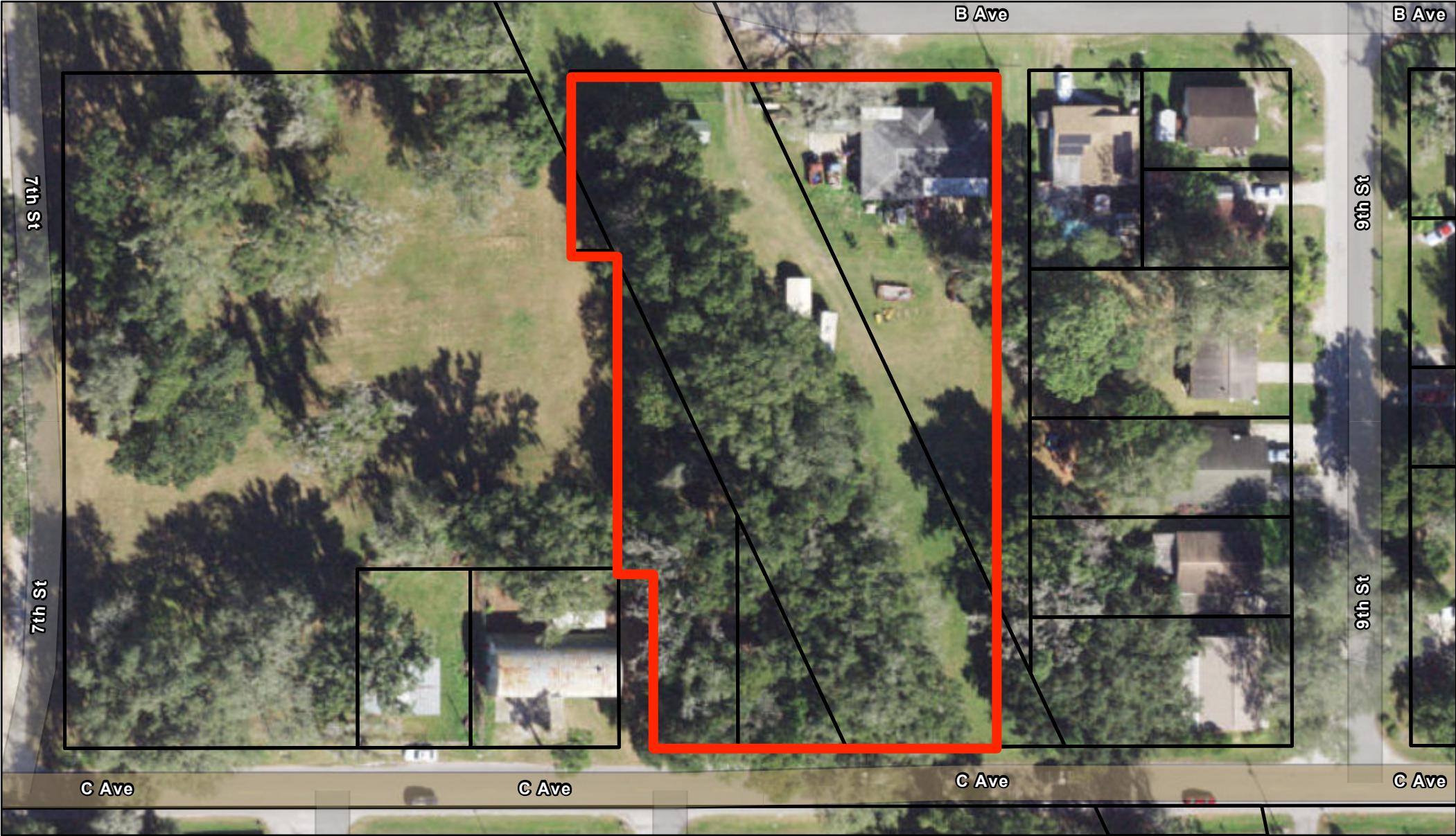
1:915

0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

Esri Community Maps Contributors, FDEP, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, State of Florida, Maxar, Microsoft

EXHIBIT A: Location Map



7/14/2022

 Zhills_Parcels_EnGov

World Imagery

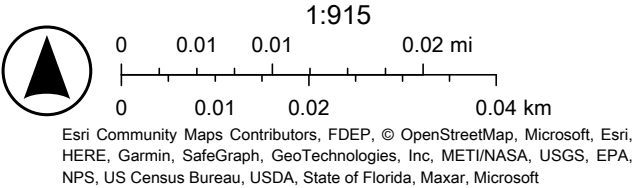
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

30cm Resolution Metadata





STAFF REPORT

To: Honorable Mayor Whitfield & City Council
From: Audrey McGuire, *Historic Preservation Specialist/Community Planner*
Re: FLU/RZ-0013-22_Hood Property
Date: 25 July 2022

I. BACKGROUND & INFORMATION

A. HISTORY | APPLICATION SUMMARY

Application submitted by Gordon Leo Hood, to for a future land use map amendment and rezoning of property generally located at 38624 B Avenue. The Subject Property currently has a split future land use of RU and MU, and a split zoning of R3 and C3.

B. SITE INFORMATION

OWNER/APPLICANT:	Hood Family Trust Gordon Leo Hood & Sheila Ann Edwards, Trustees
AUTHORIZED AGENT:	Jacob Hood
SUBJECT PROPERTY:	38624 B Avenue Tax ID No. 14-26-21-0010-03000-0010; 14-26-21-0010-03000-0101 1.52 acres MOL
EXISTING LAND USE:	Single-Family Residence; Vacant/Undeveloped
EXISTING FLU CLASS:	MU (Mixed Use) & RU (Residential Urban)
EXISTING ZONING:	C3 (General Commercial) & R3 (Medium-Density Residential)

II. DATA & ANALYSIS

A. Character Analysis

The Subject Property is generally located at 38624 B Avenue, on the south side of the intersection of B Avenue and 8th Street, extending south to C Avenue. Surrounding property uses are as follows:

1. **North** – Properties immediately to the north of the Subject Property are contain a FLU classification of RU, zoning designation of R3, and properties are utilized for a mix of single- and two-family residential. Property to the northeast of the Subject Property has a FLU classification of RU & MU,

and is a part of the Gateway Planned Unit Development (PUD) which provides for a mix of townhomes, single-family residential, and mixed-use residential/commercial/office uses.

2. **South** – Properties immediately to the south of the Subject Property are located within unincorporated Pasco County. They contain a Pasco County FLU classification of ROR (Retail/Office/Residential), and zoning classification of RMH (Residential Mobile Home). The properties are currently developed for residential/mobile home purposes.
3. **East** – Property immediately to the east of the Subject Property contains a City FLU classification of RU and a zoning designation of R3. Properties are developed for a mix of single- and two-family residential.
4. **West** – Properties west of the Subject Property have a FLU classification of MU & RU, and are zoned PUD (Gateway), C3 (General Commercial) and Form-Based Code T3 (Suburban).

B. Compatibility Analysis

FUTURE LAND USE MAP AMENDMENT (FLUMA) – *Exhibit B.*

The Subject Property contains a split FLU classification of MU & RU. The applicants are looking to continue development of the property for residential purposes, consistent with the surrounding neighborhoods which contains a mix of single-family and two-family residential dwellings. The applicants are requesting a FLUMA, changing the portion of the property designated as MU to RU, consistent with the remainder of the subject property and surrounding land uses to the north and east of the Subject Property.

The proposed FLUMA qualifies as a Small-Scale Comprehensive Plan Amendment (under 50 acres as of July 1, 2021) and does not require a transmittal to the State Department of Economic Opportunity (DEO). The proposed FLUMA is consistent with Chapter 163, Part II, FS; the City of Zephyrhills Comprehensive Plan, the Land Development Code, and land use trends in the surrounding area.

REZONING – *Exhibit C*

The Subject Property currently has a **Split Zone**, with both R3 and C3 zoning districts applied to the same parcel(s).

LDC Sec. 1.03.04(G) provides language pertaining to the development of a parcel with two or more assigned zoning districts designations (split zone) – allowing development with conditions related to differing floor area ratios and density regulations; however, Sec. 1.03.04(G)(1) states “nothing in this section shall authorize the location of a use in a zoning district where that use is not either a permitted principal or accessory use, or permissible special use...” Residential uses are not permissible in the C3 zoning district and would make areas the property assigned a C3 zoning designation undevelopable for residential purposes.

The existing C3 (General Commercial) zoning designation on a portion of the Subject Property is in conflict with surrounding residential land uses in the area and a portion of the underlying FLU classification of RU. The C3 land use designation is described by **LDC Sec. 2.01.03.17** as being “established to identify areas of the city appropriate for location of commercial activities with potential land use conflicts resulting from truck traffic, materials storage, emission of noise, odor or air pollutants or other environmental and public safety considerations...”

The applicants are request to rezone the portion of the Subject Property containing the C3 zoning district designation to R3 – consistent with the remainder of the Subject Property and surrounding zoning designations to the north and east of the subject property. The proposed rezoning to R3 is consistent with assigned FLU classifications of MU & RU, is consistent with the development and land

use patterns of the surrounding area, will not create a spot zone, and will not exhibit premature development based on existing development and infrastructure availability.

C. Potential Impacts on Urban Services/Public Facilities

POTABLE WATER

Service is available to the site. Maximum potential impact for the site based on the proposed zoning would be 10.5 u/a x 1.52 acres = 15.96 Duplex Units OR 7 u/a x 1.52 acres = 10.64 SF Units
15.96 units x 300 gal. = 4,788 GPD OR 10.64 x 300 gal = 3,192 GPD

WASTEWATER (SANITARY SEWER)

Service is available to the site. Maximum potential impact for the site based on the proposed zoning would be:

15.96 Duplex units x 250 gal. = 3,990 GPD OR 10.64 SF Units x 250 gal. = 2,660 GPD

SANITATION (SOLID WASTE)

Domestic solid waste is collected by the City of Zephyrhills sanitation department and disposed of at the Pasco County transfer station located on Handcart Road. Per the Comprehensive Plan, the minimum level of service (LOS) is 1.5 tons per year per dwelling unit for residential uses.

Service is available to the site, and nearby properties currently serviced. Maximum LOS demand for the site based on the proposed zoning would:

1.5 Tons x 1 year x 15.96 Duplex Units = 23.9 Tons/Year OR 1.5 x 1 year x 7.0 SF Units = 15.96

STORMWATER

The Subject Property is not located within a basin of special concern or an identified flood hazard area. Maximum buildout of the site at 10.5 units per acre would necessitate on-site retention for a 100 year, 24 hour storm event.

POLICE

The Subject Property is currently within the service area of the Zephyrhills Police Department. No impact is anticipated.

FIRE/EMERGENCY SERVICES

The Subject Property is currently served by Pasco County Fire Rescue. No impact is anticipated.

D. CONSISTENCY WITH CITY CODES/ORDINANCES

R3 is an allowable zoning category under the Future Land Use Classification of RU (Residential Urban) and, as a portion of the Subject Property and other properties immediately adjacent to the Subject Property have an existing zoning designation of R3, a spot zone will not be created. Therefore, the proposed rezoning from C3 to R3 is consistent with the Comprehensive Plan.

The proposed FLU and rezoning is consistent with the City of Zephyrhills Comprehensive Plan, Land Development Code, and City codes and ordinances.

III. RECOMMENDATION(S)

Staff Recommendation – Based upon the analysis contained herein, along with supporting documentation, staff recommends approval of the application to rezone – changing a portion of the FLU classification on the Subject property to RU (Residential Urban) and

Site Plan Review Committee – The SPRC voted to recommend approval of the proposed FLUMA & Rezoning

Planning Commission – The Planning Commission recommended approval of the proposed FLUMA & Rezoning at its regular 7/19/2022 meeting with a unanimous vote.

City of Zephyrhills Bank Depository - Deposit Listing

Transaction Description	Amount	Customer Reference	Bank Reference	Ledger Date
ACH Credit Received	6,626.73	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/3/2022
ACH Credit Received	290.93	2005	ACHCPASCOTAX	8/3/2022
ACH Credit Received	3,612.98	2005	ACHCPASCOTAX	8/3/2022
ACH Credit Received	4,214.68	362773428	ACHCPAYMENTUS CO	8/3/2022
ACH Credit Received	204.62	2.01752E+14	ACHCSTATE OF FLO	8/3/2022
ACH Credit Received	1,453.49	8.78824E+12	ACHCGLOBAL PAYME	8/3/2022
ACH Credit Received	4,044.61	8.78824E+12	ACHCGLOBAL PAYME	8/3/2022
ACH Credit Received	441.70	8.78824E+12	ACHCGLOBAL PAYME	8/3/2022
ACH Credit Received	596.25	8.78824E+12	ACHCGLOBAL PAYME	8/3/2022
Miscellaneous Credit	1,548.71		MSCR000000000111	8/3/2022
ACH Credit Received	102,902.06	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/4/2022
ACH Credit Received	64.42	363113910	ACHCPAYMENTUS CO	8/4/2022
ACH Credit Received	238.65	1502309531	ACHCSUBURBAN PRO	8/4/2022
ACH Credit Received	126.00	2.01752E+14	ACHCSTATE OF FLO	8/4/2022
ACH Credit Received	63.90	8.78824E+12	ACHCGLOBAL PAYME	8/4/2022
ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	8/4/2022
ACH Credit Received	1,958.11	8.78824E+12	ACHCGLOBAL PAYME	8/4/2022
ACH Credit Received	1,105.84	8.78824E+12	ACHCGLOBAL PAYME	8/4/2022
Deposit	1,369.93		ICLD02404726337I	8/4/2022
Deposit	1,388.34		DP0002106912087I	8/4/2022
Deposit	1,544.02		DP0002106912085I	8/4/2022
Deposit	12,241.36		ICLD02404535521I	8/4/2022
Miscellaneous Credit	1,869.23		MSCR000000000111	8/4/2022
ACH Credit Received	18,662.51	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/5/2022
ACH Credit Received	397.26	363424703	ACHCPAYMENTUS CO	8/5/2022
ACH Credit Received	188,450.54	2.01752E+14	ACHCSTATE OF FLO	8/5/2022
ACH Credit Received	188,262.45	2.01752E+14	ACHCSTATE OF FLO	8/5/2022
ACH Credit Received	371.58	2.01752E+14	ACHCSTATE OF FLO	8/5/2022
ACH Credit Received	15.00	2.01752E+14	ACHCSTATE OF FLO	8/5/2022
ACH Credit Received	914.85	8.78824E+12	ACHCGLOBAL PAYME	8/5/2022
ACH Credit Received	431.50	8.78824E+12	ACHCGLOBAL PAYME	8/5/2022
Deposit	1,974.04		DP0002108134208I	8/5/2022
Deposit	7,222.45		ICLD02405052905I	8/5/2022
Miscellaneous Credit	4,617.98		MSCR000000000111	8/5/2022
ACH Credit Received	20,725.20	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/8/2022
ACH Credit Received	996.00	2.00186E+13	ACHCAmeriGas Pro	8/8/2022
ACH Credit Received	104.25	2.01752E+14	ACHCSTATE OF FLO	8/8/2022
ACH Credit Received	25.00	2.01752E+14	ACHCSTATE OF FLO	8/8/2022
ACH Credit Received	48.94	2.01752E+14	ACHCSTATE OF FLO	8/8/2022
ACH Credit Received	50.00	8.78824E+12	ACHCGLOBAL PAYME	8/8/2022
ACH Credit Received	334.11	8.78824E+12	ACHCGLOBAL PAYME	8/8/2022
ACH Credit Received	1,099.01	8.78824E+12	ACHCGLOBAL PAYME	8/8/2022
ACH Credit Received	615.25	8.78824E+12	ACHCGLOBAL PAYME	8/8/2022

ACH Credit Received	1,233.18	8.78824E+12	ACHCGLOBAL PAYME	8/8/2022
ACH Credit Received	772.50	8.78824E+12	ACHCGLOBAL PAYME	8/8/2022
ACH Credit Received	1,439.96	8.78824E+12	ACHCGLOBAL PAYME	8/8/2022
Deposit	1,199.70		DP0002100951556I	8/8/2022
Deposit	13,021.35		ICLD02405751563I	8/8/2022
Miscellaneous Credit	2,240.73		MSCR000000000111	8/8/2022
ACH Credit Received	13,543.37	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/9/2022
ACH Credit Received	29,877.24	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/9/2022
ACH Credit Received	38,903.27	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/9/2022
ACH Credit Received	478.19	364067155	ACHCPAYMENTUS CO	8/9/2022
ACH Credit Received	96.00	364499398	ACHCPAYMENTUS CO	8/9/2022
Deposit	1,222.67		DP0002102673412I	8/9/2022
Deposit	31,009.83		ICLD02406632253I	8/9/2022
Miscellaneous Credit	2,654.26		MSCR000000000111	8/9/2022
ACH Credit Received	6,518.24	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/10/2022
ACH Credit Received	200.00	VUS000001558	ACHCWASTE CONNEC	8/10/2022
ACH Credit Received	225.00	VUS000001558	ACHCWASTE CONNEC	8/10/2022
ACH Credit Received	4,861.00	2.01752E+14	ACHCSTATE OF FLO	8/10/2022
ACH Credit Received	237.75	2.01752E+14	ACHCSTATE OF FLO	8/10/2022
ACH Credit Received	5.00	2.01752E+14	ACHCSTATE OF FLO	8/10/2022
ACH Credit Received	682.13	8.78824E+12	ACHCGLOBAL PAYME	8/10/2022
ACH Credit Received	545.70	8.78824E+12	ACHCGLOBAL PAYME	8/10/2022
ACH Credit Received	727.29	8.78824E+12	ACHCGLOBAL PAYME	8/10/2022
Deposit	1,333.95		DP0002103468306I	8/10/2022
Deposit	3,879.68		ICLD02406942724I	8/10/2022
Miscellaneous Credit	2,080.14		MSCR000000000111	8/10/2022
ACH Credit Received	13,466.46	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/11/2022
ACH Credit Received	272.85	8.78824E+12	ACHCGLOBAL PAYME	8/11/2022
ACH Credit Received	818.55	8.78824E+12	ACHCGLOBAL PAYME	8/11/2022
ACH Credit Received	295,410.08	8.78824E+12	ACHCGLOBAL PAYME	8/11/2022
Deposit	1,881.48		DP0002104420391I	8/11/2022
Deposit	12,870.41		ICLD02407364745I	8/11/2022
Auto Transfer Credit	579,630.26		WEBC000000000111	8/11/2022
Miscellaneous Credit	657.90		MSCR000000000111	8/11/2022
ACH Credit Received	10,949.63	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/12/2022
ACH Credit Received	1,143.63	365973112	ACHCPAYMENTUS CO	8/12/2022
ACH Credit Received	311.12	2.01752E+14	ACHCSTATE OF FLO	8/12/2022
ACH Credit Received	25.00	2.01752E+14	ACHCSTATE OF FLO	8/12/2022
ACH Credit Received	818.55	8.78824E+12	ACHCGLOBAL PAYME	8/12/2022
ACH Credit Received	1,816.52	8.78824E+12	ACHCGLOBAL PAYME	8/12/2022
Deposit	451.85		ICLD02407865633I	8/12/2022
Deposit	1,143.55		DP0002105525078I	8/12/2022
Miscellaneous Credit	1,064.05		MSCR000000000111	8/12/2022
ACH Credit Received	60,520.88	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/15/2022
ACH Credit Received	366.19	366550253	ACHCPAYMENTUS CO	8/15/2022
ACH Credit Received	1,871.17	2.01752E+14	ACHCSTATE OF FLO	8/15/2022
ACH Credit Received	155.12	2.01752E+14	ACHCSTATE OF FLO	8/15/2022

ACH Credit Received	30.00	2.01752E+14	ACHCSTATE OF FLO	8/15/2022
ACH Credit Received	1,248.60	224276	ACHCLE03-AWIN MA	8/15/2022
ACH Credit Received	20.35	36-1924025	ACHCWALGREEN CO	8/15/2022
ACH Credit Received	4,438.21	5652	ACHCPASCOCLERKOP	8/15/2022
ACH Credit Received	818.55	8.78824E+12	ACHCGLOBAL PAYME	8/15/2022
ACH Credit Received	5,029.00	8.78824E+12	ACHCGLOBAL PAYME	8/15/2022
ACH Credit Received	2,400.00	8.78824E+12	ACHCGLOBAL PAYME	8/15/2022
ACH Credit Received	45.00	8.78824E+12	ACHCGLOBAL PAYME	8/15/2022
ACH Credit Received	648.87	8.78824E+12	ACHCGLOBAL PAYME	8/15/2022
Deposit	590.37		ICLD02408525890I	8/15/2022
Deposit	914.08		DP0002107251392I	8/15/2022
Debit Reversal	32.15	207918	DRV0000099000701	8/15/2022
Miscellaneous Credit	1,953.76		MSCR000000000111	8/15/2022
ACH Credit Received	7,793.05	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/16/2022
ACH Credit Received	17,765.55	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/16/2022
ACH Credit Received	20,343.38	CITY OF ZEPHYRH	ACHCPAYMENTUS	8/16/2022
ACH Credit Received	370,721.98	Zephyrhills	ACHCCRESTLINE SO	8/16/2022
ACH Credit Received	384.20	366835792	ACHCPAYMENTUS CO	8/16/2022
ACH Credit Received	4,121,024.00	2.01752E+14	ACHCSTATE OF FLO	8/16/2022
ACH Credit Received	62,639.93	2.01752E+14	ACHCSTATE OF FLO	8/16/2022
Deposit	1,627.93		DP0002108701972I	8/16/2022
Deposit	21,825.96		ICLD02400124606I	8/16/2022
Miscellaneous Credit	4,447.57		MSCR000000000111	8/16/2022