

# ST. PETERSBURG CITY COUNCIL

## Consent Agenda

Meeting of June 4, 2009

**TO:** The Honorable Jeff Danner, Chair and Members of City Council

**SUBJECT:** A Resolution finding that payment of all closing related costs, including documentary stamps, for acquisition of the property herein described serves a City purpose; authorizing the Mayor, or his Designee, to purchase one (1) unimproved parcel located at 2251 Fairfield Avenue South, St. Petersburg (Parcel 6) for Phase II of the Dome Industrial Park Plan for the sum of \$65,000; to pay all closing related costs, including documentary stamps, not to exceed \$5,000; and to execute all documents necessary to effectuate same; approving a supplemental appropriation in the amount of \$70,000 from the unappropriated balance of the General Fund (Land Sale Proceeds Designation) to Real Estate & Property Management for FY09; and providing an effective date.

**EXPLANATION:** In March 1999, St. Petersburg City Council approved the Dome Industrial Park Plan ("Plan") by Resolution No. 99-159 to counter the declining investment and economic conditions of the 122-acre industrial area, with City efforts focused on the Pilot Project area ("Phase I"). On August 25, 2005, the City of St. Petersburg City Council approved a resolution finding the Dome Industrial Park area a blighted area leading to the approval of the Dome Industrial Park Community Redevelopment Area ("DIPCRA") by City Council by Ordinance 841-G on August 23, 2007 and thereafter approved by the Pinellas County Board of County Commissioners on November 29, 2007 pursuant to criteria in Florida Statutes, Chapter 163, Part III.

Acquisitions in Phase I of the Plan were completed using Federal funds for the acquisitions with the objective of acquiring property for industrial development for the purpose of generating sustainable jobs within the Plan area. Thereafter, a ±16 acre tract of Phase I was ultimately sold to the U.S. Department of Labor ("DOL") for the construction and operation of a Job Corps facility for a sale price of \$2,250,000. Due to Federal funds having been used to acquire the property sold to DOL, the U.S. Department of Housing and Urban Development ("HUD") requires that these proceeds from the sale of the Phase I site be utilized to acquire additional land for future industrial development in order to generate sustainable jobs to comply with the original objectives of the Plan.

In accordance with acquisition procedures and at the request of Administration, Real Estate and Property Management staff gathered property and ownership data on the thirty-nine (39) non City-owned parcels located across from the Job Corps site and west of 22<sup>nd</sup> Street South ("Phase II"), as depicted on the attached illustration, in an area where other property had previously been assembled by the City. Notices were appropriately delivered to the property owners within the targeted areas of the Phase II acquisition area. The City's goal is to utilize the proceeds from the sale to the DOL ("Acquisition Funds") to acquire as many of the parcels as

practical for future industrial development. The Acquisition Funds are restricted by guidelines that require the City to acquire the parcels in accordance with the requirements of HUD and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (collectively "HUD Guidelines") which include the payment of all closing related costs, including documentary stamps. Payment of these costs by the City supports the goals of the DIPORA that will enhance economic opportunities for the City and its citizens.

The subject parcel is owned by Geneva Henry, Robert L. Kimble, Jimetter Kimble and the Heirs, Beneficiaries and/or Devisees of the Estate of Joseph Kimble, Deceased, (collectively "Seller"). The subject parcel is an unimproved ±6,350 square foot lot and is legally described as follows:

Lot 10, Block 3, HIGH-LAND CREST, according to the map or plat thereof recorded in Plat Book 1, Page 20, of the Public Records of Pinellas County, Florida; Pinellas County Parcel I.D. No: 23/31/16/38628/003/0100; Street Address: 2251 Fairfield Avenue South, St. Petersburg, Florida 33712

The subject parcel was appraised on January 29, 2008 by James P. Koelsch, State Certified General Appraiser, who states that in his opinion the market value of the unencumbered fee simple interest of the property being sold to the City is \$52,000. Additionally, in accordance with HUD regulations, a review appraisal was completed on February 18, 2008 by Ron Braun, State Certified General Appraiser, who confirmed the value of the subject parcel. The Seller, however, has agreed to sell the subject parcel to the City for \$65,000, subject to approval by City Council. The increase in the sale price reflects the dollars that the City would have paid to repair and replace a fence on the subject parcel that was incorrectly removed during a demolition procedure and the cost of new appraisal of the subject parcel. The acquisition of the subject parcel will provide the City control over the existing avenue between 22<sup>nd</sup> Street South and 23<sup>rd</sup> Street South, thus providing the ability to potentially vacate certain rights-of-way for future development. Additionally, the subject parcel will provide the City with approximately 4 acres of contiguous, developable property along the western edge of 22<sup>nd</sup> Street South.

Greenfield Environmental, Inc. conducted a Phase I environmental site assessment on May 4, 2009. The assessment revealed evidence of recognized environmental conditions at the subject area and further investigation was deemed necessary. Accordingly, a Phase II environmental site assessment was conducted on May 27, 2009 and the assessment revealed no environmental impacts to soil. As a result, in the professional opinion of Mr. Nick Eilerman, Project Manager, no further assessment or investigation sampling would be necessary.

**RECOMMENDATION:** Administration recommends that City Council approve the attached Resolution finding that payment of all closing related costs, including documentary stamps, for acquisition of the property herein described serves a City purpose; authorizing the Mayor, or his Designee, to purchase one (1) unimproved parcel located at 2251 Fairfield Avenue

South, St. Petersburg (Parcel 6) for Phase II of the Dome Industrial Park Plan for the sum of \$65,000; to pay all closing related costs, including documentary stamps, not to exceed \$5,000; and to execute all documents necessary to effectuate same; and approving a supplemental appropriation in the amount of \$70,000 from the unappropriated balance of the General Fund (Land Sale Proceeds Designation) to Real Estate & Property Management for FY09.

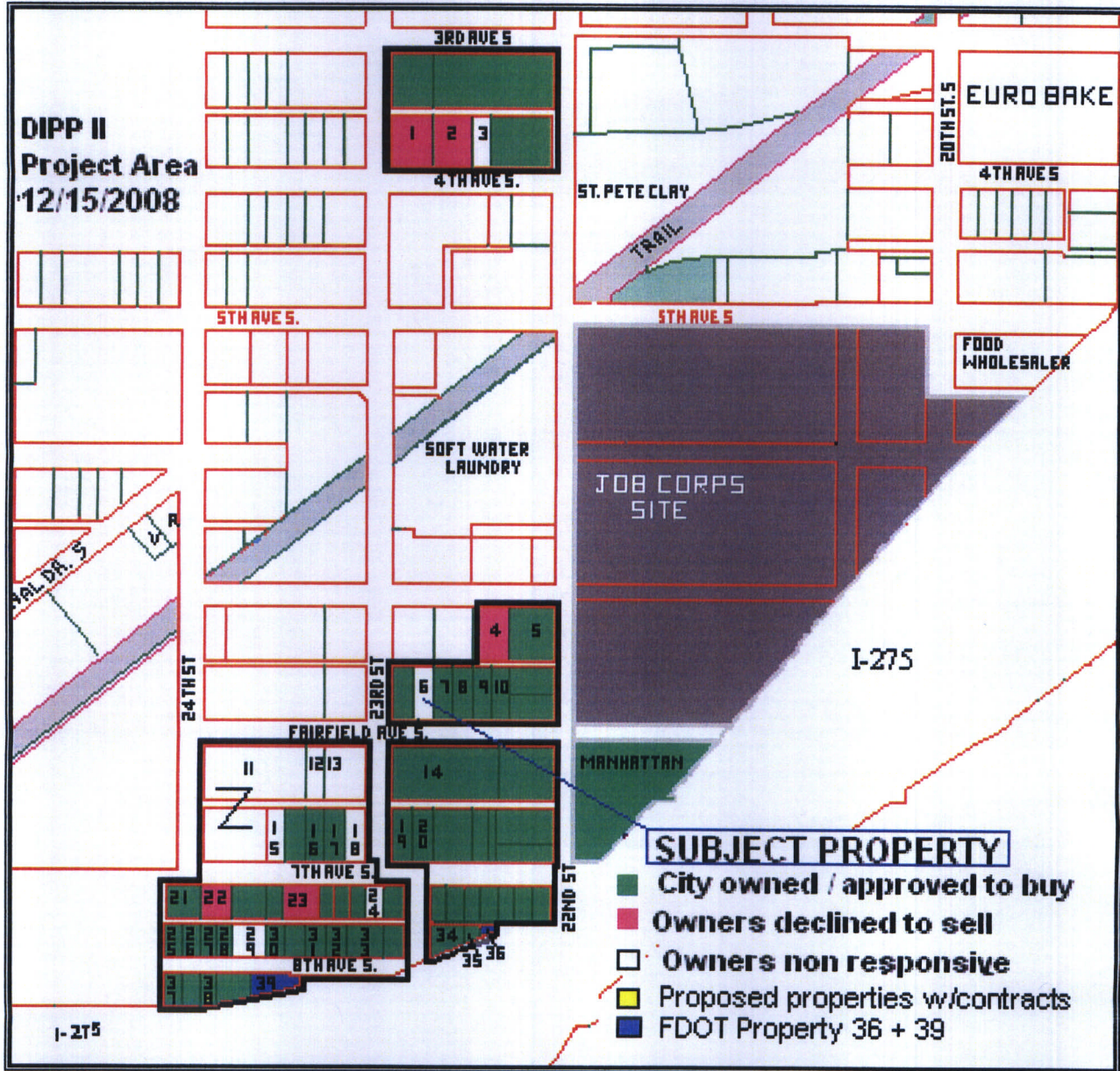
**COST/FUNDING/ASSESSMENT INFORMATION:** Funds will be available in the Real Estate & Property Management (360) department after a supplemental appropriation in the amount of \$70,000 from the unappropriated balance of the General Fund (Land Sale Proceeds Designation) for FY09.

**ATTACHMENTS:** Illustration, Resolution

**APPROVALS:** Administrative: R. J. [Signature] 5-28-09 BE/SID  
Budget: [Signature]  
Legal: [Signature]  
(As to consistency w/attached legal documents)

ILLUSTRATION

DIPP II -Parcel 6



Street Address: 2251 Fairfield Avenue South, St. Petersburg  
 Pinellas County Parcel I.D. No.: 23/31/16/38628/003/0100

A RESOLUTION FINDING THAT PAYMENT OF ALL CLOSING RELATED COSTS, INCLUDING DOCUMENTARY STAMPS, FOR ACQUISITION OF THE PROPERTY HEREIN DESCRIBED SERVES A CITY PURPOSE; AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PURCHASE ONE (1) UNIMPROVED PARCEL LOCATED AT 2251 FAIRFIELD AVENUE SOUTH, ST. PETERSBURG (PARCEL 6) FOR PHASE II OF THE DOME INDUSTRIAL PARK PLAN FOR THE SUM OF \$65,000; TO PAY ALL CLOSING RELATED COSTS, INCLUDING DOCUMENTARY STAMPS, NOT TO EXCEED \$5,000; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAME; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$70,000 FROM THE UNAPPROPRIATED BALANCE OF THE GENERAL FUND (LAND SALE PROCEEDS DESIGNATION) TO REAL ESTATE & PROPERTY MANAGEMENT FOR FY09; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in March 1999, St. Petersburg City Council approved the Dome Industrial Park Plan ("Plan") by Resolution No. 99-159 to counter the declining investment and economic conditions of the 122-acre industrial area with City efforts focused on the Pilot Project area ("Phase I"); and

WHEREAS, on August 25, 2005, the City of St. Petersburg City Council approved a resolution finding the Dome Industrial Park area a blighted area leading to the approval of the Dome Industrial Park Community Redevelopment Area ("DIPCRA") by City Council by Ordinance 841-G on August 23, 2007 and thereafter approved by the Pinellas County Board of County Commissioners on November 29, 2007 pursuant to criteria in Florida Statutes, Chapter 163, Part III; and

WHEREAS, acquisitions in Phase I of the Plan were completed using Federal funds for the acquisitions with the objective of acquiring property for industrial development for the purpose of generating sustainable jobs within the Plan area; and

WHEREAS, a ±16 acre tract of Phase I was ultimately sold to the U.S. Department of Labor ("DOL") for the construction and operation of a Job Corps facility for a sale price of \$2,250,000; and

WHEREAS, due to Federal funds having been used to acquire the property sold to DOL, the U.S. Department of Housing and Urban Development ("HUD") requires that these proceeds from the sale of the Phase I site be utilized to acquire additional land for future industrial development in order to generate sustainable jobs to comply with the original objectives of the Plan; and

WHEREAS, at the request of Administration, Real Estate and Property Management staff gathered property and ownership data on the thirty-nine (39) non City-owned parcels located across from the Job Corps site and west of 22<sup>nd</sup> Street South ("Phase II") in an area where other property had previously been assembled by the City; and

WHEREAS, notices were appropriately delivered to the property owners within the targeted areas of the Phase II acquisition area; and

WHEREAS, the City's goal is to utilize the proceeds from the sale to the DOL ("Acquisition Funds") to acquire as many of the parcels as practical for future industrial development; and

WHEREAS, the Acquisition Funds are restricted by guidelines that require the City to acquire the parcels in accordance with the requirements of HUD and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (collectively "HUD Guidelines"); and

WHEREAS, the subject parcel is owned by Geneva Henry, Robert L. Kimble, Jimetter Kimble and the Heirs, Beneficiaries and/or Devisees of the Estate of Joseph Kimble, Deceased, (collectively "Seller"); and

WHEREAS, the subject parcel is an unimproved ±6,350 square foot lot and is legally described as follows:

Lot 10, Block 3, HIGH-LAND CREST, according to the map or plat thereof recorded in Plat Book 1, Page 20, of the Public Records of Pinellas County, Florida; Pinellas County Parcel I.D. No: 23/31/16/38628/003/0100; Street Address: 2251 Fairfield Avenue South, St. Petersburg, Florida 33712; and

WHEREAS, the subject parcel was appraised on January 29, 2008 by James P. Koelsch, State Certified General Appraiser who states that in his opinion the market value of the unencumbered fee simple interest of the property being sold to the City is \$52,000; and

WHEREAS, in accordance with HUD regulations, a review appraisal was completed on February 18, 2008 by Ron Braun, State Certified General Appraiser, who confirmed the value of the subject parcel; and

WHEREAS, the Seller has agreed to sell the subject parcel to the City for \$65,000, subject to approval by City Council; and

WHEREAS, the increase in the sale price reflects the dollars that the City would have paid to repair and replace a fence on the subject parcel that was incorrectly removed during a demolition procedure and the cost of new appraisal of the subject parcel; and

WHEREAS, the acquisition of the subject parcel will provide the City control over the existing avenue between 22<sup>nd</sup> Street South and 23<sup>rd</sup> Street South, thus providing the ability to vacate the street in preparation for future development; and

WHEREAS, the subject parcel will provide the City with approximately 4 acres of contiguous, developable property along the western edge of 22<sup>nd</sup> Street South; and

WHEREAS, Greenfield Environmental, Inc. conducted a Phase I environmental site assessment on May 4, 2009; and

WHEREAS, the assessment revealed evidence of recognized environmental conditions at the subject area and further investigation was deemed necessary; and

WHEREAS, a Phase II environmental site assessment was conducted on May 27, 2009 and the assessment revealed no environmental impacts to soil; and

WHEREAS, in the professional opinion of Mr. Nick Eilerman, Project Manager, no further assessment or investigation sampling would be necessary; and

WHEREAS, payment of all closing related costs, including documentary stamps, for acquisition of the property herein described by the City is required by HUD Guidelines in order to expend the HUD funding for the acquisition which supports the goals of the DIPORA and will enhance economic opportunities for the City and its citizens.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the City Council finds that due to the scope and purpose of the acquisition that the payment of all closing related costs, including documentary stamps, of the property herein described serves a public purpose and that the City should pay such costs; and


BE IT FURTHER RESOLVED by the City Council of the City of St. Petersburg, Florida that the Mayor, or his Designee, is authorized to purchase one (1) unimproved parcel located at 2251 Fairfield Avenue South, St. Petersburg (Parcel 6) for Phase II of the Dome Industrial Park Plan for the sum of \$65,000; to pay all closing related costs, including documentary stamps, not to exceed \$5,000; and to execute all documents necessary to effectuate same; and

BE IT FURTHER RESOLVED that there is hereby approved the following supplemental appropriation from the unappropriated balance of the General Fund (Land Sale Proceeds Designation) for fiscal year 2009:


General Operating Fund (Land Sale Proceeds Designation)  
Real Estate & Property Mgt. (0001.360) \$70,000

This Resolution shall become effective immediately upon its adoption.

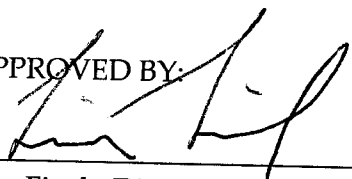
LEGAL:

  
\_\_\_\_\_  
City Attorney (Designee)

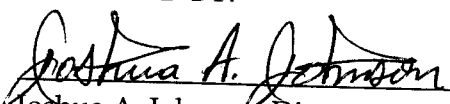
APPROVED BY:

  
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Goliath J. Davis, III, Deputy Mayor  
Midtown Economic Development

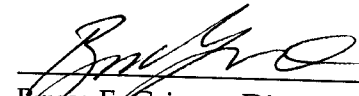
APPROVED BY:

  
\_\_\_\_\_  
Tim Finch, Director  
Budget & Management

APPROVED BY:

  
\_\_\_\_\_  
Joshua A. Johnson, Director  
Housing & Community Development

APPROVED BY:

  
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Bruce E. Grimes, Director  
Real Estate and Property Management